

**PROSSER TRANSPORTATION BENEFIT DISTRICT
ORDINANCE NO. 09-TBD-02**

AN ORDINANCE OF THE PROSSER TRANSPORTATION BENEFIT DISTRICT ESTABLISHING AND IMPOSING \$20 OF THE VEHICLE LICENSE FEE AUTHORIZED IN RCW 36.73.065 AND RCW 82.80.140, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, Chapter 36.73 RCW and RCW 35.21.255 authorize the City Council to establish a transportation benefit district within the City's jurisdiction for the purpose of acquiring, constructing, improving, providing, and funding transportation improvements within the district that are consistent with existing state, regional, and local transportation plans and necessitated by existing or reasonably foreseeable congestion levels; and

WHEREAS, the City Council of the City of Prosser found it to be in the best interest of the City to establish a citywide Transportation Benefit District for the preservation and maintenance of the City's streets and related infrastructure consistent with Chapter 36.73 RCW, to protect the City's long term investments in that infrastructure, to reduce the risk of transportation facility failures and improve safety, to continue optimal performance of the infrastructure over time, and to avoid more expensive infrastructure replacements in the future; and

WHEREAS, in Ordinance No. 2650, the City Council of the City of Prosser established a Transportation Benefit District as authorized by RCW 35.21.225 and subject to the provisions of RCW 36.73; and

WHEREAS, the Transportation Benefit District includes the entire City of Prosser as the boundaries currently exist or as they may be extended by annexation; and

WHEREAS, pursuant to RCW 36.73.030(3), the members of the City Council, acting ex officio and independently, constitute the governing body of the Transportation Benefit District; and

WHEREAS, RCW 36.73.065 authorizes a transportation benefit district to impose, by majority vote of the district's governing board, up to \$20 of the vehicle fee authorized in RCW 82.80.140; and

WHEREAS, after conducting a public hearing, the Board of the City of Prosser Washington Transportation Benefit District finds it in the best interest of the District to establish an annual vehicle fee in the amount of \$20 for the purposes of ongoing transportation improvements that preserve and maintain the transportation infrastructure of the City of Prosser, consistent with Chapter 36.73 RCW;

NOW, THEREFORE, THE BOARD OF THE CITY OF PROSSER WASHINGTON TRANSPORTATION BENEFIT DISTRICT, DO ORDAIN AS FOLLOWS:

Section 1. Establishment of Annual Vehicle Fee. In accordance with the authority granted to the District by RCW 82.80.140 and RCW 36.73.065, as now exist or as are hereafter amended, the City of Prosser Washington Transportation Benefit District establishes and imposes an annual vehicle fee in the amount of twenty dollars per vehicle registered in the district, for each vehicle subject to license tab fees under RCW 46.16.0621, as now exists or as is hereafter is amended, and for each vehicle subject to gross weight fees under RCW 46.16.070, as now exists or as is hereafter amended, with an unladen weight of six thousand pounds or less. The annual vehicle fee shall be collected by the Washington Department of Licensing on qualifying vehicles, as set forth in RCW 82.80.140, as now exists or as is hereafter amended, and Chapters 36.73 and 46.16 RCW, as now exists or as hereafter are amended.

Section 2. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

ADOPTED by the City of Prosser Transportation Benefit District Board this 7TH day of April, 2009.

APPROVED:

CHAIR RANDY TAYLOR

ATTEST/AUTHENTICATED:

SHERRY BIGGS, SECRETARY/CITY CLERK

APPROVED AS TO FORM:

HOWARD M. SAXTON, III, CITY ATTORNEY

Filed with the City Clerk: _____

Publication Date: _____

Effective Date: _____

SUMMARY OF ORDINANCE NO. 09-TBD-02

of the Prosser Transportation Benefit District

On the ____ day of _____, 2009, the Prosser Transportation Benefit District, passed Ordinance No. 09-TBD-02. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE PROSSER TRANSPORTATION BENEFIT DISTRICT ESTABLISHING AND IMPOSING \$20 OF THE VEHICLE LICENSE FEE AUTHORIZED IN RCW 82.80.140, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this ____ day of _____, 2009.

SHERRY BIGGS, SECRETARY/CITY CLERK