

CHAPTER 119.

[H. B. 178.]

FRANCHISES BY COUNTY COMMISSIONERS.

AN ACT relating to the granting of franchises by boards of county commissioners, and amending Section 1 of Chapter 106 of the Laws of 1905.

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

SECTION 1. That section 1 of chapter 106 of the Laws of 1905, pages 210 to 211, (section 6431 of Remington's Compiled Statutes) be amended to read as follows:

Section 1. The county commissioners of the several counties in the State of Washington are hereby authorized and empowered to grant franchises to persons or corporations to use the county roads and streets in their several counties outside of the incorporated towns and cities for the construction and maintenance of waterworks, gaspipes, telephone, telegraph and electric light lines and sewers: *Provided*, That hereafter on application being made to the board of county commissioners for any such franchise, the board shall fix a time and place for hearing the same, and shall cause the county auditor to give public notice thereof at the expense of the applicant, by posting written or printed notices in three public places in the county seat of the county and in at least one conspicuous place on the roads or streets or parts thereof for which application is made, at least fifteen (15) days before the day fixed for such hearing, and by publishing a like notice three (3) times in some daily newspaper published in the county, or if no daily newspaper is published in the county, then the newspaper doing the county printing, the last publication to be at least five (5) days before the day fixed for such hearing, which notice shall state the name

Amends
§ 6431 Rem.
Comp. Stat.

Franchises
for use of
county roads
by telephone
lines, tele-
graph lines,
electric light
lines.

Hearing,
notice of

or names of the applicant or applicants, a description of the roads or streets or parts thereof for which the application is made, and the time and place fixed for the hearing. Such hearing may be adjourned from time to time by the order of the board. If, after such hearing, the board shall deem it to be for the public interest to grant such franchise in whole or in part, the board may make and enter the proper order granting the franchise applied for or such part thereof as the board deems to be for the public interest, and may require any such utility and its appurtenances to be placed in such location on or along the roads or streets as the board finds will cause the least interference with other uses of the roads or streets. Any person or corporation constructing or operating such utility on or along such county road or county street shall be liable to the county for all necessary expense incurred in restoring such county road or county street to a suitable condition for travel. This act shall be construed as an addition to existing laws and shall not limit powers or rights which may be exercised under existing laws: *Provided*, That no franchise shall be granted for a period of longer than fifty years; *Provided further*, no exclusive franchise or privilege shall be granted.

Hearing
adjourned.Franchise
granted.Operators
of utility
liable for
expense of
restoring
road.Fifty years
limit of
franchise.No exclusive
franchise.

Passed the House February 15, 1929.

Passed the Senate March 7, 1929.

Approved by the Governor March 20, 1929.