

TOWN OF CARBONADO

ORDINANCE NO. 410

**AN ORDINANCE OF THE TOWN OF CARBONADO,
WASHINGTON AMENDING SECTION 4 OF ORDINANCE
NO. 373, INCREASING THE ELECTRIC UTILITY TAX
TO 6%**

WHEREAS, the Town of Carbonado has attempted to keep its electric utility tax as low as possible while still assuring quality governmental services to its citizens and businesses; and

WHEREAS, due to the current economic climate and decrease in revenues from other sources, an increases in the electric utility taxes to 6% is appropriate in order to provide additional Town revenue;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF CARBONADO, WASHINGTON, AS FOLLOWS:

Section 1. Section 4 of Ordinance No. 373 is hereby amended to read as follows:

Section 4. Utility Tax Imposed. From and after May 1, 2010, there is levied upon, and shall be collected from a person because of certain business activities engaged in or carried on in the town of Carbonado, taxes in the amount to be determined by the application of rates given against gross income as follows:

1. Upon a person engaged in or carrying on the business of selling, furnishing, or transmitting electric energy, a tax equal to 3% of the total gross income from such business in the town of Carbonado during the period for which the tax is due, provided that from and after March 1, 2014, the tax upon a person engaged in or carrying on the business of selling, furnishing, or transmitting electric energy, shall be equal to 6% of the total gross income from such business in the town of Carbonado during the period for which the tax is due;

2. Upon a person engaged in or carrying on any telephone business a tax equal to 6% of the total gross income, including income from intrastate long distance toll service, from such business in the town of Carbonado during the period for which the tax is due;

3. Upon a person engaged in or carrying on the business of selling, furnishing or transmitting cable television service, a tax equal to 6% of the total gross income from such business in the town of Carbonado during the period for which the tax is due.

Section 2. Referendum Procedure. The provisions of this ordinance are subject to the referendum procedure as follows:

1. A referendum petition seeking to repeal this ordinance shall be filed with the town clerk, who shall be designated the person to receive petitions of all types, within seven days of the passage by the town council of this ordinance or publication thereof, whichever is later.

2. Within ten days, the town clerk shall confer with the petitioner concerning the form and style of the petition, issue an identification number for the petition, and cause to be written a ballot title for the measure.

3. The ballot title shall be posed as a question, so that an affirmative answer to the question and an affirmative vote on the measure results in the tax or tax rate increase being imposed, and a negative answer to the question and a negative vote on the measure results in the tax or tax rate increase not being imposed. The petitioner shall be notified of the identification number and ballot title within this ten-day period.

4. After notification of the identification number and ballot title, the petitioner shall have 30 days in which to secure on petition forms the signatures of not less than 15% of the registered voters of the Town and to file the signed petitions with the town clerk.

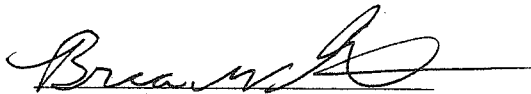
5. Each petition form shall contain the ballot title and the full text of the measure to be referred. The town clerk shall verify the sufficiency of the signatures on the petitions. If sufficient valid signatures are properly submitted, the town clerk shall cause the referendum measure to be submitted to the town voters at the next election within the town or at a special election as provided pursuant to RCW 35.17.260(2).

Section 3. Severability. Each and every provision of this Ordinance shall be deemed severable. In the event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

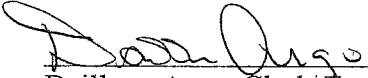
Section 4. Effective Date. This Ordinance shall be in full force and effect five (5) days after publication as required by law. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

Passed by the Town Council on the 16th day of December, 2013.

Approved by the Mayor on the 16th day of December 2013.

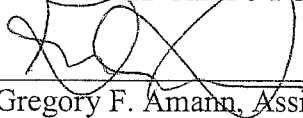

Brian Whitmore, Mayor

ATTEST:



Daillene Argo, Clerk-Treasurer

APPROVED AS TO FORM:



Gregory F. Amann, Assistant Town Attorney