

HOUSE OF REPRESENTATIVES

Olympia Washington

BilAnalysis

Bill No. HB 2121

Responsibilities of local govts/city/town annexation
Brief title

Public Arg: 3/4/97

Reps. D. Schmidt/Sehlin/Dunshee
Sponsor

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BACKGROUND:

Counties, cities and a variety of special districts are authorized to provide municipal water facilities, sanitary sewer facilities, and drainage facilities. Normally a county provides these types of facilities in the unincorporated areas of the county outside of cities. Special districts provide these types of facilities both inside and outside of cities. At times a city acquires water facilities, sewer facilities, and drainage facilities that were owned by a county or special district after the city incorporates and annexes an area where these facilities are located.

Counties may only provide water, sewer, or drainage facilities inside a city and some other municipal corporation with the written consent of the city or municipal corporation. A county may transfer ownership of its facilities that are located in an area annexed by a city or incorporated into a new city, if the transfer will not materially affect the operation of any remaining county system. A county that operates drainage facilities located in an area annexed by a city or incorporated into a new city shall continue imposing rates and charges in the area to pay associated indebtedness obligations.

Various state accounts have been created to loan money to local governments for constructing or repairing water, sewer, and drainage facilities.

Counties are authorized to create road improvement district (RID's) and impose special assessments within RID's to finance road projects. All county roads located in an area that is annexed by a city or incorporated into a new city become streets owned by the city. Counties are authorized to create local improvement districts (LID's) and utility local improvement district (ULID's) and impose special assessments within LID's and ULID's to finance water, sewer, and drainage facilities.

Continued

A public housing authority may be activated by action of the governing body of any county or city. State law defines the area of operation for a county housing authority to be unincorporated territory outside a city whether or not the city has activated its housing authority and the area of operation for a city housing authority to be within the city and any area within five miles of the city not located within another city. No specific provisions exist relating to county housing authority housing that is located in an area annexed by a city or incorporated into a new city.

SUMMARY:

A city that acquires county or special district water facilities, sewer facilities, drainage facilities, that were financed in whole or in part with moneys loaned from the state under various programs assumes the obligation of making all payments to retire these loans. This responsibility applies to loans made from the state and local improvements revolving count--water supply facilities, public works assistance account public facilities construction revolving account, water quality account, and pollution control revolving account.

Property that is located within a RID, LID, or ULID created by a county that has been annexed by a city or incorporated into a new city remains subject to the special assessments imposed by the county.

Property that is annexed by a city or incorporated into a new city that is served by county water, sewer, or drainage facilities, may continue to be served by the county or the county may enter into written agreements with the city for the county to no longer provide utility service in this area.

The area of operation for housing authorities is clarified. The prohibition on a city housing authority providing housing within another city is altered to only apply if the other city has an activated housing authority. The prohibition on a county housing authority providing housing within a city is altered to only apply if the city has an activated housing authority. It is clarified that a county housing authority may continue providing housing in territory that is included in a city with an activated housing authority if the housing was provided prior to the city activating its housing authority or if the territory was annexed by the city.

FISCAL NOTE: Not requested.

EFFECTIVE DATE: Ninety days after adjournment of session in which bill passed.