

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO CERTAIN OCCUPATIONS SUBJECT TO BUSINESS AND OCCUPATIONS TAX, INCLUDING IMPOSING A TAX ON THE SURFACE WATER UTILITY, ALL BY AMENDING KMC 5.08.050.

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

Section 1. This section is imposing a tax on the storm or surface water utility (see new subparagraph (9)) and is also updating the rate within subparagraphs (2), (4), and (6) to reflect reductions already made on the basis of a separate provision, all by amending Section 5.08.050 of the Kirkland Municipal Code to read as follows:

5.08.050 Occupations subject to tax-Amount.

Whenever a person subject to tax under this chapter classifies customers for purposes of services rendered, commodities provided, and/or charges made therefor, as between residential and nonresidential, or as between residential and commercial, or similar classifications, such persons shall be deemed to be engaging in a separate business activity as to each such classification; provided, that the tax rates to be paid thereon shall be as established in this section.

There are levied upon and shall be collected from the persons on the account of the business activities annual license fees or occupation taxes in the amounts to be determined by the application of the rates against gross income as follows:

(1) Upon every person engaged in or carrying on the business of providing telephone service for residential domestic activities a fee or tax equal to five percent of the total gross income from such business in the city, including one hundred percent of the total gross revenues derived from toll service, during the tax year for which the license is required;

(2) Upon every person engaged in or carrying on the business of providing telephone services available for other than residential domestic activities a fee or tax equal to six ~~and one-half~~ percent of the total gross income from such business in the city, including one hundred percent of the total gross revenues derived from toll service, during the tax year for which the license is required;

(3) Upon every person engaged in and carrying on the business of selling or furnishing natural or manufactured gas for residential domestic activities' consumption, a fee or tax equal to five percent of the total gross income from such business in the city during the tax year for which the license is required;

(4) Upon every person engaged in or carrying on the business of selling or furnishing natural or manufactured gas for other than residential domestic activities' consumption, a fee or tax equal to six ~~and one-half~~ percent of the

total gross income for such business in the city during the tax year for which the license is required;

(5) Upon every person engaged in or carrying on the business of selling or furnishing electric light and power or electrical energy for residential domestic activities' consumption, a fee or tax equal to five percent of the total gross income from such business in the city during the tax year for which the license is required;

(6) Upon every person engaged in or carrying on the business of selling or furnishing electric light and power or electrical energy for other than residential domestic activities' consumption, a fee or tax equal to six and one-half percent of the total gross income from such business in the city for the tax year for which the license is required;

(7) Upon every person engaged in or carrying on the business of furnishing water distribution and/or sanitary collection services, including both sewer and refuse for residential domestic activities, a fee or tax equal to five percent of the total gross income from such business in the city during the tax year for which the license is required;

(8) Upon every person engaged in or carrying on the business of furnishing water distribution and/or sanitary collection services including both sewage and refuse for other than residential domestic activities, a fee or tax equal to six and one-half percent of the total gross income from such business in the city during the tax year for which the license is required;

~~(9) Provided, however, that the tax rate imposed by subsections (2), (4) and (6) of this section shall, in accordance with the requirements of Section 5, Chapter 99, Washington Laws of 1983, be imposed at the following rates:~~

~~(A) For the calendar year commencing January 1, 1983, .0640 of the total gross income from such business in the city;~~

~~(B) For the calendar year commencing February 1, 1984, .0635 of the total gross income from such business in the city;~~

~~(C) For the calendar year commencing January 1, 1985, .0630 of the total gross income from such business in the city;~~

~~(D) For the calendar year commencing January 1, 1986, .0625 of the total gross income from such business in the city;~~

~~(E) For the calendar year commencing January 1, 1987, .0620 of the total gross income from such business in the city;~~

~~(F) For the calendar year commencing January 1, 1988, .0615 of the total gross income from such business in the city;~~

~~(G) For the calendar year commencing January 1, 1989, .0610 of the total gross income from such business in the city;~~

~~(H) For the calendar year commencing January 1, 1990, .0605 of the total gross income from such business in the city;~~

~~(I) For the calendar year commencing January 1, 1991, and thereafter, .06 of the total gross income from such business in the city.~~

(9) Upon every person conducting or operating a storm water and/or surface water utility for any customer, including residential and commercial

customers, a fee or tax equal to six percent of the total gross income from such business in the city during the tax year for which the license is required.

Section 2. 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; provided that this ordinance is subject to the procedures of KMC Chapter 5.10.

Passed by majority vote of the Kirkland City Council in open meeting this 11th day of December, 2001.

Signed in authentication thereof this 11th day of December, 2001.




MAYOR

Attest:



City Clerk

Approved as to Form:



City Attorney

Ord\02utilitytax