

FINAL BILL REPORT

EHB 1223

C 130 L 11
Synopsis as Enacted

Brief Description: Authorizing use of hearing examiners for street vacation hearings.

Sponsors: Representatives Fitzgibbon, Green, Darneille, Jinkins, Ladenburg and Takko.

House Committee on Local Government

Senate Committee on Government Operations, Tribal Relations & Elections

Background:

Owners of real estate abutting a street or alley that wish to have a city or town vacate some or all of a street or alley may petition the legislative authority of the applicable city or town to make the vacation. Alternatively, the legislative authority may initiate vacation by resolution. If the owners of more than two-thirds of the property abutting the proposed vacation site sign the petition, the legislative authority must hold a timely public hearing on the vacation and satisfy public notice requirements.

Vacation hearings are conducted before the legislative authority or a committee of the legislative authority. However, while a committee may report its recommendation to the legislative authority, it is the full legislative authority that decides whether or not to grant the petition in whole or part.

Summary:

The legislative authority is authorized to appoint a hearing examiner to conduct street vacation hearings. Hearings held before a hearing examiner do not need to be held before the legislative authority, but the hearing examiner conducting the hearing must provide a record of the proceedings and make a recommendation to the legislative authority. If the recommendation is to deny the petition for street vacation, the hearing examiner must include an explanation of the facts and reasons underlying the recommendation. The legislative authority makes the decision of whether to adopt or reject the hearing examiner's recommendation.

Votes on Final Passage:

House	93	3
Senate	47	0

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Effective: July 22, 2011