




City of Arlington Council Agenda Bill

**Item:
WS #5
Attachment
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COUNCIL MEETING DATE:	
April 23, 2018	
SUBJECT:	
Ordinance correcting a typographical error in Ordinance No. 2014-016, relating to the sunset provision of Ordinance 2011-032 relating to utility taxes, retroactive to the date of adoption	
ATTACHMENTS:	
Draft Ordinance	
DEPARTMENT OF ORIGIN	
Administration; Kristin Banfield – City Clerk (360) 403-3444 Legal; Steve Peiffle – City Attorney (360) 435-2168	
EXPENDITURES REQUESTED:	None
BUDGET CATEGORY:	N/A
BUDGETED AMOUNT:	N/A
LEGAL REVIEW:	
DESCRIPTION:	
Staff has prepared an ordinance to correct a typographical error in Ordinance No. 2014-016 relating to the sunset provision of Ordinance 2011-032 relating to utility taxes. City staff recently determined that Section 1 of Ordinance 2014-016 contained a typographical error by inadvertently repealing Section 4 of Ordinance 2011-032 instead of Section 6 of Ordinance 2011-032. The ordinance also makes the correction effective to the October 20, 2014 adoption date of Ordinance 2014-016.	
HISTORY:	
Ordinance 2014-016 was adopted for the purpose reaffirming the utility taxes of the City and to eliminating the “sunset provision” in Ordinance No. 2011-032.	
ALTERNATIVES:	
Remand to staff for further revision.	
RECOMMENDED MOTION:	
Workshop; discussion only. At the May 7, 2018 council meeting, the recommended motion will be, “I move to approve the proposed ordinance correcting a typographical error in Ordinance No. 2014-016, relating to the sunset provision of Ordinance 2011-032 relating to utility taxes, retroactive to the date of adoption.”	

ORDINANCE NO. 2018-XXX

AN ORDINANCE CORRECTING A TYPOGRAPHICAL ERROR IN ORDINANCE 2014-016, RELATING TO THE SUNSET PROVISION OF CITY ORDINANCE 2011-032 RELATING TO UTILITY TAXES, RETROACTIVE TO THE DATE OF ADOPTION

WHEREAS, on October 20, 2014 the City Council of the City of Arlington, Washington, adopted Ordinance 2014-016, entitled “AN ORDINANCE OF THE CITY OF ARLINGTON, WASHINGTON EXTENDING THE RATE OF UTILITY TAXES FOR ELECTRICAL, COAXIAL TELEVISION CABLE TELEVISION, WATER, SEWER, STORMWATER AND GARBAGE SERVICES AS SET FORTH IN ARLINGTON ORDINANCE 2011-032 AND REPEALING THE SUNSET CLAUSE IN SAID ORDINANCE”; and

WHEREAS, Ordinance 2014-016 was adopted for the purpose reaffirming the utility taxes of the City and to eliminating the “sunset provision” in Ordinance No. 2011-032; and

WHEREAS, the City did continue to charge utility taxes consistent with the intent of the ordinance; and

WHEREAS, the City subsequently determined that Section 1 of Ordinance 2014-016 contained a typographical error by inadvertently repealing Section 4 of Ordinance 2011-032 instead of Section 6 of Ordinance 2011-032; and

WHEREAS, the City wishes to correct the error caused by the typographical errors, retroactively to the date of adoption;

NOW, THEREFORE, the City Council of the City of Arlington does hereby ordain as follows:

Section 1. Section 1 of Arlington Ordinance No. 2014-016 shall be and hereby is corrected, retroactive to its date of adoption on October 20, 2014, to read:

Section 1. Section 4~~6~~ of Arlington Ordinance 2011-032, adopted by the City on December 19, 2011 shall be and hereby is repealed.

Section 2. The title of this ordinance which summarizes the contents shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five (5) days after the date of publication.

PASSED by the City Council of the City of Arlington and APPROVED by the Mayor this
_____ day of _____, 2018.

CITY OF ARLINGTON

Barbara Tolbert, Mayor

ATTEST:

Kristin Banfield, City Clerk

APPROVED AS TO FORM:

Steven J. Peiffle, City Attorney