

**CITY OF NORTH BONNEVILLE
ORDINANCE NUMBER 1153**

**AN ORDINANCE OF THE CITY OF NORTH BONNEVILLE, WASHINGTON,
AMENDING NORTH BONNEVILLE MUNICIPAL CODE CHAPTER 20.57
LIVESTOCK CONDITIONAL USES.**

WHEREAS, pursuant to chapter RCW 35A.11, the City Council may provide such laws regulating land use as are necessary for the public health, safety and welfare of its residents, and;

WHEREAS, the City has adopted Title 20 NBMC to regulate land use within the City, and;

WHEREAS, the City adopted Ordinance 994 regulating the keeping of livestock and fowl, and;

WHEREAS, the Council deems it necessary and desirable and in the best interest of the residents of the City to update and amend the code to have clear and concise provisions relating to the keeping of livestock and fowl;

NOW, THEREFORE, The City Council of the City of North Bonneville does hereby ordain as follows:

Legend: New language added = underlined
 Old language deleted = ~~strikethrough~~

Section 1.

AMENDING

Chapter 20.57 Livestock Conditional Uses as follows:

20.57.010 Purpose.

The purpose of this section is to allow for livestock within urban growth areas through the use of best management practices while protecting the uses on neighboring parcels. ~~Certain animals~~ Livestock, because of their unusual nature, infrequent occurrence, special requirements, possible safety hazards, odor, or detrimental effects on surrounding properties, and other similar reasons, are classified as conditional uses. Livestock may be allowed in certain zones by a livestock conditional use permit granted by the Planning Commission. Since livestock definition is broad and covers a variety of animals having differing uses, lifestyle, health conditions, and habits, an annual review is deemed necessary.

20.57.020 Imposition of conditions.

When considering an application for a livestock conditional use permit, the Planning Commission shall consider the recommendation of the Administrator and applicable standards, provisions and policies established by this chapter as they pertain to the proposed use and may impose specific conditions precedent to establishing the application. The conditions may:

- A. Increase requirement in the standards, provisions or policies established by this chapter.
- B. Stipulate the size and location of the habitat(s) and associated areas to control and maintain the livestock so that livestock habitat minimizes hazard to life, limb, property, soil, water and traffic.
- C. Require structural features or equipment essential to maintain and control the livestock to serve the same purpose set forth in subsection B of this section.
- D. Impose conditions similar to those set forth in subsection A and B of this section as deemed necessary to establish parity with uses permitted in the same district in their freedom from nuisance generating features in matters of noise, odor, pollution, visual impacts, wastes, traffic, physical hazards and similar matters. Such impositions may be established to assure compatibility

with the particular use of the particular site and in consideration of other existing and potential uses within the general area.

E. Provide time limits of less than annually as necessary.

20.57.030 Permit - contents, limitations and review.

A. Contents. Each livestock conditional use permit issued by the city shall at least specify the location, number of animals by species, intended use, maintenance, and control of the individual animal and any offspring; together with all conditions and structures necessary to meet the requirements specified in section 20.57.020.

B. Limitations. Each livestock conditional use permit shall become null and void upon any of the following events:

1. When a condition within the contents of the permit is not met;
2. When the livestock use shall have been vacated for a period of a year or failure to apply for annual ~~reapplication~~ renewal;
3. When any deviation from the terms of the livestock conditional use permit occur; or
4. When a tenant or owner of a property for which a livestock conditional use has been granted leaves, sells, or trades the property.

C. Review. At any time, a livestock conditional use permit may be revoked for just cause indicated in subsection B. Annually, a livestock conditional use permit will require a ~~reapplication~~ renewal of the permit to determine if conditions provided on the original permit are appropriate.

20.57.040 Permits issued prior to the effective date of this title.

Where a permit was granted for livestock without any time limitation and/or if the use would not be permitted under the provisions of this title, the use shall be considered a "non-conforming use" under the provisions of this title.

20.57.050 Application for permit.

Each application for a livestock conditional use permit shall be filed with the city on forms provided by the city. An application fee as set forth in the most current fee schedule adopted by the city for a livestock conditional use permit is required at the time of the submittal of the proposal. ~~Reapplication~~ Renewal of a livestock conditional use permit is required annually ~~for review~~ by the ~~Planning Commission~~ City. The ~~reapplication~~ renewal fee is set forth in the most current fee schedule adopted by the city and is required within 30 days of the ~~application~~ permit expiration.

20.57.060 Application Permit review.

An application for a livestock conditional use shall be processed according to Type II land use decisions established in Chapter 18.01, Land Use Administrative Procedures. A renewal of the permit shall be processed according to Type IB land use decisions established in Chapter 18.01, Land Use Administrative Procedures. The administrator may consult with a veterinary professional to determine the adequacy of the conditions described in the application or ~~reapplication~~ renewal and the ~~application and reapplication~~ fees shall include the City's cost for such review.

20.57.070 Violation – penalty.

Any person who violates any term or condition of a livestock conditional use permit shall be subject to a fine in accordance with Section 7.01.020(B.). The city may revoke a livestock conditional use permit if any condition contained therein is violated.

Section 2.

Severability.

If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4.


Effective Date and Publication.

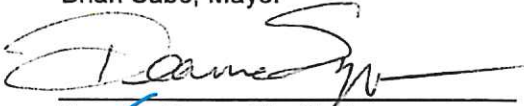
This Ordinance shall be effective five days after publication of the Ordinance, or a summary thereof consisting of its title, in the official newspaper of the City.

PASSED BY THE CITY COUNCIL ON DECEMBER 27, 2022

Attest:

Approved as to Form:


Brian Sabo, Mayor


Deanna Syron, City Clerk


Kenneth B. Woodrich, City Attorney

Section 2.

Severability.

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Section 4.

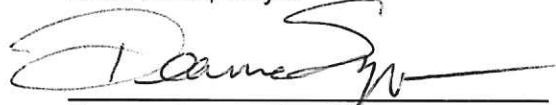
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A blue ink signature of Brian Sabo, Mayor, written over a horizontal line.

Brian Sabo, Mayor

A black ink signature of Deanna Syron, City Clerk, written over a horizontal line.

Deanna Syron, City Clerk

Attest:

Approved as to Form:

Kenneth B. Woodrich, City Attorney