
HOUSE BILL 1812

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Kirby, Kagi, and Moeller

Read first time 02/03/11. Referred to Committee on Local Government.

1 AN ACT Relating to community municipal corporations; and amending
2 RCW 35.14.010 and 35.14.060.

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

4 **Sec. 1.** RCW 35.14.010 and 1993 c 75 s 1 are each amended to read
5 as follows:

6 Until January 1, 2012, whenever unincorporated territory is annexed
7 by a city or town pursuant to the provisions of chapter 35.13 RCW, or
8 whenever unincorporated territory is annexed to a code city pursuant to
9 the provisions of chapter 35A.14 RCW, community municipal corporations
10 may be organized for the territory comprised of all or a part of an
11 unincorporated area annexed to a city or town pursuant to chapter 35.13
12 or 35A.14 RCW, if: (1) The service area is such as would be eligible
13 for incorporation as a city or town; or (2) the service area has a
14 minimum population of not less than three hundred inhabitants and ten
15 percent of the population of the annexing city or town; or (3) the
16 service area has a minimum population of not less than one thousand
17 inhabitants.

18 Until January 1, 2012, whenever two or more cities are consolidated

1 pursuant to the provisions of chapter 35.10 RCW, a community municipal
2 corporation may be organized within one or more of the consolidating
3 cities.

4 No territory shall be included in the service area of more than one
5 community municipal corporation. Whenever a new community municipal
6 corporation is formed embracing all of the territory of an existing
7 community municipal corporation, the prior existing community municipal
8 corporation shall be deemed to be dissolved on the effective date of
9 the new corporation.

10 **Sec. 2.** RCW 35.14.060 and 2009 c 549 s 2013 are each amended to
11 read as follows:

12 The original terms of existence of any community municipal
13 corporation shall be for at least four years and until the first Monday
14 in January next following a regular municipal election held in the
15 city.

16 Any such community municipal corporation may be continued
17 thereafter for additional periods of four years' duration with the
18 approval of the voters at an election held and conducted in the manner
19 provided for in this section.

20 Authorization for a community municipal corporation to continue its
21 term of existence for each additional period of four years may be
22 initiated pursuant to a resolution or a petition in the following
23 manner:

24 (1) A resolution praying for such continuation may be adopted by
25 the community council and shall be filed not less than seven months
26 prior to the end of the term of existence of such corporation with the
27 city council or other legislative body of the city in which the service
28 area is located.

29 (2) A petition for continuation shall be signed by at least ten
30 percent of the registered voters residing within the service area and
31 shall be filed not less than six months prior to the end of the term of
32 existence of such corporation with the city council or other
33 legislative body of the city in which the service area is located.

34 At the same election at which a proposition is submitted to the
35 voters of the city in which the service area is located for the
36 continuation of the community municipal corporation for an additional
37 period of four years, the community councilmembers of such municipal

1 corporation shall be elected. The positions on such council shall be
2 the same in number as the original or initial council and shall be
3 numbered consecutively and elected at large. Declarations of candidacy
4 and withdrawals shall be in the same manner as is provided for members
5 of the city council or other legislative body of the city.

6 Upon receipt of a petition, the city clerk shall (~~examine the~~
7 ~~signatures thereon and certify to the sufficiency thereof.~~) transmit
8 the signatures to the appropriate officer or officers for a
9 determination of sufficiency as provided in RCW 35.21.005. Except as
10 provided in RCW 35.21.005(4), no person may withdraw his or her name
11 from a petition after it has been filed.

12 Upon receipt of a valid resolution or upon (~~duly certifying~~)
13 receiving a certificate of sufficiency for a petition for continuation
14 of a community municipal corporation, the city clerk with whom the
15 resolution or petition was filed shall cause a proposition on
16 continuation of the term of existence of the community municipal
17 corporation to be placed on the ballot at the next city general
18 election. (~~No~~) A person (~~shall be~~) is not eligible to vote on such
19 proposition at such election unless he or she is a qualified voter and
20 resident of the city in which the service area is located.

21 The ballots shall contain the words "For continuation of community
22 municipal corporation" and "Against continuation of community municipal
23 corporation" or words equivalent thereto, and shall also contain the
24 names of the candidates to be voted for to fill the positions on the
25 community council. The names of all candidates to be voted upon shall
26 be printed on the ballot alphabetically in groups under the numbered
27 position on the council for which they are candidates.

28 If the results of the election as certified by the county
29 canvassing board reveal that a majority of the votes cast are for
30 continuation, the municipal corporation shall continue in existence for
31 an additional period of four years, and certificates of election shall
32 be issued to the successful candidates who shall assume office at the
33 same time as members of the city council or other legislative body of
34 the city.

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