THE CHARTER OF THE CITY OF SEATTLE.—Continued.

municipal, county, district or state officer after the year one thousand eight hundred and ninety-six.

Sec. 6. No change in the boundary of any ward shall operate to abolish any office or exclude any councilman or other city officer from office, before the expiration of the term for which the incumbent was elected or appointed.

ARTICLE III.

Distribution of Government.

Section 1. The government of the city of Seattle shall be divided into fourteen departments and no more, that is to say:

1. The Legislative Department.
2. The Executive Department.
3. The Clerical Department.
4. The Department of Police.
5. The Department of Public Works.
6. The Department of Finance.
7. The Department of Sanitation.
8. The Fire Department.
9. The Harbor Department.
10. The Department of Parks.
11. The Library Department.
12. The Law Deparment.
13. The Judicial Department.
14. The Civil Service Department.

Sec. 2. The said departments, with the exception of the Judicial, shall be constituted as provided in Articles IV., V., VI., VII., VIII., IX., X., XI., XII., XIII., XIV., XV. and XVI. of this charter, subject to such changes only as are in this charter expressly authorized.

Sec. 3. The Mayor shall be deemed the head of the Executive Department, the president of the city council shall be deemed the head of the Legislative Department, the Librarian shall be deemed the head of the Library Department, and the members of the commissions or boards created by this charter, and the principal unsubordinated officers in departments wherein there is no commission or board constituted by this charter shall be deemed heads of their respective departments, but no head of department shall have or exercise any power or authority not provided for elsewhere in this charter. Official communications between different departments, except as in this charter otherwise provided, shall be through the heads of departments.

ARTICLE IV.

The Legislative Department.

Section 1. All legislative power of the City of Seattle shall be vested in a mayor and a city council.

Sec. 2. Except as otherwise in this charter provided, the city council shall consist of one member from each ward of the said four members elected from the city at large.

Sec. 3. Subdivision A. At the general municipal election in the year 1898 and at each general municipal election thereafter, there shall be elected by the electors of each ward of the city one councilman who shall hold office for a period of two years, and by the electors of the city at large two councilmen-at-large, each of whom shall hold office for a period of four years.

Subdivision B. Until the election in the year 1898, and the organization of the city council thereupon in pursuance of the provisions of Subdivision A of this Section, the city council shall consist of thirteen members and be composed as follows: The nine men who are elected members of the house of delegates at the general municipal election in the year 1896 shall be members of the city council created by this charter, and each shall serve for a period of two years, and of the five persons who are elected at the general municipal election in the year 1896 members of the board of aldermen, the four who respectively receive the highest vote shall be the other four members of the city council created by this charter, and the two of them who respectively receive the highest vote shall serve for the period of four years, and the other two for a period of two years. In case of a tie vote, the outgoing council shall in joint convention determine the election or length of term (by lot). The qualifications of the members elected in 1896 shall be such as prescribed for them respectively by the charter which is superseded hereby. Until the organization of the city council under the foregoing provisions of this Subdivision, the city council shall be constituted and composed as it is constituted and composed at the time of the adoption of this charter, and each house of it shall be governed by and have and exercise the powers granted it by the charter of the city of Seattle which was in force on the first day of January, 1896.

Subdivision C. Each member of the city council shall receive an annual salary of three hundred dollars, payable monthly. A deduction of five dollars for each absence shall be made from the salary of each member who shall be absent from any regular meeting of the city council.

Sec. 4. Except as otherwise provided in Section 3 of this Article, no person shall be eligible for councilman unless he shall have been a citizen of the United States and a resident and elector of the city for at least four years next prior to his election; and no person shall be eligible for election by the electors of any ward unless, in addition to the above requirements, he shall have been a resident of the ward from which he is elected and a freeholder of the city for at least two years next prior to his election.

Sec. 5. A majority of all members elected shall constitute a quorum, but a less number may adjourn from day to day, or till the time of the next regular meeting, and may compel the attendance of absent members in such manner and under such penalties as the council shall prescribe.

Sec. 6. The city council shall—

First—Annually, and also whenever a vacancy occurs, choose from its members its president, who shall perform the usual functions of a presiding officer, and may be removed by the affirmative vote of not less than two-thirds of all the members.

Second—Establish rules for its proceedings.

Third—Keep a journal of its proceedings and allow the proceedings to be published, and take the yeas and nays on any question on demand of any two members and enter the same in the journal.

Fourth—Have authority to punish its members and others for disorderly or otherwise contemptuous behavior in its presence, and to expel for such behavior in its presence any member by the affirmative vote of not less than two-thirds of its members, specifying in the order of expulsion the cause thereof.

Fifth—Have authority to create and use committees of its members, in order to facilitate the discharge of its legislative functions; provided, that no committee of the council and no part of any committee and no member shall have or exercise executive or administrative power, except as otherwise expressly provided in this charter.

Sixth—Have power to compel attendance of witnesses as well as production of papers and things pertinent to business before it or any of its committees.

Sec. 7. The city council shall have power to and shall appoint from its members a committee, consisting of three or more, to be denominated "finance committee," and to fill all vacancies in said committee. Such committee shall have power to investigate the transactions and accounts of all officers having the collection, custody and disbursement of public money, or having the power to approve, allow or audit demands on the treasury; it shall have free access to any records, books and papers in all public offices; and shall have power to administer oaths or affirmations, and to compel the attendance of witnesses before it by subpoena. Said committee may visit any of the public offices, when and as often as it thinks proper, and make its examinations and investigations therein without hindrance. It shall be the duty of such committee as often as once in every six months to examine the official bonds of all city officers and depositories of the city funds, and inquire into and investigate the sufficiency and solvency of the sureties thereon and report the facts to the mayor. Such report shall specify each bond with the sureties and the amount for which each surety is bound, and state whether or not they are deemed sufficient and solvent. Upon such report the mayor shall act so as to protect the city, and may require new bonds when necessary, and he may suspend the officer until a sufficient bond is filed and approved. In the exercise of its functions, a concurrence of a majority of the members of said committee shall be deemed sufficient. Said committee shall keep a record of its proceedings, with the names of the witnesses examined, and a substantial statement of the evidence taken. If from the examination made by said committee it shall appear that a misdemeanor in office or a defalcation has been committed by any officer, said committee shall immediately report to the mayor, who, if he approve such report, shall forthwith suspend such officer, and take the proper steps under this charter to remove him or to cause his removal. Any police officer shall execute the process and orders of said committee.

Sec. 8. The finance committee shall immediately upon its appointment and semi-annually make a thorough examination of all the books of the city treasurer and city comptroller, and report the result of such investigations to the city council.

Sec. 9. The council shall meet upon the first Monday of each month, or if that day be a legal holiday, then upon the next day not a holiday thereafter, and all its sessions shall be public, and it shall not adjourn to any other place than its regular place of meeting; but the mayor, or in his absence or disability the president of the council, or any three councilmen, may call a special meeting of the council.

Sec. 10. Every legislative act of said city shall be by ordinance. Every ordinance shall be clearly entitled and shall contain but one object, which shall be clearly expressed in its title. The enacting clause of every ordinance shall be: "Be it ordained by the City of Seattle as follows."

Sec. 11. No bill shall become an ordinance unless on its final passage at least a majority of all the members elected vote in its favor, and the vote be taken by yeas and nays, and the names of those voting for and against the same be entered in the journal. No ordinance, other than an ordinance providing for appropriations for salaries or current expenses, shall be passed on its final reading at the meeting at which it is introduced.

Sec. 12. No ordinance shall be revised, re-enacted or amended by reference to its title; but the ordinance to be revised or re-enacted, or the section thereof amended shall be re-enacted at length as revised or amended.

Sec. 13. When a bill is put upon its final passage and fails to pass, and a motion is made to reconsider, the vote upon such motion shall not be acted on before the next meeting of the council. No bill for the grant of any franchise shall be finally passed within thirty days after its introduction, nor until it has been published in the official newspaper of the city at the expense of the applicant for ten days daily.

Sec. 14. No ordinance shall take effect until ten days after its passage, unless otherwise expressed in said ordinance.

Sec. 15. Every bill, after it has passed, shall be signed by the president of the council in open session, in authentication of its passage; in signing such bill, the president shall call the attention of the council to the bill, and that he is about to sign it, and, if any member so request, the bill shall be read at length for information as to its correctness as enrolled. If any member object that the bill is not the same as when considered and passed, such objection shall be passed upon, and if sustained the president shall withhold his signature and the bill shall be corrected and signed before the council proceeds to any other business.

Sec. 16. Every bill which shall have passed and been authenticated as provided in the last section, shall within five days thereafter be presented to the mayor. The mayor shall return such bill to the council within ten days after receiving it, and if he do not disapprove it, it shall become an ordinance; if he disapprove it, he shall, when he so returns it, specify his objections thereto in writing. The objections of the mayor shall be entered at large on the journal of the council, and published in the city official newspaper. The council shall, not less than five days after such publication, and within thirty days after such bill shall have been so returned, reconsider and vote upon the same, and if the same shall, upon such reconsideration, be again passed by the affirmative vote of not less than two-thirds of all the members elected, the president of the council shall certify the fact on the bill, and when so certified the bill shall become an ordinance with like effect as if it had not been disapproved by the mayor; but if the bill so returned shall fail to receive upon the first vote thereon an affirmative vote of two-thirds of the members elected it shall be deemed finally lost. The vote on such reconsideration shall be taken by yeas and nays, and the names of members voting for or against the same shall be entered in the journal thereof.

Sec. 17. All ordinances and resolutions shall be deposited with the city clerk, who shall record the same at length in a suitable book kept for that purpose. All ordinances of a general, public or permanent nature, and those imposing a fine, penalty or forfeiture, shall be published at least once in the city official newspaper within three days after the same shall have become a law; provided that the publication of all ordinances granting any franchise or private privilege or approving or vacating any plat shall be at the expense of the applicant therefor.

Sec. 18. The city council shall have power by ordinance and not otherwise:

First—To provide for general and special elections for questions to be voted upon, and to provide for the appointment and election of officers. Any person who, by the provisions of this charter or any amendment thereto, may be appointed or elected to any office or employment created in pursuance thereof, shall be deemed an officer within the meaning of this section.

Second—To provide for the assessment, levying and collecting 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, but no tax for general municipal purposes shall exceed four-tenths of one per centum per annum; no tax to provide fire engines and other fire apparatus and a supply of water to quench fire, or for any of said purposes, shall exceed three-tenths of one per centum per annum; no tax to provide for purchase and condemnation of land for public uses and improvement and ornamentation thereof, and erection of structures thereon, or to provide for any of said objects, shall exceed two-tenths of one per centum per annum; no tax to provide for furnishing gas, electricity and lights, and for construction of works necessary or convenient therefor, or for any of said purposes, shall exceed two-tenths of one per centum per annum; no tax for street and alley improvement and repair, exclusive of assessments mentioned in sub-divisions seventh, eighth and tenth of this section, and construction and repair of sewers and conduits, other than water pipe, or for any of said purposes, shall exceed four-tenths of one per centum per annum; no tax for construction and repair of water works and appurtenances, or of any of the same, shall exceed one per centum per annum, and no tax for the maintenance and operation of the water works and for paying rent for water works or water, or for any of said purposes, shall exceed five-tenths of one per centum per annum; and all taxes, exclusive of assessments for improvements mentioned in said sub-divisions seventh, eighth and tenth, shall not in any year exceed three per centum of the property assessed; and all taxes for special purposes other than water works and water supply, and exclusive of assessments for improvements mentioned in said sub-divisions seventh, eighth and tenth, shall not in any year exceed one and one-tenth per centum of the property assessed; and to provide for the assessment and collection of a road poll tax not exceeding four dollars per poll on all male inhabitants between the ages of twenty-one and fifty years inclusive.

Third—To control the finances and property of the city; provided that the city council shall have no administrative as distinguished from the legislative power.

Fourth—To acquire by purchase or by exercise of the right of eminent domain or otherwise, and for the use and in the name of the city, such lands and other property as may be deemed necessary, proper or convenient for any of the corporate uses provided for by this charter; and to acquire for the use of the city any property by gift, bequest or devise, and to dispose of all such property as it shall have, as the interests of the city may from time to time require.

Fifth—To borrow money for corporate purposes on the credit of the city, and to authorize the issue of negotiable bonds therefor on such condition or conditions and in such manner as may be prescribed in this charter and the constitution and laws of this state; but the indebtedness of the city shall at no time exceed in the aggregate ten per centum of the value of all taxable property in said city, such value to be ascertained and determined by the last assessment for city purposes previous to the incurring of such indebtedness; and under the limitations above stated to authorize the issue of bonds in place of or to supply the means with which to meet maturing bonds or other indebtedness or for the consolidation or funding of the same; provided, that no bond or set of bonds shall be issued for a longer period than twenty years.

Sixth—To provide for the purchase or appropriation of property within or without the corporate limits of the city for its corporate uses, upon making just compensation to the owners thereof; and to provide for the institution and maintenance of such proceedings as may be authorized by the general laws of the state for the appropriation of private property for public use.

Seventh—To lay out, establish, open, alter, widen, extend, grade, re-grade, sidewalk, re-sidewalk, pave, re-pave, plank, replank, establish grades or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and other public grounds, and to regulate and control the use thereof and to vacate the same and to authorize or prohibit the use of electricity at, in or upon any of said streets or for other purposes, and to prescribe the terms and conditions upon which the same may be so used and to regulate the use thereof.

Eighth—To change the grade of any street, highway or alley within its corporate limits and to provide for the payment of damages to any abutting owner or owners who shall have built or made other improvements upon such street, highway or alley at any point opposite to the point where such change shall be made in such grade.

Ninth—To authorize or prohibit the locating and construction of any railroad or street railroad in any street, alley or public place of the city and to prescribe the terms and conditions upon which any such railroad or street railroad shall be located, operated or constructed; to provide for the alteration, change of grade or removal thereof; to regulate the moving and operation of railroad and street railroad trains, cars and locomotives within the corporate limits of said city; and to provide for, and it shall be the duty of the council by ordinance to provide for, the protection of all persons and property against injury in the use of any such railroad or street railroad, or car thereof.

Tenth—To provide for making local improvements and to levy and collect special assessments on property benefited thereby, and for paying for the same or any portion thereof.

Eleventh—To acquire by purchase or by exercise of the right of eminent domain or otherwise lands for public parks, within or without the limits of said city, and to improve the same.

Twelfth—To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

Thirteenth—To determine what work shall be done or improvements made at the expense in whole or in part of the owners of the adjoining, contiguous or proximate property, or others especially benefited thereby and to provide for the manner of making and collecting assessments therefor.

Fourteenth—To provide for erecting, purchasing or otherwise acquiring, as the sole and exclusive property of the city, water works within or without the corporate limits of the city, to supply said city and its inhabitants with water for any and all purposes, and to fix, alter, regulate and control the use and price of the water as supplied; provided, however, that the city council shall not enter into any contract or agreement whatever with any person, company or corporation for its water supply or distribution, or for the joint or entire use of the whole or any part of the city water supply or distributing plant, including conduits, mains and reservoirs, without first submitting such proposed contract or agreement to a vote of the qualified electors of the city at a general election, or special election called for that purpose, and unless a majority of said electors voting at said election shall vote therefor; provided further, that nothing herein contained shall be so construed as to prevent the city from selling to any consumer water for power or other uses, or the power manufactured from water, upon terms open to all consumers.

Fifteenth—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 other acquisition, construction and maintenance of such works as may be necessary or convenient therefor; to charge and collect for the use of such light, and to regulate the use and price of such light whether supplied by the city or other person or corporation; provided, however, that no purchase of any such light plant shall be made without first submitting the question of such purchase to the electors of the city.

Sixteenth—To establish and regulate markets, and to provide, by proper penalties, for the weighing, measuring and inspection of all articles of food or drink offered for sale thereat or at any other place within the limits of the city, and to enforce the keeping of proper legal weights and measures by all venders in the city, and to provide for the inspection of such weights and measures.

Seventeenth—To erect and establish hospitals and pest-houses, and to control and regulate the same.

Eighteenth—To erect and establish workhouses and jails, and to control and regulate the same, and to provide for the working of prisoners confined therein; provided, that no prisoner shall be required to perform any labor until he shall have been duly convicted of some offense punishable by imprisonment, and duly sentenced thereto.

Nineteenth—To provide for establishing and maintaining reform or training schools for juvenile offenders.

Twentieth—To provide for the establishment and maintenance of a public library or libraries, and to appropriate annually such per centum of all moneys collected for fines, penalties and licenses as shall be prescribed by this charter for the support of a city library, which shall, under such regulations as shall be prescribed by ordinance, be open for use by the public.

Twenty-first—To regulate the burial of the dead, and to establish and regulate cemeteries within or without the corporate limits, and to acquire land therefor by purchase or condemnation or otherwise; to cause cemeteries to be removed beyond the limits of the corporation, and to prohibit the establishment of any cemetery within two miles of the boundaries of the city.

Twenty-second—To direct the location and construction of all buildings in which any trade or occupation offensive to the senses or deleterious to the public health or safety shall be carried on, and to regulate the management thereof; and to prohibit the erection and maintenance of such buildings or structures, or the carrying on of such trades or occupations within the limits of the city or within the distance of two miles beyond the boundaries thereof.

Twenty-third—To make regulations for the prevention of accidents by fire, to organize and establish a fire department, to provide fire engines and other apparatus, and to provide for the prevention and extinguishment of fires and to regulate or prohibit the transportation, keeping or storage of all combustible or explosive materials within the corporate limits of the city, and to restrain and regulate and prohibit the use of fireworks.

Twenty-fourth—To establish fire limits and enlarge the same as circumstances may require, and make all such regulations for the erection and maintenance of buildings or other structures within the corporate limits as the 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, and to prohibit the erection or construction within such fire limits of any building or structure or any addition to any building or structure unless such building, structure or addition be constructed of such material and in conformity to such rules, regulations and restrictions as the city council shall have provided; and to provide for the removal of any building or structure or any addition to any building or structure erected contrary to such prohibition.

Twenty-fifth—To regulate the manner in which stone, brick and other buildings, party walls and partition fences shall be constructed and maintained.

Twenty-sixth—To provide for the deepening, widening, docking, covering, walling, altering or changing the channels of water-ways and water-courses, and to provide for the construction and maintenance of canals, slips, public landing places, wharves, docks and levees, and all such other work as may be required for the accommodation of commerce, and to control and regulate the use thereof; and further, to provide for the condemnation of all such work or works by the city and for its use and benefit; and for the construction and maintenance and ownership of the same by the city.

Twenty-seventh—To control, regulate and prohibit the anchorage, moorage and landing of all water craft and their cargoes within the jurisdiction of the corporation.

Twenty-eighth—To fix the rate of wharfage, storage and dockage, and to provide for the collection thereof, and to provide for the imposition and collection of such harbor fees as may be consistent with the laws of the United States.

Twenty-ninth—To license, regulate, control or restrain wharf-boats, tugs and other boats used about the harbor or within the jurisdiction of the city.

Thirtieth—To require the owners of public halls or other buildings to provide suitable means of exit; to provide for the prevention and abatement of nuisances; for the cleaning and purification of water courses and canals; 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 health; to regulate and control and provide for the prevention and punishment of the defilement or pollution of all streams running into or through its corporate limits, and for the distance of five miles beyond its corporate limits, and of any stream or lake from which the water supply of said city is or may be taken, for a distance of five miles beyond its source of supply; to provide for the cleaning of areas, vaults and other places which may be so kept as to become offensive to the senses or dangerous to health; and to make all such quarantine and other regulations as may be necessary for the preservation of the public health; and to remove all persons afflicted with any infectious or contagious disease to some suitable place to be provided for that purpose.

Thirty-first—To declare what shall be a nuisance and to provide for the abatement of the same, and for the punishment of any person or party who may create, continue or suffer a nuisance to exist.

Thirty-second—To license, tax, confine within limits of time and place to be by the city council prescribed, and to otherwise regulate the selling or giving away of intoxicating, spirituous, malt, vinous, mixed or fermented liquors, and the collection of the license money therefrom for the use of the city; provided that no license shall be granted to any person or persons who shall not first comply with the general laws of the state in force at the time the same is granted, nor shall any license be granted authorizing the selling or giving away of any such liquors within one mile of any military post or reservation established by the United States. The sum required for such license shall in no case be less than the amount required by the general laws of the state for houses or business of like character, and no remission of such license shall be made during the period for which it is granted; and bonds required to be given by keepers or proprietors of saloons or drinking houses shall not in any case be fixed at less than $2000.00.

Thirty-third—To authorize the granting of licenses for any lawful purpose, and to fix by ordinance the amount to be paid therefor, and to provide for the revoking of the same; provided, that no license shall be granted to continue for a longer period than one year from the date thereof.

Thirty-fourth—To regulate the carrying on within the corporate limits of the city of occupations which are of such nature as to affect the public health or good order of the city, or to disturb the public peace, and which are not prohibited by law, and to provide for the punishment of all persons violating such regulations and of all persons who knowingly permit the same to be violated in any building or upon any premises owned or controlled by them.

Thirty-fifth—To restrain and provide for the punishment of vagrants, mendicants, prostitutes and other disorderly persons.

Thirty-sixth—To provide for the punishment of all disorderly conduct and of all practices dangerous to public safety or health, and to make all regulations necessary for the preservation of public morality, health, peace and good order within its limits, and to provide for the arrest, trial and punishment of all persons violating any ordinance of the city; but such punishment shall in no case exceed the punishment provided by the laws of the state of Washington for misdemeanors.

Thirty-seventh—To project or extend or establish streets over and across any tide lands or other lands covered by water within the corporate limits of the city, and along or across the harbor areas of the city, in such manner as will best promote the interests of commerce.

Thirty-eighth—To restrain or prevent domestic or other animals from running at large; and to license, tax, regulate and restrain the keeping of dogs within the city limits, and to authorize the distraining, impounding and sale of said domestic and other animals for the penalty incurred and costs of proceeding, and to authorize the destruction of dogs impounded for want of license.

Thirty-ninth—To regulate and prohibit the location and use of any steam boiler or boilers or electric plant or steam pipes or electric wires or any kind of power generator or power reservoir or plant, or conduits now known or hereafter to be invented.

Fortieth—To ordain, establish, modify and abrogate from time to time, as the needs of the city shall require, all proper offices and bureaus, subordinate and auxiliary to the departments and heads thereof constituted by this charter, and to provide for the conduct and government of such offices and bureaus, and the appointment, removal, duties and compensation of officers to fill the same, except as in this charter otherwise provided.

Forty-first—To alter, amend and repeal any ordinance or ordinances or parts thereof of the city.

Forty-second—To make all rules and regulations necessary or proper to carry into execution all powers vested by this charter, or by law, in the city, or in any department or officer thereof, except as in this charter otherwise provided.

Sec. 19. The city council shall, in addition to the powers enumerated in the last foregoing section, have all other powers usually exercised by the legislative bodies of municipal corporations of like character and degree with the city of Seattle, and all powers which may hereafter be conferred upon incorporated towns and cities by the laws of this state.

Sec. 20. Every grant of a franchise, right or privilege shall be subject to the right of the city council at any time thereafter to repeal, change or modify the said grant, if the franchise granted thereby is not operated in accordance with the provisions thereof or at all, and every ordinance making such grant shall contain a reservation of the right of the city council to repeal, amend or modify said ordinance. When any right, privilege or franchise has been granted, and has been accepted, the city council shall not extend the time for which such right, privilege or franchise is granted until within three years of the expiration of the time for which such right, privilege or franchise is granted.

Sec. 21. The city council shall not grant any franchise for the construction of any wharf into any bay, lake or other body of water, except in the manner following, that is to say: In addition to the requirements under the general laws, each and every ordinance granting such franchise must receive the vote of at least two-thirds of all the members elected, and shall provide that work shall commence within six months and be prosecuted continuously, and shall be completed within one year thereafter. Said time shall not be extended for any cause, and unless so completed the franchise shall be forfeited.

Sec. 22. No exclusive franchise or privilege shall be granted for the use of any street, alley or highway or other public place or any part thereof.

Sec. 23. The city council shall not grant authority to construct a street railway or lay down street railroad tracks upon or over any of the streets of said city, except in manner and on the terms following, that is to say: Upon the application being made to the city council for authority to construct and operate a street railway along and upon any of said streets, the city council shall, by resolution, determine whether such franchise, or any part thereof, shall be granted, and after such determination shall cause notice of such application and resolution to be published for ten days in the city official newspaper, at the expense of the applicant, and shall in such notice specify the route over and along which it proposes to grant such franchise, and shall offer to grant the same to the person, company or corporation who will pay for the franchise the highest percentage annually of gross receipts, but not less than two per cent. per annum. Bidding for such franchise must be in accordance with the provisions of this charter in relation to bids made to the board of public works, so far as such provisions may be applicable, and the city council may reject any and all bids, and may refuse to grant a franchise for any part of the route for which the application was made. Each bid must be accompanied by a certified check, payable to the order of the city comptroller, for the sum of one thousand dollars, and the amount of the check shall be forfeited and paid to the city in case the successful bidder shall fail to accept the franchise, and upon acceptance the sum so paid shall be credited to the grantee on account of percentages. The same method of procedure shall obtain in case of the extension of such franchise or any existing franchise. It shall be the duty of the city council to incorporate in every such franchise or amended franchise efficient provisions for the compulsory arbitration of all disputes arising between the grantee therein and his or its successors or assigns, and his, its or their employes as to any matter of employment or wages, unless upon submission to the electors of the city, a majority of the electors voting upon the question submitted shall assent to the granting of such franchise without such provision.

Sec. 24. The city council shall make no appropriation in aid of any corporation, person or society, unless expressly authorized by this charter or the laws of the state.

Sec. 25. The city council, after the taxes have been levied in any year, shall have power to make temporary loans in anticipation of the collection of such taxes, such loans to be applied to the purposes for which such taxes have been levied and to no other purpose, and such taxes shall be inviolably applied to pay such loans.

Sec. 26. When loans shall be created exceeding one and a half per centum of the taxable property in the city, and bonds therefor issued by the city under this charter, the city council in authorizing and providing for the same shall direct the times and manner of payment and rates of interest, but no such bonds shall be issued except as provided by law, nor unless the proposition for creating such indebtedness shall have been previously submitted to the electors of the city at a regular, general or special election, of which thirty days' notice shall have been published in the city official newspaper, and such proposition shall have then received the assent of three-fifths of the voters voting at such election. The mode and manner of submitting such proposition to the voters shall be prescribed by ordinance. And in case such three-fifths of the voters are in favor of such loan the city council may, after such election, by ordinance confirm the loan; but no bonds shall be issued therefor until after such confirmation, nor until the city council shall have made specific provision for payment annually of interest on such bonds and for a fund to pay the interest on such bonds and a sinking fund to be raised by annual tax at least five years before the bonds are due, sufficient to pay and discharge such bonds at maturity, and the faith of the city shall be and is hereby pledged for the final payment of any and all such loans. The city council may refund any funded indebtedness at such times and upon such terms as they may see fit; provided, that the rate of interest upon such refunded bonds shall never exceed that of the bonds to pay which they were issued.

Sec. 27. No debt or obligation of any kind against the city shall be created by the city council except by ordinance specifying the amount and object of such expenditure.

Sec. 28. Neither the city council nor any officer, board, department or authority shall 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 they or any of them ever allow or authorize to be paid any demand which, without such action, would be invalid, or which shall then be barred by any statutes of limitation, or for which the city was never liable, and any such action shall be void.

Sec. 29. All claims for damages against the city must be presented to the city council and filed with the clerk within six months after the time when such claim for damages accrued, and no ordinance shall be passed allowing any such claim or any part thereof, or appropriating money or other property to pay or satisfy the same or any part thereof until such claim has first been referred to the proper department, nor until such department has made its report to the city council thereon pursuant to such reference. No action shall be maintained against the city for any claim for damages until the same has been presented to the city council and sixty days have elapsed after such presentation.

Sec. 30. The city council shall in every ordinance prohibiting or requiring any act or omission, impose a penalty for the violation thereof or non-compliance therewith.

Sec. 31. A daily newspaper of general circulation and published in the city, to be styled "City Official Newspaper," shall be designated in the following manner: The city clerk shall on the first Monday in November in each year cause to be published for ten consecutive days, excluding Sundays, in some paper of general circulation in the city a call to the owners and managers of newspapers for sealed proposals to do the city printing for the then next ensuing fiscal year, each of which proposals shall be accompanied by a bond with not less than two sureties, in the sum of five thousand dollars, approved by the comptroller and corporation counsel, conditioned that if the proposal be accepted, the party proposing will, during the period mentioned in his proposal, well, seasonably and faithfully cause to be accurately printed and published, according to law, in a certain daily newspaper (naming it) of general circulation in the city and published therein, all and singular the matters and things required by law to be published in the city official newspaper of the city of Seattle, and shall with such bond be delivered to the city clerk sealed up in an envelope indorsed "Sealed proposals and bond for city printing," on or before the twentieth day next after the first publication of such call, and shall be endorsed by the city clerk at the time of such delivery, with the date of his reception thereof, and shall be first opened by the city council as early as may be at its next monthly session thereafter, and thereupon the council shall by resolution announce the names of all parties whose proposals have been offered, and the terms of their proposals respectively, and designate as city official newspaper that newspaper whose manager, or owner, has offered the lowest proposals, with duly approved bond, and such newspaper shall at the beginning of the then next ensuing fiscal year, and during said year, be such city official newspaper. Provided that whenever from any cause a city official newspaper shall be lacking the mayor shall designate and employ a like newspaper to serve as such until designation and qualification is made and had, as above directed, under like bond and for reasonable compensation to be audited by the auditing committee. Bonds accompanying unsuccessful proposals shall be returned to the proposers, and the bond accompanying the successful proposal shall be filed by the city clerk and securely kept by him.

All ordinances, resolutions, notices, tax and assessment sales, and all other proceedings, statements, matters and things of the mayor, city council or any department or bureau, or other officer or functionary of the city, which by this charter are, or shall be required to be published, except the statement prescribed in section 32 of this article shall be published in the city official newspaper, but not for more than three consecutive issues except as otherwise in this charter provided.

Sec. 32. The city council shall biennially and not less than twenty nor more than sixty days before the biennial election, cause to be printed in pamphlet form for distribution to citizens applying therefor a full and intelligible statement of all the receipts and expenditures of every description for the fiscal year ending on the thirty-first day of December next preceding such statement, including all the moneys which have passed through the hands of the treasurer for any purpose whatever, together with the different sources of city revenue, the amount received from each, the several appropriations made by the city council, the objects for which the same were made and the sums expended for each and any money borrowed upon the credit of the city, whether by temporary loans or by the issue of bonds, the terms upon which it was obtained, the authority under which it was borrowed, and the purpose to which it was applied, and how much of the same or other city indebtedness has been paid and by what means. The statement shall also include a detailed account of city property, personal and real, its value, and if rented to whom and on what terms, and of existing debts of every description, and of the condition of the sinking funds, with all other information necessary for a full understanding of the financial concerns of the city. No more than one thousand copies of any such pamphlet shall be printed.

Sec. 33. All ordinances in force in the city at the date of the adoption of this charter, and not inconsistent therewith, shall remain in force until repealed or until they expire by limitation.

ARTICLE V.

The Executive Department.

Section 1. The chief executive officer of the city shall be a mayor. He shall be at least thirty years of age, a citizen of the United States and of the State of Washington, and a qualified elector of the City of Seattle at the time of his election, and shall have been a citizen and taxpayer of the city for at least four years before the day of his election.

Sec. 2. The mayor shall see that all the laws and ordinances in force in the city are faithfully executed, and shall direct and control all subordinate officers of the city, except in so far as such direction and control is by the provisions of this charter reposed in some other officer or board and shall maintain peace and good order in the city. He shall have power at all times, in any emergency, of which he shall be the judge, to assume command of the whole or any part of the police force of the city. In case of riot, tumult, or violent disturbance of the public order, the mayor shall have, as the exigency in his judgment may require, the right to assume control for the time being, of the police force, but before assuming such control he shall issue his proclamation to that effect, and it shall be the duty of the chief of police to execute orders promulgated by him for the suppression of such tumult and the restoration of order.

Sec. 3. The mayor is empowered to call on every male inhabitant of the city over the age of eighteen years to aid in enforcing the laws and ordinances in force in the city, in preventing and extinguishing fires, and in preserving the peace and safety of the city. The city council shall have power to enact an ordinance or ordinances providing for the punishment of any such person as the mayor has a right to call upon as aforesaid, for any refusal or neglecting to obey any such order or call.

Sec. 4. In the absence of any express provision in this charter as to the manner of electing or appointing any officer, the mayor shall nominate, and with the consent of the city council, appoint such officer as is provided for herein and any ordinance enacted in pursuance thereof.

Sec. 5. If the city council shall refuse to confirm any nomination of the mayor, then he shall within ten days thereafter nominate another person to fill the office, and he may continue to nominate until his nomination is confirmed. If the mayor fails to make another nomination within ten days from the rejection of a nomination for the same office, then the city council shall elect a suitable person to fill the office during the term.

Sec. 6. Whenever the mayor shall remove an appointive officer, the vacancy for the unexpired term shall be filled by appointment in the same manner as if at the beginning of the term, except as otherwise provided in this charter.

Sec. 7. It shall be the duty of the mayor annually at the first meeting after the commencement of the fiscal year to communicate by message to the city council a statement of the condition and affairs of the city, and to recommend the adoption of such measures as he may deem expedient and proper; and he shall, further, have the right to make special communications to the city council from time to time as he may deem useful and proper.

Sec. 8. The mayor shall see that all contracts and agreements made with the city or for its use and benefit are faithfully kept and performed, and to this end he shall cause any legal or equitable proceedings to be instituted and prosecuted against all persons or corporations failing to fulfill their agreements with the city. And it is the duty of every officer of the city, when it shall come to his knowledge that any contract with the city relating to the business of any office has been violated by the other contracting party, forthwith to report the fact to the mayor.

Sec. 9. The mayor shall, unless in this charter otherwise provided, take and approve all official undertakings or bonds which may be required of any officer, employe or agent of the city as security for the faithful performance of his duty; and he shall also, except as otherwise provided in this charter, take and approve any such bond or undertaking as may be required of any contractor for the faithful performance of his contract; and when he approves any bond or undertaking he must immediately file the same with the city clerk, except the bond of the city comptroller, which shall be kept by the mayor.

Sec. 10. The mayor shall perform such other duties and exercise such other authority as may be prescribed by any law of the United States or of the State of Washington, or by this charter or any ordinance of the city.

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Sec. 11. In case of the absence of the mayor from the city, or if he from any cause be incapacitated from acting, the president, or in case of his disability or absence the acting president, of the city council shall act as mayor, and for the time being enjoy all his powers.

Sec. 12. The mayor may be removed from his office for any wilful violation of his duty during his term of office, or for the commission of a crime or misdemeanor involving moral turpitude, but only upon notice thereof, together with a copy of the charges against him, given to him at least five days before the hearing, and an opportunity to be present in person and with his counsel and offer evidence in his own behalf, and to be heard by himself and counsel, and then only upon the affirmative vote of two-thirds of the members of the city council when assembled as a court of impeachment, and for that purpose the city council shall have the same power that it would have in trying any other officer.

Sec. 13. There is hereby constituted a body to consist of the mayor, president of the city council, corporation counsel, the chairman of the board of public works, city comptroller and city treasurer, to be called the advisory board. The mayor shall, once in each quarter, and as much oftener as the interests of the city appear to him to require, call a meeting of such advisory board. Such meetings shall be for the purpose of comparing views and consulting together with regard to the affairs of the city, and shall have the power to make recommendations and suggestions to the city council and to the various other departments of the city government. The mayor shall preside at all meetings of the advisory board, and the city comptroller or his deputy shall act as clerk thereof. All proceedings of the advisory board shall be kept on record in the office of the city comptroller.

ARTICLE VI.

Clerical Department.

Section 1. The city comptroller shall be ex-officio city clerk, and his deputies as comptroller shall be his deputies as city clerk.

Sec. 2. As city clerk, he, or a deputy, shall attend all meetings of the city council and keep a full and complete record of the proceedings thereof; and he shall have the custody of the city seal; he shall have the custody of all records, except such as are intrusted, by the provisions of this charter, to other officers, the original rolls of ordinances, the original contracts, deeds and certificates relative to the title of any property of the city, all official indemnity or security bonds, except his own bond, and such other records, papers and documents of value as are not required to be deposited with any other officer, and he shall attest all public instruments and official acts of the mayor by his signature and the city seal, and shall also certify under his hand and the seal of the city all copies of such original documents, records and papers in his office as may be required by any officer or person, and charge therefor such fees for the use of the city as are or may be provided by ordinance; and he shall perform such other duties as may be in this charter prescribed, and also such as the city council may direct consistent with this charter.

ARTICLE VII.

Department of Police.

Section 1. There shall be a police department, which shall consist of a chief of police and as many subordinate officers, detective officers and regular and special policemen as the city council shall from time to time by ordinance prescribe, provided that the regular employed police force shall never exceed one officer to each one thousand of population of the city; provided, that the mayor may, when the public safety requires it in cases of emergency, to be by him determined, appoint any number of emergency policemen who shall discharge their duties and hold their positions at the pleasure of the mayor until the conclusion of the meeting of the city council held the next after such appointment and not longer, except by consent of the council.

Sec. 2. The mayor shall appoint the chief of police after examination under civil service rules, as provided by Article XVI. of this charter, and may remove him in his discretion upon filing a statement in writing of his reasons therefor with the secretary of the civil service commission. All subordinate police officers, detectives and regular policemen shall be appointed by the chief of police under said civil service rules, except as otherwise in Section one of this Article provided.

Sec. 3. The police department shall be under the management of the chief of police, except as otherwise provided by law or in this charter.

Sec. 4. The mayor shall prescribe rules and regulations, not inconsistent with law and the ordinances of the city, for the government and control of the police department, and fix and enforce