

EXHIBIT E

"We the people" . . .
A HOME RULE CHARTER
BY AND FOR
THE PEOPLE OF PIERCE COUNTY



PIERCE COUNTY BOARD OF FREEHOLDERS

SEPTEMBER 1980

AMENDED BY THE VOTERS OF PIERCE COUNTY

NOVEMBER 1987

NOVEMBER 1996

NOVEMBER 2006

NOVEMBER 2007

NOVEMBER 2008

NOVEMBER 2009

NOVEMBER 2012

NOVEMBER 2016

NOVEMBER 2017

NOVEMBER 2018

NOVEMBER 2021

Pierce County Charter

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Preamble

We, the people of Pierce County, Washington, in order to secure the benefits of home rule, establish separate legislative and executive branches, provide responsible and integrated County government, claim the rights of initiative and referendum, and encourage citizen participation, in accordance with the Constitution of the State of Washington, do hereby adopt this Charter.

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Article 1

Powers of the County

Section 1.10 General Powers

The County shall have all powers possible that a home rule county may have under the Constitution and laws of the United States and the State of Washington. (Originally Adopted November 4, 1980)

Section 1.20 Intergovernmental Relations

- (1) The County may, in any manner permitted by law, exercise any of its powers or perform any of its duties, functions, projects, or activities jointly or in cooperation with any one or more governments, governmental agencies, municipal corporations, or any private agency or corporation, and participate in the financing thereof.
- (2) It shall be the policy of the County to enhance in every way possible intergovernmental cooperation.
- (3) The County shall provide professional guidance and coordination for the fire protection agencies within Pierce County and shall support the concept of consolidated emergency services. (Originally Adopted November 4, 1980)

Section 1.30 Construction

- (1) The power of the County shall be liberally construed; it is intended that this Charter confer the greatest power of local self-government consistent with the Constitution of the State. Specific mention of a particular power or authority shall not be construed as a limitation on general power of the County, but shall be considered as an addition to and supplementary to, or explanatory of, the powers conferred in general terms by this Charter.
- (2) References to adoption of ordinances by the Council shall not be construed as impairing the right of the people to initiate or refer ordinances. The word "law" shall mean the Constitution and laws of the State of Washington unless context indicates otherwise. (Originally Adopted November 4, 1980)

Section 1.40 Name, Boundaries, County Seat

- (1) The corporate name of this County shall remain Pierce County, and it shall have those boundaries provided by the legislature.
- (2) The County seat shall be Tacoma, Washington. Branch offices of the County government are authorized, and branches hereafter established shall be by ordinance. (Originally Adopted November 4, 1980)

Article 2

The Legislative Branch

Section 2.10 Powers

The Council shall be the policy determining body of the County and shall have all the powers of the County which are not otherwise reserved to the people, the Executive, and general law. (Originally Adopted November 4, 1980)

Section 2.15 Composition

The Council shall consist of seven members. The County shall be divided into seven districts, and one Councilmember shall be nominated and elected by the voters of each district, which shall comprise as nearly as possible one-seventh of the population of the County. (Originally Adopted November 4, 1980)

Section 2.20 Exercise of Powers

(1) The Council shall exercise its legislative power by adoption and enactment of ordinances or resolutions. It shall have the power:

- (a) subject to the limitations provided by law, to levy taxes, appropriate revenue, and adopt budgets for the County, provided that after January 1, 2013, any new Councilmanic tax may be levied or increased only by a minimum of two-thirds affirmative vote of the Council. For purposes of this subsection, "new Councilmanic tax" means a tax for which the Council has the authority to levy but has not, such as the mental health tax (RCW 82.14.460), or is granted to the Council by the State Legislature after January 1, 2013, and which excludes fees, rates and charges, special assessments, taxes imposed by the Council on or before January 1, 2013, and taxes imposed by the Council on or before January 1, 2013 which are subject to renewal or reauthorization, such as the general property tax levy and the excess property tax levy.
- (b) to establish the compensation to be paid to all County officers and employees, and to provide for the reimbursement of expenses, except that Councilmembers shall be paid 60 percent of the Executive's compensation, but no Councilmember may receive a salary increase for the term of office during which the ordinance is adopted.
- (c) except as otherwise provided for herein, to establish, abolish, combine and divide by ordinance, all departments and boards with quasi-judicial powers, and to establish their powers and responsibilities.
- (d) to adopt, by ordinance, comprehensive plans, zoning regulations, and other land use regulations including capital improvement and economic development plans for the present and future development of the County.
- (e) to employ personnel to advise the Council.
- (f) to, and shall, employ independent and outside competent professional personnel and conduct an ongoing performance audit program designed to improve the economy, efficiency, and effectiveness of county government, including performance audits of any department, program, office, or other entity funded in the Pierce County budget unless prohibited by general state law. Performance audits shall be planned and conducted in accordance with *Government Auditing Standards* published by the Government Accountability Office and endorsed by the Comptroller General of the United States. The Council shall report annually to the public on the highlights of performance audits conducted that year. The annual report shall be made available to the news media and be accessible without charge by interested citizens. Within 90 days of the completion of a performance audit of a program, department or unit of county government, the Council shall

hold an evening public hearing to present, review, and allow discussion of action plans developed to respond to audit findings and recommendations.

(g) to specify qualifications of appointed County officials.

(2) The enumeration of particular legislative powers shall not be construed as limiting the legislative powers of the Council. (Amendment No. 40, Approved November 6, 2012; Amendment No. 20, Approved November 7, 2006; Amendment No. 11, Approved November 5, 1996; Originally Adopted November 4, 1980)

AMENDMENT NO. 20, Approved November 7, 2006:

(f) to, and shall, employ independent and outside competent professional personnel and conduct an ongoing performance audit program designed to improve the economy, efficiency, and effectiveness of county government, including performance audits of any department, program, office, or other entity funded in the Pierce County budget unless prohibited by general state law. Performance audits shall be planned and conducted in accordance with Government Auditing Standards published by the Government Accountability Office and endorsed by the Comptroller General of the United States. The Council shall report annually to the public on the highlights of performance audits conducted that year. The annual report shall be made available to the news media and be accessible without charge by interested citizens. Within 90 days of the completion of a performance audit of a program, department or unit of county government, the Council shall hold an evening public hearing to present, review, and allow discussion of action plans developed to respond to audit findings and recommendations.

AMENDMENT NO. 11, Approved November 5, 1996:

(f) to, and shall, employ independent and outside competent professional personnel, commencing in the first quarter of 1997, to conduct performance audits which shall evaluate the effectiveness and efficiency of all County programs and departments on a timely basis, no less often than every two years.

ORIGINAL TEXT Adopted November 4, 1980:

(a) subject to the limitations provided by law, to levy taxes, appropriate revenue, and adopt budgets for the County.

(f) to appoint or employ competent professional personnel to conduct performance audits which shall evaluate the effectiveness and efficiency of County programs and departments on a timely basis, no less often than every two years.

Section 2.25 Council Subpoena Powers

The Council may, in connection with the legislative process, make investigations into the affairs of the County and conduct of any County department, office or agency and for this purpose may subpoena witnesses, administer oaths, take testimony and require the production of evidence, and may invoke the aid of any court of competent jurisdiction to carry out such powers, provided that any witness shall have the right to be represented by counsel. The Council, as a whole, or by committee, may conduct public hearings on matters of public concern. (Originally Adopted November 4, 1980)

Section 2.30 Organization

The Council shall annually elect one of its members as chair, and another as vice-chair who shall act in the absence of the chair. It shall be responsible for its own organization, the rules of conduct of its business and for the employment and supervision of such persons as it deems necessary to assist it in the performance of its duties. A majority of the Council shall constitute a quorum at all meetings. Council action shall require at least a majority of the entire Council except as provided by the Charter or resolution. The Council shall conduct at least one evening meeting each year in each Council district. (Originally Adopted November 4, 1980)

Section 2.35 Rules of Procedure

The Council shall enact by ordinance rules of procedure governing the time, place and conduct of its meetings and hearings and the introduction, publication, consideration and adoption of ordinances. The Council shall meet at least once in each of fifty weeks during the calendar year. All meetings shall be open to the public except to the extent that executive sessions are authorized by law. A verbatim public record shall be kept of each public meeting by electronic or mechanical means for a reasonable period of time as provided by state law. In addition, written minutes shall be promptly recorded, said minutes to include a summation of the actions and discussions forthcoming from each Council meeting, as well as a record of the vote of each Councilmember. The Council shall provide for the preparation and maintenance of records of proceedings of the Council as required by this Charter, state law, or County ordinance. (Amendment No. 18, Approved November 5, 1996; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The Council shall enact by resolution rules of procedure governing the time, place and conduct of its meetings and hearings and the introduction, publication, consideration and adoption of ordinances. The Council shall meet at least once in each of fifty weeks during the calendar year. All meetings shall be open to the public except to the extent that executive sessions are authorized by law. A verbatim public record shall be kept of each public meeting by electronic or mechanical means for a reasonable period of time as provided by state law. In addition, written minutes shall be promptly recorded, said minutes to include a summation of the actions and discussions forthcoming from each Council meeting, as well as a record of the vote of each Councilmember. The Council shall provide for the preparation and maintenance of records of proceedings of the Council as required by this Charter, state law, or County ordinance.

Section 2.40 Relationship with Other Branches

Except in the performance of its legislative functions under this Charter, the Council, its staff, and individual Councilmembers shall have no power to direct, either publicly or privately, any officer or employee subject to the supervision of the Executive or other elected officials. (Originally Adopted November 4, 1980)

Section 2.45 Ordinances

- (1) Every legislative act shall be by ordinance except as provided for resolutions and referenda.
- (2) The subject of every ordinance shall be clearly stated in the title, and no ordinance shall contain more than one subject. Ordinances, or summaries of them, the places where copies are filed, and the times when they are available for inspection, shall be published when the ordinances are proposed and again upon enactment.
- (3) Ordinances may, by reference, adopt Washington State statutes, or any recognized, printed codes or compilations in whole or in part.
- (4) No ordinance shall be amended unless the new ordinance sets forth each amended section or subsection at full length.
- (5) At least 13 days shall pass between the introduction and the final passage of every ordinance, except emergency ordinances. Every ordinance shall be introduced in its entirety in writing.
- (6) Every ordinance which passes the Council must be presented to the Executive. If approved by the Executive, the ordinance shall be signed by the Executive and become law as provided in this Section. If not approved by the Executive, the entire ordinance shall be vetoed and returned with the Executive's written objections, which shall be entered in the journal of Council proceedings. If, within 30 days after being returned to the Council, the ordinance receives the affirmative vote of two-thirds of the entire Council it shall become law. If the Executive does not either sign or veto an ordinance within ten days, Saturdays, Sundays, and holidays excepted, after presentation of the ordinance by the Council, it shall become law without the Executive's signature.
- (7) Except as otherwise provided in this Charter, all ordinances shall take effect ten days after the date they are signed by the Executive or otherwise enacted, or at a later date if stated in the ordinance.
- (8) Opportunity for public testimony shall be provided prior to final passage of every ordinance, except emergency ordinances. (Originally Adopted November 4, 1980)

Section 2.50 Emergency Ordinances

An ordinance necessary for the immediate preservation of the public peace, health, or safety, or support of the County government and its existing institutions, may be passed by a two-thirds vote of the Council, which shall be effective immediately when approved by the Executive. No emergency ordinances may levy taxes, grant, renew, or extend a franchise, regulate the rate charged by any utility, or authorize the borrowing of money for more than 120 days. An emergency ordinance shall be introduced and passed in the manner prescribed for ordinances generally, except that the emergency and the facts creating it shall be stated in a separate section of the emergency ordinance. (Originally Adopted November 4, 1980)

Section 2.55 Resolutions

The Council shall, by resolution, confirm or reject appointments by the Executive within 30 days of the date the name or names are submitted to it; appoint and confirm members to boards and commissions filling vacancies of ninety days or more; may pass resolutions to make declarations of policy which do not have the force of law, and to request information from any other agency of County government. If the Council fails to act on an appointment within the 30 day period, it will be deemed to have approved the appointment. Resolutions shall not be subject to the veto power of the Executive, and the Council in passing resolutions need not comply with the procedural requirements for the introduction, consideration and adoption of ordinances. (Amendment No. 36 proposed by Ordinance No. 2008-55s, Approved November 4, 2008; Originally Adopted November 4, 1980)

ORIGINAL TEXT ADOPTED November 4, 1980:

The Council shall, by resolution, confirm or reject appointments by the Executive within thirty (30) days of the date the name or names are submitted to it; may pass resolutions to make declarations of policy which do not have the force of law, and to request information from any other agency of County government. If the Council fails to act on an appointment within the thirty (30) day period, it will be deemed to have approved the appointment. Resolutions shall not be subject to the veto power of the Executive, and the Council in passing resolutions need not comply with the procedural requirements for the introduction, consideration and adoption of ordinances.

Section 2.60 Codification of Ordinances

All ordinances of the County which are of a general and permanent nature or impose any fine, penalty, or forfeiture shall be codified and known as the Pierce County Code. The Code shall be kept current to reflect newly adopted, amended, or repealed ordinances. A current copy shall be placed in all public libraries and in such other places as the Council deems appropriate. (Originally Adopted November 4, 1980)

Article 3

The Executive Branch

Section 3.10 Composition and Powers

The executive branch shall be composed of the Executive and all executive departments established by this Charter or by ordinance, and the members of boards and commissions, except boards which have quasi-judicial powers; however, the Executive shall not have administrative power over any other elected official or their department regarding staff supervision, staff assignments or normal daily operations, except as provided in the Charter. The executive branch shall have all executive powers of the County under this Charter. (Amendment No. 26, Approved November 7, 2006; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The executive branch shall be composed of the Executive and all executive departments established by this Charter or by ordinance, and the members of boards and commissions, except boards which have quasi-judicial powers. The executive branch shall have all executive powers of the County under this Charter.

Section 3.15 The Executive

The Executive shall be the Chief Executive Officer of Pierce County. (Originally Adopted November 4, 1980)

Section 3.20 Election of Executive

The Executive shall be nominated and elected by the voters of the County. (Originally Adopted November 4, 1980)

Section 3.25 Powers and Duties

(1) As Chief Executive Officer, the Executive shall have all the executive powers of the County which are not expressly vested in other specific elective offices by this Charter. The Executive shall have the power:

- (a) to supervise and manage all administrative offices and executive departments established by this Charter or created by the Council, and all expenditures of the County to the extent permitted by law.
- (b) to execute and enforce all ordinances and state statutes within the County.
- (c) to present to the Council an annual statement of the governmental affairs of the County and any other report which the Executive may deem necessary.
- (d) to prepare and present to the Council budgets and a budget message setting forth proposals for the County during the next fiscal year.
- (e) to prepare and present to the Council comprehensive plans including capital improvement and economic development plans for the present and future development of the County.
- (f) to veto any ordinance adopted by the Council except as otherwise provided in this Charter.
- (g) to assign duties to administrative offices and executive departments which are not specifically assigned by this Charter or by ordinance.
- (h) to sign, or cause to be signed, on behalf of the County, all claims, deeds, contracts and other instruments.

(i) to serve, personally, or through a designee, on all boards and commissions on which a County commissioner was required to serve prior to the adoption of this Charter, but if more than one Commissioner was required to serve, the Council shall appoint a Councilperson or Councilpersons to serve on the board or commission with the Executive.

(j) to employ personnel to advise the Executive.

(k) at least every three years, to conduct a review and evaluation of every County administrative office, department, board and commission, and make a written report with recommendations to the Council as to whether or not the services provided by such agencies warrant their continued existence.

(2) The specific statement of particular executive powers shall not be construed as limiting the executive powers of the Executive. (Originally Adopted November 4, 1980)

Section 3.30 Appointments by Executive and Confirmation

Except for those positions filled by election, the Executive shall appoint the chief officer of each executive department; and shall appoint the members of all boards and commissions except as otherwise provided in this Charter. The appointments by the Executive shall be subject to confirmation by a majority of the Council. Appointments by the Executive filling vacancies on a board or commission shall be transmitted to the Council within sixty days of a vacancy. The Executive may appoint a confidential secretary and administrative assistant without Council confirmation. A term of office for any board or commission shall not be longer than four years. Members of boards and commissions shall be limited to two consecutive full terms. In the case of a board or commission requiring representation from specific Council districts, the Executive must appoint from a list of three candidates supplied by the Councilmember representing those districts where the applicable Councilmember has supplied a list within thirty days of the vacancy to be filled. (Amendment No. 36 proposed by Ordinance No. 2008-55s, Approved November 4, 2008; Amendment No. 25, Approved November 7, 2006; Originally Adopted November 4, 1980)

AMENDMENT NO. 25, Approved November 7, 2006:

Except for those positions filled by election, the Executive shall appoint the chief officer of each executive department; and shall appoint the members of all boards and commissions except as otherwise provided in this Charter. The appointments by the Executive shall be subject to confirmation by a majority of the Council. The Executive may appoint a confidential secretary and administrative assistant without Council confirmation. A term of office for any board or commission shall not be longer than four (4) years. Members of boards and commissions shall be limited to two (2) consecutive full terms. In the case of a board or commission requiring representation from specific council districts the Executive must appoint from a list of three candidates supplied by the Councilmember representing those districts.

ORIGINAL TEXT Adopted November 4, 1980:

Except for those positions filled by election, the Executive shall appoint the chief officer of each executive department; and shall appoint the members of all boards and commissions except as otherwise provided in this Charter. The

appointments by the Executive shall be subject to confirmation by a majority of the Council. The Executive may appoint a confidential secretary and administrative assistant without Council confirmation. A term of office for any board or commission shall not be longer than four (4) years. Members of boards and commissions shall be limited to two (2) consecutive full terms.

Section 3.35 Appointments by the Chief Officers

The chief officer of each executive department shall comply with the rules of the personnel system when appointing officers and employees to positions covered by the personnel system. (Originally Adopted November 4, 1980)

Section 3.40 Executive Pro Tempore

- (1) The Council, at its annual election, by majority vote, may designate one of its members as Executive pro tempore.
- (2) The Executive pro tempore shall hold office at the pleasure of the Council, and in case of the absence or temporary disability of the Executive, perform the duties of Executive except for the power to appoint or remove any officer, or to veto any acts of the Council. (Originally Adopted November 4, 1980)

Section 3.45 Executive Departments

- (1) All elected executive department heads shall receive compensation determined by ordinance; provided such compensation shall be no less than the compensation received for the equivalent office at the time of the adoption of the Charter.
- (2) All departments shall have the powers and duties provided by ordinance.
- (3) All executive departments shall be subject to the personnel, budgeting, expenditure and any other policies of general application established by the Executive. (Originally Adopted November 4, 1980)

Section 3.50 Assessor-Treasurer

There is hereby created the executive department of Assessor-Treasurer. The Assessor-Treasurer shall be a nonpartisan position, elected by the voters of the County. (Amendment No. 29 proposed by Ordinance No. 2007-50, Approved November 6, 2007; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

There is hereby created the executive department of Assessor-Treasurer. The Assessor-Treasurer shall be nominated and elected by the voters of the County.

Section 3.55 Auditor

There is hereby created the executive department of Auditor. The Auditor shall be a nonpartisan position, elected by the voters of the County. (Amendment No. 30 proposed by Ordinance No. 2007-51, Approved November 6, 2007; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

There is hereby created the executive department of Auditor. The Auditor shall be nominated and elected by the voters of the County.

Section 3.60 Clerk of the Superior Court

There is hereby created the executive department of Clerk of the Superior Court. The Clerk shall be appointed by the Executive and confirmed by a majority of the Council. (Originally Adopted November 4, 1980)

Section 3.65 Coroner

There is hereby created the executive department of Coroner. The Coroner shall be appointed by the Executive and confirmed by a majority of the Council. (Originally Adopted November 4, 1980)

Section 3.70 Sheriff

There is hereby created the executive department of Sheriff. The Sheriff shall be a nonpartisan position, elected by the voters of the County and shall serve full time. (Amendment No. 28 proposed by Ordinance No. 2007-18, Approved November 6, 2007; Amendment No. 19, Approved November 7, 2006; Originally Adopted November 4, 1980)

AMENDMENT NO. 19 Approved November 7, 2006:

There is hereby created the executive department of Sheriff. The Sheriff shall be nominated and elected by the voters of the County and shall serve full time.

ORIGINAL TEXT Adopted November 4, 1980:

There is hereby created the executive department of Sheriff. The Sheriff shall be appointed by the Executive and confirmed by a majority of the Council.

Article 4

Elections

Section 4.10 Election Procedures

The nominating primaries and elections of the Councilmembers and Executive shall be conducted in accordance with general law governing the election of partisan county officers. The Prosecuting Attorney shall be a nonpartisan office, elected by the voters of Pierce County.*

The elections of all County officials, including judges and the Prosecuting Attorney, shall be conducted according to the state election method. (Amendment No. 51 proposed by Ordinance No. 2021-48, Approved November 2, 2021; Amendment No. 39 proposed by Ordinance No. 2009-1, Approved November 3, 2009; Amendment No. 28 proposed by Ordinance No. 2007-18, No. 29 proposed by Ordinance No. 2007-50, No. 30 proposed by Ordinance No. 2007-51, and No. 33 proposed by Ordinance No. 2007-63s3, Approved November 6, 2007; Amendment Nos. 19 and 21 Approved November 7, 2006; Originally Adopted November 4, 1980)

AMENDMENT NO. 39 proposed by Ordinance No. 2009-1, Approved November 3, 2009:

The nominating primaries and elections of the Councilmembers, Executive, and Prosecuting Attorney shall be conducted in accordance with general law governing the election of partisan county officers.

AMENDMENT NO. 28 proposed by Ordinance No. 2007-18, NO. 29 proposed by Ordinance No. 2007-50, NO. 30 proposed by Ordinance No. 2007-51, and NO. 33 proposed by Ordinance No. 2007-63s3, Approved November 6, 2007:

*The nominating primaries and elections of the Councilmembers, Executive, and Prosecuting Attorney shall be conducted in accordance with general law governing the election of partisan county officers. [Charter Section 4.10 per Amendment No. 1 (2006)]**

The elections of all County officials, except judges and the Prosecuting Attorney, shall be conducted using instant runoff voting. The County Auditor shall implement by July 2008 an instant runoff voting protocol according to these guidelines:

(1) The ballot shall allow voters to rank a number of choices in order of preference equal to the total number of candidates for each office; however, if the voting system, vote tabulation system, or similar or related equipment used by the County cannot feasibly accommodate choices equal to the total number of candidates running for each office, then the Auditor may limit the number of choices a voter may rank to no fewer than three.

(2) The instant runoff shall be conducted in rounds. In each round, each voter's ballot shall count as a single vote for whichever continuing candidate the voter has ranked highest. The candidate or candidates whose combined vote totals are less than the next lowest candidate after each round shall be eliminated and their votes redistributed. This process of eliminating candidates and transferring their votes to the next-ranked continuing candidates shall be repeated until a

candidate receives a majority (fifty percent plus one) of the votes from the continuing ballots. The candidate receiving the majority (fifty percent plus one) of votes from the continuing ballots will be deemed elected at the time of certification.

(3) The County Council may adopt additional regulations consistent with this subsection and RCW 29A.53 (excluding the expiration dates) to implement these standards.

* Code Revisor's Note: Section 4.10 was identically amended by Charter Amendment Nos. 1, 2 and 3, and separately amended by Charter Amendment No. 6, both without reference to the other, all approved by the Pierce County voters in the November 2007 General Election. Both amended versions are published here.

***AMENDMENT NOS. 19 and 21 Approved November 7, 2006:**

*The nominating primaries and elections of the Councilmembers, Executive, Assessor-Treasurer, Sheriff and Prosecuting Attorney shall be conducted in accordance with general law governing the election of partisan county officers. [Charter Section 4.10 per Amendment No. 1 (2006)]**

The elections of all County officials, except judges and the Prosecuting Attorney, shall be conducted using instant runoff voting. The County Auditor shall implement by July 2008 an instant runoff voting protocol according to these guidelines:

(1) The ballot shall give voters the option of ranking candidates in order of preference.

(2) The instant runoff shall be conducted in rounds. In each round, each voter's ballot shall count as a single vote for whichever continuing candidate the voter has ranked highest. The candidate with the fewest votes after each round shall be eliminated until only two candidates remain, with the candidate then receiving the greatest number of votes being elected.

*(3) The County Council may adopt additional regulations consistent with this subsection and RCW 29A.53 (excluding the expiration dates) to implement these standards. [Charter Section 4.10 per Amendment No. 3 (2006)]**

* Code Revisor's Note: Section 4.10 was separately amended by Charter Amendment No. 1 and Charter Amendment No. 3, each without reference to the other, both approved by the Pierce County voters in the November 2006 General Election. Both amended versions are published here.

ORIGINAL TEXT Adopted November 4, 1980:

The nominating primaries and elections of the Council members, Executive, Assessor-Treasurer, and Prosecuting Attorney, shall be conducted in accordance with general law governing the election of partisan county officers.

Section 4.15 Instant Runoff Voting (IRV) Candidacies (Repealed by Amendment No. 39 proposed by Ordinance No. 2009-1, Approved November 3, 2009)

AMENDMENT NO. 34 proposed by Ordinance No. 2007-64, Originally Adopted November 6, 2007:

Section 4.15 – Instant Runoff Voting (IRV) Candidacies

- (1) To be placed on the ballot for an IRV office, a candidate must present to the Auditor no later than the end of filing week petition statements supporting the candidacy with original signatures of no less than 25 persons qualified to vote for the office the candidate is seeking. The County Council may change the signature number requirement by ordinance so long as the same number applies to all candidates.*
- (2) The County central committee of each major political party may determine which candidates may use their party label for each partisan County level office.*
- (3) The Minor Party County Executive Committee, or, if there is none, the Minor Party State Executive Committee of each minor party who files with the State Public Disclosure Commission shall determine which candidates may use their party label for each partisan county level office.*
- (4) All candidates meeting the foregoing qualifications will appear directly on the general election ballot. There will be no publicly financed primary for affected County level offices.*
- (5) On or before the last day for filing a declaration of candidacy as a candidate for a partisan IRV county level office, anyone qualified to assume office if elected may file a declaration of candidacy as an "Independent."*
- (6) Any candidate who files a declaration of candidacy as an independent for a partisan IRV county level office shall be placed on the ballot under the title "Independent."*
- (7) Any candidate who files a declaration of candidacy for a non-partisan IRV county level office shall be placed on the ballot under the title "Non-Partisan" (NP).*
- (8) Anyone who files a declaration of candidacy for an IRV county level office shall pay the filing fee required for a declaration of candidacy.*

ORIGINAL TEXT Adopted November 7, 2006, Amendment No. 21:*Section 4.15 – Partisan Candidacies*

- (1) To be placed on the ballot for partisan office a candidate must present to the auditor no later than the end of filing week petition statements supporting the candidacy with original signatures of no less than 25 persons qualified to vote for the office the candidate is seeking. The County Council may change the signature number requirement by ordinance so long as the same number applies to all candidates.*
- (2) The county central committee of each major political party may determine which candidates may use their party label for each county level office.*
- (3) Minor political party and independent candidates shall be nominated according to procedures for minor political party and independent nominating conventions as set forth by state law.*
- (4) All candidates meeting the foregoing qualifications will appear directly on the general election ballot. There will be no publicly financed primary for effected county level offices.*

Section 4.20 Independent Candidates (Repealed by Amendment No. 39 proposed by Ordinance No. 2009-1, Approved November 3, 2009)

AMENDMENT NO. 21 Approved November 7, 2006:

- (1) On or before the last day for filing a declaration of candidacy as a candidate, anyone qualified to assume office if elected may file a declaration of candidacy as an "Independent."*
- (2) Any candidate who files a declaration of candidacy as an independent shall be placed on the ballot under the title "Independent."*
- (3) Anyone who files a declaration of candidacy as an independent shall pay the filing fee required for a declaration of candidacy.*

ORIGINAL TEXT Adopted November 4, 1980:

- (1) On or before the last day for filing a declaration of candidacy as a candidate in a major political party primary, anyone qualified to assume office if elected may file a declaration of candidacy as an "Independent."*
- (2) Any candidate who files a declaration of candidacy as an independent shall be placed on the primary ballot under the title "Independent."*
- (3) Anyone who files a declaration of candidacy as an independent shall not be a candidate for any political party in that primary or in the succeeding general election, and shall pay the filing fee required for a declaration of candidacy for a major political party primary.*
- (4) the candidate who receives a plurality of the votes cast for independent candidates for that office shall be placed on the ballot at the ensuing general election under the heading "Independent," provided that candidate receives one percent (1%) of the total vote cast for that office.*

Section 4.30 Qualifications

Each County officer holding an elective office shall be, at the time of appointment or filing for election, and at all times while holding office, a citizen of the United States, and a resident and registered voter of Pierce County. In addition, all Councilmembers shall be residents and registered voters of their Council districts for at least one year immediately prior to filing for the Council position, and shall maintain residency in the Council district during the term for which the Councilmember was elected. No Council district boundary change shall disqualify the Councilmember from holding office during the remainder of the term of office. (Originally Adopted November 4, 1980)

Section 4.40 District Boundaries

The boundaries of each district shall correspond as nearly as practicable with the boundaries of election precincts and shall be drawn to produce districts with compact and contiguous territory, composed of geographic units and natural communities, which are approximately equal in population. (Originally Adopted November 4, 1980)

Section 4.50 Districting Committee

Within 60 days after the 1980, and each succeeding Federal census is published, a 5-member districting committee shall be appointed. The Council shall appoint four persons to the Committee, two from each major political party, from a list of five submitted by the party's central committee, the four to appoint the fifth, who shall serve as the Chair. Members of the Districting Committee shall serve without salary, but shall be compensated for expenses. The Districting Committee shall, within 30 days of its appointment, meet and appoint a Districting Master who shall be qualified by education, training, and experience to draw a redistricting plan. If a Districting Committee is unable to agree upon the appointment of a Districting Master within 30 days, the Council shall appoint a Districting master within 30 days thereafter. (Originally Adopted November 4, 1980)

Section 4.60 Districting Plan

Within two months after appointment, the Districting Master shall draw a districting plan for the County which shall be submitted to the Committee for adoption. The Districting Committee shall adopt the districting plan within 15 days as submitted, or as amended by four affirmative votes of the committee members. If the districting plan is neither adopted nor modified within 15 days after submission, the plan shall be deemed adopted. The plan, upon adoption, shall be filed with the filing officer by the Districting Committee. The plan shall become effective upon filing. (Originally Adopted November 4, 1980)

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. 50 proposed by Ordinance No. 2018-50, Approved November 6, 2018; Amendment No. 46 proposed by Ordinance No. 2017-35, Approved November 7, 2017; Originally Adopted November 4, 1980)

AMENDMENT NO. 46, Approved November 7, 2017:

(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. 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.

ORIGINAL TEXT Adopted November 4, 1980:

(2) The Council shall fill a vacancy 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.

Section 4.80 Commencement of Terms of Office

The election of County officials provided for in this Charter shall be held on even-numbered years as provided by general law and the provisions of this Charter. The term of office of each elected official and department head shall be for four years commencing January 1 following election and until a successor is elected, qualified, and has commenced to serve. (Originally Adopted November 4, 1980)

Section 4.90 Limitation on Terms of Office

No person shall be allowed to serve in County elective office for more than two consecutive 4-year terms in the same position as a Councilmember or Executive. No person shall be allowed to serve in County elective office for more than three consecutive 4-year terms in the same position as Sheriff, Assessor-Treasurer or Auditor. Service as the Assessor-Treasurer or Auditor prior to January 1, 2009, shall be counted as part of such consecutive terms. Establishment of residency in an alternate district will not circumvent this restriction. (Amendment No. 28 proposed by Ordinance No. 2007-18, No. 29 proposed by Ordinance No. 2007-50, and No. 30 proposed by Ordinance No. 2007-51, Approved November 6, 2007; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

No person shall be allowed to serve in County elective office for more than two consecutive four year terms in the same position, as a council member, Executive, or separately elected department head. Service as an elected County official prior to the commencement of this Charter shall not be counted as part of any official's two consecutive terms. Establishment of residency in an alternate district will not circumvent this restriction.

Article 5 The Public Interest

Section 5.10 Direct Government

The people of Pierce County reserve to themselves the power to make certain proposals at their option, and to enact or reject them at an election, independent of the Council. The veto power of the Executive shall not extend to measures initiated by or referred to the people. (Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The people of Pierce County reserve to themselves the power to make certain proposals at their option, and to enact or reject them at the polls, independent of the Council. The veto power of the Executive shall not extend to measures initiated by or referred to the people.

Section 5.15 Definitions

As used in this Article, the following terms shall have the following meanings:

- (1) "Business day" means all days except Saturdays, Sundays, and holidays officially recognized by Pierce County.

(2) "Overvote" and "undervote" mean what they are defined to mean in the current edition of the Washington State Secretary of State Voter Intent Manual or any successor publication. (Originally Adopted November 6, 2018, by Ordinance No. 2018-52, Amendment No. 49)

Section 5.20 The Initiative

The people reserve the power of initiative. Any ordinance or amendment to an ordinance may be proposed by filing, with the filing officer an initiative petition. No ordinance enacted as a result of initiative shall be amended or repealed within two years after enactment except as a result of a subsequent initiative or referendum. (Originally Adopted November 4, 1980)

Section 5.30 Initiative Limitations

No initiative proposal requiring the expenditure of additional funds for an existing activity, or of any funds for a new activity or purpose, shall be filed unless provisions are specifically made therein for new or additional sources of revenue which may thereby be required. (Originally Adopted November 4, 1980)

Section 5.40 Initiative Procedures

- (1) Any legal voter, or organization of legal voters of Pierce County may file an initiative proposal with the filing officer who, within five business days after receipt thereof, shall give the proposed initiative a number, which shall thereafter be the identifying number for the measure. The filing voter or organization shall submit the petition in substantially the same form and style as prescribed for state initiatives by Chapter 29A.72 RCW and Chapter 434-379 WAC, as now enacted or hereinafter amended.
- (2) The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney who, within 15 business days after receipt thereof, shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the purpose of the measure. Such concise statement will be the ballot title.
- (3) The petitioner shall then have 120 calendar days to collect the signatures of the registered voters of the County equal in number to not less than 10 percent of the number of votes cast (to include votes cast for candidates and write-ins, not to include overvotes or undervotes) in the County in the last election for the office of Executive. Each petition shall contain the full text of the proposed measure, ordinance, or amendment to an ordinance and the ballot title.
- (4) The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the proposal to the people at the next general election that is not less than 120 calendar days after submittal of signatures to the filing officer for validation, unless the Council enacts the proposal without change or amendment.

(5) If the Council does not adopt the proposed measure and adopts a substitute measure concerning the same subject matter, the substitute proposal shall be placed on the same ballot with the initiative proposal; and the voters shall be given the choice of accepting either or rejecting both and then be given the choice of accepting one and rejecting the other. If a majority of the voters voting on the first issue is for accepting either, then the measure receiving the majority of the votes cast on the second issue shall be deemed approved. If a majority of those voting on the first issue is for rejecting both, then neither measure shall be approved regardless of the vote on the second issue. (Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

- (1) Any legal voter, or organization of legal voters of Pierce County may file an initiative proposal with the filing officer, who within five days, excluding Saturday, Sunday, and holidays shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the proposed initiative a number, which shall thereafter be the identifying number for the measure.*
- (2) The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who shall confer with the petitioner to review the legal aspects of the proposal, and who within ten days after receipt thereof, shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the purpose of the measure. Such concise statement will be the ballot title.*
- (3) The petitioner then has 120 days to collect the signatures of the registered voters of the County equal in number to not less than 10 percent of the number of votes cast in the County in the last executive election. Each petition shall contain the full text of the proposed measure, ordinance, or amendment to an ordinance and the ballot title.*
- (4) The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the proposal to the people at the next general election that is not less than 120 days after the registering of the petition, unless the Council enacts the proposal without change or amendment.*

Section 5.50 Agenda Petition

Any ordinance or amendment to an existing ordinance or the Charter may be proposed to the Council by filing with the filing officer agenda petitions bearing the signatures of registered voters equal in number to not less than 3 percent of the number of votes cast (to include votes cast for candidates and write-ins, not to include overvotes or undervotes) in the County in the last election for the office of Executive. Upon verifying the sufficiency of the signatures, the filing officer shall transmit the agenda petition to the Council which shall hold a public hearing on the proposed ordinance and enact or reject the ordinance within 60 calendar days. (Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

Any ordinance or amendment to an existing ordinance or the Charter may be proposed to the Council by registering with the filing officer agenda petitions bearing the signatures of registered voters equal in number to not less than 3 percent of

the number of votes cast in the County in the last Executive election. Upon verifying the sufficiency of the signatures, the filing officer shall transmit the agenda petition to the Council which shall hold a public hearing on the proposed ordinance and enact or reject the ordinance within 60 days.

Section 5.60 The Referendum

The people reserve the power of referendum. A referendum may be ordered on any ordinance, or any section thereof, passed by the Council, except such ordinances as may be necessary for the immediate preservation of the public peace, health, safety, or support of the County government and its existing public institutions. Upon validation of the signatures on a referendum petition by the filing officer, the measure will be ineffective pending the outcome of the referendum procedure. The validation of a referendum petition against one or more sections of any ordinance shall delay only those sections from taking effect. (Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The people reserve the power of referendum. A referendum may be ordered on any ordinance, or any section thereof, passed by the Council, except such ordinances as may be necessary for the immediate preservation of the public peace, health, safety, or support of the County government and its existing public institutions. Upon registration and validation of a referendum petition, the measure will be ineffective pending the outcome of the referendum procedure. The registering of a referendum petition against one or more sections of any ordinance shall delay only those sections from taking effect.

Section 5.70 Referendum Procedures

- (1) Any legal voter, or organization of legal voters of Pierce County may file a referendum proposal against any enacted ordinance, or portion thereof, with the filing officer within 15 calendar days after the ordinance is passed by the Council. The filing voter or organization shall submit the referendum proposal in substantially the same form and style as prescribed for state referenda by Chapter 29A.72 RCW and Chapter 434-379 WAC, as now enacted or hereinafter amended.
- (2) Within five business days after receipt thereof, the filing officer shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who within 15 business days after receipt thereof shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title. Also within the same 15-business day period, the Prosecuting Attorney or designee shall notify the petitioner if, in the Prosecutor's opinion, the referendum is not legal.
- (3) The petitioner shall then have 120 calendar days to collect the signatures of registered voters of the County equal in number to not less than 8 percent of the number of votes cast (to include votes cast for candidates and

write-ins, not to include overvotes or undervotes) in the County in the last election for the office of Executive. Each petition shall contain the full text of the measure being referred and the ballot title. The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the measure to the people at the next general election occurring not less than 120 calendar days after submittal of signatures to the filing officer for validation.

(4) Should the County file a legal challenge to any referendum and the court determine that the referendum filer is the prevailing party, the referendum filer may, in the discretion of the court, be entitled to reasonable attorney's fees incurred in defending the challenge. The 120-calendar day signature gathering period is tolled (suspended) for up to 45 calendar days while awaiting the outcome of the legal challenge.

(5) The County Council may establish, by Ordinance, a referendum filing fee not to exceed the amount imposed by the State for each referendum filed. (Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Amendment No. 43, Approved November 8, 2016; Amendment No. 35 proposed by Ordinance No. 2007-66, Approved November 6, 2007; Originally Adopted November 4, 1980)

AMENDMENT NO. 43, Approved November 8, 2016:

(1) *Any legal voter, or organization of legal voters of Pierce County may file a referendum proposal against any enacted ordinance, or portion thereof, with the filing officer within 15 days after the ordinance is passed by the Council.*

(2) *Within five days, excluding Saturday, Sunday, and holidays the filing officer shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who within 15 business days after receipt thereof shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title. Also within the same 15-day period, the Prosecuting Attorney or designee shall notify the petitioner if, in the Prosecutor's opinion, the referendum is not legal.*

(3) *The petitioner then has 120 days to collect the signatures of registered voters of the County equal in number to not less than 8 percent of the number of votes cast in the County in the last Executive election. Each petition shall contain the full text of the measure being referred and the ballot title. The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the measure to the people at the next general election that is not less than 120 days after the registering of the petition.*

(4) *Should the County file a legal challenge to any referendum and the court determine that the referendum filer is the prevailing party, the referendum filer may, in the discretion of the court, be entitled to reasonable attorney's fees incurred in defending the challenge. The 120-day signature gathering period is tolled (suspended) for up to 45 days while awaiting the outcome of the legal challenge.*

AMENDMENT NO. 35, Approved November 6, 2007:

(4) *The County Council may establish, by Ordinance, a referendum filing fee not to exceed the amount imposed by the State for each referendum filed.*

ORIGINAL TEXT Adopted November 4, 1980:

- (1) Any legal voter, or organization of legal voters of Pierce County may file a referendum proposal against any enacted ordinance, or portion thereof, with the filing officer within 15 days after the ordinance is passed by the Council.
- (2) Within five (5) days, excluding Saturday, Sunday, and holidays the filing officer shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who within ten (10) days after receipt thereof shall formulate a concise statement, posed as a positive question, not to exceed twenty (20) words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title.
- (3) The petitioner then has one hundred twenty (120) days to collect the signatures of registered voters of the county equal in number to not less than eight percent (8%) of the number of votes cast in the County in the last Executive election. Each petition shall contain the full text of the measure being referred and the ballot title. The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the measure to the people at the next general election that is not less than one hundred twenty (120) days after the registering of the petition.

Section 5.80 The Recall

The people further reserve the power of recall as provided in the Constitution and laws of the State of Washington. (Originally Adopted November 4, 1980)

Section 5.90 Filing Officer

The term filing officer as used throughout this Charter shall mean the Auditor or such other County department head as may be designated by ordinance. (Originally Adopted November 4, 1980)

Article 6

Financial Administration

Section 6.10 Presentation and Adoption of the Budget

At least 100 days prior to the end of each biennial budget, the Executive shall present to the Council a complete budget and budget message, proposed current expense, road fund, and capital budget appropriation ordinances, and proposed tax and revenue ordinances necessary to raise sufficient revenues to balance the budget. At least 30 days prior to the end of the biennial budget, the Council shall adopt appropriation, tax and revenue ordinances

for the next biennium. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Amendment No. 24, Approved November 7, 2006; Originally Adopted November 4, 1980)

AMENDMENT NO. 24, Approved November 7, 2006:

At least 100 days prior to the end of each fiscal year, the Executive shall present to the Council a complete budget and budget message, proposed current expense, road fund, and capital budget appropriation ordinances, and proposed tax and revenue ordinances necessary to raise sufficient revenues to balance the budget. At least 30 days prior to the end of the fiscal year, the Council shall adopt appropriation, tax and revenue ordinances for the next fiscal year.

ORIGINAL TEXT Adopted November 4, 1980:

At least seventy-five (75) days prior to the end of each fiscal year, the Executive shall present to the Council a complete budget and budget message, proposed current expense, road fund, and capital budget appropriation ordinances, and proposed tax and revenue ordinances necessary to raise sufficient revenues to balance the budget. At least thirty (30) days prior to the end of the fiscal year, the Council shall adopt appropriation, tax and revenue ordinances for the next fiscal year.

Section 6.15 Presentation of a Six-Year Plan

The Executive shall prepare and present to the Council, within one year of being installed into office, a 6-year plan which shall be updated annually, and shall include proposed capital improvement and economic development programs and general administrative goals. The 6-year plan shall be presented to the Council at least 100 days prior to the end of each biennium. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Amendment No. 24, Approved November 7, 2006; Originally Adopted November 4, 1980)

AMENDMENT NO. 24, Approved November 7, 2006:

The Executive shall prepare and present to the Council, within one year of being installed into office, a 6-year plan which shall be updated annually, and shall include proposed capital improvement and economic development programs and general administrative goals. The 6-year plan shall be presented to the Council at least 100 days prior to the end of each fiscal year.

ORIGINAL TEXT Adopted November 4, 1980:

The Executive shall prepare and present to the Council, within one year of being installed into office, a six-year plan which shall be updated annually, and shall include proposed capital improvement and economic development programs and general administrative goals.

Section 6.20 Budget Information

At least 135 days prior to the end of the biennium, all agencies of County government shall submit to the Executive information necessary to prepare the budget. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

At least 135 days prior to the end of the fiscal year, all agencies of County government shall submit to the Executive information necessary to prepare the budget.

Section 6.25 Contents of the Budget

The budget shall include all funds, revenues and reserves; shall be divided into categories, projects, and objects of expense; and shall include supporting data deemed advisable by the Executive or required by ordinance; shall indicate as to each category, project or object of expense the actual expenditures of the preceding biennium, the estimated expenditures of the current biennium, and requested appropriations for the next biennium. The expenditures included in the budget for the ensuing biennium shall not exceed the estimated revenues. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The budget shall include all funds, revenues and reserves; shall be divided into categories, projects, and objects of expense; and shall include supporting data deemed advisable by the Executive or required by ordinance; shall indicate as to each category, project or object of expense the actual expenditures of the preceding fiscal year, the estimated expenditures of the current fiscal year, and requested appropriations for the next fiscal year. The expenditures included in the budget for the ensuing year shall not exceed the estimated revenues.

Section 6.30 Budget Control

At the beginning of each quarterly period during the biennium, and more often if required, the Executive shall submit to the Council a written report showing the relation between the estimated income and expense and actual income and expenses to date; and if it shall appear that the income is less than anticipated, the Council may reduce appropriations, except amounts required to meet contractual obligations and for debt, interest and other fixed charges, to such a degree as may be necessary to keep expenditures within the cash income. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

At the beginning of each quarterly period during the fiscal year, and more often if required, the Executive shall submit to the Council a written report showing the relation between the estimated income and expense and actual income and

expenses to date; and if it shall appear that the income is less than anticipated, the Council may reduce appropriations, except amounts required to meet contractual obligations and for debt, interest and other fixed charges, to such a degree as may be necessary to keep expenditures within the cash income.

Section 6.40 Comprehensive Planning Message

At least 100 days prior to the end of each even numbered fiscal year, the Executive shall present to the Council a comprehensive 2-year plan which includes, but is not limited to, capital improvement and economic development plans for the present and future development of the County. This report shall include variances from previous 2-year plans as well as amendments to the 6-year plan. (Amendment No. 24, Approved November 7, 2006; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

At least seventy-five (75) days prior to the end of each even numbered fiscal year, the Executive shall present to the Council a comprehensive two-year plan which includes, but is not limited to, capital improvement and economic development plans for the present and future development of the County. This report shall include variances from previous two-year plans as well as amendments to the six-year plan.

Section 6.45 Copies of the Budget

Copies of the budget and budget message shall be delivered to the County Auditor and each Councilmember. The budget message and supporting tables shall be furnished to any person upon request, and shall be available for public inspection from the time the budget message is delivered. (Originally Adopted November 4, 1980)

Section 6.50 Consideration and Adoption of the Budget

- (1) Prior to the adoption of any appropriation ordinances for the next biennium, the Council shall hold a public hearing to consider the budget presented by the Executive, and shall hold any other public hearings on the budget, and any part thereof, that it deems advisable. The Council, in considering the appropriation ordinances proposed by the Executive, may delete or add items, may reduce or increase the proposed appropriation ordinances submitted by the Executive.
- (2) The appropriation ordinances adopted by the Council shall not exceed the estimated revenues of the County for the next biennium for each fund including surpluses and reserves, but the Council may increase the amount of the estimated revenues contained in the budget presented by the Executive by reestimating the amount by a motion, passed by a minimum of five affirmative votes or by creating additional sources of revenue which were not included in the proposed tax and revenue ordinances presented by the Executive. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

(1) Prior to the adoption of any appropriation ordinances for the next fiscal year, the Council shall hold a public hearing to consider the budget presented by the Executive, and shall hold any other public hearings on the budget, and any part thereof, that it deems advisable. The Council, in considering the appropriation ordinances proposed by the Executive, may delete or add items, may reduce or increase the proposed appropriation ordinances submitted by the Executive.

(2) The appropriation ordinances adopted by the Council shall not exceed the estimated revenues of the County for the next fiscal year for each fund including surpluses and reserves, but the Council may increase the amount of the estimated revenues contained in the budget presented by the Executive by reestimating the amount by a motion, passed by a minimum of five affirmative votes or by creating additional sources of revenue which were not included in the proposed tax and revenue ordinances presented by the Executive.

Section 6.55 Additional Appropriations

Additional funds may be appropriated by contingency or emergency appropriation. (Originally Adopted November 4, 1980)

Section 6.60 Contingency Appropriations

The biennial budget ordinance shall include contingency funds which shall not be expended unless the Executive certifies in writing that sufficient funds are available and the Council adopts an additional appropriation ordinance after being requested to do so by the Executive. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The annual budget ordinance shall include contingency funds which shall not be expended unless the Executive certifies in writing that sufficient funds are available and the Council adopts an additional appropriation ordinance after being requested to do so by the Executive.

Section 6.65 Emergency Appropriations

The Council may adopt an emergency appropriation ordinance which may appropriate contingency funds, revenues received in excess of the revenues estimated in the budget, and funds from any other source available to the County in an emergency. (Originally Adopted November 4, 1980)

Section 6.70 Additional Capital Budget Appropriations

The Council shall not adopt an additional or amended capital budget appropriation ordinance during the biennium unless requested to do so by the Executive. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The Council shall not adopt an additional or amended capital budget appropriation ordinance during the fiscal year unless requested to do so by the Executive.

Section 6.75 Lapses in Appropriations

Unless otherwise provided by the appropriation ordinances, all unexpended and unencumbered appropriations in the current expense appropriation ordinances shall lapse at the end of the biennium. An appropriation in the capital budget appropriation ordinances shall lapse when the project has been completed or abandoned, or when no expenditure or encumbrance has been made for three years. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

Unless otherwise provided by the appropriation ordinances, all unexpended and unencumbered appropriations in the current expense appropriation ordinances shall lapse at the end of the fiscal year. An appropriation in the capital budget appropriation ordinances shall lapse when the project has been completed or abandoned, or when no expenditure or encumbrance has been made for three years.

Section 6.80 Illegal Contracts

Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be null and void; and any officer, agent or employee of the County knowingly responsible shall be personally liable to anyone damaged by this action. The Council, when requested to do so by the Executive, may adopt an ordinance permitting the County to enter into contracts requiring the payment of funds from appropriations of subsequent years, but real property shall not be leased to the County for more than one year, unless it is included in a capital budget appropriation ordinance. (Amendment No. 48 proposed by Ordinance No. 2018-24, Approved November 6, 2018; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

Except as otherwise provided by ordinance, any contract in excess of an appropriation shall be null and void; and any officer, agent or employee of the County knowingly responsible shall be personally liable to anyone damaged by this action. The Council, when requested to do so by the Executive, may adopt an ordinance permitting the County to enter

into contracts requiring the payment of funds from appropriations of subsequent fiscal years, but real property shall not be leased to the County for more than one year, unless it is included in a capital budget appropriation ordinance.

Article 7

Personnel System

Section 7.10 Purpose

The Council shall, by ordinance, establish and maintain a personnel system for the County which shall assure recruitment, selection and retention of County employees on the basis of merit; the development of a County career service; promotion on the basis of demonstrated ability; and compensation and personnel practices which will keep the County system competitive. (Originally Adopted November 4, 1980)

Section 7.20 Exemptions

(1) The provisions of this article shall apply to all County positions except:

- (a) contract employees.
- (b) all volunteer members of boards and commissions appointed by the Council or Executive.
- (c) all elected officials and no more than two other persons in each department of an elected official of the executive branch.
- (d) those employees of the Prosecuting Attorney and Superior and District courts according to State law; provided the above independent elected officials may request and the Council and Executive may grant, by ordinance, modifications to this exemption.
- (e) those employees of the Executive Department of Sheriff to the extent required by State law.
- (f) the chief officer of each executive department.
- (g) all employees of the Council.
- (h) other employees as may be necessary as determined by the Council.

(2) Exemptions provided by this Section shall not limit the County's responsibility to fulfill its affirmative action and nondiscrimination policies. (Originally Adopted November 4, 1980)

Section 7.25 Appointment Restriction

No County authority, agency, or official may appoint to any salaried office any person elected or formerly elected to a County-wide office or Council seat within two years of said person's last day of service in elected office. (Originally Adopted November 5, 1996, Amendment No. 14)

Section 7.30 Administration

The Executive shall administer the personnel system of the County in accordance with the personnel rules adopted by the Council by ordinance. (Originally Adopted November 4, 1980)

Section 7.40 Personnel Board

There shall be a personnel board, consisting of five resident and qualified voters, three to be appointed from the County at large by the Executive, and ratified by the Council, and two to be elected by the classified merit employees of the County in a manner of their choosing. (Originally Adopted November 4, 1980)

Article 8

Charter Review and Amendment

Section 8.10 Charter Review Commission

This Charter shall be reviewed periodically by a Charter Review Commission as provided in this Article. (Originally Adopted November 4, 1980)

Section 8.15 Definitions

As used in this Article, the following terms shall have the following meanings:

- (1) "Business day" means all days except Saturdays, Sundays, and holidays officially recognized by Pierce County.
- (2) "Overvote" and "undervote" mean what they are defined to mean in the current edition of the Washington State Secretary of State Voter Intent Manual or any successor publication. (Originally Adopted November 6, 2018, by Ordinance No. 2018-52, Amendment No. 49)

Section 8.20 Election and Period of Office

Within no less than four years, and no more than six years, of the effective date of this Charter, and thereafter at least every ten years, the Council shall cause an election of a Charter Review Commission, hereinafter referred to as the Commission. The Commission shall consist of 21 persons, an equal number from each Council district, nominated and elected by position on a non-partisan ballot in accordance with general law. Candidates for the Commission must have been residents of the County for a period of at least five years preceding their election, and must also be registered voters. There shall be a \$15.00 filing fee. The member of the Commission who receives the greatest number of votes shall convene the Commission. The term of office shall be no more than six months. The Commission may meet at such times and in such places as it deems appropriate upon having given public notice. (Originally Adopted November 4, 1980)

Section 8.30 Vacancy

Any vacancy on the Commission shall be filled by the remaining members of the Commission within 30 days, provided that within 14 days of the declaration of a vacancy, notice shall be given to the residents of the district in which the vacancy occurs in such manner as the Commission in its discretion deems advisable. Selection of the person to fill the vacancy shall be from those residing in the district in which there is a vacancy by a majority vote of the Commission. (Originally Adopted November 4, 1980)

Section 8.40 Procedures

The Commission shall review the Charter to determine its adequacy and suitability to the needs of the County and may propose amendments. The Commission may also make recommendations to the Council and publish its findings. Members of the Commission shall serve without salary, but shall be reimbursed for reasonable expenses. The Council shall provide to the Commission reasonable funds, facilities and services appropriate to an elected County agency. Provisions for expenditures shall be made in the budget. Expenditures of the Commission shall be budgeted for their scheduled term of office. (Originally Adopted November 4, 1980)

Section 8.50 Charter Amendment, General Provisions

(1) Charter amendments may be proposed by the Commission, the Council, or the people. Any Charter amendment proposed by the Commission or the Council shall be filed with the filing officer and submitted to the voters at the next November general election occurring at least 90 calendar days after filing. Any Charter amendment proposed by the people shall be filed with the filing officer and submitted to the voters at the next November general election occurring at least 120 days after submittal of signatures to the filing officer for validation. If more than one amendment is submitted on the same ballot, each shall be submitted in such a manner that the people may vote for or against the amendment separately, except 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 or more articles.

(2) If the proposed amendment is approved by a majority of the voters voting on the issue, it shall be effective ten days after the results of the election are certified, unless a later date is specified in the petition or ordinance proposing the amendment. Any implementing ordinance required by any Charter amendment shall be enacted by the Council within 180 days after the amendment is effective unless the amendment provides otherwise.

(Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Amendment No. 16, Approved November 5, 1996; Originally Adopted November 4, 1980)

AMENDMENT NO. 16, Approved November 5, 1996:

(1) Charter amendments may be proposed by the Commission, the Council, or the people. Any proposed Charter amendment shall be filed and registered with the filing officer and submitted to the voters at the next November general election occurring at least 90 days after registration of the proposed amendment with the filing officer. If more than one amendment is submitted on the same ballot, each shall be submitted in such a manner that the people may vote for or against the amendment separately, except 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 or more articles.

ORIGINAL TEXT Adopted November 4, 1980:

(1) Charter amendments may be proposed by the Commission or the Council. Any proposed Charter amendment shall be filed and registered with the filing officer and submitted to the voters at the next November general election occurring at least ninety (90) days after registration of the proposed amendment with the filing officer. If more than one amendment is submitted on the same ballot, each shall be submitted in such a manner that the people may vote for or against the amendment separately, except 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 or more articles.

Section 8.60 Amendments by the Council

The Council may propose amendments to the Charter by enacting an ordinance to submit a proposed amendment to the voters at the next November general election occurring at least 90 days after enactment. A minimum of two-thirds affirmative vote of the Council shall be required to enact such an ordinance. An ordinance proposing an amendment to the Charter shall not be subject to the veto power of the Executive. (Originally Adopted November 4, 1980)

Section 8.65 Amendments by the Public

(1) The people may propose amendments to the Charter by filing a charter initiative petition with the filing officer.

- (2) Any legal voter, or organization of legal voters of Pierce County may file a charter initiative proposal with the filing officer, who within five business days after receipt thereof, shall give the proposed charter initiative a number, which shall thereafter be the identifying number for the measure. The filing voter or organization shall submit the petition in substantially the same form and style as prescribed for state initiatives by Chapter 29A.72 RCW and Chapter 434-379 WAC, as now enacted or hereinafter amended.
- (3) The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney who, within 15 business days after receipt thereof, shall formulate a concise statement, posed as a positive question, not to exceed 75 words, which shall express and give a true and impartial statement of the purpose of the measure. Such concise statement will be the ballot title.
- (4) The petitioner then has 180 calendar days to collect the signatures of the registered voters of the County equal in number to not less than 20 percent of the number of votes cast (to include votes cast for candidates and write-ins, not to include overvotes or undervotes) in the County in the last election for the office of Executive. Each petition shall contain the full text of the proposed amendment to the Charter and the ballot title.
- (5) The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the proposal to the people at the next general election occurring not less than 120 calendar days after submittal of signatures to the filing officer for validation. (Amendment No. 49 proposed by Ordinance No. 2018-52, Approved November 6, 2018; Originally Adopted November 5, 1996, Amendment No. 16)

ORIGINAL TEXT Adopted November 5, 1996, Amendment No. 16:

- (2) Any legal voter, or organization of legal voters of Pierce County may file a charter initiative proposal with the filing officer, who within five days, excluding Saturday, Sunday, and holidays shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the proposed charter initiative a number, which shall thereafter be the identifying number for the measure.*
- (3) The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who shall confer with the petitioner to review the legal aspects of the proposal, and who within ten days after receipt thereof, shall formulate a concise statement, posed as a positive question, not to exceed 75 words, which shall express and give a true and impartial statement of the purpose of the measure. Such concise statement will be the ballot title.*
- (4) The petitioner then has 180 days to collect the signatures of the registered voters of the County equal in number to not less than 20 percent of the number of votes cast in the County in the last executive election. Each petition shall contain the full text of the proposed amendment to the Charter and the ballot title.*
- (5) The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the proposal to the people at the next general election that is not less than 120 days after the registering of the petition.*

Section 8.70 Repeal of the Charter

Any proposal to repeal the Charter shall include provisions for transition, and shall be processed in the same manner as an amendment. (Originally Adopted November 4, 1980)

Article 9

General Provisions

Section 9.10 Severability and Construction

The provisions of this Charter are severable. If any provision should be declared to be unconstitutional or invalid, it shall not affect the constitutionality or validity of any other provision of this Charter. (Originally Adopted November 4, 1980)

Section 9.15 Purchasing, Contracts, Claims and Bonds

- (1) The Council shall, by ordinance, establish procedures for procuring supplies, services, materials, and equipment, the awarding of claims, and the sale or refunding of bonds. Public works construction shall be performed following competitive bidding by independent contractors when required by ordinance or state law. The ordinance shall provide how invitations for bids shall be advertised.
- (2) The ordinance shall establish procedures to procure professional services on the basis of negotiated fees with professionals selected as most appropriate for the particular service, and shall require advertising and written proposals prior to the selection process. Selection may include consideration of experience, facilities, ability, equal opportunity and location.
- (3) All purchases, contracts and bonds subject to bid procedures shall be advertised and, unless all bids are rejected, shall be awarded on the basis of sealed bidding to the lowest and best responsible bidder. The County shall demand a deposit by each bidder in the form of a certified or cashier's check or bid bond in an amount not less than 5 percent of the total bid, such amount to be specified in the call for bids for the following projects:
 - (a) construction projects issued subject to sealed bids, and
 - (b) other contracts made subject to sealed bids by the County purchasing agent, when he deems it appropriate.
- (4) All contracts shall be prepared in coordination with and approved to legal form by the Prosecuting Attorney. (Amendment No. 45 proposed by Ordinance No. 2016-40, Approved November 8, 2016; Amendment No. 5, Approved November 3, 1987; Originally Adopted November 4, 1980)

AMENDMENT NO. 5, Approved November 3, 1987:

- (1) The Council shall, by ordinance, establish procedures for procuring supplies, services, materials, and equipment, the awarding of claims, and the sale or refunding of bonds. All public works construction shall be performed following competitive bidding by independent contractors, when the projected value of a project exceeds \$25,000.00. The ordinance shall provide how invitations for bids shall be advertised.*

ORIGINAL TEXT Adopted November 4, 1980:

(1) The Council shall, by ordinance, establish procedures for supplies, services, materials, and equipment, the awarding of claims, and the sale or refunding of bonds. The ordinance shall provide when bids shall be required and how invitations for bids shall be advertised.

(3) All purchases, contracts and bonds subject to bid procedures shall be advertised and, unless all bids are rejected, shall be awarded on the basis of sealed bidding to the lowest and best responsible bidder. In all transactions where sealed bids are required the County shall demand a deposit by each bidder in the form of a certified check or bid bond in an amount not less than five percent (5%) of the total bid, such amount to be specified in the call for bids.

(4) All contracts shall be prepared in coordination with and approved to legal form by the Prosecuting Attorney.

Section 9.20 Franchises

All franchises granted by the Council shall be for a fixed term not to exceed 25 years, shall be awarded by resolution, by the bid process, and shall not grant an exclusive franchise for the use of any street, road or public place. All franchises shall be subject to the power of eminent domain and the right of the Council, or the people acting for themselves through the referendum, to repeal for cause, amend, or modify the franchise in the interest of the public; and every ordinance granting a franchise shall contain a reservation of these rights. The power of referendum, including the number of voter signatures to be collected, elections, and other actions related thereto shall apply to only those registered voters from within the area served from the franchise, provided that the initiator(s) of this referendum shall pay the cost of the election. All utilities of whatever description shall use public property only pursuant to a franchise and any conditions attached thereto. (Originally Adopted November 4, 1980)

Section 9.25 Avoiding Duplication and Waste in Equipment, Services and Facilities

It shall be mandatory that all County policy makers avoid waste and duplication in equipment, services and facilities of a nature common to Pierce County and adjacent municipal corporations in such matters as public works, social services, utilities, police and fire protection through common usage wherever possible. (Originally Adopted November 4, 1980)

Section 9.30 Public Disclosure

Public disclosure of financial interest of Pierce County public officials and employees shall be governed by County ordinance and general law. (Originally Adopted November 4, 1980)

Section 9.35 Veteran's Policy

The Council will adopt a policy in regard to Veteran's Affairs for the County. (Originally Adopted November 4, 1980)

Section 9.40 Code of Ethics

The County Council shall establish a Code of Ethics and shall establish penalties for the violation of this Code. The Ethics Code must be adhered to by all departments and entities that receive funding through the County budget, and all officials elected or appointed to administer County government. (Originally Adopted November 4, 1980)

Section 9.45 Conflicts of Interest

No County elected official shall hold any other office or employment within County government or accept any employment or compensation from any County contractor during his term of office. Members of the Council, the Executive, the Assessor-Treasurer, the Auditor, the Sheriff and the Prosecuting Attorney are prohibited from holding another elected public office during their term of office except this prohibition does not apply to the elected office of political party precinct committee officer. (Amendment No. 44, Approved November 8, 2016; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

No County elected official shall hold any other office or employment within County government or accept any employment or compensation from any County contractor during his term of office.

Section 9.50 Ethics Commission

The ethics commission as set forth by the Council will be budgeted through the office of the Executive and will remain an autonomous body. (Originally Adopted November 4, 1980)

Section 9.55 Oath of Office and Bonds

(1) An oath or affirmation to support the Constitutions of the United States and the State of Washington and the Charter and ordinances of Pierce County and to perform faithfully, impartially, and honestly the duties of office, shall be made by each elected and appointed officer before entering upon the duties of office.

(2) A surety bond shall be required for all elected officials, except members of the Charter Review Commission and Freeholders elected pursuant to Article 11, Section 4, of the Washington State Constitution, and such County employees as may be designated by ordinance. Bonds shall be in the form and amount required by ordinance and the cost borne by the County. (Originally Adopted November 4, 1980)

Section 9.60 Information Management

- (1) The Executive shall establish procedures for maintaining a modern, efficient system for processing, maintaining and disposing of information and records; shall maintain a means to store and maintain, in retrievable manner, all County records which should not be destroyed and which are not necessary for the current operation of County government; and shall provide needed services for all branches of County government in a way that shall be deemed desirable for the efficient operation of the County government.
- (2) These procedures shall be in compliance with applicable general law or ordinance and shall affect all departments of the County, elective or appointed. (Originally Adopted November 4, 1980)

Section 9.65 Nondiscrimination

In the exercise of its powers or in the performance of its duties, the County shall ensure that no person is discriminated against because of race, creed, color, sex, age, handicap, or any other basis not reasonably related to the accomplishment of a legitimate governmental purpose, and after consideration of veterans' preference, shall take whatever affirmative action necessary to accomplish this purpose as defined in the State and Federal constitutions and applicable court interpretations. (Originally Adopted November 4, 1980)

Section 9.80 Eminent Domain

Private property shall be taken by the County only for public use and no greater interest shall be taken than is necessary to accomplish the public use. "Public use" means only the actual possession, occupation, and enjoyment of a fee simple, easement, or other property interest by the general public or by the County; or the use of land for the creation or functioning of public utilities or common carriers such as railroads, utilities, or toll roads. The taking of private property by the County for economic development does not constitute public use; however, listing of uses that are not public shall not be construed to mean that the taking of property for other uses necessarily is for public use. For purposes of this Section, the taking of private property for economic development shall mean the taking of private property from one private party and the conveyance of that property within ten years to another private party for the purpose of increasing the County tax base, increasing the number of jobs in the County, or for general economic development. The taking of private property shall be found to be for economic development if a court determines that economic development, as defined in this Section, was a substantial factor in the County's decision to take the property. (Originally Adopted November 7, 2006, Amendment No. 27)

Article 10

Transitional Provisions

Section 10.10 Exceptions

The provisions of this Article relate to the form of government established by this Charter, and where inconsistent with the foregoing Articles of this Charter, the provisions of this Article shall constitute exceptions. (Originally Adopted November 4, 1980)

Section 10.15 Continuation of Ordinances and Vested Rights

All ordinances, administrative rules and resolutions in force at the time this Charter takes effect, to the extent they are not inconsistent with the provisions of this Charter, shall remain in force until amended or repealed. All rights, claims, obligations, proceedings and liabilities existing on the effective date of this Charter shall not be affected by the adoption of this Charter. The power of the County to control, improve, establish, extend or vacate roads and other public ways, and all other powers of the County shall continue and shall not be affected by the adoption of this Charter. (Originally Adopted November 4, 1980)

Section 10.20 Effective Date and Elections

The effective date of this Charter shall be May 1, 1981, except that special nominating primaries and a special election shall be held on February 3, 1981, and March 10, 1981, respectively, to elect four of the first Councilmembers, the Executive, and the initial Assessor-Treasurer to be elected after adoption of this Charter. The nominating primaries and election shall be conducted in accordance with the provisions of Article 4, except the declarations of candidacy for the nominating primaries shall be filed December 15 to 19, 1980. A candidate may withdraw his nomination in accordance with general law and a vacancy on a party ticket may be filled in accordance with the provisions of general law. The first election for Sheriff will be held in the normal nominating primary and general election of 2008. (Amendment No. 19, Approved November 7, 2006; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The effective date of this Charter shall be May 1, 1981, except that special nominating primaries and a special election shall be held on February 3, 1981, and March 10, 1981, respectively, to elect four of the first council members, the Executive, and the initial Assessor-Treasurer to be elected after adoption of this Charter. The nominating primaries and election shall be conducted in accordance with the provisions of Article 4, except the declarations of candidacy for the nominating primaries shall be filed December 15 to 19, 1980. A candidate may withdraw his nomination in accordance with general law and a vacancy on a party ticket may be filled in accordance with the provisions of general law.

Section 10.25 Initial Districts

(1) Seven districts from which the initial Councilmembers shall be elected are hereby established following County precincts as published August 4, 1980.

(2) Council District 1

Alder	Firgrove 1-3	Orton
Alderton	Graham	Prairie Ridge 1-2
Ashford	Holz	Rhododendron Park
Benbow	Johnson	Roy
Bethel	Kapowsin	Shady Acres 1-2
Bonney Lake 1-5	Kelly Lake	Silver Lake
Buckley 1-4	Lacamas	South Prairie
Carbonado	Lake Tapps 1-3	South Prairie (Rural)
Carbonado (Rural)	Lockwood #1	Sumner 1-8
Crocker	McCutcheon	Tanwax 1-2
Crystal Mountain	McKenna	Theil
Dupont	McMillin	Thrift 1-2
Dupont (Rural)	Mt. View 1-2	Victor Falls
Eatonville 1-3	Muck 1-2	Webstone
Elbe	National	Wilkeson
Elk Plain	Orting 1-3	Wilkeson (Rural)
Federal		

(3) Council District 2

Andrain	Gardella	Puyallup, W-1, 1-7
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Ardena	Gardenville	Puyallup, W-2, 1-5
Breckon	Hanford	Puyallup, W-e, 1-6
Caldwell	Hillcrest	Rainier
Canyon	Hudson	Riverside
Cedar Crest	Hylebos	Shaw
Central	Kendall	Shea
Chrisella	Lidford	Shelton
Clear Creek	Lockwood #2	Spinning
Colony	Meeker	Summit
Crestview	Melody	Sunrise
Delano	Meridian	Tidehaven
Edgewood	Milton 1-6	Valley 1-2
Fairland	Mulvey 1-2	Waller
Fairview	Nolan	Woodland Heights
Fife 1-3	North Puyallup	Woodridge
Firwood	Patzner	Woodrow
Fruitland	Pioneer	Yukon

(4) Council District 3

Adams	Flett	Pacific
Allison	Franklin	Park
Armour	Garfield	Parkland 1-6
Belmont	Garland	Pawnee
Bingham	Garlo	Plaza
Brentwood 1-2	Gayle	Polk

Brook Sales	Grant	Ponders
Brookdale	Kline	Sales
Candlewyck	Lakeview	Southgate
Cleveland	Lakewood	Spanaway 1-11
Clover Creek	Laurel	Steele
Clover Park	Mayfair 1-3	Sylvan
College	Meadow	Tule Lake
Collins	Melville	Tyee Park
Cooper	Midland	Vickery
Crescent Park 1-2	Navy Base	Village
Dower	Nyanza	Wildwood
Fane	Oak Park	Woodbine
Faucett		

(5) Council District 4

Brown's Point	Hyada Park	Madrona
Dash Point		
Legislative District 27: 1-33, 36-81, 83-97, 103-104, 118-122		
Legislative District 29: 78-81, 93-95		

(6) Council District 5

Dawson	Hill Garden	McKinley
Harrison	Larchmont	Monroe
Harvard	Lincoln	
Legislative District 29: 1-77, 82-92, 96		

(7) Council District 6

Alameda	Hemlock	Olympic
American Lake	Highland	Park Lodge
Amer. Lake Gardens	Holden	Piermont
Arena	Hunts Prairie	Seaview 1-2
Avondale	Interlaaken	Soundview
Belmar	Island	Starlite
Bridgeport	Jackson	Steilacoom 1-7
Bridgeview 1-2	Juniper	Sunset
Chambers 1-2	Kelly Park	Tahoma
Crystal	Ketron Island	Terrace
Curtis 1-2	Kirkwood	Tillicum
Custer	Kootnai	University Place
Day Island	Lagoon	Vernon
Dekoven	Lake City	Waverly
Elwood	Lake Louise	Westland
Fairway	Lakeholme	Westmont
Fir Glen	Lawndale	Westwood
Fircrest 1-11	Locust	Whitman
Firloch	Lucerne	Whittier
Glenwood	Menlo	Winona
Grandview	Moreland	Wood Lake 1-2
Gravelly Lake	Narrowsview	Tacoma L.D. 28: 1
Greenwood	Oakbrook 1-9	

(8) Council District 7

Anderson Island	Lakebay	Rosedale 1-4
Artondale 1-3	Longbranch	Ruston
Fox Island 1-2	McNeil Island	Shore Acres 1-3
Gig Harbor 1-3	Minter 1-2	Vaughn 1-2
Hales Passage 1-2	Purdy 1-2	Wollochet 1-2
Home	Richmond 1-3	
Legislative District 26: 1-47		
Legislative District 27: 82, 98-102, 105-117		

(Originally Adopted November 4, 1980)

Section 10.30 Commencement of Terms of Office

- (1) Commissioners elected in Commissioner Districts 1 and 2 at the general election in 1980, may serve as Councilmembers of their respective districts from the effective date of this Charter until their successors are elected at the general election of 1984, have qualified and have commenced their terms of office. Should these individuals reside in the same Council district, the Commissioner residing on the date of election closest to another Council district, other than District 7, shall be deemed to represent that other district for the remainder of the term for which elected. The Commissioner residing further from any other such district shall be deemed to represent the district in which such Commissioner resides.
- (2) The Commissioner elected in the general election of 1978 for Commissioner District 3 may serve as Councilmember from the effective date of this Charter until a successor has been elected at the general election of 1982, has qualified and has commenced to serve.
- (3) The Executive and Councilmembers in the four remaining districts shall be elected at the special election pursuant to Section 10.20 hereof, and may serve until their successors are elected, have qualified, and have commenced to serve. These four elected Councilmembers, immediately following their assuming office, shall draw lots to determine their initial terms of office. Two shall serve until their successors have been elected at the general election of 1982, have qualified, and have commenced to serve. The other two and the Executive shall serve until their successors have been elected at the general election of 1984, have qualified, and have commenced to serve.
- (4) The Assessor-Treasurer elected at the special election of March 10, 1981, may serve until a successor is elected at the general election of 1984, has qualified, and has commenced to serve.

(5) Thereafter, all County elected officials shall be elected every four years pursuant to Section 4.90 of this Charter. (Originally Adopted November 4, 1980)

Section 10.35 Original Council Organization

The first Council shall convene at 10:00 a.m. May 1, 1981, in the Pierce County Courthouse. The Auditor shall serve as the temporary presiding officer until each elected official is administered the oath of office and the Chair is elected from the membership of the Council. (Originally Adopted November 4, 1980)

Section 10.40 Compensation, County Council

Councilmembers shall receive initial compensation of \$28,800.00 per year. (Originally Adopted November 4, 1980)

Section 10.45 Compensation, Executive

The first Executive shall serve full time and receive an initial salary of \$48,000.00 per year, and thereafter the salary shall be established by ordinance. (Originally Adopted November 4, 1980)

Section 10.50 Compensation, Assessor-Treasurer

The first Assessor-Treasurer shall serve full time and receive compensation at the rate paid the pre-Charter office of Treasurer on the effective date of the Charter. (Originally Adopted November 4, 1980)

Section 10.55 Elective County Officers, Terms, Compensation

(1) The Clerk, Coroner, and Sheriff who hold office on the effective date of this Charter may choose to be continued in County employment in the equivalent department head position until the date when the term of office to which that official was elected would have expired, and be compensated for such time period at the rate of compensation specified by ordinance for the office to be held on the effective date of this Charter. Thereafter, that person shall be entitled to be appointed at the same initial rate of compensation to an administrative position designated by the Executive, subject to all the rules of the personnel system including rules concerning compulsory retirement, but excluding the rules concerning initial appointment.

(2) The Auditor who holds office on the effective date of this Charter may choose to serve as official of the equivalent executive department, and shall receive compensation at a rate no less than the compensation received on the effective date of this Charter, until a successor is elected at the general election of 1982, has qualified, and commenced to serve.

(3) The Assessor and Treasurer who hold office on the effective date of this Charter may choose to be continued in County employment in an administrative position designated by the Executive at an initial rate of compensation no less than that received on the effective date of this Charter until the date when the term of office to which such person was originally elected would have expired but for the adoption of this Charter.

(4) The Commissioners holding office at the effective date of this Charter shall receive compensation at the rate paid to the Commissioner from the pre-Charter Commissioner District 3 at the time of the adoption of this Charter, until their respective terms of office have expired.

(5) The Sheriff who holds office on the effective date of the 2006 Charter Amendment converting the office from appointed to elected may choose to serve as Sheriff, and shall receive compensation at a rate no less than the compensation received on the effective date of the Charter Amendment, until a successor is elected, has qualified and commenced to serve. The first elected Sheriff shall receive compensation at the rate no less than that paid the last appointed Sheriff on the effective date of the Charter Amendment. (Amendment No. 19, Approved November 7, 2006; Originally Adopted November 4, 1980)

ORIGINAL TEXT Adopted November 4, 1980:

The original text of Section 10.55 consisted of subsections (1) through (4) above.

Section 10.60 Continuation of County Employees

(1) All non-elective County employees, excluding department heads and the County Administrator, employed by the County on the effective date of this Charter shall continue in County employment at as nearly as similar a position as possible and shall receive not less than the same rate of compensation which they were receiving on the effective date of this Charter, and thereafter shall be covered by the personnel system, unless appointed to an exempt position and shall be subject to all its rules, except the rules concerning initial employment.

(2) The terms department head and County Administrator shall refer to those department heads and the County Administrator as existing on April 1, 1980, or those substituted with substantially similar duties. (Originally Adopted November 4, 1980)

Section 10.65 Continuation of Boards and Commissions

All boards and commissions existing when this Charter takes effect shall continue until modified or abolished by ordinance. (Originally Adopted November 4, 1980)

Section 10.70 Continuation of the County Budget

The budget for 1981 which is in effect when this Charter takes effect shall remain effective until revised or superseded by the provisions of this Charter. (Originally Adopted November 4, 1980)

Section 10.75 Required Ordinances

The following ordinances, required by this Charter, shall be adopted by the dates indicated:

- (a) Affirmative Action Ordinance, January 1, 1982; (Section 9.65)
- (b) Fair Housing Ordinance, January 1, 1982
- (c) Growth Management Ordinance, January 1, 1983
- (d) Office of Fire Prevention and Arson Control, January 1, 1982
- (e) Personnel System, July 1, 1982; (Article 7)
- (f) Purchasing Procedures, August 1, 1981; (Section 9.15)
- (g) Rules of Procedure – County Council, June 1, 1981; (Section 2.35)
- (h) Surety Bond, County Employees, Amount and Form, August 1, 1981; (Section 9.55)
- (i) Veterans' Affairs Policy, September 1, 1982; (Section 9.35) (Originally Adopted November 4, 1980)

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Pierce County Board of Freeholders

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60; Physician, Family Practice; BS, MS, M.D. University of Utah.

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Roy

40; President, Wilcox Farms, Inc.; graduate of University of Puget Sound.

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Legislative District #27	
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The Pierce County Charter is current through Amendment No. 51 proposed by Ordinance No. 2021-48, passed November 2, 2021.

Disclaimer: The clerk to the Council's office has the official version of the Pierce County Charter. Users should contact the clerk to the Council's office for ordinances passed subsequent to the ordinance cited above.

County Website: www.piercecountywa.gov

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