

## CHAPTER 203.

[H. B. 155.]

PAYMENT OF COST OF SIDEWALK CONSTRUCTION BY  
ABUTTING PROPERTY-OWNERS.

AN ACT relating to the construction and reconstruction of sidewalks in cities of the first, second and third class, and other cities of equal population working under special charter, and providing for the payment therefor by the owners of abutting property.

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

## Definitions:

Street.

SECTION 1. The term "street" as used in this act shall include boulevard, avenue, street, alley, way, lane, square, or place. The term "city" shall include any city of the first, second or third class or any other city of equal population working under a special charter. The term "sidewalk" shall include any and all structures or forms of street improvement included in the space between the street margin and the roadway. The singular shall include the plural.

Sidewalk lacking or unsafe.

SEC. 2. Whenever a portion, not longer than one block in length, of any street in any city shall not be improved by the construction of a sidewalk thereon, or the sidewalk thereon shall have become unfit or unsafe for purposes of public travel, and such street adjacent to both ends of said portion shall be so improved and in good repair, and the city council of such city shall by resolution find that the improvement of such portion of such street by the construction or reconstruction of a sidewalk thereon is necessary for the public safety and convenience, the duty, burden, and expense of constructing or reconstructing such sidewalk shall devolve upon the property directly abutting upon such portion; *Provided*, That such abutting property shall not be charged with any costs of construction or reconstruction under this act

Resolution for construction or repair.

Abutting property liable.

Limit of assessment.

in excess of fifty per cent of the valuation of such abutting property, exclusive of improvements thereon, according to the valuation last placed upon it for purposes of general taxation.

SEC. 3. Whenever the city council of any such city shall have adopted such resolution it shall cause a notice to be served on the owner of the property directly abutting on such portion of such street, instructing said owner to construct or reconstruct a sidewalk on such portion in accordance with the plans and specifications which shall be attached to such notice. Such notice shall be deemed sufficiently served if delivered in person to the owner or if left at the home of such owner with a person of suitable age and discretion then resident therein, or with an agent of such owner, authorized to collect rentals on such property, or, if such owner is a non-resident of the State of Washington, by mailing a copy to his last known address, or if such owner be unknown or if his address be unknown, then by posting a copy in a conspicuous place at such portion of said street where such improvement is to be made. Such notice shall specify a reasonable time within which such construction or reconstruction shall be made, and shall state that in case such owner shall fail to make the same within such time, the city will proceed to make the same through the officer or department thereof charged with the inspection of sidewalks and that such officer or department will report to the city council, at a subsequent date to be definitely stated in said notice, an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such improvement, and the name of the owner, if known, and that the city council at the time stated in said notice or at the time or times to which the same may be adjourned, will hear any and all protests against the

Notice to  
abutting  
owners.

How served.

Time allowed  
for con-  
struction.

Construction  
by city.

Assessment  
of property.

Hearing.

proposed assessment. Upon the expiration of the time fixed within which the owner is required to construct or reconstruct such sidewalk, if the owner has failed to perform such work, the city may proceed to perform such work, and the officer or department of the city performing such work shall, within the time fixed in the notice, report to the city council of such city an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such work, and the name of the owner, if known. The city council shall, at the time in such notice designated, or at an adjourned time or times, assess the cost of such improvement against said property and shall fix the time and manner for payment thereof, which said assessment shall become a lien upon said property and shall be collected in the manner as is provided by law for collection of special assessments under chapter XXII, Title LX, Remington's Compiled Statutes.

Sidewalk assessment a lien upon property.

Abutting property defined.

SEC. 4. For the purposes of this act all property having a frontage upon the sides or margins of any street shall be deemed to be abutting property, and such property shall be chargeable, as provided by this act, for all costs of construction or reconstruction or any form of sidewalk improvement between the margin of said street and the roadway lying in front of and adjacent to said property.

No limitation or repeal of existing powers of cities.

SEC. 5. Nothing in this act shall be construed to limit or repeal any existing powers of cities with reference to the construction or reconstruction of sidewalks or the improvement or maintenance of streets, but the power and authority herein granted is to be exercised concurrent with or in extension of powers and authority now existing. The legislative authority of any city before exercising the powers and authority herein granted shall, by proper

Proper ordinances for enforcement to be adopted.

ordinance, provide for the application and enforcement of the same within the limitations herein specified.

Passed the House February 7, 1927.

Passed the Senate February 23, 1927.

Approved by the Governor, March 7, 1927.

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## CHAPTER 204.

[H. B. 170.]

### PORT DISTRICT ELECTIONS.

AN ACT relating to port district elections and amending Section 3½ of Chapter 92 of the Laws of 1911, added by Section 3, of Chapter 62 of the Laws of 1913.

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

SECTION 1. That section 3½ of chapter 92 of the Laws of 1911, added by section 3 of chapter 62, Laws of 1913, pages 208-210, (section 9691 of Remington's Compiled Statutes; section 4474 of Pierce's 1919 Code) be amended to read as follows:

Statutes amended.

Section 3½. A general election shall be held on the first Saturday in December of each year for the election of a port commissioner or commissioners and for the submission of propositions, and special elections shall be held at such times and for such purposes as the port commission may by resolution prescribe, subject to the limitations and pursuant to the requirements of this act. All elections shall be called and held as in this section provided except as in this act otherwise expressly provided. All notices of election shall be given by publishing the same for a period of ten days in a daily newspaper of general circulation published in said port district, or, if there is no daily newspaper published therein, then in at least two issues of a weekly newspaper published in said port district, such publication to be

Time of general port district elections.

Special elections.

Notices of election.