



ORDINANCE 2024-04

AN ORDINANCE TO AMEND SECTIONS OF THE MIDWAY CITY LAND USE CODE TO PROHIBIT THE CREATION OF NEW DRIVE-THROUGH WINDOWS IN MIDWAY CITY

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 to amend Chapter 16.13.39, which addresses off-street parking and loading, to add a subsection prohibiting new drive through windows in Midway City; and

WHEREAS, preventing new drive-through windows will eliminate the congestion and safety issues that result from cars blocking sidewalks and lining up on public roads, as well as aid the City in its efforts to maintain its rural “village” feel.

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

The following Section of Chapter 16 shall be amended to include the following:

Section 16.13.39(M)

M. Commercial Drive-Throughs Prohibited

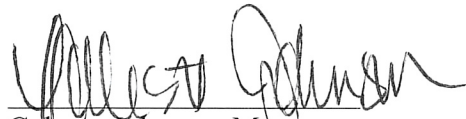
The creation of new commercial drive-throughs is prohibited in all zones. All active drive-throughs that legally exist on the date this code provision takes effect may continue as allowed elsewhere in this title. A request to use a currently existing but inactive drive-through must be made to the City 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 6th day of February 2024.

Council Member Jeff Drury	<u>Excused</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>

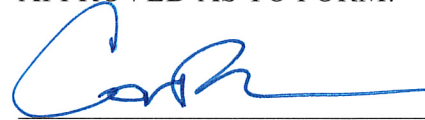
APPROVED:


Celeste Johnson, Mayor

ATTEST:


Brad Wilson, City Recorder

APPROVED AS TO FORM:


Corbin Gordon, City Attorney





Certificate of Passage, Posting and Publication

I certify that on 6 February 2024 the Midway City Council adopted Ordinance 2024-04 (Drive-Throughs).

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 25 July 2024 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 25 July 2024.

I further certify that a summary of the ordinance was published in The Wasatch Wave on 31 July 2024.

The ordinance became effective on 31 July 2024 upon publication.


Brad Wilson, Midway City Recorder

Dated 31 July 2024

