

ORDINANCE No. 026/2005

AN ORDINANCE OF THE CITY OF MONROE, WASHINGTON, STATING AN INTENT, PURSUANT TO RCW 52.04.061 *ET SEQ.*, TO ANNEX TO AND JOIN SNOHOMISH COUNTY FIRE PROTECTION DISTRICT NO. 3, AND MAKING A FINDING THAT THE PUBLIC INTEREST WILL BE SERVED THEREBY, AUTHORIZING THE FILING OF A NOTICE OF INTENTION WITH THE SNOHOMISH COUNTY BOUNDARY REVIEW BOARD, NOTIFYING THE SNOHOMISH COUNTY COUNCIL OF THE INTENT TO ANNEX PENDING AN INTERLOCAL AGREEMENT AND FAVORABLE DECISION BY THE BOUNDARY REVIEW BOARD, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Monroe and Snohomish County Fire Protection District No. 3 have engaged in discussions concerning the potential annexation of the City to the District; and

WHEREAS, the City Council desires to initiate the process described in RCW 52.04.061 *et seq.* for annexation of the City to the District.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Intent to Annex/Finding of Public Interest. The City Council hereby states its intent to have the City annex to and join Snohomish County Fire Protection District No. 3, subject to approval by the Snohomish County Boundary Review Board and the voters of the City and the District. The City Council finds that annexation of the City to Monroe County Fire Protection District No. 3 will serve the public interest of the citizens of Monroe and the greater Monroe area. The Board of Commissioners of Snohomish County Fire Protection District No. 3 is hereby requested to concur in the annexation and to notify the Snohomish County Council so that an election may be called on the question, pending a favorable decision by Snohomish County Boundary Review Board.

Section 2. Negotiation of Agreement. The Mayor and/or his designee are hereby authorized to negotiate an Interlocal agreement with Snohomish County Fire Protection District No. 3 regarding annexation. If said agreement is approved by the legislative bodies of the City and the District, the District and the City shall forward a notice and request to the Snohomish County Council to call for a special election to be held in accordance with RCW 52.04.071.

Section 3. Notice of Intent. The Mayor or his designee is hereby authorized to file a notice of intent with the Snohomish County Boundary Review Board seeking approval for annexation of the City to Snohomish County Fire Protection District No. 3, upon the approval of an Annexation Agreement. The Mayor is further authorized to take all necessary steps to pursue approval of the annexation by the Boundary Review Board.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 5. Effective Date. This ordinance shall take effect 5 days from and after its passage and approval and publication as required by law.

PASSED by the City Council and APPROVED by the Mayor this 19th day of October, 2005.

1st Reading: 10/05/05
2nd Reading: 10/19/05
Published: 10/26/05
Effective: 10/31/05

CITY OF MONROE, WASHINGTON

Donnetta Walser, Mayor

ATTEST:

Betty King, City Clerk

APPROVED AS TO FORM:

Phil Olbrechts, City Attorney