

**Substitute Amendment No. C-10 – as Amended May 18, 2016, and June 1, 2016**

Sponsored by Commissioner David Perry

**Section 5.70 -- Referendum Procedures**

(1) Any legal voter, or organization of legal voters of Pierce County may file a referendum proposal against any enacted ordinance, or portion thereof, with the filing officer within 15 days after the ordinance is passed by the Council.

(2) Within five days, excluding Saturday, Sunday, and holidays the filing officer shall confer with the petitioner to review the proposal as to form and style. The filing officer shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The filing officer shall then transmit a copy of the proposal to the Prosecuting Attorney, who within ~~ten~~ 15 business days after receipt thereof shall formulate a concise statement, posed as a positive question, not to exceed 20 words, which shall express and give a true and impartial statement of the measure being referred. Such concise statement will be the ballot title. Also within the same 15-day period, the Prosecuting Attorney or designee shall notify the petitioner if, in the Prosecutor's opinion, the referendum is not legal.

(3) The petitioner then has 120 days to collect the signatures of registered voters of the County equal in number to not less than 8 percent of the number of votes cast in the County in the last Executive election. Each petition shall contain the full text of the measure being referred and the ballot title. The filing officer shall verify the sufficiency of the signatures on the petition, and if it is validated, submit the measure to the people at the next general election that is not less than 120 days after the registering of the petition.

(4) Should the County file a legal challenge to any referendum and the court determine that the referendum filer is the prevailing party, the referendum filer may, in the discretion of the court, be entitled to reasonable attorney's fees incurred in defending the challenge. The 120-day signature gathering period is tolled (suspended) for up to 45 days while awaiting the outcome of the legal challenge.

~~(45)~~ The County Council may establish, by Ordinance, a referendum filing fee not to exceed the amount imposed by the State for each referendum filed.

(Amendment No. 35 proposed by Ordinance No. 2007-66, Approved November 6, 2007; Originally Adopted November 4, 1980)