

**ORDINANCE NO. 3953**

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF SECTION 3.20.050 OCCUPATIONS SUBJECT TO TAX – AMOUNTS, RELATING TO UTILITY TAX RATES FOR PUBLIC UTILITY DISTRICTS IN ORDER TO MAINTAIN SUCH RATES AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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WHEREAS, the City’s occupation tax for Public Utility Districts is currently set at six percent; and

WHEREAS, the City Council has passed the City’s budget for Fiscal Year 2014; and

WHEREAS, said budget includes revenue estimates established with the current occupation tax for Public Utility Districts; and

WHEREAS, on December 31, 2013, the six percent occupation tax for Public Utility Districts is set to automatically expire and be repealed; and

WHEREAS, the City Council deems it to be in the public interest to maintain current occupation tax rates for Public Utility Districts finding them necessary and consistent to support continuity of quality and quantity of municipal services; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Edmonds City Code Section 3.20.050 Occupations subject to tax - Amounts, is hereby amended to read as follows:

**3.20.050 Occupations subject to tax – Amounts.**

Sellers of electricity, gas, water, sewer, cable television and telephone services shall be subject to the taxes imposed by this chapter. There are levied upon, and shall be collected from, every person, firm, corporation or other entity on account of the business activities, license and occupation taxes in the amounts to be determined by the application of the rates against gross income as follows:

~~A. Public Utility Districts. Upon every person, firm, corporation or other entity engaged in or carrying on the business of selling or furnishing electrical energy and power a fee or tax equal in the following percentages~~

~~1. A fee or tax equal to six percent.~~

~~2. Until December 31, 2013, an additional three quarters of one percent for a total of six percent shall be levied; provided, however that the additional three quarters of one percent shall automatically expire and be repealed on December 31, 2013.~~

~~3. Provided, however, that there shall be no tax or fee upon revenues derived from the sale of electricity for the purposes of resale.~~

A. Public Utility Districts. Upon every person, firm, corporation or other entity engaged in or carrying on the business of selling or furnishing electrical energy and power a tax equal to six percent is levied upon the total gross income from the sale of electricity within the corporate limits of the city during and for the term for which the occupation license is required provided, however, that there shall be no tax or fee upon revenues derived from the sale of electricity for the purposes of resale.

B. Natural or Manufactured Gas and Service. Upon every person, firm, corporation or other entity engaged in or carrying on the business of transmitting, distributing, selling and furnishing natural and/or manufactured gas, a tax equal to six percent of the total gross income from the sale of gas within the corporate limits of the city during and for the term for which the occupation license is required.

C. Brokered Natural Gas – Use Tax in Lieu of Occupations Tax. There is imposed under the authority of RCW 35.21.870 a use tax on the consumers of brokered natural gas. Such tax shall be in lieu of the tax imposed by subsection (B) of this section when consumers receive natural gas directly from a producer of manufactured natural gas outside of the state of Washington. Such tax shall be the same as that imposed on a natural manufactured gas utility by subsection (B) of this section, equal to six percent of the customer's monthly purchases or other use charge by the broker of out-of-state natural gas.

D. Telephone Business. A tax equal to six percent of the gross subscribers' exchange monthly service charges billed to business and residence customers located within the corporate limits of the city, together with six percent of gross income derived from intrastate toll service provided to business and residential customers located within the corporate limits of the city.

E. Cable Television. Pursuant to Chapter 4.68 ECC, community antenna television systems, commonly known as cable television franchisees, are hereby levied a franchise fee of five percent, as authorized by 47 U.S.C.

Section 542(a) and RCW 35.21.860, on all gross revenues derived from any source of revenue by cable television franchisees from their cable television operations in the city of Edmonds. In addition thereto, a business license tax, as authorized in part by 47 U.S.C. Section 542(g)(2)(A), is hereby levied equal to six percent on all gross revenues derived from any source of revenue by cable television franchisees from their cable television operations in the city of Edmonds.

F. City Sewer Utility. The city of Edmonds, as a seller of sewer services, shall be subject to the tax imposed by this chapter. The sewer utility shall pay a license fee or tax equal to 10 percent of the gross income from the city's sewer utility.

G. Solid Waste Haulers. Any solid waste hauler shall be subject to the tax imposed by this chapter. The solid waste hauler shall pay a tax equal to six percent of the total gross income from the charges derived from solid waste disposal services within the corporate limits of the city during and for the term for which the occupation license is required.

H. City Water Utility. The city of Edmonds, as the seller of water services, shall be subject to the tax imposed by this chapter. The water utility shall pay a license tax or fee equal to 18.7 percent on the gross income from the city's water utility.

I. City Storm Water Utility. The city of Edmonds, as the seller of storm water services, shall be subject to the tax imposed by this chapter. The storm water utility shall pay a license tax or fee equal to 10 percent on the gross income from the city's storm water utility.

Section 2: Effective Date. This Ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

  
MAYOR DAVE EARLING

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
CITY CLERK, SCOTT PASSEY

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
JEFFREY B. TARADAY

FILED WITH THE CITY CLERK:	December 13, 2013
PASSED BY THE CITY COUNCIL:	December 17, 2013
PUBLISHED:	December 22, 2013
EFFECTIVE DATE:	December 27, 2013
ORDINANCE NO.	3953

**SUMMARY OF ORDINANCE NO. 3953**

of the City of Edmonds, Washington

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On the 17<sup>th</sup> day of December, 2013, the City Council of the City of Edmonds passed Ordinance No. 3953. A summary of the content of said ordinance, consisting of the title, is provided as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF SECTION 3.20.050 OCCUPATIONS SUBJECT TO TAX – AMOUNTS, RELATING TO UTILITY TAX RATES FOR PUBLIC UTILITY DISTRICTS IN ORDER TO MAINTAIN SUCH RATES AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 19<sup>th</sup> day of December, 2013.

  
CITY CLERK, SCOTT PASSEY

# Everett Daily Herald

## Affidavit of Publication

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice is a true copy of City Ordinances - Ordianances 3951-3954 534660 a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:  
1 issue(s), such publication commencing on 12/22/2013 and ending on 12/22/2013 and that said newspaper was regularly distributed to its subscribers during all of said period. The amount of the fee for such publication is \$ 61.92.

Khan E. Zama

Subscribed and sworn before me on this 23<sup>rd</sup> day of December 2013

Diana Hendrix

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

City of Edmonds EDH101416 - PO: ORD 3951-3954  
ORDERED BY: SCOTT PASSEY



**ORDINANCE SUMMARIES**  
of the City of Edmonds, Washington  
On the 17th day of December, 2013, the City Council of the City of Edmonds, Washington, passed the following Ordinances. The summaries of said ordinances, consisting of titles, are provided as follows:

**ORDINANCE NO. 3951**  
AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING A PROVISION OF ECC 10.90, CONCERNING THE HISTORIC PRESERVATION COMMISSION'S POWERS AND DUTIES; PROVIDING FOR SEVERABILITY; AND SETTING AN EFFECTIVE DATE.

**ORDINANCE NO. 3952**  
AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, TO AMEND THE CRITICAL AREAS ORDINANCE, SPECIFICALLY SECTION 23.40.320 TO AMEND THE DEFINITION OF REASONABLE ECONOMIC USE.

**ORDINANCE NO. 3953**  
AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF SECTION 3.20.050 OCCUPATIONS SUBJECT TO TAX - AMOUNTS, RELATING TO UTILITY TAX RATES FOR PUBLIC UTILITY DISTRICTS IN ORDER TO MAINTAIN SUCH RATES AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

**ORDINANCE NO. 3954**  
AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING ORDINANCE NO. 3950 AS A RESULT OF UNANTICIPATED EXPENDITURES OF THE GENERAL FUND, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of any Ordinance will be mailed upon request. Dated this 19th day of December, 2013.  
CITY CLERK, SCOTT PASSEY  
Published: December 22, 2013.