

ORDINANCE NO. 1893-16

AN ORDINANCE OF THE CITY OF MILTON, WASHINGTON,
AMENDING MILTON MUNICIPAL CODE CHAPTER 3.17.010
LODGING EXCISE TAX; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, by Chapter 67.28 RCW, the State Legislature authorizes the City of Milton to impose a lodging tax on all who charge to provide lodging; and

WHEREAS, the City Council previously approved under Ordinance No. 15-1858 the imposition of an additional lodging excise tax of two percent under RCW 67.28.181; and

WHEREAS, the unique circumstance of the City being located in two counties makes the imposition of this additional lodging excise tax under RCW 67.28.181 challenging; and

WHEREAS, the City Council finds that additional research should be conducted into the propriety of this additional lodging excise tax before inclusion of it in the code; and

WHEREAS, the City further clarifies that the tax previously imposed under RCW 67.28.180 applies only to the portion of the City that lies in Pierce County;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MILTON, WASHINGTON, HEREBY DO ORDAIN AS FOLLOWS:

Section 1. Amendment of 3.17.010 MMC. Ordinance No. 15-1858 and Section 3.17.010 of the Milton Municipal Code is hereby amended to provide as follows (additions are shown by underline and deletions shown by strikeout):

3.17.010 Imposition of Tax. There ~~are~~is hereby levied a lodging excise tax of two percent under RCW 67.28.180 that shall apply to all charges made for the furnishing of lodging within the Pierce County portion of the City only, and an additional lodging excise tax of two percent under RCW 67.28.181, collection of which shall begin as soon as possible pursuant to State Department of Revenue requirements, but not later than ~~June~~July 1, 2016, upon the sale of or charge made for the furnishing of lodging by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property.

Section 2. Severability. In the event that a court of competent jurisdiction ultimately invalidates any section, sentence or provision of this ordinance, said invalidation shall not affect the remaining provisions hereof.

Section 3. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

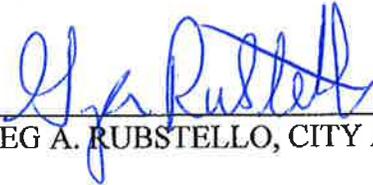
PASSED AND APPROVED by a vote of 7 for, 0 against, by the City Council of the City of Milton, Washington, at a special scheduled meeting thereof this 4th day of April, 2016.


DEBRA PERRY, MAYOR

ATTEST/AUTHENTICATED:


KATIE BOLAM, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

GREG A. RUBSTELLO, CITY ATTORNEY

FILED WITH THE CITY CLERK: 4/5/2016
PASSED BY THE CITY COUNCIL: 4/4/2016
PUBLISHED: 4/6/2016
EFFECTIVE DATE: 4/11/2016
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