



ORDINANCE 2022-26

AN ORDINANCE TO AMEND SECTION 16.15.080(C) OF THE MIDWAY CITY LAND USE CODE TO CLARIFY THAT A SEPARATE LANDSCAPE BOND IS REQUIRED FOR RESORT DEVELOPMENT

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 and City Staff have recently discussed the need to clarify that a landscape bond is separate and different from the construction bond required of new developments, particularly within the City's Resort Zone; and

WHEREAS, in the past, landscaping was included in the construction bond, but because of construction completion timing issues, the landscaping bond should be separate; and

WHEREAS, typically, the infrastructure for a development is completed well before the landscaping is completed, so it is important that the landscaping bond be held longer than a construction bond; and

WHEREAS, the Midway City Council desires to amend Section 16.15.080(C) to address these concerns.

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

Section 16.15.080(C) shall be amended to read as follows:

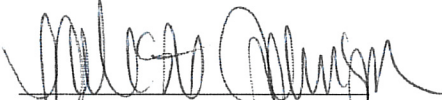
C. Landscaping Bond. Before recording any Subdivision Plat or Condominium Record of Survey of Map, a bond equal to 110 percent of the cost for construction and completion of the landscape plan shall be posted in accordance with requirements established, from time to time, by the City Council.

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 20th day of September 2022.

Council Member Steve Dougherty	<u> Aye </u>
Council Member Jeff Drury	<u> Aye </u>
Council Member Lisa Orme	<u> Aye </u>
Council Member Kevin Payne	<u> Aye </u>
Council Member JC Simonsen	<u> Aye </u>

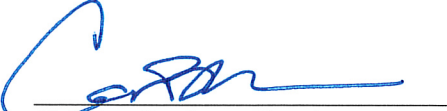
APPROVED:


Celeste Johnson, Mayor

ATTEST:


Brad Wilson, City Recorder

APPROVED AS TO FORM:


Corbin Gordon, City Attorney





Certificate of Passage, Posting and Publication

I certify that on 20 September 2022 the Midway City Council adopted Ordinance 2022-26 (Resort Zone Landscaping Bond).

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

I certify that a full, true, and correct copy of the ordinance was posted on 5 October 2022 at the following locations:

Midway City Office Building
Midway Community Center
United States Post Office (Midway)
Ridley's Express
7-Eleven (Midway)

I certify that a summary of the ordinance was published on the Utah Public Notice Website on 5 October 2022.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 12 October 2022.

The ordinance became effective on 12 October 2022 upon publication.

Brad Wilson, Midway City Recorder

Dated 24 October 2022

