



**LYNNWOOD**  
WASHINGTON

**ORDINANCE NO. 3104**

**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 increasing utility taxes; now therefore

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

**Section 1.** Section 3.41.030, Paragraphs H and I, 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.

H. Commencing on January 1, 2015, upon every person engaged in or carrying on the business of sewerage operation (which includes surface water drains and outfalls), a tax equal to six (6%) of the total gross income derived from the operation of such business within the city.

I. Commencing on January 1, 2015, upon every person engaged in or carrying on the business of water distribution operation, a tax equal to six (6%) of the total gross income derived from the operation of such business within the city.

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

- A. A referendum petition seeking to repeal this Ordinance shall be filed with the Finance Director/City Clerk, who shall be designated the person to receive petitions of all types, within seven days of the passage by the City Council of this Ordinance.
- B. Within ten days, the Finance Director/City 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.
- C. 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.
- D. After notification of the identification number and ballot title, the petitioner shall have thirty days in which to secure on petition forms the signatures of not less than fifteen percent of the registered voters of the City as of the last municipal general election, and to file the signed petitions with the Finance Director/City Clerk.
- E. Each petition form shall contain the ballot title and the full text of the measure to be referred. The Finance Director/City Clerk shall verify the sufficiency of the signatures on the petitions. If sufficient valid signatures are properly submitted, the Finance Director/City Clerk shall cause the referendum measure to be submitted to the City voters at the next election within the City or at a special election as provided pursuant to RCW 35.17.260(2).

**Section 3. Exclusive Procedure.** Pursuant to RCW 35.21.706, the referendum procedure set forth in Section 3 above, shall be the exclusive referendum procedure for the utility tax imposed herein, and shall supersede the procedures, to the extent applicable, under Chapter 35A.11 and all other statutory provisions for initiative or referendum which might otherwise apply.

**Section 4. 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 5. 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 8<sup>th</sup> day of December, 2014 and signed in authentication of its passage this 29<sup>th</sup> day of December, 2014.

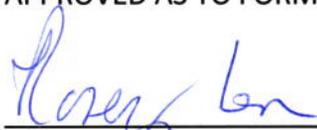
APPROVED:

  
\_\_\_\_\_  
Nicola Smith, Mayor

ATTEST/AUTHENTICATED:

  
\_\_\_\_\_  
Art Ceniza, Acting as City Clerk

APPROVED AS TO FORM:

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

PASSED BY THE CITY COUNCIL: 12/08/2014  
PUBLISHED: 12/17/2014  
EFFECTIVE DATE: 12/22/2014  
ORDINANCE NUMBER: 3104



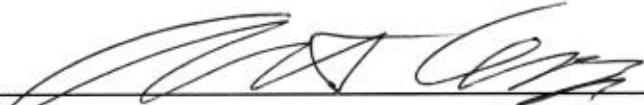
On the 8th day of December, 2014 the City Council of the City of Lynnwood, Washington, passed ordinance 3104. A summary of the content of this ordinance, consisting of the title, provides as follows:

**ORDINANCE NO. 3104**

**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 17th day of December, 2014.



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Art Ceniza Acting as City Clerk for the City of Lynnwood

# Everett Daily Herald

## Affidavit of Publication

State of Washington }  
County of Snohomish } ss

Kathleen Landis being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH605936 ORDINANCES as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 12/17/2014 and ending on 12/17/2014 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$145.00.

Kathleen Landis

Subscribed and sworn before me on this

17 day of December  
2014

Debra Ann Grigg

DEBRA ANN GRIGG  
Notary Public  
State of Washington  
My Commission Expires  
October 31, 2017

Notary Public in and for the State of  
Washington.

City of Lynnwood - LROAL ADS | 1412799  
DEBBIE KARBBER



On the 8th day of December, 2014 the City Council of the City of Lynnwood, Washington, passed ordinances 3091 and 3094 through 3104. A summary of the content of these ordinances, consisting of the title, provides as follows:

**ORDINANCE NO. 3091**

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ADOPTING A TWO YEAR BIENNIAL BUDGET FOR THE CITY OF LYNNWOOD, WASHINGTON, FOR THE YEARS ENDING DECEMBER 31, 2015 AND 2016; TRANSMITTING BUDGET COPIES TO THE STATE; AND PROVIDING FOR AN EFFECTIVE DATE, SEVERABILITY, AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3095**

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, EXTENDING FOR SIX MONTHS THE CITY'S MORATORIUM ON THE ACCEPTANCE AND FILING OF APPLICATIONS FOR, AND THE LICENSING, ESTABLISHMENT, LOCATION, OPERATION, MAINTENANCE AND CONTINUATION OF MARIJUANA BUSINESSES AND MARIJUANA OPERATIONS UNDER WASHINGTON STATE INITIATIVE NO. 502; AMENDING SECTION 5 OF ORDINANCE NO. 2998 AS AMENDED BY SECTION 2 OF ORDINANCE 3039 AND SECTION 2 OF ORDINANCE 3061; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**ORDINANCE NO. 3096**

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, EXTENDING FOR SIX MONTHS THE CITY'S MORATORIUM ON THE ACCEPTANCE AND FILING OF APPLICATIONS FOR, AND THE LICENSING, ESTABLISHMENT, LOCATION, OPERATION, MAINTENANCE AND CONTINUATION OF MEDICAL CANNABIS COLLECTIVE GARDENS; AMENDING SECTION 5 OF ORDINANCE NO. 2999 AS AMENDED BY SECTION 2 OF ORDINANCE NO. 3040 AND SECTION 2 OF ORDINANCE NO. 3062; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

**ORDINANCE NO. 3097**

AN ORDINANCE OF THE CITY OF LYNNWOOD WASHINGTON, ADOPTING MODIFICATIONS TO THE 2013-2014 BUDGET; PROVIDING FOR TRANSMITTAL OF THE BUDGET MODIFICATION TO THE STATE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3098**

AN ORDINANCE AMENDING THE SPECIAL RATES CHARGED FOR WATER, SEWER, AND SURFACE WATER SERVICES; AMENDING SECTIONS 13.20.080, OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

**ORDINANCE NO. 3099**

AN ORDINANCE OF THE CITY OF LYNNWOOD WASHINGTON, ADOPTING MODIFICATIONS TO THE 2013-2014 BUDGET; PROVIDING FOR TRANSMITTAL OF THE BUDGET MODIFICATION TO THE STATE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3100**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE POSITION OF ADMINISTRATIVE ASSISTANT TO THE CITY COUNCIL; AUTHORIZING A STEP INCREASE IN BASE HOURLY WAGES; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE, AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3101**

AN ORDINANCE OF THE CITY OF LYNNWOOD WASHINGTON, ADOPTING MODIFICATIONS TO THE 2013-2014 BUDGET; PROVIDING FOR TRANSMITTAL OF THE BUDGET MODIFICATION TO THE STATE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

**ORDINANCE NO. 3102**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LYNNWOOD, WASHINGTON, PROVIDING FOR THE ANNUAL TAX LEVY FOR THE FISCAL YEAR COMMENCING JANUARY 1, 2015, BY INCREASING THE REGULAR PROPERTY TAX LEVY BY THE CURRENT LEVY LIMIT, THEREBY LEVYING AN ESTIMATED REGULAR PROPERTY TAX LEVY OF \$9,470,000, AND EMS LEVY OF \$2,390,942 AS REQUIRED BY THE LAWS OF THE STATE OF WASHINGTON; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

**ORDINANCE NO. 3103**

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, AMENDING ESTABLISHED FEES AND CHARGES FOR THE 2015-2016 BIENNIAL AND REPEALING CURRENT FEES AND CHARGES; PROVIDING FOR SEVERABILITY; ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR SUMMARY PUBLICATION.

**ORDINANCE NO. 3104**

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 17th day of December, 2014.

City Clerk for the City of Lynnwood  
EDH605936

Published: December 17, 2014.



**LYNNWOOD**  
WASHINGTON

## **CERTIFICATE**

I, the undersigned, Art Ceniza, the duly appointed Acting 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. 3104 of the City of Lynnwood, Washington, entitled as follows:

**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.**

That said ordinance was passed by the Council on December 8th, 2014 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 17, 2014.



Acting City Clerk of the City of Lynnwood WA