

ORDINANCE NO. 110

AN ORDINANCE, prescribing conditions
of filing petitions with the City of Bellevue

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN
AS FOLLOWS:

Section 1. **DEFINITIONS.** When used in this ordinance the following words shall have the meanings respectively ascribed thereto, unless the context thereof shall clearly indicate a contrary meaning;

(a) "Circulator" shall mean and include one who circulates pages of a petition for signatures.

(b) "Petition" shall mean and include any group of separate pages or group of pages containing an identical text and prayer, except for signatures, intended by the circulators, signers or sponsors to be presented and considered as one petition.

(c) "Petitioner" shall mean any signer of the petition having the legal qualifications required by the statute or ordinance relating thereto.

(d) "Signer" shall mean any person who signs the petition, without regard to his legal qualification therefor.

(e) "Sponsor" The person or persons filing the petition with the City Clerk as ex officio Clerk of the Council.

(f) "Terminal Date" The date and time set by state law, this or other Bellevue ordinances or by subsequent Resolution of the City Council as the latest time, before determination of the legal sufficiency of the petition, for adding to or withdrawing signatures from said petition.

Section 2. **APPLICATION OF THIS ORDINANCE.** The following conditions and provisions shall apply to all petitions filed with the City of Bellevue except where there exists a Federal or State of Washington statutory or constitutional provision to the contrary.

Section 3. **CONTENTS OF PETITION.** Each page of a petition shall contain the full text and prayer of the petition, including all pertinent information and material required by the statute or ordinance relating thereto, places for signatures, and, in addition thereto, shall contain a statement substantially as follows:

"This page is one of a number of identical pages forming one petition seeking the _____ (purpose) ^{above stated} and may be filed with other pages containing additional signatures.

"The undersigned has read the above or attached text and prayer of the petition and consents to the filing of other pages hereof to be considered as a part of this petition, up to the time set, or extended by Resolution, of the City Council as the terminal date for addition to or withdrawal of signatures from this petition".

Additional signature pages may be added to the text of the petition, provided that such signature page or pages were affixed to the text page or pages of the petition at the time of affixing signatures thereto, which fact shall be certified by the circulator or sponsor at the time of filing the pages with the City Clerk.

Section 4. EFFECTIVE LIFE OF PETITION OR SIGNATURES.

Each petition shall contain a space for the date of signing the same by each of the signers and no signature shall be considered by the City Council in determining the legal sufficiency of such petition more than 45 days after the date of such signing; provided, however, that no part of any time elapsing while the Council is restrained from exercising its powers with reference to the petition shall be included in such period.

Section 5. WITHDRAWAL OR ADDITION OF SIGNATURES. Additional pages of signatures may be added and written request to withdraw signatures may be filed with the clerk up to the time that the City Council adopts a Resolution accepting the petition and fixing a date for the hearing thereon or sets a later terminal date. No person signing such petition shall be permitted to withdraw his or her signature therefrom and no additional pages containing additional signatures may be filed after the Council has adopted a Resolution accepting the petition for checking of signatures, sets a date for hearing or takes other action leading to a determination of the legal sufficiency thereof, unless the Council by such Resolution sets a later terminal date.

Section 6. WITHDRAWAL OF PETITION. No petition shall be withdrawn from the City's records or from the possession of the city officials after filing with the clerk, provided, however, that the Council, by Resolution, may permit additional pages containing additional signatures to be filed or added to the petition as originally filed if no legislative action has been taken thereon to grant or deny the action sought by the petitioners. Actions by the Council in the following cases shall not be deemed a legislative act within the meaning of this section:

- (a) Accepting the petition for filing.
- (b) Setting time for, or giving notice of, hearing.
- (c) Referring to a city official for investigation of any fact or circumstance incidental to determining the legal sufficiency of the petition or the effect upon the public good of granting or denying the prayer.
- (d) Receiving the report of a city official or attending a public hearing.

Section 7. REQUEST TO WITHDRAW SIGNATURES. The letter or petition filed prior to the terminal date requesting the withdrawal of signatures from a petition shall so sufficiently describe the petition as to make identification of the person and of the petition certain. The name of any person seeking to withdraw shall be signed in exactly the same style and extent as contained on the petition and, after such filing, prior to the terminal date, the signature of any person seeking such withdrawal shall be deemed withdrawn unless, prior to the terminal date, such request is withdrawn or revoked by a writing filed with the clerk.

Section 8. NOTICES. If a terminal date is set by Resolution of the Council at the time of accepting the petition, notice of such date and time shall be included

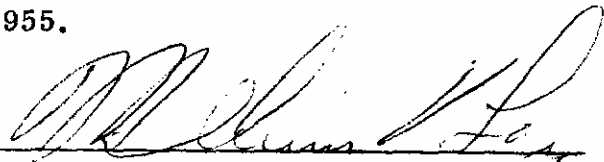
in the notice of hearing. If new or additional signatures are filed pursuant to resolution of the Council after the terminal date previously set, a new notice of hearing shall be given to the public as in the case of a new petition and a new deposit for costs may be required of the sponsor filing such additional names.

Section 9. **DEPOSIT FOR COSTS.** In those instances where notice of public hearing or an election is required, the clerk shall require a deposit of a sum deemed sufficient by the clerk to cover the cost of publishing or posting notices of such hearing or of holding and giving notice of such election as precedent to filing of such petition. Any portion of such deposit not actually or reasonably used for defraying such costs shall be returned to the person making such deposit.

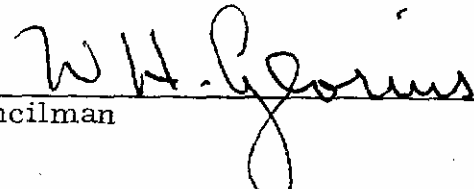
Section 10. **EFFECT OF PARTIAL INVALIDITY.** If any part or parts of this ordinance are declared to be invalid for any reason, such determination shall not affect the validity of the remaining portions of this ordinance.

Section 11. This ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

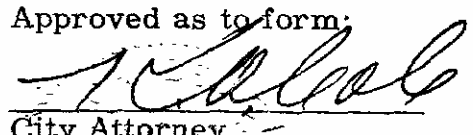
PASSED by the City Council on this 12th day of July, 1955 and signed in authentication thereof this 12th day of July, 1955.


Mayor


Councilman

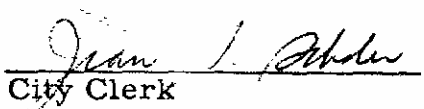

Councilman

Approved as to form:


City Attorney

(SEAL)

Attest:


City Clerk

FILED
CITY OF BELLEVUE

DATE July 13, 1955

CITY CLERK Jean P. Schuler

Date of Publication:

July 14, 1955.