

SB 5403 - H COMM AMD

By Committee on Community Development & Housing

NOT CONSIDERED 04/22/2011

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 35.43.040 and 2009 c 435 s 1 are each amended to read
4 as follows:

5 Whenever the public interest or convenience may require, the
6 legislative authority of any city or town may order the whole or any
7 part of any local improvement including but not restricted to those, or
8 any combination thereof, listed below to be constructed, reconstructed,
9 repaired, or renewed and landscaping including but not restricted to
10 the planting, setting out, cultivating, maintaining, and renewing of
11 shade or ornamental trees and shrubbery thereon; may order any and all
12 work to be done necessary for completion thereof; and may levy and
13 collect special assessments on property specially benefited thereby to
14 pay the whole or any part of the expense thereof, viz:

15 (1) Alleys, avenues, boulevards, lanes, park drives, parkways,
16 parking facilities, public places, public squares, public streets,
17 their grading, regrading, planking, replanking, paving, repaving,
18 macadamizing, remacadamizing, graveling, regraveling, piling, repiling,
19 capping, recapping, or other improvement; if the management and control
20 of park drives, parkways, and boulevards is vested in a board of park
21 commissioners, the plans and specifications for their improvement must
22 be approved by the board of park commissioners before their adoption;

23 (2) Auxiliary water systems;

24 (3) Auditoriums, field houses, gymnasiums, swimming pools, or other
25 recreational, playground, museum, cultural, or arts facilities or
26 structures;

27 (4) Bridges, culverts, and trestles and approaches thereto;

28 (5) Bulkheads and retaining walls;

29 (6) Dikes and embankments;

1 (7) Drains, sewers, and sewer appurtenances which as to trunk
2 sewers shall include as nearly as possible all the territory which can
3 be drained through the trunk sewer and subsewers connected thereto;

4 (8) Escalators or moving sidewalks together with the expense of
5 operation and maintenance;

6 (9) Parks and playgrounds;

7 (10) Sidewalks, curbing, and crosswalks;

8 (11) Street lighting systems together with the expense of
9 furnishing electrical energy, maintenance, and operation;

10 (12) Underground utilities transmission lines;

11 (13) Water mains, hydrants, and appurtenances which as to trunk
12 water mains shall include as nearly as possible all the territory in
13 the zone or district to which water may be distributed from the trunk
14 water mains through lateral service and distribution mains and
15 services;

16 (14) Fences, culverts, syphons, or coverings or any other feasible
17 safeguards along, in place of, or over open canals or ditches to
18 protect the public from the hazards thereof;

19 (15) Roadbeds, trackage, signalization, storage facilities for
20 rolling stock, overhead and underground wiring, and any other
21 stationary equipment reasonably necessary for the operation of an
22 electrified public streetcar line;

23 (16) Systems of surface, underground, or overhead railways,
24 tramways, buses, or any other means of local transportation except
25 taxis, and including passenger, terminal, station parking, and related
26 facilities and properties, and such other facilities as may be
27 necessary for passenger and vehicular access to and from such terminal,
28 station, parking, and related facilities and properties, together with
29 all lands, rights-of-way, property, equipment, and accessories
30 necessary for such systems and facilities;

31 (17) Convention center facilities or structures in cities
32 incorporated before January 1, 1982, with a population over sixty
33 thousand located in a county with a population over one million, other
34 than the city of Seattle. Assessments for purposes of convention
35 center facilities or structures may be levied only to the extent
36 necessary to cover a funding shortfall that occurs when funds received
37 from special excise taxes imposed pursuant to chapter 67.28 RCW are
38 insufficient to fund the annual debt service for such facilities or

1 structures, and may not be levied on property exclusively maintained as
2 single-family or multifamily permanent residences whether they are
3 rented, leased, or owner occupied;

4 (18) Programs of aquatic plant control, lake or river restoration,
5 or water quality enhancement. Such programs (~~shall~~) must identify
6 all the area of any lake or river which will be improved and (~~shall~~)
7 must include the adjacent waterfront property specially benefited by
8 such programs of improvements. Assessments may be levied only on
9 waterfront property including any waterfront property owned by the
10 department of natural resources or any other state agency. Notice of
11 an assessment on a private leasehold in public property (~~shall~~) must
12 comply with provisions of chapter 79.44 RCW. Programs under this
13 subsection shall extend for a term of not more than five years; (~~and~~)

14 (19) Railroad crossing protection devices, including maintenance
15 and repair. Assessments for purposes of railroad crossing protection
16 devices may not be levied on property owned or maintained by a
17 railroad, railroad company, street railroad, or street railroad
18 company, as defined in RCW 81.04.010, or a regional transit authority
19 as defined in RCW 81.112.020; and

20 (20) Research laboratories, testing facilities, business incubator
21 facilities, and training centers built in areas designated as
22 innovation partnership zones under RCW 43.330.270."

23 Correct the title.

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