

CHAPTER 209.

[S. B. 279.]

MUNICIPAL UTILITIES—RESTRICTIONS ON DAMS.

AN ACT relating to municipal utilities, removing certain restrictions as to dams and other structures, and amending section 1, chapter 150, Laws of 1909 as last amended by section 1, chapter 214, Laws of 1947 and section 1, chapter 252, Laws of 1951 and RCW 80.40.010, 80.40.020, 80.40.030, 80.40.040, 80.40.050 and 80.40.060; and declaring an emergency.

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

Division and amendment.

SECTION 1. Section 1, chapter 150, Laws of 1909, as last amended by section 1, chapter 214, Laws of 1947, and section 1, chapter 252, Laws of 1951 (heretofore divided and codified as RCW 80.40.010, 80.40.020, 80.40.030, 80.40.040, 80.40.050 and 80.40.060) are divided and amended to read as set forth in sections 2, 3, 4, 5, 6 and 7 of this act.

RCW 80.40.010 amended.
Authority to acquire and operate waterworks.

SEC. 2. (RCW 80.40.010) A city or town may construct, condemn and purchase, purchase, acquire, add to, maintain and operate waterworks, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: *Provided*, That all water sold by a municipal corporation outside its corporate limits shall be sold at just and reasonable rates.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining

water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or water works or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such water-course or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property.

Note: See also section 2, chapter 288, Laws of 1957.

SEC. 3. (RCW 80.40.020) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate systems of sewerage, and systems and plants for garbage and refuse collection and disposal, with full authority to manage, regulate, operate, and control them, and to fix the price of service thereof, within and without the limits of the city or town.

RCW 80.40.020
enacted
without
amendment.

Note: See also section 3, chapter 288, Laws of 1957.

SEC. 4. (RCW 80.40.030) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate works, plants and facilities for the preparation and manufacture of all stone or asphalt products or compositions or other materials which may be used in street construction or maintenance, together with the right to use them, and also fix the price of and sell such products for use in the construction of municipal improvements.

RCW 80.40.030
enacted
without
amendment.

Note: See also section 4, chapter 288, Laws of 1957.

RCW 80.40.040
enacted
without
amendment.

SEC. 5. (RCW 80.40.040) A city or town may also construct, acquire, and operate public markets and cold storage plants for the sale and preservation of butter, eggs, meats, fish, fruits, vegetables, and other perishable provisions.

Note: See also section 5, chapter 288, Laws of 1957.

RCW 80.40.050
enacted
without
amendment.

SEC. 6. (RCW 80.40.050) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate works, plants, facilities for the purpose of furnishing the city or town and its inhabitants, and any other persons, with gas, electricity, and other means of power and facilities for lighting, heating, fuel, and power purposes, public and private, with full authority to regulate and control the use, distribution, and price thereof, together with the right to handle and sell or lease, any meters, lamps, motors, transformers, and equipment or accessories of any kind, necessary and convenient for the use, distribution, and sale thereof; authorize the construction of such plant or plants by others for the same purpose, and purchase gas, electricity, or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within the city or town and regulate and control the use and price thereof.

Note: See also section 6, chapter 288, Laws of 1957.

RCW 80.40.060
enacted
without
amendment.

SEC. 7. (RCW 80.40.060) A city or town may also construct, condemn and purchase, acquire, add to, maintain, operate, or lease cable, electric, and other railways, automobiles, motor cars, motor buses, auto trucks, and any and all other forms or methods of transportation of freight or passengers within the corporate limits of the city or town for the transportation of freight and passengers above, upon, or underneath the ground, and fix, alter, regulate, and control the fares and rates to be charged therefor; and without the payment of any license fee or tax,

or the filing of a bond with, or the securing of a permit from, the state, or any department thereof, to engage in, carry on, and operate the business of transporting and carrying passengers or freight for hire by any method or combination of methods that the legislative authority of any city or town may by ordinance provide, with full authority to regulate and control the use and operation of vehicles or other agencies of transportation used for such business.

Note: See also section 7, chapter 288, Laws of 1957.

SEC. 8. This act is necessary for the immediate Emergency. preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 27, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 210.

[S. B. 471.]

STATE LANDS IN OLYMPIA—LEASE OF.

AN ACT relating to state lands, authorizing the leasing of certain state lands located in Olympia, and declaring an emergency.

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

SECTION 1. The director of the department of Lease grant authorized. general administration is authorized to grant a lease to the following described state owned property: Description. All or a portion of lots five, six, seven and eight of block sixty-seven of the plat of Olympia lying north of Union avenue and west of Columbia street and that portion of the vacated portion of Union avenue lying west of Columbia street, all in the city of Olympia, Thurston county, state of Washington, for a period of fifty years or less.