

ORDINANCE NO. 4315

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KIRKLAND MUNICIPAL CODE CHAPTER 5.18 RELATING TO REAL ESTATE TAX AND AUTHORIZING THE EXPENDITURE OF SECOND QUARTER PERCENT REAL ESTATE EXCISE TAX FOR THE OPERATIONS AND MAINTENANCE OF EXISTING CAPITAL PROJECTS.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Kirkland Municipal Code ("KMC") Section 5.18.030 is hereby amended to read as follows:

5.18.030 Consistency with state tax.

The taxes imposed in this chapter shall comply with all applicable rules, regulations, laws and court decisions regarding real estate excise taxes as imposed by the state under Chapter 82.45 RCW, Chapter 82.46 RCW and Chapter 458-61 WAC. The provisions of those chapters to the extent they are not inconsistent with this chapter shall apply as though fully set forth in this chapter.

Section 2. KMC Section 5.18.045 is hereby amended to read as follows:

5.18.045 Distribution of additional excise tax.

The King County treasurer shall place one percent of the proceeds of the additional tax imposed by Section 5.18.012 of this chapter in the county current expense fund to defray costs of collection. Remaining proceeds from the additional tax imposed by Section 5.18.012 shall be distributed to the city monthly. These proceeds shall be used by the city consistent with the requirements of RCW 82.46.035 (and as that section may be amended). ~~In addition, revenues generated from the tax imposed under Section 5.18.012 of this chapter shall be used by the city solely for financing projects specified in the transportation portion of the capital facilities plan element of the city's comprehensive plan.~~ This section shall not limit the existing authority of the city to impose special assessments on property benefited thereby in the manner prescribed by law.


Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 19th day of July, 2011.


Signed in authentication thereof this 19th day of July, 2011.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney