THE CHARTER
OF THE
City of Seattle

PREPARED AND PROPOSED BY THE FREEHOLDERS ELECTED MARCH 3, 1914.

Continued From Page 8

payments may be made during the progress of any contract to the extent of eighty-five per cent of the value of the work performed or materials delivered under such contract during any calendar month, as estimated and reported by the city manager.

Section 101. No contract with the city for any public work, improvement or purchase shall hereafter be assigned or transferred in any manner without first having indorsed thereon the consent of the board of awards and adjustments, and of their sureties on the contractor's bond, and no transfer or assignment thereof shall in any wise affect such bond, or the liability of the sureties thereon, and any assignment or transfer thereof, except by operation of law, without such consent and waiver, shall make the same null and void, as to any further performance thereof by the contractor or his assigns without any act on the part of the city; and the board of awards and adjustments shall at once proceed to re-let such contract, or may, in its discretion, proceed to complete the same as the agent, and at the expense of such contractor and his sureties. No assignment, transfer, abandonment or surrender, either voluntary or otherwise, of any contract with the city for any public work, improvement or purchase, nor any change in any such contract, nor any extension of time in which to complete any such contract, shall ever operate to release the sureties on the bond herein provided for.

Section 102. The board of awards and adjustments may, whenever in its judgment the surety on such bond is insufficient, require a new or additional bond to be filed within ten days after notice; and thereupon all work on such contract shall cease until such new or additional bond shall be approved by said board, and if any such contractor shall fail for ten days after notice to file a new or additional bond, his contract shall, by that fact alone, become fully ended and void as to future performance thereof, and thereupon the board shall order such contract to be re-let, or may, in its discretion, order the completion of the same by the city manager at the expense of the contractor and his sureties.

Section 103. If any such contract shall for any reason become ended or void, and the board shall complete the same as in this charter provided, and the costs of so completing such contract shall exceed the amount unpaid by the city upon such contract at the time the same shall become ended or void, in such case it shall be the duty of the corporation counsel to at once commence an action in the name of the city against such contractor and his sureties for the recovery of the difference in amount between the cost of so completing such contract and the amount unpaid by the city thereon at the time the same became ended or void.

Section 104. Any person having been a party to a contract with the city, and having failed to fulfill the requirements thereof, shall be disqualified from being a party to any further contract with the city for a period of two years from the time of his delinquency.

BUDGET AND TAX LEVY.

Section 105. The council and every department, division and office shall prepare annually a budget showing their estimate of expenditures and revenues for the ensuing fiscal year, classified according to the schedule of accounts, fully itemized, with labor or service shown separately from supplies, materials or apparatus. It may include emergency funds, to be expended, however, only in case of a pending emergency. Such budget shall also show the corresponding items as approved in and any unexpended or unincumbered balances from the previous year. The budget shall be submitted to the board of awards and adjustments not later than the first day of June, and by said board to the council not later than the fifteenth day of July.

Section 106. The consolidated budget shall be the basis for the determination of the tax levy by the council for revenue during fiscal year. The total tax levy for any one year for all purposes, except for the payment of interest on and the redemption of the general bonded indebtedness of the city, shall not exceed twelve mills on each dollar of the assessed valuation of property in the city. The first budget prepared under this charter shall include all current liabilities or deficits expected to exist at the end of that fiscal year, the amount of which may be levied in whole or in part in excess of the above limitation, but the funds derived therefrom shall be expended only for the specific purposes for which they are levied. Thereafter no deficiency shall be created except in case of extraordinary emergency which shall be expressed in the ordinance creating such deficiency and then only by a four-fifths vote of the entire city council.

Section 107. Every official or member of any board or body controlling the expenditure of funds shall be personally liable for any overdraft of budget funds under his or their direction, unless such overdraft shall have been incurred in a case of emergency consisting of a condition or accident requiring immediate action with no specific appropriation applicable to the transfer of funds or of unexpended balances from one item of the budget to another shall be allowable except when such has been authorized by the council upon the city manager's recommendation.

Section 108. There shall be a fund for each public utility operated by the city, into which shall be paid all revenues derived from such utility, which shall be devoted primarily to the payment of the expenses of operation and maintenance, the cost of extensions and the redemption of the bonded indebtedness thereof.

CIVIL SERVICE.

Section 109. There shall be an unsalaried civil service commission of three members appointed by the mayor, one of the members of the existing civil service commission shall continue in office for the terms for which they were appointed, and their successors shall be appointed to serve for terms of four years each, and until their successors have qualified. Appointments to fill vacancies shall be for the unexpired term. Two commissioners shall constitute a quorum. The mayor may at any time, for good cause, remove any commissioner. No commissioner shall be removed for political reasons.

Section 110. Upon the adoption of this charter the commission shall classify the service required of the employes of all departments with reference to the duties, responsibilities, and authority thereof for the purpose of fixing and maintaining standards of service and examination, and in establishing such classification, detailed information and advice shall be secured from the respective departments. Such classification shall include all offices and places of employment now in existence or which may be hereafter established in the city's service except those expressly exempted in section 116. No office or place created by the council shall be considered new unless the duties thereof are substantially different from those of any other existing position in the classified service. The commission shall ascertain the duties of each office and place in the classified service and shall designate the title of each, the class of service to which it belongs, and its grade. Each grade shall comprise offices and places having substantially similar duties. For the purpose of establishing uniformity of pay for all offices and places of employment classified in the same grade, three rates of pay shall be fixed for each grade, and advancement from a lower to a higher rate in any grade shall be made in accordance with rules prescribed by the commission. The offices and places so classified by the commission shall constitute the classified civil service of the City of Seattle, and no appointment to any of such offices or places shall be made except under and according to the provisions of this charter and of the rules hereinafter mentioned; provided, such classification shall be revised from time to time to conform to existing conditions. The compensation for all offices and places of employment within each grade or rank shall be uniform.

Section 111. The commission shall make necessary rules not in conflict with the provisions of this charter governing examinations, appointments, promotions, removals, investigations, reductions of force, transfers, suspensions and leaves of absence, and the commission may, from time to time, make changes in the existing rules, and provide the time such rules shall go into effect, and for the publication thereof. The civil service commission shall appoint a board of examiners of three members, who shall examine and certify all applicants for engineers' licenses under such rules as may be prescribed by said commission.

Section 112. All applicants for offices or places in the classified civil service shall be subjected to examination, which shall be public, competitive, and open to all citizens of the United States with specified limitations as to residence, age, sex, health, habits, experience, moral character and qualifications to perform the duties of the office or place to be filled, all of which shall be prescribed by rule in advance of the examination. Such examinations shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the positions to which they seek to be appointed and shall include, when appropriate, tests of physical qualifications, health and manual or professional skill. The commission may from time to time confer with the heads of departments as to the nature and scope of examinations affecting employes for their respective departments. The commission shall have the right to designate persons, either in or not in the official service of the city, to act as examiners. Every applicant for examination, except laborers and applicants for promotion, shall pay an examination fee of one dollar. Preference in employment shall, all other things being equal, be given to electors of the city and heads of families. The commission shall provide by rule for notice of the time, place and scope of every examination.

Section 113. A register shall be prepared from the returns of the various examinations for each grade or class of positions in the classified service of the city containing all persons whose general average standing upon examination for such grade or class is not less than a minimum fixed by the rules of the commission, and who are otherwise eligible, and such persons shall take rank upon the register in the order of their relative excellence as determined by examination, without reference to priority of time of examination. All persons who have been removed from the classified civil service, through reduction in force on account of lack of work, shall be replaced on such eligible lists, taking their rank thereon in accordance with their standing on original examination as modified by their efficiency standing during the six months immediately prior to their removal.

Section 114. The commission shall by its rules establish lines of promotion in the various departments of the classified service, provide for promotions on the basis of efficiency, seniority in service and standing upon examination, and shall provide that vacancies shall be filled by promotion, where practicable. All examinations for promotion shall be competitive among such members of the next lower grade, who have served the required minimum time in such grade, as desire to submit themselves to such examination. The examinations for promotions and certifications of candidates shall be the same, as near as may be, as provided for original appointment.

Section 115. The head of the department or office in which any position classified under this act is to be filled shall notify the commission of any vacancies and the commission shall certify to the appointing officer the name and address of the three candidates, if there shall be so many eligible, standing highest upon the register for the class or grade to which such position belongs, except that in cases of laborers where a choice by competition is impracticable the commission may by rule provide that selections may be made by lot from among those candidates proved fit by examination. Where there is more than one position to be filled, the commission may certify a less number than three for each office, and in such case the number of times the same person may be certified. The appointing officer shall notify the commission separately of each position to be filled and shall fill such places by appointment from the persons certified to him by the commission, and the persons appointed shall be on probation for a period to be fixed by the rules. The commission may strike off the names of candidates from the register after they have remained thereon for a time to be limited by rule. Before the expiration of the period of probation, the head of the department or office in which a candidate is employed may, for good cause, discharge him upon assigning in writing his reasons therefor to the commission. If he is not so discharged his appointment shall be deemed complete. To prevent the stoppage of public business, or to meet extraordinary exigencies, the appointing officer may, with the approval of the commission, make temporary appointments to remain in force not exceeding sixty days and only until regular appointments under the provisions of this charter can be made.

Section 116. The following city officers and employes shall not be included in or be classified civil service: All elective officers, the heads of all departments, bureaus and divisions, the city clerk, the chief of police the assistants corporation counsel, the medical assistants and nurses employed in the division of health and sanitation, the members of the various boards provided by this charter, the employes of the library department, the private secretaries of the mayor and the city manager, and the chief deputy comptroller; provided, that when the city council shall require the services of experts for work of a special or temporary nature and which is not regularly required in any department, the commission may allow appointment for such service without examination.

Section 117. All persons in the classified civil service shall be subject, for good cause, to suspension for a period of not exceeding thirty days, or removal from office or employment by the head of the department in which such employe is working, upon the head of such department filing with the civil service commission his reasons for such suspension or removal. Any employe so removed may, within ten days after his removal, demand an investigation and said civil service commission shall thereupon make such investigation and shall submit its findings, together with its recommendations, to the city manager in case such employe is in one of the departments under the control of the manager, or to the mayor in case said employe is working in a department, the head whereof is appointed by the mayor. The decision of the city manager or mayor as to reinstatement shall in all cases be final.

Section 118. Immediate notice in writing shall be given by the appointing officer to the commission of all appointments, permanent or temporary, made in the classified service and of all transfers, promotions, resignations, or other changes in the service from any cause and the date thereof, and a record of the same shall be kept by the commission. When any place of employment is created or abolished, or the compensation attached thereto altered, such change shall be immediately reported in writing by the proper head of the department to the commission.

Section 119. Each head of department shall keep efficiency records of all the employes in his department in the classified civil service, such records to be kept in the form and according to the rules provided by the civil service commission, and copies of such records furnished to the commission monthly. The civil service commission shall also conduct such efficiency investigations as it may be requested to do by either the city manager or the heads of departments, and shall report to such manager or head of department its findings and recommendations. The commission shall investigate the enforcement of the civil service provisions of this charter and of its rules, and the conduct and action of employes in the classified service, and make reports of its findings and recommendations to the city manager and city council.

Section 120. The commission shall employ a chief examiner, who shall have general charge of all examinations, act as secretary of the commission, keep all its records and perform such other duties as the commission may prescribe. The city council shall provide for the expenses of the commission, including such clerical or other assistants as may be necessary.

Section 121. No person or officer shall wilfully or corruptly deceive or obstruct any person in respect to his or her right of examination, or corruptly or falsely mark, grade, estimate or report upon the examination or proper standing of any person examined hereunder, or aid in doing so, or wilfully or corruptly make any false representation concerning the same or concerning the person examined, or wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined or to be examined, to be appointed, employed or promoted.

Section 122. No person in the classified service, or seeking admission thereto, shall be appointed, removed or suspended, or in any way favored or discriminated against, because of political opinions or affiliations or religious belief. No officer or employe of the city shall, directly or indirectly, solicit, receive or pay, or be in any manner concerned in soliciting, receiving or giving any assessment, subscription or contribution for any political party or political purpose whatsoever. The civil service employes shall refrain from partisan activity in municipal campaigns.

Section 123. Any applicant for appointment or promotion in the classified civil service shall either directly or indirectly pay or promise to pay any money or other valuable thing to any person whatever for or on account of his appointment or promotion, nor shall he ask for or receive any recommendation or assistance from any officer or employe in said service, or of any other person, in consideration of any political service to be rendered or for any such person, or for the promotion of any such person to any office or appointment. No recommendation by any officer, city, county, state or national, except as to character, residence or fitness of the applicant shall be received or considered by any person concerned in any examination or appointment under this charter, and no recommendation whatever shall be made by or accepted from the mayor, city manager or any member of the city council.

Section 124. The commission shall certify to the city comptroller all appointments to places and offices in the classified civil service, and all vacancies occurring therein. Neither the comptroller or auditing body shall approve the payment of, nor shall the treasurer pay any salary or wages to any person for services as an officer or employe of the city unless such person is occupying an office or place of employment according to the provisions of law, and is shown by the certificate of the civil service commission to be entitled to payment therefor.

Section 125. Any civil service employe who shall wilfully or through culpable negligence violate any of the civil service provisions of this charter, and who shall be convicted thereof after a trial before the civil service commission, shall be dismissed from the service of the city and be ineligible to reappointment. Any officer or employe of the city, other than those holding office under the civil service, who shall wilfully or through culpable negligence violate any of the civil service provisions of this charter, and who shall be convicted thereof, shall forfeit his office or position, and shall be ineligible to hold any office or place of employment under the city thereafter. Any other person who shall wilfully, or through culpable negligence, violate any of the civil service provisions of this charter shall be punished as prescribed by ordinance. The city council shall provide by ordinance for prosecutions under this section.

Section 126. Any person in the classified civil service who shall be injured in the discharge of duty so as to be temporarily disabled, shall, unless otherwise compensated, receive during such disability full pay for not to exceed thirty days or half pay for not to exceed six months, and if such persons shall be injured while in the discharge of duty so as to be permanently disabled, or for an indefinite length of time, such person shall receive pay while such disability continued in an amount to be fixed by the city council, not exceeding twenty per cent of the pay received by such person at the time of injury. The commission shall prescribe such rules as may be necessary for carrying out the purposes of this section and for, when appropriate, provide suitable medals of honor for distinguished bravery or service while in the line of duty.

Section 127. The head of any department shall grant fifteen days vacation with pay in any one year to any person or employe in the service of the city who has been regularly and continuously employed for at least one year.

Section 128. All persons who at the time of the adoption of this charter are regular civil service employes shall continue to perform their respective duties under and subject to the provisions of this charter. Those who by the adoption of this charter are for the first time included in the classified civil service, and who shall be competent to perform the duties of their respective positions, and who shall have been employed in the service of the city for six months immediately prior thereto, shall be qualified for their respective positions without further examination, subject to classification by the commission.

OFFICERS, TERMS AND SALARIES

Section 129. Elective officers of the City of Seattle shall be the mayor and the members of the city council. The appointive officers of the City of Seattle shall be all those appointed by the mayor, the council and the city manager, as provided in this charter.

Section 130. The term of elective officers shall be for two years and until their successors are elected and qualified.

Unless otherwise expressly provided in this charter, the term of every appointive officer shall be for four years and, except in case of removal, until his successor is appointed and qualified.

Section 131. The terms of all officers elected by popular vote shall commence at twelve o'clock, noon, on the second Monday after their election, and they shall qualify before said date. The terms of all other officers shall commence upon the date of their qualification, which shall be within ten days after their election or appointment, unless the time for qualification is extended by the appointing power.

Section 132. Every officer of the city and each of his assistants, before entering upon the duties of his office, shall take and subscribe an oath or affirmation that he will support the constitution of the United States and of the State of Washington and that he will faithfully comply with and abide by all the requirements of the charter and ordinances of the City of Seattle, and will faithfully demean himself in office.

Section 133. All salaried officers of the city, except police officers, and all other officers and employes having under their custody and control money or property of the city, shall, before entering upon the duties of office, give bond, with approved sureties, to the city in such sum as shall be designated by ordinance, conditioned for the faithful performance of his duties and for the payment over of all moneys belonging to the city as provided by law.

The bond of the chief of police shall also contain the condition that he will pay all such actual damages as may be sustained by any person arrested without a warrant by reason of any false or unlawful imprisonment by or under the direction of such chief of police.

Section 134. The annual salaries of the following officers of the city shall be: City manager, twelve thousand dollars; corporation counsel, six thousand dollars; mayor, five thousand dollars; comptroller, forty-two hundred dollars; treasurer, forty-two hundred dollars. Each member of the city council shall receive five dollars for each day's attendance upon any meeting of the city council, but compensation not to be paid for more than sixty days' attendance in any one year. All other officers, subordinate officers and employes of the city shall be paid such compensation as is or may be fixed by ordinance. The salary of any elective or appointive officer shall not be increased after his election or appointment or during the term for which he shall have been elected or appointed. No officer or employe of the city shall receive any compensation for his services to the city other than his salary.

Section 135. An office becomes vacant on failure to qualify within the time limited by the charter, upon the death or removal from office or resignation of the incumbent, or by removal from or absence from the city for sixty days without leave of the city council, or upon an adjudication of insanity by a court of competent jurisdiction; by a conviction of drunkenness, or by any permanent disability, preventing the proper discharge of his duty.

Section 136. If any appointive office becomes vacant it shall be filled in the same manner as the original appointment and the appointee to the vacancy shall hold for the unexpired term. If any elective office becomes vacant the city council shall fill the same for the unexpired term by election in the manner elsewhere provided in this charter.

Section 137. The city council shall have power to remove the mayor or any of its members for wilful violation of duty during his term of office or for the commission of a crime or misdemeanor, upon charges preferred by any member of the city council. If two-thirds of all the members of the city council shall find the accused guilty, then the accused shall forfeit his office. The accused shall be furnished with a copy of the charges and shall have the right to appear with counsel and make his defense at the trial held on such charges.

Section 138. No officer, subordinate officer or employe of the city shall hold any other office or position, federal, state, county or municipal, except in the National Guard or as a notary public, or hold any other office or position with the city, or be directly or indirectly interested in any contract with or for the use of the city, or become surety for the performance of any such contract. No officer shall accept from any railroad or street railroad corporation operating in whole or in part in the city, any pass or free transportation or transportation upon any terms save such as are open to the public generally. The violation of any of the provisions of this section shall work a forfeiture of the office or position of the person violating the same, and any officer guilty of accepting such pass, free transportation or transportation upon terms not open to the public generally, shall also forfeit to the city all sums of money paid him by the city as salary during the term for which he shall be guilty of such misconduct.

Section 139. No elective officer of the city shall be eligible to any appointive office in the city during the term for which he was elected.

HOURS OF LABOR.

Section 140. In all public works done by or for the city, either by day's work or by contract, eight hours shall constitute a day's work; and no employe of the city on city works, or of any contractor or subcontractor of such work shall be required to work longer than eight hours in any one calendar day, excepting in case of extraordinary emergency as defined by law.

MINIMUM WAGE.

Section 141. Every contractor, sub-contractor or city officer performing any work for the City of Seattle upon streets, public places or public works, shall cause to be paid to his employes on such work not less than the current rate of wages paid by the City of Seattle for work of like character and in no event less than two and seventy-five hundredths dollars per day. Said contractor, sub-contractor shall, on such work, give preference to resident laborers. A violation of any of the provisions of this section by any contractor, or sub-contractor, shall be sufficient ground for the forfeiture of his contract.

ART COMMISSION.

Section 142. The city council is authorized to create a non-salaried art commission which shall advise and recommend in regard to the location of public thoroughfares and parks, and the design and performance of engineering works such as bridges, viaducts, water towers, retaining walls, street fixtures and other related structures, city buildings and public works of art.

LOCAL IMPROVEMENTS.

Section 143. The city shall have power to make local improvements and levy and collect special assessments upon the whole or in part, and may provide for the payment of all or a part of the cost and expense of any local improvement by bonds of the improvement district issued to the contractor or issued and sold by the city, provided, that no ordinance initiating any local improvement shall be effective over the written objections of the owners of a majority of the lineal frontage and of the area within the limits of the proposed improvement district filed with the city clerk prior to the final passage of such ordinance, unless it shall receive the affirmative vote of at least two-thirds of all the members of the city council.

FRANCHISES.

Section 144. Every grant of a franchise, right or privilege shall be subject to the right of the city council, or the people of the city acting for themselves by the initiative and referendum, at any time subsequent to the grant, to repeal, amend or modify the said grant with due regard to the rights of the grantee and the interest of the public; and to cancel, forfeit and abrogate any such grant if the franchise granted thereby is not operated in full accordance with its provisions, or at all; and at any time during the grant to acquire, by purchase or condemnation, for the use of the city itself, all the property of the grantee within the limits of the public streets, acquired or constructed under the particular franchise in question, at a fair and just value, which shall not include any valuation of the franchise itself, which shall thereupon terminate; and every ordinance, making any such grant shall contain a reservation of these rights of the city council, and of the people of the city acting by the initiative and referendum, to so repeal, amend or modify said ordinance, and to so cancel, forfeit and abrogate the grant, and to so acquire the property of the grantee in the public streets acquired or constructed under said franchise, as hereinbefore set forth. The city council shall not consider or grant any application for extension of the period of any franchise, nor any new franchise covering all or any substantial part of the rights or privileges of any existing franchise, within five years of the expiration of the existing grant, and then only after submission to and approval by majority vote of the qualified electors.

The city council shall not grant authority to construct a street railway, or lay down street railway tracks along, upon, over or under any of the streets of the city, except in manner and on the terms following: Upon the application being made to the city council for authority to construct and operate a street railway along, upon, over or under 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 once a week for two consecutive weeks in the city official newspaper, at the expense of the applicant. Such resolution and notice shall specify the route or routes over and along which it proposes to grant such franchise, the period for which it is proposed to be granted, and shall further specify the terms and conditions thereof, including maximum rates of fare, by cash and tickets, the transfer regulations prescribed and the annual percentage of not less than two per cent of gross receipts required to be paid into the city treasury. If the application be made by, or directly or indirectly in behalf of the grantee, or owner of any existing street railway system, or the route or routes asked for are such as constitute a virtual extension or connection with any existing system, even though there be no apparent identity of ownership, or probable community of interest, in any such case the franchise shall be granted only for a term equal to the unexpired franchise of the existing system with which the new line is proposed to, or can be conveniently connected, and transfer arrangements shall be stipulated in the grant. Common user trackage facilities and appurtenances shall be required in all franchises on any route, to be made available for other franchise grantees, and for the city itself at any time during the grant, upon contribution of a fair proportion of the cost and maintenance expense, not including any franchise valuation allowance, and if the compensation for such common user cannot be agreed voluntarily between respective grantees, or the city itself, it shall be fixed by arbitration, each party appointing one arbitrator, and if the two fail to agree, they shall appoint a third, and the result of such arbitration shall be binding upon the parties. It shall be the duty of the city council to incorporate in every such franchise efficient provisions for the compulsory arbitration of all disputes which may arise between the grantee or his successors or assigns, and his, its or their employes, as to any matter of employment or wages. The proposed franchise shall further contain all other reservations and limitations set forth in this charter and the laws of the state. (Alternate proposition No. 1 submitted with this charter, to be inserted here and become a part of this charter, if this charter is adopted and if said alternate proposition is separately adopted.)

The proposed franchise shall thereupon be offered and advertised for bids to ascertain the person, company or corporation who will accept, construct and operate said franchise at the lowest rates of fare, to be substituted in lieu of the maximum rates set forth in the resolution. Bidding for the franchise shall be in accordance with provisions of this charter in relation to bids made on city contracts, 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 all or any part of the route for which application was made. Each bid must be accompanied by a certified check payable to the city treasurer 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 city council shall consider the bids, and with due regard to cash and ticket fares, transfer regulations and connections, shall decide and designate the bidder whose proposal offers the lowest fares to the people, not exceeding the maximum rates named in the resolution. Thereupon, if the proposed franchise be for any new system, or include any business thoroughfares or any trunk line or canyon route upon which no tracks have been laid under any previous franchise, then the said franchise shall be submitted to the vote of the qualified electors at the next ensuing general municipal election for their ratification or rejection. If the designated best bidder shall offer and provide the expense of a special election, the city council may authorize the vote to be taken at a special election. If the proposed franchise be for an extension of an existing system in a residence district and does not include any trunk line or canyon route, the franchise shall not be submitted to referendum unless the city council shall so direct, or a referendum petition signed by a number of qualified voters equal to not less than six per cent of the total registration for the previous year, be filed with the city clerk, within thirty days after the official publication of the designation of the best bidder for the proposed franchise, and during said period of thirty days the franchise shall be in abeyance. If no referendum petition be filed, the city council may finally pass the ordinance and grant the franchise. If a referendum petition be filed the franchise shall be submitted to vote of the qualified electors at the next ensuing general or at a special election, if the proposer of a franchise shall offer and provide the expense thereof, and the city council shall authorize the same. Official publication, notices of election, conduct and manner of elections, preparation of official ballots, counting and canvassing of votes, and certifying of returns of any election on the granting of a franchise shall be done substantially as is provided for the submission to vote of the people on initiative ordinances. If the proposed franchise ordinance receive in its favor a majority of all the votes cast for and against the same, it shall be deemed to be ratified, and the city council may thereupon finally pass and adopt the same. If it fail to receive said majority in its favor, the said franchise ordinance shall be deemed rejected and no further proceedings shall be had thereunder. The same methods of procedure shall obtain in the extension of any existing franchises, or any rights thereunder, as in the case of a new franchise, but no street railway franchise shall in any event be granted, extended or renewed to any date beyond December 31st, 1934.

A minority of the city council, including not less than one-third of its members, or electors, shall have the right and power to invoke a referendum vote on a franchise ordinance without the filing of any petition therefor.

Section 145. Every franchise for steam railroad tracks upon any street or public place, shall also contain a provision permitting joint user of such tracks by the city and the Port of Seattle, upon such terms and conditions as shall be specified in the ordinance granting such franchise.

LIQUOR LICENSES.

Section 146. The power of the city council to grant liquor licenses shall be subject to the limitations and restrictions hereinafter set forth.

(a) Hereafter no license (except a wholesale license as hereinafter defined) shall be granted to any person or persons, authorizing the sale or giving away or other disposal of any intoxicating, spirituous, malt, vinous, mixed or fermented liquors at any place within the limits of the City of Seattle outside of the districts hereinbelow designated for the granting of licenses, except as otherwise specifically hereinbelow provided. The city council, in its discretion, subject to the limitations herein stated, shall have authority to grant such licenses within the limits of the four saloon patrol districts hereinbelow described, it being understood that the designation of any street in defining the boundary of any of the districts herein contained shall be taken to mean and include within the district premises with frontages upon either side of the street named, but where a specific reference to the boundary street is designated, it shall be taken to mean and include within the district only frontages upon said margin of said street.

BOUNDARIES OF SALOON PATROL DISTRICT NUMBER ONE:—Beginning at the intersection of First Avenue and Wall Street and running thence easterly on Wall Street to the west margin of the alley between First and Second Avenues; thence southerly on the west margin of said alley to the south margin of Pine Street; thence easterly on the south margin of Pine Street to the west margin of Third Avenue; thence southerly on the west margin of Third Avenue to Pike Street; thence easterly on Pike Street to Fifth Avenue; thence southerly on the west margin of Fifth Avenue to a point seventy-five feet southerly from Pike Street; thence westerly, parallel with and seventy-five feet southerly from Pike Street to the west margin of the alley between Third and Fourth Avenues; thence southerly along the west margin of said alley to a point sixty feet northerly from Union Street; thence westerly, parallel with and sixty feet northerly from Union Street to a point sixty feet westerly from Third Avenue; thence southerly, parallel with and sixty feet westerly from Third Avenue to a point sixty feet southerly from Union Street; thence easterly, parallel with and sixty feet southerly from Union Street to the west margin of the alley between Second and Third Avenues; thence southerly along the west margin of said alley to the south margin of Cherry Street; thence easterly along the south margin of Cherry Street to Third Avenue; thence southerly along Third Avenue to Yesler Way; thence east along Yesler Way to Fifth Avenue South; thence south on Fifth Avenue South to King Street; thence east on King Street to Maynard Avenue; thence south on Maynard Avenue to Lane Street; thence east on Lane Street to Seventh Avenue South; thence south on Seventh Avenue South to Charles Street; thence east on Charles Street to Eighth Avenue South; thence south on Eighth Avenue South to the point of intersection of the east margin of Eighth Avenue South with the west margin of the right-of-way of the Northern Pacific and Columbia and Puget Sound Railways; thence southerly along the west margins of said right-of-way to the north side of Nevada (formerly Rainier) Street; thence west along the north side of said Nevada Street to Eighth Avenue South; thence north along Eighth Avenue South to Hanford Street; thence westerly along Hanford Street to Sixth Avenue South; thence north along Sixth Avenue South to Holgate Street; thence west along Holgate Street to the east margin of Utah Street; thence north on the east margin of Utah Street to Connecticut Street; thence west on Connecticut Street to the east margin of Railroad Avenue; thence north along the east margin of Railroad Avenue to Yesler Way and continuing north along the east margin of Western Avenue to Columbia Street; thence easterly along the south margin of Columbia Street to the east margin of Post Street; thence northerly along the east margin of Post Street to a point one hundred twenty feet northerly from Madison Street; thence westerly, parallel with and one hundred twenty feet northerly from Madison Street to the east margin of Railroad Avenue; thence northerly along the easterly margin of Railroad Avenue to Wall Street; thence easterly on Wall Street to First Avenue and the place of beginning; including also frontages upon both sides of First Avenue from Wall Street to the south margin of Denny Way; provided, however, that premises with frontages upon Second Avenue between Pike Street and Pine Street, and premises with frontages upon Jackson Street between Third Avenue South and Fifth Avenue South shall not be deemed to be included within the above number four district.

(b) The city council in its discretion, subject to the limitations herein, shall have authority to grant licenses for the sale or disposal of such liquors in bona fide commercial hotels within the limits of the hotel liquor license district described as follows, to-wit:

BOUNDARIES OF HOTEL LIQUOR LICENSE DISTRICT:—The territory lying east of and adjoining Saloon Patrol District Number One, particularly defined as follows: Bounded on the west by said District Number One; on the north by the south margin of Denny Way; on the south by King Street and on the east by the following, to-wit: The west margin of the alley between Fourth and Fifth Avenues from Denny Way southerly to one hundred twenty feet north of Pine Street; thence easterly parallel with Pine Street to the west margin of the alley between Sixth and Seventh Avenues; thence southerly along the west margin of said alley to Yesler Way; thence east to the west margin of the alley between Maynard Avenue and Seventh Avenue South; thence south along the west margin of said alley to Jackson Street; thence easterly on Jackson Street to King Street. Also the territory lying west of and adjoining Saloon Patrol District Number One, particularly defined as follows: Bounded on the north by a line parallel with and distant one hundred twenty feet northerly from Madison Street; on the west by the easterly margin of Railroad Avenue on the south by Yesler Way, and on the east by said Saloon Patrol District Number One. Also all premises with frontages upon Second Avenue between Pike Street and Pine Street and all premises with frontages upon Jackson Street between Third Avenue South and Fifth Avenue South.

The authority to grant such licenses within the Hotel Liquor License District may be exercised by the city council in the following cases, and not otherwise, namely: Any such license may be granted only for a bona fide commercial hotel, in which adequate and general provision is made for transient guests, and which has at least one hundred sleeping rooms in use for hotel purposes, all under a single management; and the license so granted, shall be issued, and the license shall distinctly prescribe and limit the sale and disposal of liquor authorized under it to a defined room or other enclosed portion of the building, having no frontage upon any street or alley, but having its entrance solely from within the hotel, and there shall be no sign or other advertisement or designation of such licensed location exposed so as to be read from any street or alley. Every such license within the Hotel Liquor License District shall distinctly specify the terms and restrictions governing and controlling the same.

(c) Hereafter no license shall be granted within the saloon patrol district herein described, except that part of District Number One lying along and east of Sixth Avenue South between King and Hanford Streets, for any premises whereby the main entrance to the place of selling or disposition of the liquors shall be on an alley.

(d) Within the saloon patrol districts herein described, except that part of District Number One lying along and east of Sixth Avenue South, between King and Hanford Streets, no liquor license of any kind shall hereafter be granted for any premises situated within thirty feet of a street corner (meaning by corner the intersection of the marginal lines of two streets) except for premises for which valid licenses were outstanding and in actual use on January first, nineteen hundred and fourteen.

(e) No liquor license of any kind shall be granted for any premises situated within thirty feet of a street corner (as defined above) at any of the following street intersections, namely: Pike Street and First Avenue, Pike Street and Second Avenue, Madison Street and First Avenue, Madison Street and Second Avenue, James Street and Second Avenue, James Street and Third Avenue, Yesler Way and Second Avenue; provided, that this restriction shall not apply to any basement situated at any of said corners whose entrance is on one street and is distant at least sixty feet from the corner, such basement having no entrance, window or other communication with the other street.

Within the saloon patrol districts herein described, except that part of District Number One lying along and east of Sixth Avenue South, between King and Hanford Streets, no licenses shall hereafter be granted which shall make the number of licensed places situated on the same block of land and fronting on the same street exceed two (including herein basements as well as other premises and counting all kinds of liquor licenses) except that in cases where there were outstanding on January first, nineteen hundred and fourteen, valid licenses for more than two licensed places situated on the same block of land and fronting on the same street, the city council shall have the same discretion as in other cases to continue to issue licenses hereafter for the precise premises so in use under such licenses; provided, that when by reason of transfer or otherwise any premises falling within the foregoing exception shall be abandoned as a place for selling such liquors, or be used for other purpose, said exception shall no longer apply to such premises.

(g) The aggregate number of liquor licenses outstanding in the city, exclusive of hotel licenses within the Hotel Liquor License district, and exclusive of purely wholesale licenses, as herein defined, shall not exceed three hundred and fifteen until the population of the city exceeds five hundred thousand.

(h) Every liquor license shall be specific, both as to the person, firm or corporation licensed and as to the particular premises where the same is to be used, and as to the person paying for the same. The city council may, in its discretion, consent to the transfer of any license as to person or location, but no license shall be transferred to any location except one for which such license might be granted under these charter provisions.

(i) No transfer of a license, either as to person or location, shall be allowed or granted without the written consent of the person or corporation who has paid for the license, or his or its assignee. Such person or corporation shall be designated in the application for the license or in an assignment filed with the city comptroller.

(j) Every grant of a license which is a renewal of a license theretofore existing for premises theretofore occupied as a licensed place for selling liquors shall be made in the name of the actual owner of the existing license or with the written consent of such owner, and any person paying or having paid the license fee to the city for any license shall be deemed to be the owner of the same for the purposes of this clause and the last preceding clause.

(k) No liquor license shall be granted for a longer period than one year. The sum required for any liquor license shall in no case be less than one thousand dollars per year except that licenses for the selling or giving away or other disposal of such liquors at wholesale only, which shall be known as wholesale licenses, shall in no case be less than four hundred fifty dollars per year.

A wholesale license shall in no case authorize or permit the sale, giving away or other disposal of liquor where the same or any part thereof is to be consumed on the premises where sold or otherwise disposed of, or in any premises used in connection therewith, and under such license the liquor must be sold, given away or disposed of in quantities of not less than one gallon, if within any of the saloon patrol districts, and in quantities of not less than three gallons if outside of said districts. Wholesale licenses outside of said saloon patrol districts shall not be granted except to manufacturers of liquors or bottlers thereof.

The sum required to be paid for any liquor 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 all license fees shall be collected and paid into the city treasury before the issuance of the license, and no refunds of any such license fee shall be made during the period for which it is granted; and the bond required to be given by keepers or proprietors of saloons or drinking houses shall not in any case be fixed at less than two thousand dollars.

(l) Nothing contained in any of the provisions relating to liquor licenses shall be construed as requiring the city council to grant any license whether in renewal of a previously existing license or otherwise or to consent to the transfer of any license.

CLAIMS.

Section 147. Neither the city council nor any officer, board or authority shall allow, make valid or in any manner recognize any demand against the city which was not at the time of the 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.

Section 148. All claims for injuries to the person, or for damages to personal property alleged to have been caused or sustained by reason of defective, want of repair or obstruction of any of the highways, streets, alleys, sidewalks, crosswalks, or public ways, or in any of the public buildings belonging to, possessed or controlled by the city, shall be presented to the city council within thirty days after such injuries shall be alleged to have been received. Such claim shall state the time, place, cause, nature and extent of the alleged injuries, so far as practicable, the actual residence of such claimant by street and number at the time of presenting such claim, and for six months immediately prior to the time such claim for damages accrued, and shall be verified by the affidavit of the claimant, to the effect that the same is true. The omission to present any such claim in the manner or within the time in this section provided shall be a bar to an action against the city therefor.

CITY OFFICIAL NEWSPAPER.

Section 149. The city may establish and, under the direction of the city manager, publish and circulate an official newspaper. Any and all matters and proceedings required by law, charter or ordinance to be published, shall be published therein. The city council shall fix and establish advertising and subscription rates therefor. Nothing shall be published in such newspaper unless it pertains strictly to the city's business. No political matter of anything which advertises or calls special attention to any officer, employe or department of the city or to any candidate for office, shall be published therein. Until such city newspaper shall be established and published a newspaper of general circulation published in the city shall be designated by contract as the official newspaper.

TIDE LAND STREETS.

Section 150. All streets, avenues and other public highways heretofore established upon, over or across any tide lands within the City of Seattle, or into the waters of Lake Washington, Lake Union, Green Lake or other lakes, streams or bodies of fresh water within the City of Seattle