
SUBSTITUTE HOUSE BILL 2607

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Local Government (originally sponsored by
Representatives Curtis and Haler)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to vacation of county roads with access to bodies
2 of water; amending RCW 36.87.130; creating a new section; and declaring
3 an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the purpose of
6 RCW 36.87.130 is to preserve for the public, for recreational or other
7 purposes, existing access to bodies of salt or fresh water. It is the
8 intent of this act to enhance the ability of counties to balance the
9 need to protect and preserve existing public access to bodies of water
10 while providing counties the ability to vacate rights of way so long as
11 doing so does not undermine or eliminate such access.

12 **Sec. 2.** RCW 36.87.130 and 1969 ex.s. c 185 s 7 are each amended to
13 read as follows:

14 No county shall vacate a county road or part thereof which abuts on
15 a body of salt or fresh water unless:

16 (1) The purpose of the vacation is to enable any public authority
17 to acquire the vacated property for port purposes, boat moorage or

1 launching sites, or for park, viewpoint, recreational, educational or
2 other public purposes, or unless the property is zoned for industrial
3 uses; or

4 (2) The purpose of the vacation is to enable a county to implement
5 a plan, adopted by resolution or ordinance, that provides no less than
6 comparable public access to the same shoreline area to which the
7 streets or alleys sought to be vacated abut, had the properties
8 included in the plan not been vacated.

9 NEW SECTION. Sec. 3. If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected.

13 NEW SECTION. Sec. 4. This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 immediately.

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