



ORDINANCE 2026-03

AN ORDINANCE AMENDING THE MIDWAY CITY CODE TO UPDATE PUBLIC NOTICE AND NOTICING REQUIREMENTS AND REMOVE MANDATORY NEWSPAPER PUBLICATION REQUIREMENTS.

WHEREAS, the City Council of Midway City (the “City Council”) has authority under Utah law to adopt and amend ordinances governing municipal procedures, land use, and public notice requirements; and

WHEREAS, several sections of the Midway City Code (the “Code”), including provisions in Title 16 (Land Use), require notice to be published in a newspaper of general circulation; and

WHEREAS, the Wasatch Wave, the longstanding newspaper historically relied upon for such notice, has ceased operations and is no longer in business; and

WHEREAS, there is no guarantee that a permanent or longstanding replacement newspaper of general circulation will operate within or serve Midway City on a consistent basis; and

WHEREAS, while other newspapers may circulate intermittently within Wasatch County, newspapers no longer serve as the primary or exclusive means by which residents receive public information; and

WHEREAS, the City Council finds that public notice can be effectively and reliably provided through posting in public places, publication on the City’s official website, use of the Utah Public Notice Website where required, and mailed notice to affected entities and property owners as required by state law and City Code; and

WHEREAS, the Planning Commission considered the proposed amendments to the Code at its regular meeting on December 9, 2025, and recommended approval of the amendments; and

WHEREAS, the City Council finds that the amendments set forth herein comply with applicable state notice requirements and promote transparency, accessibility, and consistency in municipal noticing practices.

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

The following Sections of the Code shall be amended as follows:

Section 2.03.040. Mode of Appointment And Filling Vacancies

1. Any vacancy in the Commission membership shall be posted in at least three public places within Midway City and on the official midway city web site.

Section 2.12.070. Salaries

B. Adopting, Changing, or Amending Compensation. Upon its own motion, the governing body may review or consider the compensation of any officer or officers of the City or a salary schedule applicable to any officer or officers of the City for the purpose of determining whether it should be adopted, changed, or amended. In the event the governing body decides that the compensation or compensation schedules should be adopted, changed, or amended, it shall set a time and place of a public hearing at which all interested persons shall be given an opportunity to be heard. Notice of the time, place, and purpose of the hearing shall be posted at least fourteen days prior thereto in at least three public places within Midway City and on the Midway City website. After the conclusion of the public hearing, the City Council may enact an ordinance fixing, changing, or amending the compensation of any elected or appointed officer of the City or adopting a compensation schedule applicable to any officer or officers.

Section 2.14.040. Service of Notice

The Notice of Violation and other notices required or contemplated by this ordinance, shall be hand-delivered to the alleged violator or posted in a conspicuous place on the affected property or mailed by U.S. Mail with delivery tracking.

Section 2.15.020. Notice of Hearing

Reasonable notice of a hearing on disposition by the City of real property is hereby deemed to require posting of the notice in at least three public places within Midway City and on the Midway City website at least 14 days before the hearing.

Section 4.02.010. Purchasing

H. Sealed Bids.

1. Contracts or purchases shall be awarded by competitive sealed bidding except as otherwise provided by this policy.

2. A request for bids shall be issued when a contract is to be awarded by competitive sealed bidding. The request shall include a scope of work, specifications, and all contractual terms and conditions applicable to the procurement.

3. Legal notice of the request for bids shall be posted on the Utah Public Notice Website and the Midway City website for at least 2 consecutive weeks before the submission deadline. The City may use additional methods of publication to further publicize the notice at the discretion of the City.

I. Competitive Sealed Proposals.

2. Proposals shall be solicited through a request for proposals. Legal notice of the request for proposals shall be posted on the Utah Public Notice Website and the Midway City website for at least 2 consecutive weeks prior to the submission deadline and at least 5 days before the opening of bids. The City may use additional methods of publication to further publicize the notice at the discretion of the City.

Section 7.07.040. Special Event License Application Procedure

B. City Council Hearing. Special Event applications requiring City Council review and appeals of administrative Special Event decisions shall be heard at a duly noticed public meeting of the City Council. Noticing shall be in accordance with the noticing provisions for City Council meetings under the Code. The City Council shall review the application for compliance with the standards set forth in this Chapter and shall record its decision with written findings of fact, conclusions of law, and conditions of approval, if applicable. Written notice of the City Council's decision shall be delivered to the Applicant within ten days of the date of decision.

Section 12.06.020. Process

Upon receiving such written notice, the City shall within five business days:

A. Notify the Midway City Historic Preservation Committee (or similar body as may from time to time be constituted) of the notice of the proposed changes.

B. Post notice of the proposed changes in three public places within Midway City, on the City website, and on the owner's property on which the structure is located.

Section 16.22.040. General Requirements

K. Public Notice. For purposes of this Chapter, any special use request shall be pursuant to notification requirements outlined in Title 16, except that the notice required shall include posting the notice in at least three public places within Midway City and on the Midway City website and mailing the notice to all property owners within 600 feet of the proposed use.

Section 16.26.010. Public Notice

Notice of the date, time, and place of all public hearings concerning the adoption or modification of a land use ordinance or zoning map shall be posted in at least three public locations within Midway City and on the City's official website. In addition, at least ten calendar days before the hearing, the notice shall be mailed to each affected entity (as defined in Utah law).

Section 16.26.040. Notice Regarding Changes To Zoning Ordinance Requirements

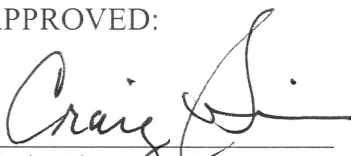
A. The City shall provide notice to real property owners pursuant to notification procedures for proceedings governed by this Chapter. Notice shall be sent by first class mail to each real property owner, as shown on the latest County assessment records, whose real property is directly governed by the changes.

This Ordinance shall take effect 20 days after publication or posting or 30 days after final passage by the governing body, whichever is closer to the date of final passage.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah this 20th day of January 2026.

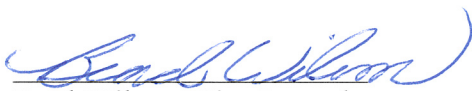
Council Member Andy Garland	<u>Aye</u>
Council Member Lisa Orme	<u>Excused</u>
Council Member Kevin Payne	<u>Aye</u>
Council Member JC Simonsen	<u>Aye</u>

APPROVED:



Craig Simons, Mayor

ATTEST:



Brad Wilson, City Recorder

APPROVED AS TO FORM:



Corbin Gordon, City Attorney





Certificate of Passage, Posting and Publication

I certify that on January 20, 2026 the Midway City Council adopted Ordinance 2026-03 (Noticing).

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 January 29, 2026 at the following locations:

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

I certify that a summary of the ordinance was published on the Utah Public Notice Website on January 29, 2026.

I certify that a summary of the ordinance was also published on Midway City's website on January 29, 2026.

Brad Wilson, Midway City Recorder

Dated January 29, 2026

