

ORDINANCE NO. 821

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADDING A CHAPTER 5.26 TO THE GIG HARBOR MUNICIPAL CODE IN ORDER TO PROHIBIT THE CONDUCT OR OPERATION OF SOCIAL CARD GAMES AS A COMMERCIAL STIMULANT WITHIN THE CITY LIMITS.

WHEREAS, the State Legislature and State Gambling Commission have recently expanded the ability of gambling licensees to conduct social card games as a commercial stimulant for the licensee's business, and

WHEREAS, the City Council is concerned about the proliferation of gambling establishments which, under the expanded authority granted by the State Legislature and State Gambling Commission, may now operate up to 15 tables of social card games per establishment, and

WHEREAS, the City Council has no authority to regulate the scope of any gambling license and so the only way that the Council may stop the proliferation of such establishments is by absolutely prohibiting the same under the authority granted by RCW 9.46.295, NOW, THEREFORE,

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

Section 1. Social Card Games as Commercial Stimulant Prohibited. A new Chapter 5.26 of the Gig Harbor Municipal Code is hereby added to read as follows:

5.26.010 State Law Applicable. Any license issued under the authority of state law to engage in any legal activity shall be legal authority to engage in the gambling activities for which the license

was issued throughout the City, except that the City, in accordance with RCW 9.46.295, as the same now exists or may hereafter be amended, prohibits the following gambling activities within the City:

1. The conduct or operation of social card games as commercial stimulants as defined in RCW 9.46.0217 and 9.46.0282.

Section 2. New Section. The moratorium established pursuant to Ordinance No. 816 is repealed as of the effective date of this Ordinance.

Section 3. 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 4. Effective Date. This ordinance, being the exercise of a power specifically delegated to the City's legislative body, shall take effect five (5) days from publication as required by law.

PASSED by the Council of the City of Gig Harbor, this 12th day of July, 1999.

APPROVED:

MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, CITY CLERK

FILED WITH THE CITY CLERK: 6/23/99
PASSED BY THE CITY COUNCIL: 7/12/99
DATE PUBLISHED: 7/13/99
DATE EFFECTIVE: 7/18/99

**SUMMARY OF ORDINANCE NO.821
CITY OF GIG HARBOR, WASHINGTON**

On July 12, 1999, the City Council of the City of Gig Harbor passed Ordinance No. 821, which provides as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON,
ADDING A CHAPTER 5.26 TO THE GIG HARBOR MUNICIPAL
CODE IN ORDER TO PROHIBIT THE CONDUCT OR OPERATION
OF SOCIAL CARD GAMES AS A COMMERCIAL STIMULANT
WITHIN THE CITY LIMITS.**

The full text of this ordinance will be mailed without charge to anyone who submits a written request to the City Clerk of the City of Gig Harbor for a copy of the text.

APPROVED by the City Council at their meeting of July 12, 1999.

Molly M. Towslee, City Clerk