

August 25, 1995

Introduced By: Nickels

FD#2/dbe

Proposed No.: 95 - 601

ORDINANCE NO. **11957**

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AN ORDINANCE establishing the date for an election on the question of annexation of the city of Burien to King County Fire Protection District No. 2 and declaring an emergency.

FINDINGS OF FACT:

The Burien city council, consistent with RCW 52.04.061, has initiated annexation into King County Fire Protection District No. 2 by adoption of Ordinance No. 153 stating an intent to join the fire protection district and finding the public interest will be served thereby.

The commissioners of King County Fire Protection District No. 2. by Resolution No. 95-02 have concurred with the proposal of the council of the city of Burien and their intent to join the fire district by annexation in accordance with RCW 52.04.061.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. A special election shall be held on the 7th day of November, 1995, within the city of Burien and in King County Fire Protection District No. 2. The ballot proposition shall be in substantially the following form in accordance with RCW 57.04.071.

"Shall the City of Burien, Washington be annexed to and be part of King County Fire Protection District No. 2?

YES.....[]
NO.....[]"

SECTION 2. Notice of election shall be published as required by law.

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SECTION 3. The county council finds as a fact and declares that an emergency exists and that this ordinance is necessary for the immediate preservation of public peace, health or safety or for the support of county government and its existing public institutions.

INTRODUCED AND READ for the first time this 5th day of September, 1995.

PASSED by a vote of 11 to 0 this 11th day of September, 1995.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Kent Pullen
Chair

ATTEST:

Gerald A. Peterson
Clerk of the Council

APPROVED this 23rd day of September 1995

Doug Locke
King County Executive

Attachments: Burien Ordinance No. 153; King County Fire Protection District No. 2 Commissioner Resolution No. 95-02

CITY OF BURIEN
WASHINGTON

11957

ORDINANCE NO. 153

**AN ORDINANCE OF THE CITY OF BURIEN,
WASHINGTON, CALLING FOR A SPECIAL ELECTION
TO BE HELD ON NOVEMBER 7, 1995, CONCERNING
ANNEXATION OF THE CITY TO KING COUNTY FIRE
PROTECTION DISTRICT NO. 2**

WHEREAS, the City Council has expressed its intent to annex into King County Fire Protection District No. 2 ("District No. 2"), and the Board of Commissioners of District No. 2 have concurred with the proposed annexation; and

WHEREAS, RCW 52.04.071 specifies the manner for a special election on the question of annexation by a city to a fire district; and

WHEREAS, the City Council finds it to be in the public interest to place the question of annexation before the voters;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BURIEN, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Call for Special Election. The City Council authorizes submittal of a ballot measure to the voters of the City of Burien, and to the voters of King County Fire Protection District No. 2, on the question whether the City should annex to District No. 2.

Section 2. Duties of the City Clerk. The City Clerk is requested to deliver certified copies of this ordinance to the Clerk of the Metropolitan King County Council, the King County Auditor, the King County Treasurer, and the Manager of the King County Records and Elections Division, requesting that a special election be held on the November 7, 1995, General Election ballot to determine whether the City shall be annexed to King County Fire Protection District No. 2.

Section 3. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE 21st DAY OF AUGUST, 1995.

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CITY OF BURIEN

Arun Jhaveri
Arun Jhaveri, Mayor

ATTEST/AUTHENTICATED:

Jan Hubbard
Jan Hubbard, City Clerk

Approved as to form:

Michael Kenyon
Michael Kenyon, City Attorney

Filed with the City Clerk:
Passed by the City Council: 8-21-95
Ordinance No. 153
Date of Publication: 8-26-95

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**King County Fire District 2
RESOLUTION 95-02
Concurring In The Annexation Of The City Of Burien Into
King County Fire Protection District No. 2**

Whereas, King County Fire District 2 provides fire protection and emergency medical services to the City of Burien under terms of a written agreement; and

Whereas, the City of Burien has indicated its interest in annexing into and becoming a part of the Fire Protection District under the procedures established in RCW 52.04.061 through 52.04.091; and

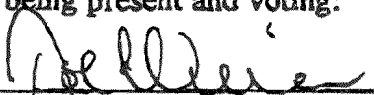
Whereas, the annexation of the City of Burien into the Fire Protection District would assure that the District will continue to provide fire protection and emergency medical services to the residents of the City in the same manner that it currently provides services to the residents of the District; and

Whereas, the annexation of the City into the District will not affect the level of service provided to the residents of the District and will not affect the tax levy of the District; and

Now, Therefore, Be It Resolved by the Board of Commissioners of King County Fire Protection District No. 2 that it concurs in and supports the annexation of the City of Burien into King County Fire Protection District No. 2.

Adopted at a special meeting of the Board of Commissioners of King County Fire Protection District No. 2 called and held in accordance with the requirements of Chapter 42.30 RCW, the following Commissioners being present and voting:

Dated: June 29, 1995


Chairman Joe Weiler


Commissioner Max Roushman


Commissioner Gary Bollinger

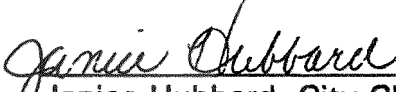

Acting Secretary Diane Brooks

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CITY OF BURIEN

CERTIFICATION

I, Janice Hubbard, the duly appointed City Clerk of the City of Burien, Washington, do hereby certify that the attached is a true and correct copy of Ordinance No. 153.



Janice Hubbard, City Clerk

Dated this 22nd day of August, 1995.

RECEIVED
95 AUG 23 AM 9:49
CLERK
KING COUNTY COUNCIL