

ORDINANCE NO. 2012-12-058

AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BELLINGHAM MUNICIPAL CODE SECTION 4.76.040 RELATING TO THE SOLID WASTE UTILITY TAX AND ADDING ALL ENVIRONMENTAL REMEDIATION AS AN ALLOWED USE OF TAX REVENUES.

WHEREAS, a utility tax is levied on solid waste collection and disposal activities conducted in the City of Bellingham; and

WHEREAS, the revenue received from this tax is currently restricted by BMC 4.76.040 to coordination and administration of city solid waste and recycling programs, including environmental remediation of former City of Bellingham landfill sites; and

WHEREAS, the City of Bellingham has an estimated unfunded liability for environmental remediation of sites contaminated from operations other than landfills of \$15,113,74, which is not eligible for funding under BMC 4.76.040; and

WHEREAS, there is no other currently identified source of funding for these unfunded liabilities; and

WHEREAS, state law generally grants the City of Bellingham the power to utilize utility tax revenues for such purposes; and

WHEREAS, the City of Bellingham is legally responsible for the remediation of these contaminated sites; and

WHEREAS, the title of BMC 4.76.040 identifies the "Garbage Disposal Fund" which is now known as the Solid Waste Fund:

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. Section 4.76.040 of the Bellingham Municipal Code is amended as follows:

4.76.040 - Solid Waste Fund


The tax collected shall be placed in the Solid Waste Fund and shall be used for expenditures and financing relating to city solid waste and recycling programs and environmental remediation of landfill or otherwise contaminated sites.

PASSED by the Council this 10th day of December, 2012.



Council President

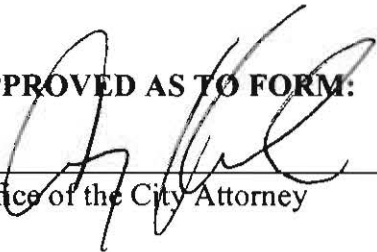
APPROVED by me this 18th day of December, 2012.



Mayor

ATTEST: 

for Finance Director

APPROVED AS TO FORM:


Office of the City Attorney

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