

CITY OF GIG HARBOR

ORDINANCE NO. 588

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO MODIFYING MAINTENANCE AND CONSTRUCTION BOND REQUIREMENTS FOR CONSTRUCTION OF ALL PUBLIC ROADS AND UTILITY SYSTEMS AND IMPOSING STRONGER PENALTIES FOR UNAUTHORIZED LAND CLEARING.

WHEREAS, the City of Gig Harbor is interested in ensuring quality constructed roads and utilities; and

WHEREAS, the city is concerned about protecting against unauthorized land clearing;

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

Section 1. A new section 12.06.010 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

"12.06.010 Construction and Maintenance Bonds.

1. CONSTRUCTION BOND. Each developer or contractor shall provide a bond in form acceptable to the City Attorney, conditioned for the performance within the period of time limited by the city Public Works Director, of the construction and installation of all roads and utilities, including construction outside the limits of such property being developed which may be required to hook up to existing water, sewer, and storm sewer installations, in the amount of the fair cost estimate thereof as determined by the city Public Works Director. When the Director sets forth the amount of bond for each improvement, that portion of the bond may be released by the Public Works Director when such utility has been finally inspected and accepted by the city.
2. MAINTENANCE BOND. Each developer or contractor shall provide a maintenance bond, either in cash or with good and sufficient surety, conditioned for the guarantee of the workmanship and materials, paving, curbs, sidewalks, storm sewer, sanitary sewer, and water lines for a period of

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two years from the date upon which all such improvements have been tested and accepted by the city for the city. Such bond shall be in the amount of 15 percent of the fair cost estimate for all of such utilities constructed on or in the developer's property as determined by the city."

Section 2. A new section 13.24.095 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

"13.24.095 Construction and Maintenance Bond.

The developer or contractor shall post construction and maintenance bonds as required and set forth under Section 12.06.010 of the Gig Harbor Municipal Code."

Section 3. Section 13.08.030 of the Gig Harbor Municipal Code is hereby amended to read as follows:

"13.08.030 Construction and Maintenance Bond.

The developer or contractor shall post ~~a one-year ten percent maintenance bond (five hundred dollars minimum)~~ construction and maintenance bonds as required and set forth under Section 12.06.010 of the Gig Harbor Municipal Code."

Section 4. Section 16.44.090 of the Gig Harbor Municipal Code is hereby amended to read as follows:

"16.44.090 Violation - Penalty. Violations of this chapter, ~~excepting unauthorized land clearing~~, are an infraction and subject to a penalty of five hundred dollars as provided in Section 1.16.010D. If civil proceeding are commenced to stop a violation of this chapter, such proceedings may be commenced in either the Municipal Court or Superior Court as the city determines. Any person, firm, or corporation which has engaged in land clearing that has not been approved by the city's code official shall incur a civil penalty in an amount not to exceed five thousand dollars (\$5,000) based on the nature and severity of the violation as determined and assessed by the code enforcement officer and shall be enforced in accordance with the procedures established under Chapter 15.18 of this code."

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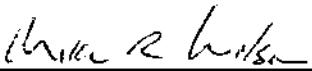
Section 5. This ordinance shall take effect and be in force five (5) days after passage and publication as provided by law.

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 27th day of August, 1990.



Gretchen A. Wilbert, Mayor

ATTEST:



Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 8/10/90
Passed by city council: 8/27/90
Date published: 9/19/90
Date effective: 9/24/90