

**Washington State
Boundary Review Board
for Spokane County**

1026 West Broadway Avenue
Spokane, WA 99260
(509) 477-4237
brb@spokanecounty.org
www.spokanecounty.org/boundary

ANNEXATION ELECTION PROCESS FOR CODE CITIES IN SPOKANE COUNTY

Initiation by City Council

RCW 35A.14.015 – .110 is the state law which describes the process for the election method of annexation for code cities. This process is outlined below, including the SEPA (RCW 43.21C) and Boundary Review Board (RCW 36.93) steps.

- 1) The City Council adopts a resolution calling for an election to be submitted to the voters that states:
 - Boundaries of the area to be annexed;
 - Number of registered voters in the area; and
 - That the city will pay for such election.
- 2) The City Council may also include in the resolution:
 - a statement that it will require simultaneous adoption of a proposed zoning code; and
 - a statement that it will submit to the voters a proposition for the assumption of all or any portion of city indebtedness by the area to be annexed.
- 3) The City Council files with the Board of County Commissioners a certified copy of the resolution.
- 4) A Notice of Intention including the resolution is then filed with the Boundary Review Board. An affected entity or voters/property owners by petition may within 45 days request review by the Boundary Review Board. If no request for review by the Boundary Review Board is filed within the 45-day period, the proposed annexation is deemed approved by the Board.
- 5) If a request for review is filed within the 45-day period, the Boundary Review Board must hold a hearing on the proposal and make a decision within 120 days of the filing of the request for review. The Board and the person(s) who filed the Notice of Intention may agree to an extension of the 120-day period. After the hearing, the Board may do any of the following: approve the proposal; modify the boundaries; or deny the proposal.
- 6) The Boundary Review Board then sends to the City either its written Hearing Decision or a Certification of the Expiration of the 45-Day Period.
- 7) If the proposal is approved or modified and approved by the Boundary Review Board, the City must within 30 days of receiving the Boundary Review Board decision, notify the County Auditor of its preference for a special election date that is 60 days or more after the notification.
- 8) The Board of County Commissioners must call the special election at the date requested by the City.
- 9) If the Boundary Review Board disapproves the annexation, no further action may be taken and no proposal for annexation of the same territory may be initiated for twelve months.

- 10) Notice of the election is to include:
 - the boundaries as approved or modified by the Boundary Review Board,
 - the objects of the election,
 - the wording of the ballot, and
 - other requirements of the general election laws (time, date, place, etc.)
- 11) The Notice of Election must be posted for at least two weeks in four public places in the annexation area and published in a newspaper of general circulation in the area at least once a week for two weeks prior to the election.
- 12) If the majority of votes cast are in favor of the annexation (and zoning code, if applicable), the annexation is deemed approved. If the issue of bonded indebtedness is also included as a separate proposition, that proposition must be approved by 60 percent of the voters with a minimum number of votes not less than forty percent of those from the last general election. If the annexation is approved by a majority of the voters but the indebtedness proposition is not approved, the City Council may refuse to annex the property. If the indebtedness proposition is combined with annexation proposition, the combined measure must also be approved by 60 percent of the voters with a minimum number of votes not less than forty percent of those from the last general election. However, if the combined proposition receives only a simple majority vote, the City Council may accept the annexation without the assumption of indebtedness.
- 13) If the annexation is approved, the Board of County Commissioners enters a finding of the results in its minutes, and transmits a certified copy of its minutes and a certified abstract of the vote to the City Clerk.
- 14) The City Clerk transmits the documents to the City Council for its adoption of an ordinance annexing the territory (and adopting the zoning code and assuming indebtedness, if applicable).
- 15) This City Ordinance and the recording fee are sent to the Boundary Review Board Office.
- 16) The Boundary Review Board Director will verify that the legal description is the same as approved or modified by the Boundary Review Board and will record one copy with the Spokane County Auditor and file two copies with the Spokane County Assessor and one with the Spokane County Board of Commissioners.
- 17) The Boundary Review Board then changes official maps and notifies the various county departments and affected agencies of the changed boundaries.
- 18) Within 30 days of the effective date of the annexation, the city must submit an annexation certificate and supporting documents to the state Office of Financial Management. To begin receiving sales tax at the beginning of next quarterly period (the first days of January, April, July, or October), the city must notify the state Department of Revenue of the boundary change at least 75 days before the beginning of the quarterly period.