

## CHAPTER 16.

[ H. B. 7. ]

DIKING, DRAINAGE, SEWER IMPROVEMENT DISTRICTS—  
HEARINGS, APPRAISEMENTS, LEVY.

AN ACT relating to diking, drainage and sewerage improvement districts; reenacting section 4, chapter 26, Laws of 1949, section 1, chapter 63, Laws of 1951 and RCW 85.16.060 and 85.16.080; reenacting section 7, chapter 26, Laws of 1949 and RCW 85.16.110; reenacting section 8, chapter 26, Laws of 1949 and RCW 85.16.120; and declaring an emergency.

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

SECTION 1. Section 4, chapter 26, Laws of 1949 and section 1, chapter 63, Laws of 1951 (heretofore divided and codified as RCW 85.16.060 and 85.16.080) are reenacted to read as set forth in sections 2 and 3 of this act.

SEC. 2 (RCW 85.16.060) At any time and from time to time, after completion of the original construction of any such district's system of improvements or after the completion of any alteration, reduction, enlargement, addition to, or other improvement of the system not constituting maintenance, as herein defined, the board may upon their own initiative, or upon petition filed by at least ten percent of the total number of owners of property within the district subject to assessments for maintenance, as shown by the latest assessment roll of the district shall, fix a date for and hold a hearing at the county seat for the purpose of determining or redetermining the special benefits accruing from the maintenance of the district's system of improvements to all property benefited thereby.

RCW 85.16.060  
reenacted.  
Determination,  
redetermination  
of special  
benefits—  
Hearing.

SEC. 3. (RCW 85.16.080) At or within two weeks of the time of fixing the date for such hearing the board shall appoint three qualified appraisers, at least one of whom shall be a resident of the county

RCW 85.16.080  
reenacted.  
Appraisal  
of special  
benefits.

in which said district is situated, who shall qualify as provided in RCW 85.08.360. Thereupon said appraisers shall proceed immediately to carefully examine the district's system of improvements and the public and private property within the district, and fairly, justly and equitably determine and apportion the special benefits which will accrue from the maintenance of the district's system of improvements to each piece or parcel of privately and publicly owned land, together with the buildings and other permanent improvements thereon, and to the state, county, cities, towns and other municipal corporations for their roads and streets and other property within the district. The fact that any such property shall be exempt from general taxes shall not exempt the same from the provisions hereof.

RCW 85.16.110  
reenacted.

Separate appraisals, schedules, as to diking, drainage benefits.

SEC. 4. Section 7, chapter 26, Laws of 1949 and RCW 85.16.110 are each reenacted to read as follows:

In a district which functions both as a diking and a drainage improvement district, the appraisers, if so directed in the order of the board appointing them, shall determine separately, in accordance with RCW 85.16.060 and 85.16.080, the special benefits accruing to the various properties within the district from the maintenance of the diking system and from the maintenance of the drainage system, and in such case their report shall contain separate schedules of the respective benefits accruing from the maintenance of the diking and drainage systems of improvement considered separately and, so far as may be, independently of each other.

RCW 85.16.120  
reenacted.

Apportionment of levy to meet extraordinary expenditures —Appraisal and hearing.

SEC. 5. Section 8, chapter 26, Laws of 1949 and RCW 85.16.120 are each reenacted to read as follows:

Whenever the board shall provide that a levy to meet extraordinary maintenance expenditures shall be spread over a term of years and warrants or bonds issued as provided in RCW 85.16.030, said board shall fix a date for and hold a hearing and appoint

appraisers as provided in RCW 85.16.060 and 85.16-.080. Said appraisers, in addition to discharging the duties imposed upon the appraisers by RCW 85.16-.060, 85.16.080 and 85.16.090, shall: (1) apportion the estimated costs of such extraordinary maintenance work to the properties within the district in proportion to the benefits accruing to said properties from the maintenance of the district's system of improvements as determined by them; and (2) file a complete schedule of said apportionment of costs with the board.

SEC. 6. 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.

#### EXPLANATORY NOTE

The Statute Law Committee in reviewing Title 85 of the Revised Code of Washington has noted certain deficiencies therein. This bill is presented by authority of chapter 1.08 RCW for the purpose of curing these deficiencies. **Explanatory note.**

Sections 1 through 3. Section 4, chapter 26, Laws of 1949 was divided and codified by the 1941 Code Committee as RCW 85.16.060 and 85.16.080. Subsequently 1951 c 63 § 1 amended RCW 85.16.060 "as derived from" 1949 c 26 § 4 but made no mention of the other portion of section 4 codified as RCW 85.16.080. The instant reenactment ratifies the 1951 amendment and reenacts the 1951 language in RCW 85.16.060 and the 1949 language in that portion codified as RCW 85.16.080 thus curing any possible defect arising from the amendment in 1951 of less than the whole of the session law section (1949 c 26 § 4).

Sections 5 and 6. Sections 7 and 8, chapter 26, Laws of 1949 codified as RCW 85.16.110 and 85.16.120 make internal reference to "section 4" discussed under the preceding note. In order to cure any possible defect arising from such ratification, the instant sections translate "section 4" to the appropriate RCW section references and reenact the 1949 provisions.

Passed the House January 24, 1961.

Passed the Senate February 3, 1961.

Approved by the Governor February 8, 1961.