

317	Annexation (Special)	363	City classification (1.06)
318	Approves assessment for LID No. 1 (Special)	364	Annexation (Special)
319	Approves assessment for LID No. 2 (Special)	365	Adds § 17.08.073, zoning (17.08)
320	Annexation (Special)	366	Adopts personnel reclassification and salary schedule (Not codified)
321	Amends § 1.08.010 and 1.08.020, ordinance passing procedure (1.08)	367	Amends 1981 budget (Special)
322	Proposition for special election (Special)	368	Adds water hookup charges to Ch. 13.04 (13.04)
323	Establishes storm sewer fund (3.32)	369	Water service rules and regulations (13.02)
324	Approves addendum to 1979 budget (Special)	370	Zones and annexes certain property (Special)
325	Amends § 13.04.040, water service connection fees (13.04)	371	Mayor pro tempore (2.14)
326	Annexation (Special)	372	Agency fund (3.36)
327	1980 tax levy (Special)	373	LID No. 3 warrants (Special)
328	Adopts Uniform Code for the Abatement of Dangerous Buildings (Not codified)	374	Adds Ch. 5.04, amusement machines and games; repeals Ords. 2, 2A, 2C, 184 and 210 (5.04)
329	Adopts building inspection fees (Repealed by 490)	375	Annexation (Special)
330	Public dock regulations (8.28)	376	Annexation (Special)
331	Consolidates local improvement districts 1 and 2 (Special)	377	Enacts Ch. 17.07, flood hazard regulations (Repealed by 506)
332	1980 budget (Special)	378	Consolidation of sewer and water funds into utility fund (Repealed by 503)
333	Amends § 13.02.140, water service (13.02)	379	Annexation (Special)
334	Land clearing code (16.44)	380	Obligation of remaining 1981 federal revenue sharing money (Special)
335	Amends § 2.28.010, expense reimbursement (2.28)	381	Obligation of 1982 federal revenue sharing money (Special)
336	Loan authorized (Special)	382	1982 budget (Special)
337	Adopts building codes (Repealed by 490)	383	1982 ad valorem taxes (Special)
338	Amends § 6 of Ord. 330, dock regulations (8.28)	384	Amends 1981 budget (Special)
339	Building security devices (15.28)	385	(Number not used)
340	Auditing officer (2.16)	386	Confirms assessments for LID No. 3 (Special)
341	Amends § 17.28.020, zoning (Repealed by 573)	387	Annexation (Special)
342	Amends § 2 of Ord. 13, dog regulations (Not codified)	388	Water service charges (Repealed by 471)
343	Amends subsection B of § 3.16.030, business and occupation tax (3.16)	389	Sewer system service charges; repeals Ch. 13.3 (Repealed by 437)
344	Amends Ord. 211, water rates (13.04)	390	Amends § 6 of Ord. 156, local improvement district regulations (13.20)
345	Amends Ord. 279, CATV rates (Special)	391	Use of revenue-sharing funds (Special)
346	Street vacation (Special)	392	Unemployment compensation fund (Repealed by 503)
347	Amends § 17.84.040, zoning (Repealed by 573)	393	CATV rates; repeals 5 of Ord. 223, CATV franchise (Special)
348	Adopts 1980 Washington State Energy Code (Repealed by 477)	394	Repeals Ord. 2, amusement devices (Repealer)
349	Amends subsection k of § 17.32.020, zoning (17.32)	395	Amusement devices (5.04)
350	Amends 1980 budget (Special)	396	Bond issue for LID No. 3 (Special)
351	Creates LID No. 3 (Special)	397	Gambling, bingo and amusement games tax (3.24)
352	Adopts Washington State Model Traffic Ordinance (10.04)	398	Repeals Ord. 180, bingo, raffles and amusement game revenue tax (Repealer)
353	Amends § 6.04.050, dogs (6.04)	399	Additional sales and use tax (3.22)
354	1981 tax levy (Special)	400	Licensing of temporary businesses; repeals Ord. 41, peddlers, canvassers and auctioneers (5.16, 5.28)
355	Amends subsection D of § 6 of Ord. 338, dock regulations (8.28)	401	Tax levy for 1983 (Repealed by 410)
356	Adds subsection A(11) to § 17.64.040, zoning (Repealed by 573)	402	Creates capital projects fund and general government contingency fund (Repealed by 503)
357	General tax levy (Special)	403	Adds Ch. 9.29, offenses against public morals (Repealed by 529)
358	Amends § 17.20.040, zoning (Repealed by 573)	404	Disbursement of federal revenue sharing funds (Special)
359	Amends § 17.44.030, zoning (Repealed by 598)		
360	Amends § 17.60.020, zoning (Repealed by 573)		
361	Water service rates (13.04)		
362	Sewer system charges (Repealed by 453)		

Ordinance Table

405	Budget for 1983 (Special)	449	Adds Ch. 14.10, storm drainage billing policy and collection (14.10)
406	Amends § 2 of Ord. 389, sewer system service charges (Repealed by 437)	450	Amends Ord. 231, zoning (Repealed by 573)
407	Amends § 4 and 6 of Ord. 388, water service charges (Repealed by 471)	451	1985 ad valorem tax (Special)
408	Amends § 5 of Ord. 129, business and occupations tax (3.16)	452	Budget for 1985 (Special)
409	Sewer revenue bonds (Special)	453	Repeals and replaces Ch. 13.32, sewer rates and charges (Repealed by 472)
410	Tax levy for 1983 (Special)	454	Sewerage addition plan adoption (Special)
411	Employee benefit plan (2.44)	455	Bond issuance (Special)
412	Amends Ord. 382, 1982 budget (Special)	456	Bond issuance (Special)
413	Liquor license application processing fee (3.48)	457	Amends 1984 budget (Special)
414	Fees for researching property assessment information (3.48)	458	Amends § 2 of Ord. 453, sewer rates and charges (Repealed by 472)
415	Amends § 6 of Ord. 399, additional sales and use tax (3.22)	459	Reserve police unit (2.48)
416	Adds § 10.04.011 and amends § 10.04.010, inattentive driving (10.04)	460	General penalty; amends § 5.20.150, 5.24.020, 5.28.080, 5.28.130, 6.04.050, 8.04.080, 8.08.040, 8.20.150, 8.24.040, 8.28.070(D), 10.04.011, 10.04.020, 10.04.060, 10.08.040, 10.16.050, 10.20.020, 10.24.030, 12.04.060, 12.08.270, 13.02.370, 13.12.040, 13.16.030, 15.28.080, 15.36.140, 16.36.020 and 16.44.090; repeals and replaces § 1.16.010 (1.16, 5.12, 5.16, 5.20, 5.24, 5.28, 6.04, 6.08, 8.04, 8.08, 8.20, 8.24, 8.28, 10.04, 10.08, 10.12, 10.20, 10.24, 12.04, 12.08, 13.02, 13.08, 13.12, 13.16, 13.24, 13.28, 15.20, 15.24, 15.28, 15.36, 16.36, 16.44, 17.102)
417	Repeals Ord. 22 (Repealer)	461	Annexation (Special)
418	Fireworks (8.20)	462	Address and grid system adoption (12.12)
419	Repeals Ord. 12 (Repealer)	463	Rezone (Special)
420	Taxicabs (5.20)	464	Street vacation (Special)
421	Assaults and menacing (Repealed by 529)	465	Amends § 2.08.010, city hall business hours (2.08)
422	Adds § 15.20.025; amends § 15.20.020, gasoline service stations (15.20)	466	Adds Ch. 8.29, dock moorage fees (3.28)
423	K-9 special revenue fund (Repealed by 503)	467	Adds § 13.28.260, sewer system rules and regulations (13.28)
424	Adds § 15 to Ord. 400, temporary businesses (5.16, 5.28)	468	Water and sewer revenue bonds (Special)
425	Rezone (Special)	469	1986 budget (Special)
426	Rezone (Special)	470	Amends § 17.04.280, 17.16.020, 17.20.020, 17.24.150 and adds subsection 13 to § 17.64.040, zoning (Repealed by 573)
427	Regulations on special events (5.28)	471	Water service charges; repeals Ord. 388 (Repealed by 498)
428	Movement of buildings (15.36)	472	Sewer rates and charges; repeals Ord. 453 (Repealed by 499)
429	Amends Ord. 424 § 1, temporary businesses (5.28)	473	Adds Ch. 3.26, real estate excise tax (3.26)
430	Annexation (Special)	474	Amends 1985 budget (Special)
431	Adds § 17.04.085 and 17.64.040A12, zoning (Repealed by 573)	475	Annexation (Special)
432	Adds to § 10 of Ord. 427, special events (5.28)	476	Annexation (Special)
433	Disbursement of Federal Revenue Sharing funds (Special)	477	Repeals and replaces § 15.32.010, energy code (15.32)
434	Budget for 1984 (Repealed by 440)	478	Adds § 8.28.065, public docks (8.28)
435	Tax levy for 1984 (Repealed by 441)	479	Amends § 17.72.050 and 17.76.020, zoning (17.76)
436	Amends Ord. 408 § 1, business and occupations tax (3.16)	480	Adds Ch. 3.01, financial reporting (3.01)
437	Repeals and replaces Ch. 13.32, sewer rates and charges (Repealed by 453)	481	Budget emergency (Special)
438	Annexation (Special)	482	Adds § 16.24.050(D) and 16.40.130, subdivisions (16.24)
439	Combination of funds (3.32)		
440	Budget for 1984; repeals Ord. 434 (Special)		
441	Tax levy for 1984; repeals Ord. 435 (Special)		
442	Compensation for elected city officials; repeals Ord. 230 (2.40)		
443	Amends Ord. 405, budget for 1983 (Special)		
444	Rezone (Special)		
445	Rezone (Special)		
446	Rezone (Special)		
447	Creation of municipal court system (Not codified)		
448	Adds Ch. 14.00, storm drainage utility (14.00)		

ORDINANCE NO. 386

AN ORDINANCE of the City of Gig Harbor, Washington approving and confirming the assessments and the assessment roll in Local Improvement District No. 3 for the construction of certain improvements within the City and levying and assessing the amounts thereof against certain property as shown on the assessment roll.

WHEREAS, notice of the time and place of hearing on the assessment roll for Local Improvement District No. 3 (the "District") of the City of Gig Harbor, Washington (the "City") was duly and regularly given to all property owners within the District by publication thereof and by mailing to all property owners in the manner provided by law; and

WHEREAS, at the time and place fixed for the hearing the Council met and duly considered the assessment roll and all protests filed by owners of property within the District against the roll and after consideration thereof, determined to order the roll confirmed as presented;

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

Section 1. The assessments and assessment roll of the District as presented to the Council at a public hearing thereon held on December 14, 1981 are hereby approved and confirmed.

The aggregate amount of the assessment roll as finally approved is \$18,131.00.

Section 2. Each of the lots, tracts, parcels of land and other property included within the District and listed upon the assessment roll is hereby declared to be specially benefited by the improvements therein in at least the amount of the assessment levied against the same, and the several assessments are hereby found to be in proportion to the benefits received by the various lots, tracts, parcels and other property assessed. The amount

finally charged against each such lot, tract, parcel of land and other property appearing upon the assessment roll is hereby levied and assessed against the same.

Section 3. Each assessment or any portion thereof may be paid at any time within thirty (30) days from the date of the first publication of notice that the assessment roll has been placed in the Treasurer's hands for collection without penalty, interest or costs and thereafter the sum remaining unpaid, if any, shall be payable in ten (10) equal annual installments. Interest shall be charged upon all deferred assessments or installments thereof, at a rate on said deferred balances to be fixed by ordinance authorizing the sale of the bonds of the District, which rate shall not be greater than one percent above the rate of interest borne by the bonds . One year from the expiration of such 30-day prepayment period, and annually thereafter, one of the installments, together with interest on the unpaid installments, shall become due and shall be collected as provided by law. Annual installments may be prepaid in the manner provided by law.

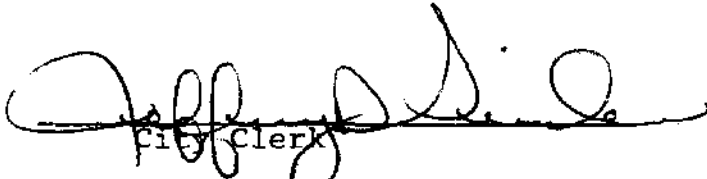
Section 4. This ordinance shall become effective five days from and after its passage, approval and publication, as provided by law.

READ for the first time on December 14, 1981, and PASSED by the Council of the City of Gig Harbor, Washington, at a regular meeting thereof and approved by its Mayor on the 28th day of December, 1981.

CITY OF GIG HARBOR, WASHINGTON

By Ruth M. Logue
Mayor

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

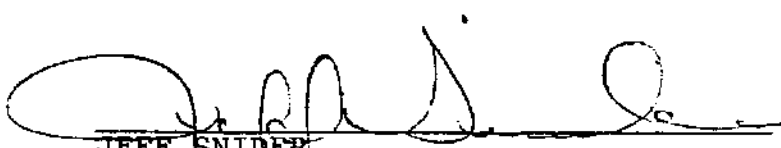
DIRECTOR OF ADMINISTRATION CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Director of Administration of the City of Gig Harbor, Washington, and keeper of the records of the Council of the City of Gig Harbor (herein called the "Council"), DO HEREBY CERTIFY:

1. That the attached Resolution 151 (herein called the "Resolution") is a true and correct copy of a resolution of the City, as first read at a meeting of the Council held on the 14th day of December, 1981, and finally approved by the Mayor on the 28th day of December, 1981, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and, to the extent required by law, due and proper notice of such meeting was given; that a quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Resolution; that all other requirements and proceedings incident to the proper adoption of the Resolution have been duly fulfilled, carried out and otherwise observed; and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 10 day of FEB, 1982.


JEFF SNIDER,
Director of Administration and
Finance

AN ORDINANCE ANNEXING TO AND INCORPORATING WITHIN
THE CITY OF GIG HARBOR CERTAIN UNINCORPORATED
TERRITORY LYING CONTIGUOUS TO THE CITY OF GIG HARBOR.

BE IT ORDAINED by the City Council of the City of Gig Harbor,

THAT, WHEREAS, it has been determined that the best interest and general welfare of the City of Gig Harbor would be served by the annexation of the following described property:

Lot 1 and Lot 2 of Short Plat #80-165 as recorded April 15, 1980 in volume 41 of short plats at page 28, RECORDS OF PIERCE COUNTY.

WHEREAS, Notice of Intention to Annex was filed with the Boundary Review Board of Pierce County, Washington, pursuant to state law and the Boundary Review Board invoked jurisdiction and held a public hearing December 15, 1981. The Board at said public hearing approved the proposal for annexation, and;

WHEREAS, the City Council on July 27, 1981 fixed Monday, August 10, 1981 at the hour of 7:00 p.m. in the City Hall of the City of Gig Harbor as the times and place at which all interested persons should appear and voice their approval or disapproval of said annexation of said unincorporated territory, and;

WHEREAS, notice of said hearings was given as provided by law by publication thereof, and;

WHEREAS, at said hearings no one objected to the R-1 zoning or said annexation,

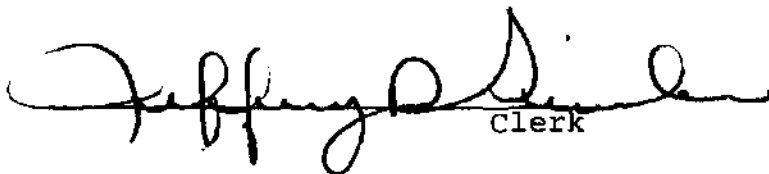
NOW, THEREFORE, BE IT FURTHER ORDAINED by the City Council of the City of Gig Harbor be and the same is hereby zoned R-1 and annexed into and incorporated within the City of Gig Harbor.

This ordinance shall become effective upon its passage and publication as provided by law.

PASSED this 28th day of December, 1981.


Ruth M. Bogue Mayor

ATTEST:


Clerk

ORDINANCE NO. 388

AN ORDINANCE OF THE CITY OF GIG HARBOR REPEALING ORDINANCE NO. 361 and 235 FIXING THE RATES FOR WATER SERVICE CHARGES FOR THE USE AND CONSUMPTION OF WATER FROM THE MUNICIPAL WATER UTILITY.

WHEREAS, it has been determined by the Gig Harbor City Council that a rate change is imperative to provide for the operation of the water utility; and

WHEREAS, it is necessary to meet certain debt service requirements as prescribed by Ordinance No. 278, the Gig Harbor City Council designates that 15% (approximate) of the prescribed rates shall be a surcharge subject to review,

BE IT HEREBY ORDAINED by the City Council, City of Gig Harbor, that Ordinance No. _____ be adopted to read as follows:

Section 1. Metered Residential Uses. The water service charge for all metered residential uses shall be \$9.65 per month per individual residential unit for the first 1,000 cubic feet consumed, and \$.68 per each 100 cubic feet or part thereof consumed per unit over the first 1,000 cubic feet for all meter sizes.

Section 2. Non-metered Residential Uses. Until a water meter has been installed to measure water consumed by a residential unit or a multiple residential building, the water service charge applicable to such unmetered residential unit shall be \$9.65 per month per unit.

Section 3. Industrial and Commercial Uses. The water service charge for each industrial and commercial user per month for the first 1,000 cubic feet consumed by such use shall be as follows:

SERVICE CONNECTION (METER)

SIZE	RATE
5/8" & 3/4"	\$10.25 for first 1,000 cu. ft.
1 inch	13.05 for first 1,000 cu. ft.
1½ inch	19.25 for first 1,000 cu. ft.
2 inch	27.25 for first 1,000 cu. ft.
3 inch	59.00 for first 1,000 cu. ft.
4 inch	72.65 for first 1,000 cu. ft.

For each 100 cubic feet or part thereof consumed by such use over the first 1,000 cubic feet per month, there shall be water service charge of \$.68.

Section 4. A specified rate shall be in effect in those instances where water is not actually used upon the premises but is only available for the purpose of affording fire protection. Said rate shall be as follows: As a standard charge only without regard to size of service, where no water is used, \$10.25 per monthly period. In the event water is used from such a meter in any particular monthly period, the regular rates shall be charged for the particular monthly period.

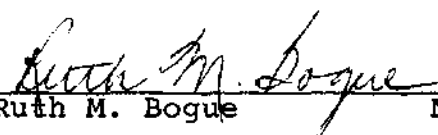
Section 5. The minimum monthly rate for multiple unit dwellings, hotels, and apartments shall be as follows: \$9.65 for each individual unit. For water furnished in excess of the minimum amounts above specified the usual rates shall apply.

Section 6. Water service charges shall be deemed delinquent if not paid within thirty (30) days following the billing date. A late charge equal to 10 per cent of the delinquent service charge shall be imposed at the time of such delinquency, and interest at the rate of 12 per cent per annum shall be charged on all delinquent service charges and late charges.

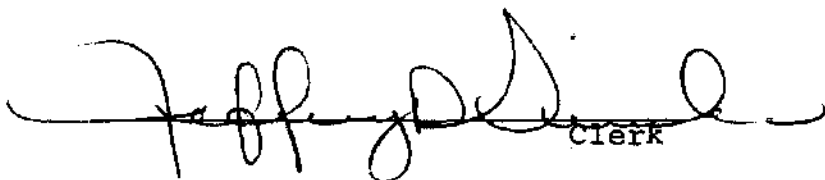
The City, as provided by law, shall have a lien against the premises to which water was furnished and may enforce such lien by cutting off service until all charges and interest thereon then due are paid.

Section 7. Effective Date. This ordinance shall take effect and be in full force five days following its approval and passage and publication in accordance with law.

PASSED by the City Council and APPROVED by the Mayor at a regular open public meeting this 11th day of January, 1982.


Ruth M. Bogue Mayor

ATTEST:


Clerk

ORDINANCE # 389

AN ORDINANCE repealing Ordinance #362 and Related to the Municipal Sewer System of the City of Gig Harbor, Fixing Rates and Charging for Sewer Service, Providing a Method of Collecting Fees and Charges Therefore, Providing Penalties for Violation of This Ordinance, Providing for a Charge in Lieu of Assessment Hook-Up Charges, and Specifying the Date Upon Which This Ordinance Shall Become Effective.

WHEREAS, it has been recommended to the Gig Harbor City Council that Ordinance #362, codified as Section 13.32 of the Municipal Code, concerning Use Charges be DELETED; and

WHEREAS, it has been further recommended to the Gig Harbor City Council that Ordinance #362, codified as Section 13.32 of the Municipal Code, should be replaced with a new use rate schedule; and

WHEREAS, it has been determined by the Gig Harbor City Council that a rate change is imperative to provide for the operation of the sewer utility; and

WHEREAS, the Gig Harbor City Council has further determined that a Utility HOOK-UP CHARGE Schedule should be added to Section 13.32 of the City of Gig Harbor Municipal Code in order to provide for expansion of the Sanitary Sewer Treatment facility; and

WHEREAS, the Gig Harbor City Council has found that the monthly rates proposed hereinafter are equitable to users and adequate to meet the public needs; and

WHEREAS, it has also been determined by the Gig Harbor City Council that a revised use charge and new hook-up charge are in the best interests of the health, safety, and welfare of the citizens of the City of Gig Harbor,

NOW, THEREFORE, BE IT ORDAINED by the Gig Harbor City Council that Ordinance #362, codified as Section 13.32 of the Municipal Code, be, and is hereby, rescinded and deleted; and

BE IT FURTHER ORDAINED by the Gig Harbor City Council that Ordinance # be, and is hereby, adopted as follows and shall be codified as Section 13.32 of the Municipal Code:

Section I. USE CHARGES:

<u>Classification of Users</u>	<u>Monthly Rates</u>
Class 1 - Single family residences and Churches	\$8.65 per dwelling or church
Class 2 - Single family residential units built in multiples of 2 residences or more per building	\$8.65 per living unit
Class 3 - Motels	\$8.65 per month for residence office and each guest unit
Class 4 - Nursing, Rest, or Convalescent Homes	\$17.30 per month plus \$2.15 per bed per month
Class 5 - Bowling Alleys If food service is included there will be an add'l charge of \$.45 per seat per month for the maximum seating capacity of restaurant	\$17.30 per month up to and including 8 lanes plus \$2.15 per lane per month for each add'l lane

Class 6 - Restaurants, Cafes, Taverns, Bakeries & Pizza Parlors	\$17.30 per month plus Forty Five (\$.45) per seat, for the legal max- imum seating capacity of such restaurant, cafe, tavern, bakery or pizza par
Class 7 - Shopping Centers, Super- markets and Department Stores	\$17.30 per month plus \$.003 per month for area in exces of 1,000 square feet
Class 8 - Beauty Parlors, Barber Shops	\$17.30 per month for the first six working spaces plus \$2.15 per space over s
Class 9 - Offices and Small Retail shops	\$17.30 per month
Class 10 - Laundries or self service laundromats	\$.45 per month per pound of machine capacity.
Class 11 - Schools --Public and Private	\$20.00 per month for pre an grade schools plus \$.45 per pupil and employed personne per month. Middle, high, a other: Fifty Five (\$.55) p pupil and employed personne per month. (Per pupil char will be based on a school y of 9 months, including the month of Sept. through the month of May.)
Class 12 - Service Stations	\$26.00 per month for two islands of pumps or less, plus \$8.65 per month for ea additional island of pumps.

Section 2. BILLING: Billing shall commence on the first available date, which date shall be the same as the water billing date. New users shall pay a pro rata charge on the first available billing date. The City shall have a lien against the user's real property for the delinquent unpaid rates and charges provided for herein together with a late charge equal to ten percent (10%) of the delinquent service charge and interest thereon at the rate of twelve per cent (12 per cent) per year from the date of delinquency and all costs and fees for foreclosing said lien or otherwise collecting the delinquent accounts. The account shall be delinquent thirty (30) days from the billing date.

Section 3. PROPERTY NOT ASSESSED.

Properties which have not been specially assessed for all or a portion of the costs of the construction and installation of sewer pipelines of the City to which connection is desired may be permitted to connect onto any such pipeline and be served thereby if:

a. The City Engineer certifies that the pipe line to which the connection is made and the utility facilities serving that proper have sufficient capacity to serve that property and all property which the City has the obligation to serve thereby because of the levying of special assessments, charges in lieu of agreement, contract, or other reason; and

b. There is paid to the City applicable charges for the service connection; and

1. If that property connects to a pipeline and facilities for which special assessments have been levied, there shall be paid into the applicable City utility fund a charge in lieu of assessment for such connection of an amount computed for that pipeline and related facilities (including applicable assessments for lateral or local service, trunk service, stub or service connection and any other charge assessed for like property); or

2. If that property connects to a pipeline and facilities for which special assessments were not levied, there shall be paid into the applicable City utility fund a connection charge representin the pro rata share of that property of the original cost of that pipe line and related facilities necessary to serve that pipeline, plus th cost of any improvement thereto, which pro rata share shall be cal- culated from a formula determined by the City Engineer and approved

by the City Council by resolution as applicable to that pipe-line and related facilities.

Section 4. HOOK-UP CHARGES

Class 1 - Single family residence	\$900.00 per unit
Class 2 - Single family residences and multiple units	\$900.00 per unit
Class 3 - Motels, residence office each unit	\$900.00 plus \$450.00 per guest unit
Class 4 - Churches	\$900.00
Class 5 - Nursing, Rest, or Convalescent Homes	\$1,800 plus \$170.00 per bed
Class 6 - Bowling Alleys	\$1,800 for first 8 lanes plus \$170.00 per additional lane. Any additional facilities within the building to be charged separately in accordance with the type of facility.
Class 7 - Restaurants, Cafes, Taverns, Bakeries, and Pizza Parlors	\$1,800 plus \$45.00 per seat for the maximum legal capacity.
Class 8 - Shopping Centers, Supermarkets, Department Stores, Stores, Shops and Offices	\$900 for first 500 square feet plus \$.30 per square foot over 500
Class 9 - Beauty Parlors & Barber Shops	\$1,800 for first 6 working spaces plus \$170 each additional space
Class 10 - Laundries & Laundromats	\$45.00 per pound of washing machine capacity
Class 11 - Schools, Public and Private	\$2,025.00
Plus:	
Pre & Grade (Per student and paid employee)	\$45.00
Middle, High School, and Beyond (Per student & paid emp.)	\$56.25
Class 12 - Service Stations	\$2,700 for two or less islands of pumps. \$900 for each add'l island of pumps
	Any business other than fuel and vehicle service to be charged under its own category.

Class 13 - Remodels and/or Use Changes shall pay the difference between the new use charge rate and the existing rate if the new use rate exceeds or would exceed the existing rate. There shall be no refund for a change in use to a rate class of lesser unit charge.

Section 5. SEWAGE RELATED CHARGES OUTSIDE THE CITY.


For services outside the City those rates set forth in Sections 1, 2, 3, and 4 shall be multiplied by 1.5.

Section 6. MULTIPLE CONNECTIONS TO SINGLE SERVICE:

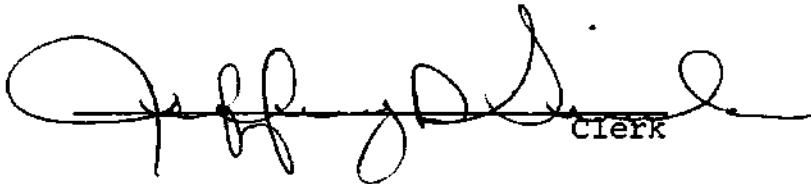
Whenever more than one user (customer) is served by a single sewer connection each user shall be subject to the rate schedule contained in this ordinance.

Section 7. This ordinance shall take effect and be in force five days after the date of its posting in the manner required by law.

PASSED by the Council of the City of Gig Harbor, Washington, at a regular meeting thereof and approved by the Mayor this 11th day of January, 1982.


Ruth M. Bogue Mayor

ATTEST:


clerk

ORDINANCE NO. 390

AN ORDINANCE relating to local improvement districts and utility local improvement districts; amending Section 6 of Ordinance No. 156 to delete and replace an obsolete reference therein.

WHEREAS, the City Council has determined that a penalty of five percent (5%) does not adequately compensate the City for losses resulting from delinquent installments of assessments; now therefore,

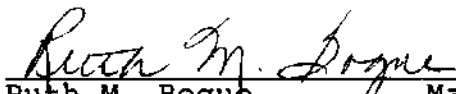
BE IT ORDAINED by the City Council of the City of Gig Harbor as follows:

Section 1. Section 6 of Ordinance No. 156 is amended to read as follows:

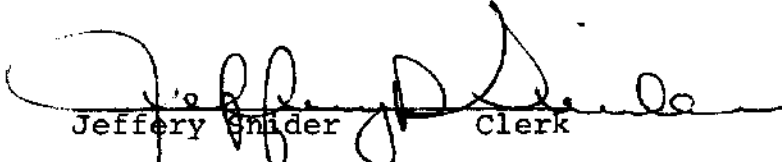
Section 6. The ordinance levying assessments in a local improvement district or utility local improvement district shall prescribe the time within which assessments or installments shall be paid and the interest rate thereon. Installments of assessments which shall become due in any local improvement district or utility local improvement district of the City shall be delinquent if not paid when due. All delinquent installments shall bear a penalty of (~~five-per-cent-(5%)~~) twelve percent (12%) of both the principal and interest due on such delinquent installment or installments. If any assessment installment shall become delinquent, the entire assessment shall become due and payable and the collection thereof may be enforced by foreclosure in the manner provided by the laws of the State of Washington; provided, however, that payment of all delinquent installments together with interest, penalty and costs at any time before entry of judgement in foreclosure shall extend the time of payment on the remainder of the assessment installments as if there had been no delinquency or foreclosure.

Section 2. Effective date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular public meeting this 25th day of January, 1982.


Ruth M. Bogue Mayor

ATTEST:


Jeffery Snider Clerk


AN ORDINANCE obligating a portion of 1981 Revenue Sharing Money.

BE IT ORDAINED by the City Council of the City of Gig Harbor as follows:

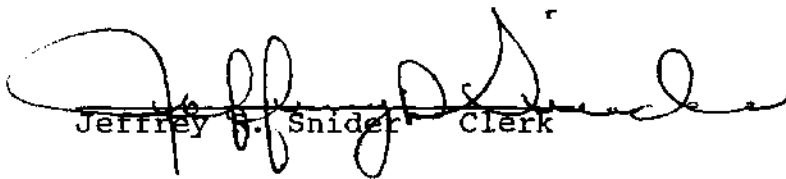
Section 1. Ten Thousand and Two Dollars (\$10,002.00) of the total 1981 Federal Revenue Sharing appropriation is obligated to the Street Department for the purchase of a truck.

Section 2. Effective Date. This ordinance shall be effective and in full force five days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular open public meeting this 25th day of January 1982.


Ruth M. Bogue Mayor

ATTEST:


Jeffrey B. Snider Clerk

ORDINANCE NO. 392

AN ORDINANCE establishing an unemployment compensation fund.

WHEREAS, the Gig Harbor City Council determined that money should be reserved for paying unemployment compensation claims, and

WHEREAS, RCW 35.37.010 requires the establishing of an accounting fund for such special purposes, now, therefore,

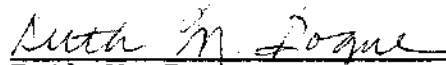
The City Council of the City of Gig Harbor do ordain as follows:

Section 1. A special purpose accounting fund known as the "Unemployment Compensation Trust Fund" is established. And as required by the Washington State Budgeting, Accounting, and Reporting System (BARS) the Trust Fund accounting code shall be "621.2".


Section 2. The Trust Fund shall account for all deposits and disbursements for the purpose of compensating unemployment claims and shall not be used for other purposes.

Section 3. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular public meeting this 8th day of February, 1982.


Ruth M. Bogue Mayor

ATTEST:


Jeff Snider
Administrator/Clerk

ORDINANCE NO. 393

AN ORDINANCE relating to the cable television non exclusive franchise: Repealing Section 5 of Ordinance No. 223 to delete an obsolete reference therein.

WHEREAS, the City Council no longer desires to administrate the setting of subscriber rates; and

WHEREAS, the Federal Communications Commission regulations allow cable television companies to regulate rates; and now, therefore,

The City Council of the City of Gig Harbor do ordain as follows:

Section 1. Section 5 of Ordinance 223 is hereby repealed. The City Council further ordains as follows:

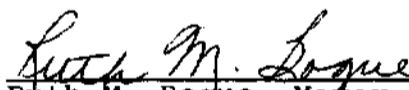
Section 5. Rates.

Grantee shall have the right to establish and impose charges for regular and auxiliary cable service and for installation, reconnection, and relocations. The grantee shall notify the City Council and subscribers at least sixty (60) days before any rate increase. Proposed rate increases shall be consistent with the rates of surrounding communities. The City Council shall have the right to review proposed rate increases within the 60 day notice period to insure consistency with other communities. The grantee shall file and maintain with the City a list of all current charges.

Section 2. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 8th day of March, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 394

AN ORDINANCE repealing Ordinance No. 2 (Amusement Machines and Games).

WHEREAS, the Gig Harbor City Council determined that Ordinance No. 2 does not explicitly define financial responsibility as intended; and,


WHEREAS, Ordinance No. 2 is as such difficult to administer;

The City Council of the City of Gig Harbor DO ORDAIN as follows:


Section 1. Ordinance No. 2 entitled: "AN ORDINANCE providing for licensing and regulating the operation of certain amusement machines and other devices and games for use by the public; providing penalties for the violation hereof" is hereby repealed.

Section 2. Effective Date. This Ordinance is effective and in full force five (5) days following its approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 22nd day of March, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider
Administrator/Clerk

ORDINANCE NO. 395

AN ORDINANCE adopting provisions for licensing and regulating the operation of amusement devises; estalishing fees; and defining penalties for violations.

WHEREAS, the Gig Harbor City Council repealed the original Ordinance No. 2 by Ordinance No. 394, and,

WHEREAS, the City Council determined it necessary to continue the licensing and regulating of amusement devises; NOW THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Definitions. For the purposes of this chapter, words and phrases shall have the following meanings:

- A. AMUSEMENT DEVISE shall mean any machine or device designated to be operated or used for playing a game upon the insertion or payment of a coin or trade check or other thing of value, or upon payment of a fee, and which is based on skill and is played or operated only for amusement and entertainment of the player, but shall not mean or include any machine or devise used exclusively for the vending of merchandise.
- B. OPERATOR shall mean any person who leases or rents to or places with others any amusement devise.
- C. LOCATION OWNER shall mean any person who displays amusement devises and avails them to the public for use, play, or operation.
- D. PERSON shall mean and include any individual, corporation, partnership, or association.

Section 2. Location License.

- A. A location amusement devise license shall be required for each place in which there is displayed, exhibited, or exposed or permitted to be displayed, exhibited or exposed for purposes of use, play or operation, any amusement devise, which license shall indicate thereon the number of such devises which may be exhibited or displayed for use or play. Application for such license shall be made at Gig Harbor City Hall. A license shall be received before locating an amusement devise.

- B. Any holder of a location license may own any amusement device located at the place covered by such location license. But any such person who has an arrangement or understanding with any other holder of a location license whereby exchanges or trades of amusement devices are made between such persons, who during any license period transfers from one location to another, any amusement device, shall be deemed to be an operator and shall be required to have an amusement device license as provided in this chapter.

Section 3. Amusement Device License.

- A. An amusement device license shall be required for any operator renting or placing with another for use or play or for any person exhibiting for use or play, any amusement device. Application for such a license shall be made before operating an amusement device.
- B. Such license shall not be transferable from one amusement device to another or from one person to another. Any amusement device license which shall be changed, mutilated, erased or in any manner defaced shall be void and any amusement device which the same shall purport to license shall be deemed an unlicensed machine.

Section 4. Existing Operators and Location Owners.

Every operator of an amusement device, and every owner of a location where an amusement device is operated at the effective date of this ordinance shall apply for the appropriate license within five (5) business days after the effective date of this ordinance. Application shall be made at Gig Harbor City Hall.

Section 5. Certain Devices Prohibited.

It shall be unlawful to sell, operate, or use or permit to be operated or used, or to process, exhibit or display with intent that the same shall be sold, operated, or used, any device wherein the element of chance or a combination of the elements of chance or skill is involved or any other device customarily used for gambling, or which tends to promote or encourage gambling; and nothing contained in this chapter is intended to legalize or authorize the licensing or the operation of slot machines or other gambling devices or games. Devices defined in RCW 9.46.020(9) shall be deemed gambling devices.

Section 6. License Fees.

The license fees for amusement devices, the location and operation thereof, shall be and are hereby fixed as follows:

- A. Location Amusement Device License.
For each location . . . \$10.00 per month for each amusement device collected semi-annual.

B. Amusement Device License . . . \$200.00 per annum.

Licenses shall be revoked for failure to pay the license fees. License fees shall be paid in advance of operating or locating amusement devices.

Section 7. Penalties for Chapter Violations.

It shall be the duty of all persons leasing, renting, placing, or operating on location any amusement device to comply with the provisions of this chapter. Failure to comply shall be a violation of this ordinance and shall result in the assessment of one or all of the following penalties:

- A. The amusement device operator or location owner acting in violation of this ordinance shall be liable for and assessed a penalty by the City of Gig Harbor in the amount of FIVE DOLLARS (\$5.00) a calendar day for each and every day of violation. The penalty assessed shall accumulate until the amusement device is removed from use by the public or until the date application for license is made.
- B. In addition to the above, the City of Gig Harbor shall suspend the business license of the amusement device operator, or location owner who does not pay the penalty assessed and apply for appropriate license within thirty (30) calendar days after receiving written notice from the City of Gig Harbor.
- C. A new business license shall not issue until the penalty assessed is paid in full and a new business license fee is paid.
- D. A business license shall not be suspended under this ordinance unless and until ordered by the City Council at a regular meeting of the City Council held at least fifteen (15) calendar days after sending written notice to the business owner of the date of the meeting at which the City Council will consider the suspension of the business owner's license.

Section 8. Effective Date.

This Ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 12th day of April, 1982.


RUTH M. BOGUE - Mayor

ATTEST:

A handwritten signature in cursive script, appearing to read "Jeff Snider", written over a horizontal line.

JEFF SNIDER
Administrator/Clerk

ORDINANCE NO. 396

AN ORDINANCE of the City of Gig Harbor, Washington, providing for the issuance of bonds of Local Improvement District No. 3 in the principal amount of \$10,942.02 and confirming the sale of said bonds.

WHEREAS, by Ordinance No. 351, passed and approved October 27, 1980, Local Improvement District No. 3 of the City of Gig Harbor, Washington (the "City") was duly created, and the issuance of bonds was authorized; and

WHEREAS, the improvements provided by said ordinance to be constructed in Local Improvement District No. 3 ("LID No. 3") have been completed; and

WHEREAS, the assessment rolls in said LID No. 3 has been confirmed by Ordinance No. 396, passed on April 26, 1982 (the "Assessment Ordinance") in the total amount of \$18,131.00 of which \$7,188.98 was paid during the thirty (30) day period permitted by law for the payment of assessments without penalty or interest; and

WHEREAS, after applying the amount of prepaid assessments to the payment of the cost and expense of the improvements in said LID No. 3 and to the payment of all expenses incidental thereto, it is now necessary for the City to issue and sell bonds of said LID No. 3 in the principal sum of \$10,942.02 (the "Bonds") in order to pay for the cost and expense of said improvements;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR DO ORDAIN as follows:

Section 1. For the purpose of issuing bonds to pay the costs of improvements made in Local Improvement District No. 3 of the City, there is hereby created a special fund of the City to be known as the Local Improvement District No. 3 Fund. After full payment of the principal of and interest on all outstanding

warrants previously issued to provide funds for the making of improvements in Local Improvement District No. 3, all money received by the City in payment of principal of and interest on the assessments levied in Local Improvement District No. 3 shall be paid into said Local Improvement District No. 3 Fund and used to pay the principal of and interest on the bonds authorized by this ordinance.

Section 2. For the purpose of paying the costs of the improvements ordered by Ordinance No. 351 of the City and constructed in Local Improvement District No. 3, the City shall issue City of Gig Harbor Local Improvement District No. 3 Bonds (the "Bonds") in the aggregate principal amount of \$10,942.02.

The Bonds shall be dated May 1, 1982, shall be in the denomination of \$1,000 each, except Bond No. 1 which shall be in the denomination of \$942.02, shall be numbered from 1 to 11, inclusive, shall bear interest at the rate of 15.5% payable annually on May 1 of each year, commencing on May 1, 1983, and shall mature May 1, 1994.

The Bonds shall be payable in lawful money of the United States of America at the office of the City Finance Director of Gig Harbor, Washington, solely out of the Local Improvement District No. 3 Fund and the local improvement guaranty fund of the City, which has been created by Ordinance No. 316 pursuant to Chapter 35.54 of the Revised Code of Washington.

The Bonds shall be redeemed at par in advance of their scheduled maturity, plus accrued interest to the date of redemption, in numerical order, on any interest payment whenever there shall be sufficient money in the Local Improvement District No. 3 Fund to pay the principal of any unpaid Bonds over and above an amount sufficient for the payment of all unpaid interest due or to become due on such interest payment date and for the

payment of principal of all outstanding Bonds prior in number to the last such Bond then to be redeemed.

Notice of such intended redemption shall be given by one publication thereof in the official newspaper of the City not more than thirty (30) nor less than ten (10) days prior to such redemption date. Copies of such notice shall be mailed by certified or registered mail, at the same time, to H. Jackson Shirley & Company at its office in Bellevue, Washington, or to its successor in business, if any, at its main office.

Section 3. The City has, by the Assessment Ordinance, levied assessments payable into the Local Improvement District No. 3 Fund in the total amount of \$18,131.00, of which \$7,188.98 were prepaid within the 30-day prepayment period permitted by law and not less than \$10,842.02 remain payable into said Fund in ten equal annual installments together with interest and penalties thereon.

The Assessment Ordinance provides that the assessments remaining unpaid after the 30-day prepayment period shall bear interest at the rate to be fixed by the Council in this ordinance, which rate shall not be in excess of one percent greater than the rate of interest to be paid upon the Bonds. Accordingly, the City Council hereby fixes and establishes the rate of sixteen and one-half percent (16-1/2%) interest as the rate of interest which shall be payable on the remaining unpaid balance of such assessments within LID No. 3 from and after and until such assessments have been fully paid and discharged. Both principal of and interest on the Bonds shall be payable solely out of the Local Improvement District No. 3 Fund and from the local improvement guaranty fund of the City.

Section 4. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____

\$ _____

STATE OF WASHINGTON

CITY OF GIG HARBOR

LOCAL IMPROVEMENT DISTRICT NO. 3 BOND

Laws of Washington 1965, Chapter 7 (RCW 35.45.070) provides, in part, as follows:

"Neither the holder nor owner of any bond, interest coupon, or warrant issued against a local improvement fund shall have any claim therefor against the city or town by which it is issued, except for payment from the special assessments made for the improvement for which the bond or warrant was issued and except also for payment from the local improvement guaranty fund of the city or town as to bonds issued after the creation of a local improvement guaranty fund of that city or town. The city or town shall not be liable to the holder or owner of any bond, interest coupon, or warrant for any loss to the local improvement guaranty fund occurring in the lawful operation thereof."

The City of Gig Harbor, a municipal corporation of the State of Washington (herein referred to as the "City"), hereby promises to pay to bearer the sum of

_____ DOLLARS

on May 1, 1994, in lawful money of the United States of America, with interest thereon from the date hereof until payment of the principal sum has been made or duly provided for at the rate of fifteen and one-half percent (15-1/2%) per annum payable on May 1, 1983 and annually thereafter on the first day of May of each year, upon presentation of the appurtenant interest coupons as they severally become due, until such principal amount shall have been paid or duly provided for.

Both principal of and interest on the bonds of this issue are payable in lawful money of the United States of America at the office of the City Finance Director in Gig Harbor, Washington, solely out of the Local Improvement District No. 3 Fund created by Ordinance No. 386 of the City, (the "Bond Ordinance"), and the local improvement guaranty fund of the City created by Ordinance No. 316, pursuant to Chapter 35.54 of the Revised Code of Washington. Neither the holder nor the owner of this bond shall have any claim therefor against the City of Gig Harbor except for payment from the special assessments made for the improvements for which the bonds of this issue were issued, and except as against the local improvement guaranty fund of the City and the City shall not be liable to any holder or owner of this bond for any loss to the guaranty fund occurring in the lawful operation thereof by the City. The remedy of the holder or owner of a bond of this issue, in case of nonpayment, shall be confined to the enforcement of the assessments levied in Local Improvement District No. 3 and to said guaranty fund.

This bond is one of an issue aggregating the principal amount of \$10,942.02 issued to pay part of the cost of certain improvements constructed within Local Improvement District No. 3 pursuant to the Bond Ordinance of the City. The bonds of this issue are subject to call by the Finance Director of the City of Gig Harbor at a price of par in advance of their scheduled maturity, plus accrued interest to the date of redemption, on any interest payment date whenever there shall be sufficient money in said Local Improvement District No. 3 Fund to pay the principal of any unpaid bonds over and above an amount sufficient for the payment of all unpaid interest due, or to become due on such date, and for the payment of principal of all of the unpaid bonds of this local improvement district prior in number to the last such bond then to be redeemed.

In case this bond is called for payment before its final maturity, each and every interest coupon not accrued at the time of such payment shall be void. Call for payment of this bond shall be made by the City Finance Director by mailing notice of such call to H. Jackson Shirley & Company or its successor in business, at its main office in Bellevue, Washington and by one publication of such call in the City's official newspaper not more than thirty (30) nor less than ten (10) days prior to said call date, and when such call is made this bond shall be paid on the date the next interest coupon thereof shall become due after such call.

IN WITNESS WHEREOF, the City of Gig Harbor, Washington, has caused this bond to be signed by the manual or facsimile signature of its Mayor, attested by the manual or facsimile signature of its Clerk, and the corporate seal of the City to be impressed or imprinted hereon and has caused the interest coupons hereto attached to be executed with the facsimile signatures of said officials this 1st day of May, 1982.

CITY OF GIG HARBOR, WASHINGTON

By (manual or facsimile signature)
Mayor

ATTEST:

(manual or facsimile signature)
City Clerk

The interest coupons to be attached to the Bonds shall be in substantially the following form:

NO. _____ \$ _____

Unless the bond to which this coupon is appurtenant has previously been redeemed, the City of Gig Harbor, Washington, on May 1, 19___, will pay to the bearer hereof at the office of the City Finance Director in Gig Harbor, Washington, the amount shown hereon in lawful money of the

United States of America out of the Local Improvement District No. 3 Fund of the City, said amount being the interest due on that date on bond numbered _____ of Local Improvement District No. 3 of the City. This coupon is subject to all the terms and conditions contained in the bond to which it is attached.

CITY OF GIG HARBOR, WASHINGTON

By (facsimile signature)
Mayor

ATTEST:

(facsimile signature)
City Clerk

Section 5. The Bonds shall be signed by the manual or facsimile signature of the Mayor and the manual or facsimile signature of the City Clerk (at least one of which signatures shall be manual), the corporate seal of the City shall be impressed or imprinted thereon, and the interest coupons shall bear the facsimile signatures of said officials. The appropriate City officials are hereby authorized to do everything necessary for the prompt printing, issuance and delivery of the Bonds and the proper application of the proceeds thereof.

Section 6. The City covenants and agrees that throughout the term of the Bonds no part of the proceeds of such bonds or any other money or obligations held in the Local Improvement District No. 3 Fund or the local improvement guaranty fund of the City shall at any time be used for any purpose, nor shall the City take any other action, which would cause any of the Bonds to be (1) an "arbitrage bond" under Section 103(c) of the federal Internal Revenue Code of 1954, as amended, and the applicable regulations thereunder or (2) an "industrial development bond" under Section 103(b) of the Internal Revenue Code of 1954, as amended, and the applicable regulations thereunder.

Section 7. The City Council hereby approves and accepts the proposal dated April 12, 1982 of H. Jackson Shirley & Company, Bellevue, Washington, to purchase the Bonds on the terms provided for therein.

Section 8. This ordinance shall become effective five days from and after its publication in the manner required by law.

PASSED AND APPROVED by the Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of said Council held on the 26th day of April, 1982.

CITY OF GIG HARBOR, WASHINGTON

By Ruth M. Logue
Mayor

ATTEST:

[Signature]
City Clerk

CERTIFICATE OF CLERK

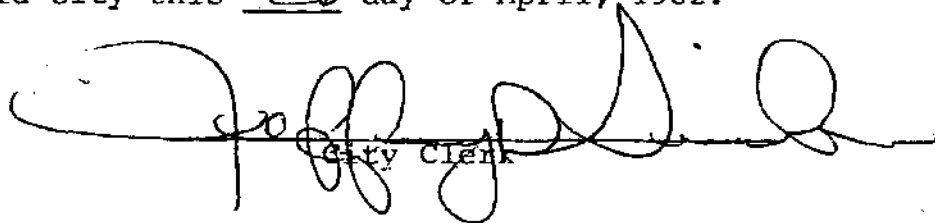
STATE OF WASHINGTON)
) ss.
COUNTY OF P I E R C E)

I, Jeffrey R. Snider DO HEREBY CERTIFY that I am the duly authorized, qualified and acting Clerk of the City of Gig Harbor, Washington, and the custodian of its records; that the attached and foregoing is a full, true and correct copy of Ordinance No. 396 entitled,

"AN ORDINANCE of the City of Gig Harbor, Washington, providing for the issuance of bonds of Local Improvement District No. 3 in the principal amount of \$10,942.02 and confirming the sale of said bonds.

and that said ordinance was duly passed and approved by the affirmative vote of each and all of the members of the Council of said City at a regular meeting regularly held on April 12, 1982, at which all members of the Council were present; that said ordinance has not been altered, amended or repealed and the same is in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 26th day of April, 1982.


Clerk

(SEAL)

AN ORDINANCE relating to the taxation of gambling activities; levying a tax, providing for the collection of said tax, and defining penalties.

WHEREAS, the Gig Harbor City Council repealed Ordinance No. 180 relating to the taxation of gambling activities; and,

WHEREAS, the City Council wishes to continue the administration of gambling activities; and

WHEREAS, Chapter 218, Laws of Washington, 1973 (43rd legislative, 1st extra session) authorizes cities to impose a tax on gambling activities to fund the administration of such activities;

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Reference. Chapter 218, Laws of Washington 1973 (43rd legislative, 1st extra session) is hereby adopted as if set forth fully herein.

Section 2. Definitions. For the purpose of this chapter, the words and terms used shall have the same meaning each has under Chapter 218, Laws of 1973, 1st extra session and Chapter 9.46 RCW, each as amended, and under the rules of the Washington State Gambling Commission, Chapter 230 WAC, unless otherwise specifically provided or as the context in which they are used clearly indicates that they be given some other meaning.

Section 3. Tax Levied. There is hereby levied upon all persons, associations and organizations conducting or operating within the City of Gig Harbor any of the following activities a tax as listed to be paid to Gig Harbor, Washington.

- A. Bingo, raffles, in the amount of ten percent (10%) of the gross receipts less the amount paid for prizes.
- B. Any punchboards or pulltabs in the amount of five percent (5%) of the gross receipts.
- C. Card playing in the amount of twenty percent (20%) of the gross receipts received as fees charged persons for the privilege of playing in card games.
- D. Amusement games in the amount of two percent (2%) of the gross revenue therefrom, less the amount paid for or as prizes.

Section 4. Tax Exception - Charitable and non profit organizations.

- A. The rate of tax on bingo, raffles, and amusement games shall be five percent (5%) of the first \$50,000.00 of gross annual receipts less the amount paid for prizes, and ten percent (10%) of any gross receipts in excess of \$50,000.00 less the amount paid for prizes for organizations defined by RCW 9.46.020 (3) as charitable or non-profit.
- B. Charitable or non-profit organizations conducting such activities not more than once each calendar year and with less than \$10,000.00 gross annual receipts from such activities shall be exempt from taxation.

Section 5. Procedure for Payment. The taxes imposed shall be due and payable in monthly installments and remittance therefore shall be made on or before the fifteenth day of the month next succeeding the end of the monthly period in which tax accrued. The taxpayer shall, on or before the fifteenth day of said month,

make out a return on such forms and setting forth such information as the City Treasurer may require showing the amount of the tax for which he is liable for the preceding monthly period, sign and transmit the same to the City Treasurer together with a remittance for such amount, PROVIDED:

- A. Whenever any person, association or organization taxable hereunder conducting or operating a taxable activity on a regular basis terminates the business, sells out or otherwise disposes of its business, any tax due hereunder shall become due and payable and such taxpayer shall within ten (10) days thereafter make a return and pay the tax due.
- B. Whenever it appears to the City Treasurer that the collection of taxes from any person, association or organization may be in jeopardy, the Treasurer after not less than ten (10) days' notice to the taxpayer is authorized to require that the taxpayer remit taxes and returns at such shorter intervals than monthly as the Treasurer shall deem appropriate under the circumstances.

Section 6. Administration and Collection. Administration and collection of the various taxes imposed by this ordinance shall be the responsibility of the City Treasurer. The taxpayer shall be required to swear and affirm by signature that the information given in the return is true, accurate and complete under penalty of perjury. The Treasurer is authorized but not required to mail to taxpayers forms for returns. Failure of the taxpayer to receive such a form shall not excuse the taxpayer from making the return and timely paying all taxes due. The Treasurer shall make forms available to the public in reasonable numbers in the Treasurer's office during regular business hours. Along with the tax remittance and return form for each month ending a calendar quarter year, each taxpayer shall submit to the Treasurer a copy of his quarterly report to the Washington State Gambling Commission required by WAC 230-08 as now or hereafter amended.

Section 7. Terms of Acceptance of Payment. Taxes payable hereunder shall be remitted to the City Treasurer on or before the time required by bank draft, certified check, cashier's check, personal check, money order or in cash. If payment is made by a draft or check the tax shall not be deemed paid until the draft or check is collected upon by the City or the bank representing the City. Nor shall the acceptance of any sum of the Treasurer be an acquittance or discharge of the tax unless the amount paid is the full amount due. The return and copy of the quarterly report to the Washington State Gambling Commission shall be filed in the office of the Treasurer after notation of that office upon the return of the amount actually received.

Section 8. Penalties and Interest Charges for Late Payment. If full payment of any tax or fee due under this ordinance is not received by the Treasurer on or before the date due, there shall be added to the amount due a penalty fee as follows:

- A. 1 - 10 days late - - ten percent (10%) of tax due;
- B. 11 - 20 days late - - fifteen percent (15%) of tax due;
- C. 21 - 30 days late - - twenty percent (20%) of tax due;
- D. 31 - 60 days late - - twenty-five percent (25%) of tax due.

In addition to the above penalty, the Treasurer shall charge the taxpayer interest of twelve percent (12%) of all taxes and fees due for each thirty-day period or portion thereof that said amounts are past due. Failure to make payment in full of all tax amounts and penalties within sixty (60) days following the day the tax amount initially became due shall be both a civil and a criminal violation of this section.

Section 9. Filing Required Before Operation of Taxable Activity. In order that the City of Gig Harbor may identify those persons who are subject to taxation under this ordinance, each person, association or organization shall file with the City Treasurer a sworn declaration of intent to conduct an activity taxable under this chapter upon a form to be prescribed by the Treasurer together with a copy of the license issued therefor by the Washington State Gambling Commission. The filing shall be made not

later than 15 days prior to conducting or operating the taxable activity. No fee shall be charged for such filing which is not for the purpose of regulation of this activity but for the purposes of administration of this taxing ordinance only. Failure to timely file shall not excuse any person, association or organization from tax liability.

Section 10. Filing - - New Declaration Necessary After License Expiration, Suspension, or Revocation. A new declaration of intent to conduct or operate any of the activities taxable under this chapter shall be required prior to the recommencement of the activity following the expiration, suspension or revocation of any license previously issued by the Washington State Gambling Commission in the same manner as described in Section 9.

Section 11. Records of Activity Required. Each person, association or organization engaging in an activity taxable under this ordinance shall maintain records respecting that activity which truly, completely and accurately disclose all information necessary to determine the taxpayer's tax liability hereunder during each base tax period. Such records shall be kept and maintained for a period of not less than three years. In addition, all information and items required by the Washington State Gambling Commission under WAC 230-08 and the United States Internal Revenue Service respecting taxation shall be kept and maintained for the period required by those agencies. All books, records and other items required to be kept and maintained under this section shall be subject to and immediately made available for inspection and audit during normal business hours with or without notice at the place where such records are kept on demand by the Gig Harbor City Council, the City Attorney, the Treasurer, or the Auditor or their designees for the purpose of enforcing the provisions of this taxing ordinance. Failure of a taxpayer to keep books and records as required by this section shall be a bar to contesting the assessment of taxes as estimated by the City Treasurer.

Where a taxpayer does not keep all of the books, records or items required to be kept or maintained under this section in this jurisdiction so that the above officials or their designees may examine them conveniently, the taxpayer shall either:

- A. Produce all of the required books, records or items within this jurisdiction for such inspection within 5 days following a request of the above officials that he do so or;
- B. Bear the actual cost of inspection by the above officials or their designees at the location where such books, records or items are located, provided that a taxpayer choosing to bear these costs shall pay in advance to the above stated officials or their designees the estimated costs thereof, including but not limited to, round trip fare by the most rapid means, lodging, meals and incidental expenses; the actual amount due or to be refunded for expenses shall be determined following said examination of the records.

Section 12. Overpayments and underpayments - - Refunds and Penalties. If upon application by a taxpayer for a refund or for an audit of his records or upon any examination of the returns or records of any taxpayer it is determined by the treasurer that within three years immediately preceding receipt by the treasurer of the application by the taxpayer for a refund or an audit in the absence of such an application within the three years immediately preceding the commencement by the treasurer of such examination:

- A. A tax or other fee has been paid in excess of that properly due, the total excess paid over all amounts due to the City within such period of three years shall be credited to the taxpayer's account or shall be refunded to the taxpayer at the taxpayer's option. No refund or credit shall be allowed with respect to the treasurer for more than three years before the date of such application for examination.
- B. A tax or other fee has been paid which is less than that properly due or no tax or other fee has been paid, the

treasurer shall mail a statement by certified mail to the taxpayer showing the balance due including the tax amount or the penalty, assessments and fees, and it shall be a separate additional violation of this ordinance if a taxpayer fails to make a payment in full within ten (10) calendar days of such mailing.

Section 13. Failure of taxpayer to file return - - Treasurer authorized to set tax due. If any taxpayer fails, neglects or refuses to make and file his return as and when required under this ordinance, the treasurer is authorized to determine the amount of tax payable together with any penalty and/or interest assessed under the provisions of this ordinance and by certified mail to notify such taxpayer of the amount so determined, which amount shall thereupon become the tax penalty and/or interest and shall become immediately due and payable.

Section 14. Tax separate from license fee. The tax herein levied shall be additional to any license fee or tax imposed or levy under any law or any other ordinance of the City of Gig Harbor except as herein otherwise expressly provided.

Section 15. Rules and regulations - - Treasurer to adopt, publish, and enforce. The treasurer shall have the power and it shall be his duty from time to time to adopt, publish and enforce rules and regulations not inconsistent with this ordinance or with superior law for the purposes of carrying out the provisions hereof and it shall be unlawful to violate or fail to comply with any such rule or regulation.

Section 16. Tax due constitutes debt. Any tax due and unpaid under this ordinance and all penalties or fees shall constitute a debt to the City of Gig Harbor, a legal subdivision of the State of Washington and may be collected by court proceedings the same as any other debt in like amount which shall be in addition to all other existing remedies.

Section 17. Four-year limit on recovery. The right of recovery by the City from the taxpayer for any tax provided hereunder shall be outlawed after the expiration of four calendar years from the date said tax became due. The right of recovery against the City because of overpayment of tax by any taxpayer shall be outlawed after the expiration of four calendar years from the date such payment was made.

Section 18. Violations - - Penalty. Any person violating or failing to comply with any of the provisions of this chapter or any lawful rule or regulation adopted by the treasurer pursuant thereto and upon conviction thereof shall be punished by a fine in any sum not to exceed three hundred dollars (\$300.00) or by imprisonment in the Pierce County Jail for a term not exceeding ninety (90) days or by both such fine and imprisonment. Any taxpayer who engages in or carries on any gambling activities subject to a tax hereunder without having complied with the provisions of this chapter shall be guilty of a violation of this chapter for each day in which the gambling activity is carried on.

Section 19. Severability. If any provision or section of this chapter shall be held void or unconstitutional, all other parts, provisions and sections of this section not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 20. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of June 1982.

Ruth M. Bogue
Ruth M. Bogue, Mayor

ATTEST:

Jeffrey G. Alder
Jeffrey G. Alder
Administrator/Clerk

RECORDED

INDEXED

EX-100

SEP 13 1978

AN ORDINANCE repealing Ordinance No. 180 relating to Gambling Tax.

WHEREAS, the Gig Harbor City Council determined that Section 2 subsection 2 conflicts with the Washington State Gambling Code 9.46.110; and,

WHEREAS, the City Council determined that the language is difficult to administer; and,

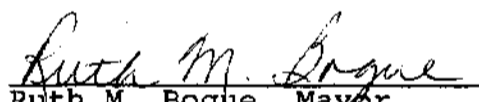
WHEREAS, the City Council wishes to change the prescribed penalties;

The City Council of the City of Gig Harbor DO ORDAIN as follows:


Section 1. Ordinance No. 180 entitled: "AN ORDINANCE relating to the taxation of bingo, raffles and amusement games, levying a tax thereon, and providing for the collection of said tax by the Town of Gig Harbor." is hereby repealed.

Section 2. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of June 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeffrey Shider
Administrator/Clerk

AN ORDINANCE imposing a sales or use tax upon and to be collected from those persons from whom the state sales or use tax is collected, fixing the rate of tax, providing for the administration and collection thereof, consenting to the inspection of records and providing penalties for the violation thereof.

The City Council of the City of Gig Harbor, Washington do ordain as follows:

Section 1. Imposition of sales - use tax.

There is hereby imposed a sales or use tax, as the case may be as authorized by RCW 82.14.030(2), upon every taxable event, as defined in RCW 82.14.020, occurring within the City of Gig Harbor. The tax shall be imposed upon and collected from those persons from whom the state sales tax or use tax is collected pursuant to Chapters 82.08 and 82.12 RCW.

Section 2. Rate of tax imposed.

The rate of the tax imposed by Section 1 of this ordinance shall be one-half of one percent of the selling price or value of the article used, as the case may be; PROVIDED, HOWEVER, that during such period as there is in effect a sales tax or use tax imposed by Pierce County under Section 17(2), Chapter 49, Laws of 1982, First Extraordinary Session at a rate equal to or greater than the rate imposed by this section, the County shall receive fifteen percent of the tax imposed by Section 1: PROVIDED FURTHER, that during such period as there is in effect a sales tax or use tax imposed by Pierce County under Section 17(2), Chapter 49, Laws of 1982, First Extraordinary Session at a rate which is less than the rate imposed by this section, the County shall receive from the tax imposed by Section 1 that amount of revenues equal to fifteen percent of the rate of the tax imposed by the County under Section 17(2), Chapter 49, Laws of 1982, First Extraordinary Session.

Section 3. Administration and collection of tax.

The administration and collection of the tax imposed by this ordinance shall be in accordance with the provisions of RCW 82.14.050.

Section 4. Consent to inspection of records.

The City of Gig Harbor hereby consents to the inspection of such records as are necessary to qualify the City for inspection of records of the Department of Revenue, pursuant to RCW 82.32.330.

Section 5. Authorizing execution of contract for administration.

The Mayor and Clerk are hereby authorized to enter into a contract with the Department of Revenue for the administration of this tax.

Section 6. Special initiative.

This ordinance shall be subject to a Special Initiative for a 30 day period commencing at the time of final passage. The number of registered voters needed to sign a petition for Special Initiative shall be fifteen percent of the total number of names of persons listed as registered voters within the city on the day of the last preceding city general election. If a Special Initiative Petition is filed with the City Council, the operation of this ordinance shall be suspended until the Special Initiative Petition is found insufficient or until this ordinance receives a favorable majority vote by the voters. The procedures for Referendum upon Petition contained in RCW 35A.11.100 shall apply to any such Special Initiative Petition.

Section 7. Penalties.

Any seller who fails or refuses to collect the tax as required with the intent to violate the provisions of this ordinance or

to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined no more than \$500 or imprisonment for not more than six months, or by both such fine and imprisonment.

Section 8. A reference to a state statute in this ordinance shall include all addendums to these statutes hereafter.

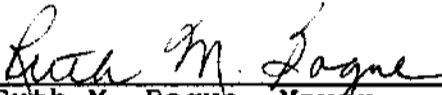
Section 9. Severability.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provisions to other persons or circumstances is not affected.

Section 10. Effective date.

This ordinance is effective and in full force October 1, 1982.

PASSED by the City Council and approved by the Mayor at a regular meeting this 13th day of September, 1982.



Ruth M. Bogue, Mayor

ATTEST:



Jeffrey R. Snider
Administrator/Clerk

ORDINANCE NO. 400

AN ORDINANCE relating to the licensing of temporary businesses: Repealing the original Ordinance No. 41; and, adopting new provisions to define terms, establish fees, and define penalties for violations.

WHEREAS, the Gig Harbor City Council determined that Ordinance No. 41 does not adequately address nor regulate all temporary business operations; and

WHEREAS, the Gig Harbor City Council determined it necessary to continue the licensing and regulation of temporary businesses; NOW THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Ordinance No. 41 entitled: "AN ORDINANCE relating to the licensing of peddlers, canvassers and transient auctioneers and merchants, and providing penalties for violation thereof: is hereby repealed.

The City Council further ordains as follows:

Section 2. Exercise of Revenue License Power. The provisions of this ordinance shall be deemed an exercise of the power of the City of Gig Harbor to license for revenue the privilege of engaging in temporary business in the City of Gig Harbor.

Section 3. License Required. It shall be unlawful for any person to engage in a temporary business in the City of Gig Harbor without first obtaining a license pursuant to the provisions of this ordinance.

Section 4. Definitions. For the purposes of this ordinance, words and phrases have the following meanings:

- A. BUSINESS shall mean all activities engaged in with the object of financial gain, benefit, or advantage to the licensee or to another person or class, directly or indirectly.
- B. LICENSE YEAR shall mean the calendar year.
- C. NONPROFIT shall mean that a nonprofit status was granted pursuant to the Internal Revenue Code of 1954.
- D. TEMPORARY shall mean operating less than thirty (30) days in a calendar year at a non-fixed or non-permanent location.

Section 5. Exemptions. Except as hereinafter provided, the provisions of this ordinance shall not apply to:

- (a.) Any edible products raised and sold by any farmer or gardener;
- (b.) Any edible fish or other edible aquatic animals taken from the water and sold by any fisherman;
- (c.) Merchants or their employees in delivering goods in the regular course of business;
- (d.) Any organization with a non-profit status; and,
- (e.) Persons delivering newspapers.

Section 6. Bond Required. Each applicant for a license shall file with an application a good and sufficient bond in the sum of five hundred dollars which shall be approved by the City Attorney.

Section 7. License Fees. The license fees for a temporary business shall be and are hereby fixed at twenty dollars (\$20.00) a day or four hundred dollars (\$400.00) per calendar year. The applicant shall select a per day or per year fee at the time of application.

Section 8. Method of Payment. The license fee shall be paid to the city by bank draft, certified check, cashier's check, personal check or money order or in cash. If payment is made by draft or check, the fee shall not be deemed paid unless the check or draft is honored in the usual course of business; nor shall the acceptance of any sum by the city be an acquittance or discharge of the fee unless the amount of the payment is in the full and actual amount due. Full payment shall be filed with the application.

Section 9. Responsibility for Licensing. Any person, firm or corporation employing any group of persons in any temporary business in the City of Gig Harbor shall be responsible for the licensing of all such persons so engaged, and failure to carry out this duty shall constitute a violation of this ordinance.

Section 10. City Clerk to Make Rules. The City Clerk shall adopt, publish and enforce rules and regulations not inconsistent with this ordinance for the purpose of carrying out the provisions thereof, and it shall be unlawful to violate or fail to comply with any such rule or regulation.

Section 11. Violation - Penalties. It shall be the duty of all persons operating a temporary business to comply with the provisions of this ordinance. Failure to comply shall be a violation and shall result in the application of one or all of the following penalties:

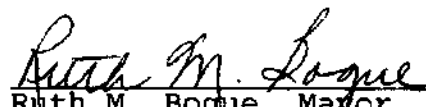
- A. The license shall be suspended or denied by the City Clerk until all fees and penalties are paid.
- B. The business owner shall be assessed a penalty in the amount of twenty-five dollars (\$25.00) for each and every day of violation.

Section 12. Fee and Penalties Constitute a Debt. Any license fee due and unpaid under this ordinance, and all penalties thereon, shall constitute a debt to the City of Gig Harbor and may be collected by court proceedings in the same manner as any other debt in like amount, which remedy shall be in addition to all other existing remedies.

Section 13. Severability. If any provision or section of this ordinance shall be held void or unconstitutional, all other parts, provisions and sections of this ordinance not expressly so held to be void or unconstitutional shall continue in full force and effect.

Section 14. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 13th day of September, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeffrey Snyder
Administrator/Clerk

AN ORDINANCE relating to an Ad Valorem Tax: fixing the tax levies and excess levies for 1983.

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. The annual Ad Valorem tax levies required to raise estimated revenues for the City of Gig Harbor in 1983 shall be levied upon each taxable dollar of real and personal property. The approximate total value is \$104,365,787.00 estimated at 100 per cent of appraised value. Tax levied upon this value shall be:


- A. Approximately \$1.9220 per thousand producing estimated revenue of \$200,591.00; and,
- B. Approximately \$.1526 per thousand producing estimated revenue of \$15,926.00.

Section 2. The annual Ad Valorem tax excess levies required to raise estimated revenues for 1983 shall be levied upon each taxable dollar of real and personal property. The approximate total value is \$95,761,803.00 estimated at 100 per cent of appraised value. Tax levied upon this value shall be:


- A. Approximately \$.6480 per thousand producing estimated revenue of \$62,000.00; and,
- B. Approximately \$.1210 per thousand producing estimated revenue of \$11,530.00.

Section 3. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the Council of the City of Gig Harbor and APPROVED by the Mayor at a regular meeting this 11th day of October, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeffrey Gilder
Administrator/Clerk

ORDINANCE NO. 402

AN ORDINANCE relating to special funds: establishing a Capital Projects Fund and a General Government Contingency Fund.

WHEREAS, the Gig Harbor City Council determined a need for better management control of capital moneys; and,

WHEREAS, the City Council finds a need to cumulate capital moneys to meet future community needs; and,

WHEREAS, the City Council finds a need to cumulate moneys to meet unanticipated expenditures and to prevent a constraint of the city's budget goals and objectives; and,

WHEREAS, the Washington Budgeting, Accounting, Reporting System allows the designation of moneys for specific uses; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:


Section 1. A special purpose accounting fund known as the "Capital Projects Fund" is established. Within this fund, separate line item accounts entitled "capital improvements" and "capital replacements" are established for each of the following funds: General Government; Streets; Water; and, Sewer. And as required by the Washington Budgeting, Accounting, and Reporting System (BARS) the capital project fund accounting code shall be designated as "300".

Section 2. A special purpose accounting fund known as the "General Government Contingency Fund" is established. And as required by the Washington BARS System the contingency fund accounting code shall be designated as "604".

Section 3. The Capital Project Fund and the General Government Contingency Fund shall account for all deposits and disbursements for the purposes of capital improvements, capital replacements, and emergency expenditures and shall not be used for other purposes.

Section 4. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 25th day of October, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 403

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON AMENDING TITLE 9 OF THE GIG HARBOR CITY CODE BY ADDING A NEW CHAPTER THERETO ENTITLED "OFFENSES AGAINST PUBLIC MORALS"; DEFINING AND PROHIBITING THE CRIMINAL OFFENSES OF UNLAWFUL PUBLIC EXPOSURE, AND FACILITATING UNLAWFUL PUBLIC EXPOSURE; PROHIBITING THE CRIMES OF PROSTITUTION, PERMITTING PROSTITUTION AND PATRONISING A PROSTITUTE; AND PROVIDING PENALTIES FOR THE COMMISSION OF SAID OFFENSES; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that the activities defined and prohibited hereinafter are detrimental to the public health, safety, morals and general welfare, and

WHEREAS, the City Council finds that certain forms of public nudity and sexual activity degrade the quality of the City's residential and business environment, and

WHEREAS, the City Council intends to regulate conduct as set forth hereinafter for the purposes of protecting the quality of the City's residential and business environment without interfering with the free exchange and expression of ideas, now, therefore,

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

Section 1. Title 9 of the Gig Harbor City Code is hereby amended by adding a new Chapter 9.29 thereto entitled "Offenses Against Public Morals," to read as follows:

DEFINITIONS

As used in this chapter, the following words and terms shall have the meaning set forth in this section:

A. "Expressive dance" and "expressive performance"

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means any dance or performance which, when considered in the context of the entire dance or performance, constitutes an expression of theme, story or ideas, but excluding any dance or performance which, when considered in the context of the entire dance or performance, is presented primarily as a means of displaying nudity as a sales device or for other commercial exploitation without substantial expression of theme, story or ideas.

B. "Exposed" means the state of being revealed, exhibited or otherwise rendered open to view by others in a public place.

C. "Public Exposure" means the act of revealing, exhibiting or otherwise rendering open to view by others in a public place.

D. "Public Place" means any place in which the general public has a right to be present, whether within or without a building and whether or not attendance at such place is conditioned upon payment of a fee, and/or whether or not access is restricted according to age.

E. "Sexual Contact" means any touching, caressing or fondling of the genitals, breasts or buttocks of a person, done for the purpose of gratifying sexual desire of, or sexually stimulating either party.

F. "Sexual intercourse"

1. Has its ordinary meaning and occurs upon any penetration, however slight; and

2. Also means any penetration of the vagina or anus however slight, by an object, when committed on one person by another, whether such persons are of the same or opposite sex, except when such penetration is accomplished for medically recognized treatment or diagnostic purposes; and

3. Also means any act of sexual contact between persons involving the sex organs, anus, or breasts of one person

with any portion of the body of another whether such persons are of the same or opposite sex.

G. "Unlawful Public Exposure" means:

1. A public exposure of any portion of a person's genitals, or buttocks, or anus;

2. A public exposure of any portion of the female breast lower than the upper edge of the aureola; or

3. A public exposure consisting of sexual contact.

H. "prostitution" means; the engaging in or the agreement or offering to engage in sexual intercourse or sexual contact with another person for a fee.

UNLAWFUL PUBLIC EXPOSURE PROHIBITED

It shall be unlawful for any person to intentionally commit any act constituting unlawful public exposure as defined in this chapter.

FACILITATING UNLAWFUL PUBLIC EXPOSURE PROHIBITED

It shall be unlawful for the owner, lessee, manager, operator or other person in charge of any public place to knowingly permit, encourage or cause to be committed, whether by commission or omission, any unlawful public exposure upon said premises.

EXEMPTIONS

The prohibitions set forth in Sections _____ and _____ shall not apply to any:

A. "Expressive Dance" or expressive performance" as defined in Section _____;

PROSTITUTION - SEX OR PARTIES IMMATERIAL - NO DEFENSE

It is unlawful to engage in prostitution. In any prosecution for prostitution, the sex of the two parties or prospective parties to the sexual conduct engaged in, contemplated, or solicited is immaterial.

and it is no defense that:

A. Such persons were of the same sex; or

B. The person who received, agreed to receive, or solicited a fee was a male and the person who paid or agreed or offered to pay such fee was female.

PERMITTING PROSTITUTION

It is unlawful if a person permits prostitution. A person permits prostitution if, having possession or control of premises which he or she knows are being used for prostitution purposes, he or she fails without lawful excuse to make reasonable effort to halt or abate such use.

PATRONIZING A PROSTITUTE

Patronizing a prostitute is unlawful. A person patronizes a prostitute if:

A. Pursuant to a prior understanding he or she pays a fee to another person as compensation for such person or a third person to engage in sexual intercourse or sexual contact with him or her; or

B. He or she pays or agrees to pay a fee to another person pursuant to an understanding that in return therefor such person will engage in sexual intercourse or sexual contact with him or her; or

C. He or she solicits or requests another person to engage in sexual intercourse or sexual contact with him or her in return for a fee.

LOCATION OF PERFORMERS PROVIDING CERTAIN FORMS OF ENTERTAINMENT

RESTRICTED

It is unlawful for an entertainer to appear in any public place while unclothed or with anus or any portion of the buttocks, genitals,

public region or female breasts exposed, except upon a stage or other surface raised at least 18 inches above the level of the floor upon which the closest patrons are seated or standing, nor closer than six feet from the nearest patron.

PENALTY

Violation of any of the provisions of this chapter constitutes a misdemeanor, punishable by a fine of up to \$500.00.

^A
Section 2. Severability 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.

^B
Section 3. This ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

CITY OF GIG HARBOR


MAYOR, RUTH M. BOGUE

ATTEST/AUTHENTICATED:


CITY CLERK

OCTOBER 25, 1982
DATE OF APPROVAL BY CITY COUNCIL

APPROVED AS TO FORM:

WILLIAM L. HESS, City Attorney

ORDINANCE NO. 404

AN ORDINANCE relating to 1983 Federal Revenue Sharing Money: authorizing disbursement of portions to specific accounts.

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. The 1983 Federal Revenue Sharing appropriation of \$28,016.00 shall be disbursed as follows:


NON-DEPARTMENT EXPENSES	\$16,116.00
Library Maintenance	1,000.00
Alcohol Program	750.00
Pierce County Health Dept.	3,100.00
Senior Citizens	750.00
Air Pollution	550.00
Fire Prevention Services	1,860.00
Association Dues	700.00
Hydrant Rent	360.00
Insurance	5,000.00
Registration & Election	1,000.00
Misc. Off Publications	1,046.00
PARKS AND RECREATION	\$11,900.00
Salaries & Wages	5,800.00
Personnel Benefits	1,300.00
Operating Supplies	2,000.00
Services & Charges	2,300.00
Equipment	500.00

Section 2. Effective Date. This ordinance is effective and in full force January 1, 1983 following its approval, passage, and publication by law.

PASSED by the Council of the City of Gig Harbor and APPROVED by the Mayor at a regular meeting this 8th day of November, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snyder
Administrator/Clerk

AN ORDINANCE relating to the 1983 Budget: estimating revenues and authorizing expenditures.

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1.

ESTIMATED REVENUE

General Government	\$ 825,199.00
Street Fund	154,745.00
Arterial Street Fund	44,154.00
Library	3,120.00
Federal Revenue Sharing	28,016.00
Water Fund	214,369.00
Sewer Fund	255,988.00
Sewer Project Construction Fund	90,000.00
Water Bond Redemption	23,772.00
Water Bond Reserve	20,500.00
Water Construction	3,000.00
Sewer ULID Redemption	547,000.00
Sewer Bond Reserve	166,500.00
Storm Sewer Construction	273.00
G. O. Bond - Fire	11,530.00
G. O. Bond - Sewer	62,000.00
Capital Project Fund	177,356.00
General Government Contingency	14,000.00
Sewer Contingency	16,240.00
Trust Fund	<u>6,500.00</u>
Total Estimated Revenue	\$2,664,262.00

Section 2.

ESTIMATED EXPENDITURES

General Government	\$ 825,199.00
Street Fund	154,745.00
Arterial Street Fund	44,154.00
Library	3,120.00
Federal Revenue Sharing	28,016.00
Water Fund	214,369.00
Sewer Fund	255,988.00
Sewer Project Construction Fund	90,000.00
Water Bond Redemption	23,772.00
Water Bond Reserve	20,500.00
Water Construction	3,000.00
Sewer ULID Redemption	547,000.00
Sewer Bond Reserve	166,500.00
Storm Sewer Construction	273.00
G. O. Bond - Fire	11,530.00
G. O. Bond - Sewer	62,000.00
Capital Project Fund	177,356.00
General Government Contingency	14,000.00
Sewer Contingency	16,240.00
Trust Fund	<u>6,500.00</u>
Total Estimated Expenditures	\$2,664,262.00


Section 3. Attachment "A" is adopted as the 1983 personnel salary schedule.

Section 4. Effective Date. This ordinance is effective and in full force on January 1, 1983 following approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor
at a regular meeting this 8th day of
November, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Miller,
Administrator/Clerk

ORDINANCE NO. 406

AN ORDINANCE relating to Sewer Service charges: amending Section 2 of the Municipal Sewer System Ordinance (No. 389) to replace an obsolete reference therein and to add a provision.

WHEREAS, the City Council determined that it is cost-ineffective to computer program and administer an interest rate based on a one year period; and,

WHEREAS, the City Council concluded that a payment period of 30 days does not allow efficient billing of utility accounts; and,

WHEREAS, the Council determined that a standby charge is necessary to pay the cost of reserving capacity for users who temporarily discontinue service:


NOW, THEREFORE, the City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. Section 2 of Ordinance 389 is amended to read as follows:


"SECTION 2. BILLING: Billing shall commence on the first available date, which date shall be the same as the water billing date. New users shall pay a pro rata charge on the first available billing date. The City shall have a lien against the user's real property for the delinquent unpaid rates and charges provided for herein together with a late charge equal to ten percent (10%) of the delinquent service charge, and interest thereon at the rate of ~~((twelve-percent~~ ~~(12-per-cent)-per-year))~~ one percent (1%) per month from the date of delinquency, and all costs and fees for foreclosing said lien or otherwise collecting the delinquent accounts. The account shall be delinquent ~~((thirty-(30)-days))~~ twenty-
(20) days from the billing date. (When a user requests temporary discontinuance of service, a standby charge equal to 60% of the full-service rate shall be billed regularly until service is resumed. If service is resumed during a billing period, the regular rate shall apply)."

Section 2. Effective Date. This ordinance shall be effective and in full force five days after its passage, approval and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular open meeting this 22nd day of November, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Soder,
Administrator/Clerk

ORDINANCE NO. 407

AN ORDINANCE relating to the Municipal Water System Ordinance: amending Sections 4 and 6 of Ordinance No. 388 to replace obsolete references therein and to add new provisions.

WHEREAS, the Gig Harbor City Council determined that it is cost-ineffective to computer program and administer an interest rate based on a one year period; and

WHEREAS, the City Council concluded that a payment period of 30 days does not allow efficient billing of utility accounts; and,

WHEREAS, the City Council determined that a standby charge is necessary to pay the cost of maintaining water lines and reserving water capacity to meet fire flow requirements when normal service is temporarily discontinued; and,

WHEREAS, the City Council concluded that the frequent name changes on accounts causes additional personnel time and computer time and therefore a specific charge for this service is necessary: NOW, THEREFORE, the City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. Section 4 of Ordinance No. 388 is amended to read as follows:

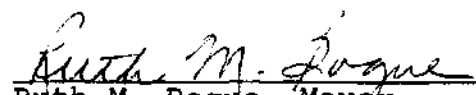
"Section 4. A specified rate shall be in effect in those instances water is not actually used upon the premises but is only available for the purpose of (~~affording~~) fire protection. Said rate shall be as follows: As a standard charge (~~only-without-regard-to-size-of-service~~), where no water is used, (~~(\$10.25-per-monthly-period)~~) 60% of the regular rate. In the event water is used from (~~such~~) a meter in any particular monthly period, the regular rates shall be charged for the particular monthly period."

Section 2. Section 6 of Ordinance No. 388 is amended to read as follows:

"Section 6. (Billing) Water service charges shall be deemed delinquent if not paid within (~~thirty-(30)-days~~) twenty (20) days following the billing date. A late charge equal to 10 per cent of the delinquent service charge shall be imposed at the time of such delinquency, and interest at the rate of (~~12-per-cent-per-annum~~) one per cent (1%) per month shall be charged on all delinquent service charges and late charges. (A charge of \$10.00 shall be assessed for each name change to an account. Regardless of the reason for discontinued service, a turn-on charge of \$15.00 shall be assessed when service is resumed.)"

Section 3. Effective Date. This ordinance shall be effective and in full force five days after its passage, approval, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular open meeting this 22nd day of November, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Smith, Administrator

ORDINANCE NO. 408

AN ORDINANCE relating to occupation tax: amending Section 5 of Ordinance No. 129 to replace an obsolete reference therein.

WHEREAS, the Gig Harbor City Council finds it necessary to raise additional revenue to continue required services for the community; and,

WHEREAS, Senate Bill 4792, passed in 1982, authorizes municipal corporations to assess a 6% tax on utilities; and,

WHEREAS, the City of Gig Harbor present rate of 3% is 5½% below the average utility tax in the State of Washington; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. Section 5 of Ordinance No. 129 shall read as follows:

"Section 5. Occupations subject to tax - amount. There are hereby levied upon, and shall be collected from, the persons on account of the business activities annual license fees or occupation taxes in the amounts to be determined by the application of the rates against gross income, as follows:

Upon every person engaged in or carrying on a telephone business, electrical power business, water business, sewer business and a business for furnishing natural gas, a fee or tax equal to (~~three~~) four per cent of the total gross income from such businesses in the (~~Town~~) City during his fiscal year next preceding the tax year for which the license is required."

Section 2. Effective Date. This ordinance is effective and in full force January 1, 1983 following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 22nd day of November, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Salter
Administrator/Clerk

CITY OF GIG HARBOR, WASHINGTON

SEWER REVENUE BONDS, 1982

\$93,000

ORDINANCE NO. 409

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, SPECIFYING AND ADOPTING A PLAN OF ADDITIONS AND BETTERMENTS TO THE EXISTING SEWER SYSTEM OF THE CITY; FIXING THE ESTIMATED COST THEREOF; PROVIDING FOR THE ISSUANCE OF SEWER REVENUE BONDS OF THE CITY TO PAY THE COSTS THEREOF; FIXING THE DATE, FORM, TERMS, MATURITIES AND COVENANTS OF SAID BONDS; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS FROM THE BOND REDEMPTION FUND OF THE CITY; PROVIDING FOR PAYMENTS INTO THE RESERVE ACCOUNT OF SAID BOND REDEMPTION FUND; PROVIDING CERTAIN COVENANTS AND PROTECTIVE FEATURES SAFEGUARDING THE PAYMENT OF SUCH PRINCIPAL AND INTEREST; RESERVING THE RIGHT IN THE CITY TO ISSUE REVENUE BONDS ON A PARITY WITH SUCH BONDS TO BE ISSUED IN COMPLIANCE WITH CERTAIN CONDITIONS; AND CONFIRMING THE SALE OF SUCH BONDS TO H. JACKSON SHIRLEY & CO., INC.

INTRODUCED _____

PASSED 12-13-82

Prepared by:
Preston, Thorgrimson,
Ellis & Holman

CITY OF GIG HARBOR

ORDINANCE NO. _____

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**This Table of Contents along with the Cover Page is included for convenience of reference only and is not part of the ordinance.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, SPECIFYING AND ADOPTING A PLAN OF ADDITIONS AND BETTERMENTS TO THE EXISTING SEWER SYSTEM OF THE CITY; FIXING THE ESTIMATED COST THEREOF; PROVIDING FOR THE ISSUANCE OF SEWER REVENUE BONDS OF THE CITY TO PAY THE COSTS THEREOF; FIXING THE DATE, FORM, TERMS, MATURITIES AND COVENANTS OF SAID BONDS; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON SUCH BONDS FROM THE BOND REDEMPTION FUND OF THE CITY; PROVIDING FOR PAYMENTS INTO THE RESERVE ACCOUNT OF SAID BOND REDEMPTION FUND; PROVIDING CERTAIN COVENANTS AND PROTECTIVE FEATURES SAFEGUARDING THE PAYMENT OF SUCH PRINCIPAL AND INTEREST; RESERVING THE RIGHT IN THE CITY TO ISSUE REVENUE BONDS ON A PARITY WITH SUCH BONDS TO BE ISSUED IN COMPLIANCE WITH CERTAIN CONDITIONS; AND CONFIRMING THE SALE OF SUCH BONDS TO H. JACKSON SHIRLEY & CO., INC.

WHEREAS, the City of Gig Harbor, Washington, operates and maintains a system of sewerage (the "System"), which System is in need of certain additions, betterments and improvements; and

WHEREAS, in order to pay part of the cost of acquiring, constructing and installing such additions, betterments and improvements to said sanitary sewerage system it is deemed necessary that the City issue and sell \$93,000 of its sewer revenue bonds (hereinafter defined as the "Bonds") on a parity with the Outstanding Bonds; and

WHEREAS, the City has received the offer of H. Jackson Shirley & Co., Inc. of Bellevue, Washington to sell said revenue bonds, which offer has been received and found acceptable to said Company under the terms and covenants therefor as provided herein.

WHEREAS, pursuant to Ordinance No. 173 the City has issued its Sewer Revenue Bonds, 1973 dated December 1, 1973 and outstanding in the principal amount of \$815,000 (the "Outstanding Bonds"); and

WHEREAS, the City reserved the right under Ordinance No. 173 to issue additional bonds on a parity of lien with the Outstanding Bonds upon compliance with certain conditions; and

WHEREAS, the City has been assured that such parity conditions have been or will be complied with prior to the issuance of the Bonds;

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN as follows:

Section 1. Definitions. As used in this ordinance the following words shall have the following meanings:

a. "Assessments" shall mean assessments levied in any utility local improvement district of the City created for the acquisition and construction of additions and betterments to or extensions of the System of the City now or hereafter required by law and ordinances of the City to be paid into the Bond Redemption Fund and shall include installments thereof and any interest and penalties due or which may come due thereon.

b. "Bonds" means the \$93,000 of sewer revenue bonds of the City issued pursuant to and for the purposes authorized in this ordinance.

c. "Bond Redemption Fund" means the special fund of the City created by Ordinance No. 173 for the purpose of paying the principal of, premium if any, and interest on the Bonds and any Parity Bonds and designated "Gig Harbor Sewer Revenue Bond Redemption Fund".

d. "City" means the City of Gig Harbor, Washington, a municipal corporation duly organized and existing under and by virtue of the laws of the State of Washington.

e. "Construction Fund" means the special fund of the City designated as the "Gig Harbor Sewer Construction Fund" for the purpose of holding money to pay the costs of the Project and the costs of Bond issuance.

f. "Future Parity Bonds" means any sewer revenue bonds of the City issued after the date of the issuance of the Bonds and

having a lien upon the money in the Revenue Fund for the payment of the principal thereof, premium if any, and interest thereon equal to the lien upon the money in such Fund for the payment of the principal of, premium if any, and interest on the Bonds and the Outstanding Bonds.

g. "Outstanding Bonds" means the Sewer Revenue Bonds, 1973 of the City issued pursuant to Ordinance No. 173 under date of December 1, 1973 and presently outstanding in the principal amount of \$815,000.

h. "Parity Bonds" means the Outstanding Bonds, the Bonds and any Future Parity Bonds.

i. "Project" means the plan of additions, betterments and improvements to the System specified and adopted by Section 2 of this ordinance.

j. "Reserve Account" means the account of that name created in the Bond Redemption Fund by Ordinance No. 173 for the purpose of securing the payment of the principal of and interest on all Parity Bonds.

k. "Revenue Fund" means the special fund of the City created by Ordinance No. 173 and designated as the "Gig Harbor Sewer Revenue Fund".

l. "System" means the sanitary sewerage system of the City as authorized by Ordinance No. 147 and Ordinance No. 158 of the City and as the same may be added to, improved and extended for as long as any Parity Bonds are outstanding. In the event that the City shall determine at any time hereafter to operate a combined water and sewer system, the term "System" as defined herein shall be deemed to include all facilities of the water system of the City.

m. "Term Bond Maturity Year" means any last calendar year in which the bonds of any one issue or series are scheduled to

mature (without regard to any reservation of prior redemption rights) in which the amount of such bonds scheduled to mature is more than 1.25 times the average annual principal maturity of the bonds of such issue or series for the three years preceding such term bond maturity year.

Section 2. Plan of Additions to the System. The following plan for the acquisition, construction and installation of additions and betterments to the sewerage system (the "System") of the City is hereby specified and adopted:

The City shall acquire, construct and install _____

_____ (the "Project"). The Project is more fully described in plans and specifications therefor prepared by _____, engineer for the City and not on file with the City.

The estimated costs of the Project and all costs incidental thereto is hereby declared to be as near as may be the sum of \$_____, of which \$_____ is to be provided out of the proceeds of the sale of the Bonds.

Section 3. Compliance with Parity Conditions. The City has reserved the right in Ordinance No. 173, passed on November 26, 1973, to issue additional parity sewer revenue bonds upon compliance with certain conditions set forth in Section 10 of said Ordinance No. 173 (the "Parity Conditions").

The City hereby finds and determines, as required by Section 10 of Ordinance 173 as follows:

a. The Bonds are being issued for the purpose of acquiring, constructing and installing additions and betterments and improvements to and extensions of the System;

b. At the time of issuance of the Bonds there will be no deficiency in the Bond Redemption Fund or in the Reserve Account.

c. By Section 10 of this ordinance, the City has covenanted and provided that it will pay into and maintain in the Reserve Account the amounts required by Section 7 of Ordinance No. 173 to be paid into and maintained in said Account and has covenanted and provided in Section 12 of this ordinance that it will establish, maintain and collect rates and charges for water supplied and/or sanitary sewerage collection and disposal service furnished sufficient to meet the same requirements contained in Section 9, subsection a. and b. of Ordinance No. 173.

d. Section 9 of this ordinance provides for the payment of the principal of and interest on the Bonds to be paid from the Bond Redemption Fund.

e. The City Council has been assured that at the time of the delivery of the Bonds, the City will have on file a certificate issued by _____, independent licensed professional engineers experienced in the design, construction and operation of municipal utilities, showing compliance with the requirements of Section 10e. of Ordinance No. 173.

The Parity Conditions being complied with or assured, the Bonds shall have a lien and charge upon the revenue of the System for the payment of the principal thereof and interest thereon equal to the lien and charge upon the revenues of the System of the Outstanding Bonds.

The City hereby further covenants and agrees that the Bonds will not be issued and delivered to the purchaser thereof as bonds on a parity with the Outstanding Bonds until the certificate required herein, in form and content satisfactory to the City and its counsel, has been filed with the City.

Section 4. Authorization of Bonds. For the purpose of paying part of the costs of acquiring, constructing and installing improvements to the sanitary sewerage system for the City, the

City shall issue its sewer revenue bonds (the "Bonds") in the principal amount of \$93,000.

The Bonds shall be dated December 1, 1982, shall be in the denomination of \$5,000 each, except for Bond Nos. 1, 2 and 3 which shall be in the denomination of \$1,000 each, shall bear interest at the following rates payable semiannually on the first days of June and December of each year, commencing with June 1, 1983, shall be numbered from 1 upward and mature on December 1 of each year in order of their number as follows:

<u>Bond Nos.</u>	<u>Maturity Years</u>	<u>Amounts</u>	<u>Interest Rates</u>
1-4	1984	\$ 8,000	9.75%
5	1985	5,000	9.75
6	1986	5,000	10.00
7	1987	5,000	10.00
8	1988	5,000	10.25
9	1989	5,000	10.25
10	1990	5,000	10.50
11	1991	5,000	10.75
12	1992	5,000	10.75
13	1993	5,000	10.75
14-21	1994	40,000	10.75

Both principal of and interest on the Bonds shall be payable in lawful money of the United States of American at the office of the City Treasurer in Gig Harbor, Washington, or at the option of the holder at either of the paying agencies of the State of Washington in Seattle, Washington, or New York, New York and shall be obligations only of the Bond Redemption Fund of the City.

Section 5. Redemption of Bonds. The City hereby reserves the right to redeem all of the outstanding Bonds on December 1, 1989 or on any interest payment date thereafter, in inverse numerical order at a price of 100% of the principal amount of the Bonds being redeemed plus accrued interest thereon to date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in the official City newspaper not more than forty nor less than thirty days prior to said redemption date and

by mailing a like notice at the same time to H. Jackson Shirley & Co., Inc., Bellevue, Washington, at its main place of business, or to the successor in business, if any, of said firm at its main place of business. Interest on any Bond or Bonds so called for redemption shall cease on such redemption date unless the same are not redeemed upon presentation made pursuant to such call.

Section 6. Construction Fund There is hereby created a special fund of the City to be known as the "Gig Harbor Sewer Construction Fund" (herein called the "Construction Fund"). All of the proceeds of sale of the Bonds (except for accrued interest, which shall be paid into the Bond Redemption Fund) shall be paid into such Construction Fund. Any other money which the City may hereafter receive or now has on hand which are to be used for the same purposes for which the Bonds are issued shall also be paid into the Construction Fund. The money in such Fund shall be used for the sole purpose of paying the costs of acquiring, constructing and installing the Project, redeeming any warrants issued to pay such costs and for paying all expenses incidental thereto and to the issuance of the Bonds.

Interest or profits received from the interim investment of such money shall not exceed the applicable limits provided by federal statutes and regulations respecting arbitrage.

Section 7. Revenue Fund A special fund of the City has heretofore been created by Ordinance No. 173 known as the "Gig Harbor Sewer Revenue Fund" (the "Revenue Fund"). All of the gross earnings and revenue of the System shall be paid into the Revenue Fund as collected, and money in such Fund shall be kept segregated from any and all other money of the City.

All costs of maintaining and operating the System, all costs of future additions, betterments, improvements and repairs to and replacements and extensions of the System (except when the same

are financed by the issuance of bonds or coupon warrants), all payments required to be made into the Bond Redemption Fund and the Reserve Account therein, all payments which may be required by subsequent ordinances of the City to be made into any other fund or account created to pay and/or secure the payment of the principal of and interest on any subsequently issued sewer revenue bonds or sewer revenue coupon warrants of the City, shall be paid out of the Revenue Fund.

Section 8. Bond Redemption Fund. Another special fund of the City known as the "Gig Harbor Sewer Revenue Bond Redemption Fund" (the "Bond Redemption Fund") has been created by the City under authority of Ordinance No. 173, which Fund is drawn upon for the sole purpose of paying the principal of, premium, if any, and interest on all Parity Bonds outstanding as the same shall become due and payable.

The City hereby obligates and binds itself to set aside and pay into the Bond Redemption Fund out of the money in the Revenue Fund the following fixed amounts necessary to pay the principal of and interest on the Bonds as the same respectively become due and payable.

Such payments shall be made into the Bond Redemption Fund on or before the twentieth day of each month in the following amounts:

a. Beginning with the month of December, 1982, and continuing for as long as any of the Bonds are outstanding and unpaid, an amount which, together with the money on hand in such Fund and available for such purposes, is equal to at least one-sixth of the interest to become due and payable on the next interest payment date on all of the Bonds then outstanding.

b. Beginning with the month of December, 1983, and continuing for so long as any of the Bonds are outstanding and unpaid, an

amount with, together with the money on hand in such Fund and available for such purposes, is equal to at least one-twelfth of the principal of the Bonds to be come due and payable on the next principal payment date.

Said amounts so pledged to be paid out of the Revenue Fund into the Bond Redemption Fund and hereinafter pledged to be paid into the Reserve Account are hereby declared to be a prior lien and charge upon the money in the Revenue Fund superior to all other charges of any kind or nature except the necessary cost of maintenance and operation of the System and equal in rank to the charge thereon for the payment of the interest on and principal of the Outstanding Bonds and to any charges which may later be made upon the money in the Revenue Fund to pay and secure the payment of the principal of and interest on any Future Parity Bonds.

Section 9. Defeasance. In the event that money and/or government obligations as that term is defined in Chapter 39.53 RCW as now or hereafter amended, maturing at such time or times bearing interest to be earned thereon, in amounts sufficient to redeem and retire the Bonds in accordance with their terms, are set aside for such purpose in a special account in the Bond Redemption Fund and such money and the principal of and interest on such obligations are irrevocably set aside and pledged for such purpose, then no further payments need be made into the Bond Redemption Fund for the payment of principal of and interest on the Bonds, and the Bonds and appurtenant coupons shall cease to be entitled to any lien, benefit or security of this ordinance except the right to receive the funds so set aside and pledged, and the Bonds and/or such coupons shall be deemed not to be outstanding hereunder.

Section 10. Reserve Account. A Reserve Account (hereinbefore defined as the "Reserve Account") has heretofore been

created in the Bond Redemption Fund by Ordinance No. 173. The City hereby covenants and agrees that it will, if necessary, deposit a sum at least once annually from the Revenue Fund into the Reserve Account so that there will be on hand in the Reserve Account on or before December, 1987 an amount at least equal to the maximum annual amount required in any year other than a Term Bond Maturity Year to pay the principal of and interest on all outstanding Bonds and the Outstanding Bonds.

The City hereby covenants and agrees in the event it issues any Future Parity Bonds, that it will require in each ordinance authorizing the issuance of the same that periodic payments be made out of the Revenue Fund into the Reserve Account or out of Assessments so that by five years from the date of the issuance of such Parity Bonds there will have been paid into the Reserve Account an amount which, with the money already on deposit or pledged to be paid therein, will be at least equal to the maximum annual amount required to pay the principal of and interest on all outstanding bonds then payable out of the Bond Redemption Fund in any year other than a Term Bond Maturity Year.

The City further covenants and agrees, when said required amounts have been paid into the Reserve Account, that it will be at all times maintain those amounts therein until there is a sufficient amount in the Bond Redemption Fund and the Reserve Account to pay the principal of, premium if any, and interest on all outstanding bonds payable out of such Fund, at which time the money in the Reserve Account may be used to pay such principal, premium, if any, and interest. It is hereby provided, however, that money in the Reserve Account may be withdrawn to pay the principal, premium if any, and interest on any or all of the outstanding bonds of any single issue or series of bonds payable out of the Bond Redemption Fund so long as the money left remain-

ing on deposit in the Reserve Account is at least equal to the maximum annual debt service (exclusive of any Term Bond Maturity Year) due thereafter on all of the remaining outstanding bonds payable out of the Bond Redemption Fund.

In the event the Bonds outstanding are ever refunded, the money set aside in the Reserve Account to secure the payment of the Bonds may be used to retire the Bonds or may be retained in the Reserve Account or may be transferred to any reserve account which may be created to secure the payment of the bonds issued to refund the Bonds outstanding.

In the event the money in the Bond Redemption Fund over and above the amount therein set aside and credited to the Reserve Account is insufficient to meet maturing installments of either interest on or principal of the outstanding bonds payable out of such Fund, such deficiency shall be made up from the Reserve Account by the withdrawal of money therefrom. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up from the money in the Revenue Fund first available or out of Assessments available after making necessary provision for the payments required to be made into the Bond Redemption Fund to pay the principal of and interest on all outstanding bonds payable out of such Fund and the next coming due.

The money in the Reserve Account above provided for may be kept in cash or invested in government obligations as that term is defined in Chapter 39.53 RCW as now or hereafter amended having a guaranteed redemption price or maturing not later than the last maturity of any outstanding bonds that are payable out of the Bond Redemption Fund. Interest earned on or any profits made from the sale of any such investment may be retained in the Reserve Account or be deposited in and become a part of the Bond Redemption Fund.

Section 11. Application of Revenue. The money in the Revenue Fund shall be used only for the following purposes and in the following order of priority:

First, to pay necessary costs of maintenance and operation of the System;

Second, to make the payments required to be made into the Bond Redemption Fund to pay the principal of and interest on all outstanding Parity Bonds;

Third, to make payments required to be made into the Reserve Account;

Fourth, to retire by redemption before their fixed maturities or by purchase any outstanding revenue bonds issued to acquire, construct, install, improve or extend the System or for any other lawful purpose in the operation, development, improvement or extension of the System.

The corporate authorities of the City hereby declare, in fixing the amounts to be paid into the Bond Redemption Fund and the Reserve Account as hereinbefore provided that they have exercised due regard to the cost of maintenance and operation of the System and have not obligated the City to set aside and pay into said Fund and Account a greater amount of the revenue of the System than in their judgment will be available over and above such cost of maintenance and operation.

Section 12. Covenants The City hereby covenants and agrees with the owner and holder of each of the Bonds for as long as any of the same remain outstanding as follows:

a. It will establish, maintain and collect rates and charges for sanitary sewerage collection and disposal service furnished (and for water supplied if a combined water and sewer system shall be operated) for as long as the Bonds and any Parity

Bonds are outstanding that will in each calendar year hereafter during which installments of Assessments shall be payable into the Bond Redemption Fund without being delinquent (herein called the "Assessment Payment Period") make available for the payment of the principal of and interest on all of such bonds as the same shall become due an amount which, together with all other earnings, income and revenue of the System, Assessments paid into the Bond Redemption Fund and the Reserve Account, is equal to at least 1.2 times the average amount required in each such calendar year to pay the principal of and interest on all outstanding Parity Bonds after normal and necessary costs of maintenance and operation of the System have been paid but before depreciation.

b. It will establish, maintain and collect rates and charges for sanitary sewerage collection and disposal service furnished (and for water supplied if a combined water and sewer system shall be operated) for as long as the Bonds and any Parity Bonds are outstanding that will in each calendar year after the expiration of the Assessment Payment Period make available for the payment of the principal of and interest on all of such bonds as the same shall become due an amount which, together with all other earnings, income and revenue of the System, Assessments paid into the Bond Redemption Fund and interest and profits earned on investments made of money paid into the Bond Redemption Fund and the Reserve Account, is equal to at least 1.35 times the average amount required in each such calendar year to pay the principal of and interest on all of the outstanding Bonds and Parity Bonds after normal and necessary costs of maintenance and operation of the System have been paid but before depreciation.

Any Term Bond Maturity Year shall be excepted from the determination of "the average amount required in each such calendar year" pursuant to subsections a. and b. of this Section 12.

c. It will at all times keep and maintain the System in good repair, working order and condition, will at all times operate the System and the business in connection therewith in an efficient manner and at a reasonable cost, will cause proper books of record and accounts of operation of such System and business to be kept and within ninety days following the end of each calendar year will furnish to H. Jackson Shirley & Co., Inc., and to the holder of any Bond upon written request, a financial and operating statement for such preceding year's business and operation of the System.

d. It will not sell or dispose of any of the properties of the System (unless the same are no longer used, useful or necessary in the operation thereof) unless provision is made for payment into the Bond Redemption Fund of either a sum at least equal to the cost of such properties to the City or a sum which will be at least in the same proportion to the amount of the outstanding sewer revenue bonds of the City that the estimated amount of any resulting reduction in the revenue of the System for the twelve months following such sale or disposition bears to the estimated revenue of the System which would have been realized during such period if such sale or disposition had not been made. Such determination of cost or such estimate of revenue shall be made by a licensed professional engineer experienced in the design, construction and operation of municipal utilities.

e. It will not furnish sanitary sewerage collection and disposal service (or water services if a combined water and sewer system shall be operated) to any customer whatsoever free of charge, and will promptly take all legal action or actions necessary to enforce collection of any and all delinquent accounts and Assessments.

Section 13. Future Parity Bonds. The City hereby further covenants and agrees with the owner and holder of each of the Bonds for as long as any of the same remain outstanding as follows:

That it will not issue any Future Parity Bonds except that it reserves the right, for

First, the purpose of acquiring, constructing and installing additions and betterments and improvements to and extensions of, acquiring necessary equipment for, or making necessary replacements of or repairs to the System, or

Second, the purpose of refunding or funding any outstanding revenue bonds or revenue warrants (coupon or otherwise) of the City payable out of the earnings and revenue of the System,

to issue Future Parity Bonds and to pledge that payments shall be made out of the Revenue Fund into the Bond Redemption Fund and the Reserve Account therein to pay and secure the payment of the principal of and interest on such Future Parity Bonds on a parity with the payments required herein to be made out of the Revenue Fund into such Fund and Account to pay and secure the payment of the principal of and interest on the Bonds and Outstanding Bonds upon compliance with the following conditions:

a. That at the time of the issuance of such Future Parity Bonds there is no deficiency in the Bond Redemption Fund or in the Reserve Account.

b. That the City will covenant and provide in each ordinance authorizing the issuance of Future Parity Bonds that it will pay into and maintain in the Reserve Account the amounts required by Section 10 of this ordinance to be paid into and maintained in said Account when Future Parity Bonds are issued and that the

City will also covenant and provide in each such ordinance that it will establish, maintain and collect rates and charges for water supplied and/or sanitary sewerage collection and disposal service furnished sufficient to meet the same requirements contained in Section 12, subsection a. and b. of this ordinance.

c. That each ordinance providing for the issuance of such additional Future Parity Bonds shall require that any assessments levied in any utility local improvement district or districts created to construct additions, improvements or extensions of the System which will be paid in whole or in part from the proceeds of sale of such additional Future Parity Bonds, will be deposited in the Bond Redemption Fund.

d. That each ordinance providing for the issuance of such additional or refunding Future Parity Bonds shall provide for the payment of the principal thereof and interest thereon out of the Bond Redemption Fund.

e. That at the time of the issuance of such additional or refunding Future Parity Bonds the City shall have on file a certificate from an independent licensed professional engineer experienced in in the design, construction and operation of municipal utilities (which certificate may not be dated more than ninety days prior to the month of delivery of such additional or refunding Future Parity Bonds) showing that in his professional opinion: (i) the adjusted net revenue of the System which will be available for the payment of the principal of and interest on the Bonds and Parity Bonds in each succeeding year during the Assessment Payment Period will equal at least 1.2 times the average amount required to pay the principal and interest due in each such year of and on all outstanding bonds payable out of the Bond Redemption Fund and the Future Parity Bonds to be issued (exclusive of the principal due in any Term Bond Maturity Year), and

(ii) the adjusted net revenue of the System which will be so available in each succeeding year after the expiration of the Assessment Payment Period will equal at least 1.35 times the average amount required to pay the principal and interest due in each such year of and on all outstanding bonds payable out of the Bond Redemption Fund and the Future Parity Bonds to be issued (exclusive of the principal due in any Term Bond Maturity Year).

1. The words "adjusted net revenue of the System" as used in the paragraph immediately above shall mean the gross earnings, income and revenue of the System after deducting therefrom all normal and necessary expenses of maintenance and operation, but before depreciation and annual debt service on any outstanding revenue bonds that may have a lien on the money in the Revenue Fund for such annual debt service junior and inferior to the lien or the payment of the principal of and interest on the Bonds. Such net revenue shall be determined from an audit of the Division of Municipal Corporations of the State Auditor's office, if available, or from a financial statement of the City authenticated by a certified public accountant for a period of any twelve consecutive months out of the twenty-four months immediately preceding the month of delivery of such Future Parity Bonds. Such net revenue shall then be adjusted to reflect (i) any rate changes becoming effective subsequent to the commencement of such twelve-month period and prior to the date of delivery of such Parity Bonds, (ii) revenue reasonably expected to be derived from customers to be served by improvements being constructed out of the proceeds of the bonds to be issued, (iii) actual or reasonably anticipated changes in normal and necessary expenses of maintenance and operation occurring subsequent to such twelve-month period and (iv) the amount of Assessments previously confirmed and

estimated to be paid into the Bond Redemption Fund subsequent to the date of the certificate.

2. The "amount of Assessments previously confirmed and estimated to be paid into the Bond Redemption Fund subsequent to the date of the certificate" shall be determined as follows:

(a) The amount of the unpaid balance of each assessment roll of any utility local improvement district or districts of the City, where such assessments have been pledged to be paid into the Bond Redemption Fund and where the 30-day period for the payment of such assessments or any part thereof without penalty, interest or costs has elapsed, shall be obtained from the records of the City Treasurer. The balance then remaining on each such assessment roll shall be divided by the number of remaining years in which the installments of such assessments on each such roll may be paid without becoming delinquent, and there shall be added to the amount found for each year the interest due and payable on such installments. The amount so due each year shall be added to the "adjusted net revenue of the System" for the particular year in which it is computed to become due.

(b) The amount of each assessment roll of any utility local improvement district or districts of the City, where such assessment have been pledged to be paid into the Bond Redemption Fund and where the 30-day period for the payment of such assessments or any part thereof without penalty, interest or costs has not elapsed, shall be obtained from the records of the City Treasurer. Fifteen percent of each such roll shall be deducted therefrom as the estimated amount of the assessments that would be paid during said 30-day period (hereinafter called "Estimated Prepayments"), and such 15%

shall be treated as having been paid into the Bond Redemption Fund.

The balance then remaining on each such assessment roll shall then be divided by the number of years in which the installments of such assessments on each such roll may be paid without becoming delinquent, and there shall be added to the amount found for each year the interest due and payable on such installments. The amount so due each year shall be added to the "adjusted net revenue of the System" for the particular year in which it is computed to become due.

2. In the computation of the amounts of principal and interest coming due in each succeeding year, it may be assumed for the purposes of such certificate, the money paid into the Bond Redemption Fund on the date of such certificate which are in excess of the sums required to be on deposit in said Fund (including the Reserve Account) as of the date, and Estimated Prepayments, will, together with earnings thereon at the assumed rate of 3% per annum, to be applied to the redemption and retirement (plus call premium) of any bonds payable out of the Bond Redemption Fund on the earliest dates on which such bonds may be called and redeemed.

f. In the event that any refunding Future Parity Bonds provided for in this Section 13 are issued for the sole purpose of exchanging or providing funds to purchase or redeem and retire prior to their maturity any or all bonds payable out of the Bond Redemption Fund and the issuance of such refunding Future Parity Bonds and retirement of outstanding bonds results in a monetary saving to the City and such refunding Future Parity Bonds will not require a greater amount (exclusive of costs incidental to such refunding, any call premium or premiums, and except as necessary to round out maturities to the nearest \$5,000) to be paid in any

calendar year thereafter than would have been required to be paid in the same calendar year for the principal of and interest on the bonds being refunded, then the certificate required in subsection (e) of this Section 13 need not be obtained to permit such refunding Future Parity Bonds to be issued on a parity with any Bonds and/or Parity Bonds then outstanding, although the provisions of subsections (a), (b), and (c) of this Section 13 must still be complied with.

Section 14. Junior Lien Bonds. Nothing herein contained shall prevent the City from issuing revenue bonds which are a charge upon the earnings, income and revenue of the System and money in the Revenue Fund junior or inferior to the payments required to be made herein into the Bond Redemption Fund and the Reserve Account, or from pledging the payment of assessments into a fund or account created to pay and secure the payment of the principal of and interest on such junior lien bonds as long as such assessments are levied for improvements constructed from the proceeds of sale of such junior lien bonds, nor shall anything herein contained prevent the City from issuing revenue bonds to refund maturing sewer revenue bonds (or water and sewer revenue bonds if such systems are combined) of the City for the payment of which money is not otherwise available.

Section 15. Bond Form. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

NO. _____

\$ _____

STATE OF WASHINGTON
TOWN OF GIG HARBOR

SEWER REVENUE BOND, 1982

The City of Gig Harbor, a municipal corporation of the State of Washington (the "City"), hereby acknowledges itself to owe and

for value received promises to pay to bearer on the first day of December, 19__, the principal sum of

_____ THOUSAND DOLLARS

together with interest thereon at the rate of ___% per annum payable semiannually on the first days of June and December of each year commencing with June 1, 1983 as evidenced by and upon presentation and surrender of the attached interest coupons as they severally become due or until the payment of such principal sum shall be made or duly provided for.

Both principal of and interest on this bond are payable in lawful money of the United States of America at the offices of the City Treasurer in Gig Harbor, Washington, solely out of the special fund of the City known as "Gig Harbor Sewer Revenue Bond Redemption Fund" created by Ordinance No. 173 of the City.

The City of Gig Harbor has reserved the right to redeem all of the outstanding bonds of this issue in inverse numerical order on December 1, 1989 or on any interest payment date thereafter at a price of 100% of the principal amount of the bonds plus accrued interest to date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in the official City newspaper not more than forty nor less than thirty days prior to said redemption date and by mailing a like notice at the same time to H. Jackson Shirley & Co., Inc., Bellevue, Washington, or to the successor in business of said firm, if any, at its main place of business.

This bond is one of an issue of twenty-one bonds of the City of Gig Harbor, Washington, of like date and tenor except as to number, amount, interest rate and maturity date, aggregating the total principal amount of \$93,000 which bonds are issued pursuant to the laws of the State of Washington and ordinances and resolutions of the City duly and regularly passed, for the purpose of providing funds to acquire, construct and install the certain additions, betterments and improvements to sanitary sewerage system of the City. All of the bonds of this issue are payable solely out of the gross earning and revenue of such system and all additions and improvements thereto and extensions thereof.

The City of Gig Harbor hereby covenants and agrees with the owner and holder of this bond that it will keep and perform all the covenants of this bond and of Ordinance No. ____ (the "Bond Ordinance") to be by it kept and performed.

The City of Gig Harbor does hereby pledge and bind itself to set aside from the money in its Revenue Fund, and to pay into and maintain in said Bond Redemption Fund and Reserve Account created therein the various amounts required by the Bond Ordinance to be paid into and maintained in said Fund and Account, all within the times provided by said ordinance. The City has further pledged and bound itself to set aside and pay into said Revenue Fund as collected all of the gross earnings and revenue of its sewerage system and all additions and improvements thereto and extensions thereof.

The amounts pledged to be paid into and maintained in said Fund and Account are hereby declared to be a prior lien and charge

upon the money in said Revenue Fund superior to all other charges of any kind or nature, except the necessary cost of maintenance and operation of said sewerage system and equal in rank to the lien thereof of the outstanding Sewer Revenue Bonds, 1973 issued under date of December 1, 1973, and to any charge that may be made thereafter upon the money in said Revenue Fund to pay and secure the payment of the principal of and interest on any revenue bonds which may be issued in the future on a parity of lien with the bonds of this issue.

The City of Gig Harbor has further bound itself to maintain said sewerage system in good condition and repair, to operate the same in an efficient manner and at a reasonable cost, and to establish, maintain and collect rates and charges for sanitary sewerage collection and disposal service furnished for as long as the bonds of this issue and any bonds issued on a parity therewith are outstanding that will, together with all other revenue of said system pledged to be paid into said Bond Redemption Fund, make available for the payment of the principal of and interest on all of such bonds after necessary costs of maintenance and operation of the system have been paid, but before depreciation.

It is hereby certified and declared that the bonds of this issue are issued pursuant to and in strict compliance with the Constitution and laws of the State of Washington and ordinances of the City of Gig Harbor, and that all acts, conditions and things required to be done precedent to and in the issuance of this bond have happened, been done and performed.

IN WITNESS WHEREOF, the City of Gig Harbor, Washington, has caused this bond to be signed with the manual signature of its Mayor, to be attested by the manual signature of its Clerk, the corporate seal of the City to be impressed hereon, and the interest coupons attached hereto to be signed with the facsimile signatures of said officials this first day of December, 1982.

CITY OF GIG HARBOR, WASHINGTON

By /s/ _____ manual signature
Mayor

ATTEST:

/s/ _____ manual signature
Director of Administration/Clerk

The interest coupons attached to the Bonds shall be in substantially the following form:

NO. _____ \$ _____

(unless the bond to which this coupon is appurtenant shall previously have been called for redemption) ON THE FIRST DAY OF _____, 19____, the City of Gig Harbor, Washington, will pay to bearer at the office of the City Treasurer in Gig Harbor or, at the option of the holder at either of the fiscal agencies of the State of Washington in Seattle, Washington and New York, New York, the amount shown hereon in lawful money of the United States of

America out of a special fund of the City known as the "Gig Harbor Sewer Revenue Bond Redemption Fund," said amount being the semi-annual interest due that day on its Sewer Revenue Bond dated December 1, 1982, and numbered _____.

CITY OF GIG HARBOR, WASHINGTON

By /s/ facsimile signature
Mayor

ATTEST:

/s/ facsimile signature
Director of Administration/Clerk

Section 16. Execution of Bonds. The Bonds shall be signed on behalf of the City with the manual signature of its Mayor, shall be attested by the manual signature of its Clerk, and shall have the corporate seal of the City impressed thereon. The interest coupons attached thereto shall be executed with the facsimile signatures of said officials.

Section 17. Sale of Bonds. The Bonds shall be sold to H. Jackson Shirley & Co., Inc. on the terms set forth in this ordinance and the action of the Council in accepting the offer of said purchaser dated November 8, 1982, to purchase the Bonds with the interest rates and at the price set forth therein is hereby ratified and confirmed.

The proper City officials are hereby authorized and directed to do everything necessary for the prompt printing, issuance and execution of the Bonds and their delivery to the purchaser thereof and for the proper use and application of the funds derived from such sale.

Section 18. Effective Date. This ordinance shall become effective five days from and after its passage, approval and publication as provided by law.

Finally passed by the Council of the City of Gig Harbor,
Washington, and approved by its Mayor at a regular meeting of said
Council on the 13 day of DECEMBER 1982.

CITY OF GIG HARBOR, WASHINGTON

By Ruth M. Logue
Mayor

ATTEST:

Jeffrey Snider
Jeffrey Snider, Director of Administration/Clerk

APPROVED AS TO FORM:

William L. Hess
William L. Hess, City Attorney

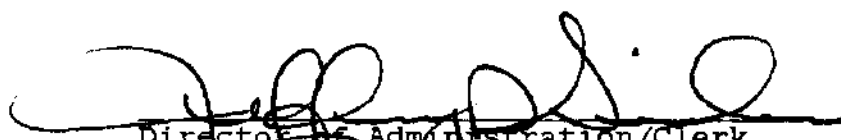
CLERK'S CERTIFICATE

I, the undersigned, the duly chosen, qualified and acting Clerk of the City of Gig Harbor, Washington, and keeper of the records of the Council of the City (herein called the "Council"), DO HEREBY CERTIFY:

1. That the attached Ordinance No. 409 (herein called the "Ordinance") is a true and correct copy of an ordinance of the City, as finally passed at a meeting of the Council held on the 13 day of DECEMBER, 1982, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting and a legally sufficient number of members of the Council voted in the proper manner for the passage of the Ordinance; that all other requirements and proceedings incident to the proper passage of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this 14 day of DECEMBER 1982.


Director of Administration/Clerk,
City of Gig Harbor, Washington

ORDINANCE NO. 410

AN ORDINANCE relating to an Ad Valorem Tax: Repealing Ordinance No 401 to replace obsolete references therein and to fix the tax levies and excess levies for 1983.

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Ordinance No. 401 is hereby repealed.

The City Council further ordains:

Section 2. The annual Ad Valorem tax levies required to raise estimated revenues for the City of Gig Harbor in 1983 shall be levied upon each taxable dollar of real and personal property. The approximate total value is \$107,262,667.00 estimated at 100 per cent of appraised value. Tax levied upon this value shall be:

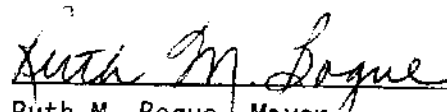
- A. Approximately \$1.9055 per thousand producing estimated revenue of \$204,394.00; and,
- B. Approximately \$.1513 per thousand producing estimated revenue of \$16,233.00.

Section 3. The annual Ad Valorem tax excess levies required to raise estimated revenues for 1983 shall be levied upon each taxable dollar of real and personal property. The approximate total value is \$105,141,561.00 estimated at 100 per cent of appraised value. Tax levied upon this value shall be:


- A. Approximately \$.5900 per thousand producing estimated revenue of \$62,000.00; and,
- B. Approximately \$.1100 per thousand producing estimated revenue of \$11,565.00.

Section 4. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED BY the Council of the City of Gig Harbor and APPROVED by the Mayor at a regular meeting this 13th day of December, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeffrey S. Soder
Administrator/Clerk

AN ORDINANCE establishing an employee benefit plan to replace specific Social Security benefits.

WHEREAS, Federal Law 42 U.S.C. §418(g) (1) permits public employees to withdraw from the Social Security system; and,

WHEREAS, the employees of the City of Gig Harbor voted in 1980 to withdraw from the Social Security system; and,

WHEREAS, the mandatory two year waiting period expires December 31, 1982; and,

WHEREAS, the City Council determined that an alternative plan will continue three primary benefits: survivor, long-term disability, and retirement; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Definitions.

- A. "Total Compensation" is the total compensation paid by the City for services of the employee regardless of the components, i.e., base pay, employer's contributions.
- B. "Deferred Compensation" is that amount of the employee's total compensation which the City defers from payment to the employee and instead deposits into a Deferred Compensation Plan.
- C. "Current Compensation" is that portion of the employee's total compensation that is not deferred compensation.
- D. "Base Pay" is the stated salary of the employee.
- E. "City Contribution" is that portion of an employees total compensation that the city would otherwise contribute to Social Security less the cost of survivor and disability insurance.

Section 2. Plan Components.

A benefit plan shall consist of survivor and long-term disability insurance and an investment program for retirement income. The City's administrative staff shall recommend to the Council a specific plan or a combination of plans to accomplish these benefits.

Section 3. Insurance Component.

The City shall purchase an insurance plan that provides long term disability and survivor benefits. The City shall use moneys the City would otherwise contribute to Social Security tax to purchase the plan. All permanent employees under the age of 70 who work twenty (20) hours a week or more are covered by the approved plan. Coverage ceases when an employee terminates, is laid off, or participates in a work stoppage (strike or lockout).

Section 4. Retirement Component.

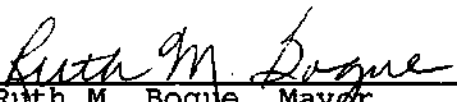
The City shall adopt a deferred compensation plan as the investment vehicle that will provide retirement income. Employees may contribute a portion of their base salary to the retirement plan. This contribution shall be made in compliance with the policies and procedures of the approved plan. The City shall then contribute a matching sum equal to the employee's contribution, but never more than the contribution the city would otherwise make to Social Security less the cost of survivor and disability insurance. The employee's contribution and the city's contribution shall be that portion of an employee's total compensation that is a deferred compensation.

The administration of the plan shall be governed by Internal Revenue Service rules and the policies of the specific plan. Although the city retains proprietary rights of the funds, the city shall authorize distribution to the employee upon disability, retirement, or termination, and distribution to survivors upon death of the employee. All permanent employees who work at least 1,000 hours per year are eligible to participate.

Section 5. Effective Date.

This ordinance shall be effective and in full force five days after its passage, approval and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular open meeting this 27th day of December, 1982.



Ruth M. Bogue, Mayor

ATTEST:


Jeff Snyder,
Administrator/Clerk

ORDINANCE NO. 412

AN ORDINANCE relating to the 1982 budget: amending the budget summary in Ordinance No. 382.

WHEREAS, the City Council finds it necessary to adjust fund totals to reflect changes in revenue and expenditure levels; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. The 1982 budget summary in Ordinance No. 382 is amended as follows:

ESTIMATED REVENUE

General Government	\$685,289.00	
Street Fund	153,655.00	
Arterial Street Fund	32,229.00	
Federal Revenue Sharing	(22,813.00)	45,000.00
Library Reserve	(1,750.00)	1,850.00
Water Fund	(191,260.00)	215,000.00
Sewer Fund	294,994.00	
Water Bond Redemption	23,950.00	
Water Bond Redemption Reserve	17,000.00	
Water Construction	3,000.00	
Sewer ULID Redemption	501,000.00	
Sewer Bond Redemption Reserve	120,000.00	
Storm Sewer Construction	2,275.00	
G. O. Bond - Fire	5,088.00	
G. O. Bond - Sewer	(37,688.00)	45,000.00
Unemployment Trust	-0-	600.00
Miscellaneous Trust	-0-	500.00
TOTAL ESTIMATED REVENUE	(\$2,091,799.00)	\$2,146,430.00

ESTIMATED EXPENDITURES

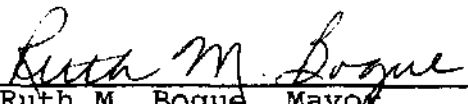
General Government	\$685,289.00	
Street Fund	153,655.00	
Arterial Street Fund	32,229.00	
Federal Revenue Sharing	(22,813.00)	45,000.00
Library Reserve	(1,750.00)	1,850.00
Water Fund	(191,260.00)	215,000.00
Sewer Fund	294,994.00	
Water Bond Redemption	23,950.00	
Water Bond Redemption Reserve	17,000.00	
Water Construction	3,000.00	
Sewer ULID Redemption	501,000.00	
Sewer Bond Redemption Reserve	120,000.00	
Storm Sewer Construction	2,275.00	
G. O. Bond - Fire	5,088.00	
G. O. Bond - Sewer	(37,688.00)	45,000.00

Unemployment Trust	-0-	600.00
Miscellaneous Trust	-0-	500.00
TOTAL ESTIMATED EXPENDITURES	(\$2,091,991.00)	\$2,146,430.00

Section 2. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 27th day of December 1982.



Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 413

AN ORDINANCE adopting a user fee for processing liquor license applications.

WHEREAS, the City of Gig Harbor receives several applications for new liquor licenses; and,

WHEREAS, personnel time to process an application is now appreciable; and,

WHEREAS, the City Council adopted Resolution No. 165 establishing application policies; and,

WHEREAS, the City Council determined that assessing a user fee rather than drawing from general taxes is a fair and equitable method of recovering cost; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

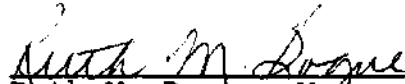
Section 1. Application Fee.

The Director of Administration/Clerk shall collect for each liquor license application the sum of thirty-five dollars (\$35.00). The applicant(s) shall pay the total fee before the application is reviewed by the city staff and the City Council. The fee shall not be refundable under any circumstances.

Section 2. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 27th day of December, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Smith,
Administrator/Clerk

ORDINANCE NO. 414

AN ORDINANCE adopting a user fee for researching and reporting property assessments.

WHEREAS, the City of Gig Harbor receives several requests from escrow and mortgage companys and individuals to research and report assessments against properties within the corporate limits; and,

WHEREAS, the personnel time to fulfill each request is now appreciable; and,

WHEREAS, the City Council determined that assessing a user fee rather than drawing from general taxes is a fair and equitable method of recovering cost; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. User Fee.

The Director of Administration/Clerk shall collect the sum of ten dollars (\$10.00) for researching and/or reporting property assessment information. The fee shall apply to each and every piece of property researched. The Director of Administration/Clerk may collect the fee or sum of fees at the time of request or may bill, by invoice, the requesting person or company. An invoice becomes delinquent if not collected within 20 days of the mailing date. Delinquent invoices shall be assessed a penalty of one percent (1%) per month on the principal amount.

Section 2. Effective Date.


This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 27th day of December, 1982.



Ruth M. Bogue, Mayor

ATTEST:



Jeri Sneider
Administrator/Clerk

ORDINANCE NO. 415

AN ORDINANCE relating to a sales or use tax: amending Section 6 of Ordinance No. 399 to delete an obsolete reference therein.

WHEREAS, the City Council adopted Ordinance No. 399 on September 13, 1982 imposing an additional .5% sales and use tax as authorized by Section 17, Chapter 49, First Extraordinary Session, Laws of 1982; and,

WHEREAS, Ordinance No. 399 includes a special initiative provision as required by law; and,

WHEREAS, the Washington State Attorney General issued an opinion that requires an amendment to this initiative provision; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. Section 6 of Ordinance No. 399 is hereby amended to read as follows:

This ordinance shall be subject to a Special Initiative. The number of registered voters needed to sign a petition for Special Initiative shall be fifteen percent of the total number of names of persons listed as registered voters within the City of Gig Harbor on the day of the last preceding municipal general election. If a Special Initiative Petition is filed with the City Council, the operation of this ordinance shall not be suspended pending a final decision on the disposition of the Special Initiative. The procedures for Initiative contained in RCW 35A.11.100 shall apply to any such Special Initiative Petition."

Section 2. The remaining portions of Ordinance No. 399 shall not be affected.

Section 3. Severability.

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 4. Effective Date.

This ordinance is effective and in full force January 1, 1983 following its approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 27th day of December 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Smith
Administrator/Clerk

CITY OF GIG HARBOR
GIG HARBOR, WASHINGTON
ORDINANCE NO. 416

AN ORDINANCE OF THE CITY OF GIG HARBOR REVISING
10.04 OF THE TRAFFIC CODE AND AMENDING SUCH CODE
TO INCLUDE THE OFFENSE OF "INATTENTION TO DRIVING"

WHEREAS, Section 10.04. of the City Traffic Code is in
need of revision, and

WHEREAS, it has been determined by the Gig Harbor City
Council that it is in the best interests of the City of Gig Harbor
to revise this section, and

WHEREAS, the City Traffic Code as codified in Chapter
10.04 contains no provision requiring drivers to be attentive while
operating motor vehicles within the City, and

WHEREAS, inattentive driving is the cause of numerous
accidents within the City, and

WHEREAS, the Chief of Police has recommended to the City
Council the enactment of an Ordinance to create the driving offense
of "Inattention to Driving",

NOW THEREFORE, BE IT ORDAINED by the Gig Harbor City Council
that Chapter 10.04 TRAFFIC CODE of the City of Gig Harbor is revised
to read as follows:

10.04.010 Statutes Adopted By Reference

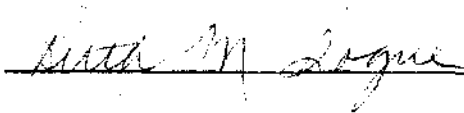
The following statutes are adopted by reference:

RCW 46.90 Model Traffic Ordinance

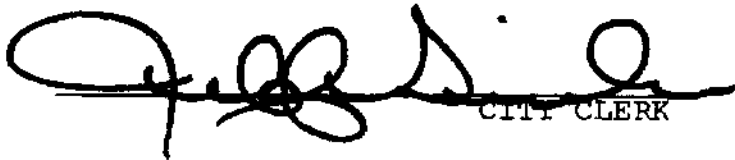
10.04.011 Inattention to Driving

It is unlawful for any person to operate a vehicle in an
inattentive manner over the streets of the City of Gig Harbor. For
the purpose of this section 'inattentive' means the operation of a
vehicle upon the streets of the City of Gig Harbor in such a manner
so as to fail to maintain a careful lookout for persons or property in
the direction of travel. Any person operating a vehicle in an inatten
manner is guilty of an infraction and is punishable by a fine to not
exceed \$100.00.

PASSED by the City Council and APPROVED by the Mayor this
27th day of December, 1982.


MAYOR

ATTEST:


CITY CLERK

ORDINANCE NO. 417

AN ORDINANCE repealing Ordinance No. 22 (fireworks).

WHEREAS, Ordinance No. 22 was adopted in 1949; and,

WHEREAS, the Gig Harbor City Council determined that this ordinance no longer reflects the attitude of the community nor the policy of the council; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Ordinance No. 22 entitled: "An ordinance prohibiting the possession, sale, use or discharge of fireworks within the Town of Gig Harbor, Washington, and providing for penalties for the violation thereof" is hereby repealed.


Section 2. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of March, 1983.



Ruth M. Bogue, Mayor

ATTEST:



Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 418

AN ORDINANCE adopting provisions for regulating the sale and use of fireworks.

WHEREAS, the Gig Harbor City Council repealed the original Ordinance No. 22 by Ordinance No. 417; and;

WHEREAS, the City Council determined it necessary to continue the regulation of fireworks; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1.

It shall be unlawful for any person to sell, possess, use or explode any dangerous fireworks within the City limits of Gig Harbor. Any item of fireworks which does not bear a "Safe and Sane" registration or classification of the State Fire Marshal in conformity with Chapter 228, Laws of 1961 of the State of Washington, shall be deemed dangerous and is prohibited by this ordinance.

Section 2.

It shall be unlawful for any person, firm or corporation to engage in the retail sale of or to sell any fireworks within the city limits of Gig Harbor without first complying with the provisions of Ordinance No. 400, "Licensing of temporary businesses".

Section 3.

Applications for temporary business licenses pursuant to this ordinance may be filed and will be accepted by the City only during the period between April 15th and July 4th of the year for which the license is sought.

Section 4.

A license granted pursuant to this ordinance shall entitle the licensee to maintain only one retail outlet. All licenses issued pursuant hereto shall be used only by the designated licensee and shall be non-transferrable. Any transfer or purported transfer of such a license shall be deemed a violation of this ordinance.

Section 5.

The maximum number of licenses issued by the City in any year shall not exceed one for every 500 people or fraction thereof residing in the corporate limits of Gig Harbor.

Section 6.

A temporary business license for the sale of fireworks shall be issued only upon the following terms and conditions:

- a. The applicant shall have a valid and subsisting license issued by the State of Washington authorizing the holder thereof to engage in the fireworks business.
- b. The applicant shall own or have the right to possess a temporary fireworks stand complying with the standards hereinafter set forth for temporary fireworks stands.
- c. The applicant shall procure and maintain a policy or policies of public liability and property damage insurance in a company or companies approved by the City of Gig Harbor in the following amounts: Not less than \$300,000 bodily injuries to a person or persons in any one accident or occurrence; and \$100,000 property damage.
- d. The licensee's location or place of business shall be only in those areas or zones within the City wherein commercial

activities are authorized under the applicable zoning laws of the City of Gig Harbor, provided that the sale of safe and sane fireworks shall not be deemed an enlargement of an existing nonconforming use, and provided, further, that no fireworks shall be sold in any residential area where a commercial enterprise does not exist.

- e. The applicant shall file with the City a cash deposit in an amount not less than \$100.00, conditioned upon the prompt removal of the temporary stand and the cleaning up of all debris from the site of the temporary stand. The deposit shall be returned to the applicant after he removes the temporary stand and cleans up all debris to the satisfaction of the Public Works Director. If he fails to do so, the cash deposit and all property not removed shall be forfeited to the City. In no event shall the applicant be entitled to the return of the cash deposit if he has failed to remove the temporary stand and clean up all debris by the 10th day of July of each year.

Section 7.

In the event there are more applications for licenses than there are licenses available, licenses shall be granted in the following manner:

1. Any person, firm or corporation having been issued a license and exercised its rights under that license for the year prior to the making of the application shall be entitled to renew said license.
2. Any licenses remaining shall be granted to those first applying therefore, who meet all the necessary qualifications and requirements.

Section 8.

No licensee shall sell at retail or offer for sale any fireworks authorized to be sold herein within the City limits of Gig Harbor except from 12:00 noon on the 28th day of June to 12:00 noon on the 5th day of July of any year.

Section 9.

All safe and sane fireworks except "toy caps" and "sparklers" shall be sold only from temporary stands.

Section 10.

The temporary stands of all licensees shall conform to the following minimum standards and conditions:

- a. Temporary fireworks stands need not comply with all provisions of the Uniform Building Code provided, however, that all such stands shall be erected under the supervision of the Building Inspector or his duly authorized representative, who shall require all stands to be constructed in a safe manner, insuring the safety of attendants and patrons. In the event any temporary stand is wired for electricity, then the wiring shall conform to the Electrical Code of the State of Washington.
- b. No temporary fireworks stand shall be located within twenty (20) feet of any other building or structure, nor within fifty (50) feet of any gasoline station, oil storage tank or premises where flammable liquids are kept or stored.
- c. Each temporary fireworks stand must have at least two exits, which shall be unobstructed at all times.
- d. Each temporary fireworks stand shall have, in a readily-accessible place, a fire extinguisher duly approved in advance by the Fire Chief of Fire Protection District No. 5 or his duly authorized representative.
- e. All weeds, grass and combustible material shall be cleared from the location of the temporary fireworks stand and the surrounding area a distance of not less than twenty (20) feet, measured from the exterior walls on each side of said temporary fireworks stand.

- f. No smoking shall be permitted in or near a temporary fireworks stand, and the same shall be posted with proper "No Smoking" signs.
- g. Each temporary fireworks stand shall have an adult in attendance at all times. No child or children under the age of eighteen years shall be allowed inside the employee area of any temporary fireworks stand.
- h. All unsold stock and accompanying litter shall be removed from said temporary fireworks stand by 12:00 noon on the 6th day of July of each year.

Section 11.

No person shall use or explode any fireworks within the corporate limits of Gig Harbor except from 12:00 noon on the 28th day of June to 12:00 noon on the 5th day of July of any year; provided that this prohibition shall not apply to duly authorized public displays where the same are authorized pursuant to the laws of the State of Washington.

Section 12.

The provisions of this Ordinance shall apply to the sale of all safe and sane fireworks, as defined by Chapter 228, Laws of 1961 of the State of Washington, except as to the sales of "toy caps" and "sparklers".

Section 13.

This ordinance is intended to implement Chapter 228, Laws of 1961 of the State of Washington, and shall be construed in connection with said law and any and all rules or regulations issued pursuant thereto.

Section 14.

The Chief of Police or his duly authorized representative is designated as the enforcing officer of this ordinance. In addition to all the grounds for revocation of licenses set forth in the general provisions of this resolution, any failure or refusal on the part of licensee to obey any rule, regulation or request of the Chief of Police concerning the sale of fireworks shall be grounds for the revocation of a fireworks license.

Section 15.

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor, punishable by a fine of up to \$1,000.00.

Section 16. Severability.

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

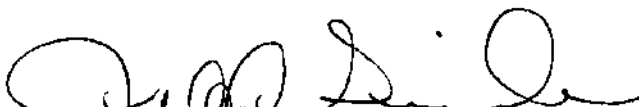
Section 17. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of March, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 419

AN ORDINANCE repealing Ordinance No. 12 (taxi cabs and drivers).

WHEREAS, Ordinance No. 12 was adopted in 1948; and,

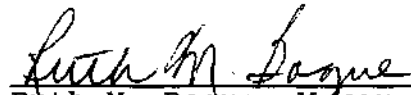
WHEREAS, the Gig Harbor City Council determined that Ordinance No. 12 no longer reflects the attitude of the community nor the policy of the Council; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Ordinance No. 12 entitled: "An ordinance providing for the licensing and regulation of taxicabs and drivers thereof in the Town of Gig Harbor, providing for revocation of licenses and penalties for the violation thereof" is hereby repealed.


Section 2. Effective Date. This ordinance is effective and in full force five (5) days following its approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of March, 1983.



Ruth M. Bogue, Mayor

ATTEST:



Jeff Snider
Administrator/Clerk

ORDINANCE NO. 420

AN ORDINANCE adopting provisions for regulating and licensing taxicabs and taxicab drivers.

WHEREAS, the Gig Harbor City Council repealed the original Ordinance No. 12 by Ordinance No. 419; and,

WHEREAS, the City Council determined it necessary to continue the regulation and licensing of taxicabs and taxicab drivers; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1. Definitions.

- A. "Taxicab" as used in this ordinance shall mean and include every motor vehicle with a seating capacity of seven persons or less (determined by manufactures rating) hired for the transportation of passengers over non-fixed routes.
- B. "Taxicab Driver" shall mean and include every person who drives a taxicab for hire.

Section 2. License required to operate taxicabs.

It shall be unlawful for any person to operate or permit to be operated on the public streets within the city limits of Gig Harbor any taxicabs owned or controlled by such person without securing a license from the City to do so.

Section 3. License fee.

For the issuance of a license to operate a taxicab service, a fee of twenty-five dollars (\$25.00) per annum for each taxicab operated by the applicant shall be collected by the Director of Administration. No license shall be issued until the total fee is collected.

Section 4. Insurance.

The holder of a license to operate taxicabs issued pursuant to this ordinance shall at all times maintain in full force and effect a policy of property damage insurance and public liability insurance, which complies with the state requirements (RCW 46.72.040) for commercial vehicles, on each taxicab operated by the holder. A copy of such policy covering the taxicab or taxicabs shall be filed with the Director of Administration with written endorsements thereon showing that the Director must be given written notice in the event of cancellation of said policy either by the company or the insured.

Section 5. Maintenance of taxicabs and equipment.

Every taxicab and the equipment thereon shall be maintained in a safe condition for use as such and in such manner as to comply with the requirements of the State of Washington Motor Vehicle Act. Evidence that such taxicabs and equipment are in a satisfactory condition shall be given to the Director on request.

Section 6. Taximeter.

Every taxicab shall have affixed thereto a taximeter of standard size and design. No person shall use or permit to be used upon any taxicab, a taximeter which shall be in such condition as to be more than five percent incorrect. The Chief of Police may inspect, at random, each taximeter for accuracy. A report of such inspection shall be forwarded to the taxicab company.

No license shall be issued for a taxicab and no taxicab shall be placed into service until the taximeter attached thereto shall have been inspected by the Chief of Police or his representative.

When a taximeter is taken from one car and placed into another, the receiving car and taximeter must be inspected prior to placing the car into service. A report of such inspection shall be forwarded to the business office of the taxicab company.

No driver of taxicab while carrying passengers or under employment shall display the signal affixed to the taximeter in such a position as to denote such vehicle as not employed or in such position as to denote that it is employed at a rate of fare different from that to which the driver is entitled under the provisions of this chapter.

It shall be the duty of the driver to call the attention of the passenger to the amount registered on the taximeter and the taxicab flag shall be placed in a nonrecording position until the fare is paid.

Each taximeter shall be so located in the taxicab that the meter and the fare shown thereon are clearly visible from the rear compartment of the taxicab.

It shall be unlawful for any person owning, operating or driving a taxicab to operate or drive such taxicab unless such taximeter is used in determining the fare to be charged, and no other or different fare shall be charged to the passenger than is recorded on the reading face of said taximeter for the trip. No other rates or methods of measuring the distance or time charges shall be allowed except as herein provided.

Section 7. Fares.

The following maximum tariffs are authorized:

- a. \$1.00 for the first 1/7 mile or fraction thereof for the use of the taxicab;
- b. \$.20 for each succeeding 1/7 mile or fraction thereof.
- c. For each additional person, \$.50 per trip;
- d. \$.30 for each 1 minute of waiting or fraction thereof.

Section 8. Maintenance of passenger log.

Every taxicab driver shall maintain or cause to be maintained on his behalf a log setting forth therein the point of origin and destination of each trip made, the time of starting and completing said trip, together with the number and sex of each of the passengers carried on said trip, said log to be open for inspection by the City.

Section 9. Receipts.

It shall be the right of every passenger to receive, upon demand, an accurate receipt for the charges demanded of him.

Section 10. Additional Passengers.

No additional passenger shall be accepted by the driver of a taxicab unless the first passenger shall consent thereto. In no event shall a taxicab, with or without the consent of the passengers, be loaded beyond its capacity.

Section 11. Identification of taxicab.

Every taxicab operated under the provisions of this ordinance shall be plainly marked on the exterior in letters not less than four inches high with the name under which the operator thereof is doing business.

Section 12. License to drive taxicabs.

No license to drive a taxicab for hire on any public street in the City of Gig Harbor shall be issued until:

- a. The applicant submits proof, of a valid driver's license as required by the laws of the State of Washington.
- b. The Chief of Police has conducted an investigation of the applicant and recommends approval or disapproval.

Section 13. License fee.

A fee of fifteen dollars (\$15.00) per annum shall be collected for the initial license to drive a taxicab. Thereafter a fee of five dollars (\$5.00) per annum shall be collected for renewals.

Section 14. Revocation of license to drive taxicab.

A license to drive a taxicab may be revoked by the City Council for any of the following reasons:

- a. Behavior that endangers passengers or the other users of the public street.
- b. Discourteous, abusive, or dishonest conduct toward passengers.
- c. Any violation of this ordinance.

Section 15. Penalty.

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor, punishable by a fine of up to \$1,000.00.

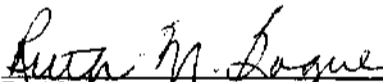
Section 16. Severability.

If any section, sentence, clause, or phrase of this ordinance should 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.

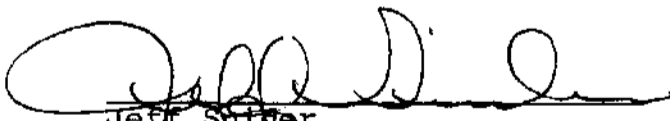
Section 17. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of March, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Siffer,
Administrator/Clerk

CITY OF GIG HARBOR
Gig Harbor, Washington

ORDINANCE NO. 421

AN ORDINANCE CREATING AND DEFINING THE CRIMES OF
MENACING AND PROVOKING ASSAULT.

WHEREAS, the present City Criminal Code does not adequately protect citizens from those who would intentionally place others in fear of bodily injury or death, either by physical action or communication; and

WHEREAS, it is in the interest of public safety that action and conduct be prohibited which would reasonably be expected to result in assault upon persons and property; now, therefore,

THE CITY COUNCIL of the City of Gig Harbor, Washington do ORDAIN as follows:

That the Gig Harbor City Code as codified in Chapter 9 be amended by the addition of the following sections:

MENACING: A person is guilty of Menacing when he knowingly causes or attempts to cause another person to believe that he or any member of his family will be the victim of serious physical injury or death. Menacing is a gross misdemeanor.

PROVOKING ASSAULT: A person is guilty of provoking assault if he repeatedly uses fighting words or obscene language or gestures, thereby creating a substantial risk of assault to any person. Provoking assault is a misdemeanor.

PASSED by the City Council and APPROVED by the Mayor this
14th day of March, 1983.

CITY OF GIG HARBOR

By *Nuth M. Lague* MAYOR

Attest:

By *[Signature]* CITY CLERK

Approved as to Form:

By _____ CITY ATTORNEY

ORDINANCE NO. 422

AN ORDINANCE relating operation and maintenance of gasoline service stations: amending Section 1 of Ordinance No. 153 to replace an obsolete reference therein.

WHEREAS, it has been recommended to the Gig Harbor City Council that Section 15.20.020 of the Gig Harbor Municipal Code be amended to allow the display, rental and/or storage of household moving rental trucks/or utility rental trailers and to allow self service gasoline sales; and

WHEREAS, that such an operation would provide an essential service of retail convenience to the City; and

WHEREAS, the display, rental and/or storage of household moving rental trucks and/or utility rental trailers is potentially detrimental to the character of surrounding neighborhoods; and

WHEREAS, proper screening will mitigate the potential impacts further protecting the health, safety, and welfare of the citizens of Gig Harbor; NOW, THEREFORE,

The City Council for the City of Gig Harbor do ordain as follows:

Section 1.

Section 1 of Ordinance No. 153 shall read as follows:

15.20.020 Operation and maintenance.

- A. No vehicles, disabled, awaiting repairs, or in storage or for sale may be parked on the premises for a continuous period of more than forty-eight hours.
- B. No body straightening or body repair or disassembly of body components will be allowed on the service station site. Wrecked or damaged vehicles shall not be stored on the premises longer than twenty-four hours.
- C. There shall be no automatic car wash. ~~or-car-or-truck-or-trailer-rental.~~
- D. No operation, service, or activity which would constitute a public nuisance shall be allowed.
- ~~E. No self-service operation shall be allowed.~~
- E. All buildings and grounds shall be kept in a constant state of repair becoming to the community.
- F. The hours of operation of any gasoline service station near or abutting residences shall be limited to six a.m. to ten p.m., except as otherwise permitted by the City Council.
- G. The display, rental and/or storage of household moving rental trucks and/or utility rental trailers as defined in connection with a gasoline service station is permitted pursuant to the following restrictions;
 - a. Rental equipment shall occupy an area no greater than twenty (20) percent of the total lot and no rental equipment shall be placed forward of the building front setback.
 - b. Landscaping for the purpose of screening the areas for the storage of rental trucks and/or utility rental trailers shall be planted and maintained when determined to be necessary by the City Council. The City Council shall, in its determination of the need for landscape screening, consider view from other properties, view from streets and pedestrian ways, extent of activity connected with the proposed use, and the impact of all the foregoing on the immediate neighborhood and the City of Gig Harbor in general.

15.20.025 Definitions.

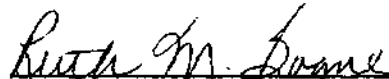
Household Moving Rental Truck. Any motor vehicle which is displayed stored or offered for rental without a driver; used and maintained solely for the transportation of property and primarily used for the do-it-yourself movement of personal household goods by private individuals on a short term basis, having only two axles and equipped with a fully enclosed van body of no more than 22' in length measured at the vehicle chassis and no more than 12' in height measured from the surface upon which involved truck rests.

Utility Rental Trailers. Any non-passenger-carrying box-type open or van vehicle, designed to be towed by a motor vehicle, not exceeding 3,500 pounds gross weight (GVW) and not exceeding 96" in total width, 72" in box width, or 14' in box length.

Section 2. Effective Date.


This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of March, 1983.



Ruth M. Bogue, Mayor

ATTEST:



Jeff Snider
Administrator/Clerk

AN ORDINANCE relating to a special fund: establishing a special revenue fund for the police K-9 program.

WHEREAS, several community groups and individuals desire to contribute money to support a K-9 program; and,

WHEREAS, contributors request that the money be restricted to the K-9 program; and,

WHEREAS, the Washington Budgeting, Accounting, Reporting System permits the use of special revenue funds for designation of moneys, NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1.

A special purpose accounting fund known as the "K-9 Special Revenue Fund" is established. As required by the BARS system the accounting code shall be designated as "104".

Section 2.

The K-9 special revenue fund shall account for all deposits and disbursements for the purpose of operating a K-9 program and shall not be used for other purposes. Claims for disbursement shall be approved by the City Council.


Section 3. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 14th day of March, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Skider,
Administrator/Clerk

ORDINANCE NO. 424

AN ORDINANCE relating to the licensing of temporary businesses: adding a new section to Ordinance No. 400.

WHEREAS, the Gig Harbor City Council recognizes that local non-profit organizations hold special events to raise money for the community; and

WHEREAS, these special events depend on the participation of several small profit and non-profit businesses; and,

WHEREAS, the requirement that each business involved in a special event obtain a temporary business license discourages participation; and,

WHEREAS, the City Council recognizes that such special events are not possible without the participation of several businesses; and,

WHEREAS, the City Council acknowledges the necessary contribution that such events make to the community; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1.

Ordinance No. 400 is amended by adding thereto a new section 15 to read as follows:

"Section 15. Special Events."

When two or more businesses temporarily gather under the direction and supervision of a non-profit organization, only one temporary license shall be required. The sponsoring non-profit organization shall be responsible for obtaining the license. A group bond or cash deposit shall be filed for all profit-status businesses by the sponsoring organization as follows:

1 - 10 businesses \$500.00; for each additional ten (10) business an additional \$500.00.

A special event temporary license shall not exceed five (5) consecutive days.

Section 2. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 9th day of May 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snyder,
Administrator/Clerk

AN ORDINANCE amending the title map adopted by Title 17 establishing land use classifications and districts in the City of Gig Harbor: amending the zoning map adopted by said ordinance by providing a change of zone from W-1 (Waterfront) to R-B-1 (residential-business) for certain property described herein, and declaring the effective date of this ordinance.

WHEREAS, procedures for change in the zoning thereof have been duly taken and had in accordance with the provision of Title 17 of the Gig Harbor Municipal Code, and;

WHEREAS, the City of Gig Harbor has, during their last area wide zoning, designated the site at W-1, and;

Whereas, W-1 is a waterfront oriented zone classification for waterfront oriented activities, and;

WHEREAS, the subject property is not situated upon or have adjacent waterfront property, and;

WHEREAS, the R-B-1 classification bears a reasonable relationship to surrounding properties, and;

WHEREAS, the R-B-1 classification would be consistent with the comprehensive plan, and;

WHEREAS, the Planning Commission has recommended such change, and;

WHEREAS, the City Council has found the same to be and for good and proper reasons that affect the public welfare.

NOW, THEREFORE, be it ordained by the City Council of the City of Gig Harbor:

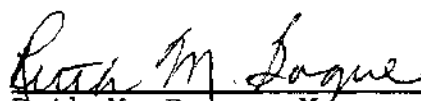
Section 1. That the following described real property situated in the City of Gig Harbor, County of Pierce, State of Washington, to wit:

Lots 1 through 4 of Block 4 of Artna Addition.


be and the same is hereby rezoned and classified as R-B-1 (residential business), rather than W-1 (waterfront).

Section 2. That the official zoning map of the City of Gig Harbor located in Title 17 of the Gig Harbor Municipal Code, be and the same is hereby amended to reflect such change in zoning of such area. That the City Clerk shall make this classification change on the City's official zoning map and certify said change in accordance with the terms of Title 17 of the Gig Harbor Municipal Code. That this ordinance shall take effect upon its passage and publication as provided by law.

PASSED at a regular meeting of the City Council held on the 23rd day of May, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
City Administrator

AN ORDINANCE amending the title map adopted by Title 17 establishing land use classifications in the City of Gig Harbor: amending the zoning map adopted by said ordinance by providing a change of zone from R-1 (Single Family Residential) and G-S (General Service Use) Districts to the R-2 (Medium Density Residential) District for certain property described herein, and declaring the effective date of this ordinance.

WHEREAS, procedures for change in the zoning thereof have been duly taken and had in accordance with the provision of Title 17 of the Gig Harbor Municipal Code, and;

WHEREAS, the City of Gig Harbor has, during their last area wide zoning, designated the site R-1 and G-S, and;

WHEREAS, the City has determined that conditions affecting the use of the property have substantially changed since the property was given its present zoning classification. Those changes include development of commercial uses on parcels between the property and the highway, the construction of schools, churches and other institutional and commercial uses around the property and the extension of utility services to the property, and;

WHEREAS, the City finds that these changes have made the property unsuitable for single-family residential development and that the R-1 classification is no longer appropriate, and;

WHEREAS, the City finds that a downzoning of the G-S portion of the property would be in the public interest as it would eliminate the possibility of incompatible or piecemeal commercial development, and;

WHEREAS, the R-2 classification bears a reasonable relationship to surrounding properties, and;

WHEREAS, the R-2 classification would be consistent with the comprehensive plan, and;

WHEREAS, the Planning Commission has recommended such change, and;

WHEREAS, the City Council has found the same to be and for good and proper reasons that affect the public welfare.

NOW, THEREFORE, be it ordained by the City Council of the City of Gig Harbor:


Section 1. That the following described real property situated in the City of Gig Harbor, County of Pierce, State of Washington, to wit:

S $\frac{1}{2}$ of N $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 7 Township 21, Range 2 E. W.M. Assessors No. 02-21-07-2-035.

be and the same is hereby rezoned and classified as R-2 (medium density residential), rather the R-1 (single family residential) and G-S (General Service Use).

Section 2. That the official zoning map of the City of Gig Harbor located in Title 17 of the Gig Harbor Municipal Code, be and the same is hereby amended to reflect such change in zoning of such area. That the City Clerk shall make this classification change on the City's official zoning map and certify said change in accordance with the terms of Title 17 of the Gig Harbor Municipal Code. That this ordinance shall take effect upon its passage and publication as provided by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 13th day of June, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Shider,
Administrator/Clerk

ORDINANCE NO. 427

AN ORDINANCE relating to special events: establishing provisions for licensing and regulating special events on public right of ways and providing penalties for violations of the provisions.

WHEREAS, the Gig Harbor City Council determined that the volume of special events occurring on public right of ways necessitates regulation; and,

WHEREAS, the City does not currently regulate special events; NOW, THEREFORE,

The City Council for the City of Gig Harbor do ordain as follows:

Section 1. Purpose.

The purpose of this ordinance is to provide reasonable supervision of any movement of persons, or vehicles or boats within the limits of the City by way of runs, parades, street dances, special events, or other demonstrations or exhibition, for the protection of persons and property.

Section 2. Definitions.

"Parade" means any march or procession consisting of people, animals, bicycles, vehicles, or combination thereof, except wedding processions and funeral processions, upon any public street or sidewalk which does not comply with normal and usual traffic regulations or controls.

"Run" means an organized procession to contend in a race consisting of people, bicycles, or other vehicular devices or combination thereof containing ten or more persons upon a public street or sidewalk.

"Special event" means any parade, run, street dance, or other demonstration and exhibition to include on-water activities.

"Street" or "streets" mean any public roadway, sidewalk, or portions thereof in the City of Gig Harbor dedicated to the public use.

"Street dance" means any organized dance of three or more couples on any public street, public sidewalk, or publically owned parking lot.

Section 3. Permit required.

No person shall engage in, participate in, aid, form or start any special event, unless a permit has been obtained from the Director of Administration.

Section 4. Permit - Application - Fee.

There shall be paid by the sponsor(s) at the time of application, a fee of twenty-five dollars (\$25.00) for each special event.

Section 5. Filing period.

An application for a special events permit shall be filed with the Director of Administration not less than fifteen (15) days nor more than three hundred and sixty-five (365) days before the date on which the event will occur. The Director of Administration shall notify the applicant in writing of approval or disapproval, no later than ten (10) days following the date of the application.

Section 6. Applications.

Applications for a special events permit shall state:

- A. Name and address of applicant.
- B. Date and time of event
- C. Name of sponsoring organization.
- D. Probable number of participants.
- E. Route(s) to include starting point and termination.
- F. Required access to public right of ways.
- G. Location of assembly areas.
- H. Copy of liability insurance coverage.
- I. Security and traffic control provisions.
- J. Emergency medical provisions.
- K. A clean-up plan.

Section 7. Bond required.

The Director of Administration shall set an amount for a cash deposit or surety bond as a guarantee that the expenses of cleaning up will be paid by the sponsoring organization. The amount shall not be less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). The Director shall determine the bond amount by such factors as type of event, projected number of participants and spectators, and the sponsors experience.

Section 8. Insurance required.

The applicant shall show proof of liability insurance with a combined single limit of \$500,000 for each incident. A specimen copy shall be filed with the application and shall name the City of Gig Harbor as an additional named insured.

Section 9. 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 Director of Administration shall notify the applicant(s) of the actual projected expense and collect this amount before a permit is issued.

Section 10. Issuance standards.

The Director of Administration shall issue a special events permit unless he finds that:

1. The time, route, and size will unreasonably disrupt the movement of other traffic contiguous to the route;
2. The size or nature of the event requires the diversion of so great a number of Police Officers of the City that police protection to the remainder of the City is dangerously diminished.
3. The applicant failed to remit all customary and reasonable fees, insurance documents, or bonds.

Section 11. Appeal procedure.

Upon denial of a permit by the 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 Director's determination.

Section 12 Revocation of permit.

The Director of Administration shall have the authority to

revoke a permit upon application of the standards for issuance as herein set forth. The Director shall notify the permittee of the revocation, in writing, 15 days prior to the event, or as soon as possible.

Section 13. Penalty.

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of an infraction of law punishable by a fine of up to \$1,000.00.

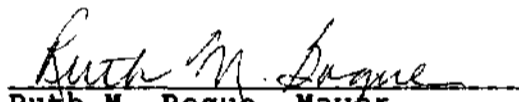
Section 14. Severability.

If any section, sentence, clause, or phrase of this ordinance should 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 15. Effective date.

This ordinance is effective and in full force five (5) days following its approval, passage and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 13th day of June, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snyder,
Administrator/Clerk

AN ORDINANCE relating to the movement of buildings: establishing regulations to control the movement of buildings on public rights of ways; setting a permit fee; and, providing penalties for violations.

WHEREAS, the Gig Harbor City Council determined that the present ordinance (No. 89) does not adequately control the moving of buildings on public right of ways; and,

WHEREAS, the City Council repealed Ordinance No. 89 by Ordinance No. _____; and

WHEREAS, the City Council finds it necessary to continue the regulation of moving buildings for the health, safety, and welfare of the public; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1. Definitions.

For the purpose of this ordinance the following terms, phrases, words, and their derivations shall have the meaning given in this section:

- A. "Building" shall mean a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property and used for residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes.
- B. "Building inspector" shall mean the person appointed as the official building inspector for the City of Gig Harbor.

Section 2. Permit required.

No person, corporation, firm or organization shall move any building over along or across any public highway, street, or alley in the City without first obtaining a permit from the building inspector.

Section 3. Permit application.

A person seeking a permit under this ordinance shall file an application with the building inspector upon forms provided by the City. The application shall set forth:

- A. A description of the building(s) to be moved to include dimensions and condition of exterior and interior;
- B. A legal description of the lot from which the building is to be moved, if located in the City;
- C. A legal description of the lot to which the building is to be moved, if located in the City;
- D. The route over which the building is to be moved;
- E. Proposed moving date and hours;
- F. Any additional information which the building inspector or the Chief of Police find necessary to make a determination.

Section 4. Application fee.

Application for a permit shall be accompanied by a fee of Twenty Dollars (\$20.00) for each building proposed to be moved.

Section 5. Insurance.

The applicant shall show proof of liability insurance in a combined single limit amount of \$500,000 for each incident. A specimen copy of the insurance certificate shall be filed with the application and shall name the City of Gig Harbor as an additional named insured.

Section 6. Deposit for expense of City.

Upon receipt of an application, the Director of Administration shall estimate the expense to remove and replace any City property to accommodate the moving of a building(s). Prior to the issuance of a permit, the Director shall require the applicant to deposit a sum of money equal to twice the estimated expense.

Section 7. Cash deposit or surety bond.

The applicant shall deposit with the Director of Administration a cash deposit or corporate surety bond in the sum of two thousand dollars as indemnity for any damage which the City may sustain which may be caused by or be incidental to the movement of a building over, along, or across any public right of way in the City.

Section 8. Inspection by Building Inspector.

The Building Inspector shall inspect the building(s) and the applicants equipment to determine if the standards for issuance are met.

Section 9. Standards for issuance.

The Building Inspector shall deny a permit if:

- A. Any application requirement or any fee or deposit requirement has not been complied with;
- B. The building is too large to move without endangering persons or property in the City;
- C. The building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the City;
- D. The building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the City;
- E. The applicant's equipment is unsafe and that persons and property would be endangered by its use;
- F. Zoning or other ordinances would be violated by the building in its new location;

Section 10. Appeal procedure.

Upon denial of a permit by the Building Inspector an applicant may appeal to the City Council by filing a written notice of appeal with the Director of Administration within ten (10) days following notice of denial.

Section 11. Building Inspector to designate street(s) for removal.

The Building Inspector shall designate the streets over which the building may be moved. The Building Inspector shall have the list approved by the Police Department. In making their determinations the Building Inspector and the Police Department shall act to assure maximum safety to persons and property in the City and to minimize congestion and traffic hazards on public streets.

Section 12. Duties of permittee.

The holder of a building moving permit(s) shall:

- A. Use designated streets. Move a building only over streets designated for such use in the written permit.
- B. Notify of revised moving time. Notify the Building Inspector in writing of a desired change in moving date and hours as proposed in the application.
- C. Notify of damage. Notify the Building Inspector in writing of any and all damage done to property belonging to the City within twenty-four hours after the damage or injury has occurred.
- D. Display lights. Cause red lights to be displayed during the nighttime on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building.
- E. Street occupancy period. Remove the building from the City streets after 24 hours of such occupancy, unless an extension

is granted by the Building Inspector.

- F. Comply with governing law. Within six months from the date of issuance of the permit, comply with the City building, fire and zoning ordinances, and all other applicable ordinances and laws upon relocating the building in the City.
- G. Pay expense of officer. Pay the expense of a traffic officer ordered by the Building Inspector to accompany the movement of the building to protect the public from injury.
- H. Clear old premises. Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition.
- I. Notify utility and transportation companies. Notify each utility or public transportation company of any of its property that may be encountered in the moving route.

Section 13. Fees and deposits.

- A. Return upon nonissuance. Upon the refusal of the Building Inspector to issue a permit, the Director of Administration shall return to the applicant all fees, deposits and bonds.
- B. Return upon allowance for expense. After the building has been removed, the Director of Administration shall prepare a written statement of all expenses incurred in removing and replacing all property belonging to the City, and all material used in the making of the removal and replacement together with a statement of all damage caused to or inflicted upon property belonging to the City; provided, however, that if any wires, poles, lamps or other property are not located in conformity with governing ordinances, the permittee shall not be liable for the cost of removing the same. The Director shall return to the applicant all deposits after deduction of a sum sufficient to pay for all of the cost and expenses and for all damage done to property of the City by reason of the removal of the building.

Section 14. Enforcement.

- A. Enforcing officers. The Building Inspector and the Police Department shall enforce and carry out the requirements of this ordinance.
- B. Permittee liable for expense above deposit. The permittee shall be liable for any expense, damages or costs in excess of deposited amounts or securities, and the City Attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such excessive amounts.
- C. Original premises left unsafe. The City shall proceed to do the work necessary to leaving the original premises in a safe and sanitary condition where permittee does not comply with the requirements of this ordinance, and the cost thereof shall be charged against the general deposit.

Section 15. Penalty.

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a infraction of law, punishable by a fine of up to \$1,000.00.

Section 16. Severability.

If any section, sentence, clause, or phrase of this ordinance should 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 17. Effective date.

This ordinance is effective and in full force five (5) days following its approval, passage and publication by law.

PASSED at a regular meeting of the City Council held on
the 27th day of June, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 429

AN ORDINANCE relating to the regulating of special events: amending Section 1 of Ordinance No. 424.

WHEREAS, the Gig Harbor City Council passed Ordinance No. 424 to regulate special events; and,

WHEREAS, the City Council determined that the Ordinance intent should be expressed within the Ordinance; NOW, THEREFORE,

The City Council of the City of Gig Harbor DO ORDAIN as follows:

Section 1.

Ordinance No. 424 is amended by changing the title of Section 1. from purpose to purpose and intent and by adding a paragraph to read as follows: "The intent of this Ordinance is to allow community-based organizations to sponsor special events on public thoroughfares and public waterways, and to provide guidelines that protect the public's health, safety, and welfare."


Section 2. Effective Date.

This Ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 11th day of July, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Sneider
Administrator/Clerk

ORDINANCE NO. 430

AN ORDINANCE ANNEXING TO AND INCORPORATING WITHIN THE CITY OF GIG HARBOR CERTAIN UNINCORPORATED TERRITORY LYING CONTIGUOUS TO THE CITY OF GIG HARBOR.

BE IT ORDAINED by the City Council of the City of Gig Harbor,

THAT, WHEREAS, it has been determined that the best interest and general welfare of the City of Gig Harbor would be served by the annexation of the following described property:

PARCEL "A":

Beginning at the Southwest corner of Government Lot 5 in Section 8, Township 21 N, R2E of the W.M.; thence east on the south line thereof 40 rods; thence north parallel with the west line thereof 40 rods to the true point of beginning; thence continue north parallel with said west line 25 rods to the southwest corner of that certain tract of land conveyed to Samuel Jeresich by deed dated October 22, 1904 and recorded November 29, 1905 under Auditor's Fee No. 201510; thence east along the south line of said Jeresich tract to the line of ordinary high tide; thence in a southerly direction along said line of ordinary high tide to a line parallel with and 40 rods north of the south line of said lot 5; thence west on said parallel line to the true point of beginning, in Pierce County, Washington.

TOGETHER with all tidelands of the second class abutting thereon. EXCEPT there from that certain tract of land conveyed to Hugo L. Finholm and Myrtle H. Finholm, husband and wife, by deed dated June 24, 1946 and recorded September 4, 1946 under Auditor's Fee No. 1423924.

PARCEL "B":

A non-exclusive easement for ingress, egress and utilities over, under and across the following described property: Beginning at the northwest corner of the above described parcel A; thence west 30 feet; thence south 60 feet; thence east 30 feet to the west line of said Parcel A; thence north 60 feet to the point of beginning.

Lot 4 of short plat 80-165.

WHEREAS, Notice of Intention to Annex was filed with the Boundary Review Board of Pierce County, Washington, pursuant to state law and that said Notice of Intention to Annex was on file for sixty days with the Pierce County Boundary Review Board and that the Pierce County Boundary Review Board did not take jurisdiction for a period of sixty days, and therefore it is presumed to approve the same, and;

WHEREAS, the City Council on March 28, 1983 fixed Monday, April 11, 1983 at the hour of 7:00 p.m. in the City Hall of the City of Gig Harbor as the times and place at which all interested persons should appear and voice their approval or disapproval of said annexation of said unincorporated territory, and;

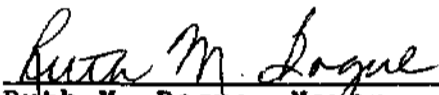
WHEREAS, notice of said hearings was given as provided by law by publication thereof, and;

WHEREAS, at said hearings no one objected to the R-1 zoning or said annexation,

NOW, THEREFORE, be it ordained by the City Council of the City of Gig Harbor: the same is hereby zoned R-1 and annexed into and incorporated within the City of Gig Harbor.


This ordinance shall become effective upon its passage and publication as provided by law.

PASSED this 8th day of August, 1983.



Ruth M. Bogue, Mayor

ATTEST:



Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 431

AN ORDINANCE ADOPTING PROVISIONS FOR REGULATING THE OPERATION OF BED AND BREAKFAST FACILITIES.

WHEREAS, it has been recommended to the Gig Harbor City Council that the Gig Harbor Municipal Code be amended to allow bed and breakfast facilities in residential zones; and

WHEREAS, the City of Gig Harbor City Council has found that bed and breakfast facilities are not allowed under any of the zoning code provisions; and,

WHEREAS, that such an operation would provide an essential service to the City; and

WHEREAS, proper regulations will mitigate the potential impacts further protecting the health, welfare, and safety of the citizens of Gig Harbor; NOW THEREFORE,

BE IT ORDAINED that the City of Gig Harbor ordinances and Municipal Code be amended by addition as follows:

Municipal Code, Chapter 17 and underlying ordinance 109-A, Section 2.

Add the following:

"17.04.085 Bed and Breakfast Accomodations.

'Bed and Breakfast Accomodations' means any owner occupied building or portion thereof or a group of buildings containing no more than 3 guest rooms or suites each used, designed or intended to be used, let or hired out for occupancy by transient guests for compensation or profit."

Municipal Code Chapter 17.64 and underlying ordinances.


Add the following:

"17.64.040(A):


12. "Bed and Breakfast Accomodations." Additionally a bed and breakfast facility must be consistent with the following:

- a. A request for a Conditional Use Permit shall not be approved in cases where guest rooms occupy more than 25% of the square footage of the habitable space of the residential structure.
- b. The use permit may be conditioned not to run with the land thereby precluding subsequent owner occupying/operators from the benefits which former owners enjoyed under the permit.
- c. The conditional use application shall be accompanied with a site plan and floor plan to scale showing room sizes and total area of the residence.
- d. A bed and breakfast facility shall demonstrate, in addition to the required parking for the residence, the availability of 1 parking space for each bedroom occupied by guests.

PASSED by the City Council and APPROVED by the Mayor
at a regular meeting this 22nd day of
August, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator/Clerk

ORDINANCE NO. 432

AN ORDINANCE relating to special events: amending Ordinance No. 427 to add a time limitation.

WHEREAS, the Gig Harbor City Council determined that special events should be limited in time to maintain the health, safety, and welfare of the public; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO ORDAIN as follows:

Section 1.

Ordinance No. 427 is amended by adding to Section 10. Issuance Standards to read as follows:

"4. The event exceeds five consecutive days of occurrence."

Section 2. Effective Date.

This ordinance is effective and in full force five (5) days following its approval, passage, and publication by law.

PASSED by the City Council and APPROVED by the Mayor at a regular meeting this 12th day of September, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Smith,
Administrator/Clerk