

Highway act
of 1957.

tent that it is unconstitutional or ineffective, such provision shall not be enforced, nor shall such determination be deemed to invalidate the remaining provisions of this act.

Emergency—
Exceptions.

SEC. 60. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and section 52 shall take effect April 1, 1957, and sections 1, 28, 30 through 36 and 38 shall take effect immediately.

Sections 14 through 19, 26 and 27 shall take effect January 1, 1958.

Passed the House March 8, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 173.

[H. B. 679.]

CITIES AND TOWNS—INCORPORATION.

AN ACT relating to incorporation of cities and towns; amending section 2, page 133, Laws of 1890 as amended by sections 1, 2, 3, 4 and 5, chapter 219, Laws of 1953, and RCW 35.02-.020, 35.02.030, 35.02.040, 35.02.050, 35.02.060, 35.02.070, 35.02.080, 35.02.100 and 35.02.110 and declaring an emergency.

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

Division and
amendment.

SECTION 1. Section 2, page 133, Laws of 1890, as amended by sections 1, 2, 3, 4 and 5, chapter 219, Laws of 1953 (heretofore divided and codified as RCW 35.02.020, 35.02.030, 35.02.040, 35.02.050, 35.02-.060, 35.02.070, 35.02.080, 35.02.100 and 35.02.110) is divided and amended to read as set forth in sections 2 through 10 of this act.

RCW 35.02.020
enacted with-
out amend-
ment.

SEC. 2. (RCW 35.02.020) A petition for incorporation must be signed by qualified voters resident

within the limits of the proposed city or town equal in number to twenty percent of the votes cast at the last state election and presented to the auditor of the county.

SEC. 3. (RCW 35.02.030) The petition for incorporation shall contain the form of government under which a city is to operate in the event it is incorporated, set forth and particularly describe the proposed boundaries of the proposed city or town, state the name of the proposed corporation and state the number of inhabitants therein, as nearly as may be, and pray that it may be incorporated.

RCW 35.02.030
enacted with-
out amend-
ment.

SEC. 4. (RCW 35.02.040) Upon receipt of a petition for incorporation together with a certificate of sufficiency by the county auditor, the board of county commissioners shall give notice of the hearing upon said petition for incorporation by one publication in not more than ten nor less than three days prior to the date set for said hearing in one or more newspapers of general circulation within the county. Said notice shall contain the time and place of said hearing.

RCW 35.02.040
enacted with-
out amend-
ment.

SEC. 5. (RCW 35.02.050) If the petition sets forth an estimate of inhabitants of fifteen hundred or more, the chairman of the board of county commissioners, if the board is not in regular session at the time, shall call a special meeting of the board within five days; otherwise the petition may be presented at any regular or special meeting of the board.

RCW 35.02.050
enacted with-
out amend-
ment.

SEC. 6. (RCW 35.02.060) When the petition for incorporation is presented the board of county commissioners shall hear it, but may adjourn the hearing from time to time not exceeding two months in all.

RCW 35.02.060
enacted with-
out amend-
ment.

SEC. 7. (RCW 35.02.070) 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

RCW 35.02.070
amended.
Findings by
board of
county com-
missioners.

Cities and towns—Incorporation. Findings.

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.

Proviso.

RCW 35.02.080 enacted without amendment.

SEC. 8. (RCW 35.02.080) Following the action required of the board of county commissioners by RCW 35.02.070, an election shall be conducted within the area to determine whether it shall be incorporated, and to fill the various elective offices prescribed by law for cities of the class to which it will belong. Said election shall be conducted by the county auditor and the results thereof canvassed by the county canvassing board of election returns.

RCW 35.02.100 enacted without amendment.

SEC. 9. (RCW 35.02.100) The notice of election shall be given as provided by RCW 29.27.080 but shall further describe the boundaries of the proposed city or town, its name and the number of inhabitants, ascertained by the board of county commissioners to reside therein.

RCW 35.02.110 enacted without amendment.

SEC. 10. (RCW 35.02.110) The ballots shall contain the words "for incorporation" and "against incorporation" or words equivalent thereto, and also the names of the persons to be voted for, to fill the various elective offices.

Emergency.

SEC. 11. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.