

Chapter 57.32 RCW
CONSOLIDATION OF DISTRICTS—TRANSFER OF PART OF DISTRICT

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RCW 57.32.001 Actions subject to review by boundary review board. Actions taken under this chapter may be subject to potential review by a boundary review board under chapter 36.93 RCW. [1996 c 230 § 1101; 1989 c 84 § 60.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.010 Consolidation authorized—Petition method—Resolution method. Two or more districts may be joined into one consolidated district. The consolidation may be initiated in either of the following ways: (1) Ten percent of the voters residing within each of the districts proposed to be consolidated may petition the board of commissioners of their respective districts to cause the question to be submitted to the voters of the districts proposed to be consolidated; or (2) the board of commissioners of each of the districts proposed to be consolidated may by resolution determine that the consolidation of the districts shall be conducive to the public health, welfare, and convenience and to be of special benefit to the lands of the districts. [1996 c 230 § 1102; 1989 c 308 § 11; 1982 1st ex.s. c 17 § 28; 1967 ex.s. c 39 § 1; 1943 c 267 § 1; Rem. Supp. 1943 § 11604-20.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.020 Certificate of sufficiency. If the consolidation proceedings are initiated by petitions, upon the filing of such petitions with the boards of commissioners of the districts, the boards of commissioners of each district shall file such petitions with the auditor of the county in which all or the largest geographic

portion of the respective districts is located, who shall within ten days examine and verify the signatures of the signers residing in the county. If the districts proposed to be consolidated include areas located in more than one county, the auditor of the county in which the largest geographic portion of the consolidating districts is located shall be the lead auditor and shall immediately transfer a copy of the petitions to the auditor of each other county in which the consolidating districts are located. Within ten days after the lead auditor received the petition, the auditors of these other counties shall certify to the lead auditor: (1) The number of voters of that county residing in each consolidating district; and (2) the number of valid signatures on the petition of voters of that county residing in each consolidating district. The lead auditor shall certify the sufficiency of the petition after receiving this information. If all of such petitions shall be found to contain a sufficient number of signatures, the county auditor shall transmit the same, together with a certificate of sufficiency attached thereto, to the board of commissioners of each of the districts proposed for consolidation.

If there are no voters residing in one or more of the districts proposed to be consolidated, such petitions may be signed by such a number of landowners as appear of record to own at least a majority of the acreage in the pertinent district, and the petitions shall disclose the total number of acres of land in that district and shall also contain the names of all record owners of land therein. [1996 c 230 § 1103; 1982 1st ex.s. c 17 § 30; 1967 ex.s. c 39 § 2; 1943 c 267 § 2; Rem. Supp. 1943 § 11604-21.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.021 Procedure upon receipt of certificate of sufficiency—Agreement, contents—Comprehensive plan. Upon receipt by the boards of commissioners of the districts proposed for consolidation, hereinafter referred to as the "consolidating districts", of the lead county auditor's certificate of sufficiency of the petitions, or upon adoption by the boards of commissioners of the consolidating districts of their resolutions for consolidation, the boards of commissioners of the consolidating districts shall, within ninety days, enter into an agreement providing for consolidation. The agreement shall set forth the method and manner of consolidation, a comprehensive plan or scheme of water supply, sewer, and drainage services for the consolidated district, and if the comprehensive plan or scheme of water supply, sewer, and drainage services provides that one or more of the consolidating districts or the proposed consolidated district issue revenue bonds for either the construction or other costs of any part or all of the comprehensive plan, or both, then the details thereof shall be set forth. The requirement that a comprehensive plan or scheme of water supply, sewer, and drainage services for the consolidated district be set forth in the agreement for consolidation shall be satisfied if the existing comprehensive plans or schemes of the consolidating districts are incorporated therein by reference and any changes or additions thereto are set forth in detail. [1996 c 230 § 1104; 1967 ex.s. c 39 § 8.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.022 Certification of agreement—Election, notice and conduct. The boards of commissioners of the consolidating districts shall certify the agreement to the county auditors of the respective counties in which the districts are located. A special election shall be called by the county auditors for the purpose of submitting to the voters of each of the consolidating districts the proposition of whether or not the several districts shall be consolidated into one district. The proposition shall give the title of the proposed consolidated district. Notice of the election shall be given and the election conducted in accordance with the general election laws. [1996 c 230 § 1105; 1994 c 223 § 71; 1982 1st ex.s. c 17 § 31; 1967 ex.s. c 39 § 9.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.023 When consolidation effective—Cessation of former districts—Rights and powers of consolidated district. If at the election a majority of the voters in each of the consolidating districts vote in favor of the consolidation, the consolidation shall be authorized. The consolidation shall be effective and the consolidating districts shall cease to exist and shall then be and become a new district and municipal corporation of the state of Washington, upon the certification of the election results. The name of the new district shall be ". . . . Water-Sewer District," ". . . . Water District," ". . . . Sewer District," or ". . . . District No.," which shall be the name appearing on the ballot. The district shall have all and every power, right, and privilege possessed by other water-sewer, sewer, or water districts of the state of Washington. The district may issue revenue bonds to pay for the construction of any additions and betterments set forth in the comprehensive plan of water supply, sewer, and drainage services contained in the agreement for consolidation and any future additions and betterments to the comprehensive plan of water supply, sewer, and drainage services, as its board of district commissioners shall by resolution adopt, without submitting a proposition therefor to the voters of the district. [1999 c 153 § 22; 1996 c 230 § 1106; 1994 c 223 § 72; 1982 1st ex.s. c 17 § 32; 1967 ex.s. c 39 § 10.]

Part headings not law—1999 c 153: See note following RCW 57.04.050.

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.024 Vesting of funds and property in consolidated district—Outstanding indebtedness. Upon the formation of any consolidated district, all funds, rights, and property, real and personal, of the former districts, shall vest in and become the property of the consolidated district. Unless the agreement for

consolidation provides to the contrary, any outstanding indebtedness of any form, owed by the districts, shall remain the obligation of the area of the original debtor district and the board of commissioners of the consolidated district shall make such levies, assessments, or charges for service upon that area or the users therein as shall pay off the indebtedness at maturity. [1996 c 230 § 1107; 1967 ex.s. c 39 § 11.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.130 Commissioners—Number. The commissioners of the districts consolidated into any new consolidated district shall become commissioners thereof until their respective terms of office expire or until they resign from office if the resignation is before the expiration of their terms of office. At each election of commissioners following the consolidation, only one position shall be filled, so that as the terms of office expire, the total number of commissioners in the consolidated district shall be reduced to three. However, if the agreement provides that the consolidated district eventually will be governed by a five-member board of commissioners, one commissioner shall be elected to a six-year term of office at the first district general election following the consolidation, two commissioners shall be elected to six-year terms of office at the second district general election following the consolidation, and two commissioners shall be elected to six-year terms of office at the third district general election following the consolidation. [1996 c 230 § 1108; 1985 c 141 § 9; 1943 c 267 § 13; Rem. Supp. 1943 § 11604-32.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.

RCW 57.32.160 Transfer of part of district—Procedure. A part of one district may be transferred into an adjacent district if the area can be better served thereby. Such transfer can be accomplished by a petition, directed to both districts, signed by the owners according to the records of the county auditor of not less than sixty percent of the area of land to be transferred. If a majority of the commissioners of each district approves the petition, copies of the approving resolutions shall be filed with the county legislative authority which shall act upon the petition as a proposed action in accordance with RCW 57.02.040. [1996 c 230 § 1109; 1987 c 449 § 18.]

Part headings not law—Effective date—1996 c 230: See notes following RCW 57.02.001.