

## TOWN OF RUSTON

### ORDINANCE No. 1300

#### AN ORDINANCE OF THE TOWN OF RUSTON PROVIDING FOR AN AD VALOREM TAX LEVY FOR THE YEAR 2010

WHEREAS, state law requires the Council to consider the Town's total anticipated financial requirements for the ensuing fiscal year and to determine and fix by ordinance the amount to be raised by ad valorem property taxes; and

WHEREAS, the Town of Ruston properly gave notice of a public hearing to be held on November 16 to consider the Town of Ruston's expected revenues and current expense budget for the 2010 calendar year; and

WHEREAS, the Town Council of Ruston hereby determines that the Town's population is under 10,000, and approximately 750 residents; and

WHEREAS, the present estimated assessed valuation of property within Ruston is \$143,850,549.00.

WHEREAS, pursuant to RCW 84.55.070, the Town Council is required to certify to the County Assessor prior to November 30, 2009, the amount of taxes levied upon property in the town of Ruston; and

WHEREAS, the Town's actual levy amount in 2009 was \$203,159.57; and

WHEREAS, the constitutionality of Initiative 747 is on appeal to the Washington Supreme Court; and pursuant to that appeal, the Town may not increase its ad valorem property tax rate more than one percent over the previous year's rate, plus new construction,

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF RUSTON, WASHINGTON:

**Section 1.** An increase in the regular property tax levy is hereby authorized for the levy to be collected in the 2010 tax year. The dollar amount of the increase over the actual levy amount from the previous year shall be \$2,031.60 which is a percentage increase of 1% from the previous year. This increase is exclusive of additional revenue resulting from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state assessed property, any annexations that have occurred and any refunds made.

**Section 2.** The levy on taxable property in the Town of Ruston is an assessment calculated on the highest regular tax which could have been lawfully levied, as follows: \$203,159.57 multiplied by the limit factor of 1.01 (as defined in RCW 84.55.005)

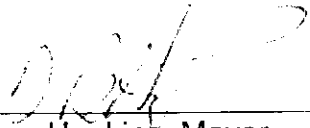
for a total \$205,191.17; plus the current year's assessed valuation of new construction and improvements of 31,001,164.00 multiplied by last years levy rate 1.624197066655 for a total of \$50,352.00 ; plus tax refunds of \$0.00; for a total regular property tax limit of \$255,543.17.

**Section 3.** The Town Clerk is directed to transmit a certified copy of this ordinance to the Office of the Auditor of the State of Washington, Division of Municipal Corporations on or before November 30, 2009. The Clerk is further directed to transmit a certified copy of this ordinance to the Clerk of the Pierce County Council and to the Pierce County Assessor on or before November 30, 2009.

**Section 4.** Effective Date. This Ordinance shall be in full force and effect five (5) days after adoption and publication. A summary of this Ordinance may be published in lieu of the entire Ordinance, as authorized by State law.

**Section 5.** Severability. Each and every provision of this Ordinance shall be deemed severable. In that event that any portion of this Ordinance is determined by final order of a court of competent jurisdiction to be void or unenforceable, such determination shall not affect the validity of the remaining provisions thereof provided the intent of this Ordinance can still be furthered without the invalid provision.

**PASSED BY THE TOWN COUNCIL OF THE TOWN OF RUSTON** on this 16<sup>th</sup> day of November, 2009.

  
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Bruce Hopkins, Mayor

ATTEST:

  
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Town Clerk/Treasurer