

RCW 36.69.315 Withdrawal or reannexation from a park and recreation district—Authority—Procedure. (1) As provided in this section, a city, town, or county may withdraw that portion of the city, town, or county from a park and recreation district that was formed under this chapter when:

(a) The governing body of a district, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district; and the governing body of a city, town, or county, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district;

(b) Ten percent of the voters of such city or county who voted at the last general election petition the governing officials for such a vote; or

(c) A district located in a county with a population of two hundred ten thousand or more has not actively carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period, in accordance with chapter 57.90 RCW.

(2) (a) After adoption of the resolution approving the deannexation, receipt of a valid petition signed by the requisite number of registered voters, or determination that the district has been inactive in accordance with chapter 57.90 RCW, the governing body of the city, town, or county, which is part of the district, must draft a ballot title, give notice as required by law for ballot measures, and perform other duties as required to put the measure approving or not approving the deannexation before the voters of the city, town, or county, which is part of the district.

(b) The ballot proposition authorizing the deannexation from a proposed park and recreation district must be submitted to the voters of the district for their approval or rejection at the next general election. The ballot measure is approved if greater than fifty percent of the total persons voting on the ballot measure vote to approve the deannexation.

(3) The resolution under subsection (1) of this section and the ballot under subsection (2) of this section must set forth the specific land boundaries being deannexed from the district.

(4) A deannexation under this section is effective at the end of the day on the thirty-first day of December in the year in which the ballot measure under subsection (2) of this section is approved.

(5) The withdrawal of an area from the boundaries of a park and recreation district does not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the park and recreation district existing at the time of the withdrawal.

(6) (a) An area that has been withdrawn from the boundaries of a park and recreation district under this section may be reannexed into the park and recreation district upon:

(i) Adoption of a resolution by the governing body proposing the reannexation; and

(ii) Adoption of a resolution by the park and recreation district approving the reannexation.

(b) The reannexation is effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries

for property tax purposes, the boundaries are established immediately upon the adoption of the second resolution.

(c) Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the park and recreation district, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

(d) If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions must be held in abeyance and a ballot proposition to authorize the reannexation must be submitted to the voters of the area at the next special election date according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote authorizes the reannexation.

(7) For purposes of this section, "deannex" means to withdraw a specified portion of land from a park and recreation district formed under this chapter. [2019 c 138 s 2.]