
SENATE BILL 5403

State of Washington

62nd Legislature

2011 Regular Session

By Senators Chase, Kastama, Shin, Prentice, McAuliffe, and Pridemore

Read first time 01/24/11. Referred to Committee on Economic Development, Trade & Innovation.

1 AN ACT Relating to authorizing local improvement district funding
2 to benefit innovation partnership zones for the purposes of economic
3 development; and amending RCW 35.43.040.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 35.43.040 and 2009 c 435 s 1 are each amended to read
6 as follows:

7 Whenever the public interest or convenience may require, the
8 legislative authority of any city or town may order the whole or any
9 part of any local improvement including but not restricted to those, or
10 any combination thereof, listed below to be constructed, reconstructed,
11 repaired, or renewed and landscaping including but not restricted to
12 the planting, setting out, cultivating, maintaining, and renewing of
13 shade or ornamental trees and shrubbery thereon; may order any and all
14 work to be done necessary for completion thereof; and may levy and
15 collect special assessments on property specially benefited thereby to
16 pay the whole or any part of the expense thereof, viz:

17 (1) Alleys, avenues, boulevards, lanes, park drives, parkways,
18 parking facilities, public places, public squares, public streets,
19 their grading, regrading, planking, replanking, paving, repaving,

1 macadamizing, remacadamizing, graveling, regraveling, piling, repiling,
2 capping, recapping, or other improvement; if the management and control
3 of park drives, parkways, and boulevards is vested in a board of park
4 commissioners, the plans and specifications for their improvement must
5 be approved by the board of park commissioners before their adoption;

6 (2) Auxiliary water systems;

7 (3) Auditoriums, field houses, gymnasiums, swimming pools, or other
8 recreational, playground, museum, cultural, or arts facilities or
9 structures;

10 (4) Bridges, culverts, and trestles and approaches thereto;

11 (5) Bulkheads and retaining walls;

12 (6) Dikes and embankments;

13 (7) Drains, sewers, and sewer appurtenances which as to trunk
14 sewers shall include as nearly as possible all the territory which can
15 be drained through the trunk sewer and subsewers connected thereto;

16 (8) Escalators or moving sidewalks together with the expense of
17 operation and maintenance;

18 (9) Parks and playgrounds;

19 (10) Sidewalks, curbing, and crosswalks;

20 (11) Street lighting systems together with the expense of
21 furnishing electrical energy, maintenance, and operation;

22 (12) Underground utilities transmission lines;

23 (13) Water mains, hydrants, and appurtenances which as to trunk
24 water mains shall include as nearly as possible all the territory in
25 the zone or district to which water may be distributed from the trunk
26 water mains through lateral service and distribution mains and
27 services;

28 (14) Fences, culverts, syphons, or coverings or any other feasible
29 safeguards along, in place of, or over open canals or ditches to
30 protect the public from the hazards thereof;

31 (15) Roadbeds, trackage, signalization, storage facilities for
32 rolling stock, overhead and underground wiring, and any other
33 stationary equipment reasonably necessary for the operation of an
34 electrified public streetcar line;

35 (16) Systems of surface, underground, or overhead railways,
36 tramways, buses, or any other means of local transportation except
37 taxis, and including passenger, terminal, station parking, and related
38 facilities and properties, and such other facilities as may be

1 necessary for passenger and vehicular access to and from such terminal,
2 station, parking, and related facilities and properties, together with
3 all lands, rights-of-way, property, equipment, and accessories
4 necessary for such systems and facilities;

5 (17) Convention center facilities or structures in cities
6 incorporated before January 1, 1982, with a population over sixty
7 thousand located in a county with a population over one million, other
8 than the city of Seattle. Assessments for purposes of convention
9 center facilities or structures may be levied only to the extent
10 necessary to cover a funding shortfall that occurs when funds received
11 from special excise taxes imposed pursuant to chapter 67.28 RCW are
12 insufficient to fund the annual debt service for such facilities or
13 structures, and may not be levied on property exclusively maintained as
14 single-family or multifamily permanent residences whether they are
15 rented, leased, or owner occupied;

16 (18) Programs of aquatic plant control, lake or river restoration,
17 or water quality enhancement. Such programs (~~shall~~) must identify
18 all the area of any lake or river which will be improved and (~~shall~~)
19 must include the adjacent waterfront property specially benefited by
20 such programs of improvements. Assessments may be levied only on
21 waterfront property including any waterfront property owned by the
22 department of natural resources or any other state agency. Notice of
23 an assessment on a private leasehold in public property (~~shall~~) must
24 comply with provisions of chapter 79.44 RCW. Programs under this
25 subsection shall extend for a term of not more than five years; (~~and~~)

26 (19) Railroad crossing protection devices, including maintenance
27 and repair. Assessments for purposes of railroad crossing protection
28 devices may not be levied on property owned or maintained by a
29 railroad, railroad company, street railroad, or street railroad
30 company, as defined in RCW 81.04.010, or a regional transit authority
31 as defined in RCW 81.112.020; and

32 (20) Research laboratories, testing facilities, incubation
33 facilities, and training centers built in areas designated as
34 innovation partnership zones under RCW 43.330.270.

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