

RESOLUTION NO. 659

A RESOLUTION OF THE BOARD OF COMMISSIONERS  
OF BIRCH BAY WATER & SEWER DISTRICT, WHATCOM COUNTY,  
WASHINGTON, AMENDING DISTRICT CODE ON ANNEXATION

WHEREAS, the District has determined that a portion of the current requirements regarding the content of complete annexation petitions requires clarification to maintain consistency with the intent of the Board of Commissioners ("Board"); and

WHEREAS, the Board's intent is that all petitioners for annexation should bring forward their requests under either the election method or the petition method, as identified herein; and

WHEREAS, the District finds that it is in its best interest to clarify certain language concerning complete petitions, to ensure petitioners for annexation are aware of all applicable District requirements; and

WHEREAS, the foregoing recitals and findings are a material part of this Resolution;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Birch Bay Water and Sewer District, Whatcom County, Washington as follows:

Section 1: District Code Section 1.12.030(F) is hereby repealed in its entirety and replaced with a new Section 1.12.030(F) which shall read as follows:

F. A statement declaring one of the following two methods as the proposed means of annexation:

(1) The election method presently authorized at RCW 57.24.010 through 57.24.050; or

(2) The petition method presently authorized at RCW 57.24.060 through 57.24.100.

Requests for annexation shall include all petition signatures and supporting documentation required under the above statutes, as applicable.

Section 2: BE IT FURTHER RESOLVED that any resolutions or parts of resolutions in conflict herewith are hereby repealed insofar as they conflict with the provisions of this resolution.

Section 3: If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The Board of Commissioners hereby declare that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases has been declared invalid or unconstitutional, and if, for any reason, this Resolution should be

declared invalid or unconstitutional, then the original Resolution or Resolutions shall be in full force and effect.

Section 4: This Resolution shall be effective immediately.

ADOPTED by the Board of Commissioners of Birch Bay Water & Sewer District, Whatcom County, Washington, at a regular meeting held the 12 day of October, 2006.

  
COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

THIS IS TO CERTIFY that the above is a true and correct copy of Resolution No. 659 of Birch Bay Water & Sewer District, Whatcom County, Washington, adopted at the regular meeting of the Board of Commissioners on October 12, 2006.

  
SECRETARY