

**MIDWAY CITY
Municipal Code**

TITLE 1 GENERAL PROVISIONS

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CHAPTER 1.01 ADOPTION OF MUNICIPAL CODE

Section 1.01.010 Adoption

Section 1.01.020 Title, Citation and Reference

Section 1.01.010 Adoption

Pursuant to the provisions of Utah Code all ordinances currently in effect in Midway City, Utah, are hereby adopted, revised, codified and compiled as the Midway City Municipal Code.

Section 1.01.020 Title, Citation and Reference

This Code shall be known, cited and referenced as the “Midway City Municipal Code” or “Municipal Code” or “Code.”

CHAPTER 1.02 CONSTRUCTION OF MUNICIPAL CODE

Section 1.02.010 Definitions

Section 1.02.020 References to Municipal Code and Amendments

Section 1.02.030 Title, Chapter and Section Headings

Section 1.02.040 Reference to Specific Ordinances

Section 1.02.050 Severability

Section 1.02.010 Definitions

As used in this Code, the following terms shall have the meanings herein set forth, unless an alternate definition of one of the following terms is specifically adopted elsewhere in this Code to govern only a specific Title, Chapter or Section of the Code. Definitions of additional terms not listed below may be found in specific Titles, Chapters and Sections of this Code.

“Code” shall mean the Midway City Municipal Code contained herein.

“Governing body” shall mean the Midway City Council.

Section 1.02.020 References to Municipal Code and Amendments

Whenever a reference is made to this Code or any portion thereof, or to any ordinance codified therein, the reference shall apply to all amendments, corrections, and additions hereafter made and then in effect, unless otherwise specified.

Section 1.02.030 Title, Chapter, and Section Headings

Title, Chapter and Section headings contained in this Code are for reference only and shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning, or intent of the provisions of any Title, Chapter, or Section hereof.

Section 1.02.040 Reference to Specific Ordinances

The provisions of this Code shall not negate any public or private reference to ordinances of Midway City designated by number, but such reference shall be construed to apply to the corresponding provisions contained and codified within this Code.

Section 1.02.050 Severability

It is hereby declared to be the intention of the governing body that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any section, paragraph, sentence, clause or phrase of this Code shall be declared unconstitutional or without effect by any court, such judgment or decree shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Code.

CHAPTER 1.03 APPLICABILITY OF MUNICIPAL CODE

Section 1.03.010 Effective Date

Section 1.03.020 Repeal of Existing Ordinances

Section 1.03.030 Effect of Code on Past Actions and Obligations

Section 1.03.040 Certain Ordinances Not Affected

Section 1.03.050 Notice of Pending Ordinance

Section 1.03.010 Effective date

This Code shall become effective on the date the ordinance adopting this Code as the Midway City Municipal Code is passed.

Section 1.03.020 Repeal of Existing Ordinances

All ordinances of Midway City enacted prior to the adoption of this Code are hereby repealed.

Section 1.03.030 Effect of Municipal Code on Past Actions and Obligations

Neither the adoption of this Code nor any provision contained therein shall affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accrued before the effective date of this Code.

Section 1.03.040 Certain Ordinances Not Affected

Neither the adoption of this Code nor any provision contained therein shall be construed to repeal or otherwise affect the validity of the following: any ordinance promising or guaranteeing the payment of money for the City, or authorizing the issuance of any bonds for the City, or any evidence of the City's indebtedness; any appropriation or ordinance providing for the levy of taxes or for an annual budget, or prescribing salaries for City officers and employees; any ordinance annexing territory to the City or discontinuing territory as part of the City; or any ordinance granting any franchise. All such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out in full herein.

Section 1.03.050 Notice of Pending Ordinance

Pursuant to Utah Code Section 10-9a-509, the Midway City Council may formally initiate proceedings to amend City ordinances. In order to initiate proceedings to amend City ordinances as provided for herein, the City Council shall adopt a resolution specifying the nature of the proposed ordinance and directing that City staff prepare such an ordinance. The resolution shall take effect immediately, shall be effective for no more than 180 days, and shall provide that the proposed ordinance shall be enacted by the City Council within 180 days of adoption of the resolution. During the time the resolution is in effect, the City may prohibit activities that may violate the terms of the pending ordinance. This section shall not be construed to eliminate or diminish any power of the City in existence at the time this section is adopted.

(2010-20, Section Added, eff. 7/7/2010)

CHAPTER 1.04 PENALTIES AND ENFORCEMENT

Section 1.04.010 General penalty

Section 1.04.020 Liability of employers and agents

Section 1.04.030 Presumption of responsibility for certain violations

Section 1.04.040 Penalties not to excuse abatement of prohibited conditions

Section 1.04.050 Double fee for failure to obtain required licenses

Section 1.04.010 General Penalty

Whenever in this Code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful and no specific penalty is provided therefore, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine not to exceed the maximum Class B misdemeanor fine under Utah state law or by a term of imprisonment up to six months, or by both the fine and term of imprisonment. Each day any violation of this Code or of any ordinance shall continue shall constitute a separate offense, unless otherwise provided.

Section 1.04.020 Liability of Employers and Agents

When the provisions of this Code or any other ordinance of the City prohibit the commission or omission of an act, not only the person actually doing the prohibited thing, or omitting the directed act, but also the employer and all other persons concerned or aiding or abetting therein shall be guilty of the offense described and liable to the penalty prescribed for the offense.

Section 1.04.030 Presumption of Responsibility for Certain Violations

The occupant and owner of any premises upon which a violation of any provision of this Code or of any City ordinance and the owner of any object or material placed or remaining anywhere in violation of any provision of this Code or of any City ordinance shall be presumed to be responsible for the violation so evidenced and subject to the penalty provided therefore.

Section 1.04.040 Penalties Not to Excuse Abatement of Prohibited Conditions

The application of any penalty under this Chapter shall not constitute the condoning or legalizing of any prohibited condition or prevent the abatement or enforced removal of such condition by any lawful means available to the City.

Section 1.04.050 Double Fee for Failure to Obtain Required Licenses

When work or activity for which a permit or license is required by this Code or by any City ordinance is commenced without first having acquired such permit or license, the specified fee shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with all the requirements of this Code or any applicable City ordinance, nor from any other prescribed penalties. Payment of such double fee or any unpaid portion thereof may be

compelled by civil action in any court of competent jurisdiction. The acceptance of any portion less than the entire amount of such double fee by any officer or employee of the City shall not constitute a waiver or release of the balance thereof.

CHAPTER 1.05 CITY IDENTITIES

Section 1.05.010 Official Name of City

Section 1.05.020 City Seal

Section 1.05.030 Mission Statement

Section 1.05.040 Vision Statement

Section 1.05.050 Our Core Values

Section 1.05.010 Official Name of City

The official name of the City shall be “Midway City.” It shall be equally valid, however, to use the name “City of Midway.”

Section 1.05.020 City Seal

The City Seal shall be used by the City Recorder and other City officials as required or allowed by law. The City Seal shall be rendered in a form and style approved by the City Council.

Section 1.05.030 Mission Statement

The City Mission Statement is as follows: “The mission of the City of Midway is to create a positive lifetime difference, enhance the quality of life, promote the safety and well being of our residents and visitors while honoring our heritage and preparing for the future.”

Section 1.05.040 Vision Statement

Our vision for the City of Midway is to be a place where citizens, businesses and civic leaders are partners in building a city that is family-oriented, aesthetically pleasing, safe, walk able and visitor friendly. A community that proudly enhances our small town Swiss character and natural environment, as well as remaining fiscally responsible.

Section 1.05.050 Our Core Values

- A. Integrity. Actions are based on honor to create ethical character and a positive reputation.
- B. Teamwork. A process built upon common focus, flexibility, cooperation, communication, and the sharing of risk, responsibility and reward.
- C. Innovation. Demonstrating a civic entrepreneurial spirit by generating new ideas and better ways of doing things and engaging in reasonable risk.
- D. Respect. The obligation to treat all with civility by listening, comprehending, empathizing, and valuing opinions and perspectives.
- E. Responsive Customer Service. Meeting needs in a timely, courteous, and responsive manner by delivering on promises and commitments while meeting or exceeding expectations.

F. Trust. Actions, information and communication are accurate, consistent, open and honest to maintain credibility.

G. Honor. Respect and preserve our heritage.