

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Fire Dist. 10			May 4, 1993	June 8, 1993	Council - Introduction
Commission Head:				July 13	Hearing
Dept. Head:					
Prosecutor:	<i>KAF</i>	<i>7/27/93</i>			
Purchasing/Budget:					
Executive:					

SUBJECT:

Ordinance regarding the annexation of certain properties near the Yew Street Road Area into Fire Protection District No. 10

ATTACHMENTS:

Ordinance
Petition and certification of Auditor

SUMMARY STATEMENT:

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 already done so. The petitioners requested to be annexed into Fire District No. 10; 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: Approximately one hundred fifty-two acres, County Assessor Parcel No. 370 304 468 479, Government Lots 1 and 2 (N½ NE Qtr), less road (77 ac); Parcel No. 370 304 478 327, NE Qtr SW NE Qtr; E½ W½ SW Qtr NE Qtr; and SE Qtr NE Qtr (60 ac); Parcel No. 370 304 292 365 W½ NW Qtr SW Qtr NE Qtr, less road (4.85 ac); Parcel No. 370 304 366 293, SE Qtr SW Qtr NE Qtr, less road (9.70 ac).

ORIGINATOR'S RECOMMENDED ACTION:

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

COMMITTEE ACTION TAKEN:

COUNCIL ACTION TAKEN:

6/8/93: Council introduction
7/13/93: Council adopted the ordinance. 6-0

ORDINANCE NO. 93-039

REGARDING THE ANNEXATION OF CERTAIN PROPERTIES NEAR THE YEW STREET ROAD AREA INTO FIRE PROTECTION DISTRICT NO. 10

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 Yew Street Road Area have petitioned for incorporation into existing Fire Protection District No. 10; 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. 10 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 10 is \$1.00 general levy (no bonds) 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 hereby
2 enters its order incorporating the area described below into Fire Protection District No. 10:

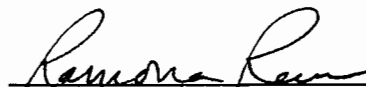
3
4 Approximately one hundred fifty-two acres, County Assessor Parcel No. 370 304 468
5 479, Government Lots 1 and 2 (N½ NE Qtr), less road (77 ac); Parcel No. 370 304
6 478 327, NE Qtr SW NE Qtr; E½ W½ SW Qtr NE Qtr; and SE Qtr NE Qtr (60 ac);
7 Parcel No. 370 304 292 365 W½ NW Qtr SW Qtr NE Qtr, less road (4.85 ac); Parcel
8 No. 370 304 366 293, SE Qtr SW Qtr NE Qtr, less road (9.70 ac)..

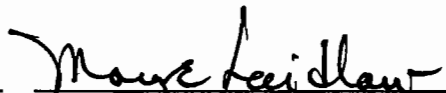
9 BE IT FURTHER ORDAINED that as stipulated by the Revised Code of
10 Washington, Section 52.04.011 (3), upon entry of this order the territory shall become
11 subject to the indebtedness, bonded or otherwise, of the existing district, provided that the
12 property owners of the existing district shall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

14
15 ADOPTED this 13th day of July, 1993.

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17
18 ATTEST:

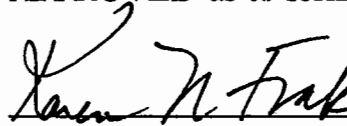
WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

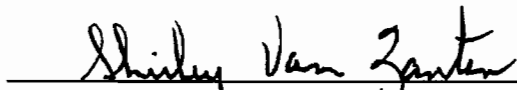
19
20 
21 _____
22 Ramona Reeves, Council Clerk


23 _____
24 Marge Ladlaw, Council Chair

25 APPROVED as to form & content:

Approved () Denied

26
27 
28 _____
29 Civil Deputy Prosecutor


30 _____
Shirley Van Zanten, Executive

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Date: 7-14-93