



COUNTY COUNCIL
SNOHOMISH COUNTY, WASHINGTON

ORDINANCE NO. 04- 111

IMPOSING AN EXCISE TAX ON TIMBER HARVESTERS;
ADOPTING A NEW CHAPTER 4.29 SNOHOMISH COUNTY CODE

WHEREAS, the state legislature in 1984 enacted RCW 84.33.051 authorizing counties to impose a four-percent timber excise tax on persons engaged in timber harvesting on private lands but not engaged in timber harvesting on public lands (chapter 204, Laws of 1984);

WHEREAS, the state legislature in 2004 extended the authorization for counties to impose a timber excise tax to include timber harvesting on public lands (chapter 177, Laws of 2004), with the tax rate phased in over ten years beginning January 1, 2005; and

WHEREAS, the state currently imposes a five percent excise tax on persons engaged in timber harvesting on both private and public lands; and

WHEREAS, pursuant to RCW 84.33.041, the county tax will be credited against the state tax, thus maintaining the current total rate of five percent and not increasing the tax burden imposed upon timber harvesters; and

WHEREAS, the state law provides that the state department of revenue will collect, administer, and distribute the proceeds of the county timber excise tax to the county; and

WHEREAS, the County Council desires to impose the timber excise tax authorized by RCW 84.33.051, establish an account into which the proceeds shall be deposited, and authorize an agreement with the state department of revenue for the administration and collection of the tax;

THEREFORE, BE IT ORDAINED

Section 1. A new chapter 4.29 is added to Title 4 of the Snohomish County Code to read:

Chapter 4.29

EXCISE TAX ON TIMBER HARVESTING

Sections:	
4.29.010	Tax imposed
4.29.020	Determination of tax
4.29.030	Administration and collection
4.29.040	Timber tax account

4.29.050 State access to records
4.29.060 Severability

4.29.010 Tax imposed.

There is imposed and shall be collected, on and after January 1, 2005, an excise tax on every person in the county engaging in business as a harvester as defined by RCW 84.33.035. The tax shall be paid, collected and remitted to the department of revenue of the State of Washington at the time and in the manner prescribed by RCW 84.33.086.

4.29.020 Determination of tax.

The tax shall be equal to the stumpage value of the timber, as defined in RCW 84.33.035, harvested from privately-owned land within the county, multiplied by a rate of 4 percent, and such timber harvested from publicly-owned land within the county, multiplied by the following rates:

- (a) For timber harvested January 1, 2005, through December 31, 2005, 1.2 percent;
- (b) For timber harvested January 1, 2006, through December 31, 2006, 1.5 percent;
- (c) For timber harvested January 1, 2007, through December 31, 2007, 1.8 percent;
- (d) For timber harvested January 1, 2008, through December 31, 2008, 2.1 percent;
- (e) For timber harvested January 1, 2009, through December 31, 2009, 2.4 percent;
- (f) For timber harvested January 1, 2010, through December 31, 2010, 2.7 percent;
- (g) For timber harvested January 1, 2011, through December 31, 2011, 3.1 percent;
- (h) For timber harvested January 1, 2012, through December 31, 2012, 3.4 percent;
- (i) For timber harvested January 1, 2013, through December 31, 2013, 3.7 percent;
- (j) For timber harvested January 1, 2014, and thereafter, 4.0 percent.

Any harvester, as defined in RCW 84.33.035, whose tax amount in any calendar quarter, calculated as set forth above, is less than \$50.00, is exempt from the payment of the tax imposed by section 4.29.010 for that quarter, but such harvester may be required by the state department of revenue to file a return even though no tax may be due.

4.29.030 Administration and collection.

The administration and collection of the tax imposed by this chapter shall be in accordance with the provisions of Chapter 84.33 RCW.

4.29.040 Timber tax account.

There is created a county timber tax account for deposit of moneys distributed to the county as provided by RCW 84.33.081(1). Moneys received from the state department

of revenue shall be distributed to taxing districts in the county by the county treasurer as required by RCW 84.33.081. Moneys in the county timber tax account retained by the county shall be used in the manner and for the purposes authorized by RCW 84.33.081.

4.29.050 State access to records.

The county treasurer shall provide the state department of revenue such facts and information and to permit the department to inspect the county's records in connection with the imposition, collection and administration of the tax imposed by section 4.29.010, as may be necessary to facilitate the administration of the tax and insure the correct distribution of its proceeds as provided by RCW Chapter 84.33.

4.29.060 Severability.

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

Section 2. Agreement with department of revenue authorized.

The county treasurer is authorized to negotiate and approve an agreement between the county and the state department of revenue for the administration and collection of the tax imposed by Section 1 as required by RCW 84.33.051 and to provide in such agreement for payment of the costs of collection and administration incurred by the state department of revenue as directed by RCW 84.33.081.

Section 3. Effective Dates. Section 1 of this ordinance shall take effect January 1, 2005. Section 2 of this ordinance shall take effect as provided by Charter Section 2.110.

PASSED this 22 day of November, 2004.

SNOHOMISH COUNTY COUNCIL
Snohomish County, Washington

John M. Kater
Chairperson

ATTEST:

Sheila McCallister
Clerk of the Council, *asst.*

- APPROVED
 EMERGENCY
 VETOED

DATE: 12/07/04

ATTEST:

Ann M. Currier

Alan B. ...
County Executive

Approved as to form only:

John V. ... 9/27/04
Deputy Prosecuting Attorney

PUBLISHED _____

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