

Ordinance No. \_\_\_\_\_

**MEDINA CITY COUNCIL**

**AN ORDINANCE OF THE CITY OF MEDINA, WASHINGTON, AMENDING THE CITY OF MEDINA ANIMAL CONTROL REGULATIONS, MMC CHAPTER 6.04, AND MAKING RELATED AMENDMENTS TO THE CITY OF MEDINA UNIFIED DEVELOPMENT CODE AT MMC CHAPTER 20.12, CHAPTER 20.31, AND CHAPTER 20.60; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Medina Municipal Code (MMC) Chapter 6.04 contains the City's regulations governing keeping and maintaining of animals of various kinds within the City; and

**WHEREAS**, MMC Title 20, the City's Unified Development Code, reflects certain elements of MMC Chapter 6.04; and

**WHEREAS**, the foregoing MMC provisions contain certain ambiguities, omissions and inconsistencies that negatively affect implementation and enforcement of the City's intended animal control and related land use measures; and

**WHEREAS**, the City Council desires to revise, amend, clarify and extend the foregoing MMC provisions to integrate and coordinate their terms and functions, to enhance their utility and benefits to the City and the Medina community, to ensure their consistency with the City's Comprehensive Plan and the City's development plan, and to ensure they are enforceable;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MEDINA, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Adopt New MMC Section 6.04.005. New MMC Section 6.04.005, entitled "Intent; Definitions; Prohibitions", is adopted as follows:

**6.04.005 Intent; Definitions; Prohibitions**

A. **Intent.** The intent of this section is to clearly define animal classification categories and animal prohibitions within the city to ensure proper application and enforcement of the Animal Control chapter and other city code regulations.

B. **Definitions.** The following definitions and animal classifications shall apply throughout the city code, shall be in addition to any definitions adopted by other sections of this chapter, and shall supersede inconsistent definitions adopted by other sections of this chapter when this section 6.04.005 or the following definitions are referenced by other portions of the city code, specifically including Title 20 (Unified Development Code).

1. "Domesticated animal or pet" means a common domestic beast such as any dog, cat, rabbit, ferret, gerbil, hamster, miniature pig, parrot, chicken (excluding roosters), service animal or other similar animals commonly treated

and possessed as a domestic pet. Domesticated animal or pet excludes exotic animals and farm animals.

2. "Exotic animal" means any animal that does not meet the definition of "domesticated animal or pet" or "farm animal".

3. "Farm animal(s)" means any animal(s) that may be considered or defined as barnyard, livestock or grazing animals, whether kept in open or fenced fields or grounds, or in structures, and regardless of use or purpose. Farm animal(s) includes without limitation cows, horses, mules, hogs, sheep, goats, roosters and turkeys.

C. Prohibitions. No exotic animal nor any farm animal shall be raised, kept, maintained, harbored, used, or bred within the city.

**Section 2.** Amend MMC Section 20.12.020. Amend the definition of "Agriculture" in MMC Section 20.12.020, entitled "'A' Definitions", to read as follows:

"Agriculture" means the use of land for agricultural purposes including any one or more of farming, apiculture, horticulture, floriculture, and viticulture. ~~but excluding the raising of animals and the~~ Agriculture may not include excludes using, keeping, raising or farming of any animal, and may not include excludes farming of marijuana regardless of whether farmed for medicinal, recreational or research purposes.

**Section 3.** Amend MMC Section 20.12.050. Amend MMC Section 20.12.050, entitled "'D' Definitions", to add the following new definition:

"Domesticated animal or pet" has the meaning and status assigned in MMC 6.04.005.

**Section 4.** Amend MMC Section 20.12.060. Amend MMC Section 20.12.060, entitled "'E' Definitions", to add the following new definition:

"Exotic animal" has the meaning and status assigned in MMC 6.04.005.

**Section 5.** Amend MMC Section 20.12.070. Amend MMC Section 20.12.070, entitled "'F' Definitions", to add the following new definition:

"Farm animal(s)" has the meaning and status assigned in MMC 6.04.005.

**Section 6.** Amend MMC Section 20.31.050. Amend subsection (B) of MMC Section 20.31.050, entitled "Commercial Horticulture", to read as follows:

B. Agriculture uses shall exclude the farm animals and exotic animals, and shall exclude using, keeping, breeding, raising or and farming of any animals, and shall exclude the farming of marijuana including the growth of marijuana in a residential medical marijuana cooperative as described in RCW 69.51A.250 and defined in MMC 20.12.140, notwithstanding any state license or other recognition pursuant to RCW Title 69.

**Section 7.** Amend MMC Section 20.60.210. Amend the definition of "Agricultural activities" in MMC Section 20.60.210, entitled "'A' Definitions", to read as follows:

“Agricultural activities” means agricultural uses and practices as defined in WAC 173-26-020 and amendments thereto, provided that in the event of a conflict between (i) the provisions of the City of Medina Shoreline Master Program relating to “agricultural activities” and farm animals, and (ii) the provisions of the City of Medina animal control, agricultural and/or land use regulations, the stricter or more limiting regulation(s) shall apply.

**Section 8. Corrections.** The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener and clerical errors, references, ordinance numbering, section/subsection numbering and any references thereto.

**Section 9. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

**Section 10. Effective Date.** This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after such publication.

**APPROVED BY THE CITY COUNCIL OF THE CITY OF MEDINA ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2021 AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THE \_\_\_\_ DAY OF \_\_\_\_\_, 2021.**

\_\_\_\_\_  
Jessica Rossman, Mayor

Approved as to form:  
Ogden Murphy Wallace, PLLC

Attest:

\_\_\_\_\_  
Scott M. Missall, City Attorney

\_\_\_\_\_  
Aimee Kellerman, City Clerk

PUBLISHED:  
EFFECTIVE DATE:  
ORDINANCE NO.: