

Chapter 3.40

REAL ESTATE EXCISE TAX

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3.40.010 Taxes Imposed.

- A. Pursuant to RCW 82.46.010, there is levied and imposed an excise tax on each sale of real property within the corporate limits of the City at a rate of one-quarter of one percent of the selling price of the property.
- B. Pursuant to Section 38 of Chapter 17, Laws of 1990, First Extraordinary Session, there is levied and imposed an additional excise tax on each sale of real property within the corporate limits of the City at a rate of one-quarter of one percent of the selling price of the property. This tax shall be in addition to, and not in lieu of, the tax imposed in Subsection A above.
- C. The excise taxes imposed in this section shall be collected from those persons who are taxable by the state under RCW Chapter 82.45 upon the occurrence of any sale of real property within the corporate limits of the City and which is taxable under RCW 82.45.010.
- D. The excise taxes imposed in this section shall comply with all applicable rules, regulations, laws and court decisions regarding real estate excise taxes as imposed by the state under RCW Chapter 82.45. (Ord. 1704, 1991)

3.40.020 Lien. The real estate excise tax and interest or penalties thereon shall constitute a specific lien upon each piece of real property sold from the time of sale until the tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages. (Ord. 1561, 1985)

3.40.030 Seller's Obligation. The excise tax shall be the obligation of the seller of the real property and may be enforced through an action of debt against the seller or in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other. (Ord. 1561, 1985)

3.40.040 Collection. The excise tax shall be paid to and collected by the Snohomish County Treasurer. The Treasurer shall act as agent for the City. The Treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording, or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the Treasurer for the payment of the tax shall be evidence of the satisfaction of the lien imposed by Section 3.40.020, and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be accepted until a suitable notation of this fact is made on the instrument by the treasurer. (Ord. 1561, 1985)

used for that purpose until the project is completed.

3.40.050 Distribution of Tax Proceeds.

- A. The Snohomish County Treasurer shall deposit one percent of the proceeds of the excise tax imposed in Section 3.40.010(A) into the Snohomish County current expense fund to defray the cost of collection.
 - B. The remaining proceeds from the excise taxes imposed under this Chapter shall be distributed to the City on a monthly basis. (Ord. 1704, 1991)
- B. Revenues generated from the taxes imposed by 3.40.010(B) shall be deposited into the municipal capital improvements fund and used solely for the financing of capital projects specified in a capital facilities plan element of a comprehensive plan approved by the City Council. (Ord. 1704, 1991)

3.40.060 Capital Improvement Funds.

- A. There is established a City of Snohomish Municipal Capital Improvements Fund. All proceeds of the excise tax imposed under Section 3.40.010(A) and which are disbursed to the City shall be deposited into the fund. Monies in the fund shall be accumulated from year to year, and may be expended at such times as the City Council shall by ordinance direct for the purposes of making capital improvements for the benefit, including, but not limited to, those capital improvements listed in RCW 35.43.040. Revenues generated from the tax imposed in Section 3.40.010(A) shall be used primarily for financing capital projects specified in a capital facilities plan element of a comprehensive plan and housing relocation assistance under Sections 49 and 50 of chapter 17, Laws of 1990, First Extraordinary Session. However, revenues
 - 1. Pledged by the City to debt retirement prior to July 1, 1990 may continue to be used for that purpose until all outstanding debt is retired; or
 - 2. Committed prior to July 1, 1990 to a capital project may continue to be