



Memo

Date: April 15, 2026
To: Mayor, City Council and Staff
Cc: File
From: Brad Wilson, City Recorder
RE: Amendment to Title 9 (Annexation) of the Midway City Municipal Code

I recommend that Section 9.030.10 (Petition Criteria) of the Midway City Municipal Code be amended to clarify that a public entity's signature, except for the federal government, is required on an annexation petition if the entity owns property in the area being annexed. There has been some confusion about this section in the past.

Please contact me if you have any questions.



ORDINANCE 2026-14

AN ORDINANCE AMENDING TITLE 9 OF THE MIDWAY CITY MUNICIPAL CODE REGARDING ANNEXATION, AND RELATED MATTERS.

WHEREAS, the Midway City Council finds that certain amendments to Title 9 (Annexation) of the Midway City Municipal Code are necessary to better correspond with Utah law.

NOW THEREFORE, be it **ORDAINED** by the Midway City Council as follows:

Section 1: The following amendment is made to Section 9.03.010 (Petition Criteria) of the Midway City Municipal Code:

9.03.010 Petition Criteria

When initiated by a property owner, an annexation shall be initiated by filing a petition with the City Recorder, which shall contain and comply with the following:

1. The petition shall meet the criteria and format established by the City, as well as comply with the statutory enactments set forth in the Utah Code.
2. The signatures of property owners whose real property covers a majority of the private land area within the proposed annexation area, which is also equal in value to at least one-third of the value of all private real property within said area.
3. If the area is within an Agriculture Protection Area created under the Utah Code, 100 percent of the private land area within the area proposed for annexation must be included.
4. If **any of** the property is owned by a public entity other than the federal government, the signature of the owner of **all each** of the publicly owned **property-properties** within the area proposed for annexation.
5. The designation of up to five of the petitioners as sponsors, one of whom shall be designated as the contact sponsor, along with the mailing address of each sponsor.
6. Certification that a notice of intent to annex, with accurate map of the proposed annexation area attached, has been hand delivered or mailed to all owners of real property within the annexation area and all owners of real property located within 300 feet of that area.

This Ordinance shall take effect 20 days after publication or posting or 30 days after final passage by the governing body, whichever is closer to the date of final passage.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this day of 2026.

Council Member Andy Garland _____
Council Member Lisa Orme _____
Council Member Andrew Osborne _____
Council Member Kevin Payne _____
Council Member JC Simonsen _____

APPROVED:

Craig Simons, Mayor

ATTEST:

Brad Wilson, City Recorder

APPROVED AS TO FORM:

Corbin Gordon, City Attorney

(SEAL)