

ORDINANCE NO. 642

AN ORDINANCE OF THE TOWN OF ODESSA, WASHINGTON, AMENDING ORDINANCE NO. 640 BY ADDING CURRENT DEFINITIONS

THE TOWN COUNCIL OF ODESSA, LINCOLN COUNTY, WASHINGTON, DOES ORDAIN AS FOLLOWS:

SECTION 1: Purpose. Ordinance 640 inadvertently used definitions which were out of date. The purpose of this Ordinance of the Town of Odessa is to amend Ordinance No. 640, by adding current definitions.

SECTION 2: Amending Definition Section of Ordinance 640. The Definitions Section in Ordinance No. 640 is amended by adding the following definitions:

“Telephone business” means the providing by any person of access to a telephone network, telephone network switching service, toll service, cellular telephone service, or coin telephone services, or the providing of telephonic, video, data, or similar communication or transmission for hire, via a telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. It includes cooperative or farmer line telephone companies or associations operating an exchange. It also includes the provision of transmission to and from the site of an internet provider via a telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. Telephone business does not include the providing of competitive telephone service, the providing of cable television service, the providing of broadcast services by radio or television stations, nor the provision of internet service as defined in RCW 82.04.297, including the reception of dial-in connection, provided at the site of the internet service provider.

“Competitive telephone service” means the providing by any person of telecommunications equipment or apparatus, or service related to that equipment or apparatus such as repair or maintenance service, if the equipment or apparatus is of a type which can be provided by persons that are not subject to regulation as telephone companies under Title 80 RCW and for which a separate charge is made.

“Cellular telephone service” means a two-way voice and data telephone/telecommunications system based in whole or substantially in part on wireless radio communications and which is not subject to regulation by the Washington Utilities and Transportation Commission (WUTC). This includes cellular mobile service. The definition of cellular mobile service includes other wireless radio communications services such as specialized mobile radio (SMR), personal communications services (PCS), and any other evolving wireless radio communications technology which accomplishes a purpose similar to cellular mobile service.

SECTION 3: Amending Section V of Ordinance 640 Imposed Amount.

SECTION V: Imposed Amount of Ordinance 640 is amended a follows:

A) Upon every person, firm or corporation engaged in or carrying on a telephone business, a tax equal to six percent of the total gross operating income, including income from intra-state toll derived from the operation of such business within the town. ~~“Telephone business” means the business of providing access to a local telephone network, local telephone network switching service, toll service, cellular telephone services, coin telephone services, telephonic video, data, or similar communication, or transmission for hire, via a local telephone network, toll line or channel, cable, microwave, or similar communication or transmission system. The term includes cooperative or farm line telephone companies or associations operating exchanges. “Telephone business” does not include the providing of competitive telephone service, or providing of cable television service, or other providing of broadcast services by radio or television stations.~~

SECTION 4: Effective date of Ordinance 640. Effective date of Ordinance 640 is hereby amended to be sixty (60) days after the date of passage of this Ordinance.

SECTION 5: Effective Date: This Ordinance shall be effective sixty (60) days after its passage approval and publication.

PASSED AND APPROVED BY THE ODESSA TOWN COUNCIL ON THIS 13th DAY OF DECEMBER, 2010.

Published: Dec. 23, 2010

Douglas Plinski, Mayor

ATTEST:

Linda Burghard, Clerk-Treasurer