

ORDINANCE NO. 1090

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING ORDINANCE NO. 1077, PASSED BY THE CITY COUNCIL ON JULY 20, 1982, WHICH IMPOSED A ONE-HALF PERCENT SALES AND USE TAX AS AUTHORIZED BY SECTION 17, CHAPTER 49, FIRST EXTRAORDINARY SESSION, LAWS OF 1982, REVISING THE PROCEDURES FOR SPECIAL INITIATIVE PETITION OF SECTION 2 OF SUCH ORDINANCE.

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WHEREAS, the City Council passed Ordinance No. 1077 on July 20, 1982, imposing a one-half of one percent sales and use tax as authorized by Section 17, Chapter 49, First Extraordinary Session, Laws of 1982, and

WHEREAS, Section 19 of Chapter 49, First Extraordinary Session, Laws of 1982, which require that Ordinance No. 1077 be subject to voter approval or rejection, was widely interpreted to require that such ordinance be subject to such voter approval or rejection before becoming effective, and

WHEREAS, the Washington State Attorney General has issued his opinion that ordinances imposing the one-half percent sales and use tax be effective in the same manner as similar ordinances but remain forever subject to voter approval or rejection through a Special Initiative Petition procedure as set forth in RCW 35A.11.100, and

WHEREAS, the City Council now finds it necessary to amend Section 2 of the Ordinance No. 1077 to insure conformance with state law, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 2 of Ordinance 1077, passed by the City Council on July 20, 1982 is hereby amended to read as follows:

Section 2. This ordinance shall be subject to a Special Initiative proposing that the tax imposed by this ordinance be changed or repealed. The number of registered voters needed to sign a petition for Special Initiative shall be fifteen percent of the total number of names of persons listed as registered voters within the City on the day of the last preceding general election. If a Special Initiative Petition is filed with the City Council, the operation of this ordinance shall not be suspended pending the City Council or voter approval of the Special Initiative and the tax imposed herein shall be collected until each Special Initiative is approved by the City Council or the voters. The procedures for the exercise of the general powers of initiative and referendum as presently adopted by the City of Redmond and as set forth in RCW 35A.11.100 shall apply to any such Special Initiative Petition.

Section 2. The remaining portions of Ordinance No. 1077 shall not be affected.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. This ordinance shall be in full force and effect five (5) days after passage and publication by posting as provided by law.

APPROVED:

  
MAYOR, CHRISTINE T. HIMES

ATTEST/AUTHENTICATED:

  
CITY CLERK, PAUL F. KUSAKABE

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK: November 16, 1982  
PASSED BY THE CITY COUNCIL: November 16, 1982  
POSTED: November 18, 1982  
EFFECTIVE DATE: November 23, 1982