
HOUSE BILL 1402

State of Washington

55th Legislature

1997 Regular Session

By Representatives Ogden, Carlson, Fisher, Blalock, O'Brien and Doumit

Read first time 01/24/97. Referred to Committee on Transportation Policy & Budget.

1 AN ACT Relating to the financing of street, road, and highway
2 projects; and amending RCW 35.72.010, 35.72.020, and 35.72.050.

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

4 **Sec. 1.** RCW 35.72.010 and 1983 c 126 s 1 are each amended to read
5 as follows:

6 The legislative authority of any city, town, or county, and the
7 department of transportation, may contract with owners of real estate
8 for the construction or improvement of street, road, or highway
9 projects which the owners elect to install as a result of ordinances
10 that require the projects as a prerequisite to further property
11 development.

12 **Sec. 2.** RCW 35.72.020 and 1983 c 126 s 2 are each amended to read
13 as follows:

14 The contract may provide for the partial reimbursement to the owner
15 or the owner's assigns for a period not to exceed fifteen years of a
16 portion of the costs of the project by other property owners who:

17 (1) Are determined to be within the assessment reimbursement area
18 pursuant to RCW 35.72.040;

1 (2) Are determined to have a reimbursement share based upon a
2 benefit to the property owner pursuant to RCW 35.72.030;

3 (3) Did not contribute to the original cost of the street project;
4 and

5 (4) Subsequently develop their property within the fifteen-year
6 period and at the time of development were not required to install
7 similar street projects because they were already provided for by the
8 contract.

9 Street, road, or highway projects subject to reimbursement may
10 include design, grading, paving, installation of curbs, gutters, storm
11 drainage, sidewalks, street, road, or highway lighting, traffic
12 controls, and other similar improvements, as required by the street,
13 road, or highway standards of the city, town, ((or)) county, or
14 department of transportation.

15 **Sec. 3.** RCW 35.72.050 and 1987 c 261 s 1 are each amended to read
16 as follows:

17 (1) As an alternative to financing projects under this chapter
18 solely by owners of real estate, a county, city, or town may join in
19 the financing of improvement projects and may be reimbursed in the same
20 manner as the owners of real estate who participate in the projects, if
21 the county, city, or town has specified the conditions of its
22 participation in an ordinance. As another alternative, a county, city,
23 or town may create an assessment reimbursement area on its own
24 initiative, without the participation of a private property owner,
25 finance the costs of the road or street improvements, and become the
26 sole beneficiary of the reimbursements that are contributed. A county,
27 city, or town may be reimbursed only for the costs of improvements that
28 benefit that portion of the public who will use the developments within
29 the assessment reimbursement area established pursuant to RCW
30 35.72.040(1). No county, city, or town costs for improvements that
31 benefit the general public may be reimbursed.

32 (2) The department of transportation may, for state highways,
33 participate with the owners of real estate or may be the sole
34 participant in the financing of improvement projects, in the same
35 manner and subject to the same restrictions as provided for counties,
36 cities, and towns, in subsection (1) of this section. The department
37 shall enter into agreements whereby the appropriate county, city, or

1 town shall act as an agent of the department in administering this
2 chapter.

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