
HOUSE BILL 2519

State of Washington

64th Legislature

2016 Regular Session

By Representatives McCaslin, Gregerson, Shea, Appleton, Tharinger, Peterson, McBride, Manweller, Stokesbary, Reykdal, Sells, Fitzgibbon, Springer, Kochmar, Orwall, Nealey, Pike, Van De Wege, and Stanford

Read first time 01/14/16. Referred to Committee on Local Government.

1 AN ACT Relating to nuisance abatement cost recovery for cities;
2 adding a new section to chapter 35.21 RCW; and adding a new section
3 to chapter 35A.21 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21
6 RCW to read as follows:

7 (1) A city or town that exercises its authority under chapter
8 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable
9 law to abate a nuisance which threatens health or safety must provide
10 prior notice to the property owner that abatement is pending and a
11 special assessment may be levied on the property for the expense of
12 abatement. Such special assessment authority is supplemental to any
13 existing authority of a city or town to obtain a lien for costs of
14 abatement. The notice must be sent by regular mail.

15 (2) A city or town that exercises its authority under chapter
16 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable
17 law to declare a nuisance, abate a nuisance, or impose fines or costs
18 upon persons who create, continue, or maintain a nuisance may levy a
19 special assessment on the land or premises where the nuisance is
20 situated to reimburse the city or town for the expense of abatement.
21 A city or town must, before levying a special assessment, notify the

1 property owner and any identifiable mortgage holder that a special
2 assessment will be levied on the property and provide the estimated
3 amount of the special assessment. The notice must be sent by regular
4 mail.

5 (3) The special assessment authorized by this section constitutes
6 a lien against the property. After said lien is recorded in the
7 county where the affected real property is located, up to two
8 thousand dollars of the recorded lien is of equal rank with state,
9 county, and municipal taxes.

10 (4) A city or town levying a special assessment under this
11 section may contract with the county treasurer to collect the special
12 assessment in accordance with RCW 84.56.035.

13 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21
14 RCW to read as follows:

15 (1) A code city that exercises its authority under chapter 7.48
16 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law
17 to abate a nuisance which threatens health or safety must provide
18 prior notice to the property owner that abatement is pending and a
19 special assessment may be levied on the property for the expense of
20 abatement. Such special assessment authority is supplemental to any
21 existing authority of a code city to obtain a lien for costs of
22 abatement. The notice must be sent by regular mail.

23 (2) A code city that exercises its authority under chapter 7.48
24 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law
25 to declare a nuisance, abate a nuisance, or impose fines or costs
26 upon persons who create, continue, or maintain a nuisance may levy a
27 special assessment on the land or premises where the nuisance is
28 situated to reimburse the code city for the expense of abatement. A
29 code city must, before levying a special assessment, notify the
30 property owner and any identifiable mortgage holder that a special
31 assessment will be levied on the property and provide the estimated
32 amount of the special assessment. The notice must be sent by regular
33 mail.

34 (3) The special assessment authorized by this section constitutes
35 a lien against the property. After said lien is recorded in the
36 county where the affected real property is located, up to two
37 thousand dollars of the recorded lien is of equal rank with state,
38 county, and municipal taxes.

1 (4) A code city levying a special assessment under this section
2 may contract with the county treasurer to collect the special
3 assessment in accordance with RCW 84.56.035.

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