

ORDINANCE NO. 687

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE HARBOR CODE, ADDRESSING THE MANNER IN WHICH SEAPLANES MAY TAKE-OFF, LAND AND OPERATE IN OR OVER THE WATERS OF THE CITY'S HARBOR, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS 8.24.140 AND 8.24.160.

WHEREAS, the City's Harbor Code currently prohibits seaplanes from landing, taking off and operating in or over the waters of the City's Harbor; and

WHEREAS, the Seaplane Pilots Association and other groups of seaplane operators have demonstrated to the Council that the City of Gig Harbor's seaplane safety concerns can be adequately addressed; and the Council is willing to make appropriate changes to the Harbor Code to allow seaplane take-offs, landings and operation in the waters of the City's Harbor, under certain limited circumstances; now, therefore,

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

Section 1. Section 8.24.140 of the Gig Harbor Municipal Code is hereby amended to read as follows:

8.24.140 Speed regulations.

Within the waters of the city's harbor, it shall be unlawful for any person to operate a vessel or to taxi a seaplane at a speed in excess of four nautical miles per hour. Nothing in this section shall be construed as exempting any person from liability caused by wake action from operation of any vessel in the city's harbor.

Section 2. Section 8.24.160 of the Gig Harbor Municipal Code is hereby amended to read as follows:

8.24.160 Seaplanes. (~~Aircraft Prohibited~~)

Seaplane operators are encouraged to take off and land in the area outside the mouth of Gig Harbor, or in the County portion of Gig Harbor, and may taxi the seaplane into the City's harbor. However, seaplane take offs and landings are prohibited in the City's harbor except in emergency situations and where the pilot can maintain a minimum of 200 feet of lateral separation between the seaplane and other underway vessels, while operating on the water. (~~Within the waters of the city's harbor, it shall be unlawful for any person to operate any aircraft, or to take off or land any aircraft on such waters, except in emergency situations.~~)

Section 3. 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. 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 WILBERT

ATTEST/AUTHENTICATED:

CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: 11/22/94

PASSED BY THE CITY COUNCIL: 12/12/94

PUBLISHED: 12/21/94

EFFECTIVE DATE: 12/26/94

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SUMMARY OF ORDINANCE NO. 687
of the City of Gig Harbor, Washington

On the 12th day of December, 1994, the City Council of the City of Gig Harbor, passed Ordinance No. 687. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE HARBOR CODE, ADDRESSING THE MANNER IN WHICH SEAPLANES MAY TAKE-OFF, LAND AND OPERATE IN OR OVER THE WATERS OF THE CITY'S HARBOR, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS 8.24.140 AND 8.24.160.

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

DATED this 13th day of December, 1994.

CITY ADMINISTRATOR, MARK HOPPEN