
SUBSTITUTE SENATE BILL 5209

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Government Operations (originally sponsored by Senators McCaslin, Haugen, Swecker, Drew, Schow, Heavey and Winsley)

Read first time 03/01/95.

1 AN ACT Relating to the extension of water or sewer systems outside
2 of existing corporate boundaries; amending RCW 36.93.100; and declaring
3 an emergency.

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

5 **Sec. 1.** RCW 36.93.100 and 1994 c 216 s 13 are each amended to read
6 as follows:

7 The board shall review and approve, disapprove, or modify any of
8 the actions set forth in RCW 36.93.090 when any of the following shall
9 occur within forty-five days of the filing of a notice of intention:

10 (1) Three members of a five-member boundary review board or five
11 members of a boundary review board in a county with a population of one
12 million or more files a request for review: PROVIDED, That the members
13 of the boundary review board shall not be authorized to file a request
14 for review of the following actions:

15 (a) The incorporation of any special district or change in the
16 boundary of any city, town, or special purpose district;

17 (b) The extension of permanent water service outside of its
18 existing corporate boundaries by a city, town, or special purpose
19 district if (i) the extension is through the installation of water

1 mains of six inches or less in diameter or (ii) the county legislative
2 authority for the county in which the proposed extension is to be built
3 is required or chooses to plan under RCW 36.70A.040 and has by a
4 majority vote waived the authority of the board to initiate review of
5 all other extensions; ((or))

6 (c) The extension of permanent water service outside of its
7 existing corporate boundaries by a city, town, or special purpose
8 district if the extension is consistent with an approved coordinated
9 water system plan adopted pursuant to RCW 70.116.010; or

10 (d) The extension of permanent sewer service outside of its
11 existing corporate boundaries by a city, town, or special purpose
12 district if (i) the extension is through the installation of sewer
13 mains of eight inches or less in diameter or (ii) the county
14 legislative authority for the county in which the proposed extension is
15 to be built is required or chooses to plan under RCW 36.70A.040 and has
16 by a majority vote waived the authority of the board to initiate review
17 of all other extensions;

18 (2) Any governmental unit affected, including the governmental unit
19 for which the boundary change or extension of permanent water or sewer
20 service is proposed, or the county within which the area of the
21 proposed action is located, files a request for review of the specific
22 action;

23 (3) A petition requesting review is filed and is signed by:

24 (a) Five percent of the registered voters residing within the area
25 which is being considered for the proposed action (as determined by the
26 boundary review board in its discretion subject to immediate review by
27 writ of certiorari to the superior court); or

28 (b) An owner or owners of property consisting of five percent of
29 the assessed valuation within such area;

30 (4) The majority of the members of boundary review boards concur
31 with a request for review when a petition requesting the review is
32 filed by five percent of the registered voters who deem themselves
33 affected by the action and reside within one-quarter mile of the
34 proposed action but not within the jurisdiction proposing the action.

35 If a period of forty-five days shall elapse without the board's
36 jurisdiction having been invoked as set forth in this section, the
37 proposed action shall be deemed approved.

38 If a review of a proposal is requested, the board shall make a
39 finding as prescribed in RCW 36.93.150 within one hundred twenty days

1 after the filing of such a request for review. If this period of one
2 hundred twenty days shall elapse without the board making a finding as
3 prescribed in RCW 36.93.150, the proposal shall be deemed approved
4 unless the board and the person who submitted the proposal agree to an
5 extension of the one hundred twenty day period.

6 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
7 preservation of the public peace, health, or safety, or support of the
8 state government and its existing public institutions, and shall take
9 effect immediately.

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