



WHATCOM COUNTY
EXECUTIVE ORDER 2016-05

ORDINANCE SIGNATORY AUTHORITY PROCEDURES FOR EXECUTIVE ABSENCE

WHEREAS, the Whatcom County Charter says there shall be separation of powers into two branches of government, executive and legislative, and that both branches are to dutifully fulfill their responsibilities and refrain from overextending their authority; and

WHEREAS, the Executive Branch has the authority as defined in Article 3 of the Whatcom County Charter; and

WHEREAS, the Executive has delegated signature authority for matters other than ordinances to his representative(s) and that delegation has been defined as follows:

“This delegation is being made pursuant to Whatcom County Charter, Section 3.22 (h), “...sign or cause to be signed, on behalf of the County, all claims, deeds, contracts and other instruments”; and

WHEREAS, the Deputy Executive is the primary delegated signatory authority for the Executive when the Executive is not present; and

WHEREAS, signing of County ordinances is governed by County Charter Section 2.30, and in case of emergency ordinances, by Charter Section 2.40, and delegated signatory authority for the Deputy Executive does not include the signing of County ordinances; and

WHEREAS, though the powers are distributed to the respective branches, each branch shall strive to work with the other branch for a unified government for the people of Whatcom County, and it is in the best interest of the Executive and the Executive Pro Tempore to work cooperatively when the Executive is not present in the office to ensure emerging issues requiring signature authority on ordinances are dealt with efficiently, and

WHEREAS, as defined in Section 3.26 of the Whatcom County Charter the Executive Pro Tempore shall perform the duties of the Executive in the case of absence or temporary disability of the Executive, and

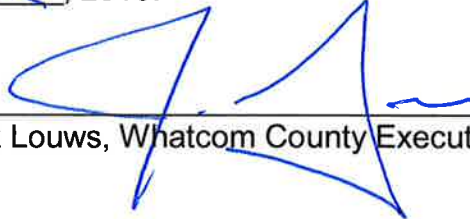
WHEREAS, it is important for both branches of Government to understand the distinction between "not present but available" to carry out the duties of the Office of Executive and the absence or temporary disability of the Executive as defined in Section 3.26 of the Whatcom County Charter;

NOW, THEREFORE, BY VIRTUE OF THE POWER VESTED IN ME BY THE HOME RULE CHARTER FOR WHATCOM COUNTY, it is determined and ordered that my absence shall be defined as follows:

- A. If the Executive is determined to be disabled to the extent that he is unable to perform the duties of his office; or
- B. When and for the period of time the Executive has provided notice of his absence in writing to the County Council Chair; or
- C. If the Executive does not respond to attempts to make contact within 24 hours of the last attempt through normal means including text, e-mail, phone and/or contact information provided to the Executive's staff on how the Executive can be contacted by the Council Chair and Executive Pro Tem.

This order is effective immediately.

Dated this 24th day of OCTOBER, 2016.



Jack Louws, Whatcom County Executive