



County Forms of Government

This page provides a brief overview of the commission and home rule charter forms of county government in Washington State and the consolidated city-county option for home rule charter counties.

Commission Form

Article 11, section 5 of the Washington Constitution makes the commission form the standard form of county government throughout the state for counties that do not adopt a home rule charter and sets forth, in general terms, the governmental structure that all commission counties must have. Of Washington's 39 counties, 32 "noncharter" counties operate under the commission form of government provided by state law.

The commission form is often referred to as the "plural executive" form of government. Under the commission form, the county governing body consists of a three-member board of commissioners, elected on a partisan basis, who serve as the county's legislative body and also perform executive functions. Counties with populations greater than 300,000 can increase the size of the commission from three to five members ([RCW 36.32.055](http://app.leg.wa.gov/rcw/default.aspx?cite=36.32.055) (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.32.055>) - [36.32.0558](http://app.leg.wa.gov/rcw/default.aspx?cite=36.32.0558) (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.32.0558>)).

Basic authority and procedures for board of county commissioners are set forth in [Ch. 36.32 RCW](http://app.leg.wa.gov/rcw/default.aspx?cite=36.32) (<http://app.leg.wa.gov/rcw/default.aspx?cite=36.32>). While the county commissioners establish the budget and act as the county legislative body, they share administrative functions with several other independently-elected county officials, including a clerk, treasurer, sheriff, assessor, coroner, and auditor (or recorder). The county prosecuting attorney and the judges of the superior court are also independently elected.

Although there is no constitutional or statutory requirement for county commissioners to delegate any of their executive authority to a separately-appointed administrator, many of them have, to a limited degree, chosen to do so.

"Home Rule" Charter Form

Article 11, section 4 of the state constitution was amended in 1948 to provide the option for counties to adopt "home rule" charters to provide their own form of government that may be different from the commission form prescribed by state law. Home rule charters can provide for any county officers deemed necessary to perform county functions, but they cannot affect the election of the prosecuting attorney, the county superintendent of schools, the judges of the superior court, and the justices of the peace, or the jurisdiction of the courts. As outlined in the constitution, the charter process involves electing a group of 15-25 freeholders who are responsible for developing a proposed charter that is voted on by the electorate.

- **Charter Process Case Study: A Brief History of the Development and Passage of Clark County's Home Rule Charter** (<http://mrsc.org/getdoc/96d95e23-478d-4aed-8984-dfe64d1781a7/Summary-of-Clark-County->

[2014-Home-Rule-Charter-Pas.aspx](#)

Seven Washington counties have successfully adopted home rule charters - King (1969), Clallam (1977), Whatcom (1979), Snohomish (1980), Pierce (1981), San Juan (2006), and Clark (2015). Several other counties, including Kitsap (1971), Island (1976 and 1995), Thurston (1978), Cowlitz (1998), Ferry (1993), Skamania (1994), and Spokane (1995) counties, have tried and failed to adopt charters.

After adoption of a charter, the powers, authority, and duties of county officers provided for by state law, except for the prosecuting attorney, are vested in the county legislative authority, unless the charter expressly assigns powers and duties to specific officers. The duties of the board of county commissioners and other elected officers may also be modified by charter. The commissioners and other elected officers may be entirely replaced, subject to certain restrictions.

Charter counties generally choose between two types of forms of government:

Council-Elected Executive Form

In the council-elected executive form, the county executive is elected by the voters and serves as the head of the executive branch of government. The county council is the legislative branch of government, and it enacts ordinances, adopts the budget, and exercises oversight of the administration. Its role is similar to the role of a city council in a mayor-council city.

The county executive has the power to veto legislation; however, a veto can be overridden by the council with a two-thirds majority vote or greater. The county executive proposes policies to the council, executes policies adopted by the council, prepares a budget, and has responsibility for general administration of the county. The county executive appoints and may dismiss department heads, generally with the consent of the council. The county executive's role is similar to the role of a mayor in a mayor-council city.

Commission/Council-Appointed Administrator Form

In this form, an elected body, be it a county commission or council, continues to have the policy-making, legislative, and budget-adoption functions. However, the council or commission delegates all or a portion of its administrative authority to an appointed professional administrator with the specific intent of enhancing administrative coordination and control functions. As an appointed official, the county administrator serves at the pleasure of the council or commission.

Other important aspects that charter counties must choose include:

- **Elected Official Partisanship.** While all county elected offices in noncharter counties, other than judicial offices, are partisan offices, charter counties may choose if their elected positions are partisan or not.
- **Initiative and Referendum.** Home rule charters can also provide the powers of [initiative and referendum](http://mrsc.org/getmedia/18593ba0-fa89-4776-84dc-3dcab86b3449/initiativereferendumguide.pdf.aspx?ext=.pdf) (<http://mrsc.org/getmedia/18593ba0-fa89-4776-84dc-3dcab86b3449/initiativereferendumguide.pdf.aspx?ext=.pdf>) to the citizens of the county. All existing charter counties have adopted initiative and referendum powers.
- **Elected vs. Appointed Officials.** A county charter can make any elected county official, except the prosecuting attorney and superior court judges, an appointed rather than an elected position. Most of the charter counties have done so only selectively. A number of counties have made the Office of the County Clerk and the Office of the

Medical Examiner into appointed positions but most others remain elected.

Comparison of Washington Charter Counties

County	Form	Council/Commission	Other Elected	Appointe
King (1969) Charter (http://www.kingcounty.gov/council/legislation/kc_code/O3_Charter.aspx)	Council-Elected Executive	9-member (NP)	County Executive (NP); Assessor (NP); Prosecuting Attorney (P); Sheriff (NP); Director of Elections (NP)	Auditor; County Administ Officer; Treasury Operati Manager; Clerk; Medical Examiner
Clallam (1977) Charter (http://www.clallam.net/Board/assets/applets/2007_Charter.pdf)	Commission-Appointed Administrator	3-member (P)	Assessor (NP); Prosecuting Attorney/Coroner (P); Auditor (NP); Sheriff (NP); Treasurer (NP); Community Development Director (NP)	County Administ Clerk
Whatcom (1979) Charter (http://www.codepublishing.com/WA/WhatcomCountyCH/)	Council-Elected Executive	7-member (NP)	County Executive (NP); Assessor (NP); Prosecuting Attorney (P); Auditor (NP); Sheriff (NP); Treasurer (NP) Clerk	Clerk; Deputy Administ Medical Examiner
Snohomish (1980) Charter (http://www.codepublishing.com/wa/snohomishcounty/html/SnohomishCountyCH/SnohomishCountyCH.html)	Council-Elected Executive	5-member (P)	County Executive (P); Prosecuting Attorney (P); Assessor (NP); Auditor (NP); Sheriff (NP); Clerk (NP); Treasurer (NP)	Medical Examiner
Pierce (1981) Charter (http://www.codepublishing.com/wa/piercecounty/)	Council-Elected Executive	7-member (P)	County Executive (P); Prosecuting Attorney (P); Sheriff (P); Assessor-Treasurer (P); Auditor (P)	Clerk; Medical Examiner
San Juan (2006) Charter (http://www.sanjuanco.com/docs/Charter/SanJuanCountyCharter.pdf)	Council-Appointed Administrator	3-member (NP)	Prosecuting Attorney/Coroner (P); Assessor (NP); Auditor (NP); Clerk (NP); Sheriff (NP); Treasurer (NP)	County Manager

County	Form	Council/Commission	Other Elected	Appointe
Clark (2015) Charter (https://www.clark.wa.gov/sites/all/files/elections/Clark%20County%20Charter%20BOFCharter_052714.pdf)	Council-Appointed Administrator	5-member (P)	Assessor (P); Auditor (P); Clerk (P); Prosecuting Attorney (P); Sheriff (P); Treasurer (P)	County Manager

(P) = partisan, (NP) = nonpartisan

Consolidated City-County Government

At the same time the state constitution was amended in 1948 to allow counties to adopt "home rule" charters, another amendment was adopted to allow counties with a "home rule" charter to provide for the formation and government of a combined city and county municipal corporation known as a "city-county." The same procedures applicable to the adoption of a county charter also govern the adoption of a city-county charter, except that the only method of beginning the combined city-county charter process is through a voter petition. There is no minimum population requirement.

In addition to providing for an alternative form of county government, a city-county charter may also merge the county with cities and other municipal corporations within its boundaries. Consolidated city-county governments have been proposed as a way to improve local government service provision by eliminating conflicts between competing levels of local government. Although a few Washington counties have explored this option, no combined city-county governments have yet been formed.

Recommended Resources

- **MRSC Insight: A Brief History of the Development and Passage of Clark County's Home Rule Charter** (<http://mrsc.org/getdoc/96d95e23-478d-4aed-8984-dfe64d1781a7/Summary-of-Clark-County-2014-Home-Rule-Charter-Pas.aspx>) (2015) - Insider's perspective of how Clark County became Washington's seventh home rule charter county
- **National Center for the Study of Counties: Responding to the New Realities: Case Studies in County Governance** (<http://mrsc.org/Corporate/media/MediaLibrary/SampleDocuments/ArtDocMisc/m58county.pdf>) (2012) - Describes how a select group of counties attempted or are in the process of making structural changes in order to better face current and future challenges

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