

Act does not prohibit contract for exchange of service with telephone and telegraph companies.

the making of a special contract providing for the mutual exchange of service between any railroad company and any telegraph or telephone company, where the line of such telegraph or telephone company is situated upon or along the railroad right of way and used by both of such companies.

Passed the Senate February 7, 1929.

Passed the House February 28, 1929.

Approved by the Governor March 9, 1929.

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## CHAPTER 97.

[S. B. 117.]

### LOCAL IMPROVEMENTS IN CITIES AND TOWNS.

AN ACT relating to local improvements in cities and towns and amending Sections 10, 14 and 21 of Chapter 98 of the Laws of 1911.

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

SECTION 1. That section 10 of chapter 98, Laws of 1911, (section 9361 of Remington's Compiled Statutes) be amended to read as follows:

Section 10. Any such improvement may be initiated directly by the city or town council by a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, and notifying all persons who may desire to object thereto to appear and present such objections at a meeting of the council at the time specified in such resolution; and directing the proper board, officer or authority to submit to the council at or prior to the date fixed for such hearing the estimated cost and expense of such improvement, and a statement of the proportionate amount thereof which should be borne by the property within the proposed assessment district, and a statement of the aggregate assessed

Amends  
§ 9361 Rem.  
Comp. Stat.

Initiated by  
resolution  
of city  
council.

Contents.

Estimated  
cost of im-  
provement.

valuation of the real estate, exclusive of improvements, within said district according to the valuation last placed upon it for the purposes of general taxation, together with a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby and the estimated amount of the cost and expense of such improvement to be borne by each lot, tract, or parcel of land or other property. Notice of the date of such hearing shall be given each owner or reputed owner of any lot, tract or parcel of land, or other property, specially benefited by the improvement by mailing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer, at the address shown thereon, a notice setting forth the nature of the proposed improvement, the total estimated cost, and the estimated benefits to the particular lot, tract or parcel, and the date of the hearing before the city council; such notice shall be mailed as herein provided at least fifteen days before the date fixed for such hearing. The resolution shall be published in at least two consecutive issues of the official newspaper of such city or town, the date of the first publication to be at least fifteen (15) days prior to the date fixed by such resolution for hearing before the city council: *Provided*, That in any city or town not having an official newspaper, such publication may be made in any newspaper of general circulation published therein, or in case there be no such newspaper, then in a newspaper published in the county in which such city or town is located and of general circulation in such city or town.

Notice given  
property  
owner.

Resolution  
published.

SEC. 2. That section 14 of chapter 98, Laws of 1911, (section 9366 of Remington's Compiled Statutes) be amended to read as follows:

Amends  
§ 9366 Rem.  
Comp. Stat.

Section 14. Whenever any local improvement shall be of such nature and character that the espe-

Boundaries  
extended to  
enlarged  
district.

Petition or  
resolution.

Contents.

Cost to be  
borne by  
general fund  
and property  
benefited.

Boundaries  
described.

Assessment  
roll.

Hearing.

cial benefits resulting therefrom extend beyond the boundaries of the local improvement district hereinbefore described and defined, the council may create an enlarged district, which shall include as near as may be all the property especially benefited by such improvement. In such case, the petition or resolution initiating such improvement shall state that it is proposed to create an enlarged district to pay the whole or a portion of the cost and expense of such improvement and shall specify and describe the boundaries of such enlarged district, and shall specify a fixed amount of the cost and expense of such improvement to be assessed against that portion of the property within such enlarged district, lying between the termini of the proposed improvement and extending back from the marginal lines thereof to the middle of the block on each side thereof, in the mode prescribed in the in the preceding section hereof, and that such portion of the remainder of such cost and expense, as may not be borne by any general fund, shall be distributed and assessed against all the property included in the remainder of such enlarged district in accordance with special benefits. Before any such enlarged district is created, the same proceeding shall be followed and notice given as prescribed in section 10 of this act.

The council in case it shall order such improvement, shall in the ordinance therefor specify and describe the boundaries of such district as defined in such petition or resolution.

SEC. 3. That section 21 of chapter 98, Laws of 1911, (section 9373 of Remington's Compiled Statutes) be amended to read as follows:

Section 21. Whenever any assessment-roll for local improvements shall have been prepared as provided by law, such roll shall be filed with the clerk of such city or town. The council shall thereupon fix a date for hearing upon such roll before the coun-

cil and direct the clerk to give notice of such hearing and the time and place thereof.

Such notice shall specify such time and place of hearing on such roll, and shall notify all persons who may desire to object thereto to make such objections in writing and to file the same with such clerk, at or prior to the date fixed for such hearing; and that at the time and place fixed and at such other times as the hearing may be continued to, the council will sit as a board of equalization for the purpose of considering such roll, and at such hearing, or hearings, will consider such objections made thereto, or any part thereof, and will correct, revise, raise, lower, change or modify such roll, or any part thereof, or set aside such roll and order that such assessment be made *de novo*, as to such body shall appear just and equitable, and then proceed to confirm the same by ordinance.

Notice,  
contents.

Notice of the time and place of hearing on such assessment roll shall be given to the owner or reputed owner of the property whose name appears thereon by mailing a notice thereof at least fifteen days before the date fixed for the hearing to such owner or reputed owner at the address of such owner as shown on the tax rolls of the county treasurer for the property described on the list; and in addition thereto such notice shall be published at least five (5) times in the official daily newspaper of such city or town or two (2) times in the official weekly newspaper of such city or town, or, in the case of any city or town not having an official newspaper, then in such other newspaper designated in section 9361: *Provided*, That at least fifteen (15) days must elapse between the date of last publication thereof and the date fixed for such hearing.

Notice given  
property  
owner by  
mail.

Published in  
newspaper.

The council or other legislative body of such city or town, at the time fixed for hearing objections to the confirmation of said roll, or at such time or

Hearing on  
objections.

Correct,  
revise  
assessments.

Objections  
to specify  
grounds.

Waiver of  
objections.

Amended  
roll, new  
time and  
place for  
hearing.

Mailing  
established  
by certificate  
of officer.

times as said hearing may be adjourned to, shall have power to correct, revise, raise, lower, change or modify such roll, or any part thereof, and to set aside such roll and order that such assessment be made *de novo*, as to such body shall appear equitable and just, and then shall confirm the same by ordinance. All objections shall state clearly the grounds of objections; and objections not made within the time and in the manner herein prescribed shall be conclusively presumed to have been waived.

Whenever any such roll shall be amended so as to raise any assessments appearing thereon, or to include omitted property, a new time and place for hearing, and a new notice of hearing on such roll, as amended, shall be fixed and given as in the case of an original hearing: *Provided*, That whenever any property shall have been entered originally upon such roll and the assessment upon any such property shall not be raised, no objections thereto shall be considered by the council or by any court on appeal, unless such objections be made in writing at, or prior to the date fixed for the original hearing upon such roll.

SEC. 4. The mailing of any notice required by the provisions of this act shall be conclusively proved by the written certificate of the officer, board or authority directed by the provisions of the charter or ordinances of the city or town to give such notice.

Passed the Senate February 6, 1929.

Passed the House February 27, 1929.

Approved by the Governor March 9, 1929.