

Chapter 57.90 RCW
DISINCORPORATION OF DISTRICTS IN COUNTIES WITH 210,000 POPULATION OR MORE

Sections

- 57.90.001 Actions subject to review by boundary review board.
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*Dissolution of
port districts: RCW 53.46.060.
water-sewer districts: Chapter 57.04 RCW.*

RCW 57.90.001 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 § 1501; 1989 c 84 § 63.]

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

RCW 57.90.010 Disincorporation authorized. Water-sewer, park and recreation, metropolitan park, county rural library, cemetery, flood control, mosquito control, diking and drainage, irrigation or reclamation, weed, health, or fire protection districts, and any air pollution control authority or regional fire protection service authority, hereinafter referred to as "special districts," which are located wholly or in part within a county with a population of two hundred ten thousand or more may be disincorporated when the district has not actively carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period. [2004 c 129 § 13; 1999 c 153 § 24; 1996 c 230 § 1502; 1991 c 363 § 137; 1979 ex.s. c 30 § 11; 1963 c 55 § 1.]

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.

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

RCW 57.90.020 Proceedings, how commenced—Public hearings. Upon the filing with the county legislative authority of each county in which the district is located of a resolution of any governmental unit calling for the disincorporation of a special district, or upon the

filing with the county legislative authority of each county in which the district is located of the petition of twenty percent of the voters within a special district calling for the disincorporation of the special district, the county legislative authority shall hold public hearings to determine whether or not any services have been provided within a consecutive five year period and whether the best interests of all persons concerned will be served by the proposed dissolution of the special district. [1996 c 230 § 1503; 1982 1st ex.s. c 17 § 35; 1963 c 55 § 2.]

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

RCW 57.90.030 Findings—Order—Supervision of liquidation. If the county legislative authority finds that no services have been provided within the preceding consecutive five-year period and that the best interests of all persons concerned will be served by disincorporating the special district, it shall order that such action be taken, specify the manner in which it is to be accomplished and supervise the liquidation of any assets and the satisfaction of any outstanding indebtedness. [1996 c 230 § 1504; 1963 c 55 § 3.]

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

RCW 57.90.040 Distribution of assets. If a special district is disincorporated the proceeds of the sale of any of its assets, together with money on hand in the treasury of the special district, shall after payment of all costs and expenses and all outstanding indebtedness be paid to the county treasurer to be placed to the credit of the school district, or districts, in which such special district is situated. [1996 c 230 § 1505; 1963 c 55 § 4.]

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

RCW 57.90.050 Assessments to retire indebtedness. If a special district is disincorporated and the proceeds of the sale of any of its assets, together with money on hand in the treasury of the special district, are insufficient to retire any outstanding indebtedness, together with all costs and expenses of liquidation, the county legislative authority shall levy assessments in the manner provided by law against the property in the special district in amounts sufficient to retire the indebtedness and pay the costs and expenses. [1996 c 230 § 1506; 1963 c 55 § 5.]

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

RCW 57.90.100 Disposal of real property on abandonment of irrigation district right-of-way—Right of adjacent owners. Whenever as the result of abandonment of an irrigation district right-of-way

real property held by an irrigation district is to be sold or otherwise disposed of, notice shall be given to the owners of the lands adjoining that real property and such owners shall have the right of first refusal to purchase at the appraised price all or any part of the real property to be sold or otherwise disposed of which adjoins or is adjacent to their land.

Real property to be sold or otherwise disposed of under this section shall have been first appraised by the county assessor or by a person designated by the county assessor.

Notice under this section shall be sufficient if sent by registered mail to the owner at the address shown in the tax records of the county in which the land is situated. Notice under this section shall be in addition to any notice required by law.

After sixty days from the date of sending of notice, if no applications for purchase have been received by the irrigation district or other person or entity sending notice, the rights of first refusal of owners of adjoining lands shall be deemed to have been waived, and the real property may be disposed of or sold.

If two or more owners of adjoining lands apply to purchase the same real property, or apply to purchase overlapping parts of the real property, the respective rights of the applicants may be determined in the superior court of the county in which the real property is situated. The court may divide the real property in question between some or all of the applicants or award the whole to one applicant, as justice may require. [1996 c 230 § 1507; 1971 ex.s. c 125 § 1.]

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