

SUPPLEMENT NO. 16
October 2014

GRAYS HARBOR COUNTY MUNICIPAL CODE

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 411, passed April 28, 2014.

See the Code Comparative Table and Disposition List for further information.

Remove Old Pages

iii
SH:1
169—172/174
CCT:9, CCT:10

Insert New Pages

iii
SH:1
169—172
CCT:9, CCT:10

Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.



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PREFACE

The Grays Harbor County, Washington Municipal Code, has been kept current by regular supplementation by Matthew Bender & Company, Inc., its successor in interest.

Beginning with Supplement No. 7, Municipal Code Corporation will be keeping this code current by regular supplementation.

During original codification, the ordinances were compiled, edited and indexed by the editorial staff of Matthew Bender & Company, Inc., under the direction of James G. Baker, senior deputy prosecuting attorney.

The code is organized by subject matter under an expandable three-factor decimal numbering system which is designed to facilitate supplementation without disturbing the numbering of existing provisions. Each section number designates, in sequence, the numbers of the Title, chapter, and section. Thus, Section 2.12.040 is Section .040, located in Chapter 2.12 of Title 2. In most instances, sections are numbered by tens (.010, .020, .030, etc.), leaving nine vacant positions between original sections to accommodate future provisions. Similarly, chapters and titles are numbered to provide for internal expansion.

In parentheses following each section is a legislative history identifying the specific sources for the provisions of that section. This legislative history is complemented by an ordinance disposition table, following the text of the code, listing by number all ordinances, their subjects, and where they appear in the codification; and beginning with Supplement No. 7, legislation can be tracked using the "Code Comparative Table and Disposition List."

A subject-matter index, with complete cross-referencing, locates specific code provisions by individual section numbers.

This supplement brings the Code up to date through Ordinance 413, passed September 8, 2014.

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SUPPLEMENT HISTORY TABLE

The table below allows users of this Code to quickly and accurately determine what ordinances have been considered for codification in each supplement. Ordinances that are of a general and permanent nature are codified in the Code Book and are considered "Included." Ordinances that are not of a general and permanent nature are not codified in the Code Book and are considered "Omitted."

In addition, by adding to this table with each supplement, users of this Municipal Code will be able to gain a more complete picture of the Code's historical evolution.

Ordinance Number	Date Adopted	Included/ Omitted	Supplement Number
394	9-20-2010	Included	9
395	11- 8-2010	Included	9
396	11-15-2010	Included	9
397	1-31-2011	Included	9
398	6- 6-2011	Included	10
399	12-12-2011	Included	11
400	1- 9-2012	Included	11
401	6-11-2012	Included	12
2012-402	12-17-2012	Included	13
403	12-31-2012	Included	13
404	6- 3-2013	Omitted	14
405	6-24-2013	Included	14
406	8- 5-2013	Omitted	14
407	10- 7-2013	Omitted	15
408	10-28-2013	Included	15
409	2- 3-2014	Included	15
410	3-17-2014	Included	15
411	4-28-2014	Included	16
412	7- 7-2014	Omitted	16
413	9- 8-2014	Omitted	16

Chapter 9.08

WEAPONS

Sections:

- 9.08.010 Definitions.**
- 9.08.020 Areas where discharge prohibited.**
- 9.08.030 Violation—Penalty.**
- 9.08.040 Disposition of forfeited firearms.**

9.08.010 Definitions.

For the purpose of this chapter, the following terms shall have the following meanings:

(1) "Bow" means a weapon that is made of a strip of flexible material (as wood) with a cord connecting the two ends and holding the strip bent and that is used to propel an arrow.

(2) "Closed area" means an area wherein it shall be unlawful to hunt or to discharge a rifle, pistol, shotgun or other firearm.

(3) "Firearm" means a weapon or device from which a projectile may be fired by an explosive such as gun powder.

(4) "Hunt" means any effort to kill, injure, capture, or harass a wild animal or wild bird.

(5) "Person" or "persons" means and includes any individual, any corporation, or any group of two or more individuals acting together to forward a common purpose, whether they are acting in an individual, representative, or official capacity, excepting law enforcement officers in the line of duty. (Ord. 176 § I, 1993)

(Ord. No. 411, § 1, 4-28-2014)

9.08.020 Areas where discharge prohibited.

(1) No person shall hunt with, or discharge any rifle, pistol, shotgun or other firearm in the following areas of Grays Harbor County:

(a) That portion of Grays Harbor County, Washington, commencing at the point where the Northern Pacific Railroad right-of-way crosses the east boundary of Section 12, Township 17 North, Range 9 W.W.M., thence south to the north bank of the Chehalis River, thence northerly along the easterly boundary of the City of Aberdeen city limits to the northwest corner of Section 2, Township 17 North, Range 9 W.W. M., thence east to the northeast corner of Section 1, Township 17 North, Range 9 W.W.M., thence south along the section line to the Olympic Highway, thence east along the Olympic Highway to the east boundary of Section 10, Township 17 North, Range 8 W.W.M., thence south to the Northern Pacific Railroad right-of-way, thence westerly along said right-of-way to the point of beginning.

(b) That portion of Grays Harbor County just east of the city limits of Montesano, Grays Harbor County, Washington, which is bounded on the west by the intersection of Cherry Road, and Beacon Avenue, thence north along Cherry Road, thence northeast along Lake Drive, thence easterly along Camp Creek Road to the intersection of Roup Lane, thence south along

Roup Road to the intersection of Roup Road and County Road 41A, thence southwest along County Road 41A, to the intersection of Beacon Road, thence northwesterly along Beacon Road to the intersection of Cherry Road to the point of beginning.

(c) That portion of Grays Harbor County, located totally within Township 17 North, Range 10 West, commencing at the junction of State Highway No. 105 and Constantine Way (main entrance road to Stafford Creek Corrections Center, thence southwesterly along State Highway No. 105 to the Oleary Creek Road, thence southwesterly along the Oleary Creek Road to the Weyerhaeuser Company X-line, thence southeasterly along the X-line to the point at which the X-line crosses Oleary Creek, thence southeasterly along Oleary Creek to the section line between Sections 33 and 34, thence north along the section line between Sections 33 and 34 to the south one-sixteenth corner between Sections 33 and 34, thence east along the south line of the north one-half of the southwest one-quarter of Section 34 to the center south one-sixteenth corner of Section 34, thence north along the west line of the northwest one-quarter southeast one-quarter of Section 34 to the center one-quarter corner of Section 34, thence east along the south line of the northeast one-quarter of Section 34 to the east one-quarter corner of Section 34, thence north to the northeast corner of Section 34 thence north along the east section line of Section 27, a distance of two thousand three hundred and fifty (2,350) feet more or less to a gravel logging road crossing said east section line of Section 27, thence northwesterly along the gravel road to the main access road to the Stafford Creek Wood Waste Site, thence northwesterly along the Stafford Creek Wood Waste Site access road to Constantine Way and State Highway No. 105 and the point of beginning; EXCEPTING THEREFROM the following property: That portion of the southwest quarter of the southeast quarter of Section 28, Township 17 North, Range 10 West of the Willamette Meridian, described as follows:

Beginning at a point on the southerly line of said subdivision which is one hundred and seventy (170) feet easterly of the southwest corner thereof; thence westerly along said southerly line to the southwest corner of said subdivision; thence northerly along the westerly line of said subdivision to the southeasterly line of State Highway No. 105; thence northeasterly along the southeasterly line of said highway one hundred and seventy (170) feet; thence southeasterly to the point of beginning.

(d) That portion of Section 11, Township 17 North, Range 8 West, Willamette Meridian lying southerly of U.S. Route 12, westerly and southerly of the U.S. Route 12 connection with Aldergrove Drive, westerly of Aldergrove Drive, and northerly of that portion of the Puget Sound-Pacific Railroad lying westerly of its intersection with Aldergrove Drive, AND that portion of the North one-half of Section 14, Township 17 North, Range 8 West, Willamette Meridian lying northerly of the Puget Sound-Pacific Railroad.

(2) No person shall hunt with, or discharge, any bow, cross-bow, rifle, pistol, shotgun or other firearm in the following area of Grays Harbor County:

All those lands bounded on the west by Mean Lower Low Water line, on the north by Copalis River, bounded on the east by the westerly right-of-way limits of State Route 109 and State Route 115, and bounded on the south by Damon Road. (Ord. 312 § 1, 2004; Ord. 276 § 1, 2000; Ord 176 § II, 1993)
(Ord. No. 411, § 2, 4-28-2014)

9.08.030 Violation—Penalty.

Any person convicted of a violation of this chapter shall be guilty of a gross misdemeanor and shall be punished by a fine not to exceed five thousand dollars (\$5,000.00) or by imprisonment in jail for a period not to exceed one year, or by both such fine and imprisonment. (Ord. 276 § 2, 2000; Ord. 176 § III, 1993) (Ord. No. 411, § 3, 4-28-2014)

9.08.040 Disposition of forfeited firearms.

(1) Except as provided hereafter in this section, all firearms that come into the possession of the Grays Harbor County sheriff after June 30, 1993 that are judicially forfeited under RCW 9.41.098 and no longer needed for evidence or forfeited due to failure to make a claim under RCW 63.32.010 or RCW 63.40.010, may be disposed of by the Grays Harbor County sheriff in his or her discretion as follows:

- (a) Retained for agency use;
- (b) Traded to commercial sellers;
- (c) Auctioned by commercial sellers;
- (d) Destroyed.

(2) Antique firearms, as defined by RCW 9.41.150, and firearms recognized as curios, relics, and firearms of particular historical significance by the United States Department of Justice Bureau of Alcohol, Tobacco, and Firearms are exempt from destruction and shall be disposed of by auction or trade to commercial sellers.

(3) All firearms that are illegal to possess, as defined in subsection (4) of this section, shall be destroyed and shall not be retained, traded or auctioned. If firearms otherwise illegal to possess may be rendered legal to possess by removal or alteration of component parts, the Grays Harbor County sheriff may, in his or her discretion, effect such removal or alteration, and may thereafter dispose of the firearm under subsection (1) of this section.

(4) Firearms that are illegal to possess means firearms that are illegal to possess as a private citizen under state or federal law.

(5) Any proceeds from the trade or auction of firearms shall be used by the Grays Harbor County sheriff's office. (Ord. 193, 1994) (Ord. No. 411, § 4, 4-28-2014)

Chapter 9.12

KEEPING A DISORDERLY HOUSE

Sections:

9.12.010 Keeping a disorderly house.

9.12.020 Severability.

9.12.010 Keeping a disorderly house.

A. It is unlawful for a person who keeps any house or place of business to suffer or permit any loud or boisterous noises, riotous or disorderly conduct, or fighting in the house or business which may unreasonably disturb another.

B. Keeping a disorderly house is a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00), or by imprisonment not to exceed ninety (90) days, or by both such fine and imprisonment. (Ord. 348 § 1, 2006)

9.12.020 Severability.

If any section, subsection, paragraph, sentence, clause, or phrase of the ordinance codified in this chapter is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this chapter. (Ord. 348 § 2, 2006)

CODE COMPARATIVE TABLE AND DISPOSITION LIST

Ordinance Number	Date	Description	Section	Section this Code
			6 Added	Ch. 18.10
			7	18.06.095
			8	18.06.140A
2012-402	12-17-2012	Creates the North Beach Shellfish Protection District	1—5 Adds	18.20.010— 18.20.050
403	12-31-2012	Adopts provisions pertaining to the Right to Farm and Practice Forestry	Added	8.34.005— 8.34.050
405	6-24-2013	Adopts changes to construction codes	1—6	15.04.010— 15.04.060
			7—9	15.08.020— 15.08.040
			10, 11	15.16.020, 15.16.030
407	10- 7-2013	Amends the Grays Harbor County Official Zoning Map		(Special)
408	10-28-2013	Amends Ords. 197, 296, and 394 relating to the imposition of the excise tab on radio access lines for continued operation of an enhanced 911 emergency telephone system	1	3.52.010
			2	3.52.020
			3	3.52.070
409	2- 3-2014	Amends requirements modifying work exempt from permit requirements of the code	1	15.04.030
410	3-17-2014	Amends Chs. 17.04, 17.08, 17.12, 17.16, 17.20, 17.24, 17.42, 17.44, 17.48, 17.52, 17.57 of the Code, and Ordinances 241, 242, 252, 264, 265, 291, 293, 299, 306, 333, 336, 373, pertaining to the use of land for the production, processing, or dispensing of cannabis or cannabis products; and making text corrections	1	17.04.010
			2	17.08.010
			3	17.12.020

CODE COMPARATIVE TABLE AND DISPOSITION LIST

Ordinance Number	Date	Description	Section	Section this Code
			4	17.16.020
			5	17.20.030
			6	17.24.020
			7	17.24.030
			8	17.42.030
			9	17.44.020
			10	17.48.020
			11	17.52.020
			12	17.57.020
411	4-28-2014	Amends Ch. 9.08, Ordinances 176, 193, 276, and 312 designating an area of unincorporated Greay Harbor County where discharge of firearms and hunting is prohibited	1—4	9.08.010— 9.08.040