

Date Created:	
Drafted by:	
Sponsors:	
Attachments:	

1 ..Title

2 AN ORDINANCE proposing an amendment to the King
3 County Charter to update the charter, clarify terms and
4 bring the charter into compliance with state law, as it
5 pertains to referendum, initiative and charter ballot
6 measure timelines; amending Sections 230.40, 230.50,
7 230.50.10, 230.60, 230.70, 230.75 and 800 of the King
8 County Charter; and submitting the same to the voters of
9 the county for their ratification or rejection at the
10 November 9, 2020, general election.

11 ..Body

12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. There shall be submitted to the qualified voters of King County for
14 their approval and ratification or rejection, at the November 9, 2020, general election,
15 amendments to sections 230.40, 230.50, 230.50.10, 230.60, 230.70, 230.75 and 800 of
16 the King County Charter, to read as follows:

17 **230.40 Referendum.**

18 Except as provided herein, an enacted ordinance may be subjected to a referendum
19 by the voters of the county by filing with the county council (~~prior to the effective date of~~
20 ~~the ordinance~~) no later than forty-five days after enactment of the ordinance petitions
21 bearing signatures of registered voters of the county equal in number to not less than eight

22 percent of the votes cast in the county for the office of county executive at the last
23 preceding election for county executive. In addition, except as provided herein, an enacted
24 ordinance which pursuant to state law is effective only in unincorporated areas of the
25 county may be subjected to a referendum by the voters of the unincorporated areas of the
26 county by filing with the county council (~~((prior to the effective date of the ordinance))~~) no
27 later than forty-five days after enactment of the ordinance petitions bearing signatures of
28 registered voters residing in unincorporated areas of the county equal in number to not less
29 than eight percent of the votes cast at the last preceding election for county executive,
30 provided however that the number of required signatures shall be calculated based only
31 upon votes cast within areas which on the date such petitions are required to be filed are
32 unincorporated areas of the county. Each petition shall contain the full text of the
33 ordinance to be referred. The ordinance to be referred shall, in compliance with state law
34 timelines for placing local measures on the ballot, be placed on the ballot either at the
35 ~~((special or))~~ next available general election (~~((occurring more than forty-five days after the~~
36 ~~petitions are filed))~~) following filing of the petitions or at an earlier election designated by
37 the county council, (~~((provided that))~~) although, in the case of an ordinance effective only in
38 unincorporated areas of the county, the proposed ordinance shall be voted upon only by the
39 registered voters residing in unincorporated areas of the county.

40 An appropriation ordinance; an emergency ordinance (~~((necessary for the immediate~~
41 ~~preservation of the public peace, health or safety))~~) or an ordinance necessary for the
42 support of county government and its existing public institutions; an ordinance proposing
43 amendments to this charter; an ordinance providing for collective bargaining; an ordinance
44 approving a collective bargaining agreement; an ordinance providing for the compensation

45 or working conditions of county employees; or an ordinance which has been approved by
46 the voters by referendum or initiative shall not be subject to a referendum.

47 **230.50 Initiative**

48 Ordinances, except ordinances providing for the compensation or working
49 conditions of county employees, may be proposed by filing with the county council
50 petitions bearing signatures of registered voters of the county equal in number to not less
51 than ten percent of the votes cast in the county for the office of county executive at the last
52 preceding election for county executive. In addition, an ordinance which pursuant to state
53 law is effective only in unincorporated areas of the county, except an ordinance providing
54 for the compensation or working conditions of county employees, may be proposed by
55 filing with the county council petitions bearing signatures of registered voters residing in
56 unincorporated areas of the county equal in number to not less than ten percent of the votes
57 cast at the last preceding election for county executive, provided, however that the number
58 of required signatures shall be calculated based only upon votes cast within areas which on
59 the date such petitions are required to be filed are unincorporated areas of the county. Each
60 petition shall contain the full text of the proposed ordinance.

61 The county council shall consider the proposed ordinance. If the proposed
62 ordinance is not enacted within ninety days after the petitions are ~~((presented))~~ filed, ~~((it~~
63 ~~shall be placed))~~ the county council shall, in compliance with state law timelines for
64 placing local measures on the ballot, place the proposed ordinance on the ballot either at the
65 next ((regular or special)) available general election ((occurring more than one hundred
66 ~~thirty five days after the petitions are filed))~~ following the ninety-day period or at an earlier
67 election designated by the county council. ~~((However, if the proposed ordinance is enacted~~

68 at any time prior to the election, it shall not be placed on the ballot or be voted on unless it
69 is subjected to referendum.))

70 If the county council rejects the proposed ordinance and adopts a substitute
71 ordinance concerning the same subject matter, the substitute ordinance shall be placed on
72 the same ballot with the proposed ordinance; and the voters shall first be given the choice
73 of accepting either or rejecting both and shall then be given the choice of accepting one and
74 rejecting the other, provided that in the case of an ordinance effective only in
75 unincorporated areas of the county, the proposed ordinance shall be voted upon only by the
76 registered voters residing in unincorporated areas of the county. If a majority of the voters
77 voting on the first issue is for either, then the ordinance receiving the majority of the votes
78 cast on the second issue shall be deemed approved. If a majority of those voting on the
79 first issue is for rejecting both, then neither ordinance shall be approved regardless of the
80 vote on the second issue.

81 **230.50.10 Institutional Initiative.**

82 Any city or town located within the county may, after securing the consent, by
83 motion or resolution, of at least one half of the cities within the county, propose an
84 ordinance of county-wide significance directly to the metropolitan county council, except
85 an ordinance which is not subject to a referendum under the provisions of Section 230.40
86 of this charter. Such proposed legislation shall be in ordinance form. The metropolitan
87 county council shall ~~((take action on))~~ approve, amend and approve, or reject such
88 proposed legislation within ninety ~~((90))~~ days of its filing with the county council.

89 **230.60 Referendum and Initiative Petitions.**

90 The county council shall establish by ordinance the form to be used for referendum
91 and initiative petitions. All referendum and initiative petitions shall be sponsored by an
92 individual or committee of individuals, which shall secure the approval of the clerk of the
93 county council as to the form of the proposed petitions before circulating them. Within five
94 days after the form of the proposed petitions is submitted to the clerk of the county council,
95 the clerk shall return it to the sponsor with an indication of the clerk's approval or with a
96 detailed written explanation of the clerk's objection to the form.

97 **230.70 Effective Date of Ordinances.**

98 Except as provided herein, the effective date of an ordinance shall be ten days after
99 its enactment unless a later date is specified in the ordinance. If an ordinance may be
100 subjected to a referendum as provided in Section 230.40 of this charter and if a proposed
101 referendum petition is submitted to the clerk of the county council as provided in
102 ~~((Subsection))~~ Section 230.60 of this charter prior to the tenth day after its enactment, the
103 effective date of the ordinance shall be ~~((forty-five))~~ sixty days after its enactment unless
104 either a later date is specified in the ordinance or the director of elections determines before
105 sixty days from enactment that petitions are insufficient to proceed to referendum, in which
106 case the effective date shall be the date of the director of elections's determination of
107 insufficiency. If an ordinance is subjected to referendum, it shall not become effective until
108 after it is approved by the voters. If it is approved by a majority of the voters voting on the
109 issue, the effective date of an ordinance which is subjected to referendum or proposed by
110 initiative, or a substitute ordinance proposed by the county council as provided in
111 ~~((Subsection))~~ Section 230.50 of this charter, shall be ten days after the results of the
112 election are certified unless a later date is specified in the ordinance. The effective date of

113 an emergency ordinance shall be the date of its enactment unless a later date is specified in
114 the ordinance.

115 An ordinance which is subject to the veto power of the county executive and which
116 is not vetoed, or the approved portions of an appropriation ordinance which has been
117 partially vetoed, shall be deemed enacted on the date that it is approved by, or ten days after
118 it is presented to, the county executive. An ordinance which is vetoed or the vetoed
119 portions of an appropriation ordinance shall be deemed enacted on the date that the county
120 council overrides the veto or partial veto. An ordinance which is not subject to the veto
121 power of the county executive shall be deemed enacted on the date it is approved by the
122 county council.

123 **230.75 Amendment or Repeal of Ordinances Approved by the Voters.**

124 No ordinance that is approved by the county council in response to the filing of an
125 initiative petition or that is approved by a majority of the voters voting thereon, whether as
126 the result of a referendum or initiative, shall be amended or repealed by the county council
127 within a period of two years following the effective date of such ordinance; provided that
128 such ordinance may be amended within the two-year period by ordinance adopted by a vote
129 of not less than two-thirds of all members of the county council, which amendatory
130 ordinance shall not be subject to referendum.

131 An ordinance approved by the county council in response to the filing of an
132 initiative petition or by the voters may be amended or repealed by an ordinance approved
133 by a majority of the voters voting thereon at any special or general election. Ordinances
134 may be enacted to facilitate and effectuate this provision.

135 **Section 800 Charter Review and Amendments.**

136 At least every ten years after the adoption of this charter, the county executive shall
137 appoint a citizen commission of not less than fifteen members whose mandate shall be to
138 review the charter and present, or cause to be presented, to the county council a written
139 report recommending those amendments, if any, which should be made to the charter.
140 Appointees shall be subject to confirmation by a majority of the county council. This
141 citizen commission shall be composed of at least one representative from each of the
142 county council districts. The county council shall consider the commission's report and
143 recommendations and decide at an open public meeting how to proceed on each of the
144 commission's recommended charter amendments, as provided by ordinance.

145 The county council may propose amendments to this charter by enacting an
146 ordinance to submit a proposed amendment to the voters of the county. The county council
147 shall comply with state law timelines for placing local measure on the ballot and shall place
148 the proposed amendments on the ballot at the next available general election (~~occurring~~
149 ~~more than forty-five days after the enactment of the ordinance~~). An ordinance proposing
150 an amendment to the charter shall not be subject to the veto power of the county executive.
151 Publication of a proposed amendment and notice of its submission to the voters of the
152 county shall be made in accordance with the state constitution and general law. If the
153 proposed amendment is approved by a majority of the voters voting on the issue, it shall
154 become effective ten days after the results of the election are certified unless a later date is
155 specified in the amendment.

156 SECTION 2. The clerk of the council shall certify the proposition to the manager
157 of the elections division, in substantially the following form, with such additions,
158 deletions or modifications as may be required by the prosecuting attorney:

159 Shall the King County Charter be amended to comply with state law as it
160 pertains to initiative, referendum and charter ballot measure timelines, and
161 to clarify definitions and terms related to the referendum and initiative
162 process?