

**ORDINANCE NO. 3262**

**AN ORDINANCE** of the City of Puyallup, Washington, amending Section 5.08.030 and 5.10.030 of the Puyallup Municipal Code to adjust rates for private utility and telephone taxes.

**WHEREAS**, the Puyallup City Council last amended tax rates on utility related charges under PMC 5.08.030 and 5.10.030 with the passage of Ordinance No. 2950 on February 9, 2010; and

**WHEREAS**, during the budget study session on October 11, 2022, the City Council reviewed the 2023-24 preliminary biennial budget, which includes a rate increase to the business tax on private utilities; and

**WHEREAS**, the rate increase is necessary to continue funding core services to the community at or near the current level; and

**WHEREAS**, the City Council deems it is in the best interests of the City and the community to adjust the rate applicable to all private utilities in support of core services;

**NOW THEREFORE, THE CITY COUNCIL FOR THE CITY OF PUYALLUP ORDAINS AS FOLLOWS:**

**Section 1.** Subsections (1), (2), (3), (5) and (6) of Section 5.08.030 of the Puyallup Municipal Code are hereby amended as follows.

**5.08.030 Tax designated.**

There shall be levied an annual tax as follows:

(1) From and after ~~April 1, 2010~~ January 1, 2023, there is levied upon, and there shall be collected from, every person, firm or corporation engaged in furnishing, for a monetary consideration, the city and the inhabitants thereof with electricity and electrical energy for lighting, heating, power and other public purposes, within or partly within the city limits, an annual tax for the privilege of so doing, such tax to be equal to ~~two and two-tenths~~ three and two tenths percent of the total gross subscribers' revenues from business and residential electrical power service in the city. From and after January 1, 2024, such tax will be four and two tenths percent.

(2) From and after ~~April 1, 2010~~ January 1, 2023, there is levied upon, and there shall be collected from, every person, firm or corporation engaged in furnishing, for a monetary consideration, the city and the inhabitants thereof with natural gas or manufactured gas for lighting, heating, power and other public purposes, within or partly within the city limits, an annual tax for the privilege of so doing, such tax to be equal to ~~two and two-~~

~~tenths three and two tenths~~ percent of the total gross subscribers' revenues from business and residential gas service, both natural and manufactured, in the city. From and after January 1, 2024, such tax will be four and two tenths percent.

(3) From and after ~~April 1, 2010~~ January 1, 2023, there is levied upon everyone engaged in the business of operating or conducting a cable television system (CATV), a fee or tax equal to ~~two and two tenths~~ three and two tenths percent of the total gross income from gross subscriber revenues. From and after January 1, 2024, such tax will be four and two tenths percent. For purposes of this chapter, "gross subscriber revenues" means and includes those receipts derived from the supplying of subscription service, that is, fees for regular cable benefits including the transmission of broadcast signals and access and origination channels and per-program and per-channel charges. Gross subscriber revenues do not include leased channel receipts, advertising receipts, or any other income derived from the system.

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(5) From and after ~~April 1, 2010~~ January 1, 2023, there is levied upon, and there shall be collected from, every person, firm or private corporation engaged in furnishing garbage or solid waste collection services, as defined in Chapter 6.12 PMC, within or partly within the city limits, a fee or tax equal to ~~two and two tenths~~ three and two tenths percent of the total gross revenues, as defined by Chapter 6.12 PMC, from such business conducted within the city of Puyallup, as indicated by billing and/or charges to or for Puyallup customers. From and after January 1, 2024, such tax will be four and two tenths percent.

(6) From and after ~~April 1, 2010~~ January 1, 2023, there is levied upon, and there shall be collected from, every municipal corporation engaged in furnishing garbage or recycling service within or partly within the city limits, a fee or tax equal to ~~two and two tenths~~ three and two tenths percent of the total gross income from such business in the city. From and after January 1, 2024, such tax will be four and two tenths percent. "Total gross income" is defined as the total billing net of any state tax collected under RCW 82.18.030 and any amount paid to a person, firm, or private corporation for the collection and disposal of the garbage or recycled materials for which a tax is paid under the preceding subsection or is exempt from said tax in the preceding subsection.

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**Section 2.** Section 5.10.030 of the Puyallup Municipal Code, which generally addresses the telephone business, is hereby amended as follows:

**5.10.030 Tax designated.**

From and after January 1, 2023, ~~There~~ shall be levied an annual tax equal to ~~two and two tenths~~ three and two tenths percent of the total gross income derived from the operation of a telephone business within the city. From and after January 1, 2024, such

tax will be four and two tenths percent.

**Section 3.** If a section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance unless the whole purpose and intent of this ordinance is destroyed. If the provisions of this ordinance are found to be inconsistent with the other provisions of the Puyallup Municipal Code, this ordinance is deemed to control.

**Section 4.** The City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

**Section 5.** This ordinance shall take effect on January 1, 2023 and shall be applied to the beginning of the billing cycle for the private utility.

**PASSED** at an open public meeting by the City Council for the City of Puyallup on the 22<sup>nd</sup> day of November, 2022.

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Dean Johnson  
Mayor

Approved as to form:

Attest:

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Joseph N. Beck  
City Attorney

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Tulika Makharia  
Interim City Clerk

Published: November 25, 2022  
Effective: January 1, 2022