

ORDINANCE NO. 12-001

AN ORDINANCE OF THE KELSO TRANSPORTATION BENEFIT DISTRICT AUTHORIZING A VEHICLE LICENSE FEE OF TWENTY DOLLARS AND IDENTIFYING PROJECTS TO BE FUNDED

WHEREAS, after holding a public hearing on November 6, 2012, the Kelso City Council established a Kelso Transportation Benefit District by Ordinance No. 12-3778, as authorized under RCW 35.21.255 and subject to the provisions of RCW 36.73; and

WHEREAS, the Kelso Transportation Benefit District includes the entire City of Kelso as the boundaries currently exist or as are expanded upon annexation; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose up to a \$20 annual vehicle license fee for transportation projects within the district; and

WHEREAS, a public hearing was held on December 4, 2012, regarding the adoption of the \$20 annual vehicle license fee and the selection of projects; and

WHEREAS, the Board finds that it is in the best interest of the District to establish an annual vehicle license fee in the amount of \$20 for the purposes of preserving, maintaining, operating, constructing or reconstructing the transportation infrastructure of the City of Kelso consistent with the state, regional, and local transportation plans.

NOW, THEREFORE,

THE BOARD OF THE KELSO TRANSPORTATION BENEFIT DISTRICT DOES
HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Fee Established. An annual vehicle license fee in the amount of twenty dollars (\$20) is hereby established, consistent with RCW 36.73.065, to be collected by the Washington Department of Licensing on qualifying vehicles as set forth in RCW 82.80.140 and RCW 36.73.

SECTION 2. Projects.

The funds generated by the transportation benefit district shall be used for transportation improvements that construct, preserve, maintain and operate the existing transportation infrastructure of the City, consistent with the requirements of Chapter 36.73 RCW. The funds may be utilized for any lawful purpose under the Chapter; but all funds raised through the TBD shall be expended only for such construction, preservation, maintenance and operation in accordance with the provisions of Chapter 36.73 RCW as the same exists or is hereafter amended. The funds expended by the District shall construct, preserve, maintain and operate the City's transportation infrastructure, reduce the risk of transportation facility failure, improve safety, continue the cost-effectiveness of the City's infrastructure investments, and continue the optimal performance of the transportation system. Additional transportation improvement projects may be funded only after compliance with the provisions of RCW 36.73.050(b) following notice, public hearing and enactment of an authorizing ordinance.

SECTION 3. Collection of fee. The vehicle license fee established in this Ordinance shall take effect as soon as the Washington Department of Licensing (DOL) is reasonably able to incorporate collection of the \$20 vehicle license fee. Vehicle license fees will not be collected sooner than six months after approval as provided in RCW 82.80.140. The Board requests that the City Clerk notify DOL of the vehicle license fee and request DOL to take all steps necessary to implement the collection of this vehicle license fee in accordance with RCW 82.40.140.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the

other provisions or application of this Ordinance.

SECTION 5. Effective Date. This Ordinance shall be in full force and effect 5 after its passage and publication of summary as required by law.

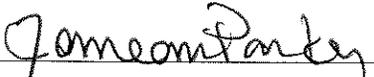
ADOPTED by the ~~City Council~~ ^{BOARD} and SIGNED by the ~~Mayor~~ ^{CHAIR} this 4th day of December, 2012.

ATTEST/AUTHENTICATION:



CITY CLERK

APPROVED AS TO FORM:



CITY ATTORNEY

PUBLISHED: December 8, 2012



~~MAYOR~~
CHAIR