

# HOUSE BILL REPORT

## HB 1523

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### As Passed Legislature

**Title:** An act relating to reconciling conflicting provisions in laws pertaining to cities and towns.

**Brief Description:** Reconciling conflicting provisions in laws pertaining to cities and towns.

**Sponsors:** By Representatives Mielke, Mulliken, Dunshee and Edmonds.

### Brief History:

#### Committee Activity:

Local Government & Housing: 2/5/01, 2/26/01 [DP].

#### Floor Activity:

Passed House: 3/9/01, 92-0.

Passed Senate: 4/12/01, 46-0.

Passed Legislature.

### Brief Summary of Bill

- Changes the appeal time for a board of adjustment decision in a code city from 10 days to 21 days from the date of the action.
- Makes provisions for municipal indebtedness for cities the same for code cities.

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### HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

**Majority Report:** Do pass. Signed by 12 members: Representatives Dunshee, Democratic Co-Chair; Mulliken, Republican Co-Chair; Edwards, Democratic Vice Chair; Mielke, Republican Vice Chair; Berkey, Crouse, DeBolt, Dunn, Edmonds, Hatfield, Jarrett and Kirby.

**Staff:** Scott MacColl (786-7106).

### Background:

### Part I

Code cities of 2,500 or more residents that create a planning agency are required to create a board of adjustment. Code cities of less than 2,500 residents may create a board of adjustment at its option.

A code city board of adjustment hears appeals from decisions or determinations made by a code city enforcement official, applications for variances, applications for conditional use permits, and any other administrative determinations as delegated by its authorizing ordinance.

The action of the board of adjustment is final, unless an appeal is filed by the applicant in superior court within 10 days.

## **Part II**

The city indebtedness limit without a vote of the people is 1.5 percent of the value of taxable property in the district, and with such vote the total indebtedness is not to exceed 2.5 percent the value of taxable property.

The code city indebtedness limit without a vote of the people is 0.75 percent of the value of taxable property in the district, and with such vote the total indebtedness is not to exceed 2.5 percent of the value of taxable property.

In 1994 the Legislature passed SSB 6069 (C 277 s 1) which raised the debt limit without a vote from 0.75 percent to 1.5 percent of the value of taxable property for counties, cities and towns, however the statute pertaining to code cities was not amended at that time.

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## **Summary of Bill:**

### **Part I**

The time window for an appeal of a code city board of adjustment action has been increased to 21 days.

### **Part II**

The code city debt limit without voter approval is altered from 0.75 percent to 1.5 percent, to be consistent with all cities and counties.

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**Appropriation:** None.

**Fiscal Note:** Not Requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Simple clean-up bill which makes city indebtedness the same for all classes of cities.

**Testimony Against:** None.

**Testified:** Rep. Mielke, prime sponsor.