

July 19, 1995

Introduced By: Fimia

shofd/dbe

Proposed No. 95-516

11918

ORDINANCE NO.

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AN ORDINANCE establishing the date for an election on the question of annexation of the city of Shoreline to King County Fire Protection District No. 4 and declaring an emergency.

FINDINGS OF FACT:

State law (RCW 52.04.161) provides that a newly incorporated city is automatically annexed to a fire protection district within whose borders the city lies unless the city adopts a resolution precluding annexation. The interim city council for the city of Shoreline, Washington by Ordinance No.32, has ratified the temporary annexation of the city to King County Fire Protection District No. 4, pursuant to state law commencing on the date of annexation and terminating on December 31, 1995, unless otherwise further extended.

State law (RCW 52.04.061 and 52.04.071) also makes provision for the county legislative authority, at the city's request, to call a special election to be held in the city and the fire district to determine whether the city shall remain annexed to Fire Protection District No. 4. City of Shoreline Ordinance 32 does satisfy the provisions of RCW 52.04.061 and 52.04.071 requesting the calling of an election by the county council to be held by the qualified voters therein.

The county council notes that city of Shoreline Ordinance No. 32 finds that it is in the public interest for the city to be annexed to King County Fire Protection District No. 4.

The Commissioners of King County Fire Protection District No. 4 by Resolution No. 95-6 have concurred with the proposal of the council of the city of Shoreline 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 19th day of September, 1995, within the city of Shoreline and in King County Fire Protection District No. 4. The ballot

1 proposition shall be in substantially the following form in
2 accordance with RCW 57.04.071.:

3 "Shall the City of Shoreline, Washington be annexed
4 to and be part of King County Fire Protection District
5 No. 4?
6

7 YES.....[]

8
9 NO.....[]"

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13 SECTION 2. Notice of election shall be published as

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15 required by law.

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17 SECTION 3. The county council finds as a fact and

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19 declares than an emergency exists and that this ordinance is

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21 necessary for the immediate preservation of public peace,

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23 health or safety or for the support of county government and

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25 its existing public institutions.

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27 INTRODUCED AND READ for the first time this 24th

28

29 day of July, 1995.

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31 PASSED by a vote of 11 to 0 this 31st day of

32

33 July, 1995.

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35 KING COUNTY COUNCIL

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37 KING COUNTY, WASHINGTON

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39 Kent Pullen

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41 Chair

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ATTEST:

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44 Gerald A. Peterson

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46 Clerk of the Council

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48 APPROVED this 11 day of August, 1995.

49

50 Charles R. Saul, Deputy

51

52 for King County Executive

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54 Attachments: Shoreline Ordinance No. 32; King County Fire

55

56 Protection District No. 4 Commissioner Resolution No.95-6

ORIGINAL

11918

ORDINANCE NO. 32

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON PROVIDING FOR FIRE PROTECTION SERVICES, AUTHORIZING TEMPORARY ANNEXATION UNTIL DECEMBER 31, 1995 OF THE CITY OF SHORELINE TO KING COUNTY FIRE PROTECTION DISTRICT NO. 4 AS PROVIDED IN RCW 52.04.161, DECLARING AN INTENT THAT THE CITY BE ANNEXED TO THE FIRE PROTECTION DISTRICT, AND CALLING FOR AN ELECTION TO PERMIT VOTERS TO DETERMINE WHETHER COMMENCING JANUARY 1, 1997 THE CITY SHALL BE ANNEXED TO AND A PART OF KING COUNTY FIRE PROTECTION DISTRICT NO. 4 PURSUANT TO RCW 52.04.071

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WHEREAS, the City of Shoreline will incorporate on August 31, 1995; and

WHEREAS, portions of the City of Shoreline are located in King County Fire Protection District No. 4; and

WHEREAS, RCW 52.04.161 provides that a newly incorporated city is automatically annexed to a fire protection district within whose borders the City lies unless the City adopts a resolution precluding annexation; and

WHEREAS, RCW 52.04.161 provides that the automatic annexation by the City to the fire protection district shall continue through the remainder of the year of the City's official date of incorporation; and

WHEREAS, RCW 52.04.161 further requires that a ballot proposition shall be submitted to the voters to decide whether the City shall remain annexed to Fire Protection District No. 4; NOW, THEREFORE

THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Automatic Annexation. The City Council ratifies the automatic temporary annexation of the City to King County Fire Protection District No. 4 pursuant to RCW 52.04.161 commencing on the date of annexation and terminating on December 31, 1995, unless otherwise further extended.

Section 2. Finding. The City Council finds that it is in the public interest for the City of Shoreline to be annexed to King County Fire Protection District No. 4.

Section 3. Declaration of Intent. It is the intent of the City of Shoreline to be annexed to and be a part of King County Fire Protection District No. 4.

Section 4. Request for Concurrence. Pursuant to RCW 52.04.061 the City requests that the board of fire commissioners of King County Fire Protection District No. 4 concur by resolution in the annexation of the City to the District.

Section 5. Transmittal to County Council and Request for Special Election. Pursuant to RCW 52.04.071, if the Board of Commissioner of King County Fire Protection District No. 4 concur by resolution with the City's intent to be annexed to and become a part of the District, then the City Clerk is authorized and directed to notify and send a certified copy of this Ordinance and the District's resolution to the King County Council. The City requests that the County shall by resolution call for a special election to be held in the City and Fire Protection District No. 4 on September 19, 1995, or at the next date provided in RCW 29.13.010 but not less than forty-five days from the declaration of the finding. The special election shall be held for the purpose of submitting to the qualified voters of City and the District the proposition of whether the City should be annex to and become a part of the District. The City further requests that King County shall give notice of the election as provided in RCW 29.27.080. The proposition to be submitted at the special election shall be in the form of a ballot title as follows:

PROPOSITION

ANNEXATION OF THE CITY OF SHORELINE
TO KING COUNTY FIRE PROTECTION DISTRICT NO. 4

Shall the City of Shoreline be annexed to and be a part of King County Fire Protection District No. 4?

Yes

No.....

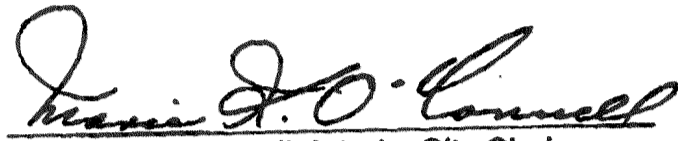
Section 2. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall be effective five days after its passage and publication as provided in RCW 35.02.130

PASSED BY THE CITY COUNCIL ON JULY 17, 1995



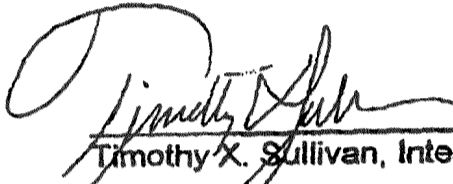
Mayor Connie King

ATTEST:



Marie K. O'Connell, Interim City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, Interim City Attorney

Date of Publication: 7-19- 1995
Effective Date: 7-24- 1995



Shoreline Fire Department

Dedicated to the Protection of Life and Property

Jon Kennison
Scott M. Keeny
Katherine S. Williamson
Commissioners

J.B. Smith
Fire Chief

RESOLUTION No. 95-6

WHEREAS, the City of Shoreline (the "City") will incorporate officially on August 31, 1995, and portions of the newly-incorporated City are located in King County Fire Protection District No. 4 ("District No. 4"), and

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KING COUNTY

WHEREAS, RCW 52.04.161 provides that automatic annexation by the City to the District shall continue through the remainder of the year of the City's official incorporation unless otherwise further extended; and

WHEREAS, RCW 52.04.061 provides that the City may initiate the annexation of the City by District No. 4; and

WHEREAS, RCW 52.04.071 provides the method and requirements for an election for the annexation of a city into a fire district; and

WHEREAS, RCW 35.02.130 provides that, at this time, the City may authorize the submittal of a ballot proposition to the voters concerning annexation of the City by District No. 4; and

WHEREAS, the City has declared its intent to annex into District No. 4 and has passed an ordinance authorizing the submittal of a ballot proposition to the voters of the City and of District No. 4 concerning annexation of the City by District No. 4; and

WHEREAS, the Board of Commissioners considers it to be in the best interests of District No. 4 and the public to have the City of Shoreline be a part of District No. 4;

BE IT RESOLVED, That the Board of Commissioners of King County Fire Protection District No. 4 hereby concur with the City Council of the City of Shoreline and their intent to join District No. 4 by annexation,

AND FURTHER, That the Board of Commissioners of King County Fire Protection District #4 ratifies continuation of the automatic temporary annexation of the City to King County Fire Protection #4 pursuant to RCW 52.04.161 commencing on the date of the city's incorporation,

AND FURTHER, copies of this resolution be sent to the King County Auditor and Treasurer and to the City Council for the newly-incorporated City of Shoreline for their records,

AND FURTHER, That the officials of King County are hereby requested to call for a special election to be held, pursuant to RCW 52.04.071, on September 19, 1995, or at the next date provided in RCW 29.13.010, but not less than forty-five days from the date of passage of the City's ordinance for the purpose of a ballot proposition in substantially the following form:

PROPOSITION #1


Shall the City of Shoreline be annexed to, and be a part of, King County (Shoreline) Fire Protection District No. 4?

Yes _____
No _____

AND FURTHER, That the Board of Commissioners of King County Fire Protection District No. 4 hereby declare that this resolution replace and supersede Resolution No. 95-5,

Adopted at the regular meeting of the Board of Commissioners for King County Fire Protection District No. 4 on this 20th day of July, 1995.

ATTEST:


[secretary]


Commissioner Scott Keeny / Chair


Commissioner Katherine Williamson

Certified Copy


Commissioner Jon Kennison