

**CITY OF SNOHOMISH
Snohomish, Washington**

ORDINANCE 2363

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, RELATING TO REPEALING CITY FUND 117 - REET AND ESTABLISHING FUND 305 REET FOR FUNDS RECEIVED THROUGH THE COLLECTION THE CITY'S REAL ESTATE EXCISE TAX PURSUANT TO CHAPTER 3.40 OF THE SNOHOMISH MUNICIPAL CODE.

WHEREAS, state law restricts the manner in which funds collected through the imposition of the Real Estate Excise Tax can be expended; and

WHEREAS, funds received through the collection of the Real Estate Excise Tax pursuant to chapter 3.40 SMC are currently deposited in Fund 117 which is not a capital fund code, although the City has complied with all restrictions placed on the expenditure of Real Estate Excise Tax funds in compliance with state law; and

WHEREAS, creation of a new Fund 305 as a capital fund code is a more appropriate fund for the deposit of Real Estate Excise Tax funds; and

WHEREAS, the City desires all funds currently in Fund 117 be transferred to the newly created Fund 305, and once the funds are transferred from Fund 117, the fund shall be closed and repealed;

NOW THEREFORE, the City Council of the City of Snohomish, Washington, do ordain as follows:

Section 1. The City hereby establishes City Fund 305 for the deposit of Real Estate Excise Tax funds received pursuant to Chapter 3.40 SMC. The Finance Director is hereby directed and authorized to transfer all funds from Fund 117 to Fund 305 and to close Fund 117 once the transfer is completed. Fund 117, as presently constituted, is hereby closed and repealed once the transfer is complete.

Section 2. **Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or its application to any person or situation should be held to be invalid or unconstitutional for any reason by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this ordinance or its application to any other person or situation.

Section 3. **Effective Date.** This ordinance shall be effective five days after adoption and publication by summary.

ADOPTED by the City Council and **APPROVED** by the Mayor this 6th day of November, 2018.

CITY OF SNOHOMISH

By John T. Kartak
John T. Kartak, Mayor

ATTEST:

By [Signature]
Pat Adams, City Clerk

Approved as to form:

By [Signature]
Grant Weed, City Attorney

Date of Publication: 11-16-18
Effective Date: 11-15-18