
SENATE BILL 6164

State of Washington

54th Legislature

1996 Regular Session

By Senators Fairley, Goings, Haugen, Winsley, Sheldon and McCaslin

Read first time 01/08/96. Referred to Committee on Government Operations.

1 AN ACT Relating to annexations of territory by direct petition
2 method; and amending RCW 35.13.125, 35.13.130, and 35A.14.120.

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

4 **Sec. 1.** RCW 35.13.125 and 1990 c 33 s 565 are each amended to read
5 as follows:

6 Proceedings for the annexation of territory pursuant to RCW
7 35.13.130, 35.13.140, 35.13.150, 35.13.160 and 35.13.170 shall be
8 commenced as provided in this section. Prior to the circulation of a
9 petition for annexation, the initiating party or parties who, except as
10 provided in RCW 28A.335.110, shall be either not less than ten percent
11 of the residents of the area to be annexed or the owners of not less
12 than ten percent in value, according to the assessed valuation for
13 general taxation of the property for which annexation is petitioned,
14 shall notify the legislative body of the city or town in writing of
15 their intention to commence annexation proceedings. The legislative
16 body shall set a date, not later than sixty days after the filing of
17 the request, for a meeting with the initiating parties to determine
18 whether the city or town will accept, reject, or geographically modify
19 the proposed annexation, whether it (~~shall~~) will require the

1 simultaneous adoption of the comprehensive plan if such plan has been
2 prepared and filed for the area to be annexed as provided for in RCW
3 35.13.177 and 35.13.178, and whether it (~~shall~~) will require the
4 assumption of all or of any portion of existing city or town
5 indebtedness by the area to be annexed. If the legislative body
6 requires the assumption of all or of any portion of indebtedness and/or
7 the adoption of a comprehensive plan, it shall record this action in
8 its minutes and the petition for annexation shall be so drawn as to
9 clearly indicate this fact. There shall be no appeal from the decision
10 of the legislative body.

11 If the legislative body allows the circulation of the petition, the
12 legislative body shall cause notice to be given by mail, within ten
13 working days after acceptance of proposed annexation is given, to the
14 owners or reputed owners of all lots, tracts, and parcels of land or
15 other property within the area to be annexed, as shown on the rolls of
16 the county assessor, directed to the address thereon shown.

17 The notice shall include information on the circulation of the
18 petition and the area to be annexed and shall include the following
19 warning:

20 "Warning: The petition to be circulated is for the direct
21 annexation of the described property. If sufficient signatures
22 are obtained, the annexation may occur without a vote of the
23 residents."

24 **Sec. 2.** RCW 35.13.130 and 1990 c 33 s 566 are each amended to read
25 as follows:

26 A petition for annexation of an area contiguous to a city or town
27 may be made in writing addressed to and filed with the legislative body
28 of the municipality to which annexation is desired. Except where all
29 the property sought to be annexed is property of a school district, and
30 the school directors thereof file the petition for annexation as in RCW
31 28A.335.110 authorized, the petition must be signed by the owners of
32 not less than seventy-five percent in value according to the assessed
33 valuation for general taxation of the property for which annexation is
34 petitioned: PROVIDED, That in cities and towns with populations
35 greater than one hundred sixty thousand located east of the Cascade
36 mountains, the owner of tax exempt property may sign an annexation
37 petition and have the tax exempt property annexed into the city or
38 town, but the value of the tax exempt property shall not be used in

1 calculating the sufficiency of the required property owner signatures
2 unless only tax exempt property is proposed to be annexed into the city
3 or town. The petition shall set forth a description of the property
4 according to government legal subdivisions or legal plats which is in
5 compliance with RCW 35.02.170, and shall be accompanied by a plat which
6 outlines the boundaries of the property sought to be annexed.

7 The petition shall contain the following warning displayed
8 conspicuously:

9 "Warning: This is a petition for the direct annexation of the
10 described property. If sufficient signatures are obtained, the
11 annexation may occur without a vote of the residents."

12 If the legislative body has required the assumption of all or of
13 any portion of city or town indebtedness by the area annexed, and/or
14 the adoption of a comprehensive plan for the area to be annexed, these
15 facts, together with a quotation of the minute entry of such
16 requirement or requirements shall be set forth in the petition.

17 **Sec. 3.** RCW 35A.14.120 and 1989 c 351 s 6 are each amended to read
18 as follows:

19 Proceedings for initiating annexation of unincorporated territory
20 to a charter code city or noncharter code city may be commenced by the
21 filing of a petition of property owners of the territory proposed to be
22 annexed, in the following manner. This method of annexation shall be
23 alternative to other methods provided in this chapter. Prior to the
24 circulation of a petition for annexation, the initiating party or
25 parties, who shall be the owners of not less than ten percent in value,
26 according to the assessed valuation for general taxation of the
27 property for which annexation is sought, shall notify the legislative
28 body of the code city in writing of their intention to commence
29 annexation proceedings. The legislative body shall set a date, not
30 later than sixty days after the filing of the request, for a meeting
31 with the initiating parties to determine whether the code city will
32 accept, reject, or geographically modify the proposed annexation,
33 whether it (~~shall~~) will require the simultaneous adoption of a
34 proposed zoning regulation, if such a proposal has been prepared and
35 filed for the area to be annexed as provided for in RCW 35A.14.330 and
36 35A.14.340, and whether it (~~shall~~) will require the assumption of all
37 or of any portion of existing city indebtedness by the area to be
38 annexed. If the legislative body requires the assumption of all or of

1 any portion of indebtedness and/or the adoption of a proposed zoning
2 regulation, it shall record this action in its minutes and the petition
3 for annexation shall be so drawn as to clearly indicate these facts.
4 Approval by the legislative body shall be a condition precedent to
5 circulation of the petition. There shall be no appeal from the
6 decision of the legislative body.

7 If the legislative body allows the circulation of the petition, the
8 legislative body shall cause notice to be given by mail, within ten
9 working days after acceptance of proposed annexation is given, to the
10 owners or reputed owners of all lots, tracts, and parcels of land or
11 other property within the area to be annexed, as shown on the rolls of
12 the county assessor, directed to the address thereon shown.

13 The notice shall include information on the circulation of the
14 petition and the area to be annexed and shall include the following
15 warning:

16 "Warning: The petition to be circulated is for the direct
17 annexation of the described property. If sufficient signatures
18 are obtained, the annexation may occur without a vote of the
19 residents."

20 A petition for annexation of an area contiguous to a code city may
21 be filed with the legislative body of the municipality to which
22 annexation is desired. It must be signed by the owners, as defined by
23 RCW 35A.01.040(9) (a) through (d), of not less than sixty percent in
24 value, according to the assessed valuation for general taxation of the
25 property for which annexation is petitioned: PROVIDED, That a petition
26 for annexation of such an area having at least eighty percent of the
27 boundaries of ((~~such~~)) the area contiguous with a portion of the
28 boundaries of the code city, not including that portion of the boundary
29 of the area proposed to be annexed that is coterminous with a portion
30 of the boundary between two counties in this state, need be signed by
31 only the owners of not less than fifty percent in value according to
32 the assessed valuation for general taxation of the property for which
33 the annexation is petitioned. Such petition shall set forth a
34 description of the property according to government legal subdivisions
35 or legal plats and shall be accompanied by a map which outlines the
36 boundaries of the property sought to be annexed.

37 The petition shall contain the following warning displayed
38 conspicuously:

1 "Warning: This is a petition for the direct annexation of the
2 described property. If sufficient signatures are obtained, the
3 annexation may occur without a vote of the residents."

4 If the legislative body has required the assumption of all or any
5 portion of city indebtedness by the area annexed or the adoption of a
6 proposed zoning regulation, these facts, together with a quotation of
7 the minute entry of such requirement, or requirements, shall also be
8 set forth in the petition.

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