



MONICA MARTINEZ SIMMONS

OFFICE OF THE CITY CLERK
LEGISLATIVE DEPARTMENT

Via E-mail

dickfalkenbury@gmail.com

mark@batesearly.net

September 11, 2019

Dick Falkenbury
9908 Scatterwood Lane
Port Orchard, WA 98366

Mark Early
7720 34th Ave NW
Seattle, WA 98117

SUBJECT: *Proposed Initiative Measure No. 129, relating to the use of small gas engines*

Dear Mr. Falkenbury and Mr. Early:

This letter further responds to the submittal of proposed Initiative Measure No. 129, filed with my office on Tuesday, September 4, 2019, via letter signed by Mr. Dick Falkenbury. Upon receipt of the proposed measure, the City Attorney's Office determined that the submittal remains out of compliance with the Seattle Municipal Code ("SMC"). SMC 2.08.010 states that an initiative petition may be filed by "any registered voter, or organization of registered voters of the City." Mr. Falkenbury previously indicated that he is a resident of Port Orchard, Washington. Mr. Falkenbury filed and signed the recent submittal, including Mr. Mark Early as a "contact person." Thus, we do not interpret this filing as the submittal of a proposed measure by a registered voter of the City.

For this reason, the proposed measure filed by Mr. Falkenbury will not be processed in accordance with SMC 2.08.020 and RCW 29A.36.071. Of course, if the proposed measure is resubmitted by a registered voter of the City, it will be processed accordingly. The initiative process is outlined in Article IV, Section 1 of the City Charter; Seattle Municipal Code Section 2.08; and the Revised Code of Washington Sections 29A.36.071, 29A.36.080 and 29A.36.090.

Should you have any questions, please feel free to contact me at (206) 684-8361 or via e-mail at monica.simmons@seattle.gov.

Sincerely,

Monica Martinez Simmons
City Clerk

Cc: Peter Holmes, City Attorney
Gary Smith, Assistant City Attorney
Jeff Slayton, Assistant City Attorney

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