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RESOLUTION 26542

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PROPOSITION _____

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A RESOLUTION AND PROPOSITION relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, and to extend from thirty to 45 days the interval for city council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE:

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That Section 1 of Article IV of the Charter of The City

11

of Seattle be amended to read as follows:

12

Section 1. A. LEGISLATIVE POWER, WHERE VESTED: The

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legislative powers of the City of Seattle shall be vested in

14

a mayor and city council, who shall have such powers as are

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provided for by this charter; but the power to propose for

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themselves any ordinance dealing with any matter within the

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realm of local affairs or municipal business, and to enact

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or reject the same at the polls, independent of the mayor

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and the city council, is also reserved by the people of the

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City of Seattle, and provision made for the exercise of such

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reserved power, and there is further reserved by and provision

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made for the exercise by the people of the power, at their

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option, to require submission to the vote of the qualified

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electors and thereby to approve or reject at the polls any

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ordinance, or any section, item or part of any ordinance

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dealing with any matter within the realm of local affairs or

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municipal business, which may have passed the city council

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and mayor, acting in the usual prescribed manner as the

ordinary legislative authority.

1 B. INITIATIVE AND REFERENDUM; HOW EXERCISED; PETITIONS;
2 COMPTROLLER TO VERIFY SIGNATURES; COMPLETION OF PETITION,
3 CONSIDERATION IN COUNCIL: The first power reserved by the
4 people is the initiative. It may be exercised on petition
5 of a number of registered voters equal to not less than ten
6 (10) percent of the total number of votes cast for the
7 office of mayor at the last preceding municipal election,
8 proposing and asking for the enactment as an ordinance of a
9 bill or measure, the full text of which shall be included in
10 the petition. Prior to circulation for signatures, such
11 petition shall be filed with the city comptroller in the
12 form prescribed by ordinance, and by such officer assigned a
13 serial number, dated, and approved or rejected as to form,
14 and the petitioner so notified within five (5) days after
15 such filing. Signed petitions shall be filed with the city
16 comptroller within one hundred eighty (180) days after the
17 date of approval of the form of such petitions. Upon such
18 filing, the city comptroller shall verify the sufficiency of
19 the signatures to the petition, and transmit it, together
20 with his report thereon to the city council at a regular
21 meeting not more than twenty (20) days after the filing of
22 such signed petition, and such transmission shall be the
23 introduction of the initiative bill or measure in the city
24 council. If the comptroller shall find any petition, which
25 upon filing had a sufficient number of signatures, to
26 ((be)) have insufficient verified ((in)) signatures, he
27 shall notify the principal petitioners, and an additional
28 twenty (20) days shall be allowed them in which to complete
such petition to the required percentage; provided however,
that in no event shall the time for procuring signatures
exceed two hundred (200) days ((from the date of approval

1 of the form of such petitions)). Consideration of such initia-
2 tive petition shall take precedence over all other business
3 before the city council, except appropriation bills and
4 emergency measures.

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

10 D. WHEN REJECTED MEASURE AND SUBSTITUTE SUBMITTED TO
11 PEOPLE: GENERAL AND SPECIAL ELECTIONS: If the city council
12 rejects any ~~initiative~~ measure, or shall during (~~thirty~~
13 (~~((30+))~~ ~~forty-five~~ (45) days after receipt thereof have
14 failed to take final action thereon, or shall have passed a
15 different measure dealing with the same subject, the said
16 rejected initiative measure and such different measure
17 dealing with the same subject, if any has been passed, shall
18 be taken in charge by the city comptroller and the city
19 council shall order the measure submitted to the qualified
20 electors for approval or rejection at the next regularly
21 scheduled election, irrespective of whether it is a state or
22 municipal election or a primary or general election; but the
23 city council may in its discretion designate submission be
24 at a general election rather than a primary or ((provide
25 fer)) call an earlier special election.

26 E. WHEN A SPECIAL ELECTION REQUIRED: If an initiative
27 petition shall be signed by a number of qualified voters of
28 not less than twenty (20) percent 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

1 qualified signatures up to said percentage, then the city
2 council shall provide for a special election upon said
3 subject, to be held within sixty (60) days from the proof of
4 sufficiency of the percentage of signatures.

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

20 G. SUBMISSION OF SUBSTITUTE AND INITIATIVE MEASURES;
21 IF BOTH APPROVED, THAT HAVING HIGHEST VOTE ADOPTED: In
22 case the city council shall, after rejection of the initiative
23 measure, have passed a different measure, dealing with the
24 same subject, it shall be submitted at the same election
25 with the initiative measure and the vote of the qualified
26 electors also taken for and against the same, and if both
27 such measures be approved by a majority vote, if they be
28 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.

1 H. POWER OF SIMPLE REFERENDUM AS TO ORDINANCES; EXCEPTIONS;
2 BY PETITION OR BY COUNCIL: The second power reserved by the
3 people is the simple referendum, and it may be exercised and
4 ordered (except as to ordinances necessary for the immediate
5 preservation of the public peace, health or safety, or
6 providing for the approval of local improvement assessment
7 rolls, or for the issuance of local improvement bonds), as
8 to any ordinance which has passed the city council and mayor
9 (acting in their usual prescribed manner as the ordinary
10 legislative authority of the city), either upon a petition
11 signed by a number of registered voters equal to not less
12 than eight (8) percent of the total number of votes cast for
13 the office of mayor at the last preceding municipal election,
14 or by the city council itself without petition.

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

27 J. REFERENDUM BY PETITION; EFFECT OF; VERIFICATION OF
28 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, which
petition shall be filed with the city comptroller before the

1 day fixed for the taking effect of the said law or ordinance,
2 which shall in no case be less than thirty (30) days after
3 the final favorable action thereon by the mayor and city
4 council, acting in their usual prescribed manner as the
5 ordinary legislative authority of the city, and the filing
6 of such referendum petition as to any such ordinance or
7 section, item or part thereof, shall operate to suspend the
8 taking effect of the same, or any further action thereon,
9 except as hereinafter provided, viz: The city comptroller
10 shall verify the sufficiency of the signatures to the
11 petition and transmit it, together with his report thereon,
12 to the city council, at a regular meeting not less than
13 twenty (20) days after the filing of the petition.

13 K. SUBMISSION AT GENERAL OR SPECIAL ELECTION: The
14 city council shall thereupon provide for submitting the said
15 ordinance or section, item or part thereof, to the vote of
16 the qualified electors for ratification or rejection, either
17 at the next regularly scheduled election, irrespective of
18 whether it is a state or municipal election, or at a sooner
19 special election, as the city council in its discretion may
20 provide.

20 L. NOTICE AND CONDUCT OF ELECTION: Official publi-
21 cation shall be made, notices of election given, and the
22 manner and conduct of election, the preparation of the
23 official ballots, the counting and canvassing of the votes,
24 and the certifying of the returns of the election, shall in
25 the exercise of both the initiative and referendum be as
26 provided by law for the submission of propositions to the
27 voters.

27 M. IF ORDINANCE APPROVED, WHEN TO TAKE EFFECT: If the
28 ordinance thus submitted to the referendum shall receive in

1 its favor a majority of all the votes cast for and against
2 the same, it shall be in full force and effect from and
3 after the proclamation by the mayor, which shall be made and
4 published in the city official newspaper, within five (5)
5 days after the election. Provided, however, that if the
6 ordinance itself shall designate a subsequent date for
7 taking effect, the proclamation shall name the said date as
8 the time for taking effect. If the ordinance shall fail to
9 receive the majority vote in its favor, it shall be considered
10 as rejected and shall be of no force or effect.

11 N. AMENDMENT OR REPEAL OF INITIATED AND REFERRED
12 ORDINANCES: No ordinance so initiated or referred and
13 approved shall be amended or repealed by the city council
14 within a period of two (2) years following such approval.

15 BE IT FURTHER RESOLVED:

16 As contemplated by Charter Article XX, Section 1 providing
17 for charter amendments proposed by the City Council, this
18 resolution shall be submitted to the qualified voters of the
19 City at the next municipal election to be held on September 15,
20 1981. The proposition shall be voted upon in the following
21 manner:

22 There shall be placed upon the ballot a statement of
23 proposition substantially in the form as follows:

24 Shall Charter Amendment change period for signature-
25 gathering on initiatives, extend time for council
26 consideration, set voting at next regular election?

27 "Yes _____ No _____"

28 Every qualified voter at the election desiring to ratify the
resolution shall mark his or her ballot "Yes." Every voter
desiring to reject the resolution shall mark his or her
ballot "No."

1 BE IT FURTHER RESOLVED:

2 Upon approval of this resolution by the Council and not
3 less than forty-five (45) days before the date of such
4 election, the City Clerk shall certify to the Director of
5 the Department of Records and Elections of King County as
6 Supervisor of Elections this proposition in the form of a
7 ballot title confirming to the foregoing statement of the
8 same, and certify therewith a copy of this resolution in
9 full.

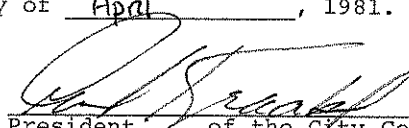
9 BE IT FURTHER RESOLVED:

10 This resolution shall supersede Resolution 26287.

11 BE IT FURTHER RESOLVED:

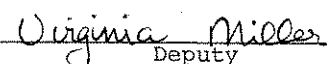
12 Certification of this resolution and the proposition it
13 contains to the Director of the Department of Records and
14 Elections of King County, and any other act pursuant to the
15 authority and prior to the effective date of this ordinance
16 is hereby ratified and confirmed.

17 PASSED the City Council this 13 day of April,
18 1981, and signed by me in open session in authentication of
19 its passage this 13 day of April, 1981.

20 
President of the City Council

21 Filed by me this 13 day of April, 1981.

22 ATTEST: 
23 City Comptroller and City Clerk

24 BY: 
25 Deputy

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PROCLAMATION

I, CHARLES ROYER, Mayor of The City of Seattle, certify and declare that the following amendment to the City Charter:

That Section 1 of Article IV of the Charter of The City of Seattle be amended to read as follows:

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 provision 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.

1 B. INITIATIVE AND REFERENDUM; HOW EXERCISED; PETITIONS;
2 COMPTROLLER TO VERIFY SIGNATURES; COMPLETION OF PETITION,
3 CONSIDERATION IN COUNCIL: The first power reserved by the
4 people is the initiative. It may be exercised on petition
5 of a number of registered voters equal to not less than ten
6 (10) percent of the total number of votes cast for the
7 office of mayor at the last preceding municipal election,
8 proposing and asking for the enactment as an ordinance of a
9 bill or measure, the full text of which shall be included in
10 the petition. Prior to circulation for signatures, such
11 petition shall be filed with the city comptroller in the
12 form prescribed by ordinance, and by such officer assigned a
13 serial number, dated, and approved or rejected as to form,
14 and the petitioner so notified within five (5) days after
15 such filing. Signed petitions shall be filed with the city
16 comptroller within one hundred eighty (180) days after the
17 date of approval of the form of such petitions. Upon such
18 filing, the city comptroller shall verify the sufficiency of
19 the signatures to the petition, and transmit it, together
20 with his report thereon to the city council at a regular
21 meeting not more than twenty (20) days after the filing of
22 such signed petition, and such transmission shall be the
23 introduction of the initiative bill or measure in the city
24 council. If the comptroller shall find any petition, which
25 upon filing had a sufficient number of signatures, to
26 ((be)) have insufficient verified ((in)) signatures, he
27 shall notify the principal petitioners, and an additional
28 twenty (20) days shall be allowed them in which to complete
such petition to the required percentage; provided however,
that in no event shall the time for procuring signatures
exceed two hundred (200) days ((from the date of approval

1 of the form of such petitions)). Consideration of such initia-
2 tive petition shall take precedence over all other business
3 before the city council, except appropriation bills and
4 emergency measures.

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

11 D. WHEN REJECTED MEASURE AND SUBSTITUTE SUBMITTED TO
12 PEOPLE: GENERAL AND SPECIAL ELECTIONS: If the city council
13 rejects any initiative measure, or shall during (~~thirty~~
14 (~~(30)~~) *Forty-five* (45) days after receipt thereof have
15 failed to take final action thereon, or shall have passed a
16 different measure dealing with the same subject, the said
17 rejected initiative measure and such different measure
18 dealing with the same subject, if any has been passed, shall
19 be taken in charge by the city comptroller and the city
20 council shall order the measure submitted to the qualified
21 electors for approval or rejection at the next regularly
22 scheduled election, irrespective of whether it is a state or
23 municipal election or a primary or general election; but the
24 city council may in its discretion designate submission be
25 at a general election rather than a primary or (~~provide~~
26 ~~fer~~) call an earlier special election.

27 E. WHEN A SPECIAL ELECTION REQUIRED: If an initiative
28 petition shall be signed by a number of qualified voters of
not less than twenty (20) percent 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

1 qualified signatures up to said percentage, then the city
2 council shall provide for a special election upon said
3 subject, to be held within sixty (60) days from the proof of
4 sufficiency of the percentage of signatures.

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

20 G. SUBMISSION OF SUBSTITUTE AND INITIATIVE MEASURES;
21 IF BOTH APPROVED, THAT HAVING HIGHEST VOTE ADOPTED: In
22 case the city council shall, after rejection of the initiative
23 measure, have passed a different measure, dealing with the
24 same subject, it shall be submitted at the same election
25 with the initiative measure and the vote of the qualified
26 electors also taken for and against the same, and if both
27 such measures be approved by a majority vote, if they be
28 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.

1 H. POWER OF SIMPLE REFERENDUM AS TO ORDINANCES; EXCEPTIONS;
2 BY PETITION OR BY COUNCIL: The second power reserved by the
3 people is the simple referendum, and it may be exercised and
4 ordered (except as to ordinances necessary for the immediate
5 preservation of the public peace, health or safety, or
6 providing for the approval of local improvement assessment
7 rolls, or for the issuance of local improvement bonds), as
8 to any ordinance which has passed the city council and mayor
9 (acting in their usual prescribed manner as the ordinary
10 legislative authority of the city), either upon a petition
11 signed by a number of registered voters equal to not less
12 than eight (8) percent of the total number of votes cast for
13 the office of mayor at the last preceding municipal election,
14 or by the city council itself without petition.

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

27 J. REFERENDUM BY PETITION; EFFECT OF; VERIFICATION OF
28 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, which
petition shall be filed with the city comptroller before the

1 day fixed for the taking effect of the said law or ordinance,
2 which shall in no case be less than thirty (30) days after
3 the final favorable action thereon by the mayor and city
4 council, acting in their usual prescribed manner as the
5 ordinary legislative authority of the city, and the filing
6 of such referendum petition as to any such ordinance or
7 section, item or part thereof, shall operate to suspend the
8 taking effect of the same, or any further action thereon,
9 except as hereinafter provided, viz: The city comptroller
10 shall verify the sufficiency of the signatures to the
11 petition and transmit it, together with his report thereon,
12 to the city council, at a regular meeting not less than
13 twenty (20) days after the filing of the petition.

13 K. SUBMISSION AT GENERAL OR SPECIAL ELECTION: The
14 city council shall thereupon provide for submitting the said
15 ordinance or section, item or part thereof, to the vote of
16 the qualified electors for ratification or rejection, either
17 at the next regularly scheduled election, irrespective of
18 whether it is a state or municipal election, or at a sooner
19 special election, as the city council in its discretion may
20 provide.

20 L. NOTICE AND CONDUCT OF ELECTION: Official publi-
21 cation shall be made, notices of election given, and the
22 manner and conduct of election, the preparation of the
23 official ballots, the counting and canvassing of the votes,
24 and the certifying of the returns of the election, shall in
25 the exercise of both the initiative and referendum be as
26 provided by law for the submission of propositions to the
27 voters.

27 M. IF ORDINANCE APPROVED, WHEN TO TAKE EFFECT: If the
28 ordinance thus submitted to the referendum shall receive in


1 its favor a majority of all the votes cast for and against
2 the same, it shall be in full force and effect from and
3 after the proclamation by the mayor, which shall be made
4 and published in the city official newspaper, within five
5 (5) days after the election. Provided, however, that if
6 the ordinance itself shall designate a subsequent date for
7 taking effect, the proclamation shall name the said date
8 as the time for taking effect. If the ordinance shall
9 fail to receive the majority vote in its favor, it shall
10 be considered as rejected and shall be of no force or
11 effect.

11 N. AMENDMENT OR REPEAL OF INITIATED AND REFERRED
12 ORDINANCES: No ordinance so initiated or referred and
13 approved shall be amended or repealed by the city council
14 within a period of two (2) years following such approval.

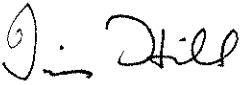
15 was proposed by Resolution 26542; was submitted to the
16 qualified electors (voters) of The City of Seattle for
17 ratification or rejection at the municipal election held
18 on Tuesday, September 15, 1981; and received the approval
19 of a majority of the qualified electors voting thereon;
20 Now, Therefore, the results of said election having been
21 duly certified to me, I

22 PROCLAIM that said proposed amendment, by virtue
23 of such approval by the electors, is a part of the City
24 Charter of The City of Seattle.
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28

1 IN WITNESS WHEREOF, I have signed this Proclamation
2 and caused the corporate seal of The City of Seattle to
3 be affixed hereto and attested by the Clerk of the City
4 this 28th day of September, 1981.

5 
6 Mayor of The City of Seattle
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11 ATTEST:

12 
13 City Comptroller and Clerk
14 of the City of Seattle
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30 days for
City Council Action

90 days for
City Council Action

Nov. 2nd Election	Nov. 8th Election	Sept. 14 Election	Sept. 20 Election	Nov. 2 Election	Nov. 8 Election	Sept. 14 Primary	Sept. 20 Primary
(e.g., 1982, 1993, 1999)	(e.g., 1983, 1988, 1994)					(e.g., 1982, 1993, 1999)	(e.g., 1983, 1988, 1994)

1. Last Date for Calling Election Sept. 17 (9/18 is Sat.) Sept. 23 (9/22 is Sat.) July 30 (7/31 is Sat.) Aug. 5 (8/6 is Sat.) Sept. 17 Sept. 23 July 30 July 5 Aug. 5 Sept. 17 Sept. 23 July 30 Aug. 5 (7/31 is Sat.) Aug. 5 (8/6 is Sat.)
2. Last Date for Transmission to City Council Aug. 18 Aug. 24 June 30 July 6 June 18 (6/19 is Sat.) June 24 (6/23 is Sat.) Apr. 30 (May 1 is Sat.) May 6
3. Last Date for Filing Signed Initiative July 29 Aug. 4 June 10 June 16 May 28 June 3 (6/5 is Sat.) Apr. 9 (4/10 is Sat.) Apr. 15 (4/16 is Sat.)
4. Last Filing Date that would allow full 180/200 day petition drive Jan. 25 Jan. 5 Jan. 31 Jan. 11 Dec. 7 Nov. 17 Dec. 13 Nov. 23 Nov. 4 Nov. 10 Nov. 30 Oct. 11 Sept. 21 Oct. 15 Sept. 24

Note: This assumes all transmissions between King County, the City Comptroller, and the City Council occur within one day. Every day lost in transmission projects calculations backward.

Time Intervals are:

45 days between call and election date	(Between Base and 1)
30 days for City Council consideration	(Between 1 and 2)
20 days for filing initiative	(Between 2 and 3)
180/200 days plus	(Between 3 and 4)
5 days preparation of ballot title	
(Leap year may add day to deadline; date in preceding year may vary depending on year.)	



Memorandum

Date: April 10, 1981

To: All Councilmembers

From: Dolores Sibonga

Subject: Divided Report on Resolutions and Propositions Amending Article IV, Section 1 of the City Charter to Provide for Submission of an Initiative at the Proximate Regularly Scheduled Election

DIVIDED REPORT:

- Resolution 26451 — Do Not Adopt (DS, JW)
- Resolution 26541 — Adopt 30 Days (DS)
Do Not Adopt (JW)
- Resolution 26542 — Adopt 60 days (JW)
Do Not Adopt (DS)

Three versions of resolutions which amend Article IV, Section 1 of the City Charter were presented in the Wednesday, April 8 meeting of the Personnel and Property Management Committee. The following chart compares the versions:

	<u>Resolution 26451</u>	<u>Resolution 26541</u>	<u>Resolution 26542</u>
<u>Section B</u>	provides that the time for procuring signatures sheet not exceed two hundred (200) days from the date of approval of the form of such petition.	provides that when the Comptroller petitions, which upon filing had sufficient signatures, to have insufficient verified signatures, an additional twenty (20) days should be allowed to complete the required per cent: <u>provided that in no event shall the time exceed 200 days.</u>	Same as Resolution 2654 .
<u>Section D</u>	provides for <u>90-day</u> period after receipt That the City Council shall order the measure submitted to the qualified electors at the next regularly scheduled state or municipal primary or general election;	provides for <u>30 days</u> period after receipt That the Council shall order the measure submitted at the next regularly scheduled election irrespective of whether it is a state or municipal election or a primary or general election.	provides for <u> </u> days period after receipt.

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

March 30, 1981

Ms. Dolores Sibonga, Chair
Personnel & Property Management
Committee
Seattle City Council

Dear Ms. Sibonga:

In answer to your request by letter dated March 16, 1981 and your oral request at your last committee meeting on Resolution 26451, we have prepared and forward herewith two resolutions and propositions amending Article IV, Section 1 of the City Charter.

The first resolution is entitled as follows:

"A RESOLUTION AND PROPOSITION to amend Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287."

It amends subsections 4 B., D., and K. It does not change the time for the City Council to accept or reject an initiative.

The second resolution is entitled as follows:

"A RESOLUTION AND PROPOSITION relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, to extend from thirty to _____ days the interval for city council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287.

Dolores Sibonga
Page Three
March 30, 1981

"29.13.010 STATE, COUNTY, CITY, TOWN, AND DISTRICT GENERAL ELECTIONS--STATE-WIDE GENERAL ELECTION--EXCEPTIONS --SPECIAL COUNTY ELECTIONS. All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: Provided, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020 as now or hereafter amended, or as otherwise provided by law; . . . Provided however, That the county legislative authority may, if they deem an emergency to exist, call a special county election by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date.

The King County, Director of Records and Elections, has interpreted the 45 day notice in RCW 29.13.020 as applicable to regularly scheduled municipal elections as well. Cf. Opinion No. 5840.

Counting backward the City Charter, Article IV, Section D. allows the City Council thirty (30) days after receipt to take action to reject or accept an initiative. Section 4 B. allows the City Comptroller twenty days after the filing of an initiative petition to verify its sufficiency. In sequence totaling 45 days before the election for the King County Administrator, 30 days for City Council action, and 20 days for verification, sums to 95 days. A general election may be held as soon as November 2nd and as late as November 8th, RCW 29.13.010; a primary election may be held between September 14 and September 20th, RCW 29.13.070. A table of comparative deadlines is attached. All assume that papers are hand delivered within the same day. Every day lost in inter-office transmission projects the sequence backward.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By

JORGEN G. BADER
Assistant

JGB:rl

City of Seattle
OFFICE OF THE COMPTROLLER
Seattle, Washington 98104

DRAFT



C. G. ERLANDSON
CITY COMPTROLLER

JOHN B. KELLUM
CHIEF DEPUTY COMPTROLLER

July 21, 1981

Mr. Clint Elsom, Manager
Department of Records and Elections
County of King
553 King County Administration Building
Seattle, Washington 98104

ATTENTION: Donald R. Perrin, Elections Supervisor

Dear Sir:

Per Lydia DellaRossa's conversation with Theresa Dunbar of the City Clerk's Office, this is to acknowledge the error in our letter to you dated April 17, 1981. That letter, submitting to you City of Seattle Resolution No. 26542, relating to the submission of a proposed Charter Amendment and calling for an election thereon, incorrectly cited November 3, 1981, as the date for submitting the Resolution to the voters. In fact, as your letter to our office dated May 6, 1981, indicates, this election should be held in conjunction with the Primary Election on September 15, 1981.

We apologize for the error and any inconvenience it may have caused you.

Very truly yours,

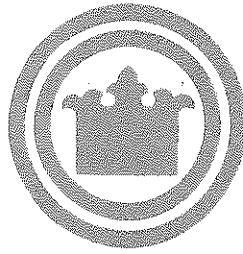
Tim Hill
Comptroller and City Clerk

TH:jp

cc: Virginia Miller

King County, State of Washington
Ron Dunlap, County Executive

Department of Executive Administration
Shani Taha, Director



Records & Elections Division
Clint G. Elsom, Manager

553 King County Administration Building
500 Fourth Avenue
Seattle, Washington 98104

(206) 344-4200 - Manager
(206) 344-2565 - Elections
(206) 344-5282 - Voter Registration
(206) 344-2562 - Records

MEMO TO: City Clerk/City of Seattle
FROM: Donald R. Perrin, Superintendent of Elections
DATE: May 6, 1981

Enclosed please find an Order of Election for the City of Seattle. This is to acknowledge receipt of your resolution calling for a Special Election to be held in conjunction with the Primary Election on September 15, 1981.

The ballot title and text of the proposition is that which will appear on the official ballot for the election. If you have any questions regarding the title and/or text, please contact this office immediately upon receipt of this memorandum.

Thank you for your assistance.

lydr
ENC.

FILED
MAY 11 1981
COUNTY CLERK

AN ORDER OF THE MANAGER OF RECORDS & ELECTIONS
AS SUPERVISOR OF ELECTIONS

WHEREAS, on April 17, 1981, the City Council of the City of Seattle, King County, Washington, did present their Resolution No. 26542, dated April 13, 1981, wherein they request a Special Election be held for the submission to the qualified electors of said city a proposed charter amendment; and

WHEREAS, said City Council finds that an emergency exists and requests that said Special Election be held in conjunction with the Primary Election on September 15, 1981; and

WHEREAS, said Resolution provides the ballot title of said proposition;

NOW, THEREFORE, BE IT ORDERED by the Manager of Records and Elections, as Supervisor of Elections, that I do hereby concur in said request for a Special Election to be held in conjunction with the Primary Election on September 15, 1981, for the purpose of submitting to the qualified electors of said city the following proposition:

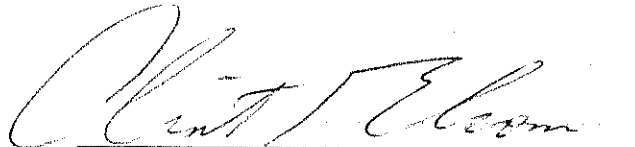
PROPOSED CHARTER AMENDMENT

Shall Charter Amendment change period for signature-gathering on initiatives, extend time for council consideration, set voting at next regular election?

YES

NO

Dated at Seattle, Washington, this 17th day of April, 1981.



Clint G. Elsom
Manager of Records and Elections
as Supervisor of Elections

Office of the Comptroller
City of Seattle



Tim Hill, Comptroller

April 14, 1981

Mr. Clint Elsom, Manager
Department of Records and Elections
County of King
553 King County Administration Building
Seattle, Washington 98104

ATTENTION: Donald R. Perrin, Elections Supervisor

Dear Sir:

Enclosed herewith is a certified copy of City of Seattle Resolution No. 26542, relating to the General Municipal Election on November 3, 1981, providing for submission of a proposed Charter Amendment and calling for an election thereon.

The proposed Charter Amendment will be published in the Daily Journal of Commerce, the city official newspaper and one other daily newspaper for a period of 30 days before the November 3, 1981 General Election.

Very truly yours,

Tim Hill
Comptroller and City Clerk

TH:rw

Enclosure - 1

cc: Virginia Miller

TD104LCE

THE CITY OF SEATTLE

LAW DEPARTMENT

MUNICIPAL BUILDING . SEATTLE, WASHINGTON 98104

AREA CODE 206 TELEPHONE 625-2402

DOUGLAS N. JEWETT, CITY ATTORNEY

March 30, 1981

Ms. Dolores Sibonga, Chair
Personnel & Property Management
Committee
Seattle City Council

Dear Ms. Sibonga:

In answer to your request by letter dated March 16, 1981 and your oral request at your last committee meeting on Resolution 26451, we have prepared and forward herewith two resolutions and propositions amending Article IV, Section 1 of the City Charter.

The first resolution is entitled as follows:

"A RESOLUTION AND PROPOSITION to amend Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287."

It amends subsections 4 B., D., and K. It does not change the time for the City Council to accept or reject an initiative.

The second resolution is entitled as follows:

"A RESOLUTION AND PROPOSITION relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, to extend from thirty to days the interval for city council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287.

Dolores Sibonga
Page Two
March 30, 1981

It amends subsections 4 B., D., and K. The change to subsection D allows a space for the City Council to complete stating how much time shall be allowed for it to accept or reject the initiative. The time limit when determined by your committee should be inscribed into the title and Section 4 D.

RCW 29.13.010 and 29.13.020 provide for the holding of state and municipal elections and calling a special election. RCW 29.13.020 contains no deadline for submission of initiative measures at a regularly scheduled municipal election; in part, as follows:

"29.13.020 CITY, TOWN, AND DISTRICT GENERAL ELECTIONS--EXCEPTIONS--SPECIAL ELECTIONS. All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

* * *

"The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town or district, presented to him at least forty-five days prior to the proposed election date, if he deems an emergency to exist, call a special election in such city, town, or district and for the purpose of such special election he may combine, unite or divide precincts. A special election called by such governing body shall be held on one of the following dates as decided by the governing body:

- "(a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March;
- (c) The first Tuesday after the first Monday in April;
- (d) The third Tuesday in May;
- (e) The day of the primary election as specified by RCW 29.13.070; or
- (f) The first Tuesday after the first Monday in November. . . ."

RCW 29.13.020 requires forty-five days advance notice for submission of municipal measure at a regularly scheduled election, in part, as follows:

Dolores Sibonga
Page Three
March 30, 1981

"29.13.010 STATE, COUNTY, CITY, TOWN, AND DISTRICT GENERAL ELECTIONS--STATE-WIDE GENERAL ELECTION--EXCEPTIONS --SPECIAL COUNTY ELECTIONS. All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, district, and precinct officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A state-wide general election shall be held on the first Tuesday after the first Monday of November of each year: Provided, That the state-wide general election held in odd-numbered years shall be limited to (1) city, town, and district general elections as provided for in RCW 29.13.020 as now or hereafter amended, or as otherwise provided by law; . . . Provided however, That the county legislative authority may, if they deem an emergency to exist, call a special county election by presenting a resolution to the county auditor at least forty-five days prior to the proposed election date.

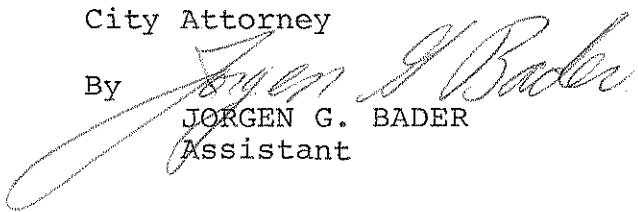
The King County, Director of Records and Elections, has interpreted the 45 day notice in RCW 29.13.020 as applicable to regularly scheduled municipal elections as well. Cf. Opinion No. 5840.

Counting backward the City Charter, Article IV, Section D. allows the City Council thirty (30) days after receipt to take action to reject or accept an initiative. Section 4 B. allows the City Comptroller twenty days after the filing of an initiative petition to verify its sufficiency. In sequence totaling 45 days before the election for the King County Administrator, 30 days for City Council action, and 20 days for verification, sums to 95 days. A general election may be held as soon as November 2nd and as late as November 8th, RCW 29.13.010; a primary election may be held between September 14 and September 20th, RCW 29.13.070. A table of comparative deadlines is attached. All assume that papers are hand delivered within the same day. Every day lost in inter-office transmission projects the sequence backward.

Very truly yours,

DOUGLAS N. JEWETT
City Attorney

By


JORGEN G. BADER
Assistant

JGB:rl

City of Seattle

PROCLAMATION

I, CHARLES ROYER, Mayor of The City of Seattle, certify and declare that the following amendment to the City Charter:

That Section 1 of Article IV of the Charter of The City of Seattle be amended to read as follows:

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 provision 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) percent 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. Prior to circulation for signatures, such petition shall be filed with the city comptroller in the form prescribed by ordinance, and by such officer assigned a serial number, dated, and approved or rejected as to form, and the petitioner so notified within five (5) days after such filing. Signed petitions shall be filed with the city comptroller within one hundred eighty (180) days after the date of approval of the form of such petitions. Upon such filing, 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 more than twenty (20) days after the filing of such signed 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, which upon filing had a sufficient number of signatures, to (be) have insufficient verified ((1a)) 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; provided however, that in no event shall the time for procuring signatures exceed two hundred (200) days ((from the date of approval of the form of such petitions)). Consideration of such initiative petition 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 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 the city council shall order the measure submitted to the qualified electors for approval or rejection at the next regularly scheduled election, irrespective of whether it is a state or municipal election or a primary or general election; but the city council may in its discretion designate submission to at a general election rather than a primary or ((provide for)) call an earlier 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) percent 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) percent 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 (3/4) of all the members vote in its favor (the votes being taken by yeas and nays, 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-emergent, 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 regularly scheduled election, irrespective of whether it is a state or municipal election, or at a sooner 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 APPROVED, 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 (5) 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 or 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 (2) years following such approval.

was proposed by Resolution 26542; was submitted to the qualified electors (voters) of The City of Seattle for ratification or rejection at the municipal election held on Tuesday, September 15, 1981; and received the approval of a majority of the qualified electors voting thereon; Now, therefore, the results of said election having been duly certified to me, I

PROCLAIM that said proposed amendment, by virtue of such approval by the electors, is a part of the City Charter of The City of Seattle.

IN WITNESS WHEREOF, I have signed this Proclamation and caused the corporate seal of The City of Seattle to be affixed hereto and attested by the Clerk of the City this 28th day of September, 1981.

ATTEST:

J. Deo
City Comptroller and Clerk
of the City of Seattle

Charles Brown
Mayor of The City of Seattle

2

PROPOSITION

A RESOLUTION AND PROPOSITION relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter, to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, and to extend from thirty to forty-five days the interval for city council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal, calling for an election thereon; and superseding Resolution 26287.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE:

That Section 1 of Article IV of the Charter of the City of Seattle be amended to read as follows:

A. LEGISLATIVE POWER, WHERE VESTED: The legislative power 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 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 provision made for the exercise by the people of the power, at their option, to submit 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, or dealing with any matter within the realm of local affairs or municipal business, which may have passed the city council and mayor acting in their usual prescribed manner as the ordinary legislative authority.

B. INITIATIVE AND REFERENDUM; HOW EXERCISED; PETITIONS; CONTROLLER TO VERIFY SIGNATURES; COMPLETION OF PETITION; CONSIDERATION BY 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) percent of the total number of votes cast for the office of mayor at the last preceding municipal election, proposing and asking for the enactment of an ordinance of a bill or measure, the full text of which shall be included in the petition. Prior to circulation for signatures, each petition shall be filed with the city comptroller in the form prescribed by ordinance, and by such officer assigned a serial number, dated, and approved or rejected as to form, and the petition notified within five (5) days after such filing. Signed petitions shall be filed with the city comptroller within one hundred eighty (180) days after the date of approval of the form of such petitions. Upon such filing, 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 more than thirty (30) days after the filing of such signed 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, which upon filing had a sufficient number of signatures, to be deficient in any particular, he shall notify the principal petitioner, and an additional twenty (20) days shall be allowed them in which to complete such petition to the required percentage provided however, that in no event shall the time for procuring signatures exceed two hundred (200) days (from the date of approval of the form of such petitions). Consideration of such initiative petition 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 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, shall be taken in charge by the city comptroller and the city council shall order the measure submitted to the qualified electors for approval or rejection at the next regularly scheduled election, irrespective of whether it is a state or municipal election or a primary or general election; but the city council may in its discretion designate submission be at a general election rather than a primary or (provide for) call an earlier 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) percent 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 source, such ordinance 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) percent 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 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 (3/4) of all the members vote in its favor (the vote being taken by year and 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, 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 regularly scheduled election, irrespective of whether it is a state or municipal election, or at a sooner 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 APPROVED, 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 (5) 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 or 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 (2) years following such approval.

BE IT FURTHER RESOLVED:

As contemplated by Charter Article XX, Section 1 providing for charter amendments proposed by the City Council, this resolution shall be submitted to the qualified voters of the City at the next municipal election to be held on September 15, 1981. The proposition shall be voted upon in the following manner:

There shall be placed upon the ballot a statement of proposition substantially in the form as follows:

Shall Charter Amendment change period for signature-gathering on initiatives, extend time for council consideration, set voting at next regular election?

Yes _____ No _____

Every qualified voter at the election desiring to ratify the resolution shall mark his or her ballot "Yes." Every voter desiring to reject the resolution shall mark his or her ballot "No."

BE IT FURTHER RESOLVED:

Upon approval of this resolution by the Council and not less than forty-five (45) days before the date of such election, the City Clerk shall certify to the Director of the Department of Records and Elections of King County, or Supervisor of Elections this proposition in the form of a ballot title conforming to the foregoing statement of the same, and certify therewith a copy of this resolution in full.

BE IT FURTHER RESOLVED:

This resolution shall supersede Resolution 26287.

BE IT FURTHER RESOLVED:

Certification of this resolution and the proposition it contains to the Director of the Department of Records and Elections of King County, and any other act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

PASSED the City Council this 12 day of April 1981, and signed by me in open session in authentication of its passage this 13 day of April, 1981.

Paul Kraabe, President of the City Council

Filed by me this 13 day of April, 1981.

ATTEST: Tim Hill, City Comptroller and City Clerk

BY: Virginia Miller, Deputy

Publication ordered by TIM HILL, Comptroller and City Clerk.

Date of First Publication in the Daily Journal of Commerce, Seattle, Sept. 2, 1981.

RESOLUTION 26542

PROPOSITION

A RESOLUTION AND PROPOSITION relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, and to extend from thirty to 45 days the interval for city council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE:

That Section 1 of Article IV of the Charter of The City of Seattle be amended to read as follows:

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 provision 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) percent 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. Prior to circulation for signatures, such petition shall be filed with the city comptroller in the form prescribed by ordinance, and by such officer assigned a serial number, dated, and approved or rejected as to form, and the petitioner so notified within five (5) days after such filing. Signed petitions shall be filed with the city comptroller within one hundred eighty (180) days after the date of approval of the form of such petitions. Upon such filing, 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 more than twenty (20) days after the filing of such signed 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, which upon filing had a sufficient number of signatures, to (be) have insufficient verified (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; provided however, that in no event shall the time for procuring signatures exceed two hundred (200) days (from the date of approval of the form of such petitions). Consideration of such initiative petition 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 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 (45) days after receipt thereof have failed to take final action thereon, or shall have passed a

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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 the city council shall order the measure submitted to the qualified electors for approval or rejection at the next regularly scheduled election, irrespective of whether it is a state or municipal election or a primary or general election; but the city council may in its discretion designate submission be at a general election rather than a primary or (provide fee) call an earlier 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) percent 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 VOICE 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) percent 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 (3/4) of all the members vote in its favor (the vote being taken by yeas and nays, 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, 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 regularly scheduled election, irrespective of whether it is a state or municipal election, or at a sooner 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 APPROVED, 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 (5) 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 or 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 (2) years following such approval.

BE IT FURTHER RESOLVED:

As contemplated by Charter Article XX, Section 1 providing for charter amendments proposed by the City Council, this resolution shall be submitted to the qualified voters of the City at the next municipal election to be held on September 15, 1981. The proposition shall be voted upon in the following

There shall be placed upon the ballot a statement of proposition substantially in the form as follows:

Shall Charter Amendment change period for signature-gathering on initiatives, extend time for council consideration, set voting at next regular election?

"Yes _____ No _____"

Every qualified voter at the election desiring to ratify the resolution shall mark his or her ballot "Yes." Every voter desiring to reject the resolution shall mark his or her ballot "No."

BE IT FURTHER RESOLVED:

Upon approval of this resolution by the Council and not less than forty-five (45) days before the date of such election, the City Clerk shall certify to the Director of the Department of Records and Elections of King County as Supervisor of Elections this proposition in the form of a ballot title confirming to the foregoing statement of the same, and certify therewith a copy of this resolution in full.

BE IT FURTHER RESOLVED:

This resolution shall supersede Resolution 26287.

BE IT FURTHER RESOLVED:

Certification of this resolution and the proposition it contains to the Director of the Department of Records and Elections of King County, and any other act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

PASSED the City Council this 13 day of April, 1981, and signed by me in open session in authentication of its passage this 13 day of April, 1981.


President of the City Council

Filed by me this 13 day of April, 1981.

ATTEST: 
City Comptroller and City Clerk

BY: 
Deputy

Publication ordered by TIM HILL, Comptroller and City Clerk.

Date of Official Publication in the Daily Journal of Commerce, Seattle, Sept. 2, 1981. (C-724)

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on

PERSONNEL AND PROPERTY
MANAGEMENT

APR 13 1981

to which was referred

Res. 26542

Resolution and Proposition relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature gathering, and to extend from thirty to 45 days the interval for City Council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287.

4/8/81 DIVIDED REPORT
ADOPT (60 PAYS) - JW P & PM
DO NOT ADOPT - DS

H. Johnson

Chairman

Chairman

Committee

Committee

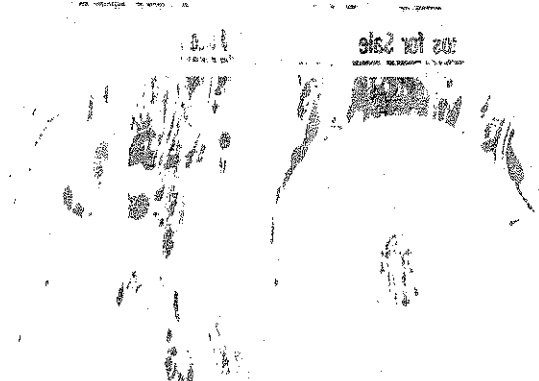
06-78

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON, }
COUNTY OF KING } ss.

MARY KATICA being first duly sworn on oath deposes and says: I am and at all times herein mentioned have been the Credit Secretary of the Seattle Post-Intelligencer. The Seattle Post-Intelligencer is, and for more than six months prior to the first date of publication hereinafter referred to, it has been a legal newspaper continually published daily in the English language in Seattle, King County, Washington, and now is and at all said times has been a newspaper of general circulation in said city, county and state. It is and at all of said times it was printed in whole or in part in an office maintained at the place of publication in the city aforesaid.

The annexed is a true copy of a notice which was published in regular and entire issues of the Seattle Post-Intelligencer (and not in a supplement thereof) eleven times, to-wit, once each day for a period of eleven consecutive days commencing on the 5th day of September, 19 81, and ending on the 15th day of September, 19 81, both dates inclusive. The said newspaper was regularly published and distributed to its subscribers during all of the said period.



Mary Katica

Subscribed and sworn before me this 8th day of October 19 81

D. Highland

Notary Public in and for the State of Washington, Residing at Seattle, Wash.

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

~~Mayor's Proclamation~~

was published on September 29, 1981

E. Dewster

Subscribed and sworn to before me on

September 29, 1981

J. Mikalyp
Notary Public for the State of Washington,
residing in Seattle.

Affidavit of Publication

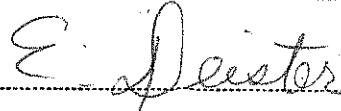
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The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

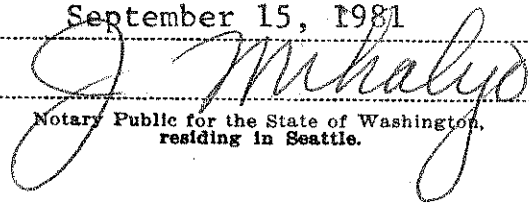
Resolution No. 26542

was published on September 2, 3, 4, 5, 8, 9,
10, 11, 12, 14, 15, 1981



Subscribed and sworn to before me on

September 15, 1981



Notary Public for the State of Washington,
residing in Seattle.

Resolution No. 26542

00.0.00

A RESOLUTION AND PROPOSITION relating to initiative and referendum procedures, amending Article IV, Section 1 of the City Charter to clarify the signatures required upon submission of an initiative petition, to exclude time taken by verification from the extension allowed for signature-gathering, and to extend from thirty to 45 days the interval for city council action thereon and to provide for submission of an initiative or referendum measure at the next regularly scheduled election, state as well as municipal; calling for an election thereon; and superseding Resolution 26287.

4/8/81 Diverts Request
ADPT (60 214.5) - JLD P (PM)
DO NOT ADPT - DS

See also: R 26541; 26451

INTRODUCED: APR 06 1981	BY: Executive
REFERRED: APR 06 1981	TO: P&PM
REFERRED:	TO:
REPORTED: APR 13 1981	SIGNED:
PASSED: APR 13 1981	
FILED: APR 13 1981	FIRST PUBLICATION: