

CHAPTER LVII.

[H. B. No. 215.]

AMENDING MUNICIPAL INCORPORATION LAW.

AN ACT to amend an act entitled "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 26 [27], 1890," approved March 9, 1891, and declaring an emergency.

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

SECTION 1. That section 1 of "An act to amend sections 105, 106, 114 and 117 of an act entitled 'An act providing for the organization, classification, incorporation and government of municipal corporations, and declaring an emergency,' and approved March 27, 1890," approved March 9, 1891, be amended to read as follows: The mayor, members of the city council, treasurer, health officer, marshal, clerk and city attorney shall be elected by the qualified electors of said city at a general municipal election to be held therein on the first Tuesday after the first Monday in December in each year. The mayor, treasurer, health officer, marshal, clerk and attorney shall hold office for the period of one year from and after the first Tuesday in January next succeeding the day of such election, and until their successors are elected and qualified. Members of the city council shall hold office for the period of two years from and after the first Tuesday in January next succeeding the day of such election, and until their successors are elected and qualified: *Provided*, That the first city council elected under the provisions of this act shall at their first meeting so classify themselves by lot as that three of their number shall go out of office at the expiration of one year and three at the expiration of two years. The city council may, in their discretion, appoint a pound master to hold office during the pleasure of the council, and a city engineer who shall hold office during the pleasure of the council.

Time of election.

Councilmen's term of office.

Pound master.

SEC. 2. That section 3 of said act be amended to read

as follows: Sec. 3. The city council of such city shall have power—

Ordinances: (1) To pass ordinances not in conflict with the constitution and laws of this state or of the United States.

Water front.

City Real Estate: (2) To purchase, lease or receive such real estate and personal property as may be necessary or proper for municipal purposes (and to purchase and plat land for the purpose of cemeteries and to provide by ordinance for the regulation thereof), to control, dispose of and convey the same for the benefit of the city: *Provided,* That they shall not have the power to sell or convey any portion of any water front, but may rent such water front for a term not exceeding ten years, and may improve part of such water front by building inclines or wharves for the accommodation of shippers, and to charge and collect for the use of the same such amounts as will compensate the city for the expenses incurred and the repairs needed from time to time; to prevent and regulate the running at large of any or all domestic animals within the city limits or any part thereof, and to cause the impounding and sale of any such animals.

Water: (3) To contract for supplying the town with water for municipal purposes, or to acquire, construct, repair and manage pumps, aqueducts, reservoirs or other works necessary or proper for supplying water for the use of such town or its inhabitants, or for irrigating purposes therein.

Public Highways: (4) To establish, build and repair bridges, to establish, lay out, alter, keep open, open, widen, vacate, improve and repair streets, sidewalks, alleys, squares and other public highways and places within the city, and to drain, sprinkle and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, plank, pave, macadamize, gravel and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks and cross walks therein or upon any part thereof; to cause to be planted, set out and cultivated shade trees therein; and generally to manage and control all such highways and places.

Sewers: (5) To establish, construct and maintain drains and sewers, and shall have power to compel all property owners on streets along which sewers shall have been constructed to make proper connections therewith, and to use the same for proper purposes, and in case the owners of property on such streets shall fail to make such connections within the time fixed by such council, they may cause such connections to be made and to assess against the property in front of which such connections are made the costs and expenses thereof.

Fire Extinguishment: (6) To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishment of fires.

Poll Tax: (7) To impose on and collect from every male inhabitant between the ages of twenty-one and fifty years an annual street poll tax not exceeding two dollars, and no other road poll tax shall be collected within the limits of such city: *Provided*, That any member of a volunteer fire company in such city shall be exempt from such tax.

Dog Tax: (8) To impose and collect an annual license not exceeding two dollars on every dog owned or harbored within the limits of the city (and may provide for the killing of all dogs not duly licensed found at large).

Property Tax: (9) To levy and collect annually a property tax, which shall be apportioned as follows: For the general fund, not exceeding sixty cents on each one hundred dollars; for street fund, not exceeding thirty cents on each one hundred dollars; and for sewer fund, not exceeding ten cents on each one hundred dollars. The levy for all purposes for any one year shall not exceed one dollar Entire levy. on each one hundred dollars of the assessed value of all real and personal property within such city.

Liquor Tax: (10) To license, for purposes [of] regulation and revenue, all and every kind of business, including the sale of intoxicating liquors, authorized by law, and transacted and carried on in such city, and all shows, exhibitions and lawful games carried on therein and within one mile of the corporate limits thereof, to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise.

River Improvements: (11) To improve rivers and streams flowing through such city, or adjoining the same; to widen, straighten and deepen the channel thereof, and to remove obstructions therefrom; to improve the water front of the city, and to construct and maintain embankments and other works to protect such city from overflow; to purify and prevent the pollution of streams of water, lakes or other sources of supply, and for this purpose shall have jurisdiction over all streams, lakes or other sources of supply, both within and without the city limits. Such city shall have power to provide by ordinance and to enforce such punishment or penalty as the city council may deem proper for the offense of polluting or in any manner obstructing or interfering with the water supply of such city or source thereof.

Municipal Buildings: (12) To erect and maintain buildings for municipal purposes.

Tracks and Pipes: (13) To permit, under such restrictions as they may deem proper, the laying of railroad tracks, and the running of cars drawn by horses, steam or other power thereon, and the laying of gas and water pipes in the public streets, and to construct and maintain, and to permit the construction and maintenance of telegraph, telephone and electric lines therein.

Ward Divisions: (14) In its discretion to divide the city, by ordinance, into a convenient number of wards, not exceeding six, to fix the boundaries thereof, and to change the same from time to time: *Provided*, That no change in the boundaries of any ward shall be made within sixty days next before the date of such general municipal election, nor within twenty months after the same shall have been established or altered. Whenever such city shall be so divided into wards, the city council shall designate by ordinance the number of councilmen to be elected from such ward, apportioning the same in proportion to the population of such wards. And thereafter the councilmen so designated shall be elected by the qualified electors resident in such ward, or by a general vote of the whole city, as may be designated in such ordinance: *Provided further*, That when additional territory is added to the city that it

thereafter, by act of the council, be annexed to contiguous wards without affecting the right to re-district at the expiration of twenty months after last previous division.

Policemen: (15) To appoint and remove such policemen and other appointed officers as they may deem proper, and to fix their duties and compensations.

Violation of Ordinances: (16) To impose fines, penalties and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed three hundred dollars nor the term of such imprisonment exceed the term of three months.

Prison Labor: (17) To cause all persons imprisoned for violation of any ordinance to labor on the streets, or other public property or works within the city.

Fire Limits: (18) To establish fire limits, with proper regulations.

(19) The city council may appropriate from the general fund an amount not exceeding one-fourth of one mill of the taxable property of the city for the purpose of establishing and maintaining a public library.

(20) To punish the keepers and inmates and lessors of houses of ill-fame, gamblers and keepers of gambling tables.

Other Acts: (21) To make all such ordinances, by-laws, rules, regulations and resolutions, not inconsistent with the constitution and laws of the State of Washington, as may be deemed expedient to maintain the peace, good government and welfare of the corporation and its trade, commerce and manufactures, and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter, and to exact and enforce within the limits of such city all other local, police, sanitary and other regulations as do not conflict with general laws.

SEC. 3. Whereas, an emergency exists, this act shall be Emergency. deemed of immediate importance and shall take effect and be in full force from and after its passage.

SEC. 4. All acts and parts of acts in conflict with this act are hereby repealed.

Approved March 8, 1893.

CHAPTER LVIII.

[H. B. No. 217.]

AUTHORIZING THE FUNDING OF INDEBTEDNESS IN CASES OF CONSOLIDATION OF CITIES OR TOWNS.

AN ACT authorizing cities and towns, in cases where any such city or town has been or may hereafter be formed by the consolidation of two or more former cities or towns, or has annexed or may hereafter annex any new territory, and where the corporate authorities of either such former city or town, or of such city or town prior to such annexation, attempted to incur indebtedness on its part in excess of their legal authority, to submit to the voters of such consolidated or existing city or town propositions to fund indebtedness thereof by the issuing of bonds therefor, at the same election at which said previous attempted incurring of such indebtedness or any [part] thereof, on the part of either such former city or town or of such city or town prior to such annexation, may be ratified, or at a separate election; and declaring an emergency.

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

SECTION 1. If, in any case where any city or town in this state has been or may hereafter be formed by the consolidation of two or more cities or towns, or has annexed or may hereafter annex any new territory, an election shall be held, in accordance with the constitution and laws of this state, for the purpose of submitting to the voters residing within the former corporate limits of either such former city or town, or of such city or town prior to such annexation, for ratification or disapproval, the attempted incurring on the part of such former city or town or of such city or town prior to such annexation by the corporate authorities thereof, of any indebtedness thereof, such consolidated or existing city or town may submit to all the voters therein, at the same or a separate election, any prop-