ORDINANCE
2020-14

AN ORDINANCE AMENDING THE BYLAWS OF MIDWAY CITY REGARDING PROCEDURES IN FRONT OF THE PLANNING COMMISSION, AND RELATED MATTERS.

WHEREAS, Utah Code Title 10, Part 8 authorizes a municipality to adopt policies, procedures and regulations to facilitate the enforcement of the municipality's laws and ordinances, to promote the efficient administration of the municipality's business, and to protect and promote the public health, safety and welfare; and

WHEREAS, the Midway City Council finds it in the best interests of the City and the public to recognize the adoption of policies and procedures for the City in a Policies and Procedures Manual that can be readily accessed by City officials, City employees and the general public; and

WHEREAS, the Midway City Council finds it in the best interest of the City and the public to amend its policies and procedures from time to time; and

WHEREAS, the Midway City Council desires to amend the policies regarding procedures for the Midway City Planning Commission, as set forth herein.

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

Article 2 Section 1 shall be amended as follows:

1. Regular Members. The terms of regular members shall be four (4) years. The term of each member shall expire on December 31. Two consecutive 4 year terms shall be the limit for regular membership. Partial terms shall not be considered in determining whether a person has served two (2) consecutive terms. Current members will serve out four years from the time they were appointed to the Board (and may seek a consecutive term), or four years from the lapsing of their prior term, but in no case will be allowed to serve for longer than eight (8) consecutive years.

Article 6 shall be amended as follows:

There is an error in the number of the first three paragraphs where both the Chair and Vice Chair are shown as paragraph number 1. The numbering is corrected to show: 1. Chair; 2. Vice Chair; and 3. Secretary.

Article 6 Section 6 shall be amended as follows:

"Each member of the Planning Commission shall have one (1) vote. A vote of the majority of the quorum of the Planning Commission, but never less than three (3) votes, shall be required for the approval of any motion or required action before the Commission. Voting shall be done by roll call. The Chair shall be considered a member of the Commission for purposes of a quorum. In any meeting with only four (4) members present, the Chair shall vote. In a situation where there is a two (2) vote to two (2) vote tie, the item shall be sent to the City Council without recommendation."

Article 9 Section 5(e)(v) shall be amended as follows:

Votes if necessary to break a tie or make a tie.

This Resolution shall take effect upon publication as required by law.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah this 19th day of May 2020.

	AYE	NAY
Council Member Steve Dougherty	X	
Council Member Jeff Drury	X	
Council Member Lisa Orme	Excused from the Meeting	
Council Member Kevin Payne	X	
Council Member JC Simonsen	X	

APPROVED:

Celeste Johnson

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)

Certificate of
Passage, Posting and Publication

I certify that on 19 May 2020 the Midway City Council adopted Ordinance 2020-14 (Planning Commission Bylaws Amendment).

I certify that a full, true, and correct copy of the ordinance was posted on 22 July 2020 at the following locations:

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

I further certify that a summary of the ordinance was published in The Wasatch Wave on 29 July 2020.

Brad Wilson, Midway City Recorder

Dated 29 July 2020

City Seal