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HOUSE BILL 2188

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State of Washington

63rd Legislature

2014 Regular Session

By Representatives Takko and Blake

Prefiled 01/09/14. Read first time 01/13/14. Referred to Committee on Local Government.

1 AN ACT Relating to diking district annexations; and adding a new  
2 section to chapter 85.38 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 85.38 RCW  
5 to read as follows:

6 (1) Territory that is located outside of a diking district and is  
7 contiguous to the district and that receives services from the district  
8 may be annexed into the district using the following method:

9 (a) The governing body must adopt a resolution of its intent to  
10 annex the territory. The resolution must: (i) Include a map and  
11 description of the subject territory; (ii) indicate which service or  
12 services the territory is receiving from the district; (iii) specify  
13 the proposed system of assessment; and (iv) set a date and time for a  
14 public hearing on the annexation proposal;

15 (b) The district must publish notice of the hearing in a newspaper  
16 of general circulation in the district and must notify, by mail, all  
17 property owners as determined by the records of the county assessor.  
18 The notice required under this subsection (1)(b) must be published and  
19 mailed at least twenty-one days, but not more than twenty-eight days,

1 before the public hearing. This subsection (1)(b) does not restrict or  
2 prevent a district from publishing or mailing notices that are in  
3 addition to the required notice;

4 (c) After the public hearing, which may be continued from time to  
5 time, the governing body must decide whether to recommend the  
6 annexation to the legislative authority of the county in which the  
7 territory proposed for annexation is located. If the governing body  
8 recommends the annexation, it must adopt a resolution of the  
9 recommendation within forty-five days of its decision and forward a  
10 copy of the resolution, together with a draft annexation ordinance, to  
11 the applicable legislative authority;

12 (d) The county legislative authority, by resolution, must set a  
13 date and time for a public hearing on the annexation proposal. The  
14 date of the hearing must be within ninety days after the county  
15 receives the recommendation resolution and draft annexation ordinance  
16 from the diking district. The county legislative authority must  
17 provide notice of the hearing, by mail, to all property owners within  
18 the proposed annexation area as determined by the records of the county  
19 assessor. The notice must be mailed at least twenty-one days, but not  
20 more than twenty-eight days, before the public hearing;

21 (e) After the public hearing, which may be continued from time to  
22 time, the county legislative authority must decide whether to approve,  
23 modify, or reject the annexation proposal. The legislative authority  
24 may remove territory from the proposal, but it may not add territory  
25 without holding an additional public meeting and providing meeting  
26 notice to the property owners affected by the addition that conforms  
27 with the notice requirements of (b) of this subsection; and

28 (f) If the county legislative authority approves the annexation  
29 proposal in its original or a modified form, it must do so by  
30 ordinance. Approved annexations are effective on the first day of the  
31 following January.

32 (2) For the purposes of this section, territory bounded by a river,  
33 lake, or other body of water is contiguous to a district that is also  
34 bounded by the same river, lake, or other body of water.

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