
HOUSE BILL 1696

State of Washington

54th Legislature

1995 Regular Session

By Representatives G. Fisher and Patterson

Read first time 02/06/95. Referred to Committee on Government Operations.

1 AN ACT Relating to city and town boundary changes; amending RCW
2 35.10.217; and adding a new section to chapter 36.93 RCW.

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

4 **Sec. 1.** RCW 35.10.217 and 1986 c 253 s 1 are each amended to read
5 as follows:

6 The following methods are available for the annexation of all or a
7 part of a city or town to another city or town that is adjacently
8 located to the part of the city or town from which the territory is
9 proposed to be taken:

10 (1) A petition for an election to vote upon the annexation(~~(, which~~
11 ~~proposed annexation is approved by the legislative body of the city or~~
12 ~~town from which the territory will be taken, may be submitted to the~~
13 ~~legislative body of the city or town to which annexation is proposed.~~
14 ~~An annexation under this subsection shall otherwise)) under the
15 petition and election method shall conform with the requirements for
16 and procedures of a petition and election method of annexing
17 unincorporated territory under chapter 35.13 RCW, except ((for the
18 requirement for the approval of the annexation by)) that the election~~

19 shall not be held unless the legislative body of the city or town from

1 which the territory would be taken adopts a resolution approving the
2 annexation.

3 (2) The legislative body of a city or town may on its own
4 initiative by resolution indicate its desire to be annexed to a city or
5 town either in whole or in part, or the legislative body of a city or
6 town proposing to annex all or part of another city or town may
7 initiate the annexation by adopting a resolution indicating that
8 desire. In case ~~((such))~~ the resolution is passed, ~~((such))~~ the
9 resolution shall be transmitted to the legislative body of the other
10 affected city or town. The annexation is effective if the other city
11 or town adopts a resolution concurring in the annexation, unless the
12 owners of property in the area proposed to be annexed, equal in value
13 to sixty percent or more of the assessed valuation of the property in
14 the area, protest the proposed annexation in writing to the legislative
15 body of the city or town proposing to annex the area, within thirty
16 days of the adoption of the second resolution accepting the annexation.
17 Notices of the public hearing at which the second resolution is adopted
18 shall be mailed to the owners of the property within the area proposed
19 to be annexed in the same manner that notices of a hearing on a
20 proposed local improvement district are required to be mailed by a city
21 or town as provided in chapter 35.43 RCW. ~~((An annexation under this~~
22 ~~subsection shall be potentially subject to review by a boundary review~~
23 ~~board or other annexation review board after the adoption of the~~
24 ~~initial resolution, and the second resolution may not be adopted until~~
25 ~~the proposed annexation has been approved by the board.))~~

26 (3) The owners of property located in a city or town may petition
27 for annexation of their property to another city or town. An
28 annexation under this subsection shall conform with the requirements
29 for and procedures of a direct petition method of annexing
30 unincorporated territory under chapter 35.13 RCW, except that the
31 legislative body of the city or town from which the territory would be
32 taken must ~~((approve))~~ adopt a resolution approving the annexation
33 before it may proceed.

34 (4) Boundary adjustments may be made between the two cities or
35 towns that are adjacently located under the special process provided in
36 section 2 of this act.

37 (5) A code city may annex territory located in another city or
38 town, have territory within its boundaries annexed by another city or
39 town, and have its boundaries adjusted, as provided in this section.

1 (6) All annexations under this section are subject to potential
2 review by the local boundary review board or annexation review board.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 36.93 RCW
4 to read as follows:

5 (1) Boundaries of two cities or towns that are adjacently located,
6 and are located in a county in which a boundary review board exists,
7 may be adjusted as provided in this section.

8 (2) The legislative body of one of the two cities or towns may
9 adopt a resolution initiating the boundary adjustment process and
10 describing boundary changes that it proposed, that may involve:

11 (a) One or more portions of the other city or town, that are
12 adjacently located to the initiating city or town, being removed from
13 the other city or town and transferred or annexed to the initiating
14 city or town;

15 (b) One or more portions of the initiating city or town, that are
16 adjacently located to the other city or town, being removed from the
17 initiating city or town and transferred or annexed to the other city or
18 town;

19 (c) Any combination of removals and transfers or annexations under
20 (a) and (b) of this subsection.

21 A copy of the resolution shall be transmitted to the legislative
22 body of the other city or town and the boundary review board.

23 (3) The boundary review board shall hold a public hearing on
24 adjusting the boundaries of the two cities or towns within forty-five
25 days of receiving a copy of the resolution and consider boundary
26 adjustments between the two cities or towns, including the boundary
27 adjustments proposed in the initiating resolution. The public hearing
28 may be adjourned and continued from time to time not exceeding sixty
29 days from the date of the initial public hearing. After the public
30 hearing, or last continuation of the public hearing, the boundary
31 review board may, at its sole discretion, propose boundary adjustments
32 between the two cities or towns which may include the boundary
33 adjustments proposed in the initiating resolution or any other
34 alternative, including, but not limited to, removing all or any portion
35 of the initiating city or town, that is adjacently located to the other
36 city or town, and transferring or annexing that area to the other city
37 or town, and removing all or any portion of the other city or town,
38 that is adjacently located to the initiating city or town, and

1 transferring or annexing that area to the initiating city or town.
2 However, the total area of all the territory that is proposed to be
3 transferred or annexed may not exceed one-half square mile and the
4 boundary review board shall make written findings that the proposed
5 transfer or transfers further the objectives specified in RCW
6 36.93.180(1) through (4) and (7).

7 (4) The boundary review board shall notify in writing the
8 legislative body of both cities or towns, and the county legislative
9 authority, of its proposal which shall become effective forty-five days
10 after the board approves the proposal unless a referendum petition
11 against the proposal is filed with the county auditor within forty-five
12 days of the date the boundary review board approved the proposal using
13 the procedure specified in RCW 35A.14.295 through 35A.14.299. If a
14 referendum petition signed by the requisite number of voters is filed
15 within this forty-five day period, a single ballot proposition
16 authorizing the boundary adjustment or adjustments shall be submitted
17 to the voters residing in all the territory proposed to be transferred
18 or annexed at a special election called by the county legislative
19 authority at the next special election date specified under RCW
20 29.13.020 that occurs sixty or more days after the petition was filed.
21 The removals and transfers or annexations shall be effective
22 immediately upon certification of the election results that the ballot
23 proposition was approved by a simple majority vote of voters voting on
24 the proposal.

25 (5) However, if no registered voters reside in any of the territory
26 proposed to be removed and transferred or annexed, the proposed
27 boundary adjustment shall not be authorized unless a petition
28 supporting the boundary adjustment is filed with the county legislative
29 authority within ninety days after the boundary review board makes its
30 recommendation that is signed by the record owners of at least a simple
31 majority of the assessed valuation of all this territory. The
32 determination by the county legislative authority that the petition
33 contains the requisite signatures of property owners is conclusive upon
34 all persons. The removals and transfers or annexations shall be
35 effective immediately upon the county legislative authority adopting a
36 resolution indicating its determination that the petition contains the
37 requisite signatures.

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