
SENATE BILL 5246

State of Washington 61st Legislature 2009 Regular Session

By Senators Carrell, Pflug, Stevens, Swecker, Hewitt, and Delvin

Read first time 01/19/09. Referred to Committee on Government Operations & Elections.

1 AN ACT Relating to the effect of zoning ordinances on motor vehicle
2 collection and restoration; adding a new section to chapter 35.21 RCW;
3 adding a new section to chapter 35.63 RCW; adding a new section to
4 chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and
5 adding a new section to chapter 36.70A RCW.

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

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

9 (1) Except as provided under subsection (2) of this section, a city
10 or town shall not enact, enforce, or maintain an ordinance, development
11 regulation, zoning regulation, or official control, policy, or
12 administrative practice that prohibits the hobby of collecting and
13 restoring motor vehicles, including any of the following:

14 (a) Repairing or modifying motor vehicles that are undergoing
15 restoration; or

16 (b) Maintaining motor vehicles as a source of parts for motor
17 vehicles undergoing restoration.

18 (2) This section does not prohibit a city or town from enacting,

1 enforcing, or maintaining an ordinance, development regulation, zoning
2 regulation, or official control, policy, or administrative practice
3 that:

4 (a) Regulates noise, advertising, traffic, hours of operation, or
5 other conditions that may accompany the use of property under
6 subsection (1) of this section; or

7 (b) Requires parts, motor vehicles, or activities under subsection
8 (1) of this section to be screened from view by fencing, vegetation, or
9 other means.

10 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.63 RCW
11 to read as follows:

12 (1) Except as provided under subsection (2) of this section, a city
13 shall not enact, enforce, or maintain an ordinance, development
14 regulation, zoning regulation, or official control, policy, or
15 administrative practice that prohibits the hobby of collecting and
16 restoring motor vehicles, including any of the following:

17 (a) Repairing or modifying motor vehicles that are undergoing
18 restoration; or

19 (b) Maintaining motor vehicles as a source of parts for motor
20 vehicles undergoing restoration.

21 (2) This section does not prohibit a city from enacting, enforcing,
22 or maintaining an ordinance, development regulation, zoning regulation,
23 or official control, policy, or administrative practice that:

24 (a) Regulates noise, advertising, traffic, hours of operation, or
25 other conditions that may accompany the use of property under
26 subsection (1) of this section; or

27 (b) Requires parts, motor vehicles, or activities under subsection
28 (1) of this section to be screened from view by fencing, vegetation, or
29 other means.

30 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.63 RCW
31 to read as follows:

32 (1) Except as provided under subsection (2) of this section, a city
33 shall not enact, enforce, or maintain an ordinance, development
34 regulation, zoning regulation, or official control, policy, or
35 administrative practice that prohibits the hobby of collecting and
36 restoring motor vehicles, including any of the following:

1 (a) Repairing or modifying motor vehicles that are undergoing
2 restoration; or

3 (b) Maintaining motor vehicles as a source of parts for motor
4 vehicles undergoing restoration.

5 (2) This section does not prohibit a city from enacting, enforcing,
6 or maintaining an ordinance, development regulation, zoning regulation,
7 or official control, policy, or administrative practice that:

8 (a) Regulates noise, advertising, traffic, hours of operation, or
9 other conditions that may accompany the use of property under
10 subsection (1) of this section; or

11 (b) Requires parts, motor vehicles, or activities under subsection
12 (1) of this section to be screened from view by fencing, vegetation, or
13 other means.

14 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.70 RCW
15 to read as follows:

16 (1) Except as provided under subsection (2) of this section, a
17 county shall not enact, enforce, or maintain an ordinance, development
18 regulation, zoning regulation, or official control, policy, or
19 administrative practice that prohibits the hobby of collecting and
20 restoring motor vehicles, including any of the following:

21 (a) Repairing or modifying motor vehicles that are undergoing
22 restoration; or

23 (b) Maintaining motor vehicles as a source of parts for motor
24 vehicles undergoing restoration.

25 (2) This section does not prohibit a county from enacting,
26 enforcing, or maintaining an ordinance, development regulation, zoning
27 regulation, or official control, policy, or administrative practice
28 that:

29 (a) Regulates noise, advertising, traffic, hours of operation, or
30 other conditions that may accompany the use of property under
31 subsection (1) of this section; or

32 (b) Requires parts, motor vehicles, or activities under subsection
33 (1) of this section to be screened from view by fencing, vegetation, or
34 other means.

35 NEW SECTION. **Sec. 5.** A new section is added to chapter 36.70A RCW
36 to read as follows:

1 (1) Except as provided under subsection (2) of this section, a
2 county shall not enact, enforce, or maintain an ordinance, development
3 regulation, zoning regulation, or official control, policy, or
4 administrative practice that prohibits the hobby of collecting and
5 restoring motor vehicles, including any of the following:

6 (a) Repairing or modifying motor vehicles that are undergoing
7 restoration; or

8 (b) Maintaining motor vehicles as a source of parts for motor
9 vehicles undergoing restoration.

10 (2) This section does not prohibit a county from enacting,
11 enforcing, or maintaining an ordinance, development regulation, zoning
12 regulation, or official control, policy, or administrative practice
13 that:

14 (a) Regulates noise, advertising, traffic, hours of operation, or
15 other conditions that may accompany the use of property under
16 subsection (1) of this section; or

17 (b) Requires parts, motor vehicles, or activities under subsection
18 (1) of this section to be screened from view by fencing, vegetation, or
19 other means.

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