

**CITY OF SEATTLE
OFFICE OF THE CITY CLERK**

GUIDE FOR INITIATIVE PETITION
An Information Resource

February 2015

NOTICE: This document is provided to the members of the public for **informational and guidance purposes only and is not intended to provide legal advice**. Petition coordinators and any persons seeking legal advice should consult with a private attorney.

Those desiring to become involved in the initiative process should refer to the City Charter, the Seattle Municipal Code (SMC), and/or the Revised Code of Washington (RCW) for specific requirements.

There is case law that exempts some subjects from the initiative process. See the [Initiative and Referendum Guide for Washington City and Charter Counties](#) published by Municipal Research and Services Center of Washington.

Questions or requests for additional information other than legal advice should be directed to the City Clerk:

clerk@seattle.gov;
(206) 684-8344 or;

Physical address:
Office of the City Clerk
600 4th Avenue, Floor 3
Seattle, WA

Mailing address:
Office of the City Clerk
PO Box 94728
Seattle, WA 98124-4728

Step 1

RESOURCES:

The following procedural resources contain specific information about the requirements for an initiative petition; copies of these documents are available from the Office of the City Clerk:

- [Seattle City Charter, Article IV, Section 1. A through G](#)
- [Seattle Municipal Code \(SMC\) Chapter 2.08](#)
- [Revised Code of Washington](#), (RCW) 29A.04.330, 29A.36.071, 29A.36.080, 29A.36.090, 29A.72.050, 35.21.005
- Initiative Petition Guide (this document)

Please also refer to the Revised Code of Washington (RCW) and the current Elections Calendar issued by the Washington Secretary of State's Office for additional information.

Step 2

FILING OF PETITION:

One paper copy and one Word electronic copy of the proposed initiative petition, including the full text of the proposed initiative and a letter of transmittal containing the name, address, and phone number of the contact person, should be filed with the City Clerk (SMC 2.08.010 - Provisions applicable to initiative petitions include SMC 2.08.010, .030, .040; See, also, RCW 35.21.005.)

Upon receiving such petition and transmittal, the City Clerk will date the petition and assign an initiative serial number.

The City Clerk will transmit the proposed initiative petition to the City Attorney's Office requesting a ballot title. (RCW 29A.36.071 and SMC 2.08.010.)

Step 3

REVIEW OF PETITION FORM:

The City Clerk will review the proposed initiative and petition for approval or rejection as to form (SMC 2.08.010, 2.08.030 and 2.08.040).

The City Clerk will review for the following:

- Does the petition contain the name, address and phone number of petitioner or contact person? (SMC 2.08.010).
- Is the petition typewritten and in a readable font? (SMC 2.08.010).
- Is the proposed ordinance in ordinance format? (SMC 2.08.010).
- Is the petition printed on single sheets of paper of good writing quality? (SMC 2.08.030).
- Are the petition pages at least 8 ½" wide and 11" long, and not larger than 11" wide and 17" long? (SMC 2.08.030).
- Is there a top margin of at least 1"? (SMC 2.08.030).
- Are the signature lines numbered and are there not more than 20 signatures per page? (SMC 2.08.030).
- Do the petition pages contain the warning and form as required by SMC 2.08.040 and RCW 35.21.005(2)?
- Is the complete text of the whole ordinance, or the section or part in question, included on the petition form? (SMC 2.08.030; RCW 35.21.005(1)(b)).
- Is there an electronic copy (word processing or plain text file) of the ordinance included? (SMC 2.08.010).

APPROVAL OF PETITION FORM AND TEXT:

The City Clerk will notify the petition coordinator of the completed review of the proposed initiative within five business days after the date of filing. (SMC 2.08.010.B) The coordinator will receive a letter and a phone call from the City Clerk with notification of the approval or rejection of the initiative as to form; if approved, the ballot title will also be provided. (SMC 2.08.010.B, 2.08.020). If approved, a copy of the petition form will be provided to the Executive Director of the Ethics and Elections Commission. (SMC 2.08.010.B).

If the proposed initiative is not approved, it must be resubmitted with the requested changes to continue through the approval process.

If a change to the original document filed is requested by the petition coordinator, the change will be considered a new filing. (Refer to Step 2)

Step 4. PREPARATION OF BALLOT TITLE

The ballot title must be prepared by the City Attorney within five business days after receipt of the approved initiative petition from the City Clerk. SMC 2.08.020; RCW 29A.36.071. The ballot title must conform with the requirements of RCW 29A.36.071 and 29A.72.050. After preparation of the ballot title, the City Attorney must transmit it to the City Clerk, who must then file it with the King County Director of Records and Elections. (SMC 2.08.020).

After a ballot title prepared by the City Attorney's Office has been filed with King County Elections, any person dissatisfied with the ballot title has ten days, not including Saturdays, Sundays and holidays, to appeal the King County Superior Court. The decision of the superior court is final, and the ballot title or statement certified by the court will be the established ballot title. (RCW 29A.36.090)

Step 5 PROCURING SIGNATURES:

The petition coordinator will have 180 days to collect the required number of signatures. (Seattle City Charter Art. IV., § 1.B.; see also RCW 35.21.005(8)). Begin counting on the day after the date of the letter providing notification of the approved ballot title. Include Saturdays, Sundays and holidays in the count.

Example: Petition approved on Friday, and petitioner notified on the same day. Start counting 180 days starting with Saturday as day one.

Ten percent (10%) of the total votes cast for mayor at the last Mayoral election is the number of registered voter signatures needed to validate the initiative. (Seattle City Charter, Art. IV, § 1.B).

Example: 2013 Mayoral race - 206,377 votes were cast, and 20,638 valid signatures of registered Seattle voters will be required to qualify an initiative.

Step 6 SIGNATURE SUBMITTAL:

On or before the 180th day following the approval of the petition, and if the required number of signatures are believed to have been collected, the petition coordinator may submit the signed petitions to the City Clerk. Contact with the City Clerk is recommended as the deadline approaches to schedule an appointment for the submission of the petitions.

At the time the petitions are filed, an estimate of the number of signatures and number of petition pages will be requested. The pages should be numbered in sequence, beginning with 1 or 001, etc., in the upper right corner of each sheet. The City Clerk will then verify the estimated number of pages and signatures submitted.

The City Clerk will transmit the petitions to King County Records and Elections Division within three business days after they have been filed. (RCW 35.21.005(4)). King County Records and Elections Division will verify the validity of the signatures to determine sufficiency or insufficiency. (Refer to Step 4 regarding the percentage formula used to determine the number of valid signatures required.)

Terminal Date - Additional signatures. The date on which King County Records and Elections begins its determination will be set as the “terminal date.” Additional pages of one or more signatures may be added to the petition by filing the same with the City Clerk prior to the terminal date. (RCW 35.21.005(4)).

Terminal Date - Withdrawing signatures. Any signer of a filed petition may withdraw his or her signature by a written request for withdrawal filed with the City Clerk prior to the terminal date. Such written request must sufficiently describe the petition so as to make identification of the person and the petition certain. The name of any person seeking to withdraw shall be signed exactly the same as contained on the petition. (RCW 35.21.005(4)).

The King County Records and Elections Division is required to make such a determination with “reasonable promptness.” (RCW 35.21.005(4)).

All signatures followed by a date of signing which is more than six months prior to the date of filing of the petition with the City Clerk shall be stricken. RCW 35.21.005(8).

ADDITIONAL 20 DAYS:

The City Charter provides for an additional 20 days for signature procurement if King County Elections determines that there are insufficient verified signatures.

For any particular initiative, the additional 20 day period shall begin on the day after the notice of insufficiency is provided to the petition coordinator. (City Charter Art. IV, Section 1.B)

Step 7

REFERRAL TO COUNCIL:

If a Certificate of Sufficiency is issued by King County Records and Elections, the proposed initiative will be submitted to the City Clerk for introduction and referral to City Council at a regular Full Council meeting held within 20 days from the date King County Records and Election issued the Certificate of Sufficiency. Charter Art. IV, Section 1.B.

Step 8

COUNCIL ACTION:

The Council has up to 45 days after introduction to take action on the proposed ordinance. Actions available to Council are:

1. Pass the initiative (as an ordinance) ;
2. Reject it; or
3. Fail to act upon it; or

4. Reject it and thereafter pass a different measure dealing with same subject.

(Charter Art. IV, § 1.C).

PASSAGE OF INITIATIVE:

If the Council passes the initiative as an ordinance, it automatically becomes city law upon the effective date of the ordinance, usually 30 days after the Mayor signs it. (Charter, Art IV, § 1.C).

REJECTION OF INITIATIVE:

If the Council votes to reject the proposed initiative, the initiative must then go before the voters at the next regularly scheduled election, irrespective of whether it is a state or municipal election or a primary or general election; but the City Council may in its discretion designate submission at a general election rather than a primary or call an earlier special election. (Charter Art. IV, § 1.D). Regularly scheduled elections include August primary and November general elections. Special elections may occur in February and April. RCW 29A.04.311, 29A.04.321, 29A.04.330.

FAILURE OF COUNCIL TO ACT:

If the Council does not act upon the initiative within 45 days from the date it was introduced to them, it must go before the voters at the next regularly scheduled election, irrespective of whether it is a state or municipal election or a primary or general election; but the City Council may in its discretion designate submission at a general election rather than a primary or call an earlier special election. (Charter Art. IV, § 1.D). Regularly scheduled elections include August primary and November general elections. Special elections may occur in February and April. RCW 29A.04.311, 29A.04.321, 29A.04.330.

PASSAGE OF DIFFERENT MEASURE:

The Council may choose to pass a different measure dealing with the same subject, in which case both measures will go before the voters at the next regularly scheduled election, or an earlier election if the Council so chooses. (Charter Art. IV, § 1.D).

Step 9

PLACING MEASURE ON THE BALLOT:

The Council must pass an ordinance or adopt a resolution authorizing King County Elections to place the initiative measure on the ballot for a forthcoming election. RCW 29A.04.330.

Revised Code of Washington 29A.04.330 requires that legislation authorizing a measure for a February or April election ballot be submitted to King County least 46 days before the respective election date.

Legislation authorizing a measure for the primary election ballot must be submitted to King County Elections no later than the Friday immediately before the first day of regular candidate filing. (RCW 29A.04.330(3)).

Legislation authorizing a measure on the general election ballot must be submitted to King County Elections no later than the day of the primary election date. (RCW 29A.04.330(3)).

This schedule plays an important role in the decision determining the election in which the measure will be placed on the ballot.

Step 10

ELECTION RESULTS:

Following the election, written notice will be sent to the City Clerk from King County certifying the results of the vote count.

If the initiative receives in its favor a majority of all the votes cast for and against it, it becomes law upon proclamation of the Mayor (within five days after certification of the election in the City's official newspaper, the Daily Journal of Commerce). Charter Art. IV, § 1.F.