

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1584

Chapter 105, Laws of 1999

56th Legislature
1999 Regular Session

FIRE PROTECTION DISTRICTS--ANNEXATION OF TERRITORY

EFFECTIVE DATE: 7/25/99

Passed by the House March 9, 1999
Yeas 96 Nays 0

CLYDE BALLARD
**Speaker of the House of
Representatives**

FRANK CHOPP
**Speaker of the House of
Representatives**

Passed by the Senate April 6, 1999
Yeas 43 Nays 0

BRAD OWEN
President of the Senate

Approved April 23, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1584** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER
Chief Clerk

TIMOTHY A. MARTIN
Chief Clerk

FILED

April 23, 1999 - 3:23 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1584

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Representatives Hurst, Mulliken, Scott, Stensen and O'Brien

Read first time 01/29/1999. Referred to Committee on Local Government.

1 AN ACT Relating to fire protection districts; and amending RCW
2 52.04.011, 52.04.031, and 52.04.061.

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

4 **Sec. 1.** RCW 52.04.011 and 1989 c 63 s 8 are each amended to read
5 as follows:

6 (1) A territory (~~contiguous~~) adjacent to a fire protection
7 district and not within the boundaries of a city, town, or other fire
8 protection district may be annexed to the fire protection district by
9 petition of fifteen percent of the qualified registered electors
10 residing within the territory proposed to be annexed. Such
11 (~~contiguous~~) territory may be located in a county or counties other
12 than the county or counties within which the fire protection district
13 is located. The petition shall be filed with the fire commissioners of
14 the fire protection district and if the fire commissioners concur in
15 the petition they shall file the petition with the county auditor of
16 the county within which the territory is located. If this territory is
17 located in more than one county, the original petition shall be filed
18 with the auditor of the county within which the largest portion of the
19 territory is located, who shall be designated as the lead auditor, and

1 a copy shall be filed with the auditor of each other county within
2 which such territory is located. Within thirty days after the date of
3 the filing of the petition the auditor shall examine the signatures on
4 the petition and certify to the sufficiency or insufficiency of the
5 signatures. If this territory is located in more than one county, the
6 auditor of each other county who receives a copy of the petition shall
7 examine the signatures and certify to the lead auditor the number of
8 valid signatures and the number of registered voters residing in that
9 portion of the territory that is located within the county. The lead
10 auditor shall certify the sufficiency or insufficiency of the
11 signatures.

12 After the county auditor has certified the sufficiency of the
13 petition, the county legislative authority or authorities, or the
14 boundary review board or boards, of the county or counties in which
15 such territory is located shall consider the proposal under the same
16 basis that a proposed incorporation of a fire protection district is
17 considered, with the same authority to act on the proposal as in a
18 proposed incorporation, as provided under chapter 52.02 RCW. If the
19 proposed annexation is approved by the county legislative authority or
20 boundary review board, the board of fire commissioners shall adopt a
21 resolution requesting the county auditor to call a special election, as
22 specified under RCW 29.13.020, at which the ballot proposition is to be
23 submitted. No annexation shall occur when the territory proposed to be
24 annexed is located in more than one county unless the county
25 legislative authority or boundary review board of each county approves
26 the proposed annexation.

27 (2) The county legislative authority or authorities of the county
28 or counties within which such territory is located have the authority
29 and duty to determine on an equitable basis, the amount of any
30 obligation which the territory to be annexed to the district shall
31 assume to place the property owners of the existing district on a fair
32 and equitable relationship with the property owners of the territory to
33 be annexed as a result of the benefits of annexing to a district
34 previously supported by the property owners of the existing district.
35 If a boundary review board has had its jurisdiction invoked on the
36 proposal and approves the proposal, the county legislative authority of
37 the county within which such territory is located may exercise the
38 authority granted in this subsection and require such an assumption of
39 indebtedness. This obligation may be paid to the district in yearly

1 benefit charge installments to be fixed by the county legislative
2 authority. This benefit charge shall be collected with the annual tax
3 levies against the property in the annexed territory until fully paid.
4 The amount of the obligation and the plan of payment established by the
5 county legislative authority shall be described in general terms in the
6 notice of election for annexation and shall be described in the ballot
7 proposition on the proposed annexation that is presented to the voters
8 for their approval or rejection. Such benefit charge shall be limited
9 to an amount not to exceed a total of fifty cents per thousand dollars
10 of assessed valuation: PROVIDED, HOWEVER, That the special election on
11 the proposed annexation shall be held only within the boundaries of the
12 territory proposed to be annexed to the fire protection district.

13 (3) On the entry of the order of the county legislative authority
14 incorporating the territory into the existing fire protection district,
15 the territory shall become subject to the indebtedness, bonded or
16 otherwise, of the existing district. If the petition is signed by
17 sixty percent of the qualified registered electors residing within the
18 territory proposed to be annexed, and if the board of fire
19 commissioners concur, an election in the territory and a hearing on the
20 petition shall be dispensed with and the county legislative authority
21 shall enter its order incorporating the territory into the existing
22 fire protection district.

23 **Sec. 2.** RCW 52.04.031 and 1989 c 63 s 9 are each amended to read
24 as follows:

25 A petition for annexation of an area (~~contiguous~~) adjacent to a
26 fire district shall be in writing, addressed to and filed with the
27 board of fire commissioners of the district to which annexation is
28 desired. Such (~~contiguous~~) territory may be located in a county or
29 counties other than the county or counties within which the fire
30 protection district is located. It must be signed by the owners,
31 according to the records of the county auditor or auditors, of not less
32 than sixty percent of the area of land included in the annexation
33 petition, shall set forth a legal description of the property and shall
34 be accompanied by a plat which outlines the boundaries of the property
35 to be annexed. The petition shall state the financial obligation, if
36 any, to be assumed by the area to be annexed.

1 **Sec. 3.** RCW 52.04.061 and 1985 c 313 s 1 are each amended to read
2 as follows:

3 A city or town lying (~~contiguous~~) adjacent to a fire protection
4 district may be annexed to such district if at the time of the
5 initiation of annexation the population of the city or town is 100,000
6 or less. The legislative authority of the city or town may initiate
7 annexation by the adoption of an ordinance stating an intent to join
8 the fire protection district and finding that the public interest will
9 be served thereby. If the board of fire commissioners of the fire
10 protection district shall concur in the annexation, notification
11 thereof shall be transmitted to the legislative authority or
12 authorities of the counties in which the city or town and the district
13 are situated.

Passed the House March 9, 1999.

Passed the Senate April 6, 1999.

Approved by the Governor April 23, 1999.

Filed in Office of Secretary of State April 23, 1999.