
HOUSE BILL 2673

State of Washington

55th Legislature

1998 Regular Session

By Representatives D. Schmidt, Sehlin, Koster, Wensman, Gardner and Scott

Read first time 01/16/98. Referred to Committee on Government Administration.

1 AN ACT Relating to boundary review boards; amending RCW 36.93.090,
2 36.93.105, and 36.93.020; repealing RCW 36.93.110 and 36.93.800; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 36.93.090 and 1996 c 230 s 1608 are each amended to
6 read as follows:

7 ~~((Whenever any of the following described actions are proposed in~~
8 ~~a county in which a board has been established, the initiators of the~~
9 ~~action shall file)) The initiator of any action subject to potential~~
10 ~~review by a boundary review board shall file a notice of the action~~
11 ~~with the board within one hundred eighty days ((a notice of intention~~
12 ~~with the board: PROVIDED, That when)) of the date the petition was~~
13 ~~filed, or other action taken, initiating the action. If the initiator~~
14 ~~is the legislative body of a governmental unit, the notice of intention~~
15 ~~may be filed immediately following the body's first acceptance or~~
16 ~~approval of the action. ((The board may review any such))~~

17 Except as provided in RCW 36.93.105, any of the following proposed
18 actions ((pertaining to)) occurring in a county in which a boundary
19 review board exists are subject to potential review by the board:

1 (1) ~~The~~ ~~(a)~~ creation ~~(or)~~ or incorporation ~~(or)~~ of a city
2 or special purpose district;

3 (2) The change in the boundary ~~(other than a consolidation)~~ of
4 ~~(any)~~ a city ~~(town)~~ or special purpose district; ~~(b)~~
5 ~~consolidation of special purpose districts, but not including~~
6 ~~consolidation of cities and towns; or (c))~~

7 (3) The dissolution or disincorporation of any city ~~(town)~~ or
8 special purpose district ~~(except that a board may not review the~~
9 ~~dissolution or disincorporation of a special purpose district which was~~
10 ~~dissolved or disincorporated pursuant to the provisions of chapter~~
11 ~~36.96 RCW: PROVIDED, That the change in the boundary of a city or town~~
12 ~~arising from the annexation of contiguous city or town owned property~~
13 ~~held for a public purpose shall be exempted from the requirements of~~
14 ~~this section))~~; ~~(or~~

15 ~~(2))~~ (4) The assumption by any city ~~(or town)~~ of all or part of
16 the assets, facilities, or indebtedness of a special purpose district
17 which lies partially within such city ~~(or town)~~; ~~(or~~

18 ~~(3))~~ (5) The establishment of or change in the boundaries of a
19 mutual water and sewer system or separate sewer system by a water-sewer
20 district pursuant to RCW 57.08.065 or chapter 57.40 RCW; or

21 ~~((4))~~ (6) The extension of permanent water or sewer service
22 outside of its existing service area by a city ~~(town)~~ or special
23 purpose district. The service area of a city ~~(town)~~ or special
24 purpose district shall include all of the area within its corporate
25 boundaries plus, (a) for extensions of water service, the area outside
26 of the corporate boundaries which it is designated to serve pursuant to
27 a coordinated water system plan approved in accordance with RCW
28 70.116.050; and (b) for extensions of sewer service, the area outside
29 of the corporate boundaries which it is designated to serve pursuant to
30 a comprehensive sewerage plan approved in accordance with chapter 36.94
31 RCW and RCW 90.48.110.

32 **Sec. 2.** RCW 36.93.105 and 1989 c 84 s 4 are each amended to read
33 as follows:

34 The following actions shall not be subject to potential review by
35 a boundary review board:

36 (1) Annexations of territory to a water or sewer district pursuant
37 to RCW 36.94.410 through 36.94.440;

1 (2) Revisions of city (~~or town~~) boundaries pursuant to RCW
2 35.21.790 or 35A.21.210;

3 (3) Adjustments to city (~~or town~~) boundaries pursuant to RCW
4 35.13.340; (~~and~~)

5 (4) Adjustments to city (~~and town~~) boundaries pursuant to RCW
6 35.13.300 through 35.13.330;

7 (5) Consolidations of cities;

8 (6) Dissolutions or disincorporations of a special purpose district
9 pursuant to the provisions of chapter 36.96 RCW;

10 (7) Mergers of irrigation districts under RCW 87.03.530(2) and
11 87.03.845 through 87.03.855;

12 (8) Mergers of drainage improvement districts, joint drainage
13 improvement districts, or consolidated drainage improvement districts
14 into an irrigation district under RCW 87.03.720 through 87.03.745 and
15 85.08.830 through 85.08.890;

16 (9) Annexations by a city of contiguous property that the city
17 owns, if the property is held for a public purpose; and

18 (10) Annexations by a city of contiguous territory if both: (a)
19 The territory is located in the portion of the urban growth area
20 surrounding the city that has been designated by the county
21 comprehensive plan, in conformance with a county-wide planning policy,
22 as the sphere of influence area or future annexation area for the city;
23 and (b) the annexation conforms with provisions of an interlocal
24 agreement between the city and county authorizing such annexations to
25 occur without review by a boundary review board.

26 **Sec. 3.** RCW 36.93.020 and 1979 ex.s. c 30 s 5 are each amended to
27 read as follows:

28 ((As used herein)) The definitions in this section apply throughout
29 this chapter unless the context clearly requires otherwise:

30 (1) "Board" means a boundary review board created by or under this
31 chapter.

32 (2) "City" means a city or town, including a code city.

33 (3) "Governmental unit" means any (~~incorporated~~) city (~~or~~
34 town), metropolitan municipal corporation, or any special purpose
35 district as defined in this section.

36 ((+2)) (4) "Special purpose district" means any sewer district,
37 water district, fire protection district, drainage improvement
38 district, drainage and diking improvement district, flood control zone

1 district, irrigation district, metropolitan park district, drainage
2 district, or public utility district engaged in water distribution.
3 ((3) "Board" means a boundary review board created by or pursuant
4 to this chapter.))

5 NEW SECTION. **Sec. 4.** The following acts or parts of acts are each
6 repealed:

7 (1) RCW 36.93.110 and 1987 c 477 s 4, 1973 1st ex.s. c 195 s 42, &
8 1967 c 189 s 11; and

9 (2) RCW 36.93.800 and 1996 c 313 s 2 & 1993 c 235 s 10.

10 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and takes effect
13 immediately.

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