



MONICA MARTINEZ SIMMONS
SEATTLE CITY CLERK

Via E-Mail: neighborhoodwarrior@gmail.com

November 28, 2018

Elizabeth Campbell
3213 W. Wheeler Street No. 271
Seattle, WA 98199

SUBJECT: *Receipt of Proposed Initiative Measure No. 128,
to repeal the excise tax on sweetened beverages*

Dear Ms. Campbell:

This notice acknowledges the receipt and filing of your proposed initiative measure with the Office of the City Clerk on Tuesday, November 20, 2018. Identification number, Initiative No. 128, has been assigned to the initiative measure.

The submitted petition has been reviewed for compliance with the appropriate formatting requirements. As provided for in SMC 2.08.040, the following changes are recommended:

Form of Petition

1. Print the petition on 11"x17" paper, which is the largest acceptable paper size;
2. Adjust the petition top margin to be at least one inch;
3. Remove the warning language in the footer of each page. The SMC warning language is sufficient and specific to City of Seattle petitions; and
4. Update the petition columns as follows:
 - a. Residence Address and Number (if any) column: Delete "(if any)." This is required information per the SMC.
 - b. City column: Add "(optional)." This is not required information and is optional.

Suggested technical revisions

Please see the attached suggested revisions that are provided in track changes for your review. Once an initiative is passed by the people it may not be changed for two years.

Please be advised the proposed initiative measure was transmitted to the City Attorney's Office for review and preparation of a ballot title. The Office of the City Clerk will be in contact with you in writing and by telephonic notification no later than the end of business on Thursday, November 29, 2018, for the purpose of transmitting the final ballot title.

Elizabeth Campbell
November 28, 2018
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Should you have any questions regarding the process or the information contained herein, please contact me at 206-684-8361 or by email at monica.simmons@seattle.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Monica M. Simmons", with a long horizontal flourish extending to the right.

Monica Martinez Simmons
City Clerk

Attachment (1)

NO SUGAR TAX – RESTORE CONSUMER CHOICE and BUSINESS PROSPERITY IN SEATTLE

NO. _____

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL

~~To the City Council of The City of Seattle: We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. _____ entitled:~~
~~(reserved for ballot title of the measure)~~

~~Should this measure be enacted into law? — Yes — No~~

**** WARNING ****

Ordinance 94289 provides as follows: "Section 1. It is unlawful for any person: 1. To sign or decline to sign any petition for a City initiative, referendum, or Charter amendment, in exchange for any consideration or gratuity or promise thereof; or 2. To give or offer any consideration or gratuity to anyone to induce him or her to sign or not to sign a petition for a City initiative, referendum, or Charter amendment; or 3. To interfere with or attempt to interfere with the right of any voter to sign or not to sign a petition for a City initiative, referendum, or Charter amendment by threat, intimidation or any other corrupt means or practice; or 4. To sign a petition for a City initiative, referendum, or Charter amendment with any other than his or her true name, or to knowingly sign more than one (1) petition for the same initiative, referendum or Charter amendment measure, or to sign any such petition knowing that he or she is not a registered voter of The City of Seattle. Section 2. Any person violating any of the provisions of this ordinance shall upon conviction thereof be punishable by a fine of not more than Five Hundred Dollars (\$500) or by imprisonment in the City Jail for a period not to exceed six (6) months, or by both such fine and imprisonment.

INITIATIVE PETITION FOR SUBMISSION TO THE SEATTLE CITY COUNCIL

To the City Council of The City of Seattle: We, the undersigned registered voters of The City of Seattle, State of Washington, propose and ask for the enactment as an ordinance of the measure known as Initiative Measure No. ~~_____~~128 entitled:
(reserved for ballot title of the measure)

A full, true and correct copy of which is included herein, and we petition the Council to enact said measure as an ordinance; and, if not enacted within forty-five (45) days from the time of receipt thereof by the City Council, then to be submitted to the qualified electors of The City of Seattle for approval or rejection at the next regular election or at a special election in accordance with Article IV, Section 1 of the City Charter; and each of us for himself or herself says: I have personally signed this petition; I am a registered voter of The City of Seattle, State of Washington, and my residence address is correctly stated.

Petitioner's Signature	Petitioner's Printed Name	Residence Address Street and Number (if any)	City	Date Signed
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¹ **WARNING** Every person who signs this petition with any other than his true name, or who knowingly signs more than one of these petitions, or who signs this petition when he is not a legal voter, or who makes herein any false statement, shall be punished as provided by law.

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**COMPLETE TEXT OF CITY OF SEATTLE CITIZEN INITIATIVE PETITION NO. _____
BE IT ENACTED BY THE CITIZENS OF THE CITY OF SEATTLE:**

WHEREAS, Ordinance 125324 (the “Ordinance”) authorizing an excise tax (hereinafter referenced as the “sugar tax”) on every person within the city of Seattle engaging in business as a distributor of sweetened beverages was passed by the Seattle City Council on June 5, 2017 and signed into law on June 6, 2017, and

WHEREAS, the primary purpose of the Ordinance is to implement a tax that is supposed to make people stop ingesting a category of beverages and by extension is supposed to cause them to have healthier lives, good health, and thereby is supposed to generally reduce obesity in Seattle’s resident population, particularly in its children, and

WHEREAS, in fact the Ordinance is in large portion a revenue generation scheme whereby a large portion of the revenue generated by the sugar tax has been and is slated to be used for a variety of purposes that have no direct connection to the health purpose and need that the Seattle City Council claimed the sugar tax was to be for, and

WHEREAS, one of those other purposes for which the sugar tax revenue is to be spent on includes general education related programs and activities, for example to further endow the already fully endowed Seattle Promise Scholarship fund (formerly known as the 13th Year Promise Scholarship), a fund and program that is primarily controlled by the State of Washington system of community and technical college system, that focuses on Basic Education for Adults, Workforce education, and Academic transfer, none of which is directly related to the stated health goal of the Ordinance, and for which all programmatic purposes are not an obligation that the City of Seattle should be committing over \$5 Million of sugar tax revenue towards, and

WHEREAS, another major portion of the sugar tax revenues are to be spent on duplicative educational programs with little to no connection to the health purpose and need of the Ordinance, including millions on therapeutic social programs intended to reduce disparities in outcomes for children and families based on race, gender, or other socioeconomic factors, to prepare children for a strong and fair start in kindergarten, and over \$2.6 Million of sugar tax revenue is to be used for community college scholarships – all of the aforementioned things are also to be wholly funded through a \$600 Million City of Seattle levy passed on November 6, 2018, and

WHEREAS, another non-health related purpose for which sugar tax revenues are being used for includes no less than seven annual and highly duplicative reports that the Ordinance mandates must be undertaken and published by each of the following entities, the City’s Sweetened Beverage Tax Community Advisory Board, its Human Services Department, its Office of Sustainability and Environment, its Department of Education and Early Learning, its Department of Finance and Administrative Services, Public Health – Seattle and King County, and the City Auditor, with the latter agency required by the Ordinance to spend not less than \$500,000 per year on its contract with a research university for its study, and

WHEREAS, when sugar tax revenues are spent on literal “food” or “health” related programming pursuant to the Ordinance, only a small portion of the funds literally benefit the target population, for example of the \$2.4 Million of sugar tax revenues expected to be spent by the City of Seattle on the *Fresh Bucks* program, which gives vouchers to needy families to purchase healthy foods, just \$400,000 will actually be spent on vouchers while \$2 Million will go to administrative costs, and

WHEREAS, another portion of the sugar tax revenue is being diverted to replace City of Seattle general funds committed to food and health programs already in place, thereby freeing up the general funds to be spent on other non-food, non-health related programs or expenditures, and

WHEREAS, the fundamental outcome of the Ordinance after being in force for over a year has been that it has dramatically raised the prices of favorite drinks that a wide majority of the public in Seattle prefers, enjoys, consumes, and

WHEREAS, by extension the Seattle City Council across the board through the Ordinance drove down the sales volume of all of Seattle’s businesses and by extension the revenue from sweetened drink sales that they required in order to sustain their businesses and the lives of those who owned or worked at those businesses, and

WHEREAS, Ordinance 125324 is based upon a five-step intervention logic model that assumes the tax will be effective at improving health because 1. Imposing a tax increases the price of the targeted item, 2. The increase in price leads to a reduction in consumption of the item, 3. Reducing consumption of the in this case sweetened drink item leads to a reduction in sugar and/or energy intake by individuals, 4. Lower energy intake will result in lower physiological risk factors for obesity and poor health, and 5. Lower physiological risk factors will widely improve the overall health of the public, and

WHEREAS, the intervention logic model upon which Ordinance 125324 is predicated upon is more wishful thinking than borne out by any real-world application of sugar taxes throughout the developed world, that in fact the effect of a sugar tax is more economic than beneficial to human health, i.e. provides taxing authorities such as the City of Seattle with substantial revenues streams of relatively discretionary in terms of what they can be spent on, and

WHEREAS, obesity is a disease that has its origin in multiple factors, including but not limited to an individual’s genetics, individual specific behavioral practices and health, familial norms, lifestyle, social and cultural influences, economic incentives, most of which cannot be linked exclusively to the sales of a single product category, and

WHEREAS, obesity is a complex problem of public interest that needs to be addressed in a comprehensive manner instead of through a single coercive element such as taxes, and

WHEREAS, in 2013 the University of Washington’s Evan School (the 2018 and beyond chief academic beneficiary of the Ordinance’s mandate to spend over \$500,000 on an annual sugar tax report) issued a report on the efficacy of sugar taxes that showed no relationship between the implementation of soda taxes and a reduction in BMI (body mass index) – its findings were that BMI would likely increase as soda tax rates increased, and

WHEREAS, the 2013 Evans School report also statistically demonstrated and concluded that large increases in soft drink taxes are unlikely to reduce total caloric intake, that the impact of soft drink taxes on the body mass index would be small in magnitude and not statistically significant, casting serious doubt on the assumptions that the proponents of large soda taxes make about the effects on population weight – the reality being that people substitute other calories when they give up soda, and

WHEREAS, in 2017 the journal *Health Affairs* published its study about the impact of Mexico’s tax on sugar-sweetened beverage consumption in that country, a study widely quoted by governments planning on or adopting sugar taxes, certain of its conclusions are not being publicized - that there has been a decline in the *sales volume* of sweetened drinks, but no corresponding improvement in the general health or well-being of Mexico’s citizens, and

WHEREAS, the *Health Affairs* study was unable to establish that there had been an impact on the obesity rates in Mexico, in fact, data from Mexico’s 2016 national health and nutrition survey suggests that the obesity rates have edged upward among Mexico’s adults in recent years, consistent with the findings of New Zealand’s sugar tax report (see next) – that governments around the world are enacting taxes on targeted ingredients and products in an effort to impose governmental standards of “good behavior” on their populations with little to no empirical data showing that citizens are better off health-wise as a consequence thereof, and

WHEREAS, in August 2017 the New Zealand Ministry of Health published its report, *Sugar taxes: A review of the evidence*, a review of 47 studies from around the world that analyzed the efficacy of sugar/soda taxes in Mexico, the United States, Ecuador, Hungary, France, Germany, and the United Kingdom, and

WHEREAS, the conclusion of the *Sugar taxes* report was that • There is insufficient evidence to judge whether consumers are substituting other sources of sugar or calories in the face of taxes on sugar in drinks • Studies using sound methods of analyses reported reductions in beverage based sugar intake that are likely too small to generate health benefits and could easily be cancelled out by substitution of other sources of sugar or calories • No study based on actual experience with sugar taxes identified an impact on health outcomes • Studies that reported health improvements are *modelling studies rather than being anecdotal, i.e. based on observations of real behavior*, the modelling studies unrealistically assumed a meaningful change in individuals’ sugar intake with no compensatory substitution of other products or ingredients to offset or replace their sugar intake (energy/calories), including that they conceivably may substitute fats, another energy/calorically dense food, and

WHEREAS, rather than levying taxes many governments have instead chosen to successfully engage the public through mass media education and public information campaigns, raising

awareness about nutrition, health, and the potentially harmful effects from the over consumption of sugars, similarly to what was done about smoking, that there is evidence that public awareness has been increased about the health risks of sugary drinks and a possible reduction in soft drink consumption in those locales choosing information carrots over taxation sticks, and

WHEREAS, internationally and nationally beverage producers and distributors and their industry and business organizations and trade associations have been proactive and undertaken coordinated efforts with governments, industry, healthcare, and consumer stakeholders to implement evidence-base solutions, including • developing and making available more beverage options with fewer calories, including more reduced, low- and no-calorie product offerings • the reformulating existing beverages to significantly reduce calories • developed smaller portion size options • supported the removal of soft drinks from primary schools • developed and successfully implemented new advertising guidelines related to marketing to children • developed guidelines on nutrition labeling to aid the global and national non-alcoholic beverage industry in providing meaningful and understandable fact-based nutrition information • created guidelines for the composition, labelling, and responsible marketing of energy drinks to help ensure that such products are not marketed to children, and • supported physical activity and nutrition programs, and research and partnerships that advance nutrition science, and

WHEREAS, in 2018 the University of Washington’s \$520,000 study mandated by the Ordinance reported that children and parents in Seattle, without benefit of the coercive and punitive tactics of the Ordinance, already drink lower quantities of sweetened beverages than those in the study’s comparison areas of Kent, Auburn, and Federal Way, and

WHEREAS, the University’s study also reported that the highest consumption of any beverage for kids in Seattle was tap water, and

WHEREAS, the University’s study likewise reported that children in Seattle consume 8.6 ounces daily of sugary drinks that are subject to the tax versus the 14.1 ounces consumed by children in the comparison areas; that children in Seattle consume 4.8 ounces of drinks not subject to the tax, versus 6.1 ounces in the comparison areas; that children in Seattle consume 16.7 ounces of non-sugar added beverages, versus 19.2 ounces in the comparison areas, and

WHEREAS, the same study reported that parents in Seattle consume 14.3 ounces of sugary drinks subject to the tax versus the 21.4 ounces consumed by parents in the study’s comparison areas, that parents in Seattle consume 7 ounces of drink not subject to the tax versus the 9.8 consumed in the comparison area, and that parents in Seattle consume 19.1 ounces of non-sugar added drinks versus the 24 ounces consumed by parents in the comparison areas, and

WHEREAS, according to *Beverage-Digest* soda consumption in the United States fell to a 31 year low in 2016, that is mainly attributed to waning demand among health-conscious consumers, and

WHEREAS, taxes on soda drinks are very regressive and disproportionately impact Seattle’s low- and fixed- income individuals and families, and

WHEREAS, soda taxes likely won’t fund and result in what’s being claimed by the Seattle City Council and through Ordinance 125324 and its enabling progeny of regulations, that levying the tax will not solve the obesity problem, and instead will hurt Seattle’s business owners, workers, and consumers, and

WHEREAS, in 2010, 60 percent of voters adopted Initiative 1107 that repealed the Washington state legislature’s tax increase that year on soda and candy (among other food items), and

WHEREAS, in October 2017 Cook County (Illinois) the second most populous county in the U.S. repealed its sweetened beverage tax two months after it adopted it, and

WHEREAS, in October 2017 Michigan enacted a law preventing local governments from imposing local taxes on the manufacture, sale, or distribution of food, chewing gum or soda, and

WHEREAS, the Arizona State legislature in March 2018 adopted a law to prohibit local governments from imposing taxes on soda or sugary drinks, and

WHEREAS, California, the most populous state in the U.S. with a population over five times the size of Washington state, in June 2018 enacted a law prohibiting its cities and counties from levying new local sugar taxes until at least 2031, and

WHEREAS, on November 6, 2018, Washington state voters approved Initiative 1634 prohibiting local taxes on sweetened beverages,

Section 1. Chapter 5.53 of the Seattle Municipal Code, created by Ordinance 125324 shall be repealed in its entirety.

Section 2. Section 5.30.010 of the Seattle Municipal Code, last amended by Ordinance 125324, is amended as follows:

5.30.010 - Definition provisions

The definitions contained in this Chapter 5.30 shall apply to the following chapters of the Seattle Municipal Code: Chapters 5.32 (Amusement Devices), 5.35 (Commercial Parking Tax), 5.40 (Admission Tax), 5.45 (Business License Tax), 5.46 (Square Footage Tax), 5.48 (Business Tax—Utilities), 5.50 (Firearms and Ammunition Tax), 5.52 (Gambling Tax), ~~((5.53 (Sweetened Beverage Tax)))~~ and 5.55 (General Administrative Provisions) unless expressly provided for otherwise therein, and shall also apply to other chapters and sections of the Seattle Municipal Code in the manner and to the extent expressly indicated in each chapter or section. Words in the singular number shall include the plural and the plural shall include the singular. Words in one gender shall include the other genders.

Section 3. Subsection 5.30.025.K of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.30.025 - Definitions, C—D

* * *

K. "Delivery" means the transfer of possession of tangible personal property between the seller and the buyer or the buyer's representative. Delivery to an employee of a buyer is considered delivery to the buyer. Transfer of possession of tangible personal property occurs when the buyer or the buyer's representative first takes physical control of the property or exercises dominion and control over the property. Dominion and control means the buyer has the ability to put the property to the buyer's own purposes. It means the buyer or the buyer's representative has made the final decision to accept or reject the property, and the seller has no further right to possession of the property and the buyer has no right to return the property to the seller, other than under a warranty contract. A buyer does not exercise dominion and control over tangible personal property merely by arranging for shipment of the property from the seller to itself. A buyer's representative is a person, other than an employee of the buyer, who is authorized in writing by the buyer to receive tangible personal property and take dominion and control by making the final decision to accept or reject the property. Neither a shipping company nor a seller can serve as a buyer's representative. It is immaterial where the contract of sale is negotiated or where the buyer obtains title to the property. Delivery terms and other provisions of the Uniform Commercial Code (Title 62A RCW) do not determine when or where delivery of tangible personal property occurs for purposes of Seattle's business license tax ~~((or Seattle's sweetened beverage tax. For purposes of Chapter 5.53, the term "seller" as used in this subsection 5.30.025.K shall include any distributor and the term "buyer" as used in this subsection 5.30.025.K shall include any recipient who offers the delivered products for retail sale)).~~

* * *

Section 4. Subsection 5.30.060.C of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.30.060 - Definitions, T—Z

* * *

C. "Taxpayer" means any "person," as herein defined, required by Chapter 5.55 to have a business license tax certificate, or liable for any license, tax, or fee, or for the collection of any tax or fee, under Chapters 5.32 (Revenue Code), 5.35 (Commercial Parking Tax), 5.40 (Admission Tax), 5.45 (Business License Tax), 5.46 (Square Footage Tax), 5.48 (Business Tax—Utilities), 5.50 (Firearms and Ammunition Tax), and 5.52 (Gambling Tax), ~~((and 5.53 (Sweetened Beverage Tax).))~~ or who engages in any business or who performs any act for which a tax or fee is imposed under those chapters.

* * *

Section 5. Subsection 5.55.010 of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.010 - Application of chapter stated

Unless expressly stated to the contrary in each chapter, the provisions of this Chapter 5.55 shall apply with respect to the licenses and taxes imposed under this Chapter 5.55 and Chapters 5.32 (Amusement Devices), 5.35 (Commercial Parking Tax), 5.37 (Employee Hours Taxes), 5.40 (Admission Tax), 5.45 (Business License Tax), 5.46 (Square Footage Tax), 5.48 (Business Tax—Utilities), 5.50 (Firearms and Ammunition Tax), and 5.52 (Gambling Tax) (~~and 5.53 (Sweetened Beverage Tax)~~) and under other titles, chapters and sections in such manner and to such extent as indicated in each such title, chapter, or section.

Section 6. Subsection 5.55.040.A of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.040 - When due and payable—Reporting periods—Monthly, quarterly, and annual returns—Threshold provisions—Computing time periods—Failure to file returns

A. Other than any annual license fee or registration fee assessed under this Chapter 5.55, the tax imposed by Chapters 5.32 (Amusement Devices), 5.35 (Commercial Parking Tax), 5.40 (Admission Tax), 5.45 (Business License Tax), 5.46 (Square Footage Tax), 5.48 (Business Tax—Utilities), 5.50 (Firearms and Ammunition Tax), and 5.52 (Gambling Tax) (~~and 5.53 (Sweetened Beverage Tax)~~) shall be due and payable in quarterly installments. The Director may use discretion to assign businesses to a monthly or annual reporting period depending on the tax amount owing or type of tax. Taxes imposed by subsections 5.52.030.A.2 and 5.52.030.B.2 for punchboards and pulltabs shall be due and payable in monthly installments. Tax returns and payments are due on or before the last day of the next month following the end of the assigned reporting period covered by the return.

Section 7. Subsection 5.55.060.A of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.060 - Records to be preserved—Examination—Inspection—Search warrants—Estoppel to question assessment

A. Every person liable for any fee or tax imposed by this Chapter 5.55 and Chapters 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, and 5.52 (~~and 5.53~~) shall keep and preserve, for a period of five years after filing a tax return, such records as may be necessary to determine the amount of any fee or tax for which the person may be liable; which records shall include copies of all federal income tax and state tax returns and reports made by the person. All books, records, papers, invoices, ticket stubs, vendor lists, gambling games, and payout information, inventories, stocks of merchandise, and other data, including federal income tax and state tax returns, and reports needed to determine the accuracy of any taxes due, shall be open for inspection or examination at any time by the Director or a duly authorized agent. Every person's business premises shall be open for inspection or examination by the Director or a duly authorized agent. (~~For the purposes of this Section 5.55.060, for the tax imposed by Chapter 5.53, "business premises" means wherever the person's business records and tax documents are maintained and does not mean every site owned or operated by the person.~~)

Section 8. Subsection 5.55.150.E of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.150 - Appeal to the Hearing Examiner

E. The Hearing Examiner shall ascertain the correct amount of the tax, fee, interest, or penalty due either by affirming, reversing, or modifying an action of the Director. Reversal or modification is proper if the Director's assessment or refund denial violates the terms of this Chapter 5.55, or Chapters 5.30, 5.32, 5.35, 5.37, 5.40, 5.45, 5.46, 5.48, 5.50, or 5.52 (~~or 5.53~~).

Section 9. Subsection 5.55.165 of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.165 - Director of Finance and Administrative Services to make rules

The Director of Finance and Administrative Services shall have the power and it shall be the Director's duty, from time to time, to adopt, publish and enforce rules and regulations not inconsistent with this Chapter 5.55, Chapters 5.30, 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, or 5.52 (~~or 5.53~~) or with law for the purpose of carrying out the provisions of such chapters, and it shall be unlawful to violate or fail to comply with any such rule or regulation.

Section 10. Subsection 5.55.220.A and 5.55.220.B of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.220 - Unlawful actions—Violation—Penalties

A. It shall be unlawful for any person subject to the provisions of this Chapter 5.55 or Chapters 5.32, 5.35, 5.40, (~~5.45~~) 5.46, 5.48, 5.50, and 5.52 (~~and 5.53~~):

1. To violate or fail to comply with any of the provisions of this Chapter 5.55, or Chapters 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, and 5.52 (~~and 5.53~~), or any lawful rule or regulation adopted by the Director;

2. To make or manufacture any license required by this Chapter 5.55 except upon authority of the Director;

3. To make any false statement on any license, application, or tax return;

4. To aid or abet any person in any attempt to evade payment of a license fee or tax;

5. To refuse admission to the Director to inspect the premises and/or records as required by this Chapter 5.55, or to otherwise interfere with the Director in the performance of duties imposed by Chapters 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, and 5.52 (~~and 5.53~~);

6. To fail to appear or testify in response to a subpoena issued pursuant to Section 3.02.120 in any proceeding to determine compliance with this Chapter 5.55 and Chapters 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, and 5.52 (~~and 5.53~~);

7. To testify falsely in any investigation, audit, or proceeding conducted pursuant to this Chapter 5.55;

8. To continue to engage in any business activity, profession, trade, or occupation after the revocation of or during a period of suspension of a business license tax certificate issued under Section 5.55.030; or

9. In any manner, to hinder or delay the City or any of its officers in carrying out the provisions of this Chapter 5.55 or Chapters 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, and 5.52 (~~and 5.53~~).

B. Each violation of or failure to comply with the provisions of this Chapter 5.55, or Chapters 5.32, 5.35, 5.37, 5.40, 5.45, 5.46, 5.48, 5.50, or 5.52 (~~or 5.53~~) shall constitute a separate offense.

Except as provided in subsection 5.55.220.C, any person who commits an act defined in subsection 5.55.220.A is guilty of a gross misdemeanor, punishable in accordance with Section 12A.02.070.

The provisions of Chapters 12A.02 and 12A.04 apply to the offenses defined in subsection 5.55.220.A of this section, except that liability is absolute and none of the mental states described in Section 12A.04.030 need be proved.

Section 11. Subsection 5.55.230 of the Seattle Municipal Code, which section was last amended by Ordinance 125324, is amended as follows:

5.55.230 - Denial, revocation of, or refusal to renew business license tax certificate

A. The Director, or the Director's designee, has the power and authority to deny, revoke, or refuse to renew any business license tax certificate or amusement device license issued under the provisions of this Chapter 5.55. The Director, or the Director's designee, shall notify such applicant or licensee in writing by mail in accordance with Section 5.55.180 of the denial, revocation of, or refusal to renew the license and on what grounds such a decision was based. The Director may deny, revoke, or refuse to renew any business license tax certificate or other license issued under this Chapter 5.55 on one or more of the following grounds:

1. The license was procured by fraud or false representation of fact.

2. The licensee has failed to comply with any provisions of this Chapter 5.55.

3. The licensee has failed to comply with any provisions of

Chapters 5.32, 5.35, 5.40, 5.45, 5.46, 5.48, 5.50, or 5.52 (~~or 5.53~~).

4. The licensee is in default in any payment of any license fee or tax under Title 5 or Title 6.

Section 12. Seattle Business Tax Rule 5-953 adopted on November 7, 2017 by the director of the Department of Finance and Administrative Services shall be repealed in its entirety.

Section 13. Council Bill 119376 amending Ordinance 125324 shall be repealed

Section 14. Nothing in this initiative prohibits the imposition and collection of a local retail sales and use tax pursuant to RCW 82.14.030 on those persons taxable by the state under RCW chapters 82.08 and 82.12.

Section 15. Effective Date. Consistent with the requirements of the Seattle City Charter Article IV Section (1)(F) the ordinance adopted by the people will take effect and be in force from and after proclamation by the Mayor, which shall be made, and published in the City of Seattle's official newspaper, within five (5) days after certification of the results of the election and after the next succeeding City of Seattle budget shall take effect, which is after December 2, 2020.

Section 16. If any provision of this initiative or its application to any person or circumstance is held invalid, the remainder of the initiative or the application of the provision to other persons or circumstances is not affected. If any provision of this initiative or its application to any person or circumstance is held unconstitutional or unlawful, this initiative shall be construed liberally to effectuate the intent, policy, and purposes of this initiative for the elimination of the excise tax authorized by Ordinance 125324. The people of the city of Seattle hereby declare that they would have adopted this initiative and each and every portion, section, subsection, clause, sentence, phrase, word, and application not declared invalid or unconstitutional without regard to whether any portion of this chapter, or application thereof, would be subsequently declared invalid.

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PLEASE RETURN PETITION AS SOON AS POSSIBLE TO:

SAFE AND AFFORDABLE SEATTLE

3213 W Wheeler Street #271

Seattle, WA 98199

Email: info@safeandaffordableseattle.org

Phone: 206-283-6300

Facebook: www.facebook.com/SafeSeattle/

Web: nosugartax.com

Twitter: [@safeseattlebuzz](https://twitter.com/safeseattlebuzz)

Call or Write for additional blank petitions or to have filled petitions picked up.