ORDINANCE NO. 001-15


WHEREAS, sales and use tax defined in RCW 82.14.020 is required to be collected upon the amount of parking pass rates established for city parking lots as defined in POMC 10.12.480; and

WHEREAS, the City was notified by the Department of Revenue that sales tax has not been collected; and

WHEREAS, City paid the amount due from parking rate fee revenue that is otherwise considered revenue of the General Fund; and

WHEREAS, the City’s adopted budget includes $10,300 to be collected in 2015 and paid to the Department of Revenue for sales and use tax on parking pass rates; and

WHEREAS, staff has verified that pursuant to RCW 82.14.020, sales and use tax are required to be collected and will modify the municipal code to reflect the tax; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Chapter 10.12 of the Port Orchard Municipal Code is hereby amended as follows:

10.12.600 Parking passes are established for city parking lots defined in POMC 10.12.580 and are subject to sales and use tax defined in RCW 82.14.020(3) and shall be collected upon the amount of parking pass rates established as follows:

1. HOURLY PUBLIC PARKING PASS: An Hourly Public Parking Pass is available to the general public and will require the payment as designated in subsection 1(a) in United States Currency through electronic payment in an electronic parking pay station or similar instrument provided near the parking space for each one hour interval.
(a) Hourly Public Parking Pass rates are as follows:

Effective January 1, 2011: $1.00

2. DAILY PUBLIC PARKING PASS: A Daily Public Parking Pass is available to the general public and will require the payment as designated in subsection 2(a) in United States Currency through electronic payment in an electronic parking pay station or similar instrument provided near the parking space for each twelve hour interval or part thereof.

(a) Daily Public Parking Pass rates are as follows:

Effective January 1, 2011: $5.00

3. MONTHLY PUBLIC PARKING PASS: A Monthly Public Parking Pass is available to the general public and will require the payment as designated in subsection 3(a) in United States Currency through electronic payment in an electronic parking pay station or similar instrument provided near the parking space. The monthly pass will be good for 31 consecutive calendar days from the date of purchase. Monthly parking passes are non-refundable; guarantee designated parking spaces from the hours of 4 a.m. to 10 a.m. except Saturday, Sunday, and federal holidays; and will not be prorated.

(a) Monthly Public Parking Pass rates are as follows:

Effective January 1, 2011: $90.00

4. DOWNTOWN MERCHANT PARKING PASS: A Downtown Merchant Parking Pass is available to documented business owners, and their documented employees, whose businesses and place of employment is located in the downtown Port Orchard area between and including the 500 and 1300 blocks of Bay Street and the north and west side of Prospect Street. Downtown Merchant Parking Passes will require the payment as designated in subsection 4(a) in United States Currency and may be purchased from the City Treasurer's Office. Downtown Merchant Parking Passes are non-refundable; guarantee designated parking spaces between the hours of 4 a.m. and 10 a.m. except Saturday, Sunday and federal holidays; and will not be pro-rated.

(a) Downtown Merchant Parking Pass rates are as follows:

Effective January 1, 2011: $30.00

5. COMMUTER VANPOOL OR CARPOOL PARKING PASS (3 or more persons per vehicle-registered with Kitsap Transit): A Commuter Vanpool or Carpool Parking Pass is available to registered vanpools and carpools
and will require the payment as designated in subsection 5(a) in United States Currency. Commuter Vanpool or Carpool Parking Passes may be purchased from the City Treasurer's Office. Commuter Vanpool or Carpool Parking Passes are non-refundable; guarantee designated parking spaces between the hours of 4 a.m and 10 a.m except Saturday, Sunday and federal holidays; and will not be pro-rated. Does not apply to City Employee Lot #8 Carpool designated stalls.

(a) Commuter Vanpool or Carpool Parking Pass rates are as follows:

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<tr>
<th>Effective January 1, 2011</th>
<th>$30.00</th>
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6. **CONTRACTOR'S PARKING PASS**: Effective January 1, 2011 Contractor's Parking Pass be $8.00 per day per parking space per 24 hour period. The purpose of this pass is to accommodate a temporary need of parking, as determined by the City Engineer.

**SECTION 2. Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**SECTION 3.** This ordinance shall be in full force and effect five (5) days after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

PASSED by the City Council of the City of Port Orchard, APPROVED by the Mayor and attested by the City Clerk in authentication of such passage this 13th day of January 2015.

Timothy C. Matthes, Mayor

Brandy Rinearson, CMC, City Clerk

Carol A. Morris, Interim City Attorney

John Claason, Councilmember

**ATTEST:**

**APPROVED AS TO FORM:**

**SPONSORED BY:**
NOTICE OF CITY OF PORT ORCHARD
ORDINANCE

The following is a summary of an Ordinance approved by the Port Orchard City Council at their regular Council meeting held January 13, 2015.

ORDINANCE NO. 001-15


Copies of Ordinance No. 001-15 are available for review at the office of the City Clerk of the City of Port Orchard. Upon written request a statement of the full text of the Ordinance will be mailed to any interested person without charge. Thirty days after publication, copies of Ordinance No. 001-15 will be provided at a nominal charge.

City of Port Orchard

Brandy Rinearson
City Clerk

Publish: Port Orchard Independent
January 23, 2015