

**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

FORMATION PROCESS FOR WATER-SEWER DISTRICTS IN SPOKANE COUNTY

.....

RCW 57.04 is the Washington State Law which describes the process for the formation of water-sewer districts. This process is outlined below for water-sewer districts in Spokane County including the SEPA (RCW 43.21C) and Boundary Review Board (RCW 36.93) steps.

- 1) A petition is filed with the County Auditor containing:
 - reasons for the creation of the district;
 - boundaries of the district;
 - conducive to public health, convenience, and welfare and benefit property;
 - name of the district;
 - property tax levy assessment, if any;
 - signatures of ten percent of the registered voters.
- 2) The County Auditor will verify the signatures on the petition within ten days and transmit it and a Certificate of Sufficiency to the Board of County Commissioners.
- 3) The Board of County Commissioners publishes once a week for at least two weeks in newspapers of general circulation in the proposed district a) notice of the receipt of the petition, b) the time of the meeting, and c) boundaries of the proposed district.
- 4) The Board of County Commissioners prepares an environmental checklist and issues a Determination of Nonsignificance. Copies are sent to the Department of Ecology and affected agencies.
- 5) After receiving comments on the environmental checklist, the Board of County Commissioners holds a public hearing, accepts testimony, closes the public hearing, and then determines whether to the proposed district will be conducive to the public health, welfare, and convenience and be of special benefit to the land within the district. The findings of the public hearing are forwarded to the Boundary Review Board.
- 6) A Notice of Intention is filed with the Boundary Review Board. A copy is sent to the County Commissioners and all affected agencies for review.
- 7) An affected entity has 45 days to request a public hearing before the Boundary Review Board. If there is a hearing, the Boundary Review Board may approve, modify and approve, or deny the petition. If there is no hearing before the Boundary Review Board, the Notice of Intention is approved after the 45-day period elapses.
- 8) If the Board of County Commissioners disapproves the proposal or if an affected agency requests review, a public hearing before the Boundary Review Board is held. The Boundary Review Board advertises and conducts a public hearing and files its written decision within 120 days of the request.
- 9) The Boundary Review Board then sends to the Board of County Commissioners, either its written Hearing Decision or a Certification of the Expiration of the 45-Day Period.

- 10) If not denied by the Boundary Review Board, the Board of County Commissioners adopts a resolution calling for a special election falling more than 45 days after the resolution is presented.
- 11) The Board of County Commissioners publishes notice of the election for four successive weeks in a newspaper of general circulation in the proposed district and posts notice in ten places for ten days stating a) the hours that the polls are open, b) the boundaries of the district, and c) the object of the election.
- 12) If a single-year excess levy is to be proposed, a separate ballot measure is also presented to the voters.
- 13) The election is conducted and within ten days a canvass of the returns is made. If a majority of those voting approve the formation of the district, the district becomes a municipal corporation and the name of the district is set as the one proposed on the petition.
- 14) A copy of the canvass of returns is transmitted to the Boundary Review Board office and, if approved, that office sends the election results with a legal description and map of the new boundaries to the county departments and affected agencies.
- 15) Expenses incurred by the County for the formation of the district shall be repaid to the County if the district is formed.