

COUNCIL BILL 115653

ORDINANCE 122199

AN ORDINANCE relating to the General Fund, Parks Fund and Solid Waste Fund; authorizing the annual deposit into the Solid Waste Fund and Parks Fund, of receipts of two taxes on persons in the business of collecting or transferring solid waste; and authorizing the transfer of certain funds from the General Fund to the Solid Waste Fund.

WHEREAS, Section 5.48.055 of the Seattle Municipal Code authorizes two taxes related to solid waste based on tonnage of that waste: SMC 5.48.055.A authorizes a tax on everyone engaged in, or carrying on, the business of operating a garbage transfer station or transferring solid waste generated in or outside the City from one mode of transportation to another (the "Transfer Tax"); while SMC 5.48.055.B authorizes a tax on everyone engaged in, or carrying on, the business of collecting certain non-recycled solid waste within the City (the "Collection Tax"); and

WHEREAS, the Transfer Tax and the Collection Tax are referred to collectively herein as the "Solid Waste Taxes;" and

WHEREAS, it is the intent of the Mayor and the City Council that certain proceeds of the Solid Waste Taxes be deposited in the Solid Waste Fund as Solid Waste Tonnage Fees to pay the solid waste system's costs for clean city programs and landfill closure; that certain other proceeds of the Solid Waste Taxes be deposited in the Parks Fund; and that certain funds be transferred from the General Fund to the Solid Waste Fund to pay part of the City's costs for clean city programs; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. The deposit into the Parks Fund in 2006 of ten percent (10%) of the gross receipts of the Solid Waste Taxes is hereby authorized. The deposit into the General Fund of Two hundred Ninety-four Thousand Dollars (\$294,000) in 2006, of the gross receipts of the Solid Waste Taxes, is hereby authorized.

Effective January 1, 2007, the annual deposit into the Parks Fund of ten percent (10%) of the annual gross receipts of the Solid Waste Taxes is hereby authorized.

Section 2. The remaining annual gross receipts of the Solid Waste Taxes shall be deposited in the Solid Waste Fund as Solid Waste Tonnage Fees.

Section 3. Amounts equal to the annual deposits into the Parks Fund authorized in Section 1 shall be transferred from the General Fund to the Solid Waste Fund .

Section 4. The provisions of this ordinance are declared to be separate and severable. If any one or more of the provisions of this ordinance shall be declared by any court of competent jurisdiction to be contrary to law, then such provision or provisions shall be null and void and

severed from the rest of this ordinance, and all other provisions of this ordinance shall remain valid and enforceable.

Section 5. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2006, and signed by me in open session in authentication of its passage this ____ day of _____, 2006.

President _____ of the City Council

Approved by me this ____ day of _____, 2006.

Gregory J. Nickels, Mayor

Filed by me this ____ day of _____, 2006.

City Clerk

(Seal)