

section to the extent provided in RCW 8.25.070 for trial and trial preparation: (1) in the event a trial is held as authorized by section 2 of this 1974 act except the judgment awarded to the condemnor must exceed by ten percent or more the highest written offer in settlement of the issue to be determined by trial submitted by the condemnor to those condemnees appearing in the action at least thirty days prior to commencement of the trial; (2) in the event of a trial on the matter of special benefits as authorized by section 3(4) of this 1974 act except the judgment awarded to the condemnor must be no more than ninety percent of the lowest written offer in settlement submitted by the condemnor to the condemnees appearing in the action at least thirty days prior to commencement of the trial on the matter of special benefits.

NEW SECTION. Sec. 6. A condemnor may foreclose the lien authorized by section 2 of this 1974 act by bringing an action and applying for summary judgment pursuant to civil rule 56 and may execute first upon the remainder property but such proceedings shall not be commenced before five years time has passed from the date of acquisition by the condemnor. A property owner may stay proceedings to enforce the lien authorized by section 2 of the 1974 act by commencement of an action to try the matter of special benefits.

NEW SECTION. Sec. 7. Sections 1 through 7 of this 1974 act shall be added to chapter 8.25 RCW.

NEW SECTION. Sec. 8. This 1974 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 11, 1974.
Passed the Senate February 7, 1974.
Approved by the Governor February 16, 1974.
Filed in Office of Secretary of State February 16, 1974.

CHAPTER 80
[House Bill No. 289]
STATE HIGHWAYS—
SPECIFIC INFORMATION PANELS—
BUSINESS SIGNS

AN ACT Relating to outdoor advertising; amending section 2, chapter 96, Laws of 1961 as amended by section 1, chapter 62, Laws of 1971 ex. sess. and RCW 47.42.020; and adding new sections to chapter 96, Laws of 1961 and to chapter 47.42 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 2, chapter 96, Laws of 1961 as amended by section 1, chapter 62, Laws of 1971 ex. sess. and RCW 47.72.020 [47.42.020] are each amended to read as follows:

When used in this chapter the term:

(1) "Commission" means the Washington state highway commission;

(2) "Erect" means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish;

(3) "Interstate system" means any state highway which is or does become part of the national system of interstate and defense highways as described in section 103(d) of title 23, United States Code;

(4) "Maintain" means to allow to exist;

(5) "Person" means this state or any public or private corporation, firm, partnership, association, as well as any individual, or individuals;

(6) "Primary system" means any state highway which is or does become part of the federal-aid primary system as described in section 103(b) of title 23, United States Code;

(7) "Scenic system" means (a) any state highway within any public park, federal forest area, public beach, public recreation area, or national monument, (b) any state highway or portion thereof outside the boundaries of any incorporated city or town designated by the legislature as a part of the scenic system, or (c) any state highway or portion thereof, outside the boundaries of any incorporated city or town, designated by the legislature as a part of the scenic and recreational highway system except for the sections of highways specifically excluded in RCW 47.42.025;

(8) "Sign" means any outdoor sign, display, device, figure, painting, drawing, message, placard, poster, billboard or other thing which is designed, intended or used to advertise or inform any part of the advertising or informative contents of which is visible from any place on the main-traveled way of the interstate system or other state highway;

(9) "Commercial and industrial areas" means any area zoned commercial or industrial by a county or municipal code, or if unzoned by a county or municipal code, that area occupied by three or more separate and distinct commercial and/or industrial activities within a space of five hundred feet and the area within five hundred feet of such activities on both sides of the highway. The area shall be measured from the outer edges of the regularly used buildings, parking lots, storage or processing areas of the commercial or industrial activity and not from the property lines of the parcels

upon which such activities are located. Measurements shall be along or parallel to the edge of the main traveled way of the highway. The following shall not be considered commercial or industrial activities:

(a) Agricultural, forestry, grazing, farming, and related activities, including, but not limited to, wayside fresh produce stands;

(b) Transient or temporary activities;

(c) Railroad tracks and minor sidings;

(d) Signs;

(e) Activities more than six hundred and sixty feet from the nearest edge of the right of way;

(f) Activities conducted in a building principally used as a residence.

Should any commercial or industrial activity, which has been used in defining or delineating an unzoned area, cease to operate for a period of six continuous months, any signs located within the former unzoned area shall become nonconforming and shall not be maintained by any person after three years from May 10, 1971.

(10) "Specific information panel" means a panel, rectangular in shape, located in the same manner as other official traffic signs readable from the main traveled ways, and consisting of:

(a) The words "GAS," "FOOD," or "LODGING" and directional information; and

(b) One or more individual business signs mounted on the panel.

(11) "Business sign" means a separately attached sign mounted on the specific information panel to show the brand or trademark and name, or both, of the motorist service available on the crossroad at or near the interchange. Nationally, regionally, or locally known commercial symbols or trademarks for service stations, restaurants and motels shall be used when applicable. The brand or trademark identification symbol used on the business sign shall be reproduced with the colors and general shape consistent with customary use. Any messages, trademarks, or brand symbols which interfere with, imitate, or resemble any official warning or regulatory traffic sign, signal or device are prohibited.

NEW SECTION. Sec. 2. There is added to chapter 96, Laws of 1961 and to chapter 47.42 RCW a new section to read as follows:

The Washington state highway commission is authorized to erect and maintain specific information panels within the right of way of the interstate highway system to give the traveling public specific information as to gas, food, or lodging available on a crossroad at or near an interchange. Specific information panels shall include

the words "GAS," "FOOD," or "LODGING" and directional information and may contain one or more individual business signs maintained on the panel. The erection and maintenance of specific information panels shall conform to the national standards promulgated by the secretary of transportation pursuant to sections 131 and 315 of Title 23, United States Code and regulations adopted by the commission. A motorist service business shall not be permitted to display its name, brand, or trademark on a specific information panel unless its owner has first entered into an agreement with the commission limiting the height of its on-premise signs at the site of its service installation to not more than fifteen feet higher than the roof of its main building. The commission shall charge reasonable fees for the display of individual business signs to defray the costs of their installation and maintenance.

NEW SECTION. Sec. 3. Nothing in this chapter shall be construed to permit a person to erect or maintain a sign that is otherwise prohibited by statute or by the resolution or ordinance of any county, city or town of the state of Washington.

NEW SECTION. Sec. 4. There is added to chapter 47.42 RCW a new section to read as follows:

The Washington state highway commission is authorized to erect and maintain specific information panels within the right of way of those portions both of the primary system and the scenic system lying outside of cities and towns and lying outside of commercial and industrial areas to give the traveling public specific information as to gas, food, recreation, or lodging available off the primary or scenic highway accessible by way of highways intersecting the primary or scenic highway. Specific information panels shall include the words "GAS", "FOOD", "RECREATION", or "LODGING" and directional information and may contain one or more individual business signs maintained on the panel. The erection and maintenance of specific information panels along primary or scenic highways shall conform to the national standards promulgated by the secretary of transportation pursuant to sections 131 and 315 of Title 23 United States Code and regulations adopted by the commission including the manual on uniform traffic control devices for streets and highways. A motorist service business shall not be permitted to display its name, brand, or trademark on a specific information panel unless its owner has first entered into an agreement with the commission limiting the height of its on-premise signs at the site of its service installation to not more than fifteen feet higher than the roof of its main building. The commission shall charge reasonable fees for the display of

individual business signs to defray the costs of their installation and maintenance.

Passed the House February 8, 1974.
Passed the Senate February 5, 1974.
Approved by the Governor February 16, 1974.
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CHAPTER 81

[Substitute House Bill No. 833]

CITY AND COUNTY JAIL ACT OF 1974

AN ACT Relating to city and county jails; adding a new chapter to Title 36 RCW; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. It is the policy of this state that jail facilities provide a humane and safe environment consistent with efficient use of available funds and it is therefore the purpose of this chapter to provide for the determination of the role of the state regarding detention and correctional services and facilities, to permit classification of local detention and correctional facilities on the basis of their purpose and their function, to allow for the formulation of state-wide minimum standards for any newly constructed or substantially remodeled facilities regarding physical plant, limitations on types of use, standards for health, safety, safekeeping, conditions of confinement, and welfare of persons confined, to allow for the determination of a fiscal impact of the implementation of these standards and to have presented to the legislature a proposal for financing of any construction or modernization required to meet these standards.

NEW SECTION. Sec. 2. As used in this chapter:

(1) "Detention facility" means a facility operated by a governing unit, primarily designed, staffed and used for the temporary housing of persons charged with a violation or criminal offense prior to trial or sentencing and for the temporary housing of such persons for limited periods following trial and/or sentencing.

(2) "Correctional facility" means a facility operated by a governing unit primarily designed, staffed, and used for the housing of persons following conviction of a violation or criminal offense with primary emphasis on the provision of corrective and rehabilitative services to such persons.

(3) "Health care" means medical, dental, and mental health care, as well as the provision of prescription drugs.

(4) "Commission" means the state-wide city and county jail commission created by section 3 of this 1974 act.