

## FIRE DISTRICT ANNEXATION STEP-BY-STEP ANALYSIS

- I. City or town initiates process (RCW 52.04.061)**
- a. Adoption of an ordinance proposing annexation to the fire district.
  - b. Board of Fire Commissioners must concur.
  - c. Notification of the county legislative authority.
  - d. Notification of the Boundary Review Board (RCW 36.93.090).
    1. Board has 60 days from notification to either revise the annexation or to waive jurisdiction.
    2. Board has 120 days after request for review to make a determination.
- II. Election (RCW 52.04.071)**
- a. Election approval required separately in both the city or town and in the fire district.
  - b. Election to be held at least 45 days after the declaration of finding.
  - c. Ballot question:  
*"Shall the city or town of \_\_\_\_\_ be annexed to and be a part of \_\_\_\_\_ fire protection district?"*  
Yes \_\_\_\_\_  
No \_\_\_\_\_"  
Annexation must be approved by the voters in both the unincorporated areas and within the city or town separately.
  - d. Election must be certified by March 1 for annexation to be effective the following calendar year.
- III. Tax Rates (RCW 52.04.081)**
- a. Fire district property tax levy applies within the city after annexation.
  - b. Maximum city property tax levy subsequent to annexation. Lower of:
    1. \$3.60 per \$1,000 less fire district and library district (if annexed by library district) levies.
    2. City property tax levy as limited by the 101% property tax lid law.
- IV. Withdrawal (RCW 52.04.101)**
- a. After three (3) years, city legislative authority may initiate by resolution a proposal for withdrawal from the fire district.
  - b. Proposal for withdrawal shall be submitted to voters within the city or town for their approval or rejection.
  - c. If approved, the city or town shall have a vested right in the assets of the district proportionate to the taxes levied within the boundaries of the city or town and utilized by the fire district to acquire such assets.

## V. Key Factors in Considering Annexation to the Fire District

- a. Benefits.
  1. Financial.
  2. Avoidance of annual contract negotiations.
  3. Absence of responsibility for fire protection services.
  4. City residents may participate in fire district elections and may serve as commissioners.
- b. Disadvantages.
  1. Loss of control.
    - (a) Service levels.
    - (b) Financial.
    - (c) Accountability to the city legislative authority.
  2. Increase in tax rates unless city tax rates are reduced.
- c. Timing.
  1. Election must be certified by March 1 for annexation to be effective for the following calendar year.
  2. Election dates (RCW 29A.04.330):
    - (a) 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in February.
    - (b) 2<sup>nd</sup> Tuesday in March.
    - (c) 4<sup>th</sup> Tuesday in April.
    - (d) 3<sup>rd</sup> Tuesday in May.
    - (e) 3<sup>rd</sup> Tuesday in August.
    - (f) 1<sup>st</sup> Tuesday after the 1<sup>st</sup> Monday in November.

NOTE: Contact your local county elections office for additional details.