
SUBSTITUTE HOUSE BILL 2458

State of Washington

53rd Legislature

1994 Regular Session

By House Committee on Energy & Utilities (originally sponsored by Representatives Heavey, Reams, Kremen, Schmidt and Shin)

Read first time 02/04/94.

1 AN ACT Relating to duties of utilities to serve; adding a new
2 section to chapter 35.21 RCW; adding a new section to chapter 35.92
3 RCW; and providing an effective date.

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 RCW
6 to read as follows:

7 (1) Except as otherwise provided in subsection (2) of this section,
8 nothing in this chapter authorizes a city or town that provides water
9 or sewer service outside the corporate boundaries of the city or town
10 to require, as condition of providing water or sewer service, the
11 property owner who has requested water or sewer service to agree to:

12 (a) Lot sizes different from those required by the jurisdiction
13 with zoning authority over the property; or

14 (b) Other development or design requirements not required by the
15 local government with jurisdiction over the property.

16 (2) A city or town may impose conditions not otherwise allowed
17 under subsection (1) of this section if:

18 (a) The conditions are reasonably necessary to the proper
19 functioning of the water or sewer service; or

1 (b) The local government with jurisdiction over the property
2 concurs with the conditions during review pursuant to chapter 43.21C
3 RCW, interlocal cooperation agreement under chapter 39.34 RCW, or the
4 project approval process.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.92 RCW
6 to read as follows:

7 (1) Except as otherwise provided in subsection (2) of this section,
8 nothing in this chapter authorizes a city or town that provides water
9 or sewer service outside the corporate boundaries of the city or town
10 to require, as condition of providing water or sewer service, the
11 property owner who has requested water or sewer service to agree to:

12 (a) Lot sizes different from those required by the jurisdiction
13 with zoning authority over the property; or

14 (b) Other development or design requirements not required by the
15 local government with jurisdiction over the property.

16 (2) A city or town may impose conditions not otherwise allowed
17 under subsection (1) of this section if:

18 (a) The conditions are reasonably necessary to the proper
19 functioning of the water or sewer service; or

20 (b) The local government with jurisdiction over the property
21 concurs with the conditions during review pursuant to chapter 43.21C
22 RCW, interlocal cooperation agreement under chapter 39.34 RCW, or the
23 project approval process.

24 NEW SECTION. **Sec. 3.** This act shall take effect July 1, 1994.

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