

CHAPTER 16.

[H. B. 8.]

TOWNSHIPS—POWERS AND CHARGES.

AN ACT relating to townships; repealing and reenacting section 19, chapter 175, Laws of 1895, section 1, chapter 226, Laws of 1941, section 84, chapter 175, Laws of 1895, section 1, chapter 165, Laws of 1953, and section 1, chapter 166, Laws of 1953 (RCW 45.12.100, 45.56.010 and 45.56.030); repealing and reenacting section 18, chapter 175, Laws of 1895 (RCW 45.12.090); and declaring an emergency.

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

RCW 45.12.100, 45.56.010 and 45.56.030, repealed, re-enacted.

SECTION 1. Section 19, chapter 175, Laws of 1895, section 1, chapter 226, Laws of 1941 and section 84, chapter 175, Laws of 1895, section 1, chapter 165, Laws of 1953 and section 1, chapter 166, Laws of 1953 (heretofore divided, combined and codified in RCW 45.12.100, 45.56.010 and 45.56.030) are repealed and reenacted as set forth in sections 2, 3 and 4 of this act.

RCW 45.12.100. Powers of electors at town meetings.

SEC. 2. (RCW 45.12.100) The electors of each town shall have power, at their annual town meeting:

(1) To determine the number of poundmasters, and location of pounds.

(2) To select such town officers as are required to be chosen.

(3) To direct the institution or defense of actions in all controversies where the town is interested.

(4) To direct such sums to be raised in the town for prosecuting or defending such actions as they may deem necessary.

(5) To make all rules and regulations for ascertaining the sufficiency of fences in the town and for impounding animals.

(6) To determine the time and manner in which certain domestic animals, including dogs, may be permitted to go at large.

(7) To impose such penalties on persons offending against any rules and regulations established by the town, except such as relate to the keeping and maintaining of fences, as they think proper not exceeding ten dollars for each offense, unless herein otherwise provided.

(8) To apply such penalties, when collected, in such manner as they may deem conducive to the interests of the town.

(9) To vote to raise such sums of money as they deem necessary for the purchase, repair, maintenance, and operation of snow plows or snow removing equipment, appliances for the prevention of highway dust or debris, and highway lighting, all in cooperation with the state and county authorities.

(10) To instruct by vote the board to purchase grounds for a town cemetery; to limit the price to be paid therefor, to raise a tax for payment thereon and to establish rules for the care and management thereof.

(11) To make such bylaws and regulations as may be deemed conducive to the peace, good order and welfare of the town; to license, tax, regulate and control dogs, hawkers, peddlers, auctioneers, shows, theatricals, circuses, lawful games, merry-go-rounds, ferris wheels, or other amusement devices or places of amusement.

(12) To vote to levy a tax in such amount as in their judgment is necessary or advisable, but not to exceed four mills upon all taxable property in such townships, for the purpose of creating a fund to be known as river improvement fund.

SEC. 3. (RCW 45.56.010) The following shall be deemed town charges:

RCW 45.56.010.
What are
town charges.

(1) The compensation of town officers for services rendered their respective towns.

(2) Contingent expenses necessarily incurred for the use and benefit of the town.

(3) The moneys authorized to be raised by the vote of the town meeting for any town purpose.

(4) Every sum directed by law to be raised for any town purpose.

RCW 45.56.030.
Limits of
tax levy.

SEC. 4. (RCW 45.56.030) To defray the town charges, the electors of each township may, at their annual township meeting, vote to raise such sums of money as they deem necessary, not to exceed two mills, in any township having a population of less than five thousand inhabitants as shown by the last official United States census, and not to exceed five mills, in any township having a population of five thousand or more inhabitants, as shown by such census, on the assessed value of the taxable property in the township, according to the last previous assessment: *Provided, however,* That no township, in determining the sums of money necessary for township charges, shall retain an unbudgeted cash balance in excess of a sum equal to the proceeds of a two mill levy against the assessed valuation of the town.

RCW 45.12.090,
repealed,
reenacted.

SEC. 5. Section 18, chapter 175, Laws of 1895 and RCW 45.12.090 are repealed and reenacted to read as follows:

Supervisors,
fence viewers.

The supervisors elected in every town are, by virtue of their office, fence viewers of such town.

Emergency.

SEC. 6. 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 January 20, 1959.

Passed the Senate January 27, 1959.

Approved by the Governor January 30, 1959.

Explanatory
note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Sections 1 through 4. 1919 c 175 sec. 19 (as amended), 1919 c 175 sec. 84 and 1941 c 226 sec. 1 (as amended) were combined and divided into RCW 45.12.100, 45.56.010 and 45.56.030. RCW 45.12.100 and 45.56.030 were subsequently amended by 1953 c 165 sec. 1 and 1953 c 166 sec. 1, respectively.

The Statute Law Committee in reviewing Title 45 of the Revised Code of Washington has noted this instance where session law sections have been divided and combined into two or more RCW sections and the legislature has subsequently amended one or more, but less than all, of the RCW sections derived from the session law sections. This bill is designed to reenact such RCW sections, thereby ratifying the division and combination of the session law sections and correcting any possible defect arising from the former amendment of less than the whole session law sections.

Explanatory
note.

In all sections the RCW language (which conforms to session law language for the most part) is used as the basic language.

Sec. 5. The title of chapter 47, Laws of 1909 and the amendatory phrase for sec. 3, thereof purportedly amended 1895 c 175 sec. 18 while the session law section set out (as provided in the Constitution, Art. 2, sec. 37) was 1895 c 175 sec. 19. To cure this manifest clerical error, sec. 19 as subsequently amended is reenacted as sec. 2 of this bill and sec. 18 is reenacted as sec. 5.

CHAPTER 17.

[H. B. 9.]

PORT DISTRICT COMMISSIONERS.

AN ACT relating to port districts; repealing and reenacting in revised form section 3, chapter 92, Laws of 1911, section 2, chapter 62, Laws of 1913, section 2, chapter 69, Laws of 1951 and sections 1 and 2, chapter 198, Laws of 1953, codifying said sections as RCW 53.04.060, 53.12.010, 53.12.020, 53.12.050, 53.04.070, 53.12.040, 53.12.150, 53.12.140, 53.12.120, 53.12.130, and 53.08.210; and declaring an emergency.

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

SECTION 1. Section 3, chapter 92, Laws of 1911, section 2, chapter 62, Laws of 1913, section 2, chapter 69, Laws of 1951 and sections 1 and 2, chapter 198, Laws of 1953, are repealed and reenacted as herein revised and set forth in sections 2 through 12 of this act.

Session laws,
repealed,
reenacted.

SEC. 2. (RCW 53.04.060) Within five days after an election held under the provisions of RCW 53.04-.020, the board of county commissioners shall canvass the returns, and if at such election a majority of the voters voting upon the proposition shall vote in favor of the formation of the district, the board of county commissioners shall so declare in its canvass of the returns of such election, and the port district shall then be and become a municipal corporation of the

RCW 53.04.060.
Returns can-
vassed—Port
established.