

SSB 5010 - H COMM AMD
By Committee on Local Government

ADOPTED AS AMENDED 04/09/2019

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) On September 13, 2017, the joint
4 legislative audit and review committee distributed the 17-06 final
5 report: Fees assessed for forest fire protection. The report
6 identified more than twenty thousand parcels of land that do not pay
7 the forest fire protection assessment or a local fire district levy
8 but are likely still protected by the department of natural resources
9 or a local fire district.

10 The legislature finds that fire protection services at the state
11 and local level are vital to the preservation of public and personal
12 property throughout the state. The legislature further finds that
13 fire protection resources are very limited in carrying out the
14 substantial duties that fire protection services are asked to
15 perform. Therefore, properties that benefit from fire protection
16 should be required to contribute to the operation and maintenance of
17 such essential services.

18 (2)(a) A local fire district may propose to annex any parcel or
19 parcels having all boundaries of the property wholly within the
20 external boundary of the requesting local fire district if such
21 parcel or parcels are not presently being assessed a local fire
22 district levy.

23 (b) Prior to annexing a parcel or parcels under this section the
24 local fire district must:

25 (i) Verify with the county assessor that the parcel or parcels
26 have all boundaries of the property wholly within the external
27 boundary of the requesting local fire district and are not presently
28 assessed a local fire district levy;

29 (ii) Notify the owner of record of each parcel in writing no less
30 than sixty days prior to conducting a public hearing that the local
31 fire district is seeking to annex the parcel; and

1 (iii) Hold at least one public hearing on the proposed
2 annexation.

3 (3) Following the hearing, the local fire district must determine
4 by resolution whether any parcel will be annexed. After adoption of
5 the resolution, the local fire district must send a copy to the
6 county legislative authority, the county assessor, and the owner of
7 record of any parcel proposed to be annexed. The resolution must
8 include a list of all parcels proposed to be annexed.

9 (4) Within thirty days of notification of the resolution, the
10 owner of record of a parcel proposed to be annexed may appeal the
11 proposed annexation to the county legislative authority. Issues
12 raised under appeal may include compliance with the process
13 established under this section, whether the parcel is presently being
14 assessed a local fire district levy, whether the levied amount is
15 consistent with local fire district levy amounts, whether the local
16 fire district actually has the resources to provide the parcel or
17 parcels with timely service. The county legislative authority may
18 address multiple appeals at the same hearing. The decision of the
19 county legislative authority or its designee is not appealable.

20 (5) If the proposed annexation is upheld or no appeal is made
21 within thirty days of notification of the resolution, the county
22 legislative authority must approve the proposed annexation of any
23 parcel or parcels of land submitted under subsection (3) of this
24 section into the local fire district. The order must include a
25 description of the property to be annexed and the effective date of
26 the annexation. The order is not subject to referendum.

27 (6) A notice of intention must be filed with the boundary review
28 board created under RCW 36.93.030. However, the jurisdiction of the
29 board may not be invoked as described in RCW 36.93.100 for
30 annexations under this section.

31 (7) Any local fire district levy to be imposed on a parcel
32 annexed in accordance with this section may not be assessed until the
33 next tax assessment cycle following the annexation.

34 (8) Annexations of a parcel or parcels of land under this section
35 must be completed by January 1, 2021.

36 (9) For the purposes of this section, "local fire district" means
37 a fire district, regional fire protection service authority, city,
38 town, or port district.

1 (10) The annexation process established under this section is not
2 exclusive and does not limit annexation through other statutory
3 authorities.

4 (11) Any port district that decides to annex a parcel or parcels
5 under this section must:

- 6 (a) Be providing fire services at the time of the annexation; and
7 (b) Confirm that the parcel or parcels are not already serviced
8 by a fire protection district, regional fire protection service
9 authority, city, or town."

10 Correct the title.

EFFECT: Adds a standard for appeal review to include whether the local fire district actually has the resources to provide the parcel or parcels being annexed with timely service.

Requires a port district to already be providing fire protection services prior to beginning the annexation and confirm that the parcel or parcels are not already served by another fire protection authority.

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