
HOUSE BILL 2307

State of Washington

61st Legislature

2009 Regular Session

By Representatives Kretz, Short, Blake, Ericks, Kenney, Takko, Eddy, Appleton, Schmick, Walsh, Hope, Haler, Warnick, Williams, and Orcutt

Read first time 03/10/09. Referred to Committee on Transportation.

1 AN ACT Relating to existing uses on highway rights-of-way; and
2 amending RCW 47.32.120.

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

4 **Sec. 1.** RCW 47.32.120 and 2006 c 324 s 2 are each amended to read
5 as follows:

6 (1) Except as provided in RCW 47.04.270, it is unlawful for any
7 person to erect a structure or establishment or maintain a business,
8 the nature of which requires the use by patrons or customers of
9 property adjoining the structure or establishment unless the structure
10 or establishment is located at a distance from the right-of-way of any
11 state highway so that none of the right-of-way thereof is required for
12 the use of the patrons or customers of the establishment. Any such
13 structure erected or business maintained that makes use of or tends to
14 invite patrons to use the right-of-way or any portion thereof of any
15 state highway by occupying it while a patron is a public nuisance, and
16 the department may fence the right-of-way of the state highway to
17 prevent such unauthorized use thereof.

1 (2) This section does not apply to a business or establishment that
2 has received financial assistance under RCW 70.148.130.

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