



# Whatcom County

COUNTY COURTHOUSE  
311 Grand Avenue, Ste #105  
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## Agenda Bill Report

File Number: **AB2023-555**

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<b>File ID:</b>	AB2023-555	<b>Version:</b>	1	<b>Status:</b>	Adopted
<b>File Created:</b>	08/24/2023	<b>Entered by:</b>	DBrown@co.whatcom.wa.us		
<b>Department:</b>	Council Office	<b>File Type:</b>	Ordinance		
<b>Assigned to:</b>	Council Finance and Administrative Services Committee			<b>Final Action:</b>	09/26/2023
<b>Agenda Date:</b>	09/26/2023	<b>Enactment #:</b>	ORD 2023-055		
<b>Related Files:</b>					

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Primary Contact Email: DBrown@co.whatcom.wa.us

### TITLE FOR AGENDA ITEM:

Ordinance amending Whatcom County Code Sections 1.08.090 and 1.08.170 to reflect amended Charter language related to signature requirements for initiatives

### SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE:

Ordinance amending Whatcom County Code Sections 1.08.090 and 1.08.170 to reflect amended Charter language related to signature requirements for initiatives

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### HISTORY OF LEGISLATIVE FILE

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<b>Date:</b>	<b>Acting Body:</b>	<b>Action:</b>	<b>Sent To:</b>
09/12/2023	Council	INTRODUCED	Council Finance and Administrative Services Committee
		Aye: 6 Buchanan, Byrd, Donovan, Frazey, Galloway, and Kershner	
		Nay: 1 Elenbaas	
09/26/2023	Council Finance and Administrative Services Committee	RECOMMENDED FOR ADOPTION	
		Aye: 2 Frazey, and Kershner	
		Nay: 0	
		Temp Absent: 1 Donovan	
09/26/2023	Council	ADOPTED	
		Aye: 7 Buchanan, Byrd, Donovan, Elenbaas, Frazey, Galloway, and Kershner	

Nay: 0

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**Attachments:** Proposed Ordinance

ORDINANCE NO. 2023 - 055

**AMENDING WHATCOM COUNTY CODE SECTIONS 1.08.090 AND 1.08.170  
TO REFLECT AMENDED CHARTER LANGUAGE RELATED TO SIGNATURE  
REQUIREMENTS FOR INITIATIVES**

**WHEREAS**, on June 1, 2021, the Whatcom County Council adopted Ordinance 2021-032, submitting to the qualified voters of Whatcom County a proposal to amend Whatcom County Charter Sections 5.40 and 5.41 to align signature requirements for citizen initiatives with Washington State norms; and

**WHEREAS**, the Council's proposed Charter amendment was presented to the voters of Whatcom County at the 2021 General Election as follows:

**Percentage of Necessary Signatures for Initiative/Mini-initiative**

If passed, these amendments would require that the number of signatures required for an initiative petition be based on a number equaling at least eight percent of the votes cast in the "last regular county executive election" and that the number of signatures required for a mini-initiative petition be based on a number equaling at least three percent of the votes cast in the "last county executive election," rather than the current "last gubernatorial election."

Should these amendments be approved?

Yes  \_\_\_

No  \_\_\_ ; and

**WHEREAS**, the voters approved the Council-proposed Charter amendment; and

**WHEREAS**, the Whatcom County Code needs to be amended to reflect the revised Charter language approved by the voters in 2021.

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that Whatcom County Code Sections 1.08.090 and 1.08.170 are hereby amended as outlined in Exhibit A to this ordinance.

**ADOPTED** this 26th day of September, 2023.

ATTEST:

  
\_\_\_\_\_  
Dana Brown-Davis, Clerk of the Council

APPROVED AS TO FORM:

/s/Karen Frakes approved via email on 9/7/23  
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

  
\_\_\_\_\_  
Barry Buchanan, Council Chair

WHATCOM COUNTY EXECUTIVE  
WHATCOM COUNTY, WASHINGTON

  
\_\_\_\_\_  
Satpal Sidhu, County Executive

Approved      (   ) Denied

Date Signed: 9/28/23

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2  
3  
4 **EXHIBIT A**

5 **(AMEND WCC SECTIONS 1.08.090 AND 1.08.170 - REQUIRED SIGNATURES FOR INITIATIVES)**

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7  
8 **1.08.090 Petition – Required number of signatures.**

9 Following expiration of the 10-day period referred to in WCC 1.08.070, the petitioner shall  
10 have 120 days to collect signatures of the registered voters of the county equal in number  
11 to not less than eight percent of the number of votes cast in the county in the last regular  
12 gubernatorial **county executive** election. Each petition shall contain the full text of the  
13 proposed measure, ordinance, or amendment to an ordinance, and the ballot title. (Ord.  
14 2018-021 Exh. A; Ord. 2009-029 Exh. A; Ord. 79-31 § 2.6).

15  
16  
17 **1.08.170 Mini-initiative – Requirements.**

18 A. Any legal voter or organization of legal voters of Whatcom County may file a mini-  
19 initiative proposal with the county auditor, who within five days, excluding Saturdays,  
20 Sundays and holidays, shall confer with the petitioner to review the proposal as to form and  
21 style. The auditor shall give the proposed mini-initiative a number, which shall thereafter be  
22 the identifying number for the mini-initiative. The auditor shall then transmit a copy of the  
23 proposal to the petitioner who has 120 days to collect the signatures of registered voters of  
24 the county equal in number to not less than three percent of the number of votes cast in the  
25 county in the last gubernatorial **regular county executive** election. The 120-day period shall  
26 begin upon receipt of official notification to petitioner(s) by the auditor's office either by  
27 certified mail or messenger.

28 B. The original proponent or his designee may turn in signatures at any time within the 120-  
29 day signature-gathering period. After the initial filing, the proponents can continue to turn in  
30 signatures for an additional 30 days, but in no case shall additional petition signatures be  
31 submitted after the initial 120-day signature collection period. Upon receipt of petitions  
32 containing more than the required number of signatures for validation, the auditor shall  
33 verify the sufficiency of the signatures within 60 days.

34 C. Initiative petitions must bear the signatures of qualified voters equal in number to not  
35 less than three percent of the number of votes cast in the county in the last gubernatorial  
**regular county executive** election. (Ord. 2009-029 Exh. A; Ord. 80-22 § 5; Ord. 79-31 §  
3.1).