

148	Annexation (Special)	187	Amends Ord. 106, building permits (Repealed by 506)
149	Reimbursement of officials (2.28)	188	Amends Ord. 106, building permits (Repealed by 506)
150	Rezone (Special)	189	Amends Ord. 23 § 7, 9, terms of mayor and councilmen (2.12)
151	Uniform fire code (Repealed by 493)	190	Eminent domain condemnation (Special)
152	Adopts uniform building code (Repealed by 305)	191	Misdemeanors (Repealed by 529)
153	Gasoline service station construction and regulations (15.20)	192	Amends Ord. 109A 24, annexation procedure (17.88)
153A	Adds to Ord. 153, gasoline service station construction and regulations (15.20)	193	Building permit moratorium in zone R-2 (Special)
154	Corrects Ord. 143, budget (Special)	194	Water service charges; repeals Ord. 115 (Not codified)
155	Number not used	195	Water service rules and regulations (13.02)
156	Local improvement district regulations (13.20)	196	Water system (13.04)
157	Ad valorem tax levies (Special)	197	Repeals Ord. 1 (Repealer)
158	Sanitary sewerage system construction, boundaries (Special)	198	Declaration of intent to regulate flood and mudslide hazard areas (Not codified)
159	Budget amendment (Special)	199	Building sewers (13.24)
160	Tax levy and budget (Special)	200	Amends § 1 of Ord. 152, building code (Repealed by 305)
161	Extensions and improvements to water supply and distribution system (Special)	201	Amends § 1 of Ord. 151, fire code (Repealed by 493)
162	Sanitary sewage system construction (Special)	202	Extends building permit moratorium in zone R-2 (Special)
163	Amends Ord. 109A, multifamily residential area, establishment (Repealed by 573)	203	Amends § 15.08.010, plumbing code (Repealed by 491)
164	Water tank construction fund (Expired)	204	Amends § 3.24.020, bingo, raffles and amusement tax (Repealed by 398)
165	Rezone (Special)	205	Code adoption (1.01)
166	Sewer construction fund (Special)	206	Amends § 1 of Ord. 148, annexation (Special)
167	Official newspaper designation (1.20)	207	Rezone (Special)
168	Revenue sharing fund (3.04)	208	Amends Ord. 193, building permit moratorium in R-2 zone (Special)
169	Utility LID No. 1 charges and assessments (Special)	209	Sewer regulations (13.28)
170	Water revenue bonds (Special)	210	Amends § 5.04.030, minors playing amusement devices prohibited (Repealed by 374)
171	1974 ad valorem tax levy (Special)	211	Water rates (13.04)
172	Civil service commission (Repealed by 510)	212	Ad valorem tax levy for 1975 (Special)
173	Sewer revenue bonds (Special)	213	General tax levy for 1975 (Special)
174	Amends Ord. 108, town hall office hours (2.08)	214	Bond issuance (Special)
175	1974 budget and tax levy (Special)	215	Amends Ord. 208, extends moratorium on building permit issuance in R-2 zone (Special)
176	Annexation (Special)	216	Repeals 17.24.110, dwelling unit size in R-3 district (Repealer)
176A	Amends Ord. 176, Exhibit A, annexation (Special)	217	Annexation (Special)
177	Annexation (Special)	218	Sewer service rates (Repealed by 453)
178	Annexation (Special)	219	Rezone (Special)
179	Adds to Ord. 109A, § 6-B RB-1 district (Repealed by 573)	220	Amends Chapter 17.20, R-2 district (Repealed by 573)
180	Bingo, raffles, amusement game revenue tax (Repealed by 398)	221	Authorization of loan from current expense fund to sewer operating fund (Special)
181	Sign construction or remodeling moratorium (Special)	222	Licensing and operation of cabarets (5.24)
182	General penalty (1.16)	223	CATV franchise (Special)
183	Amends Ords. 149 § 1, reimbursement of officials (2.28)	224	Short subdivisions (Repealed by 608)
184	Amends penalty sections of Ords. 1, 2, 18, 22, 44, 48, 56, 71, 87, 89, 99, 100, 110, 119, 129, 132, 134 (3.16, 5.08, 5.12, 8.04, 8.08, 8.24, 10.08, 12.04, 12.08, 13.16)	225	Annexation (Special)
185	Repeals Ords. 4, 4A, 4B, 8, 9, 17, 17A, 17B, 36, 36A, 36B, 36C, 54, 54A, 54B, 65, 65A, 72, 75 § 1, 75A, 75B, 76, 76A, 80, 85, 88, 90, 97, 107, 125 (Repealer)	226	Ad valorem tax levies for 1976 (Special)
186	General provisions (1.04)		

Ordinance Table

227	Amends § 6 of Ord. 224, short subdivisions (Repealed by 608)	271	Amends § 16.40.060, subdivisions (Repealed by 608)
228	Ad valorem tax excess levies for 1976 (Special)	272	Amends § 17.88.010, zoning (17.88)
229	General tax levy and budget for 1976 (Special)	273	Amends § 17.64.020, zoning (Repealed by 573)
230	Salaries and compensation for town officials (Repealed by 442)	274	Amends § 17.84.040, zoning (Repealed by 573)
231	Amends Chs. 17.32 and 17.36, B-1 and B-2 districts (17.32)	275	Amends § 16.12.040, subdivisions (16.12)
232	Amends § 17.20.020, R-2 zone (Repealed by 573)	276	Bond issuance (Special)
233	Amends § 17.20.040, R-2 zone (Repealed by 573)	277	Annexation (Special)
234	Amends § 17.44.020, W-1 district (Repealed by 598)	278	Water bond issuance (Special)
235	Adds § 7 to Ord. 211, water service charges (13.04)	279	Amends § 4 of Ord. 223, CATV franchise (Special)
236	Amends § 2 of Ord. 218, sewer service charges (Repealed by 453)	280	Rezone (Special)
237	Authorizes an interfund loan (Special)	281	Amends § 17.16.030, zoning (Repealed by 573)
238	Ad valorem tax levies for 1977 (Special)	282	Amends § 17.20.040, zoning (Repealed by 573)
239	Amends § 17.20.030, 17.32.030, 17.36.030, land use regulations (17.32)	283	Amends § 17.44.030, zoning (Repealed by 598)
240	Annexation (Special)	284	Rezone (Special)
241	1976 budget (Special)	285	Adopts criminal code (Repealed by 529)
242	1977 budget (Special)	286	Annexation (Special)
243	Amends Ord. 238, ad valorem taxes (Special)	287	Establishes repair and demolition fund (Repealed by 503)
244	Water system improvements fund (Repealed by 503)	288	Creates LID 1 (Special)
245	Authorizes sale of town hall (Special)	289	Repeals Ch. 8.12 (Repealer)
246	Rezone (Special)	290	Amends § 6.04.010 – 6.04.050; repeals 6.04.060 – 6.04.120, dogs (6.04)
247	Annexation (Special)	291	Amends § 13.28.050, 13.28.100, 13.28.230, sewers (13.28)
248	Amends § 17.32.040, lot area (17.32)	292	Amends § 2.04.010, council meetings (2.04)
249	Truck traffic restrictions (Repealed by 574)	292A	Rezone (Special)
250	Amends § 17.80.020, signs (Repealed by 532)	293	Budget increase (Special)
251	Amends § 17.80.030, permits for signs (Repealed by 532)	294	Annexation (Special)
252	Amends § 17.80.050, permitted signs (Repealed by 532)	295	Annexation (Special)
253	Amends Ord. 218, sewer rates (Repealed by 453)	296	Annexation (Special)
254	Amends § 17.32.030, B-1 district (17.32)	297	Annexation (Special)
255	Amends § 17.36.030, B-2 district (Repealed by 573)	298	SEPA guidelines adoption (18.04)
256	Adds § 17.40.080, site plans (Repealed by 573)	299	Amends § 9.84.010, discharging firearms (Repealed by 529)
257	Adds § 17.44.100, site plans (Repealed by 598)	300	1979 ad valorem tax levy (Special)
258	Amends § 17.48.050, site plans (Repealed by 598)	301	Town council study meetings (2.04)
259	Adds § 17.52.050, site plans (Repealed by 598)	302	1979 budget and tax levy (Special)
260	Adds § 17.56.020, site plans (Repealed by 598)	303	Adds subsection D to § 10.08.030, mobile home parking (10.08)
261	Adds § 17.20.100, site plans (Repealed by 573)	304	Creates LID 2 (Special)
262	Adds § 17.24.160, site plans (Repealed by 573)	305	Repeals 15.04.010 and 15.04.020 (Repealer)
263	Adds § 17.28.070, site plans (Repealed by 573)	306	One-way street designation (10.20)
264	Rezone (Special)	307	Adds § 17.04.045, and subdivision 9 to subsection B of § 17.64.040, zoning (Repealed by 573)
265	Annexation (Special)	308	Adds § 17.08.072, zoning (17.08)
266	Adopts 1973 Uniform Building Code, amends § 15.08.010, building fees (Repealed by 491)	309	Interfund loan (Special)
267	Election (Special)	310	Prohibits motor vehicles in town parks (10.24)
268	Annexation (Special)	311	Rezone (Special)
269	1978 ad valorem tax levy (Special)	312	Adds language to § 5 of Ord. 209, sewers (13.28)
270	1978 budget and tax levy (Special)	313	Adopts personnel reclassification and salary schedule (Not codified)
		314	Rezone (Special)
		315	Establishes LID No. 3, providing for issuance and sale bonds (Special)
		316	Establishes local improvement guaranty fund (Special)

ORDINANCE NO. 116

AN ORDINANCE AMENDING SECTION 20, CHAPTER 17 OF THE
GIG HARBOR MUNICIPAL CODE.

Section 20, Chapter 17 of the Gig Harbor Municipal Code is amended
to read as follows:

Sections:

- 17.20.010 Intent.
- 17.20.020 Permitted uses.
- 17.20.030 Land use regulations.
- 17.20.040 Lot area.
- 17.20.050 Yards.
- 17.20.060 Building height.
- 17.20.070 Off-street parking.
- 17.20.080 Curbs and sidewalks.
- 17.20.090 Underground utilities.

17.20.010 Intent. The intent of this district is to allow for greater density land use than is permitted in an R-1 District but less density land use than is permitted in an R-3 District, where suitable facilities such as streets, sewers, water and storm drainage are presently available or will be available within an acceptably defined future for the higher density while at the same time preserving the primarily residential character of the district.

17.20.020 Permitted uses. The following uses are permitted in an R-2 zone:

- A. One family dwellings;
- B. Detached dwelling units containing not more than four (4) living units per detached building. (See Chapter 17.20.030 A. for maximum number of dwelling units permitted without first obtaining a Conditional Use Permit.)
- C. Home occupations;
- D. Libraries, public;
- E. Nursery schools, non-boarding;
- F. Parks and playgrounds, publically owned and operated;
- G. Clinics, hospitals, convalescent homes;
- H. Rest homes, nursing homes;
- I. Temporary buildings for and during construction;
- J. Accessory uses;
- K. Transitional uses provided in Chapter 17.60;
- L. Conditional uses as provided in Chapter 17.64 and subject to the conditions and requirements prescribed.

17.20.030 Land use regulations.

A. Permit requirements.

1. Before a permit may be issued for any development within this district involving more than ten (10) dwelling units, ~~duplicate~~ site plans and drawings shall be submitted to the Town Council for transmittal to the Planning Commission.
2. Upon determination by the Planning Commission that facilities suitable to the planned development do exist or will be provided, that provisions for compliance with all other requirements of this Chapter have been or will be made, and when suitable performance bonds have been provided to the Town Clerk, a recommendation will be made to the Town Council.

3. After receiving the report of the Planning Commission, the Town Council will hold an advertised public hearing on the site plan and exterior drawing of the planned development and the recommendations of the Planning Commission. If the plan, and drawing, are approved, the Town Council will then instruct the Town Building Inspector to issue the requested permit.

4. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the development by this Town Council become an official portion of the building permit. Any subsequent changes to the approved plan(s), drawing(s), other materials or conditions require the prior approval of the Planning Commission and Town Council.

B. Site plan and drawing.

1. Site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:

- a) Location of proposed buildings on lot;
- b) All contiguous property lines of adjacent owners;
- c) Proposed landscaping and screening;
- d) Location and size of off-street loading;
- e) Location and size of off-street parking including ingress and egress.

2. A separate scale drawing of the exterior of the buildings including architectural design, planned materials and their alternates, and signs.

17.20.040 Lot area.

A. Minimum lot size for detached dwelling units shall be fifteen thousand feet except for a single family dwelling which may be constructed on a minimum lot size of nine thousand square feet.

B. The lot shall contain at least four thousand four hundred square feet for each living unit.

C. The maximum total impervious coverage, inclusive of buildings, parking, and paving for such uses as access walkways, recreation areas, and swimming pools, shall not exceed sixty percent of the lot.

D. All natural trees and shrubs shall be retained where practicable. As required in this chapter all yards and other open spaces shall be planted or landscaped with shrubs and trees or a combination of those and grass or other common ~~pe~~vious landscaping material except portion(s) providing ingress or egress to parking areas.

17.20.050 Yards.

A. Every lot shall have a front yard of at least twenty-five feet in depth.

B. Each lot shall have a rear yard of not less than thirty feet in depth.

C. Each corner lot shall have a set-back of twenty-five feet from each street.

D. For buildings having residential occupancy only, the side yard shall be at least ten feet in depth, measured from the wall of the building, limiting any projections to no more than three feet into the side yard.

E. For non residential buildings the side yard shall be at least twenty-five feet in depth, measured from the wall of the building, limiting any projections to no more than four feet into the side yard.

F.

17.20.060 Building height. No buildings of a height greater than

ORDINANCE NO. 220

AN ORDINANCE AMENDING SECTION 20, CHAPTER 17 OF THE GIG HARBOR MUNICIPAL CODE.

Section 20, Chapter 17 of the Gig Harbor Municipal Code is amended to read as follows:

Sections:

- 17.20.010 Intent
- 17.20.020 Permitted Uses
- 17.20.030 Land Use regulations
- 17.20.040 Lot area
- 17.20.050 Yards
- 17.20.060 Building height
- 17.20.070 Off-street parking
- 17.20.080 Curbs and sidewalks.
- 17.20.090 Underground utilities.

17.20.010 Intent. The intent of this district is to allow for greater density land use than is permitted in an R-1 District but less density land use than is permitted in an R-3 District, where suitable facilities such as streets, sewers, water and storm drainage are presently available or will be available within an acceptably defined future for the higher density while at the same time preserving the primarily residential character of the district.

17.20.020 Permitted Uses. The following uses are permitted in an R-2 zone:

- A. One family dwellings;
- B. Detached dwelling units containing not more than four living units per detached building. (See Chapter 17.20.030 A. for maximum number of dwelling units permitted without first obtaining a Conditional Use Permit.)
- C. Home occupations;
- D. Libraries, public;
- E. Nursery schools, non-boarding;
- F. Parks and playgrounds, publicly owned and operated;
- G. Clinics, hospitals, convalescent homes;
- H. Rest homes, nursing homes;
- I. Temporary buildings for and during construction;
- J. Accessory uses;
- K. Transitional uses provided in Chapter 17.60;
- L. Conditional uses as provided in Chapter 17.64 and subject to the conditions and requirements prescribed.

17.20.030 Land use regulations.

- A. Permit requirements.
 - 1. Before a permit may be issued for any development within this district involving more than ten (10) dwelling units, triplicate site plans and drawings shall be submitted to the Town Council for transmittal to the Planning Commission.
 - 2. Upon determination by the Planning Commission that facilities suitable to the planned development do exist or will be provided, that provisions for compliance with all other requirements of this Chapter have been or will be made, and when suitable performance bonds have been provided to the Town Clerk, a recommendation will be made to the Town Council.
 - 3. After receiving the report of the Planning Commission, the Town Council will hold an advertised public hearing on the site plan and exterior drawing of the planned development and the recommendations of the Planning Commission. If the plan, and drawing, are approved the Town Council will then instruct the Town Building Inspector to issue the requested permit.
 - 4. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the development by this Town Council become an official portion of the building permit. Any subsequent changes to the approved plan(s), drawing(s), other materials or conditions require the prior approval of the Planning Commission and Town Council.
- B. Site plan and drawing.
 - 1. Site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:
 - a) Location of proposed buildings on lot;

b) All contiguous property lines of adjacent owners;
c) Proposed landscaping and screening;
d) Location and size of off-street loading;
e) Location and size of off-street parking including ingress and egress.

2. A separate scale drawing of the exterior of the buildings including architectural design, planned materials and their alternates, and signs.

17.20.040 Lot Area.

A. Minimum lot size for detached dwelling units shall be fifteen thousand feet except for a single family dwelling which may be constructed on a minimum lot size of nine thousand square feet.

B. The lot shall contain at least four thousand four hundred square feet for each living unit.

C. The maximum total impervious coverage, inclusive of buildings, parking, and paving for such uses as access walkways, recreation areas, and swimming pools, shall not exceed sixty percent of the lot.

D. All natural trees and shrubs shall be retained where practicable. As required in this chapter all yards and other open spaces shall be planted or landscaped with shrubs and trees or a combination of those and grass or other common pervious landscaping material except portion(s) providing ingress or egress to parking areas.

17.20.050 Yards.

A. Every lot shall have a front yard of at least twenty-five feet in depth.

B. Each lot shall have a rear yard of not less than thirty feet in depth.

C. Each corner lot shall have a set-back of twenty-five feet from each street.

D. For buildings having residential occupancy only, the side yard shall be at least ten feet in depth, measured from the wall of the building, limiting any projections to no more than three feet into the side yard.

E. For non-residential buildings the side yard shall be at least twenty-five feet in depth, measured from the wall of the building, limiting any projections to no more than four feet into the side yard.

F. No roads, driveways, or parking area shall be included in yard requirements.

17.20.060 Building height. No buildings of a height greater than twenty-four feet including basement, or of a height greater than fifteen feet without basement shall be constructed.

17.20.070 Off-street parking.

A. Two off-street parking spaces shall be provided for each dwelling unit, in accordance with the general requirements for off-street parking in Chapter 17.72.

B. For any use other than residential, off-street parking shall be provided in accordance with the general requirement for off-street parking in Chapter 17.72.

C. No off-street loading berth, off-street parking, and/or driveways providing access to an off-street loading berth or off-street parking area(s) shall be constructed nearer than ten feet from any side property line.

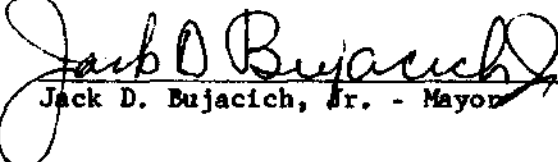
17.20.080 Curbs and sidewalks.

A. Sidewalks having a width of six feet (measured from the face of the curb) shall be provided along the street side(s) of any development, along with curbs and gutters.


B. Sloping accesses or ramps shall be installed at corners where possible.

17.20.090 Underground utilities. All utilities shall be run underground to each structure from the nearest utility service.

PASSED at a regular meeting of the Town Council held on the 28 day of April, 1975.


Jack D. Bujacich, Jr. - Mayor

Attest:


Donald J. Ayery - Clerk

ORDINANCE NO. 227

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR AUTHORIZING A LOAN OF \$20,000.00 FROM THE CURRENT EXPENSE FUND TO THE SEWER OPERATING FUND.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON:

Section 1. Because of certain initial expenditures in the sewer operating fund, there is needed the sum of \$20,000.00 until such time as the sewer fund is operating profitably.

Section 2. The Town Treasurer is hereby authorized to transfer the sum of \$20,000.00 from the current expense fund to the sewer operating fund. Said transfer is to be considered a loan and draw interest at the rate of 4½ percent.

Section 3. This Ordinance shall become effective immediately upon passage and publication in accordance with law.

PASSED at a regular meeting of the Town Council held on the _____ day of August, 1975.

Jack D. Pujadich, Jr. Mayor
Jack D. Pujadich, Jr. - Mayor

Attest:

Don Avery
Don Avery - Town Clerk

twenty-four feet including basement, or of a height greater than fifteen feet without basement shall be constructed.

17.20.070 Off-street parking.

A. Two off-street parking spaces shall be provided for each dwelling unit, in accordance with the general requirements for off-street parking in Chapter 17.72.

B. For any use other than residential, off-street parking shall be provided in accordance with the general requirement for off-street parking in Chapter 17.72.

C. No off-street loading berth, off-street parking, and/or driveways providing access to an off-street loading berth or off-street parking area(s) shall be constructed nearer than ten feet from any side property line.

17.20.080 Curbs and sidewalks.

A. Sidewalks having a width of six feet (measured from the face of the curb) shall be provided along the street side(s) of any development, along with curbs and gutters.

B. Sloping accesses or ramps shall be installed at corners where possible.

17.20.090 Underground utilities. All utilities shall be run underground to each structure from the nearest utility service.

PASSED at a regular meeting of the Town Council held on the _____ day of _____, 1975.

Jack D. Bujacich, Jr. - Mayor

Attest:

Donald J. Avery - Clerk

ORDINANCE NO. 1105

AN ORDINANCE OF THE TOWN OF GIG HARBOR PROVIDING FOR THE CONTROL OF THE LICENSING AND OPERATION OF BUSINESSES DESIRING TO CONDUCT CABARET OPERATIONS.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON:

Chapter 5.24

CABARETS

Sections:

- 5.24.010 License required.
- 5.24.020 Definitions.
- 5.24.030 License fees.
- 5.24.040 Licensing prohibited.
- 5.24.050 Information required from corporations.
- 5.24.060 Construction of chapter.
- 5.24.070 Penalty.
- 5.24.080 Severability.

5.24.010 License required. It is unlawful for any person, firm, corporation or association to operate or engage in the business of operating a cabaret in the Town of Gig Harbor without first obtaining a license pursuant to the provisions of this title.

5.24.020 Definitions. 1. "CABARET" shall mean any room, place, space, or private club in the Town of Gig Harbor open for the serving of the public or members, in which the members, guests, patrons, entertainers or other persons are permitted to sing, dance, perform or otherwise engage in musical entertainment, exhibitions, theatrical performances, shows or similar amusements in connection with the business of directly or indirectly selling vinous, spirituous, or malt liquors for consumption on or within the premises. "Vinous, spirituous, or malt liquors" shall mean all beverages defined in RCW 66.04.010, subsection 16.

2. "LIQUOR" shall mean all beverages defined in RCW 66.04.010, subsection 16.

3. "PERSON" shall mean one or more natural persons of either sex, firms, copartnerships and corporations, whether acting by themselves or by servant, agent or employee.

4. "MUSICAL ENTERTAINMENT" as used in this chapter shall not apply to phonographs, radios or mechanical devices used for the reproduction of music for the listening enjoyment of the members of patrons only.

5.23.030 License fees. No person shall commence, conduct, manage, operate or maintain a Cabaret without having a license so to do issued by the Town Clerk, the license fees for which shall be as follows:

FIRST YEAR	<u>\$25.00</u>
RENEWAL	<u>\$25.00</u>

5.24.040 Licensing prohibited. No cabaret license shall be issued to:

1. A person who has been convicted of a felony within five years prior to filing application.

2. A person who has been convicted of a violation of any federal or state law or City ordinance concerning the manufacture, possession or sale of narcotics or controlled substances as defined by the Revised Code of Washington.

3. A person whose place of business is conducted by a manager or agent, unless such manager or agent possesses the same qualifications required of the licensee.

4. A copartnership, unless all members thereof shall be qualified to obtain a license as provided herein.

5. A corporation, unless all officers, directors and managers thereof shall be qualified to obtain a license as provided herein. Such license shall be issued to the manager or other directing head of such corporation.

6. In addition to the foregoing, every applicant for a cabaret license shall be subject to the requirements set forth in Chapter 9.24 of the municipal code.

5.24.050 Information required from corporations. Each application for a cabaret license or for renewal of the same made by or on behalf of a corporation shall include a list of the names and addresses of all directors, officers, and shareholders of such corporation, and if at any time changes of directors, officers or shareholders shall occur, said list shall forthwith be amended by notice in writing filed with the Town Clerk, and failure to comply with this section shall be an additional ground for suspension or revocation of such license.

5.24.060 Construction of chapter. Any license issued pursuant to this chapter shall be subject to any rules or regulations of the Washington State Liquor Control Board relating to the sale of intoxicating liquors. This chapter shall not be construed as imposing a license fee upon the sale or privilege of selling beer, wine or any intoxicating liquors, but rather as imposing a license fee solely upon the business for the privilege of furnishing an opportunity to provide dancing, exhibitions, theatrical performances, shows, or other similar amusements.

5.24.070 Penalty. Any person guilty of a violation of this chapter or any of the terms and provisions thereof shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine not to exceed the sum of \$500.00 dollars or imprisonment in the County Jail for a period not to exceed six months, or both such fine and imprisonment.

5.24.080 Severability. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions

of this ordinance. Any ordinance or ordinances, or portion thereof, in conflict with this ordinance shall be and the same are hereby repealed.

ADOPTED by the Town Council, Town of Gig Harbor, this 14th day of July, 1975.

Jack D. Bujacich, Jr.
Jack D. Bujacich, Jr. - Mayor

Attest:

Donald J. Avery
Donald J. Avery - Clerk

123

AN ORDINANCE GRANTING A NON EXCLUSIVE FRANCHISE TO
TRIBUNE PUBLISHING COMPANY (d/b/a CABLE T.V. PUGET
SOUND, A WASHINGTON CORPORATION) AUTHORIZING CONSTRUCTION
OPERATION AND MAINTENANCE OF A CABLE TELEVISION SYSTEM.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF GIG HARBOR:

The Town hereby grants to the Company a non-exclusive Franchise,
right and privilege to construct, erect, operate, modify and maintain, in, upon,
along, across, above, over and under the roadways, streets, alleys, sidewalks,
public ways and public places now laid out or dedicated and all extensions
thereof, and additions thereto, in the Town, wires, cables, underground
conduits, manholes and other television conductors and fixtures necessary for
the maintenance and operation in the Town of a Cable Television System for the
purpose of distributing television and radio signals, and other electronic impulses
in order to furnish television and radio programs, and various communications
and other electronic services to the public. The right so granted includes
the right to use and occupy said streets, alleys, public ways and public
places and all manner of easements for the purposes herein set forth.

IT IS ORDERED that a Franchise be, and the same hereby is, granted
to TRIBUNE PUBLISHING COMPANY (d/b/a CABLE T.V. PUGET SOUND), a
Washington corporation, ("Grantee") and its successors and assigns,
to construct, maintain and operate for a term of fifteen years a cable antenna
television distribution system over and along the public roads of the Town
of Gig Harbor. This Franchise carries with it the right of the
Grantee to enter upon the said roads for the purposes of constructing,
maintaining and operating lines and equipment for transmission and distribution
of television, FM radio, and similar audio-visual signals, and the right

to attach lines to the premises of persons desiring to receive such signals, and to make reasonable charges to such persons for providing such signals, in accordance with provisions of Section Four hereof, subject to the following terms and conditions:

I.

The Grantee shall not erect new poles along Town roads without the Town Council's approval, and shall enter into joint use pole agreements with other public utilities maintaining poles along such roads. In no event shall the Grantee do any work requiring the breaking of the surface of any Town road without prior authorization of the Town Engineer. This authorization shall take the form of a written permit specifying the work and method of restoring the broken road to the same condition as it was prior to the breaking. All construction of lines and equipment shall meet standards required by The National Electrical Code, the National Electrical Safety Code, the Washington State Wiring Code, and any local regulations governing construction and maintenance of wires and cables carrying low voltage electricity. The Grantee shall take care, while installing its lines and equipment, to interfere as little as possible with public travel, and to take all reasonable precautions to guard persons and vehicles using the roads from injuries caused by said installation. The Grantee shall be liable for every condition and act created by its use of this Franchise, and in the event that the Grantee creates a condition which may prove hazardous to any person or property the Town may undertake to reduce or remove the condition, and any expense incurred by the Town in doing so shall be an obligation to the Grantee. Grantee shall defend, indemnify,

and hold harmless, the Town against all claims which may result from the construction operation or maintenance of any facilities erected or installed under this Franchise, and shall constantly maintain in full force and effect liability insurance for bodily injury and property damage, with such carriers and in such amounts as are approved by the Town Council, to the end that the Town shall not have to defend or pay any claims brought as a result of activities pursued or conditions created under or by this Franchise. The Town of Gig Harbor shall be named as additional insured in said policies. The Grantee shall provide a certificate of insurance to the Town. All work done under this Franchise shall be done in a thorough and workmanlike manner. The Town may stop and prohibit any work not carried on in that manner.

II.

The Town may, without notice, change its roadways, grades and alignments on roads named in this Franchise. If any such changes cause the location of lines installed under this Franchise to interfere with layout, drainage, alignment or grade, the Grantee shall promptly, and at the Grantee's expense, change the location of such lines as directed by the Town Engineer. The Town may vacate any road named in this Franchise. Such vacation shall result in the termination of this Franchise insofar as it applies to that road. Provided: That termination by virtue of the vacation of a road or roads shall occur thirty days after notice to the Grantee of the Town's intention to vacate.

III.

This Franchise is not an exclusive Franchise. The Town may at any time grant other Franchises for similar or dissimilar operations, either upon the same roads or others within the Town.

IV.

The Company's initial rates for service rendered to normal residential customers shall not exceed the following schedule:

(A) Normal installation charge will be \$20.00.

(B) Normal monthly service charge not to exceed \$6.00.

(C) Normal installation charges for additional outlets will be \$6.00 each

(D) Normal monthly service charges for second outlets will not exceed \$1.00.

No increase in rates charged to subscribers shall be made except as authorized by the Town in accord with the provisions of Section Five hereof.

V.

(A) Any inquiry, proceeding, investigation or other action to be taken or proposed to be taken by the Town Council in regard to the operations of Company's Cable Television System, including action in regard to an increase in subscription rates, shall be taken only thirty (30) days after public notice of such action or proposed action is published in a local, daily or weekly newspaper having general circulation in the Town, a copy of such action or proposed action is served directly on Company and, the Company has been given an opportunity to respond in writing and/or at hearing as may be specified by the Town Council, and general members of the public have been given an opportunity to respond or comment in writing on the action or proposed action.

(B) The public notice required by this section shall state clearly the action or proposed action to be taken, the time provided for response and the Person or Persons in authority to whom such response should

be addressed, and such other procedures as may be specified by the Town Council. If a hearing is to be held, the notice shall state that public participation will be allowed and establish the procedures by which such participation may be obtained. The Company is a necessary party to any hearing conducted in regard to its operations.

The Company shall provide for receiving via a local telephone call inquiries or complaints regarding quality of service, equipment malfunctions, billing disputes and similar matters. Inquiries or complaints from subscribers shall be received during normal business hours, 9 a.m. to 5 p.m. Monday through Friday. All complaints and inquiries will be investigated, responded to or acted upon as promptly as is practical, and unless circumstances otherwise require, within three business days of their receipt. The Company shall by appropriate means furnish information about the procedures for making inquiries and/or complaints, specifically including the name, address and local phone number of the agent to which inquiries or complaints are to be addressed.

VI.

The Company shall not, as to rates, charges, service facilities, rules, regulations or in any other respect, make or grant any preference or advantage to any person, nor subject any person to any prejudice or disadvantage, provided that nothing in this Franchise shall be deemed to prohibit the establishment of a graduated scale of charges and classified rate schedules to which any customer coming within such classification would be entitled.

VII.

The Grantor shall pay the Town 3% of the revenues derived from the supplying of regularly monthly cable subscriber service but not including

charges for installing, reconnecting, disconnecting, inspection, repairing or modifying television cable equipment, advertising, lease, access or origination channels or taxes collected by the Grantee or any other income derived from the system. The Grantee's payment to the Town shall begin within three (3) months of the receipt of any income from operations carried on under this franchise, and shall be made quarterly thereafter. The Grantee shall maintain complete and accurate records of receipts, earned from such operations, and shall make such records available to the Town's authorized agents for inspection at all reasonable times.

VIII

The Grantee shall defend, indemnify and hold harmless the Town against any and all claims for copyright infringement brought as a result of operations carried on under this Franchise.

IX.

Within sixty days of the signing of this Franchise, the Grantee shall file its written acceptance of this Franchise and all of its terms and conditions with the Clerk of the Town of Gig Harbor. Upon accepting this Franchise the Grantee shall apply for all permits and authorizations required to carry on operations under this Franchise, including joint use agreements and licenses which may be required by the Federal Communications Commission and any other governmental agency exercising jurisdiction over the said operations; and shall endeavor to acquire materials needed to begin construction and operation of a cable antenna television system. Within one hundred eighty (180) days of the signing of this Franchise the Grantee shall commence construction of a cable antenna television system, unless delayed by a lack of materials, licenses or authorization which, despite the exercise of diligence, the Grantee could not secure. If it appears at any time that

the Grantee may not use roads in the Town of Gig Harbor for purposes permitted by this Franchise, the Town may, at the expiration of thirty days following notice of its intention so to do, revoke the construction permit insofar as it applies to those roads. If the Grantee discontinues using any lines or other equipment, the Town may, at the expiration of one hundred eighty (180) days following such discontinuance, revoke the Grantee's authority to use the said lines or equipment.

Within one (1) year from the date the Federal Communications Commission grants a certificate of compliance pursuant to the Rules and Regulations governing cable television, Company shall extend energized trunk cable to fifty per cent (50%) of the Town and shall reasonably and equitably extend energized trunk cable to twenty per cent (20%) of the Town each year thereafter, until service is available to substantially all residents of the Town. Additional time to complete construction may be granted by Council for good cause shown upon request of Company.

X.

No authority granted by this Franchise shall be assigned without prior written consent of the Town Council.

XI.

Consistent with the requirements of Rule 76.31(a) (6) of the Federal Communications Commission, any modification of Rule 76.31 resulting from amendment thereto by the Federal Communications Commission shall to the extent applicable be considered as a part of this franchise as of the effective date of the amendment made by the FCC and shall be incorporated in such Franchise by specific amendments thereto by the lawful action of the Town Council within one (1) year from the effective date of the Federal Communications Commission's amendment or at the time of renewal of this

Franchise, whichever occurs first.

XII.

Upon failure to comply with any terms or conditions contained in this Franchise, the Grantee or its assigns shall, at the discretion of the Town Council, and after reasonable notice and opportunity to comply has been given, have any or all authority or privileges granted under this Franchise suspended or terminated. Upon termination of the Grantee's right to operate under this Franchise, either by reason of failure to comply with the Franchise's terms or conditions, or by reason of lapse of time, the Grantee shall remove all lines and equipment erected under this Franchise within a reasonable time at Grantee's expense, except any lines and equipment which the County authorizes to remain or to be sold. In removing lines or equipment the Grantee shall restore roadways to the same condition they were in before the lines or equipment were installed.

ADOPTED by the Town Council, Town of Gig Harbor, this 14th
day of July, 1975.

Jack D. Bujacich, Jr.
Jack D. Bujacich, Jr. - Mayor

Attest:

Donald J. Avery
Donald J. Avery - Clerk

ORDINANCE NO. 224

AN ORDINANCE ESTABLISHING MEANS OF
CONTROLLING SHORT SUBDIVISIONS.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG
HARBOR:

Section 1. This ordinance shall be known as the "Gig Harbor Short Subdivision Ordinance" and may be cited as such.

Section 2. The Gig Harbor Short Subdivision Ordinance is adopted pursuant to RCW 58.17.040.

Section 3. Exclusions.

(1) Parcels or lots divided for the purpose of sale or lease and which do not contain adequate area or width for a building site unless two such contiguous parcels which collectively comprise a building site are acquired by the same person, family or developer:

(2) Parcels, lots or tracts which are sold or leased prior to the effective date of this section, as evidenced by an earnest money contract, real estate contract or deed.

(3) Cemeteries and other burial plots while used for that purpose.

(4) Divisions of land into lots or tracts each of which is one hundred twenty-eighth of a section of land or larger, or five acres or larger if the land is not capable of description as a fraction of a section of land, unless the governing authority of the city, town, or county in which the land is situated shall have adopted a subdivision ordinance requiring plat approval of such divisions: Provided, That for purposes of computing the size of any lot under this item which borders on a street or road, the lot size shall be expanded to include that area which would be bounded by the center line of the road or street and the side lot lines of the lot running perpendicular to such center line.

(5) Divisions made by testamentary provisions, or the laws of descent.

(6) A division for the purpose of lease when no residential structure other than mobile homes or travel trailers are permitted

to be placed upon the land and a local government has approved a binding site plan for the use of the land in accordance with local regulations. The term "site plan" means a drawing to a scale specified by local ordinance and which: (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, and any other matters specified by local regulations; and (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the local government body having authority to approve the site plan. A site plan approved by a local government body shall not be "binding" under this subsection unless development in conformity to the site plan is enforceable under a local ordinance.

Section 4. Definitions.

Lot. A fractional part of an area subdivided, having fixed boundaries and being of sufficient area and dimensions to meet minimum zoning requirements. The term shall include tract and parcel.

Short Plat. A map or pictorial representation of a short subdivision.

Short Subdivision. The division of land into four or less lots, tracts, parcels, sites or subdivisions for the purpose of sale or lease.

Section 5. It shall be unlawful to divide land in Gig Harbor into four or less lots except in accordance with the provisions of this ordinance or of Title 16 of the Gig Harbor Municipal Code.

Section 6. Procedure and Fee.

(1) Application. The subdivider shall file a short subdivision form with the Town Clerk of the Town of Gig Harbor. Such form shall be supplied by the Town and may be prepared by the subdivider or by Town personnel from information supplied by the subdivider. Such form shall provide space for owner information, name of short subdivision, legal description of area to be subdivided,

use zone, owner's signature and date file. A map of the area to be subdivided shall be prepared on a separate sheet noted as No. 2 and having the subdivision name thereon. Such map shall show division into lots with dimensions of each lot and of the whole to scale, and showing bearings where required. The map shall be one Mylar original tracing, and four (4) prints of a proposed short plat, and shall be filed with the Town Clerk of the Town of Gig Harbor. A short plat shall meet the following standards:

- (a) Drawn in ink to a scale not smaller than one inch equals one hundred feet (1" = 100') on Mylar, a sheet size of 18" x 24".
- (b) The plat shall show the boundary and dimensions of the "original tract" including its Assessor's parcel number, section, township, and range, and all adjoining public or private roads and identifying names of such.
- (c) A vicinity map drawn to a scale of four inches equals one mile (4" = 1 mile) of sufficient detail to orient the location of the original tract.
- (d) Name and address of the owner of record of the "original tract", scale of the drawing, and north directional arrow.
- (e) The tract (s) of land proposed to be sold or leased, each tract of which is identified by numerical designation. Dimensions of each lot.
- (f) Width and location of access to all short platted lots proposed for sale or lease.
- (g) The location and use of all buildings on the original tract.
- (h) Space on a second 18" x 24" Mylar sheet shall be reserved for comments and appropriate town signatures.
- (i) A survey shall be required, the form of the plat to be as required by the Survey Record Act, Chapter 50 Washington Laws of 1973 as amended.

Section 7. Application of Environmental Analysis and Impact Statement.

All actions by the Town of Gig Harbor approving a short plat shall be exempt from any environmental analysis or environmental impact statement, unless the Planning Commission determines that said short plat is located wholly or partially within a "sensitive area" (as defined by Washington Administrative Code, WAC 173-34-020(2)). "Sensitive area" is defined as any area which:

- (1) Contains significant threats to the environment, arising

from earth slides, avalanches or flooding from a flood of a frequency expected to recur on the average of once every one hundred years or a flood magnitude which has a one percent chance of occurring in any given year; or

(2) Contains any special natural values such as a marshland, or habitation place of substantial concentrations of flora or fauna or of rare or endangered species of flora or fauna; or

(3) The area is being given special attention because of a problem of critically low or declining resource supply or quality; or

(4) Contains elements having significant aesthetic, recreational or historical value; or

(5) It is within "shorelines of the state" as defined in the Shoreline Management Act of 1971.

If the short plat is located wholly or partially within a "sensitive area", as determined by the Planning Commission, an environmental impact statement shall be required.

If an environmental impact statement is required, the short plat shall be reviewed by the Planning Commission and Town Council. The Mayor may approve or disapprove the short plat for environmental reasons.

Section 8. Design Regulations.

(1) Each lot resulting from the subdivision of an area shall conform with zoning regulations.

(2) Each lot shall adjoin a dedicated public street or have access to such a street by a recorded easement provided by the developer, same to be not less than thirty feet in width.

(3) If the plat is so located that the above-described access streets may now or in the foreseeable future be required or needed as links in a pattern or system of public streets serving the area, including adjoining properties, these access streets must be dedicated to the Town by the developer for street purposes and must have a minimum width of sixty feet. Such streets

must not be terminated in a cul-de-sac or dead end within the plat but must be continued from boundary to boundary of the plat.

(4) The area of access streets provided in either paragraph (2) or (3) above shall not be included in the lot areas in determining conformance with zoning requirements.

(5) Permitted maximum length of access corridors or streets shall be 300 feet, except at the discretion of the Town Council they may be longer, provided if a lesser length serves the lots in the instant subdivision, such shorter length shall be the maximum permitted.

(6) Access corridors, or streets may have official town street designations provided the private nature shall also be indicated.

(7) Curbs, sidewalks, gutter, pavement and storm drainage facilities may be required at the discretion of the Planning Commission and the Town Council to prevent storm water erosion and damage, unless such requirement is waived by the Town Council.

(8) Private property may be dedicated to public use as streets by a deed of dedication acceptable to the Town or by preparing a plat in accordance with the Gig Harbor Subdivision Ordinance and recording the plat.

(9) A bond may be required to insure completion of any improvements agreed upon with the Town.

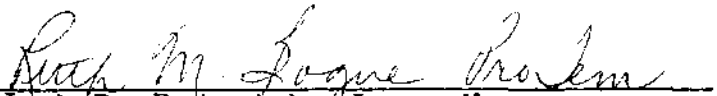
Section 9. Time restriction on further subdividing. The area included in an approved short subdivision shall not be further subdivided in any manner within a period of five years from date of approval of such short subdivision except in accordance with the Gig Harbor Subdivision Ordinance.

Section 10. Each short plat shall be filed for record in the office of the Pierce County Auditor and such file shall be at the subdivider's expense.

Section 11. In the event the subdivision and sale of lots in violation of the regulations of this ordinance comes to the attention of the Town, no building permit shall be issued and the Town hereby incorporates by reference Title 58.17.200.


Section 12. 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 TOWN OF GIG HARBOR, WASHINGTON, at a meeting thereof and approved by the Mayor this 11 day of August, 1975.



Jack D. Bujacich, Jr. - Mayor

Attest:



Don Avery - Clerk-Treasurer

AS COUNTERPARTS APPEARING TO ALL TRANSMISSIONS CONTAINING THE IDENTICAL INFORMATION CONTAINED HEREIN AND TO CERTAIN TRANSMISSIONS AND TELETYPE TRANSMISSIONS CONTAINED IN THE BOOK OF THE HARBOR.

AS IT OBTAINED BY THE TOWN COUNCIL BY THE TOWN OF BIG HARBOR:

said address by petition heretofore filed with the Council, Fred. J. Hildebrand, Louis E. Hildebrand and E. J. Clutzger, being the owners of more than seventy-five percent (75 percent) in value according to assessed valuations for taxation of the following described real estate:

That portion of the S.W. 1/4 of the N.W. 1/4 of Sec. 17, T. 27 N., R. 27 W., of the S.W. 1/4 described as follows:

Commencing at the point of intersection of the westerly right of way

line of Vickershen County road and the Northwesterly right of way

line of Tacoma-Lake Cushman Transmission line; thence S. 00° 34' 25"

E. along said Vickershen County road westerly right of way line 305.00 ft. to the true point of beginning; thence continuing along said right of way line

S. 02° 01' 23" E. 150.08 ft. to intersect a line parallel to and 250 ft.

Northwesterly, as measured at a right angle, from the Northwesterly

right of way line of Tacoma-Cushman Transmission line; thence along said

parallel line N. 29° 34' 47" E. 735.36 ft. to a point on the North line

of said S.W. 1/4 of said Sec. 17; thence along said North line N.

68° 33' 47" E. 201.71 ft. to a point on the Northwesterly right of way

line of Tacoma-Lake Cushman Transmission line; thence along said right of

way line S. 29° 34' 47" E. 777.33 ft.; thence continuing along said right

of way line S. 29° 34' 28" E. 132.25 ft.; thence S. 43° 01' 58" E. 122.63

ft. to the P.O.B.

located in Pierce County, State of Washington, and lying contiguous to the Town of City Harbor, requested the annexation and incorporation of said territory with the Town of Big Harbor; and which petition was filed with the Town of Big Harbor on the 24th day of July, 1874, and

Hereby, subsequent to filing said petition the Town Council appeared as to form the petition for Annexation and joined with the petitioner in the Notice of Intention to Annex 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 Pierce County Boundary Review Board did not have jurisdiction for a period of sixty days and,

therefore, it presumed to approve the same, and

Whereas, the Town Council on April 22, 1974 filed Monday, May 13, 1975 at the hour of 8:15 p.m. in the Town Hall of the Town of Gig Harbor at the time 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 hearing was given as provided by law by publication thereof, and

Whereas, at said hearing no one objected to said annexation

Now, Therefore, Be it Further Ordained by the Town Council of the Town of Gig Harbor:

Section 1. That the following described real property situated in Pierce County, Washington, to-wit:

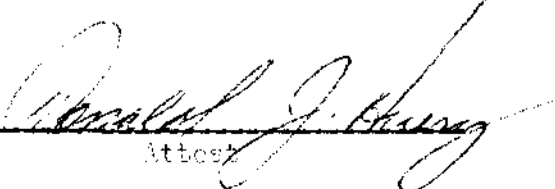
That portion of the S.E. 1/4 of the N.W. 1/4 of Sec. 17, T. 31 N., R. 2 W. of the W.M. described as follows:

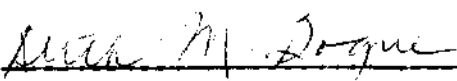
Commencing at the point of intersection of the Westerly right of way line of Kickershan County Road and the Northeasterly right of way line of Tacoma-Lake Cushman Transmission line; thence N. 02° 01' 33" E. along said Kickershan County Road Westerly right of way line 325.00 ft. to the true point of beginning; thence continuing along said right of way line N. 02° 01' 33" E. 150.98 ft. to intersect a line parallel to and 250 ft. Northeasterly, as measured at a right angle, from the Northeasterly right of way line of Tacoma-Cushman Transmission line; thence along said parallel line N. 29° 34' 47" W. 735.34 ft. to a point on the North line of said S.E. 1/4 of N.W. 1/4 of said Sec. 17; thence along said North line N. 82° 33' 47" W. 291.71 ft. to a point on the Northeasterly right of way line of Tacoma-Lake Cushman Transmission line; thence along said right of way line S. 29° 34' 47" E. 777.37 ft.; thence continuing along said right of way line S. 29° 34' 38" E. 133.25 ft.; thence S. 88° 20' 53" E. 122.63 ft. to the P.C.B.

be and the same is hereby annexed into and incorporated within the Town of Gig Harbor;

Section 2. This Ordinance shall become effective upon its passage and publication, as provided by law.

Passed this 25 day of August, 1975.


Attest


Paul M. Rogus, Mayor, Pro Tem

ORDINANCE NO. 326

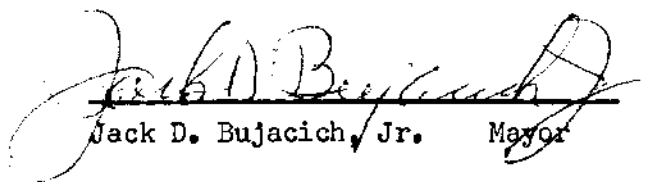
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR FIXING THE AMOUNT OF AD VALOREM TAX LEVIES FOR THE CALENDAR YEAR 1976.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF GIG HARBOR:

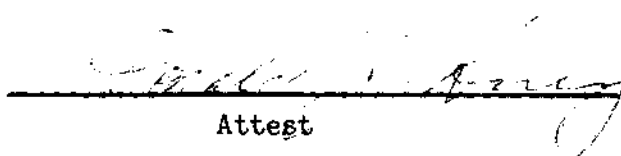
Section 1. That the annual amount of ad valorem tax levies of the Town of Gig Harbor for the calendar year of 1976 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property Subject to taxation in said town and upon each dollar of taxable value, approximately \$23,014,069, estimated 100 percent of appraised value, as follows: \$3.375 per thousand estimated at \$77,672.48.

Section 2. This Ordinance shall take affect and shall be in full force and effect immediately upon its passage, approval and publication as required by law.

PASSED by the Council of the Town of Gig Harbor, this 27th day of October, 1975.



Jack D. Bujacich, Jr. Mayor



Attest

ORDINANCE NO. ~~224~~ 227

AN AMENDMENT OF AN ORDINANCE ESTABLISHING
MEANS OF CONTROLLING SHORT SUBDIVISIONS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN
OF GIG HARBOR:

Section 6 of Ordinance 224 of the Municipal Code of the Town of
Gig Harbor is amended to read as follows:

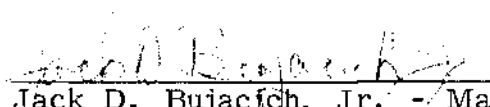
Section 6. Procedure and Fee.

(1) Application. The subdivider shall file a short subdivision form with the Town Clerk of the Town of Gig Harbor. Such form shall be supplied by the Town and may be prepared by the subdivider or by Town personnel from information supplied by the subdivider. Such form shall provide space for owner information, name of short subdivision, legal description of area to be subdivided, use zone, owner's signature and date filed. A map of the area to be subdivided shall be prepared on a separate sheet noted as No. 2 and having the subdivision name thereon. Such map shall show division into lots with dimensions of each lot and of the whole to scale, and showing bearings where required. The map in final form shall be one (1) Mylar original tracing, and four (4) prints of a proposed short plat, and shall be filed with the Town Clerk of the Town of Gig Harbor. Any suitable material may be utilized for all preliminary drawings, for Town purposes. A short plat shall meet the following standards:

- (a) Drawn in ink to a scale not smaller than one inch equals one hundred feet (1" = 100') on Mylar, a sheet size of 18" x 24", for recording with the Pierce County Auditor's office.
- (b) The plat shall show the boundary and dimensions of the "original tract" including its Assessor's parcel number, section, township, and range, and all adjoining public or private roads and identifying names of such.

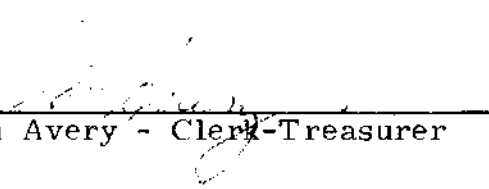
- (c) A vicinity map drawn to a scale of four inches equals one mile (4" = 1 mile) of sufficient detail to orient the location of the original tract.
- (d) Name and address of the owner of record of the "original tract", scale of the drawing, and north directional arrow.
- (e) The tract (s) of land proposed to be sold or leased, each tract of which is identified by numerical designation. Dimensions of each lot.
- (f) Width and location of access to all short platted lots proposed for sale or lease.
- (g) The location and use of all buildings on the original tract.
- (h) Space on a second 18" x 24" Mylar sheet shall be reserved for comments and appropriate town signatures.
- (i) A survey shall be required, the form of the plat to be as required by the Survey Record Act, Chapter 50 Washington Laws of 1973 as amended.

PASSED BY THE COUNCIL OF THE TOWN OF GIG HARBOR,
WASHINGTON, at a meeting thereof and approved by the Mayor this
8 day of December, 1975.



Jack D. Bujacich, Jr. - Mayor

Attest:



Don Avery - Clerk-Treasurer

ORDINANCE NO. 228

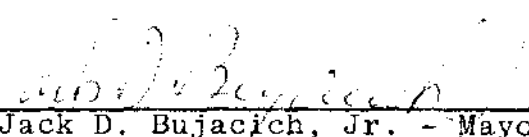
AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR FIXING THE AMOUNT OF AD VALOREM TAX EXCESS LEVIES FOR THE CALENDAR YEAR 1976.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF GIG HARBOR:

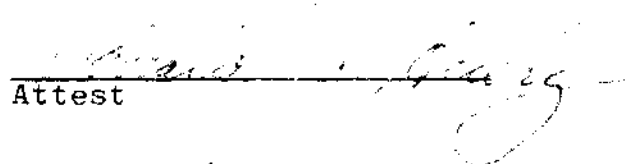
Section 1. That the annual amount of ad valorem tax excess levies of the Town of Gig Harbor for the calendar year of 1976 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$22,380,404.00, estimated 100 percent of appraised value, as follows: \$2.8335 per thousand estimated at \$63,414.92.

Section 2. This Ordinance shall take affect and shall be in full force and effect immediately upon its passage, approval and publication as required by law.

PASSED by the Council of the Town of Gig Harbor, this 22nd day of December, 1975.



Jack D. Bujacich, Jr. - Mayor



Attest

ORDINANCE 229

An Ordinance providing for the General Tax levy and adopting the budget for the year 1976 for the Town of Gig Harbor.

There is hereby levied upon all the taxable property within the Town of Gig Harbor the General Tax Levy for the year 1976, a specific levy of \$77,672.48, being 3.375 on each thousand dollars, the assessed valuation of \$23,014,069.

Adopting the Budget for the year 1976 in summary, as follows:

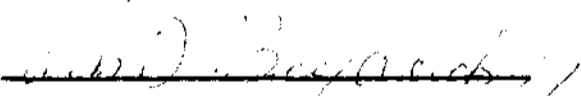
ESTIMATED REVENUE:	
Current Expense Fund	\$ 201,310.00
Street Fund	84,820.00
Arterial Street Fund	42,100.00
Water Fund	94,360.00
Sewer Works	543,589.92
Revenue Sharing	16,200.00
Other Investments	104,100.00
Total Estimated Revenue	1,086,479.92

ESTIMATED EXPENDITURES:	
General Government	\$123,210.00
Police Department	78,100.00
Total Current Expense	201,310.00
Street Fund	84,820.00
Arterial Street Fund	42,100.00
Water Fund	94,360.00
Sewer Works	543,589.92
Revenue Sharing	16,200.00
Other Investments	104,100.00
Total Estimated Expenditures	1,086,479.92

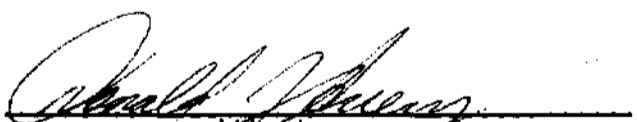
Passed by the Council of the Town of Gig Harbor in Public Hearing on November 24, 1975.

Donald J. Avery
Clerk/Treasurer
Town of Gig Harbor

Published in the Peninsula Gateway December 24 and December 31, 1975.



Jack D. Bujacich, Jr. Mayor



Attest

ORDINANCE NO. 230

AN ORDINANCE to fix and confirm the salaries and compensation to be paid certain officials of the Town of Big Harbor.

BE IT ORDAINED by the Council of the Town of Big Harbor:

Section 1. Mayor and Councilmen: That the compensation to be paid the Mayor and Councilmen of the Town of Big Harbor shall be as follows:

Mayor - per meeting attended, not to exceed two meetings per month, \$ ~~50.00~~ ^{50.00}

Councilmen - per meeting attended, not to exceed two meetings per month, \$ 3.00

Section 2. This ordinance shall take effect and shall be in full force and effect immediately upon its passage, approval and publication as required by law.

PASSED by the Council of the Town of Big Harbor, this 26 day of January, 1976.

JACK D. WILSON, JR. 1976

Attest:


Don Avery - Town Clerk

ORDINANCE NO. 251

AN ORDINANCE OF THE TOWN OF GIG HAVENON REVISING SECTIONS 17.32 AND 17.36

Chapter 17.32

DISTRICT B-1*

Sections:

17.32.010	Intent
17.32.020	Permitted Uses
17.32.030	Use Regulations
17.32.040	Lot Area
17.32.050	Front Yard
17.32.060	Rear Yard
17.32.070	Side Yard
17.32.080	Building Height
17.32.090	Off-Street Loading
17.32.100	Off-Street Parking

17.32.010 Intent. This district is intended to provide shopping facilities close to residential areas for the convenience of nearby residences in satisfaction of only daily or frequent shopping needs, while reducing the hazards of local traffic by limiting the kinds of retail activities to those suitable for stores of ten thousand square feet or less, such as groceries, bakeries or drug stores. The protective standards for site development contained in this Chapter are intended to minimize any adverse effect of such development on nearby property values, and to provide for safe and efficient use of the development itself. Submission of a site development plan is intended to serve as a guide to the Town Council and Planning Commission for the evaluation of the application in terms of the public interest. Such information is further intended to substantiate a finding that the proposed development will promote the general welfare of the town. It is further intended that any financial responsibility of the developer for work to be done on city streets bounding or giving access to the development, which arises out of the provisions of this Chapter, be made the subject of a contractual agreement between the developer and the town, and that such contractual agreement may contain provisions to effectuate any other section of this Chapter. The principles or guidelines to be applied as follows:

- A. All business establishments shall be retail or service establishments dealing directly with consumers, and only those goods shall be produced that are sold on the premises.
- B. The floor area occupied by any business establishment shall not exceed ten thousand square feet, exclusive of required parking.

* For provisions regarding signs, see Ch. 17.80

C. All business shall be conducted within completely enclosed buildings, no open or drive-in establishments being permitted. (Ord. 109A S7.1, 1968).

17.32.020 Permitted Uses. Subject to the regulations of Ch. 17.32.030, the following uses are permitted in a B-1 district:

- A. All uses permitted in ^aR-2 district;
- B. Barber shops and beauty parlors;
- C. Drug stores;
- D. Dry cleaning and laundry receiving establishments, processing not to be done on the premises;
- E. Food stores, such as grocery stores, meat markets, bakeries and delicatessen stores;
- F. Hardware stores;
- G. Laundries, of the automatic, self-service type;
- H. Shoe repair stores;
- I. Variety stores;
- J. Temporary building for and during construction;
- K. Accessory uses, for parking storage, etc.;
- L. Light manufacturing;
- M. Bowling alleys;
- N. Restaurants, cocktail lounges, and taverns.

(Ord. 109A §7.2, 1968).

17.32.030. Use Regulations. A. Permit Requirements.

1. Before a permit may be issued for any development within this district, except for those uses permitted in a R-2 district when said uses are developed in accordance with the requirements of Ch. 17.20, triplicate copies of the site development plan shall be submitted to the Town Council for transmittal to the Planning Commission.

2. The site development plan shall show an organized and compatible arrangement of buildings, off-street parking, internal traffic circulation, service facilities, drainage, and permanent screening which is feasible for the property and the proposed development, and which planned development shall minimize any adverse effect on the properties surrounding the proposed development. In addition the plan shall show the adequacy of the streets providing access to the proposed development to carry traffic generated by the development, and proper methods of ingress and egress to and from the proposed development.

3. Upon determination by the Planning Commission that the requirements of Chapter 17.32.030 A. 2. do exist or will be provided as shown on the site development plan, that provisions for compliance with all other requirements of this Chapter have been or will be made, and when suitable performance bonds have been provided to the Town Clerk, a recommendation will be made to the Town Council.

4. After receiving the report of the Planning Commission, the Town Council will hold an advertised public hearing on the site development plan and the recommendation of the Planning Commission. If the plan is approved the Town Council will then instruct the Town Building Inspector to issue the requested permit.

5. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the proposed development by the Town Council become an official portion of the building permit. Any subsequent changes to the approved plan(s), drawing(s), other materials or requirements first require the prior approval of the Planning Commission and Town Council.

B. Site Development Plan.

1. Site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:

- a) Location of all existing and proposed building(s) on lot;
- b) All contiguous property lines of adjacent owners;
- c) Location and size of off-street loading and service facilities;
- d) Location and size of off-street parking;
- e) Location and size of ingress and egress from the streets providing access to the development;
- f) Proposed permanent screening and landscaping, as well as preservation of existing natural growth where practicable.

17.32.040 Lot Area. A. The minimum lot area for uses permitted in a R-2 district shall be the same as that required in Ch. 17.20.040.

B. For business establishments, the lot area shall not be less than seven thousand square feet. (Ord. 109A S7.3, 1968).

17.32.050 Front Yard. Residences shall provide front yards of twenty-five feet. (Ord. 109A S7.4, 1968).

17.32.060 Rear yard. A. Residential uses shall provide a rear yard of thirty feet.

B. Business establishments shall not be required to provide rear yards, but if rear yards are provided, they shall be screened from the view of neighbors. (Ord. 109A §7.5, 1968).

17.32.070 Side yards. A. Residential shall be the same as an R-1 district;

B. Business establishments abutting on residences shall provide a side yard of at least eight feet, with screening between them and adjacent residences;

C. Other business establishments shall not be required to provide side yards, but if side yards are provided, they shall be screened from adjacent residential areas. (Ord. 109A §7.6, 1968).

17.32.080 Building height. Building height regulations shall be the same as provided in Section 17.16.080. (Ord. 109A §7.7, 1968).

17.32.090 Off-street loading. One off-street loading berth shall be provided, in accordance with Chapter 17.72 for ten thousand square feet or more of floor area up to twenty thousand square feet, and one additional berth provided for each twenty thousand square feet of floor area over twenty thousand square feet. (Ord. 109A §7.9, 1968).

17.32.100 Off-street parking. A. Off-street parking shall be provided for residences on the basis of one space for each dwelling unit.

B. Off-street parking shall be provided for all other uses, in accordance with the off-street parking requirements of Chapter 17.72. (Ord. 109A §7.10, 1968).

Chapter 17.36
DISTRICT B-2*

Sections:

- 17.36.010 Intent
- 17.36.020 Permitted Uses
- 17.36.030 Use Regulations
- 17.36.040 Lot Area and Coverage
- 17.36.050 Front, Rear and Side Yards
- 17.36.060 Building Height
- 17.36.070 Off-street Loading
- 17.36.080 Off-street Parking

17.36.010 Intent. This district is intended to provide a broader range of goods for periodic as well as immediate needs of a broader population base, often the entire community, than provided by a B-1 district. It would therefore be larger, busier and brighter than B-1 districts and generate more traffic and noise. Residences are discouraged in this district, and are permitted only as a conditional use. The protective standards for site development contained in this Chapter are intended to minimize any adverse effect of such development on nearby property values, and to provide for safe and efficient use of the development itself. Submission of a site development plan is intended to serve as a guide to the Town Council and Planning Commission for the evaluation of the application in terms of the public interest. Such information is further intended to substantiate a finding that the proposed development will promote the general welfare of the town. It is further intended that any financial responsibility of the developer for work to be done on city streets bounding or giving access to the development, which arises out of the provisions of this Chapter, be made the subject of a contractual agreement between the developer and the town, and that such contractual agreement may contain provisions to effectuate any other section of this Chapter. General guidelines for development in this area are as follows:

- A. Products or services of business establishments shall be for sale on the premises only.
- B. All business should be conducted within enclosed buildings, except for parking, newstands and outdoor dining areas. (Ord. 109a, S8.1, 1968).

17.36.020 Permitted Uses. Subject to the regulations of Ch. 17.36.030, the following uses are permitted in a B-2 district:

* For provisions regarding signs, see Ch. 17.80.

1. All uses permitted in B-1 districts, except residential uses;
2. Antique shops;
3. Art and school supply stores;
4. Art galleries;
5. Auto accessory stores;
6. Gas stations, not including tire recapping, motor overhaul, or body and fender work, but limited to sales of gas and oil and minor parts replacement;
7. Banks and financial institutions;
8. Book and stationery stores;
9. Bowling alleys;
10. Candy and ice cream stores;
11. Camera and photo supply stores;
12. Carpet and rug stores;
13. China and glassware stores;
14. Clubs and lodges;
15. Fraternal or religious institutions;
16. Coin and philatelic and rock stores;
17. Custom clothesmaking and tailoring;
18. Department stores;
19. Electrical and household appliance stores;
20. Food stores;
21. Florist shops;
22. Frozen food stores and locker rentals;
23. Furrier shops;
24. Furniture stores;
25. Garden supply and seed stores;
26. Gift shops;
27. Haberdasheries;
28. Hotels and motels;
29. Interior decorating and fabric stores;
30. Jewelry stores;
31. Leather goods and luggage stores;
32. Liquor stores;
33. Loan offices;
34. Meat markets;
35. Medical and dental offices and clinics;
36. Meeting halls;
37. Millinery shops;
38. Musical instrument sales and repair;
39. Offices, business and professional;
40. Office supply stores;
41. Optometrists;
42. Paint and wallpaper stores;
43. Plumbing showrooms and shops;
44. Photography studios;
45. Post offices;
46. Radio and television sales and services;
47. Restaurants and cocktail lounges;
48. Schools, music, dance or business;

49. Sewing and knitting stores, including sewing machine sales and services;
 50. Shoe stores;
 51. Sporting goods stores;
 52. Tailor shops;
 53. Theaters;
 54. Tobacco shops;
 55. Toy stores;
 56. Wearing apparel shops;
 57. Wholesale establishments;
 58. Accessory uses;
 59. Conditional uses in accordance with Chapter 17.64;
 60. Drive-in retail and service establishments;
 61. Taverns.
- (Ord. 109A §8.2, 1968).

17.36.030 Use Regulations. A. Permit Requirements:

1. Before a permit may be issued for any development within this district, except for those uses permitted in a R-2 district when said uses are developed in accordance with the requirements of Ch. 17.20, triplicate copies of the site development plan shall be submitted to the Town Council for transmittal to the Planning Commission.
2. The site development plan shall show an organized and compatible arrangement of buildings, off-street parking, internal traffic circulation, service facilities, drainage, and permanent screening which is feasible for the property and the proposed development, and which planned development shall minimize any adverse effect on the properties surrounding the proposed development. In addition the plan shall show the adequacy of the streets providing access to the proposed development to carry traffic generated by the development, and proper methods of ingress and egress to and from the proposed development.
3. Upon determination by the Planning Commission that the requirements of Chapter 17.32.030 A. 2. do exist or will be provided as shown on the site development plan, that provisions for compliance with all other requirements of this Chapter have been or will be made, and when suitable performance bonds have been provided to the Town Clerk, a recommendation will be made to the Town Council.
4. After receiving the report of the Planning Commission, the Town Council will hold an advertised public hearing on the site development plan and the recommendation of the Planning Commission. If the plan is approved the Town Council will then instruct the Town Building Inspector to issue the requested permit.

5. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the proposed development by the Town Council become an official portion of the building permit. Any subsequent changes to the approved plan(s), drawing(s), other materials or requirements first require the prior approval of the Planning Commission and Town Council.

B. Site Development Plan.

1. Site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:

- a) Location of proposed building(s) on lot;
- b) All contiguous property lines of adjacent owners;
- c) Location and size of off-street loading and service facilities;
- d) Location and size of off-street parking;
- e) Location and size of ingress and egress from the streets providing access to the development;
- f) Proposed permanent screening and landscaping.

17.36.040 Lot Area and Coverage A. No limits on lot area are prescribed. (Ord. 109A §8.3, 1968). B. Coverage is not limited except as implied by required yards. (Ord. 109A §8.4, 1968).

17.36.050 Front, rear and side yards. No yards are required except that, where a B-2 district abuts on a residential district, a yard shall be required for the space between a property in this district and that in the residential district, such yard to be landscaped and screened from the residential area. Such yards shall be ten feet if a side yard, twenty feet if a front yard, and fifteen feet if a rear yard. (Ord. 109A §8.5, 1968).

17.36.060 Building height. Building height regulations shall be the same as provided in Section 17.16.080. (Ord. 109A §8.6, 1968).

17.36.070 Off-street loading. One off-street loading berth shall be provided for each establishment over ten thousand square feet in floor area and up to twenty thousand square feet, and an additional loading berth shall be provided for each additional twenty thousand square feet of floor area, in accordance with general requirements of Chapter 17.72. For office buildings, only one berth for each ten thousand square feet is required. (Ord. 109A §8.8, 1968).

17.36.080 Off-street parking. Off-street parking shall be provided in accordance with the requirements of Chapter 17.72. (Ord. 109A §8.9, 1968).

Passed by the Council of the Town of Gig Harbor, this Feb
day of 9, 1976.

Jack D. Bujacich, Jr.
Jack D. Bujacich, Jr., Mayor

Donald J. Perry
Attest



ORDINANCE NO. 232

AN AMENDMENT OF THE ZONING ORDINANCE DISTRICT R-2:

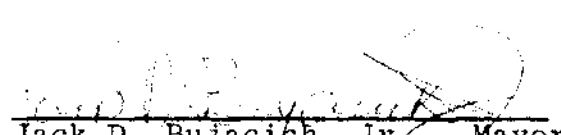
BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

There is hereby amended to the Municipal Code of the Town of Gig Harbor, Section 17.20.020 which is to read as follows:

17.20.020 Permitted uses. The following uses are permitted in an R-2 zone:

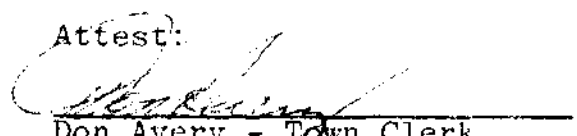
- A. One family dwellings;
- B. Detached multi-family dwelling units containing not more than four living units per detached building (See Section 17.20.030 A. for maximum number of dwelling units permitted without first obtaining a conditional use permit.);
- C. Home occupations;
- D. Libraries, public;
- E. Nursery schools, nonboarding;
- F. Parks and playgrounds, publicly owned and operated;
- G. Clinics, hospitals, convalescent homes;
- H. Rest homes, nursing homes;
- I. Temporary buildings for and during construction;
- J. Accessory uses;
- K. Transitional uses provided in Chapter 17.60;
- L. Conditional uses as provided in Chapter 17.64 and subject to the conditions and requirements prescribed.

PASSED BY THE COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON, at a meeting thereof and approved by the Mayor this 25 day of February, 1976.



Jack D. Bujacich, Jr. - Mayor

Attest:



Don Avery - Town Clerk

ORDINANCE NO. 233

AN AMENDMENT OF THE ZONING ORDINANCE DISTRICT R-2:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

There is hereby amended to the Municipal Code of the Town of Gig Harbor, Section 17.20.040 which is to read as follows:

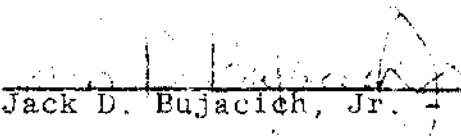
17.20.040 Lot area. A. Minimum lot size for detached multi-family dwelling units shall be fifteen thousand square feet except for a single family dwelling which may be constructed on a minimum lot size of nine thousand square feet.

B. The lot shall contain at least four thousand four hundred square feet for each living unit.

C. The maximum total impervious coverage, inclusive of buildings, parking, and paving for such uses as access walkways, recreation area, and swimming pools, shall not exceed sixty percent of the lot.

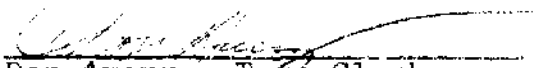
D. All natural trees and shrubs shall be retained where practicable. As required in this chapter all yards and other open spaces shall be planted or landscaped with shrubs and trees or a combination of those and grass or other common pervious landscaping material except portions(s) providing ingress or egress to parking area.

PASSED BY THE COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON, at a meeting thereof and approved by the Mayor this 23 day of February, 1976.



Jack D. Eujacich, Jr. - Mayor

Attest:



Don Avery - Town Clerk

ORDINANCE NO. 234

AN AMENDMENT OF THE ZONING ORDINANCE DISTRICT W-1:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

There is hereby added to the Municipal Code of the Town of Gig Harbor, Section 17.44.20 which is to read as follows:

17.44.20 Permitted uses. The following uses are permitted in a W-1 district:

- A. Boat launching facilities;
- B. Moorage and docking facilities for pleasure boats and commerical vessels and accessory docks and buildings, in accordance with requirements of Chapter 17.76;
- C. Parks, playgrounds and open spaces, public and private;
- D. Dwellings, single family, two family and multi-family apartments as approved by the city council upon recommendation of the planning commission;
- E. Yacht clubs;
- F. Temporary buildings for and during construction;
- G. Parking lots, if landscaped, to enhance their appearance;
- H. Live bait sales;
- I. Restaurants and cocktail lounges;
- J. Fishing equipment sales;
- K. Boat repairs;
- L. New boat construction and sales.

PASSED BY THE COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON, at a meeting thereof and approved by the Mayor this 23 day of February, 1976.


Jack D. Bujacich, Jr. Mayor

Attest:


Don Avery - Town Clerk

ORDINANCE NO. 236

AN ORDINANCE of the Town of Gig Harbor, amending Ordinance No. 218 (fixing the rates for sewer service charges) by providing a late charge for delinquent payments and providing certain procedures for the creation of a lien for delinquent charges.

The Town Council of the Town of Gig Harbor, Washington, has ordained as follows:

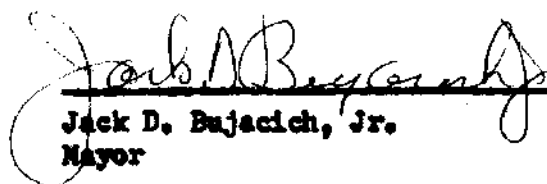
Section 1. Section 2 of Ordinance No. 218 of the Town, passed and adopted on March 24, 1975, is hereby amended to read as follows:

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. Charges shall be deemed delinquent if not paid within sixty (60) days following the billing date. A late charge equal to 10% of the delinquent service charge shall be imposed at the time of such delinquency, and interest at the rate of 8% per annum shall be charged on all delinquent service charges and late charges.

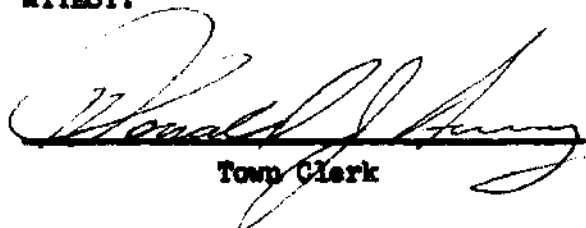
The Town, as provided by law, shall have a lien against the premises to which sewer service was furnished or available. At any time after such charges become delinquent the proper officials of the Town may file notice of such lien in the office of the County Auditor and take such steps to foreclose such lien as are provided by law.

Section 2. This amendatory ordinance shall take effect and be in full force five days after its passage and publication in accordance with law.

PASSED by the Town Council of the Town of Gig Harbor and approved by the Mayor at a regular meeting this 8th day of March, 1976.


Jack D. Bujacich, Jr.
Mayor

ATTEST:


Town Clerk

ORDINANCE NO. 237

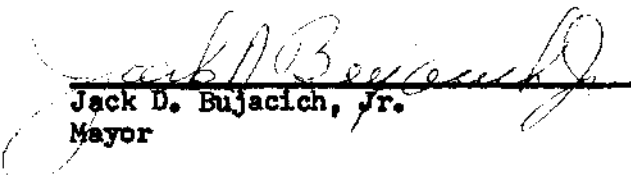
An Ordinance of the Town of Gig Harbor authorizing an interfund loan to provide for the payment of the first two semi-annual interest payments on the Gig Harbor 1975 General Obligation Bond issue.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

Section I: That an inter-fund loan to provide for the first two semi-annual interests payments on the 1975 General Obligation Bond issue in the total amount of \$26,706.00 from the Sewer Bond Redemption Fund is hereby authorized.

Section II: That repayment of said interfund-loan shall be made from the 1976 property tax assessment collections at the rate of 2.8335 per thousand of appraisal value.

PASSED by the Council of the Town of Gig Harbor this 26th day of April, 1976.



Jack D. Bujacich, Jr.
Mayor



Attest

Don Avery
Town Clerk

ORDINANCE NO. 238

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR
FIXING THE AMOUNT OF AD VALOREM TAX LEVIES AND EXCESS LEVIES
FOR THE CALENDAR YEAR 1977.

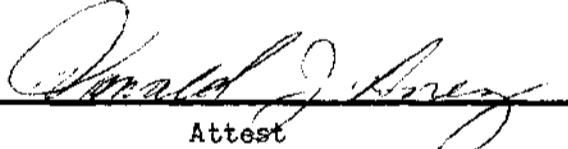
BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF GIG HARBOR:

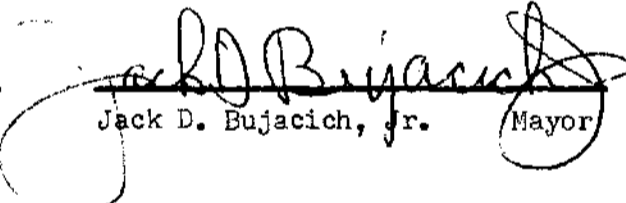
Section 1. That the annual amount of ad valorem tax levies of the Town of Gig Harbor for the calendar year of 1977 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$29,851,418, estimated 100 per cent of appraised value, as follows: \$3.375 per thousand estimated at \$100,748.53.

Section 2. That the annual amount of ad valorem tax excess levies of the Town of Gig Harbor for the calendar year of 1977 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$29,432,281, estimated 100 per cent of appraised value, as follows: \$0.7272 per thousand estimated at \$21,403.15.

Section 3. This Ordinance shall take effect and shall be in full force and effect immediately upon its passage, approval and publication as required by law.

Passed by the Council of the Town of Gig Harbor, this 11th day of October, 1976.


Attest


Jack D. Bujacich, Jr. Mayor

ORDINANCE NO. 219

AN ORDINANCE AMENDING SECTIONS 20, 32 and 36, CHAPTER 17 OF THE GIG HARBOR MUNICIPAL CODE.

Section 20 sub-section 0.30, Chapter 17 of the Gig Harbor Municipal Code is amended to read as follows:

17.20.030 Land use regulations. A. Permit Requirements.

1. Before a permit may be issued for any development within this district involving more than ten dwelling units, triplicate site plans and drawings shall be submitted to the planning commission.

2. Upon determination by the planning commission that facilities suitable to the planned development do exist or will be provided, that provisions for compliance with all other requirements of this chapter have been or will be made, and when suitable performance bonds have been provided to the town clerk, a recommendation will be made to the town council.

3. After receiving the report of the planning commission, the town council will hold an advertised public hearing on the site plan and exterior drawing of the planned development and the recommendations of the planning commission. If the plan, and drawing, are approved the town council will then instruct the town building inspector to issue the requested permit.

4. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the development by the town council become an official portion of the building permit. Any subsequent changes to the approved plan(s), drawing(s), other materials or conditions require the prior approval of the planning commission and town council.

B. Site Plan and Drawing.

1. Site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:

- a. Location of proposed buildings on lot;
- b. All contiguous property lines of adjacent owners;
- c. Proposed landscaping and screening;
- d. Location and size of off-street loading;
- e. Location and size of off-street parking including ingress and egress.

2. A separate scale drawing will be made of the exterior of the buildings including architectural design, planned materials and their alternates, and signs. (Ord. 220 §1(part), 1975).

Section 32 sub-section 0.30, Chapter 17 of the Gig Harbor Municipal Code is amended to read as follows:

17.32.030 Use regulations. A. Permit Requirements.

1. Before a permit may be issued for any development within this district, except for those uses permitted in an R-2 district when the uses are developed in accordance with the requirements of Chapter 17.20, triplicate copies of the site development plan shall be submitted to the planning commission.

2. The site development plan shall show an organized and compatible arrangements of buildings, off-street parking, internal traffic circulation, service facilities, drainage and permanent screening which is feasible for the property and the proposed development, and which planned development shall minimize

any adverse effect on the properties surrounding the proposed development. In addition, the plan shall show the adequacy of the streets providing access to the proposed development to carry traffic generated by the development, and proper methods of ingress and egress to and from the proposed developments.

3. Upon determination by the planning commission that the requirements of subdivision 2 of sub-section A of Section 17.32.030 do exist or will be provided as shown on the site development plan, that provisions for compliance with all other requirements of this chapter have been or will be made, and when suitable performance bonds have been provided to the town clerk, a recommendation will be made to the town council.

4. After receiving the report of the planning commission, the town council will hold an advertised public hearing on the site development plan and the recommendation of the planning commission. If the plan is approved, the town council will then instruct the town building inspector to issue the requested permit.

5. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the proposed development by the town council become an official portion of the building permit. Any subsequent changes to be approved plan(s), drawing(s), other materials or requirements first require the prior approval of the planning commission and town council.

B. Site Development Plan. The site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:

1. Location of all existing and proposed building(s) on the lot;
2. All contiguous property lines of adjacent owners;
3. Location and size of off-street loading and service facilities;
4. Location and size of off-street parking;
5. Location and size of the ingress and egress from the streets providing access to the development;
6. Proposed permanent screening and landscaping, as well as preservation of existing natural growth where practicable. (Ord. 231 (part), 1976).

Section 36 sub-section 0.30, Chapter 17 of the Gig Harbor Municipal Code is amended to read as follows:

17.36.030 Use regulations. A. Permit Requirements.

1. Before a permit may be issued for any development within this district, except for those uses permitted in an R-2 district when the uses are developed in accordance with the requirements of Chapter 17.20, triplicate copies of the site development plan shall be submitted to the planning commission.

2. The site development plan shall show an organized and compatible arrangement of buildings, off-street parking, internal traffic circulation, service facilities, drainage and permanent screening which is feasible for the property and the proposed development, and which planned development shall minimize any adverse effect on the properties surrounding the proposed development. In addition the plan shall show the adequacy of the streets providing access to the proposed development to carry traffic generated by the development, and proper methods of ingress and egress to and from the proposed development.

3. Upon determination by the planning commission that the requirements of subdivision 2 of subsection A of Section 17.32.030 do exist or will be provided as shown on the site development plan, that provisions for compliance with all other requirements of this chapter have been or will be made, and when suitable performance bonds have been provided to the town clerk, a recommendation will be made to the town council.

LAW OFFICES

JOHNSON & KELLEY

SUITE 605 WASHINGTON BUILDING
ELEVENTH AND PACIFIC AVENUE
TACOMA, WASHINGTON 98402

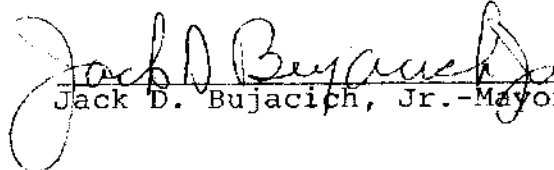
4. After receiving the report of the planning commission, the town council will hold an advertised public hearing on the site development plan and the recommendation of the planning commission. If the plan is approved, the town council will then instruct the town building inspector to issue the requested permit.

5. Plan(s), drawing(s), other explanatory materials, if any, and requirements placed on the proposed development by the town council become an official portion of the building permit. Any subsequent changes to the approved plan(s), drawing(s), other materials or requirements first require the prior approval of the planning commission and town council.

B. Site Development Plan. The site plan will be drawn to scale no smaller than one inch equals twenty feet and shall include the following:

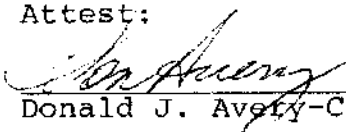
1. The location of the proposed building(s) on the lot;
2. All contiguous property lines of adjacent owners;
3. The location and size of off-street loading and service facilities;
4. The location and size of off-street parking;
5. The location and size of the ingress and egress from the streets providing access to the development;
6. The proposed permanent screening and landscaping. (Ord. 231 (part), 1976).

PASSED at a regular meeting of the Town Council held on the 22 day of November, 1976.



Jack D. Bujacich, Jr.-Mayor

Attest:



Donald J. Avery-Clerk

ORDINANCE NO. 240

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

Be it Ordained by the Town Council of the Town of Gig Harbor:

That Whereas by petition heretofore filed with the Council, Purdy Realty, being the owners of more than seventy-five per cent (75 per cent) in value according to assessed valuations for taxation of the following described real estate:

PARCEL "A":

The South half of the North 10 acres of that portion of the West half of the Northeast quarter of the Northeast quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, not included in WOODWORTH'S ADDITION TO GIG HARBOR CITY, as per map thereof recorded in Book 5 of Plats at Page 66, records of Pierce County Auditor.

EXCEPT the East 123 feet thereof.

ALSO EXCEPT any portion thereof lying within the following described Parcels:

PARCEL "A":

Beginning at a point 712 feet West and 712 feet South of the Northeast corner of said Section 6, running thence West 304 feet; thence South 286 feet; thence East 304 feet; thence North 286 feet to the place of beginning.

PARCEL "B":

Beginning at the Southeast corner of the North half of the Southwest quarter of the Northeast quarter of the Northeast quarter of said Section 6; thence West 608 feet; thence North 429.2 feet; thence East 304 feet; thence South 286 feet; thence East 304 feet; thence South 143 feet to the point of beginning.

TOGETHER with a non-exclusive easement for ingress, egress and utilities over and across the North 30 feet of the following described property: Beginning at a point 712 feet West and 712 feet South of the Northeast corner of said Section 6; running thence West 304 feet; thence South 286 feet; thence East 304 feet; thence North 286 feet to the place of beginning.

PARCEL "B":

A non-exclusive easement for ingress and egress and utilities over and across the North 30 feet of the following described property: Beginning at a point 712 feet West and 712 feet South of the Northeast corner of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, said point being on the West line of WOODWORTHS ADDITION TO GIG HARBOR CITY, PIERCE COUNTY, WASHINGTON, as per map thereof recorded in Book 5 of Plats at Page 66, records of Pierce County Auditor; thence West 123 feet; thence North to the South line of the North half of the North 10 acres of that part of the West half of the Northeast quarter of the Northeast quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, not included in said WOODWORTHS ADDITION TO GIG HARBOR CITY, PIERCE COUNTY, WASHINGTON: Thence East along said South line 123 feet to said West line of WOODWORTHS ADDITION TO GIG HARBOR CITY, PIERCE COUNTY, WASHINGTON: thence South along said West line to the point of beginning.

Located in Pierce County, State of Washington, and lying contiguous to the Town of Gig Harbor, requested the annexation and incorporation of said territory within the Town of Gig Harbor; and which petition was filed with the Town of Gig Harbor on the 23rd day of April, 1976, and

Whereas, subsequent to filing said petition the Town Council approved as to form the Petition for Annexation and joined with the petitioner in the Notice of Intention to Annex 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 Pierce County Boundary Review Board did not take jurisdiction for a period of sixty days and, therefore, is presumed to approve the same, and

Whereas, the Town Council on May 24, 1976 fixed Monday, June 28, 1976 at the hour of 7:30 p.m. in the Town Hall of the Town of Gig Harbor as the time 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 hearing was given as provided by law by publication thereof, and

Whereas, at said hearing no one objected to said annexation

Now, Therefore, Be it Further Ordained by the Town Council of the Town of Gig Harbor:

Section 1. That the following described real property situated in Pierce County, Washington, To-wit;

PARCEL "A":

The South half of the North 10 acres of that portion of the West half of the Northeast quarter of the Northeast quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, not included in WOODWORTHS ADDITION TO GIG HARBOR CITY, as per map thereof recorded in Book 5 of Plats at Page 66, records of Pierce County Auditor.

EXCEPT the East 123 feet thereof.

ALSO EXCEPT any portion thereof lying within the following described Parcels:

PARCEL "A":

Beginning at a point 712 feet West and 712 feet South of the Northeast corner of said Section 6, running thence West 304 feet; thence South 286 feet; thence East 304 feet; thence North 286 feet to the place of beginning.

PARCEL "B":

Beginning at the Southeast corner of the North half of the Southwest quarter of the Northeast quarter of the Northeast quarter of said Section 6; thence West 608 feet; thence North 429.2 feet; thence East 304 feet; thence South 286 feet; thence East 304 feet; thence South 143 feet to the point of beginning.

TOGETHER with a non-exclusive easement for ingress, egress and utilities over and across the North 30 feet of the following described property: Beginning at a point 712 feet West and 712 feet South of the Northeast corner of said Section 6; running thence West 304 feet; thence South 286 feet; thence East 304 feet; thence North 286 feet to the place of beginning.

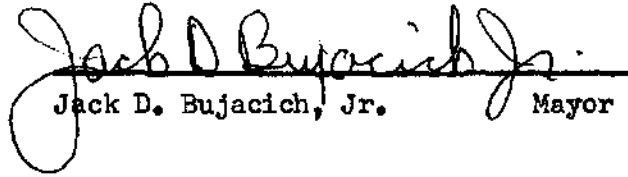
PARCEL "B":

A non-exclusive easement for ingress and egress and utilities over and across the North 30 feet of the following described property: Beginning at a point 712 feet West and 712 feet South of the Northeast corner of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, said point being on the West line of WOODWORTHS ADDITION TO GIG HARBOR CITY, PIERCE COUNTY, WASHINGTON, as per map thereof recorded in Book 5 of Plats at Page 66, records of Pierce County Auditor; thence West 123 feet; thence North to the South line of the North half of the North 10 acres of that part of the West half of the Northeast quarter of the Northeast quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, not included in said WOODWORTHS ADDITION TO GIG HARBOR CITY, PIERCE COUNTY, WASHINGTON; thence East along said South line 123 feet to said West line of WOODWORTHS ADDITION TO GIG HARBOR CITY, PIERCE COUNTY, WASHINGTON; thence South along said West line to the point of beginning. Located in Pierce County, State of Washington, and lying contiguous to the Town of Gig Harbor.

be and the same is hereby annexed into and incorporated within the Town of Gig Harbor;

Section 2. This Ordinance shall become effective upon its passage and publication, as provided by law.

Passed this 22nd day of November, 1976.


Jack D. Bujacich, Jr. Mayor

Attest:


Don Avery Town Clerk

ORDINANCE NO. 111

AN ORDINANCE OF THE TOWN OF GIG HARBOR PROVIDING FOR AN INCREASED OPERATING BUDGET FOR THE BALANCE OF THE 1976 CALENDAR YEAR AS FOLLOWS:

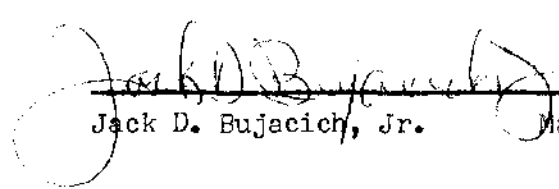
ESTIMATED REVENUES:

Current Expense (Sales Tax)	\$ 15,000.00
Sewer Operation & Maintenance (Contributions from other funds)	<u>14,000.00</u>
	\$ 29,000.00

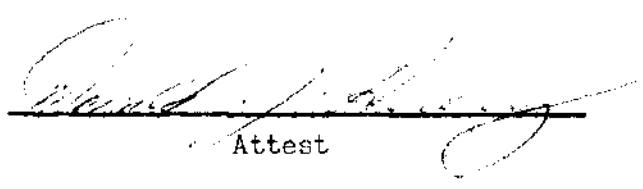
ESTIMATED EXPENDITURES:

Current Expense	\$ 15,000.00
Sewer Operation & Maintenance	<u>14,000.00</u>
	\$ 29,000.00

Passed by the Council of the Town of Gig Harbor this 27th day of December, 1976.



Jack D. Bujacich, Jr. Mayor



Attest

ORDINANCE NO. 177

AN ORDINANCE PROVIDING FOR THE GENERAL TAX LEVY AND ADOPTING THE BUDGET FOR THE YEAR 1977 FOR THE TOWN OF GIG HARBOR:

There is hereby levied upon all the taxable property within the Town of Gig Harbor the General Tax Levy for the year 1977, a specific levy of \$93,259, being 3.0762 on each thousand dollars, the assessed valuation of \$30,316,311.

Adopting the Budget for the year 1977 in summary, as follows:


ESTIMATED REVENUE:	
Current Expense Fund	\$ 235,470.00
G. G. Bond Fund	44,700.00
Street Fund	130,111.00
Arterial Street Fund	44,800.00
Water Fund	418,360.00
Sewer Operation & Maintenance	78,165.00
Sewer Debt Service	505,000.00
Revenue Sharing	18,000.00
Other Investments	80,472.00
Total Estimated Revenue	<u>\$1,755,278.00</u>

ESTIMATED EXPENDITURES:	
General Government	155,385.00
Police	80,285.00
G. G. Bond Fund	44,700.00
Total Current Expense	280,370.00
Street Fund	130,111.00
Arterial Street Fund	44,800.00
Water Fund	418,360.00
Sewer Operation & Maintenance	78,165.00
Sewer Debt Service	505,000.00
Revenue Sharing	18,000.00
Other Investments	80,472.00
Total Estimated Expenditures	<u>\$1,755,278.00</u>

Passed by the Council of the Town of Gig Harbor in Public Hearing on November 8, 1976.

Donald J. Avery
Clerk/Treasurer
Town of Gig Harbor

Published in The Peninsula Gateway, December 29, 1976 and January 5, 1977.



Jack D. Bujacich, Jr. Mayor



Attest

ORDINANCE NO. 238

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR AMENDING ORDINANCE NO. 238 FIXING THE AMOUNT OF AD VALOREM TAX LEVIES AND EXCESS LEVIES FOR THE CALENDAR YEAR 1977.

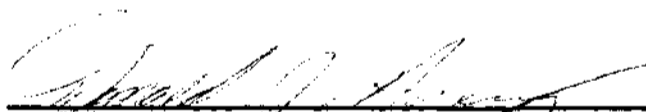
BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF GIG HARBOR:

Section 1. That the annual amount of ad valorem tax levies of the Town of Gig Harbor for the calendar year of 1977 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$30,316,311, estimated 100 per cent of appraised value, as follows: \$3.0762 per thousand estimated at \$93,259.

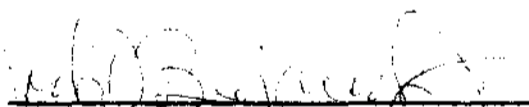
Section 2. That the annual amount of ad valorem tax excess levies of the Town of Gig Harbor for the calendar year of 1977 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$29,897,174, estimated 100 per cent of appraised value, as follows: \$0.7159 per thousand estimated at \$21,403.15.

Section 3. This Ordinance shall take effect and shall be in full force and effect immediately upon its passage, approval and publication as required by law.

Passed by the Council of the Town of Gig Harbor, this 27th day of December, 1976.



Attest



Jack D. Bujacich, Jr. Mayor

ORDINANCE NO. _____

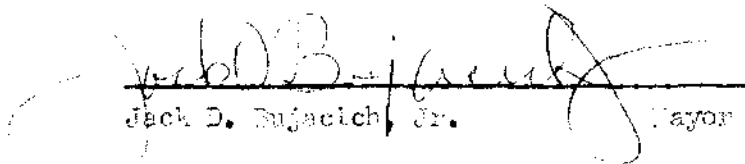
An Ordinance creating and establishing in the Treasury of the Town of Gig Harbor a special fund to be designated as "Water System Improvements Fund," and specifying the purposes for which said funds are created.

BE IT ORDAINED by the Council of the Town of Gig Harbor:

Section 1. That there be and is hereby created in the Treasury of the Town of Gig Harbor a special fund to be known and designated as "Water System Improvements Fund." That said special fund is created for the purpose of paying claims or demands against the Town of Gig Harbor accruing as a result of the installation of an elevated water storage facility, well and necessary transmission lines.

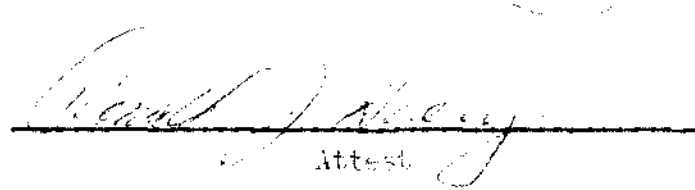
Section 2. This Ordinance shall become effective immediately upon passage and posting in accordance with the law.

PASSED at a regular meeting of the Town Council on December 27, 1976.



Jack D. Sujacich, Jr.

Mayor



Attest

ORDINANCE NO. 2015

AN ORDINANCE AUTHORIZING THE SALE OF THE
GIG HARBOR TOWN HALL AND EXPENDITURE OF
FUNDS

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
GIG HARBOR:

THAT WHEREAS this is an ordinance of the Town of
Gig Harbor authorizing the sale of the Town Hall and ex-
penditure of funds, and

WHEREAS the Town Council has determined that the
present Town Hall does not have adequate space with which
to perform the various functions of the Town and have
determined that the property is excess property, and

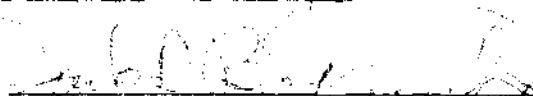
WHEREAS by sealed bid the Town has received an
offer to purchase the property for \$64,446.64, and

WHEREAS it is in the best interest of the Town
that said property be sold.


NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE TOWN
COUNCIL OF THE TOWN OF GIG HARBOR:

1. That the Town accept the bid of \$64,446.64
by W.B. Willis.
2. That said funds be utilized in payment for the
construction and furnishings of the new Gig Harbor Town Hall.

PASSED at the regular meeting of the Town Council
held on the 11 day of February, 1977.


JACK D. BUJACICH, JR. - Mayor

Attest:


DONALD J. AVERY - Clerk

FROM SE COR L & PETE SHARPS ADD
 H & 20 FT TH W 149 FT TO POB POINT
 N 63.40 FT TH N ST DEG 34 MIN 40 SEC N
 15.0 FT TO A PT ON S LI OF SD L &
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LEGAL DESCRIPTION

ADDRESSES: 7211 PIONEER WAY

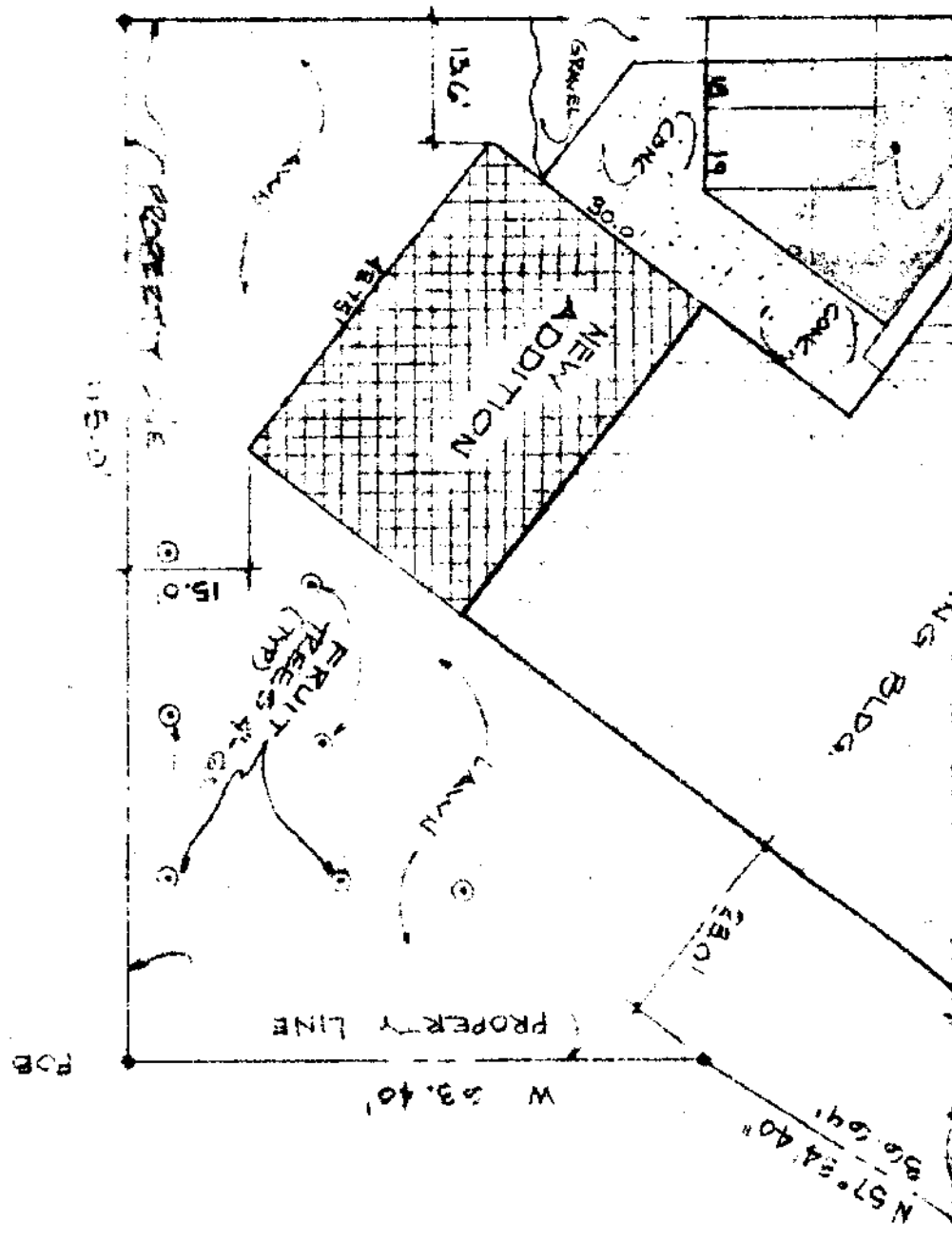
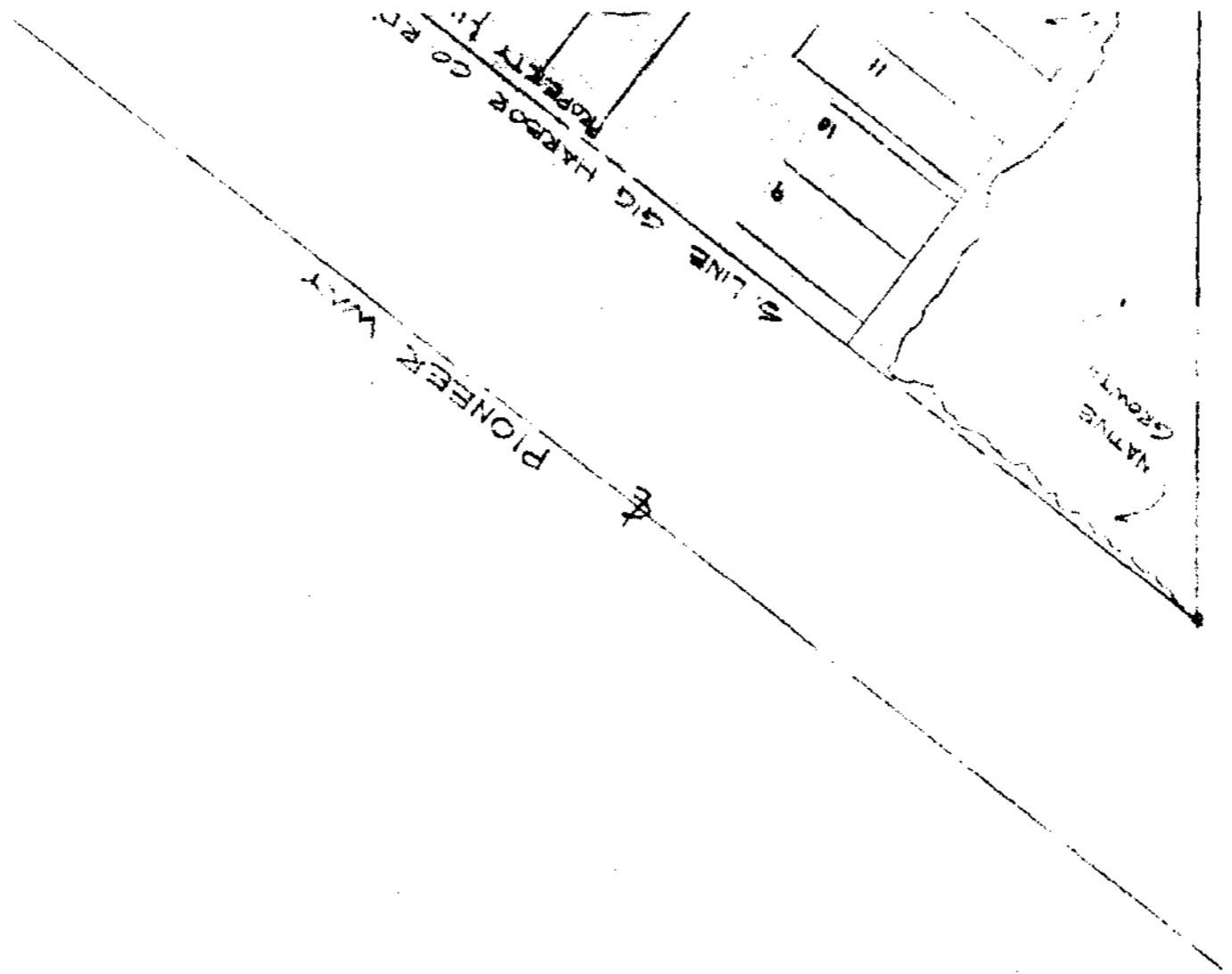
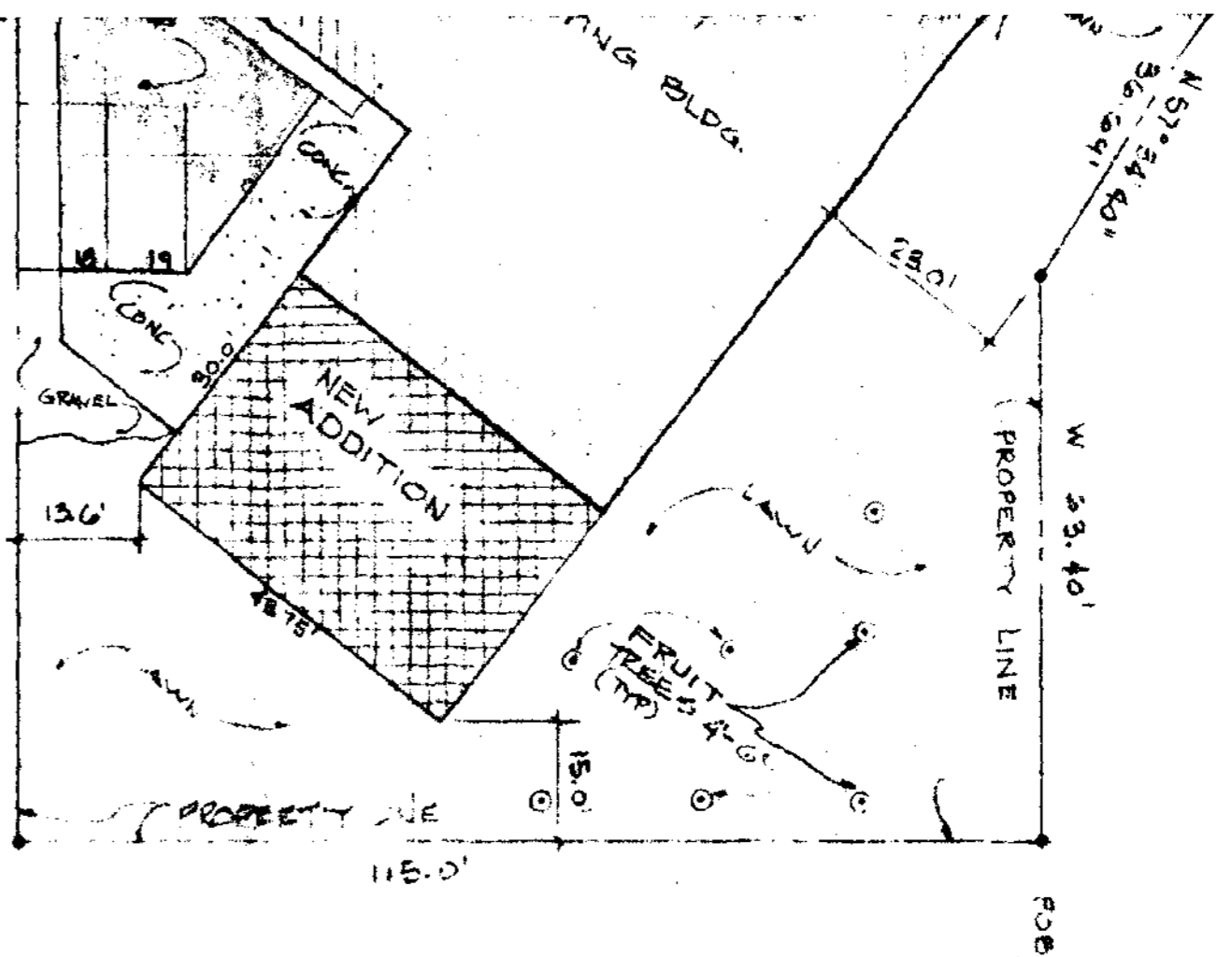


EXHIBIT A -



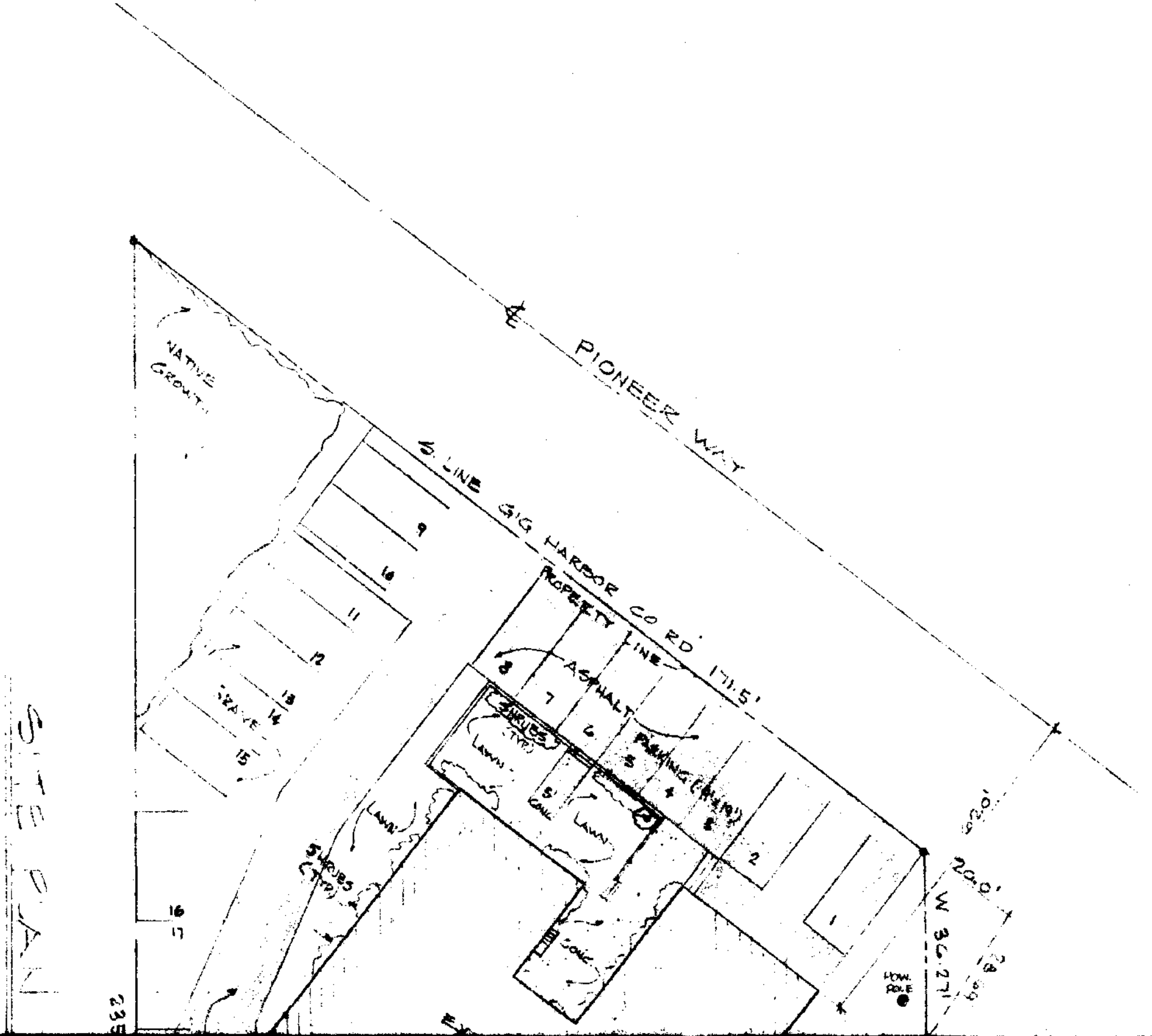


ADDRESS: 7211 PIONEER WAY

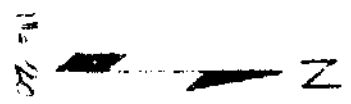
EQUAL DESCRIPTION

CON. SE COR L. & BETW. GRAVEL ADD
 TH S 20 FT TH W 140 FT TO POB 1/4 CORN
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 183 P. 135E

SITE PLAN - PENINSULA GATEWAY
 7211 PIONEER WAY GIS HARBOUR WIL
 10



SITE PLAN



238

PUBLIC NOTICE

THE GIG HARBOR TOWN COUNCIL WILL HEAR A REQUEST FOR A REZONE AND SITE PLAN REVIEW ON FEBRUARY 14, 1977 AT 8:15 P.M. ON A PARCEL OF PROPERTY OWNED BY THE PENINSULA GATEWAY, INC. THE APPLICANT WISHES THE PROPERTY LOCATED AT 7211 PIONEER WAY REZONED FROM R-2 TO B-1. THE MEETING WILL BE HELD AT THE GIG HARBOR TOWN HALL. THE PROPERTY IS LEGALLY DESCRIBED AS FOLLOWS:

Com SE Cor L 8 Peter Skansi Add Th S 20 Ft Th W 149 Ft to POB
Th Cont W 63.40 Ft Th N 57 Deg 34 Min 40 Sec W 36.69 Ft to a
Pt on S Li of SD L 8 Th W 36.27 Ft Alg Sd S Li to Ely Li of
Gig Harbor CO RD Th S Alg Sd Ely Li of Rd to a Li 132 Ft S of
N Li of NW of SE of NW Th E Alg Sd Li to Pt S of POB Th N to POB
Seg F 5355

THE PUBLIC IS INVITED TO ATTEND.

Mayor
Council
Bldg. Inspector
Gateway
Clerks File

Rudolph F. Nikolac, POB 146
Peninsula Professional Bldrs. POB 176
Lilian S. Herley, 3117 N. 27th, Tacoma
Mrs. Frank Marvin, 7507 Hill Ave.
Mary Palo, 7425 Hill Ave.
Mabel Dean, 2421 Day Is. Blvd. W, Tacoma
Steven Bellona, 7815 28th St., W., Tacoma
L. C. Wilcox, 7507 Pioneer Way
Robert M. Johnston, 4752 Hyada Blvd. NE, Tacoma
Peninsula Auto Parts, POB 75
Keith Uddenberg, POB 444
Peninsula State Bank, POB 107
U. S. Post Office
Louis K. Bye, 1128 Wash. Bldg, Seattle
Robert Felker, 9309 Crescent Valley Dr. NW
Paul Vermette, POB 588
S. K. Blackwood, 7610 Pioneer Way
Tony Bussanich, 7614 Pioneer Way
M. Ivanovich, 3617 Harborview Dr.
Ralph Christ, 865 11th Ave. Fox Island
Nina R. Ulsh, 7421 Pioneer Way
N. J. Tarabochia, 8021 Shirley Ave.
Dick Lentz, POB 254
George Orlando, POB 155
Floyd Brewer, 7512 Pioneer Way
Aaron Stowe, 7516 Pioneer Way

ORDINANCE NO. 109,

An ordinance amending Ordinance No. 109 A establishing land use classifications and districts in the Town of Gig Harbor:

Amending the zoning map adopted by said ordinance by providing a change of zone from R-2 to B-2 for certain property as designated on the map attached hereto and marked Exhibit A and made a part hereof, and as further 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 provisions of Section 1784030 of the Gig Harbor Municipal Code of the Town of Gig Harbor, and the Planning Commission has recommended such change, and the Town 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 COUNCIL OF THE TOWN OF GIG HARBOR:

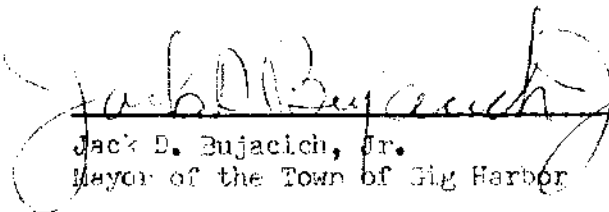
Section 1. That the following described real property situated in the Town of Gig Harbor, County of Pierce, State of Washington, to wit:

(a) Com SE Cor L 8 Peter Skansi Add Th S 20 Ft Th W 149 Ft to POB
Th Cont W 63.40 Ft Th N 57 Deg 34 Min 40 Sec W 36.69 Ft to a
Pt on S Li of SD L 8 Th W 36.27 Ft Alg Sd S Li to Ely Li of
Gig Harbor CO RD Th S Alg Sd Ely Li of Rd to a Li 132 Ft S of
N Li of NW of SE of NW Th E Alg Sd Li to Pt S of POB Th N to POB
Seg F 5355

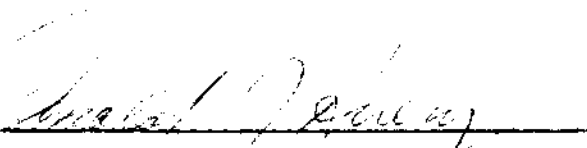
As more fully shown upon the map attached hereto and marked Exhibit A and made a part hereof, be and the same are hereby rezoned and classified as B-2 rather than R-2.

Section 2. That the official zoning map of the Town of Gig Harbor as adopted by said Ordinance No. 109 A, be and the same is hereby amended to reflect such change in zoning of such areas. That the Town Clerk shall make this classification change on the Town's official zoning map and certify said change in accordance with the terms of Ordinance No. 109 A. That this ordinance shall take effect upon its passage and publication as provided by law.

PASSED at a regular meeting of the Town Council held on the 28th day of
February, 1977.


Jack D. Bujacich, Jr.
Mayor of the Town of Gig Harbor

ATTEST:


Donald J. Avery
Clerk of the Town of Gig Harbor

ORDINANCE NO. 247

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

Be it Ordained by the Town Council of the Town of Gig Harbor:

That Whereas by petition heretofore filed with the Council, Donald Huber and Donald Antilla, being the owners of more than seventy-five per cent (75 per cent) in value according to assessed valuations for taxation of the following described real estate:

PARCEL A:

That portion of the following described property lying northeasterly of the northeasterly line of Primary State Hiway 14; Beginning at NW corner of Gov Lot 6 of the G.H. Mil. Reserve, situated in the NW Qtr of the SE Qtr of the NE Qtr of Sec 7, Twn 21N, R2E, W.M. thence cont. E along N Line of said Gov. Lot 6 a distance of 208 Ft; th S and parallel to the W line of said Lot 6 a distance of 208 Ft; Th W 208 Ft more or less, to the W line of said Lot 6, thence N along the W line of said Lot 6 to the Point of Beginning. Except that portion thereof conveyed to the State of Wash for SR 16, Narrows Bridge to Olympic Dr by deed dated Feb. 11, 1971, and recorded April 7, 1971, under Auditor's Fee No.2385896 records of Pierce County Washington.

PARCEL B:

That part of Gov Lot 6 of the Gig Harbor Mil. Reserve, situated in the NW Qtr of the SE Qtr of the NE Qtr of Sec. 7, TWn 21N, R 2 E, W.M., described as follows: Commencing at the NW corner of said Gov Lot 6 of the G.H. Mil. Res.; thence E along the N Line of Said Gov. Lot 6, a distance of 208 Ft to the true point of beginning for this description; thence S and parallel to the W line of said Lot 6, 208 Ft to the N line of that certain tract of land conveyed to the Town of Gig Harbor by deed dated September 26, 1972, and recorded Nov 28, 1972, under Auditor's Fee No. 2475887, records of Pierce County, Wash., thence E along said N. 11 to the NE corner of said Town of Gig Harbor tract; thence southeasterly along the E line of said tract to the SE corner of the Town of Gig Harbor tract; thence Southeasterly 43.65 feet; more or less, to a point which is 330 feet N of the S line of said Gov Lot 6, and 180.03 Ft W of the W line of Tacoma-Lake Cushman power line right of way measured at right angles thereto; thence N 38o22'28" E 180.03 Ft to the W line of Tacoma Lake Cushman power line right of way; thence Northwest-ly along said power line to the north line of said Lot 6; thence W along the N line of said Lot 6 to the true point of beginning.

The property is located outside the town limits of the Town of Gig Harbor at the end of Foster Street.

Whereas, subsequent to filing said petition the Town Council approved as to form the Petition for Annexation and joined with the petitioner in the Notice of Intention to Annex 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 Pierce County Boundary Review Board did not take jurisdiction for a period of sixty days and, therefore, is presumed to approve the same, and

Whereas, the Town Council on August 23, 1976, fixed Monday, September 27, 1976,

County, Washington, to-wit:

PARCEL A:

That portion of the following described property lying northeasterly of the northeasterly line of Primary State Hiway 14; Beginning at NW corner of Gov Lot 6 of the G.H. Mil. Reserve, situated in the NW Qtr of the SE Qtr of the NE Qtr of Sec 7, Twn 21 N, R2E, W.M., thence cont. E along N line of said Gov. Lot 6 a distance of 208 Ft; th S and parallel to the W line of said Lot 6 a distance of 208 Ft; Th W 208 Ft more or less, to the W line of said Lot 6, thence N along the W line of said Lot 6 to the Point of Beginning. Except that portion thereof conveyed to the State of Wash for SR 16, Narrows Bridge to Olympic Dr by deed dated Feb. 11, 1971, and recorded April 7, 1971, under Auditor's Fee No. 2385896, records of Pierce County, Washington.

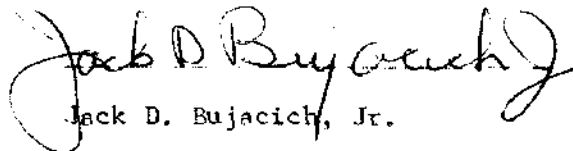
PARCEL B:

That part of Gov Lot 6 of the Gig Harbor Mil. Reserve, situated in the NW Qtr of the SE Qtr of the NE Qtr of Sec. 7, Twn 21 N, R 2 E, W. M., described as follows: Commencing at the NW corner of said Gov Lot 6 of the G.H. Mil Res.; thence E along the N Line of said Gov. Lot 6, a distance of 208 Ft to the true point of beginning for this description; thence S and parallel to the W line of said Lot 6, 208 Ft to the N line of that certain tract of land conveyed to the Town of Gig Harbor by deed dated September 26, 1972, and recorded Nov. 28, 1972, under Auditor's Fee No. 2475887, records of Pierce County, Wash., thence E along said N. Li to the NE corner of said Town of Gig Harbor tract; thence southeasterly along the E line of said tract to the SE corner of the Town of Gig Harbor tract; thence Southeasterly 43.65 feet; more or less, to a point which is 330 feet N of the S line of said Gov Lot 6, and 180.03 Ft W of the W line of Tacoma-Lake Cushman power line right of way measured at right angles thereto; thence N 38°22'28" E 180.03 Ft to the W line of Tacoma Lake Cushman power line right of way; thence Northwesterly along said power line to the N line of said Lot 6; thence W along the N line of said Lot 6 to the true point of beginning.

be and the same is hereby annexed into and incorporated within the Town of Gig Harbor;

Section 2. This Ordinance shall become effective upon its passage and publication, as provided by law.

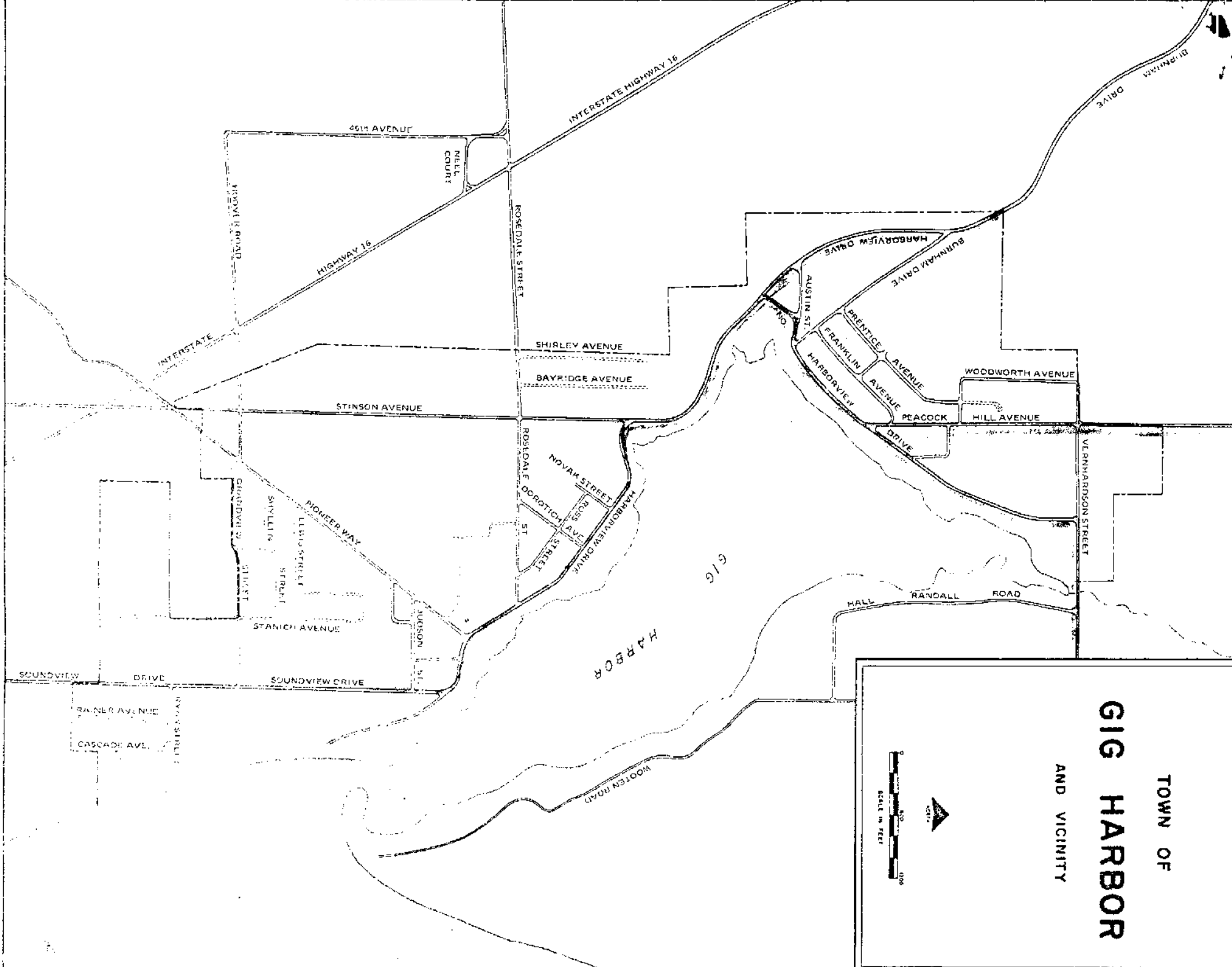
Passed this 28th day of March 1977.



Jack D. Bujacich, Jr.

Mayor

Attest:



TOWN OF
GIG HARBOR
 AND VICINITY

SCALE IN FEET

ORDINANCE NO. 248

AN ORDINANCE AMENDING SECTION 32.040, CHAPTER 17
OF THE GIG HARBOR MUNICIPAL CODE.

Section 32.040, Chapter 17 of the Gig Harbor Municipal
Code is amended to read as follows:


17.32.040 Lot area. A. The minimum lot area for
residential or public or institutional uses permitted in a
B-1 district shall be the same as that required in Section
17.20.040.

B. For business establishments, the lot area shall
not be less than seven thousand square feet. (Ord. 231 (part),
1976: Ord. 109A §7.3, 1968).

PASSED at a regular meeting of the Town Council held
on the 25 day of APRIL, 1977.


JACK D. BUJACICH, JR. - Mayor

Attest:


DONALD J. AVERY - Clerk

ORDINANCE NO. 249

AN ORDINANCE RESTRICTING THROUGH TRUCK
TRAFFIC IN GIG HARBOR

WHEREAS, the Town Council has received continuous complaints of heavy truck travel through the Town over side streets and arterials which are not constructed for such heavy traffic, and believes that other, better prepared roads are available for such traffic outside of or on the perimeters of the Town, now therefore,

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF
GIG HARBOR:

1. That all through travel by motor trucks, with or without trailers, having a gross weight limit in excess of 10,000 pounds, is hereby prohibited on certain streets as set forth in the Town of Gig Harbor map attached hereto and incorporated herein by this reference.

2. Trucks of the above size desiring to load or unload within the Town shall be permitted to travel on Gig Harbor streets to their destination or from their point of origin, provided they restrict travel upon any Town streets to the minimum, and use arterials wherever possible.

3. The Chief of Police shall post such signs as are appropriate, giving notice that through truck traffic is prohibited on all streets in Gig Harbor except as indicated above.

4. Any Gig Harbor police officer shall have the authority to stop any truck to determine (a) its point of origin and destination, and (b) its weight by causing the same to be driven to a public or private scale to be weighed.

5. Every violation of this ordinance shall be a misdemeanor, punishable by a fine of not to exceed One Hundred and 00/100 (\$100.00) Dollars.

6. This ordinance shall be effective commencing on and after May 18, 1977.

PASSED at the regular meeting of the Town Council held on the 7 day of April, 1977.

ORDINANCE NO. 250

AN ORDINANCE AMENDING CHAPTER 17 SECTION 80
SUB-SECTION .020 OF THE GIG HARBOR MUNICIPAL
CODE.

Chapter 17.80.020 of the Gig Harbor Municipal Code
is amended to read as follows:

17.80.020 Definitions. A. "Announcement sign" means a temporary sign to announce temporary service or goods. The total area of the sign on all its faces shall not exceed two square feet. There shall be no more than one sign per lot with a maximum display time of seven days per service or goods offered per year.

B. "Building sign" means a sign or cutout letters attached flat to the side surface of the building and not extending out from the side of said building more than six inches. No building sign shall extend over the top roof line of the building to which it is attached. The total area of the sign on its face shall not exceed one hundred square feet. Printing on a canopy or awning shall be considered as a building sign.

C. "City entrance sign" means a sign erected to identify the town, population, public services and civic organizations and information to the general traveling public. The sign shall be noncommercial and contain no advertising. The total area of the sign on all its faces shall not exceed twelve square feet and the height from the ground at the base of the sign to the top of the sign shall not exceed eight feet.

D. "Construction sign" means a sign to identify future buildings plans. It may be put up only after a building permit has been obtained. There shall be only one sign per construction site. The total area of the sign on all its faces shall not exceed one hundred square feet and the height from the ground at the base of the sign to the top of the sign shall not exceed eight feet.

E. "Courtesy display panel sign" means a display sign for pedestrian viewing only to show credit cards accepted, menus, redemption stamps, bus schedules and community events. The items must be located together, either as a sign attached flat to the side of the building or affixed in a group in the window taking up a total area of no more than six square feet.

F. "Directional sign" means a sign to provide direction to public services such as off-street parking, public telephone, business district and parks. The sign shall be noncommercial and contain no advertising. The total area of the sign on all its faces shall not exceed six square feet, and the distance

H. "Free standing signs" means a sign where the sign surface is elevated from the ground level by one or two support poles and is not attached to a building or structure. The total area of the sign on all its faces shall not exceed fifty square feet and the distance from the ground at the base of the sign to the top of the sign surface shall not exceed fifteen feet.

I. "Gas station price signs" means a sign advertising the price of automobile fuel. Only one sign structure per station is allowed and it must be placed on the station lot so as not to obstruct motorist vision of the road and station. The sign shall have a maximum of thirty square feet total area on all sides and shall have a maximum height from the ground of five feet.

J. "Institutional signs" means a sign to permit the identification of educational civic and religious institutions. The total area of the sign on all its faces shall not exceed eighteen square feet and the top of the sign shall not be higher than six feet from the ground level at the base.

K. "Lot identification signs" means a sign to identify the occupants of the premises. The total area of the sign on all its faces shall not exceed:

1. Two square feet for one or two family dwelling;
2. Two square feet per dwelling unit for three family or more complex; not to exceed a maximum of eighteen square feet;
3. Eighteen square feet for nonresidential uses.

L. "Low profile planter sign" means a sign of low profile, rectangular in shape, set on a base of concrete or stone surrounded by plantings. The total area of the sign on all its faces shall not exceed thirty-six square feet and the distance from the base of the sign to the top shall not exceed six feet.

M. "Neighborhood identification sign" means a permanent sign to identify a particular residential area of at least ten acres in size. The total area of the sign on all its faces shall not exceed twelve square feet and the height from the ground at the base of the sign to the top of the sign shall not exceed six feet.

N. "Nonpolitical campaign sign" means a temporary sign for civic, religious or other fund drives or events. The total area of the sign on all its faces shall not exceed thirty-six square feet and the distance from the ground level at the base of the sign to the top of the sign shall not exceed four feet. The sign may be up for only one month per year.

O. "Painted on building sign" means a sign giving only the name of the business painted on the side surface wall of

candidate for political office. The total area of the sign on all its faces shall not exceed thirty-six square feet and the distance from the ground level at the base of the sign to the top of the sign shall not exceed four feet. All such signs shall be removed not later than five days after the election. The candidate whose name appears on the sign shall be responsible.

R. "Real estate sign" means a sign to advertise the sale, rental or lease of the premises. It must be located on the lot which is for sale, rent or lease. The total area of the sign on all its faces shall not exceed fifty square feet and the distance from the ground at the base of the sign to the top of the sign surface shall not exceed six feet.

S. "Symbol sign" means a sign with no words, only picture symbols. The sign may be attached flat to a building surface or project out from the building no more than two feet and the total area of the sign on all its faces shall not exceed eight square feet.

T. "Temporary signs for promotional events" means signs and banners or pennants of a temporary nature used only to promote special commercial activities such as clearance sales, grand openings or new models. They shall be permitted only for one continuous thirty-one day period or four seven day periods each year for a building no matter how many occupancies.

U. "Motorist service directional sign" means a sign erected to provide direction to a business designated under Washington State Highway Commission rules WAC 252-42-040 Business Eligibility as a qualified motorist service activity furnishing tourist service to the motoring public traveling over primary highway State Route 16. All such signs shall remain displayed only so long as such business designated thereon has a valid annual permit issued by the Washington State Highway Commission in accordance with WAC 252-42-060 Permits and Procedures. Signs shall be constructed of a single piece of 0.080 inch thick aluminum, and shall be fully reflectorized to show the same shape and color both by day and night. The colors of said signs shall conform to the specifications of WAC 252-42-050 Signing Details, (2) Color of Panels and Signs. Whenever possible, directional information pertaining to two or more motorist service activities shall be combined on the same sign panel. The height to the top of the sign shall not exceed eight feet. The minimum dimensions for a sign listing only one activity shall be 6-3/4 inches (vertical) by 18 inches (horizontal) and the spacing of the sign face shall be as follows:

(a) one-half inch wide border;

(b) five-eighths inch space between border and top of letters in first row designating motorist service activity;

(c) two inch (vertical) letters designating

service activity measured in tenths of one mile
(e.g., ~~1.0~~ → 1.2 MI.);

(f) five-eighths inch space between bottom
row and top of sign's bottom border;

(g) one-half inch wide border;

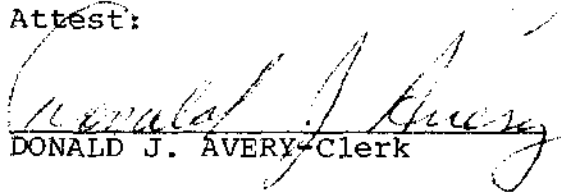
The vertical dimension of a sign panel listing two or more motorist service activities shall be increased by repeating items (c), (d) and (e) for each additional activity. The horizontal dimension in all cases shall remain the same. Before placement of any qualified motorist service directional sign(s), the specific location(s), height and setback from the traveled right-of-way shall be approved by the Town of Gig Harbor Building Inspector.

(Ord. 109D §2, 1974; Ord. 109A (part), 1968).

PASSED at a regular meeting of the Town Council held
on the 9 day of MAY, 1977.


JACK D. BUJACICH, JR. Mayor

Attest:


DONALD J. AVERY Clerk

ORDINANCE NO. 251

AN ORDINANCE AMENDING CHAPTER 17 SECTION 80
SUB-SECTION .030 OF THE GIG HARBOR MUNICIPAL
CODE.

Chapter 17.080.030 of the Gig Harbor Municipal Code
is amended to read as follows:

17.80.030 Permits. A. The following temporary signs
will not require a permit: Announcement signs, gas station
price signs, nonpolitical campaign signs, political signs, real
estate signs, temporary signs for promotion events and highway
motorist signs for which a state permit has been obtained. The
courtesy display panel signs will also not require a permit.
However, the aforementioned signs will be required to conform
with the regulations pertaining to their size, location, length
of use and other rules and restrictions as included in this
chapter.

B. All signs not mentioned in the preceding paragraph
will require a permit. Prior to the erection or installation
of any sign, the owner of the proposed sign or his agent shall
present plans for the proposed sign to the building inspector
of the town together with a fee of five dollars plus ten percent
of the value of the sign. (Ord. 109D §3.1, 1974: Ord. 109A
(part), 1968).

PASSED at a regular meeting of the Town Council held
on the 9 day of May, 1977.


JACK D. BUJACICH, JR. - Mayor

Attest:


DONALD J. AVEY - Clerk

ORDINANCE NO. 252

AN ORDINANCE AMENDING CHAPTER 17 SECTION 80
SUB-SECTION .050 OF THE GIG HARBOR MUNICIPAL
CODE.

Chapter 17.80.050 of the Gig Harbor Municipal Code
is amended to read as follows:

17.80.050 Permitted signs for each zone. A. In any
or all zones the following signs shall be permitted:

1. Announcement sign;
2. City entrance sign;
3. Construction sign;
4. Directional sign;
5. Emblem sign;
6. Nonpolitical sign;
7. Political sign;
8. Real estate sign;
9. Motorist service directional sign.

B. The following signs are permitted in residential
zones 1, 2 and 3:

1. Lot identification sign;
2. Neighborhood identification sign;

C. The following signs are permitted in residential/
business zone 1:

1. Building sign;
2. Courtesy display panel sign;
3. Free standing sign;
4. Lot identification sign;
5. Low profile planter sign;
6. Neighborhood identification sign;
7. Painted on window sign;
8. Symbol sign.

D. The following signs are permitted in business
zone 1:

Any sign listed under definitions (Section 17.80.010)
with the exception of the gas station price sign.

E. The following signs are permitted in business zone
2 and commercial zone 1:

Any sign listed under definitions (Section 17.80.010).

F. The following signs are permitted in waterfront
zones 1, 2 and 3:

Same signs as in sub-section C above.
(Ord. 109D §4, 1974; Ord. 109A (part), 1968).

PASSED at a regular meeting of the Town Council held on
the 9 day of MAY, 1977.

Attest:

Jack D. Bujacich, Jr.
JACK D. BUJACICH, JR. - Mayor

Donald J. Avery
DONALD J. AVERY
Clerk

JOHNSON & KELLEY
ATTORNEYS AT LAW
SUITE 605
WASHINGTON BUILDING
TACOMA, WASHINGTON 98402

ORDINANCE NO. 253

An ordinance amending Ordinance #218 relating to the Municipal Sewer System of the Town of Gig Harbor, fixing rates and charging for sewer service, providing a method of collecting fees and charges therefor, providing penalties for violation of this ordinance, providing for a charge in lieu of assessment and specifying the date upon which this ordinance shall become effective.

Be it Ordained by the Town Council of the Town of Gig Harbor:

Section 1. USE CHARGES:]

<u>Classification of Users</u>	<u>Monthly rates</u>
Class 1 - Single family residences and Churches	\$6.25 per dwelling unit or church
Class 2 - Single family residential units built in multiples of 2 residences or more per building	\$6.25 per living unit
Class 3 - Motels	\$6.25 per month for residence office and \$3.10 per month for each additional unit
Class 4 - Nursing, Rest or Convalescent Homes	\$12.50 per month plus \$1.55 per bed per month
Class 5 - Bowling Alleys	\$12.50 per month minimum up to and including 8 lanes plus \$1.55 per lane per month for each additional lane
If food service is included there will be an additional charge of \$0.35 per seat per month measured by the seating capacity of restaurant	
Class 6 - Restaurants, Cafes, Taverns, Bakeries and Pizza Parlors	\$12.50 per month plus thirty cents (\$0.30) per seat, measured by maximum seating capacity of said restaurant, cafe, tavern, bakery and pizza parlor
Class 7 - Shopping Centers, Super Markets and Department Stores	\$12.50 per month plus \$1.002 per sq.ft. per month for anything over 1,000 sq. ft.
Class 8 - Beauty Parlors, Barber Shops	\$12.50 per month
Class 9 - Offices and Small Retail Shops	\$12.50 per month
Class 10 - Laundries or self service laundromats	\$.30 per month per pound of washing machine capacity
Class 11 - Schools - Public and Parochial	\$14.00 per month plus Grade schools - thirty cents per pupil and employed personnel per month

Junior High and High
Schools - forty cents
(\$0.40) per pupil and
employed personnel per month,
(Per pupil charges will be
based upon a school year
of 9 months, including
the month of September
through the month of May.

Class 12 - Service Stations
\$18.75 per month for two
islands of pumps or less,
plus \$6.25 per month for
each 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 rate charge on the first available billing date. The Town shall have a lien against the user's real property for the delinquent unpaid rates and charges provided for herein together with interest thereon at the rate of eight per cent (8 per cent) per year from the date of delinquency and all costs and fees for foreclosing said lien or otherwise collecting the delinquent amount.

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 Town to which connection is desired may be permitted to connect onto any such pipeline and be served thereby if:

- a. The Town Engineer certifies that the pipe line to which the connection is made and the utility facilities serving that property have sufficient capacity to serve that property and all property which the Town 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 Town 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 Town 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 Town utility fund a connection charge representing the pro rata share of that property of the original cost of that pipe line and related facilities necessary to serve that pipeline, plus

the cost of any improvement thereto, which pro rata share shall be calculated from a formula determined by the Town Engineer and approved by the Town Council by resolution as applicable to that pipeline and related facilities.

Section 4. SEWAGE SERVICE CHARGES OUTSIDE THE TOWN: For service outside the Town those rates set forth in Section 1 shall be multiplied by 1.5.

Section 5. 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 6. 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 Town of Gig Harbor, Washington, at a regular meeting thereof and approved by the Mayor this 9 date of MAY.



JACK D. EUJACICH, JR., MAYOR

ATTEST:


DON AVERY, CLERK TREASURER

ORDINANCE NO. 258

AN ORDINANCE AMENDING SECTION 17.48.050,
DISTRICT W-2 OF THE GIG HARBOR MUNICIPAL
CODE TO READ AS FOLLOWS:

17.48.050 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
3. Location and size of off-street parking to include ingress and egress as well as internal traffic circulation and service facilities;
4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development;
5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans,

Page One

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliance with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.

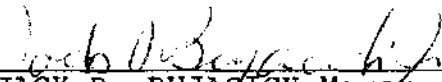
H. The Town Council may require suitable performance bonds to assure compliance with all Town ordinances, the amount and nature of same shall be set by the Town Council and the Town Clerk shall arrange for same.

I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

J. Upon approval by the Town Council, the Town

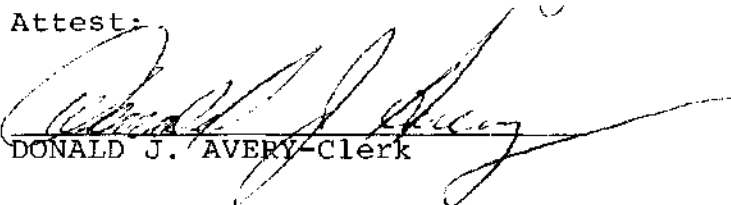
Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of July, 1977.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 259

AN ORDINANCE ADDING SECTION 17.52.050 TO
CHAPTER 17.52 DISTRICT W-3 OF THE GIG HARBOR
MUNICIPAL CODE

17.52.050 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
3. Location and size of off-street parking to include ingress and egress as well as internal traffic circulation and service facilities;
4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development;
5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans,

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliances with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.

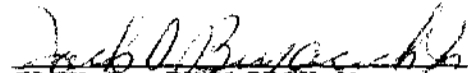
H. The Town Council may require suitable performance bonds to assure compliance with all Town ordinances, the amount and nature of same shall be set by the Town Council and the Town Clerk shall arrange for same.

I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

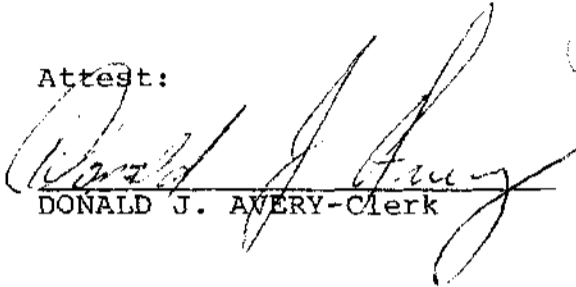
J. Upon approval by the Town Council, the Town

Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of May, 1977.


JACK D. BUJACICH-Mayor

Attest:


DONALD J. AVERY-Clerk

Page Three

JOHNSON & KELLEY
ATTORNEYS AT LAW
SUITE 605
WASHINGTON BUILDING
TACOMA, WASHINGTON 98402

ORDINANCE NO. 260

AN ORDINANCE ADDING SECTION 17.56.020 TO
CHAPTER 17.56 DISTRICT G.S. OF THE GIG HARBOR
MUNICIPAL CODE

17.56.020 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
3. Location and size of off-street parking to include ingress and egress as well as internal traffic circulation and service facilities;
4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development.
5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans,

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliances with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.

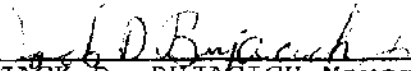
H. The Town Council may require suitable performance bonds to assure compliance with all Town ordinances, the amount and nature of same shall be set by the Town Council and the Town Clerk shall arrange for same.

I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

J. Upon approval by the Town Council, the Town

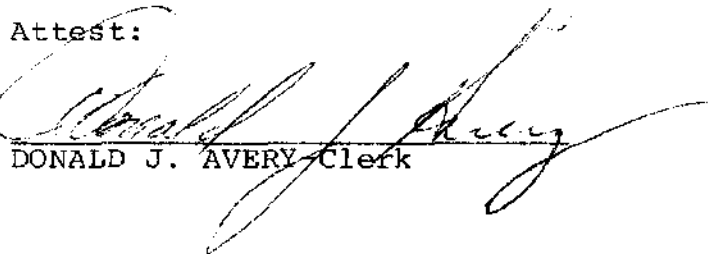
Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of May, 1977.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 261

AN ORDINANCE ADDING SECTION 17.20.100 to
CHAPTER 17.20 DISTRICT R-2 OF THE GIG HARBOR
MUNICIPAL CODE

17.20.100 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
3. Location and size of off-street parking to include ingress and egress as well as internal traffic circulation and service facilities;
4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development.
5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans,

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliance with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.


H. The Town Council may require suitable performance bonds to assure compliance with all Town ordinances, the amount and nature of same shall be set by the Town Council, and the Town Clerk shall arrange for same.

I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

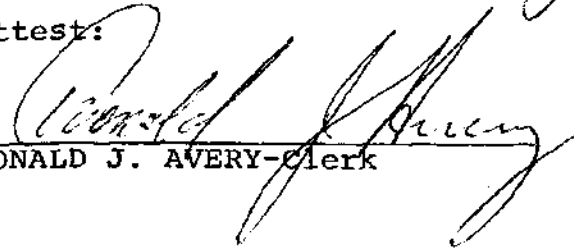
J. Upon approval by the Town Council, the Town

Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of May, 1977.


JACK D. BUJAICH, JR. Mayor

Attest:


DONALD J. AVERY-Clerk

ORDINANCE NO. 262

AN ORDINANCE ADDING SECTION 17.24.160 TO
CHAPTER 17.24 DISTRICT R-3 OF THE GIG HARBOR
MUNICIPAL CODE

17.24.160 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
3. Location and size of off-street parking to include ingress and egress as well as internal traffic circulation and service facilities;
4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development;
5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans,

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliance with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.

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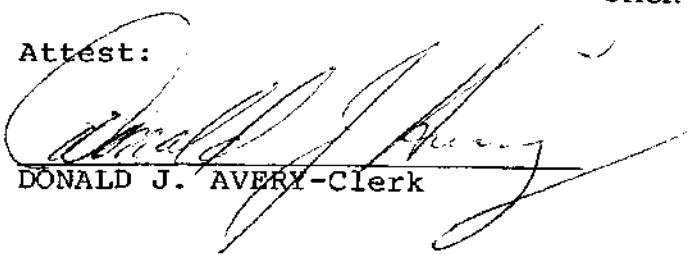
J. Upon approval by the Town Council, the Town

Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of MAY, 1977.


JACK D. BUJACICH-Mayor

Attest:


DONALD J. AVERY-Clerk

ORDINANCE NO. 363

AN ORDINANCE AMENDING SECTION 17.28.070,
DISTRICT RB-1 OF THE GIG HARBOR MUNICIPAL
CODE TO READ AS FOLLOWS:

17.28.070 SITE PLANS A. Before a building permit will
be issued in this zone, except a single family residence or
duplex, a minimum of triplicate site plans shall be submitted
to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller
than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building
on lot;
2. Three contiguous property lines of adjacent
property owners;
3. Location and size of off-street parking to
include ingress and egress as well as internal
traffic circulation and service facilities;
4. Proposed landscaping to include drainage and
permanent landscaping or screening which is
feasible for the property within the proposed
development;
5. A separate scale drawing of the exterior of the
building(s) to include siding material, signs,
and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector
find the plans lacking in any respect, or that the proposed
development would not meet the regulations of the district for
which they are designed, the Town Clerk or the Town Building
Inspector will return same to the applicant(s) with a notation
as to where they are deficient. When corrected, they will be
again placed in the hands of the Town Clerk and the Town Building
Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector
find a variance, a conditional use permit or a rezone would be
a necessary adjunct to the carrying out of the proposed plans,

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliance with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.

H. The Town Council may require suitable performance bonds to assure compliance with all Town ordinances, the amount and nature of same shall be set by the Town Council, and the Town Clerk shall arrange for same.

I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

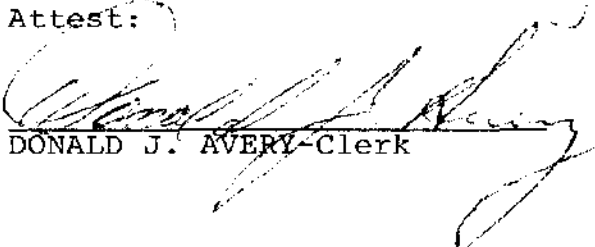
J. Upon approval by the Town Council, the Town

Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of July, 1977.


JACK D. BUJACICH-Mayor

Attest:


DONALD J. AVERY-Clerk

Page Three

JOHNSON & KELLEY
ATTORNEYS AT LAW
SUITE 605
WASHINGTON BUILDING
TACOMA, WASHINGTON 98402

ORDINANCE NO. 264

AN ORDINANCE AMENDING THE TITLE MAP ADOPTED BY TITLE 17 ESTABLISHING LAND USE CLASSIFICATIONS AND DISTRICTS IN THE TOWN OF GIG HARBOR; AMENDING THE ZONING MAP ADOPTED BY SAID ORDINANCE BY PROVIDING A CHANGE OF ZONE FROM R-1 (RESIDENTIAL) TO GS (GENERAL SERVICES); AND CHANGING GS (GENERAL SERVICES) TO R-1 (RESIDENTIAL) FOR CERTAIN PROPERTIES 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 provisions of Title 17 of the Gig Harbor Municipal Code, and the Planning Commission has recommended such change, and the Town 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 TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

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

Commencing at a point 519 ft. west of the NE corner of the west $\frac{3}{4}$ of the south $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sect. 6, TWP. 21 N., R. 2 E. WM. Thence South 297 feet thence each 138 ft. more or less to a point on a line being parallel with and 500 ft. easterly as meas. at right angle to the centerline of the northbound lane of State HWY. No. 16, and the true point of beginning. Thence along said parallel line southeasterly for 190.7 ft. Thence north for 160.5 ft., to a point being east of point of beginning. Thence west to point of beginning. Situate in Town of Gig Harbor, Wn.

be and the same is hereby rezoned and classified as GS (general services), rather than R-1 (residential).

Section 2: That the following described real property situated in the Town of Gig Harbor, County of Pierce, State of Washington, to-wit:

Commencing at a point 519 ft. west of the NE cor. of the west $\frac{3}{4}$ of the south $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of

Sect. 6, TWP. 21 N., R. 2 E. WM. Thence south 297 ft. Thence east 138 ft. more or less to a point on a line being parallel with and 500 ft. easterly as meas. at right angle to the centerline of the northbound lane of State HWY. No. 16. Thence along said parallel line southeasterly for 190.7 to true point of beginning. Thence south 160.5 ft. to the north line of Rosedale Street. Thence along said North line east 103 ft. to a point on the above said line being 500 ft. easterly of the northbound lane of State HWY. No. 16. Thence along said line northwesterly for 190.7 ft. to true point of beginning. Situate in the Town of Gig Harbor, Wn.

be and the same is hereby rezoned and classified as R-1 (residential), rather than GS (general services).


Section 3: That the official zoning map of the Town 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 Town Clerk shall make this classification change on the Town'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 Town Council held on the 11 day of July, 1977.



JACK D. BUJACICH JR.-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 257

AN ORDINANCE ADDING SECTION 17.44.100 TO
CHAPTER 17.44 DISTRICT W-1 OF THE GIG HARBOR
MUNICIPAL CODE

17.44.100 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
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4. Proposed landscaping to include drainage and permanent landscaping or screening which is feasible for the property within the proposed development;
5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

D. If the Town Clerk and the Town Building Inspector find a variance, a conditional use permit or a rezone would be a necessary adjunct to the carrying out of the proposed plans,

the applicant shall be so notified, that they may make application for such variance, conditional use permit or zone change coincident with the application for site plan approval, if so desired.

E. The Town Clerk shall assign public hearing dates for the applicant for both the Planning Commission and Town Council and forward the site plans to the Planning Commission which shall, at its earliest possible regular meeting, consider approval of said plans with special attention to:

- (a) Compatibility with the Town's comprehensive plan.
- (b) Compatibility with surrounding buildings, occupancy, and use factors.
- (c) All relevant statutory codes, regulations and ordinances and compliances with same.

F. Upon completion of its study of the site plans the Planning Commission shall transmit same to the Town Council together with a letter of approval or rejection of the plans. Should approval be recommended said letter may include recommendations for any special restrictions or regulations deemed necessary or desirable in furthering the intent of the code pertaining to this proposed development.

G. The Town Council, upon receipt of the site plans, shall hold an advertised public hearing and accept or reject, with or without special restrictions or regulations, the site plans submitted.


H. The Town Council may require suitable performance bonds to assure compliance with all Town ordinances, the amount and nature of same shall be set by the Town Council and the Town Clerk shall arrange for same.

I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

J. Upon approval by the Town Council, the Town

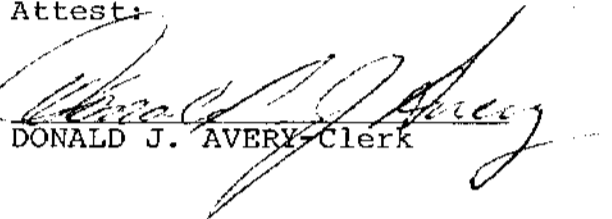
Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of MAY, 1977.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 256

AN ORDINANCE ADDING SECTION 17.40.080 TO
CHAPTER 17.40 DISTRICT C-1 OF THE GIG HARBOR
MUNICIPAL CODE

17.40.080 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
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5. A separate scale drawing of the exterior of the building(s) to include siding material, signs, and screening design and material;
6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

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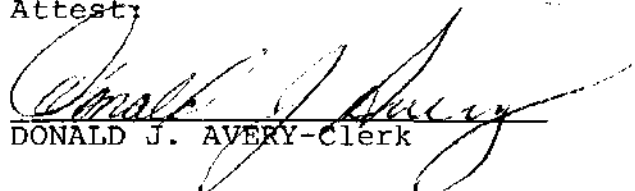
Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of May, 1977.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 255

AN ORDINANCE AMENDING SECTION 17.36.030,
DISTRICT B-2 OF THE GIG HARBOR MUNICIPAL
CODE TO READ AS FOLLOWS:

17.36.030 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

1. Location and arrangement of proposed building on lot;
2. Three contiguous property lines of adjacent property owners;
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6. A Town of Gig Harbor environmental work sheet.

C. If the Town Clerk and the Town Building Inspector find the plans lacking in any respect, or that the proposed development would not meet the regulations of the district for which they are designed, the Town Clerk or the Town Building Inspector will return same to the applicant(s) with a notation as to where they are deficient. When corrected, they will be again placed in the hands of the Town Clerk and the Town Building Inspector for review and transmittal to the Planning Commission.

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I. All site plans submitted shall become property of the Town and shall be considered an integral part of the building permit when issued.

J. Upon approval by the Town Council, the Town

Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of May, 1977.



JACK D. BUJACYCH-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 254

AN ORDINANCE AMENDING SECTION 17.32.030,
DISTRICT B-1 OF THE GIG HARBOR MUNICIPAL
CODE TO READ AS FOLLOWS:

17.32.030 SITE PLANS A. Before a building permit will be issued in this zone, except a single family residence or duplex, a minimum of triplicate site plans shall be submitted to the Town Clerk for transmittal to the Town Building Inspector.

B. Site plans will be drawn to scale of no smaller than one inch equals thirty feet and shall include the following:

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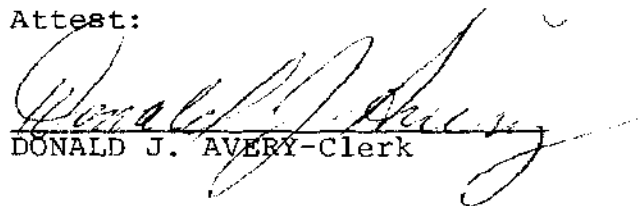
Building Inspector is authorized to issue permits for the proposed building(s) and/or development.

PASSED at a regular meeting of the Town Council held on the 23 day of July, 1977.



JACK D. BUJAICH-Mayor

Attest:



DONALD J. AVERY-Clerk

ORDINANCE NO. 282

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

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

THAT WHEREAS by petition heretofore filed with the Council, Telephone Utilities, being the owners of more than seventy-five per cent (75 per cent) in value according to assessed valuations for taxation of the following described property:

All that portion of the east half of the west half of the northwest quarter of the northeast quarter of Sec. 7, Twp 21 N, R 2 E of the WM, lying SWly of Primary State Highway No. 14, as conveyed, to State of Wash under Auditor's Fee No. 1323472, and Sly of Approach Road, as conveyed to State of Wash by instrument recorded under Auditor's Fee No. 1323472. EXCEPT those portions conveyed to State of Wash by instrument recorded under Auditor's Fee Nos. 1527906 and 1785090 TOGETHER WITH all rights of the Grantor to use of water wells located upon said land and TOGETHER WITH an easement for the construction, maintenance, and use of a road by the Grantee, its grantees, successors and assigns for ingress and egress over the S twenty (20) feet of that parcel of land described as commencing at the quarter corner monument on the N Li of Sec. 7, Twp 21 N, R 2 E of the W.M.; Th S 1 Deg, 06 feet W alg the center line of said Sec. 550 feet to the true POB; Th continue S 1 Deg, 06 feet W alg said center line of Section to SW corner of the west half of the west half of the northwest quarter of the NE quarter of said Section; Th Ely alg Sly Li of said subdivision to the SE corner thereof; Th alg the E Li of said subdivision N to a point 175 feet S of the S Li of State Highway No. 14 Approach Road; Th N 88 Deg, 54 feet W to a point 143 feet east of the center line of Section; Th N 1 Deg, 06 feet E to a point N 88 Deg, 54 feet east from the true POB; Th S 88 Deg, 54 feet W 143 feet to the true POB. EXCEPT the S 531 feet thereof.

The property is located outside the town limits of the Town of Gig Harbor.

WHEREAS, subsequent to filing said petition the Town Council approved as to form the Petition for Annexation and joined with the petitioner in the Notice of Intention to Annex 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 Pierce County Boundary Review Board did not take jurisdiction for a period of sixty days and, therefore, is presumed to approve the same, and

WHEREAS, the Town Council on March 14, 1977 fixed Monday, April 11, 1977, at the hour of 8:00 p.m. in the Town Hall of the Town of Gig Harbor as the time 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 hearing was given as provided by law by publication thereof, and

WHEREAS, at said hearing no one objected to said annexation

NOW, THEREFORE, BE IT FURTHER ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR:

Section 1. That the following described real property situated in Pierce County, Washington, to-wit:

All that portion of the east half of the west half of the northwest quarter of the northeast quarter of Sec. 7, Twp. 21 N, R 2 E of the WM, lying SWly of Primary State Highway No. 14, as conveyed, to State of Wash under Auditor's Fee No. 1323472, and Sly of Approach Road, as conveyed to State of Wash by instrument recorded under Auditor's Fee No. 1323472.

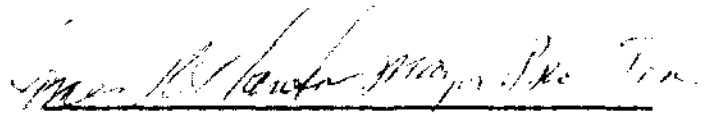
EXCEPT those portions conveyed to State of Wash by instrument recorded under Auditor's Fee Nos. 1527906 and 1785090 TOGETHER WITH all rights of the Grantor to use of water wells located upon said land and TOGETHER WITH an easement for the construction, maintenance, and use of a road by the Grantee, its grantees, successors and assigns for ingress and egress over the S twenty (20) feet of that parcel of land described as commencing at the quarter corner monument on the N Li of Sec. 7, Twp 21 N, R 2 E of the W.M.; Th S 1 Deg, 06 feet W alg the center line of said Sec. 550 feet to the true POB; Th continue S 1 Deg, 06 feet W alg said center line of Section to SW corner of the west half of the west half of the northwest quarter of the NE quarter of said Section: Th Ely alg Sly Li of said

subdivision to the SE corner thereof; Th alg the E Li of said subdivision
N to a point 175 feet S of the S Li of State Highway No. 14 Approach Road;
Th N 88 Deg, 54 feet W to a point 143 feet east of the center line of
Section; Th N 1 Deg, 06 feet E to a point N 88 Deg, 54 feet east from the
true POB; Th S 88 Deg, 54 feet W 143 feet to the true POB. EXCEPT the S
531 feet thereof.

be and the same is hereby annexed into and incorporated within the Town of
Gig Harbor:

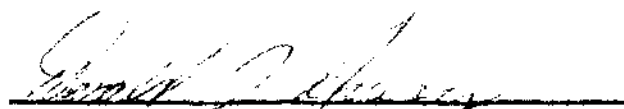
Section 2. This Ordinance shall become effective upon its passage and pub-
lication, as provided by law.

PASSED this 22nd day of August, 1977.



Jack D. Bujacich, Jr. Mayor

ATTEST:



Donald J. Avery Clerk

ORDINANCE NO. 266

An Ordinance regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion and demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the Town of Gig Harbor; and repealing all ordinances and parts of ordinances in conflict herewith.

BE IT ORDAINED BY THE TOWN OF GIG HARBOR:

Section 1. That pursuant to provisions of Section 35.21.180 Revised Code of Washington, the 1973 addition of the Uniform Building Code, Volumes I and III, with appendices adopted and published by the International Conference of Building Officials, is hereby adopted by this reference, as the Official Building Code of the Town of Gig Harbor, with the following amendment hereto.

Section 2. Building Permit Fees. A fee for each Building Permit shall be paid to the Town of Gig Harbor as set forth in Table I of this Ordinance.

The determination of value or valuation for the purpose of establishing a building permit fee under any of the provisions of this Ordinance shall be made by the Building Inspector.

Where work for which a building permit is required by this Ordinance is started or proceeded with prior to obtaining said permit, the fees specified in Table I pertaining to the work shall be doubled but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this Ordinance in the execution of the work nor from any other penalties prescribed herein.

The Building Permit fees shall be calculated on the rates shown Table I per 100 square feet or major fraction thereof of floor area including basements and upper floors measuring the area on the outside dimensions of the building. Unfinished basements, unfinished upper floors and covered walkways open on both sides shall be calculated at one-half of the floor area. The rates for fees based on the square foot measurements are set forth in Table I Sections A and C of Table I.

The Building Permit fees for work which does not involve an increase in floor area in connection with alterations, repairs, towers, retaining walls, tanks (other than domestic fuel oil tanks) and similar construction, and the fee schedule in Section A, Table I is manifestly inapplicable the permit fee shall be determined on the rates shown in Section B, Table I of this Ordinance.

Where walls are omitted in the construction of buildings, such as open sheds, canopies, and covered walkways open on two (2) sides the exterior wall or walls on the open side or sides shall be assumed to be one and one-half ($1\frac{1}{2}$) feet inside the edge of the roof. Where buildings include more than one type of construction and/or occupancy the fee for each type of construction and/or occupancy shall be computed separately.

The minimum fee for any building or demolition permit shall be \$10.00.

Permit fees for the demolition shall be set forth in Section D Table I of this Ordinance.

When the valuation of the proposed construction exceeds \$25,000, a plan checking fee shall be paid to the Town of Gig Harbor. Said plan checking fee shall be as set forth in Table I of this Ordinance and shall be paid to the Building Inspector when said plans and specifications are checked. If a building permit is not issued for the work proposed on the plans, the person or firm submitting the plans and specifications shall pay the plan checking fee.

Table I

Section A

Type I Construction	\$ 6.00 per 100 Sq. Ft.
Type II Construction	5.50 per 100 Sq. Ft.
Type III Construction	5.00 per 100 Sq. Ft.
Type IV Construction	4.50 per 100 Sq. Ft.
Type I Construction	4.25 per 100 Sq. Ft.
Single Family Dwellings	\$ 4.00 per 100 Sq. Ft.
Apartments (Duplexes or more)	4.25 per 100 Sq. Ft.
Structures Accessory to Residential Dwellings Detached	\$3.00 per 100 Sq. Ft.
Minimum Building Permit Fee	\$10.00.

Section B

Total Valuation Labor & Material - \$0.00 to \$1,000.00 - \$10.00.
\$1,000.00 to \$25,000.00 - \$10.00 plus 1% of total valuation in excess of \$1,001.00.
Over \$250,000.00 - 1/2 of 1% for first \$250,000.00 and 1/4 of 1% above \$250,000.00.
Plan Study Fees - Commercial - 65% over \$25,000.00 valuation, Residential - 50% over \$25,000.00.

Section C

Agricultural Buildings
Unfinished interior with no finished floor - \$1.50 per 100 Sq. Ft.
With finished interior and/or finished floor - \$2.00 per 100 Sq. Ft.

Section D

Demolition Permit
Buildings 3,000 Sq. Ft. or less - \$10.00 minimum.
Buildings over 3,000 Sq. Ft. - \$1.50 per thousand Sq. Ft., plus minimum.
Minimum Permit Fee - \$10.00.

Section E

Buildings to be moved: Inspection.
Fee for inspection of buildings to be moved only - minimum - \$40.00 plus \$10.00 per hour over 2 hours.
Special inspection of building and/or construction not otherwise covered by building permit inspection - \$20.00.
When approved by the building official, the fee for each reinspection is \$10.00.
Certification for FHA, VA or similar certifications or for a financial institution for loan approval or similar inspection verification - \$75.00.
The building official may use the valuation tables as provided in Table 3-A of the UBC at his option if the foregoing amended tables do not apply or are unreasonable as it applies to the proposed construction.

Section 3. The Gig Harbor Building Code, CH. 15.04, Plumbing Code, 15.08, is hereby amended by repealing the fee schedule therein and substituting therefore the following fee schedule. The remainder of said section remains the same.

ORDINANCE NO. [REDACTED]

267

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE TOWN A PROPOSITION AUTHORIZING THE INCURRING OF INDEBTEDNESS FOR THE PURPOSE OF PAYING PART OF THE COST OF A NEW HEADQUARTERS FIRE STATION FOR PIERCE COUNTY FIRE PROTECTION DISTRICT NO. 5

An ordinance of the Town of Gig Harbor providing for the submission of the qualified electors of the Town at a special election to be held therein on November 8, 1977; in conjunction with the State of general election to be held on the same date, of a proposition authorizing the incurring of a general indebtedness in the sum of not to exceed \$72,000 as the Town of Gig Harbor's fair share of construction of the proposed new fully equipped headquarters fire station for Pierce County Fire Protection District No. 5, for which the district will be placing on its ballot on the above-mentioned date a similar bond issue in the sum of not to exceed \$500,000.

WHEREAS, in the judgment of the Board of Fire Commissioners of Pierce County Fire Protection District No. 5, it is essential and necessary for the protection of the public health, life, and property, that the District acquire one new fully equipped headquarters fire station, with training area, office area, dormitory area, adequate housing for apparatus, and a maintenance area for all District equipment. The cost of which is estimated, as near as may be, to be the sum of \$500,000.00, and,

WHEREAS, in the judgment of the Board of Fire Commissioners of this District, such facility is an immediate need for Fire District operation and maintenance, and,

WHEREAS, such a facility will provide the future needs of the Fire District, now,

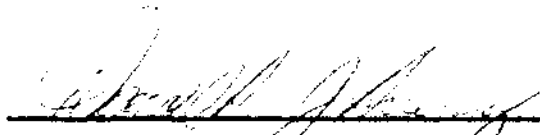
Schedule of Plumbing Permit Fees:

For issuing each permit.....	\$ 5.00
In addition:	
For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping, and backflow protection therefor).....	3.00
For each water heater and/or vent.....	3.00
For each gas piping system of 1-5 outlets.....	3.00
For each gas piping system of 6 or more outlets, per outlet.....	.50
For each industrial waster pre-treat interceptor, including its trap and vents, excepting kitchen type grease interceptor functioning as fixture trap.	2.00
For installation, alteration of drainage or vent piping.....	3.00
For waste breakers or backflow protective devises on tanks, vats, including necessary water piping.....	
one to five (each).....	3.00
over five (each).....	1.00
Special and/or reinspection fee.....	10.00

PASSED at a regular meeting of the Town Council held on the 24th of October, 1977.


JACK D. EUJACICH, JR. MAYOR

Attest:


Donald J. Avery Clerk

WHEREAS, the Town Council of Gig Harbor concurs in the judgment of the Board of Fire Commissioners and desires that the Town of Gig Harbor contribute its fair share to this project;

THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF GIG HARBOR, as follows:

Section 1. That the Town of Gig Harbor shall give its support to Fire District No. 5 to acquire one fully equipped fire station headquarters.

Section 2. The Town of Gig Harbor will give its support by incurring a general indebtedness and issue general obligation bonds evidencing such indebtedness in an amount not to exceed \$72,000 and in no event to exceed an amount, together with any outstanding general obligation indebtedness, that has not been voted by the people, equal to three-fourths of one percent of the value of the taxable property within the District as defined in Chapter 52, Laws of Washington, 1970, Executive Session.

Section 3. There shall be submitted to the qualified electors of the Town for their ratification or rejection, at a special election on November 8, 1977, in conjunction with the state general election to be held on the same date, the question of whether or not such indebtedness shall be incurred and such bonds issued, and the Town Council of Gig Harbor hereby declares that an emergency exists and the auditor of Pierce County, as ex-officio County Supervisor of Elections, is hereby requested to find that an emergency exists, to call said special election, and to submit such proposition at said special election, as aforesaid, in the form of a ballot title substantially as follows:

"Proposition"
General Obligation Bonds
\$72,000

Shall the Town of Gig Harbor incur a general indebtedness

and issue its general obligation bonds evidencing such indebtedness in the sum of \$72,000 payable, both principal and interest, out of property tax levies made annually without limitation as to rate or amount, maturing within twenty (20) years from date of issue, for purpose of paying part of the costs of construction of a new fire headquarters for District No. 5, Pierce County, Washington.

BONDS ... YES

BONDS ... NO

PASSED BY THE COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON, at a meeting thereof and approved by the Mayor this 24 day of October, 1977.

Jack D. Bujacich, Jr.
Jack D. Bujacich, Jr. - Mayor

Attest:

Don Avery
Don Avery - Clerk-Treasurer

ORDINANCE NO. 268

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

BE IT ORDAINED by the Town Council of the Town of Gig Harbor:

That Whereas by petition heretofore filed with the Council, Peninsula School District # 401, being the owners of more than seventy-five per cent (75 per cent) in value according to assessed valuations for taxation of the following described property:

PARCEL "A":

That portion of the North 240 feet of the South 900 feet of the Southeast quarter of the Southwest quarter of Section 6, Township 21 North, Range 2 East of The Willamette Meridian, lying Southwesterly of State Highway No. 16 as conveyed to the State of Washington by Deed recorded May 4, 1972 under Auditor's Fee No. 2443865.

PARCEL "B":

The South 900 feet of the Southwest quarter of the Southwest quarter of Section 6, Township 21 North, Range 2 East of the W.M. EXCEPT that portion thereof within the South 660 feet of the East half of the East half of the Southwest quarter of the Southwest quarter of said Section 6.

ALSO EXCEPT that portion thereof lying West of a line described as follows:

Commencing at the Southwest corner of the Southwest quarter of Section 6, Township 21 North, Range 2 East of the W.M; Th North 85 Deg 36'40" East, along the South line of said subdivision, 700 feet to the Point of Beginning for said line; Thence North 02 Deg 34'33" West 1530.77 feet to intersect the North line of the South 1530 feet of the Southwest quarter of said Section 6, at a point 635 feet East of the West line of said subdivision and the terminus of said line.

ALSO EXCEPT the South 30 feet for Rosedale Street.

The property is located outside the town limits of the Town of Gig Harbor.

Whereas, subsequent to filing said petition the Town Council approved as to form the Petition for Annexation and joined with the petitioner in the Notice of Intention to Annex 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 Pierce County Boundary Review Board did not take jurisdiction for a period of sixty days and, therefore, is presumed to approve the same, and

Whereas, the Town Council on July 12, 1977 fixed Monday, August 22, 1977, at the hour of 7:45 P.M. in the Town Hall of the Town of Gig Harbor as the time 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 hearing was given as provided by law by publication thereof, and

Whereas, at said hearing no one objected to said annexation

Now, Therefore, Be It Further Ordained by the Town Council of the Town of Gig Harbor:

Section 1. That the following described real property situated in Pierce County, Washington, to-wit:

PARCEL "A":

That portion of the North 240 feet of the South 900 feet of the Southeast quarter of the Southwest quarter of Section 6, Township 21 North, Range 2 East of the Willamette Meridian, lying Southwesterly of State Highway No. 16 as conveyed to the State of Washington by Deed recorded May 4, 1972 under Auditor's Fee No. 2443865.

PARCEL "B":

The South 900 feet of the Southwest quarter of the Southwest quarter of Section 6, Township 21 North, Range 2 East of the W.M. EXCEPT that portion thereof within the South 660 feet of the East half of the East half of the Southwest quarter of the Southwest quarter of said Section 6.

ALSO EXCEPT that portion thereof lying West of a line described as follows:

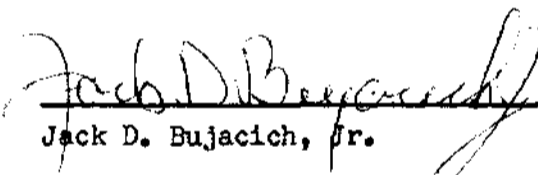
Commencing at the Southwest corner of the Southwest quarter of Section 6, Township 21 North, Range 2 East of the W.M.; Th North 85 Deg 36'40" East, along the South line of said subdivision, 700 feet to the Point of Beginning for said line; Thence North 02 Deg 34'33" West 1530.77 feet to intersect the North line of the South 1530 feet of the Southwest quarter of said Section 6, at a point 635 feet East of the West line of said subdivision and the terminus of said line.

ALSO EXCEPT the South 30 feet for Rosedale Street.

be and the same is hereby annexed into and incorporated within the Town of Gig Harbor:

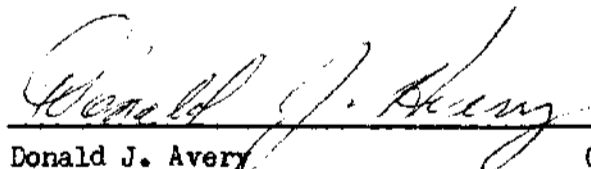
Section 2. This Ordinance shall become effective upon its passage and publication, as provided by law.

PASSED this 12th day of December, 1977.



Jack D. Bujacich, Jr. Mayor

ATTEST:



Donald J. Avery Clerk

ORDINANCE NO. 269

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF GIG HARBOR FIXING THE AMOUNT OF AD VALOREM TAX LEVIES AND EXCESS LEVIES FOR THE CALENDAR YEAR 1978.

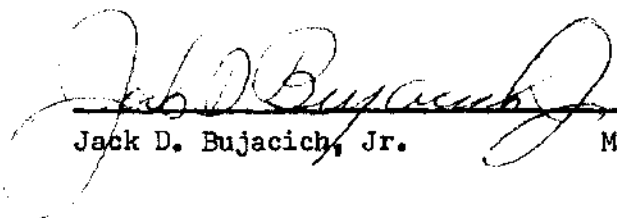
Be It Ordained by the Council of the Town of Gig Harbor:

Section 1. That the annual amount of ad valorem tax levies of the Town of Gig Harbor for the calendar year of 1978 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$36,359,262, estimated 100 per cent of appraised value, as follows: \$2.8611 per thousand estimated at \$104,029.

Section 2. That the annual amount of ad valorem tax excess levies of the Town of Gig Harbor for the calendar year of 1978 necessary to raise the amount of estimated revenue be and the same are levied upon Real and Personal Property subject to taxation in said town and upon each dollar of taxable value, approximately \$35,196,692, estimated 100 per cent of appraised value, as follows: \$1.7333 per thousand estimated at \$61,000.

Section 3. This Ordinance shall take effect and shall be in full force and effect immediately upon its passage, approval and publication as required by law.

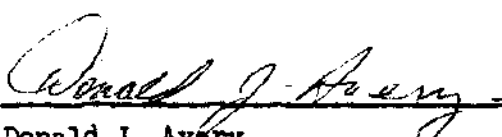
PASSED by the Council of the Town of Gig Harbor, this 12th day of December, 1977.



Jack D. Bujacich, Jr.

Mayor

ATTEST:



Donald J. Avery

Clerk

177
ORDINANCE NO. ~~270~~

AN ORDINANCE providing for the general tax levy and adopting the budget for the year 1978 for the Town of Gig Harbor:

There is hereby levied upon all the taxable property within the Town of Gig Harbor the General Tax Levy for the year 1978, a specific levy of \$104,029, being \$2.8611 on each thousand dollars, the assessed valuation of \$36,359,262.

Adopting the Budget for the year 1988 in summary as follows:

ESTIMATED REVENUE:

Current Expense Fund	\$ 287,175.00
G.O. Bond Fund	71,000.00
Street Fund	534,800.00
Arterial Street Fund	52,000.00
Water Fund	613,220.00
Water Debt Service & Imp	48,750.00
Sewer Operation and Maint.	120,900.00
Sewer Debt Service	507,000.00
Revenue Sharing	28,000.00
Other Investments	26,100.00
IAC Dock Grant	51,600.00

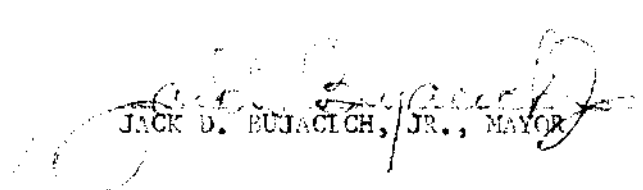
Total Estimated Revenue 2,340,545.00

ESTIMATED EXPENDITURES:

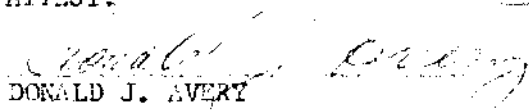
General Government	181,425
Police	105,750
G.O. Bond Fund	71,000
Total Current Expense	358,175.00
Street Fund	534,800.00
Arterial Street Fund	52,000.00
Water Fund	613,220.00
Water Debt Service & Imp.	48,750.00
Sewer Operation & Maint.	120,900.00
Sewer Debt Service	507,000.00
Revenue Sharing	28,000.00
Other Investments	26,100.00
IAC Dock Grant	51,600.00
Total Estimated Expenditures	2,340,545.00

PASSED by the Council of the Town of Gig Harbor in Public Hearing on December 12, 1977.

AT


JACK D. BUJACICH, JR., MAYOR

ATTEST:


DONALD J. AVERY
CLERK TREASURER
TOWN OF GIG HARBOR

PUBLISHED in the Peninsula Gateway, January 11, 1978, and
January 11, 1978.

ORDINANCE NO. 211

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.40.060
OF THE GIG HARBOR MUNICIPAL CODE.

Title 16, Chapter 16.40.060 of the Gig Harbor
Municipal Code is amended to read as follows:

16.40.060 Procedure and Fee.

1. Application. The subdivision shall file a short subdivision form with the Town Clerk of the Town of Gig Harbor. Such form shall be supplied by the Town and may be prepared by the subdivider or by Town personnel from information supplied by the subdivider. Such form shall provide space for owner information, name of short subdivision, legal description of area to be subdivided, use zone, owner's signature and date filed. A map of the area to be subdivided shall be prepared on a separate sheet noted as No. 2 and having the subdivision name thereon. Such map shall show division into lots with dimensions of each lot and of the whole to scale, and showing bearings where required. The map shall be one Mylar original tracing, and four (4) prints of a proposed short plat, and shall be filed with the Town Clerk of the Town of Gig Harbor.

A short plat shall meet the following standards:

(a) Drawn in ink to a scale not smaller than one inch equals one hundred feet (1"=100') on Mylar, a sheet size of 18" X 24".

(b) The plat shall show the boundary and dimensions of the "original tract" including its Assessor's parcel number, section, township, and range, and all adjoining public or private roads and identifying names of such.

(c) A vicinity map drawn to a scale of four inches equals one mile (4"=1 mile) of sufficient detail to orient the location of the original tract.

(d) Name and address of the owner of record of the "original tract", scale of the drawing, and north directional arrow.

Page One

(e) The tract(s) of land proposed to be sold or leased, each tract of which is identified by numerical designation. Dimensions of each lot.

(f) Width and location of access to all short platted lots proposed for sale or lease.

(g) The location and use of all buildings on the original tract.

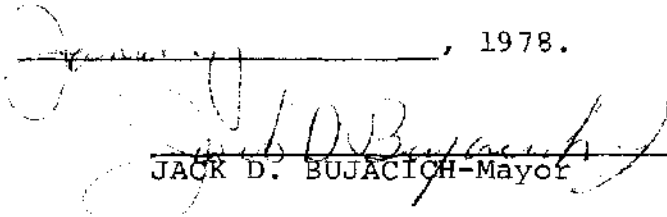
(h) Space on a second 18" X 24" Mylar sheet shall be reserved for comments and appropriate town signatures.

(i) A survey shall be required, the form of the plat to be as required by the Survey Record Act, Chapter 50 Washington Laws of 1973 as amended.

(j) The fee for said short plat shall be \$100.00.

2. Approval. The short subdivision map shall require approval of the Mayor of Gig Harbor indicated by his signature thereon, and dated, to be valid.

PASSED at a regular meeting of the Town Council held on the 22 day of January, 1978.



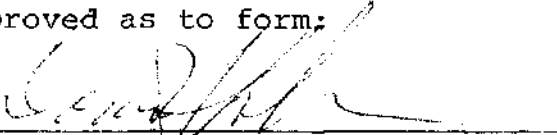
JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Town Clerk

Approved as to form:



DAVID H. JOHNSON-Town Attorney

ORDINANCE NO. 109A

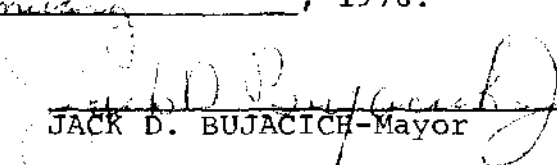
AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.88.010
OF THE GIG HARBOR MUNICIPAL CODE.

Title 17, Chapter 17.88.010 of the Gig Harbor
Municipal Code is amended to read as follows:

17.88.010 District designation determination --

Comprehensive plan. Any lands annexed to the town following the enacting of the ordinance codified in this title shall be deemed to be included in the zoning map as being in the R-1 residential district. The filing fee for said annexation shall be the following: a) R-1 district \$25.00, b) other districts \$50.00. Within sixty days following annexation planning commission shall hold a public hearing to determine the best application of this title to the annexed territory. Following the hearing, the commission shall make its recommendation to the town council for the zoning of the area; provided, however, any land which has been or is included in a comprehensive land use plan provided for in the following provision and adopted pursuant to RCW 35.13.177 and RCW 35.13.178 shall be annexed with the zoning district classification as provided for in such comprehensive land use plan. (Ord. 192 §1, 1974: Ord. 109A §24, (part), 1968).

PASSED at a regular meeting of the Town Council held
on the 23 day of January, 1978.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Town Clerk

Approved as to form:



DAVID H. JOHNSON-Town Attorney

JOHNSON & KELLEY
ATTORNEYS AT LAW
SUITE 605
WASHINGTON BUILDING
TACOMA, WASHINGTON 98402

ORDINANCE NO. 109A

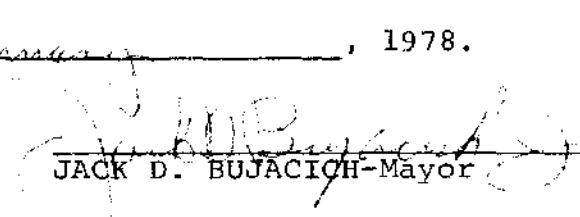
AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.64.020
OF THE GIG HARBOR MUNICIPAL CODE.

Title 17, Chapter 17.64.020 of the Gig Harbor
Municipal Code is amended to read as follows:

17.64.020 Proposed conditional uses. Conditional
uses may not be constructed without the issuance of a condi-
tional use permit. The fee for said permit shall be \$50.00.
The city council shall issue a conditional use permit if it
finds, based on a statement of findings by the planning
commission, or based upon its own determination of facts and
circumstances, that:

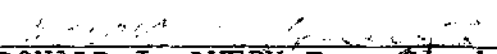
- A. The use conforms generally to the objectives of
the comprehensive plan and the intent of the ordinance;
- B. Such uses will not be detrimental in any way to
nearby affected properties or their occupants; and
- C. Such uses meet the overall density and floor
area (bulk) restrictions of the district in which they are
proposed. (Ord. 109A §13.2, 1968).

PASSED at a regular meeting of the Town Council held
on the 20 day of January, 1978.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Town Clerk

Approved as to form:



DAVID H. JOHNSON-Town Attorney

ORDINANCE NO. 1097

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.84.040
OF THE GIG HARBOR MUNICIPAL CODE.

Title 17, Chapter 17.84.040 of the Gig Harbor
Municipal Code is amended to read as follows:

17.84.040 Planning commission consideration--Amendments.

A. Amendments to this zoning title or any provisions thereof in request for a variance or rezoning must be submitted to the planning commission, filed with the town clerk at least fifteen days before the regular monthly meeting of the planning commission; together with a fee of fifty dollars for a variance or fifty dollars for a rezoning request. The planning commission will then make their recommendation to the town council; whereupon the town clerk shall advertise this petition in the local newspaper and notify property owners within three hundred feet as to the date, time and place of this public hearing.

B. Any changes will become void twelve months from the date of granting such permit if use of land has not taken place in accordance with the request.

C. No application for a change of zoning or a variance, or transitional or conditional uses, shall be considered by the council within twelve months of the final action of the council upon a prior application covering any of the same described land; provided, that in the case of applications for transitional or conditional uses, this limitation shall only apply where such prior applications have been made after the effective date of the ordinance codified in this title. (Ord. 109C §1, 1971; Ord. 109B §1 (part), 1971; Ord. 109A §19.4, 1968).

PASSED at a regular meeting of the Town Council held

on the 23 day of January, 1978.

Jack D. Bujacich
JACK D. BUJACICH-Mayor

Attest:

Donald J. Avery
DONALD J. AVERY-Town Clerk

Approved as to form:

David H. Johnson
DAVID H. JOHNSON-Town Attorney

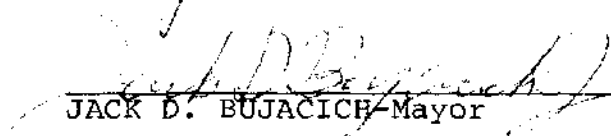
ORDINANCE NO. 1184

AN ORDINANCE AMENDING TITLE 16, CHAPTER 16.12.040
OF THE GIG HARBOR MUNICIPAL CODE.

Title 16, Chapter 16.12.040 of the Gig Harbor
Municipal Code is amended to read as follows:

16.12.040 Tentative approval--Application fees. The
application for tentative approval of a proposed subdivision
plat shall be accompanied by a fee in the amount of ten dollars
per lot, the minimum fee is one hundred dollars per subdivision.
(Ord. 91 §4.3.2, 1966).

PASSED at a regular meeting of the Town Council held
on the 23 day of February, 1978.



JACK D. BUJACICH-Mayor

Attest:



DONALD J. AVERY-Town Clerk

Approved as to form:



DAVID H. JOHNSON-Town Attorney

ORDINANCE NO. 211

AN ORDINANCE of the City Council of the Town of Gig Harbor, Washington, providing for the issuance and sale of the general obligation bonds of the Town in the principal amount of \$72,000 for the purpose of providing funds to pay the Town's share of the cost of construction of a new fire station for Pierce County Fire Protection District No. 5; providing the date, form, terms and maturities of said bonds; creating a Construction Fund; creating a Bond Redemption Fund; providing for the annual levy and collection of ad valorem taxes to pay the principal of and interest on said bonds; and approving the execution of a contract with said Fire Protection District No. 5.

WHEREAS, it is deemed necessary and advisable that a new fully equipped headquarters fire station be constructed within the Town of Gig Harbor, Washington (hereinafter called the "Town"), as set forth in Ordinance No. 267 of the Town, adopted October 24, 1977; and

WHEREAS, the voters of the Town have heretofore approved, at an election held November 8, 1977, the issuance of the general obligation bonds of the Town in the amount of \$72,000 to pay the Town's share (pursuant to the contract herein authorized) of the costs of construction of said fire station; and

WHEREAS, in order to provide funds for such purposes it is deemed necessary and advisable that the Town now issue and sell its general obligation bonds in the principal amount of \$72,000;

NOW, THEREFORE, BE IT ORDAINED by the Town of Gig Harbor, Washington, as follows:

Section 1. It is hereby found and declared that the public interest, welfare and benefit require that Pierce County Fire Protection District No. 5 construct one new fully equipped headquarters fire station as set forth in Ordinance No. 267 of the Town, adopted October 24, 1977.

Section 2. For the purpose of providing funds necessary to pay the Town's share of the cost of constructing and equipping said fire station, the Town shall issue and sell its unlimited tax levy general obligation bonds in the principal amount of \$72,000 (hereinafter called the "Bonds").

The Bonds shall be dated April 1, 1978, shall be in the denomination of \$5,000 each, except for Bond Nos. 1 and 2 which shall be in the denomination of \$1,000 each, shall bear interest at such rate or rates as shall be fixed by the Town Council upon the sale thereof, payable December 1, 1978, and semiannually thereafter on the first days of June and December, and shall be numbered and mature on June 1 of each of the following years in the following amounts:

<u>Bond Nos.</u>	<u>Years</u>	<u>Amounts</u>
1	1982	\$ 1,000
2	1983	1,000
3	1984	5,000
4	1985	5,000
5	1986	5,000
6	1987	5,000
7	1988	5,000
8	1989	5,000
9	1990	5,000
10	1991	5,000
11	1992	5,000
12	1993	5,000
13	1994	5,000
14	1995	5,000
15	1996	5,000
16	1997	5,000

(The above schedule has been computed on an assumed interest rate of 5-1/2% per annum.)

Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America at the office of the Town Treasurer in Gig Harbor, Washington, or, at the option of the holder, at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington and New York, New York.

Section 3. The Town hereby reserves the right to redeem any or all of the Bonds outstanding in whole, or in part in inverse numerical order, on June 1, 1988, or on any interest payment date thereafter at par plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in the official Town 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 the main office of the purchaser or account manager of the purchasers of the Bonds

at their sale by the Town or to the business successor or successors, if any, of said purchaser or account manager at its main office. 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.

In addition to such publication and mailing, the Town Treasurer shall also mail notice of any such intended redemption to Moody's Investors Service, Inc., and Standard & Poor's Corporation, New York, New York, or to their successors, if any. The mailing of such notice shall not, however, be a condition precedent to the call of any Bonds for redemption.

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

UNITED STATES OF AMERICA

NO. _____

\$5,000

STATE OF WASHINGTON

TOWN OF GIG HARBOR, WASHINGTON

GENERAL OBLIGATION BOND, 1978

The Town of Gig Harbor, Washington, a municipal corporation of the State of Washington (hereinafter called the "Town"), hereby acknowledges itself to owe and for value received promises to pay to bearer on the first day of June, 19__ the principal amount of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of __% per annum payable on the first day of December, 1978 and semiannually thereafter on the first days of June and December of each year upon presentation and surrender of the attached interest coupons as they severally become due or until such principal sum shall have been paid 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 office of the Treasurer of the Town at his office in Gig Harbor, Washington, or, at the option of the holder at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington and New York, New York.

The Town has reserved the right to redeem any or all of the bonds of this issue outstanding in whole, or in part in inverse numerical order, on June 1, 1988, or on any interest payment date thereafter at par plus accrued interest to the date of redemption.

Notice of any such intended redemption shall be given by one publication thereof in the official Town 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 _____

This bond is one of an issue of bonds of like date and tenor except as to amount, number, rate of interest and date of maturity in the aggregate principal amount of \$72,000 and is issued pursuant to Ordinance No. _____ of the Town for the purpose of providing funds necessary to pay the Town's share of the costs of constructing a new headquarters fire station for Pierce County Fire Protection District No. 5, under and in strict compliance with the provisions of the Constitution of the State of Washington, and duly adopted ordinances of the Town.

The Town hereby irrevocably covenants that it will levy taxes annually without limitation as to rate or amount upon all of the taxable property within the Town, in amounts sufficient, with other monies of the Town legally available and specifically set aside for such purpose, to pay the principal of and interest on the bonds of this issue as the same shall become due.

The full faith, credit and resources of the Town are hereby irrevocably pledged for the annual levy and collection of such taxes and for the prompt payment of such principal and interest.

It is hereby certified and declared 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 and that the total indebtedness of the Town, including this bond and the bonds of this issue, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the Town of Gig Harbor, Washington, has caused this bond to be signed on behalf of the Town with the facsimile signature of its Mayor, to be attested by the manual signature of its Clerk, the official seal of the Town to be impressed hereon and the interest coupons attached hereto to be signed with the facsimile signatures of said officials this first day of April, 1978.

TOWN OF GIG HARBOR, WASHINGTON

By _____
Mayor

ATTEST:

Town Clerk

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

NO. _____

\$ _____

On the first day of _____, 19____, the Town of Gig Harbor, Washington, will pay to bearer at the office of the Treasurer of the Town at his office in Gig Harbor, Washington, or, at the option of the holder at either of the fiscal agencies of the State of Washington in the cities of Seattle, Washington and New York, New York, the amount shown hereon in lawful money of the United States of America, said amount being the semiannual interest due that date on its General Obligation Bond, 1978, dated April 1, 1978 and numbered _____.

TOWN OF GIG HARBOR, WASHINGTON

By _____

Mayor

ATTEST:

Town Clerk

Section 5. The Bonds shall be signed on behalf of the Town by the facsimile signature of its Mayor, shall be attested by the manual signature of the Town Clerk and shall have the official seal of the Town impressed thereon. Each of the interest coupons attached thereto shall be signed with the facsimile signatures of said officials.

Section 6. There is hereby created a special account of the Town to be known as the "1978 Fire Station Fund." All monies received from the sale of the Bonds (except for accrued interest, if any, which shall be paid into the Bond Redemption Fund hereinafter created) shall be paid into such Fund.

The monies in such Fund, including earnings derived from the investment thereof, shall be used for the purposes provided in this ordinance.

Section 7. There is hereby created a special fund of the Town to be known as the "1978 General Obligation Bond Redemption Fund," which Fund shall be drawn upon for the sole purpose of paying the principal of and interest on the Bonds.

The Town covenants and agrees for as long as any of the Bonds are outstanding and unpaid that each year it will levy taxes annually without limitation as to rate or amount upon all the property within the Town subject to taxation, in amounts which, with other monies of the Town which may be legally used and which the Town may specifically set aside for such purposes, will be sufficient to pay the principal of and interest on the Bonds as the same shall become due. All of such taxes so collected and any of such other monies shall be paid into the Bond Redemption Fund, and none of the monies therein shall be used for any other purpose than the payment of the principal of and interest on the Bonds.

The full faith, credit and resources of the Town are hereby pledged for the annual levy and collection of such taxes and to the prompt payment of the principal of and interest on the Bonds as the same shall become due.

Section 8. The Town covenants and agrees with the holders of the Bonds that no part of the proceeds of the Bonds or any other funds of the Town shall at any time be used directly or indirectly to acquire securities or obligations, the acquisition of which would cause any Bond to become an "arbitrage bond" as defined in Section 103(c) of the Internal Revenue Code of 1954, as amended, and the applicable regulations promulgated thereunder.

Section 9. The Town Clerk is hereby authorized and directed to advertise the Bonds for sale in the manner required by law. Sealed bids for the purchase of said Bonds will be received by the Town Treasurer in the Town Hall in Gig Harbor, Washington, until 3:00 o'clock p.m. Pacific Standard Time on March 13, 1978, at which time said bids will be publicly opened, read and evaluated. Said bids will be considered and acted upon by the Town Council at a regular meeting thereof to be held in the Council Chambers

in the City Hall at 8:00 o'clock p.m. Pacific Standard Time on the same date.

Upon the sale of the Bonds the proper Town officials are hereby authorized and directed to do everything necessary for the prompt issuance, execution and delivery thereof and for the proper application and use of the proceeds of such sale.

Section 10. The Mayor and Clerk of the Town are hereby authorized and directed to execute, on behalf of the Town, a contract with Pierce County Fire Protection District No. 5, Pierce County, Washington, in substantially the form attached hereto as Exhibit A.

PASSED BY THE COUNCIL OF THE TOWN OF GIG HARBOR, WASHINGTON, at a regular meeting thereof and approved by the Mayor this 14th day of February, 1978.

TOWN OF GIG HARBOR, WASHINGTON

By *[Signature]*
Mayor

ATTEST:

[Signature]
Town Clerk

ORDINANCE NO. 277

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

BE IT ORDAINED by the Town Council of the Town of Gig Harbor:

THAT WHEREAS by petition heretofore filed with the Council, Walter Hogan, Edward McBride, Don Oswalt, Warren McCormick, Pacific National Bank of Washington, Jerry L. Clark, being the owners of more than seventy-five percent (75 per cent) in value according to assessed valuations for taxation of the following described real estate:

A portion of Section 17, T 21 N, R 2 E, WM described as follows:

Beginning on the existing Town limits at a point on the west line of Wickersham Co. Rd. 60 ft. west of and 100 ft. north of the SW corner of Lot 32, Shore Acres Addition as recorded in Book 10 of Plats, page 82, Records of Pierce County, Washington; thence easterly 210 ft. along a line 100 ft. north of and parallel to the south line of said Lot 32; thence south parallel to the west line of said Lot 32 and Lot 33 of said Shore Acres Addition a distance of 110 ft; thence west parallel to the north line of said Lot 33 a distance of 17.9 ft; thence south parallel to the west line of said Lot 33 a distance of 223.9 ft; thence east along a line 100 ft. north of and parallel to the south line of said Lot 33 a distance of 67.9 ft; thence south parallel to the west line of said Lot 33 a distance of 100 ft. to the south line thereof; thence east along said south line of said Lot 33 and said south line projected east to the east line of 28th Avenue NW; thence south along the east line of 28th Avenue NW to the northerly line of the A-2 line of State Route 16 (Narrows Bridge to Olympic Drive); thence southeasterly and southerly along said northerly line of the said A-2 line to a line 40 ft. northerly of and parallel to the centerline of said A-2 line to Station A-2 57+00; thence northwesterly through said Station A-2 57+00 to the westerly r/w line thereof; thence southwesterly along said westerly r/w line to an intersection with the northerly line of the CR2 line of said SR 16; thence northwesterly along said CR2 line to an intersection with the northeasterly line of SR 16 (Narrows Bridge to Olympic Drive); thence northwesterly along said northeasterly line of SR 16 to a point which bears N 88° 20' 53" W from a point on the west line of Wickersham Co. Rd. which point is 325 ft. northerly of the intersection of the west line of said Wickersham Co. Rd. and the northeasterly line of the Tacoma-Lake Cushman Power Line right-of-way; thence S 88° 20' 53" E to the northeasterly line of said right-of-way and the existing Town limits; thence continuing S 88° 20' 53" E along the said existing Town limits to the west line of said Wickersham Co. Rd; thence northerly along the west line of said Wickersham Co. Rd. and the existing Town limits to the point of beginning.

WHEREAS, subsequent to filing said petition the Town Council approved as to form the Petition for Annexation and joined with the petitioner in the Notice of Intention to Annex 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 Board and that Pierce County Boundary

Review Board did take jurisdiction and approve said annexation at a public hearing held on January 26, 1978, and

WHEREAS, the Town Council on July 5, 1977 fixed Monday, July 25, 1977, at the hour of 7:30 p.m. in the Town Hall of the Town of Gig Harbor as the time and place at which all interested persons would appear and voice their approval or disapproval of said annexation of said unincorporated territory, and

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

NOW, THEREFORE, Be it Further Ordained by the Town Council of the Town of Gig Harbor:

Section 1. That the following described real property situated in Pierce County, Washington, to-wit:

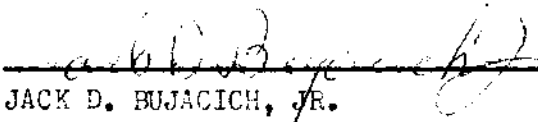
A portion of Section 17, T 21 N, R 2 E, WM described as follows:

Beginning on the existing Town limits at a point on the west line of Wickersham Co. Rd. 60 ft. west of and 100 ft. north of the SW corner of Lot 32, Shore Acres Addition as recorded in Book 10 of Plats, page 82, Records of Pierce County, Washington; thence easterly 210 ft. along a line 100 ft. north of and parallel to the south line of said Lot 32; thence south parallel to the west line of said Lot 32 and Lot 33 of said Shore Acres Addition a distance of 110 ft; thence west parallel to the north line of said Lot 33 a distance of 17.9 ft; thence south parallel to the west line of said Lot 33 a distance of 223.9 ft; thence east along a line 100 ft. north of and parallel to the south line of said Lot 33 a distance of 67.9 ft; thence south parallel to the west line of said Lot 33 a distance of 100 ft. to the south line thereof; thence east along said south line of said Lot 33 and said south line projected east to the east line of 28th Avenue NW; thence south along the east line of 28th Avenue NW to the northerly line of the A-2 line of State Route 16 (Narrows Bridge to Olympic Drive); thence southeasterly and southerly along said northerly line of the said A-2 line to a line 40 ft. northerly of and parallel to the centerline of said A-2 line to Station A-2 57+00; thence northwesterly through said Station A-2 57+00 to the westerly r/w line thereof; thence southwesterly along said westerly r/w line to an intersection with the northerly line of the CR2 line of said SR 16; thence northwesterly along said CR2 line to an intersection with the northeasterly line of SR 16 (Narrows Bridge to Olympic Drive); thence northwesterly along said northeasterly line of SR 16 to a point which bears N 88° 20' 53" W from a point on the west line of Wickersham Co. Rd. which point is 325 ft. northerly of the intersection of the west line of said Wickersham Co. Rd. and the northeasterly line of the Tacoma-Lake Cushman Power Line right-of-way; thence S 88° 20' 53" E to the northeasterly line of said right-of-way and the existing Town limits; thence continuing S 88° 20' 53" E along the said existing Town limits to the west line of said Wickersham Co. Rd; thence northerly along the west line of said Wickersham Co. Rd. and the existing Town limits to the point of beginning.

be and the same is hereby annexed into and incorporated within the Town of Gig Harbor;

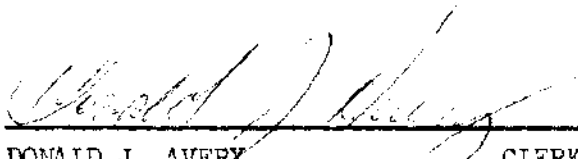
Section 2. This Ordinance shall become effective upon its passage and publication, as provided by law.

PASSED this 27th day of February, 1978.



JACK D. BUJACICH, JR. MAYOR

ATTEST:



DONALD J. AVERY CLERK

ORDINANCE NO. 278

AN ORDINANCE of the Town of Gig Harbor, Washington, providing for the issuance and sale of water revenue bonds of the town in the principal amount of \$220,000 to pay part of the cost of acquiring, constructing and installing certain additions and improvements to and extensions of the existing water system of the town as authorized herein; providing the date, form, terms and maturities of said bonds; providing and adopting certain covenants and protective features safeguarding the payment of the principal thereof and interest thereon; reserving the right in the town to issue additional water revenue bonds on a parity with such revenue bonds to be issued, for certain purposes and on compliance with certain conditions.

WHEREAS, the Town of Gig Harbor, Washington (hereinafter called the "Town"), by Ordinance No. 14 passed June 30, 1948, adopted a plan for the acquisition, construction and installation of a water supply and distribution system for the Town and said plan has thereafter been supplemented by additions and improvements thereto; and

WHEREAS, this Council finds that the existing water supply and distribution system of the Town should be improved by the acquisition, construction and installation of the hereinafter provided for additions and improvements to and extensions of such system and by the maintenance of such system as improved in order to properly supply the Town and its inhabitants and the users of the system with an adequate supply of water for daily use and for fire protection; and

WHEREAS, it is deemed necessary and advisable that the Town proceed with the acquisition, construction and installation of said additions, improvements, and extensions, and to pay part of the cost thereof that it now issue and sell

its water revenue bonds in the total principal amount of \$220,000;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Town of Gig Harbor, Washington, as follows:

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

a. The word "Town" shall mean the Town of Gig Harbor, a municipal corporation duly organized and existing under the laws of the State of Washington.

b. The word "System" shall mean the water supply and distribution system of the Town, as such system may be added to, improved and extended for as long as any of the Bonds and any Parity Bonds are outstanding, which additions, improvements and extensions may include the sanitary sewage disposal system of the Town should the same ever be combined with the water supply and distribution system of the Town in the manner authorized by law.

c. The words "Bonds" shall mean the \$220,000 principal amount of water revenue bonds of the Town issued pursuant to this ordinance.

d. The words "Revenue Fund" shall mean the special fund of the Town designated the "Water Revenue Fund," created by Section 14 of Ordinance No. 170 of the town.

e. The words "Construction Fund" shall mean the special fund of the Town known as the "1978 Water System Construction Fund" created by Section 10 of this ordinance.

f. The words "Bond Redemption Fund" shall mean the "Gig Harbor 1961 Water Revenue Bond Redemption Fund" created by Section 8 of Ordinance No. 59 of the Town.

g. The words "Gross Revenue" shall mean all rates, charges, or other income and receipts in each case derived by or for the account of the Town arising from the operation or ownership of the

System, and shall include all assessments, including interest and any penalties thereon, levied in any utility local improvement district of the Town, and pledged to and paid into the Bond Redemption Fund.

h. The word "Government" shall mean the United States Government.

i. The words "Outstanding Bonds" shall mean the outstanding water revenue bonds of the Town issued under date of November 1, 1973.

j. The words "Term Bonds" mean the bonds of any issue or series payable out of the Bond Redemption Fund maturing in the last maturity year of such issue or series (regardless of reservation of prior redemptive rights) in an amount which is more than 1.25 times the average annual principal maturities of the bonds of such issue or series for the three calendar years immediately preceding such last maturity year.

k. The words "Parity Bonds" shall mean any revenue bonds of the Town issued after the date of the issuance of the Bonds and having a lien upon the Gross Revenue and the money in the Revenue Fund for the payment of the principal thereof and interest thereon equal to the lien upon the Gross Revenue and the money in such fund for the payment of the principal of and interest on the Bonds and the Outstanding Bonds.

Section 2. The following plan of additions and improvements to and extensions of the existing water supply and distribution system of the Town is hereby specified and adopted:

A. The Town shall construct and install a 500,000 gallon standpipe adjacent to the Tacoma-Lake Cushman Power Line near the south end of the Town.

B. The Town shall construct and install a new 400 gpm well adjacent to said new standpipe.

C. The Town shall construct and install approximately 6,000 feet of 10" and 12" water mains to tie the aforementioned improvements into the existing water supply and distribution system of the Town.

Said improvements shall be as more fully set forth in plans and specifications therefor now on file with the Town.

The Town shall acquire and install all equipment, valves, fittings, fencing, appurtenances, and other materials necessary for the installation, use, and operation of the hereinbefore authorized improvements; and shall acquire by purchase or condemnation, gift or grant, all property, both real and personal or any interest therein, and all easements, rights-of-way, franchises and water rights which may be found necessary to carry out the hereinbefore authorized plans.

It is hereby provided that the above-described plan of improvements shall be subject to such changes as to location and as to size of water mains or in any other details of said plan not affecting the service to be rendered thereby which shall be authorized by the Town Council either prior to or during the actual course of construction and which shall be found necessary and desirable, so long as the same do not affect or change the main general features of said plans as above set forth.

Section 3. The estimated cost of acquiring, constructing and installing the above-provided for additions and improvements to and extensions of the existing water supply and distribution system of the Town is hereby declared to be, as near as may be, the sum of \$479,087, approximately \$259,087 of which will be provided from anticipated grants from the United States of America

and the State of Washington. The remaining amount of such cost shall be provided from the proceeds of sale of water revenue bonds of the Town in the principal amount of not to exceed \$220,000, or so much thereof as is determined to be necessary by the Town Council.

Section 4. As an integral part of the plan of acquiring, constructing, and installing the above-provided for additions, improvements, and extensions, the Town hereby authorizes the issuance of the Bonds in the total principal amount of \$220,000. It is hereby found and declared that the final maturity of the Bonds does not extend beyond the reasonable life expectancy of the System.

The Bonds shall be dated April 1, 1978, shall be in the denomination of \$5,000 each, shall be payable to bearer and shall be numbered and mature on April 1 in order of their number as follows:

<u>Bond Nos.</u>	<u>Maturity Year</u>	<u>Amount</u>	<u>Interest Rate</u>
1-2	1989	\$10,000	6.00%
3-4	1990	\$10,000	6.00%
5-6	1991	\$10,000	6.00%
7-9	1992	\$15,000	6.25%
10-12	1993	\$15,000	6.25%
13-15	1994	\$15,000	6.25%
16-18	1995	\$15,000	6.25%
19-21	1996	\$15,000	6.25%
22-24	1997	\$15,000	6.25%
25-28	1998	\$20,000	6.375%
29-32	1999	\$20,000	6.375%
33-36	2000	\$20,000	6.375%
37-40	2001	\$20,000	6.375%
41-44	2002	\$20,000	6.375%

The Bonds shall bear interest as set forth above payable semiannually on the first days of April and October of each year, commencing October 1, 1978, as evidenced by interest coupons attached to the Bonds.

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

Section 5. The Bonds shall be signed on behalf of the Town with the facsimile or actual signature of the Mayor and shall be attested by the Town Clerk. Each of the Bonds shall have the seal of the Town impressed thereon.

Section 6. The Town reserves the right to redeem Bonds outstanding, in whole, or in part in inverse numerical order, on any interest payment date on or after April 1, 1993, at the principal amount thereof plus accrued interest to the date of redemption.

The Town further reserves the right, whenever it has any surplus money in its Revenue Fund over and above all amounts therein pledged by the Town to be used for any specific purpose, to use such surplus at any time to purchase any of the Bonds in the open market for retirement only if the same may be purchased at not more than the price at which they could be redeemed on the next succeeding redemption date.

Section 7. Notice of any such intended redemption shall be given by publication once in a financial journal of general circulation in the City of Seattle, Washington, such publication to be not more than forty-five nor less than thirty days prior to said redemption date. In addition, such redemption notice shall also be mailed to Moody's Investors Service, Inc. and to Standard & Poor's Corporation at their main offices in the City of New

York, New York, or to the business successors, if any, of said firms at their main offices. The redemption notice shall state the serial numbers of the Bonds called for redemption and that interest thereon will cease on the redemption date, and shall direct that such Bonds, together with all coupons, if any, maturing on or after the redemption date, shall be presented by the holders for payment and cancellation at the office of the Town Treasurer, Gig Harbor, Washington.

Section 8. The Bonds shall be in substantially the following form:

UNITED STATES OF AMERICA

No. _____

\$5,000

STATE OF WASHINGTON
TOWN OF GIG HARBOR
WATER REVENUE BOND
1978

The Town of Gig Harbor, a municipal corporation of the State of Washington (hereinafter called the "Town"), hereby acknowledges itself to owe and for value received promises to pay to bearer, on the first day of April, _____, the principal sum of

FIVE THOUSAND DOLLARS

together with interest thereon at the rate of _____% per annum payable on the first days of April and October of each year from the date hereof upon presentation and surrender of the attached interest coupons as they severally become due or until the principal amount hereof has been paid.

Both principal of and interest on this bond are payable in lawful money of the United States of America solely out of the special fund of the Town known as the "Gig Harbor 1961 Water Revenue Bond Redemption Fund" created by Ordinance No. 59 of the Town.

Said payments shall be made at the office of the Treasurer of the Town of Gig Harbor, Washington, or, at the option of the holder, at either of the fiscal agencies of the state of Washington, in the cities of Seattle, Washington, or New York, New York.

The Town has reserved the right to redeem any or all of the bonds of this issue outstanding, in whole, or in part in inverse numerical order, on any interest payment date on or after April 1, 1993, at the principal amount thereof plus accrued interest to the date of redemption.

Notice of such intended redemption will be given by publication once in a financial journal of general circulation in the City of Seattle, Washington, not more than forty-five nor less than thirty days prior to the redemption date. In addition, the redemption notice will also be mailed to Moody's Investors Service, Inc. and to Standard & Poor's Corporation at their main offices in the City of New York, New York, or to the business successors, if any, of those firms at their main offices.

This bond is one of an issue of water revenue bonds of the Town of like amount, date and tenor except as to number, rate of interest, and date of maturity in the aggregate principal amount of \$220,000, which bonds are issued for the purpose of providing funds to pay part of the cost of acquiring, constructing and installing certain additions and improvements to the water system of the Town, is payable solely out of the gross revenue of such system and all additions and improvements thereto and extensions thereof, and does not constitute a general obligation of the Town.

The Town 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. 278 (the "Ordinance") to be by it kept and performed.

The Town has pledged and bound itself to set aside from the gross revenue of its water system and all additions and improvements thereto and extensions thereof, and to pay into said Bond Redemption Fund and the Reserve Account therein, the various amounts required by the Ordinance to be paid into and maintained in said fund and account, all within the times provided in said Ordinance.

Said amounts so pledged to be paid into said Fund and Account are hereby declared to be a prior lien and charge upon such gross revenue superior to all other charges of any kind or nature except for necessary costs of maintenance and operation of such water system and equal in rank to the lien and charge thereon to pay and secure the payment of the outstanding water revenue bonds of the Town issued under date of November 1, 1973, and to any charge which may hereafter be made thereon to pay and secure the payment of any bonds which may later be issued on a parity with such 1973 bonds and the bonds of this issue.

The Town has further bound itself to maintain said 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 water service furnished for as long as any of the bonds of this issue are outstanding that will, together with any assessments paid into said Bond Redemption Fund, provide revenue equal to at least 1.35 times the amounts required each

calendar year hereafter to pay and secure the payment of the principal of and interest on such 1973 bonds, the bonds of this issue and any bonds later issued on a parity therewith (exclusive of the principal amount of any Term Bonds, as such term is defined in the Ordinance), after necessary costs of maintenance and operation of such system have been paid, but before depreciation.

It is hereby certified and declared that this bond and the bonds of this issue are issued pursuant to and in strict compliance with the Constitution and the laws of the State of Washington and ordinances of the Town, 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 Town of Gig Harbor, Washington, has caused this bond to be executed with the facsimile or actual signature of its Mayor, to be attested to by its Clerk, and the corporate seal of the Town to be impressed hereon, this 1st day of April, 1978.

TOWN OF GIG HARBOR, WASHINGTON

By _____
Mayor

Attest:

Town Clerk

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

No. _____ \$ _____

On the first day of _____, 19____, the Town of Gig Harbor, Washington, will pay to bearer at the office of the

Town Treasurer in Gig Harbor, Washington, the sum shown hereon in lawful money of the United States of America, solely out of the special fund of the Town known as the "Gig Harbor 1961 Water Revenue Bond Redemption Fund," said sum being the semiannual interest due that day on its water revenue bond dated April 1, 1978, numbered _____.

TOWN OF GIG HARBOR, WASHINGTON

By _____
Mayor

Attest:

Town Clerk

Section 9. The Bonds, together with the interest thereon, shall be payable from the Gross Revenue of the System (all of which Gross Revenue must be paid into the Revenue Fund), and that portion of said Revenue which is sufficient and necessary to pay the principal of and interest on the Bonds as the same shall become due is hereby pledged and set aside out of the Revenue Fund into the Bond Redemption Fund.

Said amounts so pledged are hereby declared to be a prior lien and charge upon such Gross Revenue and the money in the Revenue Fund superior to all other charges of any kind or nature except for necessary costs of maintenance and operation of the System and equal in rank to the lien and charge thereon to pay and secure the payment of the principal of and interest on the Outstanding Bonds and to any lien and charge which may hereafter be made thereon to pay and secure the payment of any Parity Bonds.

Section 10. There is hereby created a special fund of the Town to be known as the "1978 Water System Construction Fund"

(hereinbefore defined as the "Construction Fund"). The proceeds of sale of the Bonds (except for accrued interest, if any, which shall be paid into the Bond Redemption Fund) and all moneys received from the Government and the State of Washington to pay part of the cost of the improvements authorized by Sections 2 and 3 hereof shall be deposited in the Construction Fund. Withdrawals from such Construction Fund shall be made only on warrants of the Town as authorized from time to time by the Town Council and only for the purposes for which the Bonds are issued. Interest earned on Construction Fund moneys shall be deposited in the Construction Fund.

The Town's share of any liquidated damages and any moneys paid by defaulting contractors or their sureties shall be deposited in the Construction Fund to assure completion of all of the additions and improvements to the System to be made. When the acquisition, construction and installation of the facilities for which the Bonds are issued have been completed and all construction costs and costs incidental thereto and to the issuance of the Bonds have been paid in full, and after any required refunds of grants for the improvements to the System have been made to the Government or to the State of Washington, any balance remaining in the Construction Fund shall be promptly transferred to the Bond Redemption Fund.

Section 11. A special fund of the Town known as the "Water Revenue Fund" (hereinbefore defined as the "Revenue Fund") was created by Section 14 of Ordinance No. 170 of the Town. All Gross Revenue shall be deposited to the credit of the Revenue Fund and held in the custody of the Town Treasurer separate and apart from all other funds of the Town. Moneys therein shall be expended and used by the Treasurer only in the manner and order

hereinafter specified in the following Sections 12 to 15, inclusive.

Section 12. Necessary costs of maintenance and operation of the System shall be payable as a first charge from the Revenue Fund as the same become due and payable. Such costs shall include all necessary operating expenses, current maintenance charges, expenses of reasonable upkeep and repairs, a properly allocated share of charges for insurance, and all other expenses incident to the operation of the System, but shall exclude depreciation, all general administrative expenses of the Town not attributable to the System, and payments for debt service on obligations of the Town having a lien and charge on the Gross Revenue junior to that of the Bonds.

Section 13. There has heretofore been created by Section 8 of Ordinance No. 59 of the Town, another special fund of the Town known as the "Gig Harbor 1961 Water Revenue Bond Redemption Fund" (herein called the "Bond Redemption Fund"), which fund is to be drawn upon for the sole purpose of paying the principal of and interest on the Outstanding Bonds, the Bonds and any Parity Bonds as the same shall become due.

The Town hereby obligates and binds itself to set aside and pay into the Bond Redemption Fund, out of the Gross Revenue the following 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 20th day of each month in the amounts hereinafter specified:

a. Beginning with the month of April 1978, and continuing as long as any of the Bonds are outstanding and unpaid, an amount equal to at least one-sixth (1/6) of the interest to become due

and payable on the next interest payment date on all the Bonds then outstanding.

b. Beginning with the month of April 1988, and continuing as long as any of the Bonds are outstanding and unpaid, an amount equal to at least one-twelfth (1/12) of the principal of the Bonds to become due and payable on the next principal payment date.

Said amounts so pledged to be paid out of the Gross Revenue and into the Bond Redemption Fund and the Reserve Account therein are hereby declared to be a prior lien and charge upon such Gross Revenue 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 lien and charge thereon to pay and secure the payment of the principal of and interest on the Outstanding Bonds and to any charges which may be later made on such Gross Revenue to pay and secure the payment of the principal of and interest on any Parity Bonds.

Section 14. A Reserve Account has heretofore been created in the Bond Redemption Fund. The Town hereby covenants and agrees that commencing with the month of April 1978, it will set aside and pay into the Reserve Account out of the Gross Revenue periodic payments at least annually in approximately equal amounts within five years from the date of the issuance of the Bonds, in an amount which, with the money already on deposit in the Reserve Account, will make a total at least equal to the maximum annual debt service on all Outstanding Bonds, Bonds and Parity Bonds payable out of the Bond Redemption Fund. The Town further covenants and agrees to make additional payments out of the Gross Revenue into the Reserve Account if necessary so that there shall be on deposit therein at all times after the said

five-year period an amount at least equal to the maximum annual debt service on all bonds payable out of the Bond Redemption Fund.

The Town further covenants and agrees that when said required amounts have been deposited in the Reserve Account, it will at all times maintain those amounts therein until there is a sufficient amount in the Bond Redemption Fund and Reserve Account to pay the principal of, premium if any, and interest on all Outstanding Bonds, Bonds, and Parity Bonds payable out of the Bond Redemption Fund, at which time the money in the Reserve Account may be used to pay such principal, premium if any, and interest, provided, however, that moneys in the Reserve Account may be withdrawn to pay the principal, premium if any, and interest on part or all of the outstanding bonds of any single issue or series payable out of the Bond Redemption Fund, so long as the moneys left remaining on deposit in the Reserve Account are at least equal to the maximum annual debt service on all of the remaining bonds payable out of the Bond Redemption Fund.

In the event there shall be a deficiency in the Bond Redemption Fund to meet maturing installments of either interest on or principal of and interest on the Outstanding Bonds, the Bonds or on any Parity Bonds, such deficiency shall be made up from the Reserve Account by the withdrawal of cash therefrom. Any deficiency created in the Reserve Account by reason of any such withdrawal shall then be made up from Gross Revenue first available therefor.

All moneys in the Reserve Account above provided for shall be kept in cash or invested in direct obligations of the United States Government, or obligations unconditionally guaranteed by the United States Government, having a guaranteed redemption price

prior to maturity or maturing not later than ten years from the date of purchase, and in no event maturing later than the last maturity of the Outstanding Bonds, the Bonds or any Parity Bonds outstanding at the time of such purchase. Interest earned on any such investments and/or any profits realized from the sale thereof shall be deposited in and become a part of the Bond Redemption Fund.

Section 15. Subject to making the foregoing deposits, the Town may use the balance of the excess funds in the Revenue Fund at the close of each fiscal year:

a. To purchase Outstanding Bonds, Bonds or Parity Bonds in accordance with Section 6 above or to redeem such outstanding bonds on the next interest payment date on which they may be called for redemption;

b. For any expenditure (including the payment of debt service on parity or junior lien bonds) in improving or restoring any System facilities, or providing additional System or related facilities; or

c. For any lawful purpose related to the System.

Section 16. The corporate authorities of the Town 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 for the necessary cost of maintenance and operation of the System and have not obligated the Town to set aside and pay into said Fund and Account a greater amount of the Gross Revenue than in their judgment will be available over and above such cost of maintenance and operation and such debt service.

Section 17. The Town hereby covenants with the owner and holder of each of the Bonds for as long as any of the same remain outstanding as follows:

a. That it will establish, maintain and collect rates and charges for water service (and for sanitary sewage disposal service in the event that the sanitary sewage system of the Town is combined with the water system) for as long as any of the Outstanding Bonds, the Bonds and any Parity Bonds are outstanding that will make available for the payment of the principal of and interest on all of such bonds as the same shall become due an amount, together with all assessment income paid into the Bond Redemption Fund, equal to at least 1.35 times the amount required each calendar year hereafter for the payment of all of such principal and interest (excluding the principal amount of any Term Bonds) after necessary costs of maintenance and operation of the System, but before depreciation.

b. That it will at all times keep and maintain the System in good repair, working order and condition and will at all times operate the System and the business in connection therewith in an efficient manner and at a reasonable cost.

c. That it will not sell or otherwise dispose of all of the properties of the System unless provision is made for payment into the Bond Redemption Fund of a sum sufficient to pay the principal of and interest to the date of such payment on the Outstanding Bonds, the Bonds and any Parity Bonds in accordance with the terms thereof, nor will it sell or otherwise dispose of any portion of the System unless provision is made for payment into the Bond Redemption Fund of an amount which shall be in at least the same proportion to the amount of the Outstanding Bonds, the Bonds and any Parity Bonds outstanding that the net revenue available for debt service on all of such bonds for the twelve months immediately preceding such sale or disposal from the portion of the System sold or disposed of bears to the net revenue available for

debt service on all of such bonds from the System for the same period. Any such moneys so paid into the Bond Redemption Fund shall be used to retire part or all of such bonds outstanding at the earliest possible date.

d. That it will not furnish water (or sanitary sewage disposal service in the event the sanitary sewage disposal system of the Town is combined with the water system) to any customer whatsoever free of charge.

e. That it will carry fire and extended coverage insurance on the System as is ordinarily carried on the properties of similar public utilities by private companies engaged in the operation of the same and will also carry adequate public liability insurance, war risk insurance if it becomes available, and other kinds of insurance as under good practice are ordinarily carried on the properties of similar public utilities by private companies engaged in the operation of the same. The premiums paid for all such insurance shall be regarded and paid as an expense of maintenance and operation of the System.

f. That it will cause to be prepared each calendar year commencing with the calendar year of 1978 an annual statement of revenue and expenditures and a balance sheet covering all of the operations of the System by April 1st of the succeeding year. A copy of such statement and balance sheet shall be furnished to the holder of any of the Bonds and any Parity Bonds upon request made to the Town Clerk therefor. Such annual report shall demonstrate the manner in which the Town has complied with Section 20(a) of Ordinance No. 170 of the Town and Section 17(a) of this ordinance.

Section 18. The Town 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 that it will not issue any Parity Bonds except:

a. That the Town reserves the right for:

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

Second, the purpose of refunding by exchange or purchasing and retiring at or prior to their maturity any outstanding revenue bonds or revenue coupon warrants of the Town that may have a lien on the gross revenue of the System for the payment of the principal thereof and interest thereon,

to issue additional and/or refunding revenue bonds therefor (herein called "Parity Bonds" as hereinbefore defined), and to pledge that payments shall be made out of the Gross Revenue into the Bond Redemption Fund and the Reserve Account to pay and secure the payment of the principal of and interest on such Parity Bonds on a parity with the payments required in this ordinance to be made out of such Gross Revenue into such Fund and Account to pay and secure the payment of the principal of and interest on the Bonds upon compliance with the following conditions:

(1) That at the time of issuance of such Parity Bonds there is no deficiency in the Bond Redemption Fund or the Reserve Account therein, and

(2) That the Town will covenant in each ordinance authorizing the issuance of Parity Bonds that it will establish, maintain and collect rates and charges for water (and for sanitary sewage disposal service in the event that the sanitary sewage system of the Town is combined with the water system) for as long as any of the Outstanding Bonds, the Bonds and any Parity Bonds are outstanding that will make available for the payment of the principal of and interest on all of such bonds as the same shall become due an amount, together with all assessment income paid into the Bond

Redemption Fund, equal to at least 1.35 times the amount required each calendar year thereafter for the payment of all such principal and interest after normal costs of maintenance and operation of the System have been paid, but before depreciation.

The Town will also covenant in each such ordinance authorizing the issuance of Parity Bonds that it will pay into and maintain in the Reserve Account out of the Gross Revenue within the times required by the first and second paragraphs of Section 14 of this ordinance the amounts required by said paragraphs to be paid into and maintained in said Account.

The whole or any part of the money in any other fund or account of the Town created to secure the payment of the principal of and interest on any revenue bonds or revenue coupon warrants being refunded by such Parity Bonds may be transferred to the Reserve Account at the time such outstanding bonds or warrants are redeemed to satisfy the above requirement, and

(3) That at the time of the issuance of such Parity Bonds the Town shall have on file a certificate from an independent licensed professional engineer showing that in his professional opinion the net income of the System for a period of any twelve consecutive months out of the fifteen months immediately preceding the month of delivery of such Parity Bonds, plus his estimate of income to be received each calendar year thereafter from the investment of moneys in any fund or account created to pay or secure the payment of any bonds which have a lien on the gross revenue of the System, plus his estimate of the net income (including assessments) to be received by the System each calendar year thereafter as a result of any additions and improvements to and extensions of the System acquired, constructed or installed out of the proceeds of such Parity Bonds, will equal at least 1.35 times

the amount required each such year to pay the principal of and interest on the Outstanding Bonds, the Bonds, any outstanding Parity Bonds and the Parity Bonds to be issued. The principal amount of Term Bonds may be excluded in computing such "amount required."

The words "net income" as used in subparagraph (3) immediately above shall be construed as the Gross Revenue, less normal expenses of maintenance and operation, but before depreciation and annual debt service on any outstanding revenue bonds or revenue coupon warrants may have a lien on the Gross Revenue for such annual debt service junior and inferior to the lien on such money for the payment of the principal of and interest on the Bonds. Such "net income" may include any increase in revenue estimated to be derived from the operation of the System by virtue of any increase in water rates and charges (and charges for sanitary sewage disposal service if the sanitary sewage system of the Town is combined with the water system) authorized by the Town Council to be effective not later than the time of delivery of such Parity Bonds. If there are any customers added to the System during such twelve-month period, such net revenue may be computed on the basis that such customers were customers of the System during the entire period.

b. The Town further reserves the right to issue Parity Bonds for the purpose of refunding at or prior to their maturity an equal principal amount of any part or all of the Outstanding Bonds, the Bonds and/or any Parity Bonds outstanding and to pledge that payment shall be made out of the Gross Revenue and into the Bond Redemption Fund and Reserve Account to pay and secure the payment of the principal of and interest on such refunding Parity Bonds on a parity with the payments required in this ordinance to

be made out of such Gross Revenue into such fund and account to pay and secure the payment of the principal of and interest on the Bonds, if the conditions fixed in subparagraphs (1) and (2) of subsection a of this section are met, and if the issuance of such refunding bonds does not require a greater amount to be paid out of the Gross Revenue in any calendar year thereafter for the principal of and interest on such refunding Parity Bonds than was required to be paid out of such Gross Revenue in each of the same calendar years for the payment of the principal of and interest on the bonds being refunded, and any premiums paid to effect such redemption shall not be computed in determining such annual amounts.

c. Nothing herein contained shall prevent the Town from issuing revenue bonds or warrants (coupon or otherwise), the payment of the principal of and interest on which is made a charge upon the Gross Revenue junior or inferior to the payments required herein to be made out of such Gross Revenue into the Bond Redemption Fund and Reserve Account.

Section 19. In the event that money and/or direct obligations of the United States of America and/or "Government Obligations" as defined in R.C.W. 39.53 maturing at such time or times and bearing interest to be earned thereon in amounts sufficient to redeem and retire any or all of the Bonds in accordance with their terms are set aside in a special account to effect such redemption and retirement, and such money and/or the principal of and interest on such obligations or Government 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 the principal of and interest on the Bonds so provided for, and the Bonds 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 such Bonds shall be deemed not to be outstanding hereunder.

Section 20. The Bonds shall be sold to McLean & Company, Inc., all on the terms set forth in this ordinance and in the proposal of said company dated MARCH 13, 1978. In the event the Town has accepted said proposal prior to the final passage of this ordinance, the action of the Town in accepting such proposal is hereby ratified and confirmed and the conditions set forth in said offer have been or upon delivery of the Bonds will be fully complied with.

The proper Town officials are hereby authorized and directed to do everything necessary for the prompt issuance, execution and delivery of the Bonds to the purchaser and for the proper use and application of the proceeds of such sale.

PASSED by the Council of the Town of Gig Harbor, Washington, at a regular meeting of said council held this 13 day of MARCH, 1978, and approved by the Mayor on said date.

TOWN OF GIG HARBOR, WASHINGTON

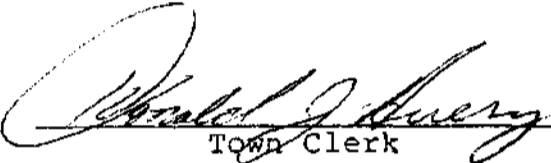
By

Jack D. Buyacuck
Mayor

Attest:

Donald J. Avery
Town Clerk

I, DONALD J. AVERY, the duly chosen, qualified and acting Clerk of the Town of Gig Harbor, Washington, DO HEREBY CERTIFY that the foregoing ordinance is a true and correct copy of Ordinance No. 28 of said Town duly passed by its Council and approved by its Mayor at a regular council meeting held on the 13 day of March, 1978.


Town Clerk

ORDINANCE NO. 279

AN ORDINANCE OF THE TOWN OF GIG HARBOR AMENDING ORDINANCE
NO. 223, Section 4.

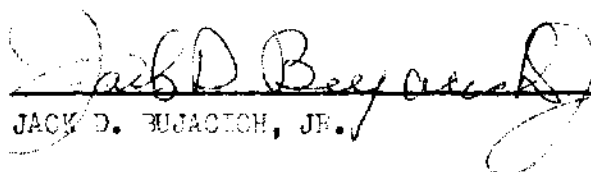
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL, TOWN OF GIG
HARBOR, THAT:

The Company's rates for service rendered to normal residential customers
shall not exceed the following schedule:

Installation charge - Primary outlet	\$27.00
Reconnect charge - Existing service	17.00
Monthly service - Primary outlet	8.35
Additional outlet charge	1.25
All other rates	NO INCREASE

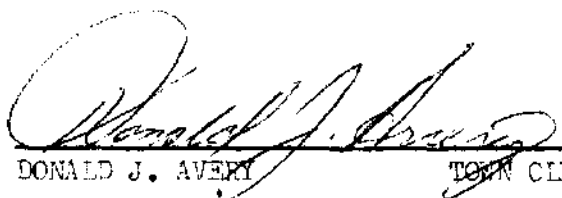
No increase in rates charged to subscribers shall be made except as
authorized by the Town in accord with the provisions of Section Five thereof.

PASSED by the Town Council, Town of Gig Harbor, this 27th day of March, 1978.



JACK D. BUJACK, JR. MAYOR

Attest:



DONALD J. AVERY TOWN CLERK

ORDINANCE NO. 280

AN ORDINANCE AMENDING THE TITLE MAP ADOPTED BY TITLE 17 ESTABLISHING LAND USE CLASSIFICATIONS AND DISTRICTS IN THE TOWN OF GIG HARBOR: AMENDING THE ZONING MAP ADOPTED BY SAID ORDINANCE BY PROVIDING A CHANGE OF ZONE FROM R-1 (SINGLE FAMILY DWELLINGS) TO RB-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 provisions of Title 17 of the Gig Harbor Municipal Code, and the Planning Commission has recommended such change, and the Town 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 Town Council of the Town of Gig Harbor:

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

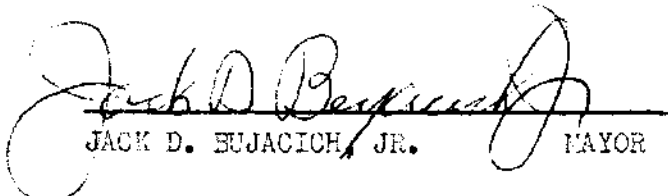
Beginning 30 feet West of the NE corner of the SE of NW of 8-21-2E; thence So 99 feet; thence West 430 feet; thence No 99 feet; thence East 430 feet to Beginning. ALSO

Beginning at the SE corner of the NE of the NW of 8-21-2E; thence West 529.7 feet; thence No 31 feet; thence East 529.7 feet; thence So 31 feet to Beginning. LESS the E 30 feet for road,

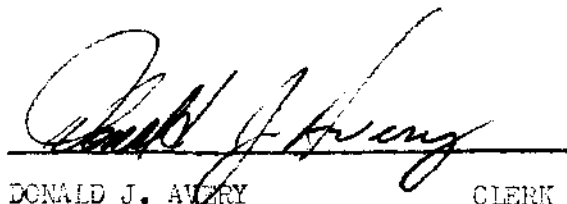
be and the same is hereby rezoned and classified as RB-1 (Residential Business), rather than R-1 (Single Family Dwelling).

Section 2. That the official zoning map of the Town 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 Town Clerk shall make this classification change on the Town'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 Town Council held on the 8th day of May, 1978.


JACK D. EUJACICH, JR. MAYOR

ATTEST:


DONALD J. AVERY CLERK


ORDINANCE NO. 281

AN ORDINANCE TO RE-PASS ORDINANCE NO. 281 AMENDING TITLE 17,
CHAPTER 17.16.030 OF THE GIG HARBOR MUNICIPAL CODE.

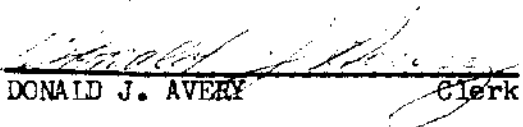
Title 17, Chapter 17.16.030 of the Gig Harbor Municipal Code is
amended to read as follows:

17.16.030 Lot area. The lot area shall be not less than
12,000 square feet. (Ord. 109A 5.3, 1968).

PASSED at a regular meeting of the Town Council held on the 25th
day of September, 1978.


JACK D. BUJACICH Mayor

Attest:


DONALD J. AVERY Clerk


ORDINANCE NO. 281

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.16.030
OF THE GIG HARBOR MUNICIPAL CODE.

Title 17, Chapter 17.16.030 of the Gig Harbor
Municipal Code is amended to read as follows:

17.16.030 Lot area. The lot area shall be not
less than 12,000 square feet. (Ord. 109 A
§5.3, 1968).

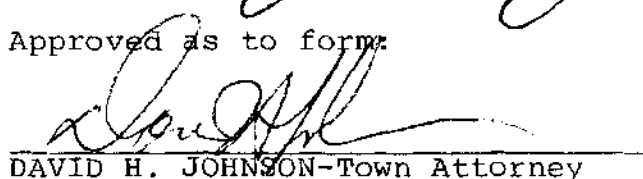
PASSED at a regular meeting of the Town Council held
on the 8th day of MAY, 1978.


JACK D. BUJACICH-Mayor

Attest:


DONALD J. AVERY-Town Clerk

Approved as to form:


DAVID H. JOHNSON-Town Attorney

ORDINANCE NO. 282

AN ORDINANCE AMENDING TITLE 17, CHAPTER 17.20.040 OF THE
GIG HARBOR MUNICIPAL CODE.

Title 17, Chapter 17.20.040 of the Gig Harbor Municipal Code is
amended to read as follows:

17.20.040 Lot area. The lot area shall be not less than
12,000 square feet. (Ord. 109 A 5.3, 1968).

PASSED at a regular meeting of the Town Council held on the 25th
day of September, 1978.



JACK D. BUJACICH, JR. Mayor

Attest:



DONALD J. AVERY Clerk