
SENATE BILL 5238

State of Washington

64th Legislature

2015 Regular Session

By Senators Angel, Liiias, Honeyford, McCoy, Dammeier, and Chase

Read first time 01/16/15. Referred to Committee on Government Operations & State Security.

1 AN ACT Relating to public water systems; and amending RCW
2 36.70A.035.

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

4 **Sec. 1.** RCW 36.70A.035 and 1999 c 315 s 708 are each amended to
5 read as follows:

6 (1) The public participation requirements of this chapter shall
7 include notice procedures that are reasonably calculated to provide
8 notice to property owners and other affected and interested
9 individuals, tribes, government agencies, businesses, school
10 districts, group A public water systems required to develop water
11 system plans consistent with state board of health rules adopted
12 under RCW 43.20.050, and organizations of proposed amendments to
13 comprehensive plans and development regulation. Examples of
14 reasonable notice provisions include:

15 (a) Posting the property for site-specific proposals;

16 (b) Publishing notice in a newspaper of general circulation in
17 the county, city, or general area where the proposal is located or
18 that will be affected by the proposal;

19 (c) Notifying public or private groups with known interest in a
20 certain proposal or in the type of proposal being considered;

1 (d) Placing notices in appropriate regional, neighborhood,
2 ethnic, or trade journals; and

3 (e) Publishing notice in agency newsletters or sending notice to
4 agency mailing lists, including general lists or lists for specific
5 proposals or subject areas.

6 (2)(a) Except as otherwise provided in (b) of this subsection, if
7 the legislative body for a county or city chooses to consider a
8 change to an amendment to a comprehensive plan or development
9 regulation, and the change is proposed after the opportunity for
10 review and comment has passed under the county's or city's
11 procedures, an opportunity for review and comment on the proposed
12 change shall be provided before the local legislative body votes on
13 the proposed change.

14 (b) An additional opportunity for public review and comment is
15 not required under (a) of this subsection if:

16 (i) An environmental impact statement has been prepared under
17 chapter 43.21C RCW for the pending resolution or ordinance and the
18 proposed change is within the range of alternatives considered in the
19 environmental impact statement;

20 (ii) The proposed change is within the scope of the alternatives
21 available for public comment;

22 (iii) The proposed change only corrects typographical errors,
23 corrects cross-references, makes address or name changes, or
24 clarifies language of a proposed ordinance or resolution without
25 changing its effect;

26 (iv) The proposed change is to a resolution or ordinance making a
27 capital budget decision as provided in RCW 36.70A.120; or

28 (v) The proposed change is to a resolution or ordinance enacting
29 a moratorium or interim control adopted under RCW 36.70A.390.

30 (3) This section is prospective in effect and does not apply to a
31 comprehensive plan, development regulation, or amendment adopted
32 before July 27, 1997.

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