
SUBSTITUTE SENATE BILL 6376

State of Washington

56th Legislature

2000 Regular Session

By Senate Committee on Environmental Quality & Water Resources
(originally sponsored by Senators Kline, Fraser, Heavey, Patterson,
Thibaudeau and Kohl-Welles)

Read first time 02/04/2000.

1 AN ACT Relating to injunctive relief under the shoreline management
2 act; amending RCW 90.58.230; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** By this act, the legislature intends to
5 provide injunctive relief to private persons who have sustained damage
6 to their own property.

7 **Sec. 2.** RCW 90.58.230 and 1971 ex.s. c 286 s 23 are each amended
8 to read as follows:

9 Any person subject to the regulatory program of this chapter who
10 violates any provision of this chapter or permit issued pursuant
11 thereto shall be liable for all damage to public or private property
12 arising from such violation, including the cost of restoring the
13 affected area to its condition prior to violation. The attorney
14 general or local government attorney shall bring suit for damages under
15 this section on behalf of the state or local governments. Private
16 persons shall have the right to bring suit for damages and for
17 injunctive relief under this section on their own behalf and on the
18 behalf of all persons similarly situated. If liability has been

1 established for the cost of restoring an area affected by a violation
2 the court shall make provision to assure that restoration will be
3 accomplished within a reasonable time at the expense of the violator.
4 In addition to such relief, including money damages, the court in its
5 discretion may award attorney's fees and costs of the suit to the
6 prevailing party.

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