

**ORDINANCE NO. 1454**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING CHAPTER 9.24 GHMC, 'PARKS'; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

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WHEREAS, periodic updating of the Gig Harbor Municipal Code is necessary to ensure consistency and efficiency within the code; and

WHEREAS, concurrent amendments to chapters 8.30 and 10.24 of the Gig Harbor Municipal Code contain information related to the content found in chapter 9.24; and

WHEREAS, consolidation of this information into a single chapter of municipal code will provide for clarity and easier interpretation of the content; Now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Chapter 9.24 GHMC is hereby amended to read as follows:

**Chapter 9.24  
PARKS**

Sections:

- 9.24.010 Smoking within city parks prohibited.**
- 9.24.020 Alcohol prohibited in parks.**
- 9.24.030 Motor vehicles prohibited in parks.**
- 9.24.040 Park operating hours.**
- 9.24.050 Penalties.**

**9.24.010 Smoking within city parks prohibited.**

It is unlawful for any person to smoke or light cigars, cigarettes, tobacco or other smoking material within city parks. The director of operations shall post signs in appropriate locations prohibiting smoking in the city's parks. (Ord. 1115 § 1, 2007).

**9.24.020 Alcohol Prohibited in Parks.**

Except as permitted in GHMC 9.04.010 or except if consumed on a vessel moored at Jerisich Dock, no person shall open the package containing liquor or consume liquor in a park. This section shall be prosecuted as set forth in Chapter 9.04 GHMC.

**9.24.030 Motor Vehicles in Parks Prohibited**

A. A vehicle propelled by an internal combustion gasoline engine shall not be operated within the boundaries of any city park, except on streets and parking areas provided for use of automobiles, without first obtaining a permit for such operation from the city. Notwithstanding the above provisions, official federal, state or local agency motor vehicles may be operated within the boundaries of city parks without permit.

**9.24.040 Park operating hours.**

A. All city parks, except Jerisich Dock, shall be closed from dusk to dawn unless otherwise posted by the city of Gig Harbor. It is unlawful to enter or remain on any park property while closed unless operating under the authority of a Special Event or Special Use permit.

B. "Dawn" means the time at one-half hour before sunrise as published by the National Weather Service.

C. "Dusk" means the time at one-half hour after sunset as published by the National Weather Service. (Ord. 1369 § 1, 2017).

**9.24.050 Penalties.**

Failure to comply with any of the provisions of this chapter shall constitute a civil infraction, subject to a penalty of \$100.00 as provided in GHMC 1.16.010(D)(3). (Ord. 1115 § 1, 2007).

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

Section 3. Effective Date. This ordinance shall take effect and be in full force on five days after publication of notice.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 23rd of February, 2021

CITY OF GIG HARBOR

Kit Kuhn  
KIT KUHN, MAYOR

ATTEST/AUTHENTICATED:

By: Molly Towslee  
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

By: Daniel Kenny  
DANIEL KENNY

FILED WITH THE CITY CLERK: 02/02/21  
PASSED BY THE CITY COUNCIL: 02/22/21  
PUBLISHED: 02/25/21  
EFFECTIVE DATE: 02/28/21  
ORDINANCE NO: 1454