

CITY OF LANGLEY

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF LANGLEY, WASHINGTON, AMENDING PORTIONS ORDINANCE 768 CODIFIED IN THE LANGLEY MUNICIPAL CODE SECTIONS 3.16.030 F AND 3.16.130 RELATING TO UTILITY TAX LAWS RELATING TO WATER BUSINESS CONDUCTED WITHIN OR OUTSIDE THE CITY; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

WHEREAS, it is desirable to make the City's water utility business tax code consistent with ordinances of other cities in Washington; and

WHEREAS, it is equitable to extend the water utility tax to all users of the City's water system and to clarify application of this code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LANGLEY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Langley Municipal Code, Section 3.16.030 subsection F is hereby amended to read as follows - all other provisions or 3.16.030 remain unchanged:

13.16.030 subsection F

F. A tax on the sale, delivery, distribution or furnishing of water for domestic, business or industrial consumption and for the privilege of carrying on said business service in the city; provided that as to the city in the operation of its water utility, such tax shall be applicable to the gross income derived from the sale, delivery, distribution or furnishing of water for domestic, business or industrial consumption located within or outside the city; provided however, that there shall not be any tax levied for installation charges or hook-up fees.

Section 2. Langley Municipal Code, Section 3.16.130 Budget Allocation is hereby amended to read as follows:

3.16.130 Budget Allocation.

Tax revenues received ~~from long distance telephone service (toll telephone service)~~ shall be allocated to the ~~Street/Storm Drainage Fund~~. All other revenues received from this ordinance shall be allocated to the General Fund.

Section 3. Severability. If any section, paragraph, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title of this ordinance.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR AT A REGULAR PUBLIC MEETING THIS ____ DAY OF _____, 2010.

PAUL O. SAMUELSON, MAYOR

ATTEST:

Debbie L. Mahler, Director of Finance/City Clerk

APPROVED AS TO FORM:

Grant K. Weed, City Attorney

Published South Whidbey Record _____

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