

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1607

Chapter 36, Laws of 1991

52nd Legislature
1991 Regular Session

STORM WATER AND SEWER FACILITIES--LIENS FOR DELINQUENT SERVICE
CHARGES

EFFECTIVE DATE: 7/28/91

Passed by the House March 15, 1991
Yeas 93 Nays 0

JOE KING
Speaker of the
House of Representatives

Passed by the Senate April 11, 1991
Yeas 45 Nays 0

ALAN BLUECHEL
President of the Senate

Approved April 22, 1991

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1607** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON
Chief Clerk

FILED

April 22, 1991 - 1:40 p.m.

Secretary of State
State of Washington

HOUSE BILL 1607

Passed Legislature - 1991 Regular Session

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.

Passed the House March 15, 1991.
Passed the Senate April 11, 1991.
Approved by the Governor April 22, 1991.
Filed in Office of Secretary of State April 22, 1991.