

ORDINANCE NO. 1436

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING A POWER OF INITIATIVE AND REFERENDUM FOR THE REGISTERED VOTERS OF THE CITY; CREATING CHAPTER 1.21 OF THE GIG HARBOR MUNICIPAL CODE, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

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**WHEREAS**, the City Council of the City of Gig Harbor, Washington, passed Resolution No. 1160 on October 14, 2019, stating its intent to adopt the powers of initiative and referendum for the registered voters of the City as provided in RCW Chapter 35A.11;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. A new Chapter 1.21 entitled "Initiative and Referendum" is hereby added to the Gig Harbor Municipal Code to read as follows:

**Section 1.12.010 Power of Initiative and Referendum Adopted**

The City of Gig Harbor hereby adopts the power of initiative and referendum for the registered voters of the city as provided pursuant to RCW 35A.11.080 through 35A.11.100. Such powers are to be exercised as provided in the above referenced sections of the Revised Code of Washington as they now exist or may be amended from time to time and said sections are hereby incorporated in full by this reference.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance shall take effect and be in full force and effect five days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor, this 27th day of January, 2020.

CITY OF GIG HARBOR

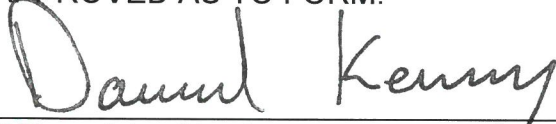
  
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Mayor Kit Kuhn

ATTEST/AUTHENTICATED:

  
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Molly M. Towslee, City Clerk

APPROVED AS TO FORM:

  
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Office of the City Attorney

FILED WITH THE CITY CLERK: 01/14/2020  
PASSED BY THE CITY COUNCIL: 01/27/2020  
PUBLISHED: 02/06/2020  
EFFECTIVE DATE: 02/11/2020  
ORDINANCE NO: 1436

**RESOLUTION NO. 1160**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CITY OF GIG HARBOR, WASHINGTON, DECLARING THE INTENT OF THE CITY COUNCIL TO ADOPT THE RIGHT OF INITIATIVE AND REFERENDUM FOR THE REGISTERED VOTERS OF THE CITY; PROVIDING FOR PUBLICATION OF THIS RESOLUTION; AND PROVIDING THAT UPON THE EXPIRATION OF THE NINETIETH DAY AFTER THE DATE OF PUBLICATION THAT AN ORDINANCE ADOPTING THE INITIATIVE AND REFERENDUM PROCESS FOR THE REGISTERED VOTERS OF THE CITY SHALL BE PRESENTED UNLESS A TIMELY AND SUFFICIENT REFERENDUM PETITION HAS BEEN FILED REFERRING THE QUESTION TO THE REGISTERED VOTERS OF THE CITY FOR APPROVAL OR REJECTION.**

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**WHEREAS**, the City Council has chosen to extend the powers of initiative and referendum to the voters of the City of Gig Harbor; and,

**WHEREAS**, RCW 35A.11.080 specifies that such process shall be done pursuant to RCW 35A.02.020 - .035;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:**

Section 1. Pursuant to RCW 35A.11.080, which permits the legislative body of a noncharter code city, such as the City of Gig Harbor, to provide for the exercise in the City of the powers of initiative and referendum in accordance with the provisions of state law set forth in RCW 35A.02.020 et seq, the City Council of the City of Gig Harbor, Washington, a noncharter optional municipal code city, hereby declares its intention to adopt for the City the powers of initiative and referendum.

Section 2. Within ten (10) days following the passage of this resolution the City Clerk is instructed to cause this resolution to be published at least once in a newspaper of general circulation within the City to wit: The Peninsula Gateway.

Section 3. Notice is given that upon the expiration of the ninetieth day after the date of first publication of this resolution, but excluding the date of first publication of the resolution, if no timely and sufficient referendum petition is filed pursuant to RCW 35A.02.035, as determined by RCW 35A.29.170, the intent expressed in this resolution shall, at the next regular meeting of the City Council, be effected by an ordinance adopting for the City the powers of initiative and referendum.

**RESOLVED** by the City Council this 14th day of October, 2019.

APPROVED:



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MAYOR KIT KUHN

ATTEST/AUTHENTICATED:



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CITY CLERK, MOLLY M. TOWSLEE

FILED WITH THE CITY CLERK: 10/4/19  
PASSED BY THE CITY COUNCIL: 10/14/19  
RESOLUTION NO. 1160