



**DEPARTMENT OF PUBLIC WORKS** 210 Lottie Street, Bellingham, WA 98225  
Telephone (360) 676-6961 ♦ FAX (360) 676-6894

April 7, 2005

Mr. Ed Nikula  
Sanitary Service Company  
Post Office Box 1702  
Bellingham WA 98227

Dear Mr. Nikula:

RE: Ordinance No. 2005-03-026

Enclosed please find a fully-executed copy of the above-referenced ordinance which amends Bellingham Municipal Code Chapter 4.76 to increase the solid waste utility tax rate in order to fund the environmental cleanup of the City's landfill sites.

Sincerely,

Sue Hodges  
Administrative Coordinator

/shh

Enclosure

Section 3 The Finance Director will notify the Council when the bonds used to finance the landfill cleanups have been repaid in full, so that the Council may review the tax rate at that time.

PASSED by Council on 21st day of May, 2005.

**ORDINANCE NO. 2005-03-026**

**AN ORDINANCE RELATING TO THE SOLID WASTE UTILITY, AMENDING BELLINGHAM MUNICIPAL CODE CHAPTER 4.76, TO INCREASE THE SOLID WASTE UTILITY TAX RATE IN ORDER TO FUND THE ENVIRONMENTAL CLEANUP OF THE CITY'S LANDFILL SITES.**

**WHEREAS**, the current tax rate imposed on garbage collection and disposal activities is 7%; and

**WHEREAS**, the City is one of the potentially liable parties under the Model Toxics Control Act for the cleanup of historic landfills and is therefore legally required to clean up the landfills; and

**WHEREAS**, the City will need additional revenue to cover the legally mandated cleanup costs; and

**WHEREAS**, the landfills are contaminated as a result of the garbage collected from garbage customers; and

**WHEREAS**, by increasing the tax rate to 11.5% sufficient funds will be generated to cover the City's portion of the cost of the landfill cleanups; and

**WHEREAS**, 11.5% is the rate currently charged on the City's water, wastewater and stormwater utilities;

**• NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1.** Section 4.76.020 – Rate in Bellingham Municipal Code will be amended as follows:

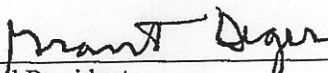
The rate of tax imposed by this chapter shall be **11.5%** of the gross income from garbage collection and disposal activities conducted in the city.

**Section 2.** The effective date of these changes will be for the period starting May 1, 2005.


**City of Bellingham**  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Telephone (360) 676-6903

Section 3. The Finance Director will notify City Council when the bonds issued to finance the landfill cleanups have been repaid in full, so that City Council may review the tax rate at that time.

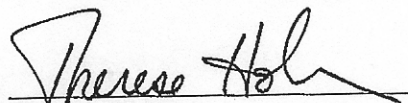
PASSED by Council this 21<sup>st</sup> day of MARCH, 2005.

  
Council President

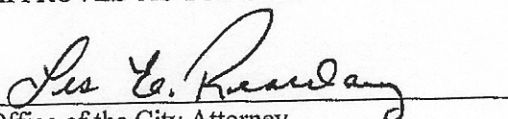
APPROVED by me this 25<sup>th</sup> day of March, 2005.

  
Mayor

ATTEST:

  
Finance Director

APPROVED AS TO FORM:

  
Office of the City Attorney

Published: MARCH 25, 2005

City of Bellingham  
CITY ATTORNEY  
210 Lottie Street  
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Telephone (360) 676-6903

ORDINANCE - utility tax increase - clean (2)