

INFORMATION ON PETITIONS FOR ROAD IMPROVEMENT DISTRICT

What is an RID?

RID means Road Improvement District. In 1951, the State legislature established the RID method of improving Public Works and streets. It used as a model the LID law, which has been used by the cities for street, water and sewer improvement for years. It has had many changes since 1951, and is now *Chapter 36.88 of the Revised Code of Washington*. Briefly, the RID statutes provide for the payment of an improvement by assessing the lot, tracts, or parcels specially benefited.

Why would an RID be formed?

RIDs can be used by any county for the improvement of a county road, bridge, street lighting, or road drainage facility.

How is an RID initiated?

An RID may be initiated by petition of the property owners of the area specially benefited by the Public Works Department proposed for improvement. In order for the petition to be considered, the total property represented by owner's signatures on the petition must have **both** a majority of the acreage within the proposed RID boundaries **and** a majority of the front footage measured along both sides of all the Public Works proposed for improvement.

The Board of County Commissioners upon receiving a petition with sufficient owner signatures must hold a preliminary hearing, notice of which must be published at least twice in a newspaper of general circulation and notice of which must be mailed to each property owner at least 15 days prior to the hearing. Signatures may be added to or withdrawn from the petition by contacting the Public Works Department prior to 5:00 p.m. of the last working day before the hearing. After the hearing, the Board of County Commissioners may proceed to create the RID and order the improvement.

How are the boundaries of an RID determined?

Each RID shall include as nearly as possible all the property specially benefited by the proposed improvement. This includes ownership served by easements from the improved Public Works unless the ownerships have demonstrated use of another easement as principal access. However, ownerships abutting the improved Public Works will be considered as specially benefited even if served by another easement.

How is the cost estimate prepared? Can the County assess cost overruns?

The construction cost estimate is prepared by the Engineering Division after a field review. The design and/or scope of the project may not be changed such that the cost is increased more than 10% over that stated in the notice for the original formation hearing held before the Board of County Commissioners. The only exception to allowing a greater than 10% change is to have a second formation notice and hearing.

If road right of way (public road property) is needed, the cost to buy this property will also be included in the total estimated cost. After the formation of the RID, the County will request donation of any required road right of way. If right of way is donated the final cost of the assessments will be reduced by the amount saved. If 100% of the

required right of way has not been donated by a set deadline, all deeds will be returned and the County will negotiate settlements for all required right of way.

If it is not possible to reach an agreement with a particular owner and it is necessary to acquire the right of way to proceed with the improvement the County may institute condemnation proceedings against the owner. The condemnation costs are also borne by the district.

How is the total cost of the improvement divided among the owners?

The Board shall use the method of assessment deemed most practical and equitable under the conditions prevailing. Typically, these are:

- ◆The lot method; under which each lot or ownership pays an equal share of the costs.
- ◆The acreage method; under which each ownership pays according to area measured in acres.
- ◆The zone and termini methods; which is a combination of assessment distribution based on frontage on the improvement and area within the boundaries of the district.

How much will the assessment be for the average size lot?

This question is not easily answered as the Board sets the method of assessment and the Engineering Division recommends that lot method in cases where the majority of ownerships are of equal, or approximately equal size. The acreage of zone and termini methods are recommended when the ownership are all of variable sizes.

The Engineering Division has the policy of making the preliminary cost estimates along with a proposed cost distribution method early, so they can be circulated with the petition.

How is assessment paid? Will it increase my taxes?

The Board also determines the number of years permitted for payment of the assessment. The assessment may be paid in full within 30 days without penalty or it may be repaid over the determined period at an interest rate set by the Board.

The assessment is in a second lien position after property taxes and is not an increase in the property taxes themselves. The improvement may cause sales in the area to be higher than before the improvement, but it is difficult to ascertain what fraction of this increase is attributable directly to the improved road. Of course, as assessed valuations are based on representative sales, property taxes could eventually increase.

When do I pay my assessment?

After the district has been created and all necessary road right of way has been obtained, the County may proceed with the improvement. If considerable design work is necessary, construction may be delayed for a season to allow time for the surveys and engineering. Only after all the projects costs are in can the final assessment be determined. A second hearing, with notification similar to the preliminary hearing, at which the Board will sit as a Board of Equalization will determine the final assessment

and certify these to the Treasurer for collection.

Before you make any payment, you should wait until after the second hearing and until you receive a notice from the Treasurer of the actual amount of your assessment.

Does the County participate in the cost of an RID?

Under the provisions of *RCW 36.88*, all costs may be assessed to the property owners within the RID boundaries. However, the County may participate, if the RID is to improve an existing public county road, not private.

What is the procedure for improving a private road?

Private Public Works may be improved under the RID statutes provided that it is done for the sole purpose of incorporating the road in the County road system.

Is the County for or against RIDs?

It is possible that someone in the County may tell you he is for or against a particular RID. This should be taken as a personal opinion and not as County policy, for the County must be careful to maintain a neutral position on all RIDs until they are formed. This means that the County cannot properly solicit RIDs, nor can they inhibit their formation. It is important to understand that the County can be of assistance in circulating the petition, but the mailings and "leg work" involved in formation must be largely done by the petitioners.

Which department handles RIDs?

Public Works handles RID processing as well as design and administration of most of the improvement. This is done at the direction of the Board of Thurston County Commissioners, which has the ultimate authority.

The County Engineer will assist you in the preparation of the petition and the necessary maps and exhibits for the formation of the district and will relay information to and from various departments related to the RID. If you have any additional questions, please direct them to this individual at the following address and phone number:

Thurston County Public Works

Attn: County Engineer

9605 Tilley Rd S

Olympia, WA 98512-9140

(360) 867-2328