

BEFORE THE METRO COUNCIL

AN ORDINANCE AMENDING METRO)	ORDINANCE NO. 93-484A
CODE SECTION 7.01.020 TO MODIFY)	
THE EXCISE TAX RATE)	Introduced by Rena Cusma,
)	Executive Officer
)	

WHEREAS, Metro Code Section 7.01.020 placed a limitation on excise tax; and

WHEREAS, Voters of the Metropolitan Service District approved a Metro Charter on November 3, 1992; and

WHEREAS, The Metro Charter Section 14 now provides a controlling limitation on expenditure on a cash basis from taxes imposed and received by Metro and interest and other earnings on those taxes; now, therefore,

THE METRO COUNCIL HEREBY ORDAINS:

Section 1:

Metro Code Section 7.01.020 is amended to read as follows:

"7.01.020 Tax Imposed:

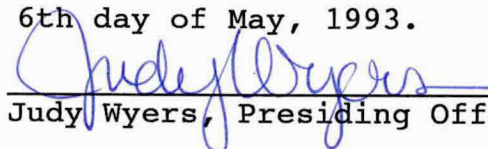
(a) For the privilege of use of the facilities, equipment, systems, functions, services, or improvements owned, operated, franchised, or provided by the District, each user shall pay a tax in the amount established in subsection 7.01.020(b) but not to exceed seven percent (7%) of the payment charged by the operator or the District for such use. The tax constitutes a debt owed by the user to the District which is extinguished only by payment of the tax directly to the District or by the operator to the District. The user shall pay the tax to the District or to an operator at the time payment for the use is made. The operator shall enter the tax on his/her records when payment is collected if the operator keeps his/her records on the cash basis of accounting and when earned if the operator keeps his/her records on the accrual basis of

accounting. If installment payments are paid to an operator, a proportionate share of the tax shall be paid by the user to the operator with each installment."


(b) The Council may for any annual period commencing July 1 of any year and ending on June 30 of the following year establish a tax rate lower than the rate of tax provided for in subsection 7.01.020(a) by so providing in the annual budget ordinance adopted by the District. If the Council so establishes a lower rate of tax, the Executive Officer shall immediately notify all operators of the new tax rate. Upon the end of the fiscal year the rate of tax shall revert to the maximum rate established in subsection 7.01.020(a) unchanged for the next year unless further action to establish a lower rate is adopted by the Council as provided for herein.

Section 2. The amendment to Metro Code Section 7.01.020 adopted by Section 1 of this Ordinance is repealed effective September 1, 1994, and thereafter the provisions of Section 7.01.020 in effect at the time of adoption of this Ordinance shall remain in force and effect.

ADOPTED by the Metro Council this 6th day of May, 1993.


Judy Wyers, Presiding Officer

ATTEST:


Clerk of the Council

600 NORTHEAST GRAND AVENUE | PORTLAND, OREGON 97232 2736
TEL 503 797 1700 | FAX 503 797 1797



DATE: May 10, 1993
TO: Rena Cusma, Executive Officer
FROM: Paulette Allen, Clerk of the Council
RE: TRANSMITTAL OF ORDINANCE NO. 93-484A

PA

METRO

Attached for your consideration is a true copy of the ordinance referenced above adopted by the Council on May 6, 1993.

If you wish to veto the ordinance referenced above, I must receive a signed and dated written veto message from you no later than 5:00 p.m., Thursday, May 13, 1993. The veto message, if submitted, will become part of the permanent record. If no veto message is received by the time and date stated above, this ordinance will be considered finally adopted.

I, *John Hume*, received this memo and a true copy of Ordinance No. 93-484A from the Clerk of the Council on 5-10-93.