

**EHB 1367** - S COMM AMD

By Committee on Governmental Operations

1       Strike everything after the enacting clause and insert the  
2 following:

3       "NEW SECTION. **Sec. 1.** A new section is added to chapter 35.21 RCW  
4 to read as follows:

5       (1) A city or town that exercises its authority under chapter 7.48  
6 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to  
7 abate a nuisance must provide prior notice to the property owner that  
8 abatement is pending and a special assessment may be levied on the  
9 property for the expense of abatement. The notice must be sent by  
10 regular mail.

11       (2) A city or town that exercises its authority under chapter 7.48  
12 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law to  
13 declare a nuisance, abate a nuisance, or impose fines or costs upon  
14 persons who create, continue, or maintain a nuisance may levy a special  
15 assessment on the land or premises where the nuisance is situated to  
16 reimburse the city or town for the expense of abatement. A city or  
17 town must, before levying a special assessment, notify the property  
18 owner and any identifiable mortgage holder that a special assessment  
19 will be levied on the property and the amount of the special  
20 assessment. The notice must be sent by regular mail.

21       (3) The special assessment authorized by this section constitutes  
22 a lien against the property and is of equal rank with state, county,  
23 and municipal taxes.

24       (4) A city or town levying a special assessment under this section  
25 may contract with the county treasurer to collect the special  
26 assessment in accordance with RCW 84.56.035.

27       NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21 RCW  
28 to read as follows:

29       (1) A city that exercises its authority under chapter 7.48 RCW or

1 other applicable law to abate a nuisance must provide prior notice to  
2 the property owner that abatement is pending and a special assessment  
3 may be levied on the property for the expense of abatement. The notice  
4 must be sent by regular mail.

5 (2) A city that exercises its authority under chapter 7.48 RCW or  
6 other applicable law to declare a nuisance, abate a nuisance, or impose  
7 fines or costs upon persons who create, continue, or maintain a  
8 nuisance may levy a special assessment on the land or premises where  
9 the nuisance is situated to reimburse the city for the expense of  
10 abatement. A city must, before levying a special assessment, notify  
11 the property owner and any identifiable mortgage holder that a special  
12 assessment will be levied on the property and the amount of the special  
13 assessment. The notice must be sent by regular mail.

14 (3) The special assessment authorized by this section constitutes  
15 a lien against the property and is of equal rank with state, county,  
16 and municipal taxes.

17 (4) A city levying a special assessment under this section may  
18 contract with the county treasurer to collect the special assessment in  
19 accordance with RCW 84.56.035."

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20 On page 1, line 2 of the title, after "towns;" strike the remainder  
21 of the title and insert "adding a new section to chapter 35.21 RCW; and  
22 adding a new section to chapter 35A.21 RCW."

**EFFECT:** A city or town may contract with the county treasurer to  
collect special assessments for nuisance abatement costs. The contract  
may provide for notice on a property tax statement or a separate  
notice. A county treasurer may impose an annual collection fee not  
exceeding one percent of special assessments collected.

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