

CHAPTER 378.

[H. B. 415.]

CITIES AND TOWNS—CEMETERIES—
POWERS OF TOWNS.

AN ACT relating to cities and towns; amending section 1, chapter 156, Laws of 1909 and RCW 68.12.040, and section 4, chapter 156, Laws of 1909 and RCW 68.12.050, and section 1, chapter 151, Laws of 1949 and RCW 35.27.370; and adding a new section to chapter 68.12 RCW.

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

SECTION 1. Section 1, chapter 156, Laws of 1909 and RCW 68.12.040 are each amended to read as follows: Amendment.

Any city or town may acquire, hold, or improve land for cemetery purposes, and may sell lots therein, and may provide by ordinance that a specified percentage of the proceeds therefrom be set aside and invested, and the income from the investment be used in the care of the lots, and may take and hold any property devised, bequeathed or given upon trust, and apply the income thereof for the improvement or embellishment of the cemeteries or the erection or preservation of structures, fences, or walks therein, or for the repair, preservation, erection, or renewal of any tomb, monument, gravestone, fence, railing, or other erection at or around a cemetery, lot, or plat, or for planting and cultivating trees, shrubs, flowers, or plants in or around the lot or plot, or for improving or embellishing the cemetery in any other manner or form consistent with the design and purpose of the city, according to the terms of the grant, devise, or bequest. City or town authorization—land for cemetery purposes.

SEC. 2. There is added to chapter 68.12 RCW, a new section to read as follows: New section.

The legislative body of any city or town may provide by ordinance for a cemetery board to be appointed by the mayor in cities and towns operating Cemetery board; appointment procedure.

under the mayor-council form of government, by the city commission in cities operating under the commission form of government, and by the city manager in cities and towns operating under the council-manager form of government: *Provided further*, That no ordinance shall be enacted, pursuant to this section, in conflict with provisions contained in charters of cities of the first class.

Prohibition on ordinance.

Amendment.

SEC. 3. Section 4, chapter 156, Laws of 1909 and RCW 68.12.050 are each amended to read as follows:

Money receipts and disbursements.

All moneys received in the manner above provided shall be deposited with the city treasurer, and shall be kept apart in a fund known as the cemetery improvement fund, and shall be paid out only upon warrants drawn by the order of the cemetery board, if such a board exists, or by order of the body, department, commission, or committee duly authorized by ordinance to issue such an order, or by the legislative body of a city or town, which order shall be approved by such legislative body if such order is not issued by the legislative body, and shall be indorsed by the mayor and attested by the city controller or other authorized officer.

Cemetery improvement fund.

Amendment.

SEC. 4. Section 1, chapter 151, Laws of 1949 and RCW 35.27.370 are each amended to read as follows:

Council powers.

The council of said town shall have power:

Ordinances.

(1) To pass ordinances not in conflict with the Constitution and laws of this state, or of the United States;

(2) To purchase, lease or receive such real estate and personal property as may be necessary or proper for municipal purposes, and to control, dispose of and convey the same for the benefit of the town; to acquire, own, and hold real estate for cemetery purposes either within or without the corporate limits, to sell and dispose of such real estate, to plat or replat such real estate into cemetery lots and to

Real and personal property for municipal purposes.

sell and dispose of any and all lots therein, and to operate, improve and maintain the same as a cemetery: *Provided*, That they shall not have the power to sell or convey any portion of any waterfront;

(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 use of such town or its inhabitants, or for irrigating purposes therein;

Water for
municipal
purposes.

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

Public ways,
squares and
bridges.

(5) To establish, construct and maintain drains and sewers, and shall have power to compel all property owners on streets along which sewers are constructed to make proper connections therewith, and to use the same for proper purposes when such property is improved by the erection thereon of a building or buildings; and in case the owners of such improved 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;

Sewage
systems.

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

Fire
apparatus.

(7) To impose and collect an annual license not

Dog license

exceeding two dollars on every dog allowed to run at large within the limits of the town, and to provide for the killing of all dogs found at large and not duly licensed;

Property tax.

(8) To levy and collect annually a property tax, for the payment of current expenses and for the payment of indebtedness (if any indebtedness exists) within the limits authorized by law;

License; business.

(9) To license, for purposes of regulation and revenue, all and every kind of business, authorized by law and transacted and carried on in such town;

License; entertainment.

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; to regulate, restrain, or prohibit the running at large of any and all domestic animals within the city limits, or any part or parts thereof, and to regulate the keeping of such animals within any part of the city; to establish, maintain and regulate a common pound for estrays, and to appoint a poundkeeper, who shall be paid out of the fines and fees imposed on, and collected from, the owners of any impounded stock;

Domestic animals; pound established.

(10) To improve the rivers and streams flowing through such town or adjoining the same; to widen, straighten and deepen the channels thereof, and to remove obstructions therefrom; to prevent the pollution of streams or water running through such town, and for this purpose shall have jurisdiction for two miles in either direction; to improve the waterfront of the town, and to construct and maintain embankments and other works to protect such town from overflow;

Rivers and channels; pollution prevented.

(11) To erect and maintain buildings for municipal purposes;

Municipal buildings.

(12) To grant franchises or permits to use and occupy the surface, the overhead and the under-

Franchises.

ground of streets, alleys and other public ways, under such terms and conditions as it shall deem fit, for any and all purposes, including but not being limited to the construction, maintenance and operation of railroads, street railways, transportation systems, water, gas and steam systems, telephone and telegraph systems, electric lines, signal systems, surface, aerial and underground tramways.

(13) To punish the keepers and inmates and lessors of houses of ill fame, and keepers and lessors of gambling houses and rooms and other places where gambling is carried on or permitted, gamblers and keepers of gambling tables;

Gambling and houses of ill fame; keepers punished.

(14) 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 imprisonment exceed three months;

Fines, penalties and forfeitures.

Limitation.

(15) To cause all persons imprisoned for violation of any ordinance to labor on the streets or other public property or works within the town;

Prisoners' labor.

(16) To operate ambulance service which may serve the town and surrounding rural areas and, in the discretion of the council, to make a charge for such service.

Ambulance service.

(17) To make all such ordinances, bylaws, 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 town and its trade, commerce and manufacturers, and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter.

Ordinances, by laws, rules and regulations.

Passed the House March 8, 1955.

Passed the Senate March 7, 1955.

Approved by the Governor March 21, 1955.