

| CLEARANCES                | Initial | Date | Date Received in Council Office: | Agenda date | Assigned to:           |
|---------------------------|---------|------|----------------------------------|-------------|------------------------|
| Originator: Fire Dist. 14 |         |      | 8/28/92                          | 9/8/92      | Council - Introduction |
| Division Head:            |         |      |                                  | 10/6/92     | Hearing                |
| Dept. Head:               |         |      |                                  |             |                        |
| Prosecutor:               |         |      |                                  |             |                        |
| Purchasing/Budget:        |         |      |                                  |             |                        |
| Executive:                |         |      |                                  |             |                        |

**SUBJECT:**

Ordinance regarding the annexation of certain properties near Silver Lake into Fire Protection District No. 14

**ATTACHMENTS:**

Ordinance  
Petition and certification of Auditor

**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 /xx/ Requested date: See above |
| Amount budgeted for this item/project: N/A | Is it (or will it be) within budget? N/A                                   |

Whatcom County Council Resolution 92-011 encouraged areas to annex into fire protection districts if they had not already done so. The petitioners requested to be annexed into Fire District No. 14; the Commissioners of that District concur with the request; and the Auditor declared that the petition was sufficient in order for annexation to occur without an election.

The area proposed for annexation is legally described as follows: Eighty acres, two parcels: County Assessor Parcel No. 400608 065070, the Southwest quarter, Southwest quarter, Section 8, Township 40, Range 6 East; and County Assessor Parcel No. 400617 067467, the Northwest quarter, Northwest quarter, Section 17, Township 40, Range 6 East.

**ORIGINATOR'S RECOMMENDED ACTION:**

Adoption of the ordinance is recommended, following the public hearing.

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

9/8/92: Introduced  
10/6/92: Council adopted the ordinance. 7-0

**Related File Numbers:**

**Ordinance or Resolution Number (this item only):** O92-068

ORDINANCE NO. 92-068

REGARDING THE ANNEXATION OF CERTAIN PROPERTIES NEAR  
SILVER LAKE INTO FIRE PROTECTION DISTRICT NO. 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 Silver Lake 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 (3) 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 (in 1992 the amount of taxes in District 14 is \$1.00 general levy and \$0.23004 bond per \$1,000 of assessed valuation for the regular levy and bond issues by the district), and that unimproved lands may be exempt under state law if they meet certain conditions; and

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

1 NOW, THEREFORE, BE IT ORDAINED that the Whatcom County Council  
2 hereby enters its order incorporating the area described below into Fire Protection  
3 District No. 14:

4  
5 Eighty acres, two parcels: County Assessor Parcel No. 400608 065070, the  
6 Southwest quarter, Southwest quarter, Section 8, Township 40, Range 6 East; and  
7 County Assessor Parcel No. 400617 067467, the Northwest quarter, Northwest  
8 quarter, Section 17, Township 40, Range 6 East..

9 BE IT FURTHER ORDAINED that as stipulated by the Revised Code of  
10 Washington, Section 52.04.011 (3), upon entry of this order the territory shall become  
11 subject to the indebtedness, bonded or otherwise, of the existing district, provided that  
12 the property owners of the existing district shall be placed on a fair and equitable  
13 relationship with the property owners of the territory being annexed.

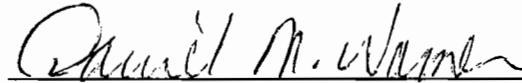
14  
15 ADOPTED this 6th day of Oct., 1992.

16  
17  
18 ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

19  
20  
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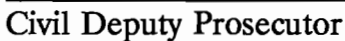
22 Ramona Reeves, Council Clerk


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26 Daniel M. Warner, Chairman

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28 APPROVED as to form & content:

() Approved ( ) Denied

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30  
  
Civil Deputy Prosecutor

  
Shirley Van Zanten, Executive

Date: 10-7-92