

## ORDINANCE NO. 1461

### AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATED TO SPECIAL EVENTS; AMENDING CHAPTER 5.28 OF THE GIG HARBOR MUNICIPAL CODE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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**WHEREAS**, the City requires a special event permit for all gatherings of more than 30 people and certain other events and these permits require an application fee and 60-day advance notice; and

**WHEREAS**, the City Council desires to provide a mechanism to refund special event application fees when events must be cancelled due to public health directives or other emergencies; and

**WHEREAS**, the City Council desires to provide flexibility in accommodating special expressive events that allow citizens to convey ideas, opinions, or thoughts through words or conduct. Examples of special expressive events include political demonstrations and/or rallies, picketing, and similar types of free speech or conduct typically given a higher level of constitutional protection than commercial speech;

**NOW, THEREFORE**, the City Council of the City of Gig Harbor, Washington, do ordain as follows:

Section 1. Section 5.28.060 – Revised. Section 5.28.060 of the Gig Harbor Municipal Code is revised to read as follows:

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

A. A complete application for a special events permit shall be filed with the city administrator or their designee not less than 60 days nor more than 365 days before the date on which the event will occur. Applications received with less than 60 days until the event will not be reviewed and will be disapproved, with the following exceptions:

1. Applications for events that are scheduled or rescheduled with less than 60 days' notice due to a public health directive or declaration of a state or local emergency may be approved at the discretion of the city administrator or their designee.

2. Applications for special expressive events received with less than 60 days' notice shall be reviewed in accordance with the other provisions of this chapter.

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

Section 2. Section 5.28.100 – Revised. Section 5.28.100 of the Gig Harbor Municipal Code is revised to read as follows:

**5.28.100 Traffic control.**

- A. The chief of police may require any reasonable and necessary traffic control. If such traffic control cannot be handled by the sponsor and shall require the deployment of additional police personnel, the permittee shall be responsible for the expense. The chief of police or his designee shall notify the applicant(s) of the actual projected expense.
- B. If a special event constitutes a road closure, request for such closure must be submitted in the special event application no less than 90 days prior to the event. Road closure requests for special expressive events with less than 90 days' notice shall be reviewed in accordance with the other provisions of this chapter.
- C. Road closure requests not associated with a city or city-sponsored event must receive approval from the city's finance and safety committee. This requirement does not apply to special expressive events.
- D. Events with grandfathered road closure approvals are: Maritime Gig Festival, Beatnik's Concert, National Night Out, Trick or Treat, PAL Arts Festival, Turkey Trot and Race for a Soldier.
- E. Roads that may not be closed: Olympic Drive, Point Fosdick Drive, 56th Street, Soundview Drive (between Olympic Drive and Grandview Street), Stinson Avenue (between Pioneer Way and Rosedale), Borgen Boulevard (between Burnham Drive and Harbor Hill Drive), Wollochet Drive, 38th Avenue (between 56th Street and Hunt Street), Skansie Avenue (between 72nd Street and Rosedale Street), and Rosedale Street (between Skansie Avenue and 54th Avenue).
- F. Harborview Drive may not be closed more than once per calendar month for special event purposes.

Section 3. Section 5.28.120 – Revised. Section 5.28.120 of the Gig Harbor Municipal Code is revised to read as follows:

**5.28.120 Permit – Revocation.**

The city administrator or their designee shall have the authority to revoke a permit upon application of the standards for issuance as herein set forth. The city administrator or their designee shall also have the authority to revoke a permit if an event cannot be held due to a public health directive or declaration of a state or local emergency. If a permit is revoked due to a public health directive or other emergency measures, the application fee shall be refunded to the applicant. In the event of revocation, the city administrator or their designee shall notify the permittee of the revocation, in writing, as soon as reasonably possible.

Section 4. Section 5.28.150 – Revised. Section 5.28.150 of the Gig Harbor Municipal Code is revised to read as follows:

**5.28.150 Skansie Brothers Park, Eddon Boat Park, and Ancich Waterfront Park.**


- A. During the months of May through September, no more than two weekend special events shall be permitted per calendar month at Skansie Brothers Park, Eddon Boat Park and Ancich Waterfront Park. City-sponsored events and special expressive events do not count toward the limit of two weekend special events.
- B. At Eddon Boat Park, special events shall be limited to a maximum of 30 people for the entire park area, excluding the Boat Yard Building.
- C. Skansie Brothers Park may be reserved for periods of 120 minutes maximum. All setup and cleanup must be completed within the 120-minute event limit. City-sponsored events and special expressive events are not subject to the 120-minute event limit. An application must be submitted for this rental.
- D. The view platform at Skansie Brothers Park shall not be reserved for special events.

Section 5. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 10<sup>th</sup> day of May, 2021.

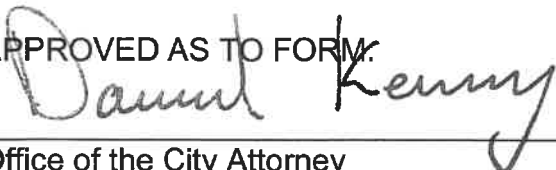
CITY OF GIG HARBOR

  
\_\_\_\_\_  
Mayor

ATTEST/AUTHENTICATED:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Office of the City Attorney

FILED WITH THE CITY CLERK: 4/27/21  
PASSED BY THE CITY COUNCIL: 5/10/21  
PUBLISHED: 5/13/21  
EFFECTIVE DATE: 5/18/21  
ORDINANCE NO: 1461