

## ORDINANCE NO. 889

### **AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO PROJECT PERMIT PROCESSING, AMENDING THE PROCEDURE FOR APPEALS TO CLARIFY THE STATUS OF THE CITY COUNCIL AS A PARTY WITH STANDING TO APPEAL A DECISION OF THE HEARING BODY OR DECISIONMAKER; AMENDING SECTION 19.06.003 OF THE GIG HARBOR MUNICIPAL CODE.**

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WHEREAS, the Gig Harbor Municipal Code currently provides an appeal of decisions of a Hearing Body or Decisionmaker to “parties of record” (GHMC Section 19.06.003); and

WHEREAS, the Gig Harbor City Council is a “party of record” in every permit decision, but to ensure that there is no confusion in the future regarding the City Council’s right to appeal such decisions, the Council desires to amend the Code to specifically identify itself as a “party of record;” Now, therefore,

#### THE GIG HARBOR CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Section 19.06.003 of the Gig Harbor Municipal Code is hereby amended to read as follows:

##### **19.06.003 Standing to initiate an administrative appeal.**

- A. Limited to parties of record. Only parties of record may file an administrative appeal.
- B. Definition. The term “parties of record” for the purposes of this chapter, shall mean:
  1. The applicant;
  2. Any person who testified at the open record public hearing on the application; and/or
  3. Any person who submitted written comments concerning the application at the open record public hearing (excluding persons who have only signed petitions or mechanically produced form letters); and/or
  4. The Gig Harbor City Council.

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 be effective five (5) days after publication.

APPROVED:

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Gretchen Wilbert, Mayor

ATTEST/AUTHENTICATED:

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MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:

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CAROL A. MORRIS, CITY ATTORNEY

FILED WITH THE CITY CLERK: 7/18/01  
PASSED BY THE CITY COUNCIL: 8/13/01  
PUBLISHED: 8/22/01  
EFFECTIVE DATE: 8/27/01  
ORDINANCE NO. 889

**SUMMARY OF ORDINANCE NO. 889  
of the City of Gig Harbor, Washington**

On August 13, 2001, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. 889, the summary of text of which is as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, RELATING TO  
PROJECT PERMIT PROCESSING, AMENDING THE PROCEDURE  
FOR APPEALS TO CLARIFY THE STATUS OF THE CITY COUNCIL  
AS A PARTY WITH STANDING TO APPEAL A DECISION OF THE  
HEARING BODY OR DECISIONMAKER; AMENDING SECTION  
19.06.003 OF THE GIG HARBOR MUNICIPAL CODE.**

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

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

APPROVED by the City Council at their regular meeting of August 13, 2001.

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