

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 13-17

**AN ORDINANCE OF THE CITY OF BUCKLEY,
WASHINGTON, REPEALING MUNICIPAL CODE
CHAPTER 3.73 ENTITLED COMPREHENSIVE PLAN
CAPITAL IMPROVEMENT FUND.**

WHEREAS, BMC 3.73 was established and adopted to create a fund dedicated exclusively to financing capital projects and capital improvements specified in the capital facilities plan element of the City's comprehensive plan; and

WHEREAS, this code provision was adopted by the Council through Ordinance #11-94 on June 14, 1994 and amended through Ordinance #28-95 on September 12, 1995; and

WHEREAS, on November 25, 1997 the City Council adopted Ordinance #50-97 for the primary purpose of simplifying the City's revenue code; and

WHEREAS, Ordinance #50-97 repealed various code sections under Title 3 and created new funds to achieve the stated goal; and

WHEREAS, two new code sections, BMC 3.307 and BMC 3.308, were created to establish provisions governing the use of real estate excise tax funds; and

WHEREAS, both of these categories had pre-existing fund categories that should have been repealed in the same adoption ordinance; however, the only fund category that had its pre-existing fund repealed was BMC 3.307; and

WHEREAS, the existing BMC 3.73 should have been repealed with adoption of BMC 3.308 since both provisions deal with the same category; and

WHEREAS, the City Council desires to correct this oversight by repealing BMC 3.73 since it is redundant to the provisions governing the use of real estate excise tax funds in BMC 3.308;

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Chapter 3.73 of the Buckley Municipal Code entitled “Comprehensive Plan and Capital Improvement Fund” is repealed in its entirety.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

APPROVED by the Buckley City Council this 23rd day of May, 2017.



MAYOR, PAT JOHNSON

ATTEST/AUTHENTICATED:



JOANNE STARR, CITY CLERK

APPROVED AS TO FORM

OFFICE OF THE CITY ATTORNEY:

PUBLISHED: May 31, 2017

BY 

EFFECTIVE: June 5, 2017