

CHAPTER 167.

[H. B. 96.]

CONSOLIDATION OF MUNICIPAL CORPORATIONS.

AN ACT relating to the consolidation of municipal corporations, amending section 10 of an act entitled "An Act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency," approved March 27, 1890, and repealing chapter 145 of the Laws of 1903 and Chapter 237 of the Laws of 1907.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 10 of an act entitled "An Act providing for the organization, classification, incorporation and government of municipal corporations and declaring an emergency," approved March 27, 1890, Laws of 1889-90, pages 138-140, be amended to read as follows:

Section 10. Two or more contiguous municipal corporations may become consolidated into one corporation after proceedings had as required in this section. The council, or other legislative body, of either of such corporations, shall upon receiving a petition therefor, signed by not less than one-fifth of the qualified electors of each of such corporations, as shown by the votes cast at the last municipal election held in each of such corporations, submit to the electors of each of such corporations the question whether such corporations shall become consolidated into one corporation. Such legislative body shall designate a day upon which a special election shall be held in each of such corporations to determine whether such consolidation shall be effected, and shall give written notice thereof to the council or other legislative body of each of the other of such corporations, which notice shall designate the name of a proposed new corporation. It shall thereupon be the duty of such legislative body of

§ 10 Laws
1889-90
P. 138-140.

Two or
more may
consolidate.

Petition for
consolidation.

Requisites.

Special
election.

Name of
proposed new
corporation.

each of the corporations so proposed to be consolidated to give notice of such election by publication in a newspaper, printed and published in such corporation, for a period of four weeks prior to such election. Such notice shall distinctly state the proposition to be submitted, the names of the corporations so proposed to be consolidated, the name of the proposed new corporation, and the class to which such proposed new corporation will belong, and shall invite the electors to vote upon such proposition by placing a cross "X" upon their ballots after the words "For consolidation," or "Against consolidation." The legislative bodies of each of such corporations shall meet in joint convention at the usual place of meeting of the legislative body of that one of the corporations having the largest population, as shown by the last United States census, on the Monday next succeeding the day of such election, and proceed to canvass the votes cast thereat. The votes cast in each of such corporations shall be canvassed separately; and if it shall appear upon such canvass that a majority of the votes cast in each of such corporations shall be for consolidation, such joint convention, by an order entered upon their minutes, shall cause the clerk or other officer performing the duties of clerk, of the legislative body at whose place of meeting such joint convention was held, to make a certified abstract of such vote, which abstract shall show the whole number of electors voting at such election in each of such corporations, the number of votes cast in each for consolidation, and the number of votes cast in each against consolidation. Such abstract shall be recorded upon the minutes of the legislative body of each of such corporations, and immediately upon the record thereof, it shall be the duty of the clerk, or other officer performing the duties of clerk, of each of such legislative bodies, to transmit to the secretary

Publication
of notice of
election.

Form of
ballots.

Canvass of
votes.

Each
corporation
votes for
consolida-
tion.

Record to
secretary of
state.

Special
election for
officers.

of state a certified copy of such abstract. Immediately after such filing the legislative body of that one of such corporations having the greatest population, as shown by the last United States census, shall call a special election, to be held in such new corporation, for the election of the officers required by law to be elected in corporations of the class to which such new corporation shall belong; which election shall be held within six months thereafter. Such election shall be called and conducted in all respects in the manner prescribed, or that may hereafter be prescribed by law for municipal elections in corporations of such class, and shall be canvassed by the legislative body so calling the same, who shall immediately declare the result thereof and cause the same to be entered upon their journal. From and after the date of such entry such corporation shall be deemed to be consolidated into one corporation under the name and style of the city (or town as the case may be) of.....(naming it) with the powers conferred or that may hereafter be conferred by law upon municipal corporations of the class to which the same shall so belong and the officers elected at such election shall be entitled immediately to enter upon the duties of their respective offices, upon qualifying in accordance with law, and shall hold such offices respectively, only until the next general municipal election to be held in such city or town, and until their successors are elected and qualified. All the provisions of sections five and six of this act shall apply to such corporations and to the officers thereof: *Provided*, That in all cases wherein cities and towns of the third and fourth class desire annexation to cities of the first class, no election shall be required to be held in such cities of the first class. When any city or town of the third or fourth class shall vote in favor of annexation to any city of the first class, the legislative

Terms of
officers.

Annexation
towns of
third and
fourth class
to cities of
the first
class, no
election in
latter.

body of such city or town so voting shall canvass such votes and if in favor of annexation may (if said city or town desires to be annexed as a separate ward or wards of the city of the first class) forthwith cause a census to be taken by one or more suitable persons of all the inhabitants of such city or town; in which census the full name of each person shall be plainly written and the names alphabetically arranged and regularly numbered in one complete series; which census shall be verified before an officer authorized to administer oaths, and upon the completion of such census the legislative body of such city or town shall forthwith file a petition, together with an abstract of the votes so taken and canvassed and a copy of the census so taken, with the city council of such city of the first class, praying for annexation under the name of such city of the first class. At the next regular meeting of the city council of said city of the first class following the filing of such petition, abstract and copy of census, or as soon thereafter as practicable, said city council shall proceed to hear such petition, with the abstract and census attached, for annexation and if said council so deem it wise and expedient to take or annex such city or town of the third or fourth class then the city council of said city of the first class shall pass a resolution requiring its corporation counsel to prepare an ordinance, as required by law and the charter of said city, covering the annexation of said city or town; which ordinance, in case of the population of said city or town as shown by said census is sufficient to constitute one or more wards under the charter of said city of the first class, shall provide that said city or town be annexed as one or more wards according to its population, as shown by said census, and shall assign a number or numbers thereto; and present the same to the city council. Upon the taking effect of said

Annexed as
a ward.

Census.

Petition for
annexation.

Ordinance
to annex.

ordinance of such city of the first class such city or town so desiring to be annexed shall thereupon become a part of such city of the first class under the name of such city of the first class and subject to all its laws and ordinances then and there in force: *Provided*, That if the city of the first class is divided into wards and governed by councilmen elected from such wards respectively and if the city or town so annexed shall have sufficient population, as shown by said census, to constitute a separate ward or wards, such city or town shall thereupon become a separate and distinct ward or wards of the said city of the first class, and the city council of said city of the first class shall immediately call a special election to be held in such new ward or wards for the purpose of electing one councilman from each ward, who shall hold office until the next general election held in said city of the first class; such special election shall be held and conducted in all respects the same as provided by the charter, laws and ordinances of such city of the first class for the holding of special elections; and simultaneously the terms of office of the officers of the city or town so annexed shall terminate. And it shall be the duty of the clerk of said city of the first class to forthwith transmit to the secretary of state a certified copy of the proceedings so had before said city of the first class relating to said matters of annexation: *And further provided*, That no property within either of the former corporations so consolidated shall ever be taxed to pay any portion of any indebtedness of either of the other of such former corporations, contracted prior to, or existing at, the date of such consolidation: *And provided further*, That where municipalities are separated by water or by tide or shore lands upon which no *bona fide* residence is maintained by any person such municipality shall be deemed to be contiguous for

If city governed by councilmen special election in new wards to elect councilmen.

Terms of office.

Certified copy of proceedings to Secy of State.

Previous indebtedness of corporations—liability.

Separation of municipalities by water or tide and shore lands.

all the purposes of this act and may be consolidated under the terms hereof, and upon such consolidation any such intervening water, tide or shore lands shall become part of the consolidated city.

SEC. 2. That chapter 145 of the Laws of 1903, pages 279-282, and chapter 237 of the Laws of 1907, pages 595-599, (sections 8909-8913, both inclusive, of Remington's Compiled Statutes; section 647 of Pierce's 1919 Code) are hereby repealed: *Provided*, That the repeal of said acts or either of them shall not be construed as affecting the validity of any act done or proceeding pending under said acts or either of them at the time of the taking effect of this act but the same shall continue under the provisions of this act as though said acts had not been repealed.

Statutes
repealed.

Saving
clause.

Passed the House February 1, 1927.

Passed the Senate February 9, 1927.

Approved by the Governor February 23, 1927.

CHAPTER 168.

[H. B. 103.]

BUDGET SYSTEM FOR CITIES OF THE FIRST CLASS.

AN ACT relating to the raising and expenditure of revenues by cities of the first class in the State of Washington, having a population of three hundred thousand or more, prescribing the manner of preparation, appropriation and administration of municipal budgets and emergency expenditures, limiting the expenditures of revenues and providing penalties for violations thereof, and amending Sections 7 and 8 of Chapter 125, of Laws of Extraordinary Session, 1925.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That section 7, of chapter 125 of the Laws of Extraordinary Session 1925 be amended to read as follows:

§ 7 ch. 125
L. Ex. Sess.
1925.

Section 7. Upon the happening of any emergency caused by fire, flood, explosion, storm, earthquake,