

ORDINANCE NO. 2013-O-05

**AN ORDINANCE ESTABLISHING TEMPORARY REGULATIONS FOR
SEASONAL FOOD STANDS WITHIN THE CORPORATE LIMITS OF
MIDVALE CITY THROUGH SEPTEMBER 30, 2013.**

WHEREAS, in 2009 the Midvale City Council adopted an ordinance clarifying and revising Midvale City's itinerant merchant regulations and standards, including the provisions for seasonal food stands; and

WHEREAS, the City Council has heard some concerns regarding the ordinance limitations on the size of seasonal food stands allowed; and

WHEREAS, the time period allowed for seasonal food stands, i.e. May 1st through September 30th, does not allow for amendments to be made to the current ordinance and still allow seasonal food stand businesses to operate in the 2013 season; and

WHEREAS, the City Council understands this issue and is willing to temporarily modify the regulations for seasonal food stands until more time can be spent on discussing the current regulations and appropriate amendments to the size of structures and devices allowed for itinerant merchants within the City; and

WHEREAS, Section 10-9a-504 U.C.A. grants the City Council the authority to establish by ordinance temporary land use regulations regarding zoning amendments, conditional use permits, building permits, sign permits and other land use matters.

NOW, THEREFORE, be it ordained by the City Council of Midvale City, Utah the following:

(1) This temporary ordinance shall apply to all requests for Seasonal Food Stand uses within Midvale City from the adoption date of this ordinance until September 30, 2013.

(2) During the period of this temporary ordinance, all business license applications for Seasonal Food Stand uses shall comply with the all of the existing zoning and business license requirements for such a use with the following exceptions:

- The maximum size of a food stand structure shall be eight feet by sixteen feet.
- The signage shall be attached to the food stand structure and shall occupy not more than twenty square feet.

(3) This temporary zoning regulation is hereby adopted in all zones which allow a Seasonal Food Stand itinerant merchant use.

(4) Effective Date. This ordinance shall become effective upon adoption and

signature and shall expire on September 30, 2013.

PASSED AND APPROVED this 18th day of June, 2013.

John B. Seghini
John B. Seghini, Mayor



ATTEST:

Rofi Andreason
Rofi Andreason, MMC
City Recorder

Date of first publication: July 10, 2013

Voting by City Council	"Aye"	"Nay"
Colleen Costello	<u>✓</u>	_____
Paul Glover	<u>✓</u>	_____
Robert Hale	<u>absent</u>	_____
Paul Hunt	<u>✓</u>	_____
Wayne Sharp	<u>✓</u>	_____