

CHAPTER 18.

[House Bill No. 103.]

FIRE PROTECTION DISTRICTS—ANNEXATIONS—
MERGERS.

AN ACT relating to fire districts; amending section 3, chapter 70, Laws of 1941 as last amended by section 3, chapter 237, Laws of 1959 and RCW 52.08.060; and amending section 5, chapter 176, Laws of 1953 as amended by section 1, chapter 42, Laws of 1963 and RCW 52.24.090.

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

SECTION 1. Section 3, chapter 70, Laws of 1941 as last amended by section 3, chapter 237, Laws of 1959 and RCW 52.08.060 are each amended to read as follows:

RCW 52.08.060 amended.

Any territory contiguous to a fire protection district and not within the boundaries of a city or town or other fire protection district may be annexed to such fire protection district, for the purpose of obtaining fire fighting protection or prevention facilities, by petition of fifteen percent of the qualified registered electors residing within the territory proposed to be annexed. Such petition shall be filed with the fire commissioners of the fire protection district and if the said fire commissioners shall concur in the said petition they shall then file such petition with the county auditor who shall within thirty days from the date of filing such petition examine the signatures thereof and certify to the sufficiency or insufficiency thereof. After the county auditor shall have certified to the sufficiency of the petition, the proceedings thereafter by the board of county commissioners and the rights and powers and duties of the board of county commissioners, petitioners and objectors and the election and canvass thereof shall be the same as in the original proceedings to form a fire protection district: *Provided*, That the board of county commissioners shall have authority and it shall be its duty to determine on an equitable basis,

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the amount of obligation which the territory to be annexed to the district shall assume, if any, to place the taxpayers of the existing district on a fair and equitable relationship with the taxpayers of the territory to be annexed by reason of the benefits of coming into a going district previously supported by the taxpayers of the existing district, and such obligation may be paid to the district in yearly installments to be fixed by the county board if within the four mill annual tax limit and included in the annual tax levies against the property in such annexed territory until fully paid. The amount of the obligation and the plan of payment thereof fixed by the county board shall be set out in general terms in the notice of election for annexation: *Provided, however,* That the special election shall be held only within the boundaries of the territory proposed to be annexed to said fire protection district. Upon the entry of the order of the board of county commissioners incorporating such contiguous territory with such existing fire protection districts, said territory shall become subject to the indebtedness, bonded or otherwise, of said existing district in like manner as the territory of said district. Should such petition be signed by sixty percent of the qualified registered electors residing within the territory proposed to be annexed, and should the fire commissioners concur therein, an election in such territory and a hearing on such petition shall be dispensed with and the board of county commissioners shall enter its order incorporating such territory within the said existing fire protection district.

RCW 52.24.090 amended.

SEC. 2. Section 5, chapter 176, Laws of 1953 as amended by section 1, chapter 42, Laws of 1963 and RCW 52.24.090 are each amended to read as follows:

Merger of part of district with adjacent district.

A part of one district may be transferred and merged with an adjacent district whenever such area can be better served by the merged district.

To effect such a merger a petition, signed by not less than fifteen percent of the qualified electors residing in the area to be merged, shall be filed with the commissioners of the merging district. Such petition shall be promoted by one or more qualified electors within the area to be transferred. If the commissioners of the merging district act favorably upon the petition, then the petition shall be presented to the commissioners of the merger district. If the commissioners of the merger district act favorably upon the petition, an election shall be called in the area merged.

In the event that either board of fire district commissioners should not concur with the petition, the petition may then be presented to a county review board established for such purposes, if there be no county review board for such purposes then to the state review board and if there be no state review board, then to the county commissioners of the county in which the area to be merged is situated, who shall decide if the area can be better served by such a merger; upon an affirmative decision an election shall be called in the area merged.

A majority of the votes cast shall be necessary to approve the transfer.

Passed the House March 18, 1965.

Passed the Senate March 23, 1965.

Approved by the Governor April 2, 1965.