

CHAPTER 184.

[S. B. 386.]

GOVERNMENT OF THIRD CLASS CITIES.

Repeals
Rem.-Bal.
§§ 7671-7704.

AN ACT relating to the government, powers and duties of cities of the third class.

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

Rights,
powers and
privileges.

SECTION 1. Every municipal corporation of the third class shall be entitled "The City..... (naming it)," and by such name shall have perpetual succession, may sue and be sued in all courts and places, and in all proceedings whatever; shall have and use a common seal, alterable at the pleasure of the city authorities, and may purchase, lease, receive, hold, and enjoy real and personal property, and control and dispose of the same for the common benefit.

Officers.

SEC. 2. The government of said city shall be vested in a mayor and a city council, to consist of seven members, a treasurer, a city attorney, a clerk, and such subordinate officers as are hereinafter provided for; and whenever a free public library and reading room is established therein, five trustees thereof, and whenever a public park is maintained, three commissioners therefor.

Election
and terms.

SEC. 3. The mayor, councilman-at-large, treasurer, city attorney and clerk shall be elected in the year 1915 for the term of one year. Such officers shall be elected in the year 1916 and biennially thereafter for terms of two years. Three councilmen, other than councilman-at-large, shall be elected in the year 1915 for terms of three years. Three councilmen, other than councilman-at-large, shall be elected in the year 1916 and biennially thereafter for terms of four years. All such elections shall be by the qualified electors of such city at a general municipal election to be held therein on the first Tuesday after the first Monday in December. All elective officers shall hold office from and after the first Tuesday in January next succeeding the date of election and until their successors are elected

and qualified. The mayor shall appoint a chief of police, police judge, city engineer, street superintendent, health officer and such other officers as shall be provided by ordinance. The term of every appointive officer shall expire at the same time as that of the mayor appointing him unless such officer be sooner removed by the mayor by and with the consent of not less than four councilmen.

Officers
appointed
by mayor.

SEC. 4. All appointments of officers and employees made by virtue of this act, shall be subject to confirmation by the city council. Final action on any appointment shall be taken by the city council not later than the second regular meeting after the submission of the same by the mayor to the city council: *Provided, however,* That failure by the city council to take such action on any appointment made by the mayor, within the time aforesaid, shall be deemed a confirmation. If the city council shall refuse to confirm any appointment of the mayor, then he shall at or before the next meeting of the council thereafter, appoint another person to fill the office or position, and he may continue to appoint until his appointment is confirmed. In case the mayor fails to make another appointment within one week from the rejection of the appointment for the same office or position, then the city council may elect a suitable person to fill the office or position during the term.

Confirmation
of appoint-
ments.

SEC. 5. The treasurer, city attorney, clerk, police judge, chief of police and such other officers as the council may require shall each, before entering upon the duties of his office, take an oath of office and execute a bond to the city in such penal sum as the council shall determine, conditioned upon the faithful performance of his duties and otherwise conditioned as may be provided by ordinance.

SEC. 6. Any vacancy occurring in any of the offices provided for in this chapter shall be filled by appointment by the mayor, but if such office be elective, such appointee shall hold office only until the next regular election, at which time a person shall be elected to serve for the remainder of such unexpired term. In case a member of the

Vacancies,
how filled.

city council shall absent himself for three consecutive regular meetings thereof, unless by permission of the city council, his office may be declared vacant by the city council, and any vacancies in the city council or in the office of mayor shall be filled by a majority vote of such city council.

Compensation
fixed by
ordinance or
estimates.

SEC. 7. The members of the city council shall receive no compensation whatever. The treasurer, clerk, city attorney and health officer shall severally receive, at stated times, a compensation, to be fixed by ordinance by the city council, which compensation shall not be increased or diminished after their election, or during their several terms of office. Nothing herein contained shall be construed to prevent the city council from fixing such several amounts of compensation, in the first instance, during the term of office of any such officer or after his election. The compensation of all other officers shall be fixed by the city council at the time the estimates are made as provided by law.

Election
regulations.

SEC. 8. All elections shall be held in accordance with the general election laws of the state insofar as the same are applicable and no person shall be entitled to vote at any election unless he shall be a qualified elector of the county and shall have resided in such city for at least thirty days next preceding such election. The city council shall give such notice of each election as may be provided by ordinance, appoint boards of election, fix their compensation, establish election precincts and polling places, change the same from time to time so that the boundaries of such election precincts shall conform to the boundaries of precincts established pursuant to the general election laws.

Eligibility
to office.

SEC. 9. No person shall be eligible to hold any elective office in such city, unless he be a citizen of and a legal resident therein.

Meetings
of council.

SEC. 10. The city council, together with the mayor, shall meet on the first Tuesday in January next succeeding the date of each general municipal election, shall take the

oath of office, and shall hold regular meetings at least once in each month, but not to exceed one regular meeting in each week, at such times as they shall fix by ordinance. Such meetings may be called at any time by the mayor, by written notice delivered to each member at least three hours before the time specified for the proposed meeting: *Provided, however,* That no ordinance shall be passed, or contract let, or entered into, or bill for the payment of money allowed, at any special meeting. All meetings of the city council shall be held within the corporate limits of the city at such place as may be designated by ordinance and shall be public. The members of the council shall, at their first regular meeting after each general municipal election and thereafter whenever a vacancy occurs, elect from among their number a mayor *pro tem.* who shall hold office at the pleasure of the council and shall, in case of the absence or disability of the mayor, perform the duties of mayor, except that the mayor *pro tem.* shall have no power to appoint or remove any officer nor to veto any ordinance.

Mayor
pro tem.

SEC. 11. At any meeting of the city council, a majority of the councilmen shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance. The mayor shall preside at all meetings of the council, and in case of his absence, the mayor *pro tem.* shall preside, and in case of the absence of the clerk, the mayor or the mayor *pro tem.* shall appoint one of the members of the city council as clerk *pro tem.*, but the appointment of a councilman as mayor *pro tem.*, or as clerk *pro tem.*, shall not in any way abridge his right to vote upon all questions coming before such council. Every ordinance which shall have passed the city council shall be, before it becomes valid, presented to the mayor; if he approves he shall sign it, but if not, he shall return it, with his written objections to the city council and the council shall cause such written objections to be entered at large upon the journal of its proceedings. Upon receipt

Quorum.

Passage of
ordinances.

Veto.

of the mayor's objections the council shall proceed to reconsider the vote by which the ordinance was passed. After such reconsideration, five members of the city council present and voting may, by an affirmative vote, pass the ordinance over the mayor's veto; such vote shall be taken by a call of the yeas and nays. If the mayor shall fail, for the period of ten days, to approve or veto an ordinance, it shall become valid without his approval.

Requisites
for ordi-
nances and
franchises.

SEC. 12. No ordinance and no resolution granting any franchise for any purpose shall be passed by the city council, on the day of its introduction, nor within five days thereafter, nor at any other than a regular meeting, nor without being first submitted to the city attorney. All ordinances shall be published in a newspaper printed within said city; said publication shall be made by the newspaper designated as the official newspaper of said city, if there be one. If there be no official newspaper nor other newspaper published in said city, then publication shall be made in such manner as the city council may direct. No franchise or valuable privilege shall be granted unless by the vote of at least five members of the city council. No ordinance and no resolution or order shall have any validity or effect, unless passed by the votes of at least four councilmen. No ordinance shall take effect until five days from and after the date of its publication. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. No ordinance or any section thereof shall be revised or amended unless the new ordinance contain the entire ordinance or section revised or amended, and the ordinance or section so amended shall be repealed.

Contested
elections.

Rules and
journal of
proceedings.

SEC. 13. The city council shall judge of the qualifications of its members and of all election returns, and determine contested elections of all the city officers. They may establish rules for the conduct of their proceedings, and punish any member, or other person, for disorderly behavior at any meeting. They shall cause the clerk to keep a correct journal of all their proceedings, and at the desire of any member shall cause the ayes and nays to be taken on any question, and entered on the journal.

SEC. 14. The city council of such city shall have power—

(a) To pass ordinances not in conflict with the constitution and laws of this state or of the United States;

(b) To prevent and regulate the running at large of any or all domestic animals within the city limits or any part thereof and to cause the impounding and sale of any such animals;

(c) To establish, build and repair bridges, to establish, lay out, alter, keep open, open, widen, vacate, improve and repair streets, sidewalks, alleys, squares and other public highways and places within the city, and to drain, sprinkle and light the same; to remove all obstructions therefrom; to establish and reestablish the grades thereof; to grade, plank, pave, macadamize, gravel and curb the same, in whole or in part; to construct gutters, culverts, sidewalks and crosswalks therein or upon any part thereof; to cultivate and maintain parking strips therein, and generally to manage and control all such highways and places; to provide by local assessment for the leveling up and surfacing and oiling or otherwise treating for the laying of dust, all streets within the city limits: *Provided* That in all local improvement districts abutting property shall not be liable for any greater amount than the estimate of the city engineer plus ten per cent. for any purpose;

(d) To establish, construct and maintain drains and sewers, and shall have power to compel all property owners on streets and alleys or within 200 feet thereof along which sewers shall have been constructed to make proper connections therewith and to use the same for proper purposes, and in case the owners of the property on such streets and alleys or within 200 feet thereof shall fail to make such connections within the time fixed by such council, they may cause such connections to be made and to assess against the property served thereby the costs and expenses thereof;

(e) To provide fire engines and all other necessary or proper apparatus for the prevention and extinguishment of fires;

General powers.

Ordinances.

Restraint of animals.

Bridges and highways.

Drains and sewers.

Fire apparatus.

Licensing dogs. (f) To impose and collect an annual license not exceeding two dollars on every dog owned or harbored within the limits of the city; to prohibit dogs running at large and to provide for the killing of all dogs not duly licensed found at large;

Licensing business and shows. (g) To license, for purposes of regulation and revenue, all and every kind of business authorized by law, and transacted and carried on in such city, and all shows, exhibitions and lawful games carried on therein and within one mile of the corporate limits thereof, to fix the rate of license tax upon the same, and to provide for the collection of the same by suit or otherwise;

Improvement of streams and water front. (h) To improve rivers and streams flowing through such city, or adjoining the same; to widen, straighten and deepen the channel thereof, and remove obstructions therefrom; to improve the water front of the city, and to construct and maintain embankments and other works to protect such city from overflow; to prevent the filling of the waters of any bay, except such filling over tide or shore lands as may be provided for by order of the city council; to purify and prevent the pollution of streams of water, lakes or other sources of supply, and for this purpose shall have jurisdiction over all streams, lakes or other sources of supply, both within and without the city limits. Such city shall have power to provide by ordinance and to enforce such punishment or penalty as the city council may deem proper for the offense of polluting or in any manner obstructing or interfering with the water supply of such city or source thereof;

Control of water supply.

Municipal buildings. (i) To erect and maintain buildings for municipal purposes;

Franchises for public utilities. (j) To permit, under such restrictions as they may deem proper, and to grant franchises for, the laying of railroad tracks, and the running of cars propelled by electric, steam or other power thereon, and the laying of gas and water pipes and steam mains and conduits for underground wires, and to permit the construction of tunnels or sub-ways in the public streets, and to construct

and maintain and to permit the construction and maintenance of telegraph, telephone and electric lines therein;

(k) In its discretion to divide the city by ordinance, into a convenient number of wards, not exceeding six, to fix the boundaries thereof, and to change the same from time to time: *Provided*, That no change in the boundaries of any ward shall be made within sixty days next before the date of such general municipal election, nor within twenty months after the same shall have been established or altered. Whenever such city shall be so divided into wards, the city council shall designate by ordinance the number of councilmen to be elected from such ward, apportioning the same in proportion to the population of such wards. And thereafter the councilmen so designated shall be elected by the qualified electors resident in such ward, or by a general vote of the whole city as may be designated in such ordinance: *Provided, further*, That when additional territory is added to the city that it thereafter, by act of the council, be annexed to contiguous wards without affecting the right to redistrict at the expiration of twenty months after last previous divisions. The removal of a councilman from the ward for which he was elected shall create a vacancy in such office;

Division
into wards.

(l) To impose fines, penalties and forfeitures for any and all violations of ordinances, and for any breach or violation of any ordinance to fix the penalty by fine or imprisonment, or both, but no such fine shall exceed three hundred dollars nor the term of such imprisonment exceed the term of three months;

Fines and im-
prisonment.

(m) To cause all persons imprisoned for violation of any ordinance to labor on the streets, or other public property or works within the city;

Forced labor
on streets.

(n) To establish fire limits, with proper regulations;

Fire limits.

(o) To establish and maintain a free public library;

Public
library.

(p) To establish and regulate public markets and market places;

Public
markets.

(q) To punish the keepers and inmates and lessors of houses of ill-fame, gamblers and keepers of gambling tables,

Disorderly
and gambling
houses.

patrons thereof or those found loitering about such houses and places ;

General
welfare.

(r) To make all such ordinances, by-laws, rules, regulations and resolutions, not inconsistent with the constitution and laws of the State of Washington, as may be deemed expedient to maintain the peace, good government and welfare of the corporation and its trade, commerce and manufactures, and to do and perform any and all other acts and things necessary or proper to carry out the provisions of this chapter, and to enact and enforce within the limits of such city all other local, police, sanitary and other regulations as do not conflict with general laws ;

Licensing
boats and
vessels.

(s) To license steamers, boats and vessels used in any bay or other water course in the city and to fix and collect such license ; to provide for the regulation of berths, landings, and stations, and for the removing of steamboats, sail boats, sail vessels, rafts, barges and other water craft ; to provide for the removal of obstructions to navigation and of structures dangerous to navigation or to other property, in or adjoining the water front, except in municipalities in counties in which there is a city of the first class.

Regulation
of landings
and water-
front.

Acquisition
of property
for municipal
purposes.

SEC. 15. The city council of such city shall have power to purchase, lease, or otherwise acquire real estate and personal property necessary or proper for municipal purposes and to control, lease, sub-lease, convey or otherwise dispose of the same ; to acquire and plat land for cemeteries and parks and provide for the regulation thereof ; to lease any waterfront and other lands adjacent thereto owned by it for manufacturing, commercial or other business purposes ; to lease for wharf, dock and other purposes of navigation and commerce such portions of its streets which bound upon or terminate in its waterfront or the navigable waters of such city, subject, however, to the written consent of the lessees of a majority of the square feet frontage of the harbor area abutting on any street proposed to be so leased. No lease of streets or waterfront shall be for longer than ten years and the rental therefor shall be fixed

Lease of
waterfront
and street
terminals.

by the city council. Every such lease shall contain a clause that at intervals of every five years during the term thereof the rental to be paid by the lessee shall be readjusted between the lessee and the city by mutual agreement, or in default of such mutual agreement that the rental shall be fixed by arbitrators to be appointed one by the city council, one by the lessee and the third by the two thus appointed. No such lease shall be made until the city council shall have first caused notice thereof to be published in the official newspaper of such city at least fifteen days and in one issue thereof each week prior to the making of such lease, which notice shall describe the portion of the street proposed to be leased, to whom, for what purpose, and the rental to be charged therefor. The city may improve part of such waterfront or street extensions by building inclines, wharves, gridirons and other accommodations for shipping, commerce and navigation and may charge and collect for service and use thereof reasonable rates and tolls.

SEC. 16. The city council of such city shall have power to contract for supplying the city with water, light, power and heat for municipal purposes; to acquire, construct, repair and manage within or without such city, pumps, aqueducts, reservoirs, plants or other works necessary or proper for irrigation purposes or for supplying water, light, power or heat or any by-product thereof for the use of such city or the inhabitants thereof or any other person within such city, and to dispose of any excess of any such supply to any person within or without such city: *Provided*, That when such works or systems are owned by any city after being placed in operation no taxes shall be imposed for maintenance or operation, but such charges shall be paid from the earnings of such works or systems. Maintenance and operation herein mentioned shall include all necessary repairs, replacements, interest on any debts incurred in acquiring, constructing, repairing or operating such plants or departments, and all depreciation charges, also four per cent. per annum on the cost of such

Light,
water,
power,
and heat.

Systems
operated
by city.

plant or system, which shall be determined by the bureau of inspection, to be paid into the current expense fund, except that where utility bonds have been or may hereafter be issued and are unpaid no payment shall be required into the current expense fund until such bonds are paid. General bonds may be issued to pay the original cost of such plants or systems, such bonds to be retired by general tax levies against all property of the city within its then present limits or such limits as thereafter extended, or such cost may be paid for by the issuance and sale of utility bonds as provided by sections 8006 to 8008, both inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington or as the same may be amended, but no such issue shall be authorized by the vote of less than three-fifths of the qualified electors voting at an election as therein provided. Extensions to plants may be made either by general bond issue, general tax levies, or in accordance with the statutes now in force or that may hereafter be enacted relative to local improvements. Rates shall be fixed by ordinance for supplying light, power, heat or water for commercial, domestic and irrigation purposes sufficient to pay all operating and maintenance charges hereinbefore referred to, and when a greater amount is produced than is necessary to meet said operating and maintenance charges the rates to the consumer may be reduced. Complete separate accounts for such municipal utilities shall be kept under the system and on forms prescribed by the bureau of inspection and supervision of public offices.

Issuance of bonds for cost of plant.

Rates.

Limit of tax levy.

Enacting clause of ordinances.

Publication.

SEC. 17. In making up the budget for current expense the total levy therefor shall not exceed twelve (12) mills in any one year.

SEC. 18. The enacting clause of all ordinances shall be as follows: "The city council of the city of do ordain as follows:" Every ordinance shall be signed by the mayor, attested by the clerk, and published at least once in a newspaper published in such city, or printed and posted in at least three public places therein.

SEC. 19. All demands against such city shall be presented to and audited by the city council, in accordance with such regulations as they may by ordinance prescribe; and upon the allowance of any such demand, the clerk shall draw a warrant upon the treasurer for the same, which warrant shall be countersigned by the mayor, and shall specify for what purpose the same is drawn, and out of what fund it is to be paid.

Audit of demands.

Warrants.

SEC. 20. The violation of any ordinance of such city shall be deemed a misdemeanor, and may be prosecuted by the authorities of such city in the name of the people of the State of Washington, or may be redressed by civil action, at the option of said authorities. Any person sentenced to imprisonment for the violation of an ordinance, may be imprisoned in the city jail, or if the city council by ordinance shall so prescribe, in the county jail of the county in which such city may be situated; in which case the expense of such imprisonment shall be a charge in favor of such county and against such city.

Violation of ordinances.

Prosecution and punishment.

SEC. 21. Every act or thing done or being within the limits of such city, which is or may be declared by law or by any ordinance of such city to be a nuisance, shall be and is hereby declared to be a nuisance, and shall be considered and treated as such in all actions and proceedings whatever; and all remedies which are or may be given by law for the prevention and abatement of nuisances shall apply thereto.

Nuisances.

SEC. 22. Whenever it shall become necessary for the city to take or damage private property for the purpose of establishing, laying out, extending and widening streets and other public highways and places within the city, or for the purpose of securing rights of way for drains, sewers and aqueducts, and for the purpose of widening, straightening or diverting the channels of streams and the improvement of water fronts, or any other public purpose, and the city council cannot agree with the owner thereof as to the price to be paid, the city council may proceed to acquire, take or damage the same in the manner provided

Condemnation of private property.

by sections 921-936, or by sections 7768 to 7821, both inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington, and acts amendatory thereof.

Power of
mayor to
administer
oaths.

SEC. 23. The mayor and mayor *pro tempore* shall have power to administer oaths and affirmations, and take affidavits, and certify the same under their hands. The mayor or in the absence of the mayor the mayor *pro tempore* shall sign all conveyances made by said city, and all instruments which shall require the seal of the city, and shall have power to administer oaths and affirmations, take affidavits and certify the same under their hands.

Duties of
treasurer.

SEC. 24. The treasurer shall receive and safely keep all moneys which shall come into his hands as such treasurer, for all of which he shall give triplicate receipts, one of which shall be filed with the city clerk. He shall receive all moneys due the city and disburse the same on warrants issued by the clerk and countersigned by the mayor, and not otherwise. He shall make monthly settlements with the city clerk, and at the same time deliver to the clerk duplicate receipts issued for money received, and all cancelled warrants as evidence of money paid.

Duties
of clerk.

SEC. 25. The city clerk shall keep a full, true record of every act and proceeding of the city council; keep such books, accounts and make such reports as may be prescribed or required by the state bureau of inspection and supervision of public offices; record all city ordinances with his certificate annexed to said copy, stating the foregoing ordinance is a true and correct copy and giving the number and title of said ordinance and stating the same has been published and posted according to law. Said record copy with said certificate, shall be *prima facie* evidence of the contents of said ordinance, and of the passage and publication thereof, and shall be admissible as such evidence in any court or proceeding. He may appoint a deputy for whose acts he and his bondsmen shall be held responsible and he and his deputy shall have the power to take all necessary affidavits to demands against the city and certify the same without charge. He shall be cus-

todian of the seal of said city and shall have power to acknowledge the execution of all instruments by said city which require to be acknowledged. He shall perform such other duties as this act, the state laws and the ordinances of the city shall require.

SEC. 26. It shall be the duty of the city attorney to advise the city authorities and officers in all legal matters pertaining to the business of said city and to approve all ordinances as to form. He shall represent the city in all actions brought by or against the city or against city officials in their official capacity. He shall perform such other duties, as the city council may by ordinance direct.

Duties of
city attorney.

SEC. 27. The department of police of said city shall be under the direction and control of the chief of police, subject to the direction of the mayor. For the suppression of any riot, public tumult, disturbance of the peace or resistance against the laws or public authorities in the lawful exercise of their functions the chief of police shall have the powers that are now or may hereafter be conferred upon sheriffs by the laws of the state, and shall in all respects be entitled to the same protection. His lawful orders shall be promptly executed by deputies, police officers and watchmen in said city, and every citizen shall also lend him aid when required, for the arrest of offenders and maintenance of public order. He shall have power to pursue and arrest outside of the city limits, if necessary, all or any violators of the city ordinances. He shall and is hereby authorized to execute and return all process issued and directed to him by any legal authority. It shall be his duty to prosecute, before the police justice, all breaches or violations of, or noncompliance with, any city ordinance which shall come to his knowledge. He shall have charge of the city prison and prisoners, and of any chain gang which may be established by the city council. He shall for service of any process, receive the same fees as constables. He may also, with the concurrence of the mayor, when the same may be by them deemed necessary for the preservation of public order, appoint additional

Powers and
duties of
chief of
police.

policemen who shall discharge the duties assigned them for one day only. He shall perform such other services as this chapter and the ordinances of the city council shall require, and shall receive such compensation as shall be fixed by ordinance.

Additional
duties and
compensation.

SEC. 28. The city council shall, by ordinance not inconsistent with the provisions of this chapter, prescribe additional duties of all officers and fix their compensation.

Police judge.

SEC. 29. At the time he shall make his other appointments, the mayor shall appoint a police judge, who shall be the regular elected justice of the peace in all cities of the third class having a population of five thousand or more. Said police judge shall, before entering upon the duties of his office, give such additional bond to the city for the faithful performance of his duties as the city council may by ordinance direct, and shall receive such salary in addition to his salary as justice of the peace as the council shall by ordinance direct. The police judge so appointed, in addition to his powers as justice of the peace, shall have exclusive jurisdiction over all offenses defined by any ordinance of the city, and all other actions brought to enforce or recover any license, penalty or forfeiture declared or given by any such ordinance, and full power to forfeit bail bonds and issue execution thereon and full power to forfeit cash bail, and full power and authority to hear and determine all causes, civil or criminal, arising under such ordinance, and pronounce judgment in accordance therewith: *Provided*, That for the violation of a criminal ordinance no greater punishment shall be imposed than a fine of three hundred dollars, or imprisonment not to exceed ninety days, or by both such fine and imprisonment. In the trial of actions brought for the violation of any city ordinance, no jury shall be allowed. All civil or criminal proceedings before such police judge and judgments rendered by him shall be subject to review in the superior court of the proper county by writ of review or appeal.

Jurisdiction.

Limit of fine
and im-
prisonment.

Review by
superior
court.

SEC. 30. Every officer collecting or receiving any moneys belonging to or for the use of such city shall settle for the same with the clerk, and immediately pay the same into the treasury, on the order of the clerk for the benefit of the funds to which such moneys respectively belong.

Disposition
of moneys
collected.

SEC. 31. In the erection, improvement and repair of all public buildings and works, in all streets and sewer work, and in all work in or about streams, bays or waterfronts or in or about embankments, or other works for protection against overflow and in furnishing any supplies or materials for the same, when the expenditure required for the same exceeds the sum of five hundred dollars, the same shall be done by contract and shall be let to the lowest responsible bidder, after due notice, under such regulations as may be prescribed by ordinance: *Provided*, That the city council may reject all bids presented, and readvertise, in their discretion, or if in the judgment of the council such work can be performed or supplied or materials furnished by the city independent of contract cheaper than under the lowest and best bid submitted, it may cause such work to be performed or supplies or materials to be furnished independent of contract. The city council shall annually, at a stated time, contract for doing all city printing and advertising, which contract shall be let to the lowest bidder after notice as provided in this section. All advertising shall be done in a newspaper printed and published in such city, and the contract therefor shall be awarded separately from all the other printing.

Bids for
contracts.

City printing
and ad-
vertising.

SEC. 32. No officer of such city shall be interested, directly or indirectly, in any contract with such city, or with any of the officers thereof, in their official capacity, or in doing any work or furnishing any supplies for the use of such city or its officers in their official capacity; and any claim for compensation for work done, or supplies or materials furnished, in which any such officer is interested, shall be void, and if audited and allowed, shall not be paid by the treasurer. Any person who is resident agent for, or local dealer in, the goods and supplies of any person,

Officers not
to be inter-
ested in
contracts.

firm or corporation furnishing such goods and supplies for the use of such city, or to any officer thereof in his official capacity, or to any contractor for use in the performance of any contract with such city, shall be ineligible to hold office in said city; and any officer of such city who shall be resident agent for, or local dealer in, the goods and supplies of any person, firm or corporation, furnishing such goods and supplies for the use of such city, or to any officer thereof in his official capacity, or to any contractor for use in the performance of any contract with such city, shall be deemed to be interested as contemplated herein. Any wilful violation of the provisions of this section shall be a ground for removal from office, and shall be deemed a misdemeanor, and punished as such.

Penalty.

Sinking funds.

SEC. 33. The city council shall have the power to provide by ordinance for the establishment of sinking funds and to levy taxes therefor, for payment of indebtedness and to provide for the investment thereof in county, city or school district warrants and municipal public utilities or local improvement securities of such, or other municipal corporations subject to approval of the state bureau of inspection and supervision of public offices.

Codifying ordinances.

SEC. 34. Said city shall have the power to codify its ordinances and to adopt by general title such codified ordinances as the official code of ordinances for said city. Any ordinances now in effect in cities of the third class, not inconsistent with the provisions of this act, are hereby continued in effect.

Repealing clause.

SEC. 35. Sections 7671, 7672, 7673, 7674, 7675, 7676, 7677, 7678, 7679, 7680, 7681, 7682, 7683, 7684, 7685, 7686, 7687, 7688, 7689, 7690, 7691, 7692, 7693, 7694, 7695, 7696, 7696½, 7697, 7698, 7699, 7700, 7701, 7702, 7703, 7704, of Remington & Ballinger's Annotated Codes and Statutes of Washington, and all other acts in conflict with the provisions of this act so far as they affect cities of the third class are hereby repealed; but this act shall not be construed to abrogate the power of cities of the third class to proceed, nor to limit, or modify its rights and lia-

bilities under any general statutes now in effect, which are applicable to such cities, nor shall this act be construed in any way to affect chapter 116 of the Laws of 1911: *Provided*, That sections 8061-8077, inclusive, of Remington & Ballinger's Annotated Codes and Statutes of Washington relating to firemen's pension fund, shall not be applicable to cities of the third class. Section 7685 of Remington & Ballinger's Annotated Codes and Statutes of Washington and all amendments thereof, are hereby repealed and section 5131 of said Remington & Ballinger's Codes and Statutes as amended by the Laws of 1913, shall have no application to cities of the third class so far as placing any limitation on the tax levy of such cities is concerned.

Commission
form of
government.

Firemen's
pension fund
inapplicable.

Limitation
on tax levy.

SEC. 36. If any section, subdivision, sentence or clause of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act.

Partial
invalidity.

Passed the Senate March 1, 1915.

Passed the House March 8, 1915.

Approved by the Governor March 20, 1915.

CHAPTER 185.

[H. B. 249.]

REDEMPTION FROM SALE FOR CITY TAXES OR ASSESSMENTS.

AN ACT to provide for the redemption of real estate sold for taxes or assessments by any city or town, at any time before the issuance of tax deed.

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

SECTION 1. Any real property sold for any tax or assessment by any city or town, may be redeemed by the party entitled to make redemption, at any time before the issuance of the tax deed, on payment of the amount required to redeem said property from the sale, with ac-