

CHAPTER 71.

[H. B. 349.]

INFECTED HORTICULTURAL PREMISES.

AN ACT prescribing a procedure to condemn infected horticultural premises or property as public nuisances, and declaring an emergency.

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

SECTION 1. For the purpose of having any property mentioned in section 2849 of Remington's Revised Statutes declared a public nuisance as therein provided, the prosecuting attorney of the county wherein such property is situated shall present to the superior court of such county a petition signed and verified by him in manner and form as now required for signing and verifying a complaint in a civil action, in which the property or premises sought to be declared a nuisance shall be described with reasonable certainty, and setting forth the name of each owner, encumbrancer, or other person interested in such property or premises, so far as the same can be ascertained from the public records, together with a recital of the proceedings had under section 2848 and 2849 of Remington's Revised Statutes, and praying that the court shall enter an order declaring such premises or property a public nuisance and directing the destruction, abatement, or other disposition to be made thereof.

Petition to
condemn.

SEC. 2. A notice, stating briefly the objects and purposes of the petition, and containing a description of the premises or property, and stating the time and place when and where the same will be presented to the court, shall be served upon each person named in the petition as owner, encumbrancer, or otherwise interested therein, at least ten (10) days prior to the time designated in such notice for

Notice.

the presentation of such petition. Such service shall be made in the manner now provided by law for the service of summons in civil actions: *Provided*, That where service is had by publication, the period of publication required hereunder shall be shortened to two weekly publications, and such service by publication shall be deemed complete upon the expiration of twenty-one (21) days from and after the date of the first publication of such notice. Due proof of the service of such notice may be made by affidavit of the person serving the same or by proper affidavit of publication, as the case may be, and shall be filed with the clerk of such superior court before or at the time of the presentation of such petition.

Publication.

Adjournment
of proceed-
ings.

SEC. 3. The court may, upon the application of any party, or upon its own motion, for reasonable cause, adjourn the proceedings from time to time, and may order new or further notice to be given to any party whose interest may be affected.

Hearing.

SEC. 4. At the time and place appointed for hearing said petition, or to which the hearing may have been adjourned, if the court shall have satisfactory proof that all parties interested in the property or premises, have been duly served with notice as above prescribed, and shall be further satisfied by competent proof that the proceedings prescribed in section 2848 and section 2849 of Remington's Revised Statutes have been had, and that the condition of such premises or property warrants its being declared a public nuisance, it shall enter an order condemning such property as a public nuisance, and directing that the officer mentioned in section 2849 of Remington's Revised Statutes shall destroy such property or abate such nuisance in such other manner as the court shall direct.

Order of
condemna-
tion.

Effective
immediately.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health, safety and

support of the state government and its existing institutions and shall take effect immediately.

Passed the House March 6, 1937.

Passed the Senate February 25, 1937.

Approved by the Governor March 13, 1937.

CHAPTER 72.

[H. B. 507.]

FLOOD CONTROL DISTRICTS.

AN ACT authorizing the creation, operation, and maintenance of flood control districts, prescribing the objects and powers of such districts, fixing the duties and authority of certain officers and persons in relation thereto, providing for the levy and collection of assessments against lands within the boundaries of such districts, authorizing the issuance and sale of bonds and other evidences of district indebtedness, and the execution of contracts with the United States, the State of Washington and political subdivisions thereof, for the accomplishment of district purposes, making violations of certain provisions of the act a misdemeanor, and declaring that this act shall take effect immediately.

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

SECTION 1. Flood control districts may be created and maintained in this state, as herein provided, for the protection of life and property, the preservation of the public health and the conservation and development of the natural resources of the State of Washington.

Flood control districts.

SEC. 2. Such flood control districts shall be organized to provide for the ultimate necessary control of the entire part, or all, of the stream system of any stream or tributary, or for the protection against tidal or any bodies of water, within this state and may include all or part of the territory of any county and may combine the territory in two or more such

Two or more counties.