

[Am'd. § 3,
ch. 241, p.
624, L. '07.]

Terms
of office.

SEC. 4. That section 3 of said act is hereby amended so as to read as follows: Sec. 3. The term of office of mayor in cities of the second class shall be for the period of two years and until his successor is elected and qualified. Members of the city council shall hold office for the term of two years: *Provided*, That whenever at the city election in any such city next ensuing after this act shall go into effect, more than six councilmen are to be elected, then only six of such councilmen shall hold office for the term of two years and the balance shall hold office for the term of one year, so that thereafter, as far as practicable, there shall be six members of the city council to elect at each ensuing city election. Whenever, at the election next ensuing after the passage of this act, more than six councilmen are to be elected in any such city, the members of the city council so elected shall after their election determine by lot among themselves, which shall serve for the long term and which shall serve for the short term.

Emergency. SEC. 5. An emergency exists and this act shall take effect immediately.

Passed by the House February 18, 1909.

Passed by the Senate March 9, 1909.

Approved March 13, 1909.

CHAPTER 121.

[H. B. 207.]

PERMITTING CITIES OF THE SECOND CLASS TO FURNISH LIGHT.

AN ACT authorizing cities of the second class to provide for the lighting of the public streets and public places within such cities, and to install lighting fixtures, apparatus and appliances at the expense of the property benefited and to levy local assessments to pay for the cost of such installation, and declaring an emergency.

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

SECTION 1. In each city of the second class within this state, the city council thereof shall have power to

install all necessary fixtures, appliances and equipment for the suitable lighting of any of the public streets, avenues, squares or public places within such city and to assess the whole or any part of the cost of such installation against the property specially benefited in the manner hereinafter provided. When it is proposed to install any such lighting fixtures, appliances or equipment, in whole or in part, at the expense of the property benefited, the city council of any such city shall pass a resolution declaring its intention to make such improvement and stating in such resolution the name of the street, avenue, square or public place which it is proposed to improve by the installation of such fixtures, equipment and appliances and the points between which such improvement is proposed to be made and the estimated cost of the same and that the cost of the same is to be assessed against the property benefited and to be included within the proposed local assessment district herein provided. By such resolution the city council shall fix a time not less than ten days distant within which protests against such proposed improvement may be filed in the office of the city clerk. Such resolution shall further specify whether it is proposed to pay for said improvement upon the immediate payment plan or the bond installment plan, as defined by chapter 241 of the Session Laws of Washington for the year 1907.

Lighting by special assessment.

Declaration to improve.

[See § 43, ch. 241, p. 650, L. '07.]

SEC. 2. It shall thereupon be the duty of the city clerk to cause such resolution to be published in the official newspaper of the city in at least two consecutive issues thereof, before the time fixed in such resolution for the filing of protests. If protests against said proposed improvement by the owners of more than two-thirds of the front feet of lots and lands abutting on such proposed improvement and included in the assessment districts therein proposed, be filed on or before the date fixed for such filing, the council shall not proceed further with such work unless eight members of the council shall vote to proceed therewith. If protests are not filed by the owners of two-thirds of the front feet of lots and lands as aforesaid, or if such protests are filed and eight councilmen

Notice.

Vote necessary.

shall vote to proceed with such work, the city council shall proceed to consider the same and shall then or at a subsequent time proceed to enact an ordinance for such improvement. By the provisions of such ordinance a local improvement district shall be established to be known as "local improvement district No.," which district shall include all of the property fronting on the street, avenue or other public place to be improved between the points named in such resolution, to the distance back from such street, avenue or other place, if platted into blocks and lots, or if platted only into blocks, to the center of each block, and if platted into lots, only, then by including the entire lot, and if not platted, then to the distance of one hundred and twenty feet. Such ordinance shall provide that such improvement shall be made and that the cost and expense thereof shall be taxed and assessed upon all property in such local improvement district, which costs shall be assessed in proportion to the number of feet of such land and lots fronting thereon and included in such improvement district, and in proportion to the benefits derived from such improvement: *Provided*, That the said council may expend from the general fund for such purposes such sums as in their judgment may be fair and equitable in consideration of benefits accruing to the general public by reason of such improvement. No contract for any such work shall be given except to the lowest responsible bidder. When any assessment shall be made upon any lands or property, as contemplated by this act, the amount of such assessments shall become a lien upon such lands, which shall take precedence of all other liens, except general taxes, which lien shall attach from the time of the equalization of the assessment roll.

Districts to be numbered.

Expense charged to property improved.

General fund.

Assessment a lien.

Lighting same as other improvements.

SEC. 3. All of the provisions of law which are now in force or which may be hereinafter enacted relating to local assessments for street improvements, so far as the same may be applicable, are hereby declared to be applicable to assessments and improvements made under the provisions of this act when not inconsistent herewith. Assessments levied under authority of this act shall be

equalized, shall become delinquent and shall be enforced in the same manner as now provided by law for the equalization, delinquency and enforcement of assessments for other street improvements.

SEC. 4. An emergency exists and this act shall take Emergency. effect immediately.

Passed by the House March 8, 1909.

Passed by the Senate March 9, 1909.

Approved March 2, 1909.

CHAPTER 122.

[H. B. 329.]

RELATING TO PROSECUTING ATTORNEYS.

AN ACT fixing the place of office of prosecuting attorneys.

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

SECTION 1. The prosecuting attorney of each county in the State of Washington must keep an office at the county seat of the county of which he is prosecuting attorney. Office at county seat.

Passed by the House March 1, 1909

Passed by the Senate March 10, 1909.

Approved March 13, 1909.

CHAPTER 123.

[H. B. 410.]

RELATING TO ESTRAYS.

AN ACT To amend sections 9 and 11 of an act entitled "An act in relation to estrays, providing for their detention, registration and sale, and prescribing penalties for its violation," approved February 16, 1905.

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

SECTION 1. That section 9 of an act entitled "An act in relation to estrays, providing for their detention, registration and sale, and prescribing penalties for its vio- [Am'd. § 9, ch. 23, p. 47, L. '05, § 4680d Pierce.]