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6/18/09

ORDINANCE NO. 3745

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING THE PROVISIONS OF ECC 3.20.050 TO COLLECT AND REFLECT PROPERLY THE COST OF PROVIDING FOR FIRE HYDRANTS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the City of Edmonds ("City") has both a fire department and water utility, and provides stormwater service and management functions; and

WHEREAS, providing for fire hydrants is a general governmental function, for which the City is responsible; and

WHEREAS, tax on public water utility may be used to pay for fire hydrants, as long as the tax is explicit, properly adopted, and subject to referendum;

WHEREAS, the City Council finds that the water utility tax rate referenced above needs to be changed to more accurately reflect the City's costs associated with carrying out its function and responsibility of providing for fire hydrants as a central governmental function; NOW, THEREFORE,

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

Section 1. Subsection H of 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.

...

H. City Water Utility.

The City of Edmonds, as the seller of water services, shall be subject to the tax imposed by this chapter. The water utility shall pay a license tax or fee equal to 18.7 percent on the gross income from the City's water utility.

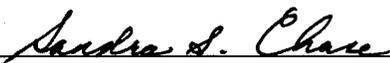
...

Section 2. Effective Date. Section 2 of this ordinance is 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, this ordinance shall take effect eight (8) days after its passage and publication of an approved summary thereof consisting of the title.

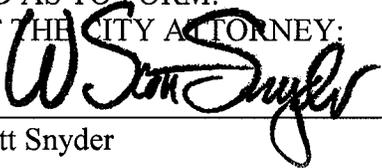
APPROVED:


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:	06/19/2009
PASSED BY THE CITY COUNCIL:	06/23/2009
PUBLISHED:	06/28/2009
EFFECTIVE DATE:	07/06/2009*
ORDINANCE NO. <u>3745</u>	

***See attached letter.**

SUMMARY OF ORDINANCE NO. 3745

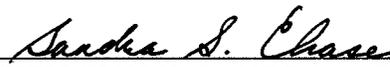
of the City of Edmonds, Washington

On the 23rd day of June, 2009, the City Council of the City of Edmonds, passed Ordinance No. 3745. 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 COLLECT AND REFLECT PROPERLY THE COST OF PROVIDING FOR FIRE HYDRANTS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

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

DATED this 24th day of June, 2009.



CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



SUMMARY OF ORDINANCE NO. 3745
of the City of Edmonds, Washington

On the 23rd day of June, 2009, the City Council of the City of Edmonds, passed Ordinance No. 3745. 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 COLLECT AND REFLECT PROPERLY THE COST OF PROVIDING FOR FIRE HYDRANTS, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.
DATED this 24th day of June, 2009.
CITY CLERK, SANDRA S. CHASE
Published: June 28, 2009.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance No. 3745

Amending the Provisions of ECC 3.20.050

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

June 28, 2009

and that said newspaper was regularly distributed to its subscribers during all of said period.

Jody Inghl

Principal Clerk

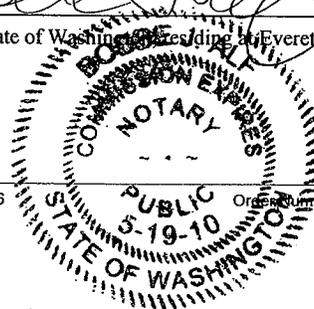
Subscribed and sworn to before me this

29th

day of June, 2009

[Signature]

Notary Public in and for the State of Washington, residing in Everett, Snohomish County.



RECEIVED

JUL 02 2009

EDMONDS CITY CLERK



CITY OF EDMONDS

121 5TH AVENUE NORTH • EDMONDS, WA 98020 • (425) 775-2525

CITY CLERK

GARY HAAKENSON
MAYOR

August 20, 2009

Lorenzo Hines
Interim Finance Director
City of Edmonds
121 5th Avenue North
Edmonds, WA 98020

RE: Effective Date of Ordinance 3745

Dear Mr. Hines:

I am notifying you as City Clerk that Ordinance No. 3745 became effective on August 9, 2009. As you may be aware, a referendum petition was filed with me as City Clerk on June 30, 2009. In accordance with RCW 35.21.706 the ordinance's effective date was suspended for a period of thirty (30) days in order to provide the petitioner an opportunity to gather signatures. The 30-day period began on July 9, 2009 and expired on August 8, 2009. Signatures have not been filed with my office and accordingly, I am informing you that Ordinance 3745 has now become effective.

Very truly yours,

Sandra S. Chase, CMC
City Clerk

cc: Mayor Haakenson
Scott Snyder, City Attorney

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