

WHATCOM COUNTY COUNCIL AGENDA BILL

NO. 2009-185

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	<i>STH</i>	3/6/09	RECEIVED MAR 24 2009 WHATCOM COUNTY COUNCIL	3/31/09	Introduction
Division Head:				4/14/09	Hearing
Dept. Head:	<i>STH</i>	3/19/09			
Prosecutor:	<i>R.J.</i>	3/10/09			
Purchasing/Budget:					
Executive:	<i>PK</i>	3-24-09			

TITLE OF DOCUMENT: ORDINANCE TO CLARIFY MINI-INITIATIVE LANGUAGE AND ENSURE CONSISTENCY BETWEEN THE WHATCOM COUNTY CHARTER AND THE WHATCOM COUNTY CODE (ELECTIONS)

ATTACHMENTS: Ordinance

SEPA review required? () Yes (x) NO	Should Clerk schedule a hearing? (x) Yes () NO
SEPA review completed? () Yes () NO	Requested Date: Next available after 13 days from introduction.

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

This is a proposed ordinance to amend the Whatcom County Code to clarify procedures for the "Mini-initiative" under WCC 1.08.170 and to change the language of WCC 1.08.090 "Petition - Required number of signatures" so that each conforms to language used in the County Charter.

COMMITTEE ACTION:

COUNCIL ACTION:

3/31/2009: Introduced
 4/14/2009: Council Adopted 7-0
 Ord. 2009-019

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Ord. 2009-019

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

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SPONSORED BY: Consent

PROPOSED BY: Shirley Forslof

INTRODUCTION DATE: 3/31/09

ORDINANCE NO. 2009-019

CLARIFYING MINI-INITIATIVE LANGUAGE (ELECTIONS)

WHEREAS, the Whatcom County Charter, Article 5, and specifically Section 5.41, is the enabling legislation for initiative procedures, including the "mini-initiative;"

WHEREAS, the Whatcom County Code implements the mini-initiative in WCC Sections 1.08.160-1.08.190;

WHEREAS, differences between the language of the Charter and the Code make the procedures for the mini-initiative somewhat difficult to understand;

WHEREAS, the Whatcom County Auditor has recommended clarifying the language so that citizens can better understand the mini-initiative process;

WHEREAS, Whatcom County Code section 1.08.090 calculates required initiative and referendum signatures based upon the last gubernatorial election in conflict with the more authoritative Whatcom County Charter Section 5.40, which requires signatures based upon the last general election.

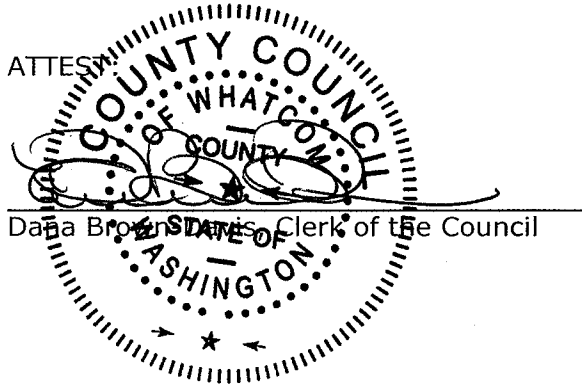
NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that

Whatcom County Code sections 1.08.170 and 1.08.090 are hereby amended as shown in the exhibit attached to this ordinance.

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ADOPTED this 14th day of April, 2009.

ATTES



Dana Brown Davis, Clerk of the Council


WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON




(Current Chair's Name), Council Chair

WHATCOM COUNTY EXECUTIVE
WHATCOM COUNTY, WASHINGTON

APPROVED AS TO FORM:



Civil Deputy Prosecutor



Pete Kremen, County Executive

Approved () Denied

Date Signed: 4-16-09

1.08.170 Mini-initiative – Requirements.

A. Any legal voter or organization of legal voters of Whatcom County may file a mini-initiative proposal with the County Auditor, who within five (5) days, excluding Saturday, Sunday and holidays, shall confer with the petitioner to review the proposal as to form and style. The Auditor shall give the proposed mini-initiative a number, which shall thereafter be the identifying number for the mini-initiative. The Auditor shall then transmit a copy of the proposal to the petitioner who has one hundred and twenty (120) days to collect the signatures of registered voters of the county equal in number to not less than three (3) percent of the number of votes cast in the county in the last gubernatorial election. The one hundred and twenty (120) day period shall begin upon receipt of official notification to petitioner(s) by the Auditor's Office either by certified mail or messenger.

B. The auditor shall verify the sufficiency of the signatures within 60 days.

C. Initiative petitions must bear the signatures of qualified voters equal in number to not less than three percent of the number of votes cast in the county in the last gubernatorial election. (Ord. 80-22 § 5; Ord. 79-31 § 3.1).

1.08.090 Petition – Required number of signatures.

Following expiration of the 10-day period referred to in WCC 1.08.070, the petitioner shall have 120 days to collect signatures of the registered voters of the county equal in number to not less than 15 percent of the number of votes cast in the county in the last general election. Each petition shall contain the full text of the proposed measure, ordinance, or amendment to an ordinance, and the ballot title. (Ord. 79-31 § 2.6).