

Ordinance No. 2021-16-O

AN ORDINANCE REPEALING SECTION 9.32.090 OF THE LINDON CITY CODE.

WHEREAS, in 1978, the Lindon City Council adopted Section 9.32.090 of the Lindon City Code, which regulates how long certain signs may be maintained, on both private and public property, based on the content of the sign, expressly targeting only election signs that support a candidate or cause; and

WHEREAS, in 2015 the United States Supreme Court, held in the case of Reed v. Town of Gilbert, that the regulation of signage based upon content violates the First Amendment of the United States Constitution;

WHEREAS, the Lindon City Council acknowledges the rights and privileges enshrined in the First Amendment of the United State Constitution and desires to ensure that the Lindon City Code conforms with the holding of the United State Supreme Court in protecting these rights.

NOW THEREFORE, BE IT ORDAINED by the City Council of Lindon City, Utah as follows:

PART ONE: Repeal of Section 9.32.090 of the Lindon City Code.

Section 9.32.090 of the Lindon City Code is hereby repealed in its entirety.

PART TWO: Severability

Severability is intended throughout and within the provisions of this ordinance. If any section, subsection, sentence, clause, phrase or portion of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.


PART THREE: Effective Date.


This ordinance shall take effect immediately upon its passage and posting as provided by law.

PASSED AND APPROVED AND MADE EFFECTIVE by the City Council of Lindon City,

Utah, this 16 day of August 2021.



  
JEFF ACERSON,  
Lindon City Mayor

  
Kathryn Moosman  
City Recorder

## 9.32.090 Failure to remove election signs.

1. Any person or persons erecting, posting or placing any election sign, banner, notice or handbill supporting any candidate or cause is required by the terms of this section to remove such poster, sign or handbill within five days following the election itself, regardless of whether such sign, banner, or handbill was placed on public or private property. Such person or persons shall remain individually responsible for the removal and proper disposal of such signs, banners, and/or handbills.
2. Any person convicted of violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof may be punished by a fine not to exceed two hundred ninety-nine dollars (\$299) or imprisonment not to exceed six months, or by both such fine and imprisonment. (Ord. 61 §1, amended, 1978)

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**The Lindon City Code is current through Ordinance 2021-1, passed February 1, 2021.**

Disclaimer: The city recorder's office has the official version of the Lindon City Code. Users should contact the city recorder's office for ordinances passed subsequent to the ordinance cited above.

**Note:** This site does not support Internet Explorer. To view this site, Code Publishing Company recommends using one of the following browsers: Google Chrome, Firefox, or Safari.

City Website: [www.lindoncity.org](http://www.lindoncity.org)

City Telephone: (801) 785-5043

[Code Publishing Company](#)

CERTIFICATE OF PASSAGE

STATE OF UTAH            }  
                                      }ss.  
COUNTY OF UTAH        }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed and adopted by the City Council of Lindon City, Utah on the 16<sup>th</sup> day of August 2021 entitled:

AN ORDINANCE OF THE CITY COUNCIL OF LINDON CITY, UTAH COUNTY, UTAH, REPEALING SECTION 9.32.090 OF THE LINDON CITY CODE AND PROVIDING FOR AN EFFECTIVE DATE.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Lindon City, Utah, this 16<sup>th</sup> day of August, 2021.

  
Kathryn A. Moosman, City Recorder



AFFIDAVIT OF POSTING

STATE OF UTAH }  
 }ss.  
COUNTY OF UTAH }

I, Kathryn A. Moosman, City Recorder of Lindon City, Utah do hereby certify and declare that I posted the attached ordinance in three public places on the 17<sup>th</sup> day of August 2021.

The three public places are as follows:

1. Lindon City Police Department
2. Lindon City Community Development Office
3. Lindon City Center

I further certify that the agenda of the meeting of the City Council containing notice of public hearing was published and posted according to law, and that copies of the ordinance so posted were true and correct copies of the original.

Kathryn A. Moosman  
Kathryn A. Moosman, City Recorder

The foregoing instrument was acknowledged before me this 21 day of August, 2021 by Kathryn A. Moosman.

My Commission expires: January 7, 2025

Residing at: Utah County

Britni Laidler  
Notary Public

