

**Chapter 35.61 RCW**  
**METROPOLITAN PARK DISTRICTS**

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79.125.710, 79.125.720.

**RCW 35.61.001 Actions subject to review by boundary review board.** The creation of a metropolitan park district, and an annexation by, or dissolution or disincorporation of, a metropolitan park district may be subject to potential review by a boundary review board under chapter 36.93 RCW. [1989 c 84 § 31.]

**RCW 35.61.010 Creation—Territory included.** A metropolitan park district may be created for the management, control, improvement, maintenance, and acquisition of parks, parkways, boulevards, and recreational facilities. A metropolitan park district may include territory located in portions or all of one or more cities or counties, or one or more cities and counties, when created or enlarged as provided in this chapter. [2002 c 88 § 1; 1994 c 81 § 60; 1985 c 416 § 1; 1965 c 7 § 35.61.010. Prior: 1959 c 45 § 1; 1943 c 264 § 1; Rem. Supp. 1943 § 6741-1; prior: 1907 c 98 § 1; RRS § 6720.]

**Validating—1943 c 264:** "Acts of Metropolitan Park District Commissioners, and of the officers, employees and agents of

Metropolitan Park Districts heretofore performed in good faith in accordance with the statutes which are hereby reenacted, are hereby validated, and all assessments, levies and collections and all proceedings to assess, levy and collect as well as all debts, contracts and obligations heretofore made or incurred by or in favor of any Metropolitan Park District heretofore at any time existing and all bonds or other obligations thereof are hereby declared to be legal and valid and of full force and effect." [1943 c 264 § 23.]

**RCW 35.61.020 Election—Resolution or petition—Area—Limitations.** (1) When proposed by citizen petition or by local government resolution as provided in this section, a ballot proposition authorizing the creation of a metropolitan park district must be submitted by resolution to the voters of the area proposed to be included in the district at any general election, or at any special election which may be called for that purpose.

(2) The ballot proposition must be submitted if the governing body of each city in which all or a portion of the proposed district is located, and the legislative authority of each county in which all or a portion of the proposed district is located within the unincorporated portion of the county, each adopts a resolution submitting the proposition to create a metropolitan park district.

(3) As an alternative to the method provided under subsection (2) of this section, the ballot proposition must be submitted if a petition proposing creation of a metropolitan park district is submitted to the county auditor of each county in which all or a portion of the proposed district is located that is signed by at least fifteen percent of the registered voters residing in the area to be included within the proposed district. Where the petition is for creation of a district in more than one county, the petition must be filed with the county auditor of the county having the greater area of the proposed district, and a copy filed with each other county auditor of the other counties covering the proposed district.

(4) Territory by virtue of its annexation to any city whose territory lies entirely within a park district are deemed to be within the limits of the metropolitan park district. Such an extension of a park district's boundaries is not subject to review by a boundary review board independent of the board's review of the city annexation of territory.

(5) A city, county, or contiguous group of cities or counties proposing or approving a petition regarding formation of a metropolitan park district may limit the purpose and may limit the taxing powers of such proposed metropolitan park district in its resolution in cases where the metropolitan park district is being formed for specifically identified facilities referenced in (a) of this subsection. The ballot proposition must reflect such limitations as follows:

(a) A city, county, or contiguous group of cities or counties may limit the proposed district's purposes to providing the funds necessary to acquire, construct, renovate, expand, operate, maintain, and provide programming for specifically identified public parks or recreational facilities that are otherwise authorized by law for metropolitan park districts. The ballot proposition must specifically identify those public parks or recreational facilities to be funded, which identification may be made by referencing a metropolitan park

district plan that has been approved by the legislative authority of the city, county, or contiguous group of cities or counties proposing the formation of the district;

(b) A city, county, or contiguous group of cities or counties may limit the maximum levy rate that is available to such metropolitan park district to any levy rate that does not exceed the aggregate rate set forth under RCW 35.61.210(1). The ballot proposition must state the maximum regular levy rate.

(6) Nothing herein prevents a city, county, or contiguous group of cities or counties from proposing formation of a metropolitan park district that is not limited under subsection (5) of this section.

[2017 c 215 § 1; 2002 c 88 § 2; 1965 c 7 § 35.61.020. Prior: 1943 c 264 § 2, part; Rem. Supp. 1943 § 6741-2, part; prior: 1909 c 131 § 1; 1907 c 98 § 2, part; RRS § 6721, part.]

**RCW 35.61.030 Election—Review by boundary review board—Question stated.**

(1) Except as provided in subsection (2) of this section for review by a boundary review board, the ballot proposition authorizing creation of a metropolitan park district that is submitted to voters for their approval or rejection shall appear on the ballot of the next general election or at the next special election date specified under RCW 29A.04.330 occurring sixty or more days after the last resolution proposing the creation of the park district is adopted or the date the county auditor certifies that the petition proposing the creation of the park district contains sufficient valid signatures. Where the petition or copy thereof is filed with two or more county auditors in the case of a proposed district in two or more counties, the county auditors shall confer and issue a joint certification upon finding that the required number of signatures on the petition has been obtained.

(2) Where the proposed district is located wholly or in part in a county in which a boundary review board has been created, notice of the proposal to create a metropolitan park district shall be filed with the boundary review board as provided under RCW 36.93.090 and the special election at which a ballot proposition authorizing creation of the park district shall be held on the special election date specified under RCW 29A.04.330 that is sixty or more days after the date the boundary review board is deemed to have approved the proposal, approves the proposal, or modifies and approves the proposal. The creation of a metropolitan park district is not subject to review by a boundary review board if the proposed district only includes one or more cities and in such cases the special election at which a ballot proposition authorizing creation of the park district shall be held as if a boundary review board does not exist in the county or counties.

(3) The petition proposing the creation of a metropolitan park district, or the resolution submitting the question to the voters, shall choose and describe the composition of the initial board of commissioners of the district that is proposed under RCW 35.61.050 and shall choose a name for the district. The proposition shall include the following terms:

"For the formation of a metropolitan park district to be governed by [insert board composition described in ballot proposition]."

"Against the formation of a metropolitan park district."

[2015 c 53 § 43; 2002 c 88 § 3; 1985 c 469 § 32; 1965 c 7 § 35.61.030. Prior: 1943 c 264 § 2, part; Rem. Supp. 1943 § 6741-2, part; prior: 1909 c 131 § 1; 1907 c 98 § 2, part; RRS § 6721, part.]

**RCW 35.61.040 Election—Creation of district—Bridge loan, line of credit.** If a majority of the voters voting on the ballot proposition authorizing the creation of the metropolitan park district vote in favor of the formation of a metropolitan park district, the metropolitan park district must be created as a municipal corporation effective immediately upon certification of the election results and its name must be that designated in the ballot proposition. When an ex officio treasurer of a metropolitan park district is a city or county treasurer, the treasurer may provide a bridge loan or line of credit to the newly formed metropolitan park district until such time as the district has received sufficient levy proceeds to pay for the maintenance and operations of the metropolitan park district. [2017 c 215 § 6; 2002 c 88 § 4; 1965 c 7 § 35.61.040. Prior: 1943 c 264 § 3, part; Rem. Supp. 1943 § 6741-3, part; prior: 1909 c 131 § 2; 1907 c 98 § 3, part; RRS § 6722, part.]

**RCW 35.61.050 Composition of board—Election of commissioners—Terms—Vacancies.** (1) The resolution or petition submitting the ballot proposition shall designate the composition of the board of metropolitan park commissioners from among the alternatives provided under subsections (2) through (4) of this section. The ballot proposition shall clearly describe the designated composition of the board.

(2) The commissioners of the district may be selected by election, in which case at the same election at which the proposition is submitted to the voters as to whether a metropolitan park district is to be formed, five park commissioners shall be elected. The election of park commissioners shall be null and void if the metropolitan park district is not created. Candidates shall run for specific commission positions. No primary shall be held to nominate candidates. The person receiving the greatest number of votes for each position shall be elected as a commissioner. The staggering of the terms of office shall occur as follows: (a) The two persons who are elected receiving the two greatest numbers of votes shall be elected to six-year terms of office if the election is held in an odd-numbered year or five-year terms of office if the election is held in an even-numbered year; (b) the two persons who are elected receiving the next two greatest numbers 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; and (c) the other person who is elected shall be elected to a two-year term of office if the election is held in an odd-numbered year or a one-year term of office if the election is held in an even-numbered year. The initial commissioners shall take office immediately when they are elected and qualified, and for purposes of computing their terms of office the terms shall be assumed to commence on the first day of January in the year after they are elected. Thereafter, all commissioners shall be elected to six-year terms of office. All commissioners shall serve until their respective successors are elected and qualified and assume office in accordance with RCW

29A.60.280. Vacancies shall occur and shall be filled as provided in chapter 42.12 RCW.

(3) In a district wholly located within a city or within the unincorporated area of a county, the governing body of such city or legislative authority of such county may be designated to serve in an ex officio capacity as the board of metropolitan park commissioners, provided that when creation of the district is proposed by citizen petition, the city or county approves by resolution such designation.

(4) Where the proposed district is located within more than one city, more than one county, or any combination of cities and counties, each city governing body and county legislative authority may be designated to collectively serve ex officio as the board of metropolitan park commissioners through selection of one or more members from each to serve as the board, provided that when creation of the district is proposed by citizen petition, each city governing body and county legislative authority approve by resolution such designation. Within six months of the date of certification of election results approving creation of the district, the size and membership of the board shall be determined through interlocal agreement of each city and county. The interlocal agreement shall specify the method for filling vacancies on the board.

(5) Metropolitan park districts created by a vote of the people prior to June 13, 2002, may not change the composition and method of selection of their governing authority without approval of the voters. Should such a change be desired, the board of park commissioners shall submit a ballot proposition to the voters of the metropolitan park district. [2015 c 53 § 44; 2002 c 88 § 5; 1994 c 223 § 23; 1979 ex.s. c 126 § 24; 1965 c 7 § 35.61.050. Prior: 1943 c 264 § 3, part; Rem. Supp. 1943 § 6741-3, part; prior: 1909 c 131 § 2; 1907 c 98 § 3, part; RRS § 6722, part.]

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

**RCW 35.61.090 Elections—Laws governing.** The manner of holding any general or special election in a metropolitan park district shall be in accordance with the general election laws of this state insofar as they are not inconsistent with the provisions of this chapter. [1985 c 416 § 3; 1965 c 7 § 35.61.090. Prior: 1943 c 264 § 3, part; Rem. Supp. 1943 § 6741-3, part; prior: 1909 c 131 § 2; 1907 c 98 § 3, part; RRS § 6722, part.]

*Elections: Title 29A RCW.*

**RCW 35.61.100 Indebtedness limit—Without popular vote.** Every metropolitan park district through its board of commissioners may contract indebtedness and evidence such indebtedness by the issuance and sale of warrants, short-term obligations as provided by chapter 39.50 RCW, or general obligation bonds, for any purposes authorized for such metropolitan park district and the extension and maintenance thereof, not exceeding, together with all other outstanding nonvoter approved general indebtedness, one-quarter of one percent of the value of the taxable property in such metropolitan park district, as the term "value of the taxable property" is defined in RCW 39.36.015. General obligation bonds may not be issued with a maximum term in

excess of the maximum term set forth in chapter 39.46 RCW. Such general obligation bonds must be issued and sold in accordance with chapter 39.46 RCW. [2017 c 215 § 2; 1993 c 247 § 1; 1989 c 319 § 2; 1984 c 186 § 21; 1983 c 61 § 1; 1970 ex.s. c 42 § 14; 1965 c 7 § 35.61.100. Prior: 1943 c 264 § 6; Rem. Supp. 1943 § 6741-6; prior: 1927 c 268 § 1; 1907 c 98 § 6; RRS § 6725.]

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

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

**RCW 35.61.110 Indebtedness limit—With popular vote.** Every metropolitan park district may contract indebtedness not exceeding in amount, together with existing voter-approved indebtedness and nonvoter-approved indebtedness, equal to two and one-half percent of the value of the taxable property in said district, as the term "value of the taxable property" is defined in RCW 39.36.015, whenever three-fifths of the voters voting at an election held in the metropolitan park district assent thereto; the election may be either a special or a general election, and the park commissioners of the metropolitan park district may cause the question of incurring such indebtedness, and issuing negotiable bonds of such metropolitan park district, to be submitted to the qualified voters of the district at any time. [1989 c 319 § 3; 1970 ex.s. c 42 § 15; 1965 c 7 § 35.61.110. Prior: 1943 c 264 § 7; Rem. Supp. 1943 § 6741-7; prior: 1907 c 98 § 7; RRS § 6726.]

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

*Limitations upon indebtedness: State Constitution Art. 7 § 2 (Amendments 55, 59), Art. 8 § 6 (Amendment 27), chapter 39.36 RCW, RCW 84.52.050.*

*Validation requirement: RCW 39.40.010.*

**RCW 35.61.115 Revenue bonds.** A metropolitan park district may issue and sell revenue bonds as provided in chapter 39.46 RCW to be made payable from the operating revenues of the metropolitan park district. [1989 c 319 § 1.]

**RCW 35.61.120 Park commissioners as officers of district—Organization.** (1) The officers of a metropolitan park district must be a board of park commissioners consisting of five members. The board must annually elect one of their number as president and another of their number as clerk of the board.

(2) Notwithstanding the foregoing, when the boundaries of any metropolitan park district are coterminous with the boundaries of a city, and if the governing body of a city is designated to serve in an ex officio capacity as the board, the number of members of the board of park commissioners must be equal to the number of positions on the relevant city governing body as it may be constituted from time to time. [2017 c 215 § 3; 1965 c 7 § 35.61.120. Prior: 1943 c 264 § 4,

part; Rem. Supp. 1943 § 6741-4, part; prior: 1919 c 135 § 1, part; 1907 c 98 § 4; RRS § 6723, part.]

**RCW 35.61.130 Eminent domain—Park commissioners' authority, generally—Prospective staff screening.** (1) A metropolitan park district has the right of eminent domain, and may purchase, acquire and condemn lands lying within or without the boundaries of said park district, for public parks, parkways, boulevards, aviation landings and playgrounds, and may condemn such lands to widen, alter and extend streets, avenues, boulevards, parkways, aviation landings and playgrounds, to enlarge and extend existing parks, and to acquire lands for the establishment of new parks, boulevards, parkways, aviation landings and playgrounds. The right of eminent domain shall be exercised and instituted pursuant to resolution of the board of park commissioners and conducted in the same manner and under the same procedure as is or may be provided by law for the exercise of the power of eminent domain by incorporated cities and towns of the state of Washington in the acquisition of property rights: PROVIDED, HOWEVER, Funds to pay for condemnation allowed by this section shall be raised only as specified in this chapter.

(2) The board of park commissioners shall have power to employ counsel, and to regulate, manage and control the parks, parkways, boulevards, streets, avenues, aviation landings and playgrounds under its control, and to provide for park police, for a secretary of the board of park commissioners and for all necessary employees, to fix their salaries and duties.

(3) The board of park commissioners shall have power to improve, acquire, extend and maintain, open and lay out, parks, parkways, boulevards, avenues, aviation landings and playgrounds, within or without the park district, and to authorize, conduct and manage the letting of boats, or other amusement apparatus, the operation of bath houses, the purchase and sale of foodstuffs or other merchandise, the giving of vocal or instrumental concerts or other entertainments, the establishment and maintenance of aviation landings and playgrounds, and generally the management and conduct of such forms of recreation or business as it shall judge desirable or beneficial for the public, or for the production of revenue for expenditure for park purposes; and may pay out moneys for the maintenance and improvement of any such parks, parkways, boulevards, avenues, aviation landings and playgrounds as now exist, or may hereafter be acquired, within or without the limits of said city and for the purchase of lands within or without the limits of said city, whenever it deems the purchase to be for the benefit of the public and for the interest of the park district, and for the maintenance and improvement thereof and for all expenses incidental to its duties: PROVIDED, That all parks, boulevards, parkways, aviation landings and playgrounds shall be subject to the police regulations of the city within whose limits they lie.

(4) (a) For the purpose of receiving criminal history record information by metropolitan park districts, metropolitan park districts:

(i) Shall establish by resolution the requirements for a state and federal record check of park district employees, applicants for employment, volunteers, vendors, and independent contractors, who, in

the course of their work or volunteer activity with the park district, may:

(A) Have unsupervised access to children, persons with developmental disabilities, or vulnerable adults; or

(B) Be responsible for collecting or disbursing cash or processing credit/debit card transactions; and

(ii) May require a criminal background check conducted through a private organization of park district employees, applicants for employment, volunteers, vendors, and independent contractors, who, in the course of their work or volunteer activity with the park district, may have unsupervised access to children, persons with developmental disabilities, or vulnerable adults. A background check conducted through a private organization under this subsection is not required in addition to the requirement under (a)(i) of this subsection.

(b) The investigation under (a)(i) of this subsection shall consist of a background check as allowed through the Washington state patrol criminal identification system under RCW 43.43.830 through 43.43.834, the Washington state criminal records act under RCW 10.97.030 and 10.97.050, and the federal bureau of investigation.

(c) The background checks conducted under (a)(i) of this subsection must be done through the Washington state patrol identification and criminal history section and may include a national check from the federal bureau of investigation, which shall be through the submission of fingerprints. The Washington state patrol shall serve as the sole source for receipt of fingerprint submissions and the responses to the submissions from the federal bureau of investigation, which must be disseminated to the metropolitan park district.

(d) The park district shall provide a copy of the record report to the employee, prospective employee, volunteer, vendor, or independent contractor.

(e) When necessary, as determined by the park district, prospective employees, volunteers, vendors, or independent contractors may be employed on a conditional basis pending completion of the investigation.

(f) If the employee, prospective employee, volunteer, vendor, or independent contractor has had a record check within the previous twelve months, the park district may waive the requirement upon receiving a copy of the record.

(g) For background checks conducted pursuant to (c) of this subsection, the metropolitan park district must transmit appropriate fees, as the Washington state patrol may require under RCW 10.97.100 and 43.43.838, to the Washington state patrol, unless alternately arranged.

(h) The authority for background checks outlined in this section is in addition to any other authority for such checks provided by law. [2017 c 332 § 4; 2006 c 222 § 1; 1969 c 54 § 1; 1965 c 7 § 35.61.130. Prior: (i) 1943 c 264 § 4, part; Rem. Supp. 1943 § 6741-4, part; prior: 1919 c 135 § 1, part; 1907 c 98 § 4; RRS § 6723, part. (ii) 1943 c 264 § 14; Rem. Supp. 1943 § 6741-14; prior: 1919 c 135 § 2; 1907 c 98 § 14; RRS § 6733.]

*Outdoor recreation land acquisition or improvement under marine recreation land act: Chapter 79A.25 RCW.*

**RCW 35.61.132 Disposition of surplus property.** Every metropolitan park district may, by unanimous decision of its board of park commissioners, sell, exchange, or otherwise dispose of any real or personal property acquired for park or recreational purposes when such property is declared surplus for park or other recreational purposes: PROVIDED, That where the property is acquired by donation or dedication for park or recreational purposes, the consent of the donor or dedicator, his or her heirs, successors, or assigns is first obtained if the consent of the donor is required in the instrument conveying the property to the metropolitan park district. In the event the donor or dedicator, his or her heirs, successors, or assigns cannot be located after a reasonable search, the metropolitan park district may petition the superior court in the county where the property is located for approval of the sale. If sold, all sales shall be by public bids and sale made only to the highest and best bidder. [1989 c 319 § 4; (2005 c 4 § 1 expired December 31, 2006); 1965 c 7 § 35.61.132. Prior: 1959 c 93 § 1.]

**Expiration date—2005 c 4 § 1:** "Section 1 of this act expires December 31, 2006." [2005 c 4 § 2.]

**RCW 35.61.133 Executory conditional sales contracts for purchase of property—Limit on indebtedness—Election, when.** See RCW 39.30.010.

**RCW 35.61.135 Contracts—Competitive bidding—Small works roster—Exemption. (Effective until July 1, 2024.)** (1) All work ordered, the estimated cost of which is in excess of twenty thousand dollars, shall be let by contract and competitive bidding. Before awarding any such contract the board of park commissioners shall publish a notice in a newspaper of general circulation where the district is located at least once thirteen days before the last date upon which bids will be received, inviting sealed proposals for such work, plans, and specifications which must at the time of publication of such notice be on file in the office of the board of park commissioners subject to the public inspection. The notice shall state generally the work to be done and shall call for proposals for doing the same to be sealed and filed with the board of park commissioners on or before the day and hour named therein.

Each bid shall be accompanied by a certified or cashier's check or postal money order payable to the order of the metropolitan park district for a sum not less than five percent of the amount of the bid, or accompanied by a bid bond in an amount not less than five percent of the bid with a corporate surety licensed to do business in the state, conditioned that the bidder will pay the metropolitan park district as liquidated damages the amount specified in the bond, unless the bidder enters into a contract in accordance with the bidder's bid, and no bid shall be considered unless accompanied by such check, cash, or bid bond. At the time and place named such bids shall be publicly opened and read and the board of park commissioners shall proceed to canvass the bids and may let such contract to the lowest responsible bidder upon plans and specifications on file or to the best bidder submitting the bidder's own plans and specifications. The board of park commissioners may reject all bids for good cause and readvertise and in such case all checks, cash, or bid bonds shall be

returned to the bidders. If the contract is let, then all checks, cash, or bid bonds shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract is entered into for doing the work, and a bond to perform such work furnished with sureties satisfactory to the board of park commissioners in the full amount of the contract price between the bidder and the metropolitan park district in accordance with the bid. If the bidder fails to enter into the contract in accordance with the bid and furnish the bond within ten days from the date at which the bidder is notified that the bidder is the successful bidder, the check, cash, or bid bonds and the amount thereof shall be forfeited to the metropolitan park district. If the bidder fails to enter into a contract in accordance with the bidder's bid, and the board of park commissioners deems it necessary to take legal action to collect on any bid bond required by this section, then the metropolitan park district is entitled to collect from the bidder any legal expenses, including reasonable attorneys' fees occasioned thereby. A low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same project if a second or subsequent call for bids is made for the project.

(2) As an alternative to requirements under subsection (1) of this section, a metropolitan park district may let contracts using the small works roster process under RCW 39.04.155.

(3) Any purchase of materials, supplies, or equipment, with an estimated cost in excess of forty thousand dollars, shall be by contract. Any purchase of materials, supplies, or equipment, with an estimated cost of less than fifty thousand dollars shall be made using the process provided in RCW 39.04.190. Any purchase of materials, supplies, or equipment with an estimated cost of fifty thousand dollars or more shall be made by competitive bidding following the procedure for letting contracts for projects under subsection (1) of this section.

(4) As an alternative to requirements under subsection (3) of this section, a metropolitan park district may let contracts for purchase of materials, supplies, or equipment with the suppliers designated on current state agency, county, city, or town purchasing rosters for the materials, supplies, or equipment, when the roster has been established in accordance with the competitive bidding law for purchases applicable to the state agency, county, city, or town. The price and terms for purchases shall be as described on the applicable roster.

(5) The park board may waive the competitive bidding requirements of this section pursuant to RCW 39.04.280 if an exemption contained within RCW 39.04.280 applies to the purchase or public work. [2009 c 229 § 10; 2001 c 29 § 1.]

**RCW 35.61.135 Contracts—Competitive bidding—Small works roster—Exemption. (Effective July 1, 2024.)** (1) All work ordered, the estimated cost of which is in excess of \$20,000, shall be let by contract and competitive bidding. Before awarding any such contract the board of park commissioners shall publish a notice in a newspaper of general circulation where the district is located at least once 13 days before the last date upon which bids will be received, inviting sealed proposals for such work, plans, and specifications which must at the time of publication of such notice be on file in the office of

the board of park commissioners subject to the public inspection. The notice shall state generally the work to be done and shall call for proposals for doing the same to be sealed and filed with the board of park commissioners on or before the day and hour named therein.

Each bid shall be accompanied by a certified or cashier's check or postal money order payable to the order of the metropolitan park district for a sum not less than five percent of the amount of the bid, or accompanied by a bid bond in an amount not less than five percent of the bid with a corporate surety licensed to do business in the state, conditioned that the bidder will pay the metropolitan park district as liquidated damages the amount specified in the bond, unless the bidder enters into a contract in accordance with the bidder's bid, and no bid shall be considered unless accompanied by such check, cash, or bid bond. At the time and place named such bids shall be publicly opened and read and the board of park commissioners shall proceed to canvass the bids and may let such contract to the lowest responsible bidder upon plans and specifications on file or to the best bidder submitting the bidder's own plans and specifications. The board of park commissioners may reject all bids for good cause and readvertise and in such case all checks, cash, or bid bonds shall be returned to the bidders. If the contract is let, then all checks, cash, or bid bonds shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract is entered into for doing the work, and a bond to perform such work furnished with sureties satisfactory to the board of park commissioners in the full amount of the contract price between the bidder and the metropolitan park district in accordance with the bid. If the bidder fails to enter into the contract in accordance with the bid and furnish the bond within ten days from the date at which the bidder is notified that the bidder is the successful bidder, the check, cash, or bid bonds and the amount thereof shall be forfeited to the metropolitan park district. If the bidder fails to enter into a contract in accordance with the bidder's bid, and the board of park commissioners deems it necessary to take legal action to collect on any bid bond required by this section, then the metropolitan park district is entitled to collect from the bidder any legal expenses, including reasonable attorneys' fees occasioned thereby. A low bidder who claims error and fails to enter into a contract is prohibited from bidding on the same project if a second or subsequent call for bids is made for the project.

(2) As an alternative to requirements under subsection (1) of this section, a metropolitan park district may let contracts using the small works roster process under RCW 39.04.151 through 39.04.154.

(3) Any purchase of materials, supplies, or equipment, with an estimated cost in excess of \$40,000, shall be by contract. Any purchase of materials, supplies, or equipment, with an estimated cost of less than \$50,000 shall be made using the process provided in RCW 39.04.190. Any purchase of materials, supplies, or equipment with an estimated cost of \$50,000 or more shall be made by competitive bidding following the procedure for letting contracts for projects under subsection (1) of this section.

(4) As an alternative to requirements under subsection (3) of this section, a metropolitan park district may let contracts for purchase of materials, supplies, or equipment with the suppliers designated on current state agency, county, city, or town purchasing rosters for the materials, supplies, or equipment, when the roster has been established in accordance with the competitive bidding law for

purchases applicable to the state agency, county, city, or town. The price and terms for purchases shall be as described on the applicable roster.

(5) The park board may waive the competitive bidding requirements of this section pursuant to RCW 39.04.280 if an exemption contained within RCW 39.04.280 applies to the purchase or public work. [2023 c 395 § 22; 2009 c 229 § 10; 2001 c 29 § 1.]

**Effective date—2023 c 395 §§ 1-30, 32-34, 36, and 37:** See note following RCW 39.04.010.

**Findings—Intent—2023 c 395:** See note following RCW 39.04.010.

**RCW 35.61.137 Community revitalization financing—Public improvements.** In addition to other authority that a metropolitan park district possesses, a metropolitan park 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 metropolitan park district to otherwise participate in the public improvements if that authority exists elsewhere. [2001 c 212 § 12.]

**RCW 35.61.140 Park commissioners—Civil service for employees.** A metropolitan park district may establish civil service for its employees by resolution upon the following plan:

(1) It shall create a civil service commission with authority to appoint a personnel officer and to make rules and regulations for classification based upon suitable differences in pay for differences in work, and for like pay for like work, and for competitive entrance and promotional examinations; for certifications, appointments, probationary service periods and for dismissals therein; for demotions and promotions based upon merit and for reemployments, suspensions, transfers, sick leaves and vacations; for lay-offs when necessary according to seniority; for separations from the service by discharge for cause; for hearings and reinstatements, for establishing status for incumbent employees, and for prescribing penalties for violations.

(2) The civil service commission and personnel officer shall adopt rules to be known as civil service rules to govern the administration of personnel transactions and procedure. The rules so adopted shall have the force and effect of law, and, in any and all proceedings, the rules shall be liberally interpreted and construed to the end that the purposes and basic requirements of the civil service system may be given the fullest force and effect. [1965 c 7 § 35.61.140. Prior: 1943 c 264 § 4, part; Rem. Supp. 1943 § 6741-4, part; prior: 1919 c 135 § 1, part; 1907 c 98 § 4; RRS § 6723, part.]

*Public employment, civil service and pensions: Title 41 RCW.*

**RCW 35.61.150 Park commissioners—Compensation.** (1) Metropolitan park commissioners selected by election according to RCW 35.61.050(2) shall perform their duties and may provide, by resolution passed by the commissioners, for the payment of compensation to each

of its commissioners at a rate up to the daily compensation maximum amount provided in subsection (3) of this section for each day or portion of a day spent in actual attendance at official meetings or in performance of other official services or duties on behalf of the district. However, the compensation for each commissioner must not exceed the annual compensation maximum amount provided in subsection (3) of this section per year.

(2) Any commissioner may waive all or any portion of his or her compensation payable under this section as to any month or months during his or her term of office, by a written waiver filed with the clerk of the board. The waiver, to be effective, must be filed any time after the commissioner's election and prior to the date on which the compensation would otherwise be paid. The waiver shall specify the month or period of months for which it is made.

(3) (a) For purposes of the references in subsection (1) of this section, the daily compensation maximum amount is one hundred twenty-eight dollars and the annual compensation maximum amount is twelve thousand two hundred eighty-eight dollars. However, for any metropolitan park district with facilities including an aquarium, a wildlife park, and a zoo, accredited by a nationally recognized accrediting agency, the annual compensation maximum amount is twenty-four thousand five hundred seventy-six dollars.

(b) The dollar thresholds established in this subsection (3) must be adjusted for inflation by the office of financial management every five years, beginning January 1, 2024, based upon changes in the consumer price index during that time period. "Consumer price index" means, for any calendar year, that year's annual average consumer price index, for Washington state, for wage earners and clerical workers, all items, compiled by the bureau of labor and statistics, United States department of labor. If the bureau of labor and statistics develops more than one consumer price index for areas within the state, the index covering the greatest number of people, covering areas exclusively within the boundaries of the state, and including all items shall be used for the adjustments for inflation in this section. The office of financial management must calculate the new dollar threshold and transmit it to the office of the code reviser for publication in the Washington State Register at least one month before the new dollar threshold is to take effect.

(4) A person holding office as commissioner for two or more special purpose districts shall receive only that per diem compensation authorized for one of his or her commissioner positions as compensation for attending an official meeting or conducting official services or duties while representing more than one of his or her districts. However, such commissioner may receive additional per diem compensation if approved by resolution of all boards of the affected commissions. [2020 c 83 § 1; 2019 c 198 § 1; 2007 c 469 § 1; 2002 c 88 § 6; 1998 c 121 § 1; 1965 c 7 § 35.61.150. Prior: 1943 c 264 § 3, part; Rem. Supp. 1943 § 6741-3, part; prior: 1909 c 131 § 2; 1907 c 98 § 3, part; RRS § 6722, part.]

**RCW 35.61.180 Designation of district treasurer.** (1) The county treasurer of the county within which all, or the major portion, of the district lies must be the ex officio treasurer of a metropolitan park district, but may receive no compensation other than his or her regular salary for receiving and disbursing the funds of a metropolitan park district.

(2) A metropolitan park district may designate someone other than the county treasurer who has experience in financial or fiscal affairs to act as the district treasurer if the board has received the approval of the county treasurer to designate this person; or if the district boundaries are coterminous with the boundaries of a city, the city may act as the district treasurer. If the board designates someone other than a county or city treasurer to act as the district treasurer, the board must purchase a bond from a surety company operating in the state that is sufficient to protect the district from loss. [2017 c 215 § 7; 1987 c 203 § 1; 1983 c 167 § 55; 1965 c 7 § 35.61.180. Prior: 1943 c 264 § 13; Rem. Supp. 1943 § 6741-13; prior: 1907 c 98 § 13; RRS § 6732.]

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

**RCW 35.61.190 Park district bonds—Retirement.** Whenever there is money in the metropolitan park district fund and the commissioners of the park district deem it advisable to apply any part thereof to the payment of bonded indebtedness, they shall advertise in a newspaper of general circulation within the park district for the presentation to them for payment of as many bonds as they may desire to pay with the funds on hand, the bonds to be paid in numerical order, beginning with the lowest number outstanding and called by number.

Thirty days after the first publication of the notice by the board calling in bonds they shall cease to bear interest, and this shall be stated in the notice. [1985 c 469 § 33; 1965 c 7 § 35.61.190. Prior: 1943 c 264 § 11; Rem. Supp. 1943 § 6741-11; prior: 1907 c 98 § 11; RRS § 6730.]

**RCW 35.61.200 Park district bonds—Payment of interest.** Any coupons for the payment of interest on metropolitan park district bonds shall be considered for all purposes as warrants drawn upon the metropolitan park district fund against which the bonds were issued, and when presented after maturity to the treasurer of the county having custody of the fund. If there are no funds in the treasury to pay the coupons, the county treasurer shall endorse said coupons as presented for payment, in the same manner as county warrants are endorsed, and thereafter the coupon shall bear interest at the same rate as the bond to which it was attached. If there are no funds in the treasury to make payment on a bond not having coupons, the interest payment shall continue bearing interest at the bond rate until it is paid, unless otherwise provided in the proceedings authorizing the sale of the bonds. [1983 c 167 § 56; 1965 c 7 § 35.61.200. Prior: 1943 c 264 § 12; Rem. Supp. 1943 § 6741-12; prior: 1907 c 98 § 12; RRS § 6731.]

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

**RCW 35.61.210 Park district tax levy—Metropolitan park district fund.** (1) The board of park commissioners may levy or cause to be

levied a general tax on all the property located in said park district each year not to exceed fifty cents per thousand dollars of assessed value of the property in such park district. In addition, the board of park commissioners may levy or cause to be levied a general tax on all property located in said park district each year not to exceed twenty-five cents per thousand dollars of assessed valuation. Although park districts are authorized to impose two separate regular property tax levies, the levies are considered to be a single levy for purposes of the limitation provided for in chapter 84.55 RCW.

(2) The maximum levy rate of a metropolitan park district formed subject to the limitations set forth in RCW 35.61.020(5) must be the levy rate set forth in the ballot proposition. At any time after the initial formation of a district subject to a limitation under RCW 35.61.020(5), the board of metropolitan park commissioners may submit to the voters of the district at a general or special election a proposition to alter such maximum regular levy rate, which proposition becomes effective only upon approval by a majority of the votes cast on the proposition. The limitations provided in chapter 84.55 RCW do not apply in the first year after the approval of any proposition under this subsection.

(3) The board is hereby authorized to levy a general tax in excess of its regular property tax levy or levies when authorized so to do at a special election conducted in accordance with and subject to all the requirements of the Constitution and laws of the state now in force or hereafter enacted governing the limitation of tax levies. The board is hereby authorized to call a special election for the purpose of submitting to the qualified voters of the park district a proposition to levy a tax in excess of the regular levy rates authorized for the district under subsection (1) or (2) of this section. The manner of submitting any such proposition, of certifying the same, and of giving or publishing notice thereof, must be as provided by law for the submission of propositions by cities, towns, or counties.

(4) The board must include in its general tax levy for each year a sufficient sum to pay the interest on all outstanding bonds and may include a sufficient amount to create a sinking fund for the redemption of all outstanding bonds. The levy must be certified to the proper county officials for collection the same as other general taxes and, for any metropolitan park district for which the county treasurer serves as the ex officio treasurer, when collected, the general tax must be placed in a separate fund in the office of the county treasurer to be known as the "metropolitan park district fund" and disbursed under RCW \*36.29.010(1) and 39.58.750. [2017 c 215 § 4; 2007 c 295 § 1; 1997 c 3 § 205 (Referendum Bill No. 47, approved November 4, 1997); 1990 c 234 § 3; 1973 1st ex.s. c 195 § 25; 1965 c 7 § 35.61.210. Prior: 1951 c 179 § 1; prior: (i) 1943 c 264 § 10, part; Rem. Supp. 1943 § 6741-10, part; prior: 1909 c 131 § 4; 1907 c 98 § 10; RRS § 6729. (ii) 1947 c 117 § 1; 1943 c 264 § 5; Rem. Supp. 1947 § 6741-5; prior: 1925 ex.s. c 97 § 1; 1907 c 98 § 5; RRS § 6724.]

**\*Reviser's note:** RCW 36.29.010 was amended by 2023 c 75 § 1, changing subsection (1) to subsection (1)(a).

**Intent—1997 c 3 §§ 201-207:** See note following RCW 84.55.010.

**Application—Severability—Part headings not law—Referral to electorate—1997 c 3:** See notes following RCW 84.40.030.

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

*Limitation on levies: State Constitution Art. 7 § 2 (Amendments 55, 59), RCW 84.52.050.*

**RCW 35.61.220 Petition for improvements on assessment plan.** If at any time any proposed improvement of any parkway, avenue, street, or boulevard is deemed by the board of metropolitan park commissioners to be a special benefit to the lands adjoining, contiguous, approximate to or in the neighborhood of the proposed improvement, which lie within the city, the board may so declare, describing the property to be benefited. Thereupon they may petition the city council to cause the improvement contemplated by the commissioners to be done and made on the local assessment plan, and the portion of the cost of the improvement as fixed by such assessment roll to be assessed against the said property so benefited in the same manner and under the same procedure as of other local improvements, and the remainder of the cost of such improvement to be paid out of the metropolitan park district fund.

The board of park commissioners shall designate the kind, manner and style of the improvement to be made, and may designate the time within which it shall be made. [1965 c 7 § 35.61.220. Prior: 1943 c 264 § 15; Rem. Supp. 1943 § 6741-15; prior: 1909 c 131 § 5; 1907 c 98 § 15; RRS § 6734.]

*Local improvements, supplemental authority: Chapter 35.51 RCW.*

**RCW 35.61.230 Objections—Appeal.** Any person, firm or corporation feeling aggrieved by the assessment against his or her or its property may file objections with the city council and may appeal from the order confirming the assessment roll in the same manner as objections and appeals are made in regard to local improvements in cities of the first class. [2009 c 549 § 2112; 1965 c 7 § 35.61.230. Prior: 1943 c 264 § 16; Rem. Supp. 1943 § 6741-16; prior: 1907 c 98 § 17; RRS § 6736.]

*Appeal of assessments and reassessments: RCW 35.44.200 through 35.44.270.*

**RCW 35.61.240 Assessment lien—Collection.** The assessment for local improvements authorized by this chapter shall become a lien in the same manner, and be governed by the same law, as is provided for local assessments in cities of the first class and be collected as such assessments are collected. [1965 c 7 § 35.61.240. Prior: 1943 c 264 § 17; Rem. Supp. 1943 § 6741-17; prior: 1907 c 98 § 18; RRS § 6737.]

*Collection and foreclosure of assessments: Chapters 35.49, 35.50 RCW.*

**RCW 35.61.250 Territorial annexation—Authority—Petition.** The territory adjoining a metropolitan park district may be annexed to and

become a part thereof upon petition and an election held pursuant thereto. The petition shall define the territory proposed to be annexed and must be signed by twenty-five registered voters, resident within the territory proposed to be annexed, unless the territory is within the limits of another city when it must be signed by twenty percent of the registered voters residing within the territory proposed to be annexed. The petition must be addressed to the board of park commissioners requesting that the question be submitted to the legal voters of the territory proposed to be annexed, whether they will be annexed and become a part of the park district. [1985 c 416 § 4; 1965 c 7 § 35.61.250. Prior: 1943 c 264 § 20, part; Rem. Supp. 1943 § 6741-20, part; prior: 1907 c 98 § 20, part; RRS § 6739, part.]

**RCW 35.61.260 Territorial annexation—Hearing on petition.** Upon the filing of an annexation petition with the board of park commissioners, if the commissioners concur in the petition, they shall provide for a hearing to be held for the discussion of the proposed annexation at the office of the board of park commissioners, and shall give due notice thereof by publication at least once a week for two consecutive weeks before the hearing in a newspaper of general circulation in the park district. [1985 c 469 § 34; 1965 c 7 § 35.61.260. Prior: 1943 c 264 § 20, part; Rem. Supp. 1943 § 6741-20, part; prior: 1907 c 98 § 20, part; RRS § 6739, part.]

**RCW 35.61.270 Territorial annexation—Election—Method.** If the park commissioners concur in the petition, they shall cause the proposal to be submitted to the electors of the territory proposed to be annexed, at an election to be held in the territory, which shall be called, canvassed and conducted in accordance with the general election laws. The board of park commissioners by resolution shall fix a time for the holding of the election to determine the question of annexation, and in addition to the notice required by RCW 29A.52.355 shall give notice thereof by causing notice to be published once a week for two consecutive weeks in a newspaper of general circulation in the park district, and by posting notices in five public places within the territory proposed to be annexed in the district.

The ballot to be used at the election shall be in the following form:

- "For annexation to metropolitan park district."
- "Against annexation to metropolitan park district."

[2015 c 53 § 45; 1985 c 469 § 35; 1965 c 7 § 35.61.270. Prior: 1943 c 264 § 20, part; Rem. Supp. 1943 § 6741-20, part; prior: 1907 c 98 § 20, part; RRS § 6739, part.]

*Canvassing returns, generally: Chapter 29A.60 RCW.*

*Conduct of elections—Canvass: RCW 29A.60.010.*

*Times for holding elections: RCW 29A.04.311 through 29A.04.330.*

**RCW 35.61.275 Territorial annexation—Park district containing city with population over one hundred thousand—Assumption of**

**indebtedness.** The board of park commissioners of any metropolitan park district which includes a city with a population greater than one hundred thousand may submit to the electorate of the territory sought to be annexed a proposition that all property within the area annexed shall, upon annexation, be assessed and taxed at the same rate and on the same basis as the property of such annexing metropolitan park district to pay for all or any portion of the then outstanding indebtedness of the metropolitan park district. [1989 c 319 § 6.]

**RCW 35.61.280 Territorial annexation—Election—Result.** The canvassing authority shall cause a statement of the result of such election to be forwarded to the board of park commissioners for entry on the record of the board. If the majority of the votes cast upon that question at the election shall favor annexation, the territory shall immediately become annexed to the park district, and shall thenceforth be a part of the park district, the same as though originally included in the district. The expense of such election shall be paid out of park district funds. [1965 c 7 § 35.61.280. Prior: (i) 1943 c 264 § 20, part; Rem. Supp. 1943 § 6741-20, part; prior: 1907 c 98 § 20, part; RRS § 6739, part. (ii) 1943 c 264 § 21; Rem. Supp. 1943 § 6741-21; prior: 1907 c 98 § 21; RRS § 6740.]

**RCW 35.61.290 Transfer of property by city, county, or other municipal corporation—Emergency grant or loan of funds by city.** (1) Any city within or comprising any metropolitan park district may turn over to the park district any lands that it may own, or any street, avenue, or public place within the city for playground, park, or other purposes authorized for such district, and thereafter its control and management must vest in the board of park commissioners. However, the police regulations of such city apply to all such premises.

(2) At any time that any such metropolitan park district is unable, through lack of sufficient funds, to provide for the continuous operation, maintenance and improvement of the parks and playgrounds and other properties or facilities owned by it or under its control, and the legislative body of any city within or comprising such metropolitan park district must determine that an emergency exists requiring the financial aid of such city to be extended in order to provide for such continuous operation, maintenance and/or improvement of parks, playgrounds facilities, other properties, and programs of such park district within its limits, such city may grant or loan to such metropolitan park district such of its available funds, or such funds that it may lawfully procure and make available, as it finds necessary to provide for such continuous operation and maintenance and, pursuant thereto, any such city and the board of park commissioners of such district are authorized and empowered to enter into an agreement embodying such terms and conditions of any such grant or loan as may be mutually agreed upon.

(3) The board of metropolitan park commissioners may accept public streets of the city and grounds for public purposes when donated for park, playground, boulevard, and other park purposes authorized for such district.

(4) Counties, cities, and other municipal corporations, including but not limited to park and recreation districts operating under chapter 36.69 RCW, may enter into agreements with metropolitan park

districts to transfer to one another, with or without consideration therefor, any lands, facilities, equipment, other interests in real or personal property, or interests under contracts, leases, or similar agreements. The board of metropolitan park commissioners may accept and may make, for metropolitan park district purposes, such transfers of lands, facilities, equipment, other interests in real or personal property, and interests under contracts, leases, or similar agreements. [2017 c 215 § 5; 2005 c 226 § 1; 1985 c 416 § 5; 1965 c 7 § 35.61.290. Prior: 1953 c 194 § 1. Formerly: (i) 1943 c 264 § 18; Rem. Supp. 1943 § 6741-18; prior: 1907 c 98 § 16; RRS § 6735. (ii) 1943 c 264 § 19; Rem. Supp. 1943 § 6741-19; prior: 1907 c 98 § 19; RRS § 6738.]

**Application—2005 c 226:** "Sections 1 through 3 of this act apply retroactively to metropolitan park district elections occurring on or after May 1, 2004." [2005 c 226 § 4.]

**Effective date—2005 c 226:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 28, 2005]." [2005 c 226 § 5.]

**RCW 35.61.300 Transfer of property by city, county, or other municipal corporation—Assumption of indebtedness—Issuance of refunding bonds.** (1) When any metropolitan park district is formed pursuant to this chapter and assumes control of the parks, parkways, boulevards, and park property of the city in which said park district is created, or the metropolitan park district accepts, pursuant to RCW 35.61.290, any lands, facilities, equipment, other interests in real or personal property, or interests under contracts, leases, or similar agreements from a county or other municipal corporation (including but not limited to a park and recreation district operating under chapter 36.69 RCW), such metropolitan park district may assume all existing indebtedness, bonded or otherwise, incurred in relation to the transferred property or interest, in which case it shall arrange by taxation or issuing bonds, as herein provided, for the payment of such indebtedness, and shall relieve such city, county, or municipal corporation from such payment.

(2) A metropolitan park district is hereby given authority to issue refunding bonds when necessary, subject to chapters 39.36 and 39.53 RCW, in order to enable it to comply with this section.

(3) (a) In addition, refunding bonds issued under subsection (2) of this section for the purpose of assuming existing voter-approved indebtedness may be issued, by majority vote of the commissioners, as voter-approved indebtedness, if:

(i) The boundaries of the metropolitan park district are identical to the boundaries of the taxing district in which voter approval was originally obtained;

(ii) The governing body of the original taxing district has adopted a resolution declaring its intent to dissolve its operations and has named the metropolitan park district as its successor; and

(iii) The requisite number of voters of the original taxing district approved issuance of the indebtedness and the levy of excess taxes to pay and retire that indebtedness.

(b) A metropolitan park district acting under this subsection (3) is deemed the successor to the original taxing district and any refunding bonds issued under this subsection (3) constitute voter-approved indebtedness. The metropolitan park district shall levy and collect annual property taxes in excess of the district's regular property tax levy, in an amount sufficient to pay and retire the principal of and interest on those refunding bonds. [2005 c 226 § 2; 1985 c 416 § 6; 1965 c 7 § 35.61.300. Prior: 1943 c 264 § 22; Rem. Supp. 1943 § 6741-22; prior: 1907 c 98 § 22; RRS § 6741.]

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

**RCW 35.61.310 Dissolution.** A board of commissioners of a metropolitan park district may, upon a majority vote of all its members, dissolve in its entirety any metropolitan park district, prorate the liabilities thereof, and turn over to the city and/or county so much of the district as is respectively located therein, when:

(1) Such city and/or county, through its governing officials, agrees to, and petitions for, such dissolution and the assumption of such assets and liabilities; or

(2) Ten percent of the voters of such city and/or county who voted at the last general election petition the governing officials for such a vote. [2019 c 138 § 3; 1965 c 7 § 35.61.310. Prior: 1953 c 269 § 1.]

*Dissolution of special districts: Chapters 36.96 and 53.48 RCW.*

**RCW 35.61.315 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 35.61.350 Moorage facilities—Regulations authorized—Port charges, delinquency—Abandoned vessels, public sale.** See RCW 53.08.310 and 53.08.320.

**RCW 35.61.360 Withdrawal or reannexation of areas.** (1) As provided in this section, a metropolitan park district may withdraw areas from its boundaries, or reannex areas into the metropolitan park district that previously had been withdrawn from the metropolitan park district under this section.

(2) The withdrawal of an area shall be authorized upon: (a) Adoption of a resolution by the park district commissioners requesting the withdrawal and finding that, in the opinion of the commissioners, inclusion of this area within the metropolitan park district will result in a reduction of the district's tax levy rate under the provisions of RCW 84.52.010; and (b) adoption of a resolution by the city or town council approving the withdrawal, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the withdrawal, if the area is located outside of a city or

town. A withdrawal shall be effective at the end of the day on the thirty-first day of December in the year in which the resolutions are adopted, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution.

The withdrawal of an area from the boundaries of a metropolitan park district shall not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the metropolitan park district existing at the time of the withdrawal.

(3) An area that has been withdrawn from the boundaries of a metropolitan park district under this section may be reannexed into the metropolitan park district upon: (a) Adoption of a resolution by the park district commissioners proposing the reannexation; and (b) adoption of a resolution by the city or town council approving the reannexation, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the reannexation, if the area is located outside of a city or town. The reannexation shall be 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 shall be established immediately upon the adoption of the second resolution. 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 city or town council, or county legislative authority, 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.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall 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 shall authorize the reannexation. [2006 c 344 § 24; 1987 c 138 § 2.]

**Effective date—2006 c 344 §§ 1-16 and 18-40:** See note following RCW 29A.04.311.

**RCW 35.61.365 Withdrawal or reannexation by a city, town, or county—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 metropolitan park 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.

(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, 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 metropolitan park 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 metropolitan park district does not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the metropolitan park district existing at the time of the withdrawal.

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

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

(ii) Adoption of a resolution by the metropolitan park 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 metropolitan park 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 metropolitan park district formed under this chapter. [2019 c 138 § 4.]

**RCW 35.61.370 Park district containing city with population over one hundred thousand—May commission police officers.** A metropolitan park district which contains a city with a population greater than one hundred thousand may commission its own police officers with full police powers to enforce the laws and regulations of the city or county on metropolitan park district property. Police officers initially employed after June 30, 1989, pursuant to this section shall be required to successfully complete basic law enforcement training in accordance with chapter 43.101 RCW. [1989 c 319 § 5.]

**RCW 35.61.380 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 metropolitan park district. [2009 c 467 § 5.]

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