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## Local Government Committee

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### BILL ANALYSIS ESSB 5300

**TITLE OF THE BILL:** Amending and adding provisions affecting cities and towns.

**WHAT THIS BILL DOES:** *Makes numerous technical and other changes to city and town statutes.*

**SPONSORS:** Senate State and Local Government Committee (originally sponsored by Senators Patterson, Horn, Haugen, Gardner and Honeyford.)

**HEARING DATE:** Thursday, March 25, 1999

**FISCAL NOTE:** Not requested.

**ANALYSIS PREPARED BY:** Caroleen Dineen (786-7156)

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### BACKGROUND:

Numerous statutes govern various administrative aspects of local government, including statutes which:

- specify payment of medical policies or plans costs is not considered additional compensation to public employees or to elected county, school district or specified special district officials;
- require cities and towns to transmit copies of final budgets and modifications to the Association of Washington Cities; and
- specify petition and referendum procedures for qualified electors related to city annexations.

A code city with a population of at least 2,500 creating a planning agency under code statutes is required to establish a board of adjustment, and smaller code cities may establish such a board. With some exceptions, a board of adjustment may hear and decide a variety of actions, including zoning variance applications, conditional use permits, and appeals of local administration and enforcement orders and decisions. Appeals of board of adjustment decisions must be filed in superior court pursuant to the writ

procedure within 10 days from the date of action.

Other statutes relate to city and towns as well as other government entities:

Public Meetings. The Open Public Meetings Act specifies procedures for notice, meetings and executive sessions of public agency governing bodies. A special meeting may be called by a public agency governing body's presiding officer or a majority of its members. Certain city statutes provide a special meeting may be called by the mayor or by a specified number of council members.

State Environmental Policy Act (SEPA). SEPA requires local governments and state agencies to prepare an environmental impact statement if proposed legislation or other major action may have a probable significant, adverse impact on the environment. The Department of Ecology (DOE) has adopted SEPA rules which define categorical exemptions– or categories of actions not considered major actions significantly affecting environmental quality and not subject to SEPA environmental review requirements.

Leasehold Excise Taxes. The state treasurer is required to distribute local leasehold excise taxes to counties and cities on a bimonthly basis.

Document Recording. Documents presented to the county auditor for recording must satisfy specific format requirements, with certain exceptions.

Indebtedness Limitation. The statutory authorized levels of indebtedness vary for different types of local governments. A county, city, or town may incur general indebtedness in an amount not exceeding 1.5 percent (without voter approval) and 2.5 percent (with voter approval) of the value of taxable property within its boundaries. A city or town may incur additional voter approved indebtedness of up to 2.5 percent of the value of taxable property within its boundaries to finance water, sewer, and electrical systems and to acquire or develop open space and park facilities.

## **SUMMARY:**

A variety of changes are made to statutes related to city and town administration:

- Elected city officials are included within the list of elected local officials for whom the payment of medical policy or plan costs is not considered additional compensation;
- Numerous references to the Association of Washington Cities in budget statutes are replaced with references to the Municipal Research Council or its designee; and
- References to qualified electors– in certain annexation statutes are replaced with references to qualified registered voters.–

The appeal period for board of adjustment decisions is increased from 10 to 21days.

Other changes related to cities and towns include:

Public Meetings. Certain city statutes specifying special meeting procedures are amended to authorize a majority of the council to call a special meeting, as is permitted by the Open Public Meetings Act.

SEPA. Exemptions to SEPA requirements are added for disincorporation of a city or town and reduction of city or town limits.

Leasehold Excise Taxes. For earnings in the local leasehold excise account accrued through July 31, 1999, the state treasurer is required to disburse earnings to counties and cities proportionate to the tax amount collected annually on behalf of each county and city. After July 31, 1999, the state treasurer is required to disburse such earnings to counties and cities on a bimonthly basis.

Document Recording. Reduced illustrative exhibits labeled reduced for recording– are exempt from the point type requirement for original documents if the original exceeds the maximum size allowed for recording.

Indebtedness Limitation. A city or town may incur additional indebtedness not to exceed 2.5 percent of taxable property value for capital facilities associated with economic development as well as for other authorized purposes.