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HOUSE BILL 2670

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Delvin, Hickel and Hankins

Read first time 01/16/96. Referred to Committee on Government Operations.

1 AN ACT Relating to local improvement districts; and amending RCW  
2 35.43.180.

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

4 **Sec. 1.** RCW 35.43.180 and 1983 c 303 s 3 are each amended to read  
5 as follows:

6 The jurisdiction of the legislative authority of a city or town to  
7 proceed with any local improvement initiated by resolution shall be  
8 divested by a protest filed with the city or town council within thirty  
9 days from the date of passage of the ordinance ordering the  
10 improvement, signed by the owners of the property within the proposed  
11 local improvement district or utility local improvement district  
12 subject to (~~sixty~~) forty percent or more of the total cost of the  
13 improvement including federally-owned or other nonassessable property  
14 as shown and determined by the preliminary estimates and assessment  
15 roll of the proposed improvement district or, if all or part of the  
16 local improvement district or utility local improvement district lies  
17 outside of the city or town, such jurisdiction shall be divested by a  
18 protest filed in the same manner and signed by the owners of property  
19 which is within the proposed local improvement district or utility

1 local improvement district but outside the boundaries of the city or  
2 town, and which is subject to (~~sixty~~) forty percent or more of that  
3 part of the total cost of the improvement allocable to property within  
4 the proposed local improvement district or utility local improvement  
5 district but outside the boundaries of the city or town, including  
6 federally-owned or other nonassessable property: PROVIDED, That such  
7 restraint by protest shall not apply to any of the following local  
8 improvements, if the legislative body finds and recites in the  
9 ordinance or resolution authorizing the improvement that such  
10 improvement is necessary for the protection of the public health and  
11 safety and such ordinance or resolution is passed by unanimous vote of  
12 all members present: (1) Sanitary sewers or watermains where the  
13 health officer of the city or town, or department of ecology, files  
14 with the legislative authority a report showing the necessity for such  
15 improvement; and (2) fire hydrants where the chief of the fire  
16 department files a report showing the necessity for such improvement.

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