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.

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

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

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

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.

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

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 pro-
posed city contain three thousand or more inhab-
itants. When so incorporated, it shall, unless other-
wise 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.
RCW 35.04.060 amended.

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

Proviso.

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
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.

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

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