

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, CORRECTING THE HISTORICAL RECORD RELATING TO UTILITY SERVICES TAX RATES IMPOSED IN 2019 AND 2020, AND RATIFYING AND AFFIRMING SAME

WHEREAS, the Olympia City Council previously approved an increase of 0.5% in the municipal utility services tax rate from the City's tax rate of ten percent (10%), for an effective rate of 10.5%, commencing January 1, 2019; and

WHEREAS, the City Council subsequently approved an increase of 1.0% in the municipal utility services tax rate effective January 1, 2020, increasing the City's tax rate to 11.5%; and

WHEREAS, the tax rate changes of 0.5% for 2019 and 1.0% for 2020 were not codified in the Olympia Municipal Code (OMC) 5.84.050, following City Council approval of the rate changes; and

WHEREAS, any city or town in Washington may impose a utility business and occupation tax upon the income of public and private utilities providing service within the city boundaries and may also levy taxes on revenues generated by the city's own utility services provided both inside and outside the city boundaries, and;

WHEREAS, the historical record requires correction and ratification of these rate increases approved by the Olympia City Council, and to ratify and affirm the tax increases establishing the City's current rate of 11.5%;

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL, ORDAINS AS FOLLOWS:

Section 1. Historical Record. The historical record is corrected, ratified, and confirmed that the municipal utility services tax rate of 10% was increased with City Council approval by 0.5% to an effective rate of 10.5%, commencing January 1, 2019, and subsequently increased with City Council approval by 1.0% to an effective rate of 11.5%, commencing January 1, 2020. As of January 1, 2020, the City's municipal utility services tax rate has remained at 11.5%.

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances shall remain unaffected.

Section 3. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 4. Referendum. In accord with RCW 35.21.706, a referendum petition may be filed within seven (7) days of passage of this Ordinance with the City Clerk, as filing officer of the City of Olympia. The referendum procedure set forth in RCW 35.21.706 shall be the exclusive method for this Ordinance imposing a business and occupation tax or increasing the rate of the tax and shall supersede the procedures under Chapters 35.17 and 35A.11 RCW and all other statutory or charter provisions for initiative or referendum which might otherwise apply.

Section 4. Effective Date. This Ordinance shall take effect five (5) days after passage and publication, as provided by law.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Mark Barber
CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: