

# City and Town Forms of Government

This page provides a basic overview of the mayor-council, council-manager, and commission forms of government in Washington State, including relevant statutes, statistics, and procedures for changing form of government.

To see the classification and form of government of any city or town, see MRSC's <u>Washington City and Town</u> Profiles.

**New legislation:** Effective June 9, 2022, <u>HB 1832</u> authorizes code cities that are seeking to adopt a council-manager form of government, which also seek to designate council position one as the chair of the council pursuant to <u>RCW 35A.13.033</u>, to combine those two resolutions into a single combined proposition before the voters. We have updated this page to reflect this legislation.

The legislation also removes the requirement for city managers to reside in the code city after their appointment, unless such residency is required by council.

#### **Overview**

Washington cities and towns are organized under two principal forms of government, sometimes referred to as plans of government: mayor-council and council-manager. (This is in addition to and separate from the <u>city's classification</u>, such as a first class or code city.) In addition, state law permits larger cities to voluntarily adopt charters unique to their communities under certain circumstances as described below.

In general, choosing the form of government is not a matter of *how much* legislative and/or administrative authority the city or town will have, but rather the distribution of authority between the legislative and executive officials.

For a brief overview of the common arguments for and against each form of government, see MRSC's handout on <u>Common Issues and Pro/Con Arguments in Elections to Change Form of Government</u>. More details regarding each form, as well as examples of cities that have changed form of government, are provided below.

### **Mayor-Council Form**

Mayor-council is the oldest and most common form of government in Washington, including small towns and large cities alike. However, while most cities in Washington use the mayor-council system, the vast majority of cities that have incorporated or successfully changed form of government since 1970 have adopted the council-manager system.

The basic structure and organization of mayor-council cities is set out in <u>chapter 35A.12 RCW</u> for code cities; also see <u>chapter 35.22 RCW</u> for first class cities, <u>chapter 35.23 RCW</u> for second class cities, and <u>chapter 35.27 RCW</u> for towns.

The mayor-council form consists of a mayor elected at-large, who serves as the city's chief administrative officer, and a separately elected council (elected either at-large or from districts) which serves as the municipality's legislative body. This separation of powers is based on the traditional federal and state models in the United States.

The council has the authority to formulate and adopt city policies and the mayor is responsible for carrying them out. The mayor attends and presides over council meetings but does not vote, except in the case of a tie.

The mayor also has veto authority over legislation (except for towns), but the veto can be overridden by the council as specified in the municipality's statutes or charter. (For more information, see our page on <u>Council Voting</u>.)

The mayor must be qualified to hold elective office, which includes being a resident and legally registered voter of that city (RCW 42.04.020 and RCW 42.12.010).

In all but the largest cities, elected mayors and councilmembers serve on a part-time basis, leaving most of the day-to-day operations to administrative personnel.

Nationally, mayor-council governments are often classified as either "strong mayor" or "weak mayor" types depending on the degree of executive authority that is concentrated in the mayor's office. However, by providing veto authority (except for towns), the Washington State legislature essentially provided for a strong mayor system.

#### **Hybrid City Administrator System**

Many mayor-council cities have hired professional city administrators, chief administrative officers, or similarly titled positions to serve under the mayor. The city administrator is usually a full-time position responsible for many administrative and policy-related duties such as budget preparation, personnel administration, and department supervision.

In essence, this is a hybrid model between the mayor-council and council-manager systems, retaining a separately elected mayor who is responsible for administration, but providing for professional management of the city's day-to-day operations. In theory, this also frees the mayor from the need to attend to administrative details and allows the mayor to focus greater attention on policy development, political leadership, and potentially their own private employment apart from city government.

See the code provisions below for a few examples:

- <u>Camas Municipal Code Ch. 2.06</u> City Administrator
- Chewelah Municipal Code Ch. 2.04 City Administrator
- Enumclaw Municipal Code Ch. 2.08 City Administrator
- Kent Municipal Code Ch. 2.06 Chief Administrative Officer

**Practice Tip:** For some perspective and personal experiences regarding the hybrid mayor/city administrator approach, see <u>Public Management Magazine:</u> The <u>Unofficial Role of the Administrator</u> (2008), written by one of MRSC's former staff members.

## Council-Manager Form

Council-manager is the other common form of government in Washington, including quite a few medium-to-large cities. While it is not as common as the mayor-council form, the vast majority of cities that have incorporated or successfully changed form of government since 1970 have adopted the council-manager system.

The basic structure and organization of council-manager governments is set out in <u>chapter 35A.13 RCW</u> (code cities) and <u>chapter 35.18 RCW</u> (non-code cities and towns).

The council-manager form consists of an elected city council (which may be elected at-large or from districts) which is responsible for policymaking, and a professional city manager, appointed by the council, who is responsible for administration. The city manager provides policy advice, directs the daily operations of city government, handles personnel functions (including the power to appoint and remove employees) and is responsible for preparing the city budget.

Under the council-manager statutes, the city council is prohibited from interfering with the manager's administration. The city manager, however, is directly accountable to and can be removed by a majority vote of the council at any time.

The council-manager form aims to improve public services and make them more efficient by introducing professional management and removing politics from the day-to-day administration. This is based on the model of a business with a board of directors that appoints a chief executive officer; another familiar public example is the school board-superintendent relationship. However, as noted earlier quite a few mayor-council cities have hired professional administrators to work toward similar goals.

Unlike mayor-council cities, where the chief executive (mayor) must be a resident and registered voter of the city, the city manager does not need to live within the city unless the council adopts a local policy requiring residency. Instead, the manager is selected solely based on their executive and administrative qualifications and experience (see <u>RCW 35A.13.050</u> for code cities and <u>RCW 35.18.040</u> for other cities).

In council-manager cities, a ceremonial mayor presides at council meetings and is recognized as the head of the city for ceremonial purposes but has no regular administrative duties. The mayor is generally selected by the city council (see <u>RCW 35A.13.030</u> for code cities and <u>RCW 35.18.190</u> for other cities) and this person must also be a councilmember.

Under <u>RCW 35A.13.033</u> and <u>RCW 35A.06.040</u>, an optional municipal code city may permanently designate council position number one as the chair or mayor, thus allowing the ceremonial mayor position to be directly elected by the people instead of chosen by the council.

## Comparison of Mayor-Council vs. Council-Manager

Characteristics	Mayor-Council	Council-Manager		
Legislative authority	Council	Council; ceremonial mayor is part of council		
Executive authority	Elected mayor	Appointed manager		
Selection of CEO	Popularly elected	Appointed by council on basis of experience		
CEO must reside in city?	Yes	No, unless required by local policy		
Removal of CEO	Recall election	Removed by majority vote of the council		
Tenure of executive	4-year term	Indefinite		
Tenure of council	4-year term	4-year term		
Appointment of department heads	Mayor (with council confirmation if provided)	Manager (no council confirmation)		
Removal of department heads	Mayor	Manager		
Veto	Mayor (except for towns)	Manager has no veto		
Policy development	Mayor can propose	Manager can recommend		
Policy implementation	Mayor	Manager		
Underlying principles	Separation of powers; Political leadership; Strong central executive	Separation of politics from administration; Promotes economy and efficiency through professional management; Strong central executive; Follows business model		

## Commission Form (No Longer in Use)

While the commission form of government is still common among counties, it is now largely obsolete among cities. There are no longer any commission cities in Washington; the last remaining commission city – Shelton, which also employed a city administrator – switched to a council-manager system in 2017.

The basic structure and organization of the commission form of government is laid out in <u>chapter 35.17 RCW</u>. The commission form provides for the election of three commissioners who function collectively as the city's legislative body and individually as city department heads. The public safety commissioner also serves as mayor but essentially has the same powers as the other commissioners, with no veto power and no authority over other departments.

### **City Charters**

Cities with local charters can adopt a form of government that does not necessarily adhere to the statutory rules. First class cities and optional municipal code cities with a population over 10,000 may use charters to establish their form of government. However, only one code city (Kelso) has done this.

The National Civic League has published a <u>Guide for Charter Commissions</u> and <u>Model City Charter</u> to help with reviewing and updating charters. Below are links to all city charters adopted in Washington, along with the dates they were originally adopted.

#### **Mayor-Council City Charters**

- <u>Aberdeen</u> (1929)
- <u>Bellingham</u> (1973)
- <u>Bremerton</u> (1973)
- Everett (1968)
- <u>Seattle</u> (original charter 1896; current charter 1946)
- Spokane (1910)

#### Council-Manager City Charters

- <u>Kelso</u> (1993; code city)
- <u>Richland</u> (1958)
- Tacoma (1953)
- <u>Vancouver</u> (1952)
- Yakima (1931)

## Reorganizing/Changing Form of Government

Any city may change its form of government and adopt another authorized form of government. In general, the procedure may be initiated either by a resolution adopted by the city council or by a petition process, both of which are then followed by an election on the issue of reorganizing under a different form of government. The procedures differ slightly depending on the type classification of the city or town.

Code cities can change their form of government through the procedures in <u>chapter 35A.06 RCW</u>, while non-code cities and towns can change their form of government through <u>chapter 35.18 RCW</u>.

For cities with charters, changing the form of government requires a charter amendment.

## **Examples of Resolutions Changing Form of Government**

Below are selected examples of resolutions and other supporting documents proposing to change a city or town's form of government.

#### Sample Petition to Reorganize

MRSC Sample Petition for Election to Reorganize Code City – Worded to reflect a change from the mayor-council
form of government to council-manager but can be easily revised for a change from council-manager to mayorcouncil if desired.

#### Examples Adopting Council-Manager Form or Designating Chair/Mayor

• <u>Airway Heights Resolution No. 2020-028</u> (2020) – Election to have the chair/mayor appointed by council under <u>RCW 35A.13.030</u>. (City had previously designated council position #1 as permanent chair/mayor pursuant to <u>RCW 35A.13.033</u>.) Voters approved proposition with 59% of vote.

- <u>Bainbridge Island Resolution No. 2009-06</u> (2009) Election to adopt council-manager form, initiated by petition.
  - <u>To-Do List for Changing Form of Government</u> (2009) Overview of procedures and legal actions required for Bainbridge Island to complete the transition
- <u>Union Gap Resolution No. 1008</u> (2012) Election to adopt council-manager form, initiated by petition.
- Washougal:
  - Resolution No. 1145 (2018) Election to adopt council-manager form, initiated by resolution; establishes intent
    to submit second proposition designating council position #1 as mayor pursuant to RCW 35A.13.033. Also
    includes clerical amendment.
  - Resolution No. 1188 (2020) Election to designate council position #1 as mayor pursuant to RCW 35A.13.033
  - Note that as of 2022, these resolutions could be combined into one under RCW 35A.06.040.
- Woodland Resolution No. 738 (2021) Election to adopt council-manager form, initiated by resolution.

#### **Examples Adopting Mayor-Council Form**

- Edgewood Resolution No. 14-0318 (2014) Election to adopt mayor-council form, initiated by petition.
- Federal Way Resolution No. 09-554 (2009) Election to adopt mayor-council form, initiated by petition.
- Snohomish Resolution No. 1350 (2016) Election to adopt mayor-council form, initiated by petition.

## Incorporations by Form of Government Since 1970

Since 1970, almost all new cities have incorporated under the council-manager system, although a small number later switched to mayor-council. Below is a list.

Cities Incorporating Under Council-Manager Form

- Ocean Shores (1970, switched to mayor-council in 2007)
- Mill Creek (1983)
- SeaTac (1990)
- **Federal Way** (1990, switched to mayor-council in 2009)
- Woodinville (1993)
- Burien (1993)
- Newcastle (1994)
- Shoreline (1995)

- University Place (1995)
- Lakewood (1996)
- Edgewood (1996, switched to mayor-council in 2014)
- Covington (1997)
- Maple Valley (1997)
- Kenmore (1998)
- Sammamish (1999)
- Spokane Valley (2003)

Cities Incorporating Under Mayor-Council Form

• Liberty Lake (2001)

## Cities Changing Form of Government Since 1970

Since 1970, approximately two-thirds of the cities that have successfully changed form of government have adopted the council-manager form; below is a list. (This list does not include cities that *unsuccessfully* attempted to change form of government in that timeframe.)

Cities Changing to Council-Manager Forr	m
---	---

- Snohomish (1972, reverted to mayor-council in 2016)
- Bothell (1973)
- Lacey (1973)
- Toppenish (1973)
- Chehalis (1975)
- Ferndale (1981, reverted to mayor-council in 1999)
- Blaine (1982)
- Olympia (1982)
- Centralia (1986)
- Goldendale (1986, reverted to mayor-council in 1994)
- Fircrest (1988)

- Ephrata (1995, reverted to mayor-council in 2003)
- **Sequim** (1995)
- Battle Ground (1996)
- Port Townsend (1998)
- Fife (1999)
- Carnation (2000)
- Ridgefield (2000)
- Airway Heights (2002)
- Bainbridge Island (2009)
- Union Gap (2013)
- Granite Falls (2015)
- Shelton (2017)
- Washougal (2018)

#### Cities Changing to Mayor-Council Form

- Bonney Lake (1973)
- Anacortes (1982)
- Goldendale (1994)
- Raymond (1998)
- Ferndale (1999)
- Wenatchee (1999)

- Spokane (2001)
- Ephrata (2003)
- Ocean Shores (2007)
- Federal Way (2009)
- Edgewood (2014)
- Snohomish (2016)

### **Number of Cities Using Each Form of Government**

Below is the current number of cities by classification and form of government, as well as a snapshot of how these numbers have changed over time. To see the classification and form of government for any individual city or town, see MRSC's <u>Washington City and Town Profiles</u>.

Class	Mayor-Council	Council-Manager	CURRENT TOTAL	
First	6	4	10	
Second	5	0	5	
Town	68	0	68	
Code	147	50	197	
Unclassified	1	0	1	
CURRENT TOTAL	227	54	281	

Year	Mayor-Council		Council-Manager		Commission		Total No. of Cities	Total Inc. Pop
	No.	% of Inc. Pop.	No.	% of Inc. Pop.	No.	% of Inc. Pop.		
1970	233	57%	24	37%	8	6%	265	1,907,182
1980	230	55%	29	40%	6	5%	265	2,125,392
1990	228	54%	37	45%	3	1%	268	2,287,498
2000	224	50%	54	50%	1	<1%	279	3,387,824
2010	228	58%	52	42%	1	<1%	281	4,196,962
2020	227	58%	54	42%			281	4,990,730

Last Modified: June 22, 2022

#### Follow us:

© 2022 Municipal Research and Services Center of Washington (MRSC). All rights reserved. Privacy & Terms.