Ordinance No. 3420

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amends Ord. 3418
Repealed by Ord. 3592
ORDINANCE NO. 3420

AN ORDINANCE of the City Council of the City of Kent, Washington, making corrective amendments to Ordinance No. 3418 authorizing the assessment and collection of an additional Real Estate Excise Tax of one quarter of one percent for the purpose of financing capital projects specified in the Capital Facilities Plan element of City’s Comprehensive Plan.

WHEREAS, RCW 82.46.035 authorizes municipalities such as the City of Kent to impose an additional excise tax of one-quarter of one percent on the sales price of real property sold within the City; and

WHEREAS, pursuant to Ch. 82.46 RCW, revenues generated from this tax shall be used for financing capital projects specified in the capital facilities plan element of the City’s Comprehensive Plan; and

WHEREAS, the City Council adopted Ordinance No. 3418 to impose such a tax for financing of capital facilities in the City of Kent; and

WHEREAS, Ordinance No. 3418 did not reference the specific statutory provision that authorizes the additional one quarter of one percent real estate excise tax, thereby requiring the following amendment to Ordinance No. 3418; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Real Estate Excise Tax
SECTION 1. Chapter 3.24 entitled “Real Estate Excise Tax” is hereby amended as follows:

Chapter 3.24 Real Estate Excise Tax

Sec. 3.24.010. Levied - amount. Effective November 1, 1998, pursuant to RCW 82.46.040035, there is hereby imposed an additional excise tax on each sale of real property within the corporate limits of the City. The rate of the additional tax imposed under this chapter shall be one-quarter of one percent of the selling price on each sale of real property. The taxes imposed under this chapter shall be collected from persons who are taxable by the State under Ch. 82.45 RCW and Ch. 458-61 WAC, upon the occurrence of any taxable event, as defined therein, within the corporate limits of the City.

Sec. 3.24.020. Consistency with state tax. The taxes imposed under this chapter shall comply with all applicable rules, regulations, laws, and court decisions regarding real estate excise taxes imposed by the State under Ch. 82.45 RCW and Ch. 458-61 WAC. The provisions of those chapters shall apply as though fully set forth herein.

Sec. 3.24.030. Use of tax proceeds. All proceeds received by the City from the taxes imposed under this chapter shall be used by the City for financing capital projects specified in the capital facilities plan element of the City’s comprehensive plan pursuant to Ch. 82.46 RCW.

Sec. 3.24.040. Collection and administration. The taxes imposed under this chapter shall be paid to and collected by the Treasurer of King County in the manner provided by and consistent with State and local law. The Treasurer of King County shall act as agent for the city for the purposes of collection and administration of the tax.

SECTION 2. - Severability. If any one or more sections, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall remain in full force and effect.
SECTION 3. Effective Date. This ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

JIM WHITE, MAYOR

ATTEST:

BRENDA JACOBER, CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUBOVICH, CITY ATTORNEY

PASSED: 15 day of September, 1998.

APPROVED: 16 day of September, 1998.

PUBLISHED: 18 day of September, 1998.

I hereby certify that this is a true copy of Ordinance No. 3420, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, CITY CLERK

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Real Estate Excise Tax
ORDINANCE

No. 3420

Corrective amendments to Ord. 3418 authorizing assessment and collection of an additional Real Estate Excise Tax of 1/4% for financing capital projects specified in Capital Facilities Plan element of Comp. Plan.