

**WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 5**

**RESOLUTION NO. 2023-01**

**RESOLUTION PROVIDING FOR THE SUBMISSION OF LEVY  
GENERAL ELECTION**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF WHATCOM COUNTY FIRE PROTECTION DISTRICT NO. 5 PROVIDING FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE DISTRICT AT AN ELECTION TO BE HELD WITHIN THE DISTRICT ON NOVEMBER 7, 2023, IN CONJUNCTION WITH THE STATE GENERAL ELECTION TO BE HELD ON THE SAME DATE, OF A PROPOSITION ESTABLISHING THE LEVY OF A PROPERTY TAX NOT TO EXCEED \$1.14 PER \$1,000.00 OF TRUE AND ASSESSED VALUATION SUBJECT TO OTHERWISE APPLICABLE STATUTORY LIMITATIONS.

**Background:** WHEREAS, it is the judgment of the Board of Commissioners of the District that it is essential and necessary for the protection of the health and life of the residents of the District that the fire and emergency medical services be provided by the District.

WHEREAS, The Board of Commissioners has determined that the accelerated demands for, and increasing costs of, providing services will necessitate the expenditure of revenues for improved capital facilities and firefighter safety, additional apparatus, maintenance and operations in excess of those which can be provided by the District's regular tax revenue levied at the current rate of approximately \$.69 per \$1,000.00 of assessed valuation of taxable property within the District as limited by the 101% limitation.

WHEREAS, The Board of Commissioners has determined that it is in the best interest of the District that the maximum allowable levy authorized by this Resolution serve as the levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

**Resolution:** NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of Whatcom County Fire Protection District No. 5 Whatcom County, Washington as follows:

**Section 1.** It is necessary for the District to operate and maintain emergency fire and medical service vehicles, to acquire and improve station and other capital facilities and to retain properly trained personnel equipped with proper fire fighting and emergency medical equipment. The revenues generated by this lid lift will allow the District to cover the gap between inflation and the statutory one percent limit on increases to the District's budget to fund apparatus replacement and facility upgrades and to provide for investments in firefighter safety all of which are necessary to maintain and improve the level of fire protection, prevention, emergency medical services and the protection of life and property in the District.

**Section 2.** In order to provide the revenue adequate to pay the costs of maintaining and providing the services described in Section 1 and to assure the continuation and improvement of such services the District shall, in accordance with RCW 84.55.050, remove the one percent limitation on regular property taxes imposed by RCW 84.55.010, and levy beginning in 2023 and collect beginning in 2024, pursuant to RCW 52.16.130, RCW 52.16.140 and RCW 52.16.160, a general tax on taxable property within the District at a rate of \$1.14 per \$1,000.00 of assessed valuation subject to otherwise applicable statutory limits.

**Section 3.** The amount levied in 2023 shall serve as the District’s tax levy base for purposes of applying the limit factor established by RCW 84.55.010 in subsequent years.

**Section 4.** There shall be submitted to the qualified electors of the District for their ratification or rejection, at an election on November 7, 2023, in conjunction with the state general election to be held on the same date the question of whether or not the regular property tax levy of the District should be restored to \$1.14 per \$1,000.00 of true and assessed valuation, subject to otherwise applicable statutory limitations. The Board of Commissioners hereby requests the auditor of Whatcom County, as ex-officio Supervisor of Elections, to call such election, and to submit the following proposition at such election, in the form of a ballot title substantially as follows:

Whatcom County Fire Protection District No. 5  
Proposition No. 1 Property Tax Levy For Fire Protection  
and Emergency Medical Services.

The Board of Whatcom County Fire Protection District No. 5 adopted Resolution No. 2023-01 concerning a proposition to maintain and adequately fund District operations.

This proposition would authorize the District to establish its regular property tax levy at \$1.14 per \$1,000 of assessed value to be assessed in 2023 and collected in 2024. The funds will maintain and improve fire protection and emergency medical services, replace apparatus, equipment and facilities and provide for firefighter safety. The maximum allowable levy in 2023 (collected in 2024) shall serve as the base for subsequent levy limitations as provided by chapter 84.55 RCW.

Should this proposition be:

Approved

Rejected

**Section 5.** Pursuant to RCW 84.55.050(1), the measure requires a simple majority vote to be approved.

**Section 6.** The Board of Commissioners finds and declares that it is in the best interest of the District to have information regarding the ballot measure included in the local voters’ pamphlet. Furthermore, that the appropriate costs thereof shall be paid for by the District. The Board of Commissioners further authorizes and directs the Fire Chief to provide such information to the County Elections department for inclusion and to take other actions as necessary to that end.

**Section 7.** The Board hereby assigns to the Fire Chief or designee the task of appointing members to a committee to advocate voters’ approval of the proposition and to a committee to prepare arguments advocating voters’ rejection of the proposition.

**Section 8.** For purposes of receiving notice of any matters related to the ballot title, as provided in RCW 29A.36.080, the Board hereby designates the Fire Chief as the individual to whom the County Auditor shall provide such notice.

**Section 9.** The Chief is authorized to implement such administrative procedures as may be necessary to carry out the directives of this resolution, including modifying the text of the ballot title and any other text, language and/or descriptions relative thereto necessary to conform such ballot title, text, language and/or descriptions to the intent of the parties, consistent with the objectives of this resolution.

**Section 10.** The Chief, or designee, is hereby authorized and directed, no later than August 1, 2023, to provide to the County Auditor a certified copy of this resolution and the proper District officials are authorized to perform such other duties or take such other actions as are necessary or required by law to the end that the proposition described in this resolution appear on the ballot before the voters at the November 7, 2023 election.

**Section 11.** If any section, subsection, paragraph, sentence, clause or phrase of this resolution is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this resolution.

**Section 12.** Any act consistent with the authority and prior to the effective date of this resolution is hereby ratified and affirmed.

**Section 13.** This resolution shall take effect and be in force immediately upon its passage.

**Adoption:** ADOPTED by the Board of Commissioners of Whatcom County Fire Protection District No. 5 at an open public meeting of such Board on the 12<sup>th</sup> day of July, 2023 with the following Commissioners being present and voting:

  
Secretary Linda Hughes

  
Commissioner Lester

  
Commissioner Harper

  
Commissioner Katz