
HOUSE BILL 2100

State of Washington 53rd Legislature 1993 Regular Session

By Representative Zellinsky

Read first time 03/08/93. Referred to Committee on Local Government.

1 AN ACT Relating to fire protection district annexation; amending
2 RCW 36.93.105 and 52.04.001; and adding new sections to chapter 52.04
3 RCW.

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

5 NEW SECTION. **Sec. 1.** The commissioners of one or more fire
6 protection districts within a county may petition the legislative
7 authority of that county to proceed under this chapter to annex
8 unincorporated service areas.

9 (1) Upon receipt of a petition from the commissioners of one or
10 more fire protection districts, the legislative authority shall hold a
11 public hearing to determine whether the county should allow the
12 annexation of unincorporated service areas into adjoining fire
13 protection districts pursuant to this chapter. The public hearing
14 shall be held following at least fourteen days' prior notice in a
15 newspaper of general circulation throughout the county.

16 (2) "Unincorporated service area" means an area that is partially
17 or wholly surrounded by a fire protection district and receives
18 services from the fire protection district.

1 NEW SECTION. **Sec. 2.** The county legislative authority shall hear
2 from all interested parties, including the commissioners of the fire
3 protection districts, or their representatives, as to the need to allow
4 annexation of unincorporated service areas. Before finding that the
5 annexation of unincorporated service areas should proceed under this
6 chapter, the legislative authority must find that traditional methods
7 of annexation have proved ineffective, and that no other viable means
8 of providing continuing service to the unincorporated service areas
9 exist.

10 NEW SECTION. **Sec. 3.** (1) If the county legislative authority
11 finds sufficient evidence of a need to proceed with annexations of
12 unincorporated service areas within the county, it may pass an
13 ordinance allowing such annexations to proceed under this chapter. In
14 making its decision, the county legislative authority may limit the
15 ability to proceed under this chapter to certain designated portions of
16 the county, or may allow annexation to proceed throughout the county.

17 (2) If the legislative authority enacts an ordinance allowing
18 annexation to proceed under this chapter, the ordinance must establish
19 a commission comprised of the affected fire protection districts that
20 will meet and determine the proper boundaries of the affected fire
21 protection districts, and allow for annexation of unincorporated
22 service areas.

23 NEW SECTION. **Sec. 4.** (1) The commission shall produce a report
24 and map showing the areas to be annexed under this chapter, and present
25 the map and report to the county legislative authority within thirty
26 days of the passage of the ordinance allowing annexation to proceed
27 under this chapter.

28 (2) Upon presentation of the report from the commission, the
29 legislative authority may approve the report and map, make
30 modifications, or request the commission to revise the map and report
31 in accordance with specific, stated objectives.

32 (3) The commission may reconvene only if the legislative authority
33 directs the commission to review the report and map, and may make such
34 modifications as requested by the legislative authority.

35 (4) Following approval of the report and map produced by the
36 commission, annexation of the unincorporated service areas as
37 designated shall become final and notification shall be sent to all

1 property owners within the unincorporated service areas. Maps shall be
2 provided to the county auditor and the county assessor.

3 **Sec. 5.** RCW 36.93.105 and 1989 c 84 s 4 are each amended to read
4 as follows:

5 The following actions shall not be subject to potential review by
6 a boundary review board:

7 (1) Annexations of territory to a water or sewer district pursuant
8 to RCW 36.94.410 through 36.94.440;

9 (2) Revisions of city or town boundaries pursuant to RCW 35.21.790
10 or 35A.21.210;

11 (3) Adjustments to city or town boundaries pursuant to RCW
12 35.13.340; (~~and~~)

13 (4) Adjustments to city and town boundaries pursuant to RCW
14 35.13.300 through 35.13.330; and

15 (5) Annexations of unincorporated service areas to fire protection
16 districts under sections 1 through 4 of this act.

17 **Sec. 6.** RCW 52.04.001 and 1989 c 84 s 42 are each amended to read
18 as follows:

19 Except under sections 1 through 4 of this act, actions taken under
20 chapter 52.04 RCW may be subject to potential review by a boundary
21 review board under chapter 36.93 RCW.

22 NEW SECTION. **Sec. 7.** Sections 1 through 4 of this act are each
23 added to chapter 52.04 RCW.

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