

# Special Purpose Districts



in Washington State

## Special Purpose Districts in Washington

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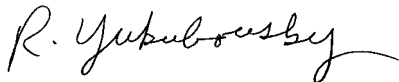
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# Preface

Special districts are local governments that enable citizens to obtain a variety of services not otherwise available from a city, town, or county. Since statehood, the Washington legislature authorized more than 80 different kinds of special purpose districts through a labyrinth of statutes. There are many variations in governmental form, finance, and operation. The public may be aware of the existence of major districts such as fire or school districts, but many districts are almost invisible. Few citizens understand the richness and complexity of special districts. It is easy to get confused by the multiplicity and variety of the local government pattern.

This publication provides an overview of special purpose districts in Washington State. The intent is to remove some of the mystery, raise visibility, and create a more orderly approach to looking at special district governance. Brief summaries of the structure, function, and authority of each type of district are provided. Since each special purpose district has a unique set of statutes with many exceptions and few commonalities, it is not possible to make many general statements about the nature of special districts. The text of this publication is supplemented by additional information on MRSC's Web site at [www.mrsc.org](http://www.mrsc.org).

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# 1 Overview of Washington Special Purpose Districts

In Washington, special purpose districts are limited purpose local governments separate from a city, town, or county government. Generally they perform a single function, though some perform a limited number of functions. They provide an array of services and facilities including electricity, fire protection, flood control, health, housing, irrigation, parks and recreation, library, water-sewer service, and more recently, public transportation, stadiums, convention centers, and entertainment facilities. Special districts provide a means for citizens to obtain these services for a specific geographic area when they are not otherwise available from a city or county. Because special purpose districts are authorized by a labyrinth of statutes passed since statehood, and there are many variations in governmental form, special districts are not well understood. Some entities are well known by name, such as the Timberland Regional Library or Safeco Field where the Seattle Mariners play, but the general public probably does not know that one is a library district and the other is a public facilities district. Lesser known districts are nearly invisible to the public as units of government.

Over the years, the Washington legislature enabled more than 80 different special purpose districts.<sup>1</sup> Authority for some districts has been repealed, some special district statutes have consolidated, and most all have been amended to accommodate changing conditions.

Most special purpose districts exist in the unincorporated portions of counties. Many district statutes allow the inclusion of cities and towns by the passage of a resolution of their councils or by annexation. Some districts have provisions for a county-wide district where boundaries are coterminous with those of the county. A few districts have specific statutes to cover formation and operation in more than one county, while others provide for interlocal cooperation agreements.

The purpose of this paper is to provide an overview of special purpose districts in Washington. The intent is to remove some of the mystery, raise visibility, and create a more orderly approach to looking at special district governance. Brief summaries of the structure, function, and authority of each type of district are provided. Since each special purpose district has a unique set of statutes with many exceptions and few commonalities, it is not possible to make many general statements about the nature of special districts.

Little has been published on special purpose districts in Washington. The last major descriptive overview was published in 1963 by the predecessor of Municipal Research and Services.<sup>2</sup> The Local Governance Study Commission, created in 1985, published a two-part study of local governance in Washington in 1988 as part of its mandate.<sup>3</sup> The final report contained an analysis of current problems of local governments, including special districts, with recommendations for potential solutions. Also in 1988, the Legislative Budget Committee published a limited review, mandated by Ch. 298 Laws of 1987, of the authority to create

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<sup>1</sup>The number of special district statutes may vary depending on the definition of a special district. See discussion in Chapter 2, Special Purpose Districts Defined.

<sup>2</sup>Ruth Ittner, *Special Districts in the State of Washington*, Report No. 50 (Seattle: University of Washington, Bureau of Governmental Research and Services, 1963).

<sup>3</sup>Washington State Local Governance Study Commission, *Final Report of the Local Governance Study Commission* (Olympia, 1988). 2 vol.

special districts.<sup>4</sup> A more recent study of special districts is a Snohomish County issue paper on how to improve the quality and efficiency of financial services to the county's special districts dated May 2002.<sup>5</sup>

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<sup>4</sup>Washington Legislative Budget Committee, *Review of Special Purpose Districts, A Report to the Washington State Legislature, August 5, 1988* (Olympia, 1988). The name of the Legislative Budget Committee was changed to the Joint Legislative Audit and Review Committee in 1996.

<sup>5</sup>Snohomish County Finance Department, *Special Purpose District Financial Services: Overview*, Issue Paper, May 2002 (Everett, 2002).

## 2 Special Purpose Districts Defined

The phrases, “special district” and “special purpose district,” are often used interchangeably, and commonly refer to limited purpose special districts, certain taxing districts, benefit assessment districts, special benefit districts, and some types of authorities. In the statutes, the terms have also been generally applied to any local government entity which is not a city, town, township, or county.

This review of Washington special purpose districts principally focuses on statutorily designated governmental units that have defined boundaries, a statutorily defined governance structure (there are exceptions), provide service or facility responsibilities, and have a designated source of funding. The Census Bureau, whose statistics are commonly cited, uses similar terms. It describes special district governments as independent, special purpose government units (other than school districts) that exist as separate entities, have substantial fiscal independence, and have administrative independence from general purpose governments or function for multiple governments. Most special district governments are established to perform a single function, but some are authorized by their enabling legislation to provide several types of services.<sup>6</sup>

Special purpose districts are generally created through the county legislative authority to meet a specific need of the local community. The need may be a new service or a higher level of an existing service. They are political subdivisions of the state and come into existence, acquire legal rights and duties, and are dissolved in accordance with statutory procedures. Enabling legislation sets forth the purpose of the district, procedures for formation, powers, functions and duties, composition of the governing body, methods of finance, and other provisions. The districts are usually quasi-municipal corporations though some are statutorily defined as municipal corporations.

There is no single uniform definition of a *special district* or a *special purpose district* in the Revised Code of Washington (RCW). Both terms are defined within the context of a particular title or chapter and apply only to the provisions addressed by that particular statute.<sup>7</sup>

Washington statutes have defined special districts as municipalities, units of local government, municipal corporations, quasi-municipal corporations, and public body corporate and politic. Washington statutes have defined special districts as municipalities, units of local government, municipal corporations, quasi-municipal corporations, and public body corporate and politic. There is no set of uniform provisions covering all special districts in Washington as there is with cities (Title 35 RCW) and counties (Title 36 RCW). In 1985 the legislature provided uniform and simplified procedures for the creation and operation of diking, drainage and flood control facilities and services stating “that it is in the public interest to clarify and standardize the laws relating to these special districts.” In 1996 the provisions for water and sewer districts were consolidated into one title, Title 57 Water-Sewer Districts.

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<sup>6</sup>Bureau of the Census, *2002 Census of Governments*, Government Organization Vol. 1, No. 1, (Washington, D.C., 2002).

<sup>7</sup>For example, statutes relating to contracts for architectural and engineering services, Ch. 39.80 RCW, define a special district to include metropolitan municipal corporations organized under chapter 35.58 RCW, but the statutes relating to metropolitan municipal corporations (Ch. 35.58 RCW) define a special district as any municipal corporation of the state of Washington *other than* a city, county, or metropolitan municipal corporation.



When the legislature mandated the review of special purpose districts in 1987, it defined a special purpose district simply as any unit of local government other than a city, town, county, or school district.<sup>8</sup> The term “unit of local government” is not defined. A more detailed definition of special purpose districts appears in the architectural and engineering services contracting statutes.

*A special district means a local unit of government, other than a city, town, or county, authorized by law to perform a single function or a limited number of functions, and including but not limited to, water-sewer districts, irrigation districts, fire districts, school districts, community college districts, hospital districts, transportation districts, and metropolitan municipal corporations organized under chapter 35.58 RCW (RCW 39.80.020 (3)).*

Washington special districts can be categorized into three types:

- (1) Districts in which the district governing body acts independently from the legislative body that creates it;
- (2) Districts created principally as a method of financing a particular service. Their governance may not be statutorily defined, or may be designated as the county legislative authority, but they are not acting as a separate body; and
- (3) Entities sometimes referred to as special districts, but which are significantly different. These include:
  - *boards of joint control* (e.g. Roza-Sunnyside Board of Joint Control (RSBOJC)) formed by irrigation districts and other entities (Ch. 87.80 RCW)
  - *legal authorities* (e.g., Grand Coulee Project Hydroelectric Authority) that are formed by interlocal agreements for the creation of separate legal or administrative entities by irrigation districts, cities, towns, and public utility districts for power generation (RCW 87.03.825 - .840);
  - *metropolitan municipal corporations* (e.g., former Municipality of Metropolitan Seattle which consolidated with King County and Snohomish County Metropolitan Municipal Corporation which is inactive ) which are considered to be more general purpose type governments (Ch. 35.58 and Ch. 36.56 RCW); and
  - *operating agencies* (e.g., Energy Northwest) which are municipal corporations formed by cities and towns, authorized to engage in the business of generating and/or distributing electricity, and public utility districts (Ch. 43.52 RCW).

There are many entities in Washington called districts which are not special districts as defined by statute. Examples are federal economic development districts, the state court system’s judicial districts, and the Department of Revenue’s taxing district designations, such as mental health districts. There are special purpose districts whose name may not identify them as a special district, such as a housing authority, nor do the statutes include them in the list of special districts.<sup>9</sup>

Most special purpose districts in Washington derive revenues from real property assessments and are called taxing districts, but not all are taxing districts. See *Ch. 9, Revenues of Special Purpose Districts* for the financial classification of special districts.

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<sup>8</sup>Chapter 342 Laws of 1987 Sunrise Notes, Section 43.133.020.

<sup>9</sup>These are generally covered by the term “units of local government.” The term is qualified with the frequently used phrase, “and including, but not limited to.”

# 3

## Brief History of Special Purpose Districts in Washington

The creation of special purpose districts in Washington was shaped by historic events which affected the country as a whole. These included reform movements seeking public control of private monopolies, westward expansion and the development of agricultural lands, catastrophic flood damage, federal legislation, suburbanization, and the pursuit of revenue sources for special projects.<sup>10</sup>

Historically Washington's citizens have exhibited a preference for local control. The Local Governance Study Commission noted that, "Consistently, local option and control was the major driving force behind the creation of special purpose districts as a means of achieving whatever goals people had."<sup>11</sup>

### *First Special Districts*

The Washington Territorial Legislature divided counties into school districts and authorized counties to create road districts to assess a tax for road maintenance and improvements. Diking benefit districts were authorized in 1888 to help the farmers in Skagit County. The first state legislature, in 1889, provided for road districts, school districts, drainage and ditch improvements, and following California's example, Washington land owners were given the authority to form irrigation districts to help farmers raise money to build and improve irrigation works.

### **1889-1939**

Most of the special district legislation enacted between 1889 and 1939 were to complete public works. The history of the development of diking and drainage, flood control, irrigation, ports and utility districts is documented in *Building Washington: A History of Washington State Public Works*.

Metropolitan park districts were authorized in 1907 to enable Tacoma to fund a zoo.<sup>12</sup> Port districts were authorized in 1911 after a long struggle to achieve public control over waterways that were essentially public. Seattle formed the first district in 1911 and became the first autonomous municipal corporation in the nation to engage in port terminal operation and commerce development.<sup>13</sup>

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<sup>10</sup>For more history see, *History of Washington's Local Governments*, Volume I. Final Report of the Local Governance Study Commission, Washington State Local Governance Study Commission (Olympia, 1988).

<sup>11</sup>Washington State Local Governance Study Commission, 21.

<sup>12</sup>A second metropolitan park district did not appear until the 1940s in Yakima. In 2002 the statutes were amended so that cities under 5,000 population and counties could create metropolitan park districts.

<sup>13</sup>Washington State Port Association, History of Ports, URL: <http://www.washingtonports.org/>

The quest to provide public power to rural areas began in the early 1920's. Private interests lobbied against public power and the creation of public utility districts. Authority to create public utility districts was finally achieved at the 1930 general election after the 1929 legislature failed to take action on a public power initiative sent to it by the people.<sup>14</sup>

In 1933 fire prevention districts were authorized for class A and first class counties. Following catastrophic floods in which emergency relief was received from the federal government, the state passed the Flood Control District Act of 1935 authorizing the formation of flood control districts to build permanent flood control works. A flood control zone act was also passed to allow state regulation of any flood control improvements.

Regional libraries were authorized in 1935. After the passage of the 1935 federal Soil Conservation Act, a model soil conservation district law was sent to each of the states for consideration. Washington enacted a soil conservation district law in 1939. Housing authorities were also authorized in 1939 after passage of the Wagner-Steagle Housing Act of 1937 which provided federal loans for low cost housing.

#### **1940-1959**

The two decades following the Depression of the 1930's saw the creation of airport, cemetery, health, hospital, sewer districts, park and recreation districts, and two more library districts. Metropolitan municipal corporations were authorized in 1957. Metros were formed in King and Snohomish counties to address regional issues, neither of which is in operation today.

#### **1960-2003**

Various ways to fund public transportation and transportation facilities emerged in the mid-1970's and continued into the 2000's. Starting in the late 1980's legislation authorized facilities to foster economic development such as public facilities districts and stadiums.

Much of the legislation enabling special purpose districts in the last twenty years has focused on methods for financing the building and operation facilities such as stadiums and ball parks, convention centers, and transit systems. Fifty percent of the legislation authorizing new special districts passed since 1990 has focused on transportation including authorization for the Puget Sound Transportation Authority (Sound Transit), the Seattle Popular Monorail Authority, the Regional Transportation Investment District (RTID) for King, Snohomish, and Pierce counties, and authority to create a ferry district for the continuance of a passenger ferry service between Vashon and Seattle if the existing state funded service is eliminated.<sup>15</sup>

Because of the tax-based funding, some municipalities favor using special districts to provide certain services, particularly library, fire protection, and park and recreation services. Some of the early special district statutes have been amended to allow a city or town to annex to a district and/or allow a city or town

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<sup>14</sup>The state constitution provides that if the legislature fails to pass or act on an initiative sent to it by the people, the measure is then submitted to the voters.

<sup>15</sup>Legislation was proposed in 2003 to improve coordination among the numerous agencies responsible for transportation planning and services in the central Puget Sound region, and provide direct accountability to the voters for transportation plans and coordination.

to be included in the district at the time of formation by the passage of a resolution petitioning to be included in the district. Newer statutes provide an option for city or town inclusion at formation, or annexation at a later time.

A chronological list of the enabling legislation for special purpose districts, including a brief statement of purpose for each district appears in Appendix 1.

# 4 Number and Types of Special Purpose Districts in Washington

The number of operating special purpose districts varies depending on the reference source and how the term “special purpose district” is defined. Statistics cited often include taxing units used for revenue collection purposes. The number of active districts changes from year to year and is dependent on accurate reporting from the special districts. There are also statutes for which no operating districts currently exist. Special districts can be categorized by type (name) of district as designated by statute based on the kind of service provided and by the general purpose of the district set out in the statutes.

## Number of Districts

There are about 1700 special purpose districts in Washington. The figure varies depending on the reporting agency. By contrast, there are only 39 counties and 281 cities.<sup>16</sup> Washington State uses special districts to provide services to a greater degree than most states. The *2002 Census of Governments* data shows that Washington has the sixth highest number of special purpose districts of all states in the country. However, when all types of local governments (city, county, and all special purpose governments) are combined, Washington ranks 19th. See Appendix 2 for chart showing number of each type of districts.

## Data Sources

### *Census of Governments Data*

The *2002 Census of Governments* uses specific criteria to identify units of local government of its survey.<sup>17</sup> Excluded from the *Census of Governments* count of special districts are weed control, pest control, conservation, health, public facilities, roads and bridges service, shellfish protection, television assessment districts and those districts created principally for funding purposes. School districts are accounted for separately. Tribal housing authorities, legal authorities, and operating agencies are also counted. According to the Census Bureau there were 1469 (including school districts) special districts in Washington in 2002.

### *Auditors List*

The State Auditor maintains a list of districts for audit purposes. At the end of 2002, it listed 1710 special purpose districts including school districts. Though there are statutory provisions for annual notification by county auditors of new or dissolved districts, the State Auditor does not always receive the updated information.<sup>18</sup>

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<sup>16</sup>The *2002 Census of Governments* lists 35,052 special district governments, 13,506 school district governments, 3,034 county governments, 19,429 municipal governments, and 16,504 township governments in the United States.

<sup>17</sup>The summary definition is, “A government is an organized entity which, in addition to having governmental character, has sufficient discretion in the management of its own affairs to distinguish it as separate from the administrative structure of any other governmental unit.”

<sup>18</sup>RCW 36.96.090 provides for the filing of an annual statement by special purpose districts to the county auditor by December 31st of each year. The county auditor then forwards a summation of the information to the state auditor for each special purpose district located wholly or partially within the county by January 31st.

### ***Department of Revenue List***

The number of taxing districts, as reported by the Department of Revenue, is often used to assess trends in the growth of governmental units. The Bureau of Governmental Research and Services' 1963 report acknowledged that the number of code areas and separate taxing districts did not agree with the number of governmental units, but these numbers were the only numbers available to track trends. The Department of Revenue prepares an annual summary of *Taxing Districts by County*. Currently, however, it only includes 25 of the 56 taxing districts, and this list contains inactive districts. The districts may remain a tax code area until the department is formally notified of the district's dissolution.

## **Trends**

Across the United States there has been an increase in formation of special districts. The Census Bureau reported that the number of special districts in the United States increased by 1.1 percent between 1997 and 2002. During this period the number of special districts in Washington decreased by 2.6 percent (1202 districts in 1997 to 1173 districts in 2002). Washington's 296 school districts are not included in these figures.

Over the past 40 years some types of special purpose districts in Washington have increased, such as fire protection, public hospital, and cemetery districts while others, conservation districts and diking and drainage districts, have decreased through dissolutions and mergers. Some types of districts are concentrated in a few counties, for example, Kitsap and Grant counties have 22 of the 76 port districts. A number of special districts such as public facilities districts, mosquito control districts, and library districts, may include cities and counties in their boundaries. Many fire districts provide services to cities and towns either through interlocal contracts, functional consolidations, or the annexation of the city to the district. Most of the library districts have some form of regionalized service either through city annexations or interlocal contracts for library services. A comparative list of districts by county appears in Appendix 2.

## **Types of District by Service Provided**

Special districts are codified in the statutes by the name given to the district and the services it is authorized to provide. Some special purpose districts have a separate set of statutes for specific conditions. For example, there are five separately named library districts, there are provisions for 7 diking and drainage districts, 7 districts relate to mass transportation, and there are 4 types of flood districts. If the 58 special district statutes with statutorily defined governing boards were grouped by type of district, there would be 27 basic types of districts.<sup>19</sup>

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<sup>19</sup>See *Special Purpose Districts by Type* on MRSC's Web site.

## Types of District Categorized by General Purpose

If all the special purpose district statutes were categorized by the general purpose or function of the district set out in the statutes, they could be condensed into 11 functional categories.<sup>20</sup> Those functional categories are agriculture (8 types of districts), economic development (6 types of districts), education (2 types of districts), environmental protection (13 types of districts), health (5 types of districts), housing (2 types of districts), library services (6 types of districts), public safety (2 types of districts), recreation (4 types of districts), transportation (14 types of districts), and public utility services (8 types of districts). Some of these districts have multiple powers.<sup>21</sup>

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<sup>20</sup>The *Census of Governments* includes in its classification of special district governments and sub county subordinate agencies and areas. It lists functional classifications of educational services (education and libraries), social services (hospitals, health, and welfare, transportation (highways, air transportation, parking facilities, water transport and terminals), environment and housing (drainage and flood control, soil and water conservation, parks and recreation, housing and community development, sewerage, solid waste management), utilities (water supply, electric power, gas supply, and public transit), fire protection, cemeteries, industrial development and mortgage revenue, and multiple function districts (natural resources and water supply, sewerage and water supply, and other). While there is some overlap, we have used a different set of categories to classify Washington special purpose districts.

<sup>21</sup>See Special Purpose Districts Grouped by Function on MRSC's Web site.

# 5

## Pros and Cons of Special Purpose Districts

The value of special districts as a separate governmental form has been debated in many states. Critics question whether there are too many districts and whether they are accountable. Advocates favor providing focused services that respond to special needs and give local control. Florida recognized the advantages of special district services to address its growing public service needs when it passed the Uniform Special District Accountability Act in 1989: a uniform set of statutes to govern special districts and provide accountability. California, the state with the most special districts, has wrestled with policy issues for a number of years. The state offers its citizens a guidebook, *What's So Special About Special Districts? A Citizen's Guide to Special Districts in California*, to aid their understanding of special district government. The introduction notes that special districts are celebrated as the best example of democracy, cursed as the worst form of fragmented government, and are generally misunderstood even by the experts.<sup>22</sup>

### Washington Legislative Reviews of Special Districts

#### *Legislative Budget Committee Report*

In 1987 the Washington legislature mandated the Legislative Budget Committee, in cooperation with other committees, to review the authority to establish special districts and to make recommendations for their continuation, modification and termination. The committee focused on a sample of special purpose districts in Thurston and Skagit counties. The review was to determine whether special purpose districts were operating in accordance with legislative intent, whether they were needed to provide services, and whether they were functioning in an efficient manner. The committee concluded that special districts appeared to operate within the intent of the authorizing legislation, they appeared to fulfill a need by providing services to their citizens, and the services appeared to be effective. It noted that some of the services could be provided by other governments, but the other governments were not interested in providing the services. Without detailed study, it was not possible to determine whether the services were being delivered efficiently. While there appeared to be close informal coordination between county administrators and district personnel on matters of mutual interest, the absence of long-range planning for special district services was noted. Finally the Committee pointed out that there were few formal mechanisms in place to promote coordination of services between like districts and no county-wide oversight mechanism for evaluating efficiency and effectiveness of special district operations.<sup>23</sup>

#### *Local Governance Study Commission Report*

In its 1988 report, the Washington State Local Governance Study Commission noted that special districts have served an important purpose in the last 50 years, but concluded that the lack of coordination between districts and general purpose governments has impeded growth planning. Some districts are too small. The goals of cost-effectiveness, coordination, and accountability should have precedence for the future. In urban areas, city/special district contracts for service provision will be desirable in some cases. In others, cities should absorb special purpose districts. Smaller districts should be consolidated with other districts or absorbed by cities. It further recommended that new types of special purpose districts should not be

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<sup>22</sup>California Senate, Local Government Committee, *What's So Special About Special Districts? A Citizen's Guide to Special Districts in California*, 3rd ed. (Sacramento, February 2002).

<sup>23</sup>Legislative Budget Committee, ii-iii.



authorized. Instead, general purpose governments should provide needed services. The Commission also proposed the creation of local government service agreements and the creation of a citizen review process to provide citizens with the responsibility for all decisions about future governmental forms and functions.<sup>24</sup>

## Strong Points of Special Purpose Districts

### *Provide Services Where Needed*

Special districts can tailor services to citizen demand and concentrate on efficiently providing limited services. They operate to serve a specific public purpose. Depending on the type of special district, many can manage, own, operate, construct, and finance basic capital infrastructure, facilities, and services. General purpose local governments (cities and counties) provide a broad range of services such as protection of public health, safety, and welfare. Special districts, however, only provide the limited services that the community desires. Many special districts were borne of the belief that the “government that governs best governs least.” Washington values local government and the legislature created the tools that were needed to provide local services; there was no need to create a more complex and expensive organization if local residents only wanted and needed limited public services.

### *Linkage of Costs and Benefits*

Special districts can directly link costs to benefits. General purpose local governments such as cities and towns levy general taxes to pay for an array of public services. Taxpayers often do not perceive that the services they receive are directly related to the amount of taxes they pay. In a special district, generally only those who benefit from district services pay for them. There is a more direct correlation between funding and services received.

### *Responsiveness*

Special districts can be very responsive to their constituents because most special districts are geographically smaller and have fewer residents than counties and cities. This advantage, however, can be lost as regions grow and governments become more complex.

Current thinking is challenging the notion that bigger governments are more efficient, less costly, and that fragmentation of government is bad. Studies are showing that smaller governments are more efficient and democratic. While the focus of the studies is large amalgamated municipalities, at the basis is the principle of local control.<sup>25</sup>

## Criticism of Special Purpose Districts

### *Proliferation of Governmental Units*

The large number of special districts has raised questions about whether so many districts are really needed. Underlying this question is a belief that local government would be more effective and efficient if there were fewer units of government. Advocates believe that many of the districts should be consolidated. While a

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<sup>24</sup>Local Governance Study Commission, 30-37.

<sup>25</sup>Robert L. Bish, *Local Government Amalgamations: Discredited Nineteenth-Century Ideals Alive in the Twenty-First*, Commentary No. 150 (Toronto: C.D. Howe Institute, 2001).

number of consolidations and mergers have taken place, they are often difficult to execute because the governments must relinquish power and authority.

The concern for the proliferation of special districts was addressed by the 1987 Washington Legislature by the passage of the Sunrise Act, Ch. 43.133 RCW, which provided for sunrise notes on the expected impact of bills and resolutions that authorize the creation of new types of special purpose districts. The need to reduce the number of special districts was also addressed in the Local Governance Study Commission in its final recommendations.

California provides an illustration of the policy debate. In 1993, California's Local Agency Formation Commissions (LAFCO) were given the authority to initiate proposals for the dissolution, consolidation, or merger of special districts. A study of special district consolidations, commissioned by the Association of California Water Agencies in 1994, concluded that: Consolidations of special districts should be undertaken cautiously on a case-by-case basis. The existing trend toward voluntary consolidation demonstrates that the governments are already capable of recognizing areas where benefits can be gained. There is little evidence that consolidations will reduce costs or that efficiencies are created. Competition among governments is a more effective tool for creating efficiencies. And finally, that the pooling of resources often creates a new, larger organization capacity, and more options for service provision, but these must be weighed against the reduction of citizen access to government and of citizen representation which accompany government mergers.<sup>26</sup>

In its 2000 study of California special districts, the state's Little Hoover Commission noted that LAFCOs had not been very effective in promoting reorganizations as intended. It cited the 1997 Commission on Governance for the 21st Century recommendations that the statutes be amended to declare that single purpose agencies have a legitimate role in local governance, while recognizing that multi-purpose agencies may be the best mechanism for service provision, particularly in urban areas.<sup>27</sup>

### ***Accountability – Less Participation in Governance***

Fewer voters participate in the election of special district officers, making the districts a less representative form of government. The 1988 Washington Legislative Budget Committee report noted that a sizeable percentage of special district races were uncontested. The timing of an election and the scope of the ballot makes a significant difference in voter participation.<sup>28</sup> An odd-year general election with only local taxing district offices at stake will have lower voter participation rates than an even-year general election with state offices at stake. Elections with the U.S. President on the ballot will have the highest voter participation rates. Mail ballot elections have greater voter participation than poll elections.<sup>29</sup>

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<sup>26</sup>Stephen P. Morgan and Jeffrey I Chapman, *Special District Consolidations: A Research Study for the Association of California Water Agencies, Executive Summary* (Los Angeles: University of Southern California, 1994).

<sup>27</sup>California, Little Hoover Commission, *Special Districts: Relics of the Past or Resources for the Future?* (Sacramento, 2000), 16.

<sup>28</sup>All districts except conservation districts, public utility districts, and those requiring property ownership as prerequisite to voting, such as diking and drainage districts, follow the general election laws.

<sup>29</sup>Observation shared by Election Administrator, Franklin County Auditor's Office.

An illustration of low voter participation, though an extreme example, is the 2003 Thurston Conservation District election. The election of conservation district supervisors is set by statute to be in the first quarter of the year. The election was held on February 25, 2003. Of 123,782 registered voters in the county only 303 cast ballots.<sup>30</sup>

### ***Lack of Visibility***

The 1963 Bureau of Governmental Research publication observed that few citizens are aware of, or understand the operation of special districts. The multiplicity and variety of special districts within a local area can be confusing. Those concerns were echoed in the 1988 Local Governance Study Commission report. Citizens have a hard time determining which government is responsible for providing certain services and who is in charge when separate special districts provide water, sewer, parks, library, and fire protection services to a community. The narrow and technical nature of a district's activities often result in a special district's low visibility until a crisis arises.

The Internet is seen as one of many ways to make the activities of special districts more visible to the public.<sup>31</sup> Though many of Washington's larger special purpose districts have Internet sites, linkage between cities, towns, counties and special purpose districts is often lacking. A citizen can go to a city or county site and view the services it provides, but if a service is being provided to citizens by a special district there is often no reference. Or, in some instances there is a link, but neither of the local governments make it clear that the service provider is a special purpose government.

### ***Inefficiency***

The 1988 Local Governance Study Commission report noted that cities, counties and special districts were all providing services that result in duplication of cost and lack of coordination when two service providers were providing similar services close to each other. This can also create competition and conflict between special districts and general purpose governments over property tax based revenue resources. Many districts are small and may lack the financial and professional resources necessary to carry out their missions in a fiscally prudent manner. Some states have experienced problems with special districts becoming over extended and ultimately insolvent, leaving the public liable and services undelivered.<sup>32</sup>

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<sup>30</sup>“Conservation District Wants to Attract Voters,” *The Olympian*, 23 February 2003, and Thurston County Auditor Election Department, Election Results, URL: <http://www.co.thurston.wa.us/>.

<sup>31</sup>California, Little Hoover Commission, 27.

<sup>32</sup>A recent Washington Superior Court ruling against the Holmes Harbor Sewer District placed ULID bonds offered by the district in default. The district was found to have issued bonds to build a facility outside its boundaries without legal authority to do so. The district was also cited by the state auditor for a number of violations of state law in addition to lacking the authority to sell the bonds.

### *Lack of Regional Coordination*

Coordination between special districts and general purpose governments is often lacking, especially with regard to regional planning. The Washington Growth Management Act requires counties and cities to work together but does not place the same obligation on all special districts.<sup>33</sup> Planning advocates have sought remedial legislation to require special districts to prepare plans and actions that are consistent with regional, county and city comprehensive plans. State law does require or encourages coordination by some districts by virtue of the type of service provided. Examples include:

- **Solid Waste Management** – Solid Waste Collection Districts require approval of a coordinated, comprehensive solid waste management plan (RCW 36.58A.010). Solid Waste Disposal District disposal sites must be included within a comprehensive solid waste plan (RCW 36.58.040).
- **Flood Control Management** – Comprehensive flood control management plans shall be developed by counties with the full participation of officials from the city, town, or a special district subject to chapter 85.38 RCW, including conservation districts and appropriate state and federal agencies (RCW 86.12.210).
- **Sewer and Water Systems** – There are comprehensive plan requirements to coordinate provisions of county sewer or water general plans; any public utility district which operates and maintains a sewer or water system; any sewer, water, diking, or drainage district; any diking, drainage and sewerage improvement district; and any irrigation district (RCW 36.94.040; RCW 57.16.010; and RCW 70.116.050).
- **Public Transportation** – County public transportation authorities must adopt a public transportation plan (RCW 36.57.070; RCW 36.57A.030, and RCW 36.57.040). Counties with transportation authorities or transportation benefit areas must adopt and carry out a comprehensive transit plan (RCW 35.58.2794). A six-year transit plan must be consistent with GMA comprehensive plans (RCW 35.58.2795).
- **Watershed Management** – Ch. 327 Laws of 2003 removed the statutory barriers that prevent a coordinated approach to watershed management. Statutory and fiscal authority is provided so that local governments with water-related services and functions can more fully cooperate and coordinate efforts as watershed plans are adopted and implemented. Special district entities are expressly authorized to expend water-related revenues, raise water-related funds, and participate in cooperative watershed management activities.

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<sup>33</sup>The original GMA bill, SHB 2929, included a provision requiring special districts to plan in conformity with policy goals and with local government plans, but the section was vetoed because it contained exemptions for port districts and municipal airports. See “A Public Agency’s Role in GMA Planning” in *An Overview of the Growth Management Laws in Washington and Their Applicability of Local Government Agencies*, by Stephen W. Horenstein.

## Summary of Pros and Cons

The experience of California and Florida may have some value for Washington. The Local Governance Study Commission wrote that “comparing Washington to other states helps to highlight the special nature of our local governance tradition. It may help us see the limits to which we can expect to borrow models from other states, and to emphasize that the redefinition of the Washington tradition will have to be accomplished within the range of its evolutionary past and potential.”<sup>34</sup>

The studies mandated by the Washington State Legislature in the late 1980’s made observations and recommendations, some of which still hold true, others are no longer relevant. In the last decade a number of special districts in this state have consolidated, merged, or have created functional consolidations through interlocal agreements.

More recent statutes provide for annexations and consolidation of districts. The Interlocal Cooperation Act allows districts to cooperate on the delivery of services and provides a means for functional consolidation. The 1987 Washington Sunrise Act, Ch. 43.133 RCW provides for a review of new types of special purpose districts before they are created. For districts that become inactive, provisions exist in Ch. 36.96 RCW for their dissolution by the county legislative body.

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<sup>34</sup>Local Governance Study Commission, 45.

# 6

## Formation of Special Purpose Districts

The Washington State Legislature provides authority and specifies general procedures for the formation of special districts. The majority of special purpose district governments in Washington are formed by a resolution of the legislative authority or by a petition to the county legislative authority. Almost all formations require a formal hearing to determine the need for the district, and in some instances a feasibility study is required, such as for diking districts, irrigation districts, and park and recreation service areas. The formation of a district generally requires an election to determine whether the majority of residents or landowners wish to form a district and pay taxes to receive the service. A few districts are formed after a hearing without an election. Some regular levies, all excess levies, and all bond levies must to be authorized by voters of the district. In some instances, voters cast enough ballots to form a district, but fail to pass the proposition to finance the district. The methods used to form Washington special districts are listed below. A summary of special district formation and governance for each type of district appears in Appendix 4.

### ***Petition or Resolution – Election Required***

The following special districts may be initiated by a petition or by a resolution of the legislative body and require elections:

- airport districts,
- cemetery districts,
- conservation districts,
- cultural arts, stadium, and convention districts,
- diking and drainage districts,
- fire protection districts,
- flood control districts
- irrigation and reclamation districts,
- library capital facility areas,
- library districts (*except regional libraries*),
- metropolitan park districts,
- mosquito control districts,
- park and recreation districts (including joint districts),
- park and recreation service areas,
- port districts,
- public hospital districts,
- public utility districts,
- regional transportation investment district (*method of formation different, but requires election*)
- shellfish protection districts/“clean water districts,”
- city transportation authority (*Seattle monorail*), and
- water-sewer districts.

### ***Petition – No Election Required***

The following districts can be formed by petition to the legislative body. The legislative body may form the district without an election:

- agricultural pest districts,

- air pollution control authorities (*also by motion*),
- flood control zones (*can also be formed by action of the board*),
- horticultural pest and disease board,
- public housing authorities (*also by resolution*),
- public transportation benefit areas,
- river and harbor improvement districts,
- television reception improvement districts, and
- weed districts.

***Resolution, Ordinance, or Motion – No Election Required***

The following special districts can be formed by action of the legislative body without an election. These include several districts formed by interlocal agreements:

- community renewal areas,
- county rail districts,
- emergency medical service districts,
- emergency service communication districts,
- ferry districts, passenger-only,
- intercounty flood control districts,
- health districts,
- public facilities districts,
- public stadium authority,
- regional library districts,
- roads and bridges service districts,
- regional transit authorities,
- solid waste collection districts, and
- solid waste disposal districts.

# 7

## Governance of Special Purpose Districts

Of the 75 special purpose district statutes reviewed, 60 have a designated governing body, 55 have a governance structure other than the county legislative body, or have an option of an alternative under certain conditions. Eleven districts were formed principally to finance a service, have no powers of their own, and most of these are administered by the legislative body that created them. Seven of the districts have no governance designated in the statutes. There are four other governmental units, sometimes referred to as special districts, which are unique units of government that do not share the same characteristics as most other special districts. They are board of joint control (irrigation districts and others), legal authorities (irrigation districts, PUDs and others), metropolitan municipal corporations, and operating agencies (PUDs, cities, and towns). Apportionment districts, Ch. 39.88 RCW, have not been considered as they were ruled unconstitutional in *Leonard v. Spokane*, 127 Wn. 2d 195 (1995).

If more than one governmental unit is included in a district, it may be governed by interlocal contract or the statute may specify representatives from the governmental units. A list of methods for creating the governing boards appears below. A summary of the statutory references and the composition of the boards are included in the Appendix 4.

### *Limited Purpose Corporations*

Washington statutes designate most special districts as municipal corporations or quasi-municipal corporations. As corporate entities, special districts are capable of contracting, suing and being sued, like private corporations. As “municipal” corporations, however, their functions are wholly public. Special purpose districts may be classed as “limited purpose” corporations. Their powers are limited to specified areas of jurisdiction. They can exercise only powers that are delegated to them by law either expressly, or by implication from the terms of a particular statute. Regardless of how broad the powers of a particular municipal corporation may be, its officers may exercise only those powers delegated to them by law or pursuant to law.<sup>35</sup> Most powers of a special purpose district are vested in a board of district commissioners, board of district trustees, or board of district directors.

### *Districts with Elected Boards*

The following special districts are governed by elected boards:

- cemetery districts,
- conservation districts (*3 of 5 board members are elected*),
- diking and drainage districts (includes (a) diking districts; (b) drainage districts; (c) diking, drainage, and/or sewerage improvement districts; (d) intercounty diking and drainage districts, (e) consolidated diking districts, drainage district, diking improvement districts, and/or drainage improvement districts),
- fire protection districts,
- flood control districts,
- flood control zones (*more than 2,000 residents*),

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<sup>35</sup>Robert F Hauth, *Knowing the Waters: Basic Legal Guidelines for Port District Officials* (Olympia, Washington Public Ports Association, 1996), 2-3.



- irrigation districts (*includes irrigation and rehabilitation districts, legal authorities (formed by interlocal contract), reclamation and irrigation districts in reclamation areas*),
- park and recreation districts (including joint districts),
- port districts,
- public hospital districts,
- public utility districts,
- school districts,
- water-sewer districts (*including water-sewer district, water district, sewer district*), and
- weed districts (*includes inter-county regular weed districts*).

#### **Districts Where Legislative Body Appoints All or Majority of Governing Board**

The following governing boards are appointed in whole or part by the legislative bodies that created them:

- horticultural pest and disease boards,
- library districts (*inter-county rural library districts, island library districts, regional libraries, rural county library districts, and rural partial library districts*),
- mosquito control districts,
- public housing authorities,
- roads and bridges service districts, and
- television reception improvement districts (*appointed if boundaries different than county, legislative body acts as board if boundaries are same as district*).

#### **Districts Where Legislative Body Is Governing Board**

The legislative body serves as the governing board for:

- agricultural pest districts (*each commissioner represents own district*),
- county rail districts,
- ferry districts, passenger-only,
- emergency medical service districts (*or interlocal agreement*),
- emergency service communication districts,
- flood control zones (*also can be elected if more than 2000 residents*),
- park and recreation service areas (*or interlocal contract*),
- shellfish protection/“clean water” districts, and
- transportation benefit districts (*or as may be defined in an interlocal agreement*).

#### **Other Governing Board Composition**

For some districts individual governing board members are designated by statute. In some instances membership is based on population, in others it might be representatives from several governments or members with special expertise. These districts include:

- air pollution control authorities,
- airport districts (*choice of elected board or county legislative body on creation*),
- community renewal areas (*choice of board forms*),
- cultural arts, stadium and convention districts (*has both appointed and elected board members*),
- health districts,
- reclamation districts of one million acres,

- library capital improvement districts (*three legislative body members from each county*),
- metropolitan park districts (*choice of three forms of board composition on formation*),
- public facilities districts,
- public stadium authorities,
- television reception improvement districts (*appointed if boundaries different than county, legislative body acts as board if boundaries are same as district*),
- city transportation authorities (*Seattle monorail*),
- county public transportation authorities,
- public transportation benefit areas,
- regional transportation investment districts, and
- regional transit authorities.

#### ***Districts Where No Governance Specified***

There are six districts where no governing structure is specified. These are not separate units of government and are administered by the legislative body that created it.

- aquifer protection areas,
- county road districts,
- flood control by counties (river improvement fund),
- industrial development districts,
- lake management districts, and
- solid waste collection districts.

# 8

## Elections in Special Districts

*Updated March 2005*

### ***Nonpartisan Elective Offices***

All city, town, and special purpose district elective offices are nonpartisan (RCW 29A.52.231).

### ***Primary Elections***

All primary elections for special purpose districts, except those districts that require ownership of property within the district as a prerequisite to voting, are nonpartisan. See RCW 29A.04.311 for provisions on holding primaries at November general election. No primary is held for the office of commissioner of a park and recreation district or for the office of cemetery district commissioner (RCW 29A.52.220).

### ***General Elections***

All district general elections are held on the first Tuesday following the first Monday in November in the odd-numbered years. Exceptions are public utility districts, conservation districts, or district elections at which the ownership of property within those districts is a prerequisite to voting. These elections are held at the times prescribed in the laws specifically relating to those districts. Other exceptions to the November general election date are recall, consolidation, and special elections. See statutes for election procedures and other exceptions (RCW 29A.04.330).

### ***Term of Office***

The term of office for special district board members varies by district. They range from two to six years.

### ***Commencement of Term***

Where the ownership of property is not a prerequisite of voting, the term of incumbents shall end and the term of successors shall begin after the successor is elected and qualified. The term shall commence immediately after December 31st following the election. See statutes for exceptions (RCW 29A.20.040).

# 9

## Revenues of Special Purpose Districts

### Property Taxed Based Revenue Sources


#### *Taxing Districts in General*

Most special purpose districts in Washington derive revenues from real property assessments and are called taxing districts. However, not all taxing districts are special purpose districts, and to make it more confusing, some special purpose districts are not taxing districts. A road district is a taxing district, but it has no separate governing authority and therefore is not a special purpose government. It is basically a *taxing unit* used to collect an assessment authorized by statute. A television reception improvement district receives its revenue from an annual excise tax on television sets. It is not a taxing district. If its boundaries are less than the county, it is formed with a separate elected board and would be a special purpose government.

Taxing districts are defined in RCW 84.04.120.<sup>36</sup> They have the power to impose tax burdens upon district property in proportion to property value, as opposed to obtaining revenue for public purposes in proportion to the benefits accruing to it. The statutes classify taxing districts into senior taxing districts (the state, the county, city or town, county road, port, and public utility districts) and junior taxing districts (all others).

#### *Regular Tax Levy*

Most special purpose districts are taxing districts and receive revenues from the assessment of a property tax. Some are authorized by statute to levy a certain amount each year, subject to maximum rate limits, known as a regular levy, which provides operating expenses for the general fund. With a few exceptions, the aggregate regular levy rates of senior and junior taxing districts cannot exceed \$5.90 per thousand dollars of assessed valuation within the boundaries of any city or county (RCW 84.52.043(2)). If this limit is exceeded, the levy of at least one junior taxing district must be prorated until the aggregate rate falls to \$5.90. The order in which levies are reduced is given in RCW 84.52.010(2).

Regular property tax levies not subject to this limit include state levies, levies for public utility districts, levies for port districts, levies for acquiring conservation futures, emergency medical service levies, low income housing levies, ferry district levies, and, under certain restrictive conditions, the 25-cent metropolitan park district levy under RCW 84.52.120. The latter five levies are, however, subject to statutory and constitutional limits that limit total regular property tax levies to one percent of true and fair value (RCW 84.52.043, Washington State Constitution, Art. VII, Sec. 2.). If that limit is exceeded, one or more of the levies must be prorated in the order given in RCW 84.52.010(1) until the total rate is one percent. 

Special districts authorized to have *non-voted* regular levies include: cemetery districts, fire protection districts, hospital districts, library districts, metropolitan park districts, ferry districts, and flood control zone districts.

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<sup>36</sup>“Taxing district” shall be held and construed to mean and include the state and any county, city, town, port district, school district, road district, metropolitan park district, water-sewer district or other municipal corporation, now or hereafter existing, having the power or authorized by law to impose burdens upon property within the district in proportion to the value thereof, for the purpose of obtaining revenue for public purposes, as distinguished from municipal corporations authorized to impose burdens, or for which burdens may be imposed, for such purposes, upon property in proportion to the benefits accruing thereto.

Special districts authorized to have *voted* regular levies include airport districts; city transportation authority (Seattle monorail); cultural arts, stadium and convention districts; emergency medical services districts; park and recreation districts; and park and recreation service areas.

### ***Excess Levy for Operations and Maintenance (RCW 84.52.052)***

In addition to the regular property tax, some special districts may also impose a one-year (two for fire districts, four for school districts) levy, commonly known as an “operations and maintenance” levy. Nine special purpose districts may impose an excess levy, but not a regular levy. The excess levy requires a voter approval of 60 percent of 40 percent of those voting in the last general election (Washington State Constitution, Art. VII, Sec. 2(a)). The special districts that may be funded by an excess levy are: air pollution control authorities, county rail districts, fire districts, mosquito control districts, public facilities districts, road and bridges service districts, school districts, solid waste disposal districts, transportation benefit districts, sewer districts, and water-sewer districts.

This excess levy is not subject to the regular levy’s aggregate \$5.90 and one percent rate limits, although for some districts the statutes limit the amount that the boards can ask the voters to approve.

### ***Benefit Assessment Districts***

The Department of Revenue uses the term *benefit assessment district* to mean a district formed to provide a specific service or benefit to lands contained within its boundaries. A district’s charges are based on the benefit to property rather than value of the property. Districts that can levy a benefit assessment include diking and drainage districts, horticultural districts, irrigation districts, mosquito districts, river and harbor improvement districts, and weed districts. Fire districts may use benefit assessments in return for giving up some of their taxing authority.

### ***Debt and Debt Limits***

Most special districts, but not all, have the authority to issue general obligation debt. Except for public hospital districts, they are limited to an amount equal to 3/8 percent of their assessed valuation for non-voted (councilmanic) debt and 1 ¼ percent of assessed valuation for voted debt. (Any non-voted debt issued counts as part of the overall 1 ¼ percent limit). A ballot measure to issue voted debt must be approved by 60 percent of the voters, with a turnout of at least 40 percent of the last general election. Hospital districts may issue an amount equal to ¾ percent of assessed valuation for non-voted debt and 2 ½ percent for voted debt (RCW 39.36.020). The property tax that is levied to pay the debt service for voted debt is not subject to the regular levy’s \$5.90 and one percent limits (RCW 84.52.056).

## **Revenue Sources Other than Property Taxes**

A few special purpose districts receive revenues from sources other than property tax levies. These include conservation districts, health districts, the transportation authorities and districts, television reception improvement districts, shellfish protection districts, and emergency service communication districts. Conservation districts may assess a fee up to \$5.00 per parcel. A horticultural pest district may assess a uniform rate by class of parcel. Television reception improvement districts may levy a tax on television sets not to exceed \$60 per year. Air pollution authorities may receive annual contributions from participating political subdivisions. Emergency service communication districts may levy a tax of up to 50 cents on switch access lines (“regular” telephones) and wireless phone lines.

***Fees and Charges***

Districts authorized to charge directly for services include airport districts, city transportation authorities, ferry districts, fire protection districts, flood control zones, health districts, housing authorities, irrigation districts, park districts, port districts, public facilities districts, public utility districts, regional transit authorities, shellfish protection districts, solid waste collection, transportation benefit districts, and water-sewer districts.

***Local Improvement Districts***

A number of special districts have the power to create local improvement districts to finance capital projects that benefit only a portion of the special district's geographic area. Assessments are made in proportion to the benefit that the properties receive. The following special districts can form local improvement districts: city transportation authority (Seattle monorail), community renewal area, county roads and bridges service districts, fire protection districts, flood control zone districts, irrigation districts, metropolitan park districts, park and recreation districts, port districts, regional transit authorities, transportation benefit districts, and water-sewer districts.

# 10 General Provisions that Apply to Special Purpose Districts

One criticism of special purpose districts is that they are not as accountable as cities, towns and counties. Districts with elected boards are accountable to the voters and to the customers who use their services. Some of the special district statutes detail procedures and require the legislative bodies to create budgets, plans and various reports, while others are silent. In Washington, most of the basic legal guidelines set out by the legislature for the conduct of government apply to all political subdivisions of the state. MRSC's publication, *Knowing the Territory: Basic Legal Guidelines for Washington City and County Officials*, though written for county and city officials, may be of value for understanding many of those requirements. Some of the general requirements and procedural guidelines applicable to the majority of special purpose districts are noted below:

- Annual reporting of special district to county auditor, RCW 36.96.090
- Annual reports, RCW 43.09.230
- Audits by state, RCW 43.09.260
- Budgets of taxing districts filed with county, RCW 84.52.020, RCW 84.55.120 (regular levies)
- Code of ethics for municipal officers, Ch. 42.23 RCW
- Credit card use, RCW 43.09.2855
- Interlocal cooperation, Ch. 39.34 RCW
- Open Public Meetings Act, Ch. 42.30 RCW
- Private interests in public contracts, Ch. 42.23 RCW
- Public disclosure, Ch. 42.17 RCW
- Public records retention, Ch. 40.14 RCW
- Public works purchasing, Ch. 39.04 RCW (excludes various diking and drainage districts)
- Recycled product procurement, Ch. 43.19A RCW
- Service agreements, Ch. 36.115 RCW
- System of accounting for local governments, RCW 43.09.200
- State Environmental Policy Act (SEPA), Ch. 43.21C RCW
- Use of public funds and lending of credit, Washington Constitution Article 7, Section 1, Amendment 14, and Article 8, Section 7
- Use of public offices for political purposes, RCW 42.17.130
- Whistleblower Act, Ch. 42.41 RCW

# 11

## Relationship of Counties to Special Purpose Districts

Many of the fiscal and administrative functions of special purpose districts are handled by the county government. Before the district is created, with a few exceptions, the county receives the petition or passes a resolution to create a district. The county holds the hearings and determines whether the proposed district should be formed, and the county administers the election or, if no election, the county legislative body passes the legislation that creates the district.

### **Assessor**

The county assessor values property within the special purpose district. The governing body of each taxing district is to certify to the county assessor the amount of taxes upon property by November 30 (RCW 84.52.070). Special purpose districts that levy taxes are to file copies of budgets or estimates of the amounts to be raised by taxes with the clerk of the county legislative authority (RCW 84.52.020). The assessor keeps track of boundary changes and submits them to the Department of Revenue (WAC 458-50-130).

### **Auditor**

The auditor issues all warrants for the payment of claims against diking, ditch, drainage and irrigation districts and school districts, which do not issue their own warrants, as well as political subdivisions within the county for which no other provision is made by law (RCW 36.22.090). The auditor audits the accounts of the school districts in the county (RCW 28A.350.030). The county auditor is responsible for the supervision of special district elections. Once a year, by June 1st, the auditor is to provide a list to the county legislative body of inactive districts. The auditor is also to send a list of district changes to the state auditor by January 31st of each year.

### **County Engineer**

The county engineer may provide engineering services for the districts. In the formation of some districts, the engineer is to examine the feasibility of the district and prepare a report for the county legislative body.

### **Legislative Body**

The board of commissioners or council creates the majority of the districts and formally dissolves inactive districts. Depending on the governing structure of the district's board, the county legislative body may participate in the district's governance or be responsible for appointing the district's board. The county legislative body may act as the district's governing board, or the statutes may designate that only some members of the county legislative body serve on the district's governing board. For some districts, the statutes specify that the county legislative body appoints the district's initial board members for specific terms. Subsequent board members are elected. The county may also have the authority to appoint and remove all the board members.

### **Treasurer**

Most special district statutes designate the county treasurer as the *ex officio* treasurer of the district. Some districts are allowed to have their own treasurer, but may choose to use the county. A variety of financial services are provided by the county treasurer including tax collection, investments, activity reports, disbursement of vendor claims, and payroll. The treasurer maintains the tax roll and levies the taxes of special districts. The county treasurer may charge and collect a fee for services not to exceed four dollars per parcel for each year in which the funds are collected (RCW 36.29.180).



# 12

## Dissolution of Special Purpose Districts

*Updated January 2006*

There are several general statutes that relate to dissolution procedures for special purpose districts: Chapter 36.96 RCW - Dissolution of inactive special purpose districts, Chapter 53.48 RCW - Dissolution of Port and Other Districts, and Chapter 57.90 RCW- Disincorporation of districts in counties with 200,000 population or more and inactive for five years. There are also dissolution procedures in specific statutes that pertain to individual special districts.

Before June 1st of each year, the county auditor is to search available records and notify the county legislative authority of any special purpose districts in the county that appear to be inactive and those that have failed to file statements for three years with the county auditor (RCW 36.96.090). The county legislative authority holds hearings and makes written findings as to whether the special purpose districts meets the criteria of being "inactive." The county legislative authority adopts an ordinance dissolving the special purpose district and provides a copy of the ordinance to the county treasurer. Public utility districts have a different procedure.

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## Summary

Unlike cities, towns and counties, the number of special purposes districts that are formed, become inactive, dissolve or merge changes yearly. No one knows exactly how many districts are active at any given time, even though the statutes set up a centralized reporting mechanism. Since there is no single uniform definition of a special district, the lists of special districts vary from agency to agency and county to county.

Determining how many special districts have separate autonomous governments, except the 14 districts with elected boards, is difficult without analyzing the district's powers and financial autonomy. The statutes are inconsistent. Some districts are defined as a municipal corporation, quasi-municipal corporation, or a corporation for public purposes. Their powers vary and the governing board may be the county legislative body. In some instances, the county legislative body is designated the governing board, but the statutes state that all actions are in the name of the district, title to all property or property rights vest in the district; and the district can be sued in its own name. One would conclude that the county legislative body is acting as a separate autonomous board.

New forms of districts may be created to finance services and facilities, and existing statutes are continuously amended to meet new conditions. Since each special district operates under a different statute, each district statute must be amended to authorize additional powers. The Local Governance Study Commission observed that "little consistency exists in the laws granting similar powers to different special districts. The inconsistencies are historical products whose elimination would require major time investment by legislative staff and committees. But they are unjustifiable and confusing to all....When time permits, a systematic recodification of these statutes should be conducted."<sup>37</sup>

The notion that special districts are the most representative form of democracy and can be tailored to fit individual localized needs is borne out by looking at recent proposed legislative changes. The proposals also illustrate the increasing reliance on special districts as a financing tool. Among the special district legislation considered by the 2003 Washington State Legislature were the following bills; 10 passed during the regular session.

- authorize a county with population of one million or more (King County) to create a ferry district for a passenger only service (Ch. 83, Laws of 2003);
- authorize a fire district bounded on three sides by water and shares a common border with Canada (Point Roberts) to assist with the operation of a health clinic (Ch. 309 Laws of 2003);
- authorize multiyear excess property tax levies for cemetery districts
- authorize a PTBA having a boundary located on Puget Sound (Kitsap County) to provide passenger-only ferry service by (Ch. 83, Laws of 2003)
- authorize additional jurisdictions to create regional transportation districts;
- authorize interlocal agreements for traffic control on special district roads;
- authorize interlocal agreements and expenditures for watershed management partnerships (Ch. 327 Laws of 2003);
- authorize multiple fire districts to annex portions of a new city or town (Ch. 253 Laws of 2003);
- authorize rural fire protection districts to contract with cities for ambulance services and impose a monthly utility service charge on each developed residential property located in the fire protection district (Ch. 209 Laws of 2003)

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<sup>37</sup>Local Governance Study Commission, 37.

- authorize the election of the board of supervisors for flood control zones of districts of more than 2000 residents (Ch. 304 Laws of 2003);
- authorize the election of the board of trustees in library districts;
- authorize water-sewer districts to use a small works roster (Ch. 60 Laws of 2003);
- change provisions relating to the assumption of water-sewer districts by cities;
- change definition of “irrigation entity,” voting structure, and water transfer provisions for joint control boards (Ch. 306 Laws of 2003);
- create regional fire protection authorities;
- expand the authority of PTBAs
- improve coordination among transportation districts in the Puget Sound area;
- include drainage ditches and tide gates under special district flood control and drainage control activities;
- include public hospital districts in the definition of "local government" for the purposes of chapter 39.96 RCW relating to payment (swap) agreements (Ch. 47 Laws of 2003)
- require regional transportation investment district tax revenue to be allocated proportionally among member counties (Ch. 194 Laws of 2003)

As with other local governments, special purpose districts are “creatures of the state” and only have those powers granted to it by the state. Almost every municipality, every county, and many state agencies have relationships with special districts. Cities, towns, and special districts share services through interlocal contracts and annexation. The county legislative body creates most of the special districts and the county offices provide administrative services to special districts. State departments and agencies provide the regulatory framework in which many of the districts operate.

There is a growing consensus that all local governments should seek efficiencies in government operations and coordinate regional services. All governments, cities, towns, counties, and special districts should be encouraged to explore opportunities for cooperative planning and sharing of services.

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# Appendices

**Appendix 1 - Special Purpose Districts in Washington by Date of Enabling Legislation**  
**Includes Districts Created for Financing Purposes**

District	Date Created	Enabling Statute (RCW)	Purpose
County Road District	1889	RCW 36.75.060	Provide revenue to construct, repair, improve and maintain county roads
School Districts	1889	Ch. 28A.315 RCW	Education
	1890	Ch. 87.03 RCW	Irrigate land, develop electrical generating facilities, purchase and sell electricity, provide street lighting, sewer and domestic water
Diking Districts	1895	Ch. 85.05 RCW	Straighten, widen, deepen, improve rivers, watercourses or streams, construct dikes
Drainage District	1895	Ch. 85.06 RCW	Establish drainage system.
Joint School Districts	1897	Ch. 28A.323 RCW	Any school district in more than one county
River & Harbor Improvement Districts	1903	Ch. 88.32 RCW	Allows county to cooperate in federal projects for river, lake, canal or harbor improvement; plan for improvement of navigable river
Flood Control by Counties (River Improvement Fund)	1907	Ch. 86.12 RCW	Funding source for river improvements
Metropolitan Park Districts	1907	Ch. 35.61 RCW	Manage, control, improve, maintain, and acquire parks, parkways, boulevards, and recreational facilities
Diking & Drainage Districts in Two or More Counties (Intercounty Diking and Drainage Districts)	1909	Ch. 85.24 RCW	Establish diking, drainage systems or erect flood dams on land in two or more counties
Port Districts	1911	Title 53 RCW	Acquire, construct, maintain, operate, develop and regulate system of harbor improvements, rail and water transfer/terminal facilities; air transfer/terminal facilities, other storage/handling facilities, toll bridges, tunnels, beltline railways, industrial development districts
Commercial Waterway Districts	1911, Repealed 1971	Ch. 91.04 RCW	Construct system of waterways
Public Waterway Districts	1911	Ch. 91.08 RCW	Provides funding for owners of lands bordering upon/accessible to any navigable water to improve waterway
Diking, Drainage, Sewerage Improvement Districts 1913 Act, Funding revised by 1967 Act	1913, 1967	Ch. 85.08 RCW, Ch. 85.15 RCW	Construct system of diking, drainage, or sewerage improvements

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District	Date Created	Enabling Statute (RCW)	Purpose
Flood Control by Counties Jointly - 1913 Act (Intercounty)	1913	Ch. 86.13 RCW	To control flooding on a river between two counties or tributaries or where outlet flows through two counties
Water Districts	1913	Title 57 RCW	Water supply and distribution
Drainage Improvement Districts; Diking Improvement District - Improvement Districts - 1917 Act	1917	Ch. 85.20 RCW	Construct, straighten, widen, deepen, and improve all rivers, watercourses or streams causing overflow damage to land in district
Ferry Districts	1917, Repealed 1994	RCW 36.54..080-.100	Operate ferry vessels within islands
Agricultural Pest Districts	1919	Ch. 17.12 RCW	Protect agricultural plants or products
Water Distribution Districts	1921, Repealed 1971		Distribution of water for agricultural lands
Weed Districts	1921	Ch. 17.04 RCW	Control weeds found detrimental to crops, fruit trees, shrubs, foliage or other agricultural plants or foliage
Sewage Improvement Districts	1923	RCW 57.04.120 -.130	Construct system of sewerage improvements
Reclamation Districts of one million acres	1927	Ch. 89.30 RCW	Reclamation, improvement of arid, semiarid lands; generation and/or sale of hydroelectric energy
Public Utility Districts	1931	Title 54 RCW	Conserve water & power resources; supply public utility service
Reorganization of Districts into Improvement Districts -- 1933 Act	1933	Ch. 85.22 RCW	Construct and improve all rivers, watercourses or streams causing overflow damage to land in district
Fire Protection Districts	1933	Title 52 RCW	Eliminate fire hazards, protect life and property outside cities/towns except where annexed
Sanitary Districts	1933, Repealed 1971	Title 55 RCW	Collect and dispose of garbage
Flood Control Districts - 1935 Act	1935, Repealed 1965	Ch.86.05 RCW	Control stream system, protect against bodies of water
Regional Library Districts	1935	RCW 27.12.080	Allows two or more governments to provide library services by interlocal contract
Flood Control Districts - 1937 Act	1937	Ch. 86.09 RCW	Protect life and property, preserve public health; conservation and development of natural resources



**Appendix 1 - Special Purpose Districts in Washington by Date of Enabling Legislation**  
**Includes Districts Created for Financing Purposes**

<b>District</b>	<b>Date Created</b>	<b>Enabling Statute (RCW)</b>	<b>Purpose</b>
Conservation Districts	1939	Ch. 89.08 RCW	Conserve soil resources, prevent flood water and sediment damages....
Industrial Development Districts (Ports)	1939	Ch. 53.25 RCW	Provide funding for developing or redeveloping marginal area properties
Public Housing Authorities	1939	Ch. 35.82 RCW	Provide housing for low income persons
Rural County Library Districts	1941	RCW 27.12.040 - .070	Library district established by joint action of two or more counties
Sewer Districts	1941	Title 57 RCW	Operate system of sewers, treatment and disposal
Reclamation and Irrigation Districts in Reclamation Areas	1943	Ch. 89.12 RCW	Provides for participation in federal reclamation projects
Airport Districts, County	1945	RCW 14.08.290-.330	Establish and operate airports or other air facilities
Health Districts	1945	Ch. 70.46 RCW	Provide health services within the district
Public Hospital Districts	1945	Ch. 70.44 RCW	Own, operate hospitals and health care facilities, provide hospital and health care services
Cemetery Districts	1947	Ch. 68.52 RCW	Acquire, establish, maintain, manage, improve and operate, conduct businesses of cemetery
Inter-County Rural Library Districts	1947	RCW 27.12.090	Provides free public library service in several counties
Air Pollution Control Authorities	1957, 1967	Ch. 70.94 RCW	State-wide air pollution prevention and control
Metropolitan Municipal Corporations	1957	Ch. 35.58 RCW & Ch.36.56 RCW	Essential services in metropolitan areas not adequately provided by existing agencies: water pollution/supply, transportation, garbage, parks & recreation, planning
Mosquito Control Districts	1957	Ch. 17.28 RCW	Abatement or exterminate mosquitos
Park & Recreation Districts	1957	Ch. 36.69 RCW	Provide leisure time activities and recreational facilities
Inter-County Regular Weed Districts	1959	Ch. 17.06 RCW	Provides for joint program of all or any part of two counties or more to control weeds

**Appendix 1 - Special Purpose Districts in Washington by Date of Enabling Legislation**  
**Includes Districts Created for Financing Purposes**

District	Date Created	Enabling Statute (RCW)	Purpose
Diking and Drainage Districts (statutes for diking district; drainage district; diking, drainage, and/or sewerage improvement district ;intercounty diking and drainage district; consolidated diking district, drainage district, diking improvement district, and/or drainage improvement district; or flood control district.)	1961 Recodification	Title 85 RCW	Construct, straighten, widen, deepen, and improve all rivers, watercourses or streams causing overflow damage to land in district
Flood Control Zone Districts	1961	Ch. 86.15 RCW	Undertake, operate, or maintain flood control/storm water control for areas of the county
Irrigation and Rehabilitation Districts	1961	Ch. 87.84 RCW	Conversion of certain irrigation districts to further recreation potential of larger lakes, improve inland lakes and shorelines
Joint Jail District (Two or more counties)	1961, Repealed 1971	RCW 36.63.280-.440	Establish, operate joint county jail, farm, camp
Toll Facility Aid Districts	1961, Repealed 1971	Ch. 47.57 RCW	Pay toll project bonds or portion financed by bonds
Park & Recreation Service Areas	1963	RCW 36.68.400 - .620	Finance, acquire construct, improve, maintain, or operate any park, senior citizen activities center, zoo, aquarium, and, or recreational facilities
Horticultural Pest and Disease Boards (Horticultural Assessment)	1969	Ch. 15.09 RCW	Provide funds for inspecting and disinfecting horticultural or agricultural produces and premises
Solid Waste Collection Districts	1971	Ch. 36.58A RCW	Mandatory collection of solid waste in unincorporated county
Water-Sewer Districts (water-sewer district, water district, sewer district)	1971	Title 57 RCW (districts reclassified, formerly Sewer Title 56, Water Title 57), reclassification 1997	Furnish ample supply of water; purchase and maintenance of fire fighting equipment; furnish wastewater collection; provide street lighting
Television Reception Improvement Districts	1971	Ch. 36.95 RCW	Construction, maintenance, and operation of television and FM radio translator stations
County Public Transportation Authority	1974	Ch. 36.57 RCW	Allows county to provide public transportation
Public Transportation Benefit Area	1975	Ch. 36.57A RCW	Provide public transportation in defined area
Unincorporated Transportation Benefit Areas (UTBA)	1975	RCW 36.57.100	Provide transportation services to unincorporated areas of the county

**Appendix 1 - Special Purpose Districts in Washington by Date of Enabling Legislation**  
**Includes Districts Created for Financing Purposes**

<b>District</b>	<b>Date Created</b>	<b>Enabling Statute (RCW)</b>	<b>Purpose</b>
Emergency Medical Service Districts	1979	36.32.480 RCW	Emergency medical services and funding
Joint Park and Recreation Districts	1979	36.69.420 -.460	Enables park and recreation district to be formed by two or more counties
Joint city-county Housing Authorities	1980	RCW 35.82.300	Housing authority created by one or more counties, any city within those counties or in another county
Operating Agencies (Electricity Generation and Distribution, Cities & PUD))	1981	Ch. 43.52 RCW	Generate electricity
Apportionment Districts (Community redevelopment financing Act)	1982	Ch 39.88 RCW, Ruled unconstitutional by <i>Leonard v. Spokane, 127 Wn. 2nd 195 (1995)</i>	Allocate a portion of regular property taxes for limited time to finance public improvements
Cultural Arts, Stadium, and Convention Districts	1982	Ch. 67.38 RCW	Construction, modification, renovation, and operation of facilities for cultural arts, stadium and convention uses
Island Library Districts	1982	RCW 27.12.400 - .450	Provide library service for areas outside cities and towns on a single island only
Solid Waste Disposal Districts	1982	RCW 36.58.100	Funds solid waste disposal in counties under 1 million
County Rail Districts	1983	Ch. 36.60 RCW	Fund improved rail freight and passenger service
Legal Authorities (Hydroelectric) - Irrigation Districts	1983	RCW 87.03.825 - .840	Enables cooperative development of hydroelectric generating resources by cities and irrigation districts, cities towns, irrigation districts and PUDs
Roads & Bridges Service Districts	1983	Ch. 36.83 RCW	Improvement or funding for capital costs for state highway improvement a county or road district
Aquifer Protection Areas	1985	Ch. 36.36 RCW	Funds the protection, preservation and rehabilitation of subterranean water
Shellfish Protection Districts - "Clean Water Districts"	1985	Ch. 90.72 RCW	Protect shellfish industry from pollution
Lake Management Districts	1986	Ch. 36.61 RCW; RCW 35.21.403	Lake improvement & maintenance
Emergency Service Communication Districts	1987	RCW 82.14B.070-.100	Provide service and funding for emergency communications in-lieu of providing a county-wide system

**Appendix 1 - Special Purpose Districts in Washington by Date of Enabling Legislation**  
**Includes Districts Created for Financing Purposes**

District	Date Created	Enabling Statute (RCW)	Purpose
Public Facilities Districts	1988 - counties, 1999 - cities & towns	Ch. 36.100 RCW for counties	Acquire, construct, and operate sports facilities, entertainment facilities, convention facilities or regional centers and related parking facilities
Transportation Benefit Districts	1989	Ch. 36.73 RCW, RCW 35.21.225 for city	Funding streets, roads and highways
Regional Transit Authorities	1992	RCW 81.112	Enables transportation system for Puget Sound
Rural Public Hospital Districts (defined)	1992	RCW 70.44.450-.460	Hospital district with no city with population greater than 30,000
Rural Partial Library Districts	1993	RCW 27.12.470	Library district in portion of unincorporated county
Library Capital Facility Areas	1995	Ch 27.15 RCW	Funding for construction of capital library facilities
Public Stadium Authority	1997	Ch. 36.102 RCW	Development of a stadium and exhibition center
Public Facilities Districts, Cities	1999	Ch. 35.57 RCW cities/towns	Acquire, construct, operate sports, entertainment, convention facilities/regional centers and parking
City Transportation Authority (Monorail)	2002	Ch. 35.95A RCW, Ch. 248 Laws 2002	Construct/operate monorail transportation system
Community Renewal Areas	2002	Ch. 35.81 RCW, Ch. 218 Laws of 2002	Financing to rehabilitate blighted areas
Regional Transportation Investment District	2002	Ch. 36.120 RCW	Provides regions with the ability to plan, select, fund, and implement projects identified to meet the region's transportation and land use goals.
Ferry District, passenger-only (Counties of 1 million pop)	2003	Ch. 83 Laws 2003	Provide funding and operation of passenger-only ferries in counties bordering Puget Sound

## Appendix 2 - Number of Known Washington Special Purpose Districts as of April 2003

Based on various data sources including State Auditor's Office, 2002 Census of Governments, County Data, Special District Information and Special District Associations.

See Key of at Bottom of Chart for Abbreviations and Notes (Page A2-4)

District & County	ADAMS	ASOTIN	BENTON	CHELAN	CLALLAM	CLARK	COLUMBIA	COWLITZ	DOUGLAS	FERRY	FRANKLIN	GARFIELD	GRANT	GRAYS HARBOR	ISLAND	JEFFERSON	KING	KITSAP	KITTITAS	KLICKITAT	LEWIS	LINCOLN	MASON	OKANOGAN	PACIFIC	PEND OREILLE	PIERCE	SAN JUAN	SKAGIT	SKAMANIA	SNOHOMISH	SPOKANE	STEVENS	THURSTON	WAHIAKUM	WALLA WALLA	WHATCOM	WHITMAN	YAKIMA	TOTAL			
Agricultural Pest				1																			1				1														3		
Air Pollution Control Author.			B		O	SW		SW						O		O	PS	PS					O			O		PS		NW	SW	PS	S		O	SW		NW		Y	7		
Airport													1				1																									2	
Aquifer Protection Areas																																1										1	
Cemetery	2			5		4		7	5		2		5	1	2	2	1		1	3	10	5	1	4		3		3	6	1		6		2	2	2	11	8			104		
City transit (Monorail)																	1																									1	
Conservation	2	1	1	1	1	1	1	1	2	1	1	1	3	1	1	1	1	1	1	3	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	4	2		49		
County Trans Authority														1																												1	
County Rail																																										UK	
Cultural Arts, Stadium, and Convention																																										3	
Diking and Drainage			6			2		4						3	8		6				3					6	1	10		23	1	10			7	4		16			110		
Emergency Medical Service *						1																		2	1																	4	
Emerg Service Communication																									1																		1
Ferry (Passenger only)																																										0	
Fire Protection	7	1	6	8	6	11	2+mc	6	8	1+2mc	4	1	12	16	4	7	27+mc	6	7+mc	14	18	8	14	12+2mc	8	8	22	5	19	6	22+mc	11	11+mc	15	4	7+mc	17	13	12	381			
Flood Control							mc	2						1							3		1								3					1	2+mc	2			13		
Flood Control Zone								2								3	1				1							8			1					1	1				19		
Health	1	1	BF	CD			1		CD	TC	BF	1	1					1								TC														1	13		

**Appendix 2 - Number of Known Washington Special Purpose Districts as of April 2003**

District & County	ADAMS	ASOTIN	BENTON	CHELAN	CLALLAM	CLARK	COLUMBIA	COWLITZ	DOUGLAS	FERRY	FRANKLIN	GARFIELD	GRANT	GRAYS HARBOR	ISLAND	JEFFERSON	KING	KITSAP	KITTITAS	KLICKITAT	LEWIS	LINCOLN	MASON	OKANOGAN	PACIFIC	PEND OREILLE	PIERCE	SAN JUAN	SKAGIT	SKAMANIA	SNOHOMISH	SPOKANE	STEVENS	THURSTON	WAKIAKUM	WALLA WALLA	WHATCOM	WHITMAN	YAKIMA	TOTAL		
Horticultural Pest and Disease Board				mc					mc		1								1					1				1								1				7		
Intercounty Weed													2																													2
Housing Authority	2	1	2	1	1					1	1	1	1	1			3	2	1				1	1			2		3		2	1		1			2	2				33
Irrigation	1		7	17	4		3		4		2		3						2	2					11							9					15			17	97	
Authority (Irrigation)													1																												1	
Joint Park & Rec							MC																													MC					1	
Lake Management																	1												3		2			2				1			9	
Library		1	MC	NC	NO	FV		FV,1					NC	TR	SI	1	1	1					TR		TR	1	1	3	3		SI	1	1	TR		1	1	1	1	1	1	24
Library Capital Facility Area						2											2	1													3										8	
Metropolitan Park District																	1										1										1				3	
Mosquito Control	1		1	2		1	1	1		1	1		3																								2			1	15	
Operating Agency			1																																						1	
Park and Recreation	4		1	1	2	2	mc		1	1			2	1	2	1	1	2		2			3			1		4	1	1		2			2	1	2,mc	3	7	1	51	
Park & Recreation Service Areas				1													2	1													1	1								1	7	
Port	1	1	2	1	1	3	1	3	1		2	1	10	1	3	1	1	12		1	2						1	1	3	2	1	2			1	2	1	1	1	2	76	
Public Facilities Districts			4			2		1		1				1			1	1									1		1		4	1		2			1		1		22	
Public Hospital	2		2	2	2		mc		3	1	1	1	6+mc	1	1	2	3	1	2	2	1	2	1	4+mc	2	2		1	3	1	3						mc		3		57	
Public Stadium Authority																	1																								1	
Public Transportation Benefit Area			BF	CD	1	1		1	CD		BF		1		1	1		1			1		1				1		1		1	1		1		1		1			19	
Public Utility Districts		1	1	1	1	1		1	1	1	1		1	1		1		1	1	1	1	1	2	1	1	1			1	1	1	1	1	1	1	1					30	
Public Waterway Districts																																										UK

**Appendix 2 - Number of Known Washington Special Purpose Districts as of April 2003**

District & County	ADAMS	ASOTIN	BENTON	CHELAN	CLALLAM	CLARK	COLUMBIA	COWLITZ	DOUGLAS	FERRY	FRANKLIN	GARFIELD	GRANT	GRAYS HARBOR	ISLAND	JEFFERSON	KING	KITSAP	KITTITAS	KLICKITAT	LEWIS	LINCOLN	MASON	OKANOGAN	PACIFIC	PEND OREILLE	PIERCE	SAN JUAN	SKAGIT	SKAMANIA	SNOHOMISH	SPOKANE	STEVENS	THURSTON	WAKIAKUM	WALLA WALLA	WHATCOM	WHITMAN	YAKIMA	TOTAL					
Regional Transit Authorities																	ST										ST																1		
Regional Transp. Investment District																																													0
River & Harbor Improvement Districts																																												UK	
Roads & Bridges Service Districts																																												UK	
School	5	2	6	7	5	9	2	6	6	5	4	1	10	13	3	5	19	5	6	10	14	8	7	8	6	3	15	4	7	4	14	14	12	8	1	7	7	13	15	296					
Shellfish Protection Districts				1														1					4				2		1		1			2		1	2					15			
Solid Waste Collection Districts*																																											UK		
Solid Waste Disposal Districts																					1																	1					2		
Television Reception Improvement Districts				1	1				1								1		1		1			3			1												1				11		
Transportation Benefit District																																							1				1		
Unincorporated Transportation Benefit Areas (UTBA)												1																															1		
Water-Sewer Districts (water-sewer district, water district, sewer district)	1		4	6	2	1		1	2	3				7	18	3	62	12	7		6		5	1	3	3	14	4	4	1	8	12	2		1	4	9	1	2		209				
Weed	1		1										2						5																				1			10			
<b>TOTAL***</b>	<b>30</b>	<b>9</b>	<b>45</b>	<b>55</b>	<b>28</b>	<b>41</b>	<b>11</b>	<b>36</b>	<b>34</b>	<b>15</b>	<b>21</b>	<b>7</b>	<b>64</b>	<b>49</b>	<b>44</b>	<b>28</b>	<b>137</b>	<b>49</b>	<b>35</b>	<b>38</b>	<b>63</b>	<b>29</b>	<b>44</b>	<b>50</b>	<b>36</b>	<b>24</b>	<b>76</b>	<b>26</b>	<b>88</b>	<b>17</b>	<b>81</b>	<b>63</b>	<b>28</b>	<b>44</b>	<b>18</b>	<b>50</b>	<b>81</b>	<b>52</b>	<b>56</b>	<b>1730</b>					
Multicounty (MC) Districts in each county	0	1	3	3	2	2	4	2	2	3	2	0	2	2	1	1	3	1	1	0	0	1	2	3	2	1	3	0	1	1	4	0	2	2	2	4	1	0	0		64				

Key and Notes	
	* An emergency medical service district may be created by a county and include cities under RCW 36.22.480. This is different from the EMS tax district levy imposed by counties, cities, fire and hospital districts authorized by RCW 84.52.069.
	** Six of grant county special districts have not filed for 3 years and may be inactive, 12-03.
	*** Multicounty districts have not been included in individual county special district totals. The grand total includes the multicounty districts.
	<b>UK</b> - Number of districts is unknown
	<b>Multicounty districts (MC)</b>
	<b>Air Pollution Control Authorities:</b> B=Benton Clean Air Authority; O=Olympic Region Clean Air Agency; NW=Northwest Air Pollution Authority; PS=Puget Sound Clean Air Agency, SW=Southwest Clean Air Agency; S=Spokane County Air Pollution Control Authority; Y=Yakima Regional Clean Air Authority (7 Districts).
	<b>Fire Districts:</b> Ferry/Okanogan County FPD #13, Ferry/Okanogan County FPD #14, Walla Walla/Columbia County FPD #2, King County FPD #51 joint district with Kittitas FPD #5, Stevens County FPD #8 joint fire district with Ferry County #3 (5 Districts).
	<b>Flood Control Districts:</b> Waitsburg Coppi Flood Control District in Columbia and Walla Walla Counties (1 District).
	<b>Health Districts:</b> BF= Benton Franklin Health District, CD=Chelan-Douglas County, NE=Northeast Tri-County Health District (3 Districts).
	<b>Horticultural Pest and Disease Board:</b> Chelan-Douglas Pest and Disease Board (1 District).
	<b>Hospital Districts:</b> Columbia Hospital District #1 in Columbia and Walla Walla County, Grant Hospital District #6 in Grant, Douglas, Lincoln and Okanogan Counties (2 Districts).
	<b>Joint Park and Recreation District:</b> Prescott Joint Park & Recreation District in Columbia and Walla Walla County ( 1 District). Note in the fall of 2003 an election to form a Joint Park and Recreation District in the Grand Coulee Dam area with Lincoln, Grant, Douglas and Okanogan counties will occur.
	<b>Library Districts:</b> FV=Fort Vancouver Regional Library, MC=Mid-Columbia Library, NC=North Central Regional Library, SI=Sno-Isle Regional Library, TR=Timberland Regional Library (5 Districts)
	<b>Public Transit Benefit Districts:</b> BF=Ben Franklin Transit, CD=Link serving Chelan and Douglas Counties (2 Districts).
	<b>Regional Transit Authority:</b> Sound Transit in King, Snohomish, and Pierce Counties (1 District).



### Appendix 3 - Comparative Data - Number of Special Purpose Districts

District	Date Created	Enabling Statute (RCW)	Number in 2003 (Multiple Sources)	Number DOR TaxCode Areas (3/02)	1963 Units of Govt, BGRS RPT
<b>Districts with Statutorily Designated Governing Body</b>					
<b>Agricultural - Weeds and Pests</b>					
Agricultural Pest Districts	1919	Ch. 17.12 RCW	3	1	1
Horticultural Pest and Disease Board (Horticultural Assessment)	1969	Ch. 15.09 RCW	7		NA
Weed Districts	1921	Ch. 17.04 RCW	10	5	15
Inter-County Regular Weed Districts	1959	Ch. 17.06 RCW	2		
<b>Air Pollution Control Authorities</b>	1957, 1967	Ch. 70.94 RCW	7		
<b>Airport Districts, County</b>	1945	RCW 14.08.290-.330	2	2	2
<b>Cemetery Districts</b>	1947	Ch. 68.52 RCW	104	101	44
<b>Conservation Districts</b>	1939	Ch. 89.08 RCW	48		74
<b>County Rail Districts</b>	1983	Ch. 36.60 RCW	Unknown		NA
<b>Cultural Arts, Stadium, and Convention Districts</b>	1982	Ch. 67.38 RCW	0	1	NA
<b>Diking and Drainage Districts</b>		Title 85 RCW	110		194
Diking Districts	1895	Ch. 85.05 RCW	Included above		Above
Diking & Drainage Districts in Two or More Counties (Intercounty Diking and Drainage Districts)	1909	Ch.. 85.24 RCW	Included above		Above
Diking, Drainage and Irrigation Improvement Districts; Drainage and Irrigation Improvement district - Improvement Districts - 1933 Act	1933	Ch. 85.22 RCW	Included above		Above
Diking, Drainage, Sewerage Improvement Districts Funding	1913	Ch. 85.08 RCW, Ch. 85.15 RCW	Included above		Above
Drainage Districts	1895	Ch. 85.06 RCW	Included above		Above
Drainage Improvement Districts; Diking Improvement Districts -	1917	Ch. 85.20 RCW	Included above		Above
Sewage Improvement Districts* - Formerly under Title 85 After 1979 powers of title 85	1923	RCW 57.04.120-.130	Included above		Above
<b>Emergency Medical Service Districts</b>	1979	36.32.480 RCW	4	139*	NA
<b>Emergency Service Communication Districts</b>	1987	RCW 82.14B.030 - .100	3		NA
<b>Fire Protection Districts</b>	1933	Title 52 RCW	381	394	332
<b>Flood Control</b>			13	1	
Flood Control by Counties Jointly - 1913 Act (Intercounty)	1913	Ch. 86.13 RCW	Included above		

### Appendix 3 - Comparative Data - Number of Special Purpose Districts

District	Date Created	Enabling Statute (RCW)	Number in 2003 (Multiple Sources)	Number DOR TaxCode Areas (3/02)	1963 Units of Govt, BGRS RPT
Flood Control Districts - 1935 Act	1935, Repealed 1965	Ch.86.05 RCW	Included above		3
Flood Control Districts - 1937 Act	1937	Ch. 86.09 RCW	Included above		9
<b>Flood Control Zone Districts</b>	1961	Ch. 86.15 RCW	19	18	
<b>Health Districts</b>	1945	Ch. 70.46 RCW	13		9
<b>Housing</b>					
Public Housing Authorities	1939	Ch. 35.82 RCW	33		23
Joint city-county Housing Authorities	1980	RCW 35.82.300	Included above		
<b>Irrigation &amp; Reclamation</b>			97	2	91
Irrigation Districts	1890	Ch. 87.03 RCW	Included above		Above
Irrigation and Rehabilitation Districts	1961	Ch. 87.84 RCW	Included above		Above
Reclamation and Irrigation Districts in Reclamation Areas	1943	Ch. 89.12 RCW	Included above		Above
Reclamation Districts of one million acres	1927	Ch. 89.30 RCW	Included above		Above
<b>Library Districts</b>		Ch. 27.12 RCW	24	39	
Inter-County Rural Library Districts	1947	RCW 27.12.090	Included above		5
Island Library Districts	1982	RCW 27.12.400 - .450	Included above		NA
Library Capital Facility Area	1995	Ch 27.15 RCW	8	8	NA
Regional Library Districts	1935	RCW 27.12.080	Included in library		Counted in other library
Rural County Library Districts	1941	RCW 27.12.040 - .070	Included in Library		10
Rural Partial Library Districts	1993	RCW 27.12.470	Included in library		NA
<b>Mosquito Control Districts</b>	1957	Ch. 17.28 RCW	15	14	5
<b>Park &amp; Recreation</b>					
Metropolitan Park Districts	1907	Ch. 35.61 RCW	3		2
Park & Recreation Districts	1957	Ch. 36.69 RCW	51	54	4
Park & Recreation Service Areas	1963	RCW 36.68.400 - .620	7		NA
Joint Park & Recreation District	1979	36.69.420 - .460	1		NA
<b>Port Districts</b>	1911	Title 53 RCW	76	76	72
<b>Public Facilities Districts</b>	1988-co; 1999 - city	Ch. 36.100 RCW counties, Ch. 35.57 RCW cities/towns	22		NA
<b>Public Hospital Districts</b>	1945	Ch. 70.44 RCW	57	56	33
Rural Public Hospital Districts (defined)	1992	RCW 70.44.450-.460	Included above		
<b>Public Stadium Authority</b>	1997	Ch. 36.102 RCW	1		NA
<b>Public Utility Districts</b>	1931	Title 54 RCW	30		30
<b>Roads &amp; Bridges Service Districts</b>	1983	Ch. 36.83 RCW	Unknown	1	

**Appendix 3 - Comparative Data - Number of Special Purpose Districts**

District	Date Created	Enabling Statute (RCW)	Number in 2003 (Multiple Sources)	Number DOR TaxCode Areas (3/02)	1963 Units of Govt, BGRS RPT
<b>School Districts</b>	1889	Ch. 28A.315 RCW	296	296	408
Joint School Districts	1897	Ch. 28A.323 RCW	Included above		
<b>Shellfish Protection Districts - "Clean Water Districts"</b>	1985	Ch. 90.72 RCW	15		NA
<b>Television Assessment Districts</b>	1971	Ch. 36.95 RCW	11		NA
<b>Transportation (Mass Transit)</b>					
City Transportation Authority (Monorail)	2002	Ch. 35.95A RCW, Ch. 248 Laws 2002	1		NA
County Public Transportation Authority	1974	Ch. 36.57 RCW	1		NA
Ferry Districts, passenger only	2003	Ch. 83 Laws of 2003	0		NA
Public Transportation Benefit Area	1975	Ch. 36.57A RCW	19		NA
Regional Transit Authorities	1992	RCW 81.112	1		NA
Regional Transportation Investment Districts	2002		0		NA
Unincorporated Transportation Benefit Areas (UTBA)	1975	RCW 36.57.100	1		NA
<b>Transportation Benefit District</b>	1989	Ch. 36.73 RCW, RCW 35.21.225 for city	1	1	NA
<b>Water-Sewer Districts (water-sewer districts, water districts, sewer districts)</b>	Sewer Dist 1941; water dist 1913; water-sewer consolidation 1971	Title 57 RCW (districts reclassified, formerly Sewer Title 56, Water Title 57), reclassification 1997	209	126 water, 39 sewer	194
<b>Assessment Districts Created for Funding Purposes</b>					
<b>Apportionment District (Community redevelopment financing Act)</b>	1982	Ch 39.88 RCW Ruled unconstitutional by Leonard v. Spokane, 127 Wn. 2nd 195 (1995)	NA	2	NA
<b>Aquifer Protection Areas</b>	1985	Ch. 36.36 RCW	1		NA
<b>Community Renewal Area</b>	2002	Ch. 35.81 RCW, Ch. 218 Laws of 2002	Unknown		NA
<b>County Road Districts</b>	1889	RCW 36.75.060	Unknown	39	84
<b>Flood Control by Counties (River Improvement Fund)</b>	1907	Ch. 86.12 RCW	Unknown		
<b>Industrial Development Districts (Ports) - to develop marginal area properties</b>	1939	Ch. 53.25 RCW	Unknown		1
<b>Lake Management Districts</b>	1986	Ch. 36.61 RCW; RCW 35.21.403	9		NA

**Appendix 3 - Comparative Data - Number of Special Purpose Districts**

District	Date Created	Enabling Statute (RCW)	Number in 2003 (Multiple Sources)	Number DOR TaxCode Areas (3/02)	1963 Units of Govt, BGRS RPT
<b>Public Waterway Districts</b>	1911	Ch. 91.08 RCW	Unknown		
<b>River &amp; Harbor Improvement Districts</b>	1903	Ch. 88.32 RCW	Unknown		
<b>Solid Waste Collection Districts</b>	1971	Ch. 36.58A RCW	Unknown		NA
<b>Solid Waste Disposal Districts</b>	1982	RCW 36.58.100	2		NA
<b>Other Types of Special Governments</b>					
<b>Legal Authorities (Hydroelectric) - Irrigation Districts - Interlocal</b>	1983	RCW 87.03.825 - .840	1		NA
<b>Metropolitan Municipal Corporations</b>	1957	Ch. 35.58 RCW & Ch. 36.56 RCW	0		2
<b>Operating Agencies (Electricity Generation and Distribution, Cities &amp; PUD) - Interlocal</b>	1981	Ch. 43.52 RCW	1		NA
<b>Repealed Statutes &amp; Dissolved Districts</b>					
Commercial Waterway	1911, Repealed 1971				1
Ferry	1917, Repealed 1994				2
Flood Control District 1935 Act	1935, Repealed 1965				
Joint Jail District	1961, Repealed 1971				
Sanitary Districts	1933, Repealed 1971				
School Library District	Repealed 1965				1
Toll Facility Aid District	1961, Repealed 1971				
Townships	1895, Repealed 1997				
Water Distribution District	1921, Repealed 1971				1

\* This figure is the EMS tax district levy imposed by counties, cities, fire and hospital districts authorized by RCW 84.52.069 not the number of emergency medical service districts created pursuant to RCW 36.22.480.

## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
<b>Districts with Statutorily Designated Governing Body</b>			
<b>Agricultural - Weeds and Pests</b>			
Agricultural Pest Districts	Ch. 17.12 RCW	Petition - ten or more resident freeholders; hearing	Supervision by agricultural expert or commissioner of district acting ex officio
Horticultural Pest and Disease Board (Horticultural Assessment)	Ch. 15.09 RCW	Petition or motion of county commissioners; hearing	Horticultural pest and disease board, 4 appt by county 1 by Director of Agriculture
Weed Districts	Ch. 17.04 RCW	Petition owners - 50% of acreage; hearing; resolution	Board of directors, 3 elected directors
Inter-County Regular Weed Districts	Ch. 17.06 RCW	Petition owners - 50% of acreage; hearing; order	Board of directors, 3 elected directors
<b>Air Pollution Control Authorities</b>	Ch. 70.94 RCW	Petition - 100 property owners or motion by county; hearing	Board of directors, appointed; composition designated by statute
<b>Airport Districts, County</b>	RCW 14.08.290-.330	Application - 100 voters; election; resolution	Board of county commissioners or 3 elected airport commissioners
<b>Cemetery Districts</b>	Ch. 68.52 RCW	Petition - 15% voters; hearing; election	Cemetery board, 3 elected cemetery commissioners
<b>Conservation Districts</b>	Ch. 89.08 RCW	Petition - 10% voters; hearing by Conservation Commission; election	Board of 5 supervisors, 3 elected, 2 appointed by commission
<b>County Rail Districts</b>	Ch. 36.60 RCW	Hearing; resolution	County legislative authority
<b>Cultural Arts, Stadium, and Convention Districts</b>	Ch. 67.38 RCW	Resolution or petition -10%; hearing; election	Outlined in resolution; statutes specify who should be represented
<b>Diking and Drainage Districts</b>	Title 85 RCW	Resolution or petition -10%; investigation by county engineer; hearing; election	Governing body composed of 3 elected members
Diking & Drainage Districts in Two or More Counties (Intercounty Diking and Drainage Districts)	Ch. 85.24 RCW		

### Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
Diking District	Ch. 85.05 RCW	Resolution or petition of 10 property owners; feasibility determination by county engineer; hearing; election pursuant to Ch. 85.38 RCW	Board of 3 elected dike commissioners
Diking & Drainage Districts in Two or More Counties (Intercounty Diking and Drainage Districts)	Ch. 85.24 RCW	Resolution or petition of 10 property owners; feasibility determination by county engineers; hearing; election pursuant to Ch. 85.38 RCW	Board of 3 district commissioners, initially appointed; elected per 85.38 RCW
Diking, Drainage and Irrigation Improvement District; Drainage and Irrigation Improvement district - Improvement Districts - 1933 Act	Ch. 85.22 RCW	Petition signed by district commissioners; election	3 elected supervisors; commissioners of old district become supervisors of new district
Drainage Districts	Ch. 85.06 RCW	Resolution or petition of 10 property owners; feasibility determination by county engineer; hearing; election pursuant to Ch. 85.38 RCW	Board of 3 elected commissioners; consolidated districts could retain 5 member board
Reorganization of Diking or Drainage Districts into Improvement Districts - 1917 Act	Ch. 85.20 RCW	Petition signed by district commissioners; election	Board of commissioners becomes board of supervisors

## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
Diking, Drainage, Sewerage Improvement Districts Funding methods revised by Diking, Drainage, and Sewerage Improvement Districts - 1967 Act	Ch. 85.08 RCW, Ch. 85.15 RCW	Petition, resolution or petition of 10 property owners; feasibility determination by county engineer; hearing; election pursuant to Ch. 85.38 RCW. If less than 500 acres petition of 50% of acreage	Board of 3 elected supervisors, initially appointed then elected by ch. 85.38.RCW; if less than 500 acres county engineer will be sole supervisor of the district
<b>Emergency Medical Service Districts</b>	RCW 36.32.480	Hearing; ordinance	County legislative authority or interlocal agreement
Urban Emergency Medical Services Districts	RCW 35.21.762	Hearing; ordinance	City or town council, acting in an ex officio capacity and independently
<b>Emergency Service Communication Districts</b>	RCW 82.14B.070 - .100	Legislative authority establishes (ordinance or resolution)	County legislative authority
<b>Fire Protection Districts</b>	Title 52 RCW	Petition -10%; hearing; election	Board of fire commissioners; 3 or 5 elected commissioners
<b>Flood Control Districts</b> - See Ch. 85.38 for Formation and Organization of District		Resolution or petition -10%; investigation by county engineer; hearing; election	Governing body composed of 3 elected members
Flood Control Districts - 1937 Act	Ch. 86.09 RCW	Petition, resolution or petition of 10 property owners; feasibility determination by county engineer; hearing; election pursuant to Ch. 85.38 RCW. If less than 500 acres petition of 50% of acreage	Board of 3 district commissioners, initially appointed; elected per Ch. 85.38 RCW
Flood Control by Counties Jointly - 1913 Act (Intercounty)	Ch. 86.13 RCW	Resolution; interlocal contract	Boards of county commissioners; interlocal contract

## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
<b>Flood Control Zone Districts</b>	Ch. 86.15 RCW	Action of board or petition - 25%;	Board of county commissioners; option to elect 3 zone supervisors if district over 2000 residents
<b>Health Districts</b>	Ch. 70.46 RCW	Resolution or ordinance of county legislative authority	Board of health - composition set by statute
<b>Housing</b>			
Public Housing Authorities	Ch. 35.82 RCW	Resolution or petition - 25%	5 commissioners appointed; 7 members if city more than 400,000 pop
Joint City-County Housing Authorities	RCW 35.82.300	Ordinance	Determined by ordinance
<b>Irrigation &amp; Reclamation</b>			
Irrigation Districts	Ch. 87.03 RCW	Petition - 50 or majority of land owners; investigation by Department of Ecology; hearing; election	Board of directors, 3 or 5 elected directors
Irrigation and Rehabilitation Districts (Conversion of irrigation district)	Ch. 87.84 RCW	Petition - 50 land owners; hearing; election	Same as irrigation district
Reclamation Districts of one million acres	Ch. 89.30 RCW	Petition - 50 land owners; commission created to hear petition; election	Board of directors, number equal to number of counties participating
<b>Library Districts</b>			
Inter-County Rural Library Districts	RCW 27.12.090	Resolutions or joint session of counties or petition - 10%; election	Board of trustees; 5 or 7 appointed by county commissioners
Island Library Districts	RCW 27.12.400 - .450	Petition - 10%; hearing; election	Board of 5 trustees appointed by county commissioners
Library Capital Facility Areas	Ch 27.15 RCW	Request from library trustees to county commissioners; election	Three members from each county legislative body or less by agreement



## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
Regional Library Districts	RCW 27.12.080	Interlocal contract - two or more counties	Board of 5 or 7 trustees appointed by joint action of legislative authorities
Rural County Library Districts	RCW 27.12.040 - .070	Petition -10%; hearing; election	Board of 5 trustees appointed by county commissioners
Rural Partial Library Districts	RCW 27.12.470	Petition -10%; hearing; election	Board of 5 Trustees appointed by county commissioners
<b>Mosquito Control Districts</b>	Ch. 17.28 RCW	Petition-10% or resolution; hearing; election	Appointed board of 5 trustees - composition set by statute
<b>Park &amp; Recreation</b>			
Metropolitan Park Districts	Ch. 35.61 RCW	Resolution or petition -15%	One of three forms
Park & Recreation Districts	Ch. 36.69 RCW	Resolution or petition-15%; hearing; election	Board of 5 elected commissioners
Park & Recreation Service Areas	RCW 36.68.400 - .620	Resolution or petition -10%; feasibility study; election	County legislative authority, acting ex officio and independently
Joint Park & Recreation Districts	RCW 36.69.420 -.460	Petition -15%; hearing in each county; election in each county	Board of 5 elected commissioners
<b>Port Districts</b>	Title 53 RCW	Initiated by county legislative authority or petition - 10%; hearing; election	Port commission of 3 or 5 elected members from commissioner districts
<b>Public Facilities Districts</b>	Ch. 36.100 RCW for counties, Ch. 35.57 RCW cities/towns	Resolution or interlocal agreement	Appointed board of directors; 5 or 7 members; membership composition set by statute
<b>Public Hospital Districts</b>	Ch. 70.44 RCW	Resolution or petition -10%; election	Board of elected commissioners; 3, 5, or 7 commissioner districts
Rural Public Hospital Districts (defined)	RCW 70.44.450 -.460		
<b>Public Stadium Authority</b>	Ch. 36.102 RCW	Resolution	Board of appointed directors; composition set by statute
<b>Public Utility Districts</b>	Title 54 RCW	Resolution or petition -10%; election	Election commission of 3 or 5 commissioner districts

## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
<b>Roads &amp; Bridges Service Districts</b>	Ch. 36.83 RCW	Hearing; resolution or ordinance	3 member appointed commission
<b>School Districts</b>	Ch. 28A.315 RCW	Petition or proposal from ESD or school board motion; hearing by regional committee; may require election See Ch. 28A.315.265.	Board of 5 or 7 elected directors
Joint School Districts	Ch. 28A.323 RCW		
<b>Shellfish Protection Districts - "Clean Water Districts"</b>	Ch. 90.72 RCW	Motion of county; election	County legislative authority
<b>Television Assessment Districts</b>	Ch. 36.95 RCW	Petition - 50%	If district less than full county, Board of 3,5-9 appointed members; if same as county then county commissioners
<b>Transportation (Mass Transit)</b>			
City Transportation Authority (Monorail)	Ch. 35.95A RCW, Ch. 248 Laws 2002	Ordinance or petition -1%; election	Appointed or elected depending on ballot proposition
County Public Transportation Authority	Ch. 36.57 RCW	Resolution	Appointed; membership set by statute
Ferry District, Passenger-only (County over 1 million population)	Ch. 83 Laws 2003	Hearing; ordinance	County legislative authority acting ex officio
Public Transportation Benefit Area	Ch. 36.57A RCW	Resolution or petition -10% to call a conference; hearing; resolution of conference	Selected by participants; membership set out in statutes
Regional Transit Authorities	RCW 81.112	Interlocal agreement; resolution	Board of appointed representatives; membership set by statute
Regional Transportation Investment District	Ch. 36.120 RCW	Committee created; election	Members of each legislative authority acting ex officio and independently
Unincorporated Transportation Benefit Areas (UTBA)	RCW 36.57.100		

## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
<b>Transportation Benefit Districts</b>	Ch. 36.73 RCW, RCW 35.21.225 for city	Hearing; ordinance	County or city legislative authority acting ex officio or interlocal agreement if more than one jurisdiction
<b>Water-Sewer Districts (water-sewer district, water district, sewer district)</b>	Title 57 RCW (districts reclassified, formerly Sewer Title 56, Water Title 57), reclassification 1997	Petition -10% or resolution if public health necessity hearing; election	3,5,or 7 elected members
<b>Districts Created for Funding Purposes - No Separate Governing Board</b>			
<b>Apportionment Districts (Community Redevelopment financing Act)</b>	Ch 39.88 RCW, Ruled unconstitutional by <i>Leonard v. Spokane, 127 Wn. 2nd 195 (1995)</i>		
<b>Aquifer Protection Areas</b>	Ch. 36.36 RCW	Hearing; election	Not specified
<b>Community Renewal Areas</b>	Ch. 35.81 RCW, Ch. 218 Laws of 2002	Ordinance or resolution	Appointed board or local governing body or other board
<b>County Road Districts</b>	RCW 36.75.060	County commissioners can create up to 9 districts, one road district in each county commissioner's district	Not specified
<b>Flood Control by Counties (River Improvement Fund)</b>	Ch. 86.12 RCW		Not specified
<b>Industrial Development Districts (Ports) - to develop marginal area properties</b>	Ch. 53.25 RCW	Hearing	Not specified
<b>Lake Management Districts</b>	Ch. 36.61 RCW; RCW 35.21.403	Resolution or petition -10 land owners or 15% acreage whichever is greater; hearing; election	Not specified
<b>Public Waterway Districts</b>	Ch. 91.08 RCW	Petition - 35%; hearing	County board of commissioners

## Appendix 4 - Summary of Special Purpose District Formation and Governance

District	Enabling Statute (RCW)	Formation	Governance
<b>River &amp; Harbor Improvement Districts</b>	Ch. 88.32 RCW	Petition - 100 freeholders owning land	Appointed by U.S. govt
<b>Solid Waste Collection Districts</b>	Ch. 36.58A RCW	Hearing; UTC investigation	None specified
<b>Solid Waste Disposal Districts</b>	RCW 36.58.100	Hearing; ordinance	County governing body
<b>Other Types of Special Governments</b>			
<b>Boards of Joint Control (Irrigation districts and other entities)</b>	Ch. 87.80 RCW	Petition by two or more entities; hearing; resolution	County board appoints first members to board of joint control based on composition of board proposed in petition
<b>Legal Authorities (Hydroelectric) - Irrigation Districts - Interlocal</b>	RCW 87.03.825 - .840	Interlocal agreement	Interlocal agreement
<b>Metropolitan Municipal Corporations</b>	Ch. 35.58 RCW & Ch. 36.56 RCW	Resolution or petition - 4%; election	Metropolitan council composition outlined by statute
<b>Operating Agencies (Electricity Generation and Distribution, Cities &amp; PUD) - Interlocal</b>	Ch. 43.52 RCW	Interlocal agreement	Interlocal agreement