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SENATE BILL 5589

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State of Washington

59th Legislature

2005 Regular Session

By Senators Haugen and Spanel

Read first time 01/28/2005. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to proceedings for excluding agricultural land from  
2 the boundaries of a charter or noncharter code city; and adding a new  
3 section to chapter 35A.16 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35A.16 RCW  
6 to read as follows:

7 Proceedings for excluding agricultural land from the boundaries of  
8 a charter code city or noncharter code city may be commenced by the  
9 filing of a petition which is sufficient as determined by RCW  
10 35A.01.040 by property owners of the agricultural land proposed to be  
11 excluded, in the following manner which is alternative to other methods  
12 provided in this chapter:

13 (1) A petition for exclusion of agricultural land from the  
14 incorporated area of a code city shall be filed with the legislative  
15 body of the municipality. The petition for exclusion must be signed by  
16 the owners of not less than one hundred percent of the agricultural  
17 land for which exclusion is sought and, if residents exist within the  
18 area proposed for exclusion, a majority of the registered voters  
19 residing in the area for which exclusion is petitioned.

1           (2) The petition shall set forth a legal description of the  
2 territory proposed to be excluded and shall be accompanied by a drawing  
3 that outlines the boundaries of the territory sought to be excluded.

4           (3) When a petition for exclusion that meets the requirements of  
5 this section and RCW 35A.01.040 is filed with the legislative body of  
6 the code city, the legislative body shall set a date, not later than  
7 sixty days after the filing of the request, for a public hearing  
8 thereon and cause notice of the hearing to be published in one or more  
9 issues of a newspaper of general circulation in the city. The notice  
10 shall also be posted in three public places within the territory  
11 proposed for exclusion, and shall specify the time and place of hearing  
12 and invite interested persons to appear and voice approval or  
13 disapproval of the exclusion.

14          (4) Following the hearing, if the legislative body determines to  
15 effect the exclusion from city boundaries, they shall do so by  
16 ordinance. The ordinance may exclude all or any portion of the  
17 proposed territory but may not include in the exclusion any territory  
18 not described in the petition. The ordinance shall contain a legal  
19 description of the territory and declare it no longer a part of the  
20 code city.

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