

**WARNING**

No. **LGL 2011-0016**  
**IP. 2011-01**

Under Washington State law every person who signs an initiative or referendum petition with any other than his or her true name, knowingly signs more than once, or signs when he or she is not a legal voter; or signs a petition when he or she is otherwise not qualified to sign, or who makes any false statement on such petition, may be guilty of a misdemeanor.

**INITIATIVE PETITION TO THE PEOPLE OF THE CITY OF SPOKANE**

**RECEIVED**

**INITIATIVE NO. 2011-01**

MAR 23 2011

CITY CLERK'S OFFICE  
SPOKANE, WA

We, the undersigned citizens and legal voters of the City of Spokane, Washington, respectfully direct that this proposed City Charter amendment known as Initiative No. **01**, a full, true and correct copy of which is printed on the reverse side hereof, be submitted to the electors of the City of Spokane for their approval or rejection at the next available special or general municipal election. The proposed City Charter amendment shall appear as the following proposition:

**BALLOT TITLE**

Shall the City Charter be amended to add a Community Bill of Rights, which secures the right of neighborhood residents to approve re-zonings proposed for significant new development, recognizes the right of neighborhood residents to reject development which violates the City Charter or the City's Comprehensive Plan, expands protections for the Spokane River and Spokane Valley-Rathdrum Prairie Aquifer, and provides constitutional protections in the workplace?

Each of us for himself or herself says: I have personally signed this petition; I am a legal voter of the City of Spokane; my residence address is correctly stated; and I have knowingly signed this petition only once.

(The full text of the proposed City Charter amendment is printed commencing on the reverse side of this page.)

PETITIONER'S SIGNATURE as on voter registration	PRINTED NAME	RESIDENCE ADDRESS (street number; zip code)	DAYTIME PHONE (optional)	CHECK IF REGISTERED ADDRESS IS DIFFERENT

ENVISION SPOKANE POLITICAL COMMITTEE, 1028 E. 13TH AVENUE, SPOKANE, WA 99202.

**SUMMARY OF THE MEASURE**

**The Law as it Currently Exists:**  
No Community Bill of Rights currently exists within the City Charter.

natural environment, and workers. This initiative would recognize the right of neighborhood residents to approve proposals for significant new development which require re-zoning, the right of neighborhood residents to reject proposals for significant new development which would violate the City Charter or the City's Comprehensive Plan, the right to a healthy Spokane River and aquifer, the right to constitutional protections in the workplace, and the right to enforce Charter rights against competing rights claimed by corporations.

**The Effect of the Measure if Approved:**  
This measure would amend the City Charter with a Community Bill of Rights, which seeks to build a healthy, sustainable, and democratic Spokane through the recognition of the rights of neighborhoods, the

# **A CITY CHARTER AMENDMENT ESTABLISHING A COMMUNITY BILL OF RIGHTS**

Whereas, the people of the City of Spokane wish to build a healthy, sustainable, and democratic community;

Whereas, the people of the City of Spokane wish to build that community by securing the rights, freedoms, and well-being of residents, workers, neighborhoods, and the natural environment;

Whereas, the people of the City of Spokane recognize their responsibility to be well-informed and involved citizens of the City of Spokane, to be stewards of the natural environment, and to assume the responsibility for enforcing their rights and the rights of others;

Whereas, the people of the City of Spokane have adopted a Comprehensive Plan for the City of Spokane, which envisions the building of a healthy, sustainable, and democratic community, but the people recognize that the Comprehensive Plan is not legally enforceable in many important respects; and

Whereas, the people of the City of Spokane wish to create a Community Bill of Rights which would, among other goals, establish legally enforceable rights and duties to implement the vision laid out in the Comprehensive Plan.

## **NOW, THEREFORE, THE PEOPLE OF THE CITY OF SPOKANE HEREBY ORDAIN:**

**Section 1.** A new section be added to the beginning of the Charter of the City of Spokane, which shall be known as the "Community Bill of Rights," and which provides as follows:

### **FIRST. NEIGHBORHOOD RESIDENTS HAVE THE RIGHT TO DETERMINE THE FUTURE OF THEIR NEIGHBORHOODS.**

Neighborhood majorities shall have the right to approve all zoning changes proposed for their neighborhood involving significant commercial, industrial, or residential development. Proposed commercial or industrial development shall be deemed significant if it exceeds ten thousand square feet, and proposed residential development shall be deemed significant if it exceeds twenty units and its construction is not financed by governmental funds allocated for low-income housing. It shall be the responsibility of the proposer of the zoning change to acquire the approval of the neighborhood majority, and the zoning change shall not be effective without it. Neighborhood majorities shall also have a right to reject significant commercial, industrial, or residential development which is incompatible with the provisions of the City's Comprehensive Plan or this Charter. Approval of a zoning change or rejection of proposed development under this section shall become effective upon the submission of a petition to the City containing the valid signatures of a majority of registered voters who reside within that neighborhood approving the zoning change or rejecting the proposed development, in a petition generally conforming to the referendum provisions of the Spokane municipal code.

### **SECOND. THE RIGHT TO A HEALTHY SPOKANE RIVER AND AQUIFER.**

The Spokane River, its tributaries, and the Spokane Valley-Rathdrum Prairie Aquifer possess inalienable rights to exist and flourish, which shall include the right to sustainable recharge, flows sufficient to protect native fish habitat, and clean water. The City of Spokane and any resident of the City or group of residents have standing to enforce and protect these rights.

### **THIRD. EMPLOYEES HAVE THE RIGHT TO CONSTITUTIONAL PROTECTIONS IN THE WORKPLACE.**

Employees shall possess United States and Washington Bill of Rights' constitutional protections in the workplace within the City of Spokane, and workers in unionized workplaces shall possess the right to collective bargaining.

### **FOURTH. CORPORATE POWERS SHALL BE SUBORDINATE TO PEOPLE'S RIGHTS**

Corporations and other business entities which violate the rights secured by this Charter shall not be deemed to be "persons," nor possess any other legal rights, privileges, powers, or protections which would interfere with the enforcement of rights enumerated by this Charter.

**Section 2.** Effective Date of Amendment to City Charter. If approved by the electors, this City Charter amendment shall take effect and be in full force upon issuance of the certificate of election by the Spokane County Auditor's Office.

**Section 3.** All ordinances, resolutions, motions, or orders in conflict with this City Charter amendment are hereby repealed to the extent of such conflict. If any part or provision of these Charter provisions is held invalid, the remainder of these provisions shall not be affected by such a holding and shall continue in full force and effect.