

Excepted from act.

SEC. 2. Nothing in this act shall apply to the circulation of any such material by any recognized historical society or museum, the state law library, any county law library, the state library, the public library, any library of any college or university, or to any archive or library under the supervision and control of the state, county, municipality, or other political subdivision.

Passed the House March 9, 1959.

Passed the Senate March 6, 1959.

Approved by the Governor March 23, 1959.

CHAPTER 261.

[H. B. 682.]

MUNICIPAL WATER AND SEWER FACILITIES ACT.

AN ACT relating to municipal corporations and municipal water and sewer facilities.

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

Legislative declaration.

SECTION 1. The improvement of public health and the implementation of both urban and rural development being furthered by adequate and comprehensive water facilities and storm and sanitary sewer systems, and there being a need for legislation enabling such aids to the welfare of the state, there is hereby enacted the "municipal water and sewer facilities act."

Short title.

Contracts for municipal water or sewer facilities authorized.

SEC. 2. The governing body of any city, town, sewer district, water district or drainage district, hereinafter referred to as a "municipality" may contract with owners of real estate for the construction of storm, sanitary or combination sewers, pumping stations and disposal plants, water mains, hydrants or appurtenances, hereinafter called "water or sewer facilities", within their boundaries or within four

miles from their corporate limits connecting with the public water or sewerage system to serve the area in which the real estate of such owners is located, and to provide for a period of not to exceed fifteen years for the reimbursement of such owners and their assigns by any owner of real estate who did not contribute to the original cost of such water or sewer facilities and who subsequently tap onto or use the same of a fair pro rata share of the cost of the construction of said water or sewer facilities, including not only those directly connected thereto, but also users connected to laterals or branches connecting thereto, subject to such reasonable rules and regulations as the governing body of such municipality may provide or contract, and notwithstanding the provisions of any other law. The provisions of such contract shall not be effective as to any owner of real estate not a party thereto unless such contract shall have been recorded in the office of the county auditor of the county in which the real estate of such owner is located prior to the time such owner taps into or connects to said water or sewer facilities. The power of the governing body of such municipality to so contract shall also apply to water or sewer facilities in process of construction on the effective date of this act or which shall not have been finally approved or accepted for full maintenance and operation by such municipality upon the effective date of this act.

SEC. 3. Upon the completion of water or sewer facilities pursuant to contract mentioned in the foregoing section, the governing body of any such municipality shall be authorized to approve their construction and accept the same as facilities of the municipality and to charge for their use such water or sewer rates as such municipality may be authorized by law to establish, and if any such water or sewer facilities are so approved and accepted,

Acceptance of
facilities—
Rates author-
ized.

all further maintenance and operation costs of said water or sewer lines and facilities shall be borne by such municipality.

Assessment
paid before
tapping—
Unauthorized
tap removed.

SEC. 4. No person, firm or corporation shall be granted a permit or be authorized to tap into, or use any such water or sewer facilities or extensions thereof during the period of time prescribed in such contract without first paying to the municipality, in addition to any and all other costs and charges made or assessed for such tap, or use, or for the water lines or sewers constructed in connection therewith, the amount required by the provisions of the contract under which the water or sewer facilities so tapped into or used were constructed. All amounts so received by the municipality shall be paid out by it under the terms of such contract within sixty days after the receipt thereof. Whenever any tap or connection is made into any such contracted water or sewer facilities without such payment having first been made, the governing body of the municipality may remove, or cause to be removed, such unauthorized tap or connection and all connecting tile, or pipe located in the facility right of way and dispose of unauthorized material so removed without any liability whatsoever.

Assessment
estimate when
other im-
provement
uses facilities.

SEC. 5. Whenever the cost, or any part thereof, of any water or sewer improvement, whether local or general, is or will be assessed against the owners of real estate and such water or sewer improvement will be connected into or will make use of, contracted water or sewer facilities constructed under the provisions of this act and to the cost of which such owners, or any of them, did not contribute, there shall be included in the engineer's estimate before the hearing on any such improvement, separately itemized, and in such assessments, a sum equal to the amount provided in or computed from

such contract as the fair pro rata share due from such owners upon and for such contracted water or sewer facilities.

Passed the House March 5, 1959.

Passed the Senate March 9, 1959.

Approved by the Governor March 23, 1959.

CHAPTER 262.

[H. B. 414.]

NONHIGH SCHOOL DISTRICTS—FINANCING FACILITIES.

AN ACT relating to school districts; providing for participation by nonhigh school districts in financing school facilities or for annexation of such nonhigh school districts; amending sections 1 through 7, chapter 229, Laws of 1953 as amended by sections 1 through 7, chapter 344, Laws of 1955, and RCW 28.56.010 through 28.56.070; repealing sections 8 through 16, chapter 344, Laws of 1955 and RCW 28.56.080 through 28.56.160; and adding three new sections to chapter 28.56 RCW.

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

SECTION 1. Section 1, chapter 229, Laws of 1953 as amended by section 1, chapter 344, Laws of 1955, and RCW 28.56.010 are each amended to read as follows:

RCW 28.56.010 amended.

Upon receipt of a written request from the board of directors of a high school district or a union high school district or a nonhigh school district that presents to the county committee on school district organization satisfactory evidence of a need for high school facilities located therein and of intent and ability to provide such facilities within a period of two years, the county committee shall prepare a plan for participation by the nonhigh school districts in providing capital funds to pay the cost of school facilities and equipment to be provided for the education of students residing in the school districts.

Plan for non-high district to provide capital funds in aid of high school facilities.