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**SUBSTITUTE HOUSE BILL 1654**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Environmental Affairs (originally sponsored by Representatives Rust and Horn).

Read first time March 5, 1991.

1 AN ACT Relating to the authority of cities and towns with sewer  
2 systems extending beyond their limits to compel county residents to  
3 hook up to the system; and amending RCW 35.21.210 and 35A.21.150.

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

5 **Sec. 1.** RCW 35.21.210 and 1965 c 7 s 35.21.210 are each amended to  
6 read as follows:

7 (1) Any city or town shall have power to provide for the sewerage,  
8 drainage and water supply thereof, and to establish, construct and  
9 maintain a system or systems of sewers and drains and a system or  
10 systems of water supply, within or without the corporate limits of such  
11 city or town, and to control, regulate and manage the same.

12 (2) Any city or town that is operating a system or systems of  
13 sewers beyond the corporate limits of the city or town may compel  
14 owners of property located within two hundred feet of the city's or

1 town's system of sewers to connect to the system and to use the same  
2 for proper purposes when: (a) The county legislative authority of the  
3 county in which the property is located has approved, and (b) there is  
4 a finding by an appropriate local or state agency that the on-site  
5 sewage systems in the property owner's area degrade the water quality  
6 of the region's surface or ground water.

7 (3) If the owners of the property fail to make the connection  
8 authorized in subsection (2) of this section within the time fixed by  
9 the city or town, the city or town may cause such connections to be  
10 made and assess the property served the costs and expenses thereof.

11 (4) Nothing in this section shall amend, limit, or otherwise  
12 affect the authority of a city or town to require annexation agreements  
13 for connection to its utility services by businesses or residents  
14 outside the corporate limits of a city or town.

15 **Sec. 2.** RCW 35A.21.150 and 1967 ex.s. c 119 s 35A.21.150 are each  
16 amended to read as follows:

17 (1) The general law as contained in, but not limited to, chapter  
18 35.67 RCW, relating to sewerage systems and the collection and disposal  
19 of refuse, the manner of providing therefor, and the issuance of  
20 general obligation or revenue bonds therefor, the establishment of a  
21 revenue bond fund in connection therewith, compulsory connection with  
22 a city sewer system, setting and collection of rates, fees, and charges  
23 therefor, and the existence, enforcement, and foreclosure of a lien for  
24 sewer services is hereby recognized as applicable to code cities  
25 operating systems of sewerage and systems and plants for refuse  
26 collection and disposal. A code city may exercise the powers, in the  
27 manner provided, perform the duties, and shall have the rights and  
28 obligations provided in chapter 35.67 RCW, subject to the conditions  
29 and limitations therein provided.

1       (2) Any city that is operating a system or systems of sewers beyond  
2 the corporate limits of the city may compel owners of property located  
3 within two hundred feet of the city's system of sewers to connect to  
4 the system and to use the same for proper purposes when: (a) The  
5 county legislative authority of the county in which the property is  
6 located has approved, and (b) there is a finding by an appropriate  
7 local or state agency that the on-site sewage systems in the property  
8 owner's area degrade the water quality of the region's surface or  
9 ground water.

10       (3) If the owners of the property fail to make the connection  
11 authorized in subsection (2) of this section within the time fixed by  
12 the city, the city may cause such connections to be made and assess the  
13 property served the costs and expenses thereof.

14       (4) Nothing in this section shall amend, limit, or otherwise affect  
15 the authority of a city to require annexation agreements for connection  
16 to its utility services by businesses or residents outside the  
17 corporate limits of a city.