

ORDINANCE NO. 1625

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON authorizing the Transportation Benefit District to increase the annual vehicle license fee in accordance with state law.

WHEREAS, on November 20, 2008, the City Council enacted Ordinance No. 1447 establishing a Transportation Benefit District (hereinafter "TBD") and authorizing a Transportation Benefit District Board annual vehicle license fee in the amount of \$20.00 per vehicle to be used for eligible expenditures on the City's arterial roadways, and

WHEREAS, Ordinance No. 1447 was repealed and replaced by Ordinance No. 1578 in September 26, 2013 in the City's reorganization of Title 12 DMMC, and

WHEREAS, recent Washington State Legislative changes to RCW 36.63.065 authorize a TBD to increase the vehicle license fee above \$20.00 provided that a vehicle license fee of \$20.00 had been imposed for at least twenty-four months, and

WHEREAS, the City of Des Moines has not been able to fund the pavement overlay program within the City since 2009, and

WHEREAS, the City Council finds it in the best interest of the City of Des Moines to authorize the TBD Board to increase the annual vehicle license fee to an amount authorized by law for the purposes of pavement preservation of the arterial infrastructure of the City of Des Moines, consistent with chapter 36.73 RCW; now therefore,

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

Sec. 1. DMMC 12.30.080 and section 99 of Ordinance No. 1578 are amended to read as follows:

Establishment of vehicle license fee revenue source. The board shall have the authority to establish an annual vehicle license fee in an amount consistent with RCW 36.73.065, to be collected by the Washington Department of Licensing on qualifying vehicles, set forth in RCW 82.80.140 and chapters 36.73 and 46.16 RCW.

Sec. 2. 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. 3. Effective date. This Ordinance shall take effect and be in full force five (5) days after its final passage by the City Council.

PASSED BY the City Council of the City of Des Moines this 20th day of August, 2015 and signed in authentication thereof this 20th day of August, 2015.


M A Y O R

APPROVED AS TO FORM:


Assistant City Attorney

ATTEST:


City Clerk

Published: August 25, 2015

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1625, Adopted August 20, 2015.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance authorizes the Transportation Benefit District to increase the annual vehicle license fee in accordance with state law.

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

Bonnie Wilkins
City Clerk

Published: August 25, 2015