



1 Sponsored by: Councilmember Douglas G. Richardson  
2 Requested by: Pierce County Council

3  
4  
5  
6 **ORDINANCE NO. 2018-50**  
7  
8

9 **An Ordinance of the Pierce County Council Proposing Amendments to**  
10 **Section 4.70 of the Pierce County Charter to Address the**  
11 **Process for Filling Vacancies in Certain Partisan Offices;**  
12 **Requesting the Auditor to Submit these Amendments to the**  
13 **Voters at the November 2018 General Election; and**  
14 **Requesting the Prosecuting Attorney to Draft an Appropriate**  
15 **Ballot Title.**  
16

17 **Whereas,** Section 8.50 of the Pierce County Charter (Charter) grants authority to  
18 the County Council (Council) to propose Charter amendments to be submitted to the  
19 voters at the next November general election occurring at least 90 days after filing; and  
20

21 **Whereas,** Section 8.60 of the Charter requires a minimum of two-thirds  
22 affirmative vote of the Council to enact an ordinance proposing Charter amendments;  
23 and  
24

25 **Whereas,** an Ordinance proposing Charter amendments is not subject to the  
26 veto power of the Executive; and  
27

28 **Whereas,** pursuant to Section 8.50(1) of the Charter, "...an amendment which  
29 embraces a single or interrelated subject may be submitted as a single proposition even  
30 though it is composed of changes to one or more articles."; and  
31

32 **Whereas,** Section 4.70 of the Charter sets forth the process for filling vacancies  
33 in nonpartisan elective offices and in partisan elective offices when the official in office  
34 immediately prior to the declaration of vacancy was elected from a political party having  
35 a party central committee; and  
36

37 **Whereas,** the Charter does not provide a process for filling vacancies in a  
38 partisan office when the official in office immediately prior to the declaration of vacancy  
39 was elected from a non-major party or stated no party preference; and  
40

41 **Whereas,** the Council finds that amendments to Section 4.70 of the Charter to  
42 fully address the vacancy-filling process will serve the needs and best interests of the  
43 citizens of Pierce County; **Now Therefore,**  
44  
45



1 **BE IT ORDAINED by the Council of Pierce County:**

2  
3 Section 1. The Pierce County Council hereby proposes amendments to Section  
4 4.70 of the Charter as set forth in Exhibit A, which is attached hereto and incorporated  
5 herein by reference, for submittal to the voters at the November 2018 General Election.  
6

7 Section 2. The Pierce County Prosecuting Attorney is hereby requested to draft  
8 an appropriate ballot title for the proposed Charter amendments set forth in Exhibit A.  
9

10 Section 3. This Ordinance shall be filed with the Auditor immediately upon  
11 adoption for submittal to the voters at the November 2018 General Election.  
12

13  
14 PASSED this 10<sup>th</sup> day of July, 2018.  
15

16 ATTEST:

17 **PIERCE COUNTY COUNCIL**  
18 Pierce County, Washington

19  
20 Denise D. Johnson  
21 **Denise D. Johnson**  
22 Clerk of the Council

23  
24 Douglas G. Richardson  
25 **Douglas G. Richardson**  
26 Council Chair

27  
28 Signature not required, per  
29 Section 8.60 Pierce County Charter  
30 **Bruce F. Dammeier**  
31 Pierce County Executive  
32 Approved \_\_\_\_\_ Vetoed \_\_\_\_\_, this  
33 \_\_\_\_\_ day of \_\_\_\_\_,  
34 2018.

35 Date of Publication of  
36 Notice of Public Hearing: July 4, 2018

37 Effective Date of Ordinance: July 20, 2018  
38



**Section 4.70 – Vacancies**

(1) An elective office shall become vacant when one of the following occurs:

- (a) death;
- (b) total permanent incapacity as determined by a panel of three physicians;
- (c) resignation;
- (d) recall of the officer;
- (e) a Councilmember's absence from three consecutive regular meetings of the Council, without being excused by the Council;
- (f) absence from the County for 30 days without being excused by the Council; or
- (g) failure to maintain residence within the district from which elected.

(2) The Council shall fill a vacancy in a partisan office by appointment from a list of three people submitted by the County central committee of the major party represented by the official in office immediately prior to the declaration of vacancy. In the event this official was elected from a non-major party, or stated no party preference, the vacancy shall be filled in the same manner as a nonpartisan office. The Council shall fill a vacancy in a nonpartisan office by appointment from applicants responding to a public request for applications for the vacant nonpartisan office.

(3) Vacancies in an elective position shall be filled at the next November general election, unless the vacancy occurs after the last day for filing declarations of candidacy, in which case the vacancy shall be filled at the next succeeding November general election. The person elected shall take office upon certification of the results of the election, and shall serve the unexpired term of the vacated office. Until a successor has been elected and certified, a majority of the Council shall fill the vacancy by appointment. All persons appointed to fill vacancies shall meet the qualifications set in Section 4.30.

(4) An elective official shall be suspended with pay upon an information or indictment for a felony being filed against the official, such suspension continued until conviction, acquittal or dismissal of such charges, and shall be removed from office upon being convicted thereof.

(Amendment No. 46 proposed by Ordinance No. 2017-35, Approved November 7, 2017; Originally Adopted November 4, 1980)

