

the board of trustees for the maintenance of such model training school.

Passed the Senate February 14th, 1907.

Passed the House March 6th, 1907.

Approved by the Governor March 11th, 1907.

CHAPTER 98.

[S. B. 144.]

METROPOLITAN PARK DISTRICTS.

AN ACT authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency.

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

Organiza-
tion
authorized.

SECTION 1. That the cities of the first class in the State of Washington, and such contiguous property the residents of which may decide in favor thereof in the manner hereinafter set out, are hereby authorized and empowered to create a metropolitan park district for the management, control, improvement, maintenance, and acquisition of parks, park ways, and boulevards, now or hereafter located within such park district.

Submission
to vote of
electors.

SEC. 2. At any general election, or at any city election held in such city in each of the various voting precincts of such city, the city council may, or on petition of fifteen per cent of the qualified electors of such city shall, by ordinance, submit to the voters of such city the proposition of creating a metropolitan park district, the limits of which park district shall be coextensive with the limits of such city as now or hereafter established. In submitting the said question to the voters for their approval or rejection, such city council shall pass an ordinance declaring its intention to submit the proposition of creating a metropolitan park district to the qualified voters of such city, which said ordinance shall be published for at least five days in a daily newspaper published in said city, and said city council shall cause to be placed upon

the ballot for such election, at the proper place, the proposition, which shall be expressed on said ballot in the following terms:

“For the formation of a metropolitan park district.”

“Against the formation of a metropolitan park district.”

SEC. 3. If at such election a majority of the voters voting upon such proposition at such election shall vote in favor of the formation of such park district, the city council shall so declare in its canvass of the returns of such election, and such park district shall then be and become a municipal corporation of the State of Washington, and the name of such metropolitan park district shall be “Metropolitan Park District of” (inserting the name of the city constituting the park district). At the same election at which the proposition is submitted to the people as to whether a metropolitan park district shall be formed, five park commissioners shall be elected to hold office respectively for the term of one, two, three, four and five years and until his successor is elected, the term of each nominee for park commissioner to be expressed on the ballot. And thereafter, and at least thirty (30) days prior to the first Tuesday of June in each year, such park commissioners, who shall constitute a board of park commissioners, shall give notice by publication in at least five issues of a daily newspaper published within said metropolitan park district that an election will be held on the first Tuesday of June thereafter, for the election of a park commissioner to hold office for five years: *Provided, however,* That there shall be no election held on the first Tuesday of June immediately following the creation of the park district. All park commissioners elected by virtue of this act shall perform their duties without compensation. Said board of park commissioners shall designate in their notice of election the time of opening and closing the polls, and the places of voting, but in no event shall there be less than one voting place in each of the various wards of such city, and at least one voting place in any out-

Name.

Park commissioners.

Election.

Notice.

lying district annexed to such park district and not within the city. The polls shall be kept open at such election at least from one o'clock p. m. to seven o'clock p. m. but said park commissioners may keep the polls open for a longer period if they shall so order, but the time of opening and closing of the polls must be stated in the notice of election, and the polls shall be opened and closed in accordance with such notice. Any person residing in said park district who is, at the time of holding such election, a qualified voter under the laws of the State of Washington, shall be entitled to vote at such election, and the public officials, either city or county, having charge of the registration books, shall deliver the same to the board of park commissioners for the use of the election officers at such park elections.

Powers of
district.

SEC. 4. When the said metropolitan park district shall be created as hereinbefore provided for, it shall at once be and become a separate and distinct corporation, the officers of which shall be a board of park commissioners consisting of five members, and said board of park commissioners shall annually elect one of their number as president and another of their number as clerk of said board. Such corporation is hereby given the right of eminent domain, and may purchase, acquire, and condemn lands for public parks, park ways, and boulevards, and may condemn lands to widen, alter, and extend streets, avenues, boulevards, and park ways, to enlarge and extend existing parks, and to acquire lands for the establishment of new parks, boulevards, and park ways. Said park commissioners shall have authority to pass orders, providing for all condemnations which they may desire to institute for the purpose of this act, and to bring actions in the proper courts for the condemnation of lands, to employ counsel, and to regulate, manage, and control the parks, park ways, boulevards, streets, and avenues under its control, and to provide for park policemen, for a secretary of the board of park commissioners, and for all necessary employes, and to fix their salaries and duties: *Provided, however,* That all employes of such metropolitan park district, except the attor-

ney for such park district, shall be under civil service, and the said park commissioners shall constitute a civil service board to pass upon the qualifications of applicants for positions. Said board of park commissioners, as such civil service commission, shall adopt rules for the employment of necessary employes, shall provide for examinations at such times, and upon such subjects, as they may deem necessary, and the employment of such park employes shall be wholly upon the merit system. No park employe shall be discharged except for incompetency, inability to perform their duties, offensive partisanship, or such other reasons as may be deemed sufficient by such board, and then only after a full and fair hearing upon written charges filed with such board: *Provided, however,* That when the necessity for further continuing any park employe shall cease, such park commissioners shall have power to discharge such employe; it being the true intent and meaning of this act to place the sole acquisition, management, improvement and control of all parks, boulevards, and park ways, in such board of park commissioners; and the control, management, and improvement of any such parks, park ways, and boulevards as shall be within or without the limits of any city and under its control, creating a metropolitan park district pursuant to this act, shall immediately vest in such board of park commissioners: *Provided, however,* That all such parks, boulevards and park ways shall be subject to the police regulations of any city within which they may lie.

SEC. 5. Said board of park commissioners are hereby Tax levy. authorized to levy, or cause to be levied, a general tax on all the property located in said park district each year, not to exceed one and one-half mills on the assessed valuation of the property in such park district. Said taxes when so levied shall be certified to the proper county officials for collection the same as other general taxes. When such money is collected it shall be placed in a separate fund, to be known as the "Metropolitan Park District Fund," and paid out on warrants issued on the board of park commissioners for the purposes specified in this act.

May incur
indebted-
ness.

SEC. 6. That each and every metropolitan park district that may hereafter be organized pursuant to this act is hereby authorized and empowered, by and through its board of commissioners, to contract indebtedness for park, boulevard and park way purposes, and the extension and maintenance thereof, not exceeding one quarter of one ($\frac{1}{4}$) per cent of the taxable property in such metropolitan park district, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness.

Additional
indebted-
ness—
election.

SEC. 7. That each and every metropolitan park district hereafter to be organized, pursuant to this act, may contract indebtedness in excess of the amount named in the preceding section, but not exceeding in amount, together with existing indebtedness, five (5) per centum of the taxable property in said district, to be ascertained as provided in the preceding section, whenever three-fifths ($\frac{3}{5}$) of the voters voting at said election in such metropolitan park district assent thereto, at an election to be held in said metropolitan park district, in the manner provided by this act, which election may be either a special or a general election, and the park commissioners of such metropolitan park district are hereby authorized and empowered to submit the question of incurring such indebtedness, and issuing negotiable bonds of such metropolitan park district, to the qualified voters of such park district at any time they may so order.

Bonds.

SEC. 8. In case the question of incurring indebtedness and issuing bonds as set forth and described in section 7 of this act shall be submitted to the voters of such metropolitan park district and carried as hereinabove provided for, the commissioners of such metropolitan park district may issue the negotiable bonds of such district for the amount of such indebtedness and may dispose of said bonds either in payment of such indebtedness, or may advertise and sell said bonds in the open market for cash, but in no event shall said bonds be disposed of or negotiated at less than par.

SEC. 9. Said bonds shall be in denominations of not less than \$100.00 nor more than \$1,000.00. They shall bear the date of issue, shall be made payable to the bearer, in not more than twenty (20) years from date of issue, and bear interest at a rate not exceeding five (5) per cent. per annum, payable annually, with coupons attached, for each interest payment. The bonds and each coupon shall be signed by the presiding officer of the board of park commissioners and shall be attested by the clerk of said board, who shall be a member thereof. Said bonds shall be printed, engraved, or lithographed on good bond paper, and the bond shall state on its face that it is issued in accordance, and in strict compliance, with an act of the Legislature of the State of Washington, entitled: "An Act authorizing the formation of metropolitan park districts, providing for park officials, fixing their powers and duties, and declaring an emergency," approved on the day of, 1907, (inserting the date of the approval of this act). Said bonds shall be payable in any city containing a bank of the United States.

Form of
bonds.

SEC. 10. Said commissioners shall include in their general tax levy for each year a sufficient sum to pay the interest on all outstanding bonds. Said bonds shall be numbered from one up consecutively, and shall be payable in the order of their number, beginning with bond numbered one.

Tax levy
to include
interest.

SEC. 11. Whenever there is money in the funds of such metropolitan park district and the commissioners shall deem it advisable to apply the same or any part thereof upon the payment of bonded indebtedness, they shall advertise in a daily newspaper published within said park district for the presentation to them for payment of as many bonds issued under the provisions of this act as they may desire to pay with the funds on hand, said bonds to be paid in numerical order, beginning with bond numbered one, until all of said bonds are paid: *Provided*, That thirty (30) days after the first publication of said notice by the board of such park district, calling in any of said bonds by their number, said bonds shall

Payment
of indebted-
ness.

cease to bear interest, which shall be stated in the notice calling for such bonds.

Payment of interest.

SEC. 12. The coupons hereinbefore mentioned for the payment of interest on said bonds shall be considered in all purposes as warrants drawn upon the general fund of the said metropolitan park district issuing such bonds, and when presented to the treasurer of the county having custody of the funds of such park district at maturity, or thereafter, and when so presented, if there are no funds in the treasury to pay the said coupons, it shall be the duty of the county treasurer to endorse said coupons as presented for payment, in the same manner as county warrants are endorsed, and thereafter said coupons shall bear interest at the same rate as the bond to which it was attached.

Registration of bonds.

SEC. 13. Before the bonds are delivered to the purchaser, they shall be presented to the county treasurer who shall register them in a book kept for that purpose and known as the "Metropolitan Park Bond Register," in which register shall be entered the number of each bond, date of issue and maturity, amount, rate of interest, to whom and when payable. Such county treasurer shall receive no compensation other than his regular salary for receiving and disbursing the funds of such metropolitan park district. The board of park commissioners shall keep a register of such bonds similar to that provided for the county treasurer.

Powers of commissioners.

SEC. 14. Said park commissioners shall have power to improve, acquire, extend, and maintain, open and lay out parks, park ways, boulevards, and avenues within said park district, and may pay out moneys for the purchase of lands, improvements, maintenance, and all expenses incidental to their office and duties.

Work may be done on local assessment plan.

SEC. 15. If at any time any proposed improvement of any park way, avenue, or boulevard will be a special benefit to the lands adjoining, contiguous, and proximate to such proposed improvement, if such lands be within the corporate limits of any city of the first class, the said board of park commissioners may petition the city council of

such city to cause such improvement as said commissioners may direct to be done and made on the local assessment plan, and the cost of such improvement assessed in whole or in part against the property benefited, in the same manner and under the same statute and procedure as is now, or may hereafter be, enacted for local improvements by cities of the first class. Said board of park commissioners shall designate the kind, manner, and style of the improvement.

SEC. 16. Any city of the first class within or comprising any such metropolitan park district is hereby given authority to turn over to said park commissioners any lands which it may own, or any street, avenue, or public place within said city for park or park way purposes, and thereafter the control and management of the same shall vest exclusively in the said board of park commissioners: *Provided, however,* That the police regulations of such city shall apply to all such premises.

Lands of city may be transferred to district.

SEC. 17. Any person, firm or corporation, feeling aggrieved by the assessment against his or its property, may file objections with the city council, and may appeal from the order confirming said assessment roll, in the same manner as objections and appeals are made in regard to local improvements in cities of the first class in the State of Washington.

Objections to assessments.

SEC. 18. The assessment for local improvements authorized by this act shall become a lien in the same manner, and be governed by the same law, as is provided for local assessments in cities of the first class, and such assessment shall be collected as local improvements in said cities of the first class.

Lien and collection of assessment.

SEC. 19. Said park commissioners shall have power to accept public streets of the city and grounds for public purposes when the same shall be donated for park, boulevard, and park way purposes.

Donations.

SEC. 20. The territory adjoining and in the same county with any park district organized under this act may be annexed to and become a part of such metropolitan park district, in the manner following: Any twenty-five

Annexation of territory.

Petition.

(25) legal voters, residents within the territory proposed to be annexed, may petition the board of park commissioners of such district to cause the question to be submitted to the legal voters of the territory proposed to be annexed, whether they will be annexed and become a part of such adjoining park district: *Provided, however,* That where such territory proposed to be annexed shall be within the limits of an incorporated city or town other than the first class, such petition shall be signed by at least twenty (20) per cent of the qualified electors residing within such territory. The petition shall define the limits of the territory proposed to be annexed to such park district. Upon the filing of such petition with the board of park commissioners, if said commissioners shall concur in said petition, they shall provide for a hearing to be held for the discussion of such proposed annexation at the office of said board of park commissioners, and shall give due notice of such hearing by publication in a daily newspaper published in said park district for at least five (5) days prior to said hearing. If said park commissioners shall concur in said petition, it shall be their duty to submit the proposal to the electors of such territory proposed to be annexed, at an election to be held in such territory. The said commissioners shall, by order of such board duly adopted, fix a time and place or places within the limits of the territory proposed to be annexed, for the holding of such election to determine the question of annexation, and said commissioners shall name the persons to act as judges at such election, and shall give notice thereof by causing notice to be published for five (5) days in five (5) consecutive issues of a daily newspaper published in said park district, and by posting notices in five (5) public places within the territory proposed to be annexed to said district.

Election.

The ballot to be used at such election shall be in the following form:

Ballots.

“For annexation to metropolitan park district.”

“Against annexation to metropolitan park district.”

The judge or judges at such election shall make return thereof to the board of park commissioners, who shall canvass such return and cause a statement of the result of such election to be entered on the record of such commissioners. If the majority of the votes cast upon that question at such election shall be for annexation, then such territory shall immediately be and become annexed to such park district, and the same shall thenceforth be a part of said park district, the same as though originally included in such district.

SEC. 21. All election officers for any election held pursuant to this act shall be named by the board of park commissioners, and the expense of all such elections shall be paid out of the funds of such metropolitan park district.

Election officers.

SEC. 22. When any metropolitan park district shall be formed pursuant to this act, and shall assume control of the parks, park ways, boulevards, and park property of the city in which said park district is created, such park district shall assume all existing indebtedness, bonded or otherwise, against such park property, and shall arrange by taxation or issuing bonds, as herein provided, for the payment of such indebtedness, and shall relieve such city from such payment. Said park district is hereby given authority to issue refunding bonds when necessary in order to enable it to comply with this section.

Park district shall assume indebtedness against property.

SEC. 23. An emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

Emergency.

Passed the Senate February 13th, 1907.

Passed the House February 28th, 1907.

Approved by the Governor March 11th, 1907.