



KING COUNTY
Signature Report

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

June 30, 2016

Ordinance

Proposed No. 2016-0311.1

Sponsors Kohl-Welles, Balducci,
McDermott, Upthegrove, Lambert and
Dembowski

1 AN ORDINANCE proposing an amendment to the King
2 County Charter to make the language of the charter gender-
3 neutral; amending Sections 220.10, 220.30, 220.50, 230.20,
4 230.60, 260, 320.10, 320.20, 330, 340.30, 340.60,
5 350.20.10, 350.20.40, 350.20.50, 450, 495, 540, 630, 645,
6 680, 680.10, 690, 710, 820, 843, 850, 870, 895 and 970.20
7 of the King County Charter; and submitting the same to the
8 qualified voters of the county for their approval or rejection
9 at the next general election occurring more than forty-five
10 days after the enactment of this ordinance.

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. There shall be submitted to the voters of King County for their
13 approval or rejection, at the next general election to be held in this county occurring more
14 than forty-five days after the enactment of this ordinance, an amendment to Sections
15 220.10, 220.30, 220.50, 230.20, 230.60, 260, 320.10, 320.20, 330, 340.30, 340.60,
16 350.20.10, 350.20.40, 350.20.50, 450, 495, 540, 630, 645, 680, 680.10, 690, 710, 820,
17 843, 850, 870, 895 and 970.20 of the King County Charter, to read as follows:

18 **220.10 Composition and Terms of Office.**

19 The metropolitan county council shall consist of nine members. The county shall
20 be divided into nine districts, and one councilmember shall be nominated and elected by
21 the voters of each district. The term of office of each councilmember shall be four years
22 and until ((his or her)) the councilmember's successor is elected and qualified.

23 **220.30 Organization.**

24 The county council shall elect one of its members as ((chairman)) chair, shall be
25 responsible for its own organization and for the employment and supervision of those
26 employees whom it deems necessary to assist it or individual ((councilmen))
27 councilmembers in the exercise of their legislative powers and shall appoint a clerk to
28 maintain its records.

29 **220.50 Relationship with Other Branches.**

30 The county council and the individual ((councilmen)) councilmembers shall not
31 interfere in the administration, and shall not issue orders to any officer, agent or
32 employee, of any other branch of the county government.

33 **230.20 Executive Veto.**

34 Except as otherwise provided in this charter, the county executive shall have the
35 right to veto any ordinance or any object of expense of an appropriation ordinance.
36 Every ordinance shall be presented to the county executive within five days after its
37 adoption or enactment by the county council. Within ten days after its presentation, the
38 county executive shall either sign the ordinance and return it to the county council, veto
39 the ordinance and return it to the county council with a written and signed statement of
40 the reasons for ((his or her)) the veto or sign and partially veto an appropriation ordinance
41 and return it to the county council with a written and signed statement of the reasons for

42 ((his or her)) the partial veto. If an ordinance is not returned by the county executive
43 within ten days after its presentation it shall be deemed enacted without ((his or her)) the
44 executive's signature. Within thirty days after an ordinance has been vetoed and returned
45 or partially vetoed and returned, the county council may override the veto or partial veto
46 by enacting the ordinance by a minimum of six affirmative votes.

47 **230.60 Referendum and Initiative Petitions.**

48 The county council shall establish by ordinance the form to be used for
49 referendum and initiative petitions. All referendum and initiative petitions shall be
50 sponsored by an individual or committee of individuals which shall secure the approval
51 of the clerk of the county council as to the form of the proposed petitions before
52 circulating them. Within five days after the form of the proposed petitions is submitted to
53 ((him,)) the clerk of the county council, the clerk shall return it to the sponsor with an
54 indication of ((his)) the clerk's approval or with a detailed written explanation of ((his))
55 the clerk's objection to the form.

56 **Section 260 Office of Citizen Complaints.**

57 The county council shall establish by ordinance an office to receive complaints
58 concerning the operation of county government and shall grant it sufficient power to
59 permit it quickly and efficiently to investigate and to make and publicize
60 recommendations concerning its findings, including the power to subpoena witnesses,
61 documents and other evidence and to administer oaths. The subpoena power of the office
62 of citizen complaints shall be limited to matters under written complaint by a citizen of
63 the county, and any witness shall have the right to be represented by counsel. Any

64 individual who is the subject of a complaint shall have the right to present witnesses in
65 ~~((his))~~ the individual's own behalf.

66 **320.10 Election, Term of Office and Compensation.**

67 The county executive shall be nominated and elected by the voters of the county,
68 and ~~((his))~~ executive's term of office shall be four years and until ~~((his))~~ the executive's
69 successor is elected and qualified. The county executive shall receive compensation at
70 least one and one-half times the compensation paid to a ~~((councilman))~~ councilmember.

71 **320.20 Powers and Duties.**

72 The county executive shall be the chief executive officer of the county and shall
73 have all the executive powers of the county which are not expressly vested in other
74 specific elective officers by this charter; shall supervise all administrative offices and
75 executive departments established by this charter or created by the county council; shall
76 be the chief peace officer of the county and shall execute and enforce all ordinances and
77 state statutes within the county; shall serve on all boards and commissions on which a
78 county commissioner was required to serve prior to the adoption of this charter, but if
79 more than one county commissioner was required to serve, the county council shall
80 appoint ~~((a councilman or councilmen))~~ one or more councilmembers to serve on the
81 board or commission with ~~((him))~~ the county executive; shall present to the county
82 council an annual statement of the financial and governmental affairs of the county and
83 any other report which ~~((he))~~ the county executive may deem necessary; shall prepare
84 and present to the county council budgets and a budget message setting forth the
85 programs which ~~((he))~~ the county executive proposes for the county during the next fiscal
86 year; shall prepare and present to the county council comprehensive plans including

87 capital improvement plans for the present and future development of the county; shall
88 have the power to veto any ordinance adopted by the county council except as otherwise
89 provided in this charter; shall have the power to assign duties to administrative offices
90 and executive departments which are not specifically assigned by this charter or by
91 ordinance; and shall sign, or cause to be signed, on behalf of the county all deeds,
92 contracts and other instruments. The specific statement of particular executive powers
93 shall not be construed as limiting the executive powers of the county executive.

94 **Section 330 County Administrative Officer.**

95 The county executive shall appoint the county administrative officer who, under
96 the general supervision of the county executive, shall assist ~~((him))~~ the county executive,
97 shall supervise the administrative offices and shall perform such other duties as are
98 delegated to ~~((him))~~ the county administrative officer by the county executive.

99 **340.30 Appointments by the Chief Officers.**

100 The chief officer of each administrative office and executive department shall
101 appoint all officers and employees of ~~((his))~~ the chief officer's office or department and
102 shall comply with the rules of the personnel system when appointing officers and
103 employees to positions covered by the career service.

104 **340.60 Removal.**

105 Any officer, board or commission member, or employee who is not a member of
106 the career service may be removed at any time by the officer who appointed ~~((him))~~ that
107 person, except that a member of the personnel board or the board of appeals may be
108 removed only by a majority of the county council as provided in this charter.

109 **350.20.10 Department of Assessments.**

110 The department of assessments shall be administered by the county assessor who
111 shall perform the duties specified by general law. The county assessor shall be elected by
112 the voters of the county unless general law shall provide otherwise, and ~~((his))~~ the
113 assessor's term of office shall be four years. The department of assessments shall be an
114 executive department subject to the personnel system and shall utilize the services of the
115 administrative offices and the executive departments, but it shall not be abolished or
116 combined with any other executive department or administrative office and shall not have
117 its duties decreased by the county council.

118 **350.20.40 Department of Public Safety.**

119 The department of public safety shall be administered by the county sheriff who
120 shall perform the duties specified by general law. The county sheriff shall be elected by
121 the voters of the county, and ~~((his or her))~~ the sheriff's term of office shall be four years.
122 The department of public safety shall be an executive department subject to the civil
123 service personnel system and shall utilize the services of the administrative offices and
124 the executive departments, but it shall not be abolished or combined with any other
125 executive department or administrative office and shall not have its duties decreased by
126 the county council.

127 **350.20.50 Department of Elections.**

128 The department of elections shall be administered by the county director of
129 elections who shall perform the duties specified by general law. The county director of
130 elections shall be elected by the voters of King County, and ~~((his or her))~~ the director's
131 term of office shall be four years. The department of elections: shall be an executive
132 department subject to the career service personnel system and shall utilize the services of

133 the administrative offices and the executive departments, but it shall not be abolished or
134 combined with any other executive department or administrative office and shall not have
135 its duties decreased by the county council or executive. The department of elections
136 shall be responsible for the registration of voters in the county; shall conduct all special
137 and general elections held in the county; shall be responsible for creating and printing the
138 King County voter's pamphlet; shall maintain and be the official repository of political
139 boundary maps, geographic information systems data and of the King County copies of
140 campaign financial disclosure forms; and shall administer other public and nonpublic
141 elections, as required by state law and county code and administrative rules.

142 **Section 450 Copies of Budget.**

143 Copies of the budget and budget message shall be delivered to the clerk and each
144 ~~((councilman))~~ councilmember. Prior to the public hearing on the budget, the budget
145 message and supporting tables shall be furnished to any interested person upon request,
146 and copies of the budget shall be furnished for a reasonable fee as established by
147 ordinance and shall be available for public inspection.

148 **Section 495 Illegal Contracts.**

149 Except as otherwise provided by ordinance, any contract in excess of an
150 appropriation shall be null and void; and any officer, agent or employee of the county
151 knowingly responsible shall be personally liable to anyone damaged by ~~((his))~~ the action.
152 The county council when requested to do so by the county executive may adopt an
153 ordinance permitting the county to enter into contracts requiring the payment of funds
154 from appropriations of subsequent fiscal years, but real property shall not be leased to the

155 county for more than one year unless it is included in a capital budget appropriation
156 ordinance.

157 **Section 540 The Personnel Board.**

158 There shall be a personnel board composed of five members, four of whom shall
159 be appointed by the county executive subject to confirmation by a majority of the county
160 council. One member of the personnel board shall be elected by secret ballot by the
161 county employees who are members of the career service according to the procedure
162 established by ordinance. A personnel board member shall serve a five year term and
163 until ((his)) the member's successor is appointed or elected, with one member being
164 appointed each year. A majority of the county council, but not the county executive, may
165 remove a personnel board member for just cause after written charges have been served
166 on the personnel board member and a public hearing has been held by the county council.
167 The county council may provide for the compensation of personnel board members on a
168 per diem basis.

169 The personnel board shall report at least once a year to the county executive
170 concerning the operation of the personnel system with any recommendations it may have
171 for its improvement.

172 Any member of the career service may appeal to the personnel board; from any
173 action pertaining to the methods of examination, appointment or promotion; from any
174 suspension for more than sixty days, reduction in rank or pay, or removal; and from any
175 classification or reclassification of positions. The personnel board shall hold a public
176 hearing to consider an appeal and shall issue such orders as it deems proper including but
177 not limited to the restoration of rank or pay, with or without loss of benefits and pay, and

178 the allocation and reallocation of positions. The decision of the personnel board shall be
179 final unless reviewed by a court of competent jurisdiction.

180 **Section 630 Qualifications.**

181 Each county officer holding an elective office shall be, at the time of ~~((his))~~ the
182 officer's appointment or election and at all times while ~~((he))~~ the officer holds office, at
183 least twenty-one years of age, a citizen of the United States and a resident and registered
184 voter of King County; and each councilmember shall be a resident of the district that the
185 councilmember represents. Any change in the boundaries of a councilmember's district
186 that causes the councilmember to be no longer a resident of the district that the
187 councilmember represents shall not disqualify the councilmember from holding office
188 during the remainder of the term for which the councilmember was elected or appointed.
189 Additional qualifications for those separately elected officials who head executive
190 departments may be established by ordinance.

191 **Section 645 Sheriff; Election, Term of Office and Compensation.**

192 The county sheriff shall be nominated and elected as a non-partisan office by the
193 voters of the county, and the term of office shall be four years and until ~~((his or her))~~ the
194 sheriff's successor is elected and qualified. The initial election for county sheriff shall be
195 at the general election in 1997. The county sheriff shall receive compensation as
196 provided by ordinance.

197 **Section 680 Vacancies.**

198 An elective county office shall become vacant upon the incumbent's death;
199 resignation; recall; conviction of a felony, crime involving moral turpitude, unlawful
200 destruction of court records, or other crime pertinent to ~~((his))~~ the incumbent's office;

201 declaration of incompetency by a court of competent jurisdiction; absence from the
202 county for a period of more than thirty days without the permission of a majority of the
203 county council; or failure to fulfill or continue to fulfill the qualifications for office;
204 provided, however, that an elective county office shall not become vacant as the result of
205 a criminal conviction or declaration of incompetency until the conviction or declaration
206 has become final and is no longer subject to appeal.

207 **680.10 Designation, Appointment and Election to Fill Vacancy.**

208 Immediately upon commencing their terms of office, the county executive, county
209 assessor, county director of elections and county sheriff shall each designate one or more
210 employees who serve as a deputy or assistant in such office to serve as an interim official
211 in the event of a vacancy in the elective office of the county executive, county assessor,
212 county director of elections or county sheriff, respectively.

213 Except for a designation made by the metropolitan county council, a designation
214 of an interim official shall only be effective if the county executive, county assessor,
215 county director of elections and county sheriff, each for ~~((his or her))~~ that officer's
216 elective office, complies with the following procedure; commits the designation to
217 writing; identifies the order of precedence if more than one county officer or employee is
218 designated; signs the written designation; has the written designation notarized; files the
219 written designation with the county office responsible for records; and provides a copy of
220 the written designation to the chair of the metropolitan county council. The county
221 executive, county assessor, county director of elections and county sheriff may, at any
222 time, amend such designation by complying with the same procedure established for
223 making the designation.

224 In the event the county executive, county assessor, county director of elections or
225 county sheriff neglects or fails to make such a designation within seven calendar days of
226 commencing (~~his or her~~) that person's term of office, the metropolitan county council
227 may by ordinance designate one or more employees who serve as a deputy or assistant in
228 such office to serve as an interim official in the event of a vacancy in the elective office
229 of the county executive, county assessor, county director of elections or county sheriff,
230 respectively. A designation made by the metropolitan county council shall be effective
231 upon adoption of the ordinance therefor and may be amended by ordinance; provided that
232 a designation by the county executive, county assessor, county director of elections or
233 county sheriff which occurs subsequent to the adoption of an ordinance shall take
234 precedence over the designation by ordinance.

235 The designated county officer or employee shall immediately upon the occurrence
236 of a vacancy serve as the interim official and shall exercise all the powers and duties of
237 the office granted by this charter and general law until an acting official is appointed as
238 provided in this section.

239 The metropolitan county council shall, after being appraised of a vacancy in the
240 elective office of county executive, county assessor, county director of elections or
241 county sheriff, fill the vacancy by the appointment of an employee who served as a
242 deputy or assistant in such office at the time the vacancy occurred as an acting official to
243 perform all necessary duties to continue normal office operations. The acting official
244 shall serve until the vacancy is filled by appointment pursuant to general law for
245 nonpartisan county elective offices.

246 A vacancy in an elective county office shall be filled at the next primary and
247 general elections which occur in the county; provided that an election to fill the vacancy
248 shall not be held if the successor to the vacated office will be elected at the next general
249 election as provided in Sections 640 and 645 of this charter. The term of office of an
250 officer who has been elected to fill a vacancy shall only be for the unexpired portion of
251 the term of the officer whose office has become vacant and shall commence as soon as he
252 or she is elected and qualified.

253 A majority of the county council may temporarily fill a vacancy by appointment
254 until the vacancy has been filled by election or the successor to the office has been
255 elected and qualified.

256 **Section 690 Statement of Campaign Contributions and Expenditures.**

257 Every candidate for nomination or election to an elective county office shall,
258 within ten days after the primary, general or special election as the case may be, file an
259 itemized statement with the executive department responsible for conducting elections
260 showing all campaign contributions and pledges of (~~manpower~~) labor and material
261 made to the candidate or on the candidate's behalf and all campaign expenditures and
262 obligations incurred by the candidate or on the candidate's behalf. Such statement when
263 filed shall be a public record. The county council shall by ordinance prescribe the form
264 of such statement. Timely filing of a statement of campaign receipts and expenditures
265 with the Washington State Public Disclosure Commission in accordance with chapter
266 42.17 RCW satisfies the filing obligations of this section. A willful violation of this
267 section shall disqualify the candidate from holding county elective office.

268 **Section 710 Composition, Appointment, Removal.**

269 The board of appeals shall be composed of seven members appointed by the
270 county executive subject to confirmation by a majority of the county council. Each
271 member of the board of appeals shall serve a four year term and until ~~((his))~~ the member's
272 successor is appointed. Two members shall be appointed each year; except that every
273 fourth year, only one member shall be appointed. A majority of the county council, but
274 not the county executive, may remove a board of appeals member for just cause after
275 written charges have been served on the board of appeals member and a public hearing
276 has been held by the county council. The county council shall provide for the
277 compensation of the board of appeals members on a per diem basis.

278 **Section 820 Conflict of Interest.**

279 The county council shall adopt an ordinance prohibiting an officer or employee of
280 the county when it might conflict with the performance of ~~((his))~~ the officer's or
281 employee's official duties from directly or indirectly; receiving or having any financial
282 interest in any sale to or by the county of any service or property; accepting or seeking
283 for others any service or thing of value on more favorable terms than those granted to the
284 public generally from any person, firm or corporation having dealings with county; or
285 accepting any gift from any person, firm or corporation having dealings with the county.
286 The ordinance shall include civil and criminal penalties for the negligent or willful
287 violation of this section by any county officer or employee or by any person, firm or
288 corporation having dealings with the county.

289 **Section 843 Freedom of religion guarantee.**

290 Absolute freedom of conscience in all matters of religious sentiment, belief and
291 worship, shall be guaranteed to every individual, and no one shall be molested or

292 disturbed in person or property on account of religion; but the liberty of conscience
293 hereby secured shall not be so construed as to excuse acts of licentiousness or justify
294 practices inconsistent with the peace and safety of the state. No public money or property
295 shall be appropriated for or applied to any religious worship, exercise or instruction, or
296 the support of any religious establishment: ~~((PROVIDED, HOWEVER, T))~~provided,
297 however, that this section shall not be so construed as to forbid the employment by the
298 county of a chaplain for such of the county custodial, correctional, and mental
299 institutions, or by a county public hospital, health care facility, or hospice, as may be
300 allowed by law. No religious qualification shall be required for any public office or
301 employment, nor shall any person be incompetent as a witness or juror, in consequence of
302 ~~((his))~~ the person's opinion on matters of religion, nor be questioned in any court of
303 justice touching ~~((his))~~ the person's religious belief to affect the weight of ~~((his))~~ the
304 person's testimony. This section shall not diminish or limit any other protections
305 guaranteed by Article I, Section 11 of the Washington State Constitution or by the first
306 amendment of the United States Constitution.

307 **Section 850 Delegation of Authority.**

308 Any power or duty of a county officer except the veto power of the county
309 executive may be delegated by that officer to another officer or employee under ~~((his))~~
310 the delegating officer's control and supervision; provided, however, that the delegating
311 officer shall continue to be responsible for the exercise of the power or the performance
312 of the duty delegated. The county council shall not delegate its legislative power except
313 to the extent that it delegates to a county officer the authority to promulgate regulations in
314 accordance with adequate standards established by the county council.

315 **Section 870 Additional Compensation.**

316 Any county officer or employee who is compensated by salary shall not receive
317 any additional compensation for serving on any board or commission or in any other
318 position established by or pursuant to this charter. An elected officer of the county shall
319 not be appointed to any other compensated county office or position during ~~((his))~~ the
320 officer's term of office.

321 **Section 895 Mandatory Inquests.**

322 An inquest shall be held to investigate the causes and circumstances of any death
323 involving a member of the law enforcement agency of the county in the performance of
324 ~~((his))~~ the member's duties.

325 **970.20 Effective Date.**

326 The county executive shall present to the county council a proposed ordinance
327 containing a comprehensive set of personnel rules as soon as possible, and the effective
328 date of the personnel system shall be no later than January 1, 1970. Prior to the effective
329 date of the personnel system, each employee shall be appointed, promoted, suspended
330 and removed by the officer in whose office ~~((he))~~ the employee serves.

331 SECTION 2. The clerk of the council shall certify the proposition to the county
332 elections director, in substantially the following form, with such additions, deletions or
333 modifications as may be required by the prosecuting attorney:

334 Shall the King County Charter be amended to make its language
335 gender-neutral?
336

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

J. Joseph McDermott, Chair

ATTEST:

Anne Noris, Clerk of the Council

APPROVED this ____ day of _____, _____.

Dow Constantine, County Executive

Attachments: None