

Langley Municipal Code

Title 12

Streets, Sidewalks and Public Places

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Chapter 12.04

Driveways and Road Approaches

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Section 12.04.010 Access Permit - Required

No person, firm or corporation shall construct a driveway or road approach onto any city streets or roads in the city without first having obtained an access permit from the Public Works Department. An approved permit for access to a city street or road shall be required prior to issuance of a building permit.

(Ord. 202, 1969)(Ord. 723, 1996)

Section 12.04.015 Application - Form

The application for an access permit shall be on the forms as prescribed by the Clerk-Treasurer's office.

(Ord. 723, 1996)

Section 12.04.020 Access Permit - Application

To obtain an entry permit, the applicant shall furnish the following information:

A. The name and address of the property owner and/or contractor; and

B. A site plan showing the following; proposed entry location, name of road being entered, the nearest intersecting road, parcel number and the existing street drainage, north arrow and right-of-way line.

(Ord. 202, 1969)(Ord. 723, 1996)

Section 12.04.025 Permit Fee

A fee, as set by Council Resolution, shall be charged for the access permit. All

permit fees shall be deposited into the City's street fund.

(Ord. 723, 1996)

Section 12.04.030 Culvert installation requirements.

If a culvert should be required, it shall be installed in a manner to accommodate the flow of water in the existing roadway ditch, subject to the approval of the city engineer or his authorized representative. The culvert shall be a minimum of twelve inches in diameter, the type of pipe shall be as specified in the City of Langley's Construction Standards. Minimum cover and other installation requirements shall be determined by manufacturers specifications and city standards.

(Ord. 202, 1969)(Ord. 723, 1996)

Section 12.04.040 Surface of approach road.

The driveway apron or approach road surface shall be surfaced with asphalt concrete pavement or concrete cement to a distance of not less than twenty feet from the edge of the City street or road. The finished surface of the approach road shall be sloped away from the edge of the city street or road at a rate of one-half inch per foot for a distance of at least four feet. The approach road shall be graded and ditched to prevent any flow of water onto the city street or road. The driveway or approach road

installation shall not interfere with roadway drainage.
(Ord. 202, 1969)(Ord. 723, 1996)

Section 12.04.050 Design Requirements

If a property owner should be required, as determined by the City Engineer, to place a culvert across the entire lot frontage, engineered plans shall be submitted to the City for review and are subject to approval prior to starting any work.
(Ord. 202, 1969)(Ord. 723, 1996)

Section 12.04.060 Installation and construction costs.

All costs of installation of culverts and related facilities and construction of approach roads and driveways shall be at the expense of the property owner.
(Ord. 202, 1969)(Ord. 723, 1996)

Section 12.04.070 Violation-Penalty.

Violation of or failure to comply with any of the provisions of this chapter shall be subject to a civil penalty as set forth in Chapter 1.14. When violations are of a continuing nature, the penalty shall increase each day of the violation as set forth in chapter 1.14.050(5).
(Ord. 202, 1969) (Ord. 723, 1996) (Ord. 832, 2003)

Chapter 12.12

Parades

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Section 12.12.010 Short title.

The ordinance codified in this chapter shall be known and may be cited as the "parade ordinance of the city of Langley." (Ord. 379, 1982)

Section 12.12.020 Definitions.

As used in this chapter:

A. "Chief of police" means the chief of police of the city of Langley.

B. "City" means the city of Langley.

C. "Mayor" means the mayor of the city of Langley.

D. "Parade" means any parade, march, race, ceremony, show festival, performance, exhibition, pageant or procession of any kind, or any similar activity, in or upon any street, park or other public place in the city.

E. "Parade permit" means a permit as required by this chapter.

F. "Person" means any person, firm, partnership, association, corporation, company or organization of any kind. (Ord. 379, 1982)

Section 12.12.030 Permit-Required-Exceptions.

A. No person shall engage in, participate in, aid, form or start any parade, unless a parade permit shall have been obtained from the chief of police.

B. Exceptions. This chapter shall not apply to:

1. Funeral processions:

2. Students going to and from school classes or participating in educational activities, providing such conduct is under the immediate direction and supervision of the proper school authorities: and

3. A governmental agency acting within the scope of its functions.

(Ord. 379, 1982)

Section 12.12.040 Permit-Application-Generally.

A person seeking issuance of a parade permit shall file an application with the chief of police on forms provided by such officer. (Ord. 379, 1982)

Section 12.12.050 Permit-Application-Filing period.

An application for a parade permit shall be filed with the chief of police not less than nine days nor more than ninety days before the date on which it is proposed to conduct the parade. (Ord. 439, 1984) (Ord. 379, 1982)

Section 12.12.060 Permit-Application-Contents.

The application for a parade permit shall set forth the following information:

A. The name, address and telephone number of the person seeking to conduct such parade;

B. If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone of the headquarters of the organization, and of the authorized and responsible heads of the organization;

C. The name, address and telephone number of the person who will be the parade chairman and who will be responsible for its conduct;

D. The date when the parade is to be conducted;

E. The route to be traveled, the starting point, and the termination point;

F. The approximate number of persons who, and animals and vehicles which will constitute such parade; the type of animals, and description of the vehicles;

G. The hours when such parade will start and terminate;

H. A statement as to whether the parade will occupy all or only a portion of the width of the streets purposed to be traversed;

I. The location by streets of any assembly areas for such parade;

J. The time at which units of the parade will begin to assemble at any such assembly area or areas;

K. The interval of space to be maintained between units of such parade;

L. If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for such permit shall file with the chief of police a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on his behalf;

M. Any additional information which the chief of police shall find reasonably necessary to a fair determination as to whether a permit should issue. (Ord. 379, 1982)

Section 12.12.070 Permit-Late application.

The chief of police, where good cause is shown therefore shall have the authority to consider any application which is filed less than nine days before the date such parade is proposed to be conducted. (Ord. 439, 1984; Ord. 379, 1982)

Section 12.12.080 Permit-Fee.

A fee, as set by Council resolution, shall be paid at the time of filing the application for a parade permit. (Ord. 379, 1982)(681, 1994)

Section 12.12.090 Responsibility for costs incurred by city.

The permittee shall be responsible for and pay any and all costs incurred by the city in connection with the parade, including, without limitation, the cost of providing extra police protection and the cost of removing debris, litter or papers from any street or other public place deposited thereon as a result of the parade. (Ord. 379, 1982)

Section 12.12.100 Indemnity-Performance deposit.

No parade permit shall be issued until the permittee shall file with the

clerk/treasurer of the city a deposit, in cash or by cashier's check made payable to the order of the city, to pay for any costs reasonably anticipated to be incurred in providing extra police protection, and in removing debris, litter or papers from the street or other material deposited thereon as a result of the parade; provided, that the mayor, in his or her discretion, may, in appropriate cases, make a specific finding that such a deposit is not necessary at the time of the issuance of such permit and waive the requirement. The amount of the deposit shall be determined by the mayor. If the amount of the deposit exceeds the actual costs incurred by the city in connection with the parade, any excess shall be refunded to the permittee.

(Ord. 379, 1982)

Section 12.12.110 Permit-Issuance standards.

The chief of police and mayor shall issue a permit as provided for in this chapter when from a consideration of the application and from such other information as may otherwise be obtained, they find that:

A. The conduct of the parade will not substantially interrupt the safe and orderly movement of other traffic contiguous to its route;

B. The conduct of the parade will not require the diversion of so great a number of police officers of the city to properly police the line of movement and the areas contiguous thereto as to prevent normal police protection to the city;

C. The conduct of such parade will not require the diversion of so great a number of ambulances as to prevent normal ambulance service to portions of the city other than that to be occupied by the proposed line of march and areas contiguous thereto;

D. The concentration of persons, animals and vehicles at assembly points of the parade will not unduly interfere with proper fire and police protection of, or ambulance service to, areas contiguous to such assembly areas;

E. The conduct of such parade will not interfere with the movement of fire-fighting equipment en route to a fire;

F. The conduct of the parade is not reasonably likely to cause injury to persons or property, to provoke disorderly conduct or create a disturbance;

G. The parade is scheduled to move from its point of origin to its point of termination expeditiously and without unreasonable delays en route;

H. The parade is not to be held for the sole purpose of advertising any product, goods or event, and is not designed to be held purely for private profit; and

I. The proposed time, date and route or place of the parade are reasonable, considering the health, safety and general welfare of all persons residing in, working in, or visiting the city.

(Ord. 379, 1982)

Section 12.12.120 Permit-Denial.

The chief of police and mayor shall act upon the application for a parade permit within seven days after the filing thereof. If the application is disapproved, the chief of police shall mail to the applicant, within seven days after the date upon which the application was filed, a notice of such action, stating the reasons for the denial of the permit.

(Ord. 379, 1982)

Section 12.12.130 Appeal procedure.

Any person aggrieved shall have the right to appeal the denial of a parade permit to the city council. The appeal shall be taken within five days after notice. The city council shall act upon the appeal within thirty days after its receipt.

(Ord. 379, 1982)

Section 12.12.140 Alternative permit.

The chief of police and mayor, in denying an application for a parade permit, shall be empowered to authorize the conduct of the parade on a date, at a time, or over a route or place different from that named by the applicant. An applicant desiring to

accept an alternate permit shall, within five days after notice of such action. file a written notice of acceptance with the chief of police. An alternate parade permit shall conform to the requirements of, and shall have the effect of, a parade permit under this chapter.

(Ord. 379, 1982)

Section 12.12.150 Notice of permit issuance.

Immediately upon the issuance of a parade permit, the chief of police shall send a copy thereof to the following:

- A. The city attorney;
- B. The fire chief;
- C. The public works director;
- D. The postmaster;
- E. The general manager or responsible head of each public transportation utility whose regular routes or vehicles will be affected by the route or place of the proposed parade.

(Ord. 379, 1982)

Section 12.12.160 Permit-Contents.

Each parade permit shall be signed by the mayor and the chief of police, and shall state the following information:

- A. Starting time;
- B. The portions of the streets to be traversed that may be occupied by the parade;
- C. The maximum length of the parade in miles or fractions thereof;
- D. Approximate finish time;
- E. Such other provisions, conditions, directions or information as the chief of police and mayor shall find necessary to the enforcement of this chapter, including, without limitation, an indemnity agreement between the permittee and the city.

(Ord. 379, 1982)

Section 12.12.170 Duties of permittee.

A. A permittee shall comply with all permit directions and conditions and with all applicable laws and ordinances.

B. Possession of Permit. The parade chairman or other person heading or leading

such activity shall carry the parade permit upon his person during the conduct of the parade.

(Ord. 379, 1982)

Section 12.12.180 Interference prohibited.

No person shall unreasonably hamper, obstruct or impede or interfere with any parade or parade assembly or with any person, vehicle or animal participating or used in a parade.

(Ord. 379, 1982)

Section 12.12.190 Driving through parade prohibited.

No driver of a vehicle, streetcar or animal shall drive between vehicles or persons or animals comprising a parade march, race, ceremony, show, exhibition, festival, pageant, performance, procession or display, when such vehicles, persons or animals are conspicuously designated as a parade or other street use for which a permit has been issued.

(Ord. 379, 1982)

Section 12.12.200 Parking on parade route.

The chief of police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along any public street, road or highway, or part thereof, constituting a part of a route of a parade. The chief of police shall post signs to such effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof. No person shall be liable for parking on a street unposted in violation of this chapter.

(Ord. 379, 1982)

Section 12.12.210 Permit-Revocation.

The chief of police shall have the authority to revoke a parade permit issued under this chapter upon application of the standards for issuance as set forth in this chapter, of for violation of any condition or direction of such permit.

(Ord. 379, 1982)

Section 12.12.220 Violation-Penalty.

Violation of or failure to comply with any of the provisions of this chapter shall be subject to a civil penalty as set forth in Chapter 1.14. When violations are of a continuing nature, the penalty shall increase each day of the violation as set forth in (Ord. 379, 1982) (Ord. 832, 2003)

Chapter 12.16

Sidewalks

Sections:

- 12.16.010** **Owner responsibility.**
- 12.16.020** **Notice to construct or reconstruct-Contents.**
- 12.16.030** **Hazardous conditions on public street right of-way.**
- 12.16.040** **Property owner liability.**
- 12.16.050** **Permit required.**
- 12.16.060** **Violation - Penalty.**

Section 12.16.010 Owner responsibility.

A. Whenever a portion, not longer than one block in length, of any street ("street," as used in this chapter, includes any boulevard, avenue, street, alley, way, lane, square or place) is not improved by the construction of a sidewalk ("sidewalk," as used in this chapter, includes any and all structures or forms of street improvement included in the space between the street margin and the roadway), or the sidewalk has become unfit or unsafe for the purposes of public travel and the street adjacent to both ends of such portion is so improved and in good repair and the city council by resolution approved after a public meeting held to consider such condition, finds that the improvement of such portion by the construction or reconstruction of a sidewalk is necessary for the public safety and convenience, the duty, burden and expense of constructing or reconstructing the sidewalk shall devolve upon the property directly abutting upon such portion ("property directly abutting" or "abutting property," as used in this chapter, is all property having a frontage upon the sides or margins of such portion).

B. Such abutting property shall not be charged with any costs of construction or reconstruction under this chapter in excess of fifty percent of the valuation of such abutting property, exclusive of improvements thereon, according to the valuation last placed upon it for the purpose of general taxation. (Ord. 518, 1988)

Section 12.16.020 Notice to construct or reconstruct-Contents.

A. Whenever the city council has adopted such resolution, it shall serve notice on the owner of the property directly abutting the portion of the street. The notice shall instruct the owner to construct or reconstruct a sidewalk in accordance with plans and specifications which shall be attached to such notice.

B. Notice shall be served by delivering it in person to the owner or leaving it at his home with a person of suitable age and discretion residing there, or with an agent of the owner, authorized to collect rentals on such property. If the owner is a nonresident of the state, a copy shall be mailed to his last known address, or if such owner is unknown or if his address is unknown, then a copy shall be posted in a conspicuous place on such portion of the street where such improvement is to be made.

C. The notice shall specify a reasonable time within which such construction or reconstruction shall be made, and shall state that in case the owner fails to make the improvement within such the city will proceed to make the improvement and at a subsequent date, to be definitely stated in such notice, the public works director will report to the city council an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such improvement, the name of the owner, if known, and that the city council at the time stated in the notice or at the time or times to which the same

may be adjourned, will hear any and all protests against the proposed assessment.

D. Upon the expiration of the time fixed with which the owner is required to construct or reconstruct such sidewalk, if the owner has failed to perform such work, the city may proceed to perform such work and shall, within the time fixed in the notice, report to the city council an assessment roll showing the lot or parcel of land directly abutting on such portion of such street so improved, the cost of such work, and the name of the owner, if known. The city council shall, at the time in such notice designated, or at an adjourned time or times, assess the cost of such improvement against the property and shall fix the time and manner for payment.

E. The assessment shall become a lien upon the property and shall be collected in the manner provided by law for collection of local improvement assessments under RCW Title 35.
(Ord. 518, 1988)

Section 12.16.030 Hazardous conditions on public street right of-way.

It is unlawful for the owner and/or any person occupying or having charge or control of any premises abutting upon any public street, right-of-way or alley in the city to construct, place, cause, create, maintain or permit to remain upon any part of such right-of-way located between the curb line, or if there is no curb line, then between the adjacent edge of the traveled portion of such right-of-way and the abutting property line, any condition, structure or object dangerous or hazardous to the use of the right-of-way by members of the general public including, but not limited to, the following conditions:

A. Defective sidewalk surface including, but not limited to, broken or cracked cement, stub-toes, depression within or between sidewalk joints;

B. Defective cement surfaces placed adjacent to the public sidewalk or defects at the juncture between the cement surfaces and the public sidewalks, including stub-toes or depressions at the junction;

C. Defects in sidewalks or public ways caused or contributed to by the roots of trees or similar growth or vegetation located either on private adjoining property or on the parking strip portion of such street right-of-way;

D. Defective conditions caused by tree limbs, foliage, brush or grass on or extending over such public sidewalks or rights-of-way;

E. Defective conditions on the parking strip area between the curb line and the sidewalk or, if there is no curb line, then between the edge of the traveled portion of the street and the sidewalk and between the sidewalk and the abutting property line:

F. Defects resulting from accumulation of ice and snow on public sidewalks or on the right-of-way between the curb line or, if there is no curb line, then between the adjacent edge of the traveled portion of the street roadway and the abutting property line;

G. Defects consisting or foreign matter on the public sidewalks including, but not limited to, gravel, oil, grease or any other foreign subject matter that may cause pedestrians using the sidewalk to fall, stumble or slip by reason of the existence of such foreign matter;

H. Defective handrails or fences or other similar structures within or immediately adjacent to such right-of-way areas.
(Ord. 518, 1988)

Section 12.16.040 Property owner liability.

A. In the event of any injury or damage to any person and/or property proximately caused by the defective, dangerous or hazardous condition of any sidewalks as specified, or by the presence or accumulation of ice or snow, or by lack or proper guards or railings on or along the property abutting on any public way, then the abutting property owner where such injury or damage occurs shall be liable, including liability to the city for all damage, injury costs and disbursements including court costs and attorney's fees, which the

city may be required to pay or incur to any person injured or property damaged.

B. Whenever any public right-of-way in the city has been improved by the construction of a sidewalk along either side, the duty and expense of the maintenance, cleaning, repair and renewal of the sidewalk, including the erection or maintenance of suitable barriers along the outer margin of the sidewalk where the same is elevated more than two feet above the abutting property shall be upon the owner of the abutting property. All such repairs shall be made after application for an issuance of a proper street excavation permit as required by law, and all of such work shall be duly inspected and approved by the services director or his designee.
(Ord. 518, 1988)

Section 12.16.050 Permit required.

Any person desiring to change or relocate any sidewalk in front of and

abutting his property shall make application in writing to the public works director of the city and such application shall contain, among other things, the exact location of such proposed change or relocation, the location and design of any new sidewalk to be laid and the connections and locations of other sidewalks upon such street. No change or relocation of any sidewalk shall be made until the issuance of an appropriate permit.
(Ord. 518, 1988)

Section 12.16.060 Violation - Penalty.

Violation of or failure to comply with any of the provisions of this chapter shall be subject to a civil penalty as set forth in Chapter 1.14. When violations are of a continuing nature, the penalty shall increase each day of the violation as set forth in chapter 1.14.050(5).
(Ord. 518, 1988) (Ord. 832, 2003)

Chapter 12.20

Street Use Permits

Sections:

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12.20.030	Plan review and approval.
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12.20.070	Permit issuance.
12.20.080	Violation.
12.20.090	Conflicting provisions.

Section 12.20.010 Permit required.

A right-of-way permit shall be required for:

A. Improvements within the city right-of-way by private contract or franchise holders.

B. Temporary non-construction use of city right-of-way.
(Ord. 537, 1989)(725, 1996)

Section 12.20.015 Types of permit

The following permit applications require city review and approval prior to right-of-way use:

1. Right-of-way - Construction:
Required for any use of, or improvements within, city right-of-way by private contractor, private utility, or by franchise holders.

2. Right-of-way - Temporary:
Required for uses other than construction or vehicle parking. Temporary permits are valid for five consecutive days. If an applicant desires additional time, a new application shall be submitted along with another permit fee. Examples: Temporarily routing foot traffic around a building front that is being worked on, temporary placement of dumpster in City right-of-way.

3. Right-of-way - Blanket: Optional, for franchise holders only. Franchise

holders (power, tele-communications, cable television) may apply for a blanket permit. Blanket permits will be valid during the calendar year in which they are issued. A blanket permit shall not preclude the franchisee from notifying the city of planned work, or the requirement to comply with applicable city codes, ordinances or standards and specifications. This shall include submitting plans for proposed improvements.
(Ord. 725, 1996)

Section 12.20.020 Improvements defined.

"Improvements" includes construction of, or repair of, sanitary sewer, storm drains, sidewalks or walkways, concrete curbs, street paving, alley grading and paving, water line or any other construction in city rights-of-way.
(Ord. 537, 1989)(Ord. 725, 1996)

Section 12.20.030 Plan review and approval.

Final plans shall be reviewed and approved by the city. Approvals may be required for other permits in conjunction with this application.
(Ord. 537, 1989)(Ord. 725, 1996)

Section 12.20.040 Bond or deposit-Filing.

Performance Bond: No building permit shall be issued until all public improvements are completed and final acceptance granted or, with the approval of the director of public works, the permittee or the contractor for the permittee may post a performance bond naming the City as obligee or a cash surety may be posted with the City in an amount equal to 115 percent of the cost of the public works improvements prior to issuance of a building permit. A certificate of occupancy shall not be issued until all public works improvements are completed in accordance with approved plans and accepted by the City.

Maintenance Bond: Prior to final approval and acceptance of any major improvements, the permittee or the contractor for the permittee shall post with the city, a maintenance bond warranting materials and workmanship, naming the City as obligee or cash surety for the guarantee of the public works improvements in an amount equal to 10 percent of the total cost of the improvements for a period of one year after the completed improvements are accepted by the City.
(Ord 537, 1989)(Ord. 725, 1996)

Section 12.20.050 Bond or deposit-Time period.

The surety bond or cash deposit must remain in force until final acceptance of the improvements by the City, and posting of the maintenance bond. Release of the maintenance bond will occur one year from the date of city acceptance unless workmanship and materials are not performing in accordance with City standards, as determined by the City.
(Ord. 537, 1989)(Ord. 725, 1996)

Section 12.20.055 Insurance required

When available, a certificate of liability insurance shall be submitted to the city prior to permit issuance. The City of Langley shall be named as additional insured. The minimum insurance coverage shall be determined administratively based on the value of the work and the risk involved.

All applicants shall be required to sign a hold harmless agreement that is included in the application form.
(Ord. 725, 1996)

Section 12.20.060 Permit fee.

A fee, as set by Council Resolution, shall be charged for the Right-of-way permit and deposited into the city's street fund.
(Ord. 537, 1989)(Ord.725, 1996)

Section 12.20.065 Application - form

The application for a right-of-way use permit shall be on the forms as prescribed by the Clerk-Treasurer's office.
(Ord. 725, 1996)

Section 12.20.070 Permit issuance.

The city's public works director shall have the authority to issue the right-of-way use permit upon all requirements of this ordinance being met by the permittee and/or the contractor for the permittee.

Construction permits issued under the provision of this code shall expire if work authorized under this permit has not commenced within 180 days of permit issuance or if work authorized under this permit is suspended or abandoned for a period of 180 days.

Temporary permits issued under the provision of this code shall be valid for five consecutive calendar days.

Blanket permits for franchise holders shall expire on the last day of the calendar year in which it is issued.
(Ord. 537, 1989) (Ord. 725, 1996)

Section 12.20.080 Violation.

Violation of or failure to comply with any of the provisions of this chapter shall be subject to a civil penalty as set forth in Chapter 1.14. When violations are of a continuing nature, the penalty shall increase each day of the violation as set forth in chapter 1.14.050(5).
(Ord. 537, 1989) (Ord. 832, 2003)

Section 12.20.090 Conflicting provisions.

In the event any other city ordinance is in conflict with any of the terms of this

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chapter, the more stringent shall be (Ord. 537, 1989)
construed as applicable.