
SENATE BILL 5079

State of Washington

54th Legislature

1995 Regular Session

By Senator Fairley

Read first time 01/10/95. 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 undeveloped, industrial, or
7 commercial territory with no qualified voters resident in the area
8 pursuant to RCW 35.13.130, 35.13.140, 35.13.150, 35.13.160 and
9 35.13.170 shall be commenced as provided in this section. Prior to the
10 circulation of a petition for annexation, the initiating party or
11 parties who, except as provided in RCW 28A.335.110, shall be ((either
12 ~~not less than ten percent of the residents of the area to be annexed~~
13 ~~or~~)) the owners of not less than ten percent in value, according to the
14 assessed valuation for general taxation of the property for which
15 annexation is petitioned, shall notify the legislative body of the city
16 or town in writing of their intention to commence annexation
17 proceedings. The legislative body shall set a date, not later than
18 sixty days after the filing of the request, for a meeting with the
19 initiating parties to determine whether the city or town will accept,

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

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

14 A petition for annexation of (~~an~~) undeveloped, industrial, or
15 commercial territory with no qualified voters resident in the area that
16 is contiguous to a city or town may be made in writing addressed to and
17 filed with the legislative body of the municipality to which annexation
18 is desired. Except where all the property sought to be annexed is
19 property of a school district, and the school directors thereof file
20 the petition for annexation as in RCW 28A.335.110 authorized, the
21 petition must be signed by the owners of not less than seventy-five
22 percent in value according to the assessed valuation for general
23 taxation of the property for which annexation is petitioned: PROVIDED,
24 That in cities and towns with populations greater than one hundred
25 sixty thousand located east of the Cascade mountains, the owner of tax
26 exempt property may sign an annexation petition and have the tax exempt
27 property annexed into the city or town, but the value of the tax exempt
28 property shall not be used in calculating the sufficiency of the
29 required property owner signatures unless only tax exempt property is
30 proposed to be annexed into the city or town. The petition shall set
31 forth a description of the property according to government legal
32 subdivisions or legal plats which is in compliance with RCW 35.02.170,
33 and shall be accompanied by a plat which outlines the boundaries of the
34 property sought to be annexed. If the legislative body has required
35 the assumption of all or of any portion of city or town indebtedness by
36 the area annexed, and/or the adoption of a comprehensive plan for the
37 area to be annexed, these facts, together with a quotation of the

1 minute entry of such requirement or requirements shall be set forth in
2 the petition.

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

5 Proceedings for initiating annexation of ~~((unincorporated))~~
6 undeveloped, industrial, or commercial territory with no qualified
7 voters resident in the area to a charter code city or noncharter code
8 city may be commenced by the filing of a petition of property owners of
9 the territory proposed to be annexed, in the following manner. This
10 method of annexation shall be alternative to other methods provided in
11 this chapter. Prior to the circulation of a petition for annexation,
12 the initiating party or parties, who shall be the owners of not less
13 than ten percent in value, according to the assessed valuation for
14 general taxation of the property for which annexation is sought, shall
15 notify the legislative body of the code city in writing of their
16 intention to commence annexation proceedings. The legislative body
17 shall set a date, not later than sixty days after the filing of the
18 request, for a meeting with the initiating parties to determine whether
19 the code city will accept, reject, or geographically modify the
20 proposed annexation, whether it shall require the simultaneous adoption
21 of a proposed zoning regulation, if such a proposal has been prepared
22 and filed for the area to be annexed as provided for in RCW 35A.14.330
23 and 35A.14.340, and whether it shall require the assumption of all or
24 of any portion of existing city indebtedness by the area to be annexed.
25 If the legislative body requires the assumption of all or of any
26 portion of indebtedness and/or the adoption of a proposed zoning
27 regulation, it shall record this action in its minutes and the petition
28 for annexation shall be so drawn as to clearly indicate these facts.
29 Approval by the legislative body shall be a condition precedent to
30 circulation of the petition. There shall be no appeal from the
31 decision of the legislative body. A petition for annexation of ~~((an))~~
32 undeveloped, industrial, or commercial territory with no qualified
33 voters resident in the area that is contiguous to a code city may be
34 filed with the legislative body of the municipality to which annexation
35 is desired. It must be signed by the owners, as defined by RCW
36 35A.01.040(9) (a) through (d), of not less than sixty percent in value,
37 according to the assessed valuation for general taxation of the
38 property for which annexation is petitioned: PROVIDED, That a petition

1 for annexation of such an area having at least eighty percent of the
2 boundaries of (~~such~~) the area contiguous with a portion of the
3 boundaries of the code city, not including that portion of the boundary
4 of the area proposed to be annexed that is coterminous with a portion
5 of the boundary between two counties in this state, need be signed by
6 only the owners of not less than fifty percent in value according to
7 the assessed valuation for general taxation of the property for which
8 the annexation is petitioned. Such petition shall set forth a
9 description of the property according to government legal subdivisions
10 or legal plats and shall be accompanied by a map which outlines the
11 boundaries of the property sought to be annexed. If the legislative
12 body has required the assumption of all or any portion of city
13 indebtedness by the area annexed or the adoption of a proposed zoning
14 regulation, these facts, together with a quotation of the minute entry
15 of such requirement, or requirements, shall also be set forth in the
16 petition.

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