

such compact or agreement to the Congress of the United States for approval.

Passed the House February 11, 1913.

Passed the Senate March 5, 1913.

Approved by the Governor March 7, 1913.

CHAPTER 45.

[S. B. 97.]

AUTHORIZING CITIES TO CONSTRUCT PUBLIC UTILITIES.

[This act amends Rem.-Bal., § 8005; Pierce's Code, 1912, 77 § 1073, by including cold storage plants.]

AN ACT authorizing cities and towns to construct, purchase, condemn and purchase, acquire, add to, maintain, conduct and operate certain public utilities, construct, acquire and operate public markets and cold storage plants for the sale and preservation of certain supplies and provisions; and amending section 8005 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 8005 of Remington and Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Section 8005. That any incorporated city or town within the state be, and hereby is, authorized to construct, condemn and purchase, purchase, acquire, add to, maintain, conduct and operate water works, within or without its limits, for the purpose of furnishing such city or town and the inhabitants thereof, and any other persons, with an ample supply of water for all uses and purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution and price thereof; to construct and maintain systems of sewerage, and systems and plants for refuse collection and disposal, with full jurisdiction and authority to manage, regulate and control the same within and without the limits of the corporation; to construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants and facilities for the preparation and manufacture of all such stone or asphalt products

Water works.

Water power.

Sewerage.

Street material.

or compositions or other materials which may be used in street construction or maintenance, together with the right to use the same, and also to fix the price of and to sell the same for use in the construction of municipal improvements of such city or town; to construct, acquire and operate public markets and one or more cold storage plants for the sale and preservation of butter, eggs, meats, fish, fruits, vegetables, and other perishable provisions; and to construct, condemn and purchase, purchase, acquire, add to, maintain and operate works, plants and facilities for the purpose of furnishing such city or town and the inhabitants thereof, and any other persons, with gas, electricity and other means of power and facilities for lighting, heating, fuel and power purposes, public and private, with full authority to regulate and control the use, distribution and price thereof, together with the right to handle and sell, or lease, any meters, lamps, motors, transformers and equipment or accessories of any and every kind, necessary and convenient for the use, distribution and sale thereof; to authorize the construction of such plant or plants by others for the same purpose, and to purchase such gas, electricity or power from others either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within such city or town, and to regulate and control the use and price thereof; to construct, condemn and purchase, purchase, acquire, add to, maintain, operate or lease cable, electric and other railways within the limits of such city or town for the transportation of freight and passengers above, upon or underneath the ground, with full authority to regulate and control the use and operation thereof, and to fix, alter, regulate and control the fares and rates to be charged thereon; and for the purposes aforesaid, it shall be lawful for any city or town in this state to take, condemn, and purchase, purchase, acquire and retain water from any public or navigable lake or water course percolating or subterranean, or any underflowing water within the state, and, by means of aqueducts or pipe lines, to con-

Public markets and cold storage plants.

Gas, electricity, etc.

Railways.

Aqueducts or pipe lines.

Water-stor-
age plants.

duct the same to said city or town; and such city or town is hereby authorized and empowered to erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or waterworks or other necessary structures in storing and retaining water, as above provided, or for any of the purposes provided for by this act, such city or town shall have the right to occupy and use the beds and shores up to the high water mark of any such water course or lakes, and to acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this act, or necessary for any of said purposes, and any such city or town shall have the right to acquire by purchase or by condemnation and purchase any lands, properties or privileges necessary to be had to protect the water supply of such city or town from pollution: *Provided*, That should private property be necessary for any such purposes or for storing water above high water mark, such city or town may condemn and purchase, or purchase and acquire such private property: *And provided further*, That no such dam or other structure shall impede, obstruct or in any way interfere with public navigation of such lake or watercourse.

Eminent
domain.

Navigation
not to be
interfered
with.

Passed the Senate January 30, 1913.

Passed the House February 24, 1913.

Approved by the Governor, March 8, 1913.