

AN ORDINANCE OF THE LONGVIEW TRANSPORTATION BENEFIT DISTRICT ESTABLISHING AND IMPOSING \$20 OF THE VEHICLE LICENSE FEE AUTHORIZED IN RCW 36.73.065 AND RCW 82.80.140, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE

WHEREAS, Chapter 36.73 RCW enables cities and counties to create transportation benefit districts to finance and carry out transportation improvements necessitated by economic development and to improve the performance of transportation systems; and

WHEREAS, the City Council of the City of Longview approved Ordinance No. 3334 on December 15, 2016 establishing the Longview Transportation Benefit District pursuant to RCW 36.73, for the purpose of funding transportation maintenance and improvement projects that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels ("TBD Projects"), and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to initially impose, by majority vote, a twenty dollar (\$20.00) annual vehicle license fee as authorized by RCW 82.80.140; and

WHEREAS, in accordance with RCW 82.80.140, the vehicle license fee may not be collected until six (6) months after approval of this action by the Longview Transportation Benefit District Board; and

WHEREAS, the Longview Transportation Benefit District held a public hearing on February 9, 2017, to receive input from the public regarding establishing a fee to provide revenue for the District to complete the TBD Projects; and

WHEREAS, the Longview Transportation Benefit District Board finds it to be in the best interest of the District to establish an annual vehicle license fee in the amount of twenty dollars (\$20.00) for the purpose of preserving, maintaining, operating, constructing, or reconstructing the transportation infrastructure within the District and funding transportation improvements within the District that are consistent with TBD Projects.

NOW THEREFORE, the Board of the Longview Transportation Benefit District do ordain as follows:

Section 1. Annual License Fee Established. An annual vehicle license fee of twenty dollars (\$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 State Department of Licensing on qualifying vehicles as set forth in RCW 82.80.140, as written or hereafter amended.

Section 2. Vehicle License Fee Collection Effective Date. The annual vehicle license fee shall take effect for notices mailed in 2017 and thereafter for vehicle license renewals due on or after August 19, 2017 or as soon thereafter as the Washington State Department of Licensing is reasonably able to incorporate collection of the \$20.00 fee; but in no event shall the vehicle license fee be collected for license renewals due prior to one hundred and eighty (180) days after the effective date of this ordinance, pursuant to RCW 36.73.065 and RCW 82.80.140(4). The vehicle license fee shall be collected during the term of existence of the District.

Section 3. Notice to Department of Licensing. The Longview Transportation Benefit District Board directs the Clerk to the Board to notify the Washington State Department of Licensing (DOL) of the vehicle license fee and its effective date established in Sections 1 and 2 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 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The Longview Transportation Benefit District Board hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That the Longview Transportation Benefit District Clerk of the Board is hereby ordered and directed to cause this Ordinance to be published.

Section 6. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. This Ordinance shall be in full force and effect from and after five (5) days from the date of its passage and publication as provided by law.

Passed by the Longview Transportation Benefit District Board this 9th day of February, 2017.

CHAIR

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

James McNamara
TBD Attorney

Published: _____