

**ORDINANCE NO. 722**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO WATER AND SEWER EXTENSIONS OUTSIDE CITY LIMITS, AMENDING THE REQUIREMENTS FOR SUCH SERVICE TO ALLOW CERTAIN EXCEPTIONS FOR DEVELOPMENTS NOT CONFORMING TO THE CITY'S ZONING CODE, LAND USE DEVELOPMENT STANDARDS AND PUBLIC WORKS STANDARDS, AMENDING SECTION 13.34.060(J) OF THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, the City is authorized to provide water and sewer service outside the City limits; and

WHEREAS, the conditions under which the City may provide such service are described in chapter 13.34 of the Gig Harbor Municipal Code; and

WHEREAS, the City Council desires to amend the requirement that development or redevelopment of the property requesting such water and/or sewer service comply with all of the City's comprehensive plan, zoning and building codes and public work standards; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO  
ORDAIN AS FOLLOWS:

Section 1. Section 13.34.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**13.34.060 Utility Extension Agreement.** Every applicant for water and/or sewer service outside the city limits, except for municipal corporations or quasi-municipal corporations, such as water, sewer or fire districts making application under GHMC 13.34.070, must agree to sign an agreement with the

city, which conditions the provision of the service on the following terms:

\* \* \*

J. Development of Property to Conform to City Code -- Exceptions. The owner shall agree to comply with all requirements of the city's land use plan, zoning, ~~and building fire codes~~ and those portions of the city building code which are referenced by the fire code, and the city public works standards when developing or redeveloping the property subject to the agreement. The City Council may grant exceptions to the requirements contained in this subsection only under the following conditions:

1. The applicant must demonstrate that the proposed departure from the City's land use standards, zoning code, or public works standards would result in a development which meets the intent of the applicable provisions of the comprehensive plan, zoning code or public works standards, based upon compliance with all of the following criteria:

A) That the site of the proposed use is adequate in size and shape to accommodate such use and all yards, spaces, walls and fences, parking, loading, landscaping and other features necessary to insure compatibility with and not inconsistent with the underlying zoning district;

B) That the site for the proposed use relates to streets, adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed uses and that adequate public utilities are available to serve the proposal;

C) That the proposed use will have no significant adverse effect on existing uses or permitted uses;

D) That the establishment, maintenance and/or conducting of the uses for which the utility agreement is sought will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to the environment, nor shall the use be inconsistent with or injurious to the character of the neighborhood or contrary to its orderly development.

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Section 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY \_\_\_\_\_

FILED WITH THE CITY CLERK: 6/5/96  
PASSED BY THE CITY COUNCIL: 6/10/96  
PUBLISHED: 6/12/96  
EFFECTIVE DATE: 6/1/7/96  
ORDINANCE NO. 722

**SUMMARY OF ORDINANCE NO. 722**

of the City of Gig Harbor, Washington

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On the 10th day of June 1996, the City Council of the City of Gig Harbor, passed Ordinance No. 722. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO WATER AND SEWER EXTENSIONS OUTSIDE CITY LIMITS, AMENDING THE REQUIREMENTS FOR SUCH SERVICE TO ALLOW CERTAIN EXCEPTIONS FOR DEVELOPMENTS NOT CONFORMING TO THE CITY'S ZONING CODE, LAND USE DEVELOPMENT STANDARDS AND PUBLIC WORKS STANDARDS, AMENDING SECTION 13.34.060(J) OF THE GIG HARBOR MUNICIPAL CODE.

The full text of this Ordinance will be mailed upon request.

DATED this 11th day of June, 1996.

CITY ADMINISTRATOR, MARK HOPPEN