

HOUSE OF REPRESENTATIVES

Olympia Washington

Bil Analysis

Bill No. SB 5287

Repealing title 45 RCW concerning townships  
Brief title

Public Arg: 3/25/97

Senator Horn/McCaslin/Wood  
Sponsor

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**BACKGROUND:**

Article I, Section 4, of the state constitution requires the Legislature to enact general laws providing for the township organization of counties that is authorized by county voters at a general election. A county that adopts a township organization is not subject to the general constitutional requirements for a uniform system of county government that the Legislature is required to provide throughout the state.

Article I, Section 11, of the state constitution recognizes townships as a general purpose unit of local government created throughout a county that, like county, city, or town, may make and enforce within its limits such local police, sanitary and other regulations as are not in conflict with general laws.

Legislation enacted in 1895 providing for the township organization of counties. It authorized the county legislative authority to divide the unincorporated area of the county into townships.

This legislation reversed the home rule grant of authority provided in the constitution for townships and provided that a township may only exercise those powers enumerated in state law. A township is authorized to provide dog pounds, require fencing or restraint, movement of domestic animals, control of heat, large movement of domestic animals, build and maintain roads, provide highway lighting, provide cemeteries, provide river improvements, grant business licenses for certain limited occupations such as hawkers and peddlers, exercise general health powers, prevent and suppress nuisances, and adopt regulations conducive to the peace, good order, and welfare of the township. At one time townships were authorized to impose property taxes to finance their activities, but this authority was removed and given to fire protection districts.

Voters of a township elect a three-member board of supervisors as the governing body of the township and also elect a clerk, treasurer, assessor, justice of the peace, and constable.

Continued

Spokane and Whatcom Counties were the only counties that ever adopted township organization, but both counties abandoned township organization decades ago.

**SUMMARY:**

All the statutes relating to townships in Title 45 RCW are repealed.

**FISCAL NOTE:** Not requested.

**EFFECTIVE DATE:** Ninety days after adjournment of session in which bill passed.