

ORDINANCE NO. 389

AN ORDINANCE of the City Council of the City of Lakewood, Washington, providing for the submission to the qualified electors of the City of Lakewood at an election to be held on November 8, 2005, an advisory ballot seeking citizen input regarding the exercise of the powers of initiative and referendum.

WHEREAS, the City of Lakewood City Council has taken the position that before adopting the powers of initiative and referendum, they wish to seek citizen interest in the exercise of that power; and,

WHEREAS, an advisory measure on the November General Election Ballot would accomplish the desired goal of measuring citizen interest in the Council's exercise of initiative and referendum; and,

WHEREAS, the Council agrees to abide by the will of the voters; and,

WHEREAS, the Council, as the legislative body for the City of Lakewood, must formally place the ballot measure before the voters along with an Explanatory Statement and "For" and "Against" Statements through an Ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY ORDAINS, as follows:

Section 1. Findings. The City Council hereby finds and declares an advisory ballot measure for the General Election in November, 2005 is in the best interest of the City and its citizens, to establish the measure of citizen interest in the Council exercising the powers of initiative and referendum.

Section 2. Election. It is hereby found that in order to formally measure citizen input on initiative and referendum through the General Election in November, the Council must authorize the ballot measure as described in Section 2, at an election to be held on the 8<sup>th</sup> day of November, 2005. The Pierce County Auditor as ex officio supervisor of elections is hereby requested to assume jurisdiction of and to call and conduct said election to be held within the City and to submit to the qualified electors of the City the proposition hereinafter set forth.

AUG 03 2005

The City Clerk is hereby authorized and directed, not less than 45 days prior to November 8<sup>th</sup>, 2005, to certify the following proposition to the Pierce County Auditor in substantially the following form:

CITY OF LAKEWOOD  
INITIATIVE AND REFERENDUM  
ADVISORY BALLOT MEASURE

The Lakewood City Council seeks citizen input regarding the exercise of the powers of Initiative and Referendum. The measure will advise the City whether there is citizen support for the powers of Initiative and Referendum. Should the City Council of Lakewood adopt the powers of Initiative and Referendum?

YES .....	<input type="checkbox"/>
NO .....	<input type="checkbox"/>

EXPLANATORY STATEMENT

The power of initiative is used to propose new legislation and the power of referendum is utilized to review previously adopted legislation.

The power of initiative as applied to municipalities refers to the authority of the voters of a city to directly initiate and enact legislation. The process involves an initial petition, containing a specified number of signatures, which proposes an ordinance for adoption. If the number of signatures is sufficient, the issue must either be adopted by the city council or submitted to the entire electorate of the city for adoption or rejection at an election.

Referendum in a municipality is the right of the people to have an ordinance which has been enacted by the city council submitted to the voters for their approval or rejection. The process also includes the filing of a petition, with a required minimum number of registered voters, prior to the effective date of the ordinance. If the required number of signatures are obtained on the petition, then the ordinance is suspended from becoming effective until it has either been repealed by the city council or is submitted to the voters for approval or rejection at an election.


The polls for such election shall be open from 7:00 a.m. to 8:00 p.m.

Certification of such proposition by the Clerk of the City to the Pierce County Auditor, in accordance with law, prior to the date of such election on November 8<sup>th</sup>, 2005, and any other act consistent with the authority and prior to the effective date of this ordinance, are hereby ratified and confirmed.

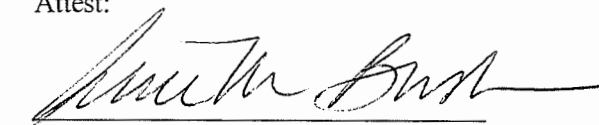
Section 3.      Severability. In the event any one or more of the provisions of this ordinance shall for any reason be held to be invalid, such invalidity shall not affect or invalidate any other provision of this ordinance or the bonds, but this ordinance and the bonds shall be construed and enforced as if such invalid provision had not been contained herein; provided, that any provision which shall for any reason be held by reason of its extent to be invalid shall be deemed to be in effect to the extent permitted by law.

Section 4.      Effective Date. That this Ordinance shall be in full force and effect immediately upon adoption.

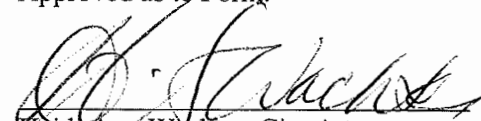
ADOPTED by the City Council of the City of Lakewood, Washington, at a regular meeting thereof, held this 1<sup>st</sup> day of August, 2005.

CITY OF LAKEWOOD  
  
Douglas G. Richardson, Mayor

Attest:

  
Alice M. Bush, CMC, City Clerk

Approved as to Form:

  
Heidi Ann Wachter, City Attorney