

CHAPTER CLV.

[H. B. No. 508.]

RELATING TO REPAIRS AND RENEWAL OF SIDEWALKS.

AN ACT relating to maintenance, repairs and renewal of sidewalks in cities of the first, second or third class, and providing for pavement [payment] therefor by the owners of abutting property, and declaring an emergency.

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

Sidewalks, abutting property liable for.

SECTION 1. That whenever any street, lane, square, place or alley in any city of the first, second or third class, now or hereafter legally organized in this state, shall have been improved by the construction of a sidewalk or sidewalks along either or both sides thereof, the duty, burden and expense of maintenance, repairs and renewal of such sidewalk or sidewalks shall devolve upon the property directly abutting upon that side of such street along which such sidewalk has been constructed, as hereinafter provided.

Notice of unsafe walks, how given.

Whenever, in the judgment of that officer or department of any such city who or which is, or shall be, charged with the inspection and care of the sidewalks along the public streets, lanes, squares, places and alleys in such city, the condition of any sidewalk is such as to render the same unfit or unsafe for purposes of public travel, the said officer or department shall thereupon notify the owner of the property immediately abutting upon said portion of said sidewalk of the condition thereof, instructing the said owner to clean, repair or renew the said portion of said street or sidewalk. Said notice shall specify a reasonable time within which such cleaning, repairs or renewal shall be executed by the said owner, and in case the said owner shall fail to comply with the instructions of said notice within the time therein specified, then the said officer or department shall proceed to clean said walk or to make such repairs or renewal forthwith, and shall charge the full cost thereof to the said owner of abutting property, which said charge shall become a lien upon said property and shall be collected by due process of law. For the purposes of this act all property having a frontage upon the sides or mar-

Notice to repair to contain, what.

gin of any street shall be deemed to be abutting property, and such property shall be chargeable, as provided by this act, for all cost of maintenance, repairs or renewal of any form of sidewalk improvement between the said street margin and the roadway lying in front of and adjacent to said property, and the term sidewalk, as intended for the purposes of this act, shall be taken to include any and all structures or forms of street improvement included in the space between the street margin and the roadway.

SEC. 2. Nothing in this act shall be construed to limit or repeal any existing powers of cities of the first, second or third class with reference to the improvement or maintenance of sidewalks, streets, lanes, places, squares or alleys, but the power and authority herein granted are to be exercised concurrent with or in extension of the powers and authority now existing. The legislative authority of any city, before exercising the powers and authority herein granted, shall by proper ordinance provide for the application and enforcement of the same within the limitations herein specified.

SEC. 3. Whereas, there is now no statute in force nor clearly defined provisions in charters of cities of the first, second or third class defining the rights of municipal authorities with reference to the responsibility for necessary maintenance, repairs or renewals of sidewalks along streets, lanes, squares, places and alleys in such cities, and providing for the placing of the cost therefor upon abutting owners, and by reason thereof the keeping of sidewalks in proper condition is greatly retarded and much inconvenience results to the public, an emergency is hereby declared to exist for the immediate effect of this law, and, therefore, this act shall take effect on its passage and approval by the governor.

Passed the house March 2, 1895.

Passed the senate March 14, 1895.

Approved March 21, 1895.