

or town treasurer in connection with the improvement;

Proviso.

(6) All cost of the acquisition of rights of way, property, easements or other facilities or rights, whether by eminent domain, purchase, gift, or in any other manner: *Provided*, That the costs enumerated in this subsection may be excluded from the cost and expense to be assessed against the property in such local improvement district if the legislative body of such city or town so designates by ordinance.

Passed the House March 9, 1955.

Passed the Senate March 8, 1955.

Approved by the Governor March 21, 1955.

CHAPTER 365.

[H. B. 409.]

CITIES OF THIRD CLASS—OFFICERS—ELECTIONS.

AN ACT relating to third class cities; and amending sections 2 and 28, chapter 184, Laws of 1915 and section 1, chapter 182, Laws of 1929 and section 1, chapter 108, Laws of 1941 and RCW 35.24.020 and 35.24.050.

Be it enacted by the Legislature of the State of Washington:

Amendment.

SECTION 1. Sections 2 and 28, chapter 184, Laws of 1915 and section 1, chapter 182, Laws of 1929 and section 1, chapter 108, Laws of 1941, (heretofore divided, combined, and codified as RCW 35.24.020 and 35.24.050) are amended to read as set forth in sections 2 and 3 of this act.

Third class city—officials; government vested in.

SEC. 2. (RCW 35.24.020) The government of a third class city shall be vested in a mayor, a city council of seven members, a city attorney, a clerk, a treasurer, all elective; and a chief of police, police judge, city engineer, street superintendent, health officer and such other appointive officers as may be provided for by statute or ordinance: *Provided*,

That the council may enact an ordinance providing for the appointment of the city clerk and city attorney by the mayor, which appointment shall be subject to confirmation by a majority vote of the city council. Such ordinance shall be enacted and become effective not later than thirty days prior to the first day allowed for filing declarations of candidacy for such offices when such offices are subject to an approaching city primary election. Elective incumbent city clerks and city attorneys shall serve for the remainder of their unexpired term notwithstanding any appointment made pursuant to RCW 35.24.020 and 35.24.050. If a free public library and reading room is established, five library trustees shall be appointed and if a public park is maintained, three park commissioners shall be appointed. The city council by ordinance shall prescribe the duties and fix the compensation of all officers: *Provided*, That the provisions of any such ordinance shall not be inconsistent with any statute.

Ordinance may provide for appointment of city clerk and attorney.

Library trustees.

Duties and compensation fixed by ordinance.

The mayor shall appoint and at his pleasure may remove all appointive officers except as otherwise provided herein. Every appointment or removal must be in writing signed by the mayor and filed with the city clerk.

Appointive officers; appointment and removal.

SEC. 3. (RCW 35.24.050) General municipal elections in third class cities not operating under the commission form of government shall be held biennially, and, shall be held on the second Tuesday in March in the even-numbered years. The term of office of the mayor, city attorney, clerk, and treasurer shall be four years and until their successors are elected and qualified: *Provided*, That if the offices of city attorney and clerk are made appointive, the city attorney and clerk shall not be appointed for a definite term: *Provided further*, That the term of the treasurer shall not commence in the same biennium in which the term of the mayor commences, nor in

General municipal elections.

Terms of office.

which the terms of the city attorney and clerk commence if they are elected.

Election of councilmen.

A councilman-at-large shall be elected biennially for a two-year term; of the other six councilmen, three shall be elected biennially as the terms of their predecessors expire for terms of four years.

Commencement of terms.

All officers elected at such election shall take office on the first Monday in June following the date of election. There shall be no primary or general elections held in the year 1957 and the officers whose terms would have expired in 1957, but for the provisions of this act, shall continue in office until their successors are elected at the general election to be held on the second Tuesday of March 1958. There shall be no primary or general elections held in the year 1959 and the officers whose terms would have expired in 1959, but for the provisions of this act, shall continue in office until their successors are elected at the general election to be held on the second Tuesday of March, 1960.

No elections in 1957 or 1959; incumbents continue in office.

Earlier amendment, see sec. 6, chap. 55, Laws of 1955.

Passed the House March 8, 1955.

Passed the Senate March 7, 1955.

Approved by the Governor March 21, 1955.