

## POULSBO DISTRIBUTION SCHEDULE

**ORDINANCE NO. 2012-20**

**SUBJECT: Real Estate Excise Tax**

### CONFORM AS TO DATES & SIGNATURES

- (X) Filed with the City Clerk: 11/28/2012
- (X) Passed by the City Council: 12/12/2012
- (X) Signature of Mayor
- (X) Signature of City Clerk
- (X) Publication: 12/21/2012
- (X) Effective: 12/26/2012
- ( ) Recorded: N/A

### DISTRIBUTED COPIES AS FOLLOWS:

- (X) NK Herald: Emailed by jb
- (X) Code Publishing
- ( ) City Attorney
- ( ) Civil Service Commission and/or Sec/Chief Examiner
- ( ) Clerk's Department:
- ( ) City Council
- ( ) Finance:
- (X) Posted to Library Drive and Website

Jill A. Boltz  
City Clerk

December 14, 2012  
Date

**ORDINANCE NO. 2012-20**

AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTION 3.30.100 OF THE POULSBO MUNICIPAL CODE IN ORDER TO ALLOW REAL ESTATE EXCISE TAX REVENUES TO BE USED FOR ANY PURPOSE AUTHORIZED BY RCW 82.46.010 AND 82.46.035

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**WHEREAS**, PMC 3.30.010(A) imposes the one-quarter of one percent real estate excise tax authorized by RCW 82.46.010; and

**WHEREAS**, PMC 3.30.010(B) imposes the additional one-quarter of one percent real estate excise tax authorized by RCW 82.46.035; and

**WHEREAS**, PMC 3.30.100(A) and (B) limit the expenditure of these real estate excise tax revenues to capital projects specified in the City's capital facilities plan; and

**WHEREAS**, the Legislature amended RCW 82.46.010 and RCW 82.46.035 in 2011 in order to allow the City to expend the greater of one hundred thousand dollars or thirty-five percent of its available real estate excise tax revenues, but not greater than one million dollars, for operation and maintenance of existing capital projects during the period between July 22, 2011 and December 31, 2016; and

**WHEREAS**, the Poulsbo Finance Director has recommended that the Poulsbo City Council amend PMC 3.30.100(A) and (B) in order to allow for the expenditure of real estate excise tax revenues for any purpose authorized by state law and the Poulsbo City Council concurs in the recommendation, now, therefore,

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

Section 1. Expenditure of Real Estate Excise Tax Revenues. PMC 3.30.100 is hereby amended to read as follows:

**3.30.100 Local Capital Improvements Fund - Use of Proceeds.**

(A) There is established a City of Poulsbo capital improvements fund. All proceeds of the excise tax imposed under Section 3.30.010(A) and which are disbursed to the City shall be deposited into the fund. Moneys in the fund shall be accumulated from year to year, and may be expended at such times as the City Council shall direct for any purpose authorized by RCW 82.46.010, as the same now exists or as hereafter amended.

(B) A new and separate City of Poulsbo capital improvements fund is created for the purpose of depositing

monies received by the City pursuant to the tax imposed by Section 3.30.010(B). Revenues generated from the taxes imposed by said section shall be deposited into the fund, shall be accumulated from year to year, and may be expended at such times as the City Council shall direct for any purpose authorized by RCW 82.46.035, as the same now exists or as hereafter amended.

Section 2. Ratification and Confirmation. Actions taken and expenditures made prior to the effective date of this ordinance that are consistent with its terms are hereby ratified and confirmed.

Section 3. 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 4. Effective Date. This ordinance shall take effect five (5) days after publication of the attached summary, which is hereby approved.

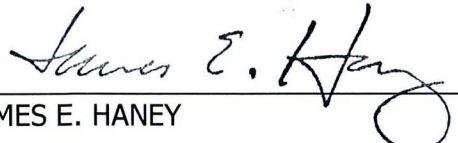
APPROVED:

  
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MAYOR REBECCA ERICKSON

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
CITY CLERK JILL A. BOLTZ, CMC

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY   
\_\_\_\_\_  
JAMES E. HANEY

FILED WITH THE CITY CLERK: 11/28/2012  
PASSED BY THE CITY COUNCIL: 12/12/2012  
PUBLISHED: 12/21/2012  
EFFECTIVE DATE: 12/26/2012  
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**SUMMARY OF ORDINANCE NO. 2012-20**

of the City of Poulsbo, Washington

On the 12th day of December, 2012, the City Council of the City of Poulsbo, passed Ordinance No. 2012-20. A summary of the content of said ordinance, consisting of the title, provides as follows:

**AN ORDINANCE OF THE CITY OF POULSBO, WASHINGTON, AMENDING SECTION 3.30.100 OF THE POULSBO MUNICIPAL CODE IN ORDER TO ALLOW REAL ESTATE EXCISE TAX REVENUES TO BE USED FOR ANY PURPOSE AUTHORIZED BY RCW 82.46.010 AND 82.46.035.**

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

DATED this 14th day of December, 2012.

  
CITY CLERK JILL A. BOLTZ, CMC