



**Midway**

**CITY COUNCIL MEETING STAFF REPORT**

**DATE OF MEETING:** April 15, 2025

**NAME OF APPLICANT:** Midway City

**AGENDA ITEM:** Code Text Amendment of Section 5.02.080:  
Outdoor Lighting and Glare

**ITEM: 11**

Midway City is proposing an amendment to Chapter 5.02.080: Outdoor Lighting and Glare. The proposed amendment would remove the ability to use realistic flame bulbs in all zones.

**BACKGROUND:**

Midway City is proposing an amendment to the Midway Municipal Code for Section 5.012.080 (D) (9) that would remove the ability to use realistic flame bulbs in all zones. This section of code was recently adopted on December 17, 2024, and staff have found it to be problematic, difficult to administer, and is undermining the general dark sky lighting ordinance.

The code language for realistic flame bulbs, along with the ability to have gas lights were adopted together in Section 5.012.080 (D) (9) but only realistic flame bulbs, not gas lights, have proven to be problematic. Staff are only proposing a change to realistic flame bulbs and not to the provision allowing gas lights. 5.012.080 (D) (9) reads as follows:

9. Gas or realistic flame bulbs are allowed in all zones and are exempt from shielding requirements if they comply with the following conditions:
  - a. Gas lights shall be 5,000 BTUs per unit or less.
  - b. Realistic flame bulbs shall be 100 lumens per bulb or less.

Staff are recommending the code be amended to the following:

9. Gas lights are allowed in all zones and are exempt from shielding requirements if they comply with the following condition:
  - a. Gas lights shall be 5,000 BTUs per unit or less.

Removing the ability to use realistic flame bulbs will close a loophole in the code that will help keep Midway's night sky dark. What staff in the Building and Planning departments have encountered is contractors and residents are installing non-shielded or partially shielded light fixtures, which are not allowed unless a realistic flame bulb is used in the fixture. It is then simple to replace the realistic flame bulb with a regular bulb at a later date to avoid installing dark sky compliant fixtures. This undermines the purpose of the dark sky ordinance and will make it easy to not comply with code, either willfully or in ignorance, when newer residents replace bulbs not knowing of the requirements of the ordinance. Staff have also found that some realistic flame bulbs that are less than 100 lumens appear much brighter than one would expect. The quality of the bulbs varies greatly. Resident compliance with the dark sky code and staff enforcement of the code would be much easier if the ability to use realistic flame bulbs were removed from the code.

This proposal is a legislative in nature and the City Council has full discretion in this matter. The City Council may deny the request, approve it as presented, or approve it with any modifications the City Council finds is necessary to promote the health, safety, and welfare of the community.

#### **POSSIBLE FINDINGS:**

- The proposed amendment would remove the ability to use realistic flame bulbs.
- Staff enforcement of the code will be easier if the ability to use realistic flame bulbs is removed.
- The current language permits a loophole in the code that allows for non-shielded and partially shielded fixtures to be installed.
- Residents may unknowingly not comply with code requirements by installing regular bulbs in fixtures that are only approved for realistic flame bulbs.
- The ability to install gas lights will not change with this proposal.

**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  
2025-10**

**AN ORDINANCE TO AMEND SECTION 5.02.080(D)(9) OF  
THE MIDWAY CITY MUNICIPAL CODE TO PROHIBIT  
REALISTIC FLAME BULBS.**

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

**WHEREAS**, Midway City previously amended subsections in Section 5.02.080(D) to address decorative exterior illumination, string and soffit lights in the commercial zones, when lights can be on, and uniformity; and

**WHEREAS**, this prior amendment allowed for realistic flame bulbs in all zones and exempted such bulbs from shielding requirements under certain conditions; and

**WHEREAS**, now, the City has found the Code language regarding realistic flame bulbs to be problematic, difficult to administer, and contrary to the general dark sky lighting ordinance, and desires to remove it from the Code; and

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

The following Section of Chapter 5 shall be amended as follows:

**Section 5.02.080. Outdoor Lighting and Glare**

D. Prohibitions.

9. Gas lights are allowed in all zones and are exempt from shielding requirements if they comply with the following condition:
  - a. Gas lights shall be 5,000 BTUs per unit or less.

This ordinance 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 \_\_\_\_ day of \_\_\_\_\_, 2025.

	AYE	NAY
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)