



## ORDINANCE 2025-13

**AN ORDINANCE TO AMEND SECTIONS 16.15.040, 16.15.050, 16.16.060, 16.17.030, 16.18.030, AND 16.30.030 OF THE MIDWAY CITY LAND USE CODE TO REQUIRE A WILL-SERVE LETTER FROM HEBER VALLEY SPECIAL SERVICE DISTRICT**

**WHEREAS**, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city ordinances; and

**WHEREAS**, the Midway City Council desires a code text amendment to require future developers in Midway City to provide a “will-serve” letter from Heber Valley Special Service District (HVSSD) for future developments in Midway City; and

**WHEREAS**, HVSSD is the entity that manages the sewer plant located next to Provo River and just south of State Route 113 between Midway City and Heber City; and

**WHEREAS**, A "will serve letter" is an official confirmation from a utility or service provider (like HVSSD) that they will provide service to a proposed development project, subject to certain terms and conditions; and

**WHEREAS**, The Midway City Council would like to be assured that any proposed development will have the needed sewer, and a required “will-serve” letter from HVSSD will give the City that assurance.

**NOW THEREFORE**, be it ordained by the City Council of Midway City, Utah, as follows:

The following Sections of Chapter 16 shall be amended as follows:

*Resort Zone*

*Chapter 16.15.040.G.9.b*

*Where services are to be provided by an entity other than the applicant an impact analysis shall be performed if requested by the Planning Director. Also, if deemed*

necessary by the Planning Director, the Developer may be required to obtain “Will Serve” letters from necessary service providers. *An HVSSD “Will Serve” letter is required for master plan developments in the RZ.*

*16.15.050.E.4.1.a Preliminary Plan*

*The applicant shall verify the providers of all additional infrastructure services and any associated facilities required to support each service plan presented in the Master Plan submission. Any change from the Master Plan submittal shall be noted and appropriate document and ‘will serve’ letters shall be provided. An HVSSD “Will Serve” letter is required for any development RZ.*

Planned Unit Developments and Standard Subdivision

*16.16.060 Preliminary Plan*

*BB. An HVSSD “Will Serve” letter.*

Small Subdivisions

*16.17.030 Preliminary/Final Plan*

*Y. An HVSSD “Will Serve” letter.*

Rural Preservation Subdivision

*16.18.030 Preliminary/Final Plan*

*V. An HVSSD “Will Serve” letter.*

Density Reduction Subdivision

*16.30.030 Preliminary/Final Plan*

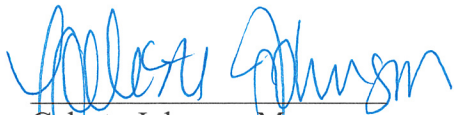
*U. An HVSSD “Will Serve” letter.*

This Ordinance shall take effect upon publication as required by law.

**PASSED AND ADOPTED** by the City Council of Midway City, Wasatch County, Utah this 7<sup>th</sup> day of October 2025.

Council Member Jeff Drury	<u>          Aye          </u>
Council Member Lisa Orme	<u>          Aye          </u>
Council Member Kevin Payne	<u>          Aye          </u>
Council Member Craig Simons	<u>          Aye          </u>
Council Member JC Simonsen	<u>          Aye          </u>

APPROVED:

  
Celeste Johnson, Mayor

ATTEST:

  
Brad Wilson, City Recorder

APPROVED AS TO FORM:

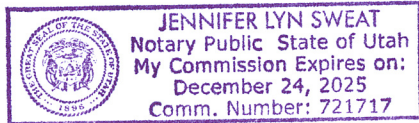
  
Corbin Gordon, City Attorney



STATE OF UTAH                    )  
  :SS  
COUNTY OF WASATCH        )

The foregoing instrument was acknowledged before me this 20 day of October, 2025, by Celeste Johnson, who executed the foregoing instrument in her capacity as the Mayor of Midway City, Utah, and by Brad Wilson, who executed the foregoing instrument in his capacity as Midway City Recorder.

  
NOTARY PUBLIC





## Certificate of Passage, Posting and Publication

I certify that on 7 October 2025 the Midway City Council adopted Ordinance 2025-13 (HVSSD Will Serve Letter).

I certify that a copy of the ordinance was deposited in the office of the municipal recorder.

I certify that a summary of the ordinance was posted on 4 December 2025 at the following locations:

Midway City Office Building  
Midway Community Center  
United States Post Office (Midway)  
The Market Express  
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on 4 December 2025.

I certify that a summary of the ordinance was also published on Midway City's website on 4 December 2025.

  
Brad Wilson, Midway City Recorder

Dated 4 December 2025

