

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1783**

Chapter 212, Laws of 2011

62nd Legislature  
2011 Regular Session

FLOATING HOMES

EFFECTIVE DATE: 07/22/11

Passed by the House April 14, 2011  
Yeas 65 Nays 32

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate April 7, 2011  
Yeas 47 Nays 2

BRAD OWEN

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**President of the Senate**

Approved April 29, 2011, 4:10 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1783** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

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**Chief Clerk**

FILED

April 29, 2011

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1783**

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AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

**State of Washington                      62nd Legislature                      2011 Regular Session**

**By** House Local Government (originally sponsored by Representatives Pedersen, Upthegrove, Takko, Blake, Rodne, Smith, Carlyle, Fitzgibbon, Springer, Angel, and Kenney)

READ FIRST TIME 02/17/11.

1            AN ACT Relating to houseboats and houseboat moorages; amending RCW  
2 90.58.270; and creating a new section.

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

4            NEW SECTION.    **Sec. 1.** The legislature recognizes that existing  
5 floating homes, as part of our state's existing houseboat communities,  
6 are an important cultural amenity and element of our maritime history.  
7 These surviving floating home communities are a linkage to the past,  
8 when our waterways were the focus of commerce, transport, and  
9 development. In order to ensure the vitality and long-term survival of  
10 these existing floating home communities, consistent with the  
11 legislature's goal of allowing their continued use, improvement, and  
12 replacement without undue burden, the legislature finds that it is  
13 necessary to clarify their legal status.

14            **Sec. 2.** RCW 90.58.270 and 1971 ex.s. c 286 s 27 are each amended  
15 to read as follows:

16            (1) Nothing in this statute shall constitute authority for  
17 requiring or ordering the removal of any structures, improvements,  
18 docks, fills, or developments placed in navigable waters prior to

1 December 4, 1969, and the consent and authorization of the state of  
2 Washington to the impairment of public rights of navigation, and  
3 corollary rights incidental thereto, caused by the retention and  
4 maintenance of said structures, improvements, docks, fills or  
5 developments are hereby granted: PROVIDED, That the consent herein  
6 given shall not relate to any structures, improvements, docks, fills,  
7 or developments placed on tidelands, shorelands, or beds underlying  
8 said waters which are in trespass or in violation of state statutes.

9 (2) Nothing in this section shall be construed as altering or  
10 abridging any private right of action, other than a private right which  
11 is based upon the impairment of public rights consented to in  
12 subsection (1) hereof.

13 (3) Nothing in this section shall be construed as altering or  
14 abridging the authority of the state or local governments to suppress  
15 or abate nuisances or to abate pollution.

16 (4) Subsection (1) of this section shall apply to any case pending  
17 in the courts of this state on June 1, 1971 relating to the removal of  
18 structures, improvements, docks, fills, or developments based on the  
19 impairment of public navigational rights.

20 (5)(a) A floating home permitted or legally established prior to  
21 January 1, 2011, must be classified as a conforming preferred use.

22 (b) For the purposes of this subsection:

23 (i) "Conforming preferred use" means that applicable development  
24 and shoreline master program regulations may only impose reasonable  
25 conditions and mitigation that will not effectively preclude  
26 maintenance, repair, replacement, and remodeling of existing floating  
27 homes and floating home moorages by rendering these actions  
28 impracticable.

29 (ii) "Floating home" means a single-family dwelling unit  
30 constructed on a float, that is moored, anchored, or otherwise secured  
31 in waters, and is not a vessel, even though it may be capable of being  
32 towed.

Passed by the House April 14, 2011.

Passed by the Senate April 7, 2011.

Approved by the Governor April 29, 2011.

Filed in Office of Secretary of State April 29, 2011.