

**Chapter 35.77 RCW**  
**STREETS—PLANNING, ESTABLISHMENT, CONSTRUCTION, AND MAINTENANCE**

**Sections**

- 35.77.010 Perpetual advanced six-year plans for coordinated transportation program expenditures—Nonmotorized transportation—Railroad right-of-way.
- 35.77.015 Provisions for bicycle paths, lanes, routes, roadways and improvements to be included in annual revision or extension of comprehensive street programs—Exception.
- 35.77.020 Agreements with county for planning, establishment, construction, and maintenance.
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- 35.77.040 Agreements with county for planning, establishment, construction, and maintenance—Act is additional and concurrent method.

*Bicycle awareness program: RCW 43.43.390.*

*Bicycle transportation management program: RCW 47.04.190.*

*Local adopt-a-highway programs: RCW 47.40.105.*

*Pavement marking standards: RCW 47.36.280.*

*Planning commissions: Chapter 35.63 RCW.*

*State highways in urban areas, allocation of funds, planning, bond issue, etc.: Chapter 47.26 RCW.*

*Urban arterials, planning, construction by cities and counties, transportation improvement board, bond issue, etc.: Chapter 47.26 RCW.*

**RCW 35.77.010 Perpetual advanced six-year plans for coordinated transportation program expenditures—Nonmotorized transportation—Railroad right-of-way.** (1) The legislative body of each city and town, pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive transportation program for the ensuing six calendar years. If the city or town has adopted a comprehensive plan pursuant to chapter 35.63 or 35A.63 RCW, the inherent authority of a first-class city derived from its charter, or chapter 36.70A RCW, the program shall be consistent with this comprehensive plan. The program shall include any new or enhanced bicycle or pedestrian facilities identified pursuant to RCW 36.70A.070(6) or other applicable changes that promote nonmotorized transit.

The program shall be filed with the secretary of transportation not more than thirty days after its adoption. Annually thereafter the legislative body of each city and town shall review the work accomplished under the program and determine current city transportation needs. Based on these findings each such legislative body shall prepare and after public hearings thereon adopt a revised

and extended comprehensive transportation program before July 1st of each year, and each one-year extension and revision shall be filed with the secretary of transportation not more than thirty days after its adoption. The purpose of this section is to assure that each city and town shall perpetually have available advanced plans looking to the future for not less than six years as a guide in carrying out a coordinated transportation program. The program may at any time be revised by a majority of the legislative body of a city or town, but only after a public hearing.

The six-year plan for each city or town shall specifically set forth those projects and programs of regional significance for inclusion in the transportation improvement program within that region.

(2) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town will expend its moneys, including funds made available pursuant to chapter 47.30 RCW, for nonmotorized transportation purposes.

(3) Each six-year transportation program forwarded to the secretary in compliance with subsection (1) of this section shall contain information as to how a city or town shall act to preserve railroad right-of-way in the event the railroad ceases to operate in the city's or town's jurisdiction. [2005 c 360 s 4. Prior: 1994 c 179 s 1; 1994 c 158 s 7; 1990 1st ex.s. c 17 s 59; 1988 c 167 s 6; 1984 c 7 s 23; 1977 ex.s. c 317 s 7; 1975 1st ex.s. c 215 s 1; 1967 ex.s. c 83 s 27; 1965 c 7 s 35.77.010; prior: 1961 c 195 s 2.]

**Findings—Intent—2005 c 360:** See note following RCW 36.70A.070.

**Captions not law—Severability—Effective date—1994 c 158:** See RCW 47.80.902 through 47.80.904.

**Severability—Part, section headings not law—1990 1st ex.s. c 17:** See RCW 36.70A.900 and 36.70A.901.

**Savings—Severability—1988 c 167:** See notes following RCW 47.26.121.

**Effective dates—1977 ex.s. c 317:** See note following RCW 82.38.030.

**Effective dates—1967 ex.s. c 83:** See RCW 47.26.910.

*Highways, roads, streets in urban areas, urban arterials, development:*  
*Chapter 47.26 RCW.*

*Long-range arterial construction planning, counties and cities to prepare data:* RCW 47.26.170.

*Perpetual advanced six-year plans for coordinated transportation program:* RCW 36.81.121.

*Transportation improvement board:* Chapter 47.26 RCW.

**RCW 35.77.015 Provisions for bicycle paths, lanes, routes, roadways and improvements to be included in annual revision or extension of comprehensive street programs—Exception.** The annual revision and extension of comprehensive street programs pursuant to RCW 35.77.010 shall include consideration of and, wherever reasonably practicable, provisions for bicycle routes: PROVIDED, That no provision need be made for any such route where the cost of establishing it would be excessively disproportionate to the need or probable use. [1974 ex.s. c 141 s 11.]

**RCW 35.77.020 Agreements with county for planning, establishment, construction, and maintenance.** Any city or town may enter into an agreement with the county in which it is located authorizing the county to perform all or any part of the construction, repair, and maintenance of streets in such city or town at such cost as shall be mutually agreed upon. The agreement shall be approved by ordinance of the governing body of the city or town and by resolution of the board of county commissioners.

Any such agreement may include, but shall not be limited to the following:

(1) A provision that the county shall perform all or a specified part of the construction, repair, or maintenance of the city or town streets and bridges to the same standards provided by the county in unincorporated areas, or to increased standards as shall be specified which may include construction, repair, or maintenance of drainage facilities including storm sewers, sidewalks and curbs, street lighting, and traffic control devices.

(2) A provision that the county may provide engineering and administrative services necessary for the planning, establishment, construction, and maintenance of the streets of the city or town, including engineering and clerical services necessary for the establishment of local improvement districts. In providing such services the county engineer may exercise all the powers and perform all the duties vested by law or by ordinance in the city or town engineer or other officer or department charged with street administration.

(3) A provision that the city or town shall enact ordinances for the administration, establishment, construction, repair, maintenance, regulation, and protection of its streets as may be necessary to authorize the county to lawfully carry out the terms of the agreement. [1965 c 7 s 35.77.020. Prior: 1961 c 245 s 1.]

**RCW 35.77.030 Agreements with county for planning, establishment, construction, and maintenance—County may use road fund—Payments by city—Contracts, bids.** Pursuant to an agreement authorized by RCW 35.77.020, the board of county commissioners may expend funds from the county road fund for the construction, repair, and maintenance of the streets of such city or town and for engineering and administrative services. Payments by a city or town under such an agreement shall be made to the county treasurer and by him or her deposited in the county road fund. Such construction, repair, maintenance, and engineering service shall be ordered by resolution and proceedings conducted in respect thereto in the same manner as provided for the construction, repair, and maintenance of

county roads by counties, and for the preparation of maps, plans and specifications, advertising and award of contracts therefor: PROVIDED, That except in case of emergency all construction work performed by a county on city streets pursuant to RCW 35.77.020 through 35.77.040, which exceeds ten thousand dollars, shall be done by contract, unless after advertisement and solicitation of competitive bids it appears that bids are unobtainable or that the lowest bid exceeds the amount for which such construction can be done by means other than contract. No street construction project shall be divided into lesser component parts for the purpose of avoiding the requirements for competitive bidding. [2009 c 549 s 2123; 1965 c 7 s 35.77.030. Prior: 1961 c 245 s 2.]

**RCW 35.77.040 Agreements with county for planning, establishment, construction, and maintenance—Act is additional and concurrent method.** RCW 35.77.020 through 35.77.040 shall not repeal, amend, or modify any law providing for joint or cooperative agreements between cities and counties with respect to city streets, but shall be held to be an additional and concurrent method providing for such purpose. [1965 c 7 s 35.77.040. Prior: 1961 c 245 s 3.]