

# ***PIERCE COUNTY CHARTER***

## **Section 9.80 – Eminent Domain**

Private property shall be taken by the County only for public use and no greater interest shall be taken than is necessary to accomplish the public use. "Public use" means only the actual possession, occupation, and enjoyment of a fee simple, easement, or other property interest by the general public or by the County; or the use of land for the creation or functioning of public utilities or common carriers such as railroads, utilities, or toll roads. The taking of private property by the County for economic development does not constitute public use; however, listing of uses that are not public shall not be construed to mean that the taking of property for other uses necessarily is for public use. For purposes of this Section, the taking of private property for economic development shall mean the taking of private property from one private party and the conveyance of that property within ten years to another private party for the purpose of increasing the County tax base, increasing the number of jobs in the County, or for general economic development. The taking of private property shall be found to be for economic development if a court determines that economic development, as defined in this Section, was a substantial factor in the County's decision to take the property.