# SEATTLE CITY COUNCIL

## Legislative Summary

### CB 118739

**Record No.:** CB 118739 **Type:** Ordinance (Ord) **Status:** Passed

**Version:** 1 **Ord. no:** Ord 125110 **In Control:** City Clerk

**File Created:** 06/01/2016

**Final Action:** 08/17/2016

**Title:** AN ORDINANCE increasing the fee or tax on persons engaged in or carrying on the business of the collection of garbage, rubbish, trash, CDL waste, and other solid waste; amending Seattle Municipal Code Section 5.48.055; and providing a special referendum opportunity as required by state law.

**Date**

**Notes:**

**Filed with City Clerk:**

**Mayor's Signature:**

**Sponsors:** Herbold

**Vetoed by Mayor:**

**Veto Overridden:**

**Veto Sustained:**

**Attachments:**

**Drafter:** adam.schaefer@seattle.gov

**Filing Requirements/Dept Action:**

**History of Legislative File** **Legal Notice Published:** ☐ Yes ☐ No

| Version: | Acting Body: | Date: | Action: | Sent To: | Due Date: | Return Date: | Result: |
|---|---|---|---|---|---|---|---|
| 1 | City Clerk | 07/12/2016 | sent for review | Council President's Office | | | |
| | **Action Text:** | The Council Bill (CB) was sent for review. to the Council President's Office | | | | | |
| | **Notes:** | | | | | | |
| 1 | Council President's Office | 07/15/2016 | sent for review | Civil Rights, Utilities, Economic Development, and Arts Committee | | | |
| | **Action Text:** | The Council Bill (CB) was sent for review. to the Civil Rights, Utilities, Economic Development, and Arts Committee | | | | | |
| | **Notes:** | | | | | | |
| 1 | Full Council | 07/25/2016 | referred | Civil Rights, Utilities, Economic Development, and Arts Committee | | | |

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|---|---|---|---|---|---|
| 1 | Civil Rights, Utilities, Economic Development, and Arts Committee | 07/26/2016 | discussed | | |
| | **Action Text:** | The Council Bill (CB) was discussed. | | | |
| | **Notes:** | | | | |
| 1 | Civil Rights, Utilities, Economic Development, and Arts Committee | 08/09/2016 | pass | | Pass |
| | **Action Text:** | The Committee recommends that Full Council pass the Council Bill (CB). | | | |
| | | In Favor: | 2 | Chair Herbold, Member O'Brien | |
| | | Opposed: | 0 | | |
| 1 | Full Council | 08/15/2016 | passed | | Pass |
| | **Action Text:** | The Council Bill (CB) was passed by the following vote, and the President signed the Bill: | | | |
| | | In Favor: | 8 | Councilmember Bagshaw, Councilmember Burgess, Councilmember González , Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien | |
| | | Opposed: | 0 | | |
| 1 | City Clerk | 08/16/2016 | submitted for Mayor's signature | Mayor | |
| 1 | Mayor | 08/17/2016 | Signed | | |
| | **Action Text:** | The Council Bill (CB) was Signed. | | | |
| | **Notes:** | | | | |
| 1 | Mayor | 08/17/2016 | returned | City Clerk | |
| 1 | City Clerk | 08/17/2016 | attested by City Clerk | | |
| | **Action Text:** | The Ordinance (Ord) was attested by City Clerk. | | | |
| | **Notes:** | | | | |

# CITY OF SEATTLE

**ORDINANCE** 125110

COUNCIL BILL 118739

AN ORDINANCE increasing the fee or tax on persons engaged in or carrying on the business of the collection of garbage, rubbish, trash, CDL waste, and other solid waste; amending Seattle Municipal Code Section 5.48.055; and providing a special referendum opportunity as required by state law.

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Subsection 5.48.055.B of the Seattle Municipal Code, which section was last amended by Ordinance 123747, is amended as follows:

**5.48.055 Solid waste activities subject to tax – Amount**

* * *

B. Upon everyone, including The City of Seattle, engaged in or carrying on the business of solid waste collection services, a tax measured by the following:

1. A tax measured by gross income from solid waste collection services in Seattle which includes any charges to customers for transferring, processing, treating, storage, or disposal:

a. Prior to April 1, ((~~2005, ten (10)~~)) 2017, 11.5 percent of the total gross income from solid waste collection services in Seattle, less income derived from the activities identified in subsection 5.48.055.C ((~~of this section~~)).

b. Effective April 1, ((~~2005, eleven and one-half (11.5)~~)) 2017, 14.20 percent of the total gross income from solid waste collection services in Seattle, less income derived from the activities identified in subsection 5.48.055.C ((~~of this section~~)).

((~~2. A tax measured by solid waste tonnage collected:~~

~~a. Effective through December 31, 2006, Twelve Dollars and Forty Cents ($12.40) per ton of solid waste collected in Seattle, excluding the tonnage from recycling when such recycling contains no more than ten (10) percent non-recyclable material by volume, yard and food waste destined for composting, items to be reused or scrapped for salvage, and/or sand and gravel for construction of a public improvement.~~

~~b. Effective January 1, 2007 through December 31, 2009, Thirteen Dollars and Sixty Five Cents ($13.65) per ton of solid waste collected in Seattle, excluding the tonnage from recycling, yard and food waste destined for composting, items to be reused or scrapped for salvage, solid waste used for beneficial use as approved by Seattle Public Utilities, soils, and/or sand and gravel for construction of a public improvement.~~

~~c. After December 31, 2009, the collection tax measured by the tons of solid waste as imposed in this subsection SMC 5.48.055 B 2 is eliminated.~~))

* * *

Section 2. Pursuant to RCW 35.21.706, this ordinance is subject to the referendum procedure specified in that state law. A referendum petition may be filed within seven days of the passage of the ordinance with the filing officer of the City, which is hereby designated to be the City Clerk, located on the third floor of City Hall, 600 Fourth Avenue, Seattle, Washington. Within ten days of filing the petition, the City Clerk shall confer with the petitioner concerning the form and style of the petition, issue the petition an identification number, and secure an accurate, concise, and positive ballot title from the City Attorney. The petitioner shall then have thirty days in which to secure the signatures of not less than fifteen percent of the registered voters of the City, as of the last municipal general election, upon petition forms which contain the ballot title and the full text of the measure to be referred. Signed petition forms that are

submitted timely to the City Clerk shall be transmitted to the King County Director of Records and Elections who shall verify the sufficiency of the signatures on the petition and report to the City Clerk. If sufficient valid signatures are properly submitted, the City Clerk shall so inform the City Council, which shall submit the referendum measure to the voters at a special election to be held on the next City election date, as provided in RCW 29A.04.330, that occurs not less than forty-five days after the county's report of sufficiency is received by the City Clerk, unless a general election will occur within ninety days of receipt of that report, in which event the proposed ordinance will be submitted at the general election. RCW 35.21.706, provides that the referendum procedure in this section is exclusive and that this ordinance is not subject to any other referendum or initiative process.

Section 3. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the 15th day of August, 2016, and signed by me in open session in authentication of its passage this 15th day of August, 2016.

President _____ of the City Council

Approved by me this 17th day of August, 2016.

Edward B. Murray, Mayor

Filed by me this 17th day of August, 2016.

Monica Martinez Simmons, City Clerk

(Seal)