

**Chapter 35.84 RCW**  
**UTILITY AND OTHER SERVICES BEYOND CITY LIMITS**

**Sections**

- 35.84.010 Electric energy—Sale of—Purchase.
- 35.84.020 Electric energy facilities—Right to acquire.
- 35.84.030 Limitation on right of eminent domain.
- 35.84.040 Fire apparatus—Use beyond city limits.
- 35.84.050 Firefighter injured outside corporate limits.
- 35.84.060 Street railway extensions.

**RCW 35.84.010 Electric energy—Sale of—Purchase.** Every city or town owning its own electric power and light plant, shall have the right to sell and dispose of electric energy to any other city or town, public utility district, governmental agency, or municipal corporation, mutual association, or to any person, firm, or corporation, inside or outside its corporate limits, and to purchase electric energy therefrom. [1965 c 7 § 35.84.010. Prior: 1933 c 51 § 1; RRS § 9209-1.]

*Reduced utility rates for low-income senior citizens and other low-income citizens: RCW 74.38.070.*

**RCW 35.84.020 Electric energy facilities—Right to acquire.** Every city or town owning its own electric power and light plant may acquire, construct, purchase, condemn and purchase, own, operate, control, add to and maintain lands, easements, rights-of-way, franchises, distribution systems, substations, inter-tie or transmission lines, to enable it to use, purchase, sell, and dispose of electric energy inside or outside its corporate limits, or to connect its electric plant with any other electric plant or system, or to connect parts of its own electric system. [1965 c 7 § 35.84.020. Prior: 1933 c 51 § 2; RRS § 9209-2.]

**RCW 35.84.030 Limitation on right of eminent domain.** Every city or town owning its own electric power and light plant may exercise the power of eminent domain as provided by law for the condemnation of private property for any of the corporate uses or purposes of the city or town: PROVIDED, That no city or town shall acquire, by purchase or condemnation, any publicly or privately owned electric power and light plant or electric system located in any other city or town except with the approval of a majority of the qualified electors of the city or town in which the property to be acquired is situated; nor shall any city or town acquire by condemnation the electric power and light plant or electric system, or any part thereof, belonging to or owned or operated by any municipal corporation, mutual, nonprofit, or cooperative association or organization, or by a public utility district. [1965 c 7 § 35.84.030. Prior: 1933 c 51 § 3; RRS § 9209-3.]

*Eminent domain by cities: Chapter 8.12 RCW.*

**RCW 35.84.040 Fire apparatus—Use beyond city limits.** Every municipal corporation which owns, operates, or maintains fire apparatus and equipment may permit, under conditions prescribed by the governing body of such corporation, such equipment and the personnel operating the same to go outside of the corporate limits of such municipality for the purpose of extinguishing or aiding in the extinguishing or control of fires. Any use made of such equipment or personnel under the authority of this section shall be deemed an exercise of a governmental function of such municipal corporation. [1965 c 7 § 35.84.040. Prior: 1941 c 96 § 1; Rem. Supp. 1941 § 9213-9.]

**RCW 35.84.050 Firefighter injured outside corporate limits.** Whenever a firefighter engages in any duty outside the limits of such municipality, such duty shall be considered as part of his or her duty as firefighter for the municipality, and a firefighter who is injured while engaged in such duties outside the limits of the municipality shall be entitled to the same benefits that he or she or his or her family would be entitled to receive had he or she been injured within the municipality. [2009 c 549 § 2127; 1965 c 7 § 35.84.050. Prior: 1941 c 96 § 2; Rem. Supp. 1941 § 9563-1.]

**RCW 35.84.060 Street railway extensions.** Every municipal corporation which owns or operates an urban public transportation system as defined in RCW 47.04.082 within its corporate limits may acquire, construct, extend, own, or operate such urban public transportation system to any point or points not to exceed fifteen miles outside of its corporate limits: PROVIDED, That no municipal corporation shall extend its urban public transportation system beyond its corporate limits to operate in any territory already served by a privately operated auto transportation company holding a certificate of public convenience and necessity from the utilities and transportation commission.

As a condition of receiving state funding, the municipal corporation shall submit a maintenance management plan for certification by the transportation commission or its successor entity. The plan must inventory all transportation system assets within the direction and control of the municipality, and provide a preservation plan based on lowest life-cycle cost methodologies. [2003 c 363 § 302; 1969 ex.s. c 281 § 26; 1965 c 7 § 35.84.060. Prior: 1919 c 138 § 1; 1917 c 59 § 1; RRS § 9213.]

**Finding—Intent—2003 c 363:** "The legislature finds that roads, streets, bridges, and highways in the state represent public assets worth over one hundred billion dollars. These investments require regular maintenance and preservation, or rehabilitation, to provide cost-effective transportation services. Many of these facilities are in poor condition. Given the magnitude of public investment and the importance of safe, reliable roadways to the motoring public, the legislature intends to create stronger accountability to ensure that cost-effective maintenance and preservation is provided for these transportation facilities." [2003 c 363 § 301.]

**Part headings not law—Severability—2003 c 363:** See notes following RCW 47.28.241.