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HOUSE BILL 1607

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State of Washington

52nd Legislature

1991 Regular Session

By Representatives Horn, Roland and Haugen.

Read first time February 4, 1991. Referred to Committee on Local Government.

1 AN ACT Relating to liens for delinquent service charges of storm  
2 water control facilities and city-owned sewer systems; amending RCW  
3 36.89.090 and 35.67.200; and adding a new section to chapter 35.67 RCW.

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

5 **Sec. 1.** RCW 36.89.090 and 1987 c 241 s 1 are each amended to read  
6 as follows:

7 The county shall have a lien for delinquent service charges,  
8 including interest thereon, against any property against which they  
9 were levied for storm water control facilities, which lien shall be  
10 superior to all other liens and encumbrances except general taxes and  
11 local and special assessments. Such lien shall be effective and shall  
12 be enforced and foreclosed in the same manner as provided for sewerage  
13 liens of cities and towns by RCW 35.67.200 through 35.67.290:  
14 PROVIDED, That a county may, by resolution or ordinance, adopt all or

1 any part of the alternative interest rate, lien, and foreclosure  
2 procedures as set forth in RCW 36.89.092 through 36.89.094 or by RCW  
3 36.94.150.

4 **Sec. 2.** RCW 35.67.200 and 1965 c 7 s 35.67.200 are each amended to  
5 read as follows:

6 Cities and towns owning their own sewer systems shall have a lien  
7 for delinquent and unpaid rates and charges for sewer service,  
8 penalties levied pursuant to RCW 35.67.190, and connection charges,  
9 including interest thereon, against the premises to which such service  
10 has been furnished or is available, which lien shall be superior to all  
11 other liens and encumbrances except general taxes and local and special  
12 assessments. The city or town by ordinance may provide that delinquent  
13 charges shall bear interest at not exceeding eight percent per annum  
14 computed on a monthly basis: PROVIDED, That a city or town using the  
15 property tax system for utility billing may, by resolution or  
16 ordinance, adopt the alternative lien procedure as set forth in section  
17 3 of this act.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 35.67 RCW  
19 to read as follows:

20 Any city or town may, by resolution or ordinance, provide that the  
21 sewerage lien shall be effective for a total not to exceed one year's  
22 delinquent service charges without the necessity of any writing or  
23 recording of the lien with the county auditor, in lieu of the  
24 provisions provided for in RCW 35.67.210.