

Midway City Council
3 August 2021
Regular Meeting

Ordinance 2021-22 /
Events



Midway

CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: August 3, 2021
NAME OF APPLICANT: Midway City
AGENDA ITEM: Code Text Amendment of Section 7.07: Special Event License

ITEM: 9

Midway City is proposing a code text amendment to Section 7.07: Special Event License. The proposed code text amendment will expand the definition of what constitutes a special event along with when an organizer of an event or gathering must apply for a special event permit.

BACKGROUND:

Midway's natural beauty and small-town charm contribute to it being a popular destination for events. While events can contribute in a positive way to the local economy and tax base, often it is the negative impacts that they create that are more readily felt. The impacts are felt by both neighboring property owners, many of which are residential, and the community at large, as they generate additional traffic, parking, and noise, often in excess of what the facility was approved for. Special events are becoming more frequent and are generating greater impacts as the population and popularity of Midway continues to grow. While the proposed adjustments are not intended to eliminate special events, staff feels that they will allow the city to take a more active role in managing them and their potential impacts. With this in mind, staff has reviewed the special event criteria in the section 7 of the Municipal Code and is proposing adjustments. These adjustments would require the organizers of special events, as defined in the Midway City Code, to obtain a special event permit, and mitigate any impacts created by the proposed event. Midway City would retain the right to reject a permit if impacts cannot be mitigated, it would also limit the quantity of events in the C-2 and C-3 zones. Event organizers will still be required to obtain all other required permitting.

To address the previously mentioned concerns with special events, the following adjustments are proposed to Section 7.07 – Special Event License, which include important adjustments to the definition for special events, language that requires commercial businesses to obtain a special event permit and clarifies the cities right to limit or reject special events.

Section 7.07.010 – Definitions

G. "Special Events" are gatherings organized for a specific purpose and for a limited period of time wherein attendance exceeds the approved occupancy of a building/property, or the proposed Special Event will create parking needs or restroom facilities exceeding that available at the location. All Special Events, regardless of size or duration, require a Special Events Permit so that issues created by sizeable groups of people gathering may be addressed. Such events may include, but are not limited to parades, cultural programs, festivals, concerts, runs, walks, Town Square events, gatherings at commercial businesses, weddings, receptions, political rallies, etc.

Section 7.07.050 – Standards for License Approval

C. Commercial businesses hosting Special Events (as this term is defined in Midway City Code) shall apply for and obtain a Special Event Permit before hosting the Special Event.

D. An Applicant proposing to hold a Special Event must demonstrate how they will mitigate impacts to neighboring properties, comply with existing local codes, and address health and safety concerns. If impacts cannot be properly mitigated, an application may be denied. Submittal of a special event application does not guarantee that a Special Event will be approved. Midway City reserves the right to limit the number of Special Events taking place at any given time in the C-2 and C-3 zones.

POSSIBLE FINDINGS:

- The proposed code will clarify what a special event is and require organizers to apply for and obtain a permit for a special event.
- By requiring a special event permit, Midway City can ensure that impacts created by special events are reasonably mitigated.
- By requiring a special event permit, Midway City will know the quantity of events taking place each day throughout the city. With this understanding, the city can limit the number of approved events happening at any given time.

- By requiring a special event permit, Midway City will be provided with contact information for event organizers, allowing us to have access to them if there are concerns that need to be addressed before or during an event.

ALTERNATIVE ACTIONS:

1. Approval. This action can be taken if the City Council finds that the proposed language is an acceptable amendment to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
2. Continuance. This action can be taken if the City Council would like to continue exploring potential options for the amendment.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again
3. Denial. This action can be taken if the City Council finds that the proposed amendment is not an acceptable revision to the City's Municipal Code.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial



Midway

ORDINANCE

2021-____

AN ORDINANCE TO AMEND CHAPTER 7.07 OF THE MIDWAY CITY MUNICIPAL CODE TO ADDRESS SPECIAL EVENTS AND SPECIAL EVENT PERMITS

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

WHEREAS, Midway's natural beauty and small-town charm make it a popular destination to hold special events and gatherings; and

WHEREAS, special events are becoming more frequent and are creating greater impacts as the population and popularity of Midway continues to grow; and

WHEREAS, the City Council of Midway City desires to amend certain sections of the Midway City Municipal Code to allow the City to take a more active role in managing special events and minimizing their potential negative impacts; and

WHEREAS, the City Council of Midway City now desires to amend Chapter 7.07 of the Midway City Municipal Code to expand the definition of what constitutes a "Special Event" and when an organizer of an event or gathering must apply for a Special Event Permit;

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

The following section of **Chapter 7.07** shall be amended to read as follows:

Section 7.07.010 Definitions

- G. "Special Events" are gatherings organized for a specific purpose and for a limited period of time wherein attendance exceeds the approved occupancy of a building/property, or the proposed Special Event will create needs for parking and/or restroom facilities exceeding that available at the location. All Special Events, regardless of size or duration, require a Special Event Permit to ensure that issues created by sizeable human gatherings may be addressed. Such events may include,

but are not limited to, parades, cultural programs, festivals, concerts, runs, walks, Town Square events, gatherings at commercial businesses, weddings, receptions, political rallies, etc.

The following subsections shall be added to **Chapter 7.07** to read as follows:

Section 7.07.050 Standards for License Approval

- C. Commercial businesses hosting Special Events (as this term is defined in the Midway City Code) shall apply for and obtain a Special Event Permit before hosting the Special Event.
- D. An Applicant proposing to hold a Special Event must demonstrate how they will mitigate impacts to neighboring properties, comply with existing local codes, and address health and safety concerns. If impacts cannot be properly mitigated, an application may be denied. Submittal of a special event application does not guarantee that a Special Event will be approved. Midway City reserves the right to limit the number of Special Events taking place at any given time in the C-2 and C-3 zones.

These ordinances shall take effect upon publication as required by law.

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PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this 3rd day of August, 2021.

	AYE	NAY
Council Member Steve Dougherty	_____	_____
Council Member Jeff Drury	_____	_____
Council Member Lisa Orme	_____	_____
Council Member Kevin Payne	_____	_____
Council Member JC Simonsen	_____	_____

DRAFT

APPROVED:

Celeste Johnson, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)