

ORDINANCE NO. 3688

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 3.20.050 TO CHANGE THE FRANCHISE FEE AND UTILITY BUSINESS LICENSE TAX RATE FOR COMMUNITY ANTENNA TELEVISION SYSTEMS, PROVIDING FOR SEVERABILITY, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the cap on franchise fee on cable operators has changed from three percent to five percent; and

WHEREAS, in addition to franchise fee, the City may also charge a utility business license tax on cable operators; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Edmonds City Code Section 3.20.050, Occupation Subject to Tax - Amounts. is hereby amended to read as follows:

3.20.050 Occupation Subject to Tax - Amounts.

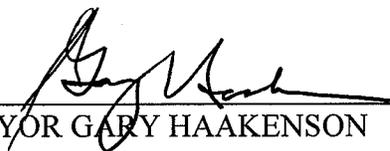
...

E. Cable Television. Pursuant to Chapter 4.68 ECC, community antenna television systems, commonly known as cable television franchisees, are hereby levied a franchise fee of five percent (five percent maximum), as authorized by 47 U.S.C. §542(a) and RCW 35.21.860, on all gross revenues derived from any source of revenue by cable television franchisees from their cable television operations in the city of Edmonds. In addition thereto, a business license tax, as authorized in part by 47 U.S.C. §542(g)(2)(A), is hereby levied equal to one percent (six percent maximum) on all gross revenues derived from any source of revenue by cable television franchisees from their cable television operations in the city of Edmonds.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. Part of this ordinance being subject to referendum as set forth in RCW 35.21.706, any duly qualified person may file a referendum petition with the city clerk within seven (7) days after the passage of this ordinance. In the event that such a petition is filed, the city clerk shall, within ten (10) days, confer with the petitioner regarding the form and style of the petition, secure an accurate, concise, and positive ballot title from the city attorney, and assign an identification number to the petition. Thereafter, the petitioner shall have thirty (30) days within which to gather signatures from not less than fifteen percent (15%) of the city's registered voters as of the last municipal general election. In the event that no referendum petition is filed within seven (7) days after the passage of this ordinance, this ordinance shall take effect five (5) days after publication of an approved summary thereof consisting of the title or after seven (7) days after the passage of this ordinance, whichever is later.

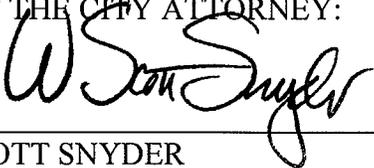
APPROVED:


MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	06/13/2008
PASSED BY THE CITY COUNCIL:	06/17/2008
PUBLISHED:	06/22/2008
EFFECTIVE DATE:	06/27/2008
ORDINANCE NO. <u>3688</u>	

SUMMARY OF ORDINANCE NO. 3688

of the City of Edmonds, Washington

On the 17th day of June, 2008, the City Council of the City of Edmonds, passed Ordinance No. 3688. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 3.20.050 TO CHANGE THE FRANCHISE FEE AND UTILITY BUSINESS LICENSE TAX RATE FOR COMMUNITY ANTENNA TELEVISION SYSTEMS, PROVIDING FOR SEVERABILITY, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 18th day of June, 2008.



CITY CLERK, SANDRA S. CHASE