

Report Criteria:
Detail report.
Invoices with totals above \$0.00 included.
Only unpaid invoices included.

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided	Payment Due Date
ARDURRA GROUP INC									
3180	ARDURRA GROUP INC	240141-4	Pay Request #4 (City)	09/10/2024	437.50	.00			10/10/2024
3180	ARDURRA GROUP INC	240141-4	Pay Request #4 (MSD Portion)	09/10/2024	437.50	.00			10/10/2024
Total ARDURRA GROUP INC:					875.00	.00			
Bell Janitorial Supply									
2880	Bell Janitorial Supply	1056706	CLEANING Supplies for Bathroom	09/05/2024	1,979.96	.00			10/05/2024
Total Bell Janitorial Supply:					1,979.96	.00			
Berg Landscape Architects									
2519	Berg Landscape Architects	1569	Alpenhof Park Construction	09/03/2024	1,087.50	.00			09/18/2024
Total Berg Landscape Architects:					1,087.50	.00			
BIG O TIRE									
170	BIG O TIRE	044264-14184	Equipment Trailer Tires	08/19/2024	455.91	.00			09/19/2024
170	BIG O TIRE	044264-14902	Dodge Dump Truck	08/29/2024	527.98	.00			09/29/2024
Total BIG O TIRE:					983.89	.00			
Blue Stakes of Utah 811									
200	Blue Stakes of Utah 811	UT202402372	BILLABLE E-MAIL NOTIFICATIO	08/31/2024	70.29	.00			09/30/2024
Total Blue Stakes of Utah 811:					70.29	.00			
Car Quest Auto Parts									
2700	Car Quest Auto Parts	15341-193405	Oil Filter F550	09/10/2024	15.40	.00			10/10/2024
Total Car Quest Auto Parts:					15.40	.00			
CASELLE INC									
270	CASELLE INC	135149	Contract Support & Maintenance f	09/01/2024	450.27	.00			09/25/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided	Payment Due Date
Total CASELLE INC:					450.27	.00			
CENTURYLINK - 435-654-3227 269B									
945	CENTURYLINK - 435-654-3227 2	333977502 9/2	PHONE SERVICE	09/07/2024	635.62	.00			10/04/2024
Total CENTURYLINK - 435-654-3227 269B:					635.62	.00			
CENTURYLINK -435-654-3924 453B									
2561	CENTURYLINK -435-654-3924 45	333386055 9/2	Phone/Internet	09/07/2024	146.39	.00			10/04/2024
2561	CENTURYLINK -435-654-3924 45	333386055 9/2	Late Fee	09/07/2024	34.00	.00			10/04/2024
Total CENTURYLINK -435-654-3924 453B:					180.39	.00			
CENTURYLINK 435-654-4204 775B									
2562	CENTURYLINK 435-654-4204 77	333723442 9/2	Phone Service	09/07/2024	69.93	.00			10/04/2024
Total CENTURYLINK 435-654-4204 775B:					69.93	.00			
CenturyLink ACCT# 88239224									
2636	CenturyLink ACCT# 88239224	704516459	88239224 Phone Service	09/12/2024	1,114.97	.00			10/12/2024
Total CenturyLink ACCT# 88239224:					1,114.97	.00			
CHEMTECH-FORD LABORATORIES									
2147	CHEMTECH-FORD LABORATOR	2410010	colilert AP	09/04/2024	180.00	.00			10/04/2024
Total CHEMTECH-FORD LABORATORIES:					180.00	.00			
COLONIAL FLAG & SPECIALTY CO									
305	COLONIAL FLAG & SPECIALTY	0324569-IN	Administrative BLDG Flag Rotatio	09/12/2024	135.00	.00			10/12/2024
305	COLONIAL FLAG & SPECIALTY	0324572-IN	Town Hall Flag Rotation	09/12/2024	55.00	.00			10/12/2024
305	COLONIAL FLAG & SPECIALTY	0324573-IN	Cemetery Flag Rotation	09/12/2024	55.00	.00			10/12/2024
305	COLONIAL FLAG & SPECIALTY	0324574-IN	Hamlet Park Flag Rotation	09/12/2024	135.00	.00			10/12/2024
Total COLONIAL FLAG & SPECIALTY CO:					380.00	.00			
Dominion Energy									
930	Dominion Energy	2731063797 9/	2731063797 Community Center	09/12/2024	40.53	.00			10/03/2024
930	Dominion Energy	5770020000 9/	5770020000 TOWN HALL	09/12/2024	86.64	.00			10/03/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided	Payment Due Date
930	Dominion Energy	6558550000 9/	6558550000 Gas Service	09/12/2024	21.66	.00			10/03/2024
930	Dominion Energy	6801020000 9/	6801020000 Admin Office	09/12/2024	33.09	.00			10/03/2024
Total Dominion Energy:					181.92	.00			
European Heritage Gifts									
3140	European Heritage Gifts	00065036	Retail Items for Midway Must Hav	09/09/2024	417.21	.00			10/05/2024
Total European Heritage Gifts:					417.21	.00			
Executech Utah, Inc.									
2614	Executech Utah, Inc.	EXEC-175275	IT Services	09/01/2024	2,040.00	.00			10/01/2024
2614	Executech Utah, Inc.	EXEC-177651	Cloud Storage per Device , Server	08/31/2024	938.13	.00			09/30/2024
Total Executech Utah, Inc.:					2,978.13	.00			
FUEL NETWORK									
2821	FUEL NETWORK	F2502E00903	Fuel Billing	09/05/2024	4,204.57	.00			10/04/2024
Total FUEL NETWORK:					4,204.57	.00			
GORDON LAW GROUP, P.C.									
2627	GORDON LAW GROUP, P.C.	17989	Homestead Development	09/05/2024	1,806.00	.00			10/05/2024
2627	GORDON LAW GROUP, P.C.	17990	Ameyalli Resort	09/05/2024	316.40	.00			10/05/2024
2627	GORDON LAW GROUP, P.C.	17991	MONTHLY FLAT FEE	09/05/2024	5,440.63	.00			10/05/2024
2627	GORDON LAW GROUP, P.C.	17991	Monthly Flat Fee	09/05/2024	347.27	.00			10/05/2024
2627	GORDON LAW GROUP, P.C.	17992	The Village	09/05/2024	242.41	.00			10/05/2024
Total GORDON LAW GROUP, P.C.:					8,152.71	.00			
HOSE & RUBBER SUPPLY LLC									
1917	HOSE & RUBBER SUPPLY LLC	01970067	Sanders Big Truck Repair	09/04/2024	876.90	.00			10/01/2024
Total HOSE & RUBBER SUPPLY LLC:					876.90	.00			
LIBBIES BRACELETS DBA									
2975	LIBBIES BRACELETS DBA	282	Retail Items for Midway Must Hav	09/13/2024	200.00	.00			10/13/2024
Total LIBBIES BRACELETS DBA:					200.00	.00			

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided	Payment Due Date
MARY M.THOMAS									
3191	MARY M.THOMAS	09092024	Retail Items for Midway Must Hav	09/09/2024	80.00	.00			10/09/2024
Total MARY M.THOMAS:					80.00	.00			
MOUNTAINLAND SUPPLY COMPANY									
845	MOUNTAINLAND SUPPLY COMP	S106351251.0	Fitting-Water Gasket	08/27/2024	321.76	.00			09/30/2024
845	MOUNTAINLAND SUPPLY COMP	S106428226.0	Flowers	08/28/2024	61.38	.00			09/30/2024
845	MOUNTAINLAND SUPPLY COMP	S106444937.0	SLS Couplers	09/05/2024	373.51	.00			10/31/2024
845	MOUNTAINLAND SUPPLY COMP	S106445149.0	PVC SLS Couplers	09/05/2024	283.63	.00			10/31/2024
Total MOUNTAINLAND SUPPLY COMPANY:					1,040.28	.00			
ODP BUSINESS SOLUTIONS LLC									
875	ODP BUSINESS SOLUTIONS LL	382360649001	Credit	08/27/2024	7.27-	.00			08/27/2024
875	ODP BUSINESS SOLUTIONS LL	384612410001	Office Supplies	09/06/2024	39.46	.00			10/06/2024
875	ODP BUSINESS SOLUTIONS LL	384612410001	Ink	09/06/2024	20.67	.00			10/06/2024
875	ODP BUSINESS SOLUTIONS LL	384612410001	Color Ink	09/06/2024	21.47	.00			10/06/2024
875	ODP BUSINESS SOLUTIONS LL	384626167001	Office Supplies	09/06/2024	6.39	.00			10/06/2024
875	ODP BUSINESS SOLUTIONS LL	386266180001	Office Supplies	09/13/2024	16.98	.00			10/13/2024
875	ODP BUSINESS SOLUTIONS LL	386266180001	Office Supplies	09/13/2024	43.82	.00			10/13/2024
875	ODP BUSINESS SOLUTIONS LL	386266180001	Office Supplies	09/13/2024	12.38	.00			10/13/2024
875	ODP BUSINESS SOLUTIONS LL	386266882001	Sharpie Pen	09/13/2024	13.09	.00			10/13/2024
Total ODP BUSINESS SOLUTIONS LLC:					166.99	.00			
PR DIAMOND PRODUCTS, INC.									
2513	PR DIAMOND PRODUCTS, INC.	0066845-IN	Water	09/03/2024	1,598.00	.00			10/03/2024
Total PR DIAMOND PRODUCTS, INC.:					1,598.00	.00			
Robert Duncan Studios									
2823	Robert Duncan Studios	2414	Retail Items for Midway Must Hav	09/10/2024	210.00	.00			10/10/2024
2823	Robert Duncan Studios	2415	Retail Items for Midway Must Hav	09/11/2024	187.50	.00			10/11/2024
Total Robert Duncan Studios:					397.50	.00			
STATE FIRE									
3054	STATE FIRE	12577952	Comm. Center Door Lock Change	09/09/2024	550.50	.00			10/09/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided	Payment Due Date
Total STATE FIRE:					550.50	.00			
SUPERIOR LOCKSMITH									
2806	SUPERIOR LOCKSMITH	7321	Service Call, Keys for Zamboni &	09/10/2024	393.65	.00			10/05/2024
Total SUPERIOR LOCKSMITH:					393.65	.00			
TIMBERLINE ACE HARDWARE									
1170	TIMBERLINE ACE HARDWARE	178084	Saw	09/03/2024	155.27	.00			10/10/2024
1170	TIMBERLINE ACE HARDWARE	178294	70" Prybar	09/10/2024	40.49	.00			10/10/2024
Total TIMBERLINE ACE HARDWARE:					195.76	.00			
TIMP ENGINEERING LLC									
3074	TIMP ENGINEERING LLC	1507	Water System Maintenance	08/31/2024	1,230.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1508	General Engineering Tasks	08/31/2024	2,525.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1509	General Water Engineering	08/31/2024	2,970.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1510	Farm Meadows	08/31/2024	330.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1511	2024 Road Surface Treatment Tas	08/31/2024	7,630.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1512	Work on trail design	08/31/2024	5,590.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1513	Farm Road Improvements	08/31/2024	1,415.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1514	200 E Utilities	08/31/2024	285.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1515	Homestead Trail/Working w/ Silver	08/31/2024	2,800.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1516	200 E Improvements	08/31/2024	355.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1517	Scotch Fields	08/31/2024	505.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1518	Malinka Subdivision	08/31/2024	2,060.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1519	Springer Village	08/31/2024	365.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1520	Villages of Zermatt (Swiss Haven	08/31/2024	225.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1521	The Villa	08/31/2024	450.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1522	Southill	08/31/2024	225.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1523	Mt. Spa/Ameyalli	08/31/2024	1,490.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1524	Homestead Resort	08/31/2024	24,110.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1525	LaBarge subdivision	08/31/2024	2,225.00	.00			09/30/2024
3074	TIMP ENGINEERING LLC	1526	Whitaker Farms	08/31/2024	1,515.00	.00			09/30/2024
Total TIMP ENGINEERING LLC:					58,300.00	.00			
WASATCH AUTO PARTS									
1310	WASATCH AUTO PARTS	304222	DEF for Trucks	09/03/2024	132.72	.00			10/03/2024

Vendor	Vendor Name	Invoice Number	Description	Invoice Date	Net Invoice Amount	Amount Paid	Date Paid	Voided	Payment Due Date
Total WASATCH AUTO PARTS:					132.72	.00			
WASATCH COUNTY SOLID WASTE									
1360	WASATCH COUNTY SOLID WAS	.80293 9/24	.80293 Centennial Park	09/01/2024	141.00	.00			09/30/2024
1360	WASATCH COUNTY SOLID WAS	.80294 9/24	.80294 Hamlet Park	09/01/2024	70.50	.00			09/30/2024
1360	WASATCH COUNTY SOLID WAS	.90042 9/24	.90042 Community Center	09/01/2024	234.50	.00			09/30/2024
1360	WASATCH COUNTY SOLID WAS	.90291 9/24	.90291 PARK AND OFFICES	09/01/2024	47.00	.00			09/30/2024
1360	WASATCH COUNTY SOLID WAS	.90292 9/24	.90292 Cemetery	09/01/2024	110.00	.00			09/30/2024
1360	WASATCH COUNTY SOLID WAS	.90638 9/24	.90638 MICHIE LANE	09/01/2024	47.00	.00			09/30/2024
1360	WASATCH COUNTY SOLID WAS	.93287 9/24	.93287 MIDWAY CITY SHOP	09/01/2024	110.00	.00			09/30/2024
Total WASATCH COUNTY SOLID WASTE:					760.00	.00			
WAVE PUBLISHING									
1365	WAVE PUBLISHING	L 18301	PLANNING COMMISSION Meetin	09/04/2024	87.88	.00			10/10/2024
1365	WAVE PUBLISHING	L 18307	Bond for Open Space	09/12/2024	87.88	.00			10/10/2024
Total WAVE PUBLISHING:					175.76	.00			
Grand Totals:					88,825.82	.00			

Dated: _____

City Treasurer: _____

Report Criteria:
Detail report.
Invoices with totals above \$0.00 included.
Only unpaid invoices included.



Memo

Date: 25 September 2024

To:

Cc:

From: Brad Wilson, City Recorder

RE: Minutes of the 17 September 2024 City Council Work Meeting

Please note that the following minutes await formal approval and are in draft or unapproved form.

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Work Meeting)**

**Tuesday, 17 September 2024, 5:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, The Market Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City’s website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order

Mayor Johnson called the meeting to order at 5:02 p.m.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member
Craig Simons, Council Member
JC Simonsen, Council Member

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Katie Villani, Planner
Brad Wilson, Recorder

Members Excused:

Lisa Orme, Council Member
Kevin Payne, Council Member

Note: A copy of the meeting roll is contained in the supplemental file.

2. Midway Arts Center / Code Text Amendment (Rich and Kim Clifton – Approximately 60 minutes) – Discuss amending the Midway City Municipal Code to allow performing arts centers in certain zones.

Michael Henke gave a presentation regarding the proposed amendment and reviewed the following items:

- History of proposals for the Midway Arts Center (MAC).
- Previously proposed code text amendment.
- Previously proposed zone map amendment.
- Zoning map with proposed overlay zone
- Benefits of a code text amendment.
- MAC size and height

- Parking concerns

Mr. Henke also made the following comments:

- The previously proposed height increase had been withdrawn.
- The City recommended an overlay zone for the MAC.
- A code text amendment allowing the MAC could be adopted and then rescinded once High Valley Arts' application was approved.
- The proposal for the MAC at the Homestead Resort was withdrawn.
- The applicants were back with a code text amendment.
- The Council would consider amendments to the commercial zones once sign and annexation area changes were concluded.

Note: A copy of Mr. Henke's presentation is contained in the supplemental file.

Rich and Kim Clifton, applicants, gave a presentation regarding the proposed amendment and reviewed the following items:

- Proposed code changes
- Frontage comparisons
- Building size with two venues
- Building size with one venue
- Parking
- Layout

They also made the following comments:

- The proposed MAC was smaller than previously discussed.
- Wanted to work with the City.
- The MAC would be within the City's height restrictions.
- The proposed code text amendment would not allow movie theaters.
- The MAC footprint was limited.
- The proposed text was restrictive enough that it might preclude other performing arts centers.
- The footprint would be limited to 26,000 square feet with the possibility to increase to 28,000 square feet.
- Needed to know that the proposal was approved before commissioning a full design.
- Proposed 450 seats per venue.
- Did not want to proceed with a proposal that the Council would reject.
- The MAC would be smaller than some homes being built in Midway.
- Considered curb appeal.
- A certain space was needed for a functional venue.
- The MAC would help the community and families.
- The parking data was based upon the City's current requirements.

Note: A copy of the Clifton's presentation is contained in the supplemental file.

The Council, staff, and meeting attendees discussed the following items:

- Only a portion of the MAC's width was shown in the comparison. This was deceiving.
- A little less than four people per vehicle attended HVA's recent production of Fiddler on the Roof.
- The applicants were working with the business owner to the east to lease an additional 80 parking spaces.
- After watching the traffic from the recent performance, traffic should not be an issue with the MAC.
- The MAC would have two accesses.
- There should be an access, behind the existing structures, from the MAC to the additional parking at Olde Swiss Square.
- Left hand turns from the MAC onto Main Street would be difficult. The east exit would have righthand turns.
- The new signal light at Main Street and River Road would break up traffic but would also cause it to back up. Turn lanes would be added with the signal light.
- UDOT required a 150-foot separation between accesses.
- Normal traffic would be light when the performances ended.
- Traffic would be less for practices.
- Impatient drivers were dangerous drivers.
- The proposed site would be a traffic problem.
- Each ticket would have parking directions.
- Signage for parking could be used.
- The building would have a basement which would preclude underground parking.
- The Municipal Code prohibited stacked parking because of how it impacted the look of Midway. The City should determine how to make parking structures less imposing.
- Traffic was the greatest concern with the MAC.
- An overlay zone was still preferred over a code text amendment.
- A legislative agreement was an alternative. Wasatch County used this with a project, but it was now being litigated.
- The City should not amend the Code then change it back again.
- The City could not limit performing arts centers to just one.
- The proposal tried to fit an arts center into a small space in a busy part of Midway.
- The MAC did not have a Swiss look.
- A discussion of an overlay zone might not meet the applicants' timeline.
- The MAC should be smaller.
- Parking and traffic could be solved if the Council felt that the MAC would be good for Midway.
- The MAC could happen if the size and zone language were addressed.
- The Council had discussed the MAC in various forms multiple times and not come to a resolution.
- The MAC would be the largest building in Midway.
- The Council was willing to discuss an overlay zone, but the applicants should not purchase any property based on that willingness.

3. Adjournment

The meeting was adjourned at 6:03 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder

DRAFT



Memo

Date: 27 September 2024

To:

Cc:

From: Brad Wilson, City Recorder

RE: Minutes of the 17 September 2024 City Council Regular Meeting

Please note that the following minutes await formal approval and are in draft or unapproved form.

**MINUTES OF THE
MIDWAY CITY COUNCIL
(Regular Meeting)**

**Tuesday, 17 September 2024, 6:00 p.m.
Midway Community Center, Council Chambers
160 West Main Street, Midway, Utah**

Note: Notices/agendas were posted at 7-Eleven, The Market Express, the United States Post Office, the Midway City Office Building, and the Midway Community Center. Notices/agendas were provided to the City Council, City Engineer, City Attorney, Planning Director, and The Wasatch Wave. The public notice/agenda was published on the Utah State Public Notice Website and the City's website. A copy of the public notice/agenda is contained in the supplemental file.

1. Call to Order; Pledge of Allegiance; Prayer and/or Inspirational Message

Mayor Johnson called the meeting to order at 6:12 p.m. She excused Council Member Orme and Council Member Payne.

Members Present:

Celeste Johnson, Mayor
Jeff Drury, Council Member
Craig Simons, Council Member
JC Simonsen, Council Member

Staff Present:

Corbin Gordon, Attorney
Michael Henke, Planning Director
Wes Johnson, Engineer
Katie Villani, Planner
Brad Wilson, Recorder

Members Excused:

Lisa Orme, Council Member
Kevin Payne, Council Member

Note: A copy of the meeting roll is contained in the supplemental file.

Mayor Johnson led the Council and meeting attendees in the pledge of allegiance. Council Member Simonsen gave the prayer and/or inspirational message.

2. Consent Agenda

- a. Agenda for the 17 September 2024 City Council Regular Meeting
- b. Warrants
- c. Minutes of the 3 September 2024 City Council Work Meeting
- d. Minutes of the 3 September 2024 City Council Regular Meeting
- e. Minutes of the 3 September 2024 City Council Closed Meeting

- f. Conclude the warranty period and release the remainder of the bond for the Vincent Fields Subdivision located at 1315 South Stringtown Road subject to the payment of all fees due to Midway City.
- g. First one-year extension of the final approval for the White Acres PUD located at 500 North Whitaker Farm Way (Zoning is RA-1-43).

Note: Copies of items 2a, 2b, 2c, 2d, 2f, and 2g are contained in the supplemental file.

Motion: Council Member Simonsen moved to approve the consent agenda as stated and listed.

Second: Council Member Simons seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Excused from the Meeting
Council Member Payne	Excused from the Meeting
Council Member Simons	Aye
Council Member Simonsen	Aye

3. Public Comment – Comments were taken for items not on the agenda.

Mayor Johnson asked if there were any comments from the public for items not on the agenda.

HVSSD Treatment Plant / Industrial Protection Area

Dan Stead made the following comments:

- The industrial protection area (IPA) proposed for the Heber Valley Special Service District's (HVSSD) sewer treatment plant was considered at a previous council meeting.
- The Council unanimously opposed the IPA at that meeting.
- Was the Council still opposed and did it send a letter expressing its opposition?

Mayor Johnson responded with the following comments:

- The HVSSD Board decided to postpone for several months requesting an IPA. They wanted their attorney to review it.
- Would hold a meeting the following week to answer the public's questions regarding the IPA. It would not be a council meeting but would like the council members to attend.
- The letter recently received by property owners was part of the IPA approval process by Wasatch County.
- The Board also applied for an agricultural protection area.

Council Member Drury made the following comments:

- At the previous meeting the Council was opposed to the IPA and asked the Mayor to represent that opposition to the HVSSD Board.
- The City as a landowner next to the treatment plant would send a letter opposing the IPA.

Mayor Johnson indicated that she reviewed the minutes of the meeting, and a decision was not made to send a letter.

Council Member Drury asked if the Council still opposed the IPA. He proposed that it send a letter of opposition. Mayor Johnson asked for discussion before sending a letter.

Council Member Simons indicated that he was now more confused about the issue.

Kristy Council made the following comments:

- Attended the meeting when the Council agreed to oppose the IPA.
- The Mayor said at that meeting that she would not vote for it, as a member of the HVSSD Board, if the Council did not want her to.
- Why was the IPA still going forward?
- The Council agreed at the previous meeting to send a letter of opposition.
- A friend attended a recent HVSSD meeting when Mayor Johnson said the Council had held subsequent meetings and no longer opposed the IPA. Ms. Council said that she had video of that HVSSD meeting.
- Asked if the Council had held private meetings regarding the issue.
- It appeared that the Mayor supported the IPA while the Council opposed it.

Mayor Johnson responded with the following comments:

- The issue had been discussed in department reports at subsequent council meetings.
- The HVSSD Board moved forward with the IPA based on legal advice.
- Voted against the IPA as a member of the HVSSD Board.
- Told Ms. Council's friend, who attended the HVSSD meeting, that she felt like there was a change in attitudes.

Ms. Council asked the Council if subsequent meetings had been held and if they had changed their position. Council Member Simonsen and Council Member Simons responded that no other meetings had been held and their position had not changed.

Ryan Davis reviewed the timeline for comment regarding the IPA and made the following comments:

- Residents only had two days after the Mayor's planned meeting to submit comments to Wasatch County.
- Comment had to be submitted 15 days from the date of the notice letter. The letter was dated 2023.
- Should HVSSD be granted legal immunity?
- The Council should strongly oppose the IPA.
- Unsuccessfully applied for a project in Midway that would have provided 130 to 160 acres of open space at no cost. The City had spent a lot of money buying ten acres of open space. Would not support an additional bond for more open space because of

these two items.

Mayor Johnson responded that 400 acres of open space had been preserved.

No further comments were offered.

4. Department Reports

Alpenhof Park / Improvements

Council Member Simonsen reported that the improvements to the Alpenhof Park were almost complete. Katie Villani made the following comments:

- A lot of the playground equipment had been installed.
- Some issues with connecting bolts had been corrected.
- Concerns had been raised with the slides emptying into one another and into rocks.
- An inspector for Utah Local Governments Trust approved the installation of the equipment.

Burgi Hill Park / Trail

Wes Johnson made the following comments:

- The project to replace a sewer line and part of the trail in the Burgi Hill Park was let out for bid.
- The project had been extended to the following year for warmer weather. The extension would not increase the cost.

Parks, Trails, and Trees Committee / Signage / E-bikes

Council Member Simonsen reported that the Parks, Trails, and Trees Advisory Committee discussed trail signs and restrictions on e-bikes.

Mayor Johnson indicated that black signs were being considered but they did not hold up as well over time, compared to other colors, and were harder to see.

Council Member Simonsen reported that the Committee recommended a 15-mph speed limit for e-bikes and prohibiting OHVs on sidewalks.

River Road / Repaving

Wes Johnson made the following comments:

- River Road was being repaved as part of the Whitaker Farm warranty.
- It would be paved that week and then immediately opened.

Council Member Simonsen noted that closing the road for paving had been hard on Francis Farms.

Irrigation Company / PI System / Ditch Cleaning / Meters

Council Member Simons reported that the Midway Irrigation Company would shut down the pressurized irrigation (PI) system in October for the winter.

Council Member Simons reported that the Irrigation Company was cleaning ditches and installing meters on the PI system. He added that the meters would track usage and not be used for billing.

Historic Preservation Committee / Swiss Days / Volksmarch / Paint the Town / Oral Histories / Website

Council Member Simons made the following comments:

- The Historic Preservation Committee had participated in Swiss Days and Volksmarch.
- It would hold an event called Paint the Town.
- It was still working on oral histories.
- Camille Palmer was doing a good job of administering the Committee's website.

Utah State Legislature / Update

Katie Villani gave an update on the Utah State Legislature and reviewed the following continuing issues and possible legislation:

- ULCT legislative advisory committee
- Constitutional Amendment D
- Housing
- Building inspections
- Bonding
- Gardner Institute report on rentals and housing costs

Note: A copy of Ms. Villani's presentation is contained in the supplemental file.

5. Proclamation 2024-01 / Domestic Violence Awareness Month (Kendra Wyckoff – Approximately 15 minutes) – Receive a presentation and deny, continue, or adopt proposed Proclamation 2024-01 designating October as Domestic Violence Awareness Month in Midway City.

Kendra Wyckoff, Peace House Executive Director, gave a presentation regarding her organization, domestic violence, the proposed proclamation, and reviewed the following items:

- Impact report
- Events in October

- Purpose of Peace House
- Services
- Services for Children

Ms. Wyckoff also made the following comments:

- Wanted to work herself out of a job.
- Wanted the City to know the resources available and to participate in Domestic Violence Awareness Month.
- The City's support helped Peace House support people.
- Peace House served 500 people the previous fiscal year which was a 41% overall increase and a 94% increase for Wasatch County.
- Was seeing more families in its emergency shelter.

Motion: Council Member Drury moved to approve Proclamation 2024-01 without hesitation.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Excused from the Meeting
Council Member Payne	Excused from the Meeting
Council Member Simons	Aye
Council Member Simonsen	Aye

- 6. Issuance of General Obligation Bonds / Public Hearing** (Approximately 45 minutes) – Public hearing to receive input from the public with respect to (a) the issuance of approximately \$5,000,000 of General Obligation Bonds and (b) the potential economic impact that the improvements, facilities, or properties to be financed in whole or in part with the proceeds of said bonds will have on the private sector. **Public Hearing** (Public comment must be related to this item on the agenda.)

Brad Wilson read the following notification:

Pursuant to the provisions of the Local Government Bonding Act, Title 11, Chapter 14, Utah Code Annotated 1953, as amended, and other applicable provisions of State law, a notice of public hearing with respect to the calling of an election authorizing the Issuer's general obligation bonds, in the principal amount of not to exceed \$5,000,000 (the "Bonds") was posted on the Utah Public Notice Website created under Section 63A-16-601, Utah Code Annotated 1953, as amended, not less than fourteen (14) days prior to this hearing.

He indicated that the notice of the public hearing was posted on 22 August 2024. He gave a presentation on the proposed bonds

Note: A copy of Mr. Wilson's presentation is contained in the supplemental file.

Public Hearing

Mayor Johnson opened the hearing and asked if there were any comments from the public.

Gayle Kilgore

Ms. Kilgore made the following comments:

- Moved to Midway from the Snyderville Basin.
- Was raised on a farm. The impact of development and increased taxes no longer made farming feasible.
- The City should find ways to preserve open space without raising property taxes. She suggested impact fees, transfer of development rights, increasing the resort tax, and building permit fees.
- Park City became a place for the rich and famous.
- People who grew up in Midway could not stay because of the high cost.
- Her son had to pay a \$5,000 transit fee when he built his house.
- Her taxes had increased significantly.
- Every little bit added up.
- Development impacted the community.
- The Homestead Golf Course should be preserved with conservation easements.
- Property owners did not have the money to fight growth.
- Knew that growth was difficult to deal with.

Mayor Johnson responded that the City would consider the alternatives that she suggested. She added that the State limited what taxes and fees local governments could collect. She noted that an impact fee for open space was not allowed. She said that Preserve Midway was considering starting a fund to assist residents with fixed incomes.

Brad Winegar

Brad Winegar explained Preserve Midway and made the following comments:

- Was a member of the Preserve Midway Board
- Residents needed to know how the bond money would be used.
- The previous open space bond was an unmitigated success.
- \$5 million had preserved 400 acres in perpetuity.
- The bond money would attract capital.
- Landowners would also contribute to the preservation of their land as open space.
- Most residents supported another bond.
- The increase in property taxes had been challenging.
- The bond was proposed for \$5 million instead of a larger amount.
- Was willing to walk anyone through the numbers associated with the proposed bond.

Dr. Lynn Adams

Dr. Adams made the following comments:

- Coordinated the recent survey regarding open space.
- The survey did not contain any major surprises.
- Approximately half of respondents supported a \$10 million bond. 80% supported a \$5 million bond.
- This was not a situation when people responded one way and then voted another.
- The survey was done in days instead of months and cost less by comparison.
- In the future would like to tell the City how the voters thought.
- The ballot issue let citizens choose.

Mayor Johnson closed the hearing when no further public comment was offered.

Mayor Johnson made the following comments:

- City resources could not be used to promote the bond.
- Was on the Utah State Land Conservancy Board. Toured land across Utah proposed for preservation. Saw the pressures from development.
- The State should better fund the LeRay McAllister Fund. This would relieve some of the development pressures.
- Various open lands had been or were being preserved in and around Midway.
- The public should benefit from the property being preserved.

7. Resolution 2024-13 / Additional Law Enforcement (City Attorney – Approximately 20 minutes) – Discuss and possibly deny, continue, or approve Resolution 2024-13 adopting a memorandum of understanding between Midway City and the Heber City Police Department for additional law enforcement.

Corbin Gordon made the following comments:

- No comments regarding the proposed memorandum of understanding (MOU) had been received from the Heber City Police Department.
- Any citations would be submitted to the Wasatch County Attorney for prosecution.
- Heber City had a justice court that handled Class B misdemeanors or lower.

Brad Wilson indicated that the MOU could be adopted as presented and then amended if needed.

Council Member Simons asked about insurance and liability. Council Member Simonsen suggested that the City check with its risk management company to clarify liability.

Council Member Simons asked for clarification on prosecutions and the role of the Wasatch County Attorney.

Council Member Simons wanted to review the dispatch costs. Council Member Simonsen responded that Wasatch County provided the dispatch services and determined the cost.

Council Member Simons asked about incarceration costs.

Mayor Johnson indicated that Mr. Gordon would clarify the prosecution and incarceration costs. She added that the Police Department could start on a part-time or hourly basis.

Motion: Council Member Simonsen moved to approve Resolution 2024-13 with authority granted to the Mayor and City Attorney to finalize any remaining issues and authorized the Mayor to sign the MOU.

Second: Council Member Simons seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Excused from the Meeting
Council Member Payne	Excused from the Meeting
Council Member Simons	Aye
Council Member Simonsen	Aye

Mayor Johnson reported that she spoke with Council Member Payne and that he would have voted for the resolution if he had been present.

8. Resolution 2024-26 / TAP Funds Amendments (Mayor Johnson – Approximately 30 minutes) – Discuss and possibly deny, continue, or adopt proposed Resolution 2024-26 amending the process to request TAP funds.

Mayor Johnson gave a presentation regarding trails, arts, and parks (TAP) funds, the proposed amendments, and made the following comments:

- Recipients of TAP funds needed to sign a contract that required they return and report how the funds were used.
- The issue would be discussed at the Council’s next strategic planning meeting.
- Some of the funds could be used for murals in the parks and cemetery restrooms. This would reduce graffiti in the restrooms.
- The TAP tax would have to be reauthorized by voters in nine years.

Note: A copy of Mayor Johnson’s presentation is contained in the supplemental file.

The Council, staff, and meeting attendees discussed the following items:

- Remaining impact fees were not sufficient to build the trail along north Center Street. TAP funds may have to be used.
- The City’s impact fee study needed to be completed.
- Wasatch County only offered matching funds for marketing.
- The resorts in Midway had not been helped by the County.
- Not all TAP funds should go to trails and parks.

- A proposed performing arts center in Heber City was a main driver for implementing the tax.
- Because of less responsibilities for land use the Council could be the committee that reviewed applications.
- The distribution of the funds should not be based on a percentage to certain categories. There was not sufficient experience with the funds to determine what the percentages should be.
- The City should fund its own trails. Other trails organizations could apply for TAP funds.
- If all funds were not allocated in a fiscal year, then they should be allocated within the following six months.
- Fund should be earmarked if they were not spent.
- Generically saving money was open ended and should be avoided.
- An applicant should not be rejected based on the amount of funds they received from other sources.
- The Council should be open minded about applications instead of using a ranking system.
- Saving the funds should be a last resort.
- Funds should not be given just to those who already had money.

Motion: Council Member Drury moved to approve Resolution 2024-26 with the following changes:

- Change Item 1 to match the suggested timelines provided in the packet.
- Delete Items 6, 7, 8, and 9 in their entirety.
- At another time bring the issue back for rewording of Item 8 to put a time limit on when funds would be allocated.

Second: Council Member Simons seconded the motion.

Discussion: The procedures should state where any leftover funds would go. Mayor Johnson responded that the process would be reviewed again and refined in January.

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Excused from the Meeting
Council Member Payne	Excused from the Meeting
Council Member Simons	Aye
Council Member Simonsen	Aye

9. Closed Meeting to Discuss the Purchase, Exchange, or Lease of Real Property

Motion: Council Member Drury moved to go into a closed meeting.

Second: Council Member Simonsen seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Excused from the Meeting
Council Member Payne	Excused from the Meeting
Council Member Simons	Aye
Council Member Simonsen	Aye

Note: Closed meeting minutes are sealed and strictly confidential. Access to such minutes must be obtained through a court of law.

Motion: Council Member Drury moved to go out of the closed meeting.

Second: Council Member Simons seconded the motion.

Discussion: None

Vote: The motion was approved with the Council voting as follows:

Council Member Drury	Aye
Council Member Orme	Excused from the Meeting
Council Member Payne	Excused from the Meeting
Council Member Simons	Aye
Council Member Simonsen	Aye

10. Adjournment

Motion: Council Member Drury moved to adjourn the meeting. Council Member Simons seconded the motion. The motion passed unanimously.

The meeting was adjourned at 9:28 p.m.

Celeste Johnson, Mayor

Brad Wilson, Recorder



**ORDINANCE
2024-14**

**AN ORDINANCE AMENDING THE MIDWAY CITY
MUNICIPAL CODE REGARDING SIGNS**

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 signs within Midway City that effectively promote local businesses, entities, and organizations; and

WHEREAS, the Midway City Council desires signs within Midway City that are aesthetically pleasing and promote an overall attractive look and feel.

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

Section 1: The code text amendments attached as Exhibit A are hereby approved and adopted.

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 day of 2024.

Council Member Jeff Drury	_____
Council Member Lisa Orme	_____
Council Member Kevin Payne	_____
Council Member Craig Simons	_____
Council Member JC Simonsen	_____

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)

DRAFT

Exhibit A

DRAFT

CHAPTER 16.21 SIGNS

Section 16.21.010 Purpose

Section 16.21.020 Vision Architectural Committee

Section 16.21.030 Permits Required

Section 16.21.040 Prohibited Signs

Section 16.21.050 Definitions

Section 16.21.060 Pre-application Conference

Section 16.21.070 Permit Application

Section 16.21.080 Sign Standards and Regulations

Section 16.21.090 Abatement of Unsafe, Abandoned or Obsolete Signs

Section 16.21.100 Non-conforming Signs

Section 16.21.110 Temporary Development Signs and Model Home Signs

Section 16.21.120 Real Estate for Sale, Rent, Lease and Open House Signs

Section 16.21.130 Designs Guidelines

Section 16.21.140 Temporary Event Signs

Section 16.21.150 Street Pole Banners

Section 16.21.160 Enforcement

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

16.21.010 Purpose

To establish regulations applicable to all signs in Midway.

Formatted: Font color: Red

16.21.020 Vision Architectural Committee

The Visual Architectural Committee (VAC) and Planning Staff are responsible for reviewing sign permit applications and making recommendations to foster compliance with the City's architectural guidelines and standards. Prior to a permanent sign being approved for location or appearance, a recommendation shall be requested from the Vision Architectural Committee (VAC), when required under this Chapter, **however, decision-making authority on sign permit applications rests with the Planning Director.** In review of signage, the VAC shall make its recommendations and evaluations based upon conformance with this Code. The following regulations shall apply to all signs in Midway installed after the approval date of this Chapter.

Formatted: Font color: Red

Formatted: Font color: Red

16.21.030 Permits Required

No person shall erect, install, alter, or relocate any permanent or temporary sign within Midway without first submitting a sign application and receiving approval of the sign permit from the City, unless the sign is exempt under this Code. Chapter. Refer to Table 16.21.A and Table 16.21.B.

Formatted: Font color: Red

16.21.040 Prohibited Signs:

A. Categories of Prohibited Signs: Unless specifically allowed in this chapter, it shall be unlawful to erect or maintain the following:

Formatted: Font color: Custom Color(RGB(237,0,0))

1. Animated Signs.

2. Audible Signs.

3. Awning Signs.

4. Banners, except as approved in conjunction with a Special Event Permit issued by the City, or approved for display on a City light standard, or as otherwise authorized under the Code (e.g., Temporary Construction Banners, Temporary Sale Banners, etc.).

Formatted: Font color: Custom Color(RGB(237,0,0))

Formatted: Font color: Custom Color(RGB(237,0,0))

5. Bench Signs.

6. Billboards.

7. Cabinet Signs.

8. Canopy Signs.

9. Electronic Message Signs, except signs owned or operated by the City for public safety purposes.

10. Feather Flags.

11. Flashing Signs and any lights that flash or move.

12. Fluorescent Signs.

13. Home Occupation Signs.

14. Illuminated: Backlit, interior lit, side lit, edge lit, and shadow lighting signs are not allowed in any zone.

Formatted: Font color: Custom Color(RGB(237,0,0))

15. Inflatable Signs.

16. Neon and/or Luminous Tube Signs (with the exception of non-animated, interior "open" and "closed" signs which otherwise comply with the Code.

Formatted: English (United States)

Formatted: Font color: Custom Color(RGB(237,0,0))

17. Off-premises Signs.

18. Pennants.

19. Plastic Signs, Plexiglass Signs, Flat Signs (i.e., signs with no depth)

Formatted: Font color: Custom Color(RGB(237,0,0))

20. Portable Signs (Includes A-frames).

Formatted: Font color: Custom Color(RGB(237,0,0))

- 21.Pole Signs.
- 22.Projected Signs.
- 23.Reflective signs, surfaces, and reflective colored materials that give the appearance of changing colors,
- 24.Right-of-way. No signs shall be placed in the public right-of-way.
- 25.Roof Signs.
- 26.Signs which violate the Clear View Triangle.
- 27.Searchlights and/or spotlights.
- 28.Vacancy Signs.
- 29.Vehicle signs advertising off-premises events.
- 30.Wind Signs.

Formatted: Font color: Custom Color(RGB(237,0,0))

B. Signs Affixed to Public Property: No person shall staple, tape, paste, post or otherwise affix any handbill, sticker, poster, drawing or sign to, or otherwise paint, mark, draw or write on any public building, structure, vehicle or other property.

16.21.050 Definitions

For the general purpose of this Chapter, certain abbreviations, terms, phrases and their derivatives shall be construed as specified herein.

- A. Alteration: Any change to the sign area, copy, content, materials, structure, size, location or lighting of an existing sign.
- B. Art: Any visual work of art that is accessible to public view, is intended for enjoyment by the public, and does not contain advertising. Art may include, but is not limited to, ceramics, frescoes, fountains, monuments, murals, paintings, sculpture, or stained glass. Art is not considered a sign.
- C. Banner. Any temporary sign of fabric, plastic or similar material intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations of any kind. National flags, flags of political subdivisions or other public entity shall not be considered banners for the purpose of this Chapter. Refer to definition of Flag.

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

D. Billboard. A sign, regardless of type or size, that has, or may have, a changeable face or faces, illuminated, electronic or otherwise, and said face or faces are leased for advertising business, services, entertainment, and so forth which is conducted or sold elsewhere than on the premises on which the sign is located.

E. **Building Face or Wall: All window and wall area of a building on one elevation.**

Formatted: Font color: Red

F. **Canopy: A roofed structure constructed of fabric or other material that extends outward from a building, generally providing a protective shield for doors, windows, and other openings, supported by the building and supports extended to the ground directly under the canopy or cantilevered from the building.**

G. Center (Business, Commercial, or Industrial). A group of **two** or more businesses associated by common agreement or under common ownership which comprises a land parcel unit with common parking facilities.

Formatted: Font color: Red

H. Clear view triangle. The area at a driveway and/or street intersection outside of which signs or other structures must be placed. It is measured from the right-of-way intersection corner of the subject property a distance of forty-five (45) feet in both directions, and then connected as a triangle.

I. Decorative Sign. A permanent sign that has depth (i.e., incorporates elements such as raised lettering or engraved/carved/routed lettering). Permanent signs and sign frames ~~that~~ are made of the following materials and subject to the following specifications (*)(**):

1. Wood or simulated wood (carved or routed and then painted or left unpainted). **Since these signs inherently have depth, they are subject to all specifications set forth below except specific letter depths. Please note: burning and/or charring does not meet this depth requirement.**

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

2. Wood or simulated wood products with mounted wood or metal letters. This does not include using pictures, printed vinyl, or other “sticker-like” methods of making metal or other materials look like wood.

3. Wood or metal letters attached directly to the outside wall of a commercial building.

4. Rock or stone. Boulders with engraved ~~lettering~~ or metal lettering or stones set in mortar, combined with wood or metal.
5. Metal – decorative (containing an element of wrought iron, brass, steel, copper or other metal ornamentation). Flat metal signs and/or backing for signs and letters is not permitted.
6. Architectural signs that make use of statuary, fountains, and old world/Swiss-European architectural elements.
7. Painted Stucco and/or signs painted on the exterior of the building in a European fashion (are subject to all requirements except letter depth).
8. A combination of the above.

(*) Signs and letters shall conform to the following specifications:

Formatted: Font color: Red

1. Sign area greater than or equal to 20 square feet requires a minimum letter depth of two (2) inches.
2. Sign area greater than or equal to 10 square feet and less than 20 square feet requires a minimum letter depth of one (1) inch.
3. Sign area less than 10 square feet requires a minimum letter depth of one-half inch.
4. No single letter may exceed two feet in height and/or two feet in width.
5. No web addresses, phone numbers, hashtags, QR codes, or similar information shall be displayed on signs. Exceptions: QR codes are permitted on Menu Signs, Temporary Constructions Banners, Historical Makers, Trail Signs, and City Signs.

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

(**) Not permitted:

1. Sheet metal, painted or unpainted.
2. Metal Signs with cutout letters.
3. Plastic.

Formatted: Indent: Left: 0.75"

Formatted: Indent: Left: 0.75", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.1" + Indent at: 0.35"

J. Dedication Plaques. Non-illuminated names of buildings, dates of erection, monument citations, commemorative tables and the like when carved in stone, concrete, metal, or any other permanent type construction and made an integral part of a permitted structure or made flush to the ground.

K. Handbill. A paper, sticker, flyer, poster, pamphlet, or other type of medium typically distributed by hand.

Formatted: Font color: Red

L. Feather Flag. A temporary sign made of flexible material intended to be inserted directly into the ground or into a mounting device that sits on the ground, often with a feather-like shape. Feather flags may also be known as blade flags, sail flags, quill flags, teardrop flags, flutter flags, etc.

Formatted: Font color: Red

Formatted: Font color: Red

M. Flag. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision or other public entity.

N. Grade: The ground surface elevation of a site or parcel of land.

Formatted: Font color: Red

1. Grade, Natural: The grade of land prior to any development activity or any other man-made disturbance or grading.

2. Grade, Final: The finished or resulting grade where earth meets the building or sign after completion of development activity or manmade disturbance or grading.

O. Maintenance. The repairing or repainting of a decorative sign in its current form, which does not exceed 50 per cent of the total replacement value of the sign or sign structure as determined by the Planning Director. Maintenance includes cleaning, painting, repair, or replacement of worn or defective parts of a sign. Maintenance does not include changes to the sign area, text, copy, logo, materials, structure, size, location, lighting or other design changes including, but not limited to, changes reflecting ownership or name changes.

Formatted: Font color: Red

P. Pennant. Any plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire or string, usually in series, designed to move in the wind.

Q. Sign. Any identification, description, illustration, object or device, or part thereof, which is affixed directly or indirectly upon a building, structure or land,

which is used to advertise, identify, display, or otherwise direct attention to an object, product, place, activity, event, idea, location, service, person, institution, organization or business. **Includes the sign structure, supports, lighting system, and any attachments, ornaments, or other features used to attract attention. All signs in Midway shall be decorative signs, as defined in this title. "Sign" also includes, but is in no way limited to, the following categories:**

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

1. **Sign, Abandoned:** Any sign applicable to a use which has been discontinued for a period of at least three months.

Formatted: Font color: Red

2. **Sign, Animated:** The movement or the optical illusion of movement of any part of the sign structure, design or pictorial segment including the movement of any illumination or the flashing, flickering, or varying of light intensity. The automatic changing of all or any part of the facing of a sign or any sign or part of a sign set in motion by movement of the atmosphere shall be considered to be animation under this Chapter. This includes, but is not limited to televisions, monitors, and projections on a screen or other surface.

3. **Sign, Audible:** A sign that projects sound or is heard or capable of being heard.

Formatted: Font color: Red

4. **Sign, Awning:** Any sign painted on or attached to an awning.

5. **Sign, Bench:** A sign placed in any manner on an outdoor bench or other outdoor furniture.

6. **Sign, Building-mounted:** A sign directly mounted to a building. Building-mounted signs shall include parapet, projecting and wall mounted signs.

7. **Sign, Business Identification:** A permanent sign which identifies only the name, logo, and/or address of a commercial use.

Formatted: Font color: Red

Formatted: Font color: Red

8. **Sign, Cabinet:** A sign that consists of a frame covered by translucent material. The entire structure is one unit. Does not include changeable copy signs.

Formatted: Font color: Red

9. **Sign, Canopy:** Any sign painted on or attached to a canopy.

10. Sign, Changeable Copy: A sign that displays graphics and/or a message that can be easily programmed, changed or altered.

11. Sign, Development Entrance Sign (Commercial): A permanent sign erected at the entrance(s) of a commercial development.

12. Sign, Development Entrance Sign (Residential): A permanent sign erected at the entrance(s) of a residential development

13. Sign, Directional: A sign which is designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property to which or on which the public is directed and which contains no logo or advertising.

14. Sign, Electronic: Signs using electricity or other power source in any manner including, but not limited to, window, wall, or other signs that change messages through a marquee, reader board, electronic center, or other replaceable copy area.

15. Sign, Entrance/Exit: A sign that facilitates vehicle or pedestrian traffic into and out of a site by designating the entrance or exit to the premises (e.g., “enter” and “exit”) and which contains no logo or advertising.

Formatted: Font color: Red

Formatted: Font color: Red

16. Sign, Flashing: A sign that contains an intermittent or flashing light source, or a sign that includes the illusion of intermittent or flashing light by means of animation or an intermittent light source.

17. Sign, Freestanding: A sign that is supported by one or more uprights or braces which are fastened to or embedded in the ground, or a foundation in the ground, and not attached to any building or structure or any supporting elements of any building or structure.

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

18. Sign, Garage Sale: A temporary sign that announces a garage sale, yard sale, estate sale, or similar event.

Formatted: Font color: Red

Formatted: Font color: Red

19. Sign, Governmental: A sign required by law or sign of a duly constituted governmental body.

20. Sign, Grand Opening: Sign or banner used to announce the opening of a new business.

21. **Sign, Hanging: A sign attached underneath a canopy, awning, overhang or colonnade and hanging parallel to the building face.**

Formatted: Font color: Red

22. Sign, Historic: A sign that by its construction materials, age, location, unique design, or craftsmanship, provides historic character, individuality, and/or sense of ~~place or orientation regarding clues~~ identity to a site or building's history.

Formatted: Font: 14 pt

23. **Sign, Hours of Operation: A sign that displays the hours during which a building's commercial occupant serves the public.**

Formatted: Font color: Auto

22.

~~23-24.~~ **Sign, Illuminated: A sign whose surface is lighted internally (backlit), externally from the back (shadow lighting), externally from the front (front lit), side lit and/or edge lit.**

Formatted: Font: 14 pt

Formatted: Normal, No bullets or numbering

24-25. Sign, Incidental: A sign, generally informational, which has a purpose secondary to the use of the lot on which it is located, such as "no parking", "entrance", "loading only", and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

25-26. Sign, Inflatable: Any nonporous bag, balloon or other object inflated by any means and used as a sign or for promotion purposes and/or designed to draw attention to a commercial business.

26-27. **Sign, Integral: A sign that is constructed as an integral part of a building, such as a cornerstone or similar sign integrated into the face of a building.**

Formatted: Font color: Red

27-28. **Sign, Interior: A sign placed within a building or a project area that does not contain characteristics of an advertising sign and is not easily visible from a public right-of-way, private street easement, or similar public view.**

28-29. **Sign, Luminous tube: A sign that is outlined by or which has characters, letters, figures or designs that are illuminated by gas-filled luminous tubes, such as neon, argon, etc.**

Formatted: Font color: Red

~~29-30~~. Sign, Menu Board: A sign for drive-in, walk-up, and/or drive-thru eateries which lists those items available at the premises. Menu Boards are limited to a maximum size of sixteen (16) square feet and maximum font size of one inch. QR codes are allowed on Menu Boards. Menu boards are distinguishable from Menu Displays.

~~30-31~~. Sign, Menu Display: Display of a hand-held menu at or near a restaurant entrance for review by potential diners. QR codes may be incorporated into the menu displayed.

Formatted: Font color: Red

Formatted: Font color: Red

~~31-32~~. Sign, Monument or Ground: A freestanding sign whose sign face is supported by a base or by an upright or uprights, brace or braces placed upon the ground and detached from any building, accessory building, and/or any supporting elements thereof.

~~32-33~~. Sign, Municipal Identification: A sign designed specifically for the purpose of notifying motorists of Midway City's municipal boundary and/or welcoming them to Midway City.

Formatted: Font color: Red

~~33-34~~. Sign, Non-conforming (Legal). Signs which lawfully existed within the City of Midway prior to the effective date of this Chapter but which do not comply with the current requirements of this Chapter and which uninterruptedly continue to exist and advertise the same business name past the effective date of this Chapter in a state of non-compliance.

~~34-35~~. Sign, Off-Premises: A sign which directs attention to a business, commodity, service, entertainment, attraction or product not related to uses on the premises where the sign is located.

~~35-36~~. Sign, On-Premises: A sign which directs attention to a business, commodity, service, entertainment, attraction or product on the premises on which the sign is located.

Formatted: Font color: Red

~~36-37~~. Sign, Open House: A temporary on-premises or off-premises sign to indicate that a particular property is open for viewing by the public.

~~37-38~~. Sign, Permanent: A permitted sign that has been reviewed by the VAC (if required under this Chapter) and approved by the Planning Director. The sign is permanently attached to a building or to the ground.

~~38-39.~~ **Sign, Pole:** A freestanding sign over six feet in height that is supported by one upright pole and is not attached to or braced by any other structure.

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

~~39-40.~~ **Sign, Political:** A temporary sign which supports the candidacy of any candidate for public office or urges action of any other matter on the ballot of primary, general or special elections.

~~40-41.~~ **Sign, Portable:** A sign designed to be movable from one location to another and is not permanently attached to the ground or any building or structure. This includes, but is not limited to, portable A-frame type signs.

~~41-42.~~ **Sign, Projecting.** A sign attached or suspended perpendicularly to/from a building wall and projecting outward more than six inches from the building face or wall at a right angle to the building. This includes blade signs and projecting hanging signs.

Formatted: Font color: Red

Formatted: Font color: Red

~~42-43.~~ **Sign, Projected:** A sign that is formed by light projected onto a surface or uses a beam of light to project a visual image or message onto a surface.

Formatted: Font color: Red

~~43-44.~~ **Sign, Public Utility:** Signs placed by a public utility for the safety, welfare, or convenience of the public, such as signs identifying high voltage, gas lines, water lines or underground cables.

~~44-45.~~ **Sign, Real Estate for Sale, Rent or Lease:** An on-site temporary sign advertising the sale, rental, or lease of the premises or part of the premises on which the sign is displayed.

~~46.~~ **Sign, Roof:** A sign erected or painted upon or above the roof or parapet of a building; any sign supported by the roof structure.

Formatted: Font color: Red

~~45-47.~~ **Sign, Temporary Development Banner:** a temporary sign having characters, letters, or illustrations applied to plastic, cloth, canvas, or other similar material, attached to temporary fencing at construction site(s).

Formatted: Font: 14 pt, Font color: Red

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font color: Red

~~46-48.~~ Sign, Temporary Development/Model Home Sign: A non-illuminated, temporary sign erected upon a parcel to designate future occupancy by a business, development or other concern designated thereon.

~~47-49.~~ Sign, Temporary Event: A sign, other than a commercial sign, posted to advertise a community event or series of events sponsored by a public agency, school, church, civic, fraternal organization, or similar noncommercial, not-for-profit organization.

~~48-50.~~ Sign, Umbrella: A sign painted on or attached to an umbrella, including name brands and symbols.

Formatted: Font color: Red

~~49-51.~~ Sign, Vacancy: A sign which advertises the current availability for occupation of a nightly rental.

~~50-52.~~ Sign, Vehicle: Any sign, logo, identification, description, illustration, symbol, device or advertisement placed, painted, attached, affixed or displayed, directly or indirectly, upon a truck, bus, car, boat, trailer or other vehicle which identifies or directs attention to a product, place, activity, service, person, institution or business.

~~51-53.~~ Sign, Wall: A sign mounted flat against a wall and projecting less than six inches from the wall or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the face of said wall.

~~52-54.~~ Sign, Wind: A sign consisting of and/or including any propeller, spinners, flags, banners, pennants, ribbons, whirling or similar device that is designed to flutter, rotate, or display other movement under the influence of the wind.

Formatted: Font color: Red

Formatted: Font color: Red

~~53-55.~~ Sign, Window: Any sign, picture, symbol, or combination thereof designed to communicate information about an activity, business, commodity, event, sale, or service that is placed inside a window or upon the window panes and visible from the exterior of the window.

~~54-56.~~ Sign, Yard: A temporary non-commercial sign.

Formatted: Font color: Red

R. Sign Area. The entire area within any type of perimeter or border that may enclose the outer limits of any writing, logo, design, representation, emblem, figure, background or character, exclusive of the supporting framework. Back to back sign faces must be parallel to be counted as one sign.

Formatted: Font color: Red

Formatted: Normal

S. Sign Copy: The words, letters, numbers, figures, graphics, designs, symbols, logos, projections, images, colors, color differentiation, background orientation, or other graphic elements comprising the content of a sign.

T. Sign Height. The greatest distance, measured vertically plumb, between the elevation of the highest point of the sign and the existing grade directly below that point. Maximum sign height is measured from natural grade.

Formatted: Font color: Red

U. Sign Projection: The distance measured horizontally from the face of a building to the outer edge of the sign structure.

V. Sign Structure. The supports and framework of the sign.

W. Street Pole Banner. A banner that is temporarily installed on select City light poles.

X. Temporary Detached Sale Promotion Signs or Banners. A detached sign or banner that is temporarily displayed to identify or describe a promotional item or effort.

16.21.060 Pre-Application Conference

Formatted: Font color: Red

Formatted: Font color: Red

Prior to the submittal of a sign permit application, a pre-application conference with the Planning Department is encouraged to acquaint the applicant with Sign Code procedures, requirements, design standards, and related City ordinances.

16.21.070 Permit Application

Formatted: Font color: Red

Formatted: Font color: Red

A. Applications for sign permits shall be made by the owner and/or tenant of the property on which the sign is to be located, or his/her/their authorized agent. Such application shall be made in writing on form(s) approved by the City. Only fully completed applications shall be accepted by the City for

Formatted: Font color: Red

review. If anyone other than the owner of the property is applying for a sign, the applicant shall include either the owner's signature on the application or correspondence from the owner (e.g., letter, email, etc.) acknowledging the application.

Formatted: Font color: Red

Formatted: Font color: Red

B. Permits shall be reviewed and processed in accordance with this Chapter.

C. The application for a sign permit shall be accompanied by the following plans and information. A receipt of an application shall not preclude the City from requesting additional information if required or if a change in the proposed sign occurs.

1. The names, addresses, email addresses, and telephone numbers of the owner, applicant, and the sign contractor.
2. The location by street address of the proposed sign/sign structure.
3. A drawing depicting the following:
 - a. Accurately colored drawing to scale, appropriate for showing all details of the sign, including: all lettering styles, designs, placement, mounting structures, location, height, width and supports. Such drawing will be an accurate "mock-up" graphic representation;
 - b. An accurately scaled drawing(s) of all building faces to be signed as well as all building faces to be used in calculating sign area, including: building dimensions, the scaled and dimensional outlines of all existing and proposed signs;
 - c. An accurately scaled site plan showing the location of building(s), street(s) and sign(s) in the case of freestanding signs;
 - d. Accurate color representation or color chips;
 - e. Any existing and proposed sign lighting identifying the location and fixture type of all lighting of proposed signs, including the wattage and bulb style. Lighting fixtures shall be similar in style and shall direct all light onto the sign surface. If the sign uses electrical wiring and connections, a licensed electrician must submit an electrical permit application to the Building Department. This application and its review is separate from the sign permit application. All lighting shall be compliant with the Midway City Code.

Formatted: Font color: Red

Formatted: Font color: Red

16.21.80 Sign Standards and Regulations

To further the Old-World/Swiss-European vision incorporated into the City's General Plan, Midway City requires that all permanent signs have depth (i.e., incorporate elements such as raised lettering or engraved/carved/routed lettering). Permanent signs and sign frames are made of the following materials and subject to the following specifications (*) (**):

A. Sign Materials: All decorative signs (including monument, wall, hanging and projection signs) shall be made from the following materials and subject to the following specifications (*) (**):

1. Wood or simulated wood (carved or routed and then painted or left unpainted). Since these signs inherently have depth, they are not subject to the depth requirements set forth below. Please note: burning and/or charring does not meet this depth requirement.
2. Wood or simulated wood products with mounted wood or metal letters. This does not include using pictures, printed vinyl, or other "sticker-like" methods of making metal or other materials look like wood.
3. Wood or metal letters attached directly to the outside wall of a commercial building. Metal backing for signs and letters is not permitted.
4. Rock or stone. Boulders with engraved or metal lettering: stones set in mortar, combined with wood or metal.
5. Metal – decorative (containing elements of wrought iron, brass, steel, copper or other metal ornamentation). Metal backing for signs and letters is not permitted.
6. Architectural signs that make use of statuary, fountains, and old world/Swiss-European architectural elements.
7. Painted Stucco and/or signs painted on the exterior of the building in a European fashion (are subject to all requirements except letter depth).
8. A combination of the above.

Formatted: Outline numbered + Level: 3 + Numbering Style: 01, 02, 03, ... + Start at: 80 + Alignment: Left + Aligned at: 0" + Indent at: 0.81"

Formatted: Font color: Custom Color(RGB(237,0,0)), Not Highlight

Formatted: Indent: Left: 0.25", No bullets or numbering

Formatted: Font color: Custom Color(RGB(237,0,0))

Formatted: Font: 14 pt

Formatted: Normal

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font color: Red

Formatted: Font color: Custom Color(RGB(237,0,0))

Formatted: Font: 14 pt, Font color: Custom Color(RGB(237,0,0))

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

(*) Signs and letters shall conform to the following specifications:

- a. Sign area greater than or equal to 20 square feet requires a minimum letter depth of two (2) inches.
- b. Sign area greater than or equal to 10 square feet and less than 20 square feet requires a minimum letter depth of one (1) inch.
- c. Sign area less than 10 square feet requires a minimum letter depth of one-half inch.
- d. No single letter can exceed two feet in height and two feet in width.
- e. No web addresses, ~~or~~ phone numbers, hashtags, QR codes, or similar information shall be displayed on signs. Exceptions: QR codes are permitted on Menu Signs, Temporary Construction Banners, Historical Markers, Trail Signs, and City Signs.

(**) Not permitted:

- 1. Sheet metal, painted or unpainted.
- 2. Metal Signs with cutout letters.
- 3. Plastic.

B. Sign Area

The allowed sign area for all decorative signs (monument, wall, hanging, and projecting) is calculated based on the following formula: The total area of the front building elevation (including the roof shown on the front elevation) and an adjoining side building elevation (including the roof shown on the side elevation), divided by two, then multiplied by 0.04 (4%). If there is a zero-lot line between parcels and buildings are connected on both sides of the subject property, the cross-section of the building at either side lot line will be the area calculated for the side elevation.

Properties with a single business are allowed a maximum of two decorative signs on interior lots and a maximum of three decorative signs are allowed on corner lots. The maximum size sign is listed below:

- The maximum sign area for a monument sign is 24 square feet.

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.35", No bullets or numbering

Formatted: Font: 14 pt

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: (Default) Times New Roman, 14 pt

- The maximum sign area for a wall sign is 24 square feet.
- The maximum sign area for a hanging sign is six square feet.
- The maximum sign area for a projecting sign is six square feet.

Parcels, lots, or commercial planned unit development plats with multiple businesses are allowed one shared monument sign (two if on a corner). The size of the shared monument sign is based on the number of businesses on the parcel, lot, or commercial planned unit development. A parcel, lot, or commercial planned unit development with 1-4 businesses may have a maximum 24 square foot shared monument sign, 5-8 businesses may have a maximum 32 square foot shared monument sign, and 8+ businesses may have a maximum 40 square foot shared monument sign. Also, each business may have its own wall sign or hanging sign or projecting sign as described below.

- The maximum sign area for a wall sign is 16 square feet.
- The maximum sign area for a hanging sign is six square feet.
- The maximum sign area for a projecting sign is six square feet.

If a parcel, lot, or commercial planned unit development has over 600' of frontage along one road, then two monument signs are allowed based on the previously explained sizes and numbers of businesses. The monument signs must be at least 400' apart when two are permitted for a parcel, lot or commercial planned unit development. Wall signs or hanging signs or projecting signs cannot be within ten feet of another wall sign or hanging sign or projecting sign unless the sign is located at the direct door access to the business and not a door that accesses multiple businesses.

Example (single business):

For example: A building has a front elevation that is 60 feet wide and 20 feet tall, and a side elevation that is 50 feet wide and 20 feet tall. $(60 \times 20 = 1200) + (50 \times 20 = 1000) = 2200$. $2200/2 = 1100$. $1100 \times 0.04 = 44$

Based on the above example, the business would have a total of 44 square feet of permitted sign area that could be divided among the allowed monument, wall, hanging, and projecting signs for the business.

For the above example in which the allowable sign area is 44 square feet, a business on a lot with one frontage could decide to have a 24 square foot monument sign and a 20 square foot wall sign.

Another option for the above example in which the allowable sign area is 44 square feet, a business on a lot with one frontage could decide to have a 24 square foot monument sign and a six square foot projecting sign (in this example some of the allowable sign area square footage cannot be used because only two signs are allowed and both are at the maximum allowed sign area).

Another example is for a business on a corner lot or a lot with two frontages with the allowable sign area of 44 square feet, a business could decide to have a 24 square foot monument sign on one frontage, an eight square foot monument sign on the other frontage, and a 12 square foot wall sign on one elevation of the building.

Example (multiple businesses in one building):

For example: An interior lot contains **one** building with **two businesses**. A 24 square foot monument sign is allowed to be shared between the two businesses. Also, each business may have a sign on the structure where the business is located. The sign could be only one of the following:

- A wall sign that is a maximum of 16 square feet.
- A hanging sign that is a maximum of six square feet.
- A projecting sign that is a maximum of six square feet.

Another example is two businesses, in **one** structure, are located on a corner lot or a lot with two frontages. Two 24 square foot monument signs are allowed to be shared between the two businesses, one monument sign is allowed to be located on each frontage and the signs shall be located a minimum of 50' apart. Also, each business may have a sign on the structure where the business is located. The sign could be only one of the following:

- A wall sign that is a maximum of 16 square feet.
- A hanging sign that is a maximum of six square feet.
- A projecting sign that is a maximum of six square feet.

Example (multiple businesses in multiple buildings):

For example: An interior lot contains two buildings with a **multiple businesses** in each building. A 24 square foot monument sign is allowed to be shared between the **all** businesses. Also, each business may have a sign on the structure where the business is located. The sign could be only one of the following:

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: (Default) Times New Roman, 14 pt

- A wall sign that is a maximum of 16 square feet.
- A hanging sign that is a maximum of six square feet.
- A projecting sign that is a maximum of six square feet.

Another example is multiple businesses, in multiple structures, are located on a corner lot or a lot with two frontages. Two 24 square foot monument signs are allowed to be shared between the two businesses, one monument sign is allowed to be located on each frontage and the signs shall be located a minimum of 50' apart. Also, each business may have a sign on the structure where the business is located. The sign could be only one of the following:

- A wall sign that is a maximum of 16 square feet.
- A hanging sign that is a maximum of six square feet.
- A projecting sign that is a maximum of six square feet.

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: (Default) Times New Roman, 14 pt

Formatted: Font: 14 pt

Formatted: List Paragraph, Bulleted + Level: 1 + Aligned at: 0" + Indent at: 0.25", Tab stops: 0.5", List tab

C. Area of Individual Signs: The area of a sign shall include the entire area within any type of perimeter or border that may enclose the outer limits of any writing, logo, design, representation, emblem, figure, background or character, exclusive of the supporting framework. Back to back sign faces must be parallel to be counted as one sign.

D. Sign Height: All building signs shall be designed so that signs are placed below the finished floor elevation of the second floor or a maximum of twenty (20) feet above adjacent finished grade, whichever is lower. Monument signs shall be a maximum height of eight feet above natural grade. No wall or projecting sign shall project above the parapet or roof line of the building to which it is attached. Minimum heights shall be ~~eight~~ eight feet over walking surfaces and fourteen (14) feet over vehicle surfaces.

E. Design: Signs shall be designed to establish a common theme or design for the entire building or project, using similar construction methods, compatible colors and scale and backgrounds. Signs should conform to the City's design standards of Swiss-European with an "old world" feel.

F. Location: Signs shall be designed to fit within and not detract from or obscure architectural elements of the building's façade.

G. Color: Fluorescent signs are prohibited. Reflective surfaces and reflective colored materials that give the appearance of changing colors are prohibited.

Temporary Event Signs - off-premise	3	8 sq. ft. each. See section 16.21.140	N	N	Special Events Management review
Temporary Event Signs - on-site	1	24 sq. ft. - see section 16.21.140	N	N	Special Events Management review
Real Estate for Sale/ Rent/Lease signs	1	See Section 16.21.120	N	N	N
Open House signs	4	See Section 16.21.120	N	N	N
Dedication plaques	1	4 sq. ft.	N	N	N
Incidental signs (not window)	1 per use (*)	1.5 sq. ft. each	N	N	N
<u>(*) Signs are subject to Planning Department Review</u>					

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Type of sign	Number allowed	Maximum sign sq. ft. size	VAC	Fee	App
Grand Opening signs/banners/displays (max 30 days)	1 per face Maximum of 2 total	32 total sq. ft.	N	N	N
Coming Soon signs/banners (no sooner than 30 days until opening, max 30 days)	1 per face Maximum of 2 total	32 total sq. ft.	N	N	N

Table 16.21.B					
PERMIT REQUIRED					
Type of sign	Number allowed	Maximum sign sq. ft. size	Max sign area height from natural grade/elevation	VA C	Fee
RESIDENTIAL					
Temporary Development Sign	1, but 2 if corner property	24 sq. ft. each. See Section 16.21.110	6	N	N
Temporary Development Banner	1, but 2 if on corner, and 1 additional for every 200' additional frontage	24 sq. ft. each Located on construction fencing only	6	N	N
Model Home signs	1	12 24 sq. ft. each. See Section 16.21.110	4	N	N
Permanent development entrance signs	1 per entrance	24 32 sq. ft. each	6	N	N
COMMERCIAL					
Temporary Development Sign	1, but 2 if corner property	24 sq. ft. each. See Section 16.21.110	6	N	N
Temporary Development Banner	1, but 2 if on corner, and 1	24 sq. ft. each	6	N	N

Formatted: Font: 12 pt
Formatted Table

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted Table

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font color: Red

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt, Font color: Red

Formatted: Font: 12 pt

Formatted: Font: 12 pt

	<u>additional for every 200' additional frontage</u>	<u>Located on construction fencing only</u>			
<u>Model Home Signs</u>	1	<u>1224</u> sq. ft. each.	4	<u>N</u>	<u>N</u>
		<u>See Section 16.21.110</u>			
<u>Monument or ground sign</u>	1	<u>2432</u> sq. ft.	<u>68</u>	Y	<u>N</u>
<u>Building-mounted sign (wall, hanging, projecting)</u>	<u>See 16.21.8</u>	<u>See 16.21.80</u>	<u>See 16.21.80</u>	Y	<u>N</u>
<u>Street pole banners</u>	See Section 16.21.150	See Section 16.21.150	See Section 16.21.150	N	See Section 16.21.150
<u>Menu board - Walk-up (Must be mounted flush to wall)</u>	1	16 sq. ft.	<u>88</u>	Y	<u>N</u>
		<u>See Sign Table Note "22"</u>			
<u>Menu Board - Drive-up</u>	1	<u>16 sq. ft.</u>	<u>8</u>	Y	<u>N</u>
<u>Gas price board</u>	1	12 sq. ft.	6	Y	<u>N</u>
<u>Center (business, commercial or industrial)</u>	<u>±</u>	<u>Max 32 sq. ft. See Sign Table Note "5"</u>	<u>8</u>	<u>Y</u>	<u>N</u>
	<u>May be 2 if 4 or more businesses and room for signs</u>				

- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt, Font color: Red
- Formatted Table**
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt
- Formatted:** Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 12 pt, Font color: Red
- Formatted:** Font: 14 pt
- Formatted:** Indent: Left: 0.5", No bullets or
- Formatted:** Font: 14 pt
- Formatted:** Indent: Left: 0.5", No bullets or

1. There shall be no illuminated signs in the residential zones.
2. No wall, hanging or projecting sign shall project above the parapet or roof line of the building to which it is attached. Hanging and Projecting signs may not project more than thirty-six (36) inches from the face of the building to which they are attached. They may not extend beyond the applicant's property. Minimum heights shall be eight feet over walking surfaces and fourteen (14) feet over vehicle surfaces.
3. If illuminated, exterior signs must be illuminated from the front side. Backlit, interior lit, side lit, edge lit, and shadow lighting signs are not allowed in any zone. Illuminated, non-animated, interior "open" and "closed" signs are permitted in the commercial zones. No other illuminated

signs, graphics, product-related signs, quotes, or other verbiage is permitted under the Code.

4. Back to back or double-sided signs shall count as one sign and square footage shall be calculated for one side only.

5. No sign shall be placed in a manner as to interfere in any way with or confuse traffic or present a traffic hazard. Signs shall not be placed within any public right-of-way.

4-6. No sign shall be erected or placed within any clear view triangle at intersections.

7. Government signs, non-commercial public utility signs, and temporary political signs are allowed in any district with no permit required.

8. Decorative tops may exceed the maximum height of approved decorative signs by twenty-four (24) inches.

9. No temporary detached sale promotion signs/banners shall be allowed except for on-premises temporary sales promotions not to exceed seven consecutive calendar days in any month of the year. Portable A-frame signs may not be used for this purpose.

10. Vehicle signs advertising off-premises event(s) shall be prohibited. Vehicle signs with a sign face area of over two square feet shall not be conspicuously parked so as to constitute an advertising sign. Nothing herein contained shall prevent such a vehicle from being used for bona fide delivery or other vehicular purposes when all of the following conditions are met:

a. The primary purpose of such vehicle or equipment is not the display of signs.

b. Such signs are magnetic, decals, or painted upon an integral part of the vehicle or equipment as originally designed by the manufacturer and do not break the silhouette of the vehicle.

c. Vehicle/equipment is in operating condition, currently registered and licensed to operate on public streets and actively used in the daily function of the business to which such signs relate.

d. Vehicles and equipment are not used primarily as static displays, advertising an off-premises event, product or service, nor utilized as storage.

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

shelter or distribution points for commercial products or services for the general public.

e. During periods of activity exceeding forty-eight (48) hours such vehicles/equipment are not so parked or placed that the signs thereon are displayed to the public.

2-11. Signs made from plexiglass or any material that resembles plastic shall not be permitted within the commercial and resort zones.

12. No signs of any type shall be attached to utility poles.

13. Off-premises signs shall not be permitted within Midway City. The exceptions to this are temporary event signs and open house real estate signs (which must be removed once the event/open house is concluded).

14. Political signs must be removed within seventy-two (72) hours after the election. No political signs shall be placed in the public right-of-way.

15. The maximum size of any one flag shall be twenty-four (24) square feet. Flag poles may not exceed twenty-eight (28) feet in height measured from natural grade. No more than three freestanding flag poles per property are allowed if visible from a public right-of-way. Properties with right-of-way frontage greater than three hundred (300) feet may be allowed an additional three (3) flag poles per additional three hundred (300) feet of street frontage. Freestanding poles shall not be placed in the right-of-way.

16. Displays for menus may be located on the inside of a window or inside a wall-mounted or freestanding display box. Menu display signs are permitted in commercial zones. All wall-mounted and freestanding display boxes will be reviewed within the context of the building architecture and Code. Lighting of a menu is permitted within the display. Lighting shall comply with the Midway City Code.

17. Wall signs shall be confined to the building surface below the finished floor elevation of the second floor or twenty feet about finished grade, whichever is lower.

18. Window signs shall occupy no more than thirty (30) percent of the total transparent area of the window. Window signs are limited to the main floor level of the building and a maximum size of four square feet.

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt

Formatted: Normal, No bullets or numbering

Formatted: Font: 14 pt, Font color: Red

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font color: Auto

Formatted: Font: 14 pt

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt, Font color: Red

Formatted: Indent: Left: 0.5", No bullets or

19. Construction Signs are permitted, one per project, provided they meet the following criteria:
- a. The total area for the construction identification sign shall not exceed twenty-four (24) square feet.
 - b. Height shall not exceed six feet above finished grade. Signs mounted on a construction barricade or fence may not extend above the height of the barricade or fence.
 - c. Location shall be readable from the street or driveway and shall not be in setbacks or rights-of-way.
 - d. Information depicted on the sign may include the name, address and phone number of the contractor; the name, address and phone number of the person responsible for the project; and who to call in case of emergency.
 - e. Construction signs are permitted only in the cases of active building permits and ongoing construction. Construction signs are not permitted if six or more months have passed since the latest building inspection. Construction signs shall be removed from the premises upon issuance of a certificate of occupancy for the project from the Building Department.

Formatted: Font: 14 pt, Font color: Red

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Font: 14 pt, Font color: Red

Formatted: Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 0.5" + Indent at: 0.75"

Formatted: Font: 14 pt, Font color: Red

Formatted: Indent: Left: 0.5", No bullets or

20. Monument signs with a sign area over six square feet must have two supporting posts, one on each side of the sign, or a rock support base under the entire width of the sign.

21. On corner lots, one monument sign is allowed to be located on each frontage and the signs shall be located a minimum of 50' apart.

22. An active Business License is required to retain the installation of an approved Commercial Sign. A Business shall remove an installed sign within thirty (30) days of Business License expiration, vacancy or closure.

Formatted: Font: (Default) Roboto Slab

Formatted: Left, Indent: Left: 0.5", Space Before: 0 pt, After: 0 pt, No bullets or numbering

Formatted: Justified, Space Before: Auto, After: Auto

Formatted: Font: (Default) Roboto Slab

Formatted: Font: 14 pt, Font color: Red

Formatted: Indent: Left: 0.5", No bullets or

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

16.21.090 Abatement of Unsafe, Abandoned or Obsolete Signs

Signs regulated under this Code shall be maintained in good visual appearance and structural condition at all times. Any sign which does not correctly and accurately advertise a bona fide business, lessor, owner, product, service, activity conducted or product available on the premises where such sign is displayed for a period of sixty (60) days or more shall be considered an obsolete sign. Sign structures that are abandoned or obsolete and not in compliance with this Chapter shall be timely

removed and, in any event, within thirty (30) days after written notice from the City. If, upon inspection, the Building Official determines that a sign is unsafe, not maintained, abandoned or obsolete, the Building Official may issue a written order to the owner of the sign or occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within thirty (30) working days after written notice from the City. In cases of emergency, meaning cases where a sign presents an imminent hazard to public safety, the Building Official may cause the immediate removal of a dangerous or defective sign. Midway City, its employees and agents shall have no liability for negligence or failure of the owner, or the person responsible for maintaining any sign, to keep such sign in good repair, for defective conditions, or any damage resulting therefrom.

16.21.100 Non-Conforming Signs

A. Any change to the ownership interest in a sign or the business it promotes; any change to the physical structure, shape, type, or size of an existing non-conforming sign; and/or any change to the copy or content displayed in or on an existing non-conforming sign shall immediately terminate the lawful nonconforming status of the sign and said sign shall be required to come into compliance with this Chapter immediately.

B. Certain historical signs may be exempted from the requirements of this Chapter if the City Council finds that the signs have historical significance and that removal or alteration of the sign would be detrimental to the public interest.

16.21.110 Temporary Development Signs and Model Home Signs

The following are requirements for temporary development signs:

1. Maximum sign area of twenty-four (24) square feet each for Temporary Development Signs and maximum sign area of twelve (12) square feet each for Model Home Signs.
2. Maximum height of six feet measured from natural grade.
3. Maximum number of one sign, unless on a corner with two frontages, then two signs located at least fifty (50) feet apart.
4. Completed sign application to be filled out and submitted to Midway City.

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

5. Location outside the clear view triangle of roads and intersections. The final location must be approved by Midway City planning and/or engineering staff.
6. A time limit of two years from the date of approval. If the development is still active, an extension beyond the two years may be approved by the Planning Director.
7. Approval by the Planning Director or assignee before the sign may be installed.
8. No off-premises temporary development signs are permitted in any zone.
9. The area around the sign is to be maintained (i.e. no weeds).
10. Signs may only be erected after final approval of the subdivision/development or issuance of a building permit.

16.21.120 Real Estate for Sale, Rent, Lease, Open House Signs

- A. One temporary real estate “For Sale”, “Rent” or “Lease” sign is permitted on-premises per property (the sign must be located on the actual property being advertised). Signs shall not be located on public property or in the right-of-way.
- B. Lots and parcels under one acre are allowed one, four square foot real estate For Sale, Rent or Lease sign.
- C. Lots and parcels between one and five acres are allowed one, twelve (12) square foot real estate For Sale, Rent or Lease sign.
- D. Lots and parcels over five acres are allowed one, twenty-four (24) square foot real estate For Sale, Rent or Lease sign.
- E. Four, four square foot temporary off-premises “Open House” signs shall be permitted only during the hours that the open house is being held and must be removed once the open house is concluded. They must be outside the clear view triangle at intersections and may not in any way interfere with vehicular or pedestrian traffic or otherwise negatively affect public safety.

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Red

16.21.130 Design Guidelines

In the commercial and resort zones, the desired look is for signs to have a Swiss-European, “old world” feel. Permanent signs that require permits must be decorative signs, as defined herein.

16.21.140 Temporary Event Signs

- A. Temporary event signs require approval through the Midway City Special Event Manager to verify that all requirements have been met. A graphic representation of the sign, including dimensions, must be submitted to the City for review.
- B. Temporary event signs shall not exceed eight (8) square feet. Dimensions for kiosk signs are two (2) feet in height and four (4) feet in width.
- C. Signs may be displayed for not more than two (2) weeks before the event and shall be removed after the event has concluded.
 - 1. No temporary event signs will be allowed on the Town Square designated site during Labor Day weekend and the week prior to Labor Day.
 - 2. Events running longer than two (2) weeks may have their signs removed before the end of their event to allow space for other concurrent events.
 - 3. City staff will be responsible for installing and removing all signs and banners that are displayed in the kiosks and on city property.
- D. Temporary event signs shall be free of any other advertisement.
- E. Temporary event signs shall not be illuminated.
- F. Temporary event signs shall not be located in the public right-of-way.
- G. A maximum of three (3) off-premises temporary event signs for any one (1) event or series of events will be allowed in the City limits. The signs may be posted on a combination of the designated sites set forth below:
 - 1. Temporary event signs must be located on private property or in one of the following designated locations on posts provided by the City:
 - a) Near the roundabout on River Rd.
 - b) Hamlet Park
 - c) Town Square
- H. In some cases, special event staff may approve in addition to displaying the three (3) off-premises signs at a combination of private property and/or designated locations, one (1) additional on-site sign to be displayed using the following criteria:
 - 1. A maximum sign size of twenty-four (24) square feet.
 - 2. Located on City property at the event site, not located in the public right-of-way, and installed by Midway City Staff.

Formatted: No underline, Font color: Red

Formatted: No underline, Font color: Red

Formatted: Font color: Custom Color(237,0,0)

- 3. Displayed no more than fourteen (14) days prior to the event.
- 4. Midway City reserves the right to deny any request.
- I. For-profit organizations that have rented the Midway City Town Hall or the Midway City Community Center for special events may display one (1) on-site twenty-four (24) square foot sign. See this Chapter for regulations. For-profits may not display off-premises signs.
- J. Temporary event signs shall not advertise events other than those sponsored by a public agency, school, church or civic organization or similar non-commercial, not-for-profit organizations or be free to the public. Priority will be given first to the City of Midway and then to any Midway based not-for-profit in the event of a conflict. Other requests from not-for-profit organizations outside of the city limits may be considered. Conflicts will be resolved by the Special Event Manager.
- K. In the event of re-use, all on-site or off-premise temporary event signs will require the re-approval of the Special Event Manager prior to placement. The City will not be responsible for storage, loss or damage to banners displayed on City property.

16.21.150 Street Pole Banners

A. Street Light Pole banners, in conjunction with permitted special events, may be temporarily installed on select City light poles designated by the Midway City Special Event Manager. The purpose of the banner program is to add life and color to the City’s streetscape, while at the same time, promoting special events and other cultural or sporting activities of benefit to the City. The following information provides eligibility requirements, application and approval procedures and applicant responsibilities.

B. Eligibility Requirements: Banners (in association with a special event activity authorized by the City) are eligible for placement, including but not limited to art shows, concerts, festivals, organized sports events, parades and runs. These events must be sponsored by a not-for-profit organization or be free to the public. Please note, the placement of banners for the purpose of commercial advertising is not allowed as part of this program.

C. Application and Approval Process: The application for a Special Event License authorizing the placement of banners must be submitted to the Midway City

Formatted: Font color: Red

Formatted: Font color: Red

Formatted: Font color: Custom Color(RGB(237,0,0))

Special Event Manager at least seventy-five (75) days prior to the proposed special event activity to verify that all requirements have been met.

D. Banner Application: As part of the application, the applicant shall provide banner information, including sample graphic design artwork and sponsor identification. Following a preliminary review of the application, the Midway City Special Event Manager will immediately notify the applicant if there are any problems, including scheduling or location conflicts. The banner request information is then distributed to relevant City departments for review and comment. If there are no conflicts from the City departments, a Street Light Pole Banner Permit will then be issued.

E. Policies and Procedures:

1. Banners must be constructed to fit the Midway City Street Light Poles. They must have 4-inch rod pockets on top and bottom.
2. Banners must be constructed of lightweight, pliable and durable fabrics designed for outdoor display.
3. Banners may be hung two (2) weeks prior to the event and during the event. Banners shall be removed immediately after the event.
4. Banners shall be free of any other advertisement.
5. The Midway City Special Event Manager will determine location and the number of poles that will be available to hang banners at the time of each request. Any conflicts in timing or location will be resolved by the Special Event Manager.
10. The City reserves the right to establish which individual street light poles may be designated for banner placement.

F. Street Light Pole banners shall not advertise events other than those sponsored by a public agency, school, church, civic organization, or similar non-commercial, not-for-profit organizations or be free to the public. Priority will be given first to the City of Midway and then to any Midway based not-for-profit in the event of a conflict.

16.21.160 Enforcement

Illegally placed signs on public property or public rights-of-way are subject to immediate removal and subject to fines and retrieval fees as approved by the City Council (fee schedule). With reasonable notice to the owner, illegally placed signs on private property are subject to removal and subject to fines and retrieval fees as

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Formatted: Font: 14 pt

approved by the City Council (fee schedule). Any sign retrieved by the City will be held in the City Planning Offices for a period of fifteen (15) days from the date of retrieval. If not retrieved within fifteen (15) days, the City may and will discard the sign.

Formatted: Font: 14 pt

Formatted: Font: 14 pt

Any person who erects, installs, alters or relocates a sign that requires a permit under this Code and who fails to obtain an approved permit before installing the sign shall be guilty of a Class C misdemeanor and subject to fines and retrieval fees as approved by City Council (fee schedule).

Formatted: Font: 14 pt

Formatted: Normal, No bullets or numbering

(2024, Section Revised, eff. 09/03/2024)



CITY COUNCIL MEETING STAFF MEMO

AGENDA ITEM: Final Approval extension request for Wayne's Pond Rural Preservation Subdivision

DATE OF MEETING: October 1, 2024

APPLICANT: Wayne Probst Family Trust

AUTHORIZED REPRESENTATIVE: Ben Probst

LOCATION: 344 West 500 South

STAFF SUMMARY

Ben Probst, agent for Wayne Probst Family Trust, has submitted a final approval extension request for a previously approved subdivision named Wayne's Pond Rural Preservation Subdivision. Wayne's Pond is a one-lot lot subdivision located at 344 West 500 South. This is the first extension of three possible extensions for this subdivision. The subdivision was approved for one lot using the rural preservation subdivision code. Final approval of the subdivision was originally granted by the City Council on August 15, 2023. If an extension is granted, the approval would extend to August 15, 2025.

A one-year extension may be granted by the council but is subject to the applicant making a formal request and demonstrating how extenuating circumstances have delayed the plat recording. No more than three one-year extensions may be granted. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension. Staff are unaware of any outstanding fees for this proposal.

Staff are not aware of any code amendments that have been approved since final approval of the subdivision that would have significant impacts on the subdivision if the applicant were required to reapply.

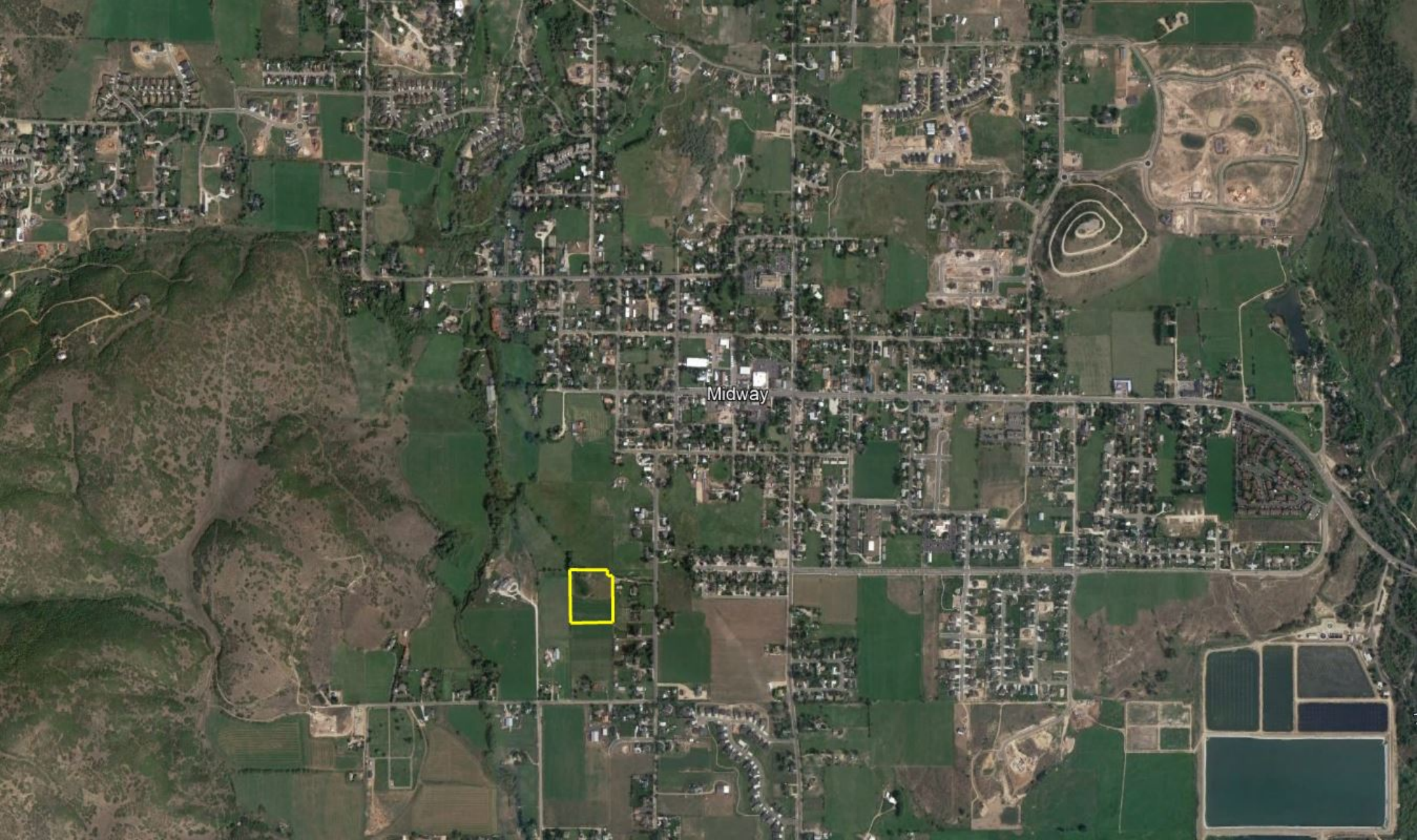
If the following criteria are met, then the City Council may grant an extension:

1. Construction must be conducted according to any new City standards in effect at the time the plat is ultimately recorded;
2. The property must be maintained in a clean, dust-free, and weed-free condition at all times;
3. Each extension will be for a one-year period only, after which time an annual review must be requested by the applicant and presented before the City Council; and/or
4. No more than three one-year extensions will be allowed. The granting or denying of any extension, with or without conditions, is within the sole discretion of the City Council, and an applicant has no right to receive such an extension.

The applicants have submitted an explanation of their perceived extenuating circumstances which is the following:

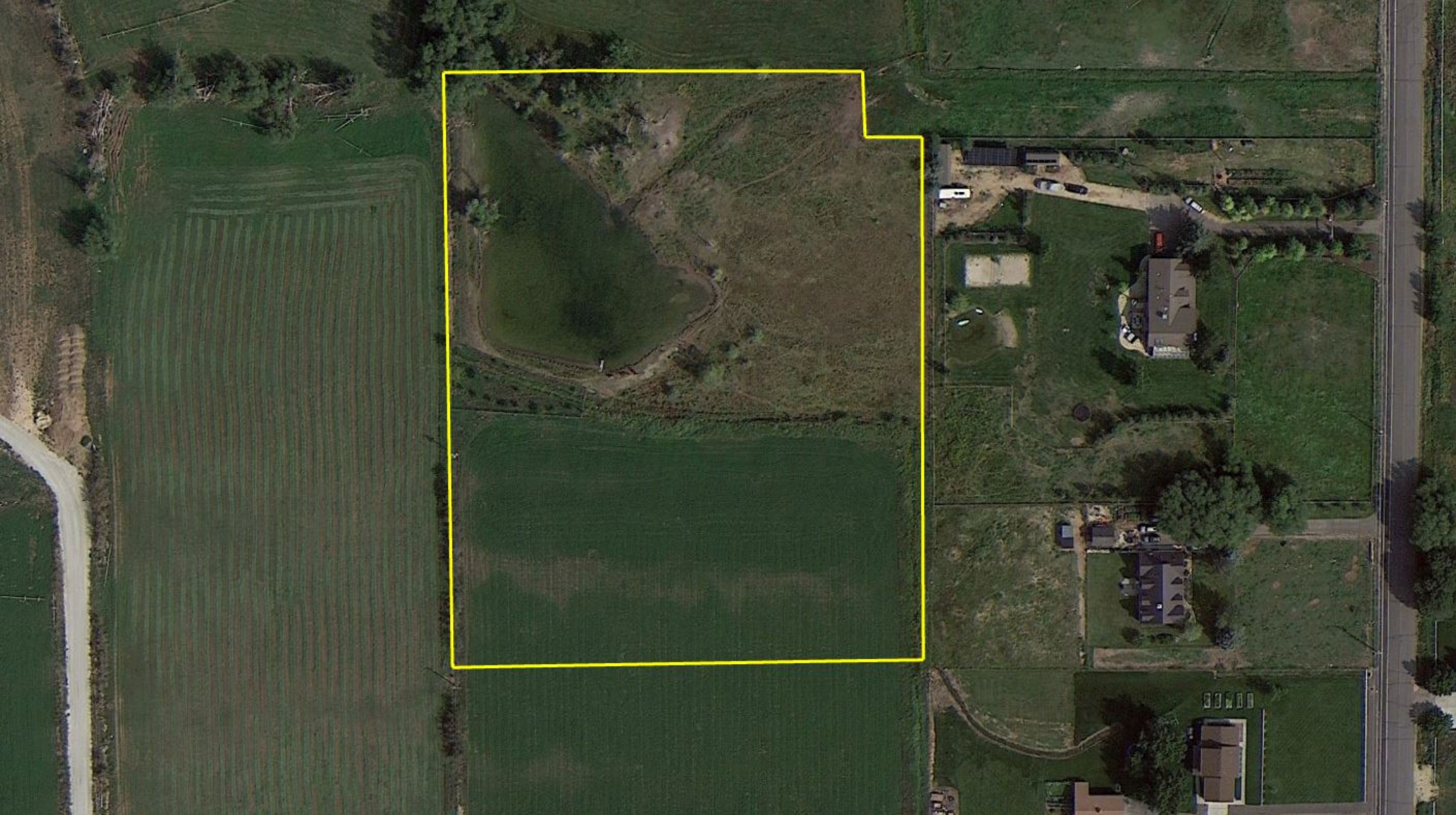
“Time need for change application on water transfer.”

Please contact Michael with any questions that you have.

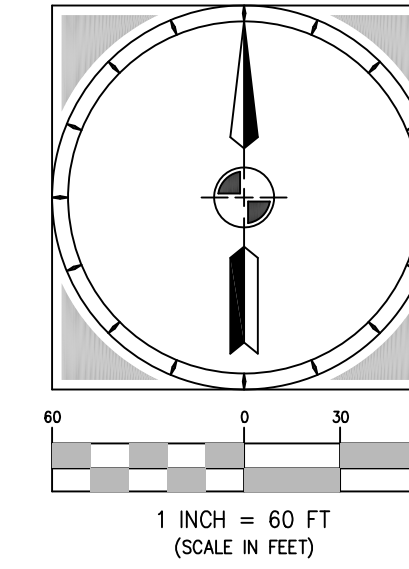


Midway





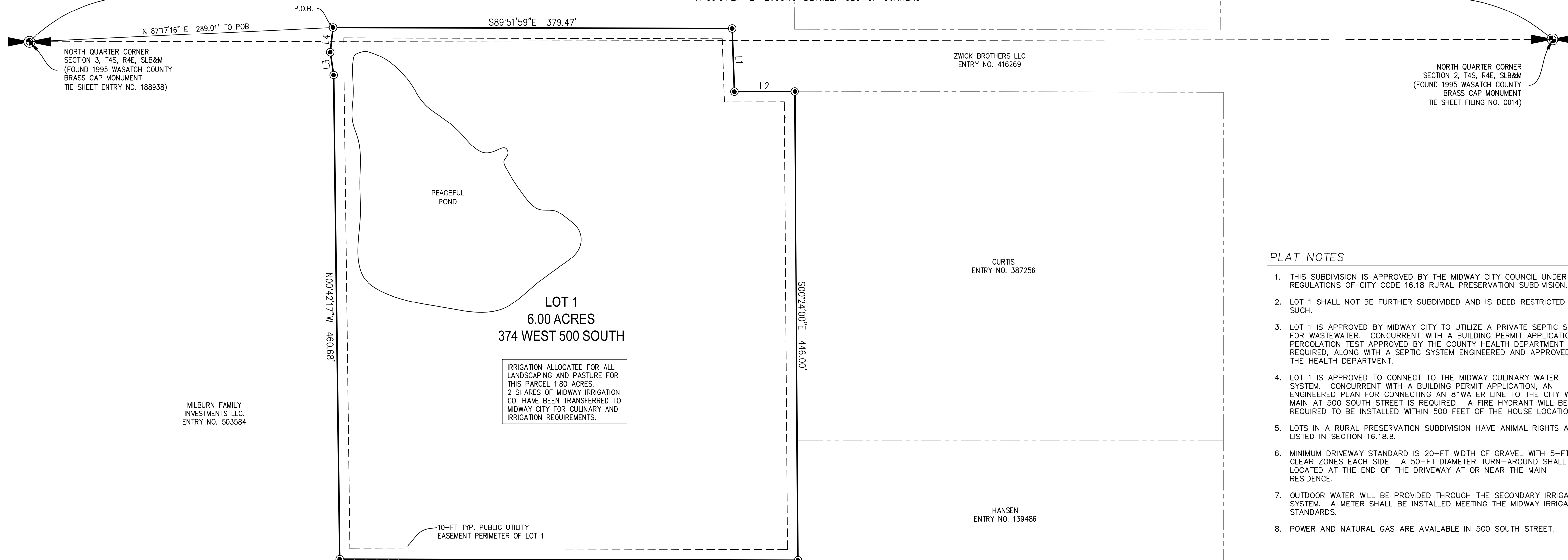
PEACEFUL POND



ZWICK BROTHERS LLC
ENTRY NO. 416268

GERTSCH
ENTRY NO. 310318
RECORD OF SURVEY #1891

BASIS OF BEARINGS
N 89°54'27" E 2658.19' BETWEEN SECTION CORNERS



PLAT NOTES

- THIS SUBDIVISION IS APPROVED BY THE MIDWAY CITY COUNCIL UNDER REGULATIONS OF CITY CODE 16.18 RURAL PRESERVATION SUBDIVISION.
- LOT 1 SHALL NOT BE FURTHER SUBDIVIDED AND IS DEED RESTRICTED AS SUCH.
- LOT 1 IS APPROVED BY MIDWAY CITY TO UTILIZE A PRIVATE SEPTIC SYSTEM FOR WASTEWATER. CONCURRENT WITH A BUILDING PERMIT APPLICATION, A PERCOLATION TEST APPROVED BY THE COUNTY HEALTH DEPARTMENT IS REQUIRED, ALONG WITH A SEPTIC SYSTEM ENGINEERED AND APPROVED BY THE HEALTH DEPARTMENT.
- LOT 1 IS APPROVED TO CONNECT TO THE MIDWAY CULINARY WATER SYSTEM. CONCURRENT WITH A BUILDING PERMIT APPLICATION, AN ENGINEERED PLAN FOR CONNECTING AN 8" WATER LINE TO THE CITY WATER MAIN AT 500 SOUTH STREET IS REQUIRED. A FIRE HYDRANT WILL BE REQUIRED TO BE INSTALLED WITHIN 500 FEET OF THE HOUSE LOCATION.
- LOTS IN A RURAL PRESERVATION SUBDIVISION HAVE ANIMAL RIGHTS AS LISTED IN SECTION 16.18.B.
- MINIMUM DRIVEWAY STANDARD IS 20-FT WIDTH OF GRAVEL WITH 5-FT WIDE CLEAR ZONES EACH SIDE. A 50-FT DIAMETER TURN-AROUND SHALL BE LOCATED AT THE END OF THE DRIVEWAY AT OR NEAR THE MAIN RESIDENCE.
- OUTDOOR WATER WILL BE PROVIDED THROUGH THE SECONDARY IRRIGATION SYSTEM. A METER SHALL BE INSTALLED MEETING THE MIDWAY IRRIGATION STANDARDS.
- POWER AND NATURAL GAS ARE AVAILABLE IN 500 SOUTH STREET.

PROPERTY CORNER NOTES

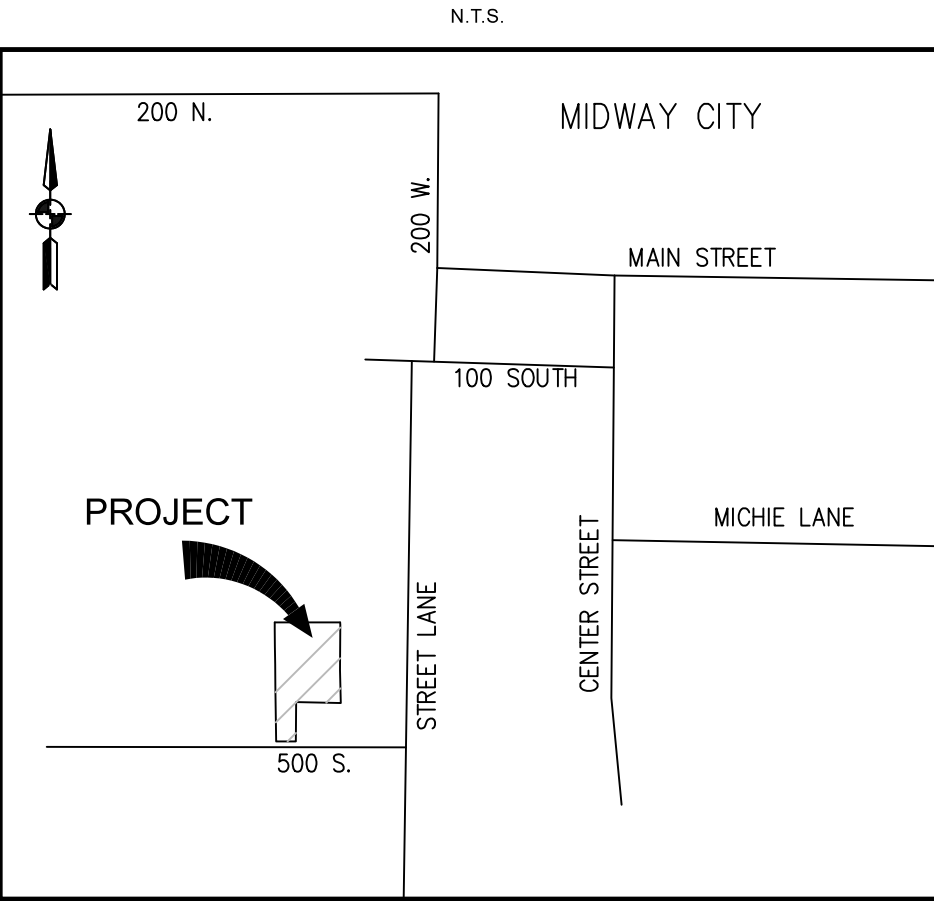
- 5/8" REBAR AND PLASTIC CAP STAMPED "SUMMIT ENG 435-654-9229" TO BE SET AT SUBDIVISION CORNERS AND REAR LOT CORNERS.

LEGEND

- SECTION LINES
- ADJACENT PROPERTY LINES
- PUBLIC UTILITY EASEMENT LINES
- EXTERIOR SUBDIVISION CORNER, SET 5/8" REBAR AND CAP MARKED "SUMMIT ENGINEERING 435-654-9229"
- 56' ACCESS & UTILITY EASEMENT

LINE	BEARING	DISTANCE
L1	S01°59'23"E	60.16'
L2	N89°53'13"E	57.33'
L3	N08°20'33"W	22.06'
L4	N06°26'50"E	23.55'

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, KEVIN BALLS DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, AND THAT I HOLD CERTIFICATE NO. 11207308-2201 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY BY AUTHORITY OF THE OWNERS, THAT I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW, AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO ONE LOT AND EASEMENTS.

KEVIN BALLS - P.L.S. DATE _____

BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS SURVEY WAS ESTABLISHED AS NORTH 89°54'27" EAST 5316.39 FEET BETWEEN COUNTY MONUMENTS REFERENCING THE NORTH 1/4 CORNER OF SECTION 3 AND THE NORTH 1/4 CORNER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN IN CONFORMANCE WITH UTAH COORDINATE SYSTEM 1983 CENTRAL ZONE BEARINGS.

BOUNDARY DESCRIPTION

BEGINNING NORTH 87°17'16" EAST 289.01 FEET FROM THE 1995 WASATCH COUNTY MONUMENT FOR THE NORTH 1/4 CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN (BASIS OF BEARINGS BEING NORTH 89°54'27" EAST BETWEEN THE SAID NORTH QUARTER CORNER AND THE NORTH QUARTER CORNER OF SECTION 2, TOWNSHIP 4 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN);
AND RUNNING THENCE SOUTH 89°51'59" EAST 379.47 FEET ALONG AN EXISTING FENCE LINE;
THENCE SOUTH 01°59'23" EAST 60.16 FEET ALONG AN EXISTING FENCE LINE;
THENCE NORTH 89°53'13" EAST 57.33 FEET;
THENCE SOUTH 00°24'00" EAST 446.00 FEET ALONG A FENCE LINE;
THENCE NORTH 89°51'59" WEST 435.78 FEET;
THENCE ALONG A FENCE LINE THE FOLLOWING THREE COURSES: (1) THENCE NORTH 00°42'17" WEST 460.68 FEET; (2) THENCE NORTH 08°20'33" WEST 22.06 FEET; (3) THENCE NORTH 06°26'50" EAST 23.55 FEET TO THE POINT OF BEGINNING.
CONTAINS 5.00 ACRES
TOGETHER WITH A 56-FT WIDE RIGHT-OF-WAY TO 500 SOUTH STREET

OWNER'S DEDICATION AND CONSENT TO RECORD

I, THE UNDERSIGNED OWNER OF ALL THE REAL PROPERTY DEPICTED ON THIS PLAT AND DESCRIBED IN THE BOUNDARY DESCRIPTION ON THIS PLAT, CONSENT TO THE RECORDATION OF THIS PLAT. FURTHERMORE, I HAVE CAUSED THE LAND DESCRIBED TO BE DEVELOPED UNDER THE REQUIREMENTS OF THE RURAL PRESERVATION SUBDIVISION CODE OF MIDWAY CITY, AND ALSO DO HEREBY GRANT UNDER THE PROVISIONS OF 10-9-807 UTAH CODE TO MIDWAY CITY THE PUBLIC UTILITY EASEMENTS AS SHOWN HEREON.

WAYNE PROST FAMILY LIVING TRUST DATE _____

OWNER'S ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF WASATCH
ON THIS DAY OF _____, PERSONALLY APPEARED BEFORE ME _____
THE SIGNER OF THE ABOVE OWNER'S DEDICATION, WHO DULY ACKNOWLEDGED TO ME THAT HE SIGNED IT FREELY AND VOLUNTARILY AND FOR THE USES AND PURPOSES THEREIN MENTIONED.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____

ACCEPTANCE BY LEGISLATIVE BODY

THE CITY COUNCIL OF MIDWAY CITY, WASATCH COUNTY, UTAH, APPROVES THIS SUBDIVISION SUBJECT TO THE CONDITIONS AND RESTRICTIONS STATED HEREON, AND HEREBY ACCEPTS THE GRANT OF PUBLIC UTILITY EASEMENTS THIS DAY OF _____

MAYOR _____
CLERK-RECORDER _____

MIDWAY CITY APPROVALS

ATTORNEY DATE _____ MIDWAY IRRIGATION DATE _____
CITY ENGINEER DATE _____

PLANNING COMMISSION APPROVAL

CHAIRMAN, PLANNING COMMISSION DATE _____ PLANNING DIRECTOR DATE _____

COUNTY SURVEYOR

APPROVED AS TO FORM THIS DAY OF _____
ROS # _____
WASATCH COUNTY SURVEYOR _____

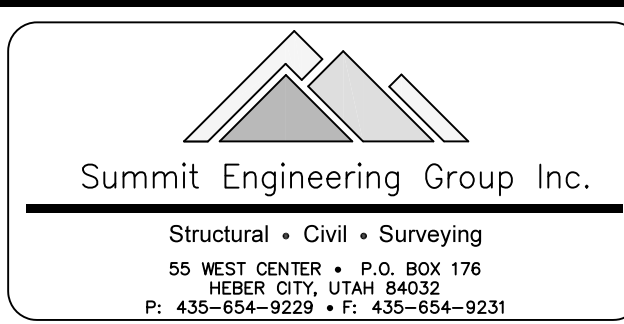
COUNTY HEALTH DEPT

APPROVED PERCOLATION TEST _____
WASATCH CO. ENVIRONMENTAL HEALTH DATE _____

WASATCH COUNTY RECORDER

ENTRY # _____ BOOK _____ PAGE _____
DATE _____ TIME _____ FEE _____
FOR _____
BY _____ WASATCH COUNTY RECORDER MARCY M. MURRAY

PROJECT
L22-066
SHEET
1 OF 1
ISSUE DATE
FEB 24, 2022



COPYRIGHT © 2022
SUMMIT ENGINEERING GROUP INC.
DRAWING ALTERATION
IT IS A VIOLATION OF LAW FOR ANY PERSON UNLESS ACTING UNDER THE DIRECTION OF THE PROFESSIONAL LAND SURVEYOR TO ALTER ANY ITEM ON THIS DOCUMENT. ANY ALTERATION SHALL BE FOLLOWED BY THE SIGNATURE AND SPECIFIC DESCRIPTION OF THE ALTERATION.

PEACEFUL POND A RURAL PRESERVATION SUBDIVISION

IN MIDWAY CITY, UTAH

LOCATED IN THE NE 1/4 OF
SECTION 3, TOWNSHIP 4 SOUTH,
RANGE 4 EAST, SLB&M
WASATCH COUNTY, UTAH