
SUBSTITUTE HOUSE BILL 1083

AS AMENDED BY THE SENATE

Passed Legislature - 2019 Regular Session

State of Washington 66th Legislature 2019 Regular Session

By House Local Government (originally sponsored by Representatives Stonier, Vick, and Frame)

READ FIRST TIME 01/31/19.

1 AN ACT Relating to providing greater certainty in association
2 with selling city-owned property used for off-street parking; and
3 amending RCW 35.86.030.

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

5 **Sec. 1.** RCW 35.86.030 and 1965 c 7 s 35.86.030 are each amended
6 to read as follows:

7 (1) Such cities are authorized to obtain by lease, purchase,
8 donation and/or gift, or by eminent domain in the manner provided by
9 law for the exercise of this power by cities, such real property for
10 off-street parking as the legislative bodies thereof determine to be
11 necessary by ordinance.

12 (2) Such property or any fraction or fractions thereof may be
13 sold, transferred, exchanged, leased, or otherwise disposed of by the
14 city when one or more of the following conditions have been
15 satisfied:

16 (a) When its legislative body has determined by ordinance such
17 property or fraction or fractions thereof is no longer necessary for
18 off-street parking purposes;

19 (b) When all bonds or financing contracts issued for the
20 acquisition or construction have been paid in full. The proceeds from
21 the sale, transfer, exchange, or lease of the property may be applied

1 to the remaining balance of the bonds or financing contract in order
2 to satisfy the requirement that the property bonds or financing
3 contract be paid in full; or

4 (c) When the properties within any local improvement district
5 created for the acquisition or construction of the off-street parking
6 facilities are no longer subject to any assessment for such purpose.

7 (3) If the legislative body determines that all or a portion of
8 the property that is being disposed of in accordance with subsection
9 (2) of this section was acquired through condemnation or eminent
10 domain, the former owner has the right to repurchase as described in
11 this subsection. For the purposes of this subsection, "former owner"
12 means the person or entity from whom the legislative body acquired
13 title. At least ninety days prior to the date on which the property
14 is intended to be sold by the legislative body, the legislative body
15 must mail notice of the planned sale to the former owner of the
16 property at the former owner's last known address or to a forwarding
17 address if that owner has provided the legislative body with a
18 forwarding address. If the former owner of the property's last known
19 address, or forwarding address if the forwarding address has been
20 provided, is no longer the former owner of the property's address,
21 the right of repurchase is extinguished. If the former owner notifies
22 the legislative body within thirty days of the date of the notice
23 that the former owner intends to repurchase the property, the
24 legislative body shall proceed with the sale of the property to the
25 former owner for fair market value and shall not list the property
26 for sale to other owners. If the former owner does not provide timely
27 written notice to the legislative body of the intent to exercise a
28 repurchase right, or if the sale to the former owner is not completed
29 within six months of the date of notice that the former owner intends
30 to repurchase the property, the right of repurchase is extinguished.

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