

**AGENDA**  
**GIG HARBOR CITY COUNCIL STUDY SESSION**  
**Thursday, August 7, 2025 - 3:00 PM**  
**Community Rooms**

*This meeting may also be accessed through Zoom at <https://zoom.us/j/93216056382> or by calling (253) 215-8782 and entering Meeting ID 932 1605 6382.*

**CALL TO ORDER/ROLL CALL**

**DISCUSSION ITEMS**

**1. Parks Code**

*Suggested Motion: N/A*

- a. Staff Report: Parks Manager Jennifer Haro
- b. Public Comment
- c. Council Discussion

**ADJOURN**

**PUBLIC COMMENT & DECORUM**

The city council desires to allow a maximum opportunity for public comment. However, the business of the city must proceed in an orderly, timely manner. The purpose of a council meeting is to conduct the city's business.

Oral comments may be made in person or by remote connection using the Zoom meetings platform. All persons giving oral public comment will be asked to state their name, whether or not they reside within Gig Harbor city limits, and their connection to the issue they are commenting on. Commenters may verify if their home address is in city limits by visiting <https://www.gigharborwa.gov/451/City-Limits>.

Speakers will be allotted 2 minutes per individual, unless revised by the mayor. Anyone making "out of order" comments may be subject to removal from the meeting.

Public comment may be made remotely via Zoom or by phone during designated portions of the meeting. To speak during the meeting, press the raise hand button near the bottom of your Zoom window or press \*9 on your phone. Please refrain from raising your hand until the mayor has announced that she has opened the public comment portion of the meeting. Your name or the last three digits of your phone number will be called out when it is your turn to speak. When using your phone to call in, you may need to press \*6 to unmute yourself. All speakers will have up to three minutes to speak.

Instead of making oral comments, written comments may be submitted to the city council at [mayorandcouncil@gjgharborwa.gov](mailto:mayorandcouncil@gjgharborwa.gov).

All remarks shall be addressed to the council as a body and not to any specific councilmember. All speakers shall be courteous in their language and deportment and shall not engage in or discuss or comment on personalities or indulge in derogatory remarks or insinuations with regard to any councilmember, the mayor, or any member of the staff or the public.

There will be no demonstrations during or at the conclusion of any public comment. These guidelines are intended to promote an orderly system of holding public meetings, to give every person an opportunity to be heard and to ensure that no individuals are embarrassed by voicing their opinions.

#### **AMERICANS WITH DISABILITIES (ADA) ACCOMMODATIONS**

ADA accommodations can be provided upon request. Those requiring special accommodations should contact the city clerk at [cityclerk@gjgharborwa.gov](mailto:cityclerk@gjgharborwa.gov) or (253) 853-7613 at least 24 hours prior to the meeting.



**City of Gig Harbor  
City Council Agenda Bill**

**Meeting Date: August 7, 2025**

**SUBJECT:** Parks Code

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**SUBMITTED BY:** Parks Manager Jennifer Haro

**DEPARTMENT:** Public Works

**PHONE:** (253) 853-8253

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**SUGGESTED MOTION:** N/A

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**BACKGROUND INFORMATION:** The city's municipal code has parks-related code sections spread throughout multiple titles and chapters of code. The purpose of creating a new Title 11 for parks code is to have all parks-related code in one place. There were also some updates that need to be made. Anything that is proposed to be changed from current language is shown in the attached draft.

This proposed code update was originally brought to council at the June 23, 2025 study session. There were some clarifications and requests for changes from council at that meeting, including:

- Clarify language that prohibits fishing activities that interfere with "public enjoyment" of a dock or pier. We changed that to "impede pedestrian access."
- Change the 4-hour parking limit at Cushman Trail trailhead to a 2-hour limit from dusk to dawn.

There was also discussion about the proposed park use permit that would allow small-scale commercial uses in parks, such as fitness classes and photography. Staff is proposing a minimal fee for a park use permit to allow such uses in the parks, without requiring a full special event permit as required in current code.

Other changes from existing code in the attached draft include:

- Adding language that allows the public works director or designee to adopt reasonable rules for parks, as long as they are posted in the park.
- Consolidating the prohibited activities for docks.
- Adding language prohibiting vaping
- Prohibiting jumping, diving or swimming from public docks and piers
- Prohibiting fishing and shellfishing where it impedes public enjoyment or watercraft access to docks
- Adding regulations for Eddon Boat Dock, consistent with Gig Harbor BoatShop lease
- Prohibiting parking at Borgen and Grandview Cushman trailheads for more than 2 hours between dusk and dawn.

Staff has consulted with the city clerk, police chief, public works director and city attorney on these proposed changes. The parks commission reviewed the proposed changes at their May 7 meeting.

At the August 7 study session, staff is looking for feedback from council on the proposed Title 11 and direction on whether to prepare an ordinance for consideration at a future regular council meeting.

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**FISCAL CONSIDERATION:** N/A

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**ATTACHMENTS:**

1. Draft Parks Code
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**STRATEGIC PLAN PRIORITY:** Ensure sustainable future for public services and facilities

## Title 11 PARKS AND DOCKS

### **Chapter 11.01      General Provisions**

#### **11.01.010 Definitions (from GHMC 9.24 and 8 (dock sections))**

A. "Boat," also known as a vessel, includes every description of watercraft on the water used or capable of being used as a means of transportation on the water, other than a seaplane. However, it does not include inner tubes, air mattresses, and small rafts or flotation devices or toys customarily used by swimmers.

B. "Commercial fishing operator" is the user-owner or captain of a commercial fishing vessel who has entered into an agreement with the city or an received authorization from the city to use ~~the netshed under a properly executed Ancich Netshed use authorization form~~city facilities.

C. "Commercial fishing vessel" is a type of watercraft that is currently licensed for commercial fishing by a state government or a federally recognized Indian tribe and is actively being operated for the purposes of commercial fishing.

D. "Dawn" means the time at one-half hour before sunrise as published by the National Weather Service.

E. "Dinghy," also known as a tender, is a type of boat 13 feet or less in length whose sole purpose is to carry people or materials between a larger boat and the shore.

F. "Dusk" means the time at one-half hour after sunset as published by the National Weather Service.

G. "Moor" or "mooring" is to secure by rope, cable, chain, or other connection, a watercraft to the dock.

H. "Nonmotorized craft" is a type of boat with no propulsion machinery of any type.

I. "Normal park/regular park usage" means those legal recreational uses for which the public park is maintained by the city for public use, not requiring a special event permit under this chapter, including, but not limited to, picnics, playing catch, sunbathing, game playing, etc.

J. "Operator," is the person responsible for, or in control of, watercraft.

K. "Other Event – For Profit". Such events~~Means an event -are limited to no more than one per month per park. No events will be allowed that are designed for the primary purpose of selling products. A "for-profit" event includes all events~~ where a business entity intends to make a profit from the event on public property. This includes all special events managed, planned or overseen by a business or commercial entity. No for-profit event will be allowed that's primary purpose is to sell products. This does not include farmers markets and similar events.

L. "Other event – Not for profit" means a special event organized or put on by a nonprofit organization, company or group of people and is open to the public.

M. "Other event – Private" means a special event held in a park or public space that is not open to the public, such as a wedding, party, or fundraising event.

N. "Overnight" shall be considered use of any duration at any time after 8:00 p.m. and before 8:00 a.m. for dock moorage, and after park closing for park use.

O. "Parade" means any march or procession consisting of people, animals, bicycles, vehicles, or combination thereof, except wedding processions and funeral processions, upon any public street or sidewalk which does not comply with normal and usual traffic regulations or controls

P. "Park" means any public facility permitted for use by the general public for human enjoyment and recreation purposes. This shall include associated parking areas, water access areas, trails, trailheads, and open spaces, located on city-owned real property and in the city's right-of-way, as identified in the city's adopted parks recreation and open space plan. (~~Ord. 1478 § 3, 2021~~).

Q. "Run" means an organized procession to contend in a race consisting of people, bicycles, or other vehicular devices or combination thereof containing 25 or more persons upon a public street or sidewalk.

R. "Special event" means any event expected to cause a public gathering that is not part of the normal usage or course of business at the location. A special event may include, but is not limited to, any parade, run, street dance, or other demonstration and exhibition to include on-water activities on public property (including public tidelands and aquatic lands), weddings, funerals, festivals, concerts, walks/runs, free speech/demonstration, and uses/activities that impact regular park operations or normal park usage.

S. "Special event – City-sponsored" is an event that the city contributes funding toward or provides staff support before, during, and/or after the event for no additional cost to the applicant.

T. "Special event – Public" or "public special event" is an event organized by a group that is not affiliated with the city, but is open to the public.

U. "Special expressive event" means a special event organized primarily to convey ideas, opinions, or thoughts through words or conduct. Examples of special expressive events include political demonstrations and/or rallies, picketing, and similar types of free speech or conduct typically given a higher level of constitutional protection than commercial speech.

V. "Sponsor" or "sponsoring organization" is the entity or entities hosting the event that requires a special event or park use application and shall also be considered the "applicant."

W. "Street" or "streets" means any public roadway, sidewalk, or portions thereof in the city of Gig Harbor dedicated to the public use.

X. "Street dance" means any organized dance of three or more couples on any public street, public sidewalk, or publicly owned parking lot.

Y. "User" also known as an operator, is the person responsible for, or in control of, a watercraft.

Z. "Watercraft," also known as a vessel or boat, includes every description of watercraft on the water used or capable of being used as a means of transportation on the water, other than a seaplane. However, it does not include inner tubes, air mattresses, and small rafts or flotation devices or toys customarily used by swimmers.

AA. "Weekend" for the purposes of this chapter means Fridays, Saturdays, and Sundays.

1.01.020 Administrative rules.

The public works director, or designee, shall have the authority to promulgate and adopt reasonable rules and regulations pertaining to the operation, management and use of the parks, which shall be posted in conspicuous places in park areas. Such rules and regulations may set forth the times and conditions upon which the City parks and recreation facilities will be open, closed, or used by the public. It is unlawful for any person to violate or fail to comply with any park rule or regulation duly adopted and posted by the department

11.01.030 Fireworks prohibited.

A. Any type of fireworks, as defined by RCW [70.77.126](#), are prohibited in city parks.

11.01.040 Alcohol prohibited.

A. 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 or netshed or on a public dock.

B. Alcohol consumed pursuant to one of the above exceptions must be in accordance with Washington State Liquor and Cannabis Board permit and license requirements and provide a minimum of \$1,000,000 liquor liability coverage. This section shall be prosecuted as set forth in Chapter [9.04](#) GHMC.

11.01.050. Smoking and vaping prohibited.

A. It is unlawful for any person to operate a vaping device or smoke or light cigars, cigarettes, tobacco, or other smoking ~~or~~ material within city parks. The public works director shall post signs in appropriate locations prohibiting smoking in the city's parks.

11.01.060 Motor vehicles in parks prohibited.

A. A vehicle propelled by an internal combustion gasoline engine shall not be operated within the boundaries of any city park, except on streets and parking areas provided for use of automobiles, without first obtaining a permit for such operation from the city.

B. Notwithstanding the above provisions, official federal, state or local agency motor vehicles may be operated within the boundaries of city parks without permit.

11.01.070 Firearms and weapons.

No person shall use, carry, or possess weapons that could be harmful to wildlife or human safety, except duly authorized law enforcement personnel and/or persons licensed to carry a concealed weapon shall possess a concealed firearm in a City park.

11.01.080 Noise

Noise from audio equipment or speakers in parks shall not be heard more than 75 feet away in public parks, except for:

- A. Scheduled athletic games at Gig Harbor Sports Complex properties.  
A.B. Authorized special events that have received a special event permit.

#### 11.01.090 Facility rentals

The Director may designate certain park areas and facilities that may be rented or reserved for private events. All approved park and facility renters shall pay a rental fee in an amount adopted by city council resolution. The Director may adopt reasonable policies and procedures for the rental and reservation of park areas or facilities. Gatherings of over 30 people outside of an enclosed building will also be required to obtain a special event permit in accordance with GHMC 11.10.

#### 11.01.100 Park operating hours **(from GHMC 9.24.040)**

- A. 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.
- B. 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.
- C. Gig Harbor Sports Complex facilities with lighting must post operating hours at each site. Hours may be governed by a facility use agreement or management agreement with the facility operator.

~~11.05 Facility rentals and reservations~~All approved park and facility renters shall pay a rental fee in an amount

#### **11.10 Special events** (moved from Chapter 5.28)

##### 11.10.010 Purpose and intent.

A. The purpose of this chapter is to provide reasonable supervision of any movement of persons, or vehicles or boats within the limits of the city by way of runs, parades, street dances, special events, or other demonstrations or exhibitions, for the protection of persons and property.

B. The intent of this chapter is to allow sponsorship of special events in public parks, and on public thoroughfares, rights-of-way and public waterways, and to provide guidelines that protect the public's health, safety, and welfare

##### 11.10.020 Permit – Required.

A. No person shall engage in, participate in, aid, form or start any special event, unless a permit has been obtained from the city administrator or their designee. A permit is required if the event meets the standard set forth in GHMC 11.xx.xx and/or if the event will have 30 or more people. Additionally, if an event includes the need for tents, amplified sound, stages, generators, onsite public promotion or vendor booths, involves public promotion of event or collection of money, a special event permit is required. Additionally, any activity that impacts regular traffic circulation and park operations will require a special event permit. When otherwise not specified by this code, the city administrator or their designee has authority to determine when a permit is required.

B. If an event involves public promotion of an event and collection of money, but will not have more than 30 people or interfere with general use of the park, a park use permit is required. Examples of uses requiring a park use permit include professional photography events with more than one client or family, filming in parks, or classes for profit.

#### 11.10.030 Permit – Application – Fee.

All approved ~~special event~~ and permits require payment of a fee Fees for special events ~~shall be~~ in accordance with the city's current fee schedule adopted by resolution.

Commented [JL1]: This doesn't read right.

#### 11.10.040 Permit – Application – Contents.

Applications for a special events permit shall include, but not be limited to:

- A. Name and address of applicant;
- B. Date and time of event;
- C. Name of sponsoring organization;
- D. Probable number of participants;
- E. Route(s), to include starting point and termination;
- F. Required access to public rights-of-way;
- G. Location of assembly areas;
- H. Copy of liability insurance coverage;
- I. Security and traffic control provisions;
- J. Emergency medical provisions;
- K. A cleanup plan;
- L. Hold harmless agreement that removes all liability from the city in a form approved by the City;
- M. List of all participating vendors;
- N. Proposed site plan of event.

#### 11.10.050 Permit – Application – Filing period.

A. A complete application for a special events permit shall be filed with the city administrator or their designee not less than 60 days nor more than 365 days before the date on which the event will occur. Applications that are requesting a road closure must be submitted not less than 90 days before the event date. Applications received with less than 60 days until the event will not be reviewed and will be ~~disapproved~~denied, unless authorized by the city administrator, with the following exceptions:

- 1. Applications for events that are scheduled or rescheduled with less than 60 days' notice due to a public health directive or declaration of a state or local emergency may be approved at the discretion of the city administrator or their designee.
- 2. Applications for special expressive events received with less than 60 days' notice shall be reviewed in accordance with the other provisions of this chapter.

B. The city administrator or their designee shall notify the applicant in writing of approval or disapproval ~~denial~~ no later than 30 days following the date of the application

#### 11.10.060 Costs of cleanup.

In the event a sponsoring organization fails to adequately provide cleanup in accordance with the plan submitted under GHMC~~XX.XX.XXX 5-28-050(K)~~, the city will conduct the necessary cleanup and bill the sponsoring organization for such ~~costs plus~~~~plus XYZ percentage~~~~25 percent~~. The sponsoring organization must make payment to the city upon receipt of the city's invoice for such costs.

#### 11.10.070 Insurance required.

A. The applicant shall show proof of liability insurance with primary coverage limits of: \$1,000,000 general aggregate (per event); \$1,000,000 products aggregate (if food and/or beverage vending is part of the event); \$250,000 personal and advertising injury; \$50,000 each occurrence; \$50,000 fire legal liability; and \$50,000 damage to premises rented for seven or fewer days.

B. A certificate of insurance listing the name and inclusive dates of the event shall be filed with the application, and shall name the city of Gig Harbor as an additional named insured for the event, including a provision prohibiting the cancellation of said policy except upon at least 30 days' prior written notice to the city.

#### 11.10.080 Permit – Issuance standards.

After application and departmental review, the city administrator or their designee may issue a special event permit unless:

A. The time, route, and size will unreasonably disrupt the movement of other traffic contiguous to the route;

B. The size or nature of the event requires the diversion of so great a number of city staff and/or police officers of the city that police protection or city services to the remainder of the city is unreasonably diminished;

C. The applicant failed to remit all ~~customary and reasonable~~~~required~~ fees, insurance documents, application materials ~~or bonds~~;

D. The event exceeds five consecutive days of occurrence, except city-sponsored special events can exceed five consecutive days;

E. There is another event already scheduled at the same location, or the new event would violate the special restriction in GHMC ~~5-28-150XX.XX.XXX~~.

F. The city administrator or their designee determines the primary purpose of the event is to sell products.

#### 11.10.090 Traffic control.

A. The chief of police may require any reasonable and necessary traffic control. If such traffic control cannot be handled by the sponsor and shall require the deployment of additional police personnel, the permittee shall be responsible for the expense. The chief of police or his designee shall notify the applicant(s) of the actual projected expense.

B. Road closure requests for special expressive events with less than 90 days' notice shall be reviewed in accordance with the other provisions of this chapter.

C. Special events that are not city-sponsored and require a road closure and/or reserving or blocking off public parking spaces shall also require a temporary encroachment permit application to be submitted.

D. Road closure requests not associated with a city-sponsored special event must also receive approval from the chief of police. This requirement does not apply to special expressive events.

E. Events with grandfathered road closure approvals are: Maritime Gig Festival, Beatnik's Concert, National Night Out, Trick or Treat, PAL Arts Festival, Turkey Trot and Race for a Soldier.

F. Roads that may not be closed: Olympic Drive, Point Fosdick Drive, 56th Street, Soundview Drive (between Olympic Drive and Grandview Street), Stinson Avenue (between Pioneer Way and Rosedale), Borgen Boulevard (between Burnham Drive and Harbor Hill Drive), Wollochett Drive, 38th Avenue (between 56th Street and Hunt Street), Skansie Avenue (between 72nd Street and Rosedale Street), and Rosedale Street (between Skansie Avenue and 54th Avenue).

G. Harborview Drive may not be closed more than once per calendar month for special event purposes.

#### 11.10.100 Alcoholic beverages.

Consumption of alcohol is illegal on public property and no special event shall allow the sale or consumption of alcoholic beverages except as follows:

A. Where the city leases a structure to a tenant and their approved lease allows consumption of alcoholic beverages for approved events. Lessees shall not permit drinking alcohol outside of leased structure. Lessee must also obtain a license from the Washington State Liquor and Cannabis Board and provide a minimum of \$1,000,000 liquor liability coverage.

B. Locally produced alcohol sales are allowed at farmers' market special events consistent with law. No consumption is allowed.

#### 11.10.108 Smoking, vaping, and use of tobacco and marijuana.

It is unlawful for any person to smoke or light cigars, cigarettes, tobacco, marijuana or other smoking material or to vape during special events or commercial park use. Smoking (including vaping) is not permitted during special events.

#### 11.10.110 Appeal procedure.

Upon denial of a permit by the city administrator or their designee, an applicant may appeal to the city council by filing a written notice of appeal for hearing by the city council five days in advance of its next meeting. Upon such appeal, the city council may reverse, affirm, or modify the administrator's determination.

#### 11.10.120 Permit – Revocation.

The city administrator or their designee shall have the authority to revoke a permit upon application of the standards for issuance as herein set forth. The city administrator or their designee shall also have the authority to revoke a permit if an event cannot be held due to a public health directive or declaration of a state or local emergency. If a permit is revoked due to a public health directive or other emergency measures, the application fee shall be refunded to the applicant. In the event of revocation, the city administrator or their designee shall notify the permittee of the revocation, in writing, as soon as reasonably possible.

#### 11.10.130 Violation – Penalty.

Violation of any portion of this chapter is an infraction and subject to a penalty of \$1,000 as provided in GHMC [1.16.010\(D\)](#).

#### 11.10.140 Businesses participating in a special event.

When two or more [businesses/entities](#) temporarily gather for a special event under the direction and supervision of a nonprofit organization, only one special events permit shall be required. The sponsoring nonprofit organization shall be responsible for obtaining the permit.

#### 11.10.150 Special Restrictions – Skansie Brothers Park, Eddon Boat Park, and Ancich Waterfront Park.

A. During the months of May through September, no more than two weekend special events shall be permitted per calendar month at each park: Skansie Brothers Park, Eddon Boat Park, and Ancich Waterfront Park. City-sponsored events, events approved by a lease agreement, and special expressive events do not count toward the limit of two weekend special events.

B. At Eddon Boat Park, special events shall be limited to a maximum of 30 people for the entire park area, excluding the Boat Yard Building.

C. Skansie Brothers Park may be reserved for periods of four hours maximum. All setup and cleanup must be completed within the four-hour event limit. City-sponsored events, public special events and special expressive events are not subject to the four-hour event limit but require an application be submitted.

D. The view platform at Skansie Brothers Park shall not be reserved for special events.

#### 11.10.160 Special expressive events.

When a special expressive event permit is sought, the following exceptions shall apply:

A. Where the event will not require temporary street closures or other special provisions, no fee shall be required for processing the permit.

B. The insurance requirements of GHMC [11.10.080](#) may be waived by the city administrator or their designee; provided, that the sponsor has filed with the application a verified statement that the sponsor intends the event purpose to be First Amendment expression and the cost of obtaining insurance is financially burdensome and would constitute an unreasonable burden on the right of the First Amendment expression.

### **11.20 Park Use Permit**

#### 11.20.010 Purpose and intent

A. The purpose of this chapter is to provide reasonable supervision of park activities of a for-profit entity that wishes to use a park or trail for money-generating activities that are less impactful to normal park use than a special event;

B. If an event involves public promotion of an event and collection of money, but will not have more than 30 people or interfere with general use of the park, a park use permit is required. Examples of uses requiring a park use permit include professional

photography events with more than one client or family, filming in parks, or classes for profit.

C. The intent of this chapter is to allow limited use parks and public facilities for these for-profit activities as noted in section A above, with a less onerous permitting process.

#### 11.20.020 Permit – required

A. No person or business entity shall engage in for-profit activities in a park or on a trail unless a park use permit has been obtained from the city administrator or their designee. A permit must be obtained if an event or activity involves public promotion of an event or collection of money. The city administrator or their designee has authority to determine when a permit is required.

B. No permit will be required if the park use is not advertised and is limited to one client, i.e.- senior or family photos.

C. The permit shall be valid for one calendar year and will allow multiple events per year.

D. No permit shall be issued for direct sales in parks or on trails. Direct sales must be part of a special event.

E. The permit allows access to the park, but does not guarantee or reserve a specific part of the park. Special events or paid rentals will have priority over park use permit holders.

#### 11.20.030 Permit - Fee

The fee for a park use permit shall be set by city council by resolution.

#### 11.20.040 Permit – Application - Contents

Applications for a park use permit shall include, but are not limited to:

A. Name and address of applicant and associated business;

B. Nature of park use;

C. Number of park uses estimated in one year;

D. Probable number of participants per event;

E. Name(s) of parks to be utilized

F. Hold harmless agreement that removes liability from the city.

#### 11.20.050 Permit – Application – Filing Period

A. A complete application for a park use permit shall be filed with the city administrator or their designee not less than 14 days from the first park use of the year.

B. A permit must be renewed each calendar year to continue for-profit park use.

#### 11.20.060 Permit – Issuance standards

After internal review, the city administrator or their designee may issue a park use permit, unless:

A. The proposed activities will disrupt regular or permitted special use of the park

B. The size or nature of the park use(s) will exceed 30 people.

C. The permit involves product sales or solicitation at a park or trail.

D. The activities will have signs or banners onsite at the park or trail advertising the park use.

#### 11.20.070 Permit – Revocation

The city administrator or their designee shall have the authority to revoke a permit upon application of the standards or issuance as herein set forth. If a permit is revoked, the permittee shall be notified, in writing, as soon as reasonably possible.

### **11.30 Docks and piers** (moved from Chapter 8.23-8.29)

#### **11.30.010 Public Use.**

A. The City of Gig Harbor owns and maintains several public piers, docks and floats for the use and enjoyment of the general public, including Eddon Boat Dock, Community Paddler's Dock, Jerkovich Pier, Jerisich Dock, and Maritime Pier.

B. The City operates Ancich Pier, Ancich Netshed and the Commercial Fishermen's Homeport for the use and enjoyment of commercial fishing operators and the general public, with limitations set forth in this titlechapter. The general public may use the pier for enjoyment but shall not interfere or inhibit the use of the pier by a commercial fishing operator. Commercial fishing operators may, for short duration, restrict portions of ~~the city docks or piers~~ for safety reasons during work that presents an ~~identifiable~~ danger to the public as identified by the commercial fishing operator.

11.30.020 Prohibited Activities. The following activities are prohibited at all city-owned recreational piers, docks and floats, unless permitted for a specific dock in a section below:

A. Fueling, ~~repairing~~ or maintenance of watercraft.

B. No consumption of alcohol, unless consumed on a watercraft that is moored at Jerisich Dock.

C. No smoking or vaping.

C. No commercial activity is allowed on city docks, unless authorized as part of a lease, use agreement, or special event.

D. Users are prohibited from placement of watercraft, fishing gear or equipment on a dock for a period of more than 15 minutes and no allowed placement shall create a hazard for other dock users, except as allowed for commercial fishing operators at specific docks and piers.

E. Users are prohibited from tying unattended watercraft to docks ~~unattended~~ for more than 15 minutes, except at Jerisich Dock.

F. Any watercraft queued at the dock, shall be allowed access based on their place in the queue and may access docks in the order in which watercraft arrive at the dock.

F. Jumping, diving or swimming is prohibited from public docks and piers.

G. Fishing and shellfishing, including crabbing, is prohibited anywhere that will impede pedestrian access or watercraft access to a dock or pier.

#### 11.30.030 Eddon Boat Dock.

- A. The dock at Eddon Boat Park is located at approximately N47°20'3.95", W122°35'18" adjacent to the Eddon Boat Building, which is leased by a private nonprofit organization.
- B. The pier, ramp and float are available for use by the lessor at the property, per terms of their lease.
- C. The public shall be allowed to use the dock to moor nonmotorized watercraft, by the bow only, for up to three hours on the southern sides of the float, and on the north side when not in use for Eddon Boat Building lessee programming.
- D. The lessee at the Eddon Boat Building is allowed exclusive use of the eastern side of the float.
- E. The marine railways are not a part of the public park and are off-limits to the public.

#### 11.30.040 Ancich Pier.

- A. The Ancich Pier (pier), located at approximately N 47° 20' 04", W 122° 35' 12", is part of the city of Gig Harbor's Ancich Waterfront Park. It also contains the Ancich Netshed, which is covered by GHMC 11.30.050-050.
- B. The general public may use the pier for enjoyment but shall not interfere or inhibit the use of the pier by a commercial fishing operator.

#### 11.30.050 Ancich Netshed.

- A. The Ancich Netshed (netshed), located at approximately N 47° 20' 03", W 122° 35' 13", is part of the city of Gig Harbor's Ancich Waterfront Park and extends over the waters of Gig Harbor for the use and enjoyment of commercial fishing operators and the general public, with limitations set forth in this chapterTitle.
- B. When the netshed doors are open, the general public may enter the netshed but shall not interfere or inhibit the use of the netshed by a commercial fishing operator..
- C. Any commercial fishing operator queued at the netshed shall be allowed access based on their place in the queue and may access the netshed in the order in which users arrive at the netshed.
- D. Any commercial fishing operator using the netshed must have a properly executed Ancich Netshed use authorization form.
- DE. Any commercial activity conducted by users from the netshed shall only be performed by commercial fishing operators. Retail sales can only be performed by vendors who maintain a current business or peddler's license from the city and any other required state or local license.
- FE. Violations of this chapter by commercial fishing operators shall be remedied in accordance with the properly executed Ancich Netshed use authorization form.

#### 11.30.070 Jerkovich Pier

- A. The Jerkovich Pier (pier), located at approximately N 47° 20' 02", W 122° 35' 10", is part of the city of Gig Harbor's Ancich Waterfront Park and extends over the waters of Gig Harbor Bay for the use and enjoyment of commercial fishing operators and the general public, with limitations set forth in this chapterTitle.
- B. No watercraft may moor to the pier.
- C. User shall not store any watercraft or commercial fishing gear or equipment on or over the grated surfaces of the pier for a period exceeding 15 minutes.

#### 11.30.080 Community Paddler's Dock

A. The community paddler's dock (dock), ~~located at approximately N 47° 20' 03", W 122° 35' 09"~~, is part of the city of Gig Harbor's Ancich Waterfront Park and extends over the waters of Gig Harbor for the use and enjoyment of the general public for launching nonmotorized watercraft, with limitations set forth in this ~~chapter~~ [Title](#).

B. Users are allowed use of the dock to actively launch human-powered watercraft into or out of Gig Harbor Bay.

C. Moorage of watercraft at the dock is prohibited.

D. Dock operating hours:

1. The public is permitted access to the dock and the associated upland boat storage building each day beginning at dawn as defined in Chapter [9.2411.01.010](#) GHMC and ending at 6:00 p.m. or dusk, whichever is later.

2. The tenants of the private float system waterward of the dock shall be allowed access to the dock 24 hours a day for the purposes of accessing their private float system.

E. Motorized watercraft are prohibited from being located at or on the dock.

F. The dock is available to the general public for free public use and access on a first-come, first-served basis.

#### 11.30.090 Jerisich Dock

A. The Jerisich public dock (dock) extending from Skansie Brothers Park into the waters of Gig Harbor Bay is operated by the city of Gig Harbor for the use and enjoyment of the general public, ~~with limitations set forth in this Title, and is located approximately N 47° 19' 54", W 122° 34' 51"~~. This chapter will also include regulation of any mooring buoys provided by the city in this same vicinity.

B. Rafting of vessels is allowed on the east side of the dock, but prohibited on the west side of the dock. Furthermore, stern-tying of vessels is allowed on the east side of the dock, but prohibited on the west side of the dock. Vessels may only moor temporarily to the marked area adjoining the wastewater pumpout for purposes of using that service.

C. There shall be no motorized vehicles on the dock except as authorized by the city.

D. Reserving moorage prohibited. All dock areas are first come, first served. Moorage areas shall not be reserved unless otherwise granted written permission from the city.

E. Mooring time limit. Except for city-owned ~~boats~~ or boats receiving prior authorization from the city, a boat shall not be moored at the dock and/or a mooring buoy in excess of three overnight periods, whether continuous or not, within any 10-day period. Any prior authorization shall be obtained from the chief of police ~~or public works director~~ or his/her designee. This authorization does not remove the requirement to pay appropriate moorage fees.

F. Dock operating hours.

1. The public is permitted access to the dock each day beginning at dawn as defined in Chapter [9.2411.01.010](#) GHMC and ending at 6:00 p.m. or dusk, whichever is later.

2. Those owning boats moored to the dock may also access the dock and associated upland dock facilities between dusk and dawn.

G. Commercial activity prohibited.

1. There shall be no commercial activity conducted from the dock.

2. Commercial boats shall only be allowed to moor temporarily at the load/unload zones of the dock unless otherwise granted written permission from the city.

H. Load/unload zones

1. A portion of the dock shall be set aside and clearly marked and posted on the dock for loading and unloading of boats.

2. Boats may temporarily use the load/unload zone only for the purpose of loading and unloading of passengers; a person responsible for navigating such boat shall remain with the vessel while temporarily moored at the dock; and such boat shall be moved from the load/unload zone immediately after passengers have disembarked.

I. Moorage fees ~~and penalties~~

1. Moorage fees are not charged at the following locations; however, the time limits prescribed in GHMC ~~11.30.090(F)8-28-050~~ shall apply:

- a. Dinghy and nonmotorized craft area;
- b. Mooring buoys.

2. Except as provided in subsection ~~I(1)~~X of this section, each boat shall pay the moorage fee established by resolution when any one of the following conditions exist:

- a. The boat is moored overnight, including rafted boats; or
- b. The boat is connected to a power outlet at the dock; or
- c. The boat is connected to a water outlet at the dock

3. Operators with a Disabled Veteran Lifetime Pass from Washington State Parks shall not be charged moorage fees, but still must register at the kiosk and have Lifetime Pass displayed.

43. For each boat showing proof of payment of the moorage fee for mooring overnight the following utilities are provided at no additional charge:

- a. Power: typically available year round at the dock; and
- b. Water: typically available between April 1st and October 31st of each year at the dock.

54. Proof of payment of the moorage fee shall be displayed in a visible dock-side window on each boat required to pay moorage fees per subsection ~~B(2)~~(2) of this section. If the boat does not have a visible dock-side window, the proof of payment shall be displayed on a dock-side vertical surface above the gunwale.

65. Falsifying vessel identification and/or size on moorage payment information shall be a violation of this chapter.

76. Payment of moorage fees shall be made using a credit card or debit card only at the payment kiosk located on the shoreline adjacent to the dock.

87. Mooring buoys may be used by boats at no charge; however, depth and/or boat length limits may apply as posted. The same moorage time limits outlined in GHMC 11.20.090(E)8.28.050 shall also apply to city-owned mooring buoys. Vessels using mooring buoys must register and display proof of registration, but there will be no fee charged for use of the buoy.

J. Dinghies and human powered craft.

1. Dinghies and human powered craft shall only be tied to the following locations on the dock:

- a. Where posted specifically for the type of boat; or
- b. Alongside the larger boat to which they are a tender.

2. Dinghies and human powered craft tied to the dock and not within a designated area are subject to moorage payment

#### 11.30.100 Maritime Pier (moved from GHMC 8.29)

A. The Maritime Pier (pier) is accessed from land that is city right-of-way, with limitations set forth in this Title.

BB. The general public may use the pier for enjoyment but shall not interfere or inhibit the use of the pier by a commercial fishing operator. No watercraft may use the Maritime Pier for loading and unloading purposes for a period exceeding 15 minutes, unless authorized by the city under a properly executed Maritime Pier commercial vessel use authorization.

C. Other than loading and unloading, there shall be no commercial activity conducted from the Maritime Pier.

B-D. The float shall be set aside and clearly marked and signed for unloading and loading of watercraft passengers for a period of time not to exceed 15 minutes. A person responsible for navigating such watercraft must remain with the vessel while using the Maritime Pier. Any watercraft shall be moved from the unloading/loading zone immediately after loading or unloading if another watercraft needs to use the unloading/loading area.

#### 11.30.110 Moorage Ppenalties and remedies (copied from 8.28.070)

The following violations of GHMC 11.30, , shall be civil infractions:

A. Moorage without registering or without paying the established fee; continuing to moor without paying the established fee as it becomes due. The civil penalty shall be

\$100.00. Each calendar day on which a failure to pay the moorage fees occurs shall constitute a separate civil infraction.

B. Moorage in a restricted loading/unloading area or prohibited area. The civil penalty shall be \$100.00. Each calendar day on which a watercraft is moored in a restricted or prohibited area shall constitute a separate civil infraction.

C. Falsifying vessel identification and/or size on moorage payment information. The civil penalty shall be \$250.00. Each calendar day on which a watercraft has falsified such vessel identification and/or size information shall constitute a separate civil infraction.

D. Exceeding the mooring time limit of more than three overnight periods in any 10-day period without prior authorization. The civil penalty shall be \$100.00. Each calendar day on which a watercraft is moored beyond the prescribed time limit shall constitute a separate civil infraction.

E. The police department shall be responsible for issuing civil infractions pursuant to this section. The police department shall utilize the city's standard parking ticket when issuing notices of infraction pursuant to this section. The moorage/parking ticket will be issued and served upon the violating boat.

#### 11.30.120. Abandoned boats and remedies

Commented [JL2]: Copied from 8.28.090

A. Boats that remain moored at any city dock in violation of this chapter beyond 10 days shall be deemed a public nuisance under RCW [35.27.410](#) and in violation of the safety, health, morals and general welfare of the city.

B. Such remedies given by law for the prevention and abatement of nuisances shall apply hereto.

C. Appropriately located signs shall inform users of the moorage fees and time limits as expressed in this chapter and shall be deemed notice as warning of impoundment by violations.

D. Violation of any portion of this section shall be just cause for the violating boat to be cabled to the dock to insure compliance with this chapter. Upon proper notice in accordance with subsections [F](#) and [G](#) of this section, the violating boat shall be impounded.

E. For the purposes of this chapter, the fact that a boat has been so left beyond 10 days without permission or notification of the police department is prima facie evidence of abandonment.

F. When boats are found in violation of this section, the registered owner shall be notified by certified or registered mail that such boat is in violation of this chapter and

has been impounded by the city pending issuance of notice of infraction in accordance with GHMC XX.XX and is subject to seizure if not claimed within 30 days.

G. When boats are found in violation of this section and parties claiming ownership to said boats are not known, a notice of violation of this chapter shall be affixed to a prominent portion of the boat stating that the boat is in violation of this chapter and has been impounded by the city pending issuance of notice of infraction in accordance with GHMC ~~XX.XX~~[11.30.110](#) and are subject to seizure if not claimed within 30 days.

H. Such notice described in subsections [F](#) and [G](#) of this section shall include the redemption procedure and the opportunity for hearing to contest the propriety of impoundment. If the owner of the boat is not known, publication of the boat's description, make, model, size, and color, plus details of impoundment, redemption procedure and the opportunity for hearing to contest the propriety of impoundment within a newspaper of general and local readership shall constitute sufficient notice.

I. After 30 days of receipt of the registered or certified mail or publication in a general and local newspaper providing notice of the impoundment, the city shall hold for sale the impounded boat. Proceeds of the sale shall be applied to the towing and storage fees incurred through impoundment and any excess shall be deposited in the city treasury.

## **11.40 Cushman Trail**

### 11.40.010 Purpose and intent

The Cushman Trail extends from Borgen Boulevard south through the city and outside of city limits, mostly on property owned by Tacoma Public Utilities and governed by a use agreement. Public use of the trail is governed by the Park Rules outlined in this Title, except for operating hours.

### 11.40.020. Parking at trailheads

Parking at the Borgen trailhead and Grandview trailhead is limited to 2 hours after dusk and before dawn.

### 11.40.030 Internal combustion engines prohibited

All vehicles, bicycles and scooters with internal combustion engines are prohibited on the Cushman Trail, except for maintenance vehicles as authorized by the use agreement between Tacoma Power and the city.

### 11.40.040 Electric motorized bicycles and scooters

Use of electric motorized ~~b~~Bicycles and scooters and personal assistive mobility devices on the Cushman Trail are governed by GHMC 8.30.

## 11.50 Conservation Properties

#### 11.50.010 Purpose

The city owns several properties classified as conservation properties, including the tx'aaalqet Conservation Area and Old Burnham Properties. The primary purpose of these properties is to preserve the natural environment.

#### 11.50.020 Allowed uses

Passive park use is allowed, including hiking, running or walking on designated trails and nature viewing. Other allowed uses may be specified in property-specific management plans.

#### 11.50.030 Prohibited Uses

Bicycle riding, horseback riding, motor vehicles, destruction of plant life and off-leash pets are prohibited in conservation properties.

### **11.60 Penalties** (moved from 9.24.050)

#### 11.60.010 Parks Code Violations

Failure to comply with any of the provisions of this chapter shall constitute a civil infraction, subject to a penalty of \$100.00 as provided in GHMC 1.16.010(D)(3), unless otherwise specified in chapters above.