

the necessity for such improvement and such legislative body finds and recites in the ordinance or resolution authorizing the improvement that such improvement is necessary for the protection of the public health and safety and such ordinance or resolution is passed by unanimous vote of all members present.

New section.

SEC. 3. There is added to chapter 35.43 RCW a new section to read as follows:

Petition for L.I.D. outside city may be denied.

Whenever the formation of a local improvement district which lies entirely or in part outside of a city or town's corporate limits is initiated by petition the legislative authority of the city or town may by a majority vote deny the petition and refuse to form the local improvement district.

Passed the Senate March 6, 1963.

Passed the House March 12, 1963.

Approved by the Governor March 21, 1963.

CHAPTER 57.

[S. B. 220.]

CITIES AND TOWNS—INCORPORATION.

AN ACT relating to incorporation of certain cities; amending section 1, chapter 7, Laws of 1890 and RCW 35.02.010; amending section 7, chapter 173, Laws of 1957 and RCW 35.02.070; amending section 2, chapter 345, Laws of 1955 and RCW 35.04.020; and amending section 6, chapter 345, Laws of 1955 and RCW 35.04.060.

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

RCW 35.02.010 amended.

SECTION 1. Section 1, chapter 7, Laws of 1890 and RCW 35.02.010 are each amended to read as follows:

Authority for incorporation.

Any portion of a county containing not less than three hundred inhabitants lying outside the limits of an incorporated city or town may become incor-

porated as a municipal corporation of the class to which it belongs: *Provided*, That no area which lies within five miles of any city having a population of fifteen thousand or more shall be incorporated after the effective date of this 1963 amendatory act which contains less than three thousand inhabitants if such area or any part thereof lies within a class AA or A county.

Proviso.

SEC. 2. Section 7, chapter 173, Laws of 1957 and RCW 35.02.070 are each amended to read as follows:

RCW 35.02.070 amended.

Upon final hearing on a petition for incorporation the board shall establish and define the boundaries of the proposed city or town, being authorized to decrease but not increase the area proposed in the petition and any such decrease shall not exceed twenty percent of the area proposed; it must also determine the number of inhabitants within the boundaries it has established: *Provided*, That the area shall not be so decreased that the number of inhabitants therein shall be less than required by RCW 35.02.010 as now or hereafter amended.

Findings by board—Establishment of boundaries—Limitation.

Proviso.

SEC. 3. Section 2, chapter 345, Laws of 1955 and RCW 35.04.020 are each amended to read as follows:

RCW 35.04.020 amended.

Any area lying in two or more counties which is not incorporated as a municipal corporation, may become incorporated under the provisions of this chapter: *Provided*, That when any part of the area to be incorporated lies within five miles of any city having a population of fifteen thousand or more and in a class AA or A county, no petition under RCW 35.04.030 shall be valid unless the limits of the proposed city contain three thousand or more inhabitants. When so incorporated, it shall, unless otherwise provided by law, possess all the powers, duties, and benefits conferred upon or vested in, or that may hereafter be conferred upon or vested in, other municipalities of the same class and upon the officers thereof.

Incorporation authorized—Intercounty areas.

Proviso.

RCW 35.04.060
amended.

Intercountry
areas. Incorporation
petition—Hearing
—Inclusion
and exclusion
of lands—
Order.

SEC. 4. Section 6, chapter 345, Laws of 1955 and RCW 35.04.060 are each amended to read as follows:

The hearing provided for in RCW 35.04.050 shall be held jointly by all the respective boards of county commissioners under the direction of the principal board of county commissioners. The hearing may be adjourned from time to time not to exceed two months in all. If upon final hearing the respective boards find that any land has been unjustly or improperly included within or excluded from the proposed corporation, the respective boards may change and fix the boundary lines of the portion of the proposed corporation within their respective counties in such a manner as they deem reasonable and just and conducive to the public welfare and convenience, and each such board shall thereupon enter an order establishing and defining the boundary lines of the proposed corporation within its respective county: *Provided*, That when any part of the area to be incorporated lies within five miles of any city having a population of fifteen thousand or more and in a class AA or A county, the area shall not be so decreased that the number of inhabitants therein shall be less than three thousand. No land shall be so included within the boundaries described in the petition unless each board of county commissioners of that county in which the area sought to be included is located first obtains the written assent of not less than a number of qualified voters resident within each area to be included in the proposed corporation equal in number to twenty percent of the votes cast at the last state election. Each board of county commissioners shall for the area within its respective county, promptly after the final hearing, by order establish and define the boundaries of the proposed corporation, determine the number of inhabitants residing therein and state the name of the proposed corporation: *Provided*, That for the action

Proviso.

Proviso.

required after the final hearing, the boards may act jointly but in such case a majority of each board must vote favorably on such final action and the order shall be entered in the minutes of each board.

Passed the Senate March 8, 1963.

Passed the House March 12, 1963.

Approved by the Governor March 21, 1963.

CHAPTER 58.

[S. B. 265.]

DAIRIES AND DAIRY PRODUCTS.

AN ACT relating to dairies and dairy products; repealing sections 15.32.020, 15.32.030, 15.32.040 and 15.32.050, chapter 11, Laws of 1961 and RCW 15.32.020, 15.32.030, 15.32.040 and 15.32.050 and constituting the same as rules of the department of agriculture; amending section 15.32.100, chapter 11, Laws of 1961 and RCW 15.32.100; repealing sections 15.32.210 and 15.32.290, chapter 11, Laws of 1961 and RCW 15.32.210 and 15.32.290; amending sections 15.32.390, 15.32.580, 15.32.582, 15.32.584, 15.32.590, 15.32.600, 15.32.610 and 15.32.630, chapter 11, Laws of 1961 and RCW 15.32.390, 15.32.580, 15.32.582, 15.32.584, 15.32.590, 15.32.600, 15.32.610 and 15.32.630; repealing sections 15.32.640 and 15.32.650, chapter 11, Laws of 1961 and RCW 15.32.640 and 15.32.650; and adding new sections to chapter 11, Laws of 1961 and chapter 15.32 RCW.

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

SECTION 1. Sections 15.32.020, 15.32.030, 15.32.040 and 15.32.050, chapter 11, Laws of 1961 and RCW 15.32.020, 15.32.030, 15.32.040 and 15.32.050 are each repealed. Repeal.

SEC. 2. There is added to chapter 11, Laws of 1961 and chapter 15.32 RCW a new section to read as follows: New section.

The director may, by rule, establish and/or amend definitions and standards for dairy products. Such definitions and standards established by the Dairies, dairy products. Definitions, standards.