

ORDINANCE NO. 815

**AN ORDINANCE OF THE GIG HARBOR CITY COUNCIL
ADOPTING AN AMENDMENT TO TITLE 18 OF THE GIG
HARBOR MUNICIPAL CODE PERTAINING TO THE
CITY'S ENVIRONMENTAL POLICY ORDINANCE;
AMENDING SECTION 18.04.230(B) TO PROVIDE FOR
THE FILING OF AN APPEAL OF A SEPA THRESHOLD
DETERMINATION AFTER THE COMMENT DUE DATE**

WHEREAS, the City of Gig Harbor Environmental Policy Ordinance currently provides an appeal period for a SEPA threshold determination concurrent with the public comment period on a SEPA threshold determination; and,

WHEREAS, the current process for SEPA comment and appeal of a threshold determination does not provide adequate time for interested parties to consider an appeal of a SEPA threshold determination prior to filing an appeal; and,

WHEREAS, the public's interest is better served by providing for a separate SEPA comment period, followed by a SEPA threshold determination appeal period.

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

Section 1. Section 18.04.230 (B) of the Gig Harbor Municipal Code is hereby amended to read as follows:

18.04.230 Appeals.

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B. All SEPA appeals must be filed in writing with the responsible official within 14 calendar days after ~~notice of a final decision is issued pursuant to GHMC 19.05.009 or after other notice that the decision has been made and is appealable~~ the final comment due date on a SEPA threshold determination, pursuant to GHMC Section 19.05.009; ~~provided, that in order to allow public comment on a DNS prior to requiring an appeal to be filed, this appeal period shall be extended for an additional seven days.~~ The hearing date for appeals of declarations of significance issued before a decision on the permit shall be not more than 45 days from the date the appeal is filed.

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Section 2. 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. This ordinance shall be in full force and effect five days after its passage and publication as required by law.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

MOLLY TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 4/8/99
PASSED BY THE CITY COUNCIL: 4/26/99
PUBLISHED: 5/12/99
EFFECTIVE DATE: 5/17/99
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SUMMARY OF ORDINANCE NO. 815
of the City of Gig Harbor, Washington

On the 26th day of April, 1999, the City Council of the City of Gig Harbor, passed ordinance No. 815. A summary of the content of said ordinance, consisting of the title, provides as follows:

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18.04.230(B) TO PROVIDE FOR THE FILING OF AN APPEAL OF A
SEPA THRESHOLD DETERMINATION AFTER THE COMMENT
DUE DATE.**

The full text of this Ordinance will be mailed upon request.

DATED this 26th day of April, 1999.

MOLLY TOWSLEE, CITY CLERK