
HOUSE BILL 2226

State of Washington 60th Legislature 2007 Regular Session

By Representatives Simpson and Williams

Read first time 02/14/2007. Referred to Committee on Judiciary.

1 AN ACT Relating to a court's application of equitable principles in
2 land use cases; and adding a new section to chapter 36.70C RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 36.70C RCW
5 to read as follows:

6 An applicant for a land use permit or approval who proceeds with
7 construction after the permit or approval has been challenged under RCW
8 36.70C.040, but before a court has made a decision under RCW
9 36.70C.140, does so at the applicant's own risk. A court is not
10 required to apply the common law doctrine of balancing the equities if
11 doing so would reward a land use applicant for proceeding under an
12 unlawful land use decision.

--- END ---