

Washington State
Boundary Review Board
for Spokane County

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INCORPORATION PROCESS FOR CITIES UNDER 7,500 POPULATION

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The statutes guiding new incorporation proceedings in the State of Washington are described in the Revised Code of Washington (RCW) 35 and 35A. The role of the Boundary Review Boards in the incorporation process is outlined in RCW 36.93. The necessary steps for the incorporation of a new city under RCW 35.02 for a non-charter code city with a population under 7,500 in the State of Washington are outlined below:

STEP 1: The person proposing the incorporation shall file a notice with the county legislative authority, a one hundred dollar filing fee, and an affidavit stating that he or she is a registered voter residing in the proposed city. The notice shall include:

1. The type of city proposed.
2. The form of government proposed.
3. Legal description of the proposed boundaries.
4. Proposed name of the new city.
5. Estimated population of the new city.
6. Official request for incorporation.

STEP 2: The County legislative authority shall promptly notify the Boundary Review Board.

STEP 3: The Boundary Review Board shall hold a public meeting in the proposed incorporation area within 30 days of notification by the County to allow those in the area an opportunity to learn more about the proposal, offer suggestions regarding the boundaries, form of government, name of the new city or the type of city proposed.

STEP 4: Within one working day after the public meeting, the County Auditor shall provide an identification number for the incorporation proposal. This is to be included on the petition to be circulated by the proponent. The boundaries and other matters on the petition may be different from those originally filed with the County legislative authority.

STEP 5: A petition for incorporation is submitted to the County Auditor for validation within 180 days of the public meeting. The number of signatures on the petition must be at least ten percent of voters registered within the proposed incorporation area. The petition must include:

1. The type of city proposed.
2. The form of government proposed.
3. Legal description of the proposed boundaries.
4. Proposed name of the new city.
5. Estimated population of the new city.
6. Official request for incorporation
7. The last date by which the petition must be filed.

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STEP 6: The petition is submitted to the County Auditor for validation within 180 days of the public meeting. The number of signatures on the petition must be at least ten percent of the registered voters within the incorporation area.

STEP 7: The County Auditor notifies the County legislative authority that the number of signatures on the petition is sufficient.

STEP 8: A Notice of Intention for incorporation is submitted to the Boundary Review Board, declared sufficient, and filed. The jurisdiction of the Boundary Review Board is also invoked.

STEP 9: The Boundary Review Board distributes the Notice of Intention to affected governmental agencies for their review. The Board commissions a study of the incorporation proposal at this time.

STEP 10: The Boundary Review Board holds one or more public hearings on the proposal, reviews the factors and objectives required by state law,

STEP 11: The Board makes its decision to approve the proposal, modify it by increasing or decreasing the land area, or deny the proposal.

STEP 12: The Board then adopts and files its written decision. An appeal period of thirty days follows the filing of the written decision.

STEP 13: The County Commissioners set the incorporation proposal for the next special election at least sixty days from the filing of the Boundary Review Board's written decision, to be voted on by registered voters in the proposed incorporation area.

STEP 14: The new city was approved by a majority of voters within its proposed jurisdiction and has between 180 and 360 days to incorporate.

STEP 15: The County Commissioners set the primary election for city officials at the next special election sixty days or more after the election on the question of incorporation. The new city is liable for a proportionate cost of all elections after the election on the question of incorporation (RCW 35.02.125).

STEP 16: Each candidate must file a declaration of candidacy not more than 45 days or less than 30 days prior to the primary election.

STEP 17: The final election of city officials is to be held at least thirty days after the certification of the results of the primary election.

STEP 18: An interim period exists between the time the new city officials are elected and qualified and the official date of incorporation.