

RCW 53.04.023 Formation of less than countywide district. A less than countywide port district with an assessed valuation of at least one hundred fifty million dollars may be created: (1) In a county that already has a less than countywide port district located within its boundaries; or (2) under the provisions of *RCW 53.04.025. Except as provided in this section, such a port district shall be created in accordance with the procedure to create a countywide port district.

The effort to create such a port district is initiated by the filing of a petition with the county auditor calling for the creation of such a port district, describing the boundaries of the proposed port district, designating either three or five commissioner positions, describing commissioner districts if the petitioners propose that the commissioners represent districts, and providing a name for the proposed port district. The petition must be signed by voters residing within the proposed port district equal in number to at least ten percent of such voters who voted at the last county general election.

A public hearing on creation of the proposed port district shall be held by the county legislative authority if the county auditor certifies that the petition contained sufficient valid signatures. Notice of the public hearing must be published in the county's official newspaper at least ten days prior to the date of the public hearing. After taking testimony, the county legislative authority may make changes in the boundaries of the proposed port district if it finds that such changes are in the public interest and shall determine if the creation of the port district is in the public interest. No area may be added to the boundaries unless a subsequent public hearing is held on the proposed port district.

The county legislative authority shall submit a ballot proposition authorizing the creation of the proposed port district to the voters of the proposed port district, at any special election date provided in RCW 29A.04.330, if it finds the creation of the port district to be in the public interest.

The port district shall be created if a majority of the voters voting on the ballot proposition favor the creation of the port district. The initial port commissioners shall be elected at the same election, from districts or at large, as provided in the petition initiating the creation of the port district. The election shall be otherwise conducted as provided in RCW 53.12.172, but the election of commissioners shall be null and void if the port district is not created. [2014 c 15 s 1; 1997 c 256 s 1; 1994 c 223 s 84; 1993 c 70 s 1; 1992 c 147 s 2.]

***Reviser's note:** RCW 53.04.025 expired December 31, 2020.

Effective date—1997 c 256: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 5, 1997]." [1997 c 256 s 2.]

Severability—1992 c 147: See note following RCW 53.04.020.