

**CITY OF GRANITE FALLS**

**ORDINANCE NO. 815-10**

**AN ORDINANCE OF THE CITY OF GRANITE FALLS RELATING TO UTILITY TAXES ON WATER AND SEWER UTILITY SERVICES; AMENDING SECTION 3.10.020 OF CHAPTER 3.10 OF THE GRANITE FALLS MUNICIPAL CODE TO INCREASE THE UTILITY TAX RATE ON WATER AND SEWER UTILITY SERVICES FROM NINE PERCENT (9%) TO TWELVE PERCENT (12%) FOR CALENDAR YEAR 2011; AND AMENDING SECTION 3.10.030 OF THE GRANITE FALLS MUNICIPAL CODE TO PROVIDE THAT THE SAID UTILITY TAX SHALL TERMINATE AT THE END OF CALENDAR YEAR 2011.**

**WHEREAS**, the City Council of the City of Granite Falls previously passed Ordinance No. 785-09 that added Chapter 3.10 to the Granite Falls Municipal Code (GFMC) and established a utility tax on water and sewer utility services for a three year period (2010-2012); and

**WHEREAS**, the City Council has determined that it is in the public interest to amend GFMC 3.10.020 to change the effective change the rate of the utility tax on water and sewer utility services from a rate of 9% in 2010 to a rate of 12% in 2011; and

**WHEREAS**, the City Council has further determined that it is in the public interest to provide that the utility tax on water and sewer utility services shall terminate at the end calendar year 2011 and not calendar year 2012;

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

**Section 1.** Section 3.10.020 of Chapter 3.10 of the Granite Falls Municipal Code is hereby amended to read as follows:

**"~~3.08~~ 10.020 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%)~~ twelve percent (12%) 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~~and seven percent (7%) for calendar year 2012~~, unless the City Council determines that the utility tax should be repealed or amended at any time during said ~~three year period.~~"

**Section 2.** Section 3.10.030 of Chapter 3.10 of the Granite Falls Municipal Code is amended to read as follows:

**"3.10.030 Sunset clause.**

The utility tax levied herein shall sunset at the end of calendar year ~~2012~~ 2011, unless the City Council has already repealed the tax or unless the City Council adopts an ordinance extending the duration of the tax."

**Section 3. 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 4. Publication and Summary.** This Ordinance or summary thereof consisting of the title shall be published in the official newspaper of the city.

**Section 5. 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 15<sup>th</sup> day of December, 2010, and signed in authentication of its passage this 20<sup>th</sup> day of December, 2010.

  
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Sheikh Haroon Saleem, Mayor

ATTEST:

  
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Darla Reese, City Clerk

Approved as to form:

  
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Paul McMurray, City Attorney

Date of First Reading:	<u>12/01/10</u>
Date of Second Reading:	<u>12/15/10</u>
Date of Publication:	<u>12/23/10</u>
Effective Date:	<u>12/28/10</u>