

**CITY OF GRANITE FALLS**

**ORDINANCE NO. 785 -09**

**AN ORDINANCE OF THE CITY OF GRANITE FALLS ESTABLISHING A UTILITY TAX ON WATER AND SEWER UTILITY SERVICES, PROVIDING A SUNSET CLAUSE THEREFORE, AND ADOPTING CHAPTER 3.10 OF THE GRANITE FALLS MUNICIPAL CODE.**

**WHEREAS**, the City Council has determined that it is in the public interest to adopt a utility tax on water and sewer utility services, provided that such tax is intended to be in effect for three years or less and will have a declining rate during the period it is in effect, as set forth below;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE FALLS DO ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 3.10 of the Granite Falls Municipal Code is hereby adopted to read as follows:

**Chapter 3.08  
UTILITY TAX**

Sections:

3.10.010	Tax levied
3.10.020	Amount of tax
3.10.030	Sunset Clause

**3.10.010 Tax levied.**

The City hereby levies a tax on the gross revenues of water and sewer utility services in the City.

**3.08.020 Amount of tax.**

The amount of the utility tax on the gross revenues of water and sewer utility services shall be nine (9%) for calendar year 2010, eight (8%) for calendar year 2011, and seven percent (7%) for calendar year 2012, unless the City Council determines that the utility tax should be repealed or amended at any time during said three year period.

**3.10.030 Sunset clause.**

The utility tax levied herein shall sunset at the end of calendar year 2012, unless the City Council has already repealed the tax or unless the City Council adopts an ordinance extending the duration of the tax.

**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. Publication and Summary.** This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the city.

**Section 4. Effective Date.** This Ordinance shall be in full force and effect five (5) days after publication of the summary consisting of the title.

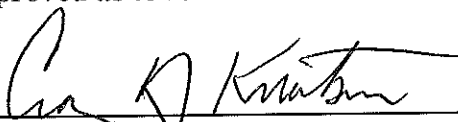
Said Ordinance was passed in open session by the City Council of the City of Granite Falls on the 02<sup>nd</sup> day of December, 2009, and signed in authentication of its passage this 03<sup>rd</sup> day of December, 2009.

  
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LYLE ROMACK, Mayor

ATTEST:

  
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DARLA REESE, City Clerk

Approved as to form:

  
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CRAIG D. KNUTSON, City Attorney

DATE OF FIRST READING:	<u>12-02-09</u>
DATE OF SECOND READING:	<u>12-02-09</u>
DATE OF PUBLICATION:	<u>12-06-09</u>
EFFECTIVE DATE:	<u>12-11-09</u>