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HOUSE BILL 1760

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State of Washington                      52nd Legislature                      1991 Regular Session

By Representatives Van Luven, Haugen, Edmondson, Nelson, Wynne, Nealey, Zellinsky and Franklin.

Read first time February 7, 1991. Referred to Committee on Local Government.

1            AN ACT Relating to community councils in cities and towns; amending  
2 RCW 35.14.010; adding a new section to chapter 35.10 RCW; and adding a  
3 new section to chapter 35A.14 RCW.

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

5            **Sec. 1.** RCW 35.14.010 and 1985 c 281 s 24 are each amended to read  
6 as follows:

7            Whenever unincorporated territory is annexed by a city or town  
8 pursuant to the provisions of chapter 35.13 RCW, or whenever  
9 unincorporated territory is annexed to a code city pursuant to the  
10 provisions of chapter 35A.14 RCW, community municipal corporations may  
11 be organized (~~(in the manner provided for in this 1967 amendatory act)~~)  
12 for the territory comprised of all or a part of an unincorporated area  
13 annexed to a city or town pursuant to chapter 35.13 or 35A.14 RCW, if:  
14 (1) The service area is such as would be eligible for incorporation as  
15 a city or town; or (2) the service area has a minimum population of not

1 less than three hundred inhabitants and ten percent of the population  
2 of the annexing city or town; or (3) the service area has a minimum  
3 population of not less than one thousand inhabitants.

4 Whenever two or more cities are consolidated pursuant to the  
5 provisions of chapter 35.10 RCW, a community municipal corporation may  
6 be organized within one or more of the consolidating cities.

7 No territory shall be included in the service area of more than one  
8 community municipal corporation. Whenever a new community municipal  
9 corporation is formed embracing all of the territory of an existing  
10 community municipal corporation, the prior existing community municipal  
11 corporation shall be deemed to be dissolved on the effective date of  
12 the new corporation.

13 NEW SECTION. Sec. 2. A new section is added to chapter 35.10 RCW  
14 to read as follows:

15 Voters of one or more of the cities that are proposed to be  
16 consolidated may have a ballot proposition submitted to them  
17 authorizing the simultaneous creation of a community municipal  
18 corporation and election of community council members as provided for  
19 under chapter 35.14 RCW. The joint resolution that initiates a  
20 consolidation under RCW 35.10.410 may provide for the question of  
21 whether a community municipal corporation shall be created to be  
22 submitted to the voters of one or more of the cities that are proposed  
23 to be consolidated as a separate ballot measure from the ballot measure  
24 authorizing the consolidation or as part of the same ballot measure  
25 authorizing the consolidation. The petitions that are signed by the  
26 voters of each of the cities that are proposed to be consolidated under  
27 RCW 35.10.420 may provide for the question of whether to create a  
28 community municipal corporation to be submitted to the voters of that  
29 city as a separate ballot measure from the ballot measure authorizing

1 the consolidation or as part of the same ballot measure authorizing the  
2 consolidation.

3 The ballots shall contain the words "For consolidation and creation  
4 of community municipal corporation" and "Against consolidation and  
5 creation of community municipal corporation," or "For creation of  
6 community municipal corporation" and "Against creation of community  
7 municipal corporation," as the case may be. Approval of either  
8 optional ballot proposition shall be by simple majority vote of the  
9 voters voting on the proposition, but the consolidation must be  
10 authorized by the voters of each city proposed to be consolidated  
11 before a community municipal corporation is created.

12 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.14 RCW  
13 to read as follows:

14 The resolution initiating the annexation of territory under RCW  
15 35A.14.015, and the petition initiating the annexation of territory  
16 under RCW 35A.14.020, may provide for the simultaneous creation of a  
17 community municipal corporation and election of community council  
18 members as provided for in chapter 35.14 RCW, as separate ballot  
19 measures or as part of the same ballot measure authorizing the  
20 annexation, or for the simultaneous inclusion of the annexed area into  
21 a named existing community municipal corporation operating under  
22 chapter 35.14 RCW, as separate ballot measures or as part of the same  
23 ballot measure authorizing the annexation. If the petition so provides  
24 for the creation of a community municipal corporation and election of  
25 community council members, the petition shall describe the boundaries  
26 of the proposed service area, state the number of voters residing  
27 therein as nearly as may be, and pray for the election of community  
28 council members by the voters residing in the service area.

1           The ballots shall contain the words "For annexation and creation of  
2 community municipal corporation" and "Against annexation and creation  
3 of community municipal corporation," or "For creation of community  
4 municipal corporation" and "Against creation of community municipal  
5 corporation," as the case may be. Approval of either optional ballot  
6 proposition shall be by simple majority vote of the voters voting on  
7 the proposition, but the annexation must be authorized before a  
8 community municipal corporation is created.