

ORDINANCE 1508

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, AMENDING GIG HARBOR MUNICIPAL CODE CHAPTER 9.24 RELATING TO ALCOHOL IN PARKS AND PARK OPERATING HOURS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Gig Harbor Municipal Code 9.24 prohibits the consumption of alcohol in parks, except on a vessel moored at Jerisich Dock; and

WHEREAS, GHMC 9.24.005 does not specifically exclude buildings from the definition of a park; and

WHEREAS, the City was approached by a nonprofit organization that leases city-owned buildings in a park about their wish to serve alcohol at events that support their mission as a nonprofit in their leased buildings; and

WHEREAS, the Parks Commission supported this request at their regular meeting on December 7, 2022; and

WHEREAS, the City Council discussed this item and the leases that would need to be amended at their January 26, 2023 study session and directed staff to bring this ordinance and lease amendments to a regular meeting for a vote;

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

Section 1. Gig Harbor Municipal Code Chapter 9.24 amended. Chapter 9.24 of the Gig Harbor Municipal Code is hereby amended as follows:

Chapter 9.24 PARKS

9.24.020 Alcohol prohibited in parks.

Except as permitted in GHMC 9.04.010 or except if consumed on a vessel moored at Jerisich Dock, and except if consumed in a leased area or rental area pursuant to the terms contained in the lease or rental agreement, no person shall open a package containing liquor or consume liquor in a park. Alcohol consumed pursuant to one of the above exceptions must be in accordance with Washington State Liquor and Cannabis Board permit and license requirements. This section shall be prosecuted as set forth in Chapter 9.04 GHMC. (Ord. 1454 § 1, 2021).

9.24.040 Park operating hours.

All city parks shall be closed from dusk to dawn unless otherwise provided for in the municipal code, a lease or rental agreement, or posted by the city of Gig Harbor. It is unlawful to enter or remain on any park property while closed unless

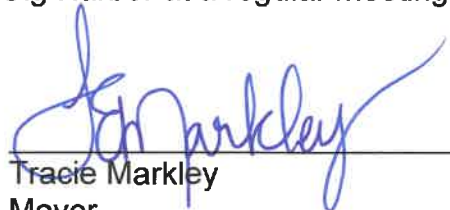
operating under the authority of a special event or special use permit. (Ord. 1478 § 3, 2021; Ord. 1454 § 1, 2021; Ord. 1369 § 1, 2017. Formerly 9.24.015).

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be 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.

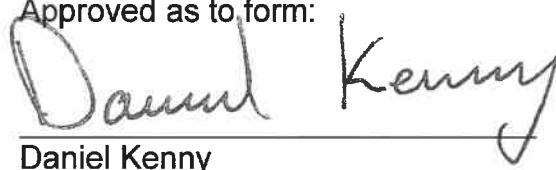
Section 3. Correction of Errors. The City Clerk and codifiers of the ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Effective Date. This ordinance shall take effect and be in full force and effect thirty days after passage and publication of an approved summary consisting of the title.

ADOPTED by the Council of the City of Gig Harbor at a regular meeting thereof, held this 27thth day of February, 2023.



Tracie Markley
Mayor

Approved as to form:


Daniel Kenny
City Attorney

Attest:


Joshua Stecker, CMC
City Clerk