

1 2176-S AMS SUTH S5836.1

2 SHB 2176 - S AMD TO GO COMM AMD (S5638.1)

3 By Senator Sutherland

4 WITHDRAWN 3/3/94

5 On page 4, after line 26 of the amendment, insert the following:

6 "Sec. 8. RCW 35.13.130 and 1990 c 33 s 566 are each amended to
7 read as follows:

8 A petition for annexation of an area contiguous to a city or town
9 may be made in writing addressed to and filed with the legislative body
10 of the municipality to which annexation is desired. Except where all
11 the property sought to be annexed is property of a school district, and
12 the school directors thereof file the petition for annexation as in RCW
13 28A.335.110 authorized, the petition must be signed by the owners of
14 not less than seventy-five percent in value according to the assessed
15 valuation for general taxation of the property for which annexation is
16 petitioned: PROVIDED, That in cities and towns with populations
17 greater than one hundred sixty thousand located east of the Cascade
18 mountains, the owner of tax exempt property may sign an annexation
19 petition and have the tax exempt property annexed into the city or
20 town, but the value of the tax exempt property shall not be used in
21 calculating the sufficiency of the required property owner signatures
22 unless only tax exempt property is proposed to be annexed into the city
23 or town. The petition shall set forth a description of the property
24 according to government legal subdivisions or legal plats which is in
25 compliance with RCW 35.02.170, and shall be accompanied by a plat which
26 outlines the boundaries of the property sought to be annexed. If the
27 legislative body has required the assumption of all or of any portion
28 of city or town indebtedness by the area annexed, and/or the adoption
29 of a comprehensive plan for the area to be annexed, these facts,
30 together with a quotation of the minute entry of such requirement or
31 requirements shall be set forth in the petition. The signing of an
32 outside utility agreement that includes a waiver of a property owner's
33 right not to sign an annexation petition may not be counted as a
34 signature on an annexation petition."

1 Renumber the remaining sections consecutively and correct any
2 internal references accordingly.

3 **SHB 2176** - S AMD TO GO COMM AMD (S5638.1)
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6 On page 5, after line 3 of the amendment, insert the following:

7 "**Sec. 9.** RCW 35A.14.120 and 1989 c 351 s 6 are each amended to
8 read as follows:

9 Proceedings for initiating annexation of unincorporated territory
10 to a charter code city or noncharter code city may be commenced by the
11 filing of a petition of property owners of the territory proposed to be
12 annexed, in the following manner. This method of annexation shall be
13 alternative to other methods provided in this chapter. Prior to the
14 circulation of a petition for annexation, the initiating party or
15 parties, who shall be the owners of not less than ten percent in value,
16 according to the assessed valuation for general taxation of the
17 property for which annexation is sought, shall notify the legislative
18 body of the code city in writing of their intention to commence
19 annexation proceedings. The legislative body shall set a date, not
20 later than sixty days after the filing of the request, for a meeting
21 with the initiating parties to determine whether the code city will
22 accept, reject, or geographically modify the proposed annexation,
23 whether it shall require the simultaneous adoption of a proposed zoning
24 regulation, if such a proposal has been prepared and filed for the area
25 to be annexed as provided for in RCW 35A.14.330 and 35A.14.340, and
26 whether it shall require the assumption of all or of any portion of
27 existing city indebtedness by the area to be annexed. If the
28 legislative body requires the assumption of all or of any portion of
29 indebtedness and/or the adoption of a proposed zoning regulation, it
30 shall record this action in its minutes and the petition for annexation
31 shall be so drawn as to clearly indicate these facts. Approval by the
32 legislative body shall be a condition precedent to circulation of the
33 petition. There shall be no appeal from the decision of the
34 legislative body. A petition for annexation of an area contiguous to
35 a code city may be filed with the legislative body of the municipality
36 to which annexation is desired. It must be signed by the owners, as

1 defined by RCW 35A.01.040(9) (a) through (d), of not less than sixty
2 percent in value, according to the assessed valuation for general
3 taxation of the property for which annexation is petitioned: PROVIDED,
4 That a petition for annexation of an area having at least eighty
5 percent of the boundaries of such area contiguous with a portion of the
6 boundaries of the code city, not including that portion of the boundary
7 of the area proposed to be annexed that is coterminous with a portion
8 of the boundary between two counties in this state, need be signed by
9 only the owners of not less than fifty percent in value according to
10 the assessed valuation for general taxation of the property for which
11 the annexation is petitioned. Such petition shall set forth a
12 description of the property according to government legal subdivisions
13 or legal plats and shall be accompanied by a map which outlines the
14 boundaries of the property sought to be annexed. If the legislative
15 body has required the assumption of all or any portion of city
16 indebtedness by the area annexed or the adoption of a proposed zoning
17 regulation, these facts, together with a quotation of the minute entry
18 of such requirement, or requirements, shall also be set forth in the
19 petition. The signing of an outside utility agreement that includes a
20 waiver of a property owner's right not to sign an annexation petition
21 may not be counted as a signature on an annexation petition."

22 Renumber the remaining sections consecutively and correct any
23 internal references accordingly.

24 EFFECT: Assures that annexation petition signatures are not
25 coerced.

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