

## ORDINANCE NO. 692

### AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE PROCEDURE FOR FILLING COUNCILMEMBER VACANCIES; AMENDING GIG HARBOR MUNICIPAL CODE SECTION 2.12.050, 2.12.060, 2.12.070, 2.12. 080, 2.12.090.

WHEREAS, the Legislature has changed the statutory procedure for the declaration of candidacy, election of councilmembers, and the manner in which councilmember vacancies in the cities are filled (RCW 42.12.010); and

WHEREAS, the procedure for filling councilmember vacancies in the Gig Harbor Municipal Code is inconsistent with state law; now, therefore,

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

Section 1. Section 2.12.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**2.12.050 Residency and registration.** No person shall be eligible to hold elective office within the city unless the person is a registered voter of the city at the time of filing his or her declaration of candidacy and ~~who has not~~ continuously resided within the corporate limits of the city for at least one year next preceding his or her election. ~~six months immediately preceding the date of the election to be held for that office, and who is not a registered voter within the city at the time of his nomination.~~ Residence and voting within the limits of any territory which has been included in, annexed to, or consolidated with the city is construed to have been residence within the city.

Section 2. Section 2.12.060 of the Gig Harbor Municipal Code is hereby amended to read as follows:

**2.12.060 Declaration of candidacy -- Filing.** Nominations for elective offices within the city shall be made by filing declarations of candidacy with the city clerk in the manner hereinafter provided and as set forth in chapter 29.15 RCW. There shall be no primary elections for nominating candidates for any elective office of ~~said~~ the city. Primaries shall otherwise be held as provided in chapter 29.21.RCW.

Section 3. Section 2.12.090 of the Gig Harbor Municipal Code is hereby renumbered and amended to read as follows:

#### **2.12.070 Declaration of candidacy -- Procedure, fee, form.**

A. All nominations for elective office in the city shall be made by filing declarations of candidacy at the times and dates provided in RCW 29.15.020. ~~not more than 60 days nor less than 45 days prior to the holding of said elections.~~

B. All declarations of candidacy shall be accompanied by a filing fee as provided in RCW 29.15.050, ~~equal to one percent of the annual salary fixed by statute or ordinance for said position, provided, however, that no filing fee shall be less than \$1.00.~~

C. Declarations of candidacy shall substantially conform to the form set forth in chapter 29.18030 RCW.

Section 4. Gig Harbor Municipal Code Section 2.12.080 shall be amended to read as follows:

**2.12.080 Election of Councilmanmembers -- Vacancy.** Five councilmenmembers shall be elected for terms of four years each, with three such councilmenmembers being elected in ~~the even numbered years and two during the odd numbered years~~ at one biennial election and two councilmembers being elected at the subsequent biennial election, and shall serve until his or her successor is elected, qualified and assumes office in accordance with RCW 29.04.170. In the event of a vacancy in a councilmenmember office, the city council shall by majority vote, choose and appoint a councilmenmember to fill said vacancy in the manner set forth in RCW 42.12.010, or other applicable state statute, ~~until the next general election at which time a person shall be elected to serve for the remaining expired term.~~

Section 5. Section 2.12.070 of the Gig Harbor Municipal Code is hereby renumbered and amended to read as follows:

**2.12.090 Election of Mayor -- Vacancy.** A mayor shall be elected for four-year terms of office and shall serve until his or her successor is elected, qualified and assumes office in accordance with RCW 29.04.170. ~~each four years for a four year term, with the next election for such office after the effective date of the ordinance codified in this chapter to be held in the year 1951.~~ In the event of a vacancy in the office of the mayor, the city council shall, by majority vote, choose a mayor pro tempore to fill the unexpired term.

Section 6. In any section, sentence, clause or phrase of this ordinance should be held to be invalid or 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 7. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

\_\_\_\_\_  
MAYOR, GRETCHEN WILBERT

ATTEST/AUTHENTICATED:

\_\_\_\_\_  
CITY ADMINISTRATOR, MARK HOPPEN

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY: \_\_\_\_\_

Filed with the City Clerk: April 27, 1995  
Passed by the City Council: May 22, 1995  
Published: May 31, 1995  
Effective Date: June 5, 1995

**SUMMARY OF ORDINANCE NO. 692  
of the City of Gig Harbor, Washington**

On the 22nd day of May, 1995, the City Council of the City of Gig Harbor, passed Ordinance No. 692. A summary of the content of said ordinance, consisting of the title, provides as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE PROCEDURE FOR FILLING COUNCILMEMBER VACANCIES; AMENDING GIG HARBOR MUNICIPAL CODE SECTION 2.12.050, 2.12.060, 2.12.070, 2.12. 080, 2.12.090.**

The full text of this Ordinance will be mailed upon request.

DATED this 23rd day of May, 1995.

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CITY ADMINISTRATOR, MARK HOPPEN