

Ordinance No. 86 1977

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Clallam County Commissioners
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AN ORDINANCE
establishing the form and procedures
for Home Rule Charter Amendment and Repeal;
and adopting a chapter in the Clallam County Code. (C.C.C.)

Chapter 37.10*

Charter Amendment and Repeal

Sections:

- 37.10.010 Charter Amendments, General
- 37.10.020 Amendments by Charter Review Commission
- 37.10.030 Charter Amendments by the Public
- 37.10.040 Amendments by the Public
- 37.10.050 Charter Repeal
- 37.10.060 Declaratory Judgment
- 37.10.070 Severability

C.C.C. 37.10.010. Charter Amendments, General.

(1) Charter amendments may be proposed by the Charter Review Commission, the County Commissioners, or by the public, pursuant to the provisions of this chapter.

(2) If more than one (1) amendment is submitted on the same ballot, each shall be submitted in such a manner that the people may vote for or against the amendments separately; PROVIDED that an amendment which embraces a single or interrelated subject may be submitted as a single proposition even though it is composed of changes to one (1) or more Articles.

(3) If a proposed amendment is approved by a majority of the voters voting on the issue, it shall be effective ten (10) days after the results of the election are certified, unless a later date is specified in the petition or ordinance proposing the amendment.

(4) Any implementing ordinance required by any charter amendment

*New Chapter

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shall be enacted by the County Commissioners within one hundred eighty (180) days after the amendment is effective, unless the amendment provides otherwise.

C.C.C. 37.10.020. Amendments by Charter Review Commission.

(1) The Charter Review Commission, created under § 11.10.10-.30 of the Clallam County Home Rule Charter may propose amendments to the charter by filing the full text of the proposed amendment and five (5) copies of the same with the Clallam County Auditor.

(2) Following the filing as provided for in sub-section (1) of this section, the proposed amendment shall be considered as a petition for registration, and the Charter Review Commission shall be considered the sponsor, for the purpose, and only for the purpose, of complying with the procedures of C.C.C. 37.01.020-.060,

(3) An amendment proposed by the Charter Review Commission shall be submitted to the voters at the next state-wide general election at least ninety (90) days after registration of the amendment.

C.C.C. 37.10.030. Amendments by the Public.

(1) The public may propose amendments to the Charter by filing an initiative petition on the proposed amendment in accordance with the procedures of C.C.C. 37.01.020.

(2) Following the filing as provided for in sub-section (1) of this section, the proposed amendment shall be considered as a petition for registration for the purpose, and only for the purpose, of complying with the procedures of C.C.C. 37.01.020-.060.

(3) Upon registration, the sponsors of an amendment shall have one hundred twenty (120) days to file petitions with the Auditor, such petitions bearing the signatures of legal voters in the County equal in number to but not less than twenty percent (20%) of the number of voters in the county who voted at the last gubernatorial election. The gathering of signatures shall comply with the requirements of C.C.C. 37.01.070-.090, and .180.

(4) The Auditor shall verify the sufficiency of the number of signatures on the filed petitions, and if sufficient signatures have been filed to validate the petitions, the Auditor shall submit the proposed amendment to the voters at the next state-wide general election occurring at least ninety (90) days after validation of the amendment.

C.C.C. 37.10.040. Amendments by Board of Commissioners.(1) The County Commissioners may propose amendments to the Clallam County Home Rule Charter by enacting an ordinance to submit a proposed amendment to the voters at the next state-wide general election occurring at least ninety (90) days after enactment of such ordinance. No such ordinance can be subject to the referendum process.

(2) The Prosecuting Attorney shall prepare a ballot title, pursuant to C.C.C. 37.01.030, and the Auditor shall assign a number to the proposed amendment, pursuant to C.C.C. 37.01.020. The Commissioners shall have the right to appeal the ballot title, pursuant to C.C.C. 37.01.060 and 37.01.070.

C.C.C. 37.10.050. Charter Repeal. The procedure for a petition to repeal the Charter shall be the same as the procedure for a Charter amendment, as set forth in C.C.C. 37.10.030 except that the sponsor of a repeal shall have one hundred eighty (180) days to file petitions with the Auditor, such petitions bearing the signatures of legal voters in the County equal in number to but not less than thirty-five percent (35%) of the number of voters in the county who voted for the office of Governor in the last statewide general election.

C.C.C. 37.10.060. Declaratory Judgment. At any time not less than forty-five (45) days prior to any state-wide general or special election in which a proposed charter amendment measure appears on the ballot, the Prosecuting Attorney or any legal voter of Clallam County may, pursuant to R.C.W. 7.24, seek a Declaratory Judgment as to whether the proposed charter amendment is in contravention to the Clallam County Home Rule Charter, the laws and/or Constitution of the State of Washington, or the United States Constitution. Such action shall not stay the election.

C.C.C. 37.10.070. Severability. If any section, sub-section, paragraph, sentence, clause, or phrase of this chapter is for any reason held

to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this chapter; it being herein expressly declared that this chapter and each section, sub-section, paragraph, sentence, clause and phrase hereof would have been adopted irrespective of the fact that any one (1) or ~~more other sections, sub-sections, paragraphs, sentences, clauses or phrases~~ be declared invalid or unconstitutional.

ADOPTED this 13th day of December, 1977.

BOARD OF CLALLAM COUNTY COMMISSIONERS

Howard V. Doherty, Jr.
Howard V. Doherty, Jr., Chairman

Dick Lotzgesell
Dick Lotzgesell

Ronald N. Richards
Ronald N. Richards

ATTEST:

Alice C. Thorne
Alice C. Thorne, Auditor
and Clerk of the Board

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