

ORDINANCE NO. 232

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, AMENDING CHAPTER 4.35, UTILITY TAX, OF THE UNIVERSITY PLACE MUNICIPAL CODE TO EXTEND THE UTILITY TAX ELIGIBILITY TO ALL LOW INCOME HOUSEHOLDS.

WHEREAS, Chapter 4.35, Utility Tax, of the University Place Municipal Code established a utility tax; and

WHEREAS, Chapter 4.35, Utility Tax, of the University Place Municipal Code established a utility tax refund for seniors or disabled persons, set low income criteria at 50 percent of median income, and established that all eligible households will be entitled to a maximum annual refund of \$20.00;

WHEREAS, the City Council wishes to extend the eligibility for a refund of utility tax to all low income households within the City; and

WHEREAS, Council wishes to amend Chapter 4.35, Utility Tax, of the University Place Municipal Code, extending the annual refund of \$10.00, with an additional \$10.00 refund for gas utility customers; NOW THEREFORE:

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Amending Section 4.35.210 Definitions. Section 4.35.210 Definitions to the University Place Municipal Code is hereby amended as follows:

Chapter 4.35.210 Definitions

The words, phrases and terms used in this ordinance shall have the following meanings:

- A. "Low income" means a household earning less than 50 percent of median income as defined by the U.S. Department of Housing and Urban Development, as verified by Pierce County department of social services through the community development block grant regulations, as amended annually.
- B. "Household" means a single service address such as house or apartment number, regardless of the number of persons living at the service address.
- C. "~~Senior citizen~~" means a person 62 years of age or older.
- D. "~~Disabled person~~" means a person retired from regular gainful employment by reason of a physical or mental disability. ~~Physical or mental disability means the condition of being disabled, resulting in the inability to pursue an occupation because of physical or mental impairment. A doctor's signed statement constitutes proof of such disability and shall be required before the exemption may be granted. This statement shall indicate the expected period or term of the disability.~~

Section 2. Amending Section 4.35.220 Refund Application Procedures. Section 4.35.220 Refund Application Procedures to the University Place Municipal Code is hereby amended as follows:

Chapter 4.35.210 Refund Application Procedures

A. Eligible low income households ~~senior or disabled persons~~ who meet low income criteria shall apply each year by June 30th to City Hall for a refund as a credit for payment of utility tax paid during the preceding year.

B. Each applicant will be asked to sign a sworn statement that his or her household's income meets the refund programs low income criteria.

C. ~~To establish eligibility, seniors must bring a drivers license or birth certificate as proof of age and disabled persons must bring a signed doctor's statement.~~ The Finance Director shall establish procedures to carry out the low income household utility tax refund program.

Section 3. Amending Section 4.35.230 Refund Amounts. Section 4.35.230 Refund Amounts to the University Place Municipal Code is hereby amended as follows:

Chapter 4.35.230 Refund Amounts

All eligible senior or disabled households will be entitled to an annual refund of \$10.00, with an additional \$10.00 refunded for gas utility customers for utility taxes collected through December 31 1999 and refunded in 2000. All eligible low income households will be entitled to an annual refund of \$56.00, with an additional \$9.00 refunded for gas utility customers for utility taxes collected beginning January 1, 2000 and refunded in 2001.

Section 4. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 5. Publication and Effective Date. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. This ordinance shall take effect on January 1, 2000.

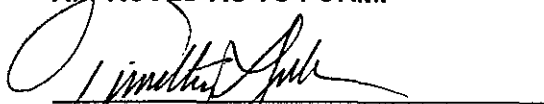
PASSED BY THE CITY COUNCIL ON APRIL 19, 1999.


Debbie Klosowski, Mayor

ATTEST:


Susan Matthew, City Clerk

APPROVED AS TO FORM:


Timothy X. Sullivan, City Attorney

Date of Publication: April 22, 1999
Effective Date: January 1, 2000