

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5253

AN ORDINANCE regarding rate and fee increases enacted by the City Council between July 2, 1999, and December 31, 1999; ratifying the actions of the Council regarding those rate and fee increases; and reenacting the same.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The City Council makes the following findings relating to actions taken in 1999 to increase certain rates and fees:

- A. In 1999, as part of a thorough budget review process, the City adopted certain rate and fee increases that may be determined to fall within the definition of "tax" increases under Initiative 722, which was adopted by a vote of the people of the state on November 7, 2000.
- B. Increases in utility rates were made in 1999 to offset the costs of providing services and maintain the financial viability of the utilities, as required by bond covenants.
- C. Increases in fees were consistent with policies calling for periodic update of fees and to achieve adequate cost recovery.
- D. The rate and fee increases enacted in 1999 were adopted in accordance with applicable laws and furthered community goals.

Section 2. The enactments of the City Council from July 2, 1999, through December 31, 1999 which may be determined to fall within the meaning of the term "tax" increase as that term is used in Initiative 722, including but not limited to Ordinance 5177, School Impact Fees for Issaquah School District No. 411; Ordinance 5182, Water Consumption, Water Service and Water Service for Fire Protection Fees; Ordinance 5183, Storm and Surface Water Drainage Rates and Charges; Ordinance 5184, Sewerage Service Charges; Ordinance 5185, Fees for applications requiring construction, land use, fire, survey, transportation, utility and clearing and grading review and inspection; Ordinance 5186, Right of Way Use Code permit fees; and Ordinance 5191, Panoram Premises and Manger's Licenses, each is hereby ratified and reaffirmed effective as of the date of its original enactment.

Section 3. The enactment's of the City Council from July 2, 1999, through December 31, 1999 which may be determined to fall within the meaning of the term "tax" increase as that term is used in Initiative 722, including but not limited to the Ordinances specifically referenced in section 2 above, each is hereby reenacted.

Section 4. Each separate reenactment under Section 3 above shall have the same effective date as the original enactment.

Section 5. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision of the ordinance to other persons or circumstances, is not affected. The City Council hereby declares its intention that each and every section or portion of a section of this ordinance may be severed from and shall survive a finding of invalidity of any other section or portion of a section hereof, and that each such section or portion of a section shall go into effect independent of and notwithstanding any such finding of invalidity, and, to that end, declares its intention that each section or portion of a section of this ordinance be enacted and become effective independent of each and every other section or portion of a section hereof that might subsequently be determined for any reason to be invalid.

Section 6. This ordinance shall take effect and be in force five (5) days after its passage and legal publication.

Passed by the City Council this 27th day of November, 2000, and signed in authentication of its passage this 27th day of November, 2000.

(SEAL)

Chuck Mosher, Mayor

Approved as to form:
Richard L. Andrews, City Attorney
Richard Gidley, Deputy City Attorney

Attest:
Myrna L. Basich, City Clerk

Published December 1, 2000