

CHARTER OF THE CITY OF
ABERDEEN

PREAMBLE

The following Charter has been framed by the duly constituted committee of freeholders chosen by the people of the City of Aberdeen for that purpose, and when it is ratified by the popular vote, it will become the governing law of the City.

Sec. 1. PRIVILEGES AND POWERS. All acts done, proceedings had, and steps taken, in the advancement of the City from the second to the first class, are hereby ratified, confirmed and validated, and the City of Aberdeen hereby asserts and declares its corporate existence, under that name, as a City of the first class, and as such it shall have perpetual succession, may sue and be sued shall have and use a common seal, and may alter the same at pleasure, may purchase, receive, have, take, hold, lease, use and enjoy property and control and dispose of the same for the common benefit. It shall possess all of the powers, authority and privileges and shall assume all of the duties and obligations conferred and imposed upon cities of the first class under the Constitution and Statutes of the State of Washington as they now exist or may be hereafter amended or enacted.

Sec. 2. OFFICERS. The elective officers of the City, shall consist of a Mayor, twelve Councilmen, two from each ward, City Treasurer, and City Comptroller, who shall be ex officio City Clerk. The Mayor, Treasurer and Comptroller shall be nominated and elected by the voters of the City at large and the Councilmen by the respective wards.

The appointive officers of the city shall consist of a Corporation Counsel, Fire Chief, City Engineer, Chief of Police, Police Judge, Water Superintendent, Building Inspector, Street Commissioner, Health Officer and the incumbents of such other offices as may from time to time be created by ordinance. The Corporation Counsel, Fire Chief, City Engineer, Chief of Police, Police Judge, Water Superintendent,

Building Inspector, Street Commissioner and Health Office, shall be appointed by the Mayor and confirmed by the City Council. All city officers enumerated in this section shall hold office for the term of two years and until their successors are elected and qualified. The elective officers shall take office on the first Monday of January following their election. The appointive officers shall take office upon their qualifying after their appointment and confirmation by the Council.

Sec. 3. ELECTIONS.* General municipal or city elections shall be held annually on the first Saturday in December in each year, the first such election to be held on the first Saturday in December, 1929. All city officers elected at the December election, 1929, shall be and constitute the officers under this Charter and hold office for the term for which they are elected. The six councilmen incumbent from the various wards whose terms do not expire until January, 1931, shall continue in office until their said terms expire.

* See RCW Title 29.

Sec. 4. ELECTIONS TO BE HELD UNDER GENERAL LAW. All municipal elections held under the provisions of this Charter shall be conducted according to the general election laws of the State, as far as practicable, except as herein otherwise provided. No person shall be qualified to vote at such election unless he shall be a qualified elector of the county and shall have resided in such city for at least thirty days next preceding such election. The Council shall give such notice of each election as may be prescribed by ordinance.

Sec. 5. CANVASS OF VOTES.* On the Wednesday following the election, the City Council shall convene and publicly canvass the results, and shall direct the issuance of certificates of election to each person elected by a plurality of votes. When two or more persons have received an equal and highest number of votes for any one of the offices voted for, the City Comptroller shall give notice to

the several persons so having the highest and equal number of votes to attend at the next or some subsequent meeting of the Council to be held within two weeks thereafter, and the City Comptroller shall at the time fixed proceed publicly to decide by lot which of the persons having an equal number of votes shall be declared duly elected. In case the Comptroller be an interested person, such duty shall devolve upon the Mayor. If all of the persons having the highest and equal number of votes shall be present at the meeting at which the Council shall canvass the result of the election, the matter may then and there be decided by lot as herein provided, without the necessity of notice. If the City Council from any cause fails to meet on the day named then it shall be the duty of the Council to canvass the election returns at the next regular or special election meeting held by the said Council.

* See RCW 35.22.230

Sec. 6. CONTESTED ELECTIONS. The City Council as constituted at the time of the election, shall hear and determine any and all contested elections of any and all city officers. The City Council shall have power by general ordinance to prescribe rules and regulations for the hearing of contested elections of city officers.

Sec. 7. CITY TO BE DIVIDED INTO WARDS. The City Council shall divide the city into six wards in all, and may change the boundaries of such wards, but no changes will be made within three months prior to an election: Provided, that no change in the boundaries of the wards shall affect the term of office of any Councilman, but he shall serve out his term in the ward in which his residence may be at the time of his election. The representation of each ward in the City Council shall be as near as may be in proportion to population. No person shall be eligible to the office of Councilman unless he shall reside at the time of his election in the ward for which he was elected, and the removal of a Councilman during his term of office from the ward for which he was elected to another ward in

the city, or outside the city, shall render his office vacant.

Sec. 8. PRIMARY ELECTIONS. All city elections held for the purpose of electing officers shall be non-partisan and shall be so designated on the official ballot. No candidate shall run for a city office under the name or designation of any of the political parties. Nominations of candidates for city offices shall be selected by the qualified electors at a municipal primary election to be held twenty-one days preceding the regular municipal election. Any person desiring to file as a candidate for any office at the primary election shall do so not more than thirty days and not less than fifteen days before the date of the primary election. All declarations of candidacy for the primary election shall be filed with the City Comptroller by the candidate, and such person filing a declaration shall pay to the City Comptroller to be turned in to the City Treasurer a filing fee of \$5.00 for Councilman and \$25.00 for all other offices. The names of all candidates who file for an office shall be placed on the official ballot for the primary election, which shall be conducted as nearly as may be in conformity with the general primary election laws. The two candidates receiving the highest number of votes for the offices of Mayor, City Treasurer, City Comptroller and Councilman shall be deemed nominated and their names alone shall be placed on the official ballot for the ensuing municipal election: Provided, however, that if one candidate for any one of these offices shall receive a majority of all of the votes cast for all candidates for such office, the person so receiving a majority shall be deemed elected to the office in question, and his name alone for that office shall be placed on the official ballot. In the case of Councilman, where there are two Councilmen to be elected for one ward, the four candidates for Councilmen receiving the highest number of votes at the primary election shall be deemed nominated for those offices and their names only shall be placed upon the official ballot of the ensuing municipal election. Voters for the primary election shall have the same qualifications as voters for the general city election.

Sec. 9. OATH AND BOND OF OFFICER.

Each officer of the city shall before entering upon the duties of his office take the oath of office, and such as may be required to give bonds file the same, duly approved, within ten days after receiving notice of his election or appointment; or, if no notice be received, then on or before the date fixed for the assumption by him of the duties of the office to which he may have been elected or appointed; but, if anyone, either elected or appointed to office fails for ten days to qualify as required by law, or to enter upon his duties at the time fixed by law or the orders of the City Council, then such office shall become vacant, or if such officer shall absent himself from such city without the consent of the Council for three consecutive weeks or shall openly neglect or refuse to discharge his duties, the said Council may declare such office vacant: Provided, that the penalty for absence from the city shall not apply to such officers as serve without salary or without compensation. The City Council shall fix the amount of all official bonds, and may designate what officers shall be required to give bonds in addition to those required to give bonds by this Charter.

Sec. 10. OFFICIAL BONDS. The Comptroller, Treasurer, Corporation Counsel, Chief of Police, Police Judge, Street Commissioner, City Engineer and Building Inspector, respectively, before entering upon the duties of their respective offices shall execute a bond to the City in such penal sum as the City Council by ordinance may determine, conditioned for the faithful performance of their duties, including in the same bond the duties of all offices of which he is made by this Charter ex-officio incumbent. All official bonds shall be approved by the City Council, and when so approved, shall be filed with the Comptroller, except the bond of the Comptroller which shall be filed with the Mayor. All provisions of any law of this state relating to official bonds of officers shall apply to such bonds, except as herein otherwise provided. No City officer shall be eligible as a surety upon any bond running to the City as obligee. The City Council shall have power,

whenever by it deemed expedient, to require a new or additional official bond of any officer.

Sec. 11. SALARIES. The following annual salaries shall be paid in monthly installments, namely: Mayor \$1,200.00; Treasurer \$3,000.00, Comptroller, \$3,000.00. All appointive officers shall receive such salary as may be fixed by the Council by ordinance. Provided, that at intervals of not less than two years, the salaries of these officers may be increased by ordinance, proportionate with the increase in the city in population, to be ascertained by the Council, but no officer shall receive the benefit of any increase in salary of his office during the period of his incumbency. The members of the City Council shall receive such salaries as may be fixed by the City Council by ordinance not exceeding \$300.00 per year, provided, that deduction of Five (\$5.00) Dollars for each absence shall be made from the salary of each member of the City Council who shall be absent from any regular meeting of the City Council. The salary or compensation of no officer of such city shall be increased or diminished during his term of office, nor shall any such officer be allowed an extra or additional compensation, either directly or indirectly for the rendition of services that the City Council has the power to require such officer to perform by virtue of his office. The salaries of all city officers shall be payable monthly.

Sec. 12. OFFICERS SHALL NOT BE INTERESTED IN CONTRACT. No officer of the city shall be, directly or indirectly, interested in any contract with the city or for any institution, board, officer, agent or employee thereof, for the use of the city, or become surety for the performance of any such contract. The violation of any of the provisions of this section shall work a forfeiture of the office of the officer violating the same and shall warrant his removal from office by impeachment or other proper procedure.

Sec. 13. MAYOR, POWERS AND DUTIES. All appointive officers enumerated in this Charter whose appointments are not otherwise provided for

herein shall be appointed by the Mayor and the appointments confirmed by the Council. He shall be the chief executive officer of the City. He shall have general supervision over the several departments of the city government and over all its interests; shall preside over the City Council, when present; he shall sign all ordinances passed by the City Council, if he approves of them; if he does not approve of them, he shall within eight days after their submission to him return the same to the City Comptroller's office with his objections in writing, and at the first meeting of the City Council thereafter the same shall be entered upon their journal and they shall then reconsider such ordinance and unless two thirds of the Councilmen elected vote for its passage, it shall not become a law. If the Mayor shall not so return any ordinance within eight days, it shall become a law as if he signed it. He may call special meetings of the City Council at any time; he shall do so at the written request of four councilmen by notifying each member personally, or by written notice left at his last and usual place of abode, or his place of business during business hours, stating the purpose of such meeting. He shall countersign all warrants and licenses, deeds, leases and contracts requiring his signature, and issued under and by authority of the city.

Sec. 14. DUTY OF TREASURER. It shall be the duty of the City Treasurer to receive and safely keep all moneys belonging to the city from whatever source derived, including water collections; to place the same to the credit of the different funds to which they properly belong in a book kept for that purpose; to disburse said money by direction of the City Council and in accordance with the provisions made by them under the provisions of this Charter, and to make a report monthly to the City Council of the condition of the treasury.

Sec. 15. DUTY OF CITY COMPTROLLER. It shall be the duty of the City Comptroller to keep the corporate seal and all papers and documents belonging to the City; to file them in the office under appropriate heads; to attend the meetings of

the City Council and to keep a journal of their proceedings and records of all their resolutions and ordinances; to sign all warrants and licenses issued in pursuance of the orders and ordinances of the City Council and to affix the corporate seal on such licenses; to sign all deeds, leases, contracts, bonds and other documents when authorized by the Council; to act as general city auditor to all departments and officers, and to keep a check upon all budget expenditures, of all orders drawn upon the City Treasurer and of all warrants issued in pursuance thereof; also to keep an account of all licenses issued and to perform such other duties as may be required by the provisions of this Charter, or by ordinance.

Sec. 16. CORPORATION COUNSEL. The Corporation Counsel shall be legal advisor of the city and of all of its officers. He shall represent the city as its counsel and attorney in all litigations and in all courts. He shall do and perform the legal work for the city and all of its departments and officers. He shall perform such other duties as the Council may from time to time prescribe by ordinance.

Sec. 17. FIRE CHIEF. The Fire Chief shall be head of the Fire Department and as such shall have the custody and control of all of the fire stations and fire fighting apparatuses, and all firemen and employees of the Fire Department shall be under his direction and control; shall make reports to the Mayor and City Council at intervals with recommendations. He shall see that theaters and other buildings used for public assembly are safeguarded against fire so as to prevent loss of life and perform such other duties as may be prescribed by ordinance.

Sec. 18. CHIEF OF POLICE. The Chief of Police shall be the head of the Police Department and shall be charged with the duty of enforcing the law. All of the police officers and employees of the Police Department shall be appointed by him and be subject to his direction and control.

Sec. 19. WATER SUPERINTENDENT. The Water Superintendent shall be the head of the Water Department and shall have supervision over the entire water system of the city. All employees of that Department shall be under his direction and control.

Sec. 20. BUILDING INSPECTOR. The Building Inspector shall be charged with the duties of enforcing the building ordinances of the City and shall have control of the issuing of building permits and be charged with the duty of inspecting buildings under construction and repair including plumbing, electric wiring, and structural work. All inspection of buildings under construction or repair required by ordinance shall be under his jurisdiction and control.

Sec. 21. STREET COMMISSIONER. The Street Commissioner shall be responsible for the proper care and cleanliness of the streets, alleys, public highways of the City and shall be the head of the street department of the city, and shall supervise its activities, and have direction of all employees in that Department.

Sec. 22. CITY ENGINEER. The City Engineer shall be the head of the Engineering Department of the city, shall have charge of the engineering work and the preparation of plans, specifications, improvements of streets, roads and highways within the city.

Sec. 23. HEALTH OFFICER. The proper enforcement of the health and sanitation laws, of both state and city, shall be in charge of the City Health Officer whose duty it shall be to see to their enforcement.

Sec. 24. The City Council may by ordinance prescribe and define the duties, powers and responsibilities of any and all departments and officers of the city. The City Council shall have the power and authority and it shall be its duty to provide the different city officers and departments with such help and assistance as may be necessary or proper

for the efficient and orderly conduct of the business and affairs of the city and to each office and department thereof. Where no salary or compensation is provided by this Charter for any officer or department, the City Council shall have power to fix such salary or compensation and to provide the same.

Sec. 25. The Park Board heretofore established by the City is to be continued in force and carried over into this Charter forming an integral part of the city government. The board of Park Commissioners shall be three in number appointed by the Mayor with the consent of the City Council, and shall serve without compensation. The Board of Park Commissioners shall have control and supervision of all parks belonging to the city, and shall have power to prescribe rules and regulations for the government and management thereof, which rules and regulations shall be enforced by the Police Department of the city.

Sec. 26. The Aberdeen Free Public Library as organized and constituted shall continue as an integral part of the city government and is hereby adopted into this Charter. The management and control of the Library shall be vested in a board of five trustees to be appointed by the Mayor by and with the consent of the Council to serve without compensation.

Sec. 27. DEPUTIES, APPOINTMENT OF. The City Treasurer, Corporation Counsel, and City Comptroller may each, with the approval of the City Council only, appoint such deputies as may be necessary. Each deputy so appointed shall receive for his services compensation to be fixed by the City Council. The principals shall each be responsible for his acts, and may revoke the appointments at pleasure.

Sec. 28. POLICE FORCE. The police force of such city in addition to the Chief of Police shall consist of such number of policemen as shall from time to time be fixed and determined by the City

Council. All police officers shall be appointed by the Chief of Police.

Sec. 29. CITY COUNCIL—HOW CONSTITUTED. The Mayor and Councilmen of the several wards shall constitute the city council and at the first meeting in January next after the election, the City Council shall elect one of their own body to serve as president of the council. The Mayor shall preside at all meetings of the council when present, and in his absence the President of the Council shall preside and perform the duties devolving upon the Mayor. In the absence of both the Mayor and the President of the Council, the Council may elect a President Pro Tem, who shall act during such absence.

Sec. 30. PRESIDENT OF THE COUNCIL. The President of the Council shall preside at all meetings of the Council when the Mayor is not present; whenever there is a vacancy in the office of the Mayor, or he is absent from the city, or unable from any cause to discharge the duties of his office, the President shall act as Mayor and exercise all his authorities and be subject to all his duties. The President Pro Tem of the Council shall have all the powers of the President of the council during the session of the council at which the Mayor Pro Tem is presiding.

Sec. 31. QUORUM—RULES JOURNAL. A majority of the Councilmen elect shall constitute a quorum for the transaction of business. A less number may adjourn from time to time and may compel the attendance of absent members. The Council may punish their members for disorderly conduct, and upon written charges to be entered upon their journal for such conduct, after trial, may expel a member by a vote of two-thirds of all members elected. The Mayor shall have a vote only in case of a tie in the votes of the other members. The Council shall determine their rules of procedure. The sittings of the Council shall be open to the public, except where the interests of the city shall require secrecy. A journal of all their proceedings shall be kept by

the City Comptroller under their direction. At any time, at the request of any two members, the ayes and noes on any question may be taken and entered upon the journal. The President of the Council while presiding, or the President Pro Tem, when a Councilman, shall have the right to vote upon all questions coming before the Council. The President Pro Tem may be elected by the Council from their own body, or any other elector of such city may be elected President Pro Tem. When an elector who is not a councilman shall be elected President Pro Tem, he shall not have the right to vote upon any question.

Sec. 32. ORDINANCES—ENACTING CLAUSE. The style of the city ordinances shall be as follows: "Be it ordained by the Mayor and City Council of the City of Aberdeen", and all ordinances shall be published in one issue of the official paper of the city.

Sec. 33. ORDINANCES—APPROVAL—EVIDENCE. Ordinances shall be passed by the City Council and approved by the Mayor or the President of the Council while acting in his stead. But before any ordinance shall take effect it shall be published in the official newspaper of the city. A certified copy of any ordinance certified to by the City Comptroller, or a printed copy of any ordinance or compilation printed by authority by the City Council and attested by the City Comptroller shall be competent evidence in any court.

Sec. 34. ORDERS ENTERED ON JOURNAL. All orders of the City Council shall be entered upon the journal of their proceedings, which journal shall be signed by the officer who may preside at such meeting.

Sec. 35. AYES AND NOES WHEN ENTERED. Upon the passage of all ordinances appropriating money, imposing taxes, abolishing licenses, increasing or lessening the amount to be paid for licenses, the ayes and noes shall be entered upon the journal.

Sec. 36. MAJORITY NECESSARY IN CERTAIN CASES. A majority of all the members elected shall be necessary to pass any ordinance appropriating for any purpose the sum of Five Hundred Dollars or upward, or any ordinance imposing any assessment, tax or license, or in any wise increasing or diminishing the city revenue.

Sec 37. POWERS OF COUNCIL ENUMERATED. The city council of the city shall have power and authority:

1. Ordinances: To make and pass all ordinances, orders and resolutions not repugnant to the Constitution of the United States or the state of Washington, or the provisions of this Charter, necessary for the municipal government and management of the affairs of the city, for the execution of the powers vested in said body corporate, and for the carrying into effect of the Provisions of this Charter.

2. License of Shows: To fix and collect a license tax, for the purpose of revenue and regulations, on theaters, melodeons, balls, concert, dances, theatrical, circus and other performances, and all performances where an admission fee is charged; also, all shows, billiard tables, pool tables, bowling alleys, exhibition or amusements.

3. Hotel, etc., Licenses: To fix and collect a tax for the purposes of revenue and regulation on and to regulate all taverns, hotels, restaurants, banks, brokers, manufactories, livery stables, garages, express companies and persons engaged in transmitting letters or packages, railroad, state and steamboat companies or owners, whose principal place of business is in the city, or who shall have an agency therein.

4. Auctioneers' Licenses: To license and regulate auctioneers for the purpose of revenue and regulation.

5. Dance Houses: To prohibit or suppress, or to license and regulate all dance houses, fandango houses, or any exhibition or show of any animal or animals.

6. License Vehicles: To license for the purpose of revenue and regulation, and to tax hackney coaches, cabs, omnibuses, drays, market trucks and

all other vehicles used for hire, and to regulate their stands, and to fix the taxes to be charged for the transportation of persons, baggage and property.

7. Hotel Runners: To license or suppress runners for steamboats, taverns or hotels.

8. License Generally: To fix and collect a license tax for the purposes of revenue and regulation, upon all occupations and trades, and all and every kind of business authorized by law not heretofore specified: Provided, that on any business trade or calling not provided by law to be licensed for state and county purposes the amount of licenses shall be fixed at the discretion of the City Council, as they may deem the interest and good order of the city may require.

9. Riots: To prevent and restrain any riot or riotous assemblages, disturbance of any peace or disorderly conduct in any place, house or street in the city.

10. Nuisances: To declare what shall be deemed nuisances; to prevent, remove and abate nuisances at the expense of the parties creating; causing or committing or maintaining the same, and to levy a special assessment on the land or premises whereon the nuisance is situated to defray the cost or to reimburse the city for the cost of abating the same.

11. Stock Pound: To establish, maintain and regulate a common pound for astrays, and to appoint a pound-keeper, who shall be paid out of the fines and fees imposed, and collected of the owners of any animals impounded, and from no other source; to prevent and regulate the running at large of any and all domestic animals within the city limits or any part thereof, and to regulate or prevent the keeping of such animals within any part of the city; to appropriate the necessary funds for and provide for humane work within the boundaries of the city.

12. Control of Certain Trades: To control and regulate slaughter houses, wash houses, laundries, tanneries, forges, and offensive trades, and to provide for their exclusion or removal from the city limits or from any part thereof.

13. Street Cleaning: To provide by regulation, for the prevention and summary removal of all filth and

garbage in streets, sloughs, alleys, back yards or public grounds of the city, or elsewhere therein.

14. City Jail: To establish, alter and repair city prisons and to provide for the regulation of same, and for the safekeeping of persons committed thereto; to provide for the cares feeding and clothing of the city prisoners; to provide for the formation of a chain-gang for persons convicted of crimes or misdemeanors, and their proper employment and compulsory working for the benefit of the city; and also to provide for the arrest and compulsory working of vagrants: Provided, that no prisoners shall be required to perform any labor until he shall have been duly convicted of some offense punishable by imprisonment and duly sentenced thereto.

15. Gambling, etc.: To prohibit and suppress all gambling and all gambling for disorderly houses, and houses of ill fame, and all immoral and indecent amusements, exhibitions and shows.

16. Markets: To establish and regulate markets and market places.

17. Speed of Railroad Cars: To fix and regulate speed at which any railroad cars, street cars, automobile and other vehicles may run within the city limits, or any portion thereof.

18. City Commons: To provide for and regulate the commons of the city.

19. Fast Driving: To regulate or prohibit fast driving or riding in any portion of the city.

20. Combustibles: To regulate or prohibit the loading and storage of gunpowder and combustible or explosive materials in the city, or transporting the same through its streets or over its waters.

21. Property: To have, purchase, hold, use and enjoy property of every name or kind whatsoever, and the same to sell, leases transfer, mortgage, convey, control or improve; to build, erect, or construct houses, building or structures of any kind needful for the use or purposes of the city.

22. Fire Department: To establish, continue, regulate, and maintain a Fire Department for the City, to change or organize the same, and to disband any company or companies of the said Department; also to discontinue and disband said fire department

and to create, organize, establish and maintain a paid Fire Department for the city.

23. Water Supply: To adopt, enter into and carry out means for securing a supply of water for the use of the city or its inhabitants, or for irrigating purposes therein.

24. Overflow of water: To prevent the overflow of the city or to secure its drainage, and to assess the cost thereof to the property benefited.

25. House Numbers: To provide for the numbering of houses.

26. Health Board: To establish a Board of Health; to prevent the introduction and spread of disease; to establish a city infirmary and to provide for the indigent sick, and to provide and enforce regulations for the protection of health, cleanliness, peace and good order of the city; to establish and maintain hospitals within or without the city limits, to control and regulate interments and to prohibit them within the city limits.

27. Harbor and Wharves: to build, alter, improve, keep in repair and control the waterfront; to erect, regulate and repair wharves, and to fix the rate of wharfage and transit wharf, and levy dues upon vessels and commodities; and to provide for the regulation of berths, landing, stationing and removing of steamboats, sail vessels, rafts, barges and all other water craft; to fix the rate of speed at which steamboats and other steam water craft may run along the waterfront of the city, to build bridges so as not to interfere with navigation, to provide for the removal of obstructions to the navigation of any channel or watercourses or channels.

28. License of Steamers: To license steamers, boats and vessels used in any watercourse in the city, and to fix and collect a license tax thereon.

29. Ferry Licenses: To license ferries and toll bridges under the law regulating the granting of such licenses.

30. Penalty for Violation of Ordinances: To determine and impose fines for forfeitures and penalties that shall be incurred for the breach or violation of any city ordinance, notwithstanding that the act constituting a violation of any such ordinance may also be punishable under the state laws, and also a

violation of the provisions of the charter, when no penalty is affixed thereto or provided by law, and to appropriate all such fines, penalties and forfeitures for the benefit of the city; but no penalty to be enforced shall exceed for any offense the amount of Five Hundred Dollars or three months' imprisonment or both; and every violation of any lawful order, regulation or ordinance of the City Council of the city is hereby declared a misdemeanor or public offense, and all prosecutions for the same may be in the name of the State of Washington.

31. Police Department: To create and establish a city police; to prescribe their duties and their compensation and to provide for the regulation and government of the same.

32. Elections: To provide for conducting elections and establishing election precincts when necessary, to be as near as may be in conformity with the state law.

33. Examine Official Accounts: To examine, either in open session or by committee, the accounts or doings of all officers or other persons having the care, management or disposition of moneys, property or business of the city.

34. Contracts: To make all appropriations, contracts or agreements for the use or benefit of the city and in the city's name.

35. Streets and Sidewalks:* To provide by ordinance for the opening, laying out, altering, constructing, extending, repairing, grading paving, planking, graveling, macadamizing, or otherwise improving of public streets, avenues, and other public ways, or any portion of either thereof; and for the construction, regulation and repair of sidewalks and other street improvements, all at the expense of the property to be benefited thereby without any recourse, in any event, upon the city for any portion of the expense of such work, or any delinquency of the property holders or owners, and to provide for the forced sale thereof for such purposes; to establish a uniform grade for streets, avenues, sidewalks and squares, and to enforce the observance thereof.

* Statutory provisions—See RCW Chapter 35.68.

36. Waterways:** To clear, cleanse, alter, straighten, widen, fill up or close any waterway, drain or sewer or any watercourse in such city when not declared by law to be navigated and to assess the expense thereof, in whole or part, to the property specially benefited.

** Statutory provisions—See RCW Chapter 35.56.

37. Sewerage:*** To adopt, provide for, establish and maintain a general system of sewerage, draining, or both, and the regulation thereof; to provide funds by local assessments on the property benefited for the purpose aforesaid and to determine the manner, terms and place of connections with main or central lines of pipes, sewers, or drains established, and compel compliance with and conformity to such general system of sewerage or drainage, or both, and the regulations of said council thereto relating, by the infliction of suitable penalties and forfeitures against persons and property, or either, for nonconformity to, or failure to comply with the provisions of such system and regulations, or either.

*** Statutory provisions—See RCW Chapter 35.67.

38. Buildings and Parks: To provide for all public buildings, public parks, or squares, necessary or proper for the use of the city.

39. Franchises: To permit the use of the streets for railroad and other public service purposes.

40. Payment of Judgment: To order paid any final judgment against the city, but none of its lands or property of any kind or nature, taxes, revenue, franchise, or rights, or interest, shall be attached, levied upon or sold in or under any process whatsoever.

41. Weighing of Fuel: To regulate the sale of coal and wood in the city, and may appoint a Measurer of Wood and Weigher of Coal for the city, and define his duties, and may prescribe his term of office, and the fees he shall receive for his services; Provided, that such fees shall in all cases be paid by the parties requiring such service.

42. Hospitals, etc.: To erect and establish hospitals and pest houses and to control and regulate the same.

43. Waterworks: To provide for the erection, purchase or otherwise acquiring of waterworks within or without the corporate limits of the city to supply the city and its inhabitants with water, and to regulate and control the use and price of the water so supplied.

44. City Lights: To provide for lighting the streets and all public places of the city and for furnishing the inhabitants of the city with gas, electric or other light, and for the ownership, purchase or acquisition, construction, or maintenance of such works as may be necessary or convenient therefor: Provided, however, that no purchase of any such water plant or light plant shall be made without first submitting the question of such purchase to the electors of the city.

45. Parks: To acquire by purchase, or otherwise, land for public parks within or without the limits of the city, and to improve the same.

46. Bridges: To construct and keep in repair bridges, and to regulate the use thereof.

47. Power of Eminent Domain: In the name of and for the use and benefit of the city, to exercise the right of eminent domain, and to condemn lands and property for the purpose of streets, alleys, parks, public grounds, waterworks or for any other municipal purpose and to acquire by purchase or otherwise, such lands and property as may be deemed necessary for any of the corporate uses provided for by this act, as the interests of the city may from time to time require.

48. To provide for the Assessment of Taxes: To provide for the assessment, levying and collecting of taxes on real and personal property for the corporate uses and purposes of the City and to provide for the payment of the debts and expenses of the corporation.

49. Local Improvements:* To provide for making local improvements, and to levy and collect special assessments on the property benefited thereby and for paying the same or any portion thereof; to determine what work shall be done or improvements

made, at the expense, in whole or in part, of the adjoining, contiguous or proximate property, and to provide for the manner of making and collecting assessments therefor.

* Statutory provisions—See RCW Chapters 35.43, 35.44, 35.45, 35.48, 35.49, 35.50 and 35.53, 35.54, 35.55 and 35.56

50. Cemeteries: To regulate the burial of the dead and to establish and regulate cemeteries, within or without the corporate limits, and to acquire lands therefor by purchase or otherwise.

51. Fire Limits: To establish fire limits with proper regulations and to make all needful regulations for the erection and maintenance of buildings or other structures within the corporate limits as safety of persons or property may require, and to cause all such buildings and places as may from any cause be in a dangerous state to be put in a safe condition; to regulate the manner in which stone, brick and other buildings, party walls and partition fences shall be constructed and maintained, and to provide for the establishment of a zoning system within the city.

52. Safety and Sanitary Measures: To require the owners of public halls, theaters, hotels and other buildings to provide suitable means of exit and proper fire escapes; to provide for the cleaning and purification of watercourses and canals and for the draining and filling up of ponds on private property within its limits when the same shall be offensive to the senses or dangerous to the health, and to charge the expense thereof to the property especially benefitted, and to regulate and control and provide for the prevention and punishment of the defilement or pollution of all streams running in or through its corporate limits and a distance of five miles beyond its corporate limits, and of any stream or lake from which the water supply of the city is or may be taken and for a distance of five miles beyond its source of supply, and to make all quarantine and other regulations as may be necessary for the preservation of the public health and to remove all persons afflicted with any contagious disease to some suitable place to be provided for that purpose.

53. To establish Streets on Tide Lands: To project or extend or establish streets over and across any tide lands within the limits of the city.

54. To provide for the General Welfare.

55. Airports and Aviation Fields: To acquire, hold, maintain and operate air ports and aviation fields.

56. Group Insurance: The Council may provide for group insurance covering the employees of the city on such terms and conditions and in such amount as may be prescribed by ordinance.

Sec. 38. FRANCHISES. No ordinance granting a franchise or any valuable privilege in the city shall be passed on the day of its introduction, nor for thirty days thereafter, nor until such ordinance shall have been published in at least one issue of the official newspaper of the city and after such publication such proposed ordinance shall not thereafter and before its passage be amended in any particular where the amendment shall impose terms, conditions or privileges less favorable to the city than the proposed ordinance as published, but amendments favorable to the city may be made at any time and after publication. Such publication shall be at the expense of the applicant: Provided, that an ordinance granting a franchise to lay a spur, railroad track or tracks, connecting manufacturing plants, warehouses or other private property with the main line of railroad, need not be published before the same be passed by the Council. No franchise or valuable privilege shall be created or granted by the City Council otherwise than by ordinance, and the passage of any such ordinance shall require the affirmative vote of two-thirds of the Councilmen elected. All publications of ordinances granting a franchise, both before and after passage, shall be made at the expense of the applicant or grantee. Where an ordinance granting a franchise or valuable privilege is sought to be amended after the same shall have been in force, the provisions of this section as to publication before final action upon such amendment shall apply as in cases of proposed ordinances granting original franchises.

Sec. 39. EXCLUSIVE FRANCHISE TO BE GRANTED. No exclusive franchise or privilege shall be granted for the use of any street, alley or highway, or any other public place or any part thereof.

Sec. 40. NO INVALID CLAIMS TO BE ALLOWED. The City Council of the city shall never allow, make valid or in any manner recognize any demand against the city which was not at the time of its creation a valid claim against the same, nor shall it authorize to be paid any demand which without such action would be invalid, or which shall then be barred by any statute of limitation or for which the city was never liable, and any such action shall be void.

Sec. 41. CLAIMS FOR DAMAGES. All claims for damages against the city must be filed with the City Comptroller within thirty days after the time when such claim for damages accrued. No action shall be maintained against the city for any claim for damages until sixty days have elapsed after such presentation. The allowance of any and all damage claims against the city shall be by ordinance and not otherwise.

Sec. 42. EIGHT HOURS TO CONSTITUTE A DAY'S WORK. In all public work done by or for the city, either by day's work or by contract, eight hours shall constitute a day's work, and no employee of the city on city work, or of any contractor or subcontractor on said work shall be required to work longer than eight hours in any calendar day, excepting in case of extraordinary emergency.

Sec. 43. MINIMUM WAGE. Every contractor, subcontractor or city officer performing any work for the city upon streets, public places or public property, shall pay or cause to be paid to his employees on such work not less than the current rate of wages paid for work of like character; said contractor and subcontractor shall on such work give preference to resident laborers, honorably discharged

war veterans and citizens of the United States who are heads of families. This article shall be enforced by the City Council, and the violation of any of the provisions of this section by any contractor or subcontractor shall be sufficient ground for forfeiture of his contract.

Sec. 44. PUBLIC WORKS. No work shall be done by the city or any departments, officers or employees thereof on any legal holiday or Sabbath day by way of construction or extension of any public work, nor shall any work be done on any such day, or between seven o'clock p.m., of any day or six o'clock a.m., of the following day, by any corporation, or other persons, by way of construction, extension or removal of any structure upon, over, under or along any street, alley or public place within the city or under the control of the city, except in case of emergency.

Sec. 45. CIVIL SERVICE. It shall be mandatory upon the City Council as soon as practicable after the adoption of this Charter to adopt and put into force in the city, a system of civil service covering whatever department of the city government which the council wishes to designate; Provided, that no employee can be brought under the civil service system or have recourse to the civil service system unless and until he be employed by the city for at least two years.

Sec. 46. PUBLIC WORKS—HOW CONTRACTED FOR. In the erection, improvement and repair of all public buildings and works, in all street and sewer work and in all extensions of the water mains and improvements of the water system, lighting plant, or power plant, and in all work in or about streams, bays or waterfronts, or in or about embankments or other works for protection against overflow and in draining and filling lowlands, and in furnishing any supplies and materials for the same, when the expenditure required for the same exceeds in the sum of Two Thousand Five Hundred (\$2,500.00) Dollars, the same shall be done by contract and shall be let to the lowest responsible

bidder, after due notice under such regulations as may be prescribed by ordinance: Provided, that the City Council may reject all bids presented and re-advertise in their discretion, or, if in the judgment of the council, such work can be performed, or supplies or materials furnished by the city independent of contract, cheaper than under the lowest bid submitted, it may, after having so advertised and examined the bids, cause such work to be performed or supplies or materials to be furnished independent of contract. The City Council shall annually, at a stated time, contract for doing all city printing and advertising, which contract shall be let to the lowest bidder, after due notice, as provided in this section. All advertising shall be done in a newspaper in such city, and the contract therefor shall be awarded separately from all other printing: Provided, the requirements of this section as to calling for bids shall not apply to any labor by crew work of any department of the city or for materials for any department in case of actual emergencies. (Amended in the General Election of Nov. 4, 1969).

Sec. 47. VACANCIES. When a vacancy occurs, in the office of the Mayor by reason of the death, resignation or disability of the Mayor, the City Council shall elect a Mayor to fill the vacancy, who shall serve until the next general municipal election. In case of a vacancy in the City Council, the remaining members of such City Council shall by election fill the vacancy. In case a vacancy shall occur in any other elective office, such vacancy shall be filled by appointment made by the Mayor and confirmed by the Council in the same manner as other appointments are made, except as to those elective officers which are herein otherwise provided for.

Sec. 48. EMINENT DOMAIN. The right of eminent domain is hereby extended to the city for the condemnation of lands and other property, either within or without the corporate limits of the city, for any and all corporate purposes and every such city shall have the right to appropriate real estate or other property, either within or without the corporate

limits of the city, and for any and all municipal purposes, in the same manner and under the same procedure as now is or may hereafter be provided by law in cases of other corporations authorized by the laws of the State of Washington to exercise the right of eminent domain; Provided, that this section shall be construed as a concurrent and cumulative power, conferred on the city and shall not be construed as in anywise repealing or affecting any law now in force conferring the power of eminent domain and the right to appropriate property in the city.

Sec. 49. POWER AND WATER. The city shall have power to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate waterworks within or without its limits, for the purpose of furnishing the city and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes, public and private, including water power and other power derived therefrom, with full power to control the use, disposition and price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants and facilities for the purpose of furnishing the city and the inhabitants thereof, or any other person, with electricity and other means of power and facilities for lighting, heating, fuel and power purposes, public and private, with full authority to regulate and control the use, distribution and price thereof, together with the right to handle and sell or lease any meters, lamps, motors, transformers and equipment or accessories of any and every kind necessary and convenient for the use, distribution and sale thereof; to purchase, such electricity or power from others, either within or without the city, for its own use, or for the purpose of selling to its inhabitants and to others doing business within the city or without the city, and to regulate and control the use and price thereof.

Sec. 50. TAX LEVIES. The city shall have power through its Council to levy and collect annually a property tax for the payment of outstanding warrants and also for the purpose of providing funds

for the payment of interest on, and for the creation of sinking funds for all outstanding bonded indebtedness, and in addition thereto, the city shall have the power to levy and collect annual taxes for the payment of current expenses not exceeding eighteen mills on the dollar of assessed valuation. In addition to the levy above provided for the city may levy annually such necessary amount as provided by law, for Library purposes, one mill for Park purposes and one-half mill for Publicity purposes to advertise and exploit the advantages of the city and to promote its growth in population and new industries. The usage and system now in force of having a "Current Expense Fund" in the administration of the financial affairs of the city is preserved and continued in force and carried forward into this Charter and the system is hereby established under this Charter; accordingly there shall be maintained a fund designated as the "Current Expense Fund". All moneys collected from taxes and licenses shall be paid into the "Current Expense Fund". Warrants drawn on the "Current Expense Fund" shall continue to be issued and paid in numerical order as heretofore.

Sec. 51. MEETINGS OF THE COUNCIL. The City Council of the city shall hold regular meetings, the time and place of meeting to be prescribed by ordinance, which regular meetings of the Council shall not be oftener than once a week nor less frequent than every two weeks, but nothing herein contained shall prevent the City Council from holding special meetings at any time. No ordinance shall be valid unless the same be passed at a regular meeting of the Council. No claims shall be allowed against the City by the Council, nor shall the City Council order any warrant drawn except at regular meetings of the Council. No resolution or order for the payment of money shall be passed at any time other than at a regular meeting of the Council.

Sec. 52. POLICE COURT—ESTABLISHMENTS. A Police Court is hereby established, with such jurisdiction as is now or may hereafter be provided by law, and which court shall always be open for business except on non-judicial days.

Sec. 53. MAY FILL LOWLANDS—SPECIAL ASSESSMENT.* The City of Aberdeen, by the adoption of this Charter by its advancement from a second class to a first class city shall retain the power and authority conferred on second class cities to fill or raise grade or elevation of any marsh land, swamp land, tide land, shore land and land commonly known as tide flats or any other low lands situated within its limits and to advance the costs and expenses incidental to such improvement all as provided in Sections 9432 to 9470, inclusive, of Remington's Compiled Statutes of Washington, 1922 and Acts amendatory thereof, and the city shall have full power and authority to fill such low lands and to assess the cost and expense thereof to the property benefited, all as provided in such Statutes and all of the ordinances of the City of Aberdeen relating to that subject shall be continued in full force and effect until repealed or modified by action of the Mayor and City Council, notwithstanding the adoption of this Charter, and the said statutes Secs. 9432 to 9470, Remington's Compiled Statutes of Washington, 1922, being Chapter No. 147 Session Laws of Washington, for the year 1909 and Acts Amendatory thereof shall have the same force and effect as in such statutes where incorporated in and formed part of this Charter.

* Statutory provisions—RCW Chapter 35.55.

Sec. 54. In order that no inconvenience may arise by reason of a change of the form of a city government, as city of the second class to a city of the first class, it is hereby declared and ordained that no existing right, proceeding or contract shall be affected by the change and that all shall continue as if no such change had taken place. All ordinances of the city now in force which are not repugnant to this Charter shall remain in force until they expire by their own limitation or are altered or repealed by the Council. The provisions of this Charter shall be in force as soon as the returns of the election at which this Charter is submitted to a vote of the people are canvassed and the results determined and certified by the proper officers. If it be found that the neces-

sary constitutional majority of the voters voted in favor of the adoption and ratification of this Charter, notwithstanding the going into effect of this Charter as aforesaid, all elective officers of the city shall continue to hold office and to perform the functions and duties of their respective offices until their successors are elected and qualified under this Charter. All other officers of the city shall continue in office and function as such during the interim.

Sec. 55. PLANNING COMMITTEE.** The Mayor, with the consent of the Council, shall appoint at intervals of every two years, a standing committee of seven progressive active and representative citizens interested in the city's future, whose term of office shall be two years and who shall serve without compensation. It shall be the duty of this committee to make a study and formulate plans and ideas and recommend legislation for the growth and development of the city and for the general welfare and from time to time to make reports and recommendations to the Mayor and the Council.

** Statutory provisions—See RCW Chapter 35.63.

Sec. 56. INITIATIVE. The people shall always have the right to initiate any measure or ordinance upon a petition of 25% of the qualified registered voters of the city, voting at the last preceding general municipal election. Any such ordinance or measure may be initiated by filing such ordinance or measure with the City Comptroller, together with such petition of 25% of the qualified registered voters as aforesaid, not less than 60 days before the general municipal election, whereupon the City Comptroller shall check the signers to the petition and if such petition is found to contain the requisite number of signatures of qualified registered voters of the city, the measure or ordinance so initiated must be placed on the ballot for the people to approve or reject at the next general municipal election.

Sec. 57. CHARTER AMENDMENTS. Upon a vote of nine Councilmen, or upon a petition of 15%

of the qualified registered voters of the city, voting at the last preceding general municipal election, any amendment to this Charter shall be submitted to the people for their rejection or approval at the next following general municipal election, and when approved by a majority of the voters voting upon such proposition, such amendment shall become a part of the Charter.

Sec. 58. BONDS. Subject to the limitations prescribed by the Constitution and Statutes of the State of Washington, the city shall have power to borrow money for corporate purposes, on the credit of the city, and to issue negotiable bonds therefore, such bonds to be serial in form and maturity and numbered from one upward consecutively. The various annual maturities shall commence with the second year after the date of issue of such bond, and shall as nearly as practicable be in such amount as will together with the interest on outstanding bonds be met by an equal annual tax levy for the payment of said bonds and interest; Provided, however, that only bond number one, of any issue, shall be of a denomination other than a multiple of \$100.00. Interest upon all such bonds shall be payable either annually or semi-annually, as may be prescribed by ordinance, and the rate of interest, date of maturity, manner of sale of such bond, detail conditions and the manner of issue, shall be as may be prescribed by ordinance.

STATE OF WASHINGTON)
) ss.
COUNTY OF GRAYS HARBOR,)

We, the undersigned, freeholders of the City of Aberdeen, elected at the special election held in said City of Aberdeen on the 28th day of May, 1929, under the provisions of the Constitution and Laws of the State of Washington for advancing from a city of the second class to a city of the first class, to prepare a charter for said city, do hereby certify

that the foregoing charter has been prepared by us and is hereby submitted as a charter for said city.

IN WITNESS WHEREOF, We have hereunto set our hands this 11th day of October, 1929.

E.E. BONER,
W.O. McCAW,
H.E. BAILEY,
ANDREW WINBERG,
S.C. WATKINS,
E.G. HUNT,
JERRY A. McGILLICUDDY,
MALCOLM M. STEWART,
J.W. CLARK,
R.V. MACK,
R.A. WILEY,
JOHN C. HOGAN,
NOEL G. LOWRY,
ROGAN JONES,
A. EMERSON CROSS.

CHARTER AMENDMENT NO. 1.

The City Treasurer and the City Comptroller shall each receive an annual salary of \$2,250.00 per year, to be paid in monthly installments.

Adopted by a vote of the people December 2, 1933.

CHARTER AMENDMENT NO. 2.

The City Comptroller and City Treasurer shall receive such salary as may be fixed by the Council by ordinance in a sum not less than \$2,250.00 nor more than \$3,000.00 per annum to be paid in equal monthly installments.

Adopted by a vote of the people December 2, 1939.

CHARTER AMENDMENT NO. 3.

The City Comptroller and the City Treasurer shall receive such salaries as may be fixed by the Council by ordinance in the sum of not less the \$2,700.00 nor more than \$3,600.00 per annum to be paid in equal monthly installments.

Adopted by a vote of the people December 4, 1943.

CHARTER AMENDMENT NO. 4.

The City Comptroller and the City Treasurer shall each receive such salary as may be fixed by the Council by ordinance in a sum of not less than \$3,600.00 nor more than \$4,500.00 per annum to be paid in equal monthly installments.

Adopted by a vote of the people December 6, 1947.

CHARTER AMENDMENT NO. 5.

Requirement of Section 46 of the City Charter shall be that public works shall be done by contract and shall be let to the lowest responsible bidder if the expenditure for same exceeds the sum of \$1,500.00.

Adopted by vote of the people March 14, 1950.

CHARTER AMENDMENT NO. 6.

The City Comptroller and the City Treasurer shall each receive such salary as may be fixed by the Council by ordinance in a sum not less than \$4,500.00 nor more than \$5,700.00 per annum to be paid in equal monthly installments.

Adopted by vote of the people March 10, 1953.

CHARTER AMENDMENT NO. 7.

The requirement of Section 46 of the City Charter that public works shall be done by contract and shall be let to the lowest responsible bidder, shall not apply unless the expenditure required for the same exceeds the sum of \$2,500.00.

Adopted by vote of the people November 4, 1969.

CHARTER AMENDMENT NO. 8.

Referendum.

(1) The registered electors of the city may propose the repeal of any ordinance, or sections thereof, relating to matters within the legislative, as distinguished from administrative, powers of the city as a corporate entity. Notwithstanding the above classification, no ordinance, or sections thereof, shall be referred relating to the annual budget or the capital expense budget, making or repealing any appropriation, fixing the salaries or wages of officers or employees, zoning and land use, authorizing or repealing the levy of taxes, or any repealing ordinance adopted by the council in compliance with the referendum petition. The fact that the ordinance is already in effect shall not bar the referendum procedure.

(2) An ordinance shall be referred by filing with the city clerk no later than forty-five days following the final publication of the ordinance, a petition signed by a number of registered electors equal to at least twenty-five percent of the total number of persons voting at the last preceding regular municipal election. All sheets constituting such petition shall be uniform in character; shall contain the proposed ordinance in full; shall contain the names and residence addresses of five registered electors, who as a committee of the petitioners, shall be regarded as responsible for the circulation and filing of the petition; and shall set forth the residence address of each person signing.

(3) Within fifteen days after receiving a referendum petition, the city clerk shall determine whether it has sufficient valid signatures. If insufficient, the petition shall fail. If sufficient, the petition shall be submitted forthwith to the council and the operative effect of the ordinance, or sections thereof, to which the petition pertains shall be deemed suspended.

(4) Within thirty days after receiving the referendum petition from the city clerk, the council shall repeat the ordinance, or sections thereof, or shall order it submitted to popular vote at a special election to be held within sixty days of receipt by the council; but if any other municipal election is to be held within ninety days after receipt by the council, the proposed referendum shall be voted upon at such election.

(5) If the majority of the registered electors voting on the referred ordinance shall vote for repeal of the ordinance, or section thereof, it, or such sections thereof, shall be repealed upon certification of the election results. Otherwise the referendum shall fail and the ordinance, or section thereof, shall be deemed restored to effect.

(6) An ordinance, or sections thereof, repealed by the council because of a referendum petition, or repealed by a referendum vote of the people, may not be re-enacted by the council within one year of the effective date of such repeal. This subsection shall not apply to an ordinance, or sections thereof, referred to the voters by the council.

Adopted by a vote of the people November 4, 1969.

CHARTER AMENDMENT NO. 9.

Shall the Board of Park Commissioners as established by the Charter of the City of Aberdeen be increased from its present three members to a minimum of five members, appointed by the Mayor with the consent of the City Council.

Adopted by a vote of the people November 3, 1970.

CHARTER AMENDMENT NO. 10.

Section 10 of the Aberdeen City Charter shall be amended to read as follows:

Section 10. Official Bonds. All official bonds shall be prescribed by Ordinance by the City Council. All official bonds shall be approved by the City Council, and when so approved, shall be filed with the Comptroller, except the bond of the Comptroller which shall be filed with the Mayor. All provisions of any law of this State relating to official bonds of officers shall apply to such bonds except as herein otherwise provided. No City officer shall be eligible as a surety upon any bond running to the City as obligee. The City Council shall have power, whenever by it deemed expedient, to require a new or additional official bond of any officer.

Adopted by a vote of the people November 9, 1976.

CHARTER AMENDMENT NO. 11.

Section 12, of the Aberdeen City Charter shall be amended to read as follows:

Section 12. Officers Shall Not Be Interested In Contracts. The laws of the State of Washington forbidding the transaction of business by municipal officers in conflict with the proper performance of their duties in the public interest shall apply to municipal officers of the City of Aberdeen.

Adopted by a vote of the people November 9, 1976.

CHARTER AMENDMENT NO. 12.

Section 41 of the Aberdeen City Charter shall be amended to read as follows:

Section 41. Claims For Damages. Claims for Damages against the City of Aberdeen shall be submitted and governed in accordance with the laws of the State of Washington.

Adopted by a vote of the people November 9, 1976.

CHARTER AMENDMENT NO. 13.

Section 46 of the Aberdeen City Charter shall be amended to read as follows:

Section 46. Public Works—How Contracted For. The erection, improvement and repair of all public buildings and works, and all street and sewer works and in all extensions of the water mains and improvement of the water system, lighting plant, or power plant, and in all work in or about streams, bay or water fronts, or in or about in embankments or other works for protection against overflow and in draining in filling lowlands, and in furnishing any supplies and materials for the same, when it appears that the probable cost of executing such work will exceed the amount established by State law requiring publication in bidding for public works, the same shall be done by contract and shall be let to the lowest responsible bidder, after due notice under such regulation as may be prescribed by Ordinance provided that the City Council may reject all bids presented and readvertise in their discretion, or, if in the judgment of the Council, such work may be performed, or supplies or materials furnished by the City independent of contract, cheaper than under the lowest bid submitted, it may, after having so advertised and examined the bids, cause such work to be performed or supplies or materials to be furnished independent of contract. The City Council shall annually, at a

stated time, contract for doing all City printing and advertising which contract shall be let to the lowest bidder after due notice, as provide, in this Section. All advertising, shall be done in a newspaper in such City, and the contract therefore shall be awarded separately from all other business: Provided, the requirements of this Section as to the calling, for bids shall not apply to any labor by crew work of any department of the City or for material for any department in case of actual emergencies.

Adopted by a vote of the people November 9, 1976.

CHARTER AMENDMENT NO. 14.

Section 2 of the Aberdeen City Charter shall be amended to read as follows:

Section 2. Officers. The elective officers of the City, shall consist of a Mayor, twelve Councilmen, two from each ward, City, Treasurer and City Comptroller, who shall be ex officio City Clerk. The Mayor, Treasurer and Comptroller shall be nominate, and elected by the voters of the City at large and the Councilmen by the respective Wards.

The appointive officers of the city shall consist of a Corporation Counsel, Fire Chief, City Engineer, Chief of Police, Police Judge, Water Superintendent, Building Inspector, Street Commissioner, Health Officer and the incumbents of such other offices as may from time to time be created by ordinance. The Corporation Counsel, Fire Chief, City Engineer, Chief of Police, Police Judge, Water Superintendent, Building Inspector, Street Commissioner and Health Officer shall be appointed by the Mayor and confirmed by the City Council. All city officers enumerated in this section shall hold office for the term of two years and until their successors are elected and qualified with the exceptions of the Fire Chief and Chief of Police who shall be owner the City's

Civil Service system following their qualification for office. The elective officers shall take office on the first Monday of January following their election. The appointive officers shall take office upon their qualifying after their appointment and confirmation by the Council.

Adopted by a vote of the people November 4, 1980.

CHARTER AMENDMENT NO. 15.

Section 2 of the Aberdeen City Charter, as amended by Charter Amendment 14, shall be amended to read as follows:

Section 2. Officers. The elective officers of the City shall consist of a Mayor and twelve Councilmembers, two from each ward. The Mayor shall be nominated and elected by the voters of the City at large and the Councilmembers by the respective wards.

The appointive officers shall consist of a Finance Director, Corporation Counsel, Fire Chief, City Engineer, Chief of Police, Police Judge, Water Superintendent, Building Inspector, Street Commissioner, Health Officer and the incumbents of such other offices as may from time to time be created by ordinance. The Finance Director, Corporation Counsel, Fire Chief, City Engineer, Chief of Police, Police Judge, Water Superintendent, Building Inspector, Street Commissioner and Health Officer shall be appointed by the Mayor and confirmed by the City Council. All city officers enumerated in this section shall hold office for the term of two years and until their successors are elected and qualified with the exceptions of the Fire Chief and the Chief of Police who shall be under the City's Civil Service system following their qualification for office. The elective officers shall take office on the first Monday of January following their election. The appointive officers shall take office upon

their qualifying after their appointment and confirmation by the Council.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 16.

There shall be a new provision to the Aberdeen City Charter which shall read as follows:

Section 59. Duty of Finance Director. It shall be the duty of the Finance Director to receive and safely keep and account for all moneys belonging to the city from whatever source derived, including water collections; to place the same to the credit of the different funds to which they properly belong; to disburse said money by direction of the City Council and in accordance with the provisions made by them under the provisions of this Charter, to make a report monthly to the City Council of the condition of the treasury. The Finance Director shall serve as city clerk and shall keep the corporate seal and all official papers and documents belonging to the City; to attend meetings of the City Council and to keep a journal of their proceedings and records of all their resolutions and ordinances; to sign all warrants and licenses issued in pursuance of the orders and ordinances of the City Council and to affix the corporate seal on such licenses; to sign all deeds, leases, contracts, bonds and other documents when authorized by the Council; to act as general city auditor to all departments and officers, and to keep a check upon all budget expenditures and warrants; to keep an account of all licenses issued and to perform such other duties and tasks as may be required by the provisions of this Charter, or by ordinance.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 17.

Section 10 of the Aberdeen City Charter, as amended by Charter Amendment No. 10, shall be amended to read as follows:

Section 10. Official Bonds. All official bonds shall be prescribed by ordinance by the City Council. All official bonds shall be approved by the City Council, and when so approved, shall be filed with the Finance Director, except the bond of the Finance Director which shall be filed with the Mayor. All provisions of any law of this state relating to official bonds of officers shall apply to such bonds except as herein otherwise provided. No city officer shall be eligible as a surety upon any bond running to the City as obligee. The City Council shall have power, whenever by it deemed expedient, to require a new or additional official bond of any officer.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 18.

Section 27 of the Aberdeen City Charter shall be amended to read as follows:

Section 27. Deputies. Appointment of. The Corporation Counsel and the Finance Director may each, with the approval of the City Council only, appoint such deputies as may be necessary. Each deputy so appointed shall receive for his or her services compensation to be fixed by the City Council. The principals shall each be responsible for the acts of the deputy, and may revoke the appointments at pleasure.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 19.

Section 33 of the Aberdeen City Charter shall be amended to read as follows:

Section 33. Ordinances—Approval—Evidence. Ordinances shall be passed by the City Council and approved by the Mayor or the President of the Council while acting in place of the Mayor. But before any ordinance shall take effect it shall be published in the official newspaper of the city. A certified copy of any ordinance certified to by the Finance Director, as City Clerk, or a printed copy of any ordinance or compilation printed by authority of the City Council and attested to by the Finance Director, as City Clerk, shall be competent evidence in any court.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 20.

Section 56 of the Aberdeen City Charter shall be amended to read as follows:

Section 56. Initiative. The people shall always have the right to initiate any measure or ordinance upon a petition of 25% of the qualified registered voters of the city voting at the last preceding general municipal election. Any such ordinance or measure may be initiated by filing such ordinance or measure with the Finance Director, together with such petition of 25% of the qualified registered voters as aforesaid, not less than 60 days before the general municipal election, whereupon the Finance Director shall check the signers to the petition and if such petition is found to contain the requisite number of signatures of qualified registered voters of the city, the measure or ordinance indicated must be placed on the ballot for the people to approve or reject at the next general municipal election.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 21.

Sections 14 and 15 of the Aberdeen City Charter are hereby repealed.

Adopted by a vote of the people November 2, 1982.

CHARTER AMENDMENT NO. 22.

Section 37, § 30 of the Aberdeen City Charter shall be amended to read as follows:

30. Penalty for Violation of Ordinances: To provide for the punishment of all disorderly conduct, and of all practices dangerous to public health or safety, and to make all regulations necessary for the preservation of public morality, health, peace, and good order within limits, and to provide for the arrest, trial, and punishment of all persons charged with violating any of the ordinances of the City. The punishment shall not exceed the maximum punishment allowed by State law for violation of such ordinances of first class cities.

Adopted by a vote of the people November 6, 1985.