



SEATTLE CITY COUNCIL

Legislative Summary

CB 118528

Record No.: CB 118528

Type: Ordinance (Ord)

Status: Passed

Version: 1

124911

In Control: City Clerk

File Created: 09/11/2015

Final Action: 12/01/2015

Title: AN ORDINANCE relating to the Transfer Tax and Collection Tax; repealing Ordinance 122199 relating to the General Fund, Parks Fund, and Solid Waste Fund.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Licata

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments: CB 118528 Att A - Ordinance 122199

Drafter: adam.schaefer@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Version:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	09/28/2015	Mayor's leg transmitted to Council	City Clerk			
	Action Text:		The Council Bill (CB) was Mayor's leg transmitted to Council. to the City Clerk				
	Notes:						
1	City Clerk	10/20/2015	sent for review	Budget Committee			
	Action Text:		The Council Bill (CB) was sent for review. to the Budget Committee				
	Notes:						
1	Full Council	10/26/2015	referred	Budget Committee			
	Action Text:		The Council Bill (CB) was referred. to the Budget Committee				
	Notes:						
1	Budget Committee	11/16/2015	pass				Pass
	Action Text:		The Committee recommends that Full Council pass the Council Bill (CB).				
	Notes:						
			In Favor: 7	Chair Licata, Member Bagshaw, Member Burgess, Member Godden, Member O'Brien, Member Rasmussen, Member Sawant			
			Opposed: 0				

Absent(NV): 1 Okamoto

1 Full Council 11/23/2015 passed Pass

Action Text: The Council Bill (CB) was passed by the following vote and the President signed the Bill:

Notes:

In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Okamoto, Councilmember Rasmussen, Councilmember Sawant

Opposed: 0

1 City Clerk 11/30/2015 submitted for Mayor
Mayor's signature

Action Text: The Council Bill (CB) was submitted for Mayor's signature. to the Mayor

Notes:

1 Mayor 12/01/2015 Signed

Action Text: The Council Bill (CB) was Signed.

Notes:

1 Mayor 12/01/2015 returned City Clerk

Action Text: The Council Bill (CB) was returned. to the City Clerk

Notes:

1 City Clerk 12/01/2015 attested by City
Clerk

Action Text: The Ordinance (Ord) was attested by City Clerk.

Notes:

CITY OF SEATTLE
ORDINANCE 12499
COUNCIL BILL 118528

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4
5 AN ORDINANCE relating to the Transfer Tax and Collection Tax; repealing Ordinance 122199
6 relating to the General Fund, Parks Fund, and Solid Waste Fund.

7
8 WHEREAS, Section 5.48.055 of the Seattle Municipal Code authorizes two taxes related to solid
9 waste based on tonnage of that waste: subsection 5.48.055.A authorizes a tax on everyone
10 engaged in, or carrying on, the business of operating a garbage transfer station or
11 transferring solid waste generated in or outside the City from one mode of transportation
12 to another (Transfer Tax); and subsection 5.48.055.B authorizes a tax on everyone
13 engaged in, or carrying on, the business of collecting certain non-recycled solid waste
14 within the City (Collection Tax); and

15 WHEREAS, the Transfer Tax and the Collection Tax are referred to collectively in this
16 ordinance as the Solid Waste Taxes; and

17 WHEREAS, Seattle City Charter Article XI, Section 3, authorizes ten percent of all license and
18 fee revenues to be deposited in the Parks Fund; and

19 WHEREAS, in 2009, the City determined through Section 8 of Ordinance 123177 that it was in
20 compliance with Seattle City Charter Article XI, Section 3, and initiated a change to
21 accounting practice in the 2009 Second Quarter Supplemental Budget Ordinance 123067,
22 Section 1, Item 1.9, to continue compliance through a more simplified process; and

23 WHEREAS, Ordinance 122199, which directs the City to deposit ten percent of Tonnage Taxes
24 to the Parks Fund, is rendered redundant by this practice; and

25 WHEREAS, the Tonnage Tax currently supports clean City programs and activities; and

1 WHEREAS, it is the intent of the Mayor and the City Council that Solid Waste Taxes will
2 continue to be used in support of clean City programs, supplemented by general funds as
3 is reasonable; NOW, THEREFORE,

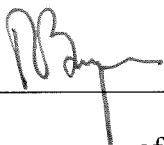
4 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

5 Section 1. Ordinance 122199, relating to the General Fund, Parks Fund, and Solid Waste
6 Fund, authorizing the annual deposit into the Solid Waste Fund and Parks Fund, and passed by
7 the City Council on August 14, 2006, and signed by the Mayor on August 17, 2006, is repealed
8 in its entirety. The repealed contents of Ordinance 122199 are included as Attachment A to this
9 ordinance.

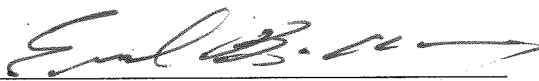
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1 Section 2. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

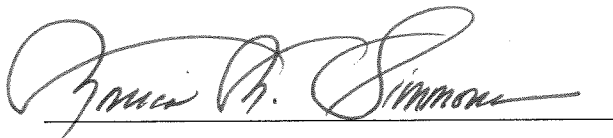
4 Passed by the City Council the 23rd day of Nov., 2015, and
5 signed by me in open session in authentication of its passage this
6 23rd day of Nov., 2015.

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8 
9 _____
10 President _____ of the City Council

11 Approved by me this 1st day of December, 2015.

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13 
14 _____
15 Edward B. Murray, Mayor

16 Filed by me this 1st day of December, 2015.

17
18 
19 _____
20 Monica Martinez Simmons, City Clerk

21
22 (Seal)

23 Attachment A: Ordinance 122199

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)