

## Chapter 1

# Overview of a city

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### How cities and towns came to be

It's easy to think of a city as a stand-alone entity. They have their own borders and unique laws and ordinances. But cities operate within a larger government framework. They were created under the state constitution and general laws as "municipal corporations." In essence, cities are creatures of the state, exercising local powers only within the limitation of state law. However, cities have the broadest powers of any local government.

Cities can do many of the same things as an everyday private business: provide services, collect revenue, sue (and be sued), contract with other entities, etc. But unlike other businesses, city functions are wholly public.

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### Cities versus towns - what's the difference?

The difference between cities and towns is more than just semantics. All cities incorporate under one of four classifications:

- First class cities (population 10,000 or more)
- Second class cities (population 1,500 or more)
- Towns (population 1,500 or less)
- Optional municipal code (no population threshold)

While all cities and towns possess the same basic authority to perform general government functions, there are several distinctions. For example, code cities exercise a broader degree of self-government or "home rule" than do towns or second class cities. Waitsburg remains the last city in Washington to operate under a territorial charter, as revised in 1886.

### The creation of code cities

For many years, smaller cities tried to win changes in state law to give them the same flexibility and autonomy that "first class" cities (originally those with populations of 20,000 or more) were granted by the state constitution.

After much debate, a 1967 law created a new category called "code cities" that gives smaller cities much more local autonomy and flexibility over matters ranging from employee benefits to annexations. Since the law was passed, many small cities have chosen to become "code cities" to take advantage of the increased autonomy this status provides. MRSC's Code City Handbook contains a detailed summary of the differences between code and charter municipal governments. It also contains information about how to become a code city.

### No more new towns

The 1994 Legislature made some significant changes to the state laws governing incorporations. As a result of these changes the minimum population now required to incorporate as a city is 1,500. Since a new city cannot be formed unless it has at least 1,500 inhabitants, incorporation as a town is no longer an option (i.e. new cities must incorporate as either first or second class cities or as optional municipal code cities).

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## Know the law

- WA State Constitution
- RCW 35 - Cities and towns
- RCW 35A - Optional municipal code
- RCW 35.02.010 - Authority for incorporation
- Article 11, Section 10 of WA State Constitution - Charter cities
- RCW 35 - The powers and duties of first class cities, second class cities and towns
- RCW 35A - The powers and duties of optional municipal code cities

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## Resources

**City and town classification topic page**, MRSC

[mrsc.org/Home/Explore-Topics/Governance/Classification-of-Washington-Cities/City-and-Town-Classification-Overview.aspx](http://mrsc.org/Home/Explore-Topics/Governance/Classification-of-Washington-Cities/City-and-Town-Classification-Overview.aspx)

***Code City Handbook***, MRSC

[mrsc.org/getmedia/F96B74AB-A955-44BE-8DB2-8FBCE16075EA/cch2009.aspx](http://mrsc.org/getmedia/F96B74AB-A955-44BE-8DB2-8FBCE16075EA/cch2009.aspx)

**Governance - topic page**, MRSC

[mrsc.org/Home/Explore-Topics/Governance.aspx](http://mrsc.org/Home/Explore-Topics/Governance.aspx)

***Initiative and Referendum Guide for Washington Cities and Charter Counties***, MRSC

[mrsc.org/getmedia/18593ba0-fa89-4776-84dc-3dcab86b3449/initiativereferendumguide.pdf.aspx?ext=.pdf](http://mrsc.org/getmedia/18593ba0-fa89-4776-84dc-3dcab86b3449/initiativereferendumguide.pdf.aspx?ext=.pdf)

***Knowing the Territory: Basic Legal Guidelines for Washington City, County and Special Purpose District Officials***, MRSC

[mrsc.org/getmedia/1e641718-94a0-408b-b9d9-42b2e1d8180d/ktt15.pdf.aspx?ext=.pdf](http://mrsc.org/getmedia/1e641718-94a0-408b-b9d9-42b2e1d8180d/ktt15.pdf.aspx?ext=.pdf)

***The Closest Governments to the People: A Complete Reference Guide to Local Government in Washington State***, Steve Lundin, Washington State University

List of city classifications, Appendix B