

PETITION INSTRUCTIONS

ESTABLISHMENT OF A OPEN RANGE AREA OR REMOVAL FROM AN EXISTING OPEN RANGE AREA

Open Range restricted areas may be established pursuant to RCW 16.24 and must be no less than two square miles in area (1,280 acres) unless the area proposed is contiguous to an existing stock restricted area. Areas which are proposed and contiguous to a current stock restricted area are not subject to the required two square miles in area but must go through the below described process.

If petitioners are requesting partial removal of property from an existing open range area the remaining properties must be no less than two square miles in area (1,280 acres).

PETITION:

It will be necessary to prepare a petition to be submitted to the county legislative authority containing original signatures of property owners in the proposed area. A sample petition is attached.

Petitions must be filed by at least one fee title owner of the land affected, but each petition must be signed by at least half (50%) of the fee title owners affected, and the signing owners must own at least half (50%) of the land affected.

The petition must contain a legal description of the proposed open range area or removal from an open range area and be accompanied by a map highlighting the boundaries of the proposed area. ***It will be necessary to contact the County Assessor's Office to obtain the necessary maps along with a listing of property owners "summary sheet" which includes addresses in the proposed area.*** Absentee owners will need to be contacted by mail with a petition sent requesting their support and signature. All petitions must contain original signatures. Those containing photocopied signatures will be considered invalid. Please bear in mind that not all property owners will support the petition and may decline to sign the petition.

FEE:

Pursuant to Douglas County Code Chapter 6.08 concerning Open Range Areas, all petitions must be accompanied by a fee, preferably in the form of a cashier's check, to cover the costs of processing the petition, including all publication and hearing costs, and the cost of placing signs (labor and materials) pursuant to RCW 16.24.060.

Public hearing notices will be published once each week for two successive weeks in county newspaper (*Douglas County Empire Press*) and must contain the full metes and bounds description of the affected area. Also, if the petition is approved by the legislative authority, notice of same must be published for four consecutive weeks (in newspaper) before it becomes law.

Once the legal description is known it will be necessary to receive publication cost estimates from the newspapers, as well as an estimate from the Douglas County

Transportation Land Services as to the signage costs for the affected area, which can be determined from the maps the petitioner is required to provide with the petition.

The fee presented at the time of filing the petition should be based upon the estimated cost for twelve weeks of publication (six weeks in both newspapers) and the estimated signage costs.

In the event the fee is in excess of the actual costs the unused portion will be refunded to the petitioner. If the fee does not fully cover the associated costs the petitioner will be notified in writing of the shortfall and required to remit the difference to the county.

FILING & PROCESS:

Once the petition process has been completed by the petitioners it will be necessary to file the original with the County Auditor and a copy, along with the estimated fees, with the Board of County Commissioners.

The County Auditor verifies the signatures on the petition as to voter registration which may be taken into account by the Board of County Commissioners in their deliberations and final decision. Once this has been accomplished the petition is forwarded to the County Assessor for verification of ownership relative to the number of acres included in the petition and the percentage of legal owners who have signed the petition. Following verification and certification by these offices, the original petition is then forwarded along with the verifications to the Board of County Commissioners.

Upon receipt by the County Commissioners' Office, a copy of the petition is presented to the Engineering Department for further verification of the accuracy of the legal description as defined by the map which must accompany the petition. The Engineering Department reviews the legal description, making any necessary changes following which it is returned to the county legislative authority.

The county legislative authority reviews the petition and sets a public hearing, notice of which shall be published at least once each week for two successive weeks in a newspaper having a general circulation within the county. (It is county policy to publish hearing notices relative to stock restrictions in all county newspapers.) Purpose of the public hearing is to receive testimony, both written and oral, from all persons for or against establishment or removal of a open range area. The legislative authority can make a decision to either accept or deny said petition based on the evidence and testimony presented. The board can reduce the size of a SRA request but can't increase it. If the decision is to establish a open range area the county commission shall make an order describing the open range area which must be published in a newspaper of general circulation in the county at least once each week for four successive weeks. The order does not become final until after this four-week period.

Attached:

Sample petition form

PETITION

FOR DESIGNATION OF OPEN RANGE AREA

COMES NOW, the undersigned, being residents and/or landowners within the following described real estate situated in the County of Douglas, State of Washington, to wit:

(LEGAL DESCRIPTION OF PROPOSED AREA)

BE SURE TO ATTACH A MAP HIGHLIGHTING THE BOUNDARIES OF THE PROPOSED AREA.

and, WHEREAS, the undersigned being residents and/or landowners within the proposed district as aforementioned herein request that the below described areas be established by said Board of County Commissioners, after due notice by a publication as provided by RCW 16.24.010, et seq, as amended, and a hearing thereupon, declare that the same be designated as a open range area in the interest of preservation of the lands within said proposed district, and in the further interest of preservation of said lands, herbage, and timber from being subjected to utilization by livestock, it being made shown to appear that there exists considerable incompatibility perpetuated by livestock running at large, and that there further exists sufficient necessity of such declaration that said lands below described be designated as a stock restricted area

WHEREFORE, the undersigned hereby requests due notice of the time and place of a hearing for such purpose of designation of stock restricted area, and that the same be published by the Board of County Commissioners of Douglas County, State of Washington, for two (2) consecutive weeks in a legal newspaper of general circulation in Douglas County, and that such notice state the time and place not less than twenty (20) nor

