

NEW SECTION. Sec. 5. All taxes made payable pursuant to the provisions of this act shall be due and payable to the county treasurer on or before the thirtieth day of April in the event the date of execution of the instrument of transfer occurs prior to that date unless the time of payment is extended under the provisions of RCW 84.56.020. Such taxes shall be due and payable on or before the thirty-first day of October in the event the date of execution of the instrument of transfer is subsequent to the thirtieth day of April but prior to the thirty-first day of October. In all other cases such taxes shall be due and payable within thirty days after the date of execution of the instrument of transfer. In no case, however, shall the taxes be due and payable less than thirty days from the date of execution of the instrument of transfer. All taxes due and payable after the dates herein shall become delinquent, and interest at the rate of ten percent per annum shall be charged upon such unpaid taxes from the date of delinquency until paid.

NEW SECTION. Sec. 6. Such taxes made due and payable herein shall be a lien on such transferred property from the date of execution of the instrument of sale, exchange or contract.

NEW SECTION. Sec. 7. 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 April 28, 1971.

Passed the Senate April 26, 1971.

Approved by the Governor April 30, 1971.

Filed in Office of Secretary of State April 30, 1971.

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CHAPTER 45

[Reengrossed Senate Bill No. 130]

PARKING AND BUSINESS IMPROVEMENT AREAS

AN ACT Relating to parking and business improvement areas; authorizing formation thereof by counties, cities, and towns; authorizing special assessments therefor; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. The legislature hereby authorizes all counties and all incorporated cities and towns, including unclassified cities and towns operating under special charters:

(1) To establish parking and business improvement areas, hereafter referred to as area or areas, for the following purposes:

(a) The acquisition, construction or maintenance of parking

facilities for the benefit of the area;

(b) Decoration of any public place in the area;

(c) Promotion of public events which are to take place on or in public places in the area;

(d) Furnishing of music in any public place in the area;

(e) The general promotion of retail trade activities in the area;

(2) To levy special assessments on all businesses within the area and specially benefited by a parking and business improvement area to pay in whole or in part the damages or costs incurred therein as provided in this act.

(3) To provide in accordance with any applicable provisions of the Constitution or statutory authority for the issuance and sale of revenue bonds to finance the cost of any parking and business improvement area.

NEW SECTION. Sec. 2. (1) "Business" as used in this act means all types of business, including professions.

(2) "Legislative authority" as used in this act means the legislative authority of any city or town including unclassified cities or towns operating under special charters or the legislative authority of any county.

NEW SECTION. Sec. 3. For the purpose of establishing a parking and business improvement area, an initiation petition may be presented to the legislative authority having jurisdiction of the area in which the proposed parking and business improvement area is to be located or the legislative authority may by resolution initiate a parking and business improvement area. The initiation petition or resolution shall contain the following:

(1) A description of the boundaries of the proposed area;

(2) The proposed uses and projects to which the proposed special assessment revenues shall be put and the total estimated cost thereof;

(3) The estimated rate of levy of special assessment with a proposed breakdown by class of business if such classification is to be used.

The initiating petition shall also contain the signatures of the persons who operate businesses in the proposed area which would pay fifty percent of the proposed special assessments.

NEW SECTION. Sec. 4. The legislative authority, after receiving a valid initiation petition or after passage of an initiation resolution, shall adopt a resolution of intention to establish an area. The resolution shall state the time and place of a hearing to be held by the legislative authority to consider establishment of an area and shall restate all the information contained in the initiation petition or initiation resolution

regarding boundaries, projects and uses, and estimated rates of assessment.

NEW SECTION. Sec. 5. Notice of a hearing held under the provisions of this act shall be given by:

(1) One publication of the resolution of intention in a newspaper of general circulation in the city; and

(2) Mailing a complete copy of the resolution of intention to each business in the proposed, or established, area. Publication and mailing shall be completed at least ten days prior to the time of the hearing.

NEW SECTION. Sec. 6. Whenever a hearing is held under this act, the legislative authority shall hear all protests and receive evidence for or against the proposed action. The legislative authority may continue the hearing from time to time. Proceedings shall terminate if protest is made by businesses in the proposed area which would pay a majority of the proposed special assessments.

NEW SECTION. Sec. 7. If the legislative authority decides to change the boundaries of the proposed area, the hearing shall be continued to a time at least fifteen days after such decision and notice shall be given as prescribed in section 5 of this act, showing the boundary amendments, but no resolution of intention is required.

NEW SECTION. Sec. 8. For purposes of the special assessments to be imposed pursuant to this act, the legislative authority may make a reasonable classification of businesses, giving consideration to various factors, including the degree of benefit received from parking only.

NEW SECTION. Sec. 9. The special assessments need not be imposed on different classes of business, as determined pursuant to section 8 of this act, on the same basis or the same rate: PROVIDED, HOWEVER, That the special assessments imposed for the purpose of the acquisition, construction or maintenance of parking facilities for the benefit of the area shall be imposed on the basis of benefit determined by the legislative authority after giving consideration to the total cost to be recovered from the businesses upon which the special assessment is to be imposed, the total area within the boundaries of the parking and business improvement area, the assessed value of the land and improvements within the area, the total business volume generated within the area and within each business, and such other factors as the legislative authority may find and determine to be a reasonable measure of such benefit.

NEW SECTION. Sec. 10. If the legislative authority, following the hearing, decides to establish the proposed area, it shall adopt an ordinance to that effect. This ordinance shall contain the following information:

(1) The number, date and title of the resolution of intention

pursuant to which it was adopted;

(2) The time and place the hearing was held concerning the formation of such area;

(3) The description of the boundaries of such area;

(4) A statement that the businesses in the area established by the ordinance shall be subject to the provisions of the special assessments authorized by section 1 of this act;

(5) The initial or additional rate or levy of special assessment to be imposed with a breakdown by classification of business, if such classification is used; and

(6) A statement that a parking and business improvement area has been established.

(7) The uses to which the special assessment revenue shall be put: PROVIDED, HOWEVER, That such use shall conform to the use as declared in the initiation petition presented pursuant to section 3 of this act.

NEW SECTION. Sec. 11. The legislative authority of each city or town or county shall have sole discretion as to how the revenue derived from the special assessments is to be used within the scope of the purposes; however, the legislative authority may appoint existing advisory boards or commissions to make recommendations as to its use, or the legislative authority may create a new advisory board or commission for the purpose.

The legislative authority may contract with a chamber of commerce or other similar business association operating primarily within the boundaries of the legislative authority to administer the operation of a parking and business improvement area, including any funds derived pursuant thereto: PROVIDED, That such administration must comply with all applicable provisions of law including this act, with all county, city, or town resolutions and ordinances, and with all regulations lawfully imposed by the state auditor or other state agencies.

NEW SECTION. Sec. 12. The special assessments levied hereunder must be for the purposes specified in the ordinances and the proceeds shall not be used for any other purpose.

NEW SECTION. Sec. 13. Collections of assessments imposed pursuant to this act shall be made at the same time and in the same manner as otherwise prescribed by Title 35 RCW or in such other manner as the legislative authority shall determine.

NEW SECTION. Sec. 14. Changes may be made in the rate or additional rate of special assessment as specified in the ordinance establishing the area, by ordinance adopted after a hearing before the legislative authority.

The legislative authority shall adopt a resolution of intention to change the rate or additional rate of special assessment

at least fifteen days prior to the hearing required by this section. This resolution shall specify the proposed change and shall give the time and place of the hearing: PROVIDED, That proceedings to change the rate or impose an additional rate of special assessments shall terminate if protest is made by businesses in the proposed area which would pay a majority of the proposed increase or additional special assessments.

NEW SECTION. Sec. 15. The legislative authority may, for each of the purposes set out in section 1 of this act, establish and modify one or more separate benefit zones based upon the degree of benefit derived from the purpose and may impose a different rate of special assessment within each such benefit zone.

NEW SECTION. Sec. 16. All provisions of this act applicable to establishment or disestablishment of an area also apply to the establishment, modification, or disestablishment of benefit zones pursuant to section 13 of this act. The establishment or the modification of any such zone shall follow the same procedure as provided for the establishment of a parking and business improvement area and the disestablishment shall follow the same procedure as provided for disestablishment of an area.

NEW SECTION. Sec. 17. Businesses established after the creation of an area within the area may be exempted from the special assessments imposed pursuant to this act for a period not exceeding one year from the date they commenced business in the area.

NEW SECTION. Sec. 18. The legislative authority may disestablish an area by ordinance after a hearing before the legislative authority. The legislative authority shall adopt a resolution of intention to disestablish the area at least fifteen days prior to the hearing required by this section. The resolution shall give the time and place of the hearing.

NEW SECTION. Sec. 19. Upon disestablishment of an area, any proceeds of the special assessments, or assets acquired with such proceeds, or liabilities incurred as a result of the formation of such area, shall be subject to disposition as the legislative authority shall determine: PROVIDED, HOWEVER, Any liabilities, either current or future, incurred as a result of action taken to accomplish the purposes of section 1 of this act shall not be an obligation of the general fund or any special fund of the city or town, but such liabilities shall be provided for entirely from available revenue generated from the projects or facilities authorized by section 1 of this act or from special assessments on the property specially benefited within the area.

NEW SECTION. Sec. 20. Any city or town or county authorized by this act to establish a parking improvement area shall call for competitive bids by appropriate public notice and award contracts,

whenever the estimated cost of such work or improvement, including cost of materials, supplies and equipment, exceeds the sum of two thousand five hundred dollars.

NEW SECTION. Sec. 21. The cost of the improvement for the purposes of this act shall be aggregate of all amounts to be paid for the labor, materials and equipment on one continuous or inter-related project where work is to be performed simultaneously or in near sequence. Breaking an improvement into small units for the purposes of avoiding the minimum dollar amount prescribed in section 20 of this act is contrary to public policy and is prohibited.

NEW SECTION. Sec. 22. This act providing for parking and business improvement areas shall not be deemed or construed to affect any existing act, or any part thereof, relating to special assessments or other powers of counties, cities and towns, but shall be supplemental thereto and concurrent therewith.

The purposes and functions of parking and business improvement areas as set forth by the provisions of this act may be accomplished in part by the establishment of an area pursuant to this act and in part by any other method otherwise provided by law, including provisions for local improvements.

NEW SECTION. Sec. 23. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provisions to other persons or circumstances is not affected.

Passed the Senate April 23, 1971.

Passed the House April 23, 1971.

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CHAPTER 46

[Engrossed Senate Bill No. 514]

UNIFORM CRIMINAL EXTRADITION ACT

AN ACT Relating to the extradition of persons charged with a crime, and to make uniform the law with reference thereto; adding new sections to chapter 10.88 RCW; repealing section 6, page 102, Laws of 1854, section 158, page 217, Laws of 1873, section 972, Code of 1881, and RCW 10.88.010; repealing section 6, part, page 102, Laws of 1854, section 972, part, Code of 1881, and RCW 10.88.020; repealing section 7, page 102, Laws of 1854, section 159, page 218, Laws of 1873, section 973, Code of 1881, and RCW 10.88.030; repealing section 8, page 103, Laws of 1854, section 160, page 218, Laws of 1873, section