



**ORDINANCE NO. 3044**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON,  
AMENDING SECTION 3.41.030 OF THE LYNNWOOD MUNICIPAL  
CODE RELATING TO CITY UTILITY TAXES; AND PROVIDING FOR  
SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY  
PUBLICATION.**

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WHEREAS, the City Council is authorized by Chapters 35.21 and 35.22 RCW to collect excise taxes from persons conducting business within the City; and

WHEREAS, the City Council has determined that the public interest is best served by reducing utility taxes; now therefore

THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 3.41.030 of the Lynnwood Municipal Code is hereby amended as follows:

**3.41.030 Businesses subject to tax.**

There is hereby levied upon all persons engaged in business activities taxable under this chapter a tax in the amounts to be determined by the application of the respective rates against gross income of such taxpayer. Taxpayers engaged in or carrying on the business shall be charged with collection of the tax as a condition of doing business, and the tax shall be levied thereafter upon their subscribers at the rate set forth below.

A. Upon every person engaged in or carrying on a telephone business, as defined in RCW 82.04.065, as said statute presently exists or is hereafter amended, a tax equal to six percent (6%) of the total gross income, including revenues for intrastate toll, derived from the operation of such business within the city. To the extent permitted by applicable federal and Washington State law, any telecommunications services provided by a cable operator (as defined in 47 U.S.C. Section 522(5)) or other persons over cable television facilities owned or controlled by a cable operator shall be taxable hereunder.

B. Upon every person engaged in or carrying on the sale of cellular telephone service, a tax equal to six percent (6%) of the total gross income derived from the operation of such business within the city.

C. Upon every person engaged in the business of operating or providing pager service, a tax equal to six percent (6%) of the total gross income derived from the operation of such business within the city.

D. Upon every person engaged in or carrying on the business of cable television service, a tax equal to six percent (6%) of the total gross income derived from the operation of such business within the city.

E. Upon every person engaged in or carrying on the business of solid waste collection, a tax equal to six percent (6%) of the total gross income derived from the operation of such business within the city.

F. Upon every person engaged in or carrying on the business of electricity service, a tax equal to six (6%) of the total gross income derived from the operation of such business within the city.

G. Upon every person engaged in or carrying on the business of gas distribution, a tax equal to six (6%) of the total gross income derived from the operation of such business within the city.

H. Commencing on January 1, 2014, upon every person engaged in or carrying on the business of sewerage operation (which includes surface water drains and outfalls), a tax equal to four (4%) of the total gross income derived from the operation of such business within the city.

I. Commencing on January 1, 2014, upon every person engaged in or carrying on the business of water distribution operation, a tax equal to four (4%) of the total gross income derived from the operation of such business within the city.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

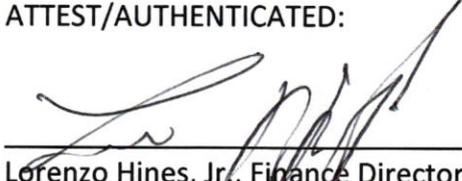
Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

PASSED BY THE CITY COUNCIL, the 11th day of December, 2013 and approved by the Mayor this \_\_\_\_\_ day of December, 2013.

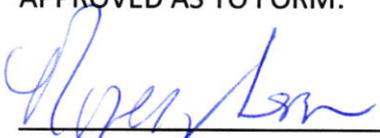
APPROVED: "Ordinance deemed valid without Mayor's approval pursuant to RCW 35.A.12.130" as of Dec. 24, 2013

\_\_\_\_\_  
Don Gough, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Lorenzo Hines, Jr., Finance Director

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Rosemary Larson, City Attorney

PASSED BY THE CITY COUNCIL: 12/11/2013  
PUBLISHED: ~~12/18/2013~~ 1/1/14  
EFFECTIVE DATE: 12/23/2013 1/1/14  
ORDINANCE NUMBER: 3044



On the 11<sup>th</sup> day of December, 2013, the City Council of the City of Lynnwood, Washington, passed Ordinance No. 3044. A summary of the content of said ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3044**

**AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING SECTION 3.41.030 OF THE LYNNWOOD MUNICIPAL CODE RELATING TO CITY UTILITY TAXES; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.**

The full text of this ordinance will be mailed upon request.

DATED this 18<sup>th</sup> day of December, 2013.

  
\_\_\_\_\_  
Lorenzo Hines, Finance Director

# Everett Daily Herald

## Affidavit of Publication

STATE OF WASHINGTON }  
COUNTY OF SNOHOMISH } ss

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice is a true copy of City Ordinances - Ordinances 3036, 3043-3044 535877

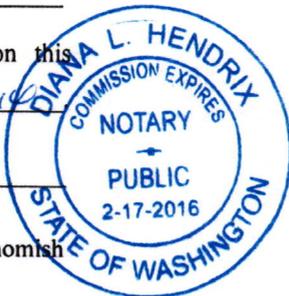
a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

1 issue(s), such publication commencing on 01/01/2014 and ending on 01/01/2014 and that said newspaper was regularly distributed to its subscribers during all of said period. The amount of the fee for such publication is \$ 38.64.

Karen E. Zorn

Subscribed and sworn before me on this 1st day of January, 2014

Diana L. Hendrix



Notary Public in and for the State of Washington, residing at Everett, Snohomish County.

City of Lynnwood EDH127890 - PO: ORD 3036, 3043-3044  
ORDERED BY: LORENZO HINES JR.

**LYNNWOOD WASHINGTON**

On the 11th day of December the City Council of the City of Lynnwood, Washington, passed Ordinances 3036, 3043 and 3044. A summary of the content of said ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3036**  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ADOPTING MODIFICATIONS TO THE 2013-2014 BIENNIAL BUDGET; PROVIDING FOR TRANSMITTAL OF THE BUDGET MODIFICATION TO THE STATE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3043**  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING ESTABLISHED FEES AND CHARGES FOR THE 2013-2014 BIENNIUM AND REPEALING CURRENT FEES AND CHARGES; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

**ORDINANCE NO. 3044**  
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING SECTION 3.41.030 OF THE LYNNWOOD MUNICIPAL CODE RELATING TO CITY UTILITY TAXES; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.  
DATED this 30th day of December, 2013.  
Lorenzo Hines Jr., Finance Director  
Published: January 1, 2014.



**LYNNWOOD**  
WASHINGTON

## **CERTIFICATE**

I, the undersigned, Lorenzo Hines Jr., the duly appointed City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3044 of the City of Lynnwood, Washington, entitled as follows:

### **ORDINANCE NO. 3044**

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PUBLICATION.**

That said ordinance was passed by the Council on December 11th, 2013 of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on December 18, 2013.

  
\_\_\_\_\_  
Lorenzo Hines, Jr., City Clerk of the  
City of Lynnwood, Washington