

CHAPTER 70.

[H. B. 50.]

FIRE PROTECTION DISTRICTS.

AN ACT relating to the creation, government and maintenance of fire-protection districts outside of cities and towns; providing for the elimination of fire hazards, a procedure for annexation of contiguous territory; authorizing districts to contract with others; increasing limitation of indebtedness, and amending sections 1, 10, 16, 17, 20, 38 and 39 of chapter 34 of the Laws of 1939 (sections 5654-101, 5654-110, 5654-116, 5654-117, 5654-120, 5654-138 and 5654-139 of Remington's Revised Statutes) and adding thereto a new section to be known as section 16a.

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

SECTION 1. Section 1 of chapter 34 of the Laws of 1939 (section 5654-101 of Remington's Revised Statutes) be amended to read as follows: Amendments.

Section 1. Fire-protection districts for the elimination of fire hazards adjacent to structures and for the protection of life and property from fire in territories outside of incorporated cities and towns are hereby authorized to be established as in this act provided. Fire-protection districts authorized.

SEC. 2. Section 10 of chapter 34 of the Laws of 1939 (section 5654-110 of Remington's Revised Statutes) be amended to read as follows: Amendments.

Section 10. If it is found upon examination of certificate of the canvassing officials that three-fifths (3/5) of all the votes cast at said election were cast for the proposition "..... County Fire Protection District No. Yes," the Board of County Commissioners shall by resolution entered in the minutes of its proceedings, declare such territory duly organized as a fire-protection district under the name theretofore designated and shall declare the three candidates receiving the highest Three-fifths vote necessary.

First commissioners.

number of votes for Fire Commissioners the duly elected first Fire Commissioners of said district.

Amendment by adding new section.

SEC. 3. Section 16 of chapter 34 of the Laws of 1939 (section 5654-116 of Remington's Revised Statutes) be amended by adding thereto a new section, to be known as section 16a, to read as follows:

Additional territory may be annexed.

Section 16a. Any territory contiguous to a fire-protection district and not within the boundaries of an incorporated 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 per cent 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 (30) 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 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, 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 all of the qualified registered elec-

Petition by 15 per cent of voters.

Filed with commissioners.

Auditor to certify.

Procedure same as original district.

Such special election only within new territory.

New territory subject to indebtedness.

tors 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.

No election when all voters sign.

SEC. 4. Section 20 of chapter 34 of the Laws of 1939 (section 5654-120 of Remington's Revised Statutes) be amended to read as follows:

Amendments.

Section 20. Any fire-protection district organized under this act shall have authority

District authority.

(1) To lease, own, maintain, operate and provide fire engines and all other necessary or proper apparatus, instrumentalities, machinery and equipment for the prevention and extinguishment of fires;

Own and maintain fire equipment.

(2) To lease, own, maintain and operate real property, improvements and fixtures thereon suitable and convenient for housing, repairing and caring for fire fighting equipment;

Own and maintain quarters for equipment.

(3) To enter into contract with any incorporated city or town whereby such city or town shall furnish fire-prevention and fire extinguishment service to the districts and the inhabitants thereof under the provisions of this act upon such terms as the board of directors of the district shall determine. To contract with another county fire-protection district, or with any town, city or municipal corporation or governmental agency or private person or persons to consolidate or cooperate for mutual fire fighting protection and prevention purposes; or, for mutual fire fighting, protection and prevention purposes only, may annex or become annexed to any incorporated city or town of the third or fourth class or governmental agency already provided with fire fighting and protection equipment and fire-protection service upon terms which may be mutually agreed upon. Any city, town, municipal corpora-

May contract with cities for service.

May contract with other district.

May annex to towns.

Cities
authorized
to make
contracts.

tion or governmental agency may contract with a county fire-protection district established and maintained under the provisions of this act for the purpose of affording such district fire fighting and protection equipment and service or fire prevention facilities, and in so contracting the district, city, town, municipal corporation or other governmental agency shall be deemed for all purposes to act within its governmental capacity. Any county fire-protection district established and maintained under the provisions of this act, or any city, town, municipal corporation or other governmental agency is hereby authorized to contract with any person, firm or corporation for the purpose of affording fire fighting, protection or fire prevention facilities to such person, firm or corporation and such contractual relation shall be deemed for all purposes to be within the governmental power of such rural fire-protection district, city, town, municipal corporation or other governmental agency.

(4) To do all things and perform all acts not otherwise prohibited by law.

Amend-
ments.

SEC. 5. Section 39 of chapter 34 of the Laws of 1939 (section 5654-139 of Remington's Revised Statutes) be amended to read as follows:

Fire Com-
missioners
may levy
taxes.

Section 39. The Board of Fire Commissioners shall have no authority to contract indebtedness in any year in excess of the aggregate amount of the currently levied taxes except as herein specifically provided, and the annual levy for general district purposes exclusive of levies for local improvement districts shall not exceed four (4) mills, except, that in Class A counties, such levy shall not exceed two (2) mills.

Limits.

Amend-
ments.

SEC. 6. Section 17 of chapter 34 of the Laws of 1939 (section 5654-117 of Remington's Revised Statutes) be amended to read as follows:

L. I. D.
authorized
by district.

Section 17. Such fire-protection districts shall have authority to create local improvement districts

to include any or all of the lands within the fire-protection district, to provide for the levy and collection of special taxes against the respective lands benefited and to issue evidences of indebtedness chargeable against said lands as in this act provided; and to issue and sell evidences of term indebtedness of the district and to make provisions for the payment thereof; but such districts shall have no authority to issue and sell any evidence of indebtedness of any kind or nature with a fixed maturity for a term longer than six (6) years from the date of the issuance and sale thereof.

Levy and collection of taxes.

Time limit of indebtedness.

SEC. 7. Section 38 of chapter 34 of the Laws of 1939 (section 5654-138 of Remington's Revised Statutes) be amended to read as follows:

Amendments.

Section 38. The Board of Fire Commissioners of the district shall have authority to contract indebtedness and evidence the same by the issuance and sale at par plus accrued interest not exceeding six per cent (6%) per annum of coupon warrants of the district in such form as the Board shall determine. Such warrants shall be payable at such time or times as the Board shall provide not longer than six (6) years from the date thereof. Such coupon warrants shall be payable to bearer, shall have interest coupons attached providing for the payment of interest semi-annually on the first day of January and of July, and the issuance thereof shall be recorded in the office of the County Treasurer in a book kept for that purpose. All outstanding district warrants of every kind shall outlaw and become void after six (6) years from the maturity date thereof where money shall be available in the proper fund of the district within that time for their payment.

Authority to contract indebtedness and issue coupon warrants.

Warrants registered.

Warrants may be outlawed.

Passed the House March 5, 1941.

Passed the Senate March 5, 1941.

Approved by the Governor March 18, 1941.