

2 **SHB 2458** - S COMM AMD
3 By Committee on Energy & Utilities

4

5 Strike everything after the enacting clause and insert the
6 following:

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

9 (1) Except as otherwise provided in subsection (2) of this section,
10 a city or town may not require, as a condition of providing water or
11 sewer service outside the corporate boundaries of the city or town,
12 that a property owner who has requested water or sewer service agree
13 to:

14 (a) Lot sizes different from those required by the jurisdiction
15 with zoning authority over the property; or

16 (b) Other development or design requirements not required by the
17 local government with jurisdiction over the property.

18 (2) A city or town may impose conditions not otherwise allowed
19 under subsection (1) of this section if:

20 (a) The conditions are reasonably necessary to the proper
21 functioning of the water or sewer service; or

22 (b) The local government with jurisdiction over the property
23 concurs with the conditions during review pursuant to chapter 43.21C
24 RCW, interlocal cooperation agreement under chapter 39.34 RCW, or the
25 project approval process.

26 (3) The signing of an outside utility agreement that includes a
27 waiver of the owner's right not to sign an annexation petition may not
28 be counted as a signature on an annexation petition.

29 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.92 RCW
30 to read as follows:

31 (1) Except as otherwise provided in subsection (2) of this section,
32 a city or town may not require, as a condition of providing water or
33 sewer service outside the corporate boundaries of the city or town,
34 that a property owner who has requested water or sewer service agree
35 to:

1 (a) Lot sizes different from those required by the jurisdiction
2 with zoning authority over the property; or

3 (b) Other development or design requirements not required by the
4 local government with jurisdiction over the property.

5 (2) A city or town may impose conditions not otherwise allowed
6 under subsection (1) of this section if:

7 (a) The conditions are reasonably necessary to the proper
8 functioning of the water or sewer service; or

9 (b) The local government with jurisdiction over the property
10 concurs with the conditions during review pursuant to chapter 43.21C
11 RCW, interlocal cooperation agreement under chapter 39.34 RCW, or the
12 project approval process.

13 (3) The signing of an outside utility agreement that includes a
14 waiver of the owner's right not to sign an annexation petition may not
15 be counted as a signature on an annexation petition.

16 NEW SECTION. **Sec. 3.** This act shall take effect January 1, 1995."

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20 On page 1, line 1 of the title, after "serve;" strike the remainder
21 of the title and insert "adding a new section to chapter 35.21 RCW;
22 adding a new section to chapter 35.92 RCW; and providing an effective
23 date."

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