

ORDINANCE NO. 1548

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON, relating to the City's Business and Occupation Tax and adding a new subsection to DMMC 3.84.100 establishing a tax exemption for new businesses as an incentive for a period of three (3) years or twelve (12) consecutive quarters for new businesses through December 31, 2015.

WHEREAS, Washington Constitution, Article XI, section 12; RCW 35A.11.020 and 35A.82.020; and chapter 3.84 DMMC authorize cities to levy and collect a Business and Occupation Tax on the gross income of those engaging in business within the City as defined in DMMC 3.84.030(13), and

WHEREAS, encouraging new business is of economic benefit to the City in providing added employment opportunities for residents and increased tax revenues to support municipal services, and

WHEREAS, the Council Finance and Economic Development Committee has recommend that a Business and Occupation Tax exemption should be established as an incentive for new businesses licensed before December 31, 2015 within the City of Des Moines, now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. A new subsection is added to DMMC 3.84.100 DMMC to read as follows:

New business exemption established. An exemption to the Business and Occupation Tax is hereby established for businesses applying for their initial business license, with their principal place of business in the City between October 1, 2012 and December 31, 2015. Said new businesses shall receive an exemption for the total Business and Occupation tax due at each filing, for a period of three (3) years or twelve (12) consecutive quarters from said business' date of inception. The quarter within which the business license is granted shall be counted as the first quarter.

Sec. 2. Codification. Section 1 of this Ordinance shall be codified as a new subsection in DMMC 3.84.100 entitled *New business exemption*.

Sec. 3. Severability - Construction.

(1) 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.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

Sec. 4. Effective date. This Ordinance shall take effect and be in full force five (5) days after its passage, approval, and publication in accordance with law.

PASSED BY the City Council of the City of Des Moines this 30th day of August, 2012 and signed in authentication thereof this 30th day of August, 2012.


M A Y O R

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: September 5, 2012

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1548, Adopted August 30, 2012.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to the City's Business and Occupation Tax and adds a new subsection to DMMC 3.84.100 establishing a tax exemption for new businesses as an incentive for a period of three (3) years or twelve (12) consecutive quarters for new businesses through December 31, 2015.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC
City Clerk

Published: September 5, 2012