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**SUBSTITUTE SENATE BILL 5694**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Government Operations & Security (originally sponsored by Senators Padden, Baumgartner, and Billig)

READ FIRST TIME 02/13/15.

1 AN ACT Relating to assessments for nuisance abatement in cities  
2 and towns; adding a new section to chapter 35.21 RCW; and adding a  
3 new section to chapter 35A.21 RCW.

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

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

7 (1) A city or town that exercises its authority under chapter  
8 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable  
9 law to abate a nuisance which threatens health or safety must provide  
10 prior notice to the property owner that abatement is pending and a  
11 special assessment may be levied on the property for the expense of  
12 abatement. The notice must be sent by regular mail.

13 (2) A city or town that exercises its authority under chapter  
14 7.48 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable  
15 law to declare a nuisance, abate a nuisance, or impose fines or costs  
16 upon persons who create, continue, or maintain a nuisance may levy a  
17 special assessment on the land or premises where the nuisance is  
18 situated to reimburse the city or town for the expense of abatement.  
19 The special assessment may not exceed two thousand dollars. A city or  
20 town must, before levying a special assessment, notify the property  
21 owner and any identifiable mortgage holder that a special assessment

1 will be levied on the property and provide the estimated amount of  
2 the special assessment. The notice must be sent by regular mail.

3 (3) The special assessment authorized by this section constitutes  
4 a lien against the property and is of equal rank with state, county,  
5 and municipal taxes.

6 (4) A city or town levying a special assessment under this  
7 section may contract with the county treasurer to collect the special  
8 assessment in accordance with RCW 84.56.035.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 35A.21  
10 RCW to read as follows:

11 (1) A code city that exercises its authority under chapter 7.48  
12 RCW, RCW 35.22.280, 35.23.440, or 35.27.410, or other applicable law  
13 to abate a nuisance which threatens health or safety must provide  
14 prior notice to the property owner that abatement is pending and a  
15 special assessment may be levied on the property for the expense of  
16 abatement. The notice must be sent by regular mail.

17 (2) A code city that exercises its authority under chapter 7.48  
18 RCW or other applicable law to declare a nuisance, abate a nuisance,  
19 or impose fines or costs upon persons who create, continue, or  
20 maintain a nuisance may levy a special assessment on the land or  
21 premises where the nuisance is situated to reimburse the code city  
22 for the expense of abatement. The special assessment may not exceed  
23 two thousand dollars. A code city must, before levying a special  
24 assessment, notify the property owner and any identifiable mortgage  
25 holder that a special assessment will be levied on the property and  
26 provide the estimated amount of the special assessment. The notice  
27 must be sent by regular mail.

28 (3) The special assessment authorized by this section constitutes  
29 a lien against the property and is of equal rank with state, county,  
30 and municipal taxes.

31 (4) A code city levying a special assessment under this section  
32 may contract with the county treasurer to collect the special  
33 assessment in accordance with RCW 84.56.035.

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