

**ORDINANCE NO. 1221**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO SPECIAL EVENTS, AMENDING CHAPTER 5.28 OF THE GIG HARBOR MUNICIPAL CODE TO REFLECT A DESIRE TO ALLOW COMMERCIAL ENTITIES TO ORGANIZE EVENTS AND TO UPDATE CURRENT POSITION TITLES; PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

---

WHEREAS, Chapter 5.28 of the Gig Harbor Municipal Code contains provisions for licensing and regulating special events on public rights of way and public waterways; and

WHEREAS, the code requires modification to reflect current conditions; and

WHEREAS, in order to offer a wider array of opportunities for special events, the City Council desires to allow commercial sponsors to organize events; Now, therefore,

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

Section 1. Section 5.28.010 of the Gig Harbor Municipal Code shall be amended as follows:

**5.28.010 Purpose and intent.**

....

B. The intent of this chapter is to allow ~~community-based organizations to sponsor sponsorship of~~ special events on public thoroughfares and public waterways, and to provide guidelines that protect the public's health, safety, and welfare.

Section 2. Section 5.28.020 of the Gig Harbor Municipal Code shall be amended to add a new subsection F to read as follows:

**5.28.020 Definitions.**

...

F. "Commercially Organized Events" means sporting events such as races and triathlons, performances such as concerts and theatre. Such events are limited to no more than one per month. No events will be allowed that are designed for the primary purpose of selling products.

Section 3. Section 5.28.030 of the Gig Harbor Municipal Code shall be amended as follows:

**5.28.030 Permit – Required.**

No person shall engage in, participate in, aid, form or start any special event, unless a permit has been obtained from the city administrator or his designee.

Section 4. Section 5.28.040 of the Gig Harbor Municipal Code shall be amended as follows:

**5.28.040 Permit – Application – Fee.**

There shall be paid by the sponsor(s) at the time of application a non-refundable fee of ~~\$50.00~~ for each special event as follows:

a) Non-profit Event	\$ 50.00
b) Commercially Organized Event	\$500.00

Section 5. Section 5.28.060 of the Gig Harbor Municipal Code shall be amended as follows:

**5.28.060 Permit – Application – Filing period.**

...

B. The city administrator or his designee shall notify the applicant in writing of approval or disapproval, no later than 20 days following the date of the application.

Section 6. Section 5.28.080 of the Gig Harbor Municipal Code shall be amended as follows:

**5.28.080 Insurance Required.**

...

C. If alcohol is permitted and being served, the applicant must obtain a license from the Washington State Liquor Board and provide a minimum of \$1,000,000 liquor liability coverage.

Section 7. Section 5.28.090 of the Gig Harbor Municipal Code shall be amended as follows:

**5.28.090 Permit – Issuance standards.**

After departmental review, the city administrator or his designee ~~The director of administration shall~~ may issue a special events permit unless he finds that:

...

B. The size or nature of the event requires the diversion of so great a number of city staff and / or police officers of the city that police protection or city services to the remainder of the city is ~~dangerously~~ unreasonably diminished;

...

E. In the case of an application for a commercially organized event, a commercially organized event has already been scheduled in the month requested or the city administrator or his designee determines a primary purpose of the event is to sell products.

Section 8. Section 5.28.100 of the Gig Harbor Municipal Code shall be amended as follows:

#### **5.28.100. Traffic Control.**

The chief of police may require any reasonable and necessary traffic control. If such traffic control cannot be handled by the sponsor and shall require the deployment of additional police personnel, the permittee shall be responsible for the expense. The chief of police or his designee ~~director of administration~~ shall notify the applicant(s) of the actual projected expense ~~and collect this amount before a permit is issued.~~

Section 9. Section 5.28.110 of the Gig Harbor Municipal Code shall be amended as follows:

#### **5.28.110 Appeal procedure.**

Upon denial of a permit by the city administrator or his designee, ~~director of administration~~, an applicant may appeal to the city council by filing a written notice of appeal for hearing by the city council at its next meeting. Upon such appeal, the city council may reverse, affirm, or modify the administrator's ~~director's~~ determination.

Section 10. Section 5.28.120 of the Gig Harbor Municipal Code shall be amended as follows:

#### **5.28.120 Permit – Revocation.**

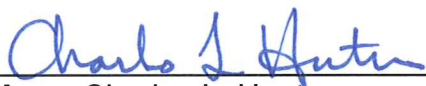
The city administrator or his designee ~~director of administration~~ shall have the authority to revoke a permit upon application of the standards for issuance as herein set forth. ~~The director~~ In the event of revocation, the city administrator or his designee shall notify the permittee of the revocation, in writing, ~~15 days prior to the event, or as soon as~~ reasonably possible.

Section 11. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be 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.

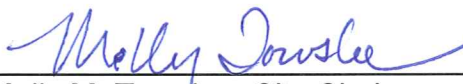
Section 12. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 25th day of July, 2011.

CITY OF GIG HARBOR

  
\_\_\_\_\_  
Mayor Charles L. Hunter

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Molly M. Towslee, City Clerk

APPROVED AS TO FORM:  
Office of the City Attorney

  
\_\_\_\_\_  
Angela S. Belbeck

FILED WITH THE CITY CLERK: 07/06/11  
PASSED BY THE CITY COUNCIL: 07/25/11  
PUBLISHED: 08/03/11  
EFFECTIVE DATE: 08/08/11  
ORDINANCE NO: 1221