

HOUSE OF REPRESENTATIVES  
Olympia Washington

BilAnalysis

BilNo. HB 2886

Annexation by direct petition method/equal weight  
Brief title

Hrg Date: 2/4/98

Rep. Mulliken  
Sponsor

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**BACKGROUND:**

Cities and towns are classified either being code cities or non-code cities and towns. Separate statutes exist for each of these two classifications for cities and towns providing similar but somewhat different procedures by which they annex territory.

Three primary procedures exist for a city or town to annex unincorporated territory that is adjacent to a portion of the city's or town's boundaries. Two of these procedures involve an election where voters residing in the area proposed to be annexed vote on a ballot proposition authorizing the annexation.

The third procedure is the direct-property petition method where an election is not held and the annexation occurs if the city or town council approves the annexation and a petition proposing the annexation has been signed by the owners of property in the area proposed to be annexed. Annexations under this method involve the following three separate steps: (1) A preliminary notice of intent to annex is provided to the city or town; (2) the city or town accepts or rejects the proposed annexation; and (3) if accepted, a petition authorizing the annexation is circulated for signatures of the owners of property in the area proposed to be annexed.

The signature requirements on the annexation petition under the direct-property petition method vary for code cities and non-code cities and towns. A petition must be signed by the owner or owners of at least 75 percent of the assessed valuation in the area proposed to be annexed, if a non-code city or town is proposed to annex the area. A petition must be signed by the owner or owners of at least 50 percent of the assessed valuation in the area proposed to be annexed, if a code city is proposed to annex the area.

Continued

**SUMMARY:**

The nature of the signature requirements is altered under the direct-property owner petition method of annexing to cities and towns.

The signature requirements in the annexation petitions based upon a particular percentage of the number of property owners in the area proposed to be annexed, rather than being based upon the owners of a particular percentage of the assessed valuation of property in the area proposed to be annexed. However, the signature of each property owner has equal weight with regard to the value of the property. The differing percentages of such signatures necessary to authorize such an annexation to a code city or non-code city or town, are not altered.

Signature requirements are also altered for the preliminary notice of intent to annex that is given to a city or town. The ability of resident voters to initiate such an annexation in a non-code city or town is eliminated. The nature of the signature requirement for the owners of property in the area is based upon the percentage of the number of property owners in the area proposed to be annexed, rather than being based upon the owners of a particular percentage of the assessed valuation of property in the area proposed to be annexed. However, the signature of each property owner has equal weight with regard to the value of the property.-

The unique authority is eliminated for a non-code city located east of the Cascade Mountains with a population of 160,000 or more, to annex totally tax exempt to the city under the direct-property owner petition method of annexation.

A development agreement or other agreement by a property owner not to oppose an annexation under the direct-property owner method of annexation is not enforceable.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bills passed.