

ORDINANCE NO. 702

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO LAND USE AND ZONING, ELIMINATING OUTDATED ADMINISTRATIVE PROCEDURES FOR APPEALS TO THE CITY COUNCIL, MAKING MINOR CLEAN-UP AMENDMENTS TO CHAPTER 17.01 OF THE GIG HARBOR CODE, AND ADOPTING NEW REGULATIONS FOR CONSTRUCTION TRAILERS AND OTHER TEMPORARY USES; REPEALING SECTIONS 17.01.070, 17.01.080, 17.01.090 AND CHAPTER 17.08, AMENDING SECTION 17.01.070 and 17.08.010 AND ADDING A NEW SECTION 17.01.090 TO THE GIG HARBOR CODE.

WHEREAS, the public notice requirements for project permit applications and legislative decisions under the Gig Harbor Municipal Code will be removed from Title 17 and included in new chapter 19.03 GHMC, and

WHEREAS, the standards for curbs and sidewalks are contained in the City's Public Works Design Standards, and

WHEREAS, chapter 17.01 GHMC contains regulations on the subjects of public notice, curbs and sidewalks, and should be repealed, and

WHEREAS, the City currently has no regulations on the subject of the temporary placement and siting of construction trailers and portable offices, now, therefore,

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

Section 1. Section 17.01.070 of the Gig Harbor Municipal Code is hereby repealed.

Section 2. Section 17.01.080 of the Gig Harbor Municipal Code is hereby repealed.

Section 3. Section 17.08.010 of the Gig Harbor Municipal Code is hereby renumbered and amended to read as follows:

17.08.010.01.080 Conformance required - Fence or shrub height.

~~A. No building or structure shall be erected and no existing building or structure shall be moved, altered, added to or enlarged, nor shall any land, building, structure or premises be used, designed or intended to be used for any purpose or in any manner other than a use listed in this title as permitted in the use district in which such land, building, structure or premises is located.~~

A.B In order to maintain and preserve safe vision purposes on all corner lots, there shall be no fences, shrubs or other physical obstructions within 20 feet of the apex of the property corner at the intersecting streets, higher than 36 inches above the existing grade.

B.C. On interior lots a fence not exceeding six feet in height above the existing grade may be located anywhere from the front yard setback line to the rear property line. Within the front yard, a fence not exceeding three feet in height may be constructed to the side yard property lines with provisions for safe vision clearance where a driveway intersects the fronting street.

C.D Fences shall not be constructed of plywood or composition sheeting.

Section 4. Section 17.01.090 of the GHMC is hereby repealed.

Section 5. A new Section 17.01.090 is hereby added to the Gig Harbor

Municipal Code, to read as follows:

17.01.090 Construction trailers - Temporary uses.

A. Applications for the temporary use of construction trailers are Type 1 project permit applications as defined under Title 19 of the GHMC and shall be processed accordingly. These permits are available for those who are in the process of constructing a building or buildings may apply for a temporary permit, which shall be subject to renewal, to locate a construction trailer or similar portable office on the building lot during the course of construction of the building or buildings. Such permit shall not be issued until after a building permit has been obtained.

- B. Construction trailer or portable offices may be used as caretaker's quarters at various job sites which are controlled by other permits of limited time duration. All other types of caretaker quarters must meet the requirements for dwellings.
- C. Construction trailers or portable offices used for temporary uses must have an approval on sewage disposal system, water supply, and electrical connection.
- D. A temporary use permit may be issued by the planning/building department for a period not to exceed one year; provided, the department, for good cause shown, may renew the permit for an additional six-month period, at which time the temporary use (construction trailer or portable office) and all appurtenances thereto shall be removed from the property.
- E. As a condition to the issuance of a temporary permit under the provisions of this section, the owner shall deposit in trust with the city, in cash or its equivalent, an amount as established under the City's Fee Schedule Resolution, to be deposited in a special fund created by this Chapter and identified as the "construction trailer or portable office deposit fund," and shall enter into an agreement with the city. Such agreement shall provide, at a minimum, as follows:
 - 1. The applicant agrees to pay to the city all fees, costs, and/or expenses, legal or otherwise, which the city may incur in causing the removal of the construction trailer or portable office, and all its appurtenances left in place beyond the time period approved

by the city or used or installed in violation of the ordinances of the city;

2. The applicant agrees that all such fees, costs and/or expenses incurred by the city shall be deducted from the deposit;
3. The applicant agrees to pay to the city such fees, costs, and/or expenses incurred by the city which are in excess of the deposit;
4. The city agrees to refund the deposit at the time of expiration of the permit, in total, provided the city does not incur such fees, costs, and/or expenses, or shall refund the remainder of the deposit after deduction of such fees, costs, and/or expenses; and
5. The city agrees to provide to the applicant a complete and accurate accounting of all such fees, costs, and/or expenses, if any, incurred by the city.

- F. A temporary use permit will be issued by the planning/building department. The fee imposed for the permit is in addition to all other required permits for electrical, plumbing and sewage disposal systems.

Section 6. Chapter 17.08 of the Gig Harbor Municipal Code is hereby repealed.

Section 7. 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 8. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

MAYOR, GRETCHEN A. WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: 1/8/96

PASSED BY THE CITY COUNCIL: 1/22/96

PUBLISHED: 1/31/96

EFFECTIVE DATE: 2/5/96

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