

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Citizens/F.D. 14		2/92		3/24/92	P&D/Council-Intro
Division Head:				4/14/92	Council - Hearing
Dept. Head:					
Prosecutor:					
Purchasing/Budget:					
Executive:					

**SUBJECT:**

Ordinance regarding the annexation of certain properties near the Welcome Fire Station to Whatcom County Fire Protection District No. 14

**ATTACHMENTS:**

- Petition (including legal description review by Assessor's staff)
- Memo from Randy Watts dated 2/28/92
- Letter from Fire District 14 Commissioners
- Certification of signatures by Auditor
- Other related documents

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #: N/A	Should Clerk schedule a hearing? NO / / YES / <u>xx</u> / Requested date: 4/7/92
Amount budgeted for this item/project: \$ N/A	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

A majority of the citizens in the area proposed to be annexed into Fire District No. 14 favor the move; Fire District 14 commissioners also approve. In these circumstances state law allows the Council to order the incorporation of the proposed area into Fire District 14.

**ORIGINATOR'S RECOMMENDED ACTION:**

Recommend adoption of the ordinance, following a hearing.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

- 3/24/92: Introduction
- 4/14/92: Council adopted ordinance. 7-0.

ORDINANCE NO. 92-017

REGARDING THE ANNEXATION OF CERTAIN PROPERTIES NEAR THE WELCOME FIRE STATION INTO FIRE PROTECTION DISTRICT 14

WHEREAS, Whatcom County Council Resolution 92-011 encouraged the annexation of unincorporated areas into existing fire protection districts; and

WHEREAS, the Council is considering an ordinance that would prohibit the issuance of building permits in areas not included in a fire protection district; and

WHEREAS, citizens living near the Welcome Fire Station have petitioned for incorporation into existing Fire Protection District No. 14; and

WHEREAS, the Auditor certified that the petition bears the signatures of at least 60 percent of the qualified electors within the area proposed to be annexed; and

WHEREAS, the commissioners of Fire District No. 14 have offered their written consent to the proposed annexation; and

WHEREAS, Section 52.04.011 of the Revised Code of Washington provides that if a petition is signed by 60 percent of the qualified registered electors residing within the territory proposed to be annexed, and if the board of fire commissioners concur, an election in the territory and a hearing on the petition shall be dispensed with and the county legislative authority shall enter its order incorporating the territory into the existing fire protection district; and

WHEREAS, the Council scheduled this proposal for a hearing and had notice of such hearing posted in three public places within the area proposed for annexation; and

WHEREAS, the petition signed by 60 percent of the qualified electors within the district stated that county property taxes would be increased in the amount of the fire district levy and bond repayment obligation (the amount of taxes in District 14 is \$1.23 per \$1,000 of assessed valuation for the regular levy and bond issues by the district), and that unimproved lands may be exempt under statelaw if they meet certain conditions; and

WHEREAS, the proposed annexation would benefit the public health, safety and welfare;

NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council

1 hereby enters its order incorporating the area described below into Fire Protection  
2 District No. 14:  
3

4 Commencing at the center of section 13 township 38 north range 5 east  
5 hence southerly on centerline of section 13, 24, and 25 to the southerly section  
6 line of 25, hence westerly to the corner of sections 25, 26, 35 and 36 hence  
7 southerly between sections 35 and 36 continuing southerly in township 37 north,  
8 range 5 east between sections 1 and 2 to east and west centerline of sections 1  
9 and 2 hence westerly through section 2 and 3 hence northerly between 3 and 4 to  
10 section corner of 3, 4, 33, and 34 hence easterly between sections 3 and 34 to  
11 section corner hence northerly between sections 34, 35, 27, 26, 22, and 23 to  
12 section corner of 15, 14, 22, and 23 hence easterly to north south centerline of  
13 section 14 hence northerly to section line between 11 and 14 and Middle Fork  
14 Nooksack River hence southerly along the Middle Fork of the Nooksack River to  
15 the east-west centerline of section 13, thence east to the center of section 13 and  
16 the point of beginning.

17 BE IT FURTHER ORDAINED that as stipulated by state law, upon entry of this  
18 order the territory shall become subject to the indebtedness, bonded or otherwise, of the  
19 existing district, provided that the property owners of the existing district shall be placed  
20 on a fair and equitable relationship with the property owners of the territory being  
21 annexed.  
22

23 ADOPTED this 14th day of April, 1992.  
24

25  
26 ATTEST:

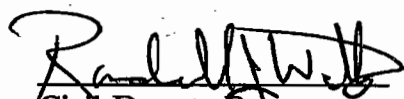
WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

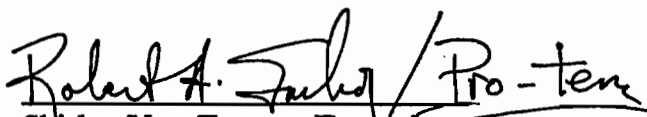
27  
28  
29   
30 Ramona Reeves, Council Clerk

  
Daniel M. Warner, Chairman

31  
32 APPROVED as to form & content:

() Approved      () Denied

33  
34  
35   
36 Randolph Wells  
37 Civil Deputy Prosecutor

  
Shirley Van Zanten, Executive

38 Date: 4-15-92