

Formation of Mosquito Control Districts

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The provisions relating to the formation of mosquito control districts are summarized below, however the actual language of the statutes should be the guide for forming a district, not the summary provided.

Overview

The formation of a mosquito control district may be initiated either by resolution of the county legislative authority or by petition of the voters. A hearing is held to determine "whether the public necessity or welfare of the proposed territory and of its inhabitants requires the formation of the district," and an election is held to vote on the district's creation and on a tax levy for its first year of operation. Provisions for creating a district are found in RCW 17.28.020-.100.

Petition Method (RCW 17.28.020-.040)

- Petition contents:
 - A description of the boundaries of the proposed district;
 - A request that the area described be organized as a mosquito control district; and
 - Signatures of registered voters of each "unit" (defined in RCW 17.28.010(4)) of the proposed district, equal in number to not less than 10 percent of the votes cast in each unit respectively for the office of governor at the last gubernatorial election.
- A petition to form a district is to be presented at a regular meeting of the legislative authority of the county in which the greater area of the proposed district is located.
- A city or town may be included as a part of the proposed district, but its governing body must pass a resolution requesting inclusion.
- The county auditor has 30 days to determine sufficiency of the number of signatures on the petition.

Resolution Method (RCW 17.28.050)

- The county legislative authority may also initiate the organization of a district by a resolution of intention to do so.

- The resolution must describe the boundaries of the proposed district, set a time and place at which the legislative authority will consider the organization of the district, and state that all persons interested may appear and be heard.

Hearing Notice (RCW 17.28.040-.060)

- Upon receipt of a certified petition, the county legislative authority must publish the text of the petition along with not more than five of the names attached to the petition, the number of signers of the petition, and the time and place of hearing.
- The notice is to be published once a week for at least three consecutive weeks in one or more newspapers of general circulation within the county where the petition is presented and in each city included in the proposed district.
- If any portion of the proposed district lies in another county, the petition and notice must be published in that county as well.
- If the county legislative authority initiates the district formation by resolution, the resolution must be published in the same manner as required the petition method, above.

Hearing (RCW 17.28.060 - .080)

- At the hearing on the proposed district, the county legislative authority must hear those appearing and all protests and objections to the district formation and consider the organization of the district.
- The hearing may be adjourned from time to time, not exceeding two months in all.
- At the final hearing, the county legislative authority must define and establish the district's boundaries, making such changes in the proposed boundaries as are advisable.
- At the hearing on the petition, the county legislative authority must determine whether the public necessity or welfare of the proposed territory and of its inhabitants requires the formation of the district and whether the petition complies with the statutory requirements.

Election to Form District (RCW 17.28.080 - .090)

- If public necessity or welfare requires the formation of the district, the county legislative authority declares its findings, fixes the boundaries, selects an appropriate name for the proposed district, and calls a special election to be held in not less than 30 days nor more than 60 days.
- The notice of election is published in a similar manner as the for notice of the formation hearing.
- The election on the formation of the mosquito control district is conducted by the auditor of the county in which the greater area of the proposed district is located in accordance with the state's general election laws.
- The auditor conducting the election may appoint an auditor from any county or the city clerk of any city lying wholly or partially within the proposed district as his or her deputies.
- Only qualified voters who have resided within the mosquito control district for at least 30 days preceding the date of the election are entitled to vote.
- The ballot proposition must be in substantially the following form:

Shall a mosquito control district be established for the area described in a resolution of the board of commissioners [or county council] of _____ county adopted on the _____ day of _____, 20____ ? YES [] NO []

- If a majority of the persons voting on the proposition vote in favor of the district, the mosquito control district is established.
- Certified copies of the order establishing the district are to be provided to all counties embracing the district and filed with the secretary of state.

Election Expenses (17.28.090)

- If a majority of the persons voting on the proposition vote in favor of the district, all expenses of the election must be paid by the district when it is organized.
- If the proposition fails to receive a majority of votes in favor, the expenses of the election are borne by the respective counties in which the district would have been located in proportion to the number of votes cast in those counties.

Election to Levy General Tax for One Year (RCW 17.28.100)

- At the formation election, voters are also asked for their approval or rejection of a proposition authorizing the district, if it is formed, to levy at the earliest time permitted by law on all taxable property located within the mosquito control district a general tax, for one year, of up to 25 cents per thousand dollars of assessed value for authorized purposes of the district.
- The proposition must be stated on the ballots in substantially the following form:

ONE YEAR _____ CENTS PER THOUSAND DOLLARS OF ASSESSED VALUE LEVY Shall the mosquito control district, if formed, levy a general tax of _____ cents per thousand dollars of assessed value for one year upon all the taxable property within said district in excess of the constitutional and/or statutory tax limits for authorized purposes of the district? YES [] NO []

- To levy the tax, the proposition must be approved by a 60 percent majority of the persons voting on the proposition