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HOUSE BILL 1755

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State of Washington                      58th Legislature                      2003 Regular Session

By Representatives Kirby, Romero, Conway, Jarrett, Rockefeller and Morrell

Read first time 02/07/2003.                      Referred to Committee on Local Government.

1            AN ACT Relating to creating alternative means for annexation of  
2 unincorporated island of territory; adding a new section to chapter  
3 35.13 RCW; and adding a new section to chapter 35A.14 RCW.

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

5            NEW SECTION.    **Sec. 1.** A new section is added to chapter 35.13 RCW  
6 to read as follows:

7            (1) Any county planning under chapter 36.70A RCW may enter into an  
8 interlocal agreement, pursuant to chapter 39.34 RCW, with any city or  
9 town within the county for annexation of unincorporated territory  
10 within the city or town urban growth area designated under RCW  
11 36.70A.110, if at least sixty percent of the boundaries of the area to  
12 be annexed are contiguous to the city or town or to more than one city  
13 or town.

14            (2) The agreement shall describe the boundaries of the area to be  
15 annexed and state the number of voters residing in the area as nearly  
16 as may be determined. A public hearing shall be held by each  
17 legislative body, separately or jointly, before the agreement is  
18 executed. Notice of the hearing shall be given by publication of the

1 agreement pursuant to RCW 35.13.182(2) and shall conform with RCW  
2 35.13.1822.

3 (3) Upon adoption of the agreement by both legislative bodies, the  
4 city or town shall adopt an ordinance providing for the annexation.  
5 The ordinance shall be subject to the referendum provisions of RCW  
6 35.13.1821.

7 (4) If boundaries of the island of unincorporated territory are  
8 contiguous to more than one city or town, the total exceeds sixty  
9 percent of the area's boundaries, and no agreement is entered into  
10 under subsection (1) of this section, the county may enter into an  
11 agreement with any of the municipalities which choose to participate.  
12 Each legislative body shall hold a hearing pursuant to subsection (2)  
13 of this section, and an election shall be held pursuant to RCW  
14 35.13.080. If a majority of voters voting on the proposition vote  
15 against annexation, the proposition is defeated. If, however, a  
16 majority of voters voting in the election approve annexation, the area  
17 shall be annexed to the municipality receiving the highest number of  
18 votes among those cast in favor of annexation.

19 (5) Costs for an election required under subsection (4) of this  
20 section shall be borne by the county.

21 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.14 RCW  
22 to read as follows:

23 (1) Any county planning under chapter 36.70A RCW may enter into an  
24 interlocal agreement, pursuant to chapter 39.34 RCW, with any city or  
25 town within the county for annexation of unincorporated territory  
26 within the city or town urban growth area designated under RCW  
27 36.70A.110, if at least sixty percent of the boundaries of the area to  
28 be annexed are contiguous to the city or town or to more than one city  
29 or town.

30 (2) The agreement shall describe the boundaries of the area to be  
31 annexed and state the number of voters residing in the area as nearly  
32 as may be determined. A public hearing shall be held by each  
33 legislative body, separately or jointly, before the agreement is  
34 executed. Notice of the hearing shall be given by publication of the  
35 agreement pursuant to RCW 35A.14.295(2) and shall conform with RCW  
36 35A.14.297.

1           (3) Upon adoption of the agreement by both legislative bodies, the  
2 city or town shall adopt an ordinance providing for the annexation.  
3 The ordinance shall be subject to the referendum provisions of RCW  
4 35A.14.299.

5           (4) If boundaries of the island of unincorporated territory are  
6 contiguous to more than one city or town, the total exceeds sixty  
7 percent of the area's boundaries, and no agreement is entered into  
8 under subsection (1) of this section, the county may enter into an  
9 agreement with any of the municipalities which choose to participate.  
10 Each legislative body shall hold a hearing pursuant to subsection (2)  
11 of this section, and an election shall be held pursuant to RCW  
12 35A.14.070. If a majority of voters voting on the proposition vote  
13 against annexation, the proposition is defeated. If, however, a  
14 majority of voters voting in the election approve annexation, the area  
15 shall be annexed to the municipality receiving the highest number of  
16 votes among those cast in favor of annexation.

17           (5) Costs for an election required under subsection (4) of this  
18 section shall be borne by the county.

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