

SENATE BILL REPORT

SB 5045

As of January 13, 1995

Title: An act relating to the vacation by a city or town of streets abutting bodies of water.

Brief Description: Authorizing cities and towns to vacate streets abutting bodies of water for port district purposes.

Sponsors: Senators Haugen and Winsley.

Brief History:

Committee Activity: Government Operations: 1/18/95.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Staff: Rod McAulay (786-7754)

Background: Right-of-ways for streets in cities and towns are most commonly established by dedication in a subdivision plat. If these right-of-ways are not actually used, the city may relinquish its rights through a street vacation. Title to the property then reverts to the owners of abutting land.

Because of past abuses, the Legislature has imposed restriction on the authority to vacate in cases of right-of-ways that abut waterfront. These restrictions permit a vacation only if it will enable the city to acquire the property for public uses, or enable the city to implement a plan to obtain comparable or improved access to shoreline.

The current restrictions will not permit a city or town to vacate a street if the purpose is to transfer the property to a public port district for port purposes. Port purposes may include wharfage and marina development, establishment of air terminals, warehousing and transferring facilities, as well as general commercial and industrial development.

Summary of Bill: A city or town may vacate a street or alley which abuts a body of fresh or salt water when the vacation is sought by a public port district to enable it to acquire the property for port purposes.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.