

CITY OF GIG HARBOR
ORDINANCE NO. 605

AN ORDINANCE OF THE GIG HARBOR MUNICIPAL CODE RELATING TO
THE REGULATION OF COMMERCIAL/BUSINESS USE OF PUBLIC LANDS
AND STRUCTURES.

WHEREAS, the zoning code currently provides for commercial/
business use of public land or structures, subject to the
written approval of the planning director and public works
director; and,

WHEREAS, commercial/business use of public lands and
structures should only be provided in those situations where
there is a demonstrated public benefit to be derived and
where a large number of the public would be served; and,

WHEREAS, a proliferation of commercial/business use of
public lands and structures is not in the public's interest
or welfare; and,

WHEREAS, commercial/business use of public lands and
structures should be limited to special events or occasions
available to the general public.

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

Section 1. A new section 5.06 of the Gig Harbor Municipal
Code is hereby enacted to read as follows:

5.06

COMMERCIAL/BUSINESS USE OF PUBLIC LANDS AND STRUCTURES

5.06.010 Private Use of Public Property.

1. When private use is made of any public land or
public structures, such private use shall fully
conform to the regulations set forth in this
title.

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2. Commercial/business uses of public land and structures, including streets and sidewalks, shall not be permitted except as follows:
 - a. In those limited instances where a business license is required for special occasions for a community promoted/sponsored festival or event. The issuance of a business license shall serve as authorization.
 - b. A business which uses a public sidewalk fronting the business establishment as part of the normal service of the business. Such use shall be reviewed and approved by the public works director and planning director if such use does not unreasonably restrict or limit pedestrian movement or circulation, does not present a traffic hazard and is allowed within the zoning district.
3. Commercial/business users or festival/ special occasion sponsors shall obtain insurance, with limits, and coverages as required by the city administration. The city shall be named as additional insured in respect to all coverages.


Section 2. Section 17.01.040 (9B) of the Gig Harbor Municipal Code is hereby repealed.

Section 3. Validity. 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.

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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 12th day of August, 1991.


Gretchen A. Wilbert, Mayor

ATTEST:


Michael R. Wilson
City Administrator/Clerk

Filed with City Clerk: 7/22/91
Passed by City Council: 8/12/91
Date published: 9/18/91
Date effective: 9/23/91