
HOUSE BILL 2443

State of Washington

54th Legislature

1996 Regular Session

By Representatives Ogden, Carlson, Boldt, Pennington and Morris

Read first time 01/10/96. Referred to Committee on Government Operations.

1 AN ACT Relating to siting of residential structures occupied by
2 persons with handicaps; and amending RCW 35.63.220, 35A.63.240,
3 36.70.990, and 36.70A.410.

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

5 **Sec. 1.** RCW 35.63.220 and 1993 c 478 s 20 are each amended to read
6 as follows:

7 (1) No city may enact or maintain an ordinance, development
8 regulation, zoning regulation or official control, policy, or
9 administrative practice which treats a residential structure occupied
10 by persons with handicaps differently than a similar residential
11 structure occupied by a family or other unrelated individuals. As used
12 in this section, "handicaps" are as defined in the federal fair housing
13 amendments act of 1988 (42 U.S.C. Sec. 3602).

14 (2) A city may require written proof of notification by the
15 provider that the immediately adjoining property owners have been
16 informed of the intent to locate and maintain a residential structure
17 occupied by persons with handicaps.

18 (3) Nothing in this section prohibits a city from denying a permit
19 in an effort to encourage the siting of residential structures occupied

1 by persons with handicaps throughout the city and not overly
2 concentrate siting in a specific area of the city.

3 **Sec. 2.** RCW 35A.63.240 and 1993 c 478 s 21 are each amended to
4 read as follows:

5 (1) No city may enact or maintain an ordinance, development
6 regulation, zoning regulation or official control, policy, or
7 administrative practice which treats a residential structure occupied
8 by persons with handicaps differently than a similar residential
9 structure occupied by a family or other unrelated individuals. As used
10 in this section, "handicaps" are as defined in the federal fair housing
11 amendments act of 1988 (42 U.S.C. Sec. 3602).

12 (2) A city may require written proof of notification by the
13 provider that the immediately adjoining property owners have been
14 informed of the intent to locate and maintain a residential structure
15 occupied by persons with handicaps.

16 (3) Nothing in this section prohibits a city from denying a permit
17 in an effort to encourage the siting of residential structures occupied
18 by persons with handicaps throughout the city and not overly
19 concentrate siting in a specific area of the city.

20 **Sec. 3.** RCW 36.70.990 and 1993 c 478 s 22 are each amended to read
21 as follows:

22 (1) No county may enact or maintain an ordinance, development
23 regulation, zoning regulation or official control, policy, or
24 administrative practice which treats a residential structure occupied
25 by persons with handicaps differently than a similar residential
26 structure occupied by a family or other unrelated individuals. As used
27 in this section, "handicaps" are as defined in the federal fair housing
28 amendments act of 1988 (42 U.S.C. Sec. 3602).

29 (2) A county may require written proof of notification by the
30 provider that the immediately adjoining property owners have been
31 informed of the intent to locate and maintain a residential structure
32 occupied by persons with handicaps.

33 (3) Nothing in this section prohibits a county from denying a
34 permit in an effort to encourage the siting of residential structures
35 occupied by persons with handicaps throughout the county and not overly
36 concentrate siting in a specific area of the county.

1 **Sec. 4.** RCW 36.70A.410 and 1993 c 478 s 23 are each amended to
2 read as follows:

3 (1) No county or city that plans or elects to plan under this
4 chapter may enact or maintain an ordinance, development regulation,
5 zoning regulation or official control, policy, or administrative
6 practice which treats a residential structure occupied by persons with
7 handicaps differently than a similar residential structure occupied by
8 a family or other unrelated individuals. As used in this section,
9 "handicaps" are as defined in the federal fair housing amendments act
10 of 1988 (42 U.S.C. Sec. 3602).

11 (2) A county or city that plans or elects to plan under this
12 chapter may require written proof of notification by the provider that
13 the immediately adjoining property owners have been informed of the
14 intent to locate and maintain a residential structure occupied by
15 persons with handicaps.

16 (3) Nothing in this section prohibits a county or city that plans
17 or elects to plan under this chapter from denying a permit in an effort
18 to encourage the siting of residential structures occupied by persons
19 with handicaps throughout the county or city and not overly concentrate
20 siting in a specific area of the county or city.

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