

ORDINANCE NO. 510

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, DELETING CHAPTER 2.24 OF THE GIG HARBOR MUNICIPAL CODE, AND ADDING A NEW CHAPTER 2.22 TO THE GIG HARBOR MUNICIPAL CODE ESTABLISHING A SYSTEM OF CIVIL SERVICE FOR POLICE OFFICERS EMPLOYED BY THE CITY OF GIG HARBOR.

WHEREAS, RCW 41.12.010 authorizes cities to establish individual systems of civil service as long as such systems substantially accomplish the purposes of state civil service laws, and

WHEREAS, the City Council of the City of Gig Harbor deems it desirable to provide and maintain such an individual system which assures appointment and promotion on the basis of merit and provides a civil service commission to administer the system while at the same time meeting the individual needs of the City of Gig Harbor, and

WHEREAS, after considering the fluctuating nature of demands upon police services, the City Council deems it advisable to provide for a one-year period or probation for newly-appointed or promoted police officers together with the ability to extend such period under certain circumstances, and

WHEREAS, the City Council finds that the nature of provisional and temporary appointments creates a need to make the duration of such appointments vary with the circumstances,

NOW, THEREFORE, the City Council of the City of Gig Harbor, Washington, DO ORDAIN as follows:

Section 1. Chapter 2.24 of the Gig Harbor Municipal Code is hereby repealed.

Section 2. Civil Service System Created. A new Chapter 2.22 is hereby added to the Gig Harbor Municipal Code to read as follows:

2.22.010 Intent of Chapter. It is the intent of the City Council of the City of Gig Harbor in enacting this Chapter to create a system of Civil Service independent of Chapter 41.12 RCW but which substantially accomplishes the purposes of that Chapter. The City Council finds that the system of Civil Service set forth herein meets this intent and the requirements of RCW 41.12.010 for such independent systems.

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2.22.020 Definitions. As used in this Chapter, the words and terms set forth in this section shall be given the following definitions:

1. "Appointing authority or power" means the Mayor of the City of Gig Harbor or the Mayor's designee.
2. "Appointment" includes all means of selecting, appointing or employing any person to hold any office, place, position or employment subject to civil service.
3. "Commission" means the civil service commission herein created, and "commissioner" means any one of the three commissioners appointed to that commission.
4. "City" means the City of Gig Harbor.
5. "Full-time fully commissioned officer" means an employee vested with full authority to perform the full range of law enforcement duties traditionally performed by police officers on a year round basis pursuant to the full-time schedule of work adopted by the police department.
6. "Emergency Appointment" means an appointment to serve in a position covered by this Chapter under emergency conditions for the duration of the emergency.
7. "Provisional Appointment" means an appointment to a position covered by this Chapter made in the absence of an eligibility list for the position and pending the establishment of such list.
8. "Temporary Appointment" means an appointment of an eligible or eligibles from any employment or promotional list to a position of specified, temporary duration.

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2.22.030 Civil service commission created,
appointment, terms, removal and quorum.

- A. There is created in the city a civil service commission which shall be composed of three persons.
- B. The members of such commission shall be appointed by the mayor; provided, that the members of the civil service commission presently constituted shall be the initial commissioners of the newly created civil service commission and shall continue in office until the term of their current appointment expires. Confirmation of the appointment or appointments of commissioners by the City Council shall be required.
- C. The members of such commission shall serve without compensation.
- D. No person shall be appointed a member of such commission who is not a citizen of the United States, a resident of the City of Gig Harbor for at least one year immediately preceding such appointment, and an elector of Pierce County.
- E. Except for the initial commission, the term of office of such commissioners shall be six years.
- F. Any member of such commission may be removed from office for incompetency, incompatibility or dereliction of duty or malfeasance in office, or other good cause; provided, however, that no member of the commission shall be removed until charges have been preferred, in writing, due notice and a full hearing held.
- G. The members of such commission shall devote due time and attention to the performance of the duties hereinafter specified and imposed upon them by this Chapter.
- H. Two members of such commission shall constitute a quorum and the votes of any two members of such commission concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided or transacted by the commission under or by virtue of the provisions of this Chapter.

2.22.040 Organization of commission - Powers and Duties - Secretary.

- A. Immediately after appointment, the commission shall organize by electing one of its members chairperson and shall hold regular meetings at least once a quarter, and such additional meetings as may be required for the proper discharge of its duties. It shall be the duty of the civil service commission, to the extent necessary to ensure that the provisions of this Chapter are carried out to:
1. Make suitable rules and regulations to implement this Chapter which are not inconsistent with the provisions thereof. Such rules and regulations shall provide in detail the manner in which examinations may be held, and appointments, promotions, transfers, reinstatements, demotions, suspensions and discharges shall be made and may also provide for any other matters which may be considered desirable to carry out the purposes of this Chapter. The rules and regulations and any amendments thereof shall be printed, mimeographed or multigraphed for public distribution at cost. Such rules and regulations may be changed from time to time. Pending adoption of new rules under this Chapter, the current civil service rules shall remain in effect to the extent not inconsistent with this Chapter;
 2. ensure that all tests are practical and consist only of subjects which will fairly determine the capacity of persons examined to perform the duties of the position to which appointment is to be made, and may include tests of physical fitness and/or manual skill;
 3. ensure that the rules and regulations adopted by the commission provide for veteran's preference credit in favor of all applicants for appointment under civil service, entitle to such credit pursuant to state law. These credits shall apply to entrance examinations only;

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4. make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of this Chapter, and the rules and regulations prescribed hereunder; inspect all institutions, departments, offices, places, positions and employments affected by this Chapter, and ascertain whether this Chapter and all such rules and regulations are being obeyed;
5. such investigations by the entire commission, or by a designated commissioner. Not only must these investigations be made by the commission as aforesaid, but the commission must make like investigation on petition of a citizen, duly verified stating that irregularities or abuses exist, or setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation, the commission or designated commissioner, or chief examiner, shall have the power to administer oaths, subpoena and require the attendance of witnesses and the production by them of books, papers, documents and accounts appertaining to the investigation and also to cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in the superior court; and the failure upon the part of any person so subpoenaed to comply with the provisions of this section and shall be deemed a violation of this Chapter and punishable as such;
6. ensure that all hearings and investigations before the commission are governed by this Chapter and by rules of practice and procedure to be adopted by the commission, and in the conduct thereof the commission shall not be bound by the technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony before the commission shall invalidate any order, decision, rule

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or regulation made, approved or confirmed by the commission; provided, however, that no order, decision, rule or regulation made by any designated commissioner conducting any hearing or investigation alone shall be of any force or effect whatsoever unless and until concurred in by at least one of the other two members;

7. hear and determine appeals or complaints respecting any examination and such other matters as may be referred to the commission pursuant to the duties outlined in subsection (1) of this section;
8. establish and maintain in card or other suitable form a roster of employees covered by civil service;
9. provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class or position and as a result thereof establish eligible lists for the various classes of positions as established by the city; and to provide that employees laid off because of curtailment of expenditures, reduction in force, and for like cause, head the list in the order of their seniority, to the end that they shall be the first to be reemployed;
10. when a vacant position is to be filled, to certify to the appointing authority, on written request, the names of the three persons highest on the eligible list, as provided in Section 2.22.150. Where more than one vacant position is to be filled, the Commission shall certify from those highest on the eligible list, three times the number of persons necessary to fill the vacant position.
11. keep such records as may be necessary for the proper administration of this Chapter.

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- B. The commission shall appoint a person to hold the position of secretary and chief examiner. The duties of the secretary and chief examiner shall be to keep the records of the commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction, and perform such other duties as the commission may prescribe. The commission may provide for the compensation of such person in an amount commensurate with the time and responsibility involved.
- C. The commission shall have no power to make any rule concerning the resignation or voluntary separation from employment of any person holding a position covered by this Chapter.

2.22.050 Persons included--Competitive examinations--Transfers, discharges and reinstatements.

- A. The provisions of this Chapter shall apply to all full-time, fully commissioned officers of the city's police department, except for the position of police chief, who, because of the nature of his position, shall serve in his position as other city department heads without civil service coverage.
- B. All clerical, dispatchers, mechanics, and other employees of the police department who are not full-time, fully commissioned police officers are excluded from coverage under this Chapter.
- C. The position of civil service secretary and chief examiner shall not be a civil service position.
- D. All appointments to and promotions to positions covered by this Chapter shall be made solely on merit, efficiency and fitness, which shall be ascertained by competitive examination and impartial investigation. No person shall be reinstated in or transferred, suspended or discharged from any such place, position, or employment contrary to the provisions of this Chapter.

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2.22.060 Existing personnel continued under civil service. For the benefit of the public service and to prevent delay, injury or interruption therein by reason of the enactment of this Chapter, all persons having completed probation in the police department and entitled to civil service coverage, are hereby declared permanently appointed under civil service to the offices, places, positions or employemnts which they shall then hold respectively, and not on probation; and every such person is hereby automatically adopted and inducted permanently into civil service, into such office, place, position or employment which such person then holds even though that office, place, position or employment is not subject to the civil service requirements of this Chapter. Nothing in this Chapter shall be construed to exculpate or excuse any conduct of any employee committed or engaged in prior to the enactment of Chapter 2.22, and such conduct may be considered by the appointing authority and the Commission in any disciplinary action taken with repect to an employee whose position is covered by this Chapter.

2.22.070 Qualifications of applicants. An applicant for a position of any kind under civil service must be a citizen of the United States of America who can read, speak and write the English language. An applicant for a position of any kind under civil service must be of an age suitable for the position applied for, in ordinary good health, of good moral character and of temperate and industrious habits; these facts to be ascertained in such manner as the commission may deem advisable.

2.22.080 Tenure of employment--Grounds for discharge, reduction or deprivation of privileges. The tenure of everyone holding an office, place, position or employment under the provisions of this Chapter shall be only during good behavior and any such person may be removed or discharged, suspended without pay, demoted, or reduced in rank, or deprived of vacation privileges or other special privileges for any of the following reasons:

- 1) Incompetency, inefficiency or inattention to or dereliction of duty;

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- 2) dishonesty, disgraceful, intemperance, prejudicial, immoral conduct, insubordination, discourteous treatment of the public, or a fellow employee or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself; or any willful violation of the provisions of this Chapter or the rules and regulations to be adopted hereunder;
- 3) mental or physical unfitness for the position which the employee holds;
- 4) drunkenness or use of intoxicating liquors, narcotics or any other habit forming drug, liquid or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee, or which precludes the employee from properly performing the function and duties of any position under civil service;
- 5) conviction of a felony, or a misdemeanor, involving moral turpitude or illegal drug use;
- 6) promotion of dissatisfaction among members of the department;
- 7) manhandling, mishandling or inhumane treatment of a civilian or person under arrest;
- 8) such other and further bases as may be established from time to time by the department or the appointing authority.
- 9) Any other act or failure to act which in the judgement of the civil service commissioners is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

2.22.090 Procedure for Discipline of Permanent Appointees--Predisciplinary hearing.

- A. No person in the classified civil service who shall have been permanently appointed or

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inducted into civil service under the provisions of this Chapter shall be removed, suspended, demoted or discharged except for cause as provided in Section 2.22.080. For purposes of this section, a resignation or voluntary separation from employment shall not be considered a removal, suspension, demotion or discharge.

- B. Whenever the appointing authority has determined that cause for removal, suspension, demotion or discharge exists, the appointing authority shall offer the accused employee the opportunity for a predisciplinary hearing. Such hearing shall consist of oral or written notice of the charges being given to the employee, and a meeting between the employee and the appointing authority at which an explanation of the appointing authority's evidence and an opportunity for the employee to tell his or her side of the story prior to discipline is given.
- C. If, upon completion of the predisciplinary hearing, the appointing authority determines that there is sufficient evidence to warrant removal, suspension, demotion or discharge of the employee, the appointing authority shall serve the employee with a written statement which contains, in general terms, the charges and evidence against the employee, together with a statement of the disciplinary action to be taken. A duplicate of the statement required by this subsection shall be filed with the commission.
- D. Any person removed, suspended, demoted or discharged under the provisions of this section may, within ten days from the date of the removal, suspension, demotion or discharge, file with the commission a written demand for an investigation.

2.22.100 Hearing required--Notice.

- A. Whenever the commission shall receive a timely, written demand for investigation, the commission shall schedule a hearing in order to

conduct such investigation. The hearing shall be open to the public, except as otherwise provided in this Chapter, and shall be held not less than 20 days, nor more than 60 days, after receipt of the written demand for investigation, unless good cause is shown for either an earlier or later scheduling.

- B. Written notice of the scheduled hearing shall be mailed by certified mail, return receipt requested, not less than ten (10) days prior to the date selected for the hearing. The notice shall be mailed to the accused, or his attorney or representative designated in the demand, and also to the appointing authority. The notice shall identify the case to be heard, the names of the parties and their representatives, if any, and shall specify the time and place of the hearing.

2.22.110 Hearings--Legal counsel.

Both the appointing authority and the accused shall have the right to be represented by legal counsel at all stages of the commission's investigation and hearing. In addition, the commission may, in its discretion, retain independent counsel at city expense to assist the commission in the conduct of the hearing process.

2.22.120 Hearings--Scope and standard of review.

Hearings upon demand for investigation or review of disciplinary actions taken by the appointing authority shall be quasi-judicial in nature and shall be conducted de novo. The inquiry of the commission shall be limited in such matter to the determination of the question of whether the removal, suspension, demotion, or discharge was or was not made for political or religious reasons, and was or was not made in good faith for cause.

2.22.130 Conduct of hearing--Evidence.

- A. The chairperson or acting chairperson of the commission shall conduct the hearing in an orderly manner and shall rule on all procedural matters, objections and motions made by any party.
- B. The testimony of all witnesses shall be under

oath. All documents which any party wishes to have the commission review as part of the evidence shall be introduced as exhibits. A verbatim record of the proceeding shall be kept.

- C. All portions of the hearing shall be open to the public, with the following exceptions:
 - 1. Where all parties agree to a closed hearing; or
 - 2. where the chairperson determines that, because of the sensitive nature of a witness' testimony, the hearing should be closed during that testimony in order to prevent unnecessary embarrassment to the witness;
 - 3. where the commission determines to exclude witnesses who have not yet testified or who may be recalled to testify during the testimony of other witnesses; or
 - 4. during the deliberations of the commission.
- D. The chairperson shall determine the proper order of the hearing. As a general rule, the hearing shall proceed as follows:
 - 1. The appointing authority and the accused shall each be offered the opportunity to make an oral opening statement, setting out briefly a statement of the facts, disputes and issues in the case. Either party may waive opening statement.
 - 2. After opening statements, the appointing authority shall introduce all evidence in his or her case in chief.
 - 3. After the close of the appointing authority's case, the accused may then introduce all evidence in his or her case in chief.
 - 4. Rebuttal evidence from the appointing authority will be received after the close of the accused's case in chief.

5. Upon completion of rebuttal testimony and evidence, each party shall be given an opportunity to make a closing statement to the commission setting forth that party's view of the evidence and its relation to the issues before the commission.
 6. After completion of closing statements, the commission shall deliberate and render a decision.
- E. All matters to be proven by any party shall be proven by a preponderance of the evidence. The appointing authority bears the burden of sustaining a removal, suspension, demotion or discharge.
- F. In conducting the hearing, the commission shall not be bound by the technical rules of evidence. The commission may receive and examine any and all evidence which it determines to be relevant to the issues before the commission.
- G. During the presentation of the testimony, each party shall be allowed direct examination, if the witness is called by the party in his or her case in chief or rebuttal, or cross-examination, if the witness is called by an adverse party in such party's case in chief or rebuttal. In addition, each Commissioner and the Commission's legal counsel, if any may question any witness.

2.22.140 Decision of commission--Findings and conclusions required.

- A. After the hearing has been completed, the commission shall deliberate and reach a decision concerning the disciplinary action. If the commission finds that the removal, suspension, demotion or discharge was made for political or religious reasons or was not made in good faith for cause, the commission shall order the immediate reinstatement or reemployment of the accused in the office, place, position or employment from which such person was removed, suspended, demoted or discharged, which reinstatement shall, if the

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commission so provides in its discretion, be retroactive, and entitle such person to pay or compensation from the time of such removal, suspension, demotion or discharge. If, on the other hand, the commission finds that such removal, suspension, demotion or discharge was not made for political or religious reasons and was made in good faith for cause, the commission may affirm the removal, suspension, demotion or discharge, or, in lieu thereof, may order such greater or lesser discipline as it deems appropriate under the circumstances.

- B. In rendering its decision, the commission shall make findings and conclusions in support thereof. The findings shall contain a summary of the evidence relied upon by the commission in reaching its decision and the conclusions shall indicate the commission's reasoning in applying the standard of review set forth in Section 2.22.120 to the facts. The findings of the commission shall be certified in writing to the appointing power and shall be enforced by such power.
- C. The accused may appeal from the commission's decision or order to the Pierce County Superior Court. Such appeal shall be taken by serving the commission, within 10 days after the entry of the commission's judgement or order, with a written notice of appeal, stating the grounds thereof, and demanding that a certified transcript of the record and all papers and exhibits on file in the office of the commission affecting or relating to such judgement or order be filed by the commission with such court. The accused shall pay all costs of preparing the transcript at the time the notice of appeal is filed. The commission shall, within 30 days after the filing of such notice and the payment of costs, make, certify and file such transcript with such court. The Pierce County Superior Court shall proceed to hear and determine such appeal in a summary manner; provided, however, that such hearing shall be confined to the determination of whether the judgement or order made by the commission was or was not made in good faith

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for cause, and no appeal to such court shall be taken except upon such ground or grounds.

2.22.150 Vacancies--Probation.

- A. Whenever a position in the classified service becomes vacant, the appointing authority, if it desires to fill the vacancy, shall make requisition upon the commission for the names and addresses of the persons eligible for appointment thereto.
- B. If an eligible list exists for the class of such position which contains the names of at least three eligibles who are willing to accept employment, the commission shall forthwith certify the names of the top three persons eligible for appointment to the appointing authority, and the appointing authority shall appoint one person so certified to the position, provided that they are in fact found to be qualified for the position by the appointing authority.
- C. If there is no eligible list for the class, the commission shall either establish such a list as provided in this Chapter or otherwise determine what list shall be deemed appropriate for such class. The commission shall then certify the names of the three persons standing highest on the list and the appointing authority shall appoint one person so certified to the position, providing that they are found in fact to be qualified for the position by the appointing authority.
- D. If there is an eligible list for the class which contains the names of less than three eligibles, the appointing authority may, upon being notified of such fact, elect to fill the vacancy by temporary appointment until the eligible list contains the names of at least three eligibles, or may, in the alternative, request that the commission certify the names of those remaining on the list for appointment.
- E. If, upon the conduct of any background or other investigation by the appointing authority the

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appointing authority determines that the name of any person should be removed from the eligible list, the commission shall remove the name forthwith. If any name is so removed or if any person certified by the commission requests not to be considered for appointment, the commission shall certify the next highest person on the eligible list to replace those removed.

- F. To enable the appointing authority to exercise a choice in the filling of positions, no appointment, employment or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of one year of probationary service, during which the appointing authority may terminate the employment of the person appointed by him or her, if, during the performance test thus afforded, upon observation or consideration of the performance of duty, the appointing authority deems such person unfit or unsatisfactory for service in the department. Upon such termination of employment, the appointing authority shall request the commission to certify the next three persons highest on any eligibility list for the position and the appointing authority shall appoint one person so certified to the vacant position, provided that the appointing authority finds such person to in fact be qualified for the position. Upon such appointment, the person appointed shall likewise enter upon the duties of the position for a period of one year's probationary service in the same manner as the original appointment. This process shall be repeated until some person is found who is deemed fit for appointment, employment or promotion for the probationary period provided therefore, whereupon the appointment, employment or promotion shall be deemed to be complete.
- G. The appointing authority may, in its discretion, extend probation for any appointee up to an additional six months after expiration of the original one year probationary period.

2.22.160 Emergency, Provisional, and Temporary Appointments.

- A. In order to meet the requirements of an emergency condition which threatens the public safety, the appointing authority may employ any person or persons in a position covered by this Chapter, without regard to the restrictions imposed herein. Such employment shall be limited to the duration of the emergency and shall not exceed 90 days without council approval.
- B. The appointing authority may make a provisional appointment to a position covered by this Chapter when no eligible list exists for the position. Such appointment shall expire upon the establishment of an eligible list for the position by the Commission and the appointment of a person from such list by the appointing authority.
- C. Whenever a temporary position or temporary vacancy in a position exists, the appointing authority may fill such position or vacancy using the following procedures:
 - 1. In making a temporary appointment, the appointing authority shall make requisition to the secretary and chief examiner in the manner provided for regular appointment, but shall indicate the time at which it is estimated the position will terminate. The secretary and chief examiner shall notify the person or persons appearing on the appropriate eligibility list or lists, indicating the nature of the position and its duration, to learn who may be willing to accept temporary appointment. The three most qualified persons willing to accept shall be certified to the appointing authority.
 - 2. Notwithstanding the provisions of Subsection 1 above, the appointing authority may make temporary transfers or appointments to fill temporary vacancies caused by disability, illness, or vacations without seeking a list of eligibles there-

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fore, and the employee temporarily filling the position may be paid the compensation usually paid for such service.

- D. No temporary or provisionsal appointment shall be continued, and no person shall be employed in a posision on a temporary or provisional basis for more than 12 months, provided that a temporary or provisional appointment may be extended for up to an additional six months if, for any reason, it cannot be determined at the expiration of the initial appointment that the position being filled by temporary or provisional appointment will, in fact, continue to be vacant, such as in the instance of a position vacant due to an officer on disability leave under the LEOFF Act or for other good cause which, in the discretion of the Commission, warrants an additional extension of such provisional or temporary appointment.
- E. The period during which any person serves in a position covered by this Chapter as a provisional or temporary appointee shall not be credited against any probationary period for a permanent appointment and shall not be used for computing time in grade or time of service for purposes of promotion.

2.22.170 Power to create offices, make appointments and fix salaries not infringed.

- A. All offices, places, classifications, job qualifications, job descriptions, salary ranges and positions coming within the purview of this Chapter shall be created and abolished by the city council.
- B. The mayor alone or the mayor's designee or whomever otherwise is vested with power and authority may select, appoint, or employ any person coming within the purview of this Chapter.
- C. Nothing contained in this Chapter shall infringe upon the power and authority of any such person or group of persons, or appointing authority, to fix the salaries and compensation of all employees employed hereunder or to specify the qualifications, including experience, necessary for any position within the civil service.

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2.2.180 Enforcement by civil action--Legal counsel.
It shall be the duty of the commission to begin and conduct all civil suits which may be necessary for the proper enforcement of this Chapter and of the rules of the commission. The commission shall be represented in such suits by the city attorney, or his/her designee, but the commission may in any case be represented by special counsel appointed by it.

2.22.190 Deceptive practices, false marks, etc., prohibited.
No commissioner or any other person, shall, by himself or in cooperation with one or more persons, defeat, deceive, or obstruct any person in respect of his right of examination or registration according to the rules and regulations of this Chapter, or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of this Chapter, or aid in so doing, or make any false representation concerning the same, or concerning the person examined, or furnish any person any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined, registered or certified, or to be examined, registered or certified or persuade any other person, or permit or aid in any manner any other person to personate him, in connection with any examination or registration of application or request to be examined or registered.

2.22.200 Penalty--Jurisdiction.
Any person who shall willfully violate any of the provisions of this Chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment in jail for not longer than one (1) year, or by both such fine and imprisonment.

2.22.210 Applicability.
The examination and eligibility provisions of this Chapter and establishment of positions covered by civil service by the provisions of this Chapter shall be effective for all appointments made after the effective date of this Chapter.

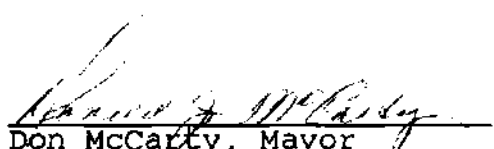
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2.22.220 Severability.


If any section, sentence, clause or phrase of this Chapter 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 Chapter.

Section 3. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of the attached summary which is hereby approved.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 8th day of June, 1987.


Don McCarty, Mayor

ATTEST:


Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 5/18/87
Passed by city council: 6/8/87
Date published: 6/17/87
Date effective: 6/22/87