

Chapter 36.69 RCW
PARK AND RECREATION DISTRICTS

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RCW 36.69.010 Park and recreation districts authorized

—**"Recreational facilities" defined.** Park and recreation districts are hereby authorized to be formed as municipal corporations for the purpose of providing leisure time activities and facilities and recreational facilities, of a nonprofit nature as a public service to the residents of the geographical areas included within their boundaries.

The term "recreational facilities" means parks, playgrounds, gymnasiums, swimming pools, field houses, bathing beaches, stadiums, golf courses, automobile racetracks and drag strips, coliseums for the display of spectator sports, public campgrounds, boat ramps and launching sites, public hunting and fishing areas, arboretums, bicycle and bridle paths, senior citizen centers, or community centers, including community centers which could include public libraries within less than 50 percent of the usable space, provided that any public library is operated in accordance with chapter 27.12 RCW, and other recreational facilities. [2025 c 275 s 1; 1991 c 363 s 79; 1990 c 32 s 1; 1972 ex.s. c 94 s 1; 1969 c 26 s 1; 1967 c 63 s 1; 1963 c 4 s 36.69.010. Prior: 1961 c 272 s 1; 1959 c 304 s 1; 1957 c 58 s 1.]

Purpose—Captions not law—1991 c 363: See notes following RCW 2.32.180.

RCW 36.69.020 Formation of district by petition—Procedure. The formation of a park and recreation district shall be initiated by a petition designating the boundaries thereof by metes and bounds, or by describing the land to be included therein by townships, ranges and legal subdivisions. Such petition shall set forth the object of the district and state that it will be conducive to the public welfare and convenience, and that it will be a benefit to the area therein. Such petition shall be signed by not less than fifteen percent of the registered voters residing within the area so described. The name of a person who has signed the petition may not be withdrawn from the petition after the petition has been filed.

The petition shall be filed with the auditor of the county within which the proposed district is located, accompanied by an obligation signed by two or more petitioners, agreeing to pay the cost of the publication of the notice provided for in RCW 36.69.040. The county auditor shall, within thirty days from the date of filing the petition, examine the signatures and certify to the sufficiency or insufficiency thereof.

If the petition is found to contain a sufficient number of signatures of qualified persons, the auditor shall transmit it, together with a certificate of sufficiency attached thereto, to the county legislative authority, which shall by resolution entered upon its minutes receive it and fix a day and hour when the legislative authority will publicly hear the petition, as provided in RCW 36.69.040. [1994 c 223 s 42; 1969 c 26 s 2; 1967 c 63 s 2; 1963 c 4 s 36.69.020. Prior: 1961 c 272 s 2; 1959 c 304 s 2; 1957 c 58 s 2.]

RCW 36.69.030 Area which may be included—Resolution of governing body of city or town. A park and recreation district may include any unincorporated area in the state and, when any part of the proposed district lies within the corporate limits of any city or town, said petition shall be accompanied by a certified copy of a resolution of the governing body of said city or town, approving inclusion of the area within the corporate limits of the city or town. [1969 c 26 s 3; 1967 c 63 s 3; 1963 c 4 s 36.69.030. Prior: 1961 c 272 s 3; 1959 c 304 s 3; 1957 c 58 s 3.]

RCW 36.69.040 Hearing on petition—Notice. The board of county commissioners shall set a time for a hearing on the petition for the formation of a park and recreation district to be held not more than sixty days following the receipt of such petition. Notice of hearing shall be given by publication three times, at intervals of not less than one week, in a newspaper of general circulation within the county. Such notice shall state the time and place of hearing and describe particularly the area proposed to be included within the district. [1963 c 4 s 36.69.040. Prior: 1957 c 58 s 4.]

RCW 36.69.050 Boundaries—Name—Inclusion, exclusion of lands. The board of county commissioners shall designate a name for and fix the boundaries of the proposed district following such hearing. No land shall be included in the boundaries as fixed by the county commissioners which was not described in the petition, unless the owners of such land shall consent in writing thereto.

The board of county commissioners shall eliminate from the boundaries of the proposed district land which they find will not be benefited by inclusion therein. [1963 c 4 s 36.69.050. Prior: 1957 c 58 s 5.]

RCW 36.69.065 Election for formation—Inclusion of proposition for tax levy or issuance of bonds. If the petition or resolution initiating the formation of the proposed park and recreation district proposes that the initial capital or operational costs are to be financed by regular property tax levies for a *five-year period as authorized by RCW 36.69.145, or an annual excess levy, or that proposed capital costs are to be financed by the issuance of general obligation bonds and bond retirement levies, a proposition or propositions for such purpose or purposes shall be submitted to the voters of the proposed park and recreation district at the same election. A proposition or propositions for regular property tax levies for a *five-year period as authorized by RCW 36.69.145, an annual excess levy, or the issuance of general obligation bonds and bond retirement levies, may also be submitted to the voters at any general or special election. The ballot proposition or propositions authorizing the imposition of a tax levy or levies, or issuance of general obligation bonds and imposition of tax levies, shall be null and void if the park and recreation district was not authorized to be formed. [1989 c 184 s 1.]

***Reviser's note:** 1994 c 156 s 3 amended RCW 36.69.145 to authorize a six-year period.

RCW 36.69.070 Elections—Procedures—Terms. A ballot proposition authorizing the formation of the proposed park and recreation district shall be submitted to the voters of the proposed district for their approval or rejection at the next general state election occurring sixty or more days after the county legislative authority fixes the boundaries of the proposed district. Notices of the election for the formation of the park and recreation district shall state generally and briefly the purpose thereof and shall give the boundaries of the proposed district and name the day of the election and the hours during which the polls will be open. The proposition to be submitted to the voters shall be stated in such manner that the voters may indicate yes or no upon the proposition of forming the proposed park and recreation district.

The initial park and recreation commissioners shall be elected at the same election, but this election shall be null and void if the district is not authorized to be formed. No primary shall be held to nominate candidates for the initial commissioner positions. Candidates shall run for specific commission positions. A special filing period shall be opened as provided in RCW 29A.24.171 and 29A.24.181. The person who receives the greatest number of votes for each commission position shall be elected to that position. The three persons who are elected receiving the greatest number of votes shall be elected to four-year terms of office if the election is held in an odd-numbered year or three-year terms of office if the election is held in an even-numbered year. The other two persons who are elected shall be elected to two-year terms of office if the election is held in an odd-numbered year or one-year terms of office if the election is held in an even-

numbered year. The initial commissioners shall take office immediately upon being elected and qualified, but the length of such terms shall be computed from the first day of January in the year following this election. [2015 c 53 s 66; 1994 c 223 s 43; 1979 ex.s. c 126 s 28; 1963 c 4 s 36.69.070. Prior: 1959 c 304 s 4; 1957 c 58 s 7.]

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

RCW 36.69.080 Election results. If a majority of all votes cast upon the proposition favors the formation of the district, the county legislative authority shall, by resolution, declare the territory organized as a park and recreation district under the designated name. [1994 c 223 s 44; 1979 ex.s. c 126 s 29; 1963 c 4 s 36.69.080. Prior: 1957 c 58 s 8.]

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

RCW 36.69.090 Commissioners—Terms—Election procedures. A park and recreation district shall be governed by a board of five commissioners. Except for the initial commissioners, all commissioners shall be elected to staggered four-year terms of office and shall serve until their successors are elected and qualified and assume office in accordance with RCW 29A.60.280. Candidates shall run for specific commissioner positions.

Elections for park and recreation district commissioners shall be held biennially in conjunction with the general election in each odd-numbered year. Elections shall be held in accordance with the provisions of Title 29A RCW dealing with general elections, except that there shall be no primary to nominate candidates. All persons filing and qualifying shall appear on the general election ballot and the person receiving the largest number of votes for each position shall be elected. [2015 c 53 s 67; 1996 c 324 s 2; 1994 c 223 s 45; 1987 c 53 s 1; 1979 ex.s. c 126 s 30; 1963 c 200 s 18; 1963 c 4 s 36.69.090. Prior: 1957 c 58 s 9.]

Purpose—1979 ex.s. c 126: See RCW 29A.60.280(1).

RCW 36.69.100 Commissioners—Vacancies. Vacancies on the board of park and recreation commissioners shall occur and shall be filled as provided in chapter 42.12 RCW. [1994 c 223 s 46; 1963 c 4 s 36.69.100. Prior: 1957 c 58 s 10.]

RCW 36.69.110 Commissioners—Compensation, expenses. The park and recreation commissioners shall receive no compensation for their services but shall receive necessary expenses in attending meetings of the board or when otherwise engaged on district business. [1963 c 4 s 36.69.110. Prior: 1957 c 58 s 11.]

RCW 36.69.120 Commissioners—Duties. The park and recreation district board of commissioners shall:

- (1) Elect its officers including a chair, vice chair, secretary, and such other officers as it may determine it requires;
- (2) Hold regular public meetings at least monthly;
- (3) Adopt policies governing transaction of board business, keeping of records, resolutions, transactions, findings and determinations, which shall be of public record;
- (4) Initiate, direct and administer district park and recreation activities, and select and employ such properly qualified employees as it may deem necessary. [2009 c 549 s 4103; 1963 c 4 s 36.69.120. Prior: 1957 c 58 s 12.]

RCW 36.69.130 Powers of districts. Park and recreation districts shall have such powers as are necessary to carry out the purpose for which they are created, including, but not being limited to, the power: (1) To acquire and hold real and personal property; (2) to dispose of real and personal property only by unanimous vote of the district commissioners; (3) to make contracts; (4) to sue and be sued; (5) to borrow money to the extent and in the manner authorized by this chapter; (6) to grant concessions; (7) to make or establish charges, fees, rates, rentals and the like for the use of facilities (including recreational facilities) or for participation; (8) to make and enforce rules and regulations governing the use of property, facilities or equipment and the conduct of persons thereon; (9) to contract with any municipal corporation, governmental, or private agencies for the conduct of park and recreation programs; (10) to operate jointly with other governmental units any facilities or property including participation in the acquisition; (11) to hold in trust or manage public property useful to the accomplishment of their objectives; (12) to establish cumulative reserve funds in the manner and for the purposes prescribed by law for cities; (13) to acquire, construct, reconstruct, maintain, repair, add to, and operate recreational facilities; and, (14) to make improvements or to acquire property by the local improvement method in the manner prescribed by this chapter: PROVIDED, That such improvement or acquisition is within the scope of the purposes granted to such park and recreation district. [1972 ex.s. c 94 s 2; 1969 c 26 s 4; 1967 c 63 s 4; 1963 c 4 s 36.69.130. Prior: 1961 c 272 s 4; 1959 c 304 s 5; 1957 c 58 s 13.]

RCW 36.69.140 Excess levies authorized—Bonds—Interest bearing warrants. (1) A park and recreation district shall have the power to levy excess levies upon the property included within the district, in the manner prescribed by Article VII, section 2, of the Constitution and by RCW 84.52.052 for operating funds, capital outlay funds, and cumulative reserve funds.

(2) A park and recreation district may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding nonvoter approved general obligation indebtedness equal to three-eighths of one percent of the value of the taxable property within such district, as the term "value of the taxable property" is defined in RCW 39.36.015. A park and recreation district may additionally issue general obligation bonds, together with outstanding voter approved and nonvoter approved general obligation indebtedness, equal to one and one-fourth percent of the value of the taxable property within the district, as the term "value of the

taxable property" is defined in RCW 39.36.015, when such bonds are approved by three-fifths of the voters of the district at a general or special election called for that purpose and may provide for the retirement thereof by levies in excess of dollar rate limitations in accordance with the provisions of RCW 84.52.056. When authorized by the voters of the district, the district may issue interest bearing warrants payable out of and to the extent of excess levies authorized in the year in which the excess levy was approved. These elections shall be held as provided in RCW 39.36.050. Such bonds and warrants shall be issued and sold in accordance with chapter 39.46 RCW. [1994 c 156 s 2; 1984 c 186 s 30; 1983 c 167 s 84; 1981 c 210 s 19; 1977 ex.s. c 90 s 1; 1973 1st ex.s. c 195 s 40; 1970 ex.s. c 42 s 20; 1969 c 26 s 5; 1967 c 63 s 5; 1963 c 4 s 36.69.140. Prior: 1961 c 272 s 5; 1959 c 304 s 6; 1957 c 58 s 14.]

Intent—1994 c 156: "The intent of the legislature by enacting sections 2 through 5, chapter 156, Laws of 1994 is:

(1) To allow park and recreation districts and park and recreation service areas to place more than one excess levy on the same ballot, allowing districts and service areas to give voters the opportunity to vote on separate issues, such as for operating and capital funds, at the same election, thereby reducing election costs; and

(2) To increase the amount a park and recreation district or park and recreation service area may collect through a six-year property tax levy from a maximum of fifteen cents per thousand dollars of assessed value to a maximum of sixty cents per thousand dollars of assessed value. This would allow for a more stable funding source for park and recreation districts and park and recreation service areas at a realistic tax rate and reduce the need for holding excess levy elections on an annual or biannual [biennial] basis. In addition, it would level out the collection of taxes over each of six years rather than the practice now of collecting in one year to fund two years." [1994 c 156 s 1.]

Purpose—1984 c 186: See note following RCW 39.46.110.

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

Severability—1981 c 210: See note following RCW 36.68.400.

Severability—Effective dates—Construction—1973 1st ex.s. c 195: See notes following RCW 84.52.043.

Severability—Effective date—1970 ex.s. c 42: See notes following RCW 39.36.015.

RCW 36.69.145 Six-year regular property tax levies—Limitations—Election. (Effective until January 1, 2027.) (1) A park and recreation district may impose regular property tax levies in an amount equal to 60 cents or less per \$1,000 of assessed value of property in the district in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the voters thereof approving a proposition authorizing the

levies submitted at a special election or at the regular election of the district, at which election the number of voters voting "yes" on the proposition must constitute three-fifths of a number equal to 40 per centum of the number of voters voting in such district at the last preceding general election when the number of voters voting on the proposition does not exceed 40 per centum of the number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters thereof voting on the proposition if the number of voters voting on the proposition exceeds 40 per centum of the number of voters voting in such taxing district in the last preceding general election. A proposition authorizing the tax levies may not be submitted by a park and recreation district more than twice in any 12-month period. Ballot propositions must conform with RCW 29A.36.210.

(2) The limitation in RCW 84.55.010 does not apply to the first levy imposed under this section following the approval of the levies by the voters under subsection (1) of this section. [2021 c 117 s 1; 2010 c 106 s 303; 1994 c 156 s 3; 1984 c 131 s 6; 1981 c 210 s 18.]

Application—2021 c 117: "This act applies to taxes levied for collection in calendar years 2022 through 2026." [2021 c 117 s 4.]

Expiration date—2021 c 117: "This act expires January 1, 2027." [2021 c 117 s 5.]

Effective date—2010 c 106: See note following RCW 35.102.145.

Intent—1994 c 156: See note following RCW 36.69.140.

Purpose—1984 c 131 ss 3-9: See note following RCW 29A.36.210.

RCW 36.69.145 Six-year regular property tax levies—Limitations—Election. (Effective January 1, 2027.) (1) A park and recreation district may impose regular property tax levies in an amount equal to sixty cents or less per thousand dollars of assessed value of property in the district in each year for six consecutive years when specifically authorized so to do by a majority of at least three-fifths of the voters thereof approving a proposition authorizing the levies submitted at a special election or at the regular election of the district, at which election the number of voters voting "yes" on the proposition must constitute three-fifths of a number equal to forty per centum of the number of voters voting in such district at the last preceding general election when the number of voters voting on the proposition does not exceed forty per centum of the number of voters voting in such taxing district in the last preceding general election; or by a majority of at least three-fifths of the voters thereof voting on the proposition if the number of voters voting on the proposition exceeds forty per centum of the number of voters voting in such taxing district in the last preceding general election. A proposition authorizing the tax levies may not be submitted by a park and recreation district more than twice in any twelve-month period. Ballot propositions must conform with RCW 29A.36.210. In the event a park and recreation district is levying property taxes, which in combination with property taxes levied by other taxing districts subject to the one percent limitation provided for in Article 7,

section 2, of our state Constitution result in taxes in excess of the limitation provided for in RCW 84.52.043(2), the park and recreation district property tax levy must be reduced or eliminated as provided in RCW 84.52.010.

(2) The limitation in RCW 84.55.010 does not apply to the first levy imposed under this section following the approval of the levies by the voters under subsection (1) of this section. [2010 c 106 s 303; 1994 c 156 s 3; 1984 c 131 s 6; 1981 c 210 s 18.]

Effective date—2010 c 106: See note following RCW 35.102.145.

Intent—1994 c 156: See note following RCW 36.69.140.

Purpose—1984 c 131 ss 3-9: See note following RCW 29A.36.210.

RCW 36.69.147 Community revitalization financing—Public improvements. In addition to other authority that a park and recreation district possesses, a park and recreation district may provide any public improvement as defined under RCW 39.89.020, but this additional authority is limited to participating in the financing of the public improvements as provided under RCW 39.89.050.

This section does not limit the authority of a park and recreation district to otherwise participate in the public improvements if that authority exists elsewhere. [2001 c 212 s 15.]

RCW 36.69.150 District treasurer—Warrants—Vouchers. The county treasurer of the county in which the district shall be located shall be the treasurer of the district, and expenditures shall be made upon warrants drawn by the county auditor pursuant to vouchers approved by the board of park and recreation commissioners. [1963 c 4 s 36.69.150. Prior: 1957 c 58 s 16.]

RCW 36.69.160 Budget. The board of park and recreation commissioners of each park and recreation district shall annually compile a budget, in form prescribed by the state auditor, for the ensuing calendar year, and which shall, to the extent that anticipated income is actually realized, constitute the appropriations for the district. The budget may include an amount to accumulate a reserve for a stated capital purpose. In compiling the budget, all available funds and anticipated income shall be taken into consideration, including contributions or contractual payments from school districts, cities or towns, county, or any other governmental unit; gifts and donations; special tax levy; assessments; fees and charges; proceeds of bond issues; cumulative reserve funds. [1995 c 301 s 68; 1963 c 4 s 36.69.160. Prior: 1957 c 58 s 17.]

RCW 36.69.170 Expenditures. Expenditures shall be made solely in accordance with the budget, and should revenues accrue at a rate below the anticipated amounts, the board of park and recreation commissioners shall reduce expenditures accordingly: PROVIDED, That the board may, by unanimous vote, authorize such expenditures, or authorize expenditures in excess of those budgeted, if sufficient

revenue to pay such expenditures is derived by the levy of the district or if provided by other governmental agencies specifically for such purposes. [1963 c 4 s 36.69.170. Prior: 1957 c 58 s 18.]

RCW 36.69.180 Violation of rules—Penalty. (1) Except as otherwise provided in this section, the violation of any of the rules or regulations of a park and recreation district adopted by its board for the preservation of order, control of traffic, protection of life or property, or for the regulation of the use of park property is a misdemeanor.

(2) (a) Except as provided in (b) of this subsection, violation of such a rule or regulation relating to traffic including parking, standing, stopping, and pedestrian offenses is a traffic infraction.

(b) Violation of such a rule or regulation equivalent to those provisions of Title 46 RCW set forth in RCW 46.63.020 remains a misdemeanor. [2003 c 53 s 206; 1979 ex.s. c 136 s 37; 1963 c 4 s 36.69.180. Prior: 1957 c 58 s 19.]

Intent—Effective date—2003 c 53: See notes following RCW 2.48.180.

Effective date—Severability—1979 ex.s. c 136: See notes following RCW 46.63.010.

RCW 36.69.190 Additional area may be added to district. After a park and recreation district has been organized, an additional area may be added by the same procedure within the proposed additional area as is provided herein for the organization of a park and recreation district, except that no first commissioners shall be nominated by the board of county commissioners or elected, and all electors within both the organized park and recreation district and the proposed additional territory shall vote upon the proposition for enlargement. [1969 c 26 s 6; 1967 c 63 s 6; 1963 c 4 s 36.69.190. Prior: 1961 c 272 s 6; 1959 c 304 s 7; 1957 c 58 s 20.]

RCW 36.69.200 L.I.D.'s—Authorization—Assessments, warrants, bonds—County treasurer's duties. (1) Whenever the board of park and recreation commissioners of any district shall determine that any proposed capital improvement would be of special benefit to all or to any portion of the district, it may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in the improvement district to be repaid by the collection of local improvement assessments. The method of establishment, levying, collection and enforcement of such assessments and issuance and redemption of local improvement warrants and bonds and the provisions regarding the conclusiveness of the assessment roll and the review by the superior court of any objections thereto shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local

improvement bonds by cities and towns, insofar as consistent herewith. The duties devolving upon the city treasurer are hereby imposed upon the county treasurer for the purposes hereof. The mode of assessment shall be determined by the board. Such bonds may be in any form, including coupon bonds or registered bonds as provided in RCW 39.46.030.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW. [1983 c 167 s 85; 1983 c 3 s 80; 1963 c 4 s 36.69.200. Prior: 1957 c 58 s 21.]

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

Local improvements, supplemental authority: Chapter 35.51 RCW.

RCW 36.69.210 L.I.D.'s—Initiation by resolution or petition.

Local improvement districts may be initiated either (1) by resolution of the board of park and recreation commissioners, or, (2) by petition signed by the owners (according to the county auditor's records) of at least fifty-one percent of the area of land within the limits of the local improvement district to be created. [1963 c 4 s 36.69.210. Prior: 1957 c 58 s 22.]

RCW 36.69.220 L.I.D.'s—Procedure when by resolution. If the board of park and recreation commissioners desires to initiate the formation of a local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed local improvement district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district. [1963 c 4 s 36.69.220. Prior: 1957 c 58 s 23.]

RCW 36.69.230 L.I.D.'s—Procedure when by petition—Publication of notice of intent by either resolution or petition. If such local improvement district is initiated by petition, such petition shall set forth the nature and territorial extent of the proposed improvement requested to be ordered and the fact that the signers thereof are the owners (according to the records of the county auditor) of at least fifty-one percent of the area of land within the limits of the local improvement district to be created. Upon the filing of such petition the board of park and recreation commissioners shall determine whether it is sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his or her name from the petition after it has been filed with the board. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district and describing the boundaries thereof, stating the estimated cost and

expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

The resolution of intention, whether adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board. [2009 c 549 s 4104; 1963 c 4 s 36.69.230. Prior: 1957 c 58 s 24.]

RCW 36.69.240 L.I.D.'s—Notice—Contents. Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date, time and place of the hearing before the board of park and recreation commissioners; and in the case of improvements initiated by resolution, the notice shall also state that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board before the time fixed for said public hearing. [1963 c 4 s 36.69.240. Prior: 1957 c 58 s 25.]

RCW 36.69.245 L.I.D.'s—Notice must contain statement that assessments may vary from estimates. Any notice given to the public or to the owners of specific lots, tracts, or parcels of land relating to the formation of a local improvement district shall contain a statement that actual assessments may vary from assessment estimates so long as they do not exceed a figure equal to the increased true and fair value the improvement adds to the property. [1989 c 243 s 4.]

RCW 36.69.250 L.I.D.'s—Public hearing—Inclusion, exclusion of property. Whether the improvement is initiated by petition or resolution, the board of park and recreation commissioners shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in the plans for the proposed improvement as shall be deemed necessary: PROVIDED, That the board may not change the boundaries of the district to include or exclude property not previously included or excluded without first passing a new resolution of intention and giving a new notice to property owners in the manner

and form and within the time herein provided for the original notice.
[1963 c 4 s 36.69.250. Prior: 1957 c 58 s 26.]

RCW 36.69.260 L.I.D.'s—Protests—Procedure—Jurisdiction of board. After said hearing the board of park and recreation commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: PROVIDED, That the jurisdiction of the board to proceed with any improvement initiated by resolution shall be divested by a protest filed with the secretary of the board prior to said public hearing for the improvement signed by the owners of the property within the proposed local improvement district which is subject to sixty percent or more of the cost of the improvement as shown and determined by the preliminary estimates and assessment roll of the proposed improvement district. [1963 c 4 s 36.69.260. Prior: 1957 c 58 s 27.]

RCW 36.69.270 L.I.D.'s—Powers and duties of board upon formation. If the board of park and recreation commissioners finds that the district should be formed, it shall by resolution order the improvement, adopt detailed plans of the local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the park and recreation district such eminent domain proceedings as may be necessary to entitle the district to proceed with the work. The board shall thereupon proceed with the work and file with the county treasurer its roll levying special assessments in the amount to be paid by special assessment against the property situated within the improvement district in proportion to the special benefits to be derived by the property therein from the improvement. [1963 c 4 s 36.69.270. Prior: 1957 c 58 s 28.]

RCW 36.69.280 L.I.D.'s—Assessment roll—Procedure for approval—Objections. Before approval of the roll a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the local district, stating that the roll is on file and open to inspection in the office of the secretary, and fixing the time, not less than fifteen or more than thirty days from the date of the first publication of the notice within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing will be held by the board of park and recreation commissioners on the protests. Notice shall also be given by mailing, at least fifteen days before the hearing, a similar notice to the owners or reputed owners of the land in the local district as they appear on the books of the treasurer of the county in which the park and recreation district is located. At the hearing, or any adjournment thereof, the commissioners may correct, change or modify the roll, or any part thereof, or set aside the roll and order a new assessment, and may then by resolution approve it. If an assessment is raised a new notice similar to the first shall be given, after which final approval of the roll may be made. When property has been entered originally upon the roll and the assessment thereon is not raised, no objection thereto shall be considered by the commissioners or by any court on appeal unless the objection is made in writing at, or prior,

to the date fixed for the original hearing upon the roll. [1963 c 4 s 36.69.280. Prior: 1957 c 58 s 29.]

RCW 36.69.290 L.I.D.'s—Segregation of assessments—Power of board. Whenever any land against which there has been levied any special assessment by any park and recreation district shall have been sold in part or subdivided, the board of park and recreation commissioners of such district shall have the power to order a segregation of the assessment. [1963 c 4 s 36.69.290. Prior: 1957 c 58 s 30.]

RCW 36.69.300 L.I.D.'s—Segregation of assessments—Procedure—Fee, charges. Any person desiring to have such a special assessment against a tract of land segregated to apply to smaller parts thereof shall apply to the board of park and recreation commissioners of the park and recreation district which levied the assessment. If the board determines that a segregation should be made, it shall by resolution order the county treasurer to make segregation on the original assessment roll as directed in the resolution. The segregation shall be made as nearly as possible on the same basis as the original assessment was levied, and the total of the segregated parts of the assessment shall equal the assessment before segregation. The resolution shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part. A certified copy of the resolution shall be delivered to the county treasurer who shall proceed to make the segregation ordered upon being tendered a fee of three dollars for each tract of land for which a segregation is to be made. In addition to such charge the board may require as a condition to the order of segregation that the person seeking it pay the district the reasonable engineering and clerical costs incident to making the segregation. [1963 c 4 s 36.69.300. Prior: 1957 c 58 s 31.]

RCW 36.69.305 L.I.D.'s—Acquisition of property subject to unpaid or delinquent assessments by state or political subdivision—Payment of lien or installments. See RCW 79.44.190.

RCW 36.69.310 Dissolution. (1) (a) Any park and recreation district formed under the provisions of this chapter may be dissolved in its entirety in the manner provided in chapter 53.48 RCW, relating to port districts.

(b) In order to facilitate the dissolution of a park and recreation district, such a district may declare its intent to dissolve and may name a successor taxing district. It may transfer any lands, facilities, equipment, other interests in real or personal property, or interests under contracts, leases, or similar agreements to the successor district, and may take all action necessary to enable the successor district to assume any indebtedness of the park and recreation district relating to the transferred property and interests.

(2) A portion of land may be deannexed and withdrawn from a park and recreation district formed under the provisions of this chapter pursuant to RCW 36.69.315. [2019 c 138 s 1; 2005 c 226 s 3; 1963 c 4 s 36.69.310. Prior: 1957 c 58 s 32.]

Application—Effective date—2005 c 226: See notes following RCW 35.61.290.

Alternative procedure for dissolution of special districts: Chapter 36.96 RCW.

RCW 36.69.315 Withdrawal or reannexation from a park and recreation district—Authority—Procedure. (1) As provided in this section, a city, town, or county may withdraw that portion of the city, town, or county from a park and recreation district that was formed under this chapter when:

(a) The governing body of a district, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district; and the governing body of a city, town, or county, which is part of the district, adopts a resolution and findings of fact supporting the deannexation of that portion of the city, town, or county, which is part of the district;

(b) Ten percent of the voters of such city or county who voted at the last general election petition the governing officials for such a vote; or

(c) A district located in a county with a population of two hundred ten thousand or more has not actively carried out any of the special purposes or functions for which it was formed within the preceding consecutive five-year period, in accordance with chapter 57.90 RCW.

(2) (a) After adoption of the resolution approving the deannexation, receipt of a valid petition signed by the requisite number of registered voters, or determination that the district has been inactive in accordance with chapter 57.90 RCW, the governing body of the city, town, or county, which is part of the district, must draft a ballot title, give notice as required by law for ballot measures, and perform other duties as required to put the measure approving or not approving the deannexation before the voters of the city, town, or county, which is part of the district.

(b) The ballot proposition authorizing the deannexation from a proposed park and recreation district must be submitted to the voters of the district for their approval or rejection at the next general election. The ballot measure is approved if greater than fifty percent of the total persons voting on the ballot measure vote to approve the deannexation.

(3) The resolution under subsection (1) of this section and the ballot under subsection (2) of this section must set forth the specific land boundaries being deannexed from the district.

(4) A deannexation under this section is effective at the end of the day on the thirty-first day of December in the year in which the ballot measure under subsection (2) of this section is approved.

(5) The withdrawal of an area from the boundaries of a park and recreation district does not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of

the park and recreation district existing at the time of the withdrawal.

(6) (a) An area that has been withdrawn from the boundaries of a park and recreation district under this section may be reannexed into the park and recreation district upon:

(i) Adoption of a resolution by the governing body proposing the reannexation; and

(ii) Adoption of a resolution by the park and recreation district approving the reannexation.

(b) The reannexation is effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries are established immediately upon the adoption of the second resolution.

(c) Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the park and recreation district, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

(d) If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions must be held in abeyance and a ballot proposition to authorize the reannexation must be submitted to the voters of the area at the next special election date according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote authorizes the reannexation.

(7) For purposes of this section, "deannex" means to withdraw a specified portion of land from a park and recreation district formed under this chapter. [2019 c 138 s 2.]

RCW 36.69.320 Disincorporation of district located in county with a population of two hundred ten thousand or more and inactive for five years. See chapter 57.90 RCW.

RCW 36.69.350 Board authorized to contract indebtedness and issue revenue bonds. The board of parks and recreation commissioners is hereby authorized for the purpose of carrying out the lawful powers granted to park and recreation districts by the laws of the state to contract indebtedness and to issue revenue bonds evidencing such indebtedness in conformity with this chapter. [1972 ex.s. c 94 s 3.]

RCW 36.69.360 Revenue bonds—Authorized purposes. All such revenue bonds authorized under the terms of this chapter may be issued and sold by the district from time to time and in such amounts as is deemed necessary by the board of park and recreation commissioners of each district to provide sufficient funds for the carrying out of all district powers, without limiting the generality thereof, including the following: Acquisition; construction; reconstruction; maintenance; repair; additions; operations of recreational facilities; parking facilities as a part of a recreational facility; and any other district purpose from which revenues can be derived. Included in the

costs thereof shall be any necessary engineering, inspection, accounting, fiscal, and legal expenses, the cost of issuance of bonds, including printing, engraving and advertising and other similar expenses, and the proceeds of such bond issue are hereby made available for all such purposes. [1972 ex.s. c 94 s 4.]

Alternative authority to issue revenue bonds: RCW 39.46.150, 39.46.160.

Funds for reserve purposes may be included in issue amount: RCW 39.44.140.

RCW 36.69.370 Revenue bonds—Issuance, form, seal, etc. (1)

When revenue bonds are issued for authorized purposes, said bonds shall be either registered as to principal only or principal and interest as provided in RCW 39.46.030 or shall be bearer bonds; shall be in such denominations, shall be numbered, shall bear such date, shall be payable at such time or times up to a maximum period of not to exceed thirty years and payable as determined by the park and recreation commissioners of the district; shall bear interest payable semiannually; shall be executed by the chair of the board of park and recreation commissioners, and attested by the secretary of the board, and the seal of such board shall be affixed to each bond, but not to any coupon; and may have facsimile signatures of the chair and the secretary imprinted on any interest coupons in lieu of original signatures.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW. [2009 c 549 s 4105; 1983 c 167 s 86; 1972 ex.s. c 94 s 5.]

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

RCW 36.69.380 Resolution to authorize bonds—Contents.

Bonds issued under the provisions of this chapter shall be payable solely out of the operating revenues of the park and recreation district. Such bonds shall be authorized by resolution adopted by the board of park and recreation commissioners, which resolution shall create a special fund or funds into which the board of park and recreation commissioners may obligate and bind the district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or fixed amounts of gross revenue received by the district from moneys for services or activities as stated in the resolution, for the purpose of paying the principal of and interest on such bonds as the same shall become due, and if deemed necessary to maintain adequate reserves therefor. Such fund or funds shall be drawn upon solely for the purpose of paying the principal and interest upon the bonds issued pursuant to this chapter.

The bonds shall be negotiable instruments within the provision and intent of the negotiable instruments law of this state, even though they shall be payable solely from such special fund or funds, and the tax revenue of the district may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. The bonds and any coupons attached thereto shall state upon their face

that they are payable solely from such special fund or funds. If the county fails to set aside and pay into such fund or funds, the payments provided for in such resolution, the owner of any such bonds may bring suit to compel compliance with the provisions of the resolution. [1983 c 167 s 87; 1972 ex.s. c 94 s 6.]

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

RCW 36.69.390 Payment of bonds—Covenants—Enforcement. The board of park and recreation commissioners may provide covenants as it may deem necessary to secure the payment of the principal of and interest on such bonds and may, but shall not be required to, include covenants to create a reserve fund or account and to authorize the payment or deposit of certain moneys therein for the purpose of securing the payment of such principal and interest; to establish, maintain, and collect rates, charges, fees, rentals, and the like on the facilities and service the income of which is pledged for the payment of such bonds, sufficient to pay or secure the payment of such principal and interest and to maintain an adequate coverage over annual debt service; and to make any and all other covenants not inconsistent with the provisions of this chapter which will increase the marketability of such bonds. The board may also provide that revenue bonds payable out of the same source or sources may later be sold on a parity with any revenue bonds being issued and sold. The provisions of this chapter and any resolution or resolutions providing for the authorization, issuance, and sale of such bonds shall constitute a contract with the owner of such bonds, and the provisions thereof shall be enforceable by any owner of such bonds by mandamus or any appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction. [1983 c 167 s 88; 1972 ex.s. c 94 s 7.]

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

RCW 36.69.400 Funding, refunding bonds. (1) The board of parks and recreation commissioners of any district may by resolution, from time to time, provide for the issuance of funding or refunding revenue bonds to fund or refund any outstanding revenue bonds and any interest and premiums due thereon at or before the maturity of such bonds, and parts or all of various series and issues of outstanding revenue bonds in the amount thereof to be funded or refunded.

The board shall create a special fund for the sole purpose of paying the principal of and interest on such funding or refunding revenue bonds, into which fund the board shall obligate and bind the district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a fixed amount of the revenue of the recreational facility of the district sufficient to pay such principal and interest as the same shall become due, and if deemed necessary to maintain adequate reserves therefor.

Such funding or refunding bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, and the tax revenue of the district may not be used to

pay, secure, or guarantee the payment of the principal of and interest on such bonds. Such bonds may be in any form, including bearer bonds or registered bonds as provided in RCW 39.46.030.

The district may exchange such funding or refunding bonds for the bonds, and any coupons being funded or refunded, or it may sell such funding or refunding bonds in the manner, at such price and at such rate or rates of interest as the board shall deem to be for the best interest of the district and its inhabitants, either at public or private sale.

The provisions of this chapter relating to the terms, conditions, covenants, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

(2) Notwithstanding subsection (1) of this section, such bonds may be issued and sold in accordance with chapter 39.46 RCW. [1983 c 167 s 89; 1972 ex.s. c 94 s 8.]

Liberal construction—Severability—1983 c 167: See RCW 39.46.010 and note following.

RCW 36.69.410 Authority for issuance of bonds—Construction.

This chapter shall be complete authority for the issuance of the revenue bonds hereby authorized, and shall be liberally construed to accomplish its purposes. Any restrictions, limitations or regulations relative to the issuance of such revenue bonds contained in any other act shall not apply to the bonds issued under this chapter. Any act inconsistent herewith shall be deemed modified to conform with the provisions of this chapter for the purpose of this chapter only. [1972 ex.s. c 94 s 9.]

RCW 36.69.420 Joint park and recreation district—Authorization.

A park and recreation district may be formed encompassing portions of two or more counties. Such a district shall be known as a joint park and recreation district and shall have all powers and duties of a park and recreation district. The procedures established in this chapter for the formation of a park and recreation district shall be followed in the formation of a joint park and recreation district except as otherwise provided by RCW 36.69.430, 36.69.440, and 36.69.450. [1979 ex.s. c 11 s 1.]

Severability—1979 ex.s. c 11: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 11 s 7.]

RCW 36.69.430 Joint park and recreation district—Formation—Petition. The formation of a joint park and recreation district shall be initiated by a petition as prescribed in RCW 36.69.020. The petition shall be filed with the county auditor of one of the counties within which a portion of the proposed joint district is located. A copy of the petition shall be filed with the county auditor of the other county or counties within which a portion of the proposed joint district is located. The county auditors shall jointly certify the

sufficiency or insufficiency of the petition to the legislative authorities of the counties. [1979 ex.s. c 11 s 2.]

Severability—1979 ex.s. c 11: See note following RCW 36.69.420.

RCW 36.69.440 Joint park and recreation district—Formation—Hearing—Boundaries—Election. (1) If the petition filed under RCW 36.69.430 is found to contain a sufficient number of signatures, the legislative authority of each county shall set a time for a hearing on the petition for the formation of a park and recreation district as prescribed in RCW 36.69.040.

(2) At the public hearing the legislative authority for each county shall fix the boundaries for that portion of the proposed park and recreation district that lies within the county as provided in RCW 36.69.050. Each county shall notify the other county or counties of the determination of the boundaries within ten days.

(3) If the territories created by the county legislative authorities are not contiguous, a joint park and recreation district shall not be formed. If the territories are contiguous, the county containing the portion of the proposed joint district having the larger population shall determine the name of the proposed joint district.

(4) The proposition for the formation of the proposed joint park and recreation district shall be submitted to the voters of the district at the next general election, which election shall be conducted as required by RCW 36.69.070 and 36.69.080. [1994 c 223 s 47; 1979 ex.s. c 11 s 3.]

Severability—1979 ex.s. c 11: See note following RCW 36.69.420.

RCW 36.69.450 Joint park and recreation district—Duties of county officers. For all purposes essential to the maintenance, operation, and administration of a joint park and recreation district, including the apportionment of any funds, the county in which a joint park and recreation district shall be considered as belonging shall be the county containing the largest population of the joint district. Whenever the laws relating to park and recreation districts provide for an action by a county officer, the action, if required to be performed on behalf of a joint park and recreation district, shall be performed by the proper officer of the county to which the joint district belongs, except as otherwise provided by law. This delegation of authority extends but is not limited to:

(1) The declaration by the county legislative authority of the election results, as required by RCW 36.69.080;

(2) The filing of declarations of candidacy with the county auditor under RCW 36.69.090;

(3) The issuance of warrants by the county treasurer under RCW 36.69.150;

(4) The duties of the county treasurer and auditor in the establishment and operation of a local improvement district under RCW 36.69.200, 36.69.220, 36.69.240, and 36.69.300. If the local improvement district is located wholly within any one of the participating counties, then the officers of that county shall perform the duties relating to that local improvement district; and

(5) Receipt by the county treasurer of payments of revenue bonds under RCW 36.69.370. [1979 ex.s. c 11 s 4.]

Severability—1979 ex.s. c 11: See note following RCW 36.69.420.

RCW 36.69.460 Joint park and recreation district—Population determinations. Population determinations for the purposes of RCW 36.69.440 and 36.69.450 shall be made by the office of financial management. [1979 ex.s. c 11 s 5.]

Severability—1979 ex.s. c 11: See note following RCW 36.69.420.

RCW 36.69.500 Community athletics programs—Sex discrimination prohibited. The antidiscrimination provisions of RCW 49.60.500 apply to community athletics programs and facilities operated, conducted, or administered by a park and recreation district. [2009 c 467 s 9.]

Findings—Declarations—2009 c 467: See note following RCW 49.60.500.

RCW 36.69.900 Short title. This chapter may be cited as the "Recreation Districts Act for Counties." [1969 c 26 s 7; 1967 c 63 s 7; 1963 c 4 s 36.69.900. Prior: 1961 c 272 s 7; 1959 c 304 s 9; 1957 c 58 s 33.]