

ORDINANCE NO. 1629

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to revenue and finance, amending chapter 3.92 DMMC by increasing the City's SWM utility tax rate to fifteen percent (15%) and repealing the sunset provision at DMMC 3.92.090.

WHEREAS, the City Council has determined that there will be a deficit balance in the City's General Fund and Street Fund in 2016, and

WHEREAS, the basic City service levels would be greatly reduced without a new source of revenue, and

WHEREAS, the City Council has determined that the public interest is best served by implementing an increased SWM Utility Tax, and

WHEREAS, on October 8, 2015, by consensus, the City Council directed staff to bring forth ordinances necessary to enact the revenue recommendations presented in the City Manager's Budget to the City Council to be considered at the meeting on October 29, 2015, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary for the preservation of the public health and welfare; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 3.92.020 and section 2 of Ordinance No. 1441 as amended by section 1 of Ordinance No. 1608 are amended to read as follows:

Imposition of SWM utility tax. There is hereby created a tax in the amount of fifteen percent (15%) per year, chargeable monthly, against and upon the gross surface water management utility rates as assessed by the SWM utility of the City

Sec. 3. DMMC 3.92.030 and section 3 of Ordinance No. 1441 as amended by section 2 of Ordinance No. 1608 are amended to read as follows:

Levy and collection. There is levied a tax of fifteen percent (15%) on the surface water management utility of the City of Des Moines, which tax shall be levied upon and collected from the assessed surface water utility rates of the surface water management utility. This fifteen percent (15%) tax shall be allocated as follows: thirteen percent (13%) shall be allocated to the Des Moines General Fund and two percent (2%) shall be allocated to the Street Fund.

Sec. 3. DMMC 3.92.050 and section 5 of Ordinance No. 1441 as amended by section 3 of Ordinance No. 1608 are amended to read as follows:

Tax year. The assessment of the taxes shall commence on January 1, 2016. The tax year for purposes of this chapter shall commence on January 1st and end December 31st of each year the tax remains in effect.

Sec. 4. DMMC 3.92.090 and section 4 of Ordinance No. 1608 are repealed.

Sec. 5. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

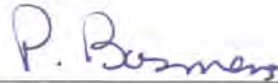
//
//
//
//
//
//
//
//

Sec. 6. Effective date. This Ordinance shall take effect and be in full force five (5) days after its final passage by the Des Moines City Council.

PASSED BY the City Council of the City of Des Moines this 5th day of November, 2015 and signed in authentication thereof this 5th day of November, 2015.


MAYOR

APPROVED AS TO FORM:



City Attorney

ATTEST:



City Clerk

Published: November 12, 2015

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1629, Adopted November 5, 2015

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to revenue and finance, amends chapter 3.92 DMMC by increasing the City's SWM utility tax rate to fifteen percent (15%) and repeals the sunset provision at DMMC 3.92.090.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins
City Clerk

Published: November 12, 2015