

CHAPTER 34.

[H. B. 81.]

FIRE PROTECTION DISTRICTS.

AN Act relating to the creation, government and maintenance of fire protection districts outside of cities and towns; providing for the levy and collection of taxes and assessments against the lands within the district; authorizing the issuance and disposal of district warrants; repealing chapter 60 of the Laws of 1933, Extraordinary Session; and declaring an emergency.

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

Fire protection districts authorized.

SECTION 1. Fire-protection districts for the protection of life and property from fire in territories outside of incorporated cities and towns are hereby authorized to be established as in this act provided.

Petition for formation.

SEC. 2. For the purpose of the formation of a fire-protection district, a petition designating the boundaries of the proposed district, by metes and bounds, or by describing the lands to be included in the proposed district by United States townships, ranges and legal subdivisions, signed by not less than fifteen per cent (15%) of the qualified registered electors who are resident within the boundaries of such district, and setting forth the object for the creation of such district and alleging that the establishment of such district will be conducive to the public safety, welfare, and convenience, and will be a benefit to the property included therein, shall be filed with the county auditor of the county within which such proposed district is located, accompanied by an obligation signed by two or more petitioners, agreeing to pay the cost of the publication of the notice hereinafter provided for. Such districts shall not include those lands which are required by law to pay forest protection assessment. The county auditor shall, within thirty (30) days, from the date of filing such petition, examine the signatures and certify to the

County Auditor.

sufficiency or insufficiency thereof; and for such purpose shall have access to all registration books or records in the possession of the registration officers of the election precincts included, in whole or in part, within the boundaries of the proposed district. Such books and records shall be prima facie evidence of the truth of said certificate. No person having signed such a petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor. If such petition shall be found to contain a sufficient number of signatures of qualified registered electors who are resident within the boundaries of such district, the county auditor shall transmit the same, together with his certificate of sufficiency attached thereto, to the board of county commissioners which shall thereupon by resolution entered upon its minutes, receive the same and fix a day and hour thereof when it will publicly hear said petition.

Petitioner
may not
withdraw
name.

SEC. 3. The hearing on said petition shall be at the regular office of the board of county commissioners and the same shall be held not less than twenty (20) nor more than forty (40) days from the date of receipt of said petition with certificate of sufficiency thereof from the county auditor. The hearing may be completed on the day and hour set therefor or the same may be adjourned from time to time as may be necessary for a determination of said petition, but such adjournment or adjournments shall not extend the time for determining said petition more than sixty (60) days in all from the date of receipt of same by said board of county commissioners.

Hearing.

SEC. 4. A copy of said petition with the names of the petitioners omitted, together with a notice signed by the clerk of said board of county commissioners stating the day, hour and place when and where the hearing on said petition shall take place, shall

Publication.

be published for three (3) consecutive weekly issues of the official paper of the county prior to the day set for said hearing. Said clerk shall also cause a copy of said petition with the names of the petitioners omitted, together with a copy of said notice attached, to be posted for not less than fifteen (15) days prior to the day of said hearing in each of three (3) public places within the boundaries of the proposed district, to be previously designated by him and made a matter of record in the proceedings on said petition.

Lands
excluded.

SEC. 5. At the time and place fixed for the hearing on said petition or at any adjournment thereof as herein provided, the board of county commissioners shall hear said petition and shall receive such evidence as it shall deem material in favor of or opposed to the formation of such district or to the inclusion therein or exclusion therefrom of any lands, but no lands not within the boundaries of the proposed districts as described in said petition, shall be included within the district without a written grant describing the land, executed by all persons having any interest of record therein, and filed in the proceedings on such petition. No land within the boundaries described in the petition shall be excluded from the district.

Authority
of county
commis-
sioner.

SEC. 6. The board of county commissioners shall have full authority to hear said petition and to determine the same and if it finds that the lands or any portion of the same described in said petition, and any lands added thereto by grant of those interested therein, will be benefited thereby and that the formation of the district will be conducive to the public safety, welfare and convenience, it shall by resolution so find; otherwise it shall deny said petition. If the board of county commissioners finds in favor of said petition, it shall designate the name and number of the district, fix the boundaries thereof

and cause an election to be held therein for the purpose of determining whether or not the district shall be organized under the provisions of this act and for the purpose of the election of its first fire commissioners. Said board shall, prior to the calling of said election, name three (3) resident electors of said district as candidates for election as the first fire commissioners of said district.

SEC. 7. Except as herein otherwise provided, said election shall be, so far as possible, called, noticed, held, conducted and canvassed in the same manner and by the same officials as may now or hereafter be provided by law for a special election in the county to authorize the issuance of bonds for a county purpose, and all such respective officials shall have full authority to do any and all things necessary for the purpose of said election. For the purpose of said election, county voting precincts may be combined or divided and redefined and the territory in the district shall be included in one or more election precincts as may be deemed convenient and the same shall be defined and a polling place for each designated. The notice of said election shall state generally and briefly the purpose thereof, shall give the boundaries of the proposed district, define the election precinct or precincts, designate the polling place for each, mention the names of the candidates for the first fire commissioners of the district, and shall name the day of the election and the hours during which the polls will be open.

SEC. 8. The ballot for said election shall be in such form as may be convenient but shall present the propositions substantially as follows:

.....(insert county name).....County
Fire Protection District No.....(insert number)
.....
.....Yes.....
.....(insert county name).....County

Fire Protection District No..... (insert number).....

..... No.....

and shall specify the names of the candidates nominated for election as the first fire commissioners with appropriate space to vote for the same.

Canvass of returns.

SEC. 9. At, or immediately prior, to, the opening of the polls for said election, a notice shall be posted by one of the election officials, in a conspicuous place at the polls, stating the day, hour, and place, when and where the returns of said election will be canvassed. Such returns shall be canvassed at the court house of said county on the Monday next following the day of said election, but said canvass may be adjourned from time to time when necessary to await the receipt of election returns, unavoidably delayed. The canvassing officials, upon conclusion of the canvass, shall forthwith certify and transmit the results thereof in writing to the board of county commissioners who shall thereupon examine the same.

Majority vote.

SEC. 10. If it is found upon examination of certificate of the canvassing officials that two-thirds of all the votes cast at said election were cast for the proposition "..... County Fire Protection District No..... Yes," the board of county commissioners shall by resolution entered in the minutes of its proceedings, declare such territory duly organized as a fire-protection district under the name theretofore designated and shall declare the three candidates receiving the highest number of votes for fire commissioners the duly elected first fire commissioners of said district.

Organization of district recorded.

SEC. 11. The clerk of said board shall duly certify a copy of said resolution and cause the same to be filed for record in the offices of the county auditor and of the county assessor of said county.

Said certified copy shall be entitled to record in these offices without recording fee.

SEC. 12. If the certificate of the canvassing officials shows that the proposition to organize the proposed fire-protection district failed to receive two-thirds of all the votes cast at said election, the board of county commissioners shall enter a minute to that effect and all proceedings had to create the proposed district shall become nullified and void.

Proceedings
nullified.

SEC. 13. Any person, firm or corporation, having a substantial interest involved, and feeling aggrieved by any finding, determination or resolution of the board of county commissioners made in the proceedings for the organization of a fire-protection district under the provisions of this act, may appeal from the same within five (5) days after the same was made by said board, to the superior court of said county, in the same manner as that heretofore generally provided by law for appeals from the orders and determinations of said board.

Appeal.

SEC. 14. After the expiration of five (5) days from the day of the resolution of the board of county commissioners declaring the district organized and upon the filing of said certified copies of the resolution of the board of county commissioners in the offices of the county auditor and of the county assessor, as aforesaid, the creation of the district shall be complete and its legal existence cannot thereafter be questioned by any person by reason of any defect in the proceedings had for the organization thereof.

Legal status.

SEC. 15. Fire-protection districts created under this act shall be political subdivisions of the state and shall be held and construed to be municipal corporations within the provisions of the laws and Constitution of the State of Washington. Said districts shall not be liable for the torts of their officers, agents and servants. Such a district shall constitute

Municipal
corporation.

a body corporate and shall possess all the usual powers of a corporation for public purposes as well as all other powers that may now or hereafter be specifically conferred by law.

Authority.

SEC. 16. Such fire-protection districts shall have full authority to carry out the objects of their creation and to that end are authorized to acquire, purchase, hold, lease, manage, occupy and sell real and personal property, or any interest therein, to enter into and to perform any and all necessary contracts, to appoint and employ the necessary officers, agents and employees, to sue and be sued, to exercise the right of eminent domain, to levy and enforce the collection of taxes and special taxes in the manner and subject to the limitations herein provided against the lands within the district, for district revenues, and to do any and all lawful acts required and expedient to carry out the purpose of this act.

Local improvement districts.

SEC. 17. Such fire-protection districts shall have authority to create local improvement districts to include any or all the lands within the fire-protection district, to provide for the levy and collection of special taxes against the respective lands benefited and to issue evidences of indebtedness chargeable against said lands as in this act provided; and to issue and sell evidences of term indebtedness of the district and to make provision for the payment thereof; but such districts shall have no authority to issue and sell any evidence of indebtedness of any kind or nature with a fixed maturity for a term longer than three (3) years from the date of the issuance and sale thereof.

Eminent domain.

SEC. 18. The taking and damaging of property or rights therein or thereto by any such fire-protection district to carry out any of the purposes of its organization are hereby declared to be for a public use and any such district organized under this act shall have and may exercise the power of eminent

domain to acquire any property or rights therein or thereto either inside or outside the district, for the use of such district. Any such district exercising the power of eminent domain shall proceed in the name of the district in the manner provided by law for the appropriation of real property or of rights therein or thereto, by private corporations.

SEC. 19. Such fire-protection district may, at its option, unite in a single action proceedings to condemn for its use, property which is held by separate owners. Two or more condemnation suits instituted separately may also, in the discretion of the court, be consolidated, upon motion of any interested party, into a single action. In such cases, the jury shall render separate verdicts for each tract of land in different ownership. No finding of the jury nor decree of the court as to damages in any condemnation proceeding instituted by the district shall in any manner be held or construed to abridge or destroy the right of the district to levy and collect taxes for any and all district purposes against the uncondemned land situated within the district. The title acquired by a fire-protection district in condemnation proceedings shall be the fee simple title or such lesser estate as shall be designated in the decree of appropriation.

Consolidation of actions.

SEC. 20. Any fire-protection district organized under this act shall have authority

Authority:

(1) To lease, own, maintain, operate and provide fire engines and all other necessary or proper apparatus, instrumentalities, machinery and equipment for the prevention and extinguishment of fires;

To maintain fire extinguishing apparatus.

(2) To lease, own, maintain and operate real property, improvements and fixtures thereon suitable and convenient for housing, repairing and caring for fire-fighting equipment;

To lease property.

(3) To enter into contract with any incorporated city or town whereby such city or town shall

To contract.

furnish fire-prevention and fire extinguishment service to the districts and the inhabitants thereof under the provisions of this act upon such terms as the board of directors of the district shall determine;

(4) To do all things and perform all acts not otherwise prohibited by law.

Liability.

SEC. 21. No fire-protection district shall be liable under any contract creating an obligation chargeable against the lands of any local improvement district therein, unless such liability and the extent thereof is specifically stated in such contract.

Fire Commissioners.

SEC. 22. The affairs of the district shall be managed by a board of fire commissioners composed of three (3) qualified resident electors of the district. The members of the board of fire commissioners shall receive no compensation for their services rendered the district, but shall receive necessary expenses in attending meetings of the board or when otherwise engaged on district business. The board shall fix the compensation to be paid the secretary and all other agents and employees of the district. The first fire commissioners of the district shall serve until after the next general election for the selection of district fire commissioners and until their successors have been elected or appointed and have qualified as provided by law.

Term of office.

SEC. 23. Except as herein otherwise provided, the term of fire commissioner shall be six (6) years from and after the second Monday in January next succeeding his election. At the next general election, fire commissioners of the district shall be elected. Such elections shall be called, noticed, conducted, canvassed, and certificates of election issued by the same officials as for general elections for selection of county officials.

Election.

Polling place.

SEC. 24. The polling places for such district elections shall be those of the county voting precincts

which include any of the territory within the fire-prevention districts, and may be located outside the boundaries of the district and no such election shall be held to be irregular or void on that account.

SEC. 25. Not later than fifteen (15) days prior to the day of election any resident elector of the district, desiring to become a candidate for office of fire commissioner, shall file with the county auditor of his county a statement of his candidacy in the same manner as provided for the selection of candidates for county office. Such resident electors so filing shall be entitled to have their names appear as candidates on the ballot for said election. Candidates.

SEC. 26. In case of vacancy occurring in the office of fire commissioner, such vacancy shall be filled by appointment of a resident elector of the district by the board of county commissioners and the person appointed shall serve until his successor has been elected or appointed and has qualified. At the next general election, if there is sufficient time for the nomination of candidates for office of fire commissioner as herein provided, after the filling of any vacancy in such office as aforesaid, there shall be elected a fire commissioner to serve for the remainder of the unexpired term. Vacancy.

SEC. 27. At the time of the next general election occurring thirty (30) or more days after the creation of the district, three (3) members of the board of fire commissioners shall be elected. The candidate receiving the highest number of votes shall serve for a term of six (6) years beginning on the second Monday in January following, the candidate receiving the next highest number of votes shall serve for a term of four (4) years, as aforesaid, and the candidate receiving the next highest number of votes shall serve for a term of two (2) years, as aforesaid. It is the intent of the law that the term of one fire commissioner only shall expire bienni- General election.

ally and that this relationship be preserved so far as legally possible.

Special election.

SEC. 28. Special elections submitting propositions to the electors of the district may be called at any time upon resolution of the board of district fire commissioners, and shall be called, noticed, held, conducted and canvassed in the same manner and by the same officials as provided herein for the election to determine whether the district shall be created. The qualifications for electors at all district elections shall be the same as for elections at general state and county elections.

Oath of office.

SEC. 29. Each fire commissioner before beginning the duties of his office shall take and subscribe an official oath for the faithful discharge of the duties of his office, which oath shall be filed in the office of the clerk of the superior court in the county where the district is situated.

Board.

SEC. 30. The fire commissioners shall organize as a board and shall elect a chairman from their number and shall appoint a secretary of the district for such term as they shall by resolution determine. The secretary of the district shall keep a record of the proceedings of the board and shall perform such other duties as shall be prescribed by the board or by law, and shall take and subscribe an official oath similar to that taken and subscribed by the fire commissioners which oath shall be filed in the same office as that of the commissioners.

Office.

SEC. 31. The office of the fire commissioner's and principal place of business of the district shall be at some place in the district, to be designated by the board of fire commissioners. The board shall hold regular monthly meetings at their office on such day as they, by resolution previously adopted, shall determine, and may adjourn such meetings as may be required for the proper transaction of

Meetings.

business. Special meetings of the board may be called at any time by a majority of the commissioners or by the secretary and the chairman of the board. Any fire commissioner not joining in the call of a special meeting shall be entitled to a three (3) days' written notice by mail of the same, specifying generally the business proposed to be transacted at said special meeting, but when at any special meeting of the board all members are present, lack of previous notice thereof shall not invalidate the proceedings.

Special meetings.

SEC. 32. All meetings of the fire commissioners shall be public and a majority shall constitute a quorum for the transaction of business. All records of the board shall be open to the inspection of any elector of the district at any meeting of the board. The board shall have the power and it shall be its duty to adopt a seal of the district, to manage and conduct the business affairs of the district, to make and execute all necessary contracts, to employ any necessary service and to establish and promulgate reasonable rules and regulations for the government of the district and for the performance of its functions and generally to perform all such acts as may be necessary fully to carry out the objects of the creation of the district.

Meetings and records public.

Seal.

Rules and regulations.

SEC. 33. It shall be the duty of the county treasurer of the county in which any fire district created under this act is situated to receive and disburse all district revenues, to collect all taxes and assessments authorized and levied under this act, and to credit all district revenues to the proper fund.

County treasurer.

SEC. 34. There are hereby created in said county treasurer's office of each county in which a fire protection district shall be organized for the use of the district the following funds: (1) Expense fund; (2) Coupon Warrant Fund; (3) Contract Fund, and

Fund created.

(4) Local Improvement District No.....Fund. All taxes levied for administrative, operative and maintenance purposes, when collected, shall be placed by the county treasurer in the expense fund of the district; all taxes levied for the payment of coupon warrants and interest thereon, when collected, shall be placed by the county treasurer in the coupon warrant fund of the district; all taxes levied for the purchase of fire-fighting equipment, apparatus, and for the housing thereof, proceeds from the sale of coupon warrants, and the transfer of any surplus in the expense fund, shall be placed by the county treasurer in the contract fund of the district; all special taxes levied against the lands in any improvement district within the fire-protection district, when collected, shall be placed by the county treasurer in the local improvement district fund for such local improvement district.

Budget.

SEC. 35. Annually after the county board of equalization has equalized the assessments for general tax purposes in that year, the secretary of the district shall prepare a budget of the requirements of each district fund, certify the same and deliver it to the board of county commissioners in ample time for it to make tax levies for the purposes of the district.

Tax levy.

SEC. 36. At the time of making general tax levies in each year the board of county commissioners shall make the required levies for district purposes against the real and personal property in the district in accordance with the equalized valuations thereof for general tax purposes and as a part of said general taxes. Such tax levies shall be a part of the general tax roll and shall be collected as a part of the general taxes against the property in the district.

Warrants.

SEC. 37. The county treasurer shall pay out money received for the account of the district upon

warrants issued by the county auditor against the proper funds of the district. Said warrants shall be issued on vouchers approved and signed by a majority of the district board and by the secretary thereof. The county treasurer shall also be authorized to pay coupon warrants and the accrued interest thereon in accordance with their terms out of the the coupon warrant fund upon presentation of such warrants or interest coupons thereof. The county treasurer shall report in writing monthly to the secretary of the district the amount of money held by him in each fund and the amounts of receipts and disbursements for each fund during the preceding month.

SEC. 38. The board of fire commissioners of the district shall have authority to contract indebtedness and evidence the same by the issuance and sale at par plus accrued interest not exceeding six per cent (6%) per annum of coupon warrants of the district in such form as the board shall determine. Such warrants shall be payable at such time or times as the board shall provide not longer than three (3) years from the date thereof. Such coupon warrants shall be payable to bearer, shall have interest coupons attached providing for the payment of interest semi-annually on the first day of January and of July, and the issuance thereof shall be recorded in the office of the county treasurer in a book kept for that purpose. All outstanding district warrants of every kind shall outlaw and become void after six (6) years from the maturity date thereof where money shall be available in the proper fund of the district within that time for their payment.

Board may
contract
indebtedness.

Coupon
warrants.

Outlawed
after six
years.

SEC. 39. The board of fire commissioners shall have no authority to contract indebtedness in any year in excess of the aggregate amount of the currently levied taxes except as herein specifically provided, and the annual levy for general district pur-

Debt
limitation.

poses exclusive of levies for local improvement districts shall not exceed two (2) mills.

Lands specifically benefited.

Petition for local improvement district.

SEC. 40. In any instance where the acquisition, maintenance and operation of fire-fighting equipment, apparatus and instrumentalities necessary therefor are of special benefit to part of the lands in the fire-prevention district, the board of fire commissioners shall have authority to include such lands in a local improvement district. For the purpose of creating such a local improvement district, there shall be filed with said district board a petition signed by the owners of a majority of the acreage of lands to be included within the local improvement district. Said petition shall set forth generally the necessity for the creation of a local improvement district, outline the plan of fire protection to be accomplished, and the means by which the cost of the same shall be financed. Upon receipt of said petition, said district board shall at its next regular meeting examine the same. The assessed owners of said lands as shown on the general tax roll in the county treasurer's office, last equalized, shall be *prima facie* evidence of the ownership of the lands to be included in said local improvement district. If said petition is found sufficient, said district board shall proceed to consider the same and to determine whether such a local improvement appears feasible and of special benefit to the lands concerned.

Notice of hearing.

SEC. 41. If said petition is found insufficient or if said district board shall determine that such a local improvement district is unfeasible or of no special benefit to the lands concerned, it shall dismiss said petition. If said district board shall approve said petition, it shall fix a day, hour and place for hearing the same and shall publish notice of said hearing in a newspaper of general circulation in the county, to be selected by said board, for

three (3) consecutive weekly issues thereof published prior to the day of said hearing. The cost of said publication shall be advanced or paid in advance by the petitioners. Such notice shall describe the boundaries of the proposed local improvement district, shall state that the lands within said boundaries are proposed to be included within a local improvement district, shall mention the plan of fire protection proposed and the means by which the cost of the same shall be financed, shall state the day, hour and place of hearing on said petition and shall be signed by the secretary of the fire protection district.

SEC. 42. At the time and place of hearing named in said notice, all persons interested may appear before the board and show cause for or against the formation of the proposed local improvement district or the plan of fire protection to be accomplished or means of financing the same. Said board shall have full authority to determine the matter, shall exclude any land which in its judgment will not be specially benefited and shall modify or adopt the plan of fire protection to be accomplished or the means of financing the same, and shall adopt a resolution setting forth its determination of the petition and of all phases of the same. If the decision of said board is in favor of said petition with such modifications, if any, as the board shall determine, a copy of said resolution certified by the secretary of the district shall be filed for record in the office of the county auditor and of the county assessor of said county.

SEC. 43. The costs of the plan of fire protection adopted for the formation of said local improvement district shall be paid in accordance with the means specified in the resolution of the district board and shall be paid by annual levies of special *ad valorem* taxes, which shall in no event exceed five (5) in

number, exclusively against the lands included within such local improvement district on their equalized valuations for general tax purposes. Said annual amounts necessary for this purpose shall be included in the annual budget prepared and delivered by the secretary of the district to the board of county commissioners, as herein provided, and shall be levied against the lands in the local improvement district only and when collected shall be credited to the local improvement fund of said local improvement district.

Vouchers.

SEC. 44. In accordance with the means of financing said local improvement district adopted by the district board, said board shall have authority to draw vouchers for the issuance of warrants to the aggregate amount of the equalized current tax roll including special taxes for said local improvement district against the local improvement fund of the district.

Coupon warrants.

SEC. 45. Said district board shall also have authority, if in accordance with the adopted means of financing said local improvement district, to issue and sell at par and accrued interest not exceeding six per cent (6%) annually coupon warrants payable within three (3) years from the date thereof exclusively from the local improvement fund of the district. Such coupon warrants shall be payable with semi-annual interest to bearer and shall be in such form as the board shall determine and shall state on their face that they are payable exclusively from the local improvement fund of the district and shall be registered in the county treasurer's office, as provided herein for the registry of general coupon warrants of the district. Interest coupons thereon shall be payable on the first day of January and of July.

Dissolution of district.

SEC. 46. Fire-protection districts may be dissolved upon a majority vote of the electors at an

election for that purpose called, noticed, conducted and canvassed in the manner provided in the act for special elections and no further district obligations thereafter shall be incurred, but said election shall not abridge or cancel any of the outstanding obligations of said district or of any local improvement district therein, and the county board shall have authority to make annual levies against said lands until their respective obligations under the districts are fully paid. When the obligations are fully paid, all moneys in any of the funds of the district and all collections of unpaid district taxes shall be transferred to the expense fund of the county.

SEC. 47. USE OF APPARATUS IN FIGHTING FIRES. Whenever a fire occurs within the limits of any county fire-protection district and is of such proportions that it cannot be adequately extinguished or handled by the fire department of such district, or whenever a fire occurs in any unincorporated territory of a county not included within a county fire-protection district, the apparatus, equipment and fire-fighting force of any county fire-protection district within said county may be used for the purpose of extinguishing such fire in such other county fire-protection district, or in such unincorporated portion of the country [county]: *Provided*, That in either case there shall be paid from the general fund of the county into the fund of the district furnishing such services, the reasonable value of the use and the repairs and depreciation upon said apparatus and equipment, and such other expenses as are reasonably incurred in furnishing such fire-fighting services: *Provided further*, That the equipment of a fire-protection district may be used within any city or village which joins the fire protection district upon proper and reasonable payment of the cost of the services rendered by such protection district, to be fixed by agreement between the fire commis-

Use of
apparatus.

sioners and the board of trustees or council of such village or city.

Districts
established
under
former law.

SEC. 48. Any fire-protection district established and existing under the provisions of chapter 60 of the Laws of 1933, Extraordinary Session, may be made to conform to the provisions of this act by preparing, certifying and delivering its annual assessment roll to the board of county commissioners on and after November 1, 1939, in ample time for it to make tax levies for the purpose of the district, and holding its biennial election of the fire commissioners as herein provided.

Petition
drawn under
prior act.

SEC. 49. Any petition heretofore drawn, signed and filed with the county auditor in compliance with the provisions of section 1 to section 6, inclusive, of the Laws of 1933, Extraordinary Session, shall be valid and the various steps required by this act for the creation of a fire-protection district may be continued, if the further steps to be taken are begun within ninety (90) days after the taking effect of this act, and it shall not be necessary to prepare, sign and file with the county auditor a new petition, and any district so created shall not be invalid by reason of the failure to draw, sign and file a new petition under the provisions of this act.

Repeals ch.
60, Laws 1933,
Ex. Sess.

SEC. 50. Chapter 60 of the Laws of 1933, Extraordinary Session is hereby repealed.

Partial
invalidity.

SEC. 51. The provisions of this act and proceedings thereunder shall be liberally construed with a view to effect their objects. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged to be invalid or unconstitutional.

Effective
immediately.

SEC. 52. This act is necessary for the immediate preservation of the public peace, health and safety,

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

Passed the House February 23, 1939.

Passed the Senate February 22, 1939.

Approved by the Governor March 1, 1939.

CHAPTER 35.

[H. B. 123.]

PARKING OF MOTOR VEHICLES ON CITY STREETS.

AN Act relating to public highways and motor vehicles; providing for the parking of motor vehicles within incorporated cities and towns; amending section 108 of chapter 189, Session Laws of 1937.

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

SECTION 1. That section 108 of chapter 189, Session Laws of 1937, be and the same is hereby amended to read as follows:

Amends
§ 108, ch. 189,
Laws 1937.

Section 108. Except where angle parking is permitted by local ordinance every vehicle stopped or parked upon a roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of such vehicle parallel to and within twelve (12) inches of the right-hand curb. Angle parking shall not be permitted upon the city or town streets designated as forming a part of the route of a primary state highway through any city or town: *Provided*, That angle parking shall be permitted in cities of the third and fourth class where solely provided by local ordinance upon any city street designated as forming a part of the route of a primary state highway through such city or town where such street does not connect at either end with any four lane primary highway and where such street has a minimum width between curbs of seventy (70) feet and there shall be provided be-

Parallel
parking.