

CITY OF MILLWOOD

ORDINANCE # 519

MAY 11, 2021

AN ORDINANCE OF THE CITY OF MILLWOOD, SPOKANE COUNTY, WASHINGTON, AMENDING CHAPTER 17.28 GENERAL USE REGULATIONS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

WHEREAS, the City of Millwood (the "City"), Spokane County, Washington is a non-charter code city, by virtue of the Constitution and the laws of the State of Washington; and

WHEREAS, pursuant to chapter 35A.11 RCW, the City Council (the "Council") may adopt and enforce ordinances of all kinds relating to and regulating its local or municipal affairs and appropriate to the good government of the City; and

WHEREAS, chapter 14.12.150 MMC authorizes any citizen of Millwood, staff member of Spokane County, Washington State, or federal agencies may suggest amendments to Millwood's development regulations; and

WHEREAS, in July 2020 the City received a request from a citizen to review and update the regulations for fences in residential zones; and

WHEREAS, on March 31, 2021 the Planning Commission conducted a properly noticed public hearing and forwarded recommendations to the City Council; and

WHEREAS, the City Council considered the proposed amendments at the April 13, 2021 City Council meeting; and

WHEREAS, the Council finds it is in the best interests of the City to amend and update such regulations;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY MILLWOOD DOES ORDAIN AS FOLLOWS:

Section 1. Amendment to Section 17.28.010(F) MMC – Fences, Rear and Rear-Side Yard. Section 17.28.010(F) MMC is hereby amended as follows (deleted language ~~stricken~~, added language double-underlined):

~~Fences shall not exceed six feet in height. Rear and rear-side fences which front on a street shall not exceed forty two (42) inches~~ six (6) feet in height. ~~unless such fence is placed at least fifteen (15) feet from the street right of way. Side yard fences between residences or main buildings may not exceed six feet in height. Side yard fences which front on a street shall not exceed forty two (42) inches in height. Front and front-side fences may not exceed forty-two (42) inches in height. Hedges, shrubbery, or other materials used in lieu of a fence and not a part of a landscaping requirement, yet servicing the same function as a fence, shall be considered a fence. Barbwire and similar fencing material shall not be used for fencing, nor shall electric fences be installed. Permits are required for the construction or rebuilding of any fence.~~

Section 2. Repeal. All ordinances, resolutions, laws, and regulations, or parts thereof in conflict with this ordinance are, to the extent of said conflict, hereby repealed.

Section 3. Severability: If any section, sentence, clause, or phrase of this Ordinance should 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. Effect: This Ordinance shall be in full force and effect from and after its adoption and five (5) days after its publication or a publication of a summary of this Ordinance in the official newspaper of the City.

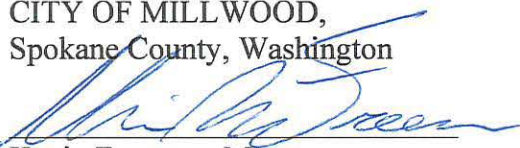
CITY OF MILLWOOD

ORDINANCE # 519

MAY 11, 2021

PASSED BY THE COUNCIL OF THE CITY OF MILLWOOD THIS 11th DAY OF MAY 2021.

CITY OF MILLWOOD,
Spokane County, Washington


Kevin Freeman, Mayor

ATTEST:


Christina Janssen, City Clerk


STATE OF WASHINGTON)

)ss:

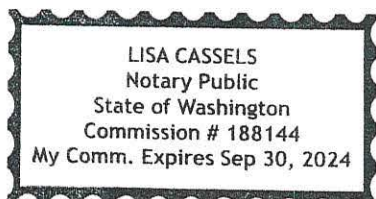
County of Spokane)

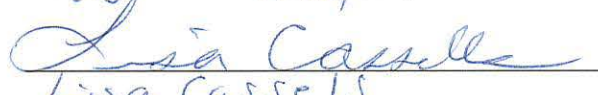
Christina Janssen, being first duly sworn on oath deposes and says:

I am the Clerk of the City of Millwood, Washington, and the foregoing ordinance entitled "AN ORDINANCE OF THE CITY OF MILLWOOD, SPOKANE COUNTY, WASHINGTON, AMENDING CHAPTER 17.28 GENERAL USE REGULATIONS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO" is the true and correct copy of the City of Millwood's Ordinance numbered #519 and that the same was posted and published according to law.


Christina Janssen

SUBSCRIBED AND SWORN TO BEFORE ME THIS 26th DAY OF May, 2021.




Lisa Casseles
Notary Public in and for the State of
Washington
My Commission expires September 30, 2024