

City of Kenmore Public Comment on Ballot Measures: Frequently Asked Questions (FAQ)

The City of Kenmore is committed to public transparency and compliance with Washington State law. This document is intended to help residents understand when and how they may comment on ballot measures, and what limitations may apply.

Does state law prohibit the use of City facilities, such as the Council Chambers, to support or oppose ballot measures or candidates for elected office?

Yes. Except for certain exceptions, state law prohibits the City from using or authorizing the use of City facilities, such as the Council Chambers, for the purposes of assisting a campaign for elected office or to promote or oppose a ballot measure.

What are the exceptions?

Exceptions include:

1. Action taken at an open public meeting by the City Council to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;
2. A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;
3. Activities which are part of the normal and regular conduct of the office or agency.

Does this mean I can comment on a ballot measure at a City Council meeting?

You may support or oppose a ballot measure at a Council meeting, **but only** at certain times.

For example, when a ballot measure has been put on a City Council meeting agenda for potential Council action, you may comment at the time noted on the agenda, which will be **before** the City Council takes formal action (such as voting to support/oppose a ballot measure). During this time, public comment is invited as part of the legislative process.

When the City Council is considering a resolution related to a ballot measure, the following steps generally will occur:

- Any required notice of the meeting includes the title and number of the ballot proposition



- A presentation about the ballot measure may be given
- Councilmembers may ask questions or have a discussion
- Members of the public are afforded an approximately equal opportunity for the expression of an opposing view
- The Council may consider a proposed resolution in support of or in opposition to the ballot measure or take action to express a collective decision

Why can't I comment on ballot measures during Regular Public Comment?

Public comment on ballot measures is not permitted during City Council meetings unless the procedures discussed previously are met and the ballot measure has been officially put on a meeting agenda. The Washington Public Disclosure Commission (PDC), which enforces the state law, has identified that state law does not allow a public agency to permit its regular comment period to become a forum for campaign advocacy.

If the measure is not before the Council, residents are encouraged to express their views through other appropriate forums, such as public hearings hosted by the sponsoring agency, letters to the editor, or community advocacy events.

What happens if someone starts speaking in favor of or against a ballot measure during a City Council meeting?

If a regular public comment strays into advocacy after a measure has been placed on the ballot, the Mayor or presiding officer must respectfully stop the comment in order to remain compliant with **RCW 42.17A.555**.

The PDC published "Guidelines for Local Government Agencies in Election Campaigns (PDC Interpretation No. 04-02), which provides more detail regarding what a city may do under the law. The guidelines are located at [Guidelines for Local Government Agencies in Election Campaigns | Washington State Public Disclosure Commission \(PDC\)](#)

Key Legal References

- **RCW 42.17A.555** – Use of public office or agency facilities in campaigns
- **Kenmore Municipal Code** – Council meeting procedures and public comment rules
- **Public Disclosure Commission (PDC)** – www.pdc.wa.gov – Campaign guidelines and compliance resources. [Home | Washington State Public Disclosure Commission \(PDC\)](#)
- PDC's Guidelines for Local Government Agencies in Election Campaigns: [Guidelines for Local Government Agencies in Election Campaigns | Washington State Public Disclosure Commission \(PDC\)](#)

