

**RCW 90.03.500 Stormwater control facilities—Imposition of rates and charges—Legislative findings.** The legislature finds that increasing the surface water or stormwater accumulation on or flow over real property, beyond that which naturally occurs on the real property, may cause severe damage to the real property and limit the gainful use or enjoyment of the real property, resulting in a tort, nuisance, or taking. The damage can arise from activities increasing the point or nonpoint flow of surface water or stormwater over the real property, or altering or interrupting the natural drainage from the real property. The legislature finds that it is in the public interest to permit the construction and operation of public improvements to lessen the damage. The legislature further finds that it is in the public interest to provide for the equitable imposition of special assessments, rates, and charges to fund such improvements. This shall include the imposition of special assessments, rates, and charges on real property to fund that reasonable portion of the public improvements that alleviate the damage arising from activities that are the proximate cause of the damage on other real property. Except as otherwise provided in RCW 90.03.525, these special assessments, rates, and charges may be imposed on any publicly-owned, including state-owned, real property that causes such damage. [1986 c 278 s 62; 1983 c 315 s 8.]

**Severability—1986 c 278:** See note following RCW 36.01.010.

**Severability—1983 c 315:** "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 provision to other persons or circumstances is not affected." [1983 c 315 s 26.]

*Flood control zone districts—Stormwater control improvements: Chapter 86.15 RCW.*

*Public property subject to rates and charges for stormwater control facilities: RCW 35.67.025, 35.92.021, 36.89.085, and 36.94.145.*