



ORDINANCE 2023-14

AN ORDINANCE TO AMEND SECTION 16.16.070(A)(16) OF THE MIDWAY CITY LAND USE CODE REGARDING BOUNDARY LINE ADJUSTMENTS AFFECTING OPEN SPACE AND COMMON AREA IN RECORDED STANDARD SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS.

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

WHEREAS, Midway City Land Use Code Section 16.16.070(A)(16) currently contains a sentence fragment; and

WHEREAS, the Midway City Council desires to amend Section 16.16.070(A)(16) to correct the sentence fragment while still maintaining the purpose of the section, which is to prohibit the sale of open space or common area that alters an external boundary, as well as external boundary line adjustments that affect open space or common area; and

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

Midway City Code Section 16.16.070(A)(16) shall be amended to read as follows:

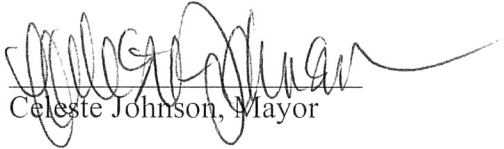
Once a standard subdivision or PUD is recorded, internal and external boundary line adjustments that would reduce designated open space or common area within the subdivision or PUD shall not be permitted. Neither shall the sale of designated open space or common area that would alter an internal or external boundary line of the subdivision or PUD be permitted. This includes, but is not limited to, boundary line adjustments and/or plat amendments that would take portions of the designated open space or common area and move them outside the recorded plat.

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 5th day of December 2023.

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

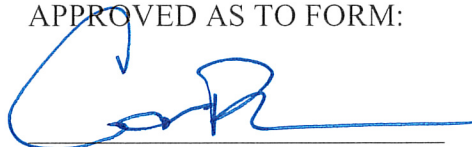
APPROVED:


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 5 December 2023 the Midway City Council adopted Ordinance 2023-14 (Boundary Line Adjustments).

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 12 December 2023 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 12 December 2023.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 20 December 2023.

The ordinance became effective on 20 December 2023 upon publication.


Brad Wilson, Midway City Recorder

Dated 20 December 2023

