

making of any such improvements as are embraced within this act, but this act shall be considered as concurrent with such existing laws.

Passed the House February 9, 1929.

Passed the Senate February 18, 1929.

Approved by the Governor February 27, 1929.

---

## CHAPTER 64.

[H. B. 18.]

### CONSOLIDATION OF MUNICIPAL CORPORATIONS.

AN ACT relating to the consolidation of municipal corporations, and repealing certain acts relating thereto.

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

SECTION 1. Two or more contiguous municipal corporations may become consolidated into one corporation after proceedings had as required by this act. When municipal corporations are separated by water and/or tide or shore lands upon which no *bona fide* residence is maintained by any person, they shall be deemed contiguous for all the purposes of this act, and may be consolidated under the terms hereof, and upon such consolidation any such intervening water and/or tide or shore lands shall become a part of the consolidated corporation.

Contiguous municipal corporations may become consolidated.

SEC. 2. The council, or other legislative body, of either of such contiguous corporations, upon receiving a petition therefor signed by not less than one-fifth of the qualified electors of such corporation, as shown by the votes cast at the last general municipal election held in such corporation, shall, within ninety days after receiving such petition, submit to the electors of each of such corporations, at a special election to be held for that purpose, the question whether such corporations shall become

Petition presented to council.

consolidated into one corporation, and, in case either but not all of the existing corporations is operating under the commission form of government, shall submit to said electors the question of the form of government under which the new corporation shall be organized and operated, whether the commission form or the councilmanic form: *Provided*, That in all cases wherein cities and towns of the third or fourth classes desire annexation to a city of the first class neither the question of consolidation or form of government shall be submitted to the electors of such city of the first class.

Third and fourth class annexed to first class.

SEC. 3. The legislative body receiving such petition shall designate a day upon which such special election shall be held in each of the corporations proposed to be consolidated to determine whether such consolidation shall be effected, and shall give written notice thereof to the legislative body of each of the corporations proposed to be consolidated, which notice shall designate the name of the proposed new corporation in all cases except the proposed annexation of cities or towns of the third or fourth class to a city of the first class.

Date for special election to be designated.

SEC. 4. Upon the giving and receiving of such notice, it shall be the duty of the legislative body of each of the corporations proposed to be consolidated, except the legislative body of a city of the first class in case of the proposed annexation of cities or towns of the third or fourth class to such city of the first class, to call and give notice of such special election by publication for four weeks prior to such election, in a legal newspaper published in such corporation, or in case no legal newspaper is published therein, then in a legal newspaper published in the county and of general circulation in such corporation. Such notice shall distinctly state the propositions to be submitted, the names of the corporations proposed to be consolidated, the name

Legislative body to give notice of election by publication.

Proposition submitted.

Ballots.

of the proposed new corporation, and the class to which such proposed new corporation will belong, and shall invite the electors to vote upon such proposition by placing a cross "X" upon their ballots after the words "For consolidation" or "Against consolidation," and, in case the question of the form of government of the proposed new corporation is submitted, to place a cross "X" upon their ballots after the words "For commission form of government" or "For councilmanic form of government."

Canvass of election votes.

SEC. 5. In all cases, except the proposed annexation of cities or towns of the third or fourth classes to a city of the first class, the legislative bodies of each of such corporations shall meet in joint convention at the usual place of meeting of the legislative body of that one of the corporations having the largest population as shown by the last United States census, on the Monday next succeeding the day of such election, and proceed to canvass the votes cast thereat. The votes cast in each of such corporations shall be canvassed separately, and if it shall appear upon such canvass that a majority of the votes cast in each of such corporations were for consolidation, such joint convention, by order entered in its minutes, shall cause the clerk, or other officer performing the duties of clerk, of the legislative body at whose place of meeting such joint convention was held, to make a certified abstract of such vote showing the whole number of votes cast, the number of votes cast for consolidation and the number of votes cast against consolidation, in each of such corporations. In case the question of the form of government of the new corporation shall have been submitted at such election, the votes thereon shall be canvassed in like manner as the votes on consolidation, and the result of such canvass shall be included in the abstract, showing the total number of votes cast in all of the corporations

Abstract of vote.

for the commission form of government and the total number of votes cast in all of the corporations for the councilmanic form of government, and the form of government for which a majority of all the votes cast shall be the form of government of the new corporation. A duly certified copy of such abstract shall be filed with the legislative body of each of the corporations affected and recorded upon its minutes, and it shall be the duty of the clerk, or other officer performing the duties of clerk, of each of such legislative bodies, to transmit to the secretary of state a duly certified copy of the record of such abstract.

Abstract filed with legislative body and secretary of state.

SEC. 6. Immediately after the filing of the abstract, the legislative body of that one of such corporations having the largest population, as shown by the last United States census, shall call a special election, to be held in such new corporation, for the election of the officers required by law to be elected in corporations of the class and form of government to which such new corporation belongs, which election shall be held within six months thereafter: *Provided*, That if the next regular general election of officers in cities of the class and form of government of such new corporation will be held within one year and not less than two months from the date of such consolidation election, then the officers of such new corporation shall be elected at the said next regular election. Such regular or special election shall be called and conducted in all respects in the manner prescribed, or that may be hereafter prescribed, by law for municipal elections in corporations of the class of such new corporation, and the votes cast shall be canvassed by the legislative body calling the same, who shall immediately declare the result thereof and cause the same to be entered upon its journal, and file certified copies of such result with the legislative body of each of the other corpo-

Officers for consolidated corporation.

Regular or special election called.

rations affected, who in like manner shall cause the same to be entered upon its journal.

Name and style of new corporation.

SEC. 7. From and after the date of such entry such corporations shall be deemed to be consolidated into one corporation under the name and style of "The City, (or town as the case may be) of....." (naming it), with the powers conferred, or that may hereafter be conferred, by law, upon municipal corporations of the class to which the same shall belong, and the officers elected at such election, upon qualifying as provided by law, shall be entitled to enter immediately upon the duties of their respective offices, and shall hold such offices respectively until the next regular general election to be held in such city or town, and until their successors are elected and qualified.

Third and fourth class cities voting for annexation.

SEC. 8. When the electors of any city, or town, of the third or fourth class shall vote upon the question of annexation to a city of the first class, the legislative body of such city or town shall canvass the votes and, if it appear that a majority be in favor of annexation, shall, if said city of the first class is divided into wards and governed by councilmen elected from such wards respectively, forthwith cause a census to be taken by one or more competent persons, of all the inhabitants of such city or town. In such census the full name of each person shall be plainly written, and the names alphabetically arranged and regularly numbered in one complete series, and said census shall be verified before an officer authorized to administer oaths. Upon the completion of such census the legislative body of such city or town shall forthwith file a petition, together with a certified abstract of the votes so taken and canvassed and a copy of the census, if one has been taken, with the legislative body of such city of the first class, praying for annexation under the name of such city of the first class.

Census to be taken.

Prayer for annexation.

SEC. 9. At the next regular meeting of the legislative body of such city of the first class following the filing of such petition, or as soon thereafter as practicable, said legislative body shall proceed to hear such petition and abstract, and census if any, and if such legislative body deem it wise and expedient to take and annex such city or town of the third or fourth class, it shall pass an ordinance, in the manner required by law and the charter of such city, declaring such city or town annexed to said city of the first class, which ordinance, in case said city is divided into wards and governed by councilmen elected from such wards respectively and the population of said city or town annexed, as shown by said census, is sufficient to constitute one or more wards of said city of the first class, shall provide that such city or town be annexed as one or more wards according to population, and shall describe the boundaries of and assign a number, or numbers, to such ward or wards. In case the population of such annexed city or town be not sufficient to constitute a ward or wards of the city of the first class, the territory embraced in such annexed city or town shall, by said ordinance, be assigned to and become a part of the ward or wards of such city of the first class contiguous to such annexed city or town. In case said city of the first class be not divided into wards, said ordinance shall simply provide that said city or town be annexed to such city of the first class.

Meeting of legislative body of first class city to consider.

Wards for annexed corporation.

SEC. 10. Upon the taking effect of such ordinance of such city of the first class, such city or town of the third or fourth class shall thereupon become a part of such city of the first class under the name and style of such city and subject to its charter and all of its laws and ordinances then in force. In case such city or town shall have been annexed as a new ward or wards of such city of the first class, the legislative body thereof shall immedi-

Effect of annexation.

Election of  
councilman  
from new  
wards.

ately call a special election to be held in such new ward or wards for the purpose of electing one councilman from each such ward, who shall hold office until the next general election of such city of the first class, and until his successor is elected and qualified: *Provided*, That if such general election will occur within six months after such annexation no special election for the election of councilmen shall be called. Such special election, if one be called, shall be called, held and conducted, and the vote cast thereat shall be canvassed and the result declared, in all respects as provided by law and the charter and ordinances of such city of the first class for holding special elections. It shall be the duty of the clerk, or other officer performing the duties of clerk, of such city of the first class, upon the taking effect of the ordinance annexing such city or town, to forthwith transmit to the secretary of state a certified copy of all proceedings had before and by the legislative body of such city of the first class relating to such annexation.

Clerk to  
transmit  
copy of  
proceedings  
to secretary  
of state.

Title to  
property.

SEC. 11. Upon the consolidation of two or more corporations, or the annexation of any city or town of the third or fourth class to a city of the first class, as provided in this act, the title to all property owned by, or held in trust for, such former corporation, or city or town, shall vest in such consolidated corporation, or city of the first class, as the case may be: *Provided*, That if any such former corporation, or city or town, shall be indebted, the proceeds of the sale of any such property not required for the use of such consolidated corporation, or city of the first class, shall be applied to the payment of such indebtedness, if any exist at the time of such sale.

Existing  
claims and  
actions.

SEC. 12. Such consolidation, or annexation, shall in no wise affect or impair the validity of claim or chose in action existing in favor of or against,

any such former corporation or city or town so consolidated or annexed, or any proceeding pending in relation thereto, but such consolidated corporation, or city of the first class, as the case may be, shall collect such claims in favor of such former corporation, or cities or towns of the third or fourth classes, and shall apply the proceeds to the payment of any just claims against them respectively, and shall when necessary levy and collect taxes against the taxable property within any such former corporation, or city or town, sufficient to pay all just claims against it.

SEC. 13. All ordinances in force within any such former corporation, at the time of consolidation, not in conflict with the laws governing the consolidated corporation, or with the ordinances of the former corporation having the largest population, as shown by the last United States census, and all ordinances in force within a city or town of the third or fourth class, not in conflict with the laws governing, or the charter or ordinances of, the city of the first class to which it is annexed, shall remain in full force and effect until superseded or repealed by the legislative body of the consolidated corporation, or city of the first class, as the case may be, and shall be enforced by such corporation or city, but all ordinances of such former corporations, or cities or towns of the third or fourth class, in conflict with such laws, charters or ordinances shall be deemed repealed by, and from and after, such consolidation or annexation, but nothing in this section shall be construed to discharge any person from any liability, civil or criminal, for any violation of any ordinance of such former corporation, or city or town of the third or fourth class, incurred prior to such consolidation or annexation.

Ordinances  
of former  
corporation.

Conflicting  
ordinances  
deemed  
repealed.

SEC. 14. No property within either former corporation so consolidated under the provisions of this

Taxation of  
property of  
former  
corporation.



act, shall ever be taxed to pay any portion of any indebtedness or obligation of either of the other of such former corporations, contracted or incurred prior to the date of such consolidation; no property within any former city or town of the third or fourth class annexed to any city of the first class under the provisions of this act, shall ever be taxed to pay any portion of any indebtedness or obligation of such city of the first class contracted or incurred prior to the date of such annexation, and no property within such former city of the first class shall ever be taxed to pay any portion of any indebtedness or obligation of any city or town of the third or fourth class annexed to such city of the first class under the provisions of this act, contracted or incurred prior to the date of such annexation.

Statutes  
repealed.

SEC. 15. That section 10 of an act entitled "An Act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency" approved March 27, 1890, Laws of 1889/90, pages 138 to 140; chapter 167 of the Laws of 1927, pages 180 to 185; and chapter 293 of the Laws of 1927, pages 718 to 721, (sections 8909-8913, both inclusive, of Remington's Compiled Statutes; section 647 of Pierce's Code) are hereby repealed: *Provided*, That such repeal shall not be construed as affecting the validity of any act done or proceeding had or rights acquired under either of said acts or any amendment thereof, or to affect any proceeding pending under said acts or either of them, at the time of taking effect of this act, but this act shall be construed as a reenactment and continuation of said acts in so far as it does not conflict therewith.

Saving  
clause.

Validation  
of attempted  
consolidation.

SEC. 16. That the attempted consolidation of two or more contiguous municipal corporations pursuant to the provisions of either chapter 167 of the Laws of 1927 or chapter 293 of the Laws of 1927 be,

and any such consolidation of any such cities or towns, is hereby in all respects validated.

Passed the House February 19, 1929.

Passed the Senate February 18, 1929.

Approved by the Governor February 27, 1929.

## CHAPTER 65.

[S. B. 39.]

### LOCAL IMPROVEMENTS IN CITIES.

AN ACT relating to local improvements in cities and towns, and repealing certain acts relating thereto.

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

SECTION 1. That chapter XIII (13) of the Laws of 1887/8, pages 16 to 20, is hereby repealed. Statute repealed.

Passed the Senate January 25, 1929.

Passed the House February 20, 1929.

Approved by the Governor February 27, 1929.

## CHAPTER 66.

[S. B. 78.]

### HIGHWAY THROUGH UNIVERSITY GROUNDS.

AN ACT dedicating certain lands in the State University grounds as a public highway.

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

SECTION 1. That the westerly twenty (20) feet of the State University grounds, lying northerly of East Pacific street and a twenty-five (25) foot strip lying north and parallel to the north line of East Pacific street, between 15th Avenue N. E. and what is known as Pay Streak in the University grounds, Legal description.