

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6091

AN ORDINANCE amending provisions of the Bellevue City Business and Occupation Tax code and related provisions of the Tax Administrative code to remove inconsistencies and increase ease in administration; amending Sections 4.03.040, 4.03.030, and 4.09.090 of the Bellevue City Code; and establishing an effective date.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 4.03.040.A of the Bellevue City Code is hereby amended as follows:

**4.03.040 When due and payable – Reporting periods – Monthly, quarterly, and annual returns – Threshold provisions or relief from filing requirements – Computing time periods – Failure to file returns.**

A. Other than any annual license fee or registration fee assessed under this chapter, the taxes imposed by Chapter 4.04 BCC, Admission Tax Code; Chapter 4.09 BCC, Business and Occupation Tax Code; Chapter 4.10 BCC, Utility Occupation Tax Code; and Chapter 4.14 BCC, Gambling Tax Code, shall be due and payable in quarterly installments. At the director's discretion, businesses may be assigned to a monthly, annual, or active non-reporter reporting period depending on the tax amount owing or type of tax; provided, however, that the director may only assign a monthly reporting period for purposes of Chapter 4.09 BCC where the taxpayer is remitting excise tax to the state on a monthly basis. Tax payments for monthly, quarterly and annual taxpayers are due as described for such reporting frequencies in RCW 82.32.045, as it now exists or as it may be amended.

Section 2. Section 4.09.030.L.4 of the Bellevue City Code is hereby amended as follows:

4. If a person, or its employee, agent, representative, independent contractor, broker or another acting on the person's behalf, engages in no other activities in or with the city but the following, it need not register and obtain a business license and pay tax:

- a. Meeting with suppliers of goods and services as a customer.
- b. Meeting with government representatives in their official capacity, other than those performing contracting or purchasing functions.

c. Attending meetings, such as board meetings, retreats, seminars, and conferences, or other meetings wherein the person does not provide training in connection with tangible personal property sold by the person or on its behalf.

d. Renting tangible or intangible property as a customer when the property is not used in the city.

e. Attending, but not participating in a "trade show" or "multiple vendor events." Persons participating at a trade show shall review the city's Temporary Special Events ordinances.

f. Mere delivery of goods via common carrier.

g. Soliciting sales by phone from a location outside the city.

Section 3. Section 4.09.090 of the Bellevue City Code is hereby amended as follows:

A. Tax Exemption Thresholds. Any person engaging in any one or more business activities which are otherwise taxable pursuant to BCC 4.09.050(B), whose value of products, gross proceeds of sale, or gross income of business, less applicable deductions and exemptions, is less than or equal to \$125,000 for an annual reporting period, regardless of assigned reporting frequency, shall be exempt from taxation under such section. The annual exemption amount may be divided by the assigned filing frequency and applied to each return due and payable during the year. It is the taxpayer's responsibility to reconcile the exemption taken during the year to the allowable annual deduction. The administrative provisions in BCC 4.03.90 and 4.03.100 apply to any underpayment or overpayment of tax resulting from such reconciliation. In addition, any person whose net taxable income plus receipts from tangible personal property delivered outside the state is less than or equal to \$125,000 shall be exempt from taxation from BCC 4.09.050(A). The exemption level set forth in this subsection shall be administratively adjusted by the director on January 1st of each year, beginning on January 1, 2006, to reflect any change in the cost of living, as defined and calculated pursuant to BCC 4.03.020(B). The amount of the exemption level so calculated shall be rounded to the nearest \$5,000.

Section 4. This ordinance shall take effect and be in force thirty (30) days after passage and legal publication.

Passed by the City Council this 3rd day of December, 2012, and signed in authentication of its passage this 3rd day of December, 2012.

(SEAL)

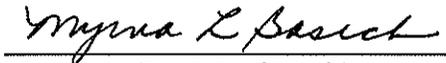
  
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Conrad Lee, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
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Mary Kate Berens, Deputy City Attorney

Attest:

  
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Myrna L. Basich, City Clerk

Published December 6, 2012