

- 1 3. Authorizing or repealing an appropriation of money or any portion of the
- 2 annual budget.
- 3 4. Authorizing or repealing taxes or fees.
- 4 5. Authorizing or repealing any provision of a service or program provided by
- 5 the county.
- 6 6. Amending or repealing this charter.

7 B. Initiative Requirements.

- 8 1. Initiatives that require new or additional sources of revenue shall include a
- 9 recommended revenue source adequate to finance the result of the initiative.

10 C. Initiative Procedures.

- 11 1. Any registered voter of Clark County may file an initiative proposal with the
- 12 auditor, who shall transmit a copy to the prosecuting attorney. If the ordinance
- 13 proposed by initiative would be effective exclusively in unincorporated Clark
- 14 County, the registered voter must be a registered voter residing in
- 15 unincorporated Clark County to file the initiative proposal with the auditor.
- 16 Within ten (10) business days of the filing date, the prosecuting attorney shall
- 17 formulate a true and impartial ballot title, posed as a positive question not
- 18 exceeding fifty (50) words.

- 19 2. The prosecuting attorney shall transmit the initiative petition to the auditor,
- 20 who shall give the proposed initiative a number that will be the identifying
- 21 number. Within an additional five (5) business days, the auditor shall confer
- 22 with the petitioner to review and establish the form and style of the initiative
- 23 petition as required by the auditor or ordinance. The prosecuting attorney shall
- 24 evaluate the petition and provide the petitioner and auditor with the following
- 25 statement: "In the opinion of the Clark County Prosecuting Attorney, the
- 26 subject of this initiative is within the scope of local initiative powers. Yes []
- 27 No [] No opinion at this time []." The prosecuting attorney shall mark the
- 28 box that reflects his or her opinion. The petition may include this statement on
- 29 the petition.

- 30 3. The petitioner shall have one hundred twenty (120) days after conferring with
- 31 the auditor to collect signatures of registered county voters. Valid collected
- 32 signatures shall number no less than:

33

- 34 a. If the ordinance proposed by the initiative would be effective in both
- 35 the incorporated and unincorporated areas of the County, valid
- 36 signatures shall number no less than ten (10) percent of the number of
- 37 votes cast in the last gubernatorial election; or

38

- 39 b. If the ordinance proposed by the initiative would be effective
- 40 exclusively in unincorporated areas of the county, valid signatures
- 41 shall number no less than ten (10) percent of the votes cast in
- 42 unincorporated Clark County at the last gubernatorial election,
- 43 provided, however, the registered voters signing the petition must be
- 44 registered voters residing in unincorporated Clark County and, further
- 45 provided that, the number of required signatures shall be calculated
- 46 based only upon votes cast within areas which, on the date the
- 47 initiative is initiated, are unincorporated areas of the county.

1
2 Each petition shall contain the warning clause prescribed by state law, full text
3 of the proposed measure, ordinance or amendment to an ordinance, and ballot
4 title.
5

- 6 4. The auditor shall verify the number of signatures on the petition, and, if a
7 sufficient number of valid signatures has been submitted, place the proposal
8 on the ballot for the next general election.
9 a. Signatures on the petition must be submitted to the auditor no less than
10 one hundred fifty (150) days before the date of the next general
11 election.
12 b. If the council enacts the proposal without change or amendment not
13 less than sixty (60) days prior to said election, the proposal shall be
14 removed from the ballot.
15 c. If the council does not adopt the proposed amendment but adopts a
16 substitute measure not more than fifteen (15) days after the petition
17 validation, the substitute measure shall be placed on the same ballot
18 with the initiative proposal.
19 d. If the ordinance proposed by the initiative is one that is effective
20 exclusively in unincorporated areas of the county, only registered
21 voters in unincorporated Clark County shall be permitted to vote on
22 the initiative.
23 5. When a ballot contains an initiative petition, substitute measure or multiple
24 initiative measures on the same topic, the voters shall be given the choice of
25 rejecting or accepting each initiative.
26 a. If the voters accept more than one (1) initiative on the same topic, and
27 the measures are incompatible, the initiative receiving the highest
28 number of affirmative votes shall be approved.
29 b. If there are multiple measures on the same topic, compatible with one
30 another, they may all be approved.
31 c. If the voters reject all initiatives, none shall be approved.
32 d. If the voters approve one (1) initiative and reject the others, the
33 approved initiative shall be approved.
34

35 **Section 7.3 Mini--initiative**

36 The people reserve the power of mini-initiative, except as limited by state or federal law
37 and subject to Article 7, Section (2)(A). Ordinances or amendments to an existing ordinance may
38 be proposed to the council by transmitting the proposal to the auditor. An initiative petition shall
39 bear the signatures of qualified voters totaling no less than three (3) percent of the number of
40 votes cast in the county in the last gubernatorial election. A proposed ordinance or amendment to
41 an existing ordinance that would be effective exclusively in unincorporated Clark County, may
42 only be submitted to the auditor by a registered voter residing in unincorporated Clark County;
43 further, that initiative petition must bear the signatures of qualified voters who reside in
44 unincorporated Clark County totaling no less than three (3) percent of the number of votes cast in
45 the unincorporated county in the last gubernatorial election. The number of required signatures
46 shall be calculated based only upon votes cast within areas which, on the date such petitions are
47 filed, are unincorporated areas of the county. The auditor shall have thirty (30) business days to

1 validate signatures. If a sufficient number of signatures is verified, the auditor shall transmit the
2 initiative petition to the county council. The council shall hold a public hearing on the proposed
3 ordinance within sixty (60) days, and enact, reject or modify the proposed ordinance within thirty
4 (30) calendar days of the hearing.

6 **Section 7.4 Referendum**

7 The people reserve the power of referendum. Referendum may be ordered on any
8 ordinance, or any part thereof, passed by the council, except as limited by state or federal law or
9 court interpretations.

10 A. Referendum Limitations.

11 The following are limited by state or federal law or court interpretations and may not
12 be proposed or adopted by initiative.

- 13 1. Emergency ordinances.
- 14 2. Ordinances providing for compensation or working conditions of county
15 employees or elected officials.
- 16 3. Ordinances authorizing or repealing an appropriation of money or any portion
17 of the annual budget.
- 18 4. Ordinances authorizing or repealing taxes or fees.
- 19 5. Ordinances required by state or federal law.

20 B. Referendum Procedure.

21 A referendum shall be filed within ten (10) days after the council passes an ordinance.
22 Except as set forth in this section, a referendum may be filed against an ordinance or
23 any portion of an ordinance. Any registered Clark County voter may file with the
24 auditor a referendum petition signed by at least one hundred (100) registered voters of
25 Clark County. If the referendum pertains to an ordinance which is effective
26 exclusively in unincorporated Clark County, the referendum petition proposal must
27 include the signatures of at least one hundred (100) registered voters residing in
28 unincorporated Clark County and must be filed by a registered voter residing in
29 unincorporated Clark County.

- 30 1. The auditor shall verify signatures on the referendum petition within ten (10)
31 calendar days. After one hundred (100) signatures are validated, the ordinance
32 or portion of the ordinance subject to referendum is suspended until:
 - 33 a. Sufficient valid signatures are collected within the time prescribed by
34 this section to place the measure on the ballot and voters have voted on
35 the measure.
 - 36 b. Valid signatures are not collected within the time prescribed by this
37 section to place the measure on the ballot.
- 38 2. Filing a referendum petition against a portion of an ordinance shall not delay
39 the remainder of the ordinance from taking effect.
- 40 3. Within five (5) business days of filing the referendum petition, the auditor
41 shall confer with the petitioner to review the proposal as to form and style, as
42 required by the auditor or ordinance. The auditor shall give the referendum
43 petition an identifying number and transmit a copy of the petition to the
44 prosecuting attorney. Within ten (10) business days after receipt, the
45 prosecuting attorney shall write a ballot title not to exceed fifty (50) words
46 and posed as a positive question, which shall express a true and impartial

1 statement of the measure. The prosecuting attorney shall transmit the
2 referendum petition to the auditor.

3 4. The petitioner shall have one hundred (120) calendar days from registration to
4 collect signatures of the required registered Clark County voters. The number
5 of valid signatures collected shall equal no less than:
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7 a. For an ordinance which is effective exclusively in the unincorporated
8 areas of the county, valid signatures shall number no less than ten (10)
9 percent of the votes cast in unincorporated Clark County at the last
10 gubernatorial election, provided, however, the registered voters
11 signing the petition must be registered voters residing in
12 unincorporated Clark County and, further provided that the number of
13 required signatures shall be calculated based only upon votes cast
14 within areas which, on the date the referendum is initiated, are
15 unincorporated areas of the county.

16
17 b. For all other ordinances, the number of valid signatures collected shall
18 equal no less than ten (10) percent of the total votes cast in the county
19 in the last gubernatorial election.
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21 Each petition shall contain the full text of the referred measure and ballot title.
22 The auditor shall verify the number of signatures and, if valid, submit the
23 measure to voters at the next general election. If the ordinance subject to
24 referendum is one that is effective exclusively in unincorporated areas of the
25 county, only registered voters in unincorporated Clark County shall be
26 permitted to vote on the referendum. Petition signatures must be submitted to
27 the auditor for verification no less than one hundred fifty (150) calendar days
28 before the date of the next general election.
29

30
31 **Section 2. Effective Date.** This ordinance and the proposed amendment to the Clark County
32 Home Rule Charter set forth herein shall be filed with the Auditor immediately upon adoption
33 for submittal to the voters at the next eligible general election. Should a majority of voters vote
34 in favor of the amendment, the amendment shall be incorporated immediately into the Clark
35 County Home Rule Charter upon certification of the election results. The Prosecuting Attorney
36 is hereby requested to prepare an appropriate ballot title for the proposed amendment.
37

38 **Section 3. Instructions to Clerk.** The Clerk of the Council shall:
39

- 40 A. Record and transmit a copy of this Ordinance with the Clark County Auditor; and
41 B. Cause notice of adoption of this Ordinance to be published forthwith, pursuant to
42 Clark County Code 1.02.140.
43 C. Provide a copy of this Ordinance to Code Publishing.
44
45

1 **Section 4. Roll Call Vote.** The following persons voted in favor of the above ordinance:

2 Temple Lentz, Julie Olson, Karen Bowerman,
3 Gary Medvigy and Eileen Quiring O'Brien
4

5 The following persons voted in opposition to the above ordinance:
6

7
8 ADOPTED on this 20th day of July, 2021.
9

10 CLARK COUNTY COUNCIL
11 CLARK COUNTY, WASHINGTON

12 Attest:

13 
14
15

16 Clerk to the Council


17
18 Eileen O'Brien, Chair

19 Approved as to Form Only:
20 ANTHONY GOLIK
21 Prosecuting Attorney

22 Temple Lentz, Councilor

23 By: 
24 Taylor Hallvik,
25 Deputy Prosecuting Attorney

26 Julie Olson, Councilor

27 Karen Bowerman, Councilor

28 Gary Medvigy, Councilor
29

