
ENGROSSED SENATE BILL 6379

State of Washington

65th Legislature

2018 Regular Session

By Senators Fain, Keiser, Takko, and Short

1 AN ACT Relating to requiring a public hearing before a local
2 government may remove a recorded restrictive covenant from land owned
3 by the local government; and amending RCW 35.21.960, 35A.21.410, and
4 36.01.350.

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

6 **Sec. 1.** RCW 35.21.960 and 2017 c 119 s 3 are each amended to
7 read as follows:

8 Any city, town, or municipal corporation must hold a public
9 hearing upon a proposal to remove, vacate, or extinguish a recorded
10 restrictive covenant, or any known covenant from an unrecorded deed,
11 from property owned by the city, town, or municipal corporation
12 before the action is finalized. The public hearing must allow
13 individuals to provide testimony regarding the proposed action. The
14 city, town, or municipal corporation must provide notice of the
15 public hearing at least ten days before the hearing at its usual
16 place of business and issue a press release to local media providing
17 the date, time, location, and reason for the public hearing. The
18 notice must be posted on the city, town, or municipal corporation's
19 web site if it is updated for any reason before the hearing date. The
20 notice must also identify the property and provide a brief
21 explanation of the (~~restrictive~~) covenant to be removed, vacated,

1 or extinguished. Any member of the public, in person or by counsel,
2 may submit testimony at the public hearing.

3 **Sec. 2.** RCW 35A.21.410 and 2017 c 119 s 4 are each amended to
4 read as follows:

5 Any code city must hold a public hearing upon a proposal to
6 remove, vacate, or extinguish a recorded restrictive covenant, or any
7 known covenant from an unrecorded deed, from property owned by the
8 code city before the action is finalized. The public hearing must
9 allow individuals to provide testimony regarding the proposed action.
10 The code city must provide notice of the public hearing at least ten
11 days before the hearing at its usual place of business and issue a
12 press release to local media providing the date, time, location, and
13 reason for the public hearing. The notice must be posted on the code
14 city's web site if it is updated for any reason prior to the hearing
15 date. The notice must also identify the property and provide a brief
16 explanation of the (~~restrictive~~) covenant to be removed, vacated,
17 or extinguished. Any member of the public, in person or by counsel,
18 may submit testimony regarding the proposed action at the public
19 hearing.

20 **Sec. 3.** RCW 36.01.350 and 2017 c 119 s 5 are each amended to
21 read as follows:

22 Any county must hold a public hearing upon a proposal to remove,
23 vacate, or extinguish a recorded restrictive covenant, or any known
24 covenant from an unrecorded deed, from property owned by the county
25 before the action is finalized. The public hearing must allow
26 individuals to provide testimony regarding the proposed action. The
27 county must provide notice of the public hearing at least ten days
28 before the hearing at its usual place of business and issue a press
29 release to local media providing the date, time, location, and reason
30 for the public hearing. The notice must be posted on the county's web
31 site if it is updated for any reason before the hearing. The notice
32 must also identify the property and provide a brief explanation of
33 the (~~restrictive~~) covenant to be removed, vacated, or extinguished.
34 Any member of the public, in person or by counsel, may submit
35 testimony regarding the proposed action at the public hearing.

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