

1 Sponsored by: Councilmembers Douglas G. Richardson and Derek Young
2 Requested by: County Council

RECEIVED
Pierce County Auditor

JUL 25 2017

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6 **ORDINANCE NO. 2017-35**
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10 **An Ordinance of the Pierce County Council Proposing Amendments to**
11 **Section 4.70 of the Pierce County Charter, "Vacancies," to**
12 **Establish Procedures for Filling Vacancies in Nonpartisan**
13 **Elective Offices; Requesting the Auditor to Submit these**
14 **Amendments to the Voters at the November 2017 General**
15 **Election; and Requesting the Prosecuting Attorney to Draft**
16 **an Appropriate Ballot Title.**
17

18 **Whereas**, Section 8.60 of the Charter authorizes the Council to propose Charter
19 amendments by ordinance which will be submitted to the voters at a November general
20 election; and

21
22 **Whereas**, a two-thirds affirmative vote of the Council is required to pass a
23 Charter amendment ordinance and such ordinance is not subject to the veto of the
24 Executive; and

25
26 **Whereas**, pursuant to Section 4.70 of the Pierce County Charter, the Council
27 shall fill vacancies in certain elective County offices by appointment; and

28
29 **Whereas**, in November 2007, the voters of Pierce County adopted amendments
30 to the Charter making the elected Assessor-Treasurer, Auditor and Sheriff nonpartisan
31 offices; and

32
33 **Whereas**, there is not currently a mechanism in the County Charter to fill
34 vacancies in nonpartisan offices; and

35
36 **Whereas**, in order to facilitate an orderly and fair appointment process, the
37 Council deems it to be in the best interests of the citizens of Pierce County to ask the
38 voters to adopt procedures for filling vacancies in nonpartisan, elective offices; **Now**
39 **Therefore**,

40
41 **BE IT ORDAINED by the Council of Pierce County:**
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43 Section 1. The Pierce County Council proposes amendments to Section 4.70 of
44 the Charter, "Vacancies," as set forth in Exhibit A, which is attached hereto and
45 incorporated herein by reference, for submittal to the voters at the November 2017
46 General Election.
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1 Section 2. The Pierce County Prosecutor is hereby requested to draft an
2 appropriate ballot title for the proposed Charter amendment set forth in Exhibit A.
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4 Section 3. This Ordinance shall be filed with the Auditor immediately upon
5 adoption for submittal to the voters at the November 2017 General Election.
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8 PASSED this 18th day of July, 2017.
9

10 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

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12
13 Denise D. Johnson
14
15 **Denise D. Johnson**
16 Clerk of the Council

Douglas G. Richardson
17
18 **Douglas G. Richardson**
19 Council Chair

Signature not required, per
Section 8.60 Pierce County Charter

20 **Bruce F. Dammeier**
21 Pierce County Executive
22 Approved _____, this _____ day of
23 _____, 2017.
24

25 Date of Publication of
26 Notice of Public Hearing: July 7, 2017
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28 Effective Date of Ordinance: July 28, 2017
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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 party represented by the official in office immediately prior to the declaration of vacancy. ~~In the event that this official was elected as an independent, the vacancy shall be filled by the Council with an individual who certifies to be of the same affiliation.~~ 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.

(Originally Adopted November 4, 1980)

