

35.72.040(1). No county, city, or town costs for improvements that benefit the general public may be reimbursed.

Passed the House February 13, 1986.

Passed the Senate March 6, 1986.

Approved by the Governor April 3, 1986.

Filed in Office of Secretary of State April 3, 1986.

## CHAPTER 253

[House Bill No. 1386]

### ANNEXATION OF CITY OR TOWN BY A CITY OR TOWN

AN ACT Relating to the annexation of all or part of a city or town by another city or town; and amending RCW 35.10.217.

Be it enacted by the Legislature of the State of Washington:

Sec. 1. Section 4, chapter 89, Laws of 1969 ex. sess. as amended by section 15, chapter 281, Laws of 1985 and RCW 35.10.217 are each amended to read as follows:

The following methods are available for the annexation of all or a part of a city or town to another city or town:

(1) A petition for an election to vote upon the annexation (~~(of all or a part of a city to another city signed by qualified voters of the city proposed to be annexed equal in number to at least one-fifth of the votes cast at the last municipal general election held therein may be filed with)~~), which proposed annexation is approved by the legislative body of the city ((to be annexed. Such legislative body, in turn, shall, by resolution, advise)) or town from which the territory will be taken, may be submitted to the legislative body of the city or town to which annexation is proposed ((of the receipt of such petition and request the latter legislative body to indicate by resolution whether it will accept the proposed annexation, and if so, on what terms. If such resolution of the annexing city states that its legislative body is favorably disposed toward such annexation, the legislative body of the city to be annexed shall submit to the voters in such territory proposed to be annexed, the question of whether such territory shall be annexed and such other propositions as are deemed appropriate)). An annexation under this subsection shall otherwise conform with the requirements for and procedures of a petition and election method of annexing unincorporated territory under chapter 35.13 RCW, except for the requirement for the approval of the annexation by the city or town from which the territory would be taken.

(2) The legislative body of a city or town may on its own initiative by resolution indicate its desire to be annexed to a city or town either in whole or in part, or the legislative body of a city or town proposing to annex all or

part of another city or town may initiate the annexation by adopting a resolution indicating that desire. In case such resolution is passed, such resolution shall be transmitted to the other affected city ((to which it desires to be annexed, and the legislative body of such city shall by resolution indicate whether it will accept the proposed annexation, and if so, on what terms)) or town. The annexation is effective if the other city or town adopts a resolution concurring in the annexation, unless the owners of property in the area proposed to be annexed, equal in value to sixty percent or more of the assessed valuation of the property in the area, protest the proposed annexation in writing to the legislative body of the city or town proposing to annex the area, within thirty days of the adoption of the second resolution accepting the annexation. Notices of the public hearing at which the second resolution is adopted shall be mailed to the owners of the property within the area proposed to be annexed in the same manner that notices of a hearing on a proposed local improvement district are required to be mailed by a city or town as provided in chapter 35.43 RCW. An annexation under this subsection shall be potentially subject to review by a boundary review board or other annexation review board after the adoption of the initial resolution, and the second resolution may not be adopted until the proposed annexation has been approved by the board.

(3) ~~((In the event there are no qualified electors residing within a part of a city which said city wishes to have annexed to another contiguous city, then the issue of annexation will be decided by the legislative body of the city from which the territory is to be withdrawn. This decision, which shall be by majority vote of said legislative body, shall be considered as if it was an election by qualified voters of said territory and handled accordingly under the other applicable sections of this chapter.~~

If the legislative body of the city to which annexation is proposed indicates a willingness to accept the annexation, then the question of whether such territory shall be annexed to such city and become a part thereof and such other propositions as are deemed appropriate shall be submitted to the electors in the territory to be annexed by the legislative body of the city or part thereof to be annexed at an election which such legislative body shall cause to be called for that purpose)) The owners of property located in a city or town may petition for annexation to another city or town. An annexation under this subsection shall conform with the requirements for and procedures of a direct petition method of annexing unincorporated territory, except that the legislative body of the city or town from which the territory would be taken must approve the annexation before it may proceed.

(4) All annexations under this section are subject to potential review by the local boundary review board or annexation review board.

Passed the House February 6, 1986.

Passed the Senate March 11, 1986.

Approved by the Governor April 3, 1986.

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## CHAPTER 254

[Substitute House Bill No. 1388]

### FIRE DEPARTMENTS—CONSOLIDATION AND ANNEXATION OF CITIES— FIRE DEPARTMENT EMPLOYEES—TRANSFER

AN ACT Relating to fire protection agencies in consolidation and annexation actions; adding new sections to chapter 35.10 RCW; adding new sections to chapter 35.13 RCW; adding new sections to chapter 52.04 RCW; adding new sections to chapter 52.06 RCW; providing an effective date; and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. A new section is added to chapter 35.10 RCW to read as follows:

Upon the consolidation of two or more cities or code cities, any employee of the fire department of the former city or cities who (1) was at the time of consolidation employed exclusively or principally in performing the powers, duties, and functions which are to be performed by the fire department of the consolidated city or code city, as the case may be, (2) will, as a direct consequence of consolidation, be separated from the employ of the former city, code city or town, and (3) can perform the duties and meet the minimum requirements of the position to be filled, then such employee may transfer employment to the fire department of the consolidated city, as provided in this section and sections 2 and 3 of this act.

For purposes of this section and sections 2 and 3 of this act, employee means an individual whose employment has been terminated because of a consolidation of two or more cities, code cities or towns.

NEW SECTION. Sec. 2. A new section is added to chapter 35.10 RCW to read as follows:

(1) An eligible employee may transfer into the civil service system of the consolidated city or code city by filing a written request with the civil service commission of the consolidated city. Upon receipt of such request by the civil service commission the transfer of employment shall be made. The employee so transferring will (a) be on probation for the same period as are new employees in the position filled, (b) be eligible for promotion after completion of the probationary period as completed, (c) receive a salary at least equal to that of other new employees in the position filled, and (d) in all other matters, such as retirement, sick leave, and vacation, have, within