

CHAPTER CLIV.

[S. B. No. 122.]

AUTHORIZING COUNTY COMMISSIONERS TO BUILD
BRIDGES ACROSS NAVIGABLE STREAMS.

AN ACT authorizing county commissioners to build bridges across navigable streams.

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

SECTION 1. The power to erect bridges on public highways across navigable streams in this state is hereby granted to the boards of county commissioners of this state, under the restrictions of this act.

When on
boundary line.

SEC. 2. Where a navigable stream is the boundary line between counties, the boards of commissioners of such counties may join in the construction of a bridge upon such terms as may be agreed upon.

Public notice.

SEC. 3. Whenever the county commissioners of any county or counties desire to erect a bridge on any public highway across a navigable stream, under the provisions of this act, said board or boards shall cause to be published a notice in a newspaper of general circulation in the county or counties, if such there be; and if there be no newspaper published in the county or counties, then by posting three notices, one in the locality of the place to be bridged, and two in the most public places in the county or counties; such notice shall contain the name of the stream to be bridged and the exact point where such bridge is to be erected, and the date when the said board will determine the public necessity for the building of said bridge: *Provided*, That when such bridge is to be built by two counties, the notice shall be published in both counties. At the time fixed in such notice the board of commissioners shall declare such public necessity by an order of record, which said order shall, in addition to the other facts, prescribe the width of the draw to be made, if any draw shall be considered necessary in such bridge, and also the length of span necessary to permit the free flow of water: *Provided*, That such bridges shall be so constructed as not to interfere with, impede or obstruct the navigation of such streams.

SEC. 4. If any person or corporation shall feel aggrieved ^{Right of appeal.} by the determination of said board an appeal shall be allowed to the superior court of the county, which said court shall have jurisdiction to hear and determine all matters connected therewith.

SEC. 5. When a bridge shall be built on a navigable stream by one county or two counties it may be absolutely free, or tolls sufficient to pay in whole or in part for the construction and to keep up the repairs thereof, may be charged; the rate to be fixed by the board of commissioners of the county in which the same is located, or if located in two counties, then by the boards of commissioners of the two counties; or, if there be any disagreement between the boards as to imposing or removing tolls, or the rate, the matter in dispute shall be referred to the board of commissioners of some adjoining county for determination; and if the tolls are fixed or removed thereby the same shall take effect on the tenth day from the date of such determination; said determination shall be final, and shall be communicated in writing to the clerks of said boards respectively.

SEC. 6. Nothing contained in this act shall be held to prevent cities and towns from erecting and maintaining bridges, either toll or free, within their corporate limits, or granting franchises for that purpose.

Approved March 9, 1891.