

**PEND OREILLE COUNTY
NEWPORT, WASHINGTON**

ORDINANCE No. 2020-01

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF PEND OREILLE COUNTY ADOPTING LEGISLATION TO AUTHORIZE A SALES AND USE TAX FOR AFFORDABLE AND SUPPORTIVE HOUSING IN ACCORDANCE WITH SUBSTITUTE HOUSE BILL 1406 (CHAPTER 338, LAWS OF 2019), AND OTHER MATTERS RELATED THERETO.

WHEREAS, in the 2019 Regular Session, the Washington State Legislature approved, and the Governor signed, Substitute House Bill 1406 (Chapter 338, Laws of 2019) ("SBH 1406"); and

WHEREAS, SHB 1406 authorizes the governing body of a city or county to impose a local sales and use tax for the acquisition, construction or rehabilitation of affordable housing or facilities providing supportive housing, and for the operations and maintenance costs of affordable or supportive housing, if eligible, for providing rental assistance to tenants; and

WHEREAS, the tax will be credited against state sales taxes collected within the County and, therefore, will not result in higher sales and use taxes within the County and will represent an additional source of funding to address housing needs in the County; and

WHEREAS, the tax must be used to assist persons whose income is at or below sixty percent of the County median income; and

WHEREAS, the County has an unmet need for affordable rental housing as well as supportive housing for people exiting homelessness and has determined that imposing the sales and use tax to address this need will benefit its citizens; and

WHEREAS, the County, in order to impose the tax, did on December 30, 2019, adopt Ordinance No. 2019-02 declaring the County's intent to levy a portion of the State's sales tax within six months of the effective date of SHB 1406; and

WHEREAS, the County adopted Resolution 2020-48 establishing the Affordable & Supportive Housing Fund 133-000-000 on June 22, 2020; and

WHEREAS, the County must adopt legislation to authorize the maximum capacity of the tax within twelve months of the effective date of SHB 1406, or July 28, 2020; and

WHEREAS, the Pend Oreille County Board of Commissioners now desires to adopt legislation imposing a local sales and use tax as authorized by SHB 1406 as set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PEND OREILLE COUNTY THAT:

Section 1. Tax Imposed

There is hereby imposed by this ordinance the maximum capacity of the sales and use tax (.0146 percent) authorized by SHB 1406 in Pend Oreille County. For unincorporated Pend Oreille County, and the city and

towns of Newport, Cusick, Metaline, Metaline Falls, and Lone, which do not intend on levying their portion of the sales and use tax, the maximum capacity is .0146 percent.

Section 2. Applicability of Tax

The tax shall be imposed upon and collected from those persons from whom the state sales and use tax is collected pursuant to Chapters 82.08 and 82.12 RCW. The rate of tax imposed by this ordinance shall be applied to the selling price in the case of a sales tax or the value of the article used in the case of a use tax.

Section 3. Administration and Collection

The tax imposed by this ordinance shall be administered and collected in accordance with Chapter 82.14.050 RCW. The Chair of the Board of Pend Oreille County Commissioners is hereby authorized to and directed to execute and sign contracts with the Washington State Department of Revenue that may be necessary to provide for the administration or collection of the tax.

Section 4. Use of Funds

Monies collected shall be used for allowable expenditures authorized by 82.14 RCW as amended by Substitute House Bill 1406.

Section 5. Administration of Fund

The funds shall be collected in the County fund #133-000-000, Affordable and Supportive Housing Fund, and shall be administered by the Board of County Commissioners through the County Auditor's office.

Section 6. Effective Date

This ordinance is effective the date of signing.

Section 7. Severability

If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provisions to other person or circumstances is not affected.

PASSED by the Board of Pend Oreille County Commissioners meeting in regular session at Newport, Washington, this 28th day of July 2020.

BOARD OF COUNTY COMMISSIONERS
PEND OREILLE COUNTY, WASHINGTON


Mike Manus, Chairman


Stephen Kiss, Vice-Chairman


Karen Skoog, Member

ATTEST:


Christine Rahoun, Clerk of the Board