

MAY 27 2008

Pat McCarthy

TOWN OF EATONVILLE, WASHINGTON

ORDINANCE 2008-10

AN ORDINANCE of the Town Council of the Town of Eatonville, Washington, relating to regular property taxes; providing for the submission to the qualified electors of the Town at a special election to be held in conjunction with the state primary election on August 19, 2008, of a proposition authorizing the Town to levy regular property taxes in excess of the limitations of ch. 84.55 RCW; setting forth the text of the ballot proposition; directing proper Town officials to take necessary actions; and providing for other properly related matters.

BE IT RESOLVED BY the Town Council of Town of Eatonville, Washington, as follows:

Section 1. Recitals. The Town Council (the "Council") of Town of Eatonville, Washington (the "Town"), hereby makes the following findings and determinations:

(a) RCW 84.55.050(1) provides for the levy of regular property taxes in an amount exceeding the limitations specified in chapter 84.55 RCW if such increased levy is authorized by a proposition approved by a majority of the voters at general election held within the taxing district (a "levy lid lift").

(b) The Council has determined that it is essential and necessary for the public health, safety and welfare that the Town raise additional funds to support fire and emergency services throughout the town.

(c) The Council has determined that the current revenues available to the Town are insufficient to provide for this purpose, and has therefore determined that it is in the interests of the Town and its resident to submit this levy lid lift proposition to the voters for their approval or rejection.

Section 2. Purpose and Calling of Election. The Town Council finds that it is in the best interests of the Town to submit to the qualified voters of the Town, at a special election to be held in conjunction with the state primary election on August 19, 2008, a proposition authorizing the Town to increase its regular property tax levy for collection in 2009 by an amount greater than otherwise permitted under chapter 84.55 RCW for the exclusive purpose of funding fire and emergency services. If this proposition is approved, the Town Council will be authorized to adopt, in accordance with its regular budget process, an increased regular property tax as described in Section 2.

Section 3. Description of Ballot Measure. To fulfill the exclusive purpose identified in Section 2 of this ordinance, the Town Council seeks voter approval under RCW 84.55.050(1) for a levy lid lift. The proposed increase is estimated to result in an incremental increase in the regular property tax rate of \$1.02 per \$1,000 of assessed value, for a total estimated levy rate of

\$2.71 per \$1,000 of assessed value for collection in 2009. The dollar amount of the levy in 2009 shall be used for the purpose of computing the limitations for subsequent levies provided for under chapter 84.55 RCW.

Section 4. Ballot Proposition. The Auditor of Pierce County, Washington (the “Auditor”), as *ex officio* supervisor of elections, is hereby requested to call and conduct a special election in the Town, in the manner provided by law, to be held on the date identified in Section 2, for the purpose of submitting to the voters of the Town, a proposition in substantially the following form:

**Town of Eatonville, Washington**

**Proposition 1**

**Levy Lid Lift for Fire and Emergency Medical Services**

The Town Council has adopted Ordinance 2008-10 concerning funding for fire and emergency services. If approved, this proposition shall fund fire and emergency medical services, including the transition from an all-volunteer to a part time volunteer and part full time fire department. This proposition authorizes a 2009 regular property tax rate increase of \$1.02/\$1,000, for a total estimated levy rate of \$2.71/\$1,000 assessed value. The 2009 levy amount shall be used to calculate subsequent levy limits. Should this proposition be:

Approved?   
Rejected?

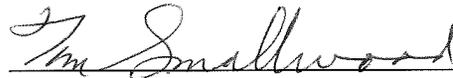
Section 5. Notices Relating to Ballot Proposition. For purposes of receiving notice of the exact language of the ballot proposition required by RCW 29A.36.080, the Town Council hereby designates: (a) Gary Armstrong, Town Administrator (360-832-3361, garmstrong@eatonville-wa.gov); and (b) legal counsel, Foster Pepper PLLC (Alice Ostdiek, 206-447-4663, ostda@foster.com) as the individuals to whom such notice should be provided.

Section 6. Authorization to Deliver Ordinance and Perform Other Necessary Duties. The Clerk (or his/her designee) is authorized and directed, no later than May 27, 2008, to certify a copy of this Ordinance to the Auditor and to perform such other duties as are necessary or required by law to the end that the proposition described herein should appear on the ballot at the special election identified in Section 2 of this Ordinance.

Section 7. Severability. If any provision of this ordinance shall be declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be separable from the remaining provisions and shall in no way affect the validity of the other provisions, or of the levy or collection of the taxes authorized herein.

Section 8. Effective Date. This ordinance shall take effect and be in force from and after its passage and five days following its publication, as required by law.

PASSED by the Town Council and APPROVED by the Mayor of the Town of Eatonville, Washington, at a regular open public meeting thereof this 12 day of May, 2008.

  
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Tom Smallwood, Mayor

ATTEST:

  
\_\_\_\_\_  
Chrystal McGlone, Town Clerk

APPROVED AS TO FORM:

  
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Edward G Hudson, Town Attorney