

FINAL BILL REPORT

SB 5512

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SYNOPSIS AS ENACTED

Brief Description: Prohibiting connection of a sewer without approval of sewer district.

SPONSORS: Senators McCaslin and Madsen.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

HOUSE COMMITTEE ON LOCAL GOVERNMENT

BACKGROUND:

Sewer districts and water districts may create Utility Local Improvement Districts (ULIDs) to finance the extension of their services into new neighborhoods. The creation of a ULID may be initiated by either a resolution of the board of the sewer or water district or by a petition of citizens. Before proceeding, the board must conduct a public hearing. When creation is initiated by a resolution of the board, their authority to proceed with the project may be divested by the filing of written protests signed by the owners of at least 40 percent of the land area in the proposed ULID. These protests must be filed before the required hearing.

If a ULID project is ultimately approved, an appeal to the superior court may be taken within 30 days of the publication of a notice of the passage of the resolution approving the project. An appeal may also be taken from the subsequent fixing of an assessment against a parcel of real estate to fund the project. The superior court may confirm, correct, modify or annul the assessment.

A unanimous vote is required by a three-member water or sewer district board to place the question of enlarging the board to five members before the voters of the district.

SUMMARY:

It is a misdemeanor to connect or maintain a connection with a sewer district system without the permission of the district.

Protests of the proposed creation of a ULID may be filed up to ten days after the required public hearing.

When an appeal is taken to the superior court, the court must find from the evidence that an assessment is founded upon the fundamentally wrong basis or that a decision of the

legislative body was arbitrary or capricious, before it may correct, modify or annul the appealed action.

A majority of any three-member sewer or water district board may refer to the voters the question of enlarging the board to five.

VOTES ON FINAL PASSAGE:

Senate	48	0	
House	97	0	(House amended)
Senate	45	0	(Senate concurred)

EFFECTIVE: July 28, 1991