

CITY OF GIG HARBOR

ORDINANCE NO. 630

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, CREATING A NEW CHAPTER 8.32, ENTITLED "CONSTRUCTION HOURS" AND NEW SECTIONS THEREUNDER; ESTABLISHING DESIGNATED HOURS FOR PERMITTED RESIDENTIAL AND COMMERCIAL CONSTRUCTION WITHIN CITY LIMITS SUBJECT TO EXCEPTIONS; ESTABLISHING PENALTIES; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Gig Harbor continues to experience population growth and increased density, both reflected in ever escalating residential and commercial construction projects, most taking place within populated areas of the city; and

WHEREAS, in the past several months, the city has received more and more requests for relief from after hours construction and its attending problems: increased construction activity, noise, and roadway congestion after hours and on weekends and holidays; and

WHEREAS, limiting hours of construction will not be materially detrimental to public health, safety, and general welfare, but will indeed promote all of these;

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

Section 1. A new Chapter 8.32 of the Gig Harbor Municipal Code is hereby created to read as follows:

8.32

Hours of Operation

Sections:

8.32.010 Construction hours regulated  
8.32.020 Penalties

8.32.010 Construction hours regulated.

A. Except as permitted in subsection B of this section, any construction activity in conjunction

with any approved permits, including but not limited to building permits, utility permits, clearing/grading permits, or land use certification permits shall be permitted only between the hours of 7:00 a.m. and 8:00 p.m. on weekdays, 8:00 a.m. to 8:00 p.m. on weekends and federal, state, or city observed holidays.

B. Construction activity may be permitted outside the hourly limits set forth in subsection A only upon application and approval by the building official or by the public works director. Criteria for approval shall include project remoteness, undue hardship,, or other reasonable standards. Approval may only be for specific dates and times and under terms that the approving official deems appropriate under the circumstances.

**8.32.020 Penalties.** It is unlawful for any person, firm, or corporation to violate or fail to comply with any of the provisions of this chapter. Any person, firm, or corporation who shall commit any violation of this chapter shall have committed a civil infraction and, upon a finding by the municipal court such infraction has been committed, shall pay a monetary penalty to the city in an amount not to exceed two hundred dollars per offense. Each day or portion thereof during which any violation of this chapter is committed shall constitute a separate offense.

**Section 2. 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 3. Effective Date.** This ordinance shall take effect and be in full force five days after publication as required by law.

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17.16.030 Conditional uses.

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G. Accessory Apartment - when reviewing a conditional use request for an accessory apartment, the Hearing Examiner shall consider the following guidelines:

- (1) The required parking space for the accessory apartment is placed behind the primary structure or is paved with grass-block pavers to avoid an expansive area of hard surface.
- (2) The accessory apartment is attached to or placed at least 6 feet behind the primary structure.
- (3) The design of the accessory apartment is incorporated into the primary unit's design with matching materials, colors, window style, and roof design.
- (4) The entrance to the accessory apartment is oriented away from the view of the street or is designed to appear as a secondary entrance to the primary unit, e.g., garage entrance or service porch entrance.
- (5) Utilities for the accessory apartment shall be metered separate from the primary dwelling unit.
- (6) The accessory apartment and the primary unit conforms to all other building and zoning code requirements.

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17.72.030 Number of off-street parking spaces required. The following is the number of off-street parking spaces required:

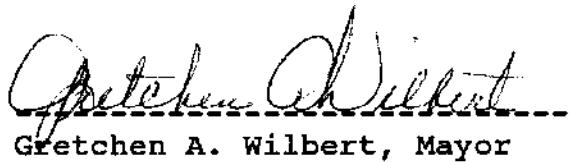
A. For single family dwellings, two off-street parking spaces for each dwelling unit and one additional parking space for accessory apartments associated with single family dwelling units.

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Section 2. 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 3. This ordinance shall take effect and be in full force five (5) days after publication.

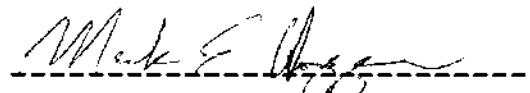
**PASSED** by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the Council held on this 13th day of July, 1992.



Gretchen A. Wilbert

Gretchen A. Wilbert, Mayor

ATTEST:



Mark E. Hoppen

City Administrator/Clerk

Filed with City Clerk: April 17, 1992  
Passed by City Council: July 14, 1992  
Date published: July 22, 1992  
Date effective: July 27, 1992

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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 27th day of July, 1992.

Gretchen A. Wilbert  
Gretchen A. Wilbert, Mayor

ATTEST:

MEH  
Mark E. Hoppen

City Administrator/Clerk

Filed with city clerk: 7/7/92  
Passed by city council: 7/27/92  
Date published: 8/12/92  
Date effective: 8/17/92