



Project title: An Ordinance Relating to Utility Taxes, amending Ordinance 3384-14 Rev (EMC 3.28.090)

City Council Agenda Item Cover Sheet

Council Bill #

CB1911-58

Agenda dates requested:

11/20/2019, 11/27/19,
12/4/19

Briefing X
Proposed action
Consent
Action
Ordinance X
Public hearing
Yes X No

Budget amendment:

Yes X No

PowerPoint presentation:

Yes X No

Attachments:

Ordinance

Department(s) involved:

Finance, Legal

Contact person:

Susy Haugen

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Initialed by:

Department head

Administration

Council President

Consideration: Utility Tax Amending Ordinance

Project: N/A

Partner/Supplier : N/A

Location: N/A

Preceding action: N/A

Fund: General Fund

Fiscal summary statement:

This Amending Ordinance does not have a material financial impact.

Project summary statement:

Under the current Ordinance, utility taxpayers must file and pay taxes on a monthly basis. The City currently has 176 telephone utility taxpayers engaging in business in Everett, the majority of which have monthly tax liabilities of less than \$100.00 per month.

The proposed amendment would allow small utility taxpayers to be placed on a quarterly filing basis, which would coincide with B&O tax filings. This would reduce taxpayer administrative burden and the City's processing costs without materially impacting the City's cash flow.

Recommendation (exact action requested of Council):

Adopt Ordinance Relating to Utility Taxes, amending Ordinance 3384-14 Rev (EMC 3.28.090)



ORDINANCE NO. _____

An Ordinance Relating to Utility Taxes, amending Ordinance No. 3384-14 Rev (EMC 3.28.090).

WHEREAS,

- A. Utility Taxes are currently required to be filed and paid monthly under EMC 3.28.090.
- B. Business and Occupation Tax is paid quarterly or annually.
- C. There are currently 176 telephone Utility Tax payers engaging in business within the city limits of Everett, the majority of which have monthly tax liabilities of less than \$100.00 per month.
- D. Allowing Utility taxpayers with annual gross receipts in Everett of \$20,000 or less to pay Utility Taxes quarterly would reduce taxpayer administrative burden and the City's processing costs without materially impacting the City's cash flow.

NOW, THEREFORE, THE CITY OF EVERETT DOES ORDAIN:

Section 1. Section 9 of Ordinance No. 3384-14 Rev (EMC 3.28.090) is hereby amended as follows:

3.28.090 Monthly Payment.

~~The tax imposed by this chapter shall be due and payable monthly and is due on or before the last day of the next month. The tax imposed by this chapter shall be due and payable in monthly installments. At the director's discretion, businesses may be assigned to a quarterly reporting period depending on the tax amount owing or type of tax. Tax payments are due on or before the last day of the next month following the end of the assigned reporting period covered by the return.~~

Section 2. Referendum Provisions. To the extent RCW 35.21.706 is applicable, the residents of the City of Everett are put on notice that this Ordinance is subject to Article XI of the Charter of the City of Everett. Article XI entitles direct legislation and provides procedures which must be followed for exercising the power of initiative or referendum and shall be the special initiative procedure adopted in this chapter pursuant to RCW 35.21.706.

Section 3. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance including, but not limited to, the correction of scrivener's/clerkal errors, references, ordinance numbering, section/subsection numbers, and any internal references.

Section 4. The City Council hereby declares that should any section, paragraph, sentence, clause or phrase of this ordinance be declared invalid for any reason, it is the intent of the City Council that it would have passed all portions of this ordinance independent of the elimination of any such portion as may be declared invalid.

Section 5. The enactment of this Ordinance shall not affect any case, proceeding, appeal or other matter currently pending in any court or in any way modify any right or liability, civil or criminal, which may be in existence on the effective date of this Ordinance.

Section 6. It is expressly the purpose of this Ordinance to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Ordinance. It is the specific intent of this Ordinance that no provision or any term used in this Ordinance is intended to impose any duty whatsoever upon the City or any of its officers or employees. Nothing contained in this Ordinance is intended nor shall be construed to create or form the basis of any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the City related in any manner to the enforcement of this Ordinance by its officers, employees or agents.

Cassie Franklin, Mayor

ATTEST:

Sharon Fuller, City Clerk

PASSED: _____

VALID: _____

PUBLISHED: _____

EFFECTIVE DATE: _____