

CHAPTER 184.

[S. B. 249.]

COUNTY ROADS.

AN ACT relating to county roads, providing for the control and management thereof and for the levy, collection and disbursement of taxes therefor and repealing certain acts and parts of acts.

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

SECTION 1. Boards of county commissioners shall have general control and management of the county roads in their respective counties. They must maintain all such opened and improved roads, and shall, as public convenience may require, cause to be opened and improved such roads as have been laid out and established according to law. Each county commissioner shall be *ex officio* road commissioner of the several road districts in his commissioner's district and shall see that all orders of the board are properly executed pertaining to roads in his district. No county commissioner shall receive any compensation for any service under the provisions of this act other than his salary or per diem as county commissioner.

County roads controlled by commissioners.

Compensation of commissioners.

SEC. 2. Boards of county commissioners shall, but not more than once each year, form their respective counties or any part thereof into one or more suitable and convenient road districts, not exceeding nine in number, and cause a description thereof to be entered upon their records.

Road districts to be formed.

SEC. 3. The board of county commissioners may appoint from among the qualified electors of such county a sufficient number of road supervisors for such time as they may determine with *per diem* compensation to be fixed by the board for time and labor actually performed. Before entering upon his

Appointment of road supervisors.

Compensation.

Official
bond.

duties each road supervisor shall give an official bond to the county in such sum as the board may fix, conditioned that he will faithfully perform all the duties required of him by law or the orders of the board, and account for property belonging to the county or any road district, entrusted to his care. After the approval of such bond by the board and filing thereof with the county auditor he shall be authorized to exercise the powers and duties of road supervisor in and for the district for which he is appointed. The board of county commissioners shall remove any road supervisor for inefficiency, neglect of duty or malfeasance in office.

Removal..

Powers
and duties
of super-
visor.

SEC. 4. The road supervisor under the direction of the county commissioners shall have charge of and keep all of the improved county roads and bridges in his district free of obstructions, open for travel and in as good repair as available funds will allow, shall have general supervision of all county road maintenance in his district and, on or before the tenth day of each calendar month, make a detailed maintenance report to the board of all work done in his district during the preceding month and examine and certify all bills for labor and material in his district and perform such other duties as may be required by the board for the proper maintenance of the highways under his supervision.

Additional
tax levies
for roads
and bridges.

SEC. 5. For the purpose of raising revenue for the construction, maintenance and repair of county roads, bridges and wharves the board of county commissioners shall annually at the time of making the levy for general county purposes make additional levies as follows: (a) A tax of not more than four mills on the dollar on all taxable property in the county, which tax shall be kept in a separate and distinct fund known as the "General Road and Bridge Fund": *Provided*, That the county treasurer

For general
road and
bridge
fund.

shall remit to the city or town treasurer of each city or town within such county fifteen per cent of all money collected for such fund in such city or town, and said moneys so remitted shall be expended by the corporate authorities of such city or town on roads and bridges within said city or town connecting with main county roads. (b) A tax of not more than ten mills on the dollar on all taxable property in each road district, which tax shall be kept in a separate and distinct fund known as "Road District No. Fund."

Apportionment to cities or towns of fifteen per cent.

All such taxes shall be levied, collected and disbursed by the same officers and in the same manner as taxes for the county current expense fund.

Tax laws applicable.

SEC. 6. Whenever the corporate limits of any city or town shall be extended to embrace any road district or portion thereof, such city or town, after demand made upon the board of county commissioners shall be paid the unobligated funds of such road district, or such part thereof as is equivalent to the proportionate area of such road district so included within such city or town limits. Whenever two or more road districts shall be consolidated, and there are outstanding obligations against any of the former districts so consolidated, road district taxes shall be levied against the property in any such former district from time to time until such obligations are discharged, and until such obligations are discharged the road district levy for the consolidated road district shall not exceed the difference between the separate district levy and the limit of road district levy as provided by law.

City limits extended to include road district.

Funds payable to city or town.

Consolidation of road districts, each to pay own prior obligations.

Limit of levy.

SEC. 7. Expenditures from the general road and bridge fund shall be made only for constructing, maintaining and repairing the main road of such county with their bridges, culverts and wharves, and for acquiring, operating and maintaining machinery,

General road and bridge fund expenditures.

equipment, quarries and gravel pits used therefor, and for the cost and expense of establishing and acquiring rights of way for county roads as provided by law.

SEC. 8. Expenditures from any road district fund shall be made only for constructing, maintaining and repairing roads of such county with their bridges, culverts and wharves situated within such road district, and for purchasing, operating and maintaining machinery and equipment used therefor, and for the cost and expense of establishing and acquiring rights of way for county roads as provided by law.

SEC. 9. The following acts and parts of acts are hereby repealed:

Sections 6398, 6399, 6400, 6401, 6402, 6403, 6404, 6405, 6406, 6407, 6408, 6409, 6410, 6411, 6412, 6413, 6414, 6415, 6416, 6418, 6419, 6420, 6421, 6422 of Remington's Compiled Statutes of Washington; Section 2239 of Chapter CLXIII (163), Code of 1881; Chapter CCXXIX (229), Code of 1881; An Act entitled "An act to amend Sections 2988, 2989, 2990 and 2991 of Chapter 229 relating to roads," approved November 28, 1883, Laws 1883, pp. 40-42; and act entitled "An Act to amend section 2992, chapter 229 of the Code of Washington in relation to roads, bridges and highways," approved February 4, 1886, Laws 1885-1886, pp. 499-500; chapter CX (110), Laws 1887-1888, p. 197; an act entitled "An Act to provide for keeping highways in repair and for the levy and collection of road, poll and road property taxes, and declaring an emergency," approved March 7, 1890, Laws 1889-1890, pp. 617-624; and act entitled "An Act to authorize road districts to levy special taxes for road and bridge purposes," approved March 20, 1890, Laws of 1889-1890, pp. 625-626;

Road district fund expenditures.

Repeals §§ 5963 to 5976, and 6051 to 6059a, Pierce's Code.

- Chapter LXIX (69), Laws 1893, pp. 147-156;
 Chapter CLXII (162), Laws 1895, pp. 419-427;
 Chapter CV (105), Laws of 1897, pp. 296-297;
 Chapter XXVIII (28), Laws 1899, pp. 38-39;
 Chapter XLVI (46), Laws 1899, pp. 74-76;
 Chapter CXXXIII (133), Laws 1901, pp. 273-
 278;
 Chapter 119, Laws 1903, pp. 223-227;
 Chapter 246, Laws 1907, pp. 679-680;
 Chapter 84, Laws 1907, pp. 159-161;
 Chapter 54, Laws 1911, pp. 305-308;
 Chapter 151, Laws 1913, pp. 476-479;
 Chapter 119, Laws 1915, pp. 340-341;
 Chapter 171, Laws 1915, pp. 545-546;
 Chapter 160, Laws 1915, pp. 480-481;
 Chapter 39, Laws 1917, p. 193;
 Chapter 49, Laws 1917, p. 206;
 Chapter 49, Laws 1919, pp. 103-104;
 Chapter 140, Laws 1919, pp. 390-391;
 Chapter 154, Laws 1921, p. 580:

Provided, That the repeal of any of said acts shall saving clause.
 not be construed as reviving any former act
 amended or repealed thereby.

Passed the Senate January 6, 1926.

Passed the House January 6, 1926.

Approved by the Governor January 15, 1926.