

ORDINANCE 3549

AN ORDINANCE OF THE CITY OF KIRKLAND IMPOSING AN ADDITIONAL ONE QUARTER PERCENT EXCISE TAX ON THE SALE OF ALL REAL ESTATE IN THE CITY; PROVIDING FOR THE COLLECTION AND ADMINISTRATION THEREOF; AND AMENDING CHAPTER 5.18 OF THE KIRKLAND MUNICIPAL CODE.

Whereas, pursuant to Chapter 5.18 of the Kirkland Municipal Code, the City currently imposes an excise tax on the sale of real property in the City at the rate of one quarter of one percent of the selling price; and

Whereas, the 1990 State Legislature authorized cities that are required to plan pursuant to the Growth Management Act to impose an additional excise tax on each sale of real property in the city at a rate not exceeding one quarter of one percent of the selling price for the purpose of financing capital projects specified in a capital facilities plan element of a comprehensive plan for such city; and

Whereas, the City Council has determined that it is in the public interest to impose an additional real estate excise tax in the amount of one quarter of one percent of the selling price of all real property in the City for the purpose of providing revenue to use for transportation projects which are capital improvement needs of the City;

NOW THEREFORE, be it ordained by the City Council of the City of Kirkland as follows:

Section 1. A new Section 5.18.012 is hereby added to Chapter 5.18 of the Kirkland Municipal Code to read as follows:

5.18.012 Additional excise tax imposed.

There is imposed an additional excise tax of one quarter of one percent of the selling price on each sale of real property within the corporate limits of the City.

Section 2. The tax imposed pursuant to Section 1 of this ordinance shall be collected, administered, and otherwise subject to the provisions of Sections 5.18.020, 5.18.030, 5.18.050, 5.18.060, 5.18.070, 5.18.080, and 5.18.090 of the Kirkland Municipal Code (and as those sections may be amended).

Section 3. A new Section 5.18.045 shall be added to Chapter 5.18 of the Kirkland Municipal Code 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 1 of this ordinance 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 4. KMC 5.18.040 is hereby amended to read as follows:

5.18.040 Tax proceeds distribution and use limitations.

(a) The treasurer for King County shall place one percent of the proceeds of the taxes imposed by Section 5.18.010 in this chapter in the county current expense fund to defray costs of collection.

(b) The remaining proceeds from the city taxes imposed by Section 5.18.010 this chapter, shall be distributed to the city monthly, and those taxes imposed under Section 5.18.010 shall be placed by the ~~director of administration and finance, ex officio city treasurer for the city~~, in a municipal capital improvement fund. These funds shall be used by the city for capital improvements consistent with the requirements of RCW 82.46.010 (and as that section may be amended). ~~capital improvement funds shall be used by the city for local improvements, including but not by way of limitation, those listed in RCW 35.43.040.~~

(c) 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 5. The tax imposed pursuant to Section 1 of this ordinance, as codified in Section 5.18.012 of the Kirkland Municipal Code, shall become effective within the City of Kirkland on November 1, 1996.

Section 6. 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 regular, open meeting this 17th day of September, 1996.


Signed in authentication thereof this 17th day of
September, 1996.


MAYOR

Attest:


City Clerk

Approved as to Form:


City Attorney

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