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SENATE BILL 6631

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State of Washington

56th Legislature

2000 Regular Session

By Senators Rasmussen, Heavey and Goings

Read first time 01/20/2000. Referred to Committee on State & Local Government.

1 AN ACT Relating to franchises for the use of streets and public  
2 ways of code cities; and amending RCW 35A.47.040.

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

4 **Sec. 1.** RCW 35A.47.040 and 1967 ex.s. c 119 s 35A.47.040 are each  
5 amended to read as follows:

6 Every code city shall have authority to permit and regulate under  
7 such restrictions and conditions as it may set by charter or ordinance  
8 and to grant nonexclusive franchises for the use of public streets,  
9 bridges or other public ways, structures or places above or below the  
10 surface of the ground for railroads and other routes and facilities for  
11 public conveyances, for poles, conduits, tunnels, towers and  
12 structures, pipes and wires and appurtenances thereof for transmission  
13 and distribution of electrical energy, signals and other methods of  
14 communication, for gas, steam and liquid fuels, for water, sewer and  
15 other private and publicly owned and operated facilities for public  
16 service, including those operated by a county. The power hereby  
17 granted shall be in addition to the franchise authority granted by  
18 general law to cities.

1 No ordinance or resolution granting any franchise in a code city  
2 for any purpose shall be adopted or passed by the city's legislative  
3 body on the day of its introduction nor for five days thereafter, nor  
4 at any other than a regular meeting nor without first being submitted  
5 to the city attorney, nor without having been granted by the approving  
6 vote of at least a majority of the entire legislative body, nor without  
7 being published at least once in a newspaper of general circulation in  
8 the city before becoming effective.

9 The city council may require a bond in a reasonable amount for any  
10 person or corporation obtaining a franchise from the city conditioned  
11 upon the faithful performance of the conditions and terms of the  
12 franchise and providing a recovery on the bond in case of failure to  
13 perform the terms and conditions of the franchise.

14 A code city may exercise the authority hereby granted,  
15 notwithstanding a contrary limitation of any preexisting charter  
16 provision.

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