

Langley Municipal Code

Title 8

Health and Safety

Chapters:

- 8.02 Minors and Possession of Tobacco**
- 8.08 Uniform Litter Control Code**
- 8.12 Public Nuisances**
- 8.24 Automatic Fire Sprinkler Systems.**
- 8.25 Regulating Smoking in Public Buildings**

Chapter 8.02

Minors and Possession of Tobacco

Sections:

8.02.010 Purpose and Findings.

8.02.020 Requirements.

Section 8.02.010 Purpose and Findings.

The City Council of the City of Langley finds that the protection of adolescents' health requires a strong set of comprehensive health and law enforcement interventions. We know that youth are deterred from using alcohol in public because of existing laws making possession illegal. However, while the purchase of tobacco by youth is clearly prohibited, the possession of tobacco is not. It is the City Council's intent, in conjunction with our state legislature, that youth hear consistent messages from public entities, including law enforcement, about public opposition to their illegal use of tobacco products.

(Ord. 766, 1998)

Section 8.02.020 Requirements.

A person under the age of eighteen who purchases or attempts to purchase,

possesses, or obtains or attempts to obtain cigarettes or tobacco products commits a class 3 civil infraction under RCW 7.80 RCW and is subject to a fine as set out in chapter 7.80 RCW or participation in up to four hours of community service, or both. The court may also require participation in a smoking cessation program. This provision does not apply if a person under the age of eighteen, with parental authorization, is participating in a controlled purchase as part of a liquor control board, law enforcement, or local health department activity.

Langley Municipal Court shall have jurisdiction of enforcement of this section.

(Ord. 766, 1998)

Chapter 8.08

Uniform Litter Control Code

Sections:

8.08.010	Short title.
8.08.020	Purpose.
8.08.030	Littering prohibited-Exceptions
8.08.040	Enforcement.
8.08.050	Receptacles – Placement.
8.08.060	Receptacles-Use.
8.08.070	Receptacles-Damaging unlawful.
8.08.080	Removal of litter.
8.08.090	Mandatory litter bags.
8.08.100	Sweeping litter into gutter prohibited.
8.08.110	Throwing or distributing handbills in public places.
8.08.120	Depositing handbills on uninhabited or vacant property.
8.08.130	Litter thrown by persons in vehicles.
8.08.140	Vehicle loading.
8.08.150	Violations Penalty.

Section 8.08.010 Short title.

The ordinance codified in this chapter shall be known and may be commonly referred to as the "Uniform Litter Control Code."

(Ord. 416, 1983)

Section 8.08.020 Purpose.

The purpose of this chapter is to accomplish litter control in the city. This chapter is intended to place upon all persons within the city the duty of contributing to the public cleanliness of the city and appearance in order to promote the public health, safety and welfare and to protect the economic interests of the people of the city against unsanitary and unsightly conditions. It is further the intent of this chapter to protect the people against the health and safety menace and the expense incident to littering. (Ord.416, 1983)

Section 8.08.030 Littering prohibited-Exceptions

No person shall throw, drop, deposit, discard or otherwise dispose of litter, as that term is defined in RCW 70.93.030(4), upon

any public place in the city or upon any private property not owned by him, or in any waters within the jurisdiction of the city whether from a vehicle or otherwise, including, but not limited to, any sidewalk, street, alley, highway or park, except:

A. When such property is designated by the state or by any of its agencies or the city for disposal of garbage and refuse, and such person is authorized by the proper public authority to so use such property; or

B. Into a litter receptacle or other container in such manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the public place or any private property; or

C. When such person is the owner or does have control or custody of the property, or has prior consent of the owner or tenant in lawful possession of such property, or unless the act is done under the personal direction of the owner or tenant and provided the litter will not cause a public nuisance or be in violation of any other state or local laws, rules or regulations.

(Ord. 416, 1983)

Section 8.08.040 Enforcement.

Enforcement of this chapter maybe by any police officer. All such enforcement officers are empowered to issue citations to and/or arrest without warrant, persons violating the provisions of this chapter. The enforcement officers may serve and execute all warrants, citations and other process issued by the courts. In addition, mailing by registered mail of such warrant, citation or other process to the last known place of residence of the offender shall be deemed as personal service upon the person charged. (Ord. 416, 1983)

Section 8.08.050 Receptacles –Placement.

A. Litter receptacles shall be placed in all places in respect to the service of transient habitation, parks, trailer parks, gasoline service stations, tavern parking lots, shopping centers, grocery store parking lots, marinas, boat launching areas, beaches, bathing areas, and other such public places in numbers and size appropriate to need.

B. It is the responsibility of any persons owning or operating any establishment or public place in which litter receptacles are required by this section to procure and place and maintain such litter receptacles at their own expense on the premises in accord with such state regulations. (Ord. 416, 1983)

Section 8.08.060 Receptacles-Use.

Litter receptacles placed on sidewalks and other public places shall be used only for such litter material as persons may have for disposal while passing along the street or other public places and in no event shall be used for the disposal of other solid waste accumulated in residences or places of business.

(Ord. 416, 1983)

Section 8.08.070 Receptacles-Damaging unlawful.

It is unlawful for any person to willfully damage or deface any litter receptacle.

(Ord. 416, 1983)

Section 8.08.080 Removal of litter.

It shall be the responsibility of the local municipality, other agency or person owning or maintaining the same for the removal of litter from litter receptacles placed in parks, beaches, campgrounds and other public places.

(Ord. 416, 1983)

Section 8.08.090 Mandatory litter bags.

The owner and person in possession of all vehicles or watercraft shall keep a litter bag in the vehicle or watercraft at all times.

(Ord. 416, 1983)

Section 8.08.100 Sweeping litter into gutter prohibited.

No person shall sweep into or deposit in any gutter, street, alley or other public place the accumulation of litter from any building, lot, or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalks in front of their premises free of litter.

(Ord. 416, 1983)

Section 8.08.110 Throwing or distributing handbills in public places.

No person shall throw or deposit any handbill upon any public place within the city; provided, however, that it shall not be unlawful for any person to hand out, without charge to the receiver thereof, any handbill to any occupant of a vehicle, or to any other person who is willing to accept it.

(Ord. 416, 1983)

Section 8.08.120 Depositing handbills on uninhabited or vacant property.

A. No person shall throw or deposit any handbill in or upon any uninhabited or vacant private property.

B. Exemption for Mail and Newspapers. The provisions of this section shall not apply to the distribution of mail by the United States nor to newspapers, except that newspapers shall be placed on private residences or other private property in such a manner as to prevent their being carried or deposited by the elements upon any public place or upon private property.

(Ord. 416, 1983)

Section 8.08.130 Litter thrown by persons in vehicles.

No person, while a driver or passenger in a vehicle, shall throw or otherwise deposit litter upon any public place or upon any private property.
(Ord. 416, 1983)

Section 8.08.140 Vehicle loading.

A. No person shall drive or move a vehicle on any public street unless such vehicle is constructed and loaded to prevent any of its load from dropping, shifting, leaking or otherwise escaping; however, sand and gravel may be dropped to secure traction, or water may be sprinkled on a roadway surface in the cleaning or maintaining of such roadway by public authority having jurisdiction for the same or

by persons under contract or other authorization by such public authority.

B. Any person who owns or operates a vehicle shall immediately remove from the streets, alleys or roadways any objects or litter which falls or leaks from that vehicle.

C. No person who is engaged in any construction, landscaping, or any other activity shall throw or otherwise deposit the litter or refuse from that activity on any public property . (Ord. 416, 1983)

Section 8.08.150 Violations 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. 416, 1983) (Ord. 832, 2003)

Chapter 8.12

Public Nuisances

Sections:

- 8.12.010** **Designated.**
- 8.12.020** **Notice-Abatement required.**
- 8.12.030** **Abatement by city---Costs.**
- 8.12.040** **Violation-Penalty**

Section 8.12.010 Designated.

The following things, places, acts, animals and fowl are declared to be public nuisances, namely:

A. All trees, plants, shrubs or vegetation or parts thereof which overhang any street or which grow thereon in such a manner as to obstruct or impair the free and full use of the sidewalk or street by the public;

B. All grass, weeds, shrubs, bushes, trees or vegetation growing or which have grown and died upon property owned or occupied by any person, and which are a fire hazard or a menace to the public health, safety or welfare;

C. All trash or debris or materials of all kinds located upon any property owned or occupied by any person which are a fire hazard or a menace to the public health, safety or welfare;

D. Animals and fowl (excluding dogs and cats) which constitute a menace to the public health, safety or welfare while on or off any property owned or occupied by any person.
(Ord. 277, 1977)

Section 8.12.020 Notice-Abatement required.

The city may require the owner of any property to confine, remove or destroy any public nuisance as defined in Section 8.12.010, when the city public works

director or police officers authorized by the city finds a public nuisance to exist.
(Ord. 511, 1987, Ord. 483, 1985, Ord. 277, 1977)

Section 8.12.030 Abatement by city---Costs.

If the nuisance is not abated by removal, confinement or destruction by the property owner within the time fixed in the notice, the city may, through its agents or employees, abate the same and render a bill covering the costs to the city of such abatement, including all expenses related thereto, and mail the bill to the property owner and occupant, if any. If the property owner or occupant fails and refuses to pay the charges as specified therein immediately, or if the property owner is unknown or his address is unknown, the city may file a lien therefore against the property, which lien shall be in the same form, filed with the same officer, and within the same time and manner, and enforced and foreclosed as provided by law for labor and material liens.
(Ord. 277, 1977)

Section 8.12.040 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. 483, 1985; Ord. 277, 1977)(Ord. 832, 2003)

Chapter 8.24

Automatic Fire Sprinkler Systems.

Sections:

- 8.24.010 Policy and purpose.**
- 8.24.020 Sprinkler systems required.**
- 8.24.030 Existing buildings.**
- 8.24.040 Alarm systems.**
- 8.24.050 Inoperable systems-Fire chief notification.**
- 8.24.060 Annual service.**
- 8.24.070 Additional requirements-Conflicts.**
- 8.24.080 Violation-Penalty.**

Section 8.24.010 Policy and purpose.

The city council finds that automatic fire sprinkler systems are now technologically and economically viable and can help to reduce the loss of life and property due to fire, and are therefore necessary in order to protect the public health, safety and welfare. (Ord. 544, 1989)

Section 8.24.020 Sprinkler systems required.

A fully automatic fire sprinkler system designed, installed, tested and maintained per N.F.P.A. (National Fire Protection Association) 13 (current edition) and R.C.W. 18.160 and approved by the fire chief shall be required in all buildings, except residential dwellings with 4 or fewer residential units, under the following conditions:

A. New buildings in excess of 3,000 square footage total usable floor area; or

B. New buildings greater than two stories in height.

(Ord. 544, 1989; Ord. 655, 1993; Ord.720,1996)

Section 8.24.030 Existing buildings.

A. In existing buildings which are substantially remodeled or rehabilitated, or in which a change in the character of occupancy or use places the building in a different division of the same group of occupancy or in a different group of occupancies, a fully automatic fire sprinkler system shall be required if the subsequent building meets any of the conditions for new

buildings in subsections A through B of Section 8.24.020. "Substantially remodeled or rehabilitated" means any structural alteration, addition or restoration of a building for which the cost or value exceeds fifty percent of the current replacement cost or value of the particular building, or where more than fifty percent of the square footage has been structurally altered, or where the addition exceeds 3,000 square fee, after the effective date of this section. Residential over commercial (B-2) occupancies shall be considered mixed use and will be required to install sprinklers if the structure as a whole meets the criteria in section 8.24.020 of this code.

B. Existing fully sprinklered buildings, when remodeled or enlarged, shall retain the feature of being fully sprinklered, including the remodeled or added portion.

(Ord. 544, 1989, Ord. 655, 1993)

Section 8.24.040 Alarm systems.

All automatic fire sprinkler systems shall be supervised by an alarm which shall give an audible signal at a constantly attended station and on the building exterior. "Constantly attended station" means a place where an alarm can be guaranteed to be received by a responsible adult such as an on-site caretaker or an alarm monitoring company.

(Ord 544, 1989)

Section 8.24.050 Inoperable systems-Fire chief notification.

Langley Municipal Code

If, at any time, any automatic fire sprinkler system becomes inoperative, the fire chief shall be notified within four hours. "Inoperable" means any condition which prevents any sprinkler from operating or any alarm from sounding at its designated location.

(Ord. 544, 1989)

Section 8.24.060 Annual service.

All automatic fire sprinkler systems shall be serviced annually by a qualified service person only. A copy of the annual service report, signed by the individual who performed the annual inspection, shall be forwarded to the fire department within five working days.

(Ord. 544, 1989)

Section 8.24.070 Additional requirements-Conflicts.

A. The requirement of an automatic fire sprinkler system does not eliminate the requirements for alarms and fire detection systems found in the Uniform Building Code or Uniform Fire Code.

B. In the event there is a conflict between any provisions of this chapter and the provisions of the latest ICBO Uniform Building Code or the Uniform Fire Code, the more restrictive (greatest protection) provisions shall apply.

(Ord. 544, 1989)

Section 8.24.080 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. 544 , 1989)(Ord. 832, 2003)

Chapter 8.25

Regulating Smoking in Public Buildings

Sections:

- 8.25.010 Intent**
- 8.25.020 Definitions**
- 8.25.030 Signs**
- 8.25.040 Prohibitions**
- 8.25.050 Penalties**
- 8.25.060 Statutes incorporated by reference**

Section 8.25.010 Intent

The state legislature recognizes the increasing evidence that tobacco smoke in closely confined places may create a danger to the health of some citizens of this state. In order to protect the health and welfare of those citizens, it is necessary to prohibit smoking in public places except in areas designated as smoking areas.
(Ord. 751, 1997)

Section 8.25.020 Definitions

For purposes of this chapter, the following terms have the meanings indicated below:

A. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette or any kind of lighted smoking equipment.

B. "City Building" means any building or portion thereof, owned or leased by the city and includes all areas of a building owned or leased by the city in its entirety, including but not limited to elevators, restrooms, waiting areas, hallways, lobbies, reception areas, council chambers, lunchrooms and employee offices.
(Ord. 751, 1997)

Section 8.25.030 Signs

The city shall post signs prohibiting smoking conspicuously at each city building entrance and in prominent locations throughout such buildings.
(Ord. 751, 1997)

Section 8.25.040 Prohibitions

A. No person shall smoke in any city building.

B. No person shall remove, deface or destroy any sign required by this chapter.
(Ord. 751, 1997)

Section 8.25.050 Penalties

A. Any person violating the provisions of this chapter is subject to a civil fine of up to one hundred dollars. Law enforcement agencies shall enforce this section by issuing a notice of infraction to be assessed in the same manner as traffic infractions. The provisions contained in RCW 70.160.070 and Chapter 46.63 RCW for disposition of traffic infractions apply to the disposition of infractions for violation of this chapter except that the provisions of Chapter 46.63 RCW relating to the provision of records to the department of licensing in accordance with RCW 46.20.270 and the provisions relating to the imposition of sanctions against a person's driver's license or vehicle license are not applicable to this chapter.

B. Any penalty assessed and recovered in an action brought under this chapter shall be paid to the city.
(Ord. 751, 1997)

Section 8.25.060 Statutes incorporated by reference

All relevant provisions of Chapter 7.16 RCW necessary to complete this ordinance consistent with the state statutory scheme are hereby incorporated by this reference.
(Ord. 751, 1997)