

MIDWAY CITY, UTAH

MAYORAL PROCLAMATION AND EXECUTIVE ORDER NO. 2026-1

DECLARING A LOCAL EMERGENCY AND TEMPORARILY ADOPTING AND IMPLEMENTING WASATCH COUNTY FIRE RESTRICTIONS WITHIN MIDWAY CITY

WHEREAS, Midway City (the “City”) is a municipality located in Wasatch County, State of Utah;

WHEREAS, the Mayor is the chief executive officer of the City and is responsible to act to protect the public health, safety, and welfare during emergency conditions;

WHEREAS, pursuant to Utah Code Ann. § 53-2a-208, the chief executive officer of a municipality may declare a local emergency by proclamation if the chief executive officer finds that a disaster has occurred or that the occurrence or threat of a disaster is imminent in an area of the municipality and that the municipality requires additional assistance to supplement the response and recovery efforts of the municipality;

WHEREAS, pursuant to Utah Code Ann. § 53-2a-209, orders, rules, and regulations promulgated by a municipality or other agency authorized under the Emergency Management Act have the full force and effect of law during the state of emergency and shall be filed with the office of the clerk of the municipality as soon as practicable;

WHEREAS, Wasatch County has adopted Stage 1 Fire Restrictions effective June 19, 2026, at 12:01 a.m., due to increased risk of wildfires, current and forecasted weather conditions, extreme fire danger, drought, dry vegetation, and other hazardous fire conditions;

WHEREAS, the Wasatch County Stage 1 Fire Restrictions state that they apply to unincorporated areas of Wasatch County and do not affect private lands within incorporated towns or city limits;

WHEREAS, Midway City is an incorporated municipality and therefore immediate City action is necessary to make comparable restrictions applicable within the municipal boundaries of Midway City;

WHEREAS, the City is located in an area containing wildland urban interface conditions, dry grass, brush, trees, steep and varied topography, residential structures intermingled with natural fuels, and areas of limited access that create heightened wildfire risk;

WHEREAS, the threatened occurrence of wildfire within or near the City poses an imminent threat to life, property, public infrastructure, natural resources, and the public health, safety, and welfare;

WHEREAS, the City is in the process of considering a general ordinance adopting and implementing county, district, and state fire restrictions within the City, but the City Council has not yet adopted that ordinance;

WHEREAS, immediate temporary action is necessary to reduce ignition sources and preserve public safety until the City Council can consider formal legislative action;

WHEREAS, if Wasatch County, the Wasatch County Fire District, the Utah State Forester, or another applicable fire authority escalates the current restrictions to Stage 2 Fire Restrictions, Level 2 Fire Restrictions, a complete fire closure, or any other more restrictive fire restriction level, the Mayor finds

that such escalated restrictions are likewise necessary to protect life, property, and public safety within Midway City and should become effective within the City immediately upon issuance;

NOW, THEREFORE, I, Craig Simons, Mayor of Midway City, Utah, pursuant to the authority vested in me by Utah law and in order to protect life, property, and public safety, hereby issue the following Proclamation and Executive Order:

SECTION 1. DECLARATION OF LOCAL EMERGENCY.

I hereby find and declare that a local emergency exists within Midway City due to the imminent threat of wildfire caused by current and forecasted weather conditions, extreme fire danger, dry vegetation, drought conditions, and hazardous wildland urban interface conditions within and surrounding the City.

This declaration constitutes official recognition that an emergency condition exists within the City and activates the City's authority to take immediate temporary action to protect life, property, and public safety.

SECTION 2. TEMPORARY ADOPTION OF WASATCH COUNTY FIRE RESTRICTIONS.

Effective immediately upon signature of this Order, the Wasatch County Stage 1 Fire Restrictions effective June 19, 2026, at 12:01 a.m., are temporarily adopted and made applicable within the municipal boundaries of Midway City, except as modified by this Order or by subsequent action of the City Council.

The restrictions adopted by this Order shall apply to all public and private property within Midway City, to the fullest extent allowed by law.

If, during the term of this Order, Wasatch County, the Wasatch County Fire District, the Utah State Forester, or another applicable fire authority amends, replaces, escalates, or supersedes the current Stage 1 Fire Restrictions with Stage 2 Fire Restrictions, Level 2 Fire Restrictions, a complete fire closure, or any other more restrictive fire restriction level applicable to Wasatch County, the Wasatch County Fire District service area, the wildland urban interface, or the area surrounding Midway City, those amended, escalated, superseding, or more restrictive restrictions are hereby automatically adopted and shall become effective within Midway City immediately upon the effective date and time stated in the amended, escalated, superseding, or more restrictive order, without the need for any additional proclamation, executive order, ordinance, resolution, or action by the City.

If the issuing authority later reduces, relaxes, or rescinds the applicable fire restrictions, such reduction, relaxation, or rescission shall apply within Midway City at the same date and time stated by the issuing authority, unless the Mayor or City Council determines that more restrictive local measures remain necessary within the City.

SECTION 3. PROHIBITED ACTS.

During the term of this Order, the following acts are prohibited within Midway City unless expressly authorized by a written permit or waiver issued by the appropriate fire authority or other lawful authority.

If Stage 2 Fire Restrictions, Level 2 Fire Restrictions, a complete fire closure, or any other more restrictive fire restriction level becomes effective under Section 2, all additional or more restrictive prohibitions contained in the escalated restrictions shall also be immediately prohibited within Midway City.

1. No open fires are allowed except: (a) in approved fire rings or grills at developed campgrounds or day-use areas on public lands that have a pressurized running water system; or (b) in permanently constructed fire pits at private residences that have a pressurized water system.

2. Smoking is prohibited except within an enclosed vehicle, trailer, or building, at a developed recreation site, or while stopped in an area that is paved or free from dry vegetation.
3. Discharging or using fireworks, tracer ammunition, or other pyrotechnic devices, including exploding targets, is prohibited.
4. Cutting, welding, or grinding metal in areas of dry vegetation is prohibited.
5. Operating a motorcycle, chainsaw, ATV, or other small internal combustion engine without an approved and working spark arrestor is prohibited.

SECTION 4. EXEMPTIONS.

The following persons are exempt from the prohibitions in Section 3 to the extent allowed by the Wasatch County Stage 1 Fire Restrictions and applicable law:

6. Persons with a valid permit or waiver issued by the Utah Division of Forestry, Fire and State Lands, Wasatch County, Wasatch County Fire District, the City, or another agency with lawful authority, specifically authorizing a specified act at a specified location. A waiver or permit does not relieve the permittee from liability if a fire occurs.
7. Any on-duty firefighter or other emergency response personnel acting in the performance of official duties.

SECTION 5. MORE RESTRICTIVE REQUIREMENT CONTROLS.

If any federal, state, county, district, or City fire restriction, fire code requirement, fireworks restriction, open burning prohibition, emergency order, or other lawful restriction is more restrictive than this Order, the more restrictive requirement shall control.

Nothing in this Order authorizes fireworks, open burning, campfires, open flames, or other ignition sources where otherwise prohibited by law, fire code, permit condition, private agreement, or order of the fire code official.

For purposes of enforcement, any amended, escalated, superseding, or more restrictive fire restriction automatically adopted under Section 2 shall be treated as part of this Order and shall have the same force and effect as if fully set forth herein.

SECTION 6. ENFORCEMENT.

This Order may be enforced by Midway City, the Wasatch County Fire District, the fire code official, law enforcement, code enforcement, and any other person authorized by law.

Any fire, open flame, fireworks discharge, ignition source, or activity prohibited by this Order may be immediately ordered extinguished, discontinued, or abated by the fire code official, law enforcement, code enforcement, or other authorized personnel.

Failure to comply with a lawful order issued under this Order is prohibited.

SECTION 7. PENALTIES AND LIABILITY.

Violations of this Order may be prosecuted, cited, or enforced to the fullest extent allowed by Utah law, Midway City Code, applicable fire code, and any other applicable law.

Any person who violates this Order may also be liable for fire suppression costs, emergency response costs, investigation costs, abatement costs, administrative costs, restitution, damages to public or private property, and other remedies allowed by law.

Each separate act, each day a violation continues, and each separate ignition source, fire, discharge, or prohibited activity may constitute a separate violation to the extent allowed by law.

SECTION 8. FILING, NOTICE, AND PUBLICATION.

The City Recorder is directed to file this Order in the official records of the City as soon as practicable.

The City Recorder, City staff, and the Fire District are authorized and directed to post notice of this Order on the City website, through public notice channels, through social media, and by any other reasonable means calculated to inform the public of the restrictions adopted by this Order.

A copy of the Wasatch County Stage 1 Fire Restrictions may be attached to this Order or maintained on file with the City Recorder.

SECTION 9. CITY COUNCIL RATIFICATION AND LEGISLATIVE ACTION.

This Order is temporary emergency action taken to protect public safety pending City Council consideration of a general fire and fireworks restrictions ordinance or other appropriate legislative action.

This Order shall be presented to the City Council at the next available City Council meeting for ratification, modification, replacement, or termination.

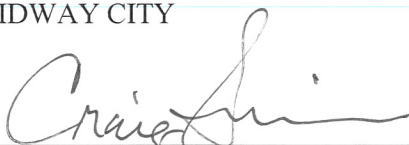
SECTION 10. DURATION.

This Order shall take effect immediately upon signature and shall remain in effect until the earliest of the following: (a) the Wasatch County Stage 1 Fire Restrictions are rescinded; (b) the Mayor determines in writing that the emergency conditions no longer exist; (c) the City Council terminates, modifies, ratifies, or replaces this Order; (d) the City Council adopts a superseding ordinance or resolution; or (e) this local emergency expires by operation of Utah law.

Nothing in this Order shall limit the City Council's authority to terminate, modify, ratify, or replace this Order.

DATED this 25 day of June, 2026.

MIDWAY CITY



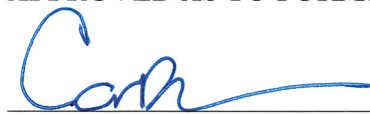
Craig Simons, Mayor

ATTEST:



City Recorder

APPROVED AS TO FORM:



City Attorney



ATTACHMENT A

WASATCH COUNTY FIRE RESTRICTIONS

The current Wasatch County Stage 1 Fire Restrictions should be attached to the executed copy of this Order or maintained on file with the City Recorder. If the issuing authority later amends, escalates, supersedes, or replaces those restrictions with Stage 2 Fire Restrictions, Level 2 Fire Restrictions, a complete fire closure, or any other more restrictive fire restriction level, the amended, escalated, superseding, or more restrictive order should also be attached to this Order or maintained on file with the City Recorder. As of the date of this draft, Wasatch County and Wasatch County Fire District have identified the Stage 1 restrictions as including the following:

- No open fires except in approved fire rings or grills at developed campgrounds or day-use areas on public lands with a pressurized running water system, or in permanently constructed fire pits at private residences with a pressurized water system.
- No smoking except within an enclosed vehicle, trailer, or building, at a developed recreation site, or while stopped in an area that is paved or free from dry vegetation.
- No discharging or using fireworks, tracer ammunition, or other pyrotechnic devices, including exploding targets.
- No cutting, welding, or grinding metal in areas of dry vegetation.
- No operating motorcycles, chainsaws, ATVs, or other small internal combustion engines without an approved and working spark arrestor.