

CERTIFICATION OF ENROLLMENT

SENATE BILL 5589

Chapter 77, Laws of 2005

59th Legislature
2005 Regular Session

CODE CITIES--AGRICULTURAL LAND

EFFECTIVE DATE: 7/24/05

Passed by the Senate March 16, 2005
YEAS 48 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House April 5, 2005
YEAS 94 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

Approved April 18, 2005.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5589** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

April 18, 2005 - 2:00 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

SENATE BILL 5589

Passed Legislature - 2005 Regular Session

State of Washington 59th Legislature 2005 Regular Session

By Senators Haugen and Spanel

Read first time 01/28/2005. Referred to Committee on Government
Operations & Elections.

1 AN ACT Relating to proceedings for excluding agricultural land from
2 the boundaries of a charter or noncharter code city; and adding a new
3 section to chapter 35A.16 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 35A.16 RCW
6 to read as follows:

7 Proceedings for excluding agricultural land from the boundaries of
8 a charter code city or noncharter code city may be commenced by the
9 filing of a petition which is sufficient as determined by RCW
10 35A.01.040 by property owners of the agricultural land proposed to be
11 excluded, in the following manner which is alternative to other methods
12 provided in this chapter:

13 (1) A petition for exclusion of agricultural land from the
14 incorporated area of a code city shall be filed with the legislative
15 body of the municipality. The petition for exclusion must be signed by
16 the owners of not less than one hundred percent of the agricultural
17 land for which exclusion is sought and, if residents exist within the
18 area proposed for exclusion, a majority of the registered voters
19 residing in the area for which exclusion is petitioned.

1 (2) The petition shall set forth a legal description of the
2 territory proposed to be excluded and shall be accompanied by a drawing
3 that outlines the boundaries of the territory sought to be excluded.

4 (3) When a petition for exclusion that meets the requirements of
5 this section and RCW 35A.01.040 is filed with the legislative body of
6 the code city, the legislative body shall set a date, not later than
7 sixty days after the filing of the request, for a public hearing
8 thereon and cause notice of the hearing to be published in one or more
9 issues of a newspaper of general circulation in the city. The notice
10 shall also be posted in three public places within the territory
11 proposed for exclusion, and shall specify the time and place of hearing
12 and invite interested persons to appear and voice approval or
13 disapproval of the exclusion.

14 (4) Following the hearing, if the legislative body determines to
15 effect the exclusion from city boundaries, they shall do so by
16 ordinance. The ordinance may exclude all or any portion of the
17 proposed territory but may not include in the exclusion any territory
18 not described in the petition. The ordinance shall contain a legal
19 description of the territory and declare it no longer a part of the
20 code city.

Passed by the Senate March 16, 2005.

Passed by the House April 5, 2005.

Approved by the Governor April 18, 2005.

Filed in Office of Secretary of State April 18, 2005.