

MAPLE VALLEY TRANSPORTATION BENEFIT DISTRICT, MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-12-001-TBD

AN ORDINANCE OF THE MAPLE VALLEY TRANSPORTATION BENEFIT DISTRICT BOARD, CITY OF MAPLE VALLEY, WASHINGTON, ESTABLISHING AN ANNUAL VEHICLE FEE, ESTABLISHING THE EFFECTIVE DATE OF FEE COLLECTION, ESTABLISHING THE ORDER OF PRIORITY OF PROJECTS TO BE FUNDED BY THE ANNUAL VEHICLE FEE, PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR CORRECTIONS.

WHEREAS, the Maple Valley Transportation Benefit District Board (“Board”) was created by the City Council of Maple Valley pursuant to Ch. 36.73 RCW and Ordinances O-12-515 and O-12-516; and

WHEREAS, the Maple Valley Transportation Benefit District (“District”) includes the entire City of Maple Valley as the boundaries currently exist or as the boundaries are expanded upon annexation; and

WHEREAS, the City Council of Maple Valley held a public hearing pursuant to RCW 36.73.050 to hear objection from any person to the formation of the District on October 22, 2012, and said public hearing was continued to November 5, 2012; and

WHEREAS, the Board finds it is in the best interest of the District to establish an annual vehicle fee for the purpose of making transportation improvements that preserve, maintain and improve existing transportation facilities in the City of Maple Valley pursuant to RCW 36.73.065(4)(a)(i), RCW 82.80.140(2)(a), and City of Maple Valley Ordinances O-12-515 and O-12-516;

NOW, THEREFORE, THE BOARD OF THE MAPLE VALLEY TRANSPORTATION BENEFIT DISTRICT, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Establishment of Annual Vehicle Fee. An annual vehicle fee in the amount of \$20.00 is hereby established, consistent with RCW 36.73.065(4)(a)(i), as written or hereafter amended, to be collected by the Washington Department of Licensing on qualifying vehicles as set forth in RCW 82.80.140, as written or hereafter amended.

Section 2. Effective Date of Fee Collection. The vehicle fee shall take effect for notices mailed in 2013 for vehicle license renewals due on or after June 23, 2013, or as soon thereafter as the

Washington Department of Licensing is reasonably able to incorporate collection of the \$20.00 fee. Vehicle license fees will not be collected sooner than six months after approval of this ordinance as provided in RCW 82.80.140(4), as written or hereafter amended. The vehicle license fee shall be collected during the term of the existence of the District as set forth in City of Maple Valley Ordinance O-12-516, or as subsequently amended. The vehicle license fee shall cease to be collected upon dissolution of the District.

Section 3. Projects to be funded by Annual Vehicle Fee. The projects listed herein shall be funded in the following order of priority:

1. Capital Project T23, Annual Asphalt Overlay Program (includes crack-sealing, asphalt patching and cut-outs and other asphalt surface treatments).
2. Capital Project T24, Miscellaneous Street Improvements.
3. For any purpose authorized by law and consistent with City of Maple Valley Ordinances O-12-515 and O-12-516, as each may subsequently be amended.

Section 4. Notification to Department of Licensing. The Board directs the Board Clerk to notify the Washington State Department of Licensing (DOL) of the vehicle fee established in Section 1 of this ordinance and to request that DOL take all steps necessary to implement collection of this fee in accordance with RCW 82.80.140.

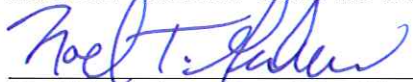
Section 5. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 6. Effective Date. A summary of this Ordinance shall be published in the official newspaper of the City of Maple Valley, and shall take effect and be in full force five (5) days after the date of publication.

Section 7. Corrections by City Clerk or Code Reviser. Upon approval of the Board Attorney, the Board Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE MAPLE VALLEY TRANSPORTATION BENEFIT DISTRICT BOARD AT A SPECIAL MEETING THEREOF ON THE 10th OF DECEMBER, 2012.

MAPLE VALLEY TRANSPORTATION BENEFIT DISTRICT



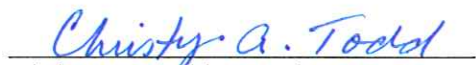
Noel T. Gerken, Board President

ATTEST/AUTHENTICATED:



Shaunna Lee-Rice, Board Clerk

Approved as to form:



Christy A. Todd, Board Attorney

Date of Publication: December 18, 2012

Effective Date: December 23, 2012