

ORDINANCE NO. 1777

AN ORDINANCE OF THE CITY OF KETTLE FALLS, WASHINGTON, PROVIDING FOR ANNEXATION TO KETTLE FALLS OF UNINCORPORATED STEVENS COUNTY TERRITORIES KNOWN AS LAKE VIEW ISLAND AND SINGER'S ISLAND; SETTING AN EFFECTIVE DATE OF THIS ORDINANCE; PROVIDING FOR PUBLICATION OF SAID EFFECTIVE DATE AT LEAST ONCE A WEEK FOR TWO WEEKS SUBSEQUENT TO PASSAGE; AND ESTABLISHING A REFERENDUM PROCESS APPLICABLE TO THE ANNEXATION

WHEREAS, the Kettle Falls City Council on January 15, 2019, passed Resolution 1901, attached hereto as Exhibit A, which resolution stated the Council's intent to annex to Kettle Falls via the island annexation method established in RCW 35A.14.295, .297 and .299 the unincorporated Stevens County territories known as Lake View Island and Singer's Island; and

WHEREAS, Stevens County does not have a boundary review board, but the county planning department, the Stevens County Commissioners, and the Stevens County Auditor's office were given copies of the resolution, and no objections to this Island Annexation were raised and it is consistent with all applicable state laws; and

WHEREAS, in accordance with Resolution 1901 and the above-cited state laws, the City has scheduled a hearing on the proposed annexation for February 5, 2019, and, pursuant to state law, has given notice of such hearing by publication in the Statesman Examiner of said Resolution on January 23 and 30, 2019; and has further given notice, beyond the requirements of state law, by putting it on the local radio station, and by posting on a display board at city hall and at the post office; and

WHEREAS, the Kettle Falls City Council has determined that the interests of the citizens of Kettle Falls and of Lake View Island and Singer's Island would be served by annexation to Kettle Falls;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KETTLE FALLS, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The unincorporated Stevens County territory known as Lake View Island and Singer's Island, depicted and described in Resolution 1901, attached hereto as Exhibit A, is hereby annexed to the City of Kettle Falls.

Section 2. The recitals and provisions of Resolution 1901 are affirmed.

Section 3. The effective date of annexation shall be April 30, 2019. Pursuant to state law, notice of said effective date of annexation, together with a description of the annexation, shall be published at least once each week for two weeks subsequent to passage of this ordinance in The Statesman Examiner, which is the official newspaper of record of the City of Kettle Falls.

Section 4. This annexation ordinance shall be subject to referendum for 45 days after its passage. Pursuant to RCW 35A.14.299, upon the filing of a timely referendum petition signed by qualified electors in number equal to not less than 10 percent of the votes cast in the last general state election in the Lake View Island and/or the Singer's Island, the question of annexation shall be submitted to the voters of the Lake View Island and/or the Singer's Island in a general election if one is to be held within 90 days or at a special election called for that purpose according to RCW 29A.04.330. Notice of such election shall be given as provided in RCW 35A.14.070 and the election shall be conducted as provided in RCW 35A.29.151. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto. After the expiration of the 45th day from but excluding the date of passage of this annexation ordinance, which 45th day is April 5, 2019, if no timely and sufficient referendum petition has been filed, Lake View Island and/or Singer's Island shall become a part of Kettle Falls on the effective date of April 30, 2019.

Section 5. SEVERABILITY. If any section, sentence, clause or phrase of this ordinance should be held to be invalid by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

PASSED by vote of the Council present this ____ day of February, 2019.

Approved:

John Ridlington, Mayor

Attest:

Raena L. Hallam, Clerk/Treasurer

Approved as to form:

Logan Worley, City Attorney