

**THE
CHARTER**

of the

**CITY OF
SEATTLE**

Adopted at the General Election March 12, 1946,
as Amended in 1948, 1950, and 1952.

CONTENTS

Article	Page
I General Rights and Liabilities.....	I
II Boundaries.....	II
III Departments of Government.....	V
IV Legislative Department.....	VI
V Executive Department.....	XVIII
VI Department of Police.....	XIX
VII Board of Public Works.....	XXI
VIII Department of Finance.....	XXVIII
IX Public Health Department.....	XXXII
X Fire Department.....	XXXII
XI Department of Parks.....	XXXIII
XII Library Department.....	XXXIV
XIII Law Department.....	XXXV
XIV City Planning Commission.....	XXXVI
XV Harbor Department.....	XXXVII
XVI Civil Service Department.....	XXXVII
XVII Salaries and Bonds.....	XLV
XVIII Elections.....	XLVI
XIX Officers; Terms and Vacancies.....	IL
XX Charter Amendments.....	LII
XXI Streets Upon Tide Lands.....	LIII
XXII Miscellaneous Subjects.....	LIII
XXIII City Transit Commission.....	LV

CHARTER OF THE CITY OF SEATTLE**ARTICLE I****General Right and Liabilities**

Section 1. MUNICIPALITY: NAME, BASIC POWERS: The municipal corporation, now existing and known as the City of Seattle, shall remain and continue a body politic and corporate in name and in fact, by the name of "The City of Seattle," and by that name shall have perpetual succession, may sue and defend in all matters and proceedings whatever, have and use a common seal, and alter the same at pleasure, and may purchase, receive, hold and enjoy real and personal property within and without its corporate limits, and may sell, convey, mortgage and dispose of the same for the common benefit, and may receive bequests, devices, gifts and donations of all kinds within and without the city for its own use and benefit, or in trust for charitable or other public purposes, and do all acts necessary to carry out the purposes of such gifts, bequests, devices and donations, with power to manage, sell, lease or otherwise dispose of the same. No gifts of munitions, military supplies, gas or police equipment shall be accepted by the City of Seattle without approval by ordinance.

The public buildings, lands and property, all rights of property and rights of action, all moneys, revenues and income belonging or appertaining to the City of Seattle, are hereby declared to be vested in said city and it shall continue to have, hold and enjoy the same subject to all obligations, debts, liabilities, dues and duties, of the existing municipality.

Suits, actions, and proceedings may be brought in the name of the City of Seattle for the recovery of any property, or for the enforcement of any rights of or contracts with said city, whether made or arising or accruing before or after the adoption of this charter.

All contracts legally entered into by the City of Seattle, by virtue of any existing law, shall remain valid and be binding to the extent only that they are now valid and binding upon the City of Seattle.

Sec. 2. CONTINUATION OF FORMER PROVISIONS: All provisions of this chapter substantially identical with provisions of the charter superseded hereby, shall be construed as continuations of such former provisions, and not as new enactments.

In all cases of claims for damages against the city, on which part of the time allowed for presenting and filing the same with the city clerk has elapsed at the time of the adoption of this charter, the portion of time elapsed shall be counted as a part of the time fixed by this charter for presenting and filing such claims.

ARTICLE II**Territory and Boundary**

Section 1. The City of Seattle shall include in its limits the following lands and territory, to-wit: (As of October 1, 1945.)

Territory

A portion of Section 34, Township 26 North, Range 3 East, W. M.

Portions of Sections 32 and 33, Township 26 North, Range 4 East, W. M.

Sections 1, 2, 15, and 24, fractional Sections 3, 9, 10, 11, 12, 13, 14, 16, 22, 23, 25, and 36, together with the Donation Land Claims of Ira W. Utter, H. A. Smith, E. M. Smithers, D. T. Denny, and W. N. Bell, in Township 25 North, Range 3 East, W. M.

Sections 4, 5, 6, 7, 8, 9, and 10, fractional Sections 11, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 32, 33, and 34, portions of Sections 2 and 3, the Donation Land Claims of Thomas Mercer, D. T. Denny, W. N. Bell, J. H. Nagle, A. A. Denny, C. D. Boren, and H. L. Yesler, in Township 25 North, Range 4 East, W. M.

Sections 14, 23, 24, 25, 36, fractional Sections 2, 9, 10, 11, 12, 13, 15, 16, 22, 26, 27, 34, and 35, Township 24 North, Range 3 East, W. M.

Section 31, fractional Sections 3, 4, 5, 8, 9, 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 32, 33, 34, and 35, Government Lots 1, 2, and 3, of Section 24; together with the Donation Land Claims of H. L. Yesler, D. S. Maynard, John C. Holgate, E. Hanford, J. J. Moss, Eli Maples, L. M. Collins, S. Maples, George Holt, A. Hograve, H. Van Asselt, Francis McNatt, a portion of the Donation Land Claims of John Buckley and T. Crow, in Township 24 North, Range 4 East, W. M.

Boundary

The North Boundary of the City of Seattle shall be as follows:

Beginning at the intersection of the center line of Puget Sound with the north line extended west of Block 24, Ballard Tide Lands; thence along said extended line east to the Meander Line of Puget Sound; thence northerly along said Meander Line to the north line of the south 1,326.00 feet of Government Lot 1 in Section 34, Township 26 North, Range 3 East, W. M.; thence east along said north line to the west line of the right of way of the Great Northern Railway (formerly the Seattle and Montana Railway); thence southerly to the intersection of the easterly line of said right of way with the west line of V Street, as platted in Loyal Heights Addition; thence southerly along the westerly line of V Street and of Golden Avenue, as platted in said addition, to the north line of Township 25 North, Range 3 East, W. M., excepting therefrom the right of way of the said Great Northern Railroad that lies north of the said north line of

Township 25 North; thence east along the north line of said township to the center line of Latona Avenue; thence north along the center line of Third Avenue Northeast (Latona Avenue), being the west line of Weaver's 2nd Addition to Green Lake, and the same produced, to the south line of J. W. Denny's 5th Addition; thence east along said south line following East 91st Street to the center line of Fifth Avenue Northeast, being the west line of "A" Street as platted in Maple Leaf Addition to Green Lake Circle; thence along the center lines of certain streets or avenues as platted in the said Maple Leaf Addition to Green Lake Circle as follows: north along the center line of Fifth Avenue Northeast (formerly "A" Street) to the center line of vacated East 96th Street (formerly Jamestown Avenue); thence east along said last named center line to the center line of Eighth Avenue Northeast (formerly "B" Street); thence south along the last named center line to the east and west center line of Block 50, The Maple Leaf Addition to Green Lake Circle; thence east on the east and west center line of Blocks 50, 51, and 52, of said addition to the center line of 15th Avenue Northeast (formerly "E" Street); thence south along the last named center line to the center line of East 86th Street (formerly Boston Avenue); thence east along the last named center line to the center line of 20th Avenue Northeast (formerly "G" Street); thence south on the last named center line to the north line of Section 4, Township 25 North, Range 4 East, W. M.; thence east along the north line of Sections 4 and 3 of said township and range to the northeast corner of the northwest one-quarter of said Section 3; thence south along the north and south center line of Section 3 (45th Avenue Northeast) to the center of said section; thence east along the east and west center line of Sections 3 and 2 (East 75th Street) of said township and range to the east line of Sand Point Way (formerly County Roads #1283 and #2208); thence south along the east line of said Sand Point Way to the south line of said Section 2; thence east on the said south line and the same produced to the middle line of Lake Washington.

The East Boundary of the City of Seattle shall be as follows:

Beginning at the intersection of the south line extended east of Section 2, Township 25 North, Range 4 East, W. M., with the center line of Lake Washington; thence along the said center line southerly to an intersection with the east and west center line of Section 1, Township 23 North, Range 4 East, W. M., extended east.

The South Boundary of the City of Seattle shall be as follows:

Beginning at the intersection of the center line of Lake Washington with the extended east and west center line of Section 1, Township 23 North, Range 4 East, W. M.; thence west along said center line to an intersection with the easterly line of Kinnear's First Addition to Rainier Beach; thence southeasterly along the easterly line of said addition to the

south line thereof; thence west along the said south line to an intersection with the west line of Section 1, Township 23 North, Range 4 East, W. M.; thence south along said west line to the south line of said section; thence west along the south line of Section 2, Township 23 North, Range 4 East, W. M., to an intersection with the north and south center line of said Section 2; thence south along the north and south center line of Section 11, Township 23 North, Range 4 East, W. M., to the east and west center line of said Section 11; thence west along the said center line to an intersection with the west line of said section; thence north along said west line and the west line of Section 2, Township 23 North, Range 4 East, W. M., to the east and west center line of Section 3, Township 23 North, Range 4 East, W. M.; thence west along said center line to the west line of said Section 3; thence north along the west line of Section 3, Township 23 North, Range 4 East, W. M., to the east and west center line of Section 33, Township 24 North, Range 4 East, W. M.; thence west along the said center line to the center line of the Abandoned Bed of the Duwamish River; thence northerly and northwesterly along said center line to the intersection of the south line of Section 28, Township 24 North, Range 4 East, W. M.; thence west along said south line and the south line of Section 29, Township 24 North, Range 4 East, W. M., to the east line of River Park Addition; thence south along the east line of River Park Addition to the north line of South Park Addition; thence east along said north line to the northeast corner of South Park Addition; thence south along the east line of said addition to the County Road (also known as Dallas Avenue); thence following the County Road in a southeasterly direction to a point on said road directly east of the southeast corner of South Park Addition; thence west along the south line of said addition and the south line produced to the northeast corner of Excelsior Acre Tracts No. 2; thence south to the southeast corner thereof; thence west along the south line of Excelsior Acre Tracts No. 2 and Excelsior Acre Tracts to the southwest corner of last named tracts; thence north to an intersection with the north line of the south one-half of the south one-half of Section 32, Township 24 North, Range 4 East, W. M.; thence west to the west line of Section 32, Township 24 North, Range 4 East, W. M.; thence south to the south line of said section; thence west on the south line of Township 24 North, Range 4 East, W. M., and continuing west on the south line of Township 24 North, Range 3 East, W. M., and said south line produced to the middle of Puget Sound.

The West Boundary of the City of Seattle shall be as follows:

Beginning at the intersection of the south line produced west of Township 24 North, Range 3 East, W. M., with the center line of Puget Sound; thence along said center line north to the north line produced west of Block 24, Ballard Tide Lands, as platted by the Commissioner of Public Lands of the State of Washington.

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ARTICLE III**Departments of Government**

Section 1. DEPARTMENTS: The government of the City of Seattle shall be divided into departments as follows:

1. Legislative
2. Executive
3. Finance
4. Police
5. Board of Public Works
6. Public Health
7. Fire
8. Parks
9. Library
10. Law
11. Judicial
12. Civil Service
13. Lighting
14. Water
15. Engineering
16. Building
17. Planning Commission
18. Transportation

The legislative authority of the city may by ordinance create, consolidate and reorganize from time to time, as the needs of the city may require, additional departments, divisions and offices for the conduct of municipal functions and exercise of powers not by this Charter expressly vested in a charter office or department, and the head of any such new department shall perform such duties, possess such qualifications and be appointed and subject to removal in such manner as may be prescribed by ordinance. (Amended by vote of electors November 7, 1967).

Section 2. The said departments, with the exception of the Judicial, Library and Transportation departments, so long as they are constituted in accordance with the provisions of state law, shall be constituted as hereinafter provided, subject only to such changes as are expressly authorized by this charter.

Section 3. HEADS OF DEPARTMENTS; OFFICIAL COMMUNICATIONS: The Mayor shall head the Executive Department; the President of the City Council, the Legislative Department; the Librarian, the Library Department, and the members of the commissions or boards created by this charter, and the principal unsubordinated officers in departments wherein there is no commission or board shall head their respective

IV-1 CHARTER

departments, but no head of department shall have or exercise any power or authority not provided for elsewhere in this charter. Official communications between different departments, except as in this charter otherwise provided, shall be through, or by authority of, the heads of the departments.

ARTICLE IV

Legislative Department

Section 1. A. LEGISLATIVE POWER, WHERE VESTED: The legislative powers of the City of Seattle shall be vested in a mayor and city council, who shall have such powers as are provided for by this charter; but the power to propose for themselves any ordinance dealing with any matter within the realm of local affairs or municipal business, and to enact or reject the same at the polls, independent of the mayor and the city council, is also reserved by the people of the City of Seattle, and provision made for the exercise of such reserved power, and there is further reserved by and provisions made for the exercise by the people of the power, at their option, to require submission to the vote of the qualified electors and thereby to approve or reject at the polls any ordinance, or any section, item or part of any ordinance dealing with any matter within the realm of local affairs or municipal business, which may have passed the city council and mayor, acting in the usual prescribed manner as the ordinary legislative authority.

B. INITIATIVE AND REFERENDUM; HOW EXERCISED; PETITIONS; COMPTROLLER TO VERIFY SIGNATURES; COMPLETION OF PETITION, CONSIDERATION IN COUNCIL: The first power reserved by the people is the initiative. It may be exercised on petition of a number of registered voters equal to not less than ten (10) per cent of the total number of votes cast for the office of mayor at the last preceding municipal election proposing and asking for the enactment as an ordinance of a bill or measure, the full text of which shall be included in the petition. Such petition shall be filed with the city comptroller, who shall verify the sufficiency of the signatures to the petition, and transmit it, together with his report thereon, to the city council at a regular meeting not more than twenty (20) days after the filing of the petition, and such transmission shall be the introduction of the initiative bill or measure in the city council. If the comptroller shall find any petition to be insufficient in signatures, he shall notify the principal petitioners, and an additional twenty (20) days shall be allowed them in which to complete such petition to the required percentage. Its consideration shall take precedence over

)
all other business before the city council, except appropriation bills and emergency measures.

C. COUNCIL MAY ENACT OR REJECT BUT NOT MODIFY; COUNCIL MAY PASS SUBSTITUTE: The city council may enact, or reject, any initiative bill or measure, but shall not amend or modify the same. It may, however, after rejection of any initiative bill or measure, propose and pass a different one dealing with the same subject.

D. WHEN REJECTED MEASURE AND SUBSTITUTE SUBMITTED TO PEOPLE; GENERAL AND SPECIAL ELECTIONS: If the

city council rejects any initiative measure, or shall during thirty (30) days after receipt thereof have failed to take final action thereon, or shall have passed a different measure dealing with the same subject, the said rejected initiative measure and such different measure dealing with the same subject, if any has been passed, shall be taken in charge by the city comptroller and submitted to the qualified electors for approval or rejection at the next regular election; but the city council may in its discretion provide for a special election.

E. WHEN A SPECIAL ELECTION REQUIRED: If an initiative petition shall be signed by a number of qualified voters of not less than twenty (20) per cent of the total number of votes cast for the office of mayor at the last preceding municipal election, or shall at any time be strengthened in qualified signatures up to said percentage, then the city council shall provide for a special election upon said subject, to be held within sixty (60) days from the proof of sufficiency of the percentage of signatures.

F. MEASURES ADOPTED TO BECOME ORDINANCES, WHEN: Any measure thus submitted to the vote of the people, which shall receive in its favor a majority of all the votes cast for and against the same, shall become an ordinance, and be in full force and effect from and after proclamation by the mayor, which shall be made, and published in the city official newspaper, within five (5) days after the election. Provided that if such adopted ordinance contemplates any expenditure which is not included in the current budget, or which is not to be paid from an existing bond issue or which eliminates or reduces an existing revenue; such expenditure or elimination shall not be lawful until after the next succeeding budget shall take effect; Provided, further, that the above restriction shall not be operative when less than twenty thousand (\$20,000) dollars is involved.

G. SUBMISSION OF SUBSTITUTE AND INITIATIVE MEASURES; IF BOTH APPROVED, THAT HAVING HIGHEST VOTE ADOPTED: In case the city council shall, after rejection of the initiative measure, have passed a different measure, dealing with the same subject, it shall be submitted at the same election with the initiative measure and the vote of the qualified electors also taken for and against the same, and if both such measures be approved by a majority vote, if they be conflicting in any particular, then the one receiving the highest number of affirmative votes shall thereby be adopted, and the other shall be considered rejected.

H. POWER OF SIMPLE REFERENDUM AS TO ORDINANCES; EXCEPTIONS; BY PETITION OR BY COUNCIL: The second power reserved by the people is the simple referendum, and it may be exercised

and ordered (except as to ordinances necessary for the immediate preservation of the public peace, health or safety, or providing for the approval of local improvement assessment rolls, or for the issuance of local improvement bonds), as to any ordinance which has passed the city council and mayor (acting in their usual prescribed manner as the ordinary legislative authority of the city), either upon a petition signed by a number of registered voters equal to not less than eight (8) per cent of the total number of votes cast for the office of mayor at the last preceding municipal election, or by the city council itself without petition.

I. EMERGENCY MEASURES, WHAT TO CONTAIN; VOTE REQUIRED TO PASS: When an emergency exists in which it is necessary for the immediate preservation of the public peace, health or safety, that an ordinance shall become effective without delay, such emergency and necessity, and the facts creating the same, shall be stated in one section of the bill, and it shall not become an ordinance unless on its final passage by the city council at least three-fourths ($\frac{3}{4}$) of all the members vote in its favor (the vote being taken by yeas and nays, and the names of those voting for and against being entered in the journal), and it shall have been approved by the mayor, whereupon it shall be of full force and effect.

J. REFERENDUM BY PETITION; EFFECT OF; VERIFICATION OF SIGNATURES: The referendum may be invoked by petition bearing the signatures of the required percentage of qualified voters as to any non-emergency law or ordinance, or any section, item or part of any such law or ordinance, which petition shall be filed with the city comptroller before the day fixed for the taking effect of the said law or ordinance, which shall in no case be less than thirty (30) days after the final favorable action thereon by the mayor and city council, acting in their usual prescribed manner as the ordinary legislative authority of the city, and the filing of such referendum petition as to any such ordinance or section, item or part thereof, shall operate to suspend the taking effect of the same, or any further action thereon, except as hereinafter provided, viz: The city comptroller shall verify the sufficiency of the signatures to the petition and transmit it, together with his report thereon, to the city council, at a regular meeting not less than twenty (20) days after the filing of the petition.

K. SUBMISSION AT GENERAL OR SPECIAL ELECTION: The city council shall thereupon provide for submitting the said ordinance or section, item or part thereof, to the vote of the qualified electors for ratification or rejection, either at the next regular municipal election, or at a special election, as the city council in its discretion may provide .

L. NOTICE AND CONDUCT OF ELECTION: Official publication shall be made, notices of election given, and the manner and conduct

of election, the preparation of the official ballots, the counting and canvassing of the votes, and the certifying of the returns of the election, shall in the exercise of both the initiative and referendum be as provided by law for the submission of propositions to the voters.

M. IF ORDINANCE APROVED, WHEN TO TAKE EFFECT:

If the ordinance thus submitted to the referendum shall receive in its favor a majority of all the votes cast for and against the same, it shall be in full force and effect from and after the proclamation by the Mayor, which shall be made and published in the city official newspaper within five days after the election. Provided, however, that if the ordinance itself shall designate a subsequent date for taking effect, the proclamation shall name the said date as the time for taking effect. If the ordinance shall fail to receive the majority vote in its favor, it shall be considered as rejected and shall be of no force and effect.

N. AMENDMENT OR REPEAL OF INITIATED AND REFERRED ORDINANCES: No ordinance so initiated or referred and approved shall be amended or repealed by the city council within a period of two years following such approval.

Sec. 2. CITY COUNCIL, MEMBERS: The city council shall consist of nine (9) members, elected from the city at large.¹

Subdivision A. DATE AND TERMS OF ELECTIONS: A general municipal election shall be held under this charter on the first Tuesday following the first Monday in March, 1948, and biennially thereafter on each even numbered year, and no such election shall hereafter be held on any odd numbered year. At the general election to be held in March, 1948, there shall be elected six members of the city council. The four receiving the highest vote shall be elected for a term of four years: the two receiving the next highest vote shall be elected for a term of two years. At each biennial election thereafter, five and four councilmen respectively shall be elected for four year terms. The three councilmen elected in 1944 and 1946 under the previous charter shall hold over for one year, and the three councilmen elected thereunder in 1945 shall complete their terms.

Subdivision B. ELIGIBILITY: No person shall be eligible for membership in the city council unless he shall be a citizen of the United States and a qualified elector of the State of Washington and a registered voter of the City of Seattle at the time of filing his declaration of candidacy.

Subdivision C. POWERS — LIMITATIONS — RECALL: All of the powers of the city council shall be exercised subject to initiative and referendum powers of the people as set forth herein. The members of the city council shall be subject to recall in the manner provided by law.

(As amended at November 4, 1969 Election)

1. Council positions to be designated by number and dealt with as separate positions. See RCW 29.21.017.

IV-3—IV-5 CHARTER

Sec. 3. QUORUM: A majority of all members shall constitute a quorum, but a less number may adjourn from day to day, or until the time of the next regular meeting, and may compel the attendance of absent members in such a manner and under such penalties as the Council shall prescribe.

Sec. 4. POWERS AND DUTIES OF COUNCIL: The City Council shall—

First. ELECTION OF PRESIDENT: Biennially, and also whenever a vacancy occurs, choose from its members its president, who shall perform the usual functions of a presiding officer, and who may be removed by the affirmative vote of not less than two-thirds of all the members.

Second. RULES: Establish rules for its proceedings.

Third. JOURNAL; VOTE: Keep a public journal of its proceedings and take yeas and nays on any question on demand of any two members and enter the same in the journal.

Fourth. PUNISHMENT AND EXPULSION OF MEMBERS: Have authority to punish its members and others for disorderly or otherwise contemptuous behavior in its presence, and to expel for such behavior in its presence any member by the affirmative vote of not less than two-thirds of its members, specifying in the order of expulsion the cause thereof.

Fifth. COMMITTEES: Have authority to create and use committees of its members to facilitate its legislative functions; provided that no committee of the Council and no members shall have or exercise executive or administrative power, except as otherwise expressly provided in this charter.

Sixth. ATTENDANCE OF WITNESSES AND PRODUCTION OF PAPERS: Have authority to compel attendance of witnesses as well as production of papers and things pertinent to business before it or any of its committees.

Sec. 5. FINANCE COMMITTEE, POWERS AND DUTIES: The City Council shall have a finance committee of not less than three members. Such committee may investigate the transactions and accounts of all officers having the collection, custody and disbursement of public money, or having the power to approve, allow or audit demands on the treasury; it shall have free access to any records, books and papers in all public

offices; and may administer oaths or affirmations, and examine witnesses and compel attendance by subpoena. Said committee shall keep a record of its proceedings, with the names of the witnesses examined, and a substantial statement of the evidence taken. If from any examination made by said committee it shall appear that a misdemeanor in office or a defalcation has been committed by any officer, said committee shall immediately report to the mayor, who, if he approve such report, shall forthwith suspend such officer, and take the proper steps under this charter to remove him or to cause his removal. Any police officer shall execute the process and orders of said committee.

Sec. 6. **REGULAR MEETINGS:** The council shall meet each Monday, or if Monday be a legal holiday, then upon the next day, not a legal holiday, and all its sessions shall be public, and it shall not adjourn to any other place than its regular place of meeting.

SPECIAL MEETINGS: The mayor, the president of the city council, or any three councilmen, may call a special meeting of the council.

Sec. 7. **LEGISLATIVE ACTS BY ORDINANCE; SUBJECT MATTER; TITLE; ENACTING CLAUSE:** Every legislative act of said city shall be by ordinance. Every ordinance shall be clearly entitled and shall contain but one subject, which shall be clearly expressed in its title. The enacting clause of every ordinance shall be: "Be it ordained by the City of Seattle as follows:"

Sec. 8. **MAJORITY VOTE TO PASS ORDINANCE; RECORD:** No bill shall become an ordinance unless on its final passage at least a majority of all members vote in its favor, and the vote be taken by yeas and nays, and entered in the journal.

FINAL PASSAGE: No ordinance, other than for payment of salaries or current expenses, shall be passed on its final reading at the meeting at which it is introduced.

Sec. 9. **ORDINANCES, HOW AMENDED:** No ordinance shall be revised, re-enacted, or amended by reference to its title; but the ordinance to be revised or re-enacted or the section thereof amended, shall be re-enacted at length as revised or amended.

Sec. 10. **MOTION TO RECONSIDER:** When a bill is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such a motion shall not be acted on before the next meeting of the council.

BILLS GRANTING FRANCHISE: No bill granting a franchise shall be finally passed within thirty (30) days after its introduction, nor

until it has been published in the official newspaper of the city at the expense of the applicant for ten consecutive press days.

Sec. 11. **BILLS, HOW SIGNED:** Every bill, after it has passed, shall be signed by the president of the council in open session, in authentication of its passage. In signing, the president shall call attention to the bill and that he is about to sign it, and, if any member so request, the bill shall be read at length for information as to its correctness as enrolled. If any member object that the bill is not the same as when considered and passed, such objection shall be passed upon, and if sustained the president shall withhold his signature and the bill shall be corrected and signed before the council proceeds to any other business.

Sec. 12. **BILLS TO BE PRESENTED TO MAYOR:** Every bill which shall have passed shall within five days thereafter be presented to the mayor.

RETURN OF BILLS; VETO: The mayor shall return such bill to the council within ten (10) days after receiving it, and if he do not disapprove it, it shall become an ordinance; if he disapprove it, he shall, when he so returns it, specify his objection thereto in writing. The objections of the mayor shall be entered at large on the journal of the council, and published in the city official newspaper.

RECONSIDERATION OF VETOED BILLS: The council shall, not less than five days after such publication, and within thirty days after such bill shall have been so returned, reconsider and vote upon the same, and if the same shall, upon such reconsideration, be again passed by the affirmative vote of not less than two-thirds of all the members, the president of the council shall certify the fact on the bill, and when so certified the bill shall become an ordinance with like effect as if it had not been disapproved by the mayor; but if the bill so returned shall fail to receive upon the first vote thereon an affirmative vote of two-thirds of all the members it shall be deemed finally lost. The vote on such reconsideration shall be taken by yeas and nays, and the names of members voting for or against the same shall be entered in the journal thereof.

Sec. 13. **A RECORD AND PUBLICATION OF ORDINANCES AND RESOLUTIONS:** All ordinances and resolutions shall be deposited with the city clerk, who shall record the same. All ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture, shall be published at least once in the city official newspaper within three days after the same shall have become a law; Provided, That the publication of all ordinances granting any franchise or private privilege or approving or vacating any plat shall be at the expense of the applicant therefor.

B. Annually in January of each year at the expense of the city, the city comptroller shall compile all ordinances enacted in the preceding year, which are required to be published as set out in the preceding paragraph herein, and he shall also cause copies of same to be printed, indexed and bound in books with substantial covers. There shall be provided a sufficient number of such books for all elected city officials and department heads, and at least one hundred copies shall be made available for general distribution at cost to the general public.

Sec. 14. **POWERS BY ORDINANCE:** The city council shall have power by ordinance and not otherwise—

First. **ELECTIONS; APPOINTMENT AND ELECTION OF OFFICERS OFFICER DEFINED:** To provide for general and special elections, for questions to be voted upon, and to provide for the appointment and election of officers. Any person who, by the provisions of this charter or any amendment thereto, may be appointed or elected to any office or employment created in pursuance thereof, shall be deemed an officer within the meaning of this section.

Second. **ASSESSMENT, LEVY AND COLLECTION OF TAXES:** To provide for the assessment, levy and collecting taxes on real and personal property for the corporate uses and purposes of the city, and to provide for the payment of the debts and expenses of the corporation.

Third. **CONTROL OF FINANCES AND PROPERTY:** To control the finances and property of the city; Provided, That the city council shall have no administrative as distinguished from the legislative power.

Fourth. **ACQUISITION AND DISPOSAL OF PROPERTY:** To acquire by purchase or by exercise of the right of eminent domain or otherwise and for the use and in the name of the city, such lands and other property within or without the corporate limits as may be deemed necessary, proper or convenient for any corporate use, and to acquire for the use of the city any property by gift, bequest or devise, and to dispose of all such property as it shall have, as the interests of the city may from time to time require.

Fifth. **BORROWING MONEY AND ISSUING BONDS; FUNDING BONDS:** To borrow money for corporate purposes on the credit of the city and to authorize the issue of bonds in the manner prescribed by law, and to authorize the issue of bonds to meet maturing bonds or other indebtedness or for funding the same.

Sixth. **ESTABLISH, IMPROVE, CONTROL AND VACATE STREETS AND PUBLIC PLACES; CERTAIN STREETS AND LANDS TO PASS TO OR VEST IN PORT OF SEATTLE:** To lay out and im-

prove streets and other public places, and to regulate and control the use thereof, to authorize or prohibit the location of any railroad or public transportation system or the use of electricity, at, in or upon any of said streets or for other purposes, and to prescribe the terms and conditions upon which the same may be so used, and to regulate the use thereof; to vacate streets and to extend, establish or widen any street, over or across, or along the harbor, shore or tide lands in the city; Provided, That whenever there shall have been adopted by the voters a comprehensive plan of harbor or port improvement, the control of streets and the title to any lands belonging to the city within the limits of such proposed improvement shall be vested in the Port of Seattle, after said Port has commenced the improvement and has so certified to the city council.

Seventh. CHANGE OF GRADES; DAMAGES: To change the grade of any street or alley within its corporate limits and to provide for the payment of damages.

Eighth. LOCAL IMPROVEMENTS: To provide for making local improvements and to levy and collect special assessments on property benefited.

Ninth. BRIDGES, VIADUCTS AND TUNNELS: To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Tenth. STONE QUARRIES, ASPHALT PLANTS: To acquire, open and operate stone quarries, either within or without the city limits, and to erect asphalt plants for the preparation, manufacture and sale of all such stone or asphalt products or compositions or other materials for use in street construction or maintenance, and to fix the price at which such materials shall be sold.

Eleventh. PUBLIC UTILITIES: To construct, purchase, condemn or otherwise acquire, maintain and operate works, plants and facilities within or without the city for the following purposes: water supply for domestic and all other uses; production of gas and electricity for light, heat, power and all other uses public and private; public transportation system; telephone service, local and long distance; ferries, docks and terminal facilities; and to control the use thereof, and to fix the price of the services and products thereof.

(Transportation system under city transit commission. See Article XXIII.)

Twelfth. HOSPITALS AND SANITARIUMS: To erect and establish hospitals, sanatoriums, sanatoriums and isolation hospitals and to control and regulate the same.

Thirteenth. **POLICE POWER:** To make all such local, police, sanitary and other regulations as are not in conflict with the laws of the state.

Fourteenth. **OFFICERS AND EMPLOYEES:** To ordain, establish, modify and abrogate from time to time, as the needs of the city shall require, all proper offices and bureaus, subordinate and auxiliary to the departments and heads thereof constituted by this charter, and to provide for the conduct and government thereof, and the duties and compensation of officers and employees to fill the same, except as in this charter otherwise provided.

Fifteenth. **AMENDMENT AND REPEAL OF ORDINANCES:** To alter, amend or repeal any ordinance or ordinances or parts thereof, except as herein otherwise provided.

Sixteenth. **EXECUTION OF VESTED POWERS:** To make all rules and regulations necessary or proper to carry into execution all powers vested by this charter, or by law, in the city or in any department or officer thereof, except as in this charter otherwise provided.

Seventeenth. **HARBOR AND WATERFRONT:** To control and regulate the use of the harbor and waterfront.

Eighteenth. **CEMETERIES:** The establishment or platting of new cemeteries or the extension of existing cemeteries within the limits of the City of Seattle is hereby prohibited.

Sec. 15. **GENERAL LEGISLATIVE POWERS:** The city shall, in addition to the powers enumerated in this charter, have all other powers now or hereafter granted to or exercised by municipal corporations of like character and degree, and also all powers now or hereafter granted to incorporated towns and cities, by the laws of this state, and may exercise the same by ordinance and not otherwise.

Sec. 16. **FRANCHISES:** Every grant of a franchise, right or privilege shall be subject to the right of the city council, or the people of the city acting for themselves by the initiative and referendum, at any time, subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the grant to acquire, by purchase or condemnation, for the use of the city itself, all the property of the grantee within the limits of the public streets, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance making such grant shall contain a reservation of these rights of the city council, and of the people of the city acting for

themselves by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets, as herein above set forth. The city council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, until within three years of the expiration of the existing grant, and then only after submission to and approval by a majority vote of the qualified electors.

MINORITY OF COUNCIL MAY INVOKE REFERENDUM VOTE:

Not less than one-third of all the members of the council may invoke a referendum vote on a franchise ordinance without a petition.

Sec. 17. WHARF FRANCHISES, HOW GRANTED; CONDITIONS: The city council shall not grant any franchise for any wharf except in the manner following: In addition to the requirements under the general laws, every ordinance granting franchises must receive the vote of at least two-thirds of all the members, and shall provide that work shall commence within six months and be prosecuted continuously and shall be completed within one year thereafter. Said time shall not be extended for any cause, and unless so completed the franchise shall be forfeited.

Sec. 18. EXCLUSIVE FRANCHISES PROHIBITED: No exclusive franchise or privilege shall be granted for the use of any street or other place or any part thereof.

Sec. 19. APPROPRIATIONS FOR CERTAIN PURPOSES PROHIBITED: The city council shall make no appropriation in aid of any corporation, person or society, unless expressly authorized by this charter or the laws of the state.

Sec. 20. TEMPORARY LOANS: The city council, after the taxes have been levied in any year, shall have power to make temporary loans in anticipation of the collection of such taxes, such loans to be applied to the purposes for which such taxes have been levied and to no other purpose, and such taxes shall be applied to pay such loans.

Sec. 21. ORDINANCES CREATING DEBT: No debt or obligation of any kind against the city shall be created by the city council except by ordinance specifying the amount and object of such expenditure.

Sec. 22. ANNUAL ESTIMATE OF EXPENSES AND REVENUES: On or before the tenth day of July of each year the heads of all departments shall submit to the finance committee of the city council an estimate of the expense of operation for the ensuing year. The city comptroller shall also submit the amount required to meet the interest, redemption

and sinking funds for all outstanding bonded debts, an estimate of the amount of revenue likely to accrue from all sources, other than taxation, and the condition of each fund in the treasury.

The city council when determining the budget and the tax levy for any year, shall base its revenue estimates primarily on the collection experience of the twelve months ending with the last previous June 30, and shall not estimate revenue from any source in excess of the amount so collected unless it shall be clearly established that such excess amounts will in fact be realized. They shall include estimates of revenue only from sources previously established by law. They shall also include in each year's budget an item equal in amount to the aggregate of all taxes levied for the second fiscal year prior to the budget year, which are delinquent and outstanding on the last preceding September 1st.

Sec. 23. INVALID CLAIMS: Neither the city council nor any officer, board, department or authority shall allow, make valid or in any manner recognize any demand against the city which was not at the time of its creation a valid claim against the same, nor shall they or any of them ever allow or authorize to be paid any demand which, without such action would be invalid, or which shall then be barred by any statutes of limitation, or for which the city was never liable, and any such action shall be void.

Sec. 24. CLAIMS FOR DAMAGES: All claims for damages against the city must be presented to the city council and filed with the clerk within thirty days after the time when such claim accrued, and no ordinance shall be passed allowing any such claim or any part thereof, or appropriating money or other property to pay or satisfy the same or any part thereof, until such claim has first been referred to the proper department, nor until such department has made its report to the city council thereon, pursuant to such reference. All such claims for damages must accurately locate and describe the defect that caused the injury, accurately describe the injury, give the residence for six months last past of the claimant, contain the items of damages claimed, and be sworn to by the claimant. No action shall be maintained against the city for any claim for damages until the same has been presented to the city council and sixty days have elapsed after such presentation.

Sec. 25. ORDINANCE, PENALTIES: Every ordinance prohibiting or requiring any act or omission shall impose a penalty.

Sec. 26. ORDINANCES, CONTINUED IN FORCE: All ordinances in force in the city at the date of the adoption of this charter, and not inconsistent therewith, shall remain in force until repealed or until they expire by limitation.

ARTICLE V

Executive Department

Section 1. QUALIFICATIONS OF MAYOR: The chief executive officer of the city shall be a mayor. He shall be a citizen of the United States and a qualified elector of the State of Washington and a registered voter of the City of Seattle at the time of filing his declaration of candidacy.

(As amended at November 4, 1969 Election)

Sec. 2. POWER AND DUTIES OF MAYOR: The mayor shall see that the laws of the city are enforced, and shall direct and control all subordinate officers of the city, except in so far as such enforcement, direction and control is by this charter reposed in some other officer or board, and shall maintain peace and order in the city. He may, in any emergency, of which he shall be the judge, assume command of the whole or any part of the police force of the city; but before assuming such control he shall issue his proclamation to that effect, and it shall be the duty of the chief of police to execute orders promulgated by him during such emergency. The mayor shall perform such other duties and exercise such other authority as may be prescribed by law.

Sec. 3. APPOINTIVE OFFICERS: The appointment or removal of officers requiring confirmation by the city council shall be effective only upon the affirmative vote of a majority of the membership of the city council. In the absence of any express provision in this charter as to the manner of appointing any officer, the mayor shall appoint such officer subject to such confirmation.

Sec. 4. APPOINTMENT AND CONFIRMATION; COUNCIL TO ELECT IF MAYOR FAILS TO NOMINATE: If the city council shall refuse to confirm any nomination of the mayor, then he shall within ten days thereafter nominate another person to fill the office, and he may continue to nominate until confirmation. If the mayor fails to make another such nomination within ten days, then the city council shall elect a suitable person to fill the office during the term.

Sec. 5. VACANCIES BY REMOVAL: Whenever the mayor shall remove an appointive officer, the vacancy for the unexpired term shall be filled by appointment in the same manner as if at the beginning of the term, except as otherwise provided in this charter.

Sec. 6. ANNUAL MESSAGE; SPECIAL MESSAGES: It shall be the duty of the mayor annually at the third meeting of the city council in June to communicate by message to the city council a statement of the conditions and affairs of the city, and to recommend the adoption of such measures as he may deem expedient and proper; and he shall, further,

have the right to make special communications to the city council from time to time as he may deem useful and proper.

Section 7. **MAYOR TO ENFORCE CONTRACTS; OFFICERS TO REPORT VIOLATIONS:** The mayor shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed and to this end he shall cause any legal or equitable proceedings to be instituted and prosecuted. And it is the duty of every officer of the city having knowledge that any contract with the city has been violated by the other contracting party, forthwith to report the fact to the mayor.

Section 8. **MAYOR TO APPROVE BONDS; WHERE FILED:** The mayor shall, unless in this charter otherwise provided, take and approve all official undertakings or bonds required of any officer, employee or agent of the city as security for the faithful performance of his duty; and he shall also, except as otherwise provided in this charter, take and approve any such bond or undertaking as may be required of any contractor for the faithful performance of his contract; and when he approves any bond or undertaking he shall immediately file the same with the city clerk, except the bond of the city comptroller, which shall be filed with the city treasurer.

Section 9. **ABSENCE OR INCAPACITY OF MAYOR:** In case of the absence of the mayor from the city, or if he from any cause be incapacitated from acting, the president, or in case of his disability or absence, the acting president of the city council shall act as mayor, and for the time being exercise all his powers.

Section 10. **REMOVAL OF MAYOR:** The mayor may be removed from office after a hearing, for any willful violation of duty, or for the commission of an offense involving moral turpitude, upon written notice from the city council at least five days before the hearing. He shall have the right to be present, to the aid of counsel, to offer evidence and to be heard in his own behalf. Upon the affirmative vote of two-thirds of all the members of the city council, acting as a court of impeachment, the office shall become vacant.

Section 11. **CITY PERSONNEL DIRECTOR:** The legislative authority of the city may create by ordinance the position of city personnel director, to be appointed by the mayor subject to confirmation by a majority of the city council; and he may be removed by the mayor upon filing a statement of his reasons therefor with the city council. The director shall have an educational background and practical experience commensurate with the responsibility of the position.

The city personnel director shall promote the improvement of city personnel administration and personnel standards within the city service. He shall foster and conduct, in cooperation with the appointing authority and others, programs for the improvement of employee effectiveness, including training, management development, employee benefits, safety, and shall encourage and exercise leadership in the development of effective personnel programs with the officers, departments, boards and commissions of the city and he shall have such further powers and perform such other duties as may be prescribed by ordinance. In addition to the duties herein prescribed, he may be appointed by the civil service commission to serve as chief examiner to superintend all examinations held under Article XVI of this Charter. If such appointment is made, the commission may employ an executive secretary to perform those duties, other than the superintendence of the examinations, contemplated by Article XVI, Section 15, which is hereby superseded to the extent in conflict herewith. (Amended by vote of electors November 7, 1967).

Section 12. **CITY PLANNER:** The Legislative Authority may create by ordinance the position of city planner, to be appointed by the mayor subject to confirmation by a majority of the city council; and he may be removed by the mayor upon filing a statement of his reasons therefor with the city council. The city planner shall have an educational background and practical experience commensurate with the responsibility of the position.

The city planner shall assist the mayor, city council, and the planning commission as a technical advisor regarding the city's comprehensive plan, zoning, and capital improvements; prepare reports and recommendations relative to annexation review and urban renewal plans and projects; and review public improvement projects proposed for construction by the city and advise of their consistency with the comprehensive plan and he shall have such further powers and perform such other duties as may be prescribed by ordinance. The city planner shall be directly responsible to the mayor or such other department head as may be designated by ordinance and may serve as executive secretary of and technical advisor to the planning commission. (Amended by vote of electors November 7, 1967).

ARTICLE VI

Department of Police

Section 1. **ORGANIZATION OF POLICE DEPARTMENT:** The police department shall consist of a chief of police and as many subordinate officers and employees as may by ordinance be prescribed. There shall be maintained adequate police protection in each district of the city.

Section 2. CHIEF OF POLICE; QUALIFICATIONS, APPOINTMENT, REMOVAL; TO APPOINT SUBORDINATE OFFICERS: The chief of police shall be appointed by the mayor, subject to confirmation by a majority vote of all members of the city council. He shall be selected by the mayor from among the three highest ranking candidates in a competitive examination to be conducted under the direction of the mayor. The mayor may remove the chief of police upon filing a statement of his reasons for so doing with the city council. A chief of police appointed from the classified civil service may take leave of absence from his classified position until completion of his tenure as chief of police. All subordinate police officers shall be appointed by the chief of police under civil service rules and regulations.

Section 3. COMPETITIVE EXAMINATION: The competitive examinations shall adequately test the qualifications of all candidates for chief of police, and all records of such examinations shall be filed with the city council by the mayor together with his appointment of the chief of police. Such records shall be open to public inspection for at least seven days prior to the city council taking action on said appointment.

Section 4. CHIEF TO MANAGE POLICE DEPARTMENT: The chief of police shall manage the police department, and shall prescribe rules and regulations, consistent with law, for its government and control; provided, that the chief of police shall be responsible to the mayor for the administration of the police department and the enforcement of law.

Section 5. First. PROCESS DIRECTED TO CHIEF OF POLICE; CHIEF TO MAINTAIN PEACE, KEEP CITY PRISON: The chief of police shall be the chief peace officer of the city, and all process issued by the police judge of the city, shall be directed to him for service, and may be served and returned by the chief of police or any police officer. The chief of police shall maintain the peace and quiet of the city. He shall be the keeper of the city prison. He shall have like powers and responsibilities as the sheriff of King County in similar cases, and shall perform such other duties as may be imposed by ordinance.

Second: POWERS OF POLICEMEN IN MAKING ARRESTS; POLICE RECORDS: The chief of police or any police officer may make arrests for any crime or violation of the laws of the state or any ordinance of the city, committed within the city. The chief of police shall keep a correct record of all arrests, showing the time and cause of complaint upon which each arrest was made, with a list and description of all property and money taken from each person.

Third. CHIEF RESPONSIBLE FOR PROPERTY TAKEN: The chief of police shall be responsible for all property and money taken from

any person, and shall be liable therefor on his official bond, and any person may recover for loss of any such property or money in an action brought for that purpose.

Fourth. **DUTIES OF POLICEMEN:** The duties of the subordinate police officers shall be as provided by ordinance or by rules established by the chief, in addition to the duties hereinbefore prescribed.

Fifth. **POLICEMEN NOT TO ENGAGE IN OTHER CALLING, BECOME BAIL OR RECEIVE PAY WHILE ABSENT:** No member of the police force shall engage in any other profession or calling, furnish bail or bond for any person charged with any offense whatever, or recommend to persons charged with crime the employment of any particular attorney. No member of the police force shall be allowed pay for any period during which he may have been absent from duty, except as otherwise provided in this charter.

Sec. 6. **POLICEMEN; NO COMPENSATION EXCEPT SALARY:** No member of the police force shall receive any fees or any compensation whatever, directly or indirectly, from the city, county or state, for any services rendered or act done, while a member of such police force, other than salary, except witness fees in the superior court.

ARTICLE VII

Board of Public Works

Section 1. **MEMBERS; TERM; CHAIRMAN; REMOVAL:** There shall be a board of public works consisting of: the city engineer, the superintendent of water, the superintendent of lighting, the superintendent of buildings, and subject to Section 11 of this Article, the superintendent of transportation, each of whom shall be appointed by the mayor and confirmed by a majority of the members of the city council, for the term of four years. Provided, that upon the expiration of the terms of the members of the board at the time this charter becomes effective, the new terms hereunder shall be as follows: superintendent of water from January 1, 1947, to December 31, 1950; superintendent of buildings from April 20, 1947, to December 31, 1949; superintendent of lighting from January 1, 1948, to December 31, 1951; city engineer from January 1, 1948, to December 31, 1952. The term of the superintendent of transportation, when appointed, shall run concurrently with the term of the superintendent of buildings.

(Superintendent of transportation under city transit commission. See Article XXIII.)

The chairman of the board shall be appointed by the mayor and the members of the board, as such, shall receive no compensation.

Any member of the board of public works may be removed by the mayor upon filing notice of removal for cause with the city council, such removal to be effective only upon confirmation by a majority of all members of the city council.

Sec. 2. APPOINTMENT AND DUTIES OF SECRETARY: The board shall appoint, subject to civil service, a secretary. He shall keep his office at the place where the meetings of the board are held, which shall be kept open during business hours, and at such other hours as the board may direct. He shall keep a complete record of all the proceedings of the board, and shall perform such other duties as the board may direct.

Sec. 3. REGULAR MEETINGS; QUORUM: The board shall hold regular meetings once a week, and special meetings at such times as it may appoint, or the chairman may call. All meetings shall be public and shall be held at a place which shall be provided by the city council. A majority of all the members of the board shall constitute a quorum and an affirmative vote of a majority of all the members of the board shall be necessary to adopt any motion, order or resolution, or to make any appointment.

Provided that any member of the board may designate on alternate in his department to serve on the board and vote at any regular or special meeting thereof whenever such member is absent from the city, or incapacitated from attending any such meeting, provided at least two regular members of the board are present at any such meeting. (As amended by vote of electors, March 13, 1962).

Sec. 4. POWERS AND DUTIES OF BOARD: The board is hereby authorized and empowered:

First. TO MAKE RULES: To make rules and regulations deemed necessary for its government and the government and control of its several departments.

Second. TO CERTIFY BILLS AND ALLOW CLAIMS: To certify all bills, allowances and claims due to contractors.

Third. TO MANAGE AND SUPERVISE PUBLIC WORKS, BUILDINGS, STRUCTURES, STREETS, UTILITIES AND EQUIPMENT: To manage and control the water and light and power systems; public buildings, public wharves, docks, bridges and viaducts; streets, sewers and public places and grounds, and all public utility facilities in the streets, except as otherwise in this charter provided. To manage and control the transportation system, subject to Section 11 of this article.

(Transportation system under city transit commission. See Article XXIII.)

Fourth. To perform such other and further duties and exercise such other and further powers not inconsistent with this charter, as may be prescribed by ordinance.

Sec. 5. CITY OFFICIAL NEWSPAPER: The "City Newspaper," which shall publish all official proceedings required by law to be

published shall be designated annually by the board of public works after a call for bids from the daily newspapers in the city of general circulation published at least six (6) days per week.

The lowest bidder shall be designated the city official newspaper and shall post a surety company bond in the amount of \$5,000.00 conditioned that full compliance shall be made in carrying out the contract. A bid bond shall be required from each bidder in such amount as the board of public works shall designate.

Sec. 6. CITY ENGINEER; QUALIFICATIONS, DUTIES, ETC.:

First. There shall be a department of engineering, the head of which shall be the city engineer. He shall be a civil engineer who shall have been actually engaged in the practice of his profession for a period of ten years immediately prior to his appointment, and who shall be licensed to practice his profession in the State of Washington, and shall be a civil engineer of high professional and ethical standing, and shall be qualified not only to direct but also to conceive and design engineering work. It shall be his duty to make surveys, maps, profiles, plans, specifications, estimates and reports as shall be required by the city; and, under the direction of the board of public works, to lay out, direct and supervise the construction of all public works within the city or on property belonging to, or controlled by the city, that may from time to time be ordered by the city council, except as provided in Section 8 of this Article.

Second. The city engineer shall, under the direction of the board, superintend and have the management and control of bridges, wharves, streets, gutters, sidewalks, sewers and drains of the city and the construction, repair, maintenance and cleaning thereof. He shall enforce all ordinances and the rules of the board of public works relating to his department. He shall appoint under civil service rules, supervise and control all officers and employees in his department. He shall have such further powers, and shall perform such other duties as may be prescribed by ordinance, or directed by the board of public works.

Third. All plans, specifications, maps and estimates made by the city engineer for public improvements, shall be filed in his office and be open to public inspection.

Sec. 7. SUPERINTENDENT OF WATER; DUTIES, ETC.: There shall be a department of water, the head of which shall be the superintendent of water. It shall be his duty to enforce the provisions of all water contracts. He shall, subject to control of the board of public works, have the management and control of the operation and maintenance of the water system of the city. He shall enforce all ordinances and the rules of the board relating to his department; he shall appoint under civil service rules, supervise and control all officers and employees in his

department. He shall cause to be kept proper accounts with all consumers of water, and shall, every ninety (90) days, compile a statement of the names and property of such consumers as are delinquent, and shall forthwith cause the service of these consumers to be discontinued. He shall have such further powers and shall perform such other duties as may be prescribed by ordinance or directed by the board of public works.

Sec. 8. SUPERINTENDENT OF LIGHTING; DUTIES, ETC.: There shall be a department of lighting, the head of which shall be the superintendent of lighting. It shall be his duty to enforce all lighting contracts; to recommend to the board changes, removals or installations of light, and, subject to the control of the board of public works, have the management and control of the operation and maintenance of the lighting and power system. He shall enforce all ordinances and the rules of the board of public works relating to his department. He shall appoint, under civil service rules, supervise and control all officers and employees in his department. He shall cause to be kept proper accounts with all consumers of light and power. He shall have such further powers and shall perform such other duties as may be prescribed by ordinance or directed by the board of public works.

SUPERINTENDENT OF LIGHTING TO MAKE SURVEYS, MAPS, PROFILES, REPORTS IN CONNECTION WITH DEPARTMENT OF LIGHTING: The superintendent of lighting shall make all surveys, maps, profiles, plans, specifications, estimates and reports in connection with the department of lighting, as shall be required by the city; and, under the direction of the board of public works, lay out, direct and supervise the construction of all public works in connection with the department of lighting, that may from time to time be ordered by the city council. All provisions in, or parts or sections of this charter, in so far as they are inconsistent with this provision, are hereby superseded.

Sec. 9. CITY TREASURER SHALL COLLECT WATER AND LIGHTING BILLS: The city treasurer shall collect the bills issued by the department of water and the department of lighting, and shall report daily to the city comptroller the amounts collected. The receipts arising from said respective departments shall be kept by the city treasurer in separate funds. The city council shall provide by ordinance all necessary regulations for the proper guidance of the city treasurer, superintendent of water and superintendent of lighting, in relation to the collection and enforcement of light and power and water rates, and other charges.

Sec. 10. SUPERINTENDENT OF BUILDINGS; QUALIFICATIONS, DUTIES: There shall be a department of buildings, the head of which shall be the superintendent of buildings. He shall be a structural engineer or architect who shall have been actually engaged in the prac-

tice of his profession for a period of five years prior to his appointment, or a skilled building craftsman who has had not less than five years experience in a responsible supervisory capacity on either designing, construction or maintenance of buildings. It shall be his duty to see that all building ordinances of the city are enforced. He shall enforce all ordinances and the rules of the board of public works relating to his department. Subject to the control of the board of public works, he shall have the management and control of the public buildings and lands belonging to the city, other than parks, library, lighting and water system. He shall also have charge, subject to the control of the board of public works, of the construction and maintenance of municipal buildings. He shall keep a list of all the property belonging to the city, and, under the direction of the board of public works, shall seek to obtain a reasonable revenue from all property other than parks and library property, lighting and water systems, not actually required for the city's use, and shall, through the board of public works, make a report to the city council quarterly enumerating the city's property, and the use to which each piece is put, and the rentals derived therefrom. He shall appoint, under civil service rules, supervise and control all officers and employees in his department. He shall have such further powers and shall perform such other duties as may be prescribed by ordinance or directed by the board of public works.

Section 11. SUPERINTENDENT OF TRANSPORTATION, DUTIES, ETC.: There shall be a transportation department, the head of which shall be the superintendent of transportation. He shall be subject to the control of the board of public works, have the management and control of the operation and maintenance of the public transportation system of the city. He shall enforce all ordinances and rules of the board of public works relating to his department. He shall appoint, under civil service rules, supervise and control all officers and employees in his department. He shall have such further powers and shall perform such other duties as may be prescribed by ordinance or directed by the board of public works. (This section shall not be operative so long as the transit system is operated under state law.) (Repealed by Article XXIII.)

Section 12. BOARD OF APPEALS: There shall be a board of appeals consisting of three members appointed by the mapor and confirmed by the city council. One member shall be a competent architect, and one a competent building construction supervisor. Upon the appointment of the first board, one member shall be appointed for one year, one for two years, and one for three years; thereafter, appointments shall be for three years.

The board of appeals shall review and determine rulings and interpretations of the superintendent of buildings concerning construction ordi-

nances; and the method of appeal, and fee for same, shall be as prescribed by ordinance.

No member of said board shall act on any case in which he is personally interested, in which case, or during the absence of any member, the mayor shall designate a substitute.

Section 13. IMPROVEMENTS MAY BE MADE BY CONTRACT OR BY DAY LABOR. All local and other improvements as are prescribed by ordinance may be made by contract to be let to the lowest bidder therefor, under the management of the board of public works, or, in the board's discretion, any such improvement may be done under the management of the board by day labor, in which event the board shall direct the purchase of the necessary materials and supplies through the purchasing agent, who shall secure the same in compliance with specifications prepared by the board and subject to their acceptance.

Bids may be received for all or any part of any proposed contract and no contract shall be sublet except for the furnishing of material without the previous consent of the board of public works in writing.

Provided that in any case not in conflict with state law the council may by ordinance determine whether an improvement, or any part thereof, shall be made by contract or otherwise.

Section 14. ORDINANCE FOR LOCAL IMPROVEMENT: No ordinance relating to local improvements shall be considered passed unless the same shall have received the affirmative vote of at least a majority of the members of the city council; Provided, that unless a petition for any improvement may be presented, such improvement shall not be ordered except by ordinance passed by the affirmative vote of two-thirds of all members of the city council, at a regular meeting or at a meeting which is an adjournment of a regular meeting; Provided no streets shall be ordered graded without petition, except by unanimous vote of all members present. (As amended by vote of electors, March 13, 1962).

Section 15. CONTRACTS FOR PUBLIC IMPROVEMENTS: All public improvements to be made by contract shall be let to the lowest bidder. Before awarding any such contract the board of public works shall publish a call in the official newspaper of the city for at least five consecutive days, inviting sealed bids for such improvement. A copy of the plans and specifications shall at the time of the first publication of such call be on file in the office of the secretary of the board, open to public inspection.

The call shall state generally the improvement to be made, and all bids shall be sealed and filed with the secretary on or before the day and hour named therein, which time shall be not less than four days after the last publication of said call.

All bids shall be accompanied by a certified check, payable to the order of the city comptroller, or a surety bond for a sum not less than five (5%)

percent of the amount of the bid, and no bid shall be considered unless accompanied by such check or bond.

At the time and place named such bids shall be publicly opened and read; no bid shall be rejected for informality, if it can be understood what is meant thereby. The board shall proceed to determine the lowest bidder, and may let such contract to such bidder, or, if all bids are deemed too high, they may reject all and readvertise, and in such case all checks shall be returned to the bidders; but if such contract be let, all checks shall be returned to the bidders except that of the successful bidder, which shall be retained until a contract be entered into in accordance with such bid. If the said bidder fails to enter into such contract within ten days from the date upon which he is notified that he is the successful bidder, the said check or bond shall be forfeited to the city, and credited to the improvement and the board shall readvertise for proposals for such work. Neither the board nor the city council may remit such forfeiture.

(As amended at November 2, 1971 Election).

Sec. 16. **COMPLETION OF CONTRACT:** No improvement shall be deemed completed until the board shall have filed with the city clerk a statement declaring the same completed.

Sec. 17. **HOURS OF LABOR:** In all public works done by or for the city, either by day work or by contract, no employee of the city, or of any contractor or sub-contractor of such work shall be required, except in case of emergency, to work longer than eight hours in any one calendar day; Provided further, that the city council may, by ordinance, prescribe a shorter work day.

Sec. 18. **MINIMUM WAGE TO BE PAID:** Every contractor and sub-contractor performing any local or other improvement work for the city of Seattle shall pay or cause to be paid to his employees on such work or under such contract not less than the current rate of wages paid by the city of Seattle for work of like character. Such contractor or sub-contractor shall, on such work or under such contract, give preference to citizens of the United States who are heads of families and residents of the city for one year. This article shall be enforced by the city council by ordinance.

Sec. 19. **PUBLIC WORK ON SUNDAYS, HOLIDAYS AND AT NIGHT, PERMIT FOR:** No construction work shall be done by the city on any legal holiday or Sunday; nor shall any work be done on any such day, or after seven o'clock p.m. and before six o'clock a.m. of any other day, upon or over any street or other public place, except in case of emergency, upon written permit of the board of public works, wherein the fact of such emergency, and the nature thereof shall be specified.

Sec. 20. **PUBLIC UTILITY CONSTRUCTION, PERMIT FOR:** No corporation or person shall construct any public utility facility in the city without first obtaining a permit from the board of public works.

Sec. 21. CONTRACTORS' BONDS:

Subdivision 1. All contractors' performance bonds shall be approved as to form and sufficiency of sureties by the corporation counsel.

Subdivision 2. ASSIGNMENT OF CONTRACTS: No contract for public work shall be assigned without the consent of the board of public works, and of the sureties on the contractor's bond, and any assignment without such consent, except by operation of law, shall render the same null and void as to further performance without any act on the part of the city.

Subdivision 3. DEFAULTING CONTRACTORS: The board of public works shall not enter into contract for public work with any person who within two years prior thereto shall have abandoned, surrendered, or failed to complete any such contract.

(As amended at November 2, 1971 Election)

ARTICLE VIII

Department of Finance

Section 1. POWERS AND DUTIES OF CITY COMPTROLLER:

There shall be a city comptroller who shall exercise general supervision over the financial affairs of the city. He shall number and keep a record of all demands, showing the date of approval, amount and name of original holder, the number, on which account and out of which fund payable. He shall be required to be constantly acquainted with the exact condition of the treasury. He shall, on or before the fifth day of each month, or oftener, if required, report to the mayor and the city council the condition of each fund in the treasury. He shall keep a complete set of books by double entry system for the city, in which shall be set forth in plain and business-like manner every money transaction of the city, so that he can at all times tell the exact condition of the city's finances. He shall issue all licenses in accordance with law on presentation to him of a receipt of payment from the city treasurer. He shall sign all warrants upon the treasurer, and shall perform such other duties as are prescribed by law.

Sec. 2. AFFIDAVITS AND OATHS: The city comptroller and his deputies may take affidavits and administer oaths in the transaction of all city business.

Sec. 3. SALARY LIST: He shall keep a payroll record of all persons employed by the city, which record shall be open to public examination.

Sec. 4. COMPTROLLER — CITY CLERK: The city comptroller shall be city clerk, and his deputies as comptroller shall be his deputies as city clerk.

Sec. 5. DUTIES OF CITY CLERK: As city clerk, he, or a deputy, shall attend all meetings of the city council and keep a complete record of the proceedings thereof; and he shall have the custody of the city seal, the public records, except such as are intrusted by the provisions of this charter to other officers, the original rolls of ordinances, the original contracts, deeds, and certificates relative to the title of any property of the city, all official, indemnity or security bonds, except his own bond, which shall be deposited with the city treasurer, and such other records, as are not required to be deposited with any other officer, and he shall attest all public instruments and official acts of the mayor by his signature and the city seal, and shall also certify under the seal of the city all copies of original records as may be required and make such charge as provided by ordinance.

Sec. 6. APPOINTMENT OF DEPUTIES: He may appoint one chief deputy, and, under civil service rules, such other deputies and employees as the city council may authorize. In case of the absence of the city comptroller from the city, or if for any cause he be incapacitated from acting, the chief deputy shall act as city comptroller.

Sec. 7. CITY TREASURER: There shall be a city treasurer. He may appoint one assistant city treasurer, and, under civil service rules, such other employees and deputies as the city council may authorize. In case of the absence of the city treasurer from the city, or if for any cause he be incapacitated from acting, the assistant city treasurer shall act as city treasurer.

Sec. 8. DUTIES; MONEYS AND ACCOUNTS: The treasurer shall receive, keep and pay out all moneys belonging to the city in any capacity, and shall keep a record of receipts and expenditures as may be prescribed by ordinance, and shall perform such other duties as are prescribed by law.

Sec. 9. RECEIPTS, WARRANTS, AND STATEMENTS: The city treasurer shall pay out moneys only on lawful warrants. He shall each business day render to the city comptroller a statement of the balance in each fund. He shall make a weekly statement, under oath, to the city comptroller, showing where the city funds are deposited and the city comptroller shall forthwith verify the same.

CALLING WARRANTS; PUBLICATION; INTEREST: He shall call outstanding warrants previously presented and not paid whenever there are sufficient funds in the treasury; interest to cease seven days after one publication of the call in the city official newspaper. Warrants shall be paid in order of number and date of issue, and shall be charged to the proper fund.

Sec. 10. CONTINGENT FUND: There shall be established by ordinance a contingent fund, into which shall be appropriated from the general fund moneys to pay employees of the city released between regular pay days. Payments shall be made from said fund on certification by the city comptroller of amounts due. Said fund shall be reimbursed on the next day following pay day by transfer thereto from the proper funds. Another contingent fund shall be so established for the payment of freight and express charges, telegrams, postage and like incidental expenses of the different departments. Payments shall be made on certification of the comptroller, said fund to be reimbursed monthly from the proper funds.

Sec. 11. MONEY TO BE PAID TREASURER; DUPLICATE RECEIPTS, FAILURE, PENALTY: Every officer or agent of the city, or other person who shall receive or have in his hands any money payable to the city in any capacity, shall immediately pay the same to the city treasurer, and take his receipt therefor in duplicate, one of which receipts shall be delivered to the city comptroller by the party paying the money. Any such person who shall fail to so pay any moneys received, or to deliver such receipt for more than forty-eight hours, Sundays and holidays excluded, after the money or receipt shall have been received by him, shall be liable to the city for double the amount of money so received, or for which such receipt was given.

Sec. 12. BOOKS, INSPECTION: The treasurer's books shall be open for public inspection, subject to such reasonable rules and regulations as prescribed by ordinance.

Sec. 13. AUDITING COMMITTEE; EXAMINATION OF CLAIMS: There is hereby created an auditing committee, which shall consist of the mayor, president of the city council, the chairman of the finance committee thereof, and the comptroller. The mayor shall be chairman and the comptroller, secretary, but in the absence of either a temporary chairman or secretary may be chosen by the committee. The committee shall examine all claims and demands against the city, and recommend to the city council the allowance or disallowance of the same or any part thereof.

Three members of the committee shall constitute a quorum for the transaction of business.

Sec. 14. CLAIMS; VERIFICATION: All demands and claims against the city required to be verified shall be subscribed and sworn to be-

fore the city comptroller or one of his deputies, or some officer authorized to administer oaths. Each claim or demand must be accompanied by a detailed statement of the items.

Sec. 15. GENERAL FUND; SPECIAL FUNDS: There shall be a general fund into which shall be paid all revenues of the city, except as otherwise provided by law, and from which shall be paid all expenses and liabilities not required to be paid out of some special or other fund. The creation of special funds and the transfer of moneys from one fund to another fund shall be by ordinance and not otherwise; provided, that no transfer shall be made from a bond interest and redemption fund.

The transfer of surplus funds from a city owned public utility, or the collection of any tax from such utility, shall not be permissible until ample provision has been made for the servicing of the debts and obligations of the utility, and for necessary betterments and replacements for the current year.

Sec. 16. DIVISION OF PURCHASES; PURCHASING AGENT; APPOINTMENT; PURCHASE OF SUPPLIES, ETC.: That there be established a division of purchases, the head of which shall be the city purchasing agent appointed under civil service regulations by such department head as may be designated by ordinance.

The purchasing agent shall be directly responsible to the mayor or such department head as may be designated by ordinance and receive such salary and give such bond as may be fixed by ordinance and shall, subject to civil service regulations, appoint, supervise and control all employees in the division of purchases. The purchasing agent shall have an educational background and practical experience commensurate with the responsibility of the position.

The purchasing agent shall make all purchases of supplies, materials and equipment, in the manner provided by ordinance and in accordance with the highest professional purchasing standards, for all departments and agencies of the city government. The purchasing agent may in the manner provided by ordinance sell all supplies, materials and equipment not needed for public use, and may in like manner transfer between departments any supplies, materials and equipment. He may inspect or supervise the inspection of all deliveries of supplies, materials and equipment to the departments and other agencies of the city government to determine quantity and quality and conformance with specifications.

Before making any purchase or sale, the purchasing agent shall be required to secure bids under such rules and regulations and subject to such exceptions as the council may by ordinance prescribe.

All expenditures for supplies, materials or equipment involving more than such amount as may be specified by ordinance shall be made on written contract. All such contracts shall be awarded to the lowest and best bidder, after public advertisement as may be prescribed by ordinance.

The adoption of this amendment shall not change the civil service status of any person who is an officer or employee at the time of the adoption of this amendment.

(As amended at November 4, 1969 Election)

ARTICLE IX

Public Health Department

Section 1. DIRECTOR; QUALIFICATIONS, DUTIES, ETC.: There shall be a director of public health, to be appointed by the mayor, such appointment to be effective only upon confirmation of the city council passed by a majority of all its members, and he may be removed by the mayor upon filing a statement of his reasons therefor with the city council. He shall have been a graduate of a recognized school of medicine at least five years prior to appointment and shall hold the degree of Doctor of Medicine, and shall hold the degree of Master of Public Health and shall have had at least three years practical experience in public health administrative work. He shall not engage in the private practice of medicine during his tenure of office.

The director of public health shall have supervision and control of all matters appertaining to the health and sanitation affairs of the city, including such hospitals and like institutions maintained by the city. He shall be the head of the public health department and see that all laws relating to the health and sanitation of the city are enforced, and shall prescribe rules and regulations, not inconsistent with law, for the government and control of the department.

He shall appoint and may remove, subject to civil service laws where applicable, all assistants and employees in said department, and shall have such further powers and duties as may be prescribed by law.

ARTICLE X

Fire Department

Section 1. The Fire Department shall consist of the fire chief, and as many subordinate officers and employees as may be prescribed by ordinance.

Section 2. **APPOINTMENT OF FIRE CHIEF:** The fire chief shall be appointed by the mayor, such appointment to be effective only upon confirmation of the city council passed by a majority of all its members and he may be removed by the mayor upon filing a statement of his reasons therefor with the city council. He shall have at least ten years service in a fire department in a city of not less than one hundred thousand population. In case the fire chief be appointed from the civil service, he shall resume his former position therein upon replacement and the subordinate appointees shall resume their former positions respectively.

Section 3. **FIRE CHIEF TO MANAGE DEPARTMENT:** The fire chief shall manage the fire department, and shall prescribe rules and regulations, not inconsistent with law, for its government and control. He shall have such further powers and duties as are prescribed by ordinance.

ARTICLE XI

Department of Parks

Section 1. **DEPARTMENT OF PARKS AND RECREATION:** There shall be a department of parks and recreation, the head of which shall be the superintendent of parks and recreation, who shall have responsibility for the management and control of the park and recreation system of the city. Such superintendent shall appoint under civil service laws and rules, supervise and control all officers and employees in the department of parks and recreation, and he shall have such further powers and perform such other duties as may be prescribed by ordinance. The superintendent of parks and recreation shall be appointed by the mayor, subject to confirmation by a majority of the city council, for the term of four years and he may be removed by the mayor subject to like confirmation, and he shall be ex officio a member of the board of public works, and of the city planning commission, but he shall receive no compensation as such member. (Amended by vote of electors November 7, 1967).

Section 2. **BOARD OF PARK COMMISSIONERS.** There shall be a board of park commissioners, the function of which shall be to act in an advisory capacity to the mayor, city council, department of parks and recreation and other city departments in respect to park and recreation matters. The number of members of such commission, their terms of office and the manner in which they shall be appointed and may be removed, and their duties, shall be as prescribed by ordinance. (Amended by vote of electors November 7, 1967).

Section 3. There is hereby established in the city treasury a park

XI-4—XII-1 CHARTER

and recreation fund for the operation and maintenance of the park and recreation system of the city, in which there shall be placed: such moneys as may be budgeted annually for such operation; gifts, bequests and devises for park and recreation purposes; revenues from park and recreation properties, facilities and areas; ten per cent of the gross receipts of the city from all fines, penalties and licenses; and such other moneys as may be provided by ordinance. (Amended by vote of electors November 7, 1967).

Section 4. Any provisions of this Charter inconsistent with this article, particularly Article VII Section 1 and Article XIV Section 1, are hereby superseded to the extent inconsistent. (Amended by vote of electors November 7, 1967).

ARTICLE XII

The Library Department

Section 1. LIBRARY FUND: There shall be a library fund, which shall consist of—

First. GIFTS: Such gifts, bequests and devises as may be given, bequeathed or devised to the City of Seattle or any trustee for the uses or purposes of the "Seattle Public Library."

Second. RENTS: The rents, issues and profits derived from any property which may be held or owned in trust for said library by the city or any other trustee.

Third. Such sums as the city council may provide.

Sec. 2. TITLE TO PROPERTY: The title to all property belonging to the Seattle Public Library shall be and remain in the name of the city, and shall be held inviolable in trust for the use and benefit of said library; except that all persons desirous of making gifts of money, personal property or real estate for the benefit of the Seattle Public Library shall have the right to vest the title thereto in the library board to be held and controlled by the library board when accepted, according to the terms of the deed of gift, bequest or devise.

Sec. 3. LIBRARY BOARD; APPOINTMENT; TERMS: There shall be five library trustees as contemplated by state law who shall constitute and be known as "The Library Board," and be the governing body of the library. The mayor, with the consent of the city council, shall appoint the five trustees, each of whom shall hold office for five years without compensation. The appointees shall be citizens of recognized fitness for the position.

Sec. 4. LIBRARIAN: The librarian shall be selected and may be removed by the board. He shall possess such qualifications as to fitness for the position as the board may require. He shall, by and with the consent of the library board, have the appointment and removal of all subordinate employees of the library.

Sec. 5. MANAGEMENT OF LIBRARY; EXPENDITURES: The library board shall manage and control the public library as provided by State Law and shall alone have authority to expend the library fund; the board shall certify expenditures to the city comptroller, who shall issue warrants therefor payable by the treasurer out of any money in the library fund, not otherwise appropriated.

ARTICLE XIII

The Law Department

Section 1. OFFICERS; APPOINTMENT; REMOVAL: The law department shall consist of a corporation counsel who shall appoint the assistant corporation counsel and city prosecutors, who may be removed at will.

Sec. 2. **QUALIFICATIONS:** The corporation counsel shall be an attorney of the supreme court of the state, and have been in the practice of his profession in the City of Seattle for at least four years next prior to his election.

Sec. 3. **DUTIES OF CORPORATION COUNSEL:** The corporation counsel shall have full supervisory control of all the litigation of the city, or in which the city or any of its departments are interested, and shall perform such other duties as are or shall be prescribed by ordinance.

Sec. 4. **DUTIES OF ASSISTANTS AND CITY PROSECUTOR:** The assistant corporation counsel and the city prosecutors shall perform such duties as shall be required by the corporation counsel.

Sec. 5. He shall appoint under civil service rules, supervise and control all other officers and employees in his department.

ARTICLE XIV

City Planning Commission

Section 1. There shall be a city planning commission composed of such number of members, with such qualifications and serving such terms of office as shall be provided by ordinance. Appointment shall be by the mayor, subject to the confirmation by a majority of the city council.

(As amended at November 4, 1969 Election)

Sec. 2. The mayor may remove any member of the City Planning Commission subject to like confirmation. Members shall receive no compensation for service on said commission as such. Such membership shall not constitute a violation of Article XIX, Sec. 10 of this Charter.

Sec. 3. It shall be the duty of such commission to make recommendation to the legislative and other city departments on the city's broad planning goals and policies and on such plans for the development of the city as its present and future needs may require. The commission shall also advise and make recommendations to the legislative and other city departments in connection with matters relating to the city's physical development and redevelopment as may be directed by ordinance.

Sec. 4. Any provision of this Charter inconsistent with this article, particularly Article XI, Sec. 3 and Article XXIII, Sec. 1 are hereby superseded to the extent inconsistent. (As amended by vote of electors, March 13, 1962).

ARTICLE XV**Harbor Department**

Article XV of the City Charter which creates a harbor department and the office of port warden, is repealed and the functions of such department and the duties of such office shall be performed by other city departments and officers as provided by ordinance; and charter provisions inconsistent herewith are superseded. (Adopted by vote of electors, March 13, 1962).

ARTICLE XVI**Civil Service Department**

Section 1. COMMISSIONERS: There shall be a civil service commission of three members. Each year the mayor shall, with the confirmation of a majority of all members of the city council, appoint the successor of the commissioner whose term of office expires; provided, that the successors of the commissioner whose term expires first after the adoption of this amendment shall be elected from the classified civil service by the members thereof in accordance with such procedure as shall be established by ordinance, and such membership shall not constitute a violation of Article XIX, Section 10 of this charter. Each term of office shall be three years, starting on January 1st. Appointments and elections to fill vacancies shall be for the unexpired term. Two commissioners shall constitute a quorum.

(As amended at November 2, 1971 Election)

Section 2. COMMISSIONERS; REMOVAL; VACANCIES: The mayor may, with the consent of the city council, remove any commissioner, but the vacancy thereby created shall be filled by the city council, and any commissioner so appointed may not be removed by the mayor during the commissioner's tenure of office by virtue of such appointment, but he may be removed by the city council by majority of all members. The mayor shall, within five days, report in writing any such removal to the city council with his reasons therefor. Vacancies in the office of commissioner occurring in any other way than by removal by the mayor shall be filled by appointment by the mayor, with the confirmation of a majority of all members of the city council.

Section 3. EMPLOYEES, CLASSIFICATION, GRADES, COMPENSATION: The commission shall classify, with reference to the examination hereafter provided for, all the offices and places of employment in the public service of the city, except the offices and places mentioned in Section 11 of this article. Classifications shall be made so as to place each type of service in a separate group and by dividing each group into grades on the basis of equivalent functions and responsibilities. The offices and places so classified shall constitute the classified service and no appoint-

ments or promotions to any such office or place shall be made except in the manner provided in this article.

The commission shall prepare and submit to the city council a schedule of recommended compensations which shall include all classifications and places of employment which are subject to the provisions of this article, and shall from time to time prepare and submit a schedule of compensations to cover any new classifications adopted by the civil service commission. The recommended schedules of compensation shall be on the basis that like compensation shall be paid for like service, and shall be in accord with generally prevailing rates of salaries or wages for equivalent service and working conditions in private employment or in other comparable governmental organizations. The recommended schedules shall be advisory only to the city council.

Section 4. RULES FOR EXAMINATION, APPOINTMENT, PROMOTION, REINSTATEMENT, AND REMOVAL: The commission shall make rules to carry out the purposes of this article, and for examinations, appointments, promotions, layoff for lack of work or funds, reinstatement after such layoff or upon return after disability retirement, and for seniority, transfers, demotions and removals for cause in accordance with its provisions.

Section 5. PUBLICATION OF RULES: All rules made and all changes therein shall be forthwith printed for distribution, and the commission shall give notice by publication in the city official newspaper of the place where said rules may be obtained, and shall also give notice in such publication of the time when said rules shall go into operation, which shall not be less than ten days subsequent to the date of purchase.

Section 6. EXAMINATION; SUBJECT MATTER; EXAMINERS; COMMISSIONERS MAY ACT AS; PREFERENCES: All applicants for offices or places in the classified civil service shall be subject to examination, which shall be public, competitive, and open to all citizens of the United States with specified limitations as to residence, age, health, habits, and moral character, but the commission may, by rule, designate other methods of examination based on merit for positions or classes when in the commission's judgment competitive examination is not practicable. No questions in any examination shall relate to political or religious opinion or affiliation. The commission shall control all examinations, and may, whenever an examination is to take place, designate a suitable number of persons, either in or not in the official service of the city, to be examiners, and if in the official service, it shall be a part of their official duty, without extra compensations, to conduct such examinations as the commission may direct, and to make return and report thereof to the commission, and the commission may at any time substitute any other person, whether or not in such service, in the place of anyone so selected. The commissioners may themselves act at any time as such examiners.

Preference in employment shall at all times, subject to such examination, be given to citizens of the United States and residents of the city for one year. Apprenticeship positions may be established by ordinance which shall prescribe the tenure. Appointment shall be under this article for the term so prescribed and in harmony with the state apprenticeship laws. An apprentice may be suspended or removed during this term of apprenticeship, under the provisions of Section 12 of this article. (Amended by vote of electors November 7, 1967).

Section 7. NOTICE OF EXAMINATIONS: Notice of the time and place and general scope of every examination shall be given by the commission by publication in the city official newspaper ten days preceding such examination, and such notice shall also be posted by the commission in a conspicuous place in its office for ten days before such examination. Such further notice of examination may be given as the commission shall prescribe.

Section 8. REGISTER OF PERSONS EXAMINED; PREFERENCES: From the returns or reports of the examiners, or from the examination made by the commission, the commission shall prepare a register for each class of positions in the classified service of the city of the persons whose standing upon examination for such class is not less than the minimum fixed by the rules of the said commission, and who are otherwise eligible; and such persons shall take rank upon the register as candidates in the order of their relative excellence as determined by examination, without preference to priority of time of examination. Provided, That, as among persons qualified by examination under the provisions of this article, persons who have been residents within the city for at least one year immediately preceding appointment and regular civil service employees who are required to reside outside the city in connection with their employment, shall be placed at the head of the list of eligibles in the order of their standing upon examination and shall be accorded preference in original appointment. Provided, further, that whenever the city has acquired or may acquire an existing privately owned public utility, all Seattle resident citizen employees of such utility who have been employed thereby for more than one year last past and who shall pass a qualifying civil service examination for their like respective positions shall be placed upon a preferred original eligible list for such positions as may be created as the result of such acquisition, and shall be entitled to preference in original appointment, to such positions: Provided, further, that as among persons qualified by examination under this article, preference in eligibility for appointment shall be given to such honorably discharged members of the armed forces including women who have served the United States in time of war and who were residents of the State of Washington at the time of entering such service, by adding ten (10) points to their respective earned examination ratings. As between candidates of equal standing, preference in appointment shall be given to such members. In case of layoff or reduction of force seniority in service shall be considered and credit for seniority given all members for time served in the armed forces at the rate of two to one to be added to city service. The preferences extended in this proviso shall not apply to promotional examinations; Provided, further, that any such disabled members shall be permitted to compete for civil service positions for which they are physically qualified subject to such special rules as the civil service commission shall prescribe.

NEW CHARTER AMENDMENTS

ARTICLE XVI

Section 8.1. That the preference in first appointment accorded by Section 8 of Article XVI of the City Charter to certain Seattle resident employees of privately owned public utilities acquired by the city shall be extended to all such employees having had at least six months employment in such private utility immediately preceding such acquisition, and who are citizens of the United States, regardless of residence; and this amendment shall be retroactive. Furthermore, no such employee

shall be removed or dismissed from city employment under the provisions of Section 12 of this Article or otherwise because of non-residence in the City of Seattle, notwithstanding any ordinance of the city to the contrary; it being the purpose of this amendment to waive any residence requirements as to any such former employee of any privately owned utility acquired by the city as to preference in first employment by the city, and also as to continuance in employment by the city. As amended, March 11, 1952, Election.

Section 9. APPOINTMENTS; VACANCIES; CERTIFYING ELIGIBLES; PROBATION; INSPECTION OF PAPERS; STRIKING NAMES FROM REGISTER; TEMPORARY APPOINTMENTS: The head of the department or office in which the office classified under this article is to be filled shall notify the commission of any vacancy, and the commission shall certify to the appointing officer the names and addresses, together with notation of military, naval or marine service, if any, of such number of candidates, not less than five if there shall be so many eligible, standing first upon the register for the class or grade to which such position belongs as shall be equal to twenty-five percent of the total number of candidates on said register. The appointing officer shall notify the commission separately of each position to be filled, and shall fill such places by appointment from the persons certified to him by the commission therefor, which appointment shall be on probation for a period of twelve months, except for firemen where such period shall be six months. To facilitate the selection of appointees from the persons so certified, the appointing officer may require such persons to come before him, and shall be entitled to inspect such persons' examination papers, and may fill such positions by appointment from the persons so certified without regard to their order of certification, subject to the preference herein provided for. The commission may strike off the names of candidates from the register after they have remained thereon for a time to be limited by rule. Before the expiration of the period of probation, the head of the department or office in which a candidate is employed may, by and with the consent of the commission, discharge him upon assigning in writing his reasons therefor to the commission. If he is not then discharged, his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the head of any department may, with the approval of the commission, make temporary appointments to remain in force not exceeding sixty days, and only until regular appointments under the provisions of this article can be made. (Amended by vote of electors November 7, 1967).

Section 10. PROMOTION, EXAMINATION FOR: The commission shall by its rules provide, that whenever it is practicable in the judgment of the commission, positions in the higher classes shall be filled by promotion on the basis of service credit and standing upon competitive examination. The examination shall be such as to determine the qualifications of the applicants to perform the duties of the class positions. When it is not practicable for the position to be filled by promotional examination, the examination for the position shall be open and competitive, provided that preference in eligibility for appointment shall be given to each city employee who has had at least one year of regular service in a lower class of related work as defined in the class specification of duties by adding five per cent of his earned examination grade to such grade; and provided, further, that if the vacancy to be filled from the examination is within the department in which he is employed, an additional such credit of five per cent of his earned examination grade shall be added to his earned grade. (As amended by vote of electors, March 13, 1962).

Section 11. OFFICERS AND EMPLOYEES NOT IN CLASSIFIED SERVICE: The following officers and employees shall not be included in the classified civil service: All elective officers, the assistants to the corporation counsel, the city prosecutors, the city engineer, the superintendent of lighting, the superintendent of water, the superintendent of buildings, the superintendent of transportation, the chief of the fire department, the chief of the police department, the director of public health, the physicians, surgeons, dentists and interns employed in the public health department, the park commissioners, the library commissioners and the employees of the library department, the private secretary and also an administrative assistant to the mayor, the chief deputy comptroller, the assistant city treasurer, the civil service commissioners and the members of the planning commission, the park superintendent, and upon the recommendation of the civil service commission such similar professional and administrative offices and positions as may be designated by ordinance passed by vote of not less than two-thirds of all members of the city council. (Amended by vote of electors November 7, 1967).

(Also see Article XI, Section 3, as amended [excludes park superintendent].)

Section 12. TENURE IN CLASSIFIED SERVICE; REMOVAL FOR CAUSE; INVESTIGATION; REINSTATEMENT; SUSPENSION; OATHS AND EVIDENCE: Every officer or employee in the classified civil service shall hold office until removed or retired. Any officer or employee whose appointment is complete may be removed by the appointing power only upon the filing with the commission of a statement in writing of the reasons therefor. Any officer or employee so removed may within ten days after his removal demand an investigation. The commission

shall forthwith make such investigation and its finding and decision shall be certified to the appointing officer, and if the removal is not sustained thereby, the officer or employee so removed shall at once be re-instated. Nothing in this article shall limit the power of any officer to suspend without pay a subordinate for a period not exceeding thirty days. In the course of any investigation each member of the commission or their designated agents shall have power to administer oaths, and shall have the power to require the attendance of any officer or employee or other person and the production of books and papers relevant to such investigation.

Section 13. NOTICE AND RECORD OF APPOINTMENTS, TRANSFER, PROMOTION, RESIGNATION; DISMISSALS, VACANCIES AND CREATION OR ABOLISHMENT OF POSITIONS: Immediate notice in writing shall be given by the legislative power to the commission of the creation or abolishment of positions and by the appointing power to the commission of all appointments made in the classified civil service and of all such other changes in employee status and of the date thereof. The commission shall keep a record thereof, and of all findings made by it under Section 12 of this article.

Section 14. INVESTIGATIONS: The commission shall investigate the administration of this article and of its rules and the action of the examiners herein provided for, and the conduct and action of the appointees in the classified service, and may inquire as to the nature, tenure, and compensation of all offices and places in the public service. In the course of such investigations each commissioner or the commission's designated agents shall have the power to administer oaths, and the commission shall have the power to require the attendance and testimony of any city

officer or employee or other person, and the production of books and papers relevant to such investigation.

Sec. 15. CHIEF EXAMINER; SECRETARY: The commission shall employ a chief examiner to superintend any examination held under this article. He shall be secretary of the commission, and as such shall keep the minutes of its proceedings, preserve all reports made to it and keep a record of all examinations held under its direction and perform such other duties as the commission may prescribe.

Sec. 16. SALARY AND EXPENSES OF COMMISSIONERS: The compensation of the civil service commissioners shall be fixed by ordinance.

Sec. 17. FRAUDS IN EXAMINATIONS, APPOINTMENTS AND PROMOTIONS: It shall be unlawful for anyone to willfully or corruptly by himself or in collusion with another to deceive or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in doing so, or willfully or corruptly make any false representation concerning the same or concerning the person examined, or willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospect or chances of any person so examined, or to be examined, to be appointed, employed or promoted.

Sec. 18. RECEIVING OR SOLICITING POLITICAL CONTRIBUTIONS: No officer or employee of the city shall solicit orally or otherwise, or receive any assessment, subscription or contribution for any party or political purpose whatever and no person shall in any room or building occupied for the discharge of official duties by any officer or employee of the city, solicit, or in any other manner or place solicit or receive from any officer or employee of the city, appointed under civil service rules, any contribution or money or other thing of value for any party or political purpose whatever. No officer or employee of the city who may have charge or control of any building, office or room occupied by persons in the employ of the city, shall permit any person to enter the same for the purpose of therein soliciting or delivering written solicitations or receiving or giving notice of any political assessment.

Sec. 19. PUNISHMENT OR REWARD OF SUBORDINATES ON ACCOUNT OF POLITICS: No officer or employee of the city shall degrade, discharge or promote, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten to do so, for giving or withholding, or neglecting to make any contribution of money or any valuable thing for any party or political purpose, or for refusal or neglect to render any party or political service.

Sec. 20. PAYMENT FOR APPOINTMENT OR PROMOTION: No applicant for appointment or promotion in the classified civil service shall directly or indirectly pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment, or promotion, or proposed appointment or promotion, or ask for or receive any recommendation or assistance from any officer or employee in said service or of any other person, upon consideration of any political service to be rendered to or for such person, or for the promotion of such person to any office or appointment. No recommendation by any officer, city, county, state or national, except as to character, residence or fitness of the applicant, shall be received or considered by any person concerned in any examination or appointment under this article, and no recommendation whatever shall be made by or received from the mayor.

Sec. 21. GIVING OR PROMISING REWARDS FOR POLITICAL SERVICES: No person holding any office in the government of the city, or any nomination for, or while seeking a nomination for, or appointment to such office shall corruptly use or promise to use, either directly or indirectly, any official authority or influence, whether then possessed or merely anticipated, in the way of conferring upon any person, or in order to secure or aid any person in securing any office or public employment, or any nomination, confirmation or promotion, or increase of salary, upon the consideration or condition that the vote or political influence or action of the last named person shall be given or used in behalf of any candidate, officer or party, or upon any other corrupt condition or consideration.

Sec. 22. SALARY OR WAGES NOT PAID EXCEPT TO THOSE LAWFULLY APPOINTED: The comptroller shall not approve, audit or allow the payment of, nor shall the treasurer pay any salary or wages to any person for services as an officer or employee of the city, unless such person is occupying an office or place of employment according to law and is entitled to payment therefor.

Sec. 23. PENALTIES: Any person in the classified civil service who shall willfully or through culpable negligence violate any of the provisions of this article, and who shall be convicted thereof after a trial before the civil service commission, shall be dismissed from the service of the city and not be subject to reappointment, and any officer or employee of the city not in the classified civil service who shall so violate any such provision shall upon conviction thereof in the municipal court be fined and/or imprisoned, and his office rendered vacant and he shall not hold any office or employment under the city thereafter. Any other person so violating any such provision shall upon conviction thereof in the municipal court be fined and/or imprisoned.

Sec. 24. COMPENSATION DURING DISABILITY: Any civil serv-

ice employee not engaged in an extra hazardous occupation as defined by state laws, or who is not included in any other state law providing for pensions or disability allowances, and who shall be disabled in the discharge of his duties, shall receive full pay during such disability not to exceed one month, and half pay for not to exceed six additional months; or who shall be permanently injured or disabled while in the line of duty, shall receive in addition pay after seven months and while such disability continues, to be fixed by the city council, not exceeding 20 per cent of the pay received by such person at the time of injury, all of said payments to be made monthly.

The commission shall prescribe rules for carrying out the purpose of this section, and may provide a suitable medal of honor for distinguished bravery or service while in the line of duty.

Sec. 25. **USE OF INTOXICANTS BY OFFICERS AND EMPLOYEES:** No person habitually using intoxicating beverages to excess shall be appointed to or retained in any office, appointment or employment under this article.

Sec. 26. **PRESENT EMPLOYEES UNDER RULES:** The adoption of this charter shall not change the civil service status of any officer or employee.

Sec. 27. **EXCEPTION TO PREFERENCES:** The preference in appointment to civil service positions accorded by Article XVI of the City Charter to residents of Seattle for more than one year shall not apply where the Civil Service Commission determines in exceptional cases that such preference will hinder the city in the appointment of persons best qualified. (Adopted by vote of electors, March 13, 1962).

ARTICLE XVII

Salaries and Bonds

Section 1. **SALARIES:** No officer or employee of the city shall receive any compensation for his service as such except by salary, which shall be fixed and paid as prescribed by ordinance; Provided, that the annual salaries of the elective officers of the city shall be: Mayor, \$10,000.00; Councilmen, \$4,800.00; Corporation Counsel, \$7,500.00; City Comptroller, \$6,000.00; City Treasurer, \$6,000.00; until changed by ordinance passed by vote of not less than two-thirds of all members of the city council. The salary of no officer of the city shall be increased or diminished during his term of office.

Ordinance No. 92377, approved October 1, 1963, changes salaries as follows: Mayor, \$23,000.00; Corporation Counsel, \$21,000.00; City Comptroller and City Treasurer, \$16,500.00; Councilmen, \$12,500.00.

Sec. 2. **ANNUAL VACATIONS:** Officers and employees on a five-day-week basis shall receive annual vacations with pay at the rate of at least twelve working days per year, and others shall receive proportionate

annual vacations as prescribed by ordinance. Provided, that longer vacation periods may be prescribed by ordinance on a uniform basis.

Sec. 3. OFFICIAL BONDS: All salaried officers of the city other than policemen, detective officers and firemen shall, before they enter upon their official duties, give bonds, conditioned on the faithful performance of such duties, approved by the auditing committee. The amounts of all such bonds shall be fixed by ordinance.

Sec. 4. BOND OF CHIEF OF POLICE: It shall be one condition of the bond of the chief of police that he shall pay all such actual damages as may be sustained by any person, arrested without a warrant, or by reason of any false or unlawful imprisonment, by or under the direction of such chief of police.

ARTICLE XVIII

Elections

(NOTE: RCW Title 29 (Sections 5110 to 5428, Remington's Revised Statutes), prescribes the general procedure for elections in the State of Washington.)

Section 1. ELECTIONS; GENERAL AND SPECIAL: A general municipal election shall be held biennially on the second Tuesday in March in the even numbered years. At the election to be held in March, 1948, the mayor, the corporation counsel and four members of the city council shall be elected for terms of four years, and two members for two years; and, at the election in March, 1950, the city comptroller, the city treasurer and five members of the city council shall be elected for four-year terms. Special elections shall be held at such times, and for such purposes as the city council may, by ordinance, prescribe, subject to law.

Subdivision A. NOMINATIONS: Nominations for municipal elective officers under this charter shall be made in conformity with the non-partisan method hereinafter prescribed and provided, to-wit:

First. PRIMARY ELECTION: A primary election shall be held on the Tuesday two weeks preceding the day of any general municipal election. Whenever said Tuesday shall fall upon any legal holiday, the primary shall be held on the Monday immediately preceding the same.

Second. BALLOTS: All names of candidates to be voted upon at the primary election shall be printed upon the official primary ballot alphabetically in groups under the designation of the respective titles of the offices for which they are candidates.

Nothing on the ballot shall be indicative of the source of the candidacy or of the support of any candidate. No ballot shall have printed thereon any party or political designation or mark, and there shall not be

appended to the name of any candidate any such party or political designation or mark, or anything indicating his views or opinions.

All ballots shall be as provided by state law.

Third. NAME OF CANDIDATE TO BE PLACED ON BALLOTS: The name of a candidate shall be printed upon the ballot prepared for the primary election, when a declaration of candidacy shall have been filed in the office of the city comptroller, as follows:

DECLARATION OF CANDIDACY: Not earlier than sixty (60) days nor later than thirty (30) days before the primary election any eligible person desiring to become a candidate for nomination for any office, shall file in the office of the city comptroller a declaration of candidacy, accompanied by a fee equal to one percent of the annual salary attached to the office for which he desires to become a candidate.

The form of such declaration of candidacy, to be furnished by the city comptroller, shall be substantially as follows:

State of Washington, County of King, City of Seattle, ss.

I, _____, being first duly sworn, on oath depose and say: That I reside at No. _____ in the City of Seattle, and am a qualified voter therein; that I hereby declare myself eligible and a candidate for the nomination for the office of _____ at the primary election to be held on the _____ day of _____, 19____; that in making this declaration I am not becoming a candidate as the nominee of, or because of any promised support from any political party or any committee or convention representing or acting for any such political party. That I possess the qualifications required by law for said office.

I accompany this declaration with the sum of _____ dollars, the fee required by law for becoming such candidate.

Dated this _____ day of _____, 19_____.

Subscribed and sworn to before me this _____ day of _____, 19_____.

City Comptroller.

By _____, Deputy Clerk.

Fourth. WITHDRAWAL: Any person may, not later than fifteen (15) days before the primary election, withdraw by filing with the city comptroller a request therefor in writing, and no name so withdrawn shall be printed upon the official ballot. The city comptroller shall preserve in his office for a period of three years all declarations of candidacy filed under the provisions of this article.

Fifth. CANDIDATE CERTIFIED: The city comptroller shall, not less than ten (10) days before the primary election, certify a list of candidates for the respective offices whose names are entitled to appear upon the ballot, together with a list of the offices to be filled, and the same

XVIII-2—XVII-4 CHARTER

shall be published at least three consecutive days before the election in the city official newspaper.

Sixth. STATE LAW AND CITY CHARTER APPLICABLE: All the provisions of this charter and of the state law relating to the holding of municipal elections shall apply.

Sec. 2. ELECTION CONTESTS: A certificate of election shall be prima facie evidence of the facts therein stated, but the city council shall decide all questions as to the qualification and election of its own members, and in all cases of contested election for any office the contest shall be decided by the city council according, as nearly as may be, to the laws of the state regulating proceedings in cases of contested elections for county officers.

Sec. 3. SUBMITTING QUESTIONS TO VOTERS: Whenever any question is to be submitted to the electors of the city and the method of such submission is not specially provided by this charter or by general law, the same may be submitted at either a general or special election, and the method of submission shall be substantially as follows: The city clerk shall prepare a notice containing the proposition in full, and shall cause the same to be posted, and to be published in full in the city official newspaper for thirty days next proceeding the day of election, and the ballots at such election shall contain such statement of the proposition as shall be prescribed by ordinance.

Sec. 4. CANDIDATES TO FILE STATEMENT: Every candidate for nomination, and every person nominated, under this Charter shall, within ten (10) days after the date of the primary election at which he is a candidate or the election at which he is *candidate* or elected, file an itemized statement in writing, upon a suitable form to be furnished by the city comptroller, setting forth each sum of money and thing of value, or any consideration whatever, contributed, paid or promised by him, or any one for him, with his knowledge or acquiescence, for the purpose of securing, influencing or in any way affecting his nomination or election to said office. *Provided, however, that incidental expenses incurred by volunteer workers need not be reported.* Said statement to set forth the sums paid as personal expenses and stating fully the nature, kind and character of the expense for which the sums were expended separately, and the party or parties to whom the sums were paid and the purposes for which such payments were made, and in this statement all sums or other considerations promised and not paid shall be included. In said statement he shall also set forth a correct and itemized account of the total amount of any and all contributions of money or things of value received by him or by any person or organization for him, with his knowledge and acquiescence, from any one source, in aid or support of his candidacy for nomination or election, together with the name and address of the person, partnership,

committee, association, corporation, or any other organization or group of persons who has made such contributions. Such statement when so filed shall immediately be subject to the inspection and examination of any elector, and shall be a public record.

Proof of violation hereof shall disqualify such candidate or nominee from holding such office.

(As amended at November 2, 1971 Election)

Sec. 5. CONTRIBUTORS OF TWENTY-FIVE DOLLARS OR MORE TO FILE STATEMENTS: Every person, partnership, committee, association, corporation, organization or group of persons who shall in any way contribute to or aid by means of money or thing of value, to the amount of twenty-five dollars or more, the candidacy for nomination or election of any person under this charter shall, within ten days after the primary election or the general election, as the case may be, file with the city comptroller an itemized statement in writing, duly sworn to as to its correctness, of the money or thing of value contributed. Such statement shall be prepared, sworn to and filed by the president or local managing agent on behalf of a corporation, by one of the partners or local managing agent on behalf of a partnership, by the chairman, presiding officer or treasurer, of a committee, association, organization or group of persons, on behalf of such committee, organization or group. Such statement when so filed shall be a public record. The city council shall, by ordinance, provide a penalty for violation of or failure to comply with, the provisions of this section.

ARTICLE XIX

Officers; Terms and Vacancies

Section 1. ELECTIVE OFFICERS: The elective officers of the City of Seattle shall be: A Mayor, a City Comptroller, a Corporation Counsel, a City Treasurer, and the members of the City Council.

Sec. 2. QUALIFICATIONS OF ELECTIVE AND APPOINTIVE OFFICERS: All elective officers of the city shall be citizens of the United States and qualified electors of the state of Washington and registered voters of the city of Seattle at the time of filing their declaration of candidacy and shall be able to read and write the English language. All officers appointed by the mayor shall be persons with proven administrative ability, and especially fitted by education, training or experience to perform the duties of such offices, and shall, except when otherwise provided in this charter, be appointed without regard to political affiliation or residence at the time of appointment.

XIX-3—XIX-6 CHARTER

Sec. 3. **TERMS OF ELECTIVE OFFICERS.** The terms of the mayor, the city comptroller, the corporation counsel, the city treasurer and of councilmen shall be four years.

(NOTE: Term—shall begin on the first Monday in April following his election. RCW 29.13.050.)

Sec. 4. **OATH OF OFFICE; OFFICIAL BOND:** Every councilman and every other officer of the city and each of his assistants, before entering upon the duties of his office, shall take and subscribe an oath or affirmation that he possesses all the qualifications prescribed for his office, by this charter; that he will support the Constitution of the United States, and of the state of Washington, and the charter and ordinances of the city of Seattle; that he will faithfully comply with and abide by all the requirements of Section 10 of this article, and that he will faithfully demean himself in office. Every officer, when so required by law or ordinance, shall, before entering upon the duties of his office, and within ten days after his election or appointment, give bond to the city in such sum as shall be designated by ordinance or otherwise, conditioned for the faithful performance of his duties, and that he will pay over all moneys belonging to the city, as provided by law. If any person elected or appointed to any office shall fail to take or subscribe such oath or affirmation, or to give bond, as herein required, his office shall be deemed vacant.

Sec. 5. **VACANCIES; FAILURE TO QUALIFY; ABSENCE WITHOUT LEAVE; DISABILITY:** An office becomes vacant on failure to qualify within the time limited by law; upon the death or removal from office or resignation of the incumbent, or his removal from or absence from the city for sixty days without leave of the city council, or upon an adjudication of insanity; by a conviction of drunkenness, or by any permanent disability, preventing the proper discharge of duty.

Sec. 6. **VACANCIES; HOW FILLED:***

A. **APPOINTIVE OFFICES:** If any appointive office shall become vacant, the same shall, except as is otherwise provided in this charter, be filled in the same manner as if at the beginning of the term, and the person appointed to fill the vacancy shall hold office for the unexpired term.

B. **MAYOR AND OTHER ELECTIVE OFFICES:** If the office of mayor shall become vacant, the president of the city council shall become mayor; provided, that said president may within five days of such vacancy decline the office of mayor, in which event the city council shall select one of its members to be mayor in the manner provided for filling vacancies in other elective offices. If any other elective office shall become vacant,

*See Section 1.76.010 of this code for provision relating to performance of duties of office pending filling of the vacancy.

the city council shall, within twenty days thereafter, proceed to select by ballot a person to fill such vacancy, who shall possess the qualifications required for election to such office; such selection to be effective only upon the affirmative vote of a majority of all members of the city council. If any elective office shall not be filled within twenty days after it becomes vacant, the city council shall meet and ballot at least once each day, excluding Saturdays, Sundays and legal holidays, until such vacancy has been filled.

C. PERSONS FILLING VACANCIES IN ELECTIVE OFFICE; LENGTH OF TERM: A person who thus succeeds to fill a vacancy in an elective office shall hold such office until a successor is elected and qualified. Such successor shall be elected at the next regular municipal general election or at a special election held in concert with the next state general election, whichever occurs first, and shall hold the office for the remainder of the unexpired term and until a successor is elected and qualified; provided, should a vacancy in an elective office occur after the filings for elective office have closed for the next regular municipal general election or state general election, no successor for the unexpired term shall be elected until the next succeeding regular municipal general election or state general election, which ever occurs first.

Persons elected, succeeding ex officio, or selected to fill vacancies shall qualify within the same time and in the same manner as prescribed for persons elected for full terms.

(As amended at November 4, 1969 Election)

Sec. 7. SUSPENSIONS AND REMOVALS; TEMPORARY VACANCIES: Any elective or appointive officer may be suspended and removed for cause by the council, as hereinafter provided and the council shall temporarily fill the vacancy, except as hereinafter provided. Any officer appointed by the mayor may be removed by him, except as otherwise provided in this charter, upon filing with the city council a statement of his reasons therefor.

Sec. 8. SUSPENSION OF ELECTIVE AND APPOINTIVE OFFICERS; NOTICE; MEETING OF THE COUNCIL; CHARGES; HEARING: Whenever the council shall suspend any officer it shall immediately notify the officer of such suspension and the cause thereof. The accused shall be furnished with a copy of the charges, and shall have the right to appear with counsel and make his defense. The city council shall speedily try such officer on such charge, and for that purpose shall have power to adjourn from time to time until the trial shall be completed, to summon and compel the attendance of witnesses, to hear their testimony, to receive other evidence, and to hear the arguments of counsel.

SUSPENSION OF COUNCILMEN; CHARGES; TRIAL; REMOVAL:

In case of the suspension of a member of the city council by that body, the member so suspended shall be tried in like manner as herein provided, except that the charges may be preferred by any elector or member of the city council. In either case, the president of the city council shall preside at such trial, and in his absence or disability the acting president. If two-thirds of all the members of the city council shall by resolution find the accused guilty, then the suspended officer shall thereby be removed from office.

Sec. 9. OFFICERS TO HOLD OVER: Every elective and every appointive officer shall hold office until his successor has qualified, except as otherwise in this charter provided.

Sec. 10. OFFICERS NOT TO HOLD OTHER PUBLIC OFFICE; INTEREST IN CONTRACTS; PASSES; FORFEITURE OF OFFICE: No elective or appointive officer, or member of any board, commission or bureau, created by or under this charter, shall hold any other public office, except in the National Guard or as a notary public, or be an employee of the city or any other department, commission, board, bureau, institution, or office of the city government; or be directly or indirectly interested in any contract with the city. Nor shall any officer accept from any railroad, operating in whole or in part within the city, any pass or free transportation, or transportation upon any terms save such as are open to the public generally. The violation of any of the provisions of this section shall work a forfeiture of the office of the officer violating the same, and warrant his removal from office by impeachment or other proper procedure.

ELECTIVE OFFICERS NOT ELIGIBLE TO OTHER CITY OFFICE DURING TERM: No elective officer who has entered upon his duties shall, unless otherwise in this charter provided, be eligible to any appointive office during the term for which he was elected.

ARTICLE XX

Charter Amendments

Section 1. PROPOSED BY COUNCIL: Any amendment or amendments to this charter may be proposed in the city council, and if the same be agreed to by a majority of all the members elected, such proposed amendment or amendments shall be entered upon the journal with the yeas and nays of the members voting thereon. Upon the passage of any such amendment or amendments, the same shall be submitted to electors of the city for their ratification at the next general state or municipal election, which shall be at least sixty days after the adoption of such proposed amendment in the council; and if at such election any such amendment

shall be ratified by a majority of the qualified electors voting thereon, the same shall thereby become a part of this charter, and within five days after such election shall be by the mayor by proclamation published in the city official newspaper and proclaimed a part thereof: Provided, That if more than one amendment be submitted at the same general state or municipal election the same shall be submitted at such election in such manner that each proposed amendment may be voted on separately without prejudice to others; and provided further, that after the passage of such proposed amendments through the council the same shall be published by the city clerk in two daily newspapers published in said city, for at least thirty days prior to the day of submitting the same to the electors for their approval, as above provided.

(As amended at November 4, 1969 Election)

Sec. 2. PROPOSED BY VOTERS: Whenever fifteen per cent in number of the registered voters of the city voting at the last preceding election for the office of mayor shall file with the city council a petition for a specified charter amendment, which shall be set forth in full in such petition, it shall be the duty of the city council to submit said amendment to the voters of the city for their ratification or rejection at the next general municipal election occurring at least sixty days after the filing of such petition; such amendment shall be submitted in the manner provided by law for the submission of propositions to the voters of the city, provided: That when such petition is filed with the city council it shall be the duty of the city clerk to examine and verify all signatures thereto from a comparison with the registration lists in his office, and to report to the city council his findings as to the number of valid signatures contained in such petition. The council shall provide by ordinance a penalty for affixing to any such petition any false signature. If at the general municipal election at which such amendment is submitted, a majority

of the lawful voters voting thereon shall by their vote ratify any amendment so submitted, the same shall thereby become a part of the charter and within five days after such election it shall, by proclamation of the mayor, which shall be published in the city official newspaper, be so proclaimed, provided: That if more than one amendment be petitioned for and submitted at the same election such amendments shall be submitted in such manner that the electors may vote for or against each amendment separately, and provided further; That, after submission by the city council, every such amendment shall be published by the city clerk in two daily newspapers in the city for at least thirty days prior to such election and such other notice shall be given for at least ten days prior to such election as may be required by law for the submission of propositions to the voters of the city for their ratification or rejection.

ARTICLE XXI

Streets Upon Tide Lands and Sea and Lake Shores

Section 1. **STREETS OVER TIDE LANDS AND INTO LAKES:** All streets, avenues and other public highways heretofore established upon, over or across any tide lands within the city of Seattle, or into the waters of Lake Washington, Lake Union, Green Lake or other lakes, streams or bodies of fresh water within the city of Seattle, either under and by virtue of the constitution and laws of the state of Washington or under and by virtue of any charter or ordinance of the city of Seattle, or by the dedication of any plat within the city or by any other lawful authority established as public streets or highways, are hereby continued, established and declared to be public streets and highways of the city of Seattle, subject to the same power of the city to control, improve or vacate the same as is or shall be provided for other public streets and highways within the city.

The city council may by ordinance extend, establish or vacate any street over or across or along the harbor, shore or tide lands in the city.

ARTICLE XXII

Miscellaneous Subjects

Section 1. **MONEY IN TREASURY CREDITED TO PROPER FUNDS:** All moneys in the city treasury at the time of the adoption of this charter shall be credited to the several funds to which the same belong.

Sec. 2. **PRIVILEGES GRANTED BY ORDINANCE:** No privilege shall be granted that suspends or conflicts with any ordinance, except by ordinance.

Sec. 3. **BOOKS AND RECORDS; INSPECTION; CERTIFIED COPIES; FEES:** All books and records of every office and department shall be open to the inspection of any citizen at any time during business

hours. Copies or extracts from said books and records, duly certified, shall be given by the officer having the same in custody to any person demanding the same, and paying or tendering, for use of the city, such fees as shall be established by ordinance.

(As amended at November 2, 1971 Election)

Sec. 4. PUBLIC OFFICES OPEN; WHEN: Except when otherwise provided by law, all public offices shall be kept open for business on such days and for such hours as the city council shall by ordinance prescribe.

Sec. 5. OFFICES CREATED, PERSONS EMPLOYED AND COMPENSATION FIXED, BY LAW: No office shall be created, nor shall any person be employed in any capacity, nor shall any officer, clerk or employee receive any salary or compensation for any service of any kind, unless the same is specially provided for or authorized by law.

Sec. 6. CERTAIN OFFICERS MAY ADMINISTER OATHS: Every officer authorized by law or ordinance to allow, audit or certify demands upon the treasury, or to make any official investigation, shall have power to administer oaths and affirmations and take and hear testimony concerning any matter or thing relating thereto.

Sec. 7. OFFICERS LIABLE FOR APPROVAL, ALLOWANCE OR PAYMENT OF UNAUTHORIZED CLAIMS: Every officer who shall approve, allow or pay any demand on the treasury not authorized by law shall be liable to the city individually and on his official bond for the amount paid by the city upon such demand in excess of the amount lawfully due from the city thereon.

Sec. 8. POWER TO APPOINT GIVES POWER TO REMOVE: Unless otherwise provided by law or this charter, each officer, board or department authorized to appoint any deputy, clerk, assistant or employee, shall have the right to remove any person so appointed.

Sec. 9. APPOINTMENTS IN WRITING; FILING: All appointments of officers and employees to be made under this charter must be in writing, and authenticated by the board or officer making the same.

Sec. 10. APPOINTIVE OFFICERS TO HOLD UNTIL SUCCESSORS APPOINTED: All appointive officers in office when this charter takes effect shall continue to hold and exercise their respective offices under and in accordance with the terms and provisions and obligations of this charter, until the appointment and qualification of their respective successors.

Sec. 11. TERMS OF OFFICERS IN OFFICE WHEN CHARTER ADOPTED: The elective officers of the city in office when this charter takes effect, shall continue in office for the remainder of their terms, and until their successors shall have qualified.

Sec. 12. ANNUAL REPORTS OF DEPARTMENT HEADS: The head of every department, except the mayor and president of the city council, shall annually, on or before the first day of April, make a report to the mayor and city council showing the amount of business transacted in his department, the condition thereof, and containing recommendations as to any legislation by him deemed necessary or advisable to improve the service rendered by his department. Such annual report shall be for the year ending December thirty-first preceding the making thereof.

Sec. 13. RETIREMENT, DISABILITY, PENSION AND DEATH BENEFIT SYSTEM: The legislative authority may, by ordinance, establish a retirement and pension system for superannuated officers and employees of the city and of the Seattle public library, and may likewise so provide for a system of death benefits and for a disability pension system to cover permanent, partial or temporary disability incurred by such officers and employees, and any such disability pension system so established shall thereupon, to the extent of any conflict, supersede the provision for compensation during disability provided for in this charter. Any such pension system, and death benefit system, shall be financed jointly by the city and the members; provided, that prior to the establishment of any or all such systems, reports shall be secured from a competent actuary of the cost of the same, which report shall constitute the financial basis of any pension or death benefit system adopted hereunder. City officers or employees who are members of other employees' pension systems pursuant to state law shall not at the same time be eligible to membership hereunder.

ARTICLE XXIII

City Transit Commission

Section 1. There shall be a "Seattle Transit Commission" composed of five members, appointed by the mayor and confirmed by the city council who shall serve without compensation. First appointments shall be made effective January 1, 1952, or as soon thereafter as practicable, and of the five commissioners first appointed, two shall be appointed for terms of two years, two for terms of four years and one for a term of six years. All subsequent appointments shall be for terms of six years. In the event of a vacancy, the mayor, subject to the approval of the city council, shall fill the same for the unexpired term. Commissioners shall be eligible to succeed themselves. Commissioners may be removed by the mayor upon filing notice of removal for cause with the city council, such removal to be effective only upon confirmation by a majority of all members of the city council.

Said transportation commission, by majority vote, is authorized and empowered to:

FIRST: Select from among their number a chairman who shall serve for one year, but who shall not be eligible to succeed himself as chairman, but he may be elected for subsequent terms. Appoint a secretary who shall keep a record of their proceedings which shall be public.

SECOND: Make all rules and regulations governing the operation of the public transportation system of the city, and have complete control of all the employees of said system, including fixing of their compensation, subject to the civil service provisions of the charter of the city.

THIRD: Have all superintendence, control and management of the facilities, equipment and property of the public transportation system of the city.

FOURTH: Fix all routings and change the same in the discretion of the commission, and fix all rates, fares and charges for the transportation of persons and commodities through the facilities of said system.

FIFTH: From time to time determine the type, character and amount of new equipment required and authorize extensions, betterments and improvements to said system.

SIXTH: Appoint and remove at will a superintendent of transportation, who shall be a man of recognized ability and experience in the operation of public transportation systems; fix his compensation; delegate to him the general management of said system, including the employees thereof, subject to the control of the commission, and direct the enforcement of all resolutions, rules and regulations pertaining to said system, together with such further powers and duties as may be prescribed from time to time by said commission. Said superintendent shall not be under civil service.

SEVENTH: Determine the need for and recommend issuance of revenue bonds by the city pursuant to the laws relating thereto, which shall be payable solely from the revenues to be derived from the operation of the said transportation system, for the purpose of adding to, purchasing, acquiring, constructing, extending, improving, bettering, operating and maintaining said transportation system, including the purchasing of trolley and motor buses and other equipment and the extension, repair, improvement and betterment of said system.

EIGHTH: Establish to the extent permitted by law such funds as may be necessary for the efficient operation of said transportation system, including those for operations, payment of principal and interest on revenue bonds, and renewal and betterments.

NINTH: Adopt, to the extent permitted by law, an annual budget, including estimate of revenues and expenditures for the ensuing year, a

copy of which shall be filed with the mayor and city council. The commission shall transmit to the mayor and city council any information relating to said transportation system which they may request and shall publish an annual report of its finances and operations.

TENTH: Utilize the city's legal, purchasing and other services, upon payment of reasonable compensation therefor. The use of the city legal and purchasing services shall be mandatory and the use of other city services permissive.

ELEVENTH: Make all contracts for improvements to the transit system.

Sec. 2. Any powers herein conferred upon the transit commission which are in conflict with the general laws of the State of Washington shall not become operative unless and until said general laws are repealed, amended, or modified, or new laws are enacted authorizing the commission to exercise said powers.

Sec. 3. Section 11, Article VII, of the Charter of the City of Seattle, being inconsistent herewith, is hereby repealed in its entirety.

Sec. 4. Article IV, Section 14, Eleventh, and Article VII, Sections 1 and 4, and all other provisions of said Charter insofar as they are inconsistent herewith, are hereby repealed.

As amended March 14, 1950.