

Chapter 35.74 RCW
STREETS—DRAWBRIDGES

Sections

- 35.74.010 Authority to construct or grant franchise to construct.
- 35.74.020 Initiation of proceedings—Notice to county commissioners.
- 35.74.030 Determination of width of draw—Appeal.
- 35.74.040 Required specifications.
- 35.74.050 Authority to operate toll bridges—Toll rate review and approval by tolling authority.
- 35.74.060 Prerequisites of grant of franchise—Approval of bridge—Tolls.
- 35.74.070 License fees—Renewal of license.

Counties may assist as to certain bridges on city streets: RCW 36.75.200.

RCW 35.74.010 Authority to construct or grant franchise to construct. Every city and town may erect and maintain drawbridges across navigable streams that flow through or penetrate the boundaries thereof, when the public necessity requires it, or it may grant franchises to persons or corporations to erect them and charge toll thereon. [1965 c 7 s 35.74.010. Prior: 1890 p 54 s 1; RRS s 9323.]

RCW 35.74.020 Initiation of proceedings—Notice to county commissioners. If the city or town council desires to erect a drawbridge across any navigable stream on any street, or to grant the privilege so to do to any corporation or individual, it shall notify the board of county commissioners to that effect stating the precise point where such bridge is proposed to be located. [1965 c 7 s 35.74.020. Prior: 1890 p 54 s 2, part; RRS s 9324, part.]

RCW 35.74.030 Determination of width of draw—Appeal. The board of county commissioners within ten days from the receipt of the notice, if in session, and if not in session, within five days after the first day of the next regular or special session, shall designate the width of the draw to be made in such bridge, and the length of span necessary to permit the free flow of water: PROVIDED, That if any persons deem themselves aggrieved by the determination of the matter by the board, they may appeal to the superior court which may hear and determine the matter upon such further notice and on such testimony as it shall direct to be produced. [1965 c 7 s 35.74.030. Prior: 1890 p 54 s 2, part; RRS s 9324, part.]

RCW 35.74.040 Required specifications. All bridges constructed under the provisions of this chapter must be so constructed as not to obstruct navigation, and must have a draw or swing of sufficient space or span to permit the safe, convenient, and expeditious passage at all times of any steamer or vessel or raft which may navigate the stream or waters bridged. [1965 c 7 s 35.74.040. Prior: 1890 p 55 s 5; RRS s 9327.]

RCW 35.74.050 Authority to operate toll bridges—Toll rate review and approval by tolling authority. A city or town may build and maintain toll bridges and charge and collect tolls thereon, and to that end may provide a system and elect or appoint persons to operate the same, or the said bridges may be made free, as it may elect.

Consistent with RCW 47.56.850, any toll proposed under this section, including any change in an existing toll rate, must first be reviewed and approved by the tolling authority designated in RCW 47.56.850 if the toll, or change in toll rate, would have a significant impact, as determined by the tolling authority, on the operation of any state facility. [2008 c 122 s 15; 1965 c 7 s 35.74.050. Prior: 1890 p 55 s 6; RRS s 9328.]

RCW 35.74.060 Prerequisites of grant of franchise—Approval of bridge—Tolls. Before any franchise to build any bridge across any such navigable stream is granted by any city or town council it shall fix a license tax, not to exceed ten percent of the tolls collected annually. Upon the completion of the bridge the city or town council shall cause it to be inspected and if it is found to comply in all respects with the specifications previously made, and to be safe and convenient for the public, the council shall declare it open as a toll bridge, and shall immediately fix the rates of toll thereof. [1965 c 7 s 35.74.060. Prior: 1890 p 55 s 3; RRS s 9325.]

RCW 35.74.070 License fees—Renewal of license. The owner or keeper of any toll bridges in any city or town shall, before the renewal of any license, report to the city or town council under oath, the actual cost of construction and equipment of the toll bridge, the repairs and cost of maintaining it during the preceding year, the amount of tax collected, and the estimated cash value of the bridge, exclusive of the franchise. All funds arising from the license tax shall be paid into the general fund of the city or town. [1965 c 7 s 35.74.070. Prior: 1890 p 55 s 4; RRS s 9326.]