

3.60.030 Tax levied – Electrical, telephone, cellular telephone, cable television, garbage, and natural gas.

There is hereby levied upon and there shall be collected from every person, firm or corporation engaged in or carrying on the following business for hire or for sale of a commodity or a service within or partly within the corporate limits of the city the tax for the privilege of so doing business as hereinafter defined:

A. Upon the sale, delivery or distribution of electricity and electrical energy, such tax to be equal to three percent of the total gross revenues derived from the sales of such electricity to ultimate users within the city limits; provided, that from January 1, 2012, through December 31, 2035, such tax shall be equal to six percent of the total gross revenue derived from the sales of such electricity to ultimate users within the city limits. For purposes of determining gross revenues, amounts received from contract industrial service contract power (CP) customers (industrial nonportfolio power contracts) shall be as if the gross revenues so received equaled the amount that would have been received if the power rate charged to contract industrial service contract power customers equaled the amount that would have been received for the same power at contract industrial service schedule CP rates for portfolio power. No tax shall be imposed upon that portion of gross revenues that is attributable to a temporary rate surcharge imposed by the electrical utility upon its ratepayers.

B. Upon the sale, delivery or distribution of natural gas and/or artificial gas for domestic, business or industrial consumption, such tax to be equal to four and one-half percent of the total gross revenues derived from the sales of such gas to ultimate users within the city; provided, that from January 1, 2013, through December 31, 2035, such tax shall be equal to six percent of the total gross revenue derived from the sales of such gas to ultimate users within the city.

C. Upon any telephone business there shall be levied a tax equal to four and one-half percent of the total gross revenues, including revenues from intrastate toll, derived from the operation of such business within the city limits; provided, that from January 1, 2013, through December 31, 2035, such tax shall be equal to six percent of the total gross revenue, including revenues from intrastate toll, derived from the operation of such business within the city limits. Gross operating revenues for this purpose shall not include charges which are passed on to the subscribers by a telephone company pursuant to tariffs required by regulatory order to compensate for the cost to the company of the tax imposed by this chapter.

“Telephone business” means the business of providing access to a local telephone network, local telephone network switching service, toll service or coin telephone services, or providing telephonic, video, data or similar communication or transmission for hire, via a local telephone network, toll line or channel or similar communication or transmission system. It includes cooperative or farmer lines

telephone companies or associations operating an exchange. "Telephone business" does not include the providing of competitive telephone service, nor the providing of cable television service.

"Competitive telephone service" means the providing by any person of telephone equipment, apparatus or service, other than toll service, which is of a type which can be provided by persons that are not subject to regulation as telephone companies under RCW Title 80 and for which a separate charge is made.

D. From January 1, 2013, through December 31, 2035, upon the business of providing cellular telephone service, a tax equal to six percent of the total gross income from such business in the city. "Cellular telephone service" means a two-way voice and data telephone/telecommunications system based in whole or substantially in part on wireless radio communications and which is not subject to regulation by the Washington Utilities and Transportation Commission (WUTC). This includes cellular mobile service. The definition of cellular mobile service includes other wireless radio communications services such as specialized mobile radio (SMR), personal communications services (PCS) and any other evolving wireless radio communications technology which accomplishes the same purpose as cellular mobile service.

E. From January 1, 2013, through December 31, 2035, upon the business of providing garbage collection service, including recyclables and yard waste, such tax to be equal to six percent of the total gross revenues of such business within the city.

F. From January 1, 2013, through December 31, 2035, upon the business of providing cable television services, a tax equal to six percent of the total gross income from gross subscriber revenues in the city. For purposes of this chapter, "gross subscriber revenues" means and includes those revenues derived from the supplying of subscription services, that is, installation fees, disconnect and reconnect fees, fees for regular cable benefits including the transmission of broadcast signals and access and origination channels and per-program or per-channel charges; it does not include leased channel revenue, advertising revenue, or any other income derived from the system. For purposes of this chapter, "cable television services" means the one-way transmission of video programming and associated nonvideo signals to subscribers together with subscriber interaction, if any, which is provided in connection with video programming. (Ord. 1893 § 1, 2014; Ord. 1815 § 2, 2012; Ord. 1754 § 1, 2011; Ord. 1417 § 1, 2001; Ord. 1397 § 1, 2000; Ord. 1254 § 1, 1996; Ord. 1238 § 1, 1996; Ord. 1186 § 1, 1994; Ord. 1141 § 1, 1993; Ord. 1108 § 1, 1992; Ord. 1087 §§ 2, 3, 4, 1991; Ord. 1055 § 1, 1990; Ord. 1049 § 1, 1990; Ord. 885 § 3, 1986).