

SPECIAL CITY COUNCIL AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

April 23, 2024 – 5:30 PM

Presiding members: Mayor Matt Dukes City Staff:

Ward 1 Susan Eads Ward 2 Pat Byrne City Manager Tim Lyon
Ward 3 Rita Maxwell Ward 4 Marc Thompson City Clerk Sara Hancock
Ward 5 Sara Bana Ward 6 Rick Favors City Attorney Don Maisch

A. CALL TO ORDER.

B. <u>DISCUSSION ITEMS.</u>

1. Celebration and meet and greet of newly sworn-in Councilmembers: Pat Byrne for Ward 2, Rita Maxwell for Ward 3, Marc Thompson for Ward 4, and Rick Favors for Ward 6.

C. <u>ADJOURNMENT.</u>



CITY OF MIDWEST CITY MEETINGS FOR APRIL 23, 2024

All Council/Authority/Commission meetings of the City of Midwest City (MWC) elected officials will be held in the Council Chamber located at 100 N. Midwest Blvd., Midwest City, OK 73110, Oklahoma County, Oklahoma, unless notified otherwise.

Regularly scheduled meetings of the elected officials will be streamed live and recorded on the MWC YouTube channel: **Bit.ly/CityofMidwestCity** with the recorded videos available there within 48 hours.

<u>Special Assistance for a Meeting</u>: Send request via email to tanderson@midwestcityok.org or call 405-739-1220 no less than 24 hours prior to the start of a meeting. If special assistance is needed during a meeting, call 739-1388.

Please note that the elected officials will informally gather at or after 5:00 PM in the City Manager's Conference room for dinner for evening meetings; however, no business will be discussed or acted upon. Meals will only be provided to the City Council and staff. Doors to the Council Chamber will be open to the public fifteen minutes prior to the start of a meeting.

For the purposes of all meetings of the MWC elected and/or appointed officials, the term "possible action" shall mean possible adoption, rejection, amendments, postponements, and/or recommendation to the City Council and/or Authorities.

Pursuant to Midwest City Resolution 2022-50, the following rules of conduct and engagement are in effect for all meetings of the MWC elected and/or appointed officials:

- 1. Only residents of the City, and/or identifiable business doing business in or with the City, or where it is required by statute during public hearings may speak during a public meeting, unless by majority vote of the City Council, non-residents may be permitted to comment on agenda items that impact them. To verify this new requirement, speakers must state their name and City residential/business address or provide/present proof of residential/business address to the City Clerk before addressing the elected officials.
- 2. There will be a 4 (four) minute time restriction on each speaker, which can be extended by a vote of the City Council, only if it benefits and/or clarifies the discussion at hand. The City Clerk, or designee, will be the timekeeper and will notify the chair when time has expired.
- 3. The Mayor/Chair reserves the right to remove individuals from the audience if they become disorderly. If the Mayor/Chair asks a disruptive individual to leave and the individual refuses to leave, the meeting will be recessed and appropriate law enforcement action will be taken.
- 4. Agenda items requesting action of the elected officials shall include:
 - 1. Presentation by City Staff and/or their invited guest speaker;
 - 2. If a public hearing is required, questions and discussion by and between the elected officials, City Staff, and the public;
 - 3. Questions and discussion by and between the elected officials and City Staff, invited guest speaker, and/or public during a public hearing; and
 - 4. Motion and second by the elected officials.
 - 5. If a motion is to be amended, the one who made the motion may agree and restate the motion with the amendment; however, if the maker of the motion does not agree to the amendment, the motion may be voted on as it stands.
 - 6. Final discussion and possible action/amended motion by the elected officials.



CITY OF MIDWEST CITY COUNCIL AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

April 23, 2024 – 6:00 PM

Presiding members: Mayor Matt Dukes City Staff:

Ward 1 Susan Eads Ward 2 Pat Byrne City Manager Tim Lyon
Ward 3 Rita Maxwell Ward 4 Marc Thompson
Ward 5 Sara Bana Ward 6 Rick Favors City Attorney Don Maisch

A. <u>CALL TO ORDER.</u>

B. OPENING BUSINESS.

- Invocation by Assistant City Manager Vaughn Sullivan
- Pledge of Allegiance by Midwest City High School ROTC Cadets
- Tree Board Art Middle School and High School Winners Prize Presentation
- Mayoral Proclamations: Fair Housing Month, International Firefighters
 Day, International Compost Awareness Week, Police Appreciation Week, and National Public Works Week.
- Community-related announcements and comments
- C. <u>CONSENT AGENDA</u>. These items are placed on the Consent Agenda so the Council members, by unanimous consent, can approve routine agenda items by one motion. If any Council member requests to discuss an item(s) or if there is not unanimous consent, then the item(s) will be removed and heard in regular order.
 - Discussion, consideration, and possible action to approve the March 26, 2024 meeting minutes. (City Clerk - S. Hancock)
 - 2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Street Tax Fund, expenditures/Park & Rec (06) \$78,200. Police Fund, expenditures/Transfers Out (62) \$67,454. Risk Fund, revenue/Transfers In (00) \$67,454. Disaster Relief Fund, expenditures/Neighborhood Services (15) \$50,000. General Government Sales Tax Fund, expenditures/Community Development (05) \$27,001. (Finance Department T. Cromar)
 - 3. Discussion, consideration, and possible action of rejecting the bid for replacement of AHU 6, 8, and various HVAC equipment at City Hall. (Engineering & Construction Services B. Bundy

- 4. Discussion, consideration, and possible action of entering into an agreement for Professional Services with R.L. Shears Company, PC in the amount of \$178,198 to provide survey and design services for a future federal aid project to construct sidewalks in four locations. (Engineering & Construction Services B. Bundy)
- 5. Discussion, consideration, and possible action of accepting grants of Temporary Easement from grantor, at certain parcels of land located within the corporate boundaries of Midwest City in Section 2, Township 11N, Range 2W of the Indian Meridian, Oklahoma County, Oklahoma; known as 601 E Steed Dr and 1112 S Midwest Blvd. (Engineering & Construction Services B. Bundy)
- 6. Discussion, consideration, and possible action of making a matter of record Permit No. SL000055240020 from the State Department of Environmental Quality for the subdivision Urban Edge Addition, Midwest City, Oklahoma. (Engineering & Construction Services P. Menefee)
- 7. Discussion, consideration, and possible action of making a matter of record Permit No. WL000055240021 from the State Department of Environmental Quality for the subdivision Urban Edge Addition, Midwest City, Oklahoma. (Engineering & Construction Services P. Menefee)
- 8. Discussion, consideration, and possible action of reappointing Rick Dawkins to the Planning Commission for the remainder of his three-year term to expire August 26, 2026. (City Manager T. Lyon)
- Discussion, consideration, and possible action of appointing Barbara Wilson to the Midwest City Tree Board as the Mayoral representative for a three-year term to expire April 27, 2027. (City Manager - T. Lyon)
- 10. Discussion, consideration, and possible action of appointing Debbie Moore to the Midwest City Arts Council as the Ward 4 representative for a two-year term ending on May 26, 2026. (City Manager T. Lyon)
- 11. Discussion, consideration, and possible action to submit the Midwest City official vote for 1) Incumbent, Mike Bailey, City Manager of Bartlesville, and 2) Incumbent, Craig Stephenson, City Manager of Ponca City to serve on the Oklahoma Municipal Assurance Group Board. (City Manager T. Lyon)
- 12. Discussion, consideration, and possible action of 1) declaring various computer equipment and other miscellaneous items of City property as obsolete, defective, or replaced; and 2) authorizing their disposal by public auction, sealed bid or other means as necessary. (Information Technology A. Stephenson)
- 13. Discussion, consideration and possible action of 1) declaring miscellaneous radar items as surplus, and 2) authorizing disposal of this property by public auction or sealed bid. (Police G. Wipfli)

D. DISCUSSION ITEMS.

- 1. Discussion, consideration, and possible action of approving a Memorandum of Understanding (MOU) between the City of Midwest City and the Choctaw-Nicoma Park School District. (D. Maisch City Attorney).
- 2. Discussion, consideration, and possible action of recommending for approval an ordinance amending Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 10, Sewer Mainline Backup Service Program; Section 43-251, Provisions; Section 43-254, Fees; and providing for repealer and severability. (D. Maisch City Attorney)
- 3. (PC-2166) Public hearing, discussion, consideration, and possible action approving a Special Use Permit (SUP) to allow Eating Establishments: Sit-Down, Alcoholic Beverages Permitted in the (C-3) Community Commercial District for the property described as a part of the Northeast Quarter (NE/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 6620 E. Reno Ave. (Planning & Zoning- M. Summers)
- 4. (PC-2169) Public hearing, discussion, consideration, and possible action approving a Special Use Permit (SUP) to allow Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted in the (O-2) General Office District for the property described as a part of the Southeast Quarter (SE/4) of Section Thirty-Four (34), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 2801 Parklawn Dr., Ste 102. (Planning & Zoning- M. Summers)
- 5. (PC-2170) Public hearing, discussion, consideration, and possible action approving a Resolution amending the Comprehensive Plan from Single-Family Detached Residential Land Use to Commercial Land Use and; an Ordinance to redistrict from Single-Family Detached Residential District ("R-6") to Restricted Commercial District ("C-1"), for the property described as a part of the Northwest Quarter (NW/4) of Section Ten (10), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 105 E. Myrtle Dr., Midwest City. (Planning & Zoning- M. Summers)
- 6. Discussion, consideration, and possible action approving an ordinance amending Midwest City code, Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, Section 9-382, Definitions; and providing for repealer and severability. (Planning & Zoning - M. Summers)
- 7. Discussion, consideration, and possible action approving an ordinance amending Midwest City code, Chapter 38, Subdivision Regulations, Article V, Application Submittal and Processing Procedures for all Plats and Plans, bringing Section 38-40 out of reserve and titling it "Public Notice Requirements for Plats and Plans"; and providing for repealer and severability. (Planning & Zoning M. Summers)

- 8. (PC-2171) Discussion, consideration, and possible action approving an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; and providing for repealer and severability. (Planning & Zoning M. Summers)
- 9. (PC-2164) Discussion, consideration, and possible action approving an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction Requirements and Standards; and providing for repealer and severability. (Planning & Zoning M. Summers)
- 10. (PC-2165) Discussion, consideration, and possible action approving an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability. (Planning & Zoning M. Summers)
- 11. Discussion, consideration, and possible action of approving an ordinance amending Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article I, Section 9-1 through Article VI, Section 9-380 are hereby amended in their entirety; and providing for repealer and severability. (Engineering & Construction Services B. Bundy)
- E. NEW BUSINESS/PUBLIC DISCUSSION. "In accordance with State Statue Title 25 Section 311. Public bodies Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority/Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion" section of the agenda is for members of the public to speak to the Council on any subject not scheduled on the regular agenda. The Council shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Council will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE COUNCIL."

F. FURTHER INFORMATION.

- 1. (PC-2168) Public hearing, discussion, consideration, and possible action approving an ordinance to redistrict from Community Commercial District ("C-3") to Planned Unit Development ("PUD") with C-3 as a base zoning district, for the property described as Lot Three (3), Blocks Five (5), Six (6), Seven (7) and Eight (8) in Heritage Park Mall, A Re-Subdivision of Blocks 3, 4 and 5 of Miracle Mile Addition, An Addition to Midwest City, Oklahoma County, Oklahoma, As Shown By the Recorded Plat Thereof. (Planning and Zoning- M. Summers)
- 2. Review of the March 5, 2024 Planning Commission Meeting Minutes. (Planning & Zoning- E. Richey)

- 3. Review of the March 11, 2024 Special Planning Commission Meeting Minutes. (Planning & Zoning E. Richey)
- 4. Monthly Residential and Commercial Building report for March 2024 Building Report (Engineering & Construction Services—B.Bundy)
- 5. Monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager for March 2024. (Human Resources T. Bradley)
- 6. Review of the City Manager's Report for the month of March 2024. (Finance T. Cromar)

G. <u>ADJOURNMENT.</u>



CONSENT AGENDA

Notice for the Midwest City Council meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

City of Midwest City Council Minutes

March 26, 2024

This meeting was held in the Midwest City Council Chamber at City Hall, 100 N Midwest Blvd, Midwest City, County of Oklahoma, State of Oklahoma.

Mayor Matt Dukes called the meeting to order at 6:00 PM with following members present:

Ward 1 Susan Eads Ward 2 Pat Byrne City Manager Tim Lyon
Ward 3 Rick Dawkins Ward 4 Sean Reed City Clerk Sara Hancock
Ward 5 Sara Bana Ward 6 Rick Favors City Attorney Don Maisch

OPENING BUSINESS. The Invocation was given by Assistant City Manager Vaughn Sullivan. Carl Albert High School ROTC Cadets Fletcher and Caldwell led the Pledge of Allegiance. Mike Fina with OML presented 25 Year Awards to: City Manager, Tim Lyon; Street Project Supervisor, Jeff Lowell; Operator III WW, Gaylon Davis; Fire Shift Commander, Anthony Williams; and Communication Specialist 1, Karen Denton. Mayor Dukes presented Proclamations to: Ward 4 Council member Sean Reed; Retiree Mary Kuettel; B. Bruce and K. Denton for National Telecommunicator Week; and M. Kuettel and P. Streets for Arbor Week. City Manager Lyon, Mayor Dukes, and Councilmember Eads made community-related announcements and comments.

<u>CONSENT AGENDA</u>. Bana made a motion to approve the consent agenda with exception to pull Items 6, 8, and 11, seconded by Eads. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

- 1. Discussion, consideration, and possible action to approve the February 27, 2024 meeting minutes.
- 2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Workers Comp Fund, expenditures/Transfers Out (00) \$600,000. Risk Fund, revenue/Transfers In (00) \$600,000. Capital Improvements Fund, revenue/Taxes (00) \$2,369,738. Park & Recreation Fund, revenue/Taxes (06) \$592,434. Reimbursed Projects Fund, revenue/Intergovernmental (06) \$35,600; expenditures/Park & Rec (06) \$35,600. Capital Improvements Fund, expenditures/Capital Improvements (57) \$4,977. Decrease: Revenue Bond Sinking Fund, revenue/Taxes (00) \$2,962,172.
- 3. Discussion, consideration, and possible action of approving Amendment #1 of the Central Oklahoma Governments Air Quality Small Grant to add an additional (6) months to contract.
- 4. Discussion, consideration, and possible action of 1) acceptance of an Oklahoma City Community Foundation (OCCF) grant in the amount of \$35,600 for benches and trees for Midwest City parks; 2) approving and entering into an agreement with OCCF which establishes the terms and conditions of the grant; and 3) authorization of the Mayor and/or City Manager to enter into the necessary contracts/agreements to implement the grant.
- 5. Discussion, consideration, and possible action of approving Resolution 2024-03 for 1) sponsorship of a Transportation Alternatives Program application to construct Crutcho Creek Trail Phase 1, and 2) authorizing the City Manager to sign the application.

- 7. Discussion, consideration, and possible action of approving a maintenance and services contract with Oklahoma Earthbike Fellowship, Inc., for landscape improvements and maintenance of mountain bike trails at the SCIP Recreational Trail.
- 9. Discussion, consideration, and possible action of amendment #2 for Professional Services with Lee Engineering, LLC in the amount of \$9,000 to provide services to acquire easements as part of the project.
- 10. Discussion, consideration, and possible action of the acceptance of maintenance bonds from Bishop Paving, LLC in the amount of \$6,211.70 respectively.
- 12. Discussion, consideration and possible action declaring (1) Chevy S-10, unit No. 47-02-01, as surplus and disposing of by sealed bid, public auction, or other means as necessary.
- 13. Discussion, consideration, and possible action of declaring (1) Chevrolet Impala and its contents, as surplus and authorizing disposal by public auction, sealed bid or other means necessary.
- 14. Discussion, consideration and any possible action, declaring the Street Department list of items to be declared surplus and disposed of by sealed bid, public auction, or by other means as necessary.
- 15. Discussion, consideration, and possible action of declaring (2) filing cabinets and (2) desks as surplus and authorizing disposal by public auction, sealed bids, or other means as necessary.
- 16. Discussion, consideration, and possible action of declaring (3) chairs as surplus and authorizing their disposal by public auction, sealed bid or other means as necessary.
- 17. Discussion, consideration and possible action of declaring (150) banquet chairs, (1) rectangle table, (1) EcoH2O floor scrubber, and (1) Betco floor scrubber as surplus and authorizing disposal of by public auction, sealed bid or other means as necessary.
- 6. Discussion, consideration, and possible action of approving a programming resolution for possible inclusion in the Transportation Alternatives Program for a project to replace the existing bridge over Soldier Creek in Tom Poore Park and to construct approximately a quarter (1/4) of a mile of the Tributary 4 trail.

Summers and Lyon addressed the Council. After Staff and Council discussion, Bana made a motion to reject. Motion failed due to lack of a second. Reed made a motion to approve Resolution 2024-04, seconded by Dawkins. Voting Aye: Eads, Byrne, Dawkins, Reed, Favors, and Dukes. Nay: Bana. Motion Carried.

8. Discussion, consideration, and possible action of making a matter of record Permit No. WL000055240049 from the State Department of Environmental Quality for the extension of a water line to serve Centrillium Protein and the Midwest City Water Resources Recovery Facility, Midwest City, Oklahoma.

Bundy and Lyon addressed the Council. After discussion, Bana made a motion to approve, seconded by Reed. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

11. Discussion, consideration, and possible action of awarding the bid to and contract with Holland Backhoe Inc. in the amount of \$129,356.00 for the construction and installation of the new Reed Baseball Complex Water Line Improvements and the City Council delegating to the Mayor the authority to sign and execute the agreements necessary.

Bundy addressed the Council. After discussion, Bana made a motion to approve award of bid to and contract with Holland Backhoe, seconded by Reed. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

DISCUSSION ITEMS.

1. (MP-00017) Public hearing, discussion, consideration, and possible action of approval of the Minor Plat of Douglas Development Corporation Douglas Boulevard for the property described as a tract of land being a part of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma.

Summers and Applicant Cy Valanejad of 9260 Elaine Dr addressed the Council. After discussion, Dawkins made a motion to approve the minor plat, seconded by Reed. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: None. Motion Carried.

2. (PC-2163) Public hearing, discussion, consideration and possible action on an ordinance to redistrict from Simplified Planned Unit Development District ("SPUD") to Simplified Planned Unit Development ("SPUD"), for the property described as McCorkle Park ADD E 35 ft of Lot 27 & all of Lots 28 & 29, addressed as 227 & 231 W. MacArthur Dr., Midwest City.

Summers and Lyon addressed the Council. After discussion, Eads made a motion to approve Ordinance 3549, seconded by Reed. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: None. Motion Carried.

3. (TS-455) Discussion, consideration, and possible action of approving the reduction of the SPEED LIMIT along Adair Boulevard from 35 MPH to 25 MPH from the intersection with Hudiburg Drive to Air Depot Boulevard.

Bundy addressed the Council. After discussion, Eads made a motion to approve the reduction of the speed limit, seconded by Reeds. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: None. Motion Carried.

4. Discussion, consideration, and possible action of awarding the bid to and entering into a contract with C4L for \$426,885 and 125 Calendar Days for the Midwest City Police Department Restroom Renovation. City Council delegates the Mayor to sign and execute the contract.

Bundy and Lyon addressed the Council. After discussion, Reed made a motion to approve the bid and contract with C4L, seconded by Eads. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors, and Dukes. Nay: none. Motion Carried.

EXECUTIVE SESSION.

1. Discussion, consideration, and possible action to 1) entering into executive session, as allowed under Title 25 Section 307 (B)(4) to discuss confidential communications between a public body and its attorney concerning a pending investigation, claim, or action of the public body with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest regarding conflict of interest issues; and 2) authorizing the City Manager to take action as appropriation based on discussion.

Item was not heard. No Action Taken.

DISCUSSION ITEMS CONTINUED.

5. Public Hearing, discussion, consideration, and possible action of an ordinance amending Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 5, Other Provisions Relating to Taps and Connections; Section 43-182, Connections to sewer mains in Sections 9 and 10, Township 11 N, Range 1 W; Section 43-183, Connections to sewer mains in Sections 1, Township 11N, Range 2W; Section 43-184, Reserved; providing for repealer and severability.

Item was not heard. No Action Taken.

6. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 8, Usage Rates and Charges; Section 43-224 Sewer User Charge; Section 43-230 Capital Improvement Charges; and providing for a repealer and severability.

Item was not heard. No Action Taken.

*At 7:00 PM Council recessed and reconvened at 7:08 PM.

7. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article I, In General, Section 43-5, Temporary Water; Article II, Water, Division 3, Meters, Section 43-55, Testing Meters; Division 4, Rates and Charges; Section 43-63 Water Rates Inside City; Section 43-68, Discontinuance of Service and Fee for Reinstatement; Section 43-69, Capital Improvement Charges; Section 43-71, Water System Improvement Fee and providing for a repealer and severability.

*At 7:39 PM Mayor left the meeting and returned at 7:41 PM.

Streets, Evenson, and Lyon addressed Council. Evenson presented information. After Staff and Council discussion, Eads made a motion to approve Ordinance 3550 with amendments to Section 43-68 to waive one \$30 administrative cut-off processing fee per calendar year per utility customer, seconded by Byrne. Voting Aye: Eads, Byrne, Dawkins, Reed, and Dukes. Nay: Bana and Favors. Motion Carried.

- *At 8:11 PM Council recessed and reconvened at 8:23 PM.
- 8. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article IV, Stormwater, Division 1, Generally; Section 43-404 Stormwater Charge; Exemptions, and providing for a repealer and severability.

Streets and Evenson addressed the Council. Evenson presented information. After discussion, Bana made a motion to approve Ordinance 3551, seconded by Reed. Voting aye: Eads, Byrne, Dawkins, Reed, Bana, Favors and Dukes. Nay: none. Motion Carried.

9. Discussion, consideration and possible action regarding an ordinance amending the Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality, Article 1, In General; Section 43-3, Definitions; Article II, Water; Division 1, Generally; Section 43-18, Installation Fees; Meter Installation, etc; Division 3, Meters; Section 43-52, Generally; Article III, Sewers and Sewage Disposal; Division 1, Generally; Section 43-107, Unlawful Discharge; Penalty; Section 43-115, Recreational Vehicles (R.V.'S) Disposal Station; Division 3, Private Sewage Disposal Systems; Section 43-138, Permit and Inspection; Section 43-142, Additional Requirements of Health Officer; Division 4, Building Sewers and Connections Generally; Section 43-152, Multiple Use of Building Sewer; Section 43-157, Connection to Public Sewer, Tapping Regulations and Saddle Specifications; Division 6, Fats, Oils, and Grease Control Requirements for Commercial Establishments; Section 43-188, Definitions; Section 43-189, Applicability and Prohibitions; and Section 43-191, General Interceptor Requirements; Design, Size and Location; and providing for repealer and severability.

Streets addressed the Council. After discussion, Reed made a motion to approve Ordinance 3552, seconded by Bana. Voting aye: Eads, Byrne, Dawkins, Reed, Bana, Favors and Dukes. Nay: none. Motion Carried.

NEW BUSINESS/PUBLIC DISCUSSION.

Kevin Ergenbright of 11524 Surrey Ln addressed Council.

FURTHER INFORMATION.

- 1. Review of the City Manager's Report for the month of February 2024.
- 2. Monthly report on the City of Midwest City Employees' Health Benefits Plan by the City Manager for February 2024.
- 3. Review of the February 6, 2024 Planning Commission Meeting Minutes.
- 4. Monthly Residential and Commercial Building report for February 2024 Building Report.
- 5. (PC-2164) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction and Design Requirements; and providing for repealer and severability.
- 6. (PC-2165) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability.

| March 26, 2024 City Council Meeting Minutes continued. | 6 |
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| ADJOURNMENT. There being no further business, Mayor I | Dukes adjourned the meeting at 8:47 PM. |
| ATTEST: | |
| Ī | MATTHEW D DUKES II, Mayor |

SARA HANCOCK, City Clerk



Finance Department

100 N. Midwest Boulevard Midwest City, OK 73110 tcromar@midwestcity.org Office: 405-739-1245 www.midwestcityok.org

TO: Honorable Mayor and City Council

FROM: Tiatia Cromar, Finance Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration and possible action of approving supplemental budget

adjustments to the following funds for FY 2023-2024, increase: Street Tax Fund, expenditures/Park & Rec (06) \$78,200. Police Fund, expenditures/Transfers Out (62) \$67,454. Risk Fund, revenue/Transfers In (00) \$67,454. Disaster Relief Fund, expenditures/Neighborhood Services (15) \$50,000. General Government Sales

Tax Fund, expenditures/Community Development (05) \$27,001.

The first supplement is needed to budget additional funding for City match portion of multi-location sidewalks project. The second and third supplements are needed to budget transfer from Police Fund to Risk Fund for arbitration expenses. The fourth supplement is needed to increase budget in Contractual account to meet estimated code enforcement expenses to end of fiscal year. The fifth supplement is needed to appropriate remaining ARPA funds for City Hall Renovations/Restrooms Project transferred into General Government Sales Tax Fund in prior fiscal year.

<u>Tiatia Cromar</u>

Tiatia Cromar Finance Director

SUPPLEMENTS

April 23, 2024

| Fund STREET TAX (065) | | BUDGET AMENDMENT FORM Fiscal Year 2023-2024 | | | |
|---|--|--|-------------------|-------------------|-----------------|
| | | Estimated | Revenue | Budget Ap | propriations |
| Dept Number | Department Name | <u>Increase</u> | <u>Decrease</u> | <u>Increase</u> | <u>Decrease</u> |
| 6 | Park & Rec | | | 78,200 | |
| | | 0 | 0 | 78,200 | (|
| Explanation: To budget additional fundir | g for City match portion of multi-locati | on sidewalk proje | ect. Funding to c | ome from fund bal | ance. |

| Fund POLICE (020) | | BUDGET AMENDMENT FORM Fiscal Year 2023-2024 | | | |
|---|-------------------------------------|--|-----------------|-----------------|-----------------|
| | | Estimated | Revenue | Budget Ap | propriations |
| <u>Dept Number</u> | Department Name | <u>Increase</u> | <u>Decrease</u> | <u>Increase</u> | <u>Decrease</u> |
| 62 | Transfers Out | | | 67,454 | |
| | | 0 | 0 | 67,454 | C |
| Explanation: To budget transfer to Risk | Fund for arbitration expenses. Fund | ling to come from f | und balance. | | |

| Fund RISK (202) | | BUDGET AMENDMENT FORM Fiscal Year 2023-2024 | | | |
|--|---------------------------------------|--|-----------------|-----------------|-----------------|
| | | Estimated | Revenue | Budget Ap | propriations |
| Dept Number | Department Name | <u>Increase</u> | <u>Decrease</u> | <u>Increase</u> | <u>Decrease</u> |
| 00 | Transfers In | 67,454 | | | |
| | | 67,454 | 0 | 0 | С |
| Explanation: To budget transfer in from | Police Fund for arbitration expenses. | | | | |

| Fund DISASTER RELIEF (310) | | BUDGET AMENDMENT FORM Fiscal Year 2023-2024 | | | |
|-------------------------------|-----------------------|--|-----------------|-----------------|-----------------|
| | | Estimated | I Revenue | Budget Ap | propriations |
| Dept Number | Department Name | <u>Increase</u> | <u>Decrease</u> | <u>Increase</u> | <u>Decrease</u> |
| 15 | Neighborhood Services | | | 50,000 | |
| | | | | 50,000 | <u> </u> |
| | | | | 30,000 | |

Explanation:

To increase budget in Contractual to meet estimated code enforcement expenses to end of fiscal year. Funding to come from fund balance.

SUPPLEMENTS April 23, 2024

| Fund GENERAL GOV'T SALES TAX (009) | | BUDGET AMENDMENT FORM Fiscal Year 2023-2024 | | | |
|---------------------------------------|------------------------|--|----------|-----------------------|----------|
| | | Estimated Revenue | | Budget Appropriations | |
| Dept Number | Department Name | Increase | Decrease | Increase | Decrease |
| 5 | Community Development | | | 27,001 | |
| | | 0 | 0 | 27,001 | |

To appropriate remaining ARPA funds transferred into General Government Sales Tax Fund for City Hall Renovation/Restrooms Project. Funding to come from fund balance (ARPA funds transferred in from Disaster Relief Fund in previous year).



Engineering and Construction Services 100 N Midwest Boulevard Midwest City, OK 73110 Office 405.739.1220

TO: Honorable Mayor and Council

FROM: Brandon Bundy, P.E., Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of rejecting the bid for

replacement of AHU 6, 8, and various HVAC equipment at City Hall.

Bids were received on April 9, 2024 for the above referenced project to replace two (2) air handler units (AHU) and various other Heating, Ventilation, and Air Conditioning (HVAC) equipment. Two (2) bids were received but upon examination of the bid documents, an error was discovered in the original specification book. The only option is to make revisions and readvertise for new bids.

Funding for this project is appropriated as projects #242402 (Fund 009). Additional money is being provided through a one time federal grant.

Brandon Bundy, P.E.,

Director of Engineering and Construction Services

Attachment



Engineering and Construction Services 100 N Midwest Boulevard Midwest City, OK 73110 Office 405.739.1220

TO: Honorable Mayor and Council

FROM: Brandon Bundy, P.E., Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of entering into an agreement for

Professional Services with R.L. Shears Company, PC in the amount of

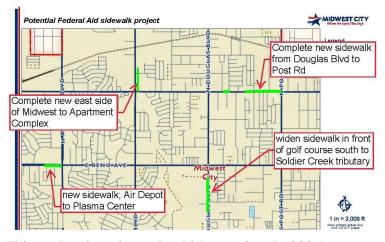
\$178,198 to provide survey and design services for a future federal aid project

to construct sidewalk in four locations.

At the end of September, City staff interviewed four engineering consultants and selected R.L. Shears Company, PC as the most qualified. R.L Shears Company, PC previously did work for the City in designing multiple federally funded trail projects.

The project is to construct sidewalk with federal funds known by ODOT as JP 38092(04).

- Reno Ave, south side from Plasma Center to Air Depot Blvd
- Midwest Blvd, east side from NE 10th St to Sandhill Apartment (Rolling Meadows Blvd)
- NE 10th St, Loftin Dr to Post Rd
- Douglas Blvd, west side partially reconstruct existing 4' sidewalk to trail width



This project is estimated to bid sometime in 2025.

This contract will be funded in the FY 23-24 budget through project #062311.

Brandon Bundy, P.E.,

Director of Engineering and Construction Services

Attachment

THIS PROFESSIONAL SERVICES AGREEMENT (hereinafter referred to as "Agreement") is entered into by and among The City of Midwest City, a municipal corporation (hereinafter referred to as "City"), and R. L. Shears Company, PC, (hereinafter referred to as "Service Provider") (City, and Service Provider being collectively referred to herein as the "Parties") and is effective upon the date of execution by the last party hereto.

WITNESSETH:

WHEREAS, City is in need of the following professional services: Design Services for Sidewalks and Trail; and

WHEREAS, Service Provider is in the business of providing professional services that is needed by the City; and

WHEREAS, the City and the Service Provider have reached an agreement for the Service Provider to provide the City the requested professional services; and

WHEREAS, City hereby retains Service Provider to provide professional services as an independent contractor; and

WHEREAS, Service Provider agrees to provide the City all services, in accordance with the standards exercised by experts in the field, necessary to provide the City services, products, solutions and deliverables that meet all the purposes and functionality requested or described in this Agreement.

NOW, THEREFORE, for and in consideration of the above premises and mutual covenants as set forth herein, the **City**, and **Service Provider** hereby agree as follows:

1. Services, Products, Solutions and Deliverables

Subject to the terms and conditions of this Agreement, the City retains the Service Provider as an independent contractor, to provide City all services, in accordance with the standards exercised by experts in the field, necessary to provide the City services, products,

solutions, and deliverables (collectively referred to as "Deliverables") that meet all the purposes and functionality requested or described in this Agreement. The City shall meet with Service Provider to identify service needs on a project by project basis. Service Provider will provide a written proposal for the identified services in accord with the terms and conditions of this Agreement. The City may issue a purchase order for the identified services accompanied by Service Provider's written proposal. Upon issuance of the purchase order, the Service Provider shall be responsible for timely providing the services authorized by the purchase order ("Project"). Upon completion of the Project (services in a purchase order), the Service Provider will issue an invoice to the City and, upon approval of the invoice, the City will pay the invoice. Upon completion of each Project and provision to the City of all Deliverables for that Project and payment of the invoice for that Project to the Service Provider, the City shall own all rights and license for the Deliverables and other work products related to that Project.

- a) This Agreement governs the Scope of Services including, but not limited to, all Deliverables to be provided by **Service Provider** to the **City**. The Attachments are incorporated into this Agreement by reference and, should there be a conflict in language, terms, conditions, or provisions, shall have the priority and precedential value as set forth in this Agreement.
- b) The text of this Agreement together with the Attachments constitutes the entire Agreement and the only understanding and agreement between the **City** and the **Service Provider** with respect to the services, products, solutions and deliverables to be provided by the **Service Provider** hereunder. This Agreement may only be amended, modified or changed in writing when signed by all parties, or their respective specifically authorized representatives, as set forth in this Agreement.
 - c) If there is a conflict in language, terms, conditions, or provisions, in this Agreement

between the text of this document, and any language, term, condition, or provision in any Attachment, then the text of this document, shall govern and control over any conflicting language, term, condition, or provision in any Attachment. As among the Attachments any conflict in the language, terms, conditions, or provisions shall be governed in the following order of priority and precedence:

- Attachment "A" ("Scope of Services")
- Attachment "B" ("Schedule of Fees / Rate Card"),
- Attachment "C" ("Service Provider's Team"),
- Attachment "D" ("Insurance").

2. RETENTION OF SERVICES PROVIDER AND SCOPE OF SERVICES

- A. **Service Provider** is solely responsible for the actions, non-action, omissions, and performance of **Service Provider's** employees, agents, contractors, and subcontractors (herein collectively included in the term "Service Provider's Project Team") and to ensure the timely provision of each Project, timely performance of the Scope of Services, and the timely performance of each Project and the provision of all Deliverables as each are defined in **Attachment "A"** ("**Scope of Services"**) or the Project.
- B. Service Provider will be solely responsible to ensure the Service Provider's Project Team fully understands each Project, the Scope of Services, the Deliverables, the schedule for performance, and City's goals and purposes. Service Provider will be solely responsible to ensure the Service Provider's Team, specifically assigned to work on the Project for the City, is adequately trained, instructed, and managed so that Service Provider timely provides each Project task and satisfies the Service Provider's obligations under this Agreement. The Service Provider may not change the Service Provider's Team, for the services to be provided as set forth on Attachment "C" ("Service Provider's Team") without the prior written consent of the City.

C. **Service Provider** shall comply with all applicable federal, state and local laws, standards, codes, ordinances, administrative regulations and all amendments and additions thereto, pertaining in any manner to the performance or services provided under this **Agreement**. **Service Provider** shall obtain all patents, licenses and any other permission required to provide all Deliverables and for use of all Deliverables by the **City**.

3. CONSIDERATION

- A. The City shall pay the Service Provider the compensation after completion of Projects or Deliverables as specified in Attachment "B" ("Schedule of Fees / Rate Card").
- B. The **City** and the **Service Provider** acknowledge that the compensation to be paid the **Service Provider** pursuant to this **Agreement** has been established at an amount reasonable for the availability and services of the **Service Provider and the Service Provider's** Team.

4. INDEPENDENT CONTRACTOR STATUS

The parties hereby acknowledge and covenant that:

- A. **Service Provider** is an independent contractor and will act exclusively as an independent contractor is not an agent or employee of the **City** in performing the duties in this Agreement.
- 1. The parties do not intend, and will not hold out that there exists, any corporation, joint venture, undertaking for a profit or other form of business venture or any employment relationship among the parties other than that of an independent contractor relationship.
- 2. All payments to **Service Provider** pursuant to this **Agreement** shall be due and payable in the State of Oklahoma, even if services of **Service Provider** are performed outside the State of Oklahoma.
- B. The **City** shall not withhold any social security tax, workmen's compensation, Medicare tax, federal unemployment tax, federal income tax, or state income tax from any compensation paid to **Service Provider** as **Service Provider** is an independent contractor and

the members of its **Service Provider's Team**, assigned to work on the Project for the **City** are not employees of the **City**. Any such taxes, if due, are the responsibilities of **Service Provider** and will not be charged to the **City**.

C. Service Provider acknowledges that as an independent contractor it and Service Provider's Project Team, assigned to work on the Project for the City are not eligible to participate in any health, welfare or retirement benefit programs provided by the City or its employees.

5. TERM, TERMINATION AND STOP WORK

- A. This **Agreement** shall commence upon execution by the last party hereto and shall continue in effect for one-year from the date of execution, unless terminated by either party as provided for herein. This **Agreement** may be extended by mutual agreement of the **Parties** in one-year increments, until the Project is completed and accepted as provided herein.
- B. The **City** issue notices of termination or suspension to the **Service Provider**. This **Agreement** may be terminated, with or without cause, upon written notice, at the option of **City**.
- 1. Upon receipt of a notice of termination for the *convenience* from the **City**, the **Service Provider** shall immediately discontinue all services and activities (unless the notice directs otherwise), and
- 2. Upon payment for products or services fully performed and accepted, Service Provider shall deliver to the City all licenses, work, products, deliverables, solutions, communication recommendations, plans, messaging strategies, style guides, design elements, internal and external messaging campaigns, documents, data analysis, reports, and other information and materials accumulated or created in performing this Agreement, whether same are complete or incomplete, unless the notice directs otherwise. Upon termination for the convenience by the City, the City shall pay Service Provider for completed Projects and Deliverables up to the time of the notice of termination for convenience, in accordance with the

terms, limits and conditions of the **Agreement** and as further limited by the "not to exceed" amounts set out in this **Agreement**.

- 3. Upon notice of termination for *cause* from the **City**, the **Service Provider** shall not be entitled to any prior or future payments, including, but not limited to, any services, performances, work, products, deliverables, solutions, costs, or expenses, and **Service Provider** shall release and waive any interest in any retainage. The **City** may hold any outstanding payments for prior completed Projects, Deliverables, Services or expenses and any retainage as security for payment of any costs, expenses, or damages incurred by the **City** by reason of **Service Provider's** breach or other cause. Provided, however, upon notice of termination for cause, the **Service Provider** shall deliver to the **City** services, products, solutions, and Deliverables including, but limited to, all communication recommendations, plans, messaging strategies, style guides, design elements, internal and external messaging campaigns, documents, data analysis, reports, and other information and materials accumulated or created in performing this **Agreement**, whether complete or incomplete, unless the notice directs otherwise.
- 4. The rights and remedies of the **City** provided in this paragraph are in addition to any other rights and remedies provided by law or under the **Agreement**. Termination herein shall not terminate or suspend any warranty, indemnification, insurance, or confidentiality required to be provided by **Service Provider** under this **Agreement**.
- C. Upon notice to **Service Provider**, the **City** may issue a stop work order suspending any Projects, services, performances, work, products, Deliverables, or solutions under this **Agreement**. Any stop work order shall not terminate or suspend any warranty, indemnification, insurance, or confidentiality required to be provided by **Service Provider** under this **Agreement**. In the event the **City** issues a stop work order to **Service Provider**, the **City** will provide a copy of such stop work order to the **Service Provider**. Upon receipt of a stop work order issued from the **City**, the **Service Provider** shall suspend all work, services and activities except such

work, services, and activities expressly directed by the **City** in the stop work order. Upon notice to the **Service Provider**, this **Agreement**, and any or all work, services, and activities thereunder, may be suspended up to thirty (30) calendar days by the **City**, without cause and without cost to the **City**; provided however, the **Service Provider** shall be entitled to an extension of all subsequent deadlines for a period equal to the suspension periods for those suspended work, services, and activities only.

D. Obligation upon Termination for Convenience.

- 1. In the event this **Agreement** is terminated for convenience hereunder, the **City** shall pay **Service Provider** for such properly documented invoices, if any, in accordance with the provisions of this **Agreement** above, through the date of termination for *convenience* and the period set forth in the notice, and thereafter the **City** shall have no further liability under this **Agreement** to **Service Provider** and **Service Provider** shall have no further obligations to the **City**.
- 2. Upon termination for *convenience* of the Project and the providing to the City of all Deliverables for the Project and payment of the invoice for the Project to Service Provider, the City shall own all rights and license for the Deliverables and other work products related to that Project.

6. WARRANTIES

A. **Service Provider** warrants that the Projects performed and Deliverables provided under this **Agreement** shall be performed consistent with generally prevailing professional standards and expertise. **Service Provider** shall maintain during the course of this **Agreement** said standard of care, expertise, skill, diligence and professional competency for any and all such services, products, solutions and deliverables. **Service Provider** agrees to require all members of the **Service Provider's Team**, also including FTEs assigned to work on the Project, to provide any and all services, products, solutions and Deliverables at said same standard of care, expertise, skill, diligence and professional competence required of **Service Provider**.

- B. During the term of this **Agreement**, the **City's** initial remedy for any breach of the above warranty shall be to permit **Service Provider** one additional opportunity to perform the work, services, and activities or provide the Projects and Deliverables without additional cost to the **City**. If the **Services Provider** cannot perform the work, services, and activities or provide the products, solutions and deliverables according to the standards and requirements set forth in this **Agreement** within thirty (30) calendar days of the original performance date, the **City** shall be entitled to recover, should the **City** so determine to be in their best interest, any fees paid to the **Service Provider** for previous payments, including, but not limited to, work, services, activities services, Projects and Deliverables and **Service Provider** shall make reimbursement or repayment within thirty (30) calendar days of a demand by the **City**. Should the **Service Provider** fail to reimburse the **City** within thirty (30) calendar days of demand, the **City** shall also be entitled to interest at 1.5% percent per month on all outstanding reimbursement and repayment obligations.
- C. The **Service Provider** also acknowledges and agrees to provide all express and implied, warrants required or provided for by Oklahoma statutory and case law. This warrant is in addition to other warranties provided in or applicable to this **Agreement** and may not be waived by any other provision, expressed or implied, in this **Agreement** or in any **Attachment** hereto.

7. INSURANCE

A. Service Provider must provide and maintain at all times throughout the term of this Agreement, and any renewal hereof, such commercial general insurance with a limit of \$1,000,000 per occurrence for bodily injury and property damage and \$2,000,000 general aggregate protecting the City from claims for bodily injury (including death) and or property damage arising out of or resulting from the Service Provider, and its employees, use and occupancy of the premises and the activities conducted thereon. The insurance coverage required in this paragraph must include the City as additional insureds as their interest may appear under

this **Agreement** under the policy or policies.

- B. A certificate of insurance evidencing the coverage required herein shall be provided to the **City** within five (5) days of the execution of this **Agreement.**
- C. **Service Provider** shall require any contractor or subcontractor to obtain and maintain substantially the same coverage as required of **Service Provider** including the **City** as an additional insured as their interest may appear under this **Agreement**.
- D. The insurance requirements set forth herein must not be deemed to limit, affect, waive, or define any obligations of the **Service Provider** in any other paragraph of this **Agreement** or any indemnification or insurance requirement in any other paragraph of this **Agreement**. This paragraph must continue in full force and affect for any act, omission, incident or occurrence occurring or commencing during the term of this **Agreement**. Further, the insurance coverage required by this paragraph will survive revocation, non-renewal, termination and expiration of this **Agreement** for any occurrence or event occurring, initiated, or commencing prior to such revocation, non-renewal, termination and expiration or during the period in which the **Service Provider** is services under the **Agreement**.
- E. Provided, however, should the **Service Provider** or its officers, invitees, representatives, contractors, employees or agents carry any additional, different or other insurance or insurance coverage of any kind or nature, the provisions of this paragraph must not in any way limit, waive or inhibit the **City** from making a claim or recovering under such insurance or insurance coverage.
- F. Notwithstanding any other provision to the contrary, upon termination or lapse of insurance coverage required hereunder, this **Agreement** may be terminated. Termination of this **Agreement** pursuant to this paragraph must take precedence and supersede any other paragraph establishing the term of this **Agreement**, establishing a procedure for revocation or termination, or requiring notice and/or providing an opportunity to cure a breach.
- G. The insurance limits in this paragraph in no way act or will be deemed to define or limit the right of **City** to recover damages, expenses, losses or for personal injuries, death or

property damage pursuant to applicable law or the indemnification provisions or under any other paragraph or provision in this **Agreement**.

8. INDEMNIFICATION

A. Service Provider agrees to indemnify, defend, and hold harmless the City from and against all liability for: (a) injuries or death to persons; (b) costs, losses, and expenses; (c) legal fees, legal expenses, and court costs; and (d) damages, loss to property, which are caused by the Service Provider, its officers, representatives, agents, contractors, and employees except to the extent such injuries, losses, damages and/or costs are caused by the negligence or willful misconduct of the indemnified party. The Service Provider must give the City prompt and timely notice of any claim or suit instituted which in any way, directly or indirectly, contingently or otherwise, affects or might affect the City, provided, however, such notice will not be a precondition to indemnification hereunder. The rights granted by this paragraph will not limit, restrict, or inhibit the rights of the City under any other paragraph, including but not limited to any insurance provision or requirement in this Agreement.

B. The provisions of this paragraph shall survive the expiration of this **Agreement**. It is understood that these indemnities and hold harmless provisions are not limited or defined by the insurance required under the insurance provisions of this **Agreement**.

9. **CONFIDENTIALITY**

Service Provider acknowledges that in the course of training and providing other services to the City, the City may provide Service Provider with access to valuable information of a confidential and proprietary nature including but not limited to information relating to the City's employees, customers, marketing strategies, business processes and strategies, security systems, data and technology. Service Provider agrees that during the time period this Agreement is in effect, and thereafter, neither Service Provider nor Service Provider's Team, without the prior written consent of the City, shall disclose to any person, other than to the City, any

information obtained by **Service Provider**. **Service Provider** shall require and maintain adequate confidentiality agreements with its employees, agents, contractors, and subcontractors.

10. NOTICES

A. Notices and other communications to the **City** pursuant to the provisions hereof will be sufficient if sent by first class mail, postage prepaid, return receipt required, or by a nationally recognized courier service, addressed to:

The City of Midwest City, City Clerk 100 N. Midwest Boulevard Midwest City, OK 73110

respectively, and notices or other communications to the **Service Provider** pursuant to the provisions hereof will be sufficient if by first class mail, postage prepaid, return receipt required, or by a nationally recognized courier service, addressed to:

Robert L Shears, ASLA

R.L. Shears Company, PC

1522 South Carson Avenue

Tulsa, Oklahoma 74119

B. Any party hereto may change the address or addressee for the giving of notice to it by thirty (30) days prior written notice to the other parties hereto as provided herein. Unless otherwise specified in this **Agreement**, notice will be effective upon actual receipt or refusal as shown on the receipt obtained pursuant to this paragraph.

11. ABIDES BY LAW

The **Service Provider** must abide by the conditions of this **Agreement**, the ordinances of the **City**, and all laws and regulations of the State of Oklahoma and the United States of America ("Laws"), applicable to **Service Provider's** activities. **Service Provider** will be responsible for

securing any license, permits and/or zoning which may be required prior to commencement of the Project.

12. ASSIGNMENT AND SUBLEASE

Service Provider may not assign or sublease its interest under this Agreement without the prior written consent of the City. Any assignment or sublease shall become effective upon receipt of a request signed by authorized and empowered officers/agents of the Service Provider and sublessee and provision by the sublessee of a certificate of insurance evidencing the insurance required by this Agreement and upon approval of such sublease by City. The City may, but not required, to execute a letter approving either the assignment or sublease as provided herein on behalf of City. Upon approval of such assignment or sublease, Service Provider will not be relieved of future performance, liabilities, and obligations under this Agreement. City shall be provided with a copy of each written sublease agreement, and all amendments thereto, entered into by Service Provider within forty-five (45) days after the entering into of same.

13. COMPLETE AGREEMENT AND AMENDMENT

This is the complete agreement between the parties and no additions, amendments, alterations, or changes in this **Agreement** shall be effective unless reduced to writing and signed by all parties hereto. Additionally, no statements, discussions, or negotiations shall be deemed or interpreted to be included in this **Agreement**, unless specifically and expressly provided herein.

14. TIME OF ESSENCE

For the purposes of this **Agreement**, time shall be deemed to be of the essence.

15. MULTIPLE ORIGINALS

This **Agreement** shall be executed in multiple counterparts, each of which shall be deemed an original.

16. ANTI-COLLUSION

Service Provider agrees that it has not been and shall not be a party to any collusion with any of their officials, trustees, or employees of the City as to the terms or conditions of this Agreement, and has not and will not exchange, give or donate money or other things of value for special consideration to any officials, trustees, or employees of the City, either directly or indirectly, in procuring and execution of this Agreement.

17. BREACH AND DEFAULT

- A. A breach of any provision of this **Agreement** shall act as a breach of the entire **Agreement** unless said breach is expressly waived in writing by all other parties hereto. Failure to enforce or timely pursue any breach shall not be deemed a waiver of that breach or any subsequent breach. No waiver of any breach by any party hereto of any terms, covenants, or conditions herein contained shall be deemed a waiver of any subsequent breach of the same, similar, or different nature.
- B. Further, except as otherwise specifically and expressly provided and any other paragraph hereto, should any party hereto fail to perform, keep or observe any of the terms, covenants, or conditions herein contained, this **Agreement** may be terminated by any party not in default thirty (30) days after receipt of written notice and opportunity to cure, less and except as such lesser time is provided in this **Lease**.
- C. Should the **City** breach this **Agreement**, **Service Provider** may only recover that proportion of services provided prior to the breach. **Service Provider** may not collect or recover any other or additional damages, losses, or expenses.

18. THIRD PARTY BENEFICIARIES

All parties expressly agree that no third-party beneficiaries, expressly or implicitly, are intended to be or shall be created or acknowledged by this **Agreement**. This **Agreement** is solely

PROFESSIONAL SERVICES AGREEMENT

between

R. L. SHEARS COMPANY, PC

And

THE CITY OF MIDWEST CITY

for the benefit of the **Service Provider** and the **City**, and none of the provisions hereof are intended to benefit any third parties.

19. VENUE AND CHOICE OF LAW

All parties hereto expressly agree that the venue of any litigation relating to or involving this **Agreement** and/or the rights, obligations, duties and covenants therein shall be in the appropriate court (state or federal) located in Oklahoma County, Oklahoma. All parties agree that this **Agreement** shall be interpreted and enforced in accordance with Oklahoma law and all rights of the parties shall be determined in accordance with Oklahoma law.

20. DISPUTE RESOLUTION

Either **Party** may commence the dispute resolution process pursuant to this provision, by providing the other **Party** written notice of the dispute between the **Parties** concerning any term of this **Agreement** or attachment hereto. The notice shall contain:

- (i) a statement setting forth the position of the party giving such notice and a summary of arguments supporting such position and
- (ii) the name and title of **Party** Representative and any other Persons who will accompany the Representative at the meeting at which the parties will attempt to settle the Dispute.

Within ten (10) days of receipt of the notice, the other **Party** shall respond with

- (i) a statement setting forth the position of the party giving such notice and a summary of arguments supporting such position and
- (ii) the name and title of **Party** Representative and any other Persons who will accompany the Representative at the meeting at which the parties will attempt to settle the Dispute.

The **Parties** shall make good faith attempts to negotiate a settlement between their appointed representatives. If the **Parties** are unable to settle the dispute themselves, the **Parties** shall be required to mediate the dispute, with the **Parties** equally sharing in the cost of said mediation.

Professional Services Agreement with R. L. SHEARS COMPANY, PC

Mediation shall last at least six (6) hours and be attempted before any litigation shall be filed.

21. VALIDITY

The invalidity or unenforceability of any provision of this **Agreement** shall not affect the validity or enforceability of any other provisions of this **Agreement**, which shall remain in full force and effect.

22. NO WAIVER

The failure or neglect of either of the **Parties** hereto to insist, in any one or more instances, upon the strict performance of any of the terms or conditions of this **Agreement**, or waiver by any party of strict performance of any of the terms or conditions of this **Agreement**, shall not be construed as a waiver or relinquishment in the future of such term or condition, but such term or condition shall continue in full force and effect.

23. NO EXTRA WORK

No claims for extra work, product, services, solution, or deliverables of any kind or nature or character shall be recognized or paid by or be binding upon the **City** unless such services, work, product, solution, or deliverable is first requested and approved in writing by the **City** through a purchase order.

24. AMENDMENT

This **Agreement** may be amended by mutual agreement of the **Parties**, in writing and signed by both **Parties**. The **City** hereby delegates to the City Manager all amendments to this **Agreement** for approval and execution, unless the amendment would increase the contracted amount by more than ten percent (10%).

25. EFFECTIVE DATE

The Effective Date of this **Agreement** is the date approved by the **City** as the last party hereto.

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IN WITNESS WHEREOF, the parties have caused their properly authorized representatives to execute this **Agreement** on the dates set forth below.

| resentatives to execute this Ag | reement on the dates set forth below. | |
|---------------------------------|---------------------------------------|--|
| Service Provider: | R. L. SHEARS COMPANY, PC | |
| | By: Polt R Sh | |
| | Name: Robert L Shears, ASLA | |
| | Title: President | |

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PROFESSIONAL SERVICES AGREEMENT between R. L. SHEARS COMPANY, PC And THE CITY OF MIDWEST CITY

| | APPROVED by the Council and | SIGNED by the Mayor of The City of Midwest City |
|-------|-----------------------------|---|
| this | day of | , 2024. |
| | | THE CITY OF MIDWEST CITY |
| | | MAYOR |
| SARA | HANCOCK, CITY CLERK | |
| REVII | EWED for form and legality. | |
| DONA | LD D. MAISCH, CITY ATTOR | NEY |

R.L. SHEARS COMPANY, P.C. Landscape Architects

PROFESSIONAL SERVICES AGREEMENT between R.L. Shears Company, PC And THE CITY OF MIDWEST CITY

ATTACHMENT "A" SCOPE OF SERVICES

SCOPE OF PROJECT:

Develop construction documents for sidewalks and trails in various locations within the City of Midwest City as shown on the attached exhibit. Milestone submittals will include 30%, 60%, R/W, and Final PSE Documents.

The Construction budget is \$1,503,800.00.

SCOPE OF BASIC SERVICES:

Topographic Survey -Locate buildings or portions of large structures, paved areas, public utilities visibly and marked, storm water drainage systems and structures as practicable with a Digital Terrain Model with 1-foot contours.

Preliminary Field Review Plans – 30%

- Conduct kick-off meeting with City Staff.
- Prepare preliminary construction documents for the areas referenced above including the following sheets:
 - Title Sheet.
 - General Pay Quantities and Notes.
 - Site Plans.
 - Plan and Profile Sheets where applicable.
 - Civil Drainage Area Map for areas requiring drainage improvements.
 - Prepare Estimate of Probable Cost.
 - Submit Plans in electronic format to Utility Companies.
 - Submit Plans to Client in electronic format.
 - Attend Plan Review Meeting.

Final Field Review Plans - 60%

- Revise plans based on comments received from ODOT and Client and prepare preliminary construction documents including the following sheets:
 - Title Sheet.
 - General Pay Quantities and Notes.

- Construction Details.
- Site Plans.
- Detail Site Plans.
- Demolition Plans.
- Layout and Grading Plans.
- Plan and Profile Sheets where applicable.
- Prepare Cross Section Sheets where applicable.
- Civil Drainage Area Map for areas requiring drainage improvements.
- Civil Drainage Plans.
- Coordinate utility relocation with utility companies.
- Draft Specifications.
- Update Estimate of Probably Cost
- Submit Plans in electronic format to Utility Companies.
- Submit Plans to Client in electronic format.
- Attend Plan Review Meeting.

Final Plans for Review - 90%

- Revise preliminary plans based on comments received from ODOT and client and prepare the following sheets:
- Key Map
- Geometric Layout Plans
- Grading and Layout Plans
- Trail Plan and Profile Sheets
- Cross Section Sheets
- Stormwater Plan and Profiles
- Stormwater Construction Details
- Signage and Striping Plans
- Stormwater Management Plans
- Summary Schedules
- Prepare Cost Estimate
- Submit Plans to Client in electronic format.
- Attend Plan Review Meeting

Final PSE Documents – Finalize plans and specifications based on Owner's comments and submit final plans and specifications.

R.L. SHEARS COMPANY, P.C. Landscape Architects

PROFESSIONAL SERVICES AGREEMENT between R.L. SHEARS COMPANY, PC And THE CITY OF MIDWEST CITY

ATTACHMENT "B" COMPENSATION

COMPENSATION

• The fees for the professional services as described above are based on the fixed fees listed below:

| tou bon | J 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | | | | | |
|--|---|--------------|--|--|--|--|
| Topog | graphic Survey | | | | | |
| • | Douglas Blvd | \$14,400.00 | | | | |
| • | Reno – Plasma Center to Air Depot \$2,600.00 | | | | | |
| • | NE 10 th Street (North Side) | \$8,800.00 | | | | |
| • | NE 10 th Street (South Side) | \$10,750.00 | | | | |
| • | Midwest Blvd (Sand Hill Apts driveway to NE 10th St | \$9,600.00 | | | | |
| | Subtotal | \$46,150.00 | | | | |
| <u>Civil E</u> | <u>Design</u> | | | | | |
| • | Reno | \$6,974.00 | | | | |
| • | NE 10 th St | \$6,974.00 | | | | |
| | Subtotal | \$13,948.00 | | | | |
| Prelin | ninary Field Review Plans (30% Plans) - | \$30,500.00 | | | | |
| Final Field Review Plans (Approx. 60% Plans) - \$35,500.00 | | | | | | |
| Final Plans for Review (90% Plans) - \$33,440.00 | | | | | | |
| | Final Plans (100%) - \$18,660.00 | | | | | |
| | Subtotal | \$118,100.00 | | | | |

TOTAL FEE

Additional Services:

 Additional services are those services not included under Basic Services, but otherwise listed or requested in writing. Compensation for additional services will be negotiated on an as needed basis.

Excluded Services:

• Excluded Services are not a part of Landscape Architect's Basic or Additional Services and are the responsibility of others. Excluded Services include, but are not limited to, the following: Preparation and submission of CLOMR / LOMR documentation and submittal fees; Preparation of SP3; Subsurface conditions including unsuitable subgrade conditions; soil issues; location existing utilities; materials testing and inspections, contract administration, building and construction permits.

R. L. Shears Company, P. C.

\$178,198.00

R.L. SHEARS COMPANY, P.C. Landscape Architects

PROFESSIONAL SERVICES AGREEMENT between R.L. SHEARS COMPANY, PC And THE CITY OF MIDWEST CITY

ATTACHMENT "C" PROJECT TEAM

OKLAHOMA DEPARTMENT OF TRANSPORTATION CITY OF MIDWEST CITY

R.L. SHEARS COMPANY, PC Landscape Architecture

Robert L. Shears, LLA – Principle in Charge Audrey Walsh, LLA – Project Landscape Architect Matthew Murray, BLA – Project Designer Brady Huckabay – Project Designer

360 ENGINEERING GROUP, PLLC

Structural Engineering

Elli Johannsson, PE SE LEED

Bancrof-Design

Civil Engineering / Land Surveying

Kelly D Harris, PE / President Carey E. Harris, PLS / Vice President Daniel McPeek, PLS



ATTACHMENT D

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/22/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy certain policies may require an endorsement A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s)

| conditions of the policy, certain po | oncies may require an endorsement A statement on this certifi | cate does not comer rights to the certificate holde | i ili ilea or sacii eliaorseillei | 11(3). | | | |
|--------------------------------------|---|---|-----------------------------------|--------|--|--|--|
| PRODUCER | | CONTACT NAME: Cindy Fortney | | | | | |
| Gary Lehrman(0810I28) | | PHONE FAX | | | | | |
| 9717 E 42nd St Ste 102 | | (A/c, No, EXT): 918-622-5858 | (A/C, NO): NONE | | | | |
| Tulsa | OK 74146-3647 | E-MAIL ADDRESS: cindy.glehrman@farmersagenchy.com | | | | | |
| | | INSURER(S) AFFORDING CO | NAIC# | | | | |
| INSURED | | INSURER A: Truck Insurance Exchange | | 21709 | | | |
| DI OUEADO OO DO | | INSURERB: Farmers Insurance Exchange | | | | | |
| R.L. SHEARS CO., P.C. | | INSURER C: Mid Century Insurance Company | | | | | |
| 1522 S CARSON AVE | | INSURERD: | | | | | |
| TULSA | OK 74119 | INSURER E: | | | | | |
| TOLOA | OK 74118 | INSURERF: | | | | | |
| COVERAGES | CEDTICICATE NI IMPED | DEVISIO | NI NIIMBED. | | | | |

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THATTHE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAME ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDTL INSD | SUBR WVD | POLICY NUMBER | POLICYEFF (MM/DD/YYYY) | POLICYEXP (MM/DD/YYYY) | LIMITS | |
|-------------|--|---------------|-------------|---------------|---------------------------|---------------------------|---|-----------------|
| | COMMERCIAL GENERAL LIABILITY | | | | 1 | | EACH OCCURRENCE | \$ 1,000,000 |
| | CLAIMS-MADE X OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea Occurrence) | \$ 75,000 |
| | | | | | | | MED EXP (Any one person) | \$ 5,000 |
| В | | Υ | N | 602663548 | 12/26/2023 | 12/26/2024 | PERSONAL & ADV INJURY | \$ 1,000,000 |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERALAGGREGATE | \$ 2,000,000 |
| | POLICY PROJECT LOC | | | | | | PRODUCTS - COMP/OP AGG | \$ 1,000,000 |
| | OTHER: | | | | | | | \$ |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ 1,000,000 |
| | ANY AUTO | | | | | | BODILY INJURY (Per person) | \$ |
| В | OWNED AUTOS SCHEDULED AUTOS | | N | 602663548 | 12/26/2023 | 12/26/2024 | BODILY INJURY (Per accident | \$ |
| | HIRED AUTOS NON-OWNED AUTOS ONLY | | | | | | PROPERTY DAMAGE (Per accident) | \$ |
| | | | | | | | | \$ |
| | UMBRELLA LIAB OCCUR | | | | | | EACH OCCURRENCE | \$ |
| | EXCESS LIAB CLAIMS-MADE | | | | | | AGGREGATE | \$ |
| | DED RETENTION \$ | | | | | | | \$ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | PER STATUTE OTHER | \$ |
| | ANY PROPRIETOR/PARTNER/ Y/N | N/A | | | | | E.L. EACH ACCIDENT | \$ |
| | EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | N/A | | | | | E.L. DISEASE - EA EMPLOYEE | \$ |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - POLICY LIMIT | \$ |
| | | | | | | | | |

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) 1522 S CARSON, TULSA, OK 74119

| CERTIFICATE HOLDER | CANCELLATION |
|--------------------|--------------|
| | |

City of Midwest City 100 N Midwest Bl**v**d Midwest City , Oklahoma 73110 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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31-1769 11-15



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 3/22/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

| PRODUCER The Buckner Company | | | PHONE (A/C, No, Ext): 13037563418 FAX (A/C, No): | | | | | | |
|--|--|----------------|--|-------------------|----------------------------|--|--|--------|------------|
| 6400 S. FIDDLERS GREEN CIRCLE, SUITE 950 Greenwood Village CO 80111 | | | E-MAIL ADDRESS: denver@buckner.com | | | | | | |
| O.C | chwood vinage CC 00111 | | | ABBITE | | | DING COVERAGE | | NAIC# |
| | | | License#: 480397 | INSURE | | | | | NAIO II |
| INSUI | RED | | RLSHEAR-01 | INSURE | | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | at Eloydo | | |
| R.L | . Shears Company, P.C | | ł | | | | | | |
| | 2 S. Carson Avenue sa OK 74119 | | ľ | INSURE | | | | | |
| ıuk | 6a UK 74119 | | ľ | INSURE | | | | | |
| | | | i | INSURE | | | | | |
| <u></u> | ZERAGES CER | TIFIC | ATE NUMBER: 541720380 | INSURE | KF: | | REVISION NUMBER: | | |
| | IS IS TO CERTIFY THAT THE POLICIES | | | /F BFFI | N ISSUED TO | | | IF POI | ICY PERIOD |
| IN | DICATED. NOTWITHSTANDING ANY RE RTIFICATE MAY BE ISSUED OR MAY I CLUSIONS AND CONDITIONS OF SUCH | QUIRE PERTA | MENT, TERM OR CONDITION IN THE INSURANCE AFFORDS | OF ANY | CONTRACT | OR OTHER I | DOCUMENT WITH RESPEC | TO V | WHICH THIS |
| INSR LTR | TYPE OF INSURANCE | ADDL S | | | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | 3 | |
| | COMMERCIAL GENERAL LIABILITY | | | | | | EACH OCCURRENCE | \$ | |
| İ | CLAIMS-MADE OCCUR | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | \$ | |
| | | | | | | | MED EXP (Any one person) | \$ | |
| 1 | | | | | | | PERSONAL & ADV INJURY | \$ | |
| 1 | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREGATE | \$ | |
| | POLICY PRO- LOC | | | | | | | \$ | i |
| l | OTHER: | | | | | | | \$ | |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | \$ | |
| | ANY AUTO | | | | | | BODILY INJURY (Per person) | \$ | |
| | OWNED SCHEDULED AUTOS ONLY | | | | | | BODILY INJURY (Per accident) | \$ | |
| | HIRED NON-OWNED AUTOS ONLY | | | | | | PROPERTY DAMAGE (Per accident) | \$ | |
| | AUTOS CNET | | | | | | Tres avoident) | \$ | |
| | UMBRELLA LIAB OCCUR | | | | | | EACH OCCURRENCE | \$ | |
| ı | EXCESS LIAB CLAIMS-MADE | | | | | | AGGREGATE | \$ | |
| | DED RETENTION\$ | | | | | | AGGREGATE | \$ | |
| | WORKERS COMPENSATION | | | | | | PER OTH- | • | |
| | AND EMPLOYERS' LIABILITY ANYPROPRIETOR/PARTNER/EXECUTIVE | | | | | | E.L. EACHACCIDENT | \$ | |
| | OFFICER/MEMBER EXCLUDED? (Mandatory in NH) | N/A | | | | | E.L. DISEASE - EA EMPLOYEE | • | |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | | \$ | |
| A | Professional Liability | | PSM0039853054 | | 1/6/2024 | 1/6/2025 | Aggregate Per Claim | 1,000 | ,000 |
| | | | | | | | Pēr Claim | 1,000 | ,000 |
| DESC | RIPTION OF OPERATIONS / LOCATIONS / VEHICL | ES (AC | ORD 101, Additional Remarks Schedul | le, may be | attached if more | space is require | ed) | | |
| • | · | | | | | | | | |
| | | | | | | | | | |
| CEF | TIFICATE HOLDER | | | CANC | ELLATION | | | | |
| - | City of Midwest City 100 N Midwest Blvd | | | SHO THE ACC | ULD ANY OF 1 EXPIRATION | I DATE THE | ESCRIBED POLICIES BE CA EREOF, NOTICE WILL B Y PROVISIONS. | | |
| | Midwest City , Oklahoma 73 | 110 | | ~, | my HB | <u></u> | OPD COPPORATION | • | |



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 03/22/2024

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| this certificate does not confer rights to t | | older in lieu of s | | | | equile all elluc | , sement | | itement on |
|---|-----------------------------|----------------------|--|----------------------------|----------------------------|----------------------------------|------------|----------|------------|
| PRODUCER | | | CONTACT NAME: CompSource Mutual Insurance Company | | | | | | |
| | | | PHONE (A/C, No, Ext): (405) 232-7663 ext. 5102 FAX (A/C, No): | | | | | | |
| | | | E-MAIL ADDRES | SS: | | | — | | |
| | | | INSURER(S) AFFORDING COVERAGE NAIC# | | | | | NAIC# | |
| | | | INSURE | RA: CompSou | urce Mutual Ins | surance Company | | | 36188 |
| INSURED | | | INSURE | RB: | | | | | |
| R L Shears Company PC | | | INSURE | RC: | | | | | |
| 1522 S CARSON AVE | | | INSURE | RD: | | | | | |
| TULSA, OK 74119 | | | INSURE | RE: | | | | | |
| | | | INSURE | RF: | | | | | |
| | FICATE NUMB | | | | | REVISION NUI | | | |
| THIS IS TO CERTIFY THAT THE POLICIES OF INDICATED. NOTWITHSTANDING ANY REQUESTRIFICATE MAY BE ISSUED OR MAY PER | JIREMENT, TERI | M OR CONDITION | OF ANY | CONTRACT | OR OTHER D | OCUMENT WITH | H RESPEC | CT TO V | VHICH THIS |
| EXCLUSIONS AND CONDITIONS OF SUCH PO | LICIES. LIMITS S DL SUBR | HOWN MAY HAVE | BEEN R | | | | | | |
| INSR LTR TYPE OF INSURANCE INS | SD WVD | POLICY NUMBER | | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | | LIMIT | S | |
| COMMERCIAL GENERAL LIABILITY | | | | | | EACH OCCURRENT DAMAGE TO RENT | | \$ | |
| CLAIMS-MADE OCCUR | | | | | | PREMISES (Ea occi | urrence) | \$ | |
| | | | | | | MED EXP (Any one | person) | \$ | |
| | | | | | | PERSONAL & ADV | | \$ | |
| GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | GENERAL AGGREC | | \$ | |
| POLICY PRO- LOC | | | | | | PRODUCTS - COM | P/OP AGG | \$ | |
| OTHER: AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE | LIMIT | \$ | |
| ANY AUTO | | | | | | (Ea accident) BODILY INJURY (Po | er nerson) | \$ | |
| OWNED SCHEDULED | | | | | | BODILY INJURY (Po | | \$ | |
| AUTOS ONLY AUTOS NON-OWNED | | | | | | PROPERTY DAMAC (Per accident) | · / I | \$ | |
| AUTOS ONLY AUTOS ONLY | | | | | | (Per accident) | | \$ | |
| UMBRELLA LIAB OCCUR | | | | | | EACH OCCURRENCE | CF CF | \$ | |
| EXCESS LIAB CLAIMS-MADE | | | | | | AGGREGATE | | \$ | |
| DED RETENTION\$ | | | | | | | | \$ | |
| WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | X PER STATUTE | OTH- ER | | |
| . ANYPROPRIETOR/PARTNER/EXECUTIVE | N/A 03076334 23 1 | | | 11/01/2022 | 11/01/2024 | E.L. EACH ACCIDE | | \$ 1,000 | ,000.00 |
| (Mandatory in NH) | | | | 11/01/2023 | | E.L. DISEASE - EA I | EMPLOYEE | \$ 1,000 | ,000.00 |
| If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - POL | JCY LIMIT | \$ 1,000 | ,000.00 |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES | (ACORD 101, Addit | ional Remarks Schedu | le, may be | attached if more | e space is require | ed) | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| | | | | | | | | | |
| CERTIFICATE HOLDER | | | CANO | CILATION | | | | | |
| CERTIFICATE HOLDER | | | CANC | ELLATION | | | | | |
| City of Midwest City 100 N Midwest Blvd Midwest City , Oklahoma 73110 | | | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. | | | | | | |
| | | | | | | | | | |
| | | | AUTHO | RIZED REPRESE | NTATIVE | nah). 1 | 1h | _ | |

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Engineering and Construction Services 100 N Midwest Boulevard Midwest City, OK 73110 Office 405.739.1220

TO: Honorable Mayor and Council

FROM: Brandon Bundy, P.E., Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of accepting grants of

Temporary Easement from grantor, at certain parcels of land located within the corporate boundaries of Midwest City in Section 2, Township 11N, Range 2W of the Indian Meridian, Oklahoma County, Oklahoma; known as 601 E Steed

Dr and 1112 S Midwest Blvd.

The Temporary Easements are needed in connection with the ODOT project, JP 33345(04); resurface of Midwest Blvd from SE 29th St to NE 10th St. The easements are located on parcels along Midwest Blvd known as 601 E Steed Dr and 1112 S Midwest Blvd.

| Index | Address | Section | Purpose | Owner |
|----------|------------------------|---------------------|----------|--|
| T 16 | 601 E Steed Dr | Sec 2, T11N, R2W | Driveway | First Church of Christ Scientists of Midwest City, Oklahoma |
| T 17-T18 | 1112 S Midwest Blvd | Sec 2, T11N, R2W | Driveway | Christian Science Society of Midwest City, Oklahoma |

Brandon Bundy, P.E.,

Director of Engineering and Construction Services

Attachments

GRANT OF TEMPORARY EASEMENT

Midwest Resurface and Sidewalk JP 33345(04) Oklahoma County Parcel 16, 17 & 18 Christian Scientist

KNOW ALL BY THESE PRESENTS:

That First Church of Christ Scientist of Midwest City, Oklahoma and Christian Science Society of Midwest City Oklahoma, a corporation, for good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the City of Midwest City, a municipal corporation, a temporary easement and right-of-way across, over and under the following described real estate and premises situated in Oklahoma County, State of Oklahoma, to-wit:

The First Church of Christ Scientists of Midwest City, Oklahoma

The West 30' of the North 10' of Lot 1 Block 3 in County Estates 6th Addition (150 531 725 vacant corner lot at Midwest Blvd. and Steed Dr.)

AND

Christian Science Society of Midwest City Oklahoma, a corporation

The West 30' of the South 45' AND the West 30' of the North 45' of the parcel described as an unplated part of the SW/4 of Section 2, Township 11 North, Range 2 West of Oklahoma County, Oklahoma; Beginning at the NW/C of Lot 1 Block 3 of Country Estates 6th Addition, thence E along the N line of said subdivision a distance of 200'; thence north 145'; thence W a distance of 200'; thence S 145' to the point of beginning.

verified (150 188 004 / Church Building and Parking parcel mailing address shown as 1720 S Midwest Blvd.)

This easement, effective upon the inception of construction, is granted for the sole purpose of enabling the City of Midwest City, its officers, agents, contractors and employees to go upon, layout, construct, change, build and at all times maintain the easement and improvement upon the above described tract of land and includes the temporary right of ingress and egress for employees, tools, and equipment, of the City of Midwest City, its officers, agents, contractors and employees. THE TEMPORARY EASEMENT SHALL BECOME NULL AND VOID UPON COMPLETION OF CONSTRUCTION AND ACCEPTANCE OF THE PROJECT.

The consideration herein covers any and all kinds and character of damages or injury that may be sustained directly or indirectly to any lands owned by the Grantor(s) herein by reason of the construction and maintenance of such improvements.

Said Grantor(s) hereby covenant and warrant that at the time of the delivery that the above-described real estate and premises are free of all liens and claims whatsoever, except **none** and that Grantor(s) will, so long as this easement is in full force and effect, defend the same unto the City of Midwest City against all and every person whomsoever claiming the same.

That the governing body, board and officers are one and the same for both organizations and contiguous parcels, and that the parties hereto have agreed that this temporary easement document can be executed for both individual organizations and both individual tax parcels, 150 188 004 and 150 531 725 for the legal descriptions shown above, for the uses and purposes herein.

| WITNESS the hands of the parties this _ | / ^{7≻} _day of _ | April | , 2024 |
|---|--------------------------------------|-------|--------|
| (| Janu | AN E | wany |

| STATE OF OKLAHOMA | |
|--|---|
| COUNTY OF OKLAHOMA) | |
| Before me, the undersigned, notary in and for | the state and county aforesaid, on this |
| day of | , 2024 personally appeared |
| Jennifer Meelvany | |
| as Owner | of |
| First Church of Christ Scientists of Midwest Cit | y, and Christian Science Society of Midwest Cit |
| Oklahoma, a corporation, to me known to be the | ne identical person(s) who subscribed the name |
| of the maker thereof to the foregoing instrumer | nt and acknowledged to me that |
| executed the same as here_free and volur | ntary act and deed in their corporate or |
| representative capacity as required by the resp | pective organizational bylaws and minutes. |
| WITNESS, my hand and seal this | _day of |
| My Commission expires: 5/31/27 Notary Public State of Oklahoma Tami Anderson My Commission # 19005539 Expires 5/31/2027 | NOTARY PUBLIC |
| Approved by City Attorney | Date: |
| Approved by City Council | Date: |

| PROJECT: | THOWEST CATE. ITESURINGE AND SIDEWAIK | |
|----------|---------------------------------------|--|
| COUNTY: | Oklahoma . | |
| PARCEL: | 16, 17 & 18 | |
| J/P: | 3345(04) | |

DONATION CERTIFICATE

AGREE TO DONATE

I, the undersigned, hereby certify that I have received the Property Rights Brochure, have been fully informed of my rights to receive just compensation for the right-of-way upon my property and waive the appraisal process, but have elected to <u>donate</u> the right-of-way to the City of Midwest City for this project.

| Special Comments: FOR the purp and exit Ramps of the | OSC OF REGRACING the entrance Murch. 1112 S Michigan & 601 E Steed Parcel Christian Science Society et al 7 150 188004 & 150 187725 P 16. 17 & 18 |
|---|--|
| Agent | Jennet An Elwary |
| Date | 4-4-3034 Date |

(Attach Property Rights Brochure)

LPA 11/11



Engineering and
Construction Services
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

To: Honorable Mayor and Council

From: Patrick Menefee, P.E., City Engineer

Date: April 23rd, 2024

Subject: Discussion, consideration, and possible action of making a matter of record Permit

No. SL000055240020 from the State Department of Environmental Quality for the

subdivision Urban Edge Addition, Midwest City, Oklahoma.

Enclosed is Permit No. SL000055240020 for the construction of 772 linear feet of eight (8) inch PVC sanitary sewer line to serve the subdivision Urban Edge Addition, Midwest City, Oklahoma.

Construction of the sewer line will be performed by the developer and the sewer line will be dedicated to the City upon completion of construction. No city funds will be dedicated to the construction of the sewer line.

Patrick Menefee, P.E.,

City Engineer Attachment



March 28, 2024

Mr. Tim Lyon, City Manager City of Midwest City 100 North Midwest Boulevard Midwest City, Oklahoma 73110

Re: Permit No. SL000055240020

Sanitary Sewer to serve Urban Edge Addition

Facility No. 1020806

Dear Mr. Lyon:

Enclosed is Permit No. SL000055240020 for the construction of 772 linear feet of right (8) inch PVC pipe for sanitary sewer collection and all appurtenances to serve the Sanitary Sewer to serve Urban Edge Addition, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on March 28, 2024. Any deviations from the approved plans and specifications affecting capacity, flow or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Midwest City, after which it should be made a matter of permanent record. We are returning one (1) set of the approved plans to you, one (1) set to your engineer and retaining one (1) set for our files.

Respectfully,

Wendy S. Sheets, E.I. Construction Permit Section

Wordy S. Sheets

Water Quality Division

c: Zachary McIntosh, Regional Manager, DEQ

OKLAHOMA CITY DEQ OFFICE Jon Doyle, P.E., Cedar Creek, Inc



PERMIT No. SL000055240020

SEWER LINES

FACILITY No. 1020806

PERMIT TO CONSTRUCT

March 28, 2024

Pursuant to O.S. 27A 2-6-304, the City of Midwest City is hereby granted this Tier I Permit to construct 772 linear feet of right (8) inch PVC pipe for sanitary sewer collection and all appurtenances to serve the Sanitary Sewer to serve Urban Edge Addition, located in SE/4 of Section 35, T-12-N, R-2-W, Oklahoma County, Oklahoma, in accordance with the plans approved March 28, 2024.

By acceptance of this permit, the permittee agrees to operate and maintain the facilities in accordance with the "Oklahoma Pollutant Discharge Elimination System Standards - OPDES" (OAC 252:606) rules and to comply with the state certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 2) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 3) That no significant information necessary for a proper evaluation of the project has been omitted or no invalid information has been presented in applying for the permit.
- 4) That wherever water and sewer lines are constructed with spacing of 10 feet or less, sanitary protection will be provided in accordance with OAC 252:656-5-4(c)(3) of the standards for Water Pollution Control Facility Construction.
- 5) That tests will be conducted as necessary to ensure that the construction of the sewer lines will prevent excessive infiltration and that the leakage will not exceed 10 gallons per inch of pipe diameter per mile per day.
- 6) That the Oklahoma Department of Environmental Quality shall be kept informed of occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.
- 7) That the permittee will take steps to assure that the connection of house services to the sewers is done in such a manner that the functioning of the sewers will not be impaired and that earth and ground water will be excluded from the sewers when the connection is completed.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.



PERMIT No. SL000055240020

SEWER LINES

FACILITY No. 1020806

PERMIT TO CONSTRUCT

- 9) That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.
- 10) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. 2-6-201 et. seq. For information or a copy of the GENERAL PERMIT (OKR10) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- That all manholes shall be constructed in accordance with the standards for Water Pollution Control Facility Construction (OAC 252:656-5-3), as adopted by the Oklahoma Department of Environmental Quality.
- That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Water Pollution Control Facility Construction OAC 252:656-5-4(c)(1) and OAC 252:656-5-4(c)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested using the ASTM air test procedure with no detectable leakage prior to backfilling, in accordance with the standards for Water Pollution Control Facility Construction OAC 252:656-5-4(c)(3).

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.

Rock Chu

Rocky Chen, P.E., Engineering Manager, Construction Permit Section-WSS Water Quality Division



Engineering and
Construction Services
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

To: Honorable Mayor and Council

From: Patrick Menefee, P.E., City Engineer

Date: April 23rd, 2024

Subject: Discussion, consideration, and possible action of making a matter of record Permit

No. WL000055240021 from the State Department of Environmental Quality for the

subdivision Urban Edge Addition, Midwest City, Oklahoma.

Enclosed is Permit No. WL000055240021 for the construction of 123 linear feet of six (6) inch PVC potable water line and 813 linear feet of eight (8) inch PVC potable water line to serve the subdivision Urban Edge Addition, Midwest City, Oklahoma.

Construction of the water line will be performed by the developer and the water line will be dedicated to the City upon completion of construction. No city funds will be dedicated to the construction of the water line.

Patrick Menefee, P.E.,

City Engineer Attachment



March 28, 2024

Mr. Tim Lyon, City Manager City of Midwest City 100 North Midwest Boulevard Midwest City, Oklahoma 73110

Re: Permit No. WL000055240021

Waterlines to serve Urban Edge Addition

Facility No. 1020806

Dear Mr. Lyon:

Enclosed is Permit No. WL000055240021 for the construction of 123 linear feet of six (6) inch PVC pipe and 813 linear feet of eight (8) inch PVC pipe for water line distribution and all appurtenances to serve the Waterlines to serve Urban Edge Addition, Oklahoma County, Oklahoma.

The project authorized by this permit should be constructed in accordance with the plans approved by this Department on March 28, 2024. Any deviations from the approved plans and specifications affecting capacity, flow or operation of units must be approved, in writing, by the Department before changes are made.

Receipt of this permit should be noted in the minutes of the next regular meeting of the City of Midwest City, after which it should be made a matter of permanent record.

We are returning one (1) set of the approved plans to you, one (1) set to your engineer and retaining one (1) set for our files.

Respectfully,

Wendy S. Sheets, E.I. Construction Permit Section

Wandy S. Sheets

Water Quality Division

c: Zachary McIntosh, Regional Manager, DEQ

OKLAHOMA CITY DEQ OFFICE Jon Doyle, P.E., Cedar Creek, Inc



PERMIT No. WL000055240021

WATER LINES

FACILITY No. 1020806

PERMIT TO CONSTRUCT

March 28, 2024

Pursuant to O.S. 27A 2-6-304, the City of Midwest City is hereby granted this Tier I Permit to construct 123 linear feet of six (6) inch PVC pipe and 813 linear feet of eight (8) inch PVC pipe for water line distribution and all appurtenances to serve the Waterlines to serve Urban Edge Addition, located in SE/4 of Section 35, T-12-N, R-2-W, Oklahoma County, Oklahoma, in accordance with the plans approved March 28, 2024.

By acceptance of this permit, the permittee agrees to operate and maintain the facility in accordance with the Public Water Supply Operation rules (OAC 252:631) and to comply with the State Certification laws, Title 59, Section 1101-1116 O.S. and the rules and regulations adopted thereunder regarding the requirements for certified operators.

This permit is issued subject to the following provisions and conditions.

- 1) This water line provides adequate fire flow in accordance with the 2009 International Fire Code through the approved hydraulic analysis. The fire flow provided is 1,500 gpm.
- 2) That the recipient of the permit is responsible that the project receives supervision and inspection by competent and qualified personnel.
- 3) That construction of all phases of the project will be started within one year of the date of approval or the phases not under construction will be resubmitted for approval as a new project.
- 4) That no significant information necessary for a proper evaluation of the project has been omitted or no invalid information has been presented in applying for the permit.
- 5) That the Oklahoma Department of Environmental Quality shall be kept informed on occurrences which may affect the eventual performance of the works or that will unduly delay the progress of the project.
- That wherever water and sewer lines are constructed with spacing of 10 feet or less, sanitary protection will be provided in accordance with Public Water Supply Construction Standards [OAC 252:626-19-2].
- 7) That before placing this facility into service, at least two samples of the water, taken on different days, shall be tested for bacteria to show that it is safe for drinking purposes.
- 8) That any deviations from approved plans or specifications affecting capacity, flow or operation of units must be approved by the Department before any such deviations are made in the construction of this project.



PERMIT No. WL000055240021

WATER LINES

FACILITY No. 1020806

PERMIT TO CONSTRUCT

- 9) That the recipient of the permit is responsible for the continued operation and maintenance of these facilities in accordance with rules and regulations adopted by the Environmental Quality Board, and that this Department will be notified in writing of any sale or transfer of ownership of these facilities.
- The issuance of this permit does not relieve the responsible parties of any obligations or liabilities which the permittee may be under pursuant to prior enforcement action taken by the Department.
- That the permittee is required to inform the developer/builder that a DEQ Storm Water Construction Permit is required for a construction site that will disturb one (1) acre or more in accordance with OPDES, 27A O.S. Section 2-6-201 et seq. For information or a copy of the GENERAL PERMIT (OKR10) FOR STORM WATER DISCHARGES FROM CONSTRUCTION ACTIVITIES, Notice of Intent (NOI) form, Notice of Termination (NOT) form, or guidance on preparation of a Pollution Prevention Plan, contact the Storm Water Unit of the Water Quality Division at P.O. Box 1677, Oklahoma City, OK 73101-1677 or by phone at (405) 702-8100.
- That any notations or changes recorded on the official set of plans and specifications in the Oklahoma Department of Environmental Quality files shall be part of the plans as approved.
- 13) That water lines shall be located at least fifteen (15) feet from all parts of septic tanks and absorption fields, or other sewage treatment and disposal systems.
- That whenever plastic pipe is approved and used for potable water, it shall bear the seal of the National Sanitation Foundation and meet the appropriate commercial standards.
- That when it is impossible to obtain proper horizontal and vertical separation as stipulated in Public Water Supply Construction Standards OAC 252:626-19-2(h)(1) and OAC 252:626-19-2(h)(2), respectively, the sewer shall be designed and constructed equal to water pipe, and shall be pressure tested to the highest pressure obtainable under the most severe head conditions of the collection system prior to backfilling.

Failure to appeal the conditions of this permit in writing within 30 days from the date of issue will constitute acceptance of the permit and all conditions and provisions.



Rocky Chen, P.E., Engineering Manager, Construction Permit Section-WSS Water Quality Division



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
tlyon@midwestcityok.org
Office: 405.739.1201
www.midwestcityok.org

MEMORANDUM

TO: Honorable Mayor and Council members

FROM: Tim Lyon, City Manager

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of reappointing Rick Dawkins to

the Planning Commission for the remainder of his three-year term to expire August 26, 2026 now that the Ward 3 council seat has been officially filled.

As you may recall, the Council asked Rick Dawkins to step down temporarily from the Planning Commission to serve as the interim Ward 3 Council member when that seat was voluntarily vacated.

As of April 2, 2024, the residents of Midwest City have elected a Ward 3 Council person to fill the remaining two years of the vacant seat. Therefore, it is time to reappoint Mr. Dawkins back to the Planning Commission.

Staff and myself are grateful for Rick's temporary service on the Council and for his continued service on the Planning Commission.

Tim L. Lyon, City Manager



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
tlyon@midwestcityok.org
Office: 405.739.1201
www.midwestcityok.org

MEMORANDUM

TO: Honorable Mayor and Council members

FROM: Tim Lyon, City Manager

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of appointing Barbara Wilson to

the Midwest City Tree Board as the Mayoral representative for a three-year

term to expire April 27, 2027.

Mayor Dukes has nominated Ms. Barbara Wilson to represent him on the Midwest City Tree Board. This position was recently vacated due to unforeseen circumstances.

Tim L. Lyon/City Manager



City Manager

100 N. Midwest Boulevard Midwest City, OK 73110 tlyon@midwestcityok.org www.midwestcityok.org

Office: 405.739.1201

MEMORANDUM

To: Honorable Mayor and Council

From: Tim Lyon, City Manager

Date: April 23, 2024

Subject: Discussion, consideration, and possible action of appointing Debbie Moore to the Midwest

City Arts Council as the Ward 4 representative for a two-year term ending on May 26,

2026.

Councilmember Thompson would like to nominate Debbie Moore as the Ward 4 representative on the MWC Arts Council. Per Midwest City Resolution 2023-20, the Ward 4 nominee will have an inaugural term of two years.

The Arts Council has not met yet due to lack of members; however, as discussed at the August 22, 2023 City Council meeting, all terms should commence after the first meeting. Contingent upon the first meeting, Debbie's two-year term will end approximately May 26, 2026.

Tim L. Lyon, City Manager

Resolution No. 2023-20

A RESOLUTION TO ESTABLISH A NEW MIDWEST CITY ARTS COUNCIL ESTABLISHING MEMBERSHIP AND TERMS OF OFFICE.

WHEREAS, the City of Midwest City (the City) wishes to create a new Midwest City Arts Council (Arts Council) for the purpose of enhancing our cultural diversity and talent by stimulating public interest in the arts, promoting knowledge and appreciation of different expressions of art forms, and supporting Midwest City artist; and

WHEREAS, the Arts Council shall be composed of seven members with each City ward represented via a nomination by the elected councilperson of the Ward with the seventh member being a Mayor nomination; and

WHEREAS, members shall be approved via a majority vote of the presiding members of the Midwest City Council; and

WHEREAS, in order to ensure sustainable board continuity, members shall serve three-year terms with the exception of the inaugural members, who shall serve in staggered terms with Ward 1 and Ward 2 representatives for a one-year term, Ward 3 and Ward 4 representatives for a two-year term, and Ward 5, Ward 6 and Mayor representatives for a three-year term; and

WHEREAS, the Arts Council members shall 1) execute, organize and raise funds for a beneficial community program, per the purpose of the Arts Council; and 2) provide regular reports and/or minutes to the City Council regarding the activity of the Arts Council; and

NOW, THEREFORE be it resolved by the City of Midwest City Council that the Midwest City Arts Council is hereby established.

PASSED AND ADOPTED by the Oity Council of the City of Midwest City and signed by the Mayor this 25 of July 2023 ST. CITY III.

ATTEST:

sara Hancock, City Clerk

Matthew D Dukes II, Mayor

APPROVED as to form and legality this day of July 2023.

Donald D. Maisch, City Attorney



City Manager

100 N. Midwest Boulevard Midwest City, OK 73110 tlyon@midwestcityok.org www.midwestcityok.org

Office: 405.739.1201

MEMORANDUM

To: Honorable Mayor and Council

From: Tim Lyon, City Manager

Date: April 23, 2024

Subject: Discussion, consideration, and possible action to submit the Midwest City official vote for 1)

Incumbent, Mike Bailey, City Manager of Bartlesville, and 2) Incumbent, Craig Stephenson, City Manager of Ponca City to serve on the Oklahoma Municipal Assurance Group Board.

Midwest City is a member of Oklahoma Municipal Assurance Group (OMAG) and participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan; therefore, we have voting privileges for the Board members.

I am recommending that the Council vote to keep Mike and Craig on the Board as they have proven to be effective knowledgeable members to the Board with their many years of experience.

Tim L. Lyon, City Manager

BALLOT

OKLAHOMA MUNICIPAL ASSURANCE GROUP 2024 Election of TWO Trustees For a three-year term starting July 1, 2024

The biographical sketch on the next page for each nominee was written by the person who made the nomination. YOU MAY VOTE FOR TWO (2) NOMINEES by placing a check mark next to their names below.

| 1 | | | |
|-------|---|--|------------------------------|
| | Mike Bailey, City Manager, Bartlesville | (Incumbent) | |
| X | Craig Stephenson, City Manager, Ponca | City (Incumbent) | |
| | Donalynn Blazek-Scherler, City Clerk, 1 | Lawton | |
| | Gary A. Jones, City Manager, Altus | | |
| 1,61 | Tammy Kretchmar, City Manager, Yul | <u>kon</u> | |
| | David M. Mason, Mayor, Enid | | |
| | Cody Roe, City Manager, McLoud | recently to the form of the contract of the co | |
| -1.47 | Micheal Shannon, Interim City Manage | er, Guymon | |
| | SIGN | AND ATTEST | |
| Ballo | t cast by the governing body of the munic | cipality of | |
| M | idwest City | | |
| | | | |
| Signe | ed: | | recent of the William of the |
| Signe | Mayor | a 11408 | |
| | rim - not make a second | | |
| Attes | | Date: | , 2024 |
| | Clerk | | |
| FAII | LURE TO PROPERLY SUBMIT THIS | S BALLOT WILL INV | ALIDATE THE BALLOT. |
| Your | Ballot must be received by the OMAC | G no later than <i>May 15</i> , | 2024, by: |
| | (1) emailing the ballot to elections@o (2) sending the ballot to OMAG by m (3) sending a facsimile of the ballot to | ail to 3650 S. Boulevar | |

BIOGRAPHICAL SKETCHES

MIKE BAILEY (Incumbent) Mike is the City Manager for Bartlesville and has been with the City for 18 years. Mike is a licensed CPA who has worked with many local governments throughout his career. He has served on the OMAG Board since 2007 and is also on the boards of CMAO and OMSCC. (Bartlesville participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan.)

<u>CRAIG STEPHENSON (Incumbent)</u> Craig is a current incumbent on the OMAG Board. He has 37 years of municipal (government) experience serving communities as Assistant City Manager and City Manager. Craig holds Bachelor's and Master's degrees in Political Science and has earned the ICMA Credentialed and Oklahoma Accredited Manager designation. (Ponca City participates in the Municipal Property Protection Plan and the Municipal Liability Protection Plan.)

DONALYNN BLAZEK-SCHERLER Donalynn is an excellent candidate to serve as a trustee for the Oklahoma Municipal Assurance Group (OMAG). She's an extremely dedicated and hard working employee who will no doubt be an asset to the board. Ms. Blazek-Scherler has been an exemplary employee for the City of Lawton for several years. (Lawton participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan.)

GARY JONES City Manager Altus September 2019-present. Oklahoma State Auditor 2011-2019 where he received the 2016 "Sunshine Award" and was named an honorary Fire-Fighter and friend of retired Teachers. Comanche County Commissioner 1995-1999. Received the "Superior Achievement Award" from the Oklahoma Good Roads and Streets Association. BS Business Administration/Accounting-Cameron University. (Altus participates in the Municipal Liability Protection Plan and the Municipal Property Protection Plan, and the Workers' Compensation Plan.)

<u>TAMMY KRETCHMAR</u> Tammy Kretchmar, serving the City of Yukon since 1996, advanced to City Manager in 2021. She actively engages in professional associations like ICMA and CMAO. Tammy's exceptional leadership in Yukon has earned her the 2017 Don Rider Award and the 2022 Gerald Wilkins and Jeff Shockley Award. (Yukon participates in the Municipal Liability Protection Plan, the Municipal Property Protection Plan, and the Workers' Compensation Plan.)

<u>DAVID MASON</u> David has a BS degree in Education and a Master's Degree in Administration. He entered the insurance business in 2003 and quickly advanced to District Manager of 29 agencies. He later became VP/Director of Sales for a large Independent agency helping to increase sales \$100M over 5 years. (Enid participates in the Municipal Property Protection Plan and the Municipal Liability Protection Plan.)

<u>CODY ROE</u> Currently serving as City Manager for the city of McLoud, Cody has over 14 years in Municipal Government where he has served as the Parks Director, Emergency Manager, Operations Director, Public Works Director, and Assistant City Manager. Cody is actively involved in Pottawatomie County and serves on the COEDD Board. (McLoud participates in the Municipal Liability Protection Plan, the Municipal Property Protection Plan, and the Workers' Compensation Plan.)

MICHEAL SHANNON Mike Shannon, a lifelong cowboy and team roper of the Oklahoma Panhandle has worked in municipal government over 45 years. During that time, he worked in the private sector managing a small communication company for 9 years, returning to municipal government as Interim City Manager for the City of Guymon. (Guymon participates in the Municipal Liability Protection Plan, the Municipal Property Protection Plan, and the Workers' Compensation Plan.)



Information Technology

100 N. Midwest Boulevard Midwest City, OK 73110 Office 405.739.1374 Fax 405.869.8602

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Allen Stephenson, Information Technology Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of 1) declaring various computer

equipment and other miscellaneous items of City property as obsolete, defective, or replaced; and 2) authorizing their disposal by public auction, sealed bid or other means

as necessary

The following computer equipment and miscellaneous items are obsolete, defective, or have been replaced.

CPU

| Inventory # | Manufacturer | Serial Number | Department |
|-------------|-----------------------|---------------|------------|
| 928 | Dell Optiplex 3010 | 4GT0JX1 | |
| 1971 | Dell Optiplex 3020 | HGC5KB2 | |
| 1974 | Dell Optiplex 3020 | HGC6KB2 | |
| 2063 | Precision Tower T3620 | GHWGHH2 | |
| 3601 | iPad Air 2 + Cellular | DMPNPDPLG5YL | |
| 1250 | MS Surface Pro 3 | 53634744553 | |
| 1039 | iPad Mini + Cellular | F4KLG66FF19J | |

MISCELLANEOUS

| Quantity | Hardware Type | Serial Number | Department |
|----------|-----------------------------|---------------|------------|
| 1 | HP Laserjet M4345MFP | CNDCC9W0YL | Finance |
| 1 | LaserJet Pro 400 MFP M425dn | CNB6D3X06L | |
| 2 | APC UPS | | |
| 1 | iPhone SE | FFRDM1KHPLJM | |
| 4 | Dell Monitor | | |
| 1 | Box of Miscellaneous | | |
| 1 | 28-port Cisco Switch | DNI161902CK | |
| 2 | Clock Tower Hands | | |
| 2 | Boxes of Miscellaneous | | |



Information Technology

100 N. Midwest Boulevard Midwest City, OK 73110 Office 405.739.1374 Fax 405.869.8602

| 1 | Sony TV | 8197308 | IT |
|---|---------|---------|----|
| 1 | Sony TV | 6198399 | IT |



City of Midwest City Police Department

100 N. Midwest Boulevard Midwest City, OK 73110 Office 405.739.1320 Fax 405.739.1398

Memorandum

TO: Honorable Mayor and City Council

FROM: Greg Wipfli, Chief of Police-Interim

DATE: April 23, 2024

SUBJECT: Discussion, consideration and possible action of 1) declaring miscellaneous radar items

as surplus; and 2) authorizing their disposal by public auction, sealed bid or other means

as necessary.

The radar items listed below are outdated, inoperable, out of warranty and the Midwest City Police Department no longer needs/uses. We are requesting these items be declared surplus and disposal be authorized either through public auction or sealed bid.

1. Decatur Genesis VP Directional Battery Operated Hand Held Radar, four (4) units.

SN: 02961, 08179, 08180, 08189

2. Decatur Genesis VP Directional Corded Hand Held Radar, three (3) units.

SN: 02289, 02471, 02473

3. Stalker II Hand Held Radar

SN: AS010186

- 4. Kustom Radars Re-chargeable Battery Handle (blue). No Serial Number.
- 5. Kustom Signals Talon Directional Hand Held Radar without handle.

SN: DT05415

6. Kustom Signals Raptor Motorcycle K Band Antenna

SN: RK27206, RK36251, RK08759, RK08760

7. Black Motorcycle Mounted Radar Control Box without Digital Screen.

SN: RP32723

- 8. Kustom Radars Raptor RP1 Mounted Radar Control Box with Digital Screen, two (2) units No Serial Numbers
- 9. Kustom Signal Raptor Corded Motorcycle Radar Remote, No Serial Number.
- 10. Six (6) Ray-O-Vac CTL20137 Hand Hald Radar Re-chargeable Lithium Batteries.
- 11. Black and Decker Versa Pack VP136 Battery Charger for Ray-O-Vac CTL20137 Re-chargeable Lithium Batteries.
- 12. Black Plastic Decatur Radar Motorcycle Holster.
- 13. Long Heavy desks x 2





DISCUSSION ITEMS



City Attorney, Donald D. Maisch

100 N. Midwest Boulevard Midwest City, OK 73110 DMaisch@midwestcityok.org Office: 405.739.1203 www.midwestcityok.org

MEMORANDUM

To: Mayor and Members of the City Council

From: Donald D. Maisch, City Attorney

Date: April 23, 2024

RE: Discussion, consideration, and possible action of approving a Memorandum of Understanding

(MOU) between the City of Midwest City and the Choctaw-Nicoma Park School District. (D.

Maisch – City Attorney).

Staff for the City of Midwest City and staff for the Choctaw-Nicoma Park School District have reached an agreement that sets for the conditions by which the new Choctaw-Nicoma Park Elementary School on the Southside of SE 29th Street (within the corporate city limits of the City of Oklahoma City) between Westminster and Anderson, may connect to the City of Midwest City's Sewer System.

Once condition states where the connection will occur if the sewer moratorium is still in place and the other condition states where the connection may occur if the moratorium has been lifted. The MOU expires upon its own terms upon the approval of an agreement between the parties for sewer services to be provided.

Approval is at the discretion of the City Council.

. Maisch

Respectfully submitted,

Donald D. Maisch

City Attorney

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And

CHOCTAW-NICOMA PARK SCHOOL DISTRICT

This Memorandum of Agreement ("MOU") is made and entered into by and between the City of Midwest City ("Midwest City"), a municipal corporation organized pursuant to the laws of the State of Oklahoma and the Choctaw-Nicoma Park School District ("CNP"), a public school district, organized pursuant to the laws of the State of Oklahoma, both together hereinafter referred to as "Parties".

WHEREAS, on April 18, 2022, the Superintendent for CNP sent a letter to Midwest City requesting potable water service only from Midwest City for a proposed new elementary school to be located on the Southside of Southeast 29th Street between Westminster and Anderson Roads (within the corporate City Limits of the City of Oklahoma City). Sewer was to be provided by an on-site sewage disposal system; and

WHEREAS, on May 2, 2022, the City Manager for the City of Midwest City sent a response letter to the Superintendent's letter of April 18, 2022. In the response letter, the City Manager stated that Midwest City would be willing to enter into an agreement to supply water, provided CNP received approval from Oklahoma City to allow Midwest City to provide water; and

WHEREAS, in June of 2022, CNP acquired the property on the Southside of Southeast 29th Street between Westminster and Anderson Roads for the purposes of constructing a new elementary school; and

WHEREAS, in August of 2023 Midwest City adopted a sewer moratorium that covers a large portion of the Eastern side of Midwest City, including the area immediately adjacent to the North of the proposed elementary school site; and

WHEREAS, in September of 2023, CNP first approached Midwest City concerning providing sewer services to the proposed elementary school site, due to the Oklahoma Department of Environmental Quality's stated denial of the on-site sewage disposal system; and

WHEREAS, Midwest City responded to the request and discussed the sewer moratorium; and

WHEREAS, in September of 2023, engineers for Midwest City and consultants on the

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And CHOCTAW-NICOMA PARK SCHOOL DISTRICT

elementary school construction had further discussions including the construction of a sewer line that would connect the proposed elementary school to the Midwest City sewer system outside the designated moratorium area; and

WHEREAS, in March of 2024, based on the recommendation of consultants for Midwest City, placed on the City Council Agenda for the March 26, 2024 City Council Meeting a proposed funding solution for the issues that caused the moratorium to be enacted; and

WHEREAS, at the March 26, 2024 City Council Meeting, the Midwest City, City Council chose to take no action on the proposed funding solutions, and to wait on a Citywide sewer study to be completed from the consultants for Midwest City; and

WHEREAS, Midwest City, City Council's determination to take no action on the proposed funding solutions to resolve the sewer moratorium issues failed to resolve the issues of CNP concerning the providing of sewer services to the proposed new elementary school; and

WHEREAS, on March 28, 2024, the parties had a frank discussion about the providing of sewer services by Midwest City for the new elementary school and the current moratorium; and

NOW, THEREFORE, in consideration of the mutual benefit to the Parties the following terms and conditions are hereby agreed upon:

That the Parties hereby agree to one option that CNP may exercise immediately and a second option that is contingent upon future actions of the City Council for the City of Midwest City.

1. Option Immediately Available - Connection by CNP to the Midwest City Sewer System outside of the designated moratorium area.

The Parties hereby agree that CNP may connect to the Midwest City Sewer System outside of the designated moratorium areas, provided the following requirements are met:

- a. The sewer line connecting the elementary school to the sewer system is hereby deemed a service line for the school. No other connections may be made to the service line.
- b. CNP is required to provide all maintenance to the service line connecting the elementary school to the sewer system.

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And CHOCTAW-NICOMA PARK SCHOOL DISTRICT

- c. CNP shall obtain permission from the City of Oklahoma City to allow Midwest City to provide sewer services to the elementary school.
- d. CNP shall obtain and maintain all necessary easements for the installation of the service line.
- e. The service line shall run on the Southside of Southeast 29th Street (in Oklahoma City) until the line is required to cross Southeast 29th Street to connect to the sewer system.
- f. CNP shall incur the cost of construction and installation of the service line, including the costs of having a road bore constructed under Southeast 29th Street.
- g. The Parties hereby recognize that the Central Oklahoma Master Conservancy District's raw water line from Lake Thunderbird to the Midwest City Water Treatment Plant is located between the elementary school and the connection to the sewer system outside the moratorium. CNP shall obtain all necessary and proper federal, state and local permits for construction and installation of the service line.

2. Option Available if Contingency is Met - Connection by CNP to the Midwest City Sewer System within the designated moratorium area.

The Parties hereby agree that CNP may connect to the Midwest City Sewer System inside of the designated moratorium area, if the City Council votes to lift the moratorium prior to June 1, 2026 and provided the following requirements are met:

- a. The sewer line connecting the elementary school to the sewer system is hereby deemed a service line for the school. No other connections may be made to the service line.
- b. CNP is required to provide all maintenance to the service line connecting the elementary school to the sewer system.
- c. CNP shall obtain permission from the City of Oklahoma City to allow Midwest City to provide sewer services to the elementary school.

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And

CHOCTAW-NICOMA PARK SCHOOL DISTRICT

- d. CNP shall obtain and maintain all necessary easements for the installation of the service line.
- e. The service line shall run on the Southside of Southeast 29th Street (in Oklahoma City) until the line is required to cross Southeast 29th Street to connect to the sewer system.
- f. CNP shall incur the cost of construction and installation of the service line, including the costs of having a road bore constructed under Southeast 29th Street.

3. TERM

This MOU shall be effective upon the date of the last signature contained herein. The initial term for this MOU shall be for one (1) year. The MOU may be extended by mutual agreement of the parties for up to five (5) additional one-year periods.

4. ABIDE BY LAW

The Parties agrees to faithfully abide by the ordinances, laws, rules and regulations of The City of Midwest City, the City of Oklahoma City, the State of Oklahoma, the United States of America, and all other applicable governmental agencies, and all amendments thereto, as terms of this Agreement regardless of jurisdictional limits. Failure of the Parties to so abide after notice and opportunity to correct any violation shall constitute a default. Nothing in this Agreement shall be interpreted as precluding any governmental agency or department from enforcing its laws, ordinances, rules or regulations in addition to remedies herein provided.

5. NO SUBLEASE OR ASSIGNMENTS

The Parties may not sublease or assign its Agreements stated within this MOU to any third party without written consent of the other Party.

6. INDEMNIFICATION

Both Parties are government subdivisions of the State of Oklahoma. Both Parties are

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY

F MIDWEST CIT And

CHOCTAW-NICOMA PARK SCHOOL DISTRICT

covered under the Oklahoma Governmental Tort Claims Act at Title 51 of the Oklahoma Statutes, Section 151 *et seq.*, in the event any damage claims arises due to any action or inaction undertaken by any party to this MOU. Any claim for damages due to any action or inaction pursuant to this MOU by any Party or any third party shall comply with procedures and requirements set forth in the Oklahoma Governmental Tort Claims Act.

7. TERMINATION

- A. This MOU shall terminate upon the parties entering into a Sewer Services Agreement and the connection of the school to the City of Midwest City Sewer System.
- B. Prior to the entering of the Sewer Services Agreement and connection to the City of Midwest City Sewer System, either Party may only request termination this MOU for "just cause". For the purposes of this MOU the term "just cause" shall mean, a situation or condition for either party that arises outside the control of said party, including, but not limited to: Acts of God, *Force Majeure*, financial insolvency, or other similar conditions.
- C. If either Party determines that termination of this MOU may be necessary, said Party shall contact, in writing, the other Party. Prior to any termination of this MOU, the Parties shall meet, in good faith, to attempt to negotiate any and all outstanding issues. If the negotiations do not resolve all remaining issues, then this MOU may be terminated upon one-hundred and eighty (180) day written notice by one party to the other party.

8. EFFECTIVE

The effective date of this Agreement shall be upon the latter of execution hereof by the last party hereto.

9. TIME OF ESSENCE

It is expressly agreed by all parties hereto that time shall be deemed to be of the essence of this Agreement.

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And

CHOCTAW-NICOMA PARK SCHOOL DISTRICT

10. AMENDMENT

This Agreement may not be amended except by express written agreement of all parties hereto.

11. VOID

Should it be determined that any provision or the application of any provision of this Agreement to any party is prohibited by law such prohibition shall not affect the validity of the remaining provisions of this Agreement or its effectiveness against the remaining parties.

12. NOTICE

(a) Any notices or other communications for the parties pursuant to the provisions hereof shall be sufficient if sent by registered or certified mail, postage prepaid, addressed to:

The City of Midwest City:

Tim Lyon City Manager 100 N. Midwest Blvd. Midwest City, Oklahoma 73110

Choctaw-Nicoma Park School System:

David Reid Super Intendent 12880 Northeast 10th Street Choctaw, OK 73020

13. WHOLE AGREEMENT

It is mutually understood and agreed by the parties hereto that this Agreement contains all of the covenants, stipulations and provisions agreed upon by said parties and no agent or any party to this Agreement has authority to alter or change the terms hereof, except as provided herein, and no party is or shall be bound by any statement or representation not in conformity herewith.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And CHOCTAW-NICOMA PARK SCHOOL DISTRICT

| This MOU is hereby approved by | by the City of Midwest City and signed by the Mayor | for |
|-----------------------------------|---|-----|
| the City of Midwest City this day | of, 2024. | |
| | MATTHEW D. DUKES, II MAYOR | |
| Sara Hancock, City Clerk | | |
| Approved as to form and legality: | | |
| Donald D. Maisch, City Attorney | | |

MEMORANDUM OF AGREEMENT Between CITY OF MIDWEST CITY And CHOCTAW-NICOMA PARK SCHOOL DISTRICT

| This MOU is hereby approved | l by the Choctaw-Nicoma Park Scho | ool Board and signed by |
|-------------------------------------|-----------------------------------|-------------------------|
| the Chair for the School Board this | day of | , 2024. |
| | JASON ROSS PRESIDENT | |
| School Board Clerk | | |
| Approved as to form and legality: | | |
| School Board Attorney | | |



City Attorney, Donald D. Maisch

100 N. Midwest Boulevard Midwest City, OK 73110 DMaisch@midwestcityok.org Office: 405.739.1203 www.midwestcityok.org

MEMORANDUM

To: Mayor and Members of the City Council

From: Donald D. Maisch, City Attorney

Date: April 23, 2024

RE: Discussion, consideration, and possible action of adopting an ordinance amending Midwest City

Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 10, Sewer Mainline Backup Service Program; Section

43-251, Provisions; Section 43-254, Fees; and providing for repealer and severability.

The proposed amendments to Section 43-251 would remove the limit on the amount the City can provide to settle a sewer backup claim. This will allow the City Manager to settle any claim for less than \$100,000. Any claim for \$100,000 or more would need City Council approval.

The proposed amendments to Section 43-254 would increase the floor limit for the fund to \$750,000 and increase ceiling limit to \$1,000,000 for the fund balance. This will allow the fund to accumulate revenues to respond to sewer backups in which the City is responsible.

This program was established to assist residents of Midwest City that have suffered a sewage back up in their home due to an issue in the portion of the system owned by the City.

The proposed amendment was recommended for approval by the Ordinance Review Committee.

Respectfully submitted,

Donald D. Maisch

City Attorney

| 1 | ORDINANCE NO | | | | |
|--|--|--|--|--|--|
| 2 3 4 5 6 7 8 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43 WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY; ARTICLE III, SEWERS AND SEWAGE DISPOSAL; DIVISION 10, SEWER MAINLINE BACKUP SERVICE PROGRAM; SECTION 43-251, PROVISIONS; SECTION 43-254, FEES; PROVIDING FOR REPEALER AND SEVERABILITY. | | | | |
| 9 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | |
| 10 11 | <u>ORDINANCE</u> | | | | |
| 12 13 14 15 16 | <u>Section 1.</u> That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline Backup Service Program, Section 43-251, Provisions, is hereby amended to read as follows: | | | | |
| 17 | Section 43-251, Provisions. | | | | |
| 20 21 22 23 24 25 | In cases of mainline sanitary sewer blockage and backups into homes or commercial buildings due to main sewer line stoppage by routine occurrence the mandatory service agreement will pay for certain damages, including, but not limited to: for dewatering, cleanup, disinfecting, sanitizing, removal of pad and carpet, drying, reinstallation and/or replacement of pad and carpeting, floor covering and structural material of like kind and quality. pursuant to the following Program Limitations: Program Limitations: (Maximum Payment) | | | | |
| | Residential/mobile homes \$10,000.00 per occurrence, per dwelling unit. | | | | |
| | Commercial/office/industrial/institutional/apartment s10,000.00 per occurrence, per billed account. | | | | |
| 26 27 28 29 30 31 32 | Section 2. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline Backup Service Program, Section 43-254, Fees is hereby amended to read as follows: Section 43-254, Fees. | | | | |
| 34 35 | Fees from surcharge on sewer accounts shall be: | | | | |
| 36 | Residential, per month, per dwelling unit\$0.25 | | | | |

| Apartments and Mobile homes, per month, per dwelling unit\$0.25 | | |
|---|--|--|
| A / | CC - / in depth in 1/2 - 2 - 2 depth in 1 | |
| Apartments/commercial/o account\$0.75 | office/industrial/nonresidential, per month, per billed | |
| ассоин <u>Ф</u> 0./3 | | |
| All monies shall be deposited i | n a special "sewer mainline backup account" and all | |
| balances will be carried forward from year to year. | | |
| | | |
| When the balance of the sewer mainline backup account reaches a balance of one hundre | | |
| nousand million dollars (\$100,000.00) | (\$1,000,000.00) the fees from the surcharge shall be | |
| ± ** | . If the balance of the sewer mainline backup account | |
| | ren hundred and fifty thousand dollars (\$75,000.00) | |
| (\$750,000.00) the surcharge fee shall be resumed on the first day of the month. | | |
| action 3 DEDEALED All other and | linguage or parts of ordinguage in conflict harquith are | |
| Section 3. REPEALER. All other ordinances or parts of ordinances in conflict herewith are | | |
| hereby repealed. | | |
| ection 4. SEVERABILITY. If any sect | tion, sentence, clause, or portion of this ordinance is for | |
| | on shall not affect the validity of the remaining provisions | |
| f the ordinance. | provided in | |
| | | |
| Ordinance Amendments PASSED AND | APPROVED by the Mayor and the Council of the City | |
| of Midwest City, Oklahoma, this | · | |
| | | |
| | THE CITY OF MIDWEST CITY, OKLAHOMA | |
| | | |
| | | |
| | | |
| | MATTHEW D. DUKES, II, Mayor | |
| | -7 7 " V - | |
| ATTEST: | | |
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| | | |
| | | |
| SARA HANCOCK, City Clerk | | |
| SARA HANCOCK, City Clerk | | |
| | day of . 2024. | |
| , , | day of, 2024. | |
| , , | day of, 2024. | |
| SARA HANCOCK, City Clerk Approved as to form and legality this | day of, 2024. | |
| , . | day of, 2024. | |

43

| 1 | ORDINANCE NO | | | |
|--|---|--|--|--|
| 2 3 4 5 6 7 8 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43 WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY; ARTICLE III, SEWERS AND SEWAGE DISPOSAL; DIVISION 10, SEWER MAINLINE BACKUP SERVICE PROGRAM; SECTION 43-251, PROVISIONS; SECTION 43-254, FEES; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | |
| 9 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | |
| 10 | | | | |
| 11 | <u>ORDINANCE</u> | | | |
| 12 13 14 15 | <u>Section 1.</u> That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline Backup Service Program, Section 43-251, Provisions, is hereby amended to read as follows: | | | |
| 16 17 | Section 43-251, Provisions. | | | |
| 18 19 20 21 22 23 24 | In cases of mainline sanitary sewer blockage and backups into homes or commercial buildings due to main sewer line stoppage by routine occurrence the service agreement will pay for certain damages, including, but not limited to: for dewatering, cleanup, disinfecting, sanitizing, removal of pad and carpet, drying, reinstallation and/or replacement of pad and carpeting, floor covering and structural material of like kind and quality. | | | |
| 25 26 27 | <u>Section 2.</u> That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline Backup Service Program, Section 43-254, Fees is hereby amended to read as follows: | | | |
| 28 29 | Section 43-254, Fees. | | | |
| 30 31 | Fees from surcharge on sewer accounts shall be: | | | |
| 32 33 | Residential, per month, per dwelling unit\$0.25 | | | |
| 34 35 | Apartments and Mobile homes, per month, per dwelling unit\$0.25 | | | |
| 36 37 38 | Commercial/office/industrial/nonresidential, per month, per billed account\$0.75 | | | |
| 39 40 41 | All monies shall be deposited in a special "sewer mainline backup account" and all balances will be carried forward from year to year. | | | |
| 42 43 44 45 | When the balance of the sewer mainline backup account reaches a balance of one million dollars (\$1,000,000.00) the fees from the surcharge shall be suspended on the last day of the month. If the balance of the sewer mainline backup account should fall below the balance of | | | |

| 1 | seven hundred and fifty thousand dollars (\$750,000.00) the surcharge fee shall be resumed o | | |
|----------|---|--|--|
| 2 | the first day of the month. | | |
| 3 | | | |
| 4 | | nances or parts of ordinances in conflict herewith are | |
| 5 | hereby repealed. | | |
| 6 | C-4: A CEVED ADILITY If | | |
| 7 | Section 4. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for | | |
| 8 | any reason held to be invalid, such decision shall not affect the validity of the remaining provision | | |
| 9 | of the ordinance. | | |
| 10 | Ordinance Amandments DASSED AND | ADDDOVED by the Mayor and the Council of the City | |
| 11 12 | Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this day of, 2024. | | |
| 13 | of Midwest City, Oktanoma, uns | _ day 01, 2024. | |
| 14 | | THE CITY OF MIDWEST CITY, OKLAHOMA | |
| 15 | | THE CIT OF WILD VEST CITT, ORE MICHIGAN | |
| 16 | | | |
| 17 | | | |
| 18 | | MATTHEW D. DUKES, II, Mayor | |
| 19 | | Maria Tile († 2. 2011), il, mayor | |
| 20 | ATTEST: | | |
| 21 | | | |
| 22 | | | |
| 23 | | | |
| 24 | SARA HANCOCK, City Clerk | | |
| 25 | · | | |
| 26 | Approved as to form and legality this | day of, 2024. | |
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| 30 | DONALD D. MAISCH, City Attorney | | |
| 31 | | | |





To: Honorable Mayor and Council

From: Matt Summers, Director of Planning & Zoning

Date: April 23, 2024

Subject: (PC-2166) Public hearing, discussion, consideration, and possible action approving a Special Use Permit (SUP) to allow Eating Establishments: Sit-Down, Alcoholic Beverages Permitted in the (C-3) Community Commercial District for the property described as a part of the Northeast Quarter (NE/4) of Section Four (4), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 6620 E. Reno Ave.

Executive Summary: The applicant, Cesar Manuel Banvelos, is requesting a Special Use Permit for the subject property to allow for the uses in 4.4.28. *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted.*

The applicant owns The Taste of Baja and would like to serve alcohol as part of the operation of the restaurant. Approving the Special Use Permit would allow for the sale of alcohol as part of the restaurant as long as alcohol sales do not exceed 25% of the gross sales of the eating establishment.

Both state and local public notice requirements were fulfilled, and staff received no comments regarding this case.

Staff recommends approval of this application on the condition that the Special Use Permit expires with the occupancy of Taste of Baja. If and when a new tenant applies for occupancy and wants to serve alcohol, staff recommends they apply for their own Special Use Permit.

If approved, the applicant will be required to obtain a Letter of Compliance from the Planning Department to submit to the ABLE Commission so they can serve alcohol. The applicant will also be required to apply for an alcohol license through the City's Customer Service Department.

The Applicant was present and addressed the Planning Commission.

Planning Commission unanimously recommended approval of this item.

Action is at the discretion of the Council.



Planning Commission- April 2, 2024 City Council- April 23, 2024



PC-2166

Council Ward: Ward 4 - M. Sean Reed

Proposed Use: Taste of Baja

Zoning Districts:

Area of Request- Community Commercial District ("C-3")

North- Community Commercial District ("C-3")

South- Single-Family Detached Residential District ("R-6")

East- Community Commercial District ("C-3")

West- Single-Family Detached Residential District ("R-6") Community Commercial District ("C-3")

Land Use:

Area of Request- Commercial

North- Commercial

South- Single Family Detached Residential

East- Commercial

West- Commercial & Residential

Municipal Code Citation:

7.6. – Special Use Permit

- 7.6.1. *General Description and Authorization*. The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.
 - (A) Consideration for compatibility. With consideration given to setting, physical features, compatibility with surrounding land uses, traffic, and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.
 - (B) Review and approval. The Planning Commission shall review each case on its own merit, apply the criteria established herein, and recommend either approval or denial of the special use permit to the City Council. Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.
 - (C) Use *identified by individual zoning district*. If a special use permit is granted it shall be for all the uses permitted in the specified district plus the special use permit requested.
- 7.6.2. *Application*. Application and public hearing procedures for a special permit shall be completed in the same manner as an application for rezoning. A site plan shall be included with the application as outlined in 7.5 Site Plan (Page 183).
- 7.6.3. *Criteria for* Special Permit *Approval*.
 - (A) Special use permit *criteria*. The City Council shall use the following criteria to evaluate a special use permit:
 - (1) Whether the proposed use shall be in harmony with the policies of the comprehensive plan.
 - (2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
 - (3) Whether the proposed use shall not adversely affect the use of neighboring properties.
 - (4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
 - (5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.

Page 3 PC-2166

- (B) Specific conditions. The City Council may impose specific conditions regarding:
 - (1) the duration of the permit,
 - (2) the location, design, operation, and screening to assure safety,
 - (3) to prevent a nuisance, and
 - (4) to control the noxious effects of excessive sound, light, odor, dust or similar conditions.
- 7.6.4. Status of Special Use Permits. Once a special use permit has been granted for a lot, said special use permit may not be expanded to another lot without application for a new special use permit.

Provided, however, churches may expand if the property on which said church will be located is owned, as reflected by official records kept by the Registrar of Deeds for Oklahoma County, Oklahoma, on or prior to June 22, 1982.

- 7.6.5. Expiration of Special Use Permits. All special use permits shall expire by default:
 - (A) Non-establishment.
 - (1) If the use is not established within twelve (12) months and no extension is approved.
 - (2) When a building permit has not been issued for construction within twelve (12) months of City Council approval the applicant or owner may request a hearing for an extension of the initial special use permit approval.
 - (3) Good cause for an extension shall mean that the owner shows evidence that he has contractors or applications for continual development within the next year following the original approval.
 - (B) *Discontinuance*. If the use once established has been discontinued for a period of twelve (12) months or abandoned.
 - (C) Lack of substantial compliance. Whenever the Community Development Director finds that any proposed construction or occupancy will not, in his opinion, substantially comply with the special use permit, he shall refer the question to the City Council for its review.
 - (D) Amendment. When the holder of a special use permit determines that an extension of time or modification of the use is necessary, he may apply for amendment in the same manner as the original application. The amendment shall be processed in the same manner as an original application.

The following use is permitted in General Commercial District with a Special Use Permit:

4.4.28. *Eating Establishments: Sit-Down, Alcoholic Beverages Permitted.* Establishments or places of business where customers are seated and served, and are engaged in the sale, mixing or dispensing of beverages containing alcohol by weight, or wine capable of being consumed as a beverage or any kind of onpremises consumption as accessory to a restaurant operation.

History:

1. The Taste of Baja passed all City occupancy inspections February 2024 and received Health Department approval/license.

Next Steps:

If approved, the applicant will need to get a Letter of Compliance from Ms. Richey to submit to the ABLE Commission so they can serve alcohol. Applicant will also be required to apply for an alcohol license through the City's Customer Service Department.

Staff Comments-

There are numerous requirement references made in the Engineering portion of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development such as extending public sewer and water and making street improvements, for examples. This is a special use permit application and the references are provided to make the applicant and subsequent developers of this property aware of the applicability of various codes as they relate to the future development or redevelopment of this property.

Engineering Staff Comments:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There is a public water main bordering the proposed parcel, a twelve (12) inch line running along the north side of East Reno Avenue. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is a public sewer main servicing the proposed parcel, an eight (8) inch line running along the south side of the parcel. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the parcel is available from East Reno Avenue, respectively. East Reno Avenue is classified as a secondary arterial in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Department's Comments

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15.

Line Maintenance Comments

Water

Water infrastructure is available and active to the property.

Sanitary Sewer

Sanitary sewers are available and active to the property, the applicant shall be responsible for communicating the anticipated daily sewer discharge for capacity calculations. Sewer waste from food service, vehicle maintenance shop, car wash, etc. shall continue to conform with MWC Ordinance Chapter 43 Division 6. The installation of an interceptor, separator, and/or grit chamber shall be required.

Planning Division:

The subject property has changed occupancy, and the new tenant (The Taste of Baja) would like to serve alcohol at their restaurant. The property's current governing zone, Community Commercial District (C-3), does not permit the serving/sale of alcohol without a Special Use Permit.

Approving the Special Use Permit would allow for the sale of alcohol as part of the restaurant as long as alcohol sales do not exceed 25% of the gross sales of the eating establishment.

It satisfies the criteria described in Section 7.6.3 (A) of the Zoning Regulations, and Staff finds that the application is in harmony with both the Comprehensive Plan and the intent of the zoning district. The proposed use would not adversely impact adjoining properties and will not generate pedestrian or vehicular traffic that is hazardous or in conflict with surrounding uses.

Staff recommends approval of this application on the condition that the Special Use Permit expires with the occupancy of Taste of Baja. If and when a new tenant applies for occupancy and wants to serve alcohol, staff recommends they apply for their own Special Use Permit.

If approved, the applicant will be required to obtain a Letter of Compliance from the Planning Department to submit to the ABLE Commission so they can serve alcohol. The applicant will also be required to apply for an alcohol license through the City's Customer Service Department.

Action is at the discretion of the Planning Commission.

Action Required:

Approve or reject a Special Use Permit (SUP) to allow the use of Eating Establishments: Sit-Down, Alcoholic Beverages Permitted in the (C-3) Community Commercial District for the property noted herein, subject to staff comments as found in the April 23, 2024 Council agenda packet and made part of the PC-2166 file.

Suggested Motion:

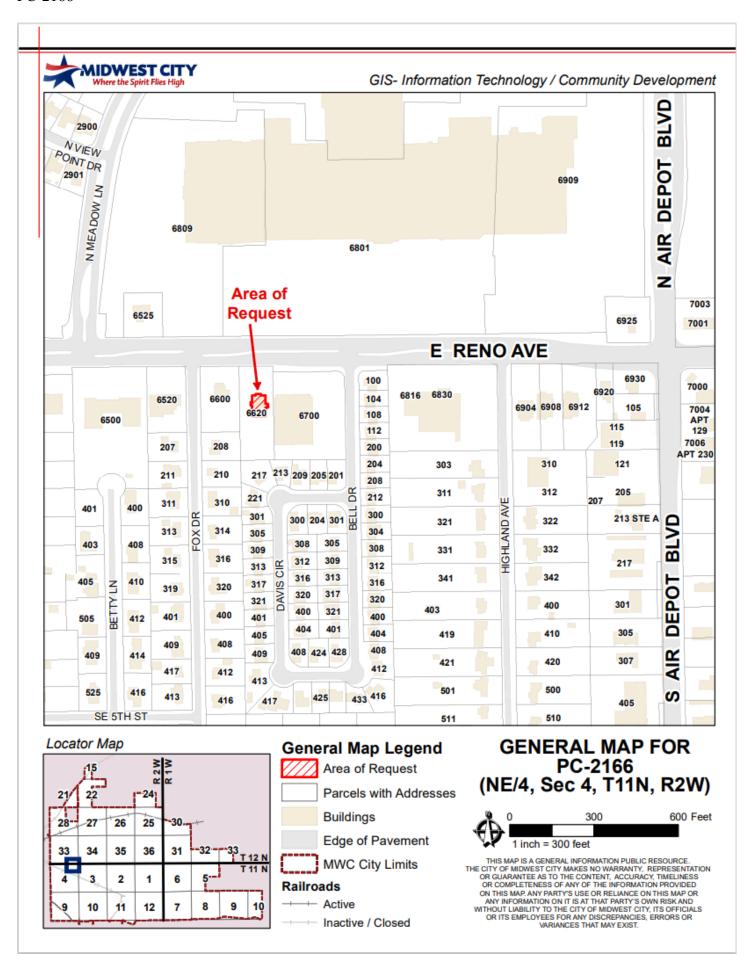
"To approve the Special Use Permit for 6620 E. Reno Ave to allow the use of Eating Establishments: Sit-Down, Alcoholic Beverages Permitted in the C-3, Community Commercial District subject to Staff Comments found in the April 23, 2024 Council agenda packet and made part of the PC-2166 file."

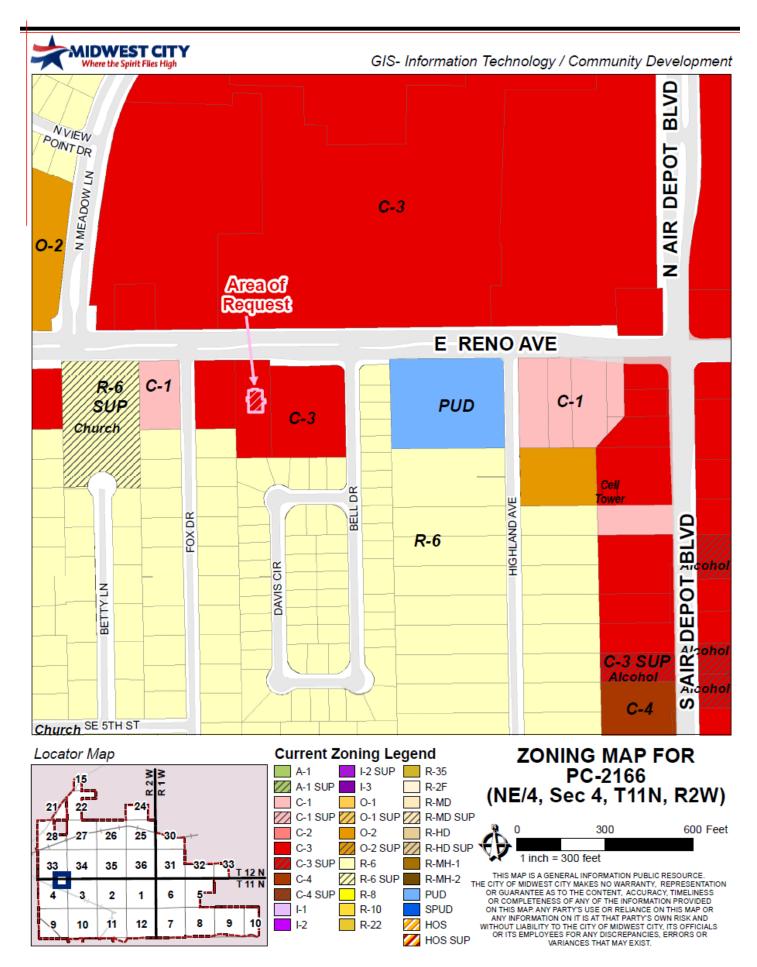
Please feel free to contact the Associate Planner's office at (405) 739-1265 with any questions.

Matt Summers

Mat Somme

Director of Planning & Zoning









To: Honorable Mayor and Council

From: Matt Summers, Director of Planning & Zoning

Date: April 23, 2024

Subject: (PC-2169) Public hearing, discussion, consideration, and possible action approving a Special Use Permit (SUP) to allow *Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted* in the (O-2) General Office District for the property described as a part of the Southeast Quarter (SE/4) of Section Thirty-Four (34), Township Twelve (12) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 2801 Parklawn Dr., Ste 102.

Executive Summary: Mr. Daryl Ljunghammar, the applicant, is requesting a Special Use Permit for the following use: 4.4.26. *Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted.*

The applicant owns and is looking to operate a new location for Open Flame Coffee and Roastery on Air Depot Blvd. and is looking to expand to the subject property as a secondary location. Mr. William Bernhardt, the managing partner for Parklawn office, has consented to this use by the applicant. Approving the Special Use Permit would allow for the outlined operation of a coffee shop with a drive through on the subject property.

Both state and local public notice requirements were fulfilled, and staff received no comments regarding this case.



Staff recommends approval of this request with the condition that the Special Use Permit expires with the occupancy of Open Flame Coffee and Roastery.

The Applicant was present and addressed the Planning Commission.

Planning Commission unanimously recommended approval of this item.

Action is at the discretion of the Council.

Dates of Hearings:

Planning Commission- April 2, 2024 City Council- April 23, 2024

Dates of Pre-Development Meetings:

February 12, 2024

PC-2169

Council Ward: Ward 4, M. Sean Reed

Proposed Use: Open Flame Coffee and Roastery

Zoning Districts:

Area of Request- General Office District ("O-2") SUP

North- Restricted Commercial District ("C-1")

South- Single-Family Detached Residential District ("R-6") SUP

East- Single-Family Detached Residential District ("R-6") SUP

West- Single-Family Detached Residential District ("R-6")

Land Use:

Area of Request- Parklawn Office Park North- Commercial South- School East- Church

Last- Church

West-Residential

Comprehensive Plan Citation:

The future zoning land use for the subject lot is Public/Semi-Public Land use. The proposed use does not require an amendment to the Comprehensive Plan.

Public/Semi-Public (PSP) Land Use

This land use designation is representative of uses that are educational, governmental or institutional in nature. Public/semi-public uses are generally permitted within any area; therefore, the areas shown on the Future Land Use Plan Map include the related uses that are currently in existence. It is, however, anticipated that there will be a need for additional public uses with future population growth. The City should remain aware of necessary increases in police and fire protection based on population growth and of potential needed increases in space and personnel for City administration.

Municipal Code Citation:

7.6. – Special Use Permit

- 7.6.1. *General Description and Authorization*. The uses listed under the various districts as special use permits are so classified because they more intensely dominate the area in which they are located than do other uses permitted in the district.
 - (A) Consideration for compatibility. With consideration given to setting, physical features, compatibility with surrounding land uses, traffic, and aesthetics, certain uses may locate in an area where they will be compatible with existing or planned land uses.
 - (B) Review and approval. The Planning Commission shall review each case on its own merit, apply the criteria established herein, and recommend either approval or denial of the special use permit to the City Council. Following the Planning Commission's recommendation, the City Council shall review each case on its own merit, apply the criteria established herein, and, if appropriate, authorize said use by granting a special use permit.
 - (C) Use *identified by individual zoning district*. If a special use permit is granted it shall be for all the uses permitted in the specified district plus the special use permit requested.

- 7.6.2. *Application*. Application and public hearing procedures for a special permit shall be completed in the same manner as an application for rezoning. A site plan shall be included with the application as outlined in 7.5 Site Plan (Page 183).
- 7.6.3. *Criteria for* Special Permit *Approval*.
 - (A) Special use permit *criteria*. The City Council shall use the following criteria to evaluate a special use permit:
 - (1) Whether the proposed use shall be in harmony with the policies of the comprehensive plan.
 - (2) Whether the proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
 - (3) Whether the proposed use shall not adversely affect the use of neighboring properties.
 - (4) Whether the proposed use shall not generate pedestrian and vehicular traffic that is hazardous or in conflict with the existing and anticipated traffic in the neighborhood.
 - (5) Whether utility, drainage, parking, loading, signs, lighting access and other necessary public facilities to serve the proposed use shall meet the adopted codes of the city.
 - (B) Specific conditions. The City Council may impose specific conditions regarding:
 - (1) the duration of the permit,
 - (2) the location, design, operation, and screening to assure safety,
 - (3) to prevent a nuisance, and
 - (4) to control the noxious effects of excessive sound, light, odor, dust or similar conditions.
- 7.6.4. *Status of Special Use Permits*. Once a special use permit has been granted for a lot, said special use permit may not be expanded to another lot without application for a new special use permit.
 - Provided, however, churches may expand if the property on which said church will be located is owned, as reflected by official records kept by the Registrar of Deeds for Oklahoma County, Oklahoma, on or prior to June 22, 1982.
- 7.6.5. Expiration of Special Use Permits. All special use permits shall expire by default:
 - (A) Non-establishment.
 - (1) If the use is not established within twelve (12) months and no extension is approved.
 - (2) When a building permit has not been issued for construction within twelve (12) months of City Council approval the applicant or owner may request a hearing for an extension of the initial special use permit approval.
 - (3) Good cause for an extension shall mean that the owner shows evidence that he has contractors or applications for continual development within the next year following the original approval.
 - (B) *Discontinuance*. If the use once established has been discontinued for a period of twelve (12) months or abandoned.
 - (C) Lack of substantial compliance. Whenever the Community Development Director finds that any proposed construction or occupancy will not, in his opinion, substantially comply with the special use permit, he shall refer the question to the City Council for its review.
 - (D) Amendment. When the holder of a special use permit determines that an extension of time or modification of the use is necessary, he may apply for amendment in the same manner as the original application. The amendment shall be processed in the same manner as an original application.

History:

1. This property is part of the Parklawn Addition, approved in 1964.

Next Steps:

1. If Council approves this Special Use Permit, the applicant will then proceed with receiving all other applicable permits, including permits for remodel, trade, and signage.

Staff Comments-

There are numerous requirement references made in the Engineering, Fire Marshal, and Public Works portions of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development. This is a Special Use Permit application and the references are provided to make the applicant for this request aware of the applicability of various codes as they relate to the request and further requirements after the Special Use Permit is approved.

ENGINEERING STAFF CODE CITATIONS AND COMMENTS - PC-2169:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There are public water mains bordering the proposed parcel, a six (6) inch line running along the north side and an eight (8) inch line running along the south side of East Reno Avenue. There is also an eight (8) inch line running along the west side of Parklawn Drive. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is a public sewer main servicing the proposed parcel, an eight (8) inch line running along the north side of the parcel. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the parcel is available from East Reno Avenue and Parklawn Drive, respectively. East Reno Avenue is classified as a secondary arterial in the 2008 Comprehensive Plan. Parklawn Drive is classified as a local road in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Department's Comments

The property is required to meet and maintain the requirements of Midwest City Ordinances Section 15. Occupancy separation requirements between A-2 and B occupancies apply. (2-HR Fire Separation in horizontal and vertical assemblies (walls and ceiling)). 2018 IBC Section 508.4

Page 5 April 23, 2024 PC-2169

Line Maintenance's Comments

Water

Water infrastructure is available and active to the property.

Sanitary Sewer

Sanitary sewer is available and active to the property.

Sewer waste from food service, vehicle maintenance shop, car wash, etc. shall conform with MWC Ordinance Chapter 43 Division 6. The installation of an interceptor, separator, and/or grit chamber shall be required.

Planning Division:

Staff met with the applicant February 12, 2024 for a pre-development meeting.

The applicant's proposal falls under the zoning use unit classification 4.4.26. Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted. This use is permitted within the zoning district with Council approval of a Special Use Permit.

The future land use for the above property is designated as Public-Semi Public and is part of a Special Planning Area. The Special Planning Area was established to provide design flexibility benefiting the public from approved revitalization efforts. This area is in support of recent redevelopment works in the face of the ongoing Hospital Revitalization Project. The design establishes mix-use development, walkability, bike-ability, inclusion, and diversity of services to a variety of group populations. One of the project goals is to offer different food and drink venues to spur the area and attract not just medical visitors but recreational as well. The proposed eating establishment will be in support of the redevelopment of the area. The revitalization efforts in this area will benefit the surrounding neighborhoods and will enhance the city's image of a vibrant and socially active community.

Staff recommends approval of this application due to its satisfaction of the criteria described in Section 7.6.3 (A) of the Zoning Regulations. Staff finds the application is in harmony with both the Comprehensive Plan and the intent of the zoning district. The proposed use would not adversely impact adjoining properties and will not generate pedestrian or vehicular traffic that is hazardous or in conflict with surrounding uses.

Action is at the discretion of the Council.

Action Required:

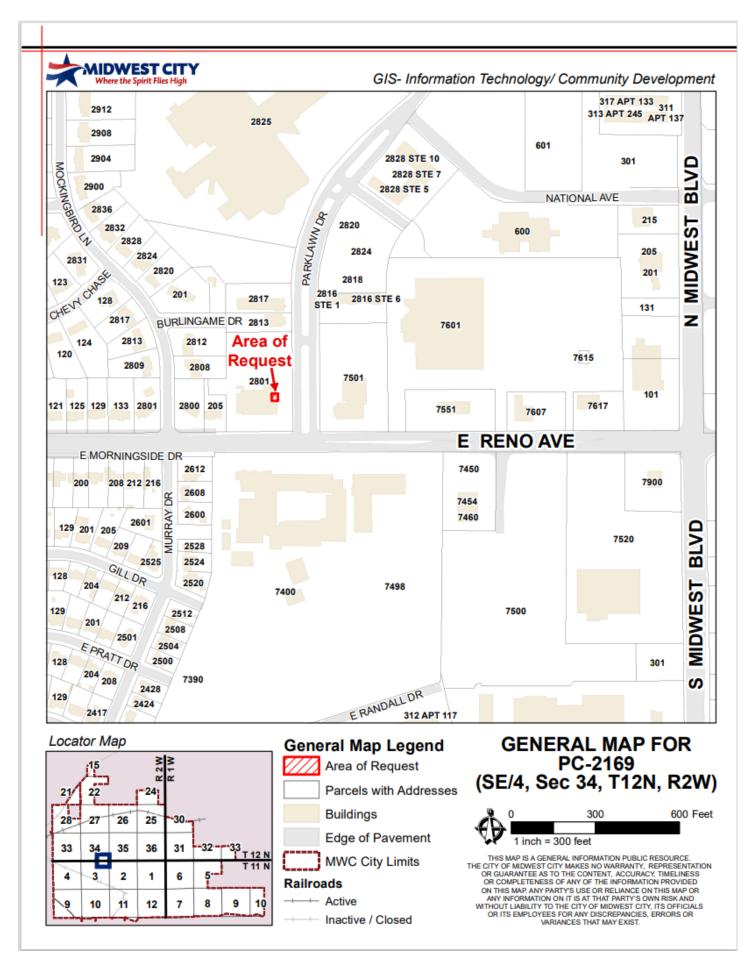
Approve or reject a Special Use Permit (SUP) to allow for the use of an Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted in the (O-2) General Office District for the property noted herein, subject to staff comments and contingencies outlined in Staff Comments as found in as found in the April 23, 2024 Council agenda packet and made part of PC-2169 file.

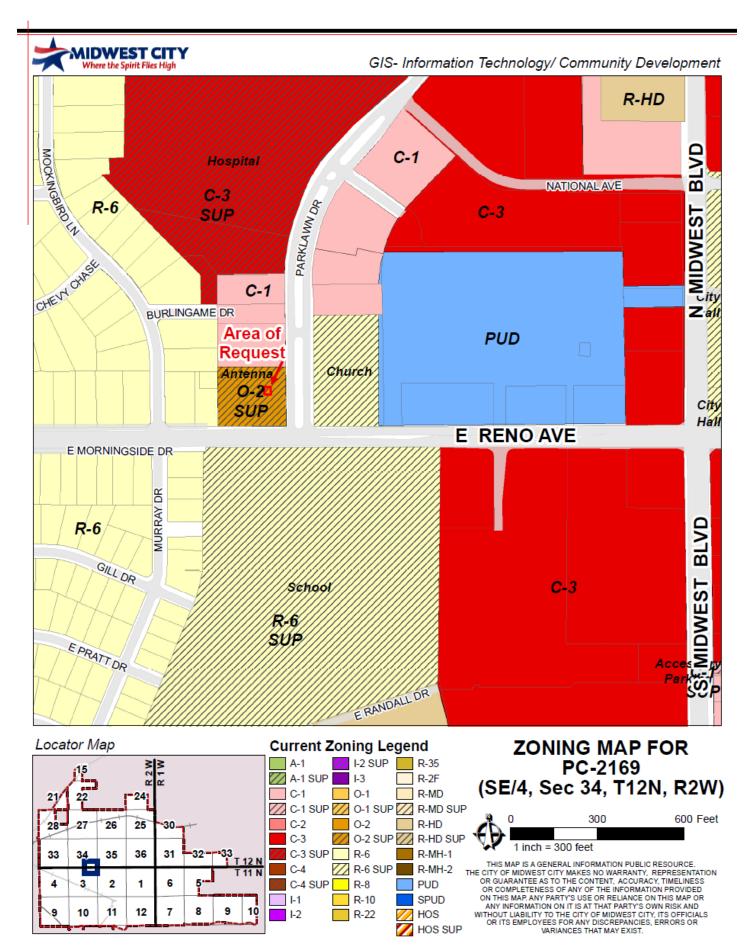
Suggested Motion:

"To approve the resolution for a Special Use Permit to allow for the use of Eating Establishments: Sit-Down, Alcoholic Beverages not Permitted in the (O-2) General Office District at 2801 Parklawn Dr., Ste 102, subject to staff comments found in the April 23, 2024 Council agenda packet and made a part of the PC-2169 file." Please feel free to contact the Associate Planner's office at (405) 739-1265 with any questions.

Matt Summers

Director of Planning & Zoning





Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Secretary

To: Honorable Mayor and Council

From: Matt Summers, Director of Planning & Zoning

Date: April 23, 2024

Subject: (PC-2170) Public hearing, discussion, consideration, and possible action approving a Resolution amending the Comprehensive Plan from Single-Family Detached Residential Land Use to Commercial Land Use and; an Ordinance to redistrict from Single-Family Detached Residential District ("R-6") to Restricted Commercial District ("C-1"), for the property described as a part of the Northwest Quarter (NW/4) of Section Ten (10), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma County, Oklahoma, located at 105 E. Myrtle Dr., Midwest City.

Executive Summary: The Applicant, Mr. Louis Almaraz of Almaraz Investments, is requesting to amend the Comprehensive Plan to Commercial Land Use and rezone the property to Restricted Commercial District

The Applicant would like to expand Pet Vet Supply's operations. The current location (1215 E. Lockheed) will be used as their main retail store, the veterinary offices will be moved to southern portion of Lockheed Shopping Center that abuts 105 E. Myrtle Dr., and the boarding portion of business will operate at 105 E. Myrtle.

The lot currently has a single-family home. The Applicant plans to demolish the structure and erect a new building to allow for animal boarding.



If the Applicant chooses to utilize the existing structure in the interim, staff recommends the Applicant schedule a General Walk-Through Inspection with Building, Fire, Planning & Zoning, and Utilities for general requirements overview prior to applying for Certificate of Occupancy.

If the rezone is approved, the applicant will then apply for an amending plat to consolidate the existing lots. After recording the amending plat, the applicant can proceed with pulling all necessary building permits through the Engineering and Construction Services Department. All applicable code requirements shall be observed. Applicant is required to provide all required State licensing to the Chief Building Official prior to issuance of Certificate of Occupancy.

If approved, all development regulations for the C-1 district shall be observed.

Sight-proof screening shall be required. When a property zoned commercial, industrial, or office, lies adjacent to property zoned residential, the property owner or occupant must erect sight-proof screening along the side and rear property lines of the property prior to any commercial, industrial, or office use of the property.

PC-2170

Staff recommends Applicant provide a sound mitigation plan to alleviate any noise that is not compatible with surrounding residential area.

Both state and local requirements were met.

At the time of this writing, staff has received one phone call from surrounding property owner who is in favor of the proposal and believes it would benefit the area.

Staff recommends approval of the rezone and recommends approval of the Comprehensive Plan to Office/Retail.

Applicant was present and addressed the Planning Commission.

Planning Commission unanimously recommended approval of this item.

Action is at the discretion of the Council.

Dates of Hearing:

Planning Commission- April 2, 2024 City Council- April 23, 2024

Date of Pre-Development Meeting:

February 16, 2024

Council Ward: Ward 1, Susan Eads

Owner: Louis Almaraz

Applicant: Katrina Allen (Almaraz Investments)

Proposed Use: Animal boarding and exercise yard for the veterinary clinic.

Size: The subject property has a frontage of 50 feet off E. Myrtle Drive, a depth of 137 feet, and contains an area of 6,850 square feet, more or less.

Development Proposed by Comprehensive Plan:

Area of Request- Low Density Residential

North- Office/Retail

South- Low Density Residential

East- Low Density Residential

West- Commercial

Zoning Districts:

Area of Request- R-6, Single-Family Detached Residential District

North- C-3, Community Commercial District

South- R-6, Single-Family Detached Residential District

East- R-6, Single-Family Detached Residential District

West- C-3, Community Commercial District

Land Use:

Area of Request- Single-family residence

North- Lockheed Shopping Center

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South- Single-family residence East- Single-family residence West- Lockheed Shopping Center parking lot

Comprehensive Plan Citation:

The future land use designation for the property is Single-Family Detached Residential. The proposed use does not fall within the parameters of the current future land use designation, therefore, an amendment to the Comprehensive Plan is required if the rezoning is approved.

The Applicant has requested the future land use designation be changed to Commercial, however staff feels a designation of Office/Retail would be more appropriate and fit better in the surrounding area.

Commercial Land Use

Areas designated for commercial land use are intended for a variety of commercial uses and establishments with outside storage, display and sales. Examples of such uses include automobile-related services, manufactured home sales, self-storage units, welding shops, and pawnshops. Commercial uses often locate along major thoroughfares not because they need visibility, as retail uses generally do, but because they need the accessibility. The challenge lies in the fact that commercial uses often have a greater need for outside storage areas and these areas tend to lessen the visual quality of major thoroughfares... It should be noted that within recommended commercial areas, office uses and retail uses should be permitted as well; however, most commercial uses should not be permitted within office/retail areas.

Office/Retail Land Use

Retail land uses areas are intended to provide for a variety of retail trade, personal, and business services and establishments. Retail establishments generally require greater visibility than do other types of non-residential land uses (e.g., office, commercial).

Office uses include professional offices for lawyers, doctors, realtors, and other professionals. Office land uses are generally appropriate in all other non-residential areas of the City. Office development should be compatible with any adjacent residential area.

In instances where a development proposal does not directly reflect the land use pattern for a site shown on the Future Land Use Map, the Comprehensive Plan directs us to consider the following (staff comments in bold):

- 1. Will the proposed change enhance the site and the surrounding area? The proposed change would allow for a redevelopment of a single lot and allow the office/retail uses on the east side of E. Lockheed Drive to closer match those on the west side.
- 2. Is the proposed change a better land use than that recommended by the Future Land Use Plan? The proposed change is an improvement over what is recommended by the Future Land Use Plan. It allows the office/retail area along E. Lockheed Drive to have a little more depth, while not encroaching too far into the neighborhood.
- 3. Will the proposed use impact adjacent residential areas in a negative manner? Or will the proposed use be compatible with and/or enhance, adjacent residential areas? There is always the potential for expanded office/retail uses to adversely impact adjoining residential areas, however with appropriate zoning, screening, and buffering adverse impacts can be mitigated.
- 4. Are uses adjacent to the proposed use similar in nature in terms of appearance, hours of operation, and other general aspects of compatibility? The project site represents a slight expansion of the

Page 4 PC-2170

- office/retail area adjoining the site to the north. It is anticipated to have similar hours of operation to this development.
- 5. Does the proposed use present a significant benefit to the public health, safety, and welfare of the community? Would it contribute to the City's long-term economic well-being? The proposed use of the site would be a benefit to a local business, and expand the services they are able to provide to the surrounding community.

Municipal Code Citation:

- 2.18. C-1, Restricted Commercial District
- 2.18.1. *General Description*. This district is intended to provide a location for a limited number of retail commercial goods and personal services which serve the day-to-day needs of the residents of surrounding neighborhoods.

Because these shops and offices are lower intensity uses, they may be designed to be located along arterial streets in close proximity to housing areas or as limited service facilities in larger planned high density housing areas.

This district is limited to the types of uses that will not cause an adverse impact (i.e. noise, lighting, traffic) upon the surrounding area. Outdoor storage and display is not permitted.

The SPUD may be used for particular tracts or parcels of land that are to be developed as one unit according to a master development plan map.

The SPUD is subject to special review procedures within 7.4 SPUD Application and Review and once approved by the City Council it becomes a special zoning classification for the property it represents.

- 2.18.2. *District Use Regulations*. Property and buildings in the C-1, Restricted Commercial District shall be used only for the purposes listed within Table 4.9-1: Use Chart.
- 2.18.3. *Development Regulations*. Property and buildings shall conform to the related standards listed within Table 3.3-1: Mixed Use and Nonresidential Area Regulations and Standards Chart and Section 5 Supplemental Regulations.
 - (A) *Screening and landscaping requirement*. Property abutting a residential district shall be screened and landscaped in accordance with all the provisions of 5.2 Screening and Landscaping (Page 81). In addition, property not adjacent to a residential district shall be landscaped in accordance with the provisions in 5.2.5. General Landscaping Requirements and 5.2.6. Landscape Maintenance and Enforcement.
 - (B) Off-street parking, loading and access. All uses shall contain adequate space on private property to provide for parking, loading, and maneuvering of vehicles in accordance with regulations established in 5.3 Parking and Loading of which Table 5.3-2: Specific Parking Requirements is included.
 - (C) *Site plan*. A site plan shall be developed in accordance with the provisions contained in 7.5 Site Plan. The landscaping required above in 2.18.3.(A) Screening and landscaping requirement, shall be shown on the site plan.

Use Unit Classification- 4.4.8. *Animal Sales and Services: Kennels and Veterinary, Restricted.* Kennel and veterinary services for small domestic animals, such as dogs, cats, or other household pets, with all operations and storage conducted within an enclosed building.

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History:

- 1. This property is part of the Speckman Heights Addition that was platted in the 1940s.
- 2. Property has been zoned single-family detached residential.

Next Steps:

If Council approves this rezone, the applicant can proceed with applying for an amending plat and appropriate building permits through Engineering and Construction Services (demo permit, commercial new construction, etc.)

Staff Comments-

There are numerous construction requirement references made in the Engineering, Fire Marshal, and Public Works portions of this report. The intent of the Municipal Code is to directly involve the applicant in continued community development activities such as extending public sewer and water and making street improvements, for examples. This is a rezoning application and the construction references are provided to make the applicant and subsequent developers of this property aware of their applicability as they relate to the future development or redevelopment of this property.

Engineering Staff Comments:

Note: No engineering improvements are required with this application.

Water Supply and Distribution

There is a public water main bordering the proposed parcel, a six (6) inch line running along the south side of East Myrtle Drive. Any new building permit will require tying to the public water system as outlined in Municipal Code 43-32.

Sanitary Sewerage Collection and Disposal

There is a public sewer main bordering the proposed parcel, an eight (8) inch line running along the north side of the proposed parcel. Any new building permit will require tying into the public sewer system as outlined in Municipal Code 43-109.

Streets and Sidewalks

Access to the parcel is from East Myrtle Drive using an existing drive. East Myrtle Drive is classified as a local road in the 2008 Comprehensive Plan. Public road and sidewalk improvements are not required as part of this application.

Drainage and Flood Control, Wetlands, and Sediment Control

The area of request is shown to be in an Area of Minimal Flood Hazard on Flood Insurance Rate Map (FIRM) number 40109C0310H, dated December 18th, 2009. Public drainage and detention improvements are not required as part of this application.

Easements and Right-of-Way

No further easements or right of way would be required with this application.

Fire Marshal's Comments:

Property's intended uses include (based on information provided in application): small dog play yard, large dog play yard, special needs play yard, and boarding structure.

Page 6 PC-2170

- The property is required to meet and maintain the requirements of Midwest City Municipal Code Section 15.
- Occupancy will be required to comply with the Business Occupancy requirements set forth in the adopted ICC codes.

Public Works' Comments:

Line Maintenance

Water

- Water infrastructure is available to the property. The applicant shall be responsible for evaluating the available flow on the water system for fire protection and/or domestic use.
- Water meter(s) shall be installed in "green belt" per Midwest City Municipal Code Section 43-54. *Two-foot horizontal green belt buffer zone and vertical clearance zone of five feet.

Sewer

- Sanitary sewer is available to the property. The applicant shall be responsible for communicating the anticipated daily sewer discharge for capacity calculations.
- Sewer waste from food service, vehicle maintenance shop, car wash, etc. shall conform with Midwest City Ordinance Chapter 43, Division 6. The installation of an interceptor, separator, and/or grit chamber shall be required.
- A City provided Sewer Use Survey will be required to be submitted by applicant to address types of wastewater produced and method(s) of wastewater disposal for any commercial remodel permit, commercial new construction permit, and/or Certificate of Occupancy applied for.

Sanitation

- All new commercial buildings shall follow Ordinance No. 3427 of Midwest City Municipal Code regarding trash dumpster(s) and enclosure and dumpster site location.

Stormwater

- No comments.

Planning Division:

Staff met with the applicant February 16, 2024 for a pre-development meeting.

The subject lot currently contains a single-family detached residential home. The Applicant plans to demolish the home and erect a new structure for animal boarding.

If the Applicant wants to use the existing structure in the interim, staff recommends the Applicant schedule a General Walk-Through Inspection with Building, Fire, Planning & Zoning, and Utilities for general requirements overview prior to applying for Certificate of Occupancy.

Due to the nature of the business, it is also recommended Applicant provide some type of sound mitigation plan.

Development is subject to formal site plan review if/when plans are submitted with the permit application.

If the rezone is approved, the applicant will then apply for an amending plat to combine the existing lots. After acceptance of amending plat, the applicant can proceed with pulling all necessary building permits through the Engineering and Construction Services Department. All applicable code requirements shall be observed.

If approved, all development regulations for the C-1 district shall be observed.

Sight-proof screening shall be required. When a property zoned commercial, industrial, or office, lies adjacent to property zoned residential, the property owner or occupant must erect sight-proof screening along the side and rear property lines of the property prior to any commercial, industrial, or office use of the property.

Staff recommends approval of a resolution to amending the Comprehensive Plan to Office/Retail, and the ordinance to redistrict the subject property to Restricted Commercial District (C-1) based on the analysis and comments above.

Action is at the discretion of the Council.

Action Required:

Approve or reject the resolution amending the Comprehensive Plan from Low Density Residential Land Use to Commercial Land Use; and to approve or reject the ordinance to redistrict from Single-Family Detached Residential District ("R-6") to Restricted Commercial District ("C-1") for the property noted herein, subject to staff comments as found in the April 23, 2024 Council agenda packet and made part of the PC-2170 file.

Suggested Motions:

"To deny the resolution amending the Comprehensive Plan to Commercial Land Use and approve amending to Office/Retail Land Use subject to staff comments found in the April 23, 2024 Council agenda packet and made part of the PC-2170 file."

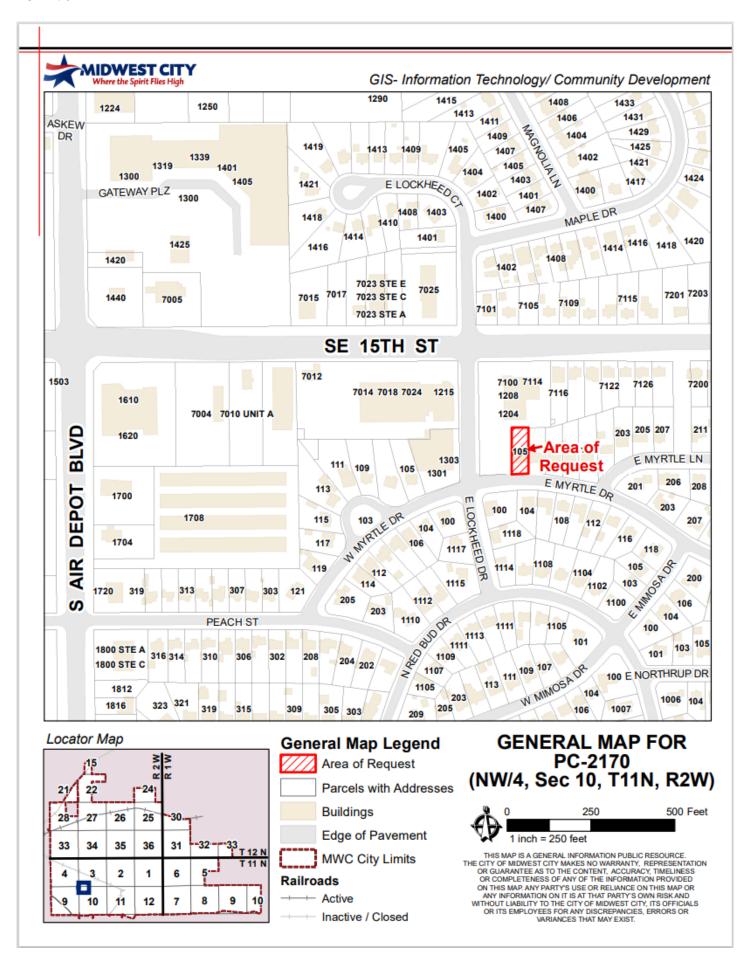
"To approve the ordinance redistricting 105 E. Myrtle Drive to the Restricted Commercial District subject to staff comments found in the April 23, 2024 Council agenda packet and made part of the PC-2170 file."

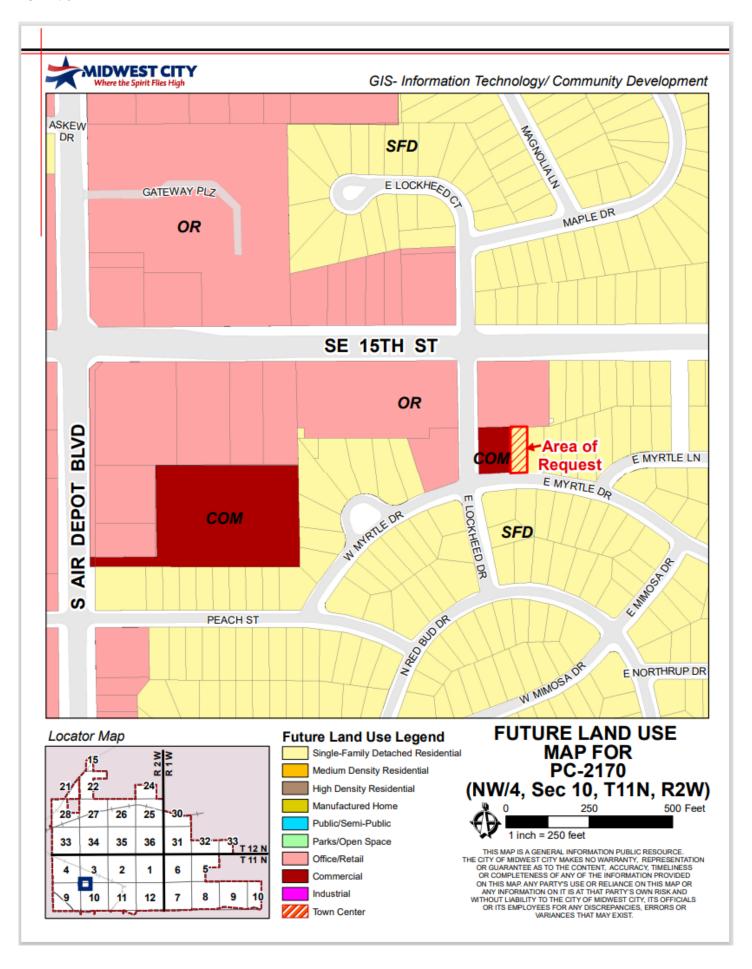
Please feel free to contact the Current Planning Manager's office at (405) 739-1223 with any questions.

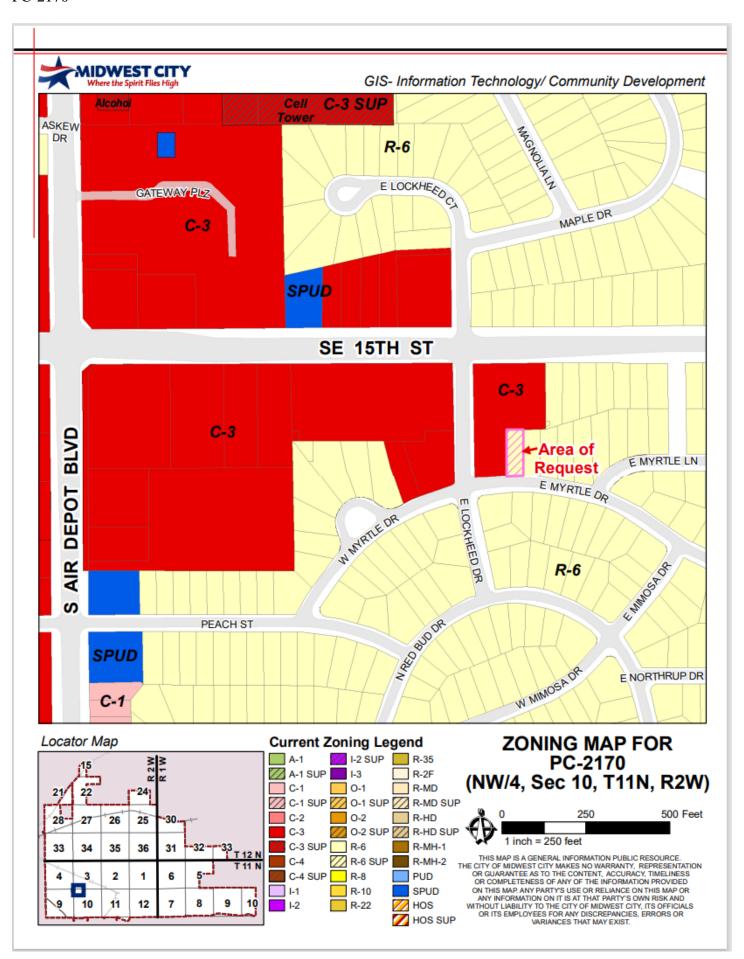
Matt Summers

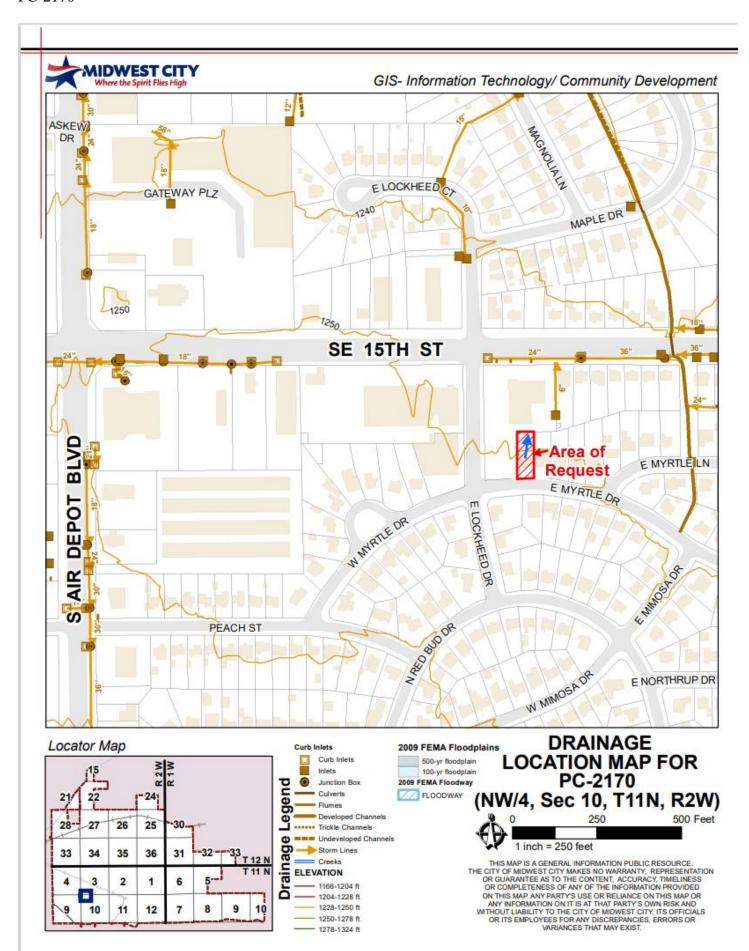
Director of Planning & Zoning

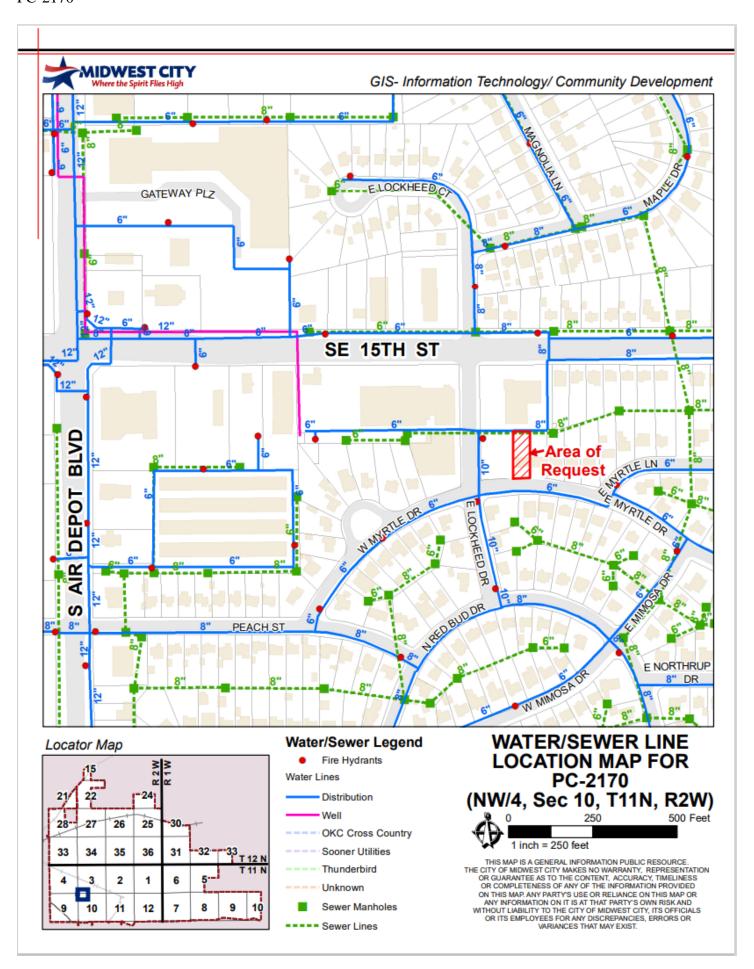
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| 1 | PC-2170 | | | | | | | | | |
|----------|--|--|--|--|--|--|--|--|--|--|
| 2 | RESOLUTION NO | | | | | | | | | |
| 3 | A RESOLUTION AMENDING THE COMPREHENSIVE PLAN MAP CLASSIFICATION FROM SINGLE-FAMILY DETACHED RESIDENTIAL LAND USE TO OFFICE/RETAIL LAND USE FOR THE PROPERTY DESCRIBED IN THE RESOLUTION WITHIN THE CITY OF MIDWEST CITY, OKLAHOMA. | | | | | | | | | |
| 4 | | | | | | | | | | |
| 5 | | | | | | | | | | |
| 6 | WHEREAS, currently the Comprehensive Plan Map of Midwest City, Oklahoma shows the | | | | | | | | | |
| 7 | lowing described property identified, for future planning purposes, as Single-Family Detached Residential: | | | | | | | | | |
| 8 | | | | | | | | | | |
| 9 | For the property described as Lot 10 of Block 2 of the Speckman Heights Addition, Midwes City, Oklahoma, located at 105 E. Myrtle Dr., Midwest City. | | | | | | | | | |
| 10 | | | | | | | | | | |
| 11 12 | WHEREAS, it is the desire of the applicant to amend the future planning classification of the above referenced property from Single-Family Detached Residential to Office/Retail. | | | | | | | | | |
| 13 | WHEREAS, with the applicant's request the change in future planning classification complies | | | | | | | | | |
| 14 | with the City's Comprehensive Plan. | | | | | | | | | |
| 15 | WHEREAS, the applicant has met both state and local notification requirements. | | | | | | | | | |
| 16 | NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MIDWEST CITY, OKLAHOMA COUNTY, STATE OF OKLAHOMA: | | | | | | | | | |
| 17 | | | | | | | | | | |
| 18 19 | That the classification of above described property located in Midwest City, Oklahoma is hereby changed from Single-Family Detached Residential Land Use to Office/Retail Land Use on the Comprehensive Plan Map. | | | | | | | | | |
| 20 | | | | | | | | | | |
| 21 | PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the day of, 2024. | | | | | | | | | |
| 22 | | | | | | | | | | |
| 23 | THE CITY OF MIDWEST CITY, OKLAHOMA | | | | | | | | | |
| 24 | | | | | | | | | | |
| 25 | MATTHEW D. DUKES II, Mayor ATTEST: | | | | | | | | | |
| 26 | ATTLOT. | | | | | | | | | |
| 27 | | | | | | | | | | |
| 28 | SARA HANCOCK, City Clerk | | | | | | | | | |
| 29 | APPROVED as to form and legality this day of, 2024. | | | | | | | | | |
| 30 | THE TRO VED as to form and regardy this day of, 2021. | | | | | | | | | |
| 31 | | | | | | | | | | |
| 32 | DONALD MAISCH, City Attorney | | | | | | | | | |
| 33 | | | | | | | | | | |
| 34 | | | | | | | | | | |
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| 36 | | | | | | | | | | |

| 1 | PC-2170 | | | | | | | | |
|----------|--|--|--|--|--|--|--|--|--|
| 2 | ORDINANCE NO | | | | | | | | |
| 3 | AN ORDINANCE RECLASSIFYING THE ZONING DISTRICT OF THE PROPERTY | | | | | | | | |
| 4 | DESCRIBED IN THIS ORDINANCE FROM R-6, SINGLE-FAMILY DETACHED RESI DENTIAL DISTRICT TO C-1, RESTRICTED COMMERCIAL DISTRICT, AND DI- | | | | | | | | |
| 5 | RECTING AMENDMENT OF THE OFFICIAL ZONING DISTRICT MAP TO RE- FLECT THE RECLASSIFICATION OF THE PROPERTY'S ZONING DISTRICT; AND | | | | | | | | |
| 6 | PROVIDING FOR REPEALER AND SEVERABILITY | | | | | | | | |
| 7 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | | | | | |
| 8 | <u>ORDINANCE</u> | | | | | | | | |
| 9 | <u>SECTION 1</u> . That the zoning district of the following described property is hereby reclassified | | | | | | | | |
| 11 | from R-6, Single-Family Detached Residential District to C-1, Restricted Commercial District subject to the conditions contained in the PC-2170 file, and that the official Zoning District M | | | | | | | | |
| 12 | shall be amended to reflect the reclassification of the property's zoning district as specified in this ordinance: | | | | | | | | |
| 13 | For the property described as Lot 10 of Block 2 of the Speckman Heights Addition, Midwest | | | | | | | | |
| 14 | City, Oklahoma, located at 105 E. Myrtle Dr., Midwest City. | | | | | | | | |
| 15 | SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are | | | | | | | | |
| 16 | hereby repealed. | | | | | | | | |
| 17 18 | <u>SECTION 3</u> . <u>SEVERABILITY</u> . If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance. | | | | | | | | |
| 19 | | | | | | | | | |
| 20 | PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the day of, 2024. | | | | | | | | |
| 21 | THE CITY OF MIDWEST CITY, OKLA- | | | | | | | | |
| 22 | HOMA | | | | | | | | |
| 23 | | | | | | | | | |
| 24 | MATTHEW D. DUKES II, Mayor ATTEST: | | | | | | | | |
| 25 | ATTEST. | | | | | | | | |
| 26 | | | | | | | | | |
| 27 | SARA HANCOCK, City Clerk | | | | | | | | |
| 28 | APPROVED as to form and legality this day of, 2024. | | | | | | | | |
| 29 | | | | | | | | | |
| 30 | DONALD MAISCH, City Attorney | | | | | | | | |
| 31 | DONALD MAISCH, City Attorney | | | | | | | | |
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Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Secretary

TO: Honorable Mayor and Council

FROM: Matt Summers, Director of Planning & Zoning

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action approving an ordinance amending

Midwest City code, Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, Section 9-382, Definitions; and providing for repealer and

severability.

The Sign Regulations in Article VII of Chapter 9 of the Midwest City Municipal Code defines billboards, but does not provide regulations regarding placement, height, or sign area. These signs have been treated by staff as freestanding signs, as defined in Section 9-382 of the Municipal Code.

This proposed amendment codifies this policy, by adding billboards to the list of example signs under the 'freestanding sign' definition in Chapter 9, Article VII, Section 9-382.

The Ordinance Oversight Council Committee (OOCC) recommended approval of this item.

Action is at the discretion of the City Council

Matt Summers, AICP

| 1 | ORDINANCE NO |
|----------------------------|--|
| 2 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, SIGN REGULATIONS, SECTION 9-382, DEFINITIONS; AND PROVIDING FOR REPEALER AND SEVERABILITY. |
| 8 9 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: |
| 10 11 | <u>ORDINANCE</u> |
| 12 13 14 | Section 1. That the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article 7, Sign Regulations, Section 9-382, Definitions; is hereby amended to read as follows: |
| 15 | As used in this Code, the following terms shall have the indicated definitions: |
| 16 17 | "A" frame sign: A sign, ordinarily in the shape of an "A" or some variation thereof, located on the ground, easily moveable, not permanently attached and usually two (2) sided. |
| 18 19 20 | Automatic, changing sign: An electronically or electrically controlled sign that automatically changes the visible message copy on a preprogrammed cycle through the use of illumination. |
| 21 22 | Awning: Any structure made of a lightweight material attached to a building and projecting over a walkway. |
| 23 24 | Banner: A sign printed or displayed on cloth, fabric or other flexible material, with or without frames. |
| 25 26 27 28 | <i>Billboard:</i> A sign upon which advertising or other message may be posted, painted, pasted or affixed, and which directs attention to a business, organization, event, person, place, commodity, service or entertainment conducted, sold, located, manufactured, used or offered at a location other than the premises on which the sign is located. |
| 29 30 31 32 33 | Bulletin board sign: A sign that indicates the name of a governmental, religious, educational or other noncommercial institution on whose premises it is located, and which may contain the names of individuals connected with it and general announcements of events or activities occurring at the institution, or similar messages not advertising a specific product or business service. |
| 34 35 36 | <i>Canopy:</i> A fixed shelter of any material and of any length projecting from a building and supported by columns or posts from the ground, or a freestanding shelter supported by columns or posts from the ground. |
| 37 38 39 | Changeable copy sign: A permanent ground or pole sign consisting of nonstructural panels or individual message elements such as letters, numbers or symbols that are designed and intended for manual replacement or alteration after the sign is erected. |
| 40 41 | Civic center: An area described as a part of the west one-half (W½) of the southwest quarter (SW¼) of Section 35, Township 12 North, Range 2 West of the Indian Meridian, Oklahoma |

County, Oklahoma, beginning at a point fifty (50) feet north and fifty (50) feet east of the southwest corner of said section, north 758.33 feet, thence east 1,267.98 feet, thence south 758.33 feet, thence west to the point of beginning.

Commercial temporary sign: A temporary sign that is not a noncommercial temporary sign and that identifies, advertises or directs attention to a business or is intended to induce purchase of a good, property or service including, without limitation, any sign naming a brand of good or service.

Construction sign: A sign identifying a construction project erected on the premises where construction is taking place, during the period of such construction, and containing information pertinent to the construction project such as the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, lending institutions and other parties having a role or interest in the structure or project.

Decoration: Illustration, symbol, flag, streamer, bunting, wreath, figure, insignia or other devices employed to express and/or illustrate a message or patriotic holiday or seasonal character.

Deteriorated sign: A permanent sign that is partially dilapidated or in need of repair.

Directional sign: A sign that directs the movement or placement of pedestrian or vehicular traffic on the premises where the sign is located.

Display surface: The surface of a sign upon, against or through which the message is displayed or illustrated.

Display surface area: The net geometric area enclosed by the display surface of the sign including the outer extremities of all letters, figures, characters and delineations; provided, however, display surface area shall not include the structural supports for freestanding signs if the structural supports are so arranged so as not to become a part of the attention-attracting aspect of the sign; provided, further, that only one (1) face of a double-faced sign as defined herein shall be considered in determining the display surface area.

Double-faced sign: Any sign that has more than one (1) display surface.

Erect: To build, attach, hang, place, suspend, affix, construct or allow to be constructed, including the painting of wall signs.

Flashing sign: An illuminated sign, other than an automatic, changing sign, on which artificial or reflected light is not maintained stationary and constant in light intensity and color at all times when in use.

Freestanding sign: Any sign that is attached to or a part of a completely self-supporting structure that is not attached to any building or any other structure and is anchored firmly to or below the ground surface (see <u>billboard</u>, ground sign, and pole sign).

Frontage: The area between the boundary lines of a lot or parcel of land along the street right-of-way.

Ground sign: A freestanding sign that is secured to a fixed base, usually at ground level or a slight elevation above ground, rather than being pole-mounted.

Identification nameplate: A wall sign giving any combination of the name, address, and recognized symbol or logo of a building, business or establishment that is attached to and flat against the wall of a building.

 Illegal sign: Any sign that in any manner does not conform to all of the requirements of this Code.

Illuminated sign: Any sign that has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes whether such sources of illumination are a part of the sign or not.

Illumination: Lighting from a source concealed or contained within a sign which becomes visible through a translucent surface or lighting performed by spotlights or other lighting devices that are not a part of the sign display surface including those lighting devices that are extended from the sign by means of a rod or rods from which the illumination is directed toward the display surface area of the sign.

Marquee: A permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building's wall and generally designed and constructed to provide protection against the weather.

Memorial sign: A sign, tablet or plaque commemorating a person, event, structure or site.

Noncombustible: Any material that does not ignite below twelve hundred (1,200) degrees Fahrenheit or disintegrate, melt or give off toxic odor or fumes.

Noncommercial temporary sign: A temporary sign that in no way identifies, advertises or directs attention to a business, good, property or service, or is intended to induce purchase of a good, property or service, or portrays or symbolizes a good, property or service especially but, without limitation, a brand or trade name, an identifiable container shape or a trademark.

Nonconforming sign: A sign that was lawfully erected, altered, moved or maintained under previous ordinances of the city but does not conform to the provisions of this article.

Owner: The fee owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the leaseholder of such property or the individual, person or business who has purchased the copy on a sign, or the agent of any of the listed entities.

Parcel: A contiguous area of land described in a single description in a deed or as one of a number of lots on a plat; separately owned, either publicly or privately; and capable of being separately conveyed.

Permanent sign: A sign that, by its construction and made of such materials, is intended to remain erected and in use for an extended period of time.

Pole cover: A decorative covering constructed of materials that are attractive, aesthetically pleasing and architecturally consistent with the sign and/or the main building on the premises, built the full length of and entirely surrounding the freestanding poles on which the sign is mounted.

Pole sign: A freestanding sign that is mounted on one (1) or more freestanding poles or other supports.

Political sign: A sign announcing or supporting one (1) or more political candidates or issues in connection with any national, state, county or local election.

Portable sign: A sign, whether mounted on a chassis with tires or wheels for transport from one place to another, designed to be movable from one location to another and not permanently attached to the ground or to any immobile structure, the primary function of which is to provide advertisement of products or services in connection with a business or activity located on the same site as the portable sign or elsewhere.

Projecting sign: A sign, other than a banner, that is attached to, and is wholly or partially dependent upon a building for support and that extends beyond the line of the building or beyond the surface of that portion of the building to which it is attached.

Public use or public service sign: A sign of a governmental or noncommercial nature including public transit and public utility information signs, traffic control signs and any other sign erected by a public officer in the performance of a public duty.

Real estate sign: A temporary sign pertaining to the sale or lease of a parcel or tract of land or to the sale or lease of one (1) or more structures.

Roof sign: A sign that is erected, constructed and maintained wholly upon or over the roof of any building with the principal support of the sign on the roof structure.

Setback: A distance measured horizontally from, and perpendicular to, the right-of-way line of a street or a property line to the nearest edge of the sign.

Sight triangle: As defined by subsections 4.8.3(a) and (b) of appendix A of this Code.

Sign: Any object, announcement, declaration, demonstration, display, illustration, insignia, device, display or structure or part thereof situated outdoors in view of the general public that is used to advertise, identify, promote, display, direct or attract attention to or promote the interest of an object, person, institution, corporation, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, whether illuminated or not, including, but not limited to, every billboard, wall sign, roof sign, projecting sign, ground sign, pole sign, window sign, changeable copy sign, temporary sign, portable sign or any other attention-getting device or other display whether affixed to a building or separate from a building.

Sign contractor: Any person, firm, partnership, association or corporation involved in the installation, repair, alteration or service of any electric sign, and all permanent or temporary signs involving structural requirements of the building code and/or electrical requirements of the electric code and/or billposting.

Structure: Anything built or constructed whether or not permanently attached to the ground.

Subdivision construction sign: An on-premises sign with a display surface area of fifty (50) square feet or less containing information about a particular subdivision as a whole, which information may include, but may not be limited to, the location, price range and/or amenities of the subdivision.

Swinging sign: A sign, all or part of which is animated, revolves, swings or is otherwise designed to move by mechanical means or by the force of the wind.

Temporary sign: Any sign, either commercial or noncommercial, that is not a permanent sign which may include, but shall not be limited to, a balloon or other inflatable, banner, thirty (30) feet or shorter section of pennant and/or valance, or any other advertising display.

Temporary sign setback: A twelve-foot distance measured horizontally from, and perpendicular to, the curb or, where there is no curb, other discernible edge of the street or road.

Vacant sign: A sign that pertains to a building or is on a parcel of land that:

- (1) Has been unoccupied for a period of six (6) consecutive months; or
- (2) Refers to a business, product, service, event or purpose that has been inapplicable for three (3) consecutive months or is no longer provided on the premises where the sign is located; or
- (3) Identifies a time, event or purpose that has passed or no longer applies; or
- (4) In the case of a billboard, is vacant of copy or that advertises an establishment, good or service that no longer exists.

Wall sign: Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building; and which displays only one (1) advertising surface including awning and canopy, identification, marquee, module and projecting signs.

- *Window display:* Any sign placed inside a structure on a window.
- Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
 - <u>Section 3.</u> SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

| PASSED AND APPROVED by the M | Mayor and the Council of the City of Midwest |
|---------------------------------------|--|
| Oklahoma, this day of | , 2024. |
| | |
| | THE CITY OF MIDWEST CITY, OKLAHO |
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| | MATTHEW D. DUKES, II, Mayor |
| | |
| ATTEST: | |
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| | |
| SARA HANCOCK, City Clerk | |
| | |
| | 1 6 2024 |
| Approved as to form and legality this | day of, 2024. |
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| | |
| DONALD D. MAISCH, City Attorney | |

| 1 | ORDINANCE NO |
|----------------------------|--|
| 2 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, ARTICLE VII, SIGN REGULATIONS, SECTION 9-382, DEFINITIONS; AND PROVIDING FOR REPEALER AND SEVERABILITY. |
| 8 9 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: |
| 10 11 | <u>ORDINANCE</u> |
| 12 13 14 | Section 1. That the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article 7, Sign Regulations, Section 9-382, Definitions; is hereby amended to read as follows: |
| 15 | As used in this Code, the following terms shall have the indicated definitions: |
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| 18 19 20 | Automatic, changing sign: An electronically or electrically controlled sign that automatically changes the visible message copy on a preprogrammed cycle through the use of illumination. |
| 21 22 | Awning: Any structure made of a lightweight material attached to a building and projecting over a walkway. |
| 23 24 | Banner: A sign printed or displayed on cloth, fabric or other flexible material, with or without frames. |
| 25 26 27 28 | <i>Billboard:</i> A sign upon which advertising or other message may be posted, painted, pasted or affixed, and which directs attention to a business, organization, event, person, place, commodity, service or entertainment conducted, sold, located, manufactured, used or offered at a location other than the premises on which the sign is located. |
| 29 30 31 32 33 | Bulletin board sign: A sign that indicates the name of a governmental, religious, educational or other noncommercial institution on whose premises it is located, and which may contain the names of individuals connected with it and general announcements of events or activities occurring at the institution, or similar messages not advertising a specific product or business service. |
| 34 35 36 | <i>Canopy:</i> A fixed shelter of any material and of any length projecting from a building and supported by columns or posts from the ground, or a freestanding shelter supported by columns or posts from the ground. |
| 37 38 39 | Changeable copy sign: A permanent ground or pole sign consisting of nonstructural panels or individual message elements such as letters, numbers or symbols that are designed and intended for manual replacement or alteration after the sign is erected. |
| 40 41 | Civic center: An area described as a part of the west one-half (W½) of the southwest quarter (SW¼) of Section 35, Township 12 North, Range 2 West of the Indian Meridian, Oklahoma |

County, Oklahoma, beginning at a point fifty (50) feet north and fifty (50) feet east of the southwest corner of said section, north 758.33 feet, thence east 1,267.98 feet, thence south 758.33 feet, thence west to the point of beginning.

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Frontage: The area between the boundary lines of a lot or parcel of land along the street right-of-way.

Ground sign: A freestanding sign that is secured to a fixed base, usually at ground level or a slight elevation above ground, rather than being pole-mounted.

Identification nameplate: A wall sign giving any combination of the name, address, and recognized symbol or logo of a building, business or establishment that is attached to and flat against the wall of a building.

 Illegal sign: Any sign that in any manner does not conform to all of the requirements of this Code.

Illuminated sign: Any sign that has characters, letters, figures, designs or outlines illuminated by electric lights or luminous tubes whether such sources of illumination are a part of the sign or not.

Illumination: Lighting from a source concealed or contained within a sign which becomes visible through a translucent surface or lighting performed by spotlights or other lighting devices that are not a part of the sign display surface including those lighting devices that are extended from the sign by means of a rod or rods from which the illumination is directed toward the display surface area of the sign.

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Memorial sign: A sign, tablet or plaque commemorating a person, event, structure or site.

Noncombustible: Any material that does not ignite below twelve hundred (1,200) degrees Fahrenheit or disintegrate, melt or give off toxic odor or fumes.

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Nonconforming sign: A sign that was lawfully erected, altered, moved or maintained under previous ordinances of the city but does not conform to the provisions of this article.

Owner: The fee owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the leaseholder of such property or the individual, person or business who has purchased the copy on a sign, or the agent of any of the listed entities.

Parcel: A contiguous area of land described in a single description in a deed or as one of a number of lots on a plat; separately owned, either publicly or privately; and capable of being separately conveyed.

Permanent sign: A sign that, by its construction and made of such materials, is intended to remain erected and in use for an extended period of time.

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Real estate sign: A temporary sign pertaining to the sale or lease of a parcel or tract of land or to the sale or lease of one (1) or more structures.

Roof sign: A sign that is erected, constructed and maintained wholly upon or over the roof of any building with the principal support of the sign on the roof structure.

Setback: A distance measured horizontally from, and perpendicular to, the right-of-way line of a street or a property line to the nearest edge of the sign.

Sight triangle: As defined by subsections 4.8.3(a) and (b) of appendix A of this Code.

Sign: Any object, announcement, declaration, demonstration, display, illustration, insignia, device, display or structure or part thereof situated outdoors in view of the general public that is used to advertise, identify, promote, display, direct or attract attention to or promote the interest of an object, person, institution, corporation, organization, business, product, service, event or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images, whether illuminated or not, including, but not limited to, every billboard, wall sign, roof sign, projecting sign, ground sign, pole sign, window sign, changeable copy sign, temporary sign, portable sign or any other attention-getting device or other display whether affixed to a building or separate from a building.

Sign contractor: Any person, firm, partnership, association or corporation involved in the installation, repair, alteration or service of any electric sign, and all permanent or temporary signs involving structural requirements of the building code and/or electrical requirements of the electric code and/or billposting.

Structure: Anything built or constructed whether or not permanently attached to the ground.

Subdivision construction sign: An on-premises sign with a display surface area of fifty (50) square feet or less containing information about a particular subdivision as a whole, which information may include, but may not be limited to, the location, price range and/or amenities of the subdivision.

Swinging sign: A sign, all or part of which is animated, revolves, swings or is otherwise designed to move by mechanical means or by the force of the wind.

Temporary sign: Any sign, either commercial or noncommercial, that is not a permanent sign which may include, but shall not be limited to, a balloon or other inflatable, banner, thirty (30) feet or shorter section of pennant and/or valance, or any other advertising display.

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- (1) Has been unoccupied for a period of six (6) consecutive months; or
- (2) Refers to a business, product, service, event or purpose that has been inapplicable for three (3) consecutive months or is no longer provided on the premises where the sign is located; or
- (3) Identifies a time, event or purpose that has passed or no longer applies; or
- (4) In the case of a billboard, is vacant of copy or that advertises an establishment, good or service that no longer exists.

Wall sign: Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building; and which displays only one (1) advertising surface including awning and canopy, identification, marquee, module and projecting signs.

- *Window display:* Any sign placed inside a structure on a window.
- Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
 - <u>Section 3.</u> SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

| PASSED AND APPROVED by the M | layor and the Council of the City of Midwest |
|---------------------------------------|--|
| Oklahoma, this day of | , 2024. |
| | |
| | THE CITY OF MIDWEST CITY, OKLAHO |
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| | MATTHEW D. DUKES, II, Mayor |
| | |
| ATTEST: | |
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| SARA HANCOCK, City Clerk | |
| | |
| Approved as to form and locality this | doy of 2024 |
| Approved as to form and legality this | day or, 2024. |
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| | |
| DONALD D. MAISCH, City Attorney | |
| DONALD D. MAISCH, City Attorney | |



Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Secretary

TO: Honorable Mayor and Council

FROM: Matt Summers, Director of Planning & Zoning

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action approving an ordinance amending

Midwest City code, Chapter 38, Subdivision Regulations, Article V, Application Submittal and Processing Procedures for all Plats and Plans, bringing Section 38-40 out of reserve and titling it "Public Notice Requirements for Plats and Plans"; and providing for repealer and severability. (Planning & Zoning - M. Summers)

The procedures within Chapter 38 of the Municipal Code do not establish a notification policy for hearings regarding plat applications. In practice, staff provides notice to adjoining property owners for a Minor, Preliminary, and Final Plat applications. This text amendment would add the notification policy to a reserved section of Chapter 38. It is crafted to be consistent with the notification policy established in Appendix A for various zoning related applications.

The Ordinance Oversight Council Committee (OOCC) recommended approval of this item.

Action is at the discretion of the City Council

Matt Summers, AICP

Mat James

| 1 | ORDINANCE NO |
|---------------------------------|---|
| 2 3 4 5 6 7 8 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 38, SUBDIVISION REGULATIONS, ARTICLE V, APPLICATION SUBMITTAL AND PROCESSING PROCEDURES FOR ALL PLATS AND PLANS, BRINGING SECTION 38-40 OUT OF RESERVE AND TITLING IT "PUBLIC NOTICE REQUIREMENTS FOR PLATS AND PLANS"; AND PROVIDING FOR REPEALER AND SEVERABILITY. |
| 9 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: |
| 10 | |
| 11 12 | <u>ORDINANCE</u> |
| 13 14 15 16 | <u>Section 1.</u> That the Midwest City Municipal Code, Chapter 38, Subdivision Regulations, Article 5, Application Submittal and Processing Procedures for all Plats and Plans, Section 38-40; is hereby brought out of reserve and to read as follows: |
| 17 | Sec. 38-40. – Reserved Public Notice Requirements for Plats and Plans |
| 18 19 20 | 38-40.1 Applications requiring public notice. |
| 21 22 | (a) Preliminary Plat. |
| 23 24 | (b) Final Plat. |
| 25 26 | (c) Minor Plat. |
| 27 | (d) Deferral to the Planning Commission of an Amending Plat Decision. |
| 28 29 | 38-40.2 Types of notice. |
| 30 31 32 33 | (a) Mailed notice. Notice of a hearing shall be given by mailing written notice to all owners of property within a three-hundred-foot radius of the exterior boundary of the subject property no less than twenty (20) calendar days prior to the hearing. |
| 34 35 | (1) Provision of the mailing list. |
| 36 37 38 39 | a. The applicant shall provide the Community Development Department with a certified list from the Oklahoma County Assessor's Office of the names and addresses of all property owners. |
| 40 41 42 43 | b. The list shall be provided in both a hardcopy and digital format [Microsoft Excel format (*.xlsx) or Comma-separated values (*.csv)] |
| 44 45 | (2) Elements of a mailed notice. |
| 46 47 48 | a. Legal description of the property and the street address or approximate location within the City of Midwest City. |

| by | resent zoning classification of the property and the zoning sought the applicant. If not a rezoning, then the nature or intent of the oplication shall be described. |
|----------------------------------|--|
| c. Ti | he date, time, and place of hearing. |
| | |
| | |
| | dinances or parts of ordinances in conflict herewith are hereby |
| repealed. | |
| Section 2 SEVEDADILITY IS | Sony socian contance clayer or neution of this andinance is for |
| | any section, sentence, clause, or portion of this ordinance is for the decision shall not affect the validity of the remaining provisions |
| of the ordinance. | ch decision shall not affect the validity of the femaliting provisions |
| of the Orumance. | |
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| PASSED AND APPROVED 1 | by the Mayor and the Council of the City of Midwest City |
| Oklahoma, this day of | |
| , <u> </u> | |
| | THE CITY OF MIDWEST CITY, OKLAHOMA |
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| | MATTHEW D. DUKES, II, Mayor |
| | |
| ATTEST: | |
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| | |
| SARA HANCOCK, City Clerk | |
| | |
| Ammound on to f | nuthing day of 2024 |
| Approved as to form and legality | y this day of, 2024. |
| | |
| | |
| DONALD D. MAISCH, City A | ttornev |
| DONALD D. MAISCH, City A | ttorney |
| | |

| 1 | | | 0 | RDINANCE NO | | | | |
|----------------------------|---|----------|---|--|--|--|--|--|
| 2 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 3 SUBDIVISION REGULATIONS, ARTICLE V, APPLICATION SUBMITTAL AN PROCESSING PROCEDURES FOR ALL PLATS AND PLANS, BRINGING SECTION 38-OUT OF RESERVE AND TITLING IT "PUBLIC NOTICE REQUIREMENTS FOR PLATAND PLANS"; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | | | | | |
| 8 9 | BE IT ORD | DAINED I | BY THI | E COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | |
| 10 | | | | , | | | | |
| 11 | | | | <u>ORDINANCE</u> | | | | |
| 12 | | | | | | | | |
| 13 14 15 | 5, Applicat | ion Subn | nittal an | t City Municipal Code, Chapter 38, Subdivision Regulations, Article of Processing Procedures for all Plats and Plans, Section 38-40; is and to read as follows: | | | | |
| 16 | | | | | | | | |
| 17 | Sec. 38-40. | – Public | c Notice | e Requirements for Plats and Plans | | | | |
| 18 19 20 | 38-40.1 | Appli | cations | requiring public notice. | | | | |
| 21 22 | (a) | Prelim | Preliminary Plat. | | | | | |
| 23 24 | (b) | Final l | Final Plat. | | | | | |
| 25 26 | (c) | Minor | Minor Plat. | | | | | |
| 27 28 | (d) | Deferr | Deferral to the Planning Commission of an Amending Plat Decision. | | | | | |
| 29 30 | 38-40.2 | Types | of notice | ?. | | | | |
| 31 32 33 | (a) | of pro | <i>Mailed notice</i> . Notice of a hearing shall be given by mailing written notice to all own of property within a three-hundred-foot radius of the exterior boundary of the subject property no less than twenty (20) calendar days prior to the hearing. | | | | | |
| 34 35 36 | | (1) | Provis | ion of the mailing list. | | | | |
| 37 38 39 | | | a. | The applicant shall provide the Community Development Department with a certified list from the Oklahoma County Assessor's Office of the names and addresses of all property owners. | | | | |
| 40 41 42 43 | | | b. | The list shall be provided in both a hardcopy and digital format [Microsoft Excel format (*.xlsx) or Comma-separated values (*.csv)] | | | | |
| 44 45 | | (2) | Eleme | nts of a mailed notice. | | | | |
| 46 47 48 | | | a. | Legal description of the property and the street address or approximate location within the City of Midwest City. | | | | |

| | app | sent zoning classification of the property and the zoning sought by the licant. If not a rezoning, then the nature or intent of the application ll be described. |
|-----------------------------------|--------------|--|
| | c. The | e date, time, and place of hearing. |
| | | |
| Section 2. REPEAL repealed. | ER. All ord | inances or parts of ordinances in conflict herewith are hereby |
| repeared. | | |
| | | any section, sentence, clause, or portion of this ordinance is for a decision shall not affect the validity of the remaining provisions |
| of the ordinance. | ŕ | , 01 |
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| | - | y the Mayor and the Council of the City of Midwest City. |
| Oklahoma, this | day of _ | , 2024. |
| | | THE CITY OF MIDWEST CUTY OIL AHOMA |
| | | THE CITY OF MIDWEST CITY, OKLAHOMA |
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| | | MATTHEW D. DUKES, II, Mayor |
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| ATTECT. | | |
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| ATTEST: | | |
| ATTEST: | | |
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| SARA HANCOCK, | City Clerk | |
| | City Clerk | |
| SARA HANCOCK, | · | |
| SARA HANCOCK, | · | this day of, 2024. |
| SARA HANCOCK, | · | this day of, 2024. |
| SARA HANCOCK, | · | this day of, 2024. |
| SARA HANCOCK, Approved as to form | and legality | <u> </u> |
| SARA HANCOCK, | and legality | |



Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Secretary

TO: Honorable Mayor and Council

FROM: Matt Summers, Director of Planning & Zoning

DATE: April 23, 2024

SUBJECT: (PC-2171) Discussion, consideration, and possible action approving an ordinance

amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; and

providing for repealer and severability.

Section 5.2.3 (B) (3) of the Zoning Regulations lists which fence materials are approved and prohibited for two-family and single-family residential zoning districts. The current list of approved materials includes: wood, vinyl, wrought iron, brick/stone, and chain-link. The current list of prohibited materials includes: sheet metal, plastic, or plywood. Additionally, wood posts are prohibited.

In 2016, Ordinance 3260 was adopted amending Section 5.2.3 of the Zoning Regulations. This ordinance added the lists of allowed and prohibited fence materials listed above. Staff was recently asked to research allowing other types of metal fence materials in addition to the wrought iron currently allowed.

Included after this memo is an outline, compiled by staff, regarding how some of our peer Oklahoma communities regulate residential fence materials. Of the ten cities we looked at, only six regulate fence residential materials, and one of those only regulates the materials used in the front yard.

The drafted text amendment accompanying this memo is intended to reorganize the allowable materials text to make it easier to read and to allow certain types of metal fencing that would have the least adverse impact on the character of surrounding neighborhoods.

The first type proposed is metal fencing constructed with individual metal slats. These types of fences mimic slatted fences made of wood or vinyl and have less of an industrial look than corrugated or ribbed sheet metal fences. Staff has recommended a minimum depth to these slats to allow for distinction from sheet or corrugated metal and to better match allowed wood and vinyl fencing. Staff recommends amending the ordinance to allow this type of metal fencing in our residential areas.

The second type of metal fence proposed to be added to the list of allowed materials are wrought iron-like aluminum fences. These fences are already permitted in practice but adding them to the list would codify current policy.

The third type of fence in the drafted text amendment would allow ribbed sheet metal fences similar to those allowed by our industrial and heavy commercial districts. Staff does not recommend amending the ordinance to allow this type of fencing, because it tends to create an industrial character, the panels are difficult for property owner to replace when damaged, and replaced panels will not match the coloring/fading on older panels.

Staff recommends requiring all approved metal fencing materials to be powder coated, coated with Polyvinylidene fluoride (PVDF), properly primed and coated with a factory thermal set silicone polyester base finish, or similar protection. Coatings of this type are necessary because they protect the materials from unsightly deterioration (such as rust or corrosion) and soften the aesthetic by reducing the potential for light reflection or glare to be a nuisance.

The Ordinance Oversight Council Committee (OOCC) recommended approval of this item. The Planning Commission recommend approval of this item excepting the ribbed steel fencing as an approved material.

Action is at the discretion of the City Council.

Matt Summers, AICP

Mat Somme

Residential Fencing Materials Outline

Section 1. Peer Communities Summary

1.1. **Edmond**

- 1. Are fence materials regulated: No
- 2. If yes, what materials are allowed:
- 3. <u>If yes, what materials are prohibited:</u>
- 4. <u>Notes:</u> Material standards for residential fencing could not be found in their code of ordinances.

1.2. **Moore**

- 1. Are fence materials regulated: Only front yard fences have regulated materials.
- 2. <u>If yes, what materials are allowed:</u> Chain link, wrought-iron metal, picket, and split rail fencing.
- 3. If yes, what materials are prohibited: All other materials prohibited.
- 4. Notes: There are no material requirements for non-front yard residential fences.

1.3. **Norman**

- 1. Are fence materials regulated: Yes
- 2. If yes, what materials are allowed: Not listed
- 3. <u>If yes, what materials are prohibited:</u> Corrugated fiberglass, corrugated metal, or unpainted sheet metal.
- 4. Notes:

1.4. Stillwater

- 1. Are fence materials regulated: No
- 2. If yes, what materials are allowed:
- 3. <u>If yes, what materials are prohibited:</u>
- 4. Notes: Material standards for fencing could not be found in their code of ordinances.

1.5. **Broken Arrow**

- 1. Are fence materials regulated: No
- 2. If yes, what materials are allowed:
- 3. <u>If yes, what materials are prohibited:</u>
- 4. Notes: Material standards for fencing could not be found in their code of ordinances.

1.6. **Lawton**

- 1. Are fence materials regulated: Yes
- 2. If yes, what materials are allowed: Materials in harmony with the main building.
- 3. If yes, what materials are prohibited:
- 4. <u>Notes:</u> If a proposed material is deemed to not meet the architectural standards, there is an appeals process to a "building materials review committee" and/or the Planning Commission.

1.7. **Enid**

1. Are fence materials regulated: Yes

- 2. <u>If yes, what materials are allowed:</u> Picket, vinyl, split rail, chainlink, decorative wrought iron (or galvanized steel, aluminum or similar material having the appearance of), ribbed or corrugated metal panels, stone, brick, stucco or specialty concrete block. Materials used shall harmonize with the main building.
- 3. <u>If yes, what materials are prohibited:</u> Metal pieces, garage or other door panels, plywood sheets, or other material not commonly used for fencing.
- 4. Notes:

1.8. **Del City**

- 1. Are fence materials regulated: Yes, but only in certain areas.
- 2. <u>If yes, what materials are allowed:</u> Wooden stockade fencing stained or preserved in a transparent natural color.
- 3. <u>If yes, what materials are prohibited:</u> Metal paneling, chain link, painted wood, and vinyl fencing.
- 4. <u>Notes:</u> These standards only apply to the "Single Family Large Home Residential District". The residential fencing standards for all other districts do not specify allowed or prohibited materials. The exception is the prohibition of electrified fences, barbed wire, or other materials calculated to do bodily harm.

1.9. **Choctaw**

- 1. Are fence materials regulated: No
- 2. If yes, what materials are allowed:
- 3. If yes, what materials are prohibited:
- 4. <u>Notes:</u> Material standards for residential fencing could not be found in their code of ordinances.

1.10. Oklahoma City

- 1. Are fence materials regulated: Yes
- 2. <u>If yes, what materials are allowed:</u> Not listed, except to specify that ribbed steel panel fencing if it meets certain standards.
- 3. If yes, what materials are prohibited: Metal, plastic or plywood sheets
- 4. <u>Notes:</u> Material standards for residential fencing could not be found in their code of ordinances.

| 1 2 | | | OF | RDINANCE NO | | | | | |
|--|--|--------------------------|---------------------------|---|--|--|--|--|--|
| 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A, ZONING REGULATIONS, SECTION 5, SUPPLEMENTAL REGULATIONS, SUB-SECTION 5.2.3, FENCING AND SCREENING; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | | | | | | |
| 8 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | | | | | |
| 10 11 | | | | <u>ORDINANCE</u> | | | | | |
| 12 13 14 15 | <u>Section 1.</u> That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; is hereby amended to read as follows: | | | | | | | | |
| 16 17 18 19 | 5.2.3 Fencing and Screening. Residential fences and walls may be erected in residential districts under the following provisions and regulations. A permit must first be obtained from the city before any residential fence is constructed. | | | | | | | | |
| 20 21 22 23 24 | (A) | multifate and 2.1 beyond | mily use 0 R-HD or in fro | reening requirements for medium and high density residential districts with s. Only properties zoned 2.9 R-MD, Medium Density Residential District, High Density Residential District are permitted to have fences and walls ont of the front building line. The properties must be developed with 4.2.4., sidential. A fence may then be constructed to the front property line. | | | | | |
| 25 26 27 28 29 30 | | (1) | buildin iron-lik | cing extending beyond or in front of a building line or extending to a side g line abutting a dedicated public street shall be wrought iron or wrought the to allow visibility into the complex by a person standing on a ground resitting in a vehicle. | | | | | |
| 31 32 33 34 | | | a. | Wrought iron or wrought iron-like fences shall be constructed so as to eliminate the possibility of a child becoming trapped between the wrought iron rails and shall not have any sharp points on top of or on any other portion of the fences that may cause bodily harm. | | | | | |
| 35 36 | | | b. | Wrought iron or wrought iron-like fences may be installed with or without masonry pillars. | | | | | |
| 37 38 39 40 41 42 43 | | | c. | If security gates are installed, provisions shall be made for emergency vehicle access such as: (1) security gate guard manning the gate whenever the gate is closed; or (2) an emergency system designed to allow entrance by emergency vehicles. Security gates must be approved by the city prior to installation. Provision shall be made for sanitation pick-up and water meter reading by the city if gates are to be installed that would not be manned by a twenty-four hour security gate guard. | | | | | |

| 1 2 3 4 | | (| fifty the g | gate is installed, the gate shall be located a distance of no less than (5) feet from the back of the curb of the public street to the front of gate so as to allow a minimum of three (3) automobiles to be located upletely off the public street. |
|---------------------------------|-----|-----------------------|---|--|
| 5 6 | (B) | Fencing districts. | | ng requirements for two-family and single-family residential |
| 7 8 | | | - | I screening fencing and screening, including hedges, are prohibited ing into the street right-of-way. |
| 9 10 11 12 13 14 | | I 1 2 | Except as aud medium and are permitted placed, or ere | anding past front or side building lines including ornamental fences. Athorized in 5.2.3.(A), fencing and screening requirements for high density residential districts with multifamily uses, properties d to have ornamental fences up to four (4) feet in height located, rected to the front and side property lines of the residence. Such meet the following provisions and regulations: |
| 15 | | ä | a. Max | ximum of four (4) feet in height as measured from the ground level; |
| 16 17 | | ł | | inimum of fifty (50) percent of the total fence area must be open to w visibility into the front or side yard (i.e. chain-link or picket fence); |
| 18 19 20 21 | | C | feet i Adju | refere in front of the front or side building line in excess of four (4) must be approved, prior to its installation, by the Board of sustment pursuant to 7.8.2.(G), Provide for fencing in front of front side setback building lines. |
| 22 23 24 25 | | <u>1</u> I | rust, in good property owr | rial. Fencing material must be kept in an attractive state, void of d repair, and in safe and sanitary condition at all times by the ner. The owner shall provide material and dimension as part of the permit application. |
| 26 27 | | 8 | | proved fence materials in two-family and single-family districts ude: wood, vinyl, wrought iron, brick/stone and chain-link. |
| 28 29 | | | <u>1. </u> | Wood, vinyl, and metal slats with a depth of at least five- eighths (5/8) of an inch; |
| 30 | | | <u>2.</u> | Wrought iron or aluminum wrought iron-like fences; |
| 31 | | | <u>3.</u> | Brick/stone; |
| 32 | | | <u>4.</u> | Chain-link; |
| 33 34 | | | <u>5.</u> | Ribbed steel panel fencing that meets the following standards: |
| 35 36 37 38 39 | | | | a) Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 ½) inches by a width of two and one-half (2 ½) to three and one-half (3 ½) inches with six (6) to twelve (12) inches between rib centers. |

| 1 | | | b) Ribbed steel panels must be 22 or 24 gauge steel. |
|----------------------|-----|-------|---|
| 2 | | | c) Ribbed steel panels must be properly primed and |
| 3 4 | | | <u>coated with a powder coating, Polyvinyldiene</u> <u>fluoride (PVDF), factory thermal set silicone</u> |
| 5 | | | polyester base finish, or other factory applied coating |
| 6 | | | as approved by staff. |
| 7 | | | d) The tops of ribbed steel panels must be capped and |
| 8 | | | level following the lay of the land. |
| 9 | | | e) Poles must not extend past the top of the ribbed sheet |
| 10 | | | panels. |
| 11 | | | f) The requirements for ribbed steel panel fencing must |
| 12 | | | be presented with a fence permit application. |
| 13 | | | 6. All metal fencing must have a factory applied coating. |
| 14 15 | | | Acceptable coatings include: powder coated, Polyvinylidene fluoride (PVDF) coating, thermal set silicone polyester base |
| 16 | | | finish, or other factory applied coating as approved by staff. |
| 17 | | | b. Prohibited fence materials in two-family and single-family districts |
| 18 | | | include sheet metal, plastic, corrugated metal panels, or plywood. |
| 19 | | | Stockade (i.e. wood) posts are prohibited. Only the caps of posts or |
| 20 | | | poles may extend past the top of the fence line. |
| 21 22 | | (4) | Rear yard heigh limitation. In rear yards the height limitation shall be eight (8) feet from ground level. |
| | | | |
| 23 24 | | (5) | Sight triangle. No fence, wall, or hedge or any portion therof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersection. |
| 25 26 | | (6) | Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage. |
| 27 28 29 | | (7) | <i>Safety</i> . On lots smaller than one (1) acre, no electrified fence or wall or any fence containing barbed wire or other substances reasonably capable of causing bodily harm shall be permitted. |
| 30 | | (8) | Permit fee. Refer to the adopted Zoning Ordinance Fee Schedule for fees. |
| 31 32 33 34 | | (9) | Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code. |
| 35 | (C) | Fenci | ng and screening requirements for all Commercial and Industrial districts. |
| 36 | | (1) | Fencing and screening are prohibited from extending into the street right-of-way. |
| 37 38 | | (2) | Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage. |

| 1 2 3 | (3) | | al. Fencing material must be kept in an attractive state, void of repair, and in safe and sanitary condition at all times by the er. |
|---------------------------------|-----|---------------------------|--|
| 4 5 6 7 | | and C brick | oved fencing and screening materials for the O-1, O-2, C-1, C-2, C-3 zoning districts include: wood, wrought iron, vinyl, and /stone. shall be the same as those listed as approved under on 5.2.3 (B)(3)(a) of Appendix A. |
| 8 9 10 11 | | and C pane l | bited fencing and screening materials for the O-1, O-2, C-1, C-2, C-3 zoning districts include: sheet metal, plastic, corrugated metal ls, or plywood sheets. Stockade (i.e. wood) posts are prohibited. the caps of posts or poles may extend past the top of the fence line. |
| 12 13 14 | | zonin | oved fencing and screening materials for the C-4, I-1, I-2, and I-3 ag districts include wood, wrought iron, vinyl, brick/stone and d steel panel fencing that meets the following standards: |
| 15 16 17 18 | | 1. | Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 $\frac{1}{2}$) inches by a width of two and one-half (2 $\frac{1}{2}$) to three and one-half (3 $\frac{1}{2}$) inches with six (6) to twelve (12) inches between rib centers. |
| 19 20 21 22 23 | | 2. | Ribbed steel panels must be properly primed and coated with a factory thermal set silicone polyester base finish. Ribbed steel panels must be properly primed and coated with a powder coating, Polyvinyldiene fluoride (PVDF), factory thermal set silicone polyester base finish, or other factory applied coating |
| 2425 | | 3. | as approved by staff. The tops of ribbed steel panels must be capped and level |
| 26 | | 3. | following the lay of the land. |
| 27 | | 4. | Poles must not extend past the top of the ribbed sheet panels. |
| 28 29 | | 5. | The requirements for ribbed steel panel fencing must be presented with a fence permit application. |
| 30 31 | (4) | | The fee for a fence permit in all office, commercial, and industrial ets shall be thirty-five dollars (\$35.00). |
| 32 33 34 35 | (5) | within any zo | prior to occupancy. Where a fence is constructed on a property uning district prior to occupancy, no use or conversion of use shall be property until the owner or occupant has met the requirements of |
| 36 37 | (6) | - | e. No fence, wall or hedge or any portion thereof shall be located in agle in accordance with 5.6.3, Sight Lines at Intersections. |
| 38 39 | (7) | Rear yard hei | ight limitation. In rear yards, the height limitation shall be eight (8) und level. |

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| 2 | | |
| 3 | | or parts of ordinances in conflict herewith are hereby |
| 4 | repealed. | |
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| 6 | | on, sentence, clause, or portion of this ordinance is for |
| 7 | of the ordinance. | shall not affect the validity of the remaining provisions |
| 8 9 | of the ordinance. | |
| 10 | | |
| 11 | PASSED AND APPROVED by the Ma | ayor and the Council of the City of Midwest City, |
| 12 | Oklahoma, this day of | |
| 13 | | |
| 14 | | THE CITY OF MIDWEST CITY, OKLAHOMA |
| 15 | | |
| 16 17 | | |
| 18 | | MATTHEW D. DUKES, II, Mayor |
| 19 | | , , , |
| 20 | ATTEST: | |
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| 23 24 | SARA HANCOCK, City Clerk | |
| 25 | britti in iteoett, eity eierk | |
| 26 | | |
| 27 | Approved as to form and legality this | _ day of, 2024. |
| 28 | | |
| 29 | | |
| 30 31 | DONALD D. MAISCH, City Attorney | |
| 32 | DOTALLO D. MAISON, City Attorney | |
| | | |

| 1 2 | | | OF | RDINANCE NO | | | | | |
|--|--|-------------------------------|---------------------------|---|--|--|--|--|--|
| 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A, ZONING REGULATIONS, SECTION 5, SUPPLEMENTAL REGULATIONS, SUB-SECTION 5.2.3, FENCING AND SCREENING; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | | | | | | |
| 8 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | | | | | |
| 10 11 | <u>ORDINANCE</u> | | | | | | | | |
| 12 13 14 15 | <u>Section 1.</u> That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; is hereby amended to read as follows: | | | | | | | | |
| 16 17 18 19 | 5.2.3 Fencing and Screening. Residential fences and walls may be erected in residential districts under the following provisions and regulations. A permit must first be obtained from the city before any residential fence is constructed. | | | | | | | | |
| 20 21 22 23 24 | (A) | multifar and 2.1 beyond | mily use 0 R-HD or in fro | reening requirements for medium and high density residential districts with s. Only properties zoned 2.9 R-MD, Medium Density Residential District, High Density Residential District are permitted to have fences and walls ont of the front building line. The properties must be developed with 4.2.4., sidential. A fence may then be constructed to the front property line. | | | | | |
| 25 26 27 28 29 30 | | (1) | buildin iron-lik | cing extending beyond or in front of a building line or extending to a side g line abutting a dedicated public street shall be wrought iron or wrought the to allow visibility into the complex by a person standing on a ground resitting in a vehicle. | | | | | |
| 31 32 33 34 | | | a. | Wrought iron or wrought iron-like fences shall be constructed so as to eliminate the possibility of a child becoming trapped between the wrought iron rails and shall not have any sharp points on top of or on any other portion of the fences that may cause bodily harm. | | | | | |
| 35 36 | | | b. | Wrought iron or wrought iron-like fences may be installed with or without masonry pillars. | | | | | |
| 37 38 39 40 41 42 43 | | | c. | If security gates are installed, provisions shall be made for emergency vehicle access such as: (1) security gate guard manning the gate whenever the gate is closed; or (2) an emergency system designed to allow entrance by emergency vehicles. Security gates must be approved by the city prior to installation. Provision shall be made for sanitation pick-up and water meter reading by the city if gates are to be installed that would not be manned by a twenty-four hour security gate guard. | | | | | |

| 1 2 3 4 | | | d. | fifty (5 the gat | 5) feet frote so as t | alled, the gate shall be located a distance of no less than om the back of the curb of the public street to the front of o allow a minimum of three (3) automobiles to be located the public street. |
|----------------------------------|-----|-------------------|---------------------------------------|--|--|---|
| 5 6 | (B) | Fencir distric | _ | reening | require | ments for two-family and single-family residential |
| 7 8 | | (1) | | g and so | _ | including hedges, are prohibited from extending into the |
| 9 10 11 12 13 | | (2) | Except mediur are per placed | as auth n and hi mitted t , or erec | orized ir igh dens o have o ted to th | front or side building lines including ornamental fences. a 5.2.3.(A), fencing and screening requirements for ity residential districts with multifamily uses, properties rnamental fences up to four (4) feet in height located, e front and side property lines of the residence. Such ollowing provisions and regulations: |
| 15 | | | a. | Maxin | num of f | our (4) feet in height as measured from the ground level; |
| 16 17 | | | b. | | | fifty (50) percent of the total fence area must be open to into the front or side yard (i.e. chain-link or picket fence) |
| 18 19 20 21 | | | c. | feet m Adjust | ust be ap tment pu | ront of the front or side building line in excess of four (4) proved, prior to its installation, by the Board of rsuant to 7.8.2.(G), Provide for fencing in front of front ek building lines. |
| 22 23 24 25 | | (3) | in good owner. | d repair, The ov | and in s | ng material must be kept in an attractive state, void of rust afe and sanitary condition at all times by the property Il provide material and dimension information as part of |
| 26 27 | | | a. | Appro includ | | e materials in two-family and single-family districts |
| 28 29 | | | | 1. | | vinyl, and metal slats with a depth of at least five-eighths f an inch; |
| 30 | | | | 2. | Wroug | tht iron or aluminum wrought iron-like fences; |
| 31 | | | | 3. | Brick/ | stone; |
| 32 | | | | 4. | Chain- | link; |
| 33 | | | | 5. | Ribbed | d steel panel fencing that meets the following standards: |
| 34 35 36 37 38 39 | | | | | a) b) | Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 ½) inches by a width of two and one-half (2 ½) to three and one-half (3 ½) inches with six (6) to twelve (12) inches between rib centers. Ribbed steel panels must be 22 or 24 gauge steel. |
| | | | | | | |

| 1 2 3 4 5 6 7 8 9 | | | c) Ribbed steel panels must be properly primed and coated with a powder coating, Polyvinylidene fluoride (PVDF), factory thermal set silicone polyester base finish, or other factory applied coating as approved by staff. d) The tops of ribbed steel panels must be capped and level following the lay of the land. e) Poles must not extend past the top of the ribbed sheet panels. f) The requirements for ribbed steel panel fencing must be presented with a fence permit application. |
|---|-----|--------|---|
| 11 12 13 14 | | | 6. All metal fencing must have a factory applied coating. Acceptable coatings include: powder coated, Polyvinylidene fluoride (PVDF) coating, thermal set silicone polyester base finish, or other factory applied coating as approved by staff. |
| 15 16 17 18 | | | b. Prohibited fence materials in two-family and single-family districts include sheet metal, plastic, corrugated metal panels, or plywood. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line. |
| 19 20 | | (4) | Rear yard heigh limitation. In rear yards the height limitation shall be eight (8) feet from ground level. |
| 21 22 | | (5) | <i>Sight triangle</i> . No fence, wall, or hedge or any portion therof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersection. |
| 23 24 | | (6) | Surface drainage. No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage. |
| 25 26 27 | | (7) | <i>Safety</i> . On lots smaller than one (1) acre, no electrified fence or wall or any fence containing barbed wire or other substances reasonably capable of causing bodily harm shall be permitted. |
| 28 | | (8) | Permit fee. Refer to the adopted Zoning Ordinance Fee Schedule for fees. |
| 29 30 31 32 | | (9) | Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code. |
| 33 | (C) | Fencin | g and screening requirements for all Commercial and Industrial districts. |
| 34 | | (1) | Fencing and screening are prohibited from extending into the street right-of-way. |
| 35 36 | | (2) | <i>Surface drainage</i> . No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage. |
| 37 38 39 | | (3) | <i>Fence material</i> . Fencing material must be kept in an attractive state, void of rust, in good repair, and in safe and sanitary condition at all times by the property owner. |

| 1 2 3 | | and C | oved fencing and screening materials for the O-1, O-2, C-1, C-2, C-3 zoning districts shall be the same as those listed as approved r Section 5.2.3 (B)(3)(a) of Appendix A. | |
|----------------------|-----------------------------|---|---|--|
| 4 5 6 7 | | and C panel | bited fencing and screening materials for the O-1, O-2, C-1, C-2, C-3 zoning districts include: sheet metal, plastic, corrugated metal is, or plywood sheets. Stockade (i.e. wood) posts are prohibited. the caps of posts or poles may extend past the top of the fence line. | |
| 8 9 10 | | zonin | oved fencing and screening materials for the C-4, I-1, I-2, and I-3 ag districts include wood, wrought iron, vinyl, brick/stone and d steel panel fencing that meets the following standards: | |
| 11 12 13 14 | | 1. | Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 $\frac{1}{2}$) inches by a width of two and one-half (2 $\frac{1}{2}$) to three and one-half (3 $\frac{1}{2}$) inches with six (6) to twelve (12) inches between rib centers. | |
| 15 16 17 18 | | 2. | Ribbed steel panels must be properly primed and coated with a powder coating, Polyvinylidene fluoride (PVDF), factory thermal set silicone polyester base finish, or other factory applied coating as approved by staff. | |
| 19 20 | | 3. | The tops of ribbed steel panels must be capped and level following the lay of the land. | |
| 21 | | 4. | Poles must not extend past the top of the ribbed sheet panels. | |
| 22 23 | | 5. | The requirements for ribbed steel panel fencing must be presented with a fence permit application. | |
| 24 25 | (4) | | The fee for a fence permit in all office, commercial, and industrial ets shall be thirty-five dollars (\$35.00). | |
| 26 27 28 29 | (5) | Construction prior to occupancy. Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code. | | |
| 30 31 | (6) | Sight triangle. No fence, wall or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3, Sight Lines at Intersections. | | |
| 32 33 | (7) | Rear yard her feet from grow | ight limitation. In rear yards, the height limitation shall be eight (8) and level. | |
| 34 | | | | |
| 35 36 37 38 | Section 2. REPEAI repealed. | LER. All ordir | nances or parts of ordinances in conflict herewith are hereby | |

| 1 | Section 3. SEVERABILITY. If any secti | on, sentence, clause, or portion of this ordinance is fo |
|----------|--|--|
| 2 | any reason held to be invalid, such decision | n shall not affect the validity of the remaining provision |
| 3 | of the ordinance. | |
| 4 | | |
| 5 | | |
| 6 | PASSED AND APPROVED by the M | ayor and the Council of the City of Midwest City |
| 7 | Oklahoma, this day of | , 2024. |
| 8 | | |
| 9 | | THE CITY OF MIDWEST CITY, OKLAHOMA |
| 10 | | |
| 11 | | |
| 12 | | |
| 13 | | MATTHEW D. DUKES, II, Mayor |
| 14 | A TEMPE CITE | |
| 15 | ATTEST: | |
| 16 17 | | |
| 17 | | |
| 19 | SARA HANCOCK, City Clerk | |
| 20 | SAMATIMICOCK, City Cicik | |
| 21 | | |
| 22 | Approved as to form and legality this | day of . 2024. |
| 23 | | <u> </u> |
| 24 | | |
| 25 | | |
| 26 | DONALD D. MAISCH, City Attorney | |
| 27 | • | |



Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Secretary

TO: Honorable Mayor and Council

FROM: Matt Summers, Director of Planning & Zoning

DATE: April 23, 2024

SUBJECT: (PC-2164) Discussion, consideration, and possible action approving an ordinance

amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction Requirements and Standards; and providing for repealer and severability.

Section 5.12.1 of the Zoning Regulations lists which masonry materials are approved for residential uses, but does not have a similar list for nonresidential uses. This proposed amendment is intended to provide clarification about which masonry materials are approved for nonresidential uses.

The proposed list of approved materials for nonresidential uses mirrors the materials already approved for residential uses. This proposed text amendment would codify current practices and provide publicly available information to developers.

Both the Ordinance Oversight Council Committee (OOCC) and the Planning Commission recommend approval of this item.

Action is at the discretion of the City Council.

Matt Summers, AICP

Mat James

| 1 | | | C | ORDINANCE NO | | |
|----------------------------|--|--------------|----------------|---|--|--|
| 2 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A, ZONING REGULATIONS, SECTION 5, SUPPLEMENTAL REGULATIONS, SUB-SECTION 5.12.1, EXTERIOR CONSTRUCTION REQUIREMENTS AND STANDARDS; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | | | |
| 8 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | | |
| 10 | <u>ORDINANCE</u> | | | | | |
| 11 | | | | | | |
| 12 13 14 15 | Supplem | ental R | egulations | st City Municipal Code, Appendix A, Zoning Regulations, Section 5, s, Sub-Section 5.12.1, Exterior Construction Requirements and led to read as follows: | | |
| 16 | 5.12.1 E | xterior C | Construction | on Requirements and Standards | | |
| 17 | | | | | | |
| 18 | (1 | A) <i>Ma</i> | asonry req | quirement for residential uses. | | |
| 19 | | | | | | |
| 20 21 22 | | (1) | | ngle and two-family homes shall have one hundred (100) percent masonry rials on the sides of ground floors (facades) facing a public street. | | |
| 23 24 25 26 | | | a. | Exceptions: Masonry requirements do not apply above the plate line or trim work, such as gables and soffits. The masonry coverage calculation does not include doors, windows, window box-outs, eaves, or bay windows that do not extend to the foundation. | | |
| 27 28 29 | | (2) | | ngle, two-family, and multi-family developments shall consist of eighty-85) percent masonry materials. | | |
| 30 31 32 33 34 | | (3) | wood | bited: Concrete masonry units, concrete panel construction, vinyl siding, engineered or manufactured wood, medium density fiberboard, particle I, or Masonite shall be prohibited in the construction of residential units. | | |
| 35 36 37 | | (4) | | oved <u>masonry</u> materials for residential construction include: brick, rock, stucco, cementitious fiberboard and other materials as approved by staff. | | |
| 38 39 | (H | B) <i>Ma</i> | isonry requ | uirement for nonresidential uses. | | |
| 40 41 42 | | (1) | | e and Commercial Districts: Buildings shall consist of eighty (80) percent nry materials. | | |
| 42 43 44 | | (2) | Indus mater | strial Districts: Buildings shall consist of sixty (60) percent masonry rials. | | |

| | | (3) | Nonresidential Uses within Residential Districts: Buildings shall consist of eighty |
|---------|-------------|------------|--|
| | | | (80) percent masonry materials. |
| | | (4) | Approved masonry materials for nonresidential construction include: brick, |
| | | (-) | rock, stone, stucco, cementitious fiberboard and other materials as approved |
| | | | by staff. |
| | (C) | Temp | orary construction buildings. Temporary buildings and temporary building material |
| | (0) | _ | ge areas to be used for construction purposes may be permitted for a specific period |
| | | _ | e in accordance with a permit issued by the city and subject to periodic renewal. |
| | | | |
| | (D) | Wall f | façade articulation. In order to ensure the aesthetic value and visual appeal of |
| | | nonre | sidential land uses and structures, façade articulation shall be required. |
| | | (1) | |
| | | (1) | Wall façade articulation of at least three (3) feet in depth or offset shall be |
| | | | required for every twenty-five (25) feet in horizontal surface length. |
| | | (2) | Wall façade offsets shall be shown, along with calculations verifying that the |
| | | (2) | building elevations meet the above requirement, on a building façade (elevation) |
| | | | plan, and shall be submitted for Planning Commission review along with the site |
| | | | plan. |
| | | | |
| | | (3) | Buildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| | | | wall façade articulation. |
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| repeale | | EPEAL | LER. All ordinances or parts of ordinances in conflict herewith are hereby |
| • | | | |
| | | | ABILITY. If any section, sentence, clause, or portion of this ordinance is for einvalid, such decision shall not affect the validity of the remaining provisions |
| of the | ordinan | ce. | |
| | | | |
| PASSI | ED AN | D AP | PROVED by the Mayor and the Council of the City of Midwest City, |
| | | | day of, 2024. |
| | | | |
| | | | THE CITY OF MIDWEST CITY, OKLAHOMA |
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| | | | MATTHEW D. DUKES, II, Mayor |
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| ATTE | ST: | | |
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| 1 | SARA HANCOCK, City Clerk |
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| 4 | Approved as to form and legality this day of, 2024 |
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| 6 | |
| 7 | |
| 8 | DONALD D. MAISCH, City Attorney |
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| 1 | | | | ORDINANCE NO | | |
|----------------------------|--|---------|--------|--|--|--|
| 2 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A, ZONING REGULATIONS, SECTION 5, SUPPLEMENTAL REGULATIONS, SUB-SECTION 5.12.1, EXTERIOR CONSTRUCTION REQUIREMENTS AND STANDARDS; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | | | |
| 8 9 | BE IT O | RDAI | NED B | BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | |
| 10 | <u>ORDINANCE</u> | | | | | |
| 11 12 13 14 15 | Supplem | ental | Regul | Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 5, ations, Sub-Section 5.12.1, Exterior Construction Requirements and amended to read as follows: | | |
| 16 | 5.12.1 E | Exterio | r Cons | struction Requirements and Standards | | |
| 17 | | | | | | |
| 18 | (, | A) | Mason | ary requirement for residential uses. | | |
| 19 20 21 22 | | | (1) | All single and two-family homes shall have one hundred (100) percent masonry materials on the sides of ground floors (facades) facing a public street. | | |
| 23 24 25 26 27 | | | | a. Exceptions: Masonry requirements do not apply above the plate line or trim work, such as gables and soffits. The masonry coverage calculation does not include doors, windows, window box-outs, eaves, or bay windows that do not extend to the foundation. | | |
| 28 29 30 | | | (2) | All single, two-family, and multi-family developments shall consist of eighty-five (85) percent masonry materials. | | |
| 31 32 33 34 | | | (3) | Prohibited: Concrete masonry units, concrete panel construction, vinyl siding, wood engineered or manufactured wood, medium density fiberboard, particle board, or Masonite shall be prohibited in the construction of residential units. | | |
| 35 36 37 | | | (4) | Approved masonry materials for residential construction include: brick, rock, stone, stucco, cementitious fiberboard and other materials as approved by staff. | | |
| 38 | (1 | B) | Masoni | ry requirement for nonresidential uses. | | |
| 39 40 41 42 | | | (1) | Office and Commercial Districts: Buildings shall consist of eighty (80) percent masonry materials. | | |
| 42 43 44 | | | (2) | Industrial Districts: Buildings shall consist of sixty (60) percent masonry materials. | | |

| stimporary rage arctime in all façace resider W re bu pl pl | approved masonry materials for nonresidential construction include: brick, rock, tone, stucco, cementitious fiberboard and other materials as approved by staff. The construction buildings. Temporary buildings and temporary building material reas to be used for construction purposes may be permitted for a specific period accordance with a permit issued by the city and subject to periodic renewal. The construction of the city and subject to periodic renewal. The con |
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| rage are time in which the second sec | reas to be used for construction purposes may be permitted for a specific period accordance with a permit issued by the city and subject to periodic renewal. **de articulation**. In order to ensure the aesthetic value and visual appeal of intial land uses and structures, façade articulation shall be required. **Vall façade articulation of at least three (3) feet in depth or offset shall be required for every twenty-five (25) feet in horizontal surface length. **Vall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. **Full dings** smaller that fifteen thousand (15,000) square feet shall be exempt from the state of the state o |
| w bu pl pl | accordance with a permit issued by the city and subject to periodic renewal. de articulation. In order to ensure the aesthetic value and visual appeal of initial land uses and structures, façade articulation shall be required. Vall façade articulation of at least three (3) feet in depth or offset shall be required for every twenty-five (25) feet in horizontal surface length. Vall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. |
| W re W bu pl | de articulation. In order to ensure the aesthetic value and visual appeal of ential land uses and structures, façade articulation shall be required. Vall façade articulation of at least three (3) feet in depth or offset shall be equired for every twenty-five (25) feet in horizontal surface length. Vall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. |
| W re W bu pl pl | Wall façade articulation of at least three (3) feet in depth or offset shall be equired for every twenty-five (25) feet in horizontal surface length. Wall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. |
| W re W bu pl pl | Vall façade articulation of at least three (3) feet in depth or offset shall be equired for every twenty-five (25) feet in horizontal surface length. Vall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. Fuildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| w bu pl pl | equired for every twenty-five (25) feet in horizontal surface length. Vall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. Fuildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| w bu pl pl | equired for every twenty-five (25) feet in horizontal surface length. Vall façade offsets shall be shown, along with calculations verifying that the uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. Fuildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| bu pl pl Bi w | uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. Fuildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| bu pl pl Bi w | uilding elevations meet the above requirement, on a building façade (elevation) lan, and shall be submitted for Planning Commission review along with the site lan. Fuildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| pl pl B w | lan, and shall be submitted for Planning Commission review along with the site lan. Suildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
| B | uildings smaller that fifteen thousand (15,000) square feet shall be exempt from |
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| | |
| be inv | LITY. If any section, sentence, clause, or portion of this ordinance is for valid, such decision shall not affect the validity of the remaining provisions OVED by the Mayor and the Council of the City of Midwest City, |
| | _ day of, 2024. |
| | THE CITY OF MIDWEST CITY, OKLAHOMA |
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| | MATTHEW D. DUKES, II, Mayor |
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| 3 | Approved as to form and legality this day of, 2024. |
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| 6 | |
| 7 | DONALD D. MAISCH, City Attorney |
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Planning & Zoning Department

Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Secretary

TO: Honorable Mayor and Council

FROM: Matt Summers, Director of Planning & Zoning

DATE: April 23, 2024

SUBJECT: (PC-2165) Discussion, consideration, and possible action approving an ordinance

amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements

for Public Hearings; and providing for repealer and severability.

The notification requirements in Section 7.1.3 of Appendix A of the Midwest City Municipal Code are inconsistent with state statute. Our current requirement is for notices to be mailed, posted, or published fifteen (15) business days prior to the hearing date. After researching the applicable state statutory requirements for notifications on various zoning related applications, twenty (20) calendar days prior to the hearing is the longest required notification period. Therefore, in order to craft universal notification requirements for our applications, I am recommending adopting the twenty (20) calendar days notification requirement.

This amendment also clarifies details on the existing requirement for the applicant to provide the mailing list used for mailing notices of applications to property owners within 300 feet. The amendment requires the list of owners within 300 feet to be certified by the Oklahoma County Assessor's Office. This gives staff confidence that the mailed notice will be in compliance with local and state requirements. The amendment would also require the applicant to provide the list of property owners in a digital format. A digital format is necessary to reduce both staff time needed and the possibility of staff error in mailing notification to property owners within 300 feet. Many applicants already provide both a certified list and a digital list of owners to staff.

Both the Ordinance Oversight Council Committee (OOCC) and the Planning Commission recommend approval of this item.

Action is at the discretion of the City Council.

Matt Summers, AICP

Director of Planning & Zoning

| 1 | | | | ORDINANCE NO | | |
|----------------------------|---|--------|---------|---|--|--|
| 2 3 4 5 6 7 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A, ZONING REGULATIONS, SECTION 7, DEVELOPMENT REVIEW PROCEDURES, SUBSECTION 7.1.3, PUBLIC NOTICE REQUIREMENTS FOR PUBLIC HEARINGS; AND PROVIDING FOR REPEALER AND SEVERABILITY. | | | | | |
| 8 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: | | | | | |
| 9 10 | | | | <u>ORDINANCE</u> | | |
| 11 | | | | | | |
| 12 13 14 15 | Develo | opment | Reviev | Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 7, w Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public mended to read as follows: | | |
| 16 17 | 7.1.3 | Public | Notice | Requirements for Public Hearings. | | |
| 18 | | (A) | Annlie | cations requiring public notice. | | |
| 19 | | (A) | лррис | unous requiring public notice. | | |
| 20 | | | (1) | Zoning map amendment (rezoning). | | |
| 21 | | | , | | | |
| 22 | | | (2) | Zoning text amendment. | | |
| 23 24 | | | (3) | PUD application. | | |
| 25 26 27 | | | (4) | SPUD application. | | |
| 28 29 | | | (5) | Site plan (rezoning). | | |
| 30 31 | | | (6) | Special Use Permit. | | |
| 32 33 | | | (7) | Variance. | | |
| 34 35 | | | (8) | Exception. | | |
| 36 37 | | | (9) | Oil and gas wells. | | |
| 38 39 | | | (10) | Comprehensive plan adoption or amendment. | | |
| 40 41 | | | (11) | Appeal of an administrative decision or interpretation. | | |
| 41 42 43 | | | (12) | Appeal of a site plan decision made by the Community Development Director. | | |
| 45 44 45 | | (B) | Types o | of notice. | | |
| 45 46 | | | (1) | Property posted (sign) notice. Notice of public hearing shall may be given by | | |
| 47 | | | (-/ | the posting of a sign on the property no less than fifteen (15) business twenty | | |
| 48 | | | | (20) calendar days prior to public hearing | | |

- a. Sign Requirements.
 - 1. Signs shall be a minimum of thirty-two (32) square feet in size.
 - 2. Signs shall be white with black lettering.
 - 3. Signs shall have lettering at least four (4) inches in height.
- b. Elements of a property posted notice.
 - 1. The date, time, and place of the public hearing;
 - 2. Who will conduct the public hearing;
 - 3. The desired zoning classification;
 - 4. The proposed use of the property; and
 - 5. Other information as may be necessary to provide adequate and timely public notice.
- (2) *Published notice*. Notice of public hearing shall be given by publication in a newspaper of general circulation in the City of Midwest City wherein the property is located no less than **fifteen (15) business twenty (20) calendar** days prior to public hearing.
 - a. Elements of a published notice.
 - 1. A published notice shall include ea map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.
- (3) *Mailed notice*. Notice of a public hearing shall be given by mailing written notice to all owners of property within a three hundred-foot radius of the exterior boundary of the subject property no less than **fifteen (15) business twenty (20) calendar** days prior to public hearing.
 - a. Provision of the mailing list.
 - 1. The applicant shall provide the Community Development
 Department with a <u>certified list from the Oklahoma County</u>

 <u>Assessor's Office of</u> the names and addresses of all property
 owners.
 - 2. The list shall be provided in both a hardcopy and digital format [Microsoft Excel format (*.xlsx) or Comma-separated values (*.csv)]
 - b. Elements of a mailed notice.

- 1. Legal description of the property and the street address or approximate location within the City of Midwest City.
- 2. Present zoning classification of the property and the zoning sought by the applicant. If not a rezoning, then the nature or intent of the application shall be described.
- 3. The date, time, and place of hearing.
- c. Special notification requirements for rezoning involving medical or nonmedical detoxification uses shall apply as listed in 7.2.4 Additional Notice Requirements for Proposed Zoning Changes and Reclassifications (Rezonings) (Page 173) or as revised by State law pursuant to 11 O.S. § 43-106.
- (C) Types of required public notice for plans and applications. Public notices shall be required according to the following table:

Table 7.1-1: Required Public Notices per Application Type

| Application Type | Property Posted (Sign) Notice | Published Notice | Mailed Notice |
|---|-------------------------------|------------------|---------------|
| Zoning map amendment (rezoning) | Discretionary (1) | Required | Required |
| Zoning text amendment | | Required | |
| PUD application | Discretionary (1) | Required | Required |
| SPUD application | Discretionary (1) | Required | Required |
| Site Plan (rezoning) | | Required | Required |
| Special Use Permit | | Required | Required |
| Variance | | Required | Required |
| Exception | | Required | Required |
| Oil and gas wells | | Required | Required |
| Comprehensive Plan adoption or amendment | | Required | Required |
| Appeal of an administrative or interpretation decision | | Required | Required |
| Appeal of a Site Plan Decision made by the Community Development Director | | Required | Required |

⁽¹⁾ Property posted (sign) notice shall be at the discretion Community Development Director.

Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 3.</u> SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

| | THE CITY OF MIDWEST CITY, OKLAI |
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| | MATTHEW D. DUKES, II, Mayor |
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| TTEST: | |
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| | |
| ARA HANCOCK, City Clerk | |
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| 1 | 1 6 2024 |
| pproved as to form and legality this | day of, 2024. |
| | |

| 1 | | | | ORDINANCE NO |
|----------------------------|--------------|--------|-----------------|--|
| 2 3 4 5 6 7 | ZONI SECT | NG REI | GULA 1.3, PU | AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A FIONS, SECTION 7, DEVELOPMENT REVIEW PROCEDURES, SUBUBLIC NOTICE REQUIREMENTS FOR PUBLIC HEARINGS; AND REPEALER AND SEVERABILITY. |
| 8 | BE IT | ORDA | INED I | BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA: |
| 9 10 | | | | <u>ORDINANCE</u> |
| 11 12 13 14 | Devel | opment | Reviev | Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 7 v Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public mended to read as follows: |
| 15 16 | 7.1.3 | Public | Notice | Requirements for Public Hearings. |
| 17 18 | | (A) | Applic | cations requiring public notice. |
| 19 20 | | | (1) | Zoning map amendment (rezoning). |
| 21 22 | | | (2) | Zoning text amendment. |
| 23 24 | | | (3) | PUD application. |
| 25 26 | | | (4) | SPUD application. |
| 27 28 | | | (5) | Site plan (rezoning). |
| 29 30 | | | (6) | Special Use Permit. |
| 31 32 | | | (7) | Variance. |
| 33 34 | | | (8) | Exception. |
| 35 36 | | | (9) | Oil and gas wells. |
| 37 38 | | | (10) | Comprehensive plan adoption or amendment. |
| 39 40 | | | (11) | Appeal of an administrative decision or interpretation. |
| 41 42 | | | (12) | Appeal of a site plan decision made by the Community Development Director. |
| 43 44 | | (B) | Types | of notice. |
| 45 46 47 48 | | | (1) | Property posted (sign) notice. Notice of public hearing may be given by the posting of a sign on the property no less than twenty (20) calendar days prior to public hearing. |

- a. Sign Requirements.
 - 1. Signs shall be a minimum of thirty-two (32) square feet in size.
 - 2. Signs shall be white with black lettering.
 - 3. Signs shall have lettering at least four (4) inches in height.
- b. Elements of a property posted notice.
 - 1. The date, time, and place of the public hearing;
 - 2. Who will conduct the public hearing;
 - 3. The desired zoning classification;
 - 4. The proposed use of the property; and
 - 5. Other information as may be necessary to provide adequate and timely public notice.
- (2) *Published notice*. Notice of public hearing shall be given by publication in a newspaper of general circulation in the City of Midwest City wherein the property is located no less than twenty (20) calendar days prior to public hearing.
 - a. Elements of a published notice.
 - 1. A published notice shall include ea map of the area to be affected which indicates street names or numbers, streams, or other significant landmarks in said area.
- (3) *Mailed notice*. Notice of a public hearing shall be given by mailing written notice to all owners of property within a three hundred-foot radius of the exterior boundary of the subject property no less than twenty (20) calendar days prior to public hearing.
 - a. Provision of the mailing list.
 - 1. The applicant shall provide the Community Development Department with a certified list from the Oklahoma County Assessor's Office of the names and addresses of all property owners.
 - 2. The list shall be provided in both a hardcopy and digital format [Microsoft Excel format (*.xlsx) or Comma-separated values (*.csv)]
 - b. Elements of a mailed notice.

- 1. Legal description of the property and the street address or approximate location within the City of Midwest City.
- 2. Present zoning classification of the property and the zoning sought by the applicant. If not a rezoning, then the nature or intent of the application shall be described.
- 3. The date, time, and place of hearing.
- c. Special notification requirements for rezoning involving medical or nonmedical detoxification uses shall apply as listed in 7.2.4 Additional Notice Requirements for Proposed Zoning Changes and Reclassifications (Rezonings) (Page 173) or as revised by State law pursuant to 11 O.S. § 43-106.
- (C) Types of required public notice for plans and applications. Public notices shall be required according to the following table:

Table 7.1-1: Required Public Notices per Application Type

| Application Type | Property Posted (Sign) Notice | Published Notice | Mailed Notice |
|---|-------------------------------|------------------|---------------|
| Zoning map amendment (rezoning) | Discretionary (1) | Required | Required |
| Zoning text amendment | | Required | |
| PUD application | Discretionary (1) | Required | Required |
| SPUD application | Discretionary (1) | Required | Required |
| Site Plan (rezoning) | | Required | Required |
| Special Use Permit | | Required | Required |
| Variance | | Required | Required |
| Exception | | Required | Required |
| Oil and gas wells | | Required | Required |
| Comprehensive Plan adoption or amendment | | Required | Required |
| Appeal of an administrative or interpretation decision | | Required | Required |
| Appeal of a Site Plan Decision made by the Community Development Director | | Required | Required |

⁽¹⁾ Property posted (sign) notice shall be at the discretion Community Development Director.

Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 3.</u> SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

| | THE CITY OF MIDWEST CITY, OKLAI |
|--------------------------------------|---------------------------------|
| | |
| | |
| | MATTHEW D. DUKES, II, Mayor |
| | |
| TTEST: | |
| | |
| | |
| ARA HANCOCK, City Clerk | |
| | |
| 1 | 1 6 2024 |
| pproved as to form and legality this | day of, 2024. |
| | |



Engineering and Construction Services 100 N Midwest Boulevard Midwest City, OK 73110 Office 405.739.1220

TO: Honorable Mayor and Council

FROM: Brandon Bundy, P.E., Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of approving an ordinance

amending Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article I, Section 9-1 through Article VI, Section 9-380 are hereby amended in their entirety; and providing for repealer and severability.

At the regular City Council meeting March 28, 2023; the building code years were updated to become current with today's practices. After that, it was discovered that numerous other references and permits were out of date. This has led to a complete reorganization of the Articles I-VI of the building ordinance chapter. Staff was careful not to involve subsequent Articles in the Chapter (Signs, Moving Buildings, Tornado Shelters, Medical Marijuana). Those Articles can be updated as need at another time.

Much of the organizing reflects the current practice and format of other Chapters in the Municiple Code.

- Many redundant functions were consolidated under Article I (definitions, code amended sections).
- A summary fee table under Article I was established to ease future permit and license adjustments AND a CPI index was introduced.
- Repetitive or similar sections which apply to specific trades were matched for order and language continuatity (Boards, Appeals, Registrations, Permits)
- Moved Builder's Advisory under Building Code Article
- Created new standalone article to support the Fuel Gas code which was previously under Mechanical.

This undertaking of reorganizing and updating these Articles has involved many hours of staff time and has included extensive review not only from my department but also City Clerk and City Attorney. Without their help the Chapter would have remained a disorganized mess.

The Ordinance Review Committee recommended approval on February 29, 2024.

Notable Changes

Notable changes to the Chapter include

1. Powers and Duties of the Chief Building Offical – This section was consolidated from similar language in Electrical and Mechanical. Was implied in previous but now is clear to go across all trades within Chapter.

- 2. Incorporated by Reference This was added in March update by Council to simplify future year updates. Added to codes "as modified by OUBCC"; the state will allow us to adopt their (OUBCC) code or more stringent. This language allows us to comply with State law and close any discrepencies between our old amended language and what state passed. Also moved Energy Code and Electrical Code within this section.
- 3. Code Amended International Building Code Was within Building Article and combined with both International Building Code and International Residential Code. Simplified and updated language and references to current code book. Increased penalties for operating without a CO from \$200 to \$750. Eliminated the "Change of Ownership CO" which that function is a new permit process. Updated appeal process to similar language across all trades.
- 4. Code Amended International Residential Code Was within Building Article and combined with both International Building Code and International Residential Code. Updated appeal process to similar language across all trades. Added a Plan Review fee for all new structures to include Residential; previously it was limited to just commercial (25% of permit).
- 5. Code Amended (others) with the adoption of the OUBCC language, gave us the opportunity to delete the old amended language which did not comply with the State and simplified. I.E. those sections not amended in our Chapter are the same as the State and not more strict.
- 6. Code Amended Electrical Code Similar to the OUBCC language in others but did have to keep some amended language from the previous Chapter.
- 7. Penalties consolidated across all articles. Updated fine / citation from \$100 to \$500 per citation as allowed by law. Typically, building issues are life safety related with businesses and so the increased amount is an attempt to draw more attention to issues.
- 8. Declaration of Uninhabitable Property previously was in Plumbing as Condemnation of Insantiary Property. The previous language is not compatible with current legal practice. Brought out to cover all building related issues. This could be something like faulty electrical, broken stairs/railings, or sewage issues that are being routinely brought to Chief Building Official. This will be a stop gap between regular penalties and dilapidated buildings where life safety require immediate removal of persons living in the structure.
- 9. Consumer Price Index Added an Index for which we can adjust fees annually with inflation. Used language similar to that found in utility rate ordinance. Associated with fee table.
- 10. Fee Table Added table to house all Licensing and Permit fees in one location to make for future rate adjustments easier and consistent across all trades.
- 11. Commercial Classification Access to Utilities Added language reinforces language found in Chapters 38 and 43 which require utility extensions for commercial uses
- 12. Commercial Classification Change of Ownership Compliance currently any business which changes ownership but not use (type of business) is regulated using the building code. However, this causes many problems with established businesses which may not

comply with new CO; thereby placing building staff in difficult position of having operations without a CO and trying to enforce. This new language is a permit so that multiple departments can check compliance with established businesses under new ownership but not jeopordize the CO. This will put the City in better common practice and overall should reduce building staff time trying to enforce issues from across different departments. This is not going to reduce ability or scope of enforcement but to reallocate it back to individual departments.

- 13. Electrical Permits Refined to move all the fees to the reference Fee Table. Removed the different levels of power apparatus (generator) and made it all a flat fee (\$100). Fixed a gap in the amperage for services.
- 14. On-Site Sewage Treatment System Rewrote to match current ODEQ language, added a formal fee for registration of systems. City does not desire nor is capable at this time to inspect the systems and it is regulated by the state. However, we do desire to keep note of all systems within the City.

Brandon Bundy, P.E.,

Director of Engineering and Construction Services

Attachment

| New | Previous | Description | Note | |
|-----------|------------|--|--|--|
| New | ly Written | ı | | |
| 9- 46 | | Consumer Price Index | Added an Index for which we can adjust fees annually with inflation. Used language similar to that found in utility rate ordinance. Associated with fee table. | |
| 9- 47 | | Fee Table | Added table to house all Licensing and Permit fees in one location to make for future rate adjustments easier and consistent across all trades. | |
| 9- 69 | | Licensing Fees and Requirements (Building) | Added to Building Article to match other trades as needed. | |
| 9- 70 | | Commercial Classification Access to Utilities | Added language reinforces language found in Chapters 38 and 43 which require utility extensions for commercial uses | |
| 9- 80 | | Permit Application (Building) | Template from 9-92 (electrical) to match all trades | |
| 9- 81 | | Multiple Permits (Building) | Template from 9-310 (plumbing) to match all trades | |
| 9- 82 | | Permit Exemptions (Building) | Template from 9-94 (electrical) to match all trades | |
| 9- 83 | | Permit Required Issued (Building) | Template from 9-96 (electrical) to match all trades | |
| 9- 84 | | Permit Denial (Building) | Template from 9-97 (electrical) to match all trades | |
| 9- 85 | | Permit Cancellation (Building) | Template from 9-98 (electrical) to match all trades | |
| 9- 86 | | Permits (Building) | Added to reference back to Code Amended sections, other trades have their own sections but with Building it is already included in the Code | |
| 9- 87 | | Inspections; Approval (Building) | Added same language structure as other trades, based on template from previous 9-211 | |
| 9- 88 | | Appeals (Building) | To match all trades, previously was in across all trades except building | |
| 9- 99 | | Commercial Classification Change of Ownership Compliance | Added new language for new permit to replace the previous "change of ownership CO" | |
| 9- 125 | | Title (Electrical) | Added same language across all trades and based on 9-32 | |
| 9- 139 | | Supervision (Electrical) | Added same language across all trades and based on 9-331 | |
| 9- 140 | | Employing Unqualified Workman (Electrical) | Added same language across all trades and based on 9-345 | |
| 9- 164 | | Solar Energy | Added permit to address solar permits which was not standalone previously. | |
| 9- 209 | | Supervision (Mechanical) | Added same language across all trades and based on 9-331 | |
| 9- 210 | | Employing Unqualified Workman (Mechanical) | Added same language across all trades and based on 9-345 | |

| New | Previous | Description | Note | |
|-----------|----------|--|--|--|
| 9- | | Title (Fuel Gas) | Added same language as other trades, previously Fuel | |
| 265 | | | Gas was not its own article | |
| 9- | | Permit Application | Added same language as other trades, previously Fuel | |
| 286 | | (Fuel Gas) | Gas was not its own article | |
| 9- 287 | | Multiple Permits (Fuel Gas) | Added same language as other trades, previously Fuel Gas was not its own article | |
| 9- | | Permit Exemptions | Added same language as other trades, previously Fuel | |
| 288 | | (Fuel Gas) | Gas was not its own article | |
| 9- | | Permit Required to | Added same language as other trades, previously Fuel | |
| 289 | | Whom Issued. (Fuel | Gas was not its own article | |
| _ | | Gas) | | |
| 2- | | Permit Denial. (Fuel | Added same language as other trades, previously Fuel | |
| 290 | | Gas) | Gas was not its own article | |
| 2- 291 | | Permit Cancellation (Fuel Gas) | Added same language as other trades, previously Fuel Gas was not its own article | |
| 2- | | Permits (Fuel Gas) | Added previously Fuel Gas was not its own article | |
| 292 | | remites (ruer Gus) | ridded previously I der Gas was not its own article | |
| 9- | | Inspections; Approval | Added same language structure as other trades, based on | |
| 293 | | (Fuel Gas) | template from previous 9-211 | |
| 9- | | Appeals (Fuel Gas) | Added same language as other trades, previously Fuel | |
| 294 | | | Gas was not its own article | |
| 9- | | Plumbing, Gas, and | Referenced back to the controlling board in Mechanical | |
| 301 | | Mechanical Board Created (Fuel Gas) | | |
| 9- | | Members (Fuel Gas) | Referenced back to the controlling board in Mechanical | |
| 302 | | Wiemoers (Fuer Gus) | referenced back to the controlling board in Freehancus | |
| 9- | | Meetings (Fuel Gas) | Referenced back to the controlling board in Mechanical | |
| 303 | | _ | | |
| 9- | | Quorum (Fuel Gas) | Referenced back to the controlling board in Mechanical | |
| 304 | | 0.00 | | |
| 9- 305 | | Officers and Reports (Fuel Gas) | Referenced back to the controlling board in Mechanical | |
| 9- | | Duties (Fuel Gas) | Referenced back to the controlling board in Mechanical | |
| 306 | | Duties (Fuer Gus) | referenced back to the controlling board in vicentalical | |
| 9- | | Multiple Permits | Added same language as other trades. | |
| 221 | | (Mechanical) | | |
| 9- | | Permit Exemptions | Added same language as other trades. | |
| 222 | | (Mechanical) | | |
| 9- | | Permit Required to | Added same language as other trades. | |
| 223 | | Whom Issued. (Mechanical) | | |
| 9- | | Permit Denial. | Added same language as other trades. | |
| 224 | | (Mechanical) | Transit same language as only trades. | |
| 9- | | Permit Cancellation | Added same language as other trades. | |
| 225 | | (Mechanical) | | |
| 9- | | Permit Required to | Added same language as other trades. | |
| 339 | | Whom Issued | | |
| | | (Plumbing) | | |

| New | Previous | Description | Note | |
|-----------|----------|--|---|--|
| 9- | | Inspections; Approval | Added same language structure as other trades, based on | |
| 343 9- | | (Plumbing) Members (Plumbing) | template from previous 9-211 Rewritten as a reference to first reference to board | |
| 372 | | | | |
| Dele | ted | | | |
| | 9-3 | Building and dwelling addresses | Found in other chapters | |
| | 9-38 | Pier and grade beam foundation | Outdated technique and covered by other standards | |
| | 9-71 | Minutes of Meeting | Language was consolidated into "Officers and Reports" of Electrical Board | |
| | 9-72 | Regulations | Removed, as duplicative and seemingly oversteps City Councils right to govern | |
| | 9-197 | separate permits (mechanical), | Incorporated into each article under Permit Application | |
| | 9-198 | Fees | Was just a reference back to 9-206 | |
| 9-9 | 9-199 | Code Amended (Fuel Gas) | OUBCC language, Reserved | |
| 9- 10 | 9-236 | Code Amended (Mechanical) | OUBCC language, Reserved | |
| | 9-303 | Enforcement Generally. (Plumbing) | Covered under other ordinances and not congruent to other language. | |
| | 9-306 | Permit App (Plumbing), | Deleted Covered in other ordinances | |
| | 9-307 | Permit not Required for Minor Repairs | Deleted, outdated | |
| | 9-313 | Permit transferability | Permits to complete unfinished work. Similar to "permit cancellation" and was redundant | |
| | 9-314 | Reinspection (Plumbing) | Deleted, covered under other sections | |
| | 9-326 | Signing of Certificates | Deleted, outdated | |
| 9- 11 | 9-327 | Code Amended (Plumbing) | OUBCC language, Reserved | |
| | 9-338 | Amendment of Registration (Plumbing) | Deleted, outdated | |
| | 9-339 | Place of business required | Deleted, outdated | |
| | 9-355 | Scope of Authority (Plumbing) | Induces old language and titles related to "building maintenance engineer" | |
| | 9-356 | Examination and License Generally (Plumbing) | Induces old language and titles related to "building maintenance engineer" | |

| New | Previous | Description | Note | |
|-----------|-----------|---|--|--|
| | 9-357 | Nature of Examination (Plumbing) | Induces old language and titles related to "building maintenance engineer" | |
| | 9-361 | Registration Required (Plumbing) (Apprentice) | Deleted, covered under state | |
| | 9-362 | Employing Unregistered Apprentice (Plumbing) (Apprentice) | Deleted, covered under state | |
| | 9-363 | Supervision (Plumbing) (Apprentice) | Deleted, covered under state | |
| Maj | or Change | s | | |
| 9-5 | 9-4 | Incorporated by Reference | This was added in March update by Council to simplify future year updates. Added to codes "as modified by OUBCC". Also moved Energy Code and Electrical Code within this section. | |
| 9-6 | 9-34 | Code Amended – International Building Code | Was within Building Article and combined with both International Building Code and International Residential Code. Simplified and updated language and references to current code book. Increased Penalties. | |
| 9-7 | 9-34 | Code Amended – International Residential Code | Was within Building Article and combined with both International Building Code and International Residential Code. Simplified and updated language and references to current code book. | |
| 9- 15 | 9-161 | Code Amended – Electrical | Similar to the OUBCC language in others but did have to keep some amended language from the previous Chapter. | |
| 9- 29 | 9-315 | Declaration of Uninhabitable Property | Previously was in Plumbing as Condemnation of Insantiary Property. The previous language is not compatible with current legal practice. Brought out to cover all building related issues. | |
| 9- 135 | 9-90 | Electrical Code Adopted | Changed language to match other trade books and thereby incorporated by reference | |
| 9- 155 | 9-98 | Permit Cancellation (Electrical) | Previous required that Electrical Board had to cancel permit, revised to allow Chief Building Official to cancel permit. | |
| 9- 156 | 9-93 | Permits (Electrical) | Refined to move all the fees to the reference Fee Table. Removed the different levels of power apparatus (generator) and made it all a flat fee (\$100). Fixed a gap in the amperage for services. | |
| 9- 157 | 9-99 | Inspections; Approval. (Electrical) | Revised to use same language as found in previous Mechanical | |
| 9- 158 | 9-100 | Connection Approval (Electrical) | Updated job title, increased fines, removed exemption for meter resets – they now have to be performed by an electrical contractor | |
| 9- 186 | 9-67 | Members (Electrical) | Rewrote to follow template for other boards, did not change requirements or number of members as previous and much is the same but it was a substantial re-write to match | |

| NewPreviousDescriptionNote9-9-69Officers and Reports (Electrical)Kept the same officers and added Sec language to match other boards9-9-226Licensing Fees andRewrote to match Electrical and Build | eretary, added | | |
|--|---|--|--|
| 9- 9-226 Licensing Fees and Rewrote to match Electrical and Build | | | |
| | · · | | |
| 006 D | ding trades. | | |
| Requirements (Mechanical) | | | |
| | Rewrote to match Electrical and Building trades. | | |
| 207 (Mechanical) | amg traces. | | |
| 9- 9-227(c) Partnerships, Rewrote to match Electrical and Build | ding trades. | | |
| 208 Corporations, Firms | | | |
| (Mechanical) | | | |
| 9- 9-204 Permit Application Rewrote to match Electrical and Build | ding trades. | | |
| 220 (Mechanical) 9- 9-206 Permits (Mechanical) Previously 9-206. Rewritten to refere | anaa faa tabla | | |
| 9- 9-206 Permits (Mechanical) Previously 9-206. Rewritten to refere Added in Permit Issuance fee like it is | s in Flectrical and | | |
| Plumbing | o in Electrical and | | |
| 9- 9-211 Inspections; Approval Rewrote to update to current practices | s | | |
| (Mechanical) | | | |
| 9- 9-214 Appeals (Mechanical) Rewrote to match Electrical and Build | ding trades. | | |
| 228 Description Council Description Description of | 4 | | |
| 9- 9-190 Plumbing Gas and Rewrote to match Electrical and Build the same fundamental issues as before | | | |
| Created (Mechanical) | the same fundamental issues as before. | | |
| 9- 9-190 Members (Mechanical) Modified structure to mimic Builder's | s Advisory, left the | | |
| | number of board at 6. Removed secretary from previous | | |
| 9- 9-340 Vehicles to be Marked Rewrote to match Electrical and Build | ding trades. | | |
| 323 (Plumbing) | | | |
| 9- 9-341 Partnerships, Rewrote to match Electrical and Build Corporations, Firms | Rewrote to match Electrical and Building trades. | | |
| (Plumbing) | | | |
| 9- 9-312 Permit Cancellation Rewrote to match Electrical and Build | ding trades. | | |
| (Plumbing) | | | |
| 9- 9-308 Permits (Plumbing) Previously 9-308 Rewritten to referen | nce fee table. | | |
| 342 | 1' 1 | | |
| 9- 9-317 Appeals (Plumbing) Rewrote to match Electrical and Build | ding trades. | | |
| 9- 9-372 On-Site Sewage Rewrote to match current ODEQ lang | guage added a | | |
| 352 Treatment System formal fee for registration of systems | | | |
| · | Referenced back to Mechanical Article | | |
| 371 Mechanical Board | | | |
| Created (Plumbing) | 1 | | |
| 9- 9-288(b) Meetings (Plumbing) Referenced back to Mechanical Artic | ie | | |
| 9- 9-287 Quorum (Plumbing) Referenced back to Mechanical Artic | le | | |
| 374 Quotum (Flumonig) Referenced back to Mechanical Artic | | | |
| Consolidation | | | |
| 9-1 9-1 Definitions Combined definitions throughout Art | icles into one area of | | |
| (partial) the Chapter. Can be expanded later in | | | |
| 9-51 Articles. | | | |

| New | Previous | Description | Note | |
|------|----------------|----------------------------------|---|--|
| | 9-176 | • | | |
| | 9-275 | | | |
| 9-4 | 9-91 | Powers and Duties of | Consolidated sections from Electrical and Mechanical and | |
| | 9-203 | the Chief Building | expanded to cover all trades. | |
| | 9-204 | Offical | | |
| 9- | 9-105 | Violations | Consolidated across articles, no change | |
| 24 | 9-215 | | | |
| | 9-318 | | | |
| 9- | 9-106 | Penalties | Consoldiated across articles, update penalties from \$100 | |
| 25 | 9-216 | | to \$500 | |
| 0 | 9-319 | II1 | Constituted consequities as decree | |
| 9- | 9-101 | Unlawful Continuance | Consolidated across articles, no change | |
| 26 | 9-213 | | | |
| 9- | 9-316 9-124 | Defective Wessenship | Brought out of Electrical and Mechanical to cover all | |
| 28 | 9-124 | Defective Wormanship or Matrials | trades. | |
| 9- | 9-212 | Officers and Reports | Kept the same officers and added Secretary, added | |
| 259 | 9-193 | (Mechanical) | language to match other boards | |
| 9- | 9-194 | Duties (Mechanical) | Consolidated both to match other boards, removed "duty | |
| 260 | 9-195 | Buties (Mechanical) | to promulgate" | |
| 9- | 9-336 | Licensing Fees and | Consolidated and used same language to match other | |
| 322 | 9-337 | Requirements | trades | |
| | 9-338 | (Plumbing) | | |
| | 9-342 | <i>(6)</i> | | |
| | 9-343 | | | |
| 9- | 9-304 | Permit Application | Consolidated and used same language to match other | |
| 336 | 9-305 | (Plumbing) | trades | |
| | 9-306 | | | |
| 9- | 9-288(a) | Officers and Reports | Referenced back to Mechanical Article | |
| 375 | 9-289 | (Plumbing) | | |
| 9- | 9-290 | Duties (Plumbing) | Referenced back to Mechanical Article | |
| 376 | 9-291 | | | |
| Uncl | hanged or | Minor changes but Mo | ved | |
| 9-2 | 9-1 | Homeowner's | Moved definitions to definitions Sec. and added qualifier | |
| | | Ordinance | | |
| 9-3 | 9-2 | Dilapidated Buildings | Found old outdated reference under definition of dilapidated building and updated | |
| 9- | 9-103 | Unsafe Equipment and | Was within Electrical but brought out to Article I to cover | |
| 27 |)-103 | Usage | all the trades. | |
| 9- | 9-344 | License Revocation or | Moved out of plumbing to include all trade licenses and | |
| 30 | | Suspension | provided for appeal to applicable boards | |
| 9- | 9-32 | Title (Building) | No change | |
| 55 | | | | |
| 9- | 9-31 | International Building | Updated to reflect code book name and code year | |
| 65 | | Code Adopted | reference | |
| 9- | 9-35 | International Residential | Updated reference to code year reference | |
| 66 | | Code Adopted | | |

| New | Previous | Description | Note | |
|-------------------|----------|--|---|--|
| 9- | 9-39 | International Existing | Updated to reflect code book name and code year | |
| 67 | | Building Code | reference | |
| 9- 68 | 9-59 | Conditions for Issuing a Building Permit | No change | |
| 9- 100 | 9-6 | Retaining Walls | No change | |
| 9- 101 | 9-7 | Garage Doors Required | No change | |
| 9- 102 | 9-36 | Pre-engineered Buildings | Updated to Chief Building Official from building official | |
| 9- 103 | 9-41 | Roofing License Code | Removed requirement of permit to be seen from street | |
| 9- 115 | 9-16 | Builder's Advisory Board Created | Changed "third month of each calendar year" to "first meeting of the calendar year" | |
| 9 . 116 | 9-17 | Members | Removed the board inception appointing language | |
| 9- 117 | 9-18 | Meetings | No change | |
| 9- 118 | 9-19 | Quorum | No change | |
| 9 . 119 | 9-104 | Officers and Reports | Changed from "third month" to "first meeting" | |
| 9- 120 | 9-21 | Duties | Updated job title, added duty to review appeals of Building related items | |
| 9- 136 | 9-122 | Licensing Fees and Requirements (Electrical) | Deleted unlimited journeyman, changed language to match other trades | |
| 9- 137 | 9-123 | Vehicles to be Marked (Electrical) | No change | |
| 9- 138 | 9-125 | Partnerships, Corporations, Firms (Electrical) | No change | |
| 9- 141 | 9-121 | Licensing Generally (Electrical) | Deleted journeyman electrician option | |
| 9- 150 | 9-92 | Permit Application | Updated job title, rearranged 1,000 amp requirement to bottom | |
| 9- 151 | 9-95 | Multiple Permits (Electrical) | No change | |
| 9- 152 | 9-94 | Permit Exemptions | No change | |
| 9- 153 | 9-96 | Permit Required to Whom Issued | No change | |
| 9- 154 | 9-97 | Permit Denial | No change | |
| 9- 159 | 9-104 | Appeals (Electrical) | Changed to match other trades | |
| 9- 185 | 9-66 | Electrical Board Created | No change | |

| New | Previous | Description | Note | |
|-----------|----------|--|---|--|
| 9- 187 | 9-70 | Meetings (Electrical) | Revised to match language from the other boards | |
| 9- 188 | 9-68 | Quorum (Electrical) | Revised to match language from the other boards | |
| 9- 189 | 9-73 | Duties (Electrical) | Updated job title, added duty to review appeals of Electrical related items | |
| 9- 195 | 9-202 | Title (Mechanical) | No change | |
| 9- 205 | 9-201 | Mechanical Code Adopted | Updated incorporated by reference | |
| 9- 257 | 9-190(e) | Meetings (Mechanical) | Pulled language from 9-190 to match others; otherwise no change | |
| 9- 258 | 9-191 | Quorum (Mechanical) | Revised to match language from the other boards | |
| 9- 275 | 9-196 | Fuel Code Adopted | Updated incorporated by reference | |
| 9- 311 | 9-302 | Title (Plumbing) | No change | |
| 9- 312 | 9-276 | Applicability Outside the City | No change | |
| 9- 321 | 9-301 | Plumbing Code Adopted | Updated incorporated by reference | |
| 9- 325 | 9-331 | Supervision (Plumbing) | Changed "registered" to "licensed" | |
| 9- 326 | 9-345 | Employing Unqualified Workman (Plumbing) | No change | |
| 9- 337 | 9-310 | Multiple Permits (Plumbing) | No change | |
| 9- 338 | 9-309 | Permit Exemptions (Plumbing) | No change | |
| 9- 340 | 9-311 | Permit Denial (Plumbing) | Updated job title | |

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ORDINANCE NO.

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, ARTICLE I, SECTION 9-1 THROUGH ARTICLE VI, SECTION 9-380 ARE HEREBY AMENDED IN THEIR ENTIRETY; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, **OKLAHOMA:**

ORDINANCE

SECTION 1. Chapter 9, Buildings and Building Regulations, Article 1, Section 9-1 through Article VI, Section 9-380, are hereby amended in their entirety and to read as follows:

Article I. – In General

Sec. 9-1. - Homeowner's ordinance.

-As used in this section, unless the context otherwise indicates:

Homeowner shall mean the owner of the structure upon which the work is to be done.

must also occupy the structure.

Home shall mean a single-family residence in which the homeowner resides. This term shall specifically exclude all rental properties in which the homeowner does not personally reside.

Minor alterations shall mean minor changes or modifications in a building or any part thereof that do not in any way affect the occupant's health or the fire or structural safety of the

Ordinary repairs shall mean replacements or renewals of existing systems or structures within a building, or of parts of the service equipment therein, with the same or equivalent materials or equipment parts, that are made in the ordinary course of maintenance and that do not in any way affect the occupant's health or the fire or structural safety of the building or the safe use and operation of the service equipment therein.

Work consisting minor alterations or ordinary repairs shall not include additions to, alterations of, or rearrangement, relocation or removal of any water distribution piping, house sewer or drainage systems involving curb cuts or right-of-way work, or any soil or waste piping, or any gas distributions system, or any electrical wiring or any other work affecting the occupant's health, or the fire or structural safety of the building.

(b) Examples of work items that are considered minor alterations or ordinary repairs are: installation of ceiling fans; replace light fixtures, switches or receptacles; replace branch circuit breakers; replace fuses; reset electric meter; replacement of faucets, sinks, stools, window air conditioners.

(c) The work items which must be performed by a licensed contractor are: additions to, alterations of, or rearrangement, relocation or removal of any water distribution piping: house sewer or drainage system involving curb cuts or right-of-way work or any soil or waste piping or any furnace, hot water heater, or air conditioner (excluding window air conditioners); or any gas distribution system; or any electrical wiring; or any other work affecting the occupant's health, or the fire or structural safety of the building. Major services including meters, i.e., gas, sewer, water, or electric, shall be done by a licensed contractor.

Exception: A permit may be issued to a homeowner if that homeowner holds at least a journeyman license in the trade of the work to be performed. Example: Electrical permit minimum of journeyman electrician license; plumbing permit - minimum of journeyman plumber license: mechanical permit - minimum of mechanical journeyman license.

Commented [BB1]: Deleted completely: 9-3 Building and dwelling addresses - found in other chapters 9-38 Pier and grade beam foundation – outdated

technique and covered by other standards 9-71 Minutes of Meeting – language was consolidated into "Officers and Reports" of Electrical Board

9-72 Regulations – removed, as duplicative and seemingly oversteps City Councils right to govern 9-197 separate permits (mechanical), incorporated into

9-197 separate permits (mechanical), incorporal each article under Permit Application 9-198 Fees. Was just a reference back to 9-206 9-199 Code Amended – OUBCC language 9-236 Code Amended – OUBCC language

9-303 Enforcement Generally. (Plumbing) Covered under other ordinances and not congruent to other

9-306 Permit App (Plumbing), deleted Covered in other ordinances
9-307 Permit not Required for Minor Repairs

9-313 Permit transferability; permits to complete unfinished work. Similar to "permit cancellation" and was redundant

9-314 Reinspection – covered under other sections 9-326 Signing of Certificates - outdated 9-327 Code Amended – OUBCC language

9-338 Amendment of Registration (Plumbing), deleted,

9-339 Place of business required deleted, outdated 9-355 Scope of Authority (Plumbing) – induces old language and titles related to "building maintenance engineer"
9-356 Examination and License Generally (Plumbing) -

induces old language and titles related to "building maintenance engineer"
9-357 Nature of Examination (Plumbing) – induces old

language and titles related to "building maintenance 9-361 Registration Required (Plumbing) (Apprentice) –

deleted, covered under state
9-362 Employing Unregistered Apprentice (Plumbing)

(Apprentice) – deleted, covered under state 9-363 Supervision (Plumbing) (Apprentice) – deleted, covered under state

| ı | (d) Any person who violates any of the provisions of this section or fails to comply with any of | | |
|---|---|---|---|
| | the requirements hereof shall be guilty of a misdemeanor punishable as set out in Section 1- | | |
| | 8 of the Midwest City Code. Each day this section is violated shall constitute a separate | | |
| | offense. | | |
| | The following words, terms and phrases, when used in this article, shall have the meanings | | |
| | ascribed to them in this section, except where the context clearly indicates a different meaning: | | |
| | Active contractor is one who is actively perforating as a contractor and who has met the bond and insurance requirements for licensure. | | Commented [BB3]: Previously 9-176 |
| | | | |
| | Building maintenance engineer means a person who is regularly employed on a monthly or weekly salary to serve as the maintenance engineer in an office building, hotel building, factory | | Commented [BB4]: Previously 9-275 |
| | building or other similar building. | | |
| | Electrical apprentice, electrical contractor and journeyman electrician shall all have the meaning | | Commented [BB5]: Previously 9-51 |
| | assigned to the particular term as found in the Electrical License Act in the Oklahoma Statutes. | | |
| | Electric wiring means the installation of electrical raceways, conductors or apparatus of any kind | | Commented [BB6]: Previously 9-51 |
| | used, or to be used, in or on any structure for the transmission and distribution of electric current | | · |
| | for electric light, heat or power, or nonportable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided, however, that the words "electric wiring," | | |
| | "electrical equipment" and "apparatus" do not include or refer to service lines, apparatus and | | |
| | equipment for the sale, distribution and regulation of electricity and remaining the property of | | |
| | the electric service company or for telephone, telegraph or other communication purposes, or in | | |
| | connection therewith. | | |
| | Homeowner shall mean the owner of the structure upon which the work is to be done. | | Commented [BB7]: Previously 9-1, Homeowner's ordinance |
| | Home shall mean a single-family residence in which the homeowner resides. This term shall | | Commented [BB8]: Previously 9-1, Homeowner's |
| | specifically exclude all rental properties in which the homeowner does not personally reside. | | ordinance |
| | Inactive contractor is one who has met all the licensing requirements of a contractor but has chosen not to currently perform as a contractor. An inactive contractor is not required to provide | | Commented [BB9]: Previously 9-176 |
| | bond or insurance and will be regulated as a journeyman. | | |
| | Journeyman plumber and plumbing contractor shall have the meaning assigned to it by the | | Commented IRR101, Proviously 0 275 |
| | Plumbing License Law of 1955. | | Commented [BB10]: Previously 9-275 |
| | Limited mechanical air conditioning license entitles the licensee to install, alter, modify, service, | _ | Commented [BB11]: Previously 9-176 |
| | maintain, or repair any cooling product, system, or equipment, including the process piping, that | | Commence [BB11]. Horisasiy 7 170 |
| | has a cooling capacity of no more than twenty-five (25) tons or three hundred thousand | | |
| | (300,000) British Thermal Units (BTU) per hour. | | |
| | Unlimited mechanical air conditioning license entitles the licensee to install, alter, modify, service, | | Commented [BB12]: Previously 9-176 |
| | maintain, or repair any cooling product, system, or equipment, including the process piping. | | |
| | <u>Limited mechanical heating license</u> entitles the licensee to install, alter, modify, service, maintain, | | Commented [BB13]: Previously 9-176 |
| | or repair all air heating appliances, including the process piping, that have: | | |
| | (a) A heat input of no more than five hundred thousand (500,000) British Thermal Units (BTU) per hour or 145.5 kilowatts; or | | |
| | | | |
| | (b) A water temperature of no more than two hundred ten (210) degrees Fahrenheit. | | |
| | Master plumber shall have the same meaning as plumbing contractor. | | Commented [BB14]: Previously 9-275 |
| | Mechanical journeyman is a person who possesses the knowledge and skills to perform | | Commented [BB15]: Previously 9-176 |
| | mechanical work within a category or categories without direct supervision. A journeyman must be at least eighteen (18) years of age and have either: (1) three (3) years of verifiable experience | | |
| | in the mechanical trade; or (2) an associates degree or vo-tech diploma from a school approved | | |
| | by the Occupational Licensing Service of the Oklahoma State Department of Health and exhibit | | |
| | knowledge of the trade and have one (1) year of verifiable experience in the mechanical trade. | | |
| | Mechanical contractor is a person who possesses the knowledge and skills of a journeyman and | | Commented [BB16]: Previously 9-176 |
| | who is responsible, either to himself or his employer, for plumbing, contracting, supervising, or furnishing labor and/or materials used for mechanical work. A contractor must meet the same | | |
| | requirements as a journeyman with an additional one (1) year of experience. | | |
| | Minor alterations shall mean minor changes or modifications in a building or any part thereof | _ | Commented [BB17]: Previously 9-1, Homeowner's |
| | that do not in any way affect the occupant's health or the fire or structural safety of the building. | | ordinance |
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Matural gas pipeline license entitles the licensee to install, alter, modify, service, maintain, or repair all natural gas piping.

Ordinary repairs shall mean replacements or renewals of existing systems or structures within a building, or of parts of the service equipment therein, with the same or equivalent materials or equipment parts, that are made in the ordinary course of maintenance and that do not in any way affect the occupant's health or the fire or structural safety of the building or the safe use and operation of the service equipment therein.

<u>Process piping license</u> entitles the licensee to install, alter, modify, service, maintain, or repair all process piping.

Refrigeration license entitles the licensee to install, alter, modify, service, maintain, or repair all cooling and refrigeration products, systems, or equipment, including the process piping.

Sheet metal license entitles the licensee to install, alter, modify, service, maintain, or repair all sheet metal systems.

<u>Stop Work Order</u> is a written notice posted by the Chief Building Official to stop all work at the <u>specified address</u>.

<u>Unlimited</u> <u>mechanical heating license</u> entitles the licensee to install, alter, modify, service, maintain, or repair air heating appliances, including the process piping.

Work consisting minor alterations or ordinary repairs shall not include additions to, alterations of, or rearrangement, relocation or removal of any water distribution piping, house sewer or drainage systems involving curb cuts or right-of-way work, or any soil or waste piping, or any gas distributions system, or any electrical wiring or any other work affecting the occupant's health, or the fire or structural safety of the building.

Sec.9-2. - Homeowner's ordinance

- (a) The owner must also occupy the structure.
- (b) Examples of work items that are considered minor alterations or ordinary repairs are:
 installation of ceiling fans; replace light fixtures, switches or receptacles; replace branch circuit breakers; replace fuses; reset electric meter; replacement of faucets, sinks, stools, window air conditioners.
- (c) The work items which must be performed by a licensed contractor are: additions to,

 alterations of, or rearrangement, relocation or removal of any water distribution piping:
 house sewer or drainage system involving curb cuts or right-of-way work or any soil or
 waste piping or any furnace, hot water heater, or air conditioner (excluding window air
 conditioners); or any gas distribution system; or any electrical wiring; or any other work
 affecting the occupant's health, or the fire or structural safety of the building. Major services
 including meters, i.e., gas, sewer, water, or electric, shall be done by a licensed contractor.

Exception: A permit may be issued to a homeowner if that homeowner holds at least a journeyman license in the trade of the work to be performed. Example: Electrical permit - minimum of journeyman electrician license; plumbing permit - minimum of journeyman plumber license; mechanical permit - minimum of mechanical journeyman license.

(d) Any person who violates any of the provisions of this section or fails to comply with any of the requirements hereof shall be guilty of a misdemeanor punishable as set out in Section 1-8 of the Midwest City Code. Each day this section is violated shall constitute a separate offense.

Sec.9-3. - Dilapidated Buildings

The City Council may cause dilapidated buildings within the municipal limits to be torn down and removed in accordance with the provisions as follows:

a) At least ten (10) days' notice that a building is to be torn down or removed shall be given to the owner of the property before the City Council takes action or holds a hearing. A copy of the notice shall be posted on the property to be affected. In addition, a copy of the notice shall be sent by mail to the property owner at the address shown by the current year's tax rolls in the office of the County Treasurer. Written notice shall also be mailed to the mortgage holder as shown by the records in the office of the County Clerk to the last-known address of the mortgagee. At the time of mailing of notice to any property owner or mortgage holder, the municipality shall obtain a receipt of mailing from the postal service,

Commented [BB18]: Previously 9-176

Commented [BB19]: Previously 9-1, Homeowner's

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Commented [BB21]: Previously 9-176

Commented [BB22]: Previously 9-176

Commented [BB23]: Previously 9-176

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- which receipt shall indicate the date of mailing and the name and address of the mailee. However, if neither the property owner nor mortgage holder can be located, notice may be given by publication in a newspaper of general circulation in the City of Midwest City. If notice is given by publication, such notice shall be published once not less than ten (10) days prior to any hearing or action pursuant to the provisions of this section.
- (b) A hearing shall be held by the City Council to determine if the property is dilapidated and has become detrimental to the health, safety, or welfare of the general public and the community, or if said property creates a fire hazard which is dangerous to other property.
- (c) Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefitted by the removal of such conditions, the City Council may cause and order the dilapidated building to be torn down and removed. The City Council shall fix reasonable dates for the commencement and completion of the work. The Chief Building Official, the Chief Building Official's designees, or code enforcement, as assigned by the City Manager are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the City of Midwest City if the work is not performed by the property owner within the dates fixed by the governing body. If the city performs the work or causes the work to be done, then the City Clerk shall immediately, upon completion of the work, file a notice of lien with the County Clerk describing the property, the findings of the City Council at the hearing, and stating that the City of Midwest City claims a lien on said property for the destruction and removal costs. Any action to challenge the order of the City Council shall be filed within thirty (30) business days from the date of the order.
- (d) The City Council shall determine the actual cost of the dismantling and removal of the dilapidated buildings and any other expenses that may be necessary in conjunction with the dismantling and removal of the buildings, including the cost of notice and mailing. The City Clerk shall forward a statement of the actual cost attributable to the dismantling and removal of the buildings and a demand for payment of such costs, by mail to the property owner. In addition, a copy of the statement shall be mailed to any mortgage holder at the address provided for in paragraph (a) of this section. If the City of Midwest City dismantles or removes any dilapidated buildings, the cost to the property owner shall not exceed the actual cost of the labor, maintenance, and equipment required for the dismantling and removal of the dilapidated buildings. If the dismantling and removal of the dilapidated buildings is done on a private contract basis, the contract shall be awarded to the lowest and best bidder.
- (e) When payment is made to the City of Midwest City for costs incurred, the City Clerk shall file a release of lien; but if payment attributable to the actual cost of the dismantling and removal of the buildings is not made within six (6) months from the date of the mailing of the statement to the owner of such property, the City Clerk shall forward a certified statement of the amount of the cost to the County Treasurer of the county in which the property is located. The costs shall be levied on the property and collected by the County Treasurer as are other taxes authorized by law. The costs and the interest thereon shall be the personal obligation of the property owner from and after the date of the notice of dilapidation and lien is filed with the County Clerk. The cost and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the County Clerk. The lien shall be co-equal with the lien of ad valorem taxes and all other taxes and special assessments and shall be prior and superior to all other titles and liens against the property. The lien shall continue until the cost is fully paid. At any time prior to collection as provided for in this paragraph, the City of Midwest City may pursue any civil remedy for collection of the amount owing and interest thereon. Upon receiving payment, the City Clerk shall forward to the County Treasurer a notice of such payment and shall direct discharge of the lien.
- (f) The City Manager may designate the Chief Building Official or code enforcement to carry out the duties of the City Council specified in this section. The property owner shall have the right to appeal to the City Council from any order of the Chief Building Official or code enforcement. Such appeal shall be taken by filing a written notice of appeal with the City Clerk within ten (10) days after the administrative order of the Chief Building Official or his designees is rendered. If said appeal is not taken within ten (10) days as provided, the order shall be final and the costs of the action shall be determined as provided.
- (g) For the purposes of this section:
 - (1) "Dilapidated building" means:

- (A) A structure which through neglect or injury lacks necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public;
- (B) A structure which is unfit for human occupancy due to the lack of necessary repairs and is considered uninhabitable or is a hazard to the health, safety, and welfare of the general public;
- (C) A structure which is determined by the municipal governing body or administrative officer of the municipal governing body to be an unsecured building, as defined by paragraph (g)(1) (A or B) of this section, more than three (3) times within any twelve-month period;
- (D) A structure which has been boarded and secured, as defined by paragraph (g)(1)
 (A or B) of this section, for more than six (6) consecutive months; or
- (E) A structure declared by the municipal governing body to constitute a public nuisance; and
- (2) Owner means the owner of record as shown by the most current tax rolls of the County Treasurer.
- (h) Nothing in the provisions of this section shall prevent the City of Midwest City from abating a dilapidated building as a nuisance or otherwise exercising its police power to protect the health, safety, or welfare of the general public.
- (i) After a building has been declared dilapidated, as provided in this section, and before the commencement of the tearing and removal of a dilapidated building, the City Council of the City of Midwest City may authorize that such a building be boarded and secured.
- (j) The City Council may cause the premises on which an unsecured building is located to be cleaned of trash and weeds in accordance with the provisions of article II, chapter 27.
- (k) The City Council may cause an unsecured building to be boarded and secured in accordance with the dilapidated building procedures contained in this section.

For the purposes of this subsection:

- (1) Board and securing or boarded and secured means the closing, boarding or locking of any or all exterior openings so as to prevent entry into the structure; and
- (2) Unsecured building shall mean any structure which is not occupied by a legal or equitable owner thereof, or by a lessee of a legal or equitable owner, and into which there are one (1) or more unsecured openings such as broken windows, unlocked windows, broken doors, unlocked doors, holes in exterior walls, holes in the roof, broken basement or cellar hatchways, unlocked basement or cellar hatchways or other similar unsecured openings which would facilitate an unauthorized entry into the structure.
- (1) The officers, employees or agents of the city shall not be liable for any damages or loss of property due to the removal of dilapidated buildings performed pursuant to the provisions of this section or as otherwise prescribed by law.
- (m) The provisions of this act shall not apply to any property zoned and used for agricultural <u>purposes.</u>

Sec.9-4. - Powers and Duties of the Chief Building Official

- (a) The Chief Building Official is hereby authorized and directed to enforce all the provisions of this Chapter. For such purposes, the Chief Building Official shall have the powers of an enforcement officer. The Chief Building Official shall have under his/her charge building inspectors who shall carry out the duties as directed and described herein, and such others as the City Manager may deem appropriate.
- (b) Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the Chief Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition or code violation that makes such structure or premises unsafe, dangerous or hazardous, the Chief Building Official may enter such structure or premises at all reasonable times to inspect them or to perform any duty imposed upon the Chief Building Official by this chapter; provided that, if such structure or premises is occupied, the Chief Building Official shall first present proper credentials and request

Commented [BB27]: Consolidated from 9-91 (electrical) and 9-203 (mechanical)

entry. If such structure or premises is unoccupied, the Chief Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the structure or premises and request entry. If entry is refused, the Chief Building Official shall have recourse to every remedy provided by law to obtain entry.

When the Chief Building Official shall have first obtained a proper inspection warrant or other remedy provided by law to obtain entry, an owner, occupant or other persons having charge, care or control of the structure or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by Chief Building Official for the purpose of inspection and examination pursuant to this chapter.

- (c) Stop work orders: Whenever work is being done contrary to the provisions of this Chapter, the Chief Building Official may order the work stopped by notice in writing served on persons engaged in the doing of or causing to be done such work, and such persons shall forthwith stop such work until authorized by the Chief Building Official to proceed with the work.
- (d) Suspension or revocation. The Chief Building Official may, in writing, suspend or revoke any permit issued under the provisions of this Chapter whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction. Any appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.
- (e) The Chief Building Official shall have the authority to disconnect electric power or energy service supplied to a structure or building service equipment therein regulated by this chapter in case of emergency where necessary to eliminate an immediate hazard to life or property. The Chief Building Official shall, whenever possible, notify the serving utility and the owner and any occupant of the structure of the decision to disconnect prior to taking such action. Immediately after disconnection, the Chief Building Official shall notify the owner and occupant, in writing, of the disconnection.
- (f) Whenever the Chief Building Official ascertains that any system or equipment regulated in this Chapter is defective, the Chief Building Official shall order in writing that such system or equipment either be removed or restored to compliance with this code. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain a defective system or equipment after receiving notice.
 - Whenever the Chief Building Official ascertains that any system or equipment regulated by this chapter has become hazardous to life, health or property, the Chief Building Official shall order in writing that such system or equipment be immediately disconnected and, within twenty-four (24) hours, either removed or restored to compliance with this code. The Chief Building Official shall give written notice to the serving utility, the owner and any occupants of the structure of the hazardous system or equipment, and that the equipment must be immediately disconnected and the repairs made within twenty-four (24) hours or the system or equipment removed. When any system or equipment is maintained in violation of this chapter and in violation of a notice issued pursuant to the provisions of this section, the Chief Building Official shall institute appropriate action to prevent, restrain, correct or abate the violation.
- (g) Persons shall not make connections from an energy or power supply, or supply power to an electrical system or equipment that has been disconnected or ordered to be disconnected by the Chief Building Official until the Chief Building Official authorizes the reconnection and use of the electrical system or equipment.

Sec.9-5. - Incorporated by Reference.

The following codes are adopted by reference by the City of Midwest City and the requirements contained therein are, unless otherwise specified, adopted and incorporated by reference in their entirety:

- (a) 2018 International Building Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (b) 2018 International Residential Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (c) 2018 International Existing Building Code, first published by the International Code Council, Inc. as published on August 31, 2017.

Commented [BB28]: From 9-204, Issuance of permits (mechanical)

Commented [BB29]: Previously 9-4, with modifications. Add "international" "building" to (c) Add (g) Int Energy Cons Code Removed "with subsequent printings"

Commented [BB30]: Amended 9-6

Commented [BB31]: Amended 9-7

Commented [BB32]: Amended 9-8 RESERVED

(d) 2018 International Fuel Gas Code, as modified by the OUBCC

(e) 2018 International Mechanical Code, as modified by the OUBCC

- (f) 2018 International Plumbing Code, as modified by the OUBCC
- (g) 2018 International Energy Conservation Code, first published by the International Code Council Inc. as published on August 31, 2017
- (h) 2020 National Electrical Code, as modified by the OUBCC

Sec.9-6. - Code Amended – International Building Code.

The building code adopted in section Sec.9-5. - is amended and modified in the following respects:

102.4.1 Conflicts. In the event two (2) or more codes conflict, the more restrictive code will apply.

104.1 Administrative and enforcement procedures. The regulations relating to building permits or certificates of occupancy shall be enforced by the Chief Building Official appointed by the City Manager. It shall be a violation of this Chapter for any person to change or permit the change in the use of land or buildings or structures or to erect, move, or improve any building or structure until a building permit or certificate of occupancy has been obtained under the conditions contained herein as set forth in this chapter.

104.2 Application for permit; when required. It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the Chief Building Official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in Sec.9-2. -, and which do not involve any violation of this Code, shall be exempt from this provision. The Chief Building Official may require every applicant for a building permit to furnish the following information:

- (a) A site plan, drawn to scale, showing the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be repaired, altered, erected or moved, and the size.
- (b) Additional information relating to the proposed improvement needed to determine compliance with these regulations.
 - (1) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.
 - (2) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon
 - (3) Or any other documentation as deemed necessary to the Chief Building Official to determine compliance with this code.

Nothing contained herein shall modify or alter the requirements contained in Appendix A, Zoning.

105.2 Repairs and maintenance. Application or notice to the Chief Building Official is not required for ordinary repairs to structures, but such repairs shall not include the cutting away of any wall, partition or portion thereof; the removal or cutting of any structural beam or bearing support; the removal or change of any required means of egress; or the rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping; electric wiring; or mechanical or other work affecting public health or general safety.

105.10 Demolition permit requirements. A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition and all non-commercial buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. For all other structures/buildings, the project shall commence within ten (10) days of issuance of a permit and shall be completed and cleaned up within the next forty-five (45) calendar days. Extensions may

Commented [BB33]: Amended 9-9 RESERVED

Commented [BB34]: Amended 9-10 RESERVED

Commented [BB35]: Amended 9-11 RESERVED

Commented [BB36]: Amended 9-12 RESERVED

Commented [BB37]: Amended 9-13

Commented [BB38]: Previously 9-34

be granted by the Chief Building Official upon written request. Fee in Table located in Sec.9-47.

107.3.1 Approved plans.

- (a) In addition, lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a designated representative of the City. The applicant and designated city representative will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. Fee in Table located in Sec.9-47. -.
- 108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.
- (a) Plan review fees: At the time an application for permit (all commerical building permits) is submitted to the Chief Building Official, shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official. See Table located in Sec.9-47. -.
- (b) For a permit for construction, alteration, remodel, or installation of a building or structure, the fee shall be at the rate located in Sec.9-47. -. They shall include the following:
 - 1. Capital improvement fee:
 - 2. Sidewalk fee:
 - 3. Conversion from residential to commercial uses requires Capital improvement and Sidewalk fee:
 - 4. Commercial Remodel requires Capital Improvement and Sidewalk fee:
 - 5. New warehouse and agricultural requires Capital Improvement and Sidewalk fee:
 - <u>6. Non-residential additions: The fee for a non-residential addition shall be the same fee as</u> would be charged for new construction.
- (c) Accessory buildings, carports, patio cover, retaining walls and fences: See fee Table located in Sec.9-47. -.
 - 1. The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47. -
 - 2.Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
 - 3.The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
- (d) Miscellaneous inspections (no permit): See Table located in Sec.9-47. -
- (e) Reinspection fee: See Table located in Sec.9-47. -
- (f) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.
- 109.4 Work commencing before permit issuance: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be charged three times the normal rate as identified in the Table located in Sec.9-47. -. If work was done in an emergency situation and permit has been applied for on the first business day following fee may be waived by the City Manager.

110.0 Certificate of occupancy.

- (a). Certificate of occupancy; fee. See Table located in Sec.9-47. -. No change shall be made in the use of any building until a certificate of occupancy is obtained from the Chief Building Official certifying:
 - (1). That all the provisions of this Code are met; and

- (2). That all required federal and/ or state permits or licenses have been issued and copies have been received by the City, unless otherwise required under federal or state law and all federal and/ or state statutory and/ or regulatory requirements have been met.
- (b). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to being occupied. Any business operating without a valid certificate of occupancy shall be in violation of this section. Penalties include citations of seven hundred fifty dollars (\$750) plus court cost, each day is a separate violation. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.
 - (1). The fee for all commercial or industrial certificates of occupancy for a new building or for a change in occupancy is set in Table located in Sec.9-47. -.
- (c). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of The Chief Building Official and only if all life, safety requirements have been met. All requirements of the final building inspection will be satisfied on or before the expiration date of this Temporary Certificate of Occupancy. Failing to obtain a permanent certificate of occupancy on or before the expiration date may result in citations and the disconnecting of utilities to included water, electric and gas.
- (d). One- and two-family residences are exempt from the requirements of this section; they are governed by the requirements of the International Residential Code.

113.1 Appeal process. An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement, or decision made by the building inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement, or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days of receipt of appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Builder's Advisory Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-7. - Code Amended - International Residential Code.

The building code adopted in section Sec.9-5. - (b) is amended and modified in the following respects:

<u>102.4.1 Conflicts</u>. In the event two (2) or more codes conflict, the more restrictive code will <u>apply</u>.

104.1 Administrative and enforcement procedures. The regulations relating to building permits or certificates of occupancy shall be enforced by the Chief Building Official appointed by the City Manager. It shall be a violation of this Chapter for any person to change or permit the change in the use of land or buildings or structures or to erect, move, or improve any building or structure until a building permit or certificate of occupancy has been obtained under the conditions contained herein as set forth in this chapter.

104.2 Application for permit; when required. It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the Chief Building Official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in Sec.9-2. -, and which do not involve any violation of this Code, shall be exempt from this provision. The Chief Building Official may require every applicant for a building permit to furnish the following information:

(a) A site plan, drawn to scale, showing the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be repaired, altered, erected or moved, and the size.

Commented [BB39]: Previously mixed into 9-34 incorrectly (is a separate book and should have always been a separate section)

- (b) Additional information relating to the proposed improvement needed to determine compliance with these regulations.
 - (1) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.
 - (2) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon
 - (3) Or any other documentation as deemed necessary to the Chief Building Official to determine compliance with this code.

Nothing contained herein shall modify or alter the requirements contained in Appendix A, Zoning.

105.10 Demolition permit requirements. A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition and all non-commercial buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. Fee in Table located in Sec.9-47. -

107.3.1 Approved plans.

- (b) In addition, lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a designated representative of the City. The applicant and designated city representative will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. Fee in Table located in Sec.9-47. -.
- 108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.
- (a) Plan review fees: At the time an application for permit for any new structures is submitted to the Chief Building Official, shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official. See Table located in Sec.9-47. -.
- (b) For a permit for construction, alteration, remodel, or installation of a building or structure, the fee shall be at the rate located in Sec.9-47. -. They shall include the following:
 - 1. Capital improvement fee:
 - 2. Sidewalk fee:
- (c) Accessory buildings, carports, patio cover, retaining walls and fences: See Table located in Sec.9-47. for fees-The fee for accessory building with dwelling capabilities regardless of size will be the same as Residential additions and include the capital improvement fee and sidewalk fee: Dwelling capabilities defined as having heat, plumbing and electrical.
 - 1. The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47.
 - Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
 - 3. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
- (d) Miscellaneous inspections (no permit): See Table located in Sec.9-47. -
- (e) Reinspection fee: See Table located in Sec.9-47. -
- (f) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.

(g) Infill housing on city-owned property: The City Manager or designee may waive
development fees associated with building infill housing on city-owned properties in order to
support revitalization. (Development fees may include building permits, fence permits, drive
permits and any other development related fees deemed applicable at the City Manager's
discretion.)

109.4 Work commencing before permit issuance: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be charged three times the normal rate as identified in the Table located in Sec.9-47. -. If work was done in an emergency situation and permit has been applied for on the first business day following fee may be waived by the City Manager.

110.0 Certificate of occupancy.

- (e). Certificate of occupancy; fee. See Table located in Sec.9-47. -. No change shall be made in the use of any building until a certificate of occupancy is obtained from the Chief Building Official certifying that all the provisions of this Code are met.
- (f). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to being occupied. Any residence occupied without a valid certificate of occupancy shall be in violation of this section. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.
- (g). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of the City Manager due to extenuating circumstances.
- (h). Commercial classifications are exempt from the requirements of this section; they are governed by the requirements of the International Building Code as adopted in this Chapter.

113.1 Appeal process. An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement, or decision made by the building inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement, or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days of receipt of appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Builder's Advisory Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

- Sec.9-8. Reserved Code Amended International Existing Building Code
- Sec.9-9. Reserved Code Amended International Fuel Gas Code.
- Sec.9-10. Reserved Code Amended International Mechanical Code
- Sec.9-11. Reserved Code Amended International Plumbing Code.

The plumbing code adopted in Sec.9-5. - (f) is amended and modified in the following respects

- (a). Sewer saddles and risers. All sewer saddles to be installed on the mains are considered private infrastructure and shall comply with the requirements outlined in chapter 43 of the City Code of Midwest City.
- (b). Public systems available. A public water main or public sewer system shall be considered available to a building as outlined in chapter 43 of the City Code of Midwest City.
- (c). Backwater valves. A backwater valve shall be installed on all new and replacement sewer lines that are connected to the Midwest City Sanitary Sewer System, including any sewer line outside the city limits of Midwest City that is connected to the Midwest City Sanitary Sewer System.

Commented [BB40]: Reserved for possible code amended of Existing Building Code

Commented [BB41]: Previously 9-199. Deleted items within previous because it was exact same as adopted by OUBCC which is now covered using our modified adoption language.

Commented [BB42]: Previously 9-236. Deleted items within previous because it was exact same as adopted by OUBCC which is now covered using our modified adoption language.

Commented [BB43]: Previously 9-371

 Location of backwater valves. Backwater valves shall be installed on the building drain between the building and the cleanout. The cleanout shall be installed within five (5) feet of the building. The backwater valve shall be installed so that access is provided to the working parts for service and repair. Two (2) cleanouts shall be required, one (1) of which shall be directed toward the mainline and the other cleanout shall be directed toward the structure. The owner of the structure is responsible for maintaining the backwater valve and cleanouts.

International Energy Conservation Code

Sec.9-13. - Reserved

Sec.9-14. - Reserved

Sec.9-15. - Code Amended – Electrical Code.

The electrical code adopted in Sec.9-5. - (h)is amended and modified in the following respects:

- (i). None of the informative annexes of the NEC® 2020 have been adopted by the City of Midwest City.
- (j). Subsection 230-42(d) is amended to read as follows:

All residences shall be provided with a minimum service capacity of a one hundred (100) AMP service with three (3) #4 THHN or equivalent in a minimum of one and one-fourth-inch conduit, with a #6 grounding conductor or larger.

230.70(A)(1) Readily accessible location [Amended]. The service disconnecting means shall be installed on the outside of a building or structure nearest the point of entrance of the service conductors. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.

(k). Subsection 310-14, aluminum conductors, is amended to read as follows:

All electric conductors installed within the city shall be copper conductors except that in the following two circumstances: 1) aluminum and aluminum-clad aluminum conductors may be used for direct burial or exposed free air installation not located inside structures. Such aluminum and aluminum-clad aluminum conductors shall be terminated outside of the outside walls of a structure. 2) Type AA-8000 Series aluminum conductors may be installed with all following conditions being met: commercial (nonresidential) applications only with services two hundred (200) amp and larger; and strictly installed to the manufacturer's specifications.

Sec.9-16. - Reserved

Sec.9-17. - Reserved.

Sec.9-18. - Reserved.

Sec.9-19. - Reserved.

Sec.9-20. - Reserved.

Sec.9-21. - Reserved.

Sec.9-22. - Reserved.

Sec.9-23. - Reserved.

Sec.9-24. - Violations

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any system that is governed by this chapter or cause or permit the same to be done in violation of this chapter.

Commented [BB44]: Reserved for possible code amended of energy code

Commented [BB45]: Previously 9-161, SUBSTANTIAL EDIT

Commented [BB46]: Consolidated from previous 9-105, 9-215, 9-318

Sec.9-25. - Penalties.

Unless otherwise specified in this chapter, it shall be unlawful and an offense for any person to violate or fail to comply with any requirement of any provision of this chapter. Any person who violates a provision of this chapter or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair any equipment or any system that is governed by this chapter is in violation of an approved plan or directive of the City, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500), plus court costs, or by imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Sec.9-26. - Unlawful Continuance.

Any person who shall perform any work in or about the structure after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code.

Sec.9-27. - Unsafe Equipment and Usage.

- (a) Any system or equipment that is governed by this Chapter that constitute a fire hazard or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of those systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.
- (b) Unsafe systems or equipment governed by this Chapter are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the International Building Code referenced in Sec.9-5. -, incorporated by reference for the abatement of dangerous structures or otherwise as allowed by law. The city may institute other appropriate action to prevent, restrain, correct or abate the violation.

Sec.9-28. - Defective Workmanship or Materials.

Any person engaged in the business of a system or equipment governed by this Chapter in the City who fails to correct promptly any defect in any work done by him contrary to this Chapter, after having been notified thereof by the City, shall not be issued any further permits until such defect has been corrected. The license of any person who continues to violate or persistently violates the ordinances of the City in relation to the same shall be suspended or revoked.

Sec.9-29. - Declaration of Uninhabitable Property

- (a) When any building or premises has been inspected by the City and is found to be unsafe, defective, or insanitary to such an extent that it constitutes a menace to public health, a notice to that effect shall be served upon the owner or his agent specifying the required alterations or improvements to be made. If such repairs, alterations or improvements as specified in the notice are not commenced in good faith within five (5) calendar days from the date of the service of such notice and completed within a reasonable time, the Chief Building Official or Fire Marshal may declare the property as being uninhabitable and unfit for human habitation and its occupancy thereafter is prohibited.
- (b) When a building has been declared uninhabitable, the occupants, if any, shall vacate immediately and the premises shall remain vacant until such time as all repairs and alterations specified in the notice above provided have been made. A warning sign shall be placed upon the premises to read as follows:
 - "This building has been declared uninhabitable and unfit for human habitation and it is unlawful for any person to reside in or occupy the same."
- (c) Any appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.

Commented [BB47]: Consolidated from previously 9-106, 9-216, 9-319. Revised fine upwards

Commented [BB48]: Consolidated from previously, 9-101, 9-213, 9-316

Commented [BB49]: Previously 9-103, modified to encompass all building systems

Commented [BB50]: Previously 9-124 and 9-212, modified to encompass all building systems

Commented [BB51]: Previously 9-315.

41 42

Sec.9-30. - License Revocation or Suspension

Commented [BB52]: Previously 9-344, updated language

(a) For good and sufficient cause the Chief Building Official may revoke the license of any person licensed under this Chapter and thereafter they shall not be permitted to do business or work within the city or on premises connected or to be connected with the city water or sewer system. In the event of such revocation or suspension, an appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.

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Sec.9-31. - Reserved.
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Sec.9-32. - Reserved.

Sec.9-33. - Reserved.

Sec.9-34. - Reserved.

Sec.9-35. - Reserved.

Sec.9-36. - Reserved.

Sec.9-37. - Reserved.

Sec.9-38. - Reserved.

Sec.9-39. - Reserved.

Sec.9-40. - Reserved.

Sec.9-41. - Reserved.

Sec.9-42. - Reserved.

Sec.9-43. - Reserved.

Sec.9-44. - Reserved.

Sec.9-45. - Reserved.

Sec.9-46. - Consumer Price Index

(a) On May 1st of each year, the fees specified in the Table located in Sec.9-47. - shall be adjusted by the average change in the Consumer Price Index, U.S. City Average for all Urban Consumers, All Items. (Published by the United States Bureau of Labor Statistics, Consumer Price Index) (the "CPI") during the twelve (12) most recently published months. In the event U.S. Department of Labor, Bureau of Labor Statistics ceases to publish this particular CPI, an equally authoritative measure of change in purchasing power of the U.S. dollar may be substituted as approved by the City Manager. Upon the calculation of the CPI, the calculated amount may be rounded up or down to the nearest dollar.

(1). The fee is defined in the code book as:

 $\underline{\text{Fee}} = (C \times F) + F$

Where:

C = CPI

F= Current Fee as of the adoption of this ordinance

Sec.9-47. - Fee Table

(a) Pursuant to Oklahoma Statute, Title 59 a \$4.50 fee for all permits associated with a code governed by a code located in Sec.9-5. - shall be remitted to the State Treasury.

| | Permit / License | <u>Code</u> | Cost | <u>Unit</u> | *CPI indexed | Notes |
|---|---------------------|----------------------------------|----------------|-------------|-----------------|-------|
| W | Lot Inspection | <u>Sec.9-6</u> <u>Sec.9-7</u> | <u>\$50.00</u> | | <u>No</u> | |

| 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 | Reinspection fee | (c)Sec.9- 87 (c) Sec.9-156. - (i)(1) Sec.9-157. - (c) Sec.9-226. - Sec. 9-1. - (p)(1)Sec. 9-226 (p)(1) Sec. 9-1 (c)Sec. 9- 227 (e) Sec.9-293. - (c) Sec. 9-1 (l)(1)Sec. 9-342 (h)(1) Sec.9-343. - (c) | <u>\$50.00</u> | <u>Each</u> | <u>No</u> | first reinspection |
|--|---|--|-----------------|-------------|-----------|---|
| 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 | Additional Reinspection fee | Sec.9-87 (c) Sec.9-156 (i)(1)(i)(2) Sec.9-157(c) Sec.9-226 Sec. 9-1 (p)(1)Sec. 9-226. (p)(2) Sec. 9-1 (c)See. 9- 227. (e) Sec.9-293(c) Sec. 9-1 (l)(1)Sec. 9-342. (h)(2) Sec.9-343(c) | <u>\$100.00</u> | <u>Each</u> | <u>No</u> | for each reinspection after an initial resinspection |
| 34 35 36 37 38 39 40 41 42 | Inspections outside normal business hours | Sec.9-156 (i)(1)(i)(3) Sec.9-226 Sec. 9-1 (p)(1)See. 9 226. (p)(3) Sec. 9-1 (l)(1)See. 9 342. (t)(3) | <u>\$200.00</u> | First hour | <u>No</u> | After hours Inspections |

| | Inspections outside normal business hours | Sec.9-156. : (i)(1)(i)(4) Sec.9-226 Sec. 9-1. : (p)(1)Sec. 9-226. (p)(4) Sec. 9-1 (l)(1)Sec. 9-342. (l)(4) | <u>\$75.00</u> | Each additional hour | <u>No</u> | After hours Inspections |
|----------|---|---|---------------------------------|--|------------|---|
| | Miscellaneous inspections | Sec.9-6 Sec.9-7 | \$35.00 \$50.00 | Flat Fee | No | |
| | Plan review fee | Sec.9-6 Sec.9-7 | 25% of the estimated permit fee | | No | Minimum fee \$50.00 |
| | Capital Improvement Fee – Remodel | Sec.9-6 Sec.9-7 | <u>\$13.00</u> | Per \$10,000.00 Estimated cost of remodel. | Yes | To be included with Commercial Remodel, Residential Remodel, and Conversions from Residential to Commercial |
| Building | Sidewalk Fee - Remodel | Sec.9-6 Sec.9-7 | <u>\$1.00</u> | Per \$10,000.00 Estimated cost of remodel. | Yes | To be included with Commercial Remodel, Residential Remodel, and Conversions from Residential to Commercial |
| Bui | Commercial Capital Improvement Fee – New | Sec.9-6 Sec.9-7 | <u>\$0.13</u> | Per sqft | Yes | To be included with New Commercial, Commercial Additions, and certain Accessory Buildings |
| | Commercial Sidewalk Fee - New | Sec.9-6 Sec.9-7 | <u>\$0.06</u> | Per sqft | Yes | To be included with New Commercial, Commercial Additions, and certain Accessory Buildings |
| | Residential Capital Improvement Fee - New | Sec.9-7 (b) | <u>\$0.13</u> | Per sqft | <u>Yes</u> | To be included with New Residential, Residential Additions, and certain Accessory Buildings |

| 1 2 3 4 5 6 | Residential Sidewalk Fee - New | <u>Sec.9-7</u> (b) | <u>\$0.02</u> | Per sqft | <u>Yes</u> | To be included with New Residential, Residential Additions, and certain Accessory Buildings |
|--|---|----------------------------------|---|---|------------|--|
| 7 | Certificate of Occupancy | <u>Sec.9-6</u> <u>Sec.9-7</u> | \$150.00 | | <u>No</u> | |
| 8 9 10 11 12 13 | Commercial: New | <u>Sec.9-6</u> (b) | \$0.04 for first 10,000 sqft then \$0.02 after | Per sqft | Yes | PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New |
| 14 15 16 17 18 | Commercial: Warehouse and Agricultural | <u>Sec.9-6</u> (b) | \$0.03 for first 10,000 sqft then \$0.01 after | Per sqft | Yes | PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New |
| 19 20 21 22 23 24 25 | Non- Residential Additions | Sec.9-6 (b) | \$0.04 for first 10,000 sqft then \$0.02 after | | Yes | Minimum fee \$50.00 PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New |
| 26 27 28 29 30 | Commercial Remodeling Conversion from Residential to Commercial | Sec.9-6 (b) | <u>\$4.00</u> | Per \$1,000.00 Estimated cost of remodel. | Yes | Minimum fee \$50.00 PLUS: Capital Improvement Fee - Remodel and Sidewalk Fee - Remodel |
| 31 32 33 34 35 36 | Residential: New, Additions | <u>Sec.9-7</u> (b) | <u>\$0.05</u> | Per sqft | <u>Yes</u> | Minimum fee \$50.00 PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New |
| 37 38 39 40 41 | Residential: Alteration, Remodel. | Sec.9-7 (b) | <u>\$3.00</u> | Per \$1,000.00 Estimated cost of remodel. | Yes | Minimum fee \$50.00 PLUS: Capital Improvement Fee - Remodel and Sidewalk Fee - Remodel |
| 42 | Accessory building (sqft <250) | <u>Sec.9-6</u> <u>Sec.9-7</u> | <u>\$50.00</u> | Flat fee | <u>No</u> | |

| 1 2 3 4 5 6 | | Accessory building (250< sqft ≤10,000) | Sec.9-6 Sec.9-7 | <u>\$0.05</u> | Per sqft | Yes | Minimum fee \$50.00 PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New |
|----------------------------|------------------|---|----------------------------------|----------------------------------|-----------------------------------|------------|--|
| 8 9 10 11 12 | | Accessory building (<10,000 sqft) | Sec.9-6 Sec.9-7 | <u>\$0.02</u> | Per sqft | Yes | PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New |
| 13 | | Carports, patio covers etc. | <u>Sec.9-6</u> Sec.9-7 | \$30.00 \$50.00 | Flat fee | <u>No</u> | |
| 14 15 | | Demolition Permit | Sec.9-6 Sec.9-7 | <u>\$100</u> | Per Structure | No | |
| 16 | | Retaining Walls | <u>Sec.9-6</u> <u>Sec.9-7</u> | \$35.00 \$50.00 | Flat fee | No | |
| 17 18 | | Fences | <u>Sec.9-6</u> <u>Sec.9-7</u> | <u>\$50.00\$30.00</u> | Flat fee | No | |
| 19 20 21 | | Commercial Usage Change of Ownership Compliance | Sec.9-99 | \$100.00 | Per inspection | No | |
| 22 23 | | Roofing Registration fee | Sec 9-94 (c)(1) | <u>\$150.00</u> | <u>Each</u> | No | New License |
| 24 25 | | Roofing Registration fee | <u>Sec.9-103.</u> | <u>\$75.00</u> | <u>Each</u> | <u>No</u> | Renewal License |
| 26 | | Roofing Permit Fee | Sec.9-103. | \$25.00 \$50.00 | <u>Each</u> | Yes | |
| 27 28 29 | | Electrical Contractor | Sec.9-136. | \$300.00 | First year or late renewals | <u>No</u> | |
| 30 | | Electrical Contractor | Sec.9-136. | \$100.00 | Renewal License | <u>No</u> | |
| 31 32 | | Electrical Permit Issuance Fee | <u>Sec.9-156.</u> | \$35.00\$50.00 or \$0.04 sqft | | <u>Yes</u> | Whichever is greater |
| 33 | Ţ | Swimming pool | Sec.9-156. - (a) | <u>\$50.00</u> | | Yes | |
| 34 35 36 37 38 | <u> FIECUICA</u> | Event Permit: | Sec.9-156. -(b) | <u>\$100.00</u> | <u>Each</u> | Yes | For each generator, elecrically or mechanically driven ride and walk through attraction |
| 39 40 41 | | Event Permit | Sec.9-156. -(b) | <u>\$4.50</u> | Per area | Yes | For each display having electric lighting |
| 42 | | Temporary power pole etc | Sec.9-156. -(c) | \$35.00 \$50.00 | <u>Each</u> | Yes | |
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| | Residential Appliance | Sec.9-156. -(d) | \$5.00 \$3.00 | Each | Yes | Each special circuit 220 volt or 50 amp and above |
|-----------|--|--|------------------------------------|----------------------------------|-----|---|
| | Power Apparatus | Sec.9-156. -(e) | \$100.00 | Each | Yes | |
| | Busways | Sec.9-156. -(f) | \$100.00 | First 200 Feet | Yes | |
| | Busways | Sec.9-156. -(f) | <u>\$4.50</u> | Per 100 feet | Yes | For each additional or fraction thereof |
| | Electrical for Signs | Sec.9-156. -(g) | \$35.00 | <u>Each</u> | Yes | |
| | Services | Sec.9-156. -(h) | <u>\$75.00</u> | <400 amps | Yes | |
| | Services | Sec.9-156. -(h) | \$100.00 | <u>400 – 1000</u> <u>amps</u> | Yes | |
| | Services | Sec.9-156. -(h) | <u>\$200.00</u> | >1000 amps | Yes | |
| | Elevators | Sec.9-156. - (h) | <u>\$75.00</u> | Each | Yes | |
| | Solar Energy | Sec.9-164. | <u>\$100.00</u> | <u>Each</u> | Yes | |
| | Unlimited Mechanical Contractor | Sec.9-206. | \$170.00 | New License | No | |
| | Unlimited Mechanical Contractor | Sec.9-206. | \$75.00 | Renewal License | No | |
| | Limited Mechanical Contractor | Sec.9-206. | <u>\$150.00</u> | New License | No | |
| | Limited Mechanical Contractor | Sec.9-206. | <u>\$65.00</u> | Renewal License | No | |
| Ī | Mechanical Permit Issuance Fee | <u>Sec.9-226.</u> | \$35.00\\$50.00 or \\$0.04 sqft | | No | Whichever is greater |
| Mechanica | Installation or relocation furnace or boiler | Sec. 9-1 (a)Sec. 9- 226(a) | \$35.00 | <160,000 BTU/H | Yes | |
| <u>Me</u> | Installation or relocation furnace or boiler | Sec. 9-1 (b)Sec. 9- 226. (b) | <u>\$40.00</u> | >160,000 | Yes | |
| | Package Units | Sec. 9-1 (c)Sec. 9- 226. (c) | \$25.00 | | Yes | <u>0-4 tons</u> |
| | Package Units | Sec. 9-1 (c) Sec. 9- 226 (c) | <u>\$50.00</u> | | Yes | <u>5-25 tons</u> |
| | Package Units | Sec. 9-1 (c) Sec. 9 226. (e) | <u>\$75.00</u> | | Yes | <u>26-60 tons</u> |
| | Package Units | Sec. 9-1 (c) Sec. 9 226(c) | \$150.00 | | Yes | >61 tons |

Commented [BB53]: Added not in current code

| | Installation or relocation Heater | Sec. 9-1 (d)Sec. 9- 226(d) | \$35.00 | | Yes | |
|--|-----------------------------------|-------------------------------------|---------|------|-----|--|
| | Unit Replacement | Sec. 9-1 (e) Sec. 9- 226. (e) | \$35.00 | | Yes | |
| | Air Handling unit | Sec. 9-1 (f)Sec. 9- 226(f) | \$75.00 | Each | Yes | <a cubic"="" href="mailto: |

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| Water Heaters and/or Vent | Sec. 9-1 (d) Sec. 9 342(d) | \$35.00 | Each | Yes | |
|---|--|-----------------|--------------|-----|--|
| Commercial / Industrial Interceptor | Sec. 9-1 (e)Sec. 9- 342. (e) | \$50.00\$100.00 | <u>Each</u> | Yes | |
| Installation Water piping | Sec. 9-1 (f)Sec. 9- 342(f) | <u>\$35.00</u> | | Yes | |
| <u>Lawn</u> <u>Sprinkler</u> | Sec. 9-1 (g)Sec. 9- 342 (g) | <u>\$35.00</u> | Each | Yes | |
| Vacuum Breakers or Backflow Devices | Sec. 9-1 (h)Sec. 9- 342(h) | \$10.00 | <u><4</u> | Yes | |
| Vacuum Breakers or Backflow Devices | Sec. 9-1 (i)Sec. 9- 342 (i) | <u>\$5.00</u> | <u>>4</u> | Yes | |
| Oil Separator | Sec. 9-1 (j)Sec. 9- 342 (j) | \$50.00\$100.00 | | Yes | |
| Commercial Grease Interceptor | Sec. 9-1 (k) Sec. 9 342. (k) | \$50.00\$100.00 | | Yes | |

Sec.9-48. - Reserved.

Sec.9-49. - Reserved.

Sec.9-50. - Reserved.

Sec.9-51. - Reserved.

Sec.9-52. - Reserved.

Sec.9-53. - Reserved.

Sec.9-54. - Reserved.

Article II - Building

ARTICLE II. - BUILDER'S ADVISORY BOARD

Sec.9-55. - Title.

These regulations shall be known as the Building Code of the City of Midwest City, hereinafter referred to as "this code."

Commented [BB54]: Previously 9-32

| Sec.9-56 | Reserved. |
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Sec.9-57. - Reserved.

Sec.9-58. - Reserved.

Sec.9-59. - Reserved.

Sec.9-60. - Reserved.

Sec.9-61. - Reserved.

Sec.9-62. - Reserved.

Sec.9-63. - Reserved.

Sec.9-64. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-65. - International Building Code Adopted.

There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction of buildings and structures, including permits and penalties, that certain building code known as the International Building Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in Sec.9-5. - , save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-66. - International Residential Code Adopted.

There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction of buildings and structures, including permits and penalties, that certain building code known as the International Residential Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in Sec.9-5. -, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-67. - International Existing Building Code.

There is hereby adopted and incorporated by reference the following International Codes: International Existing Building Code published by the International Code Council, Inc. referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-68. - Conditions for Issuing a Building Permit.

No building permit shall be issued for any new structure or change, improvement or alteration of any existing structure on any tract of land which does not comply with the street, water, sewer, drainage and fire code provisions of this Code.

Sec.9-69. - Licensing Fees and Requirements

See Table located in Sec.9-47. -.

Commented [BB55]: Previously 9-31

Commented [BB56]: Previously 9-35

Commented [BB57]: Previously 9-39, updated Int Existing Building Code over Existing Structures Code

Commented [BB58]: Previously 9-33

Commented [BB59]: New language to match other trades

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Sec.9-70. - Commercial Classification Access to Utilities

- (1). Whereas a building shall have proper access to water and sanitary sewer.
- (m). The term Commercial Classification for the purposes of this chapter shall be defined by all classifications within Chapter 3 of the International Building Code, with the exception of one and two family homes.
- (n). No building permit for a commercial classification shall be issued for:
 - (1) Construction of a new commercial building
 - (2) Relocation of a building
 - (3) For an addition to an existing building, with said addition expanding the size of the existing structure by fifty (50) percent

Until construction plans are approved for a public water supply to extend to and across the frontage of the property as required by this chapter. The public water extension and its service connections to the property shall be constructed at no cost to the city.

- (o). No commercial classification building permit shall be issued for:
 - (1) Construction of a new commercial building
 - (2) Relocation of a building
 - (3) For an addition to an existing building, with said addition expanding the size of the existing structure by fifty (50) percent

Until construction plans are approved for a public sewer to extend to an easement abutting the property and the sewage facilities of the property are tied onto the public sewer. The public sewer extension, if necessary, and its service connections to the property shall be constructed at no cost to the city.

- (p). No Certificate of Occupancy shall be granted to a new commercial classification unless the building has tied properly into the public water supply and public sewer unless:
 - (1) The City Council determines that extension of and connection to the public water supply and / or public sewer is impractical (e.g., due to construction timing of the city's system) or not feasible; and
 - (2) Such on-site system(s) shall be permitted by Oklahoma Department of Environmental Quality and follow the provisions found in Chapter 9 and 43 of Midwest City Ordinance.

Sec.9-71. - Reserved.

Sec.9-72. - Reserved.

Sec.9-73. - Reserved.

Sec.9-74. - Reserved.

Sec.9-75. - Reserved.

Sec.9-76. - Reserved.

Sec.9-77. - Reserved.

Sec.9-78. - Reserved.

Sec.9-79. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-80. - Permit Application.

- (a) To obtain a building permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and

Commented [BB60]: New ordinance to strengthen and compliment places in 9 and 43 requiring all new commercial be tied into public utilities

Commented [BB61]: From language in Electrical to match, previous template was 9-92

- (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.
- (b) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the City.
 Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid.
 - The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the City.
- (c) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (d) Every permit issued by the City under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

(e) There shall be a separate permit for each building.

Sec.9-81. - Multiple Permits.

Only one (1) permit shall be issued for any building provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-82. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-83. - Permit Required.

No building system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate building permit for each structure has first been obtained from the city.

Sec.9-84. - Permit Denial.

The City may refuse to issue a permit for a building as herein provided, or for any additions or extensions to any building where, in the Chief Building Official's judgment, the building done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-85. - Permit Cancellation.

A contractor may request in writing that his permit be canceled. In the event that a contractor holding a valid permit issued by the city refuses to complete the work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the contractor. The second contractor permit holder shall take full responsibility for the building work done after cancellation of the

Commented [BB62]: To match Plumbing and Electrical, using previous 9-310 as a template.

Commented [BB63]: New language to match Electrical, using previous 9-94 as a template

Commented [BB64]: New language to match Electrical, using previous 9-96 as a template

Commented [BB65]: New language to match Electrical, using previous 9-97 as a template

Commented [BB66]: New language to match Electrical, using previous 9-98 as a template and modified further

first permit and for completion of the work in its entirety. No fees for permits will be refunded to the contractor in the event that the permit is canceled under the terms of this section.

Sec.9-86. - Permits.

See applicable permits within either Sec.9-6. - or Sec.9-7. -

Sec.9-87. - Inspections; Approval.

- (a). When an original rough-in installation of a building system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an alteration to the building for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the building system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

Sec.9-88. - Appeals.

An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement or decision made by the building inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Builder's Advisory decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Commented [BB67]: New language, permits did not exist in previous building code. Matching other trades

Commented [BB68]: New language based on Previous 9-211 to match all trades

Commented [BB69]: New language, appeals did not exist in previous building code. Matching other trades

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| Sec.9-89 | Reserved |
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Sec.9-90. - Reserved.

Sec.9-91. - Reserved.

Sec.9-92. - Reserved.

Sec.9-93. - Reserved.

Sec.9-94. - Reserved.

Sec.9-95. - Reserved.

Sec.9-96. - Reserved.

Sec.9-97. - Reserved.

Sec.9-98. - Reserved.

Sec.9-99. - Commercial Classification Change of Ownership Compliance.

- (q). When there is a requested change for a new account holder of a commercial city utility account; said new account holder shall apply for a "commercial classification change of ownership compliance permit" prior to changing the utility account.
- (r). The fee for the commercial classification change of ownership compliance permit is established in Table located in Sec.9-47. -
- (s). The commercial classification change of ownership compliance permit shall provide provisions for certain departments to check that the commercial classification related to the city utility account is in compliance with current city ordinances.

Sec.9-100. - Retaining Walls.

All retaining walls must comply with standard engineering practices. Any wall over four (4) feet in height and walls not complying with Midwest City standards must have an engineer's signature and seal. The wall shall be measured from the top of the footing to the top of the wall. A permit must be applied for and approved before construction on any retaining wall is started. Failure to comply with this section may result in legal action and/or removal of the wall.

Sec.9-101. - Garage Doors Required.

Every residential dwelling having a garage shall have an operational, functional and maintained garage door which shall be kept in such condition that the garage door provides a complete and contiguous cover to the garage door opening, with the exterior surface to be architecturally consistent with and maintained in the same manner and at the same level and quality as the dwelling.

Sec.9-102. - Pre-engineered Buildings.

Each building permit issued by the Chief Building Official for the construction of a building involving a span of thirty (30) feet or more and involving the use of pre-engineered building systems or components shall be subject to the following conditional requirements:

The Chief Building Official shall receive a letter from the officer of the company constructing the building which states that the building shipped for the building permit was designed and constructed in accordance with approved engineered plans and specifications. The plans shall be stamped by an architect and/or engineer licensed in Oklahoma.

Sec.9-103. - Roofing License Code.

(a) Roofing contractors.

(1) License. Any person or company wishing to engage in the practice of roofing residential and commercial buildings in the City of Midwest City must first register with the city and comply with all regulations set forth in Title 158, Construction Industries Board, Chapter 85, Roofing Contractor Registration Regulation. **Commented [BB70]:** New ordinance to replace the current practice of a "change of ownership CO". Now it defers enforcement to the individual departments (ordinances) and takes the pressure off the CO

Commented [BB71]: Previously 9-6

Commented [BB72]: Previously 9-7

Commented [BB73]: Previously 9-36.

Commented [BB74]: Previously 9-41. Removed requirement of permit to be seen by street (a)(3)

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| 1. | (2) Insurance. Provide the City of Midwest City with verification of business general | |
| 2 | liability in the amount of five hundred thousand dollars (\$500,000.00) for residential | |
| 3 | construction and one million dollars (\$1,000,000.00) commercial general liability for all | |
| | <u>commercial construction. Proof of workman's compensation insurance must also be provided.</u> | |
| 4 | | |
| 5 | (3) Permits. Permits are required for all existing buildings in Midwest City. | |
| 6 | (4) Failure to provide. Any person or firm who violates any part of this section or Title 158, | |
| 7 | Chapter 85, Roofing Contractor Registration Act of the state statutes will be fined an | |
| ' | amount not exceeding five hundred dollars (\$500.00) as per this section. | Commented [BB75]: Fee table? |
| 8 | Exception: The actual owner of residential or farm property who physically performs | |
| 9 | roofing services, including construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of materials on his or her own dwelling in which | |
| 10 | they reside, without the assistance of any licensed roofing contractor, will be exempt | |
| 11 | from the Roofing [Contractor] Registration Act. The owner is still required to obtain a | |
| 12 | roofing permit from the community development department. | |
| | (b) Construction requirements. The owner will be required to follow current adopted code | |
| 13 | during construction, installation, renovation, repair, maintenance, alteration, waterproofing, | |
| 14 | or removal of a roof. | |
| 15 | (c) Fees. | |
| 16 | (1) License fees. See Table located in Sec.9-47 | |
| 17 | (A) New license | |
| | | |
| 18 | (B) Renewal fee | |
| 19 | All licenses will run from July 1 to June 30 of each year. Licenses will not be | |
| 20 | prorated. Licenses not renewed by August 15 will be charged the new license fee. | |
| 21 | (2) Permit fees. A permit fee will be collected for all existing structures requiring new roofs | |
| 22 | or repairs. See Table located in Sec.9-47 | |
| 23 | Sec.9-104 Reserved. | |
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| 24 | <u>Sec.9-105 Reserved.</u> | |
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| ۲ | Sec.9-106 Reserved. | |
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| | <u>Sec.9-106 Reserved.</u> <u>Sec.9-107 Reserved.</u> | |
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| 26 27 28 29 30 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-109 Reserved. | |
| 26 27 28 29 30 31 32 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. | |
| 26 27 28 29 30 31 32 33 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-109 Reserved. Sec.9-110 Reserved. | |
| 26 27 28 29 30 31 32 33 34 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. | |
| 26 27 28 29 30 31 32 33 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-113 Reserved. | |
| 26 27 28 29 30 31 32 33 34 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. | |
| 26 27 28 29 30 31 32 33 34 35 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-113 Reserved. Sec.9-114 Reserved. | |
| 26 27 28 29 30 31 32 33 34 35 36 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-113 Reserved. | |
| 26 27 28 29 30 31 32 33 34 35 36 37 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-113 Reserved. Sec.9-114 Reserved. | Commented [BB76]: Previously 9-16. |
| 26 27 28 29 30 31 32 33 34 35 36 37 38 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-113 Reserved. Sec.9-114 Reserved. DIVISION 4 BUILDER'S ADVISORY BOARD | Commented [BB76]: Previously 9-16. |
| 26 27 28 29 30 31 32 33 34 35 36 37 38 39 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-109 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-114 Reserved. Sec.9-115 Builder's Advisory Board Created. There is hereby created a Builder's Advisory Board of the City. | |
| 26 27 28 29 30 31 32 33 34 35 36 37 38 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-114 Reserved. Sec.9-115 Builder's Advisory Board Created. There is hereby created a Builder's Advisory Board of the City. Sec.9-116 Members. | Commented [BB76]: Previously 9-16. Commented [BB77]: Previously 9-17. |
| 26 27 28 29 30 31 32 33 34 35 36 37 38 39 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-109 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-114 Reserved. Sec.9-115 Builder's Advisory Board Created. There is hereby created a Builder's Advisory Board of the City. Sec.9-116 Members. (a) The Builder's Advisory Board shall consist of seven (7) members to be appointed by the | |
| 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 | Sec.9-107 Reserved. Sec.9-108 Reserved. Sec.9-110 Reserved. Sec.9-111 Reserved. Sec.9-112 Reserved. Sec.9-114 Reserved. Sec.9-115 Builder's Advisory Board Created. There is hereby created a Builder's Advisory Board of the City. Sec.9-116 Members. | |

- (1) Residents of the city at large with reference to their fitness for such office; or
- (2) Ownership, operation or involvement in the building, construction or development business within the city...
- (b) Each member shall serve a term of three (3) years;
- (c) The members of the Builder's Advisory Board shall hold office until their successors are appointed;
- (d) Members may be removed for cause by the Mayor with approval of the City Council.

 Absences from meetings by board members shall be governed by section 2-28 of this Code.

 Vacancies shall be filled for an unexpired term in the same manner as appointment.
- (e) The member of the Builder's Advisory Board shall serve without pay.

Sec.9-117. - Meetings.

The Builder's Advisory Board shall meet at such times as meetings are called.

Sec.9-118. - Quorum.

For all business purposes, a quorum is required and is defined as any four (4) voting board members.

Sec.9-119. - Officers and Reports.

The Builder's Advisory Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of such officers shall be held the first meeting of each calendar year. The board shall report fully and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed and preserved.

Sec.9-120. - Duties.

- (a) The Builder's Advisory Board shall act in an advisory capacity to the Mayor and City Council as regards building codes, construction, development requirements and related matters of interest to the city.
- (b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate.
- (c) The Builder's Advisory Board has the duty to review appeals as required in this Chapter.

Sec.9-121. - Reserved.

Sec.9-122. - Reserved.

Sec.9-123. - Reserved.

Sec.9-124. - Reserved.

• Article III - Building Code DIVISION 1. - IN GENERAL

Sec.9-125. - Title.

These regulations shall be known as the Electrical Code of the City of Midwest City, hereinafter referred to as "this code."

Commented [BB78]: Previously 9-18

Commented [BB79]: Previously 9-19

Commented [BB80]: Previously 9-20. Changed "third month of each calendar year" to "first meeting of the calendar year"

Commented [BB81]: Previously 9-21, Changed building inspector to Chief Building Official and updated pronouns

Commented [BB82]: Similar to other trades in Articles, previous 9-32

Sec.9-126. - Reserved.

Sec.9-127. - Reserved.

Sec.9-128. - Reserved.

Sec.9-129. - Reserved.

Sec.9-130. - Reserved.

Sec.9-131. - Reserved.

Sec.9-132. - Reserved.

Sec.9-133. - Reserved.

Sec.9-134. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-135. - Electrical Code Adopted.

There is hereby adopted and incorporated by reference the following International Codes:
National Electrical Code published by the National Fire Protection Association®, referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-136. - Licensing Fees and Requirements.

- (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a contractor license to any person who has a valid electrical license for the same license period issued by the State of Oklahoma.
- (b) There is hereby levied licensing fees for the electrical trade see Table located in Sec.9-47. -:
- (c) It shall be unlawful for any person to engage in the trade or otherwise act as an electrical contractor, within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the electrical trade or otherwise act as any type of electrical contractor within the city without first having been licensed by the city. The city shall issue a contractor license to any person, upon proper application, and payment of fees, who presents a valid license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All city electrical trade licenses shall be for one (1) year but all such city licenses shall expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July each year to be in effect from July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee See Table located in Sec.9-47. -
- (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for such license be less than for a full year.
- (f) An electrical contractor license shall not be transferred, loaned or assigned.

Sec.9-137. - Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the electrical trade shall be identified by having printed on the sides of such vehicles or conveyances in a conspicuous place the firm name and the contractor's state license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.

Commented [BB83]: Previously 9-90, changed to same language as other trades

Commented [BB84]: Previously 9-122 Deleted unlimited journeyman electrician

Commented [BB85]: Previously 9-123

permit for the entire structure or building service will be granted.

The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city.

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Commented [BB86]: Previously 9-125

Commented [BB87]: Based of Previously 9-331, to

Commented [BB881: Based of Previously 9-345, to

Commented [BB89]: Previously 9-121. Deleted

Commented [BB90]: Previously 9-92

Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the electrical system of a dwelling, apartment house or motel.
- (g) One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the Chief Building Official until final approval of the work covered therein. One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the building or work site at all times during which the work authorized thereby is in progress.

Sec.9-151. - Multiple Permits.

Only one (1) permit shall be issued for any electric wiring provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-152. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-153. - Permit Required to Whom Issued.

No electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed electrical contractor.

Sec.9-154. - Permit Denial.

The City may refuse to issue a permit for the installation of electric wiring as herein provided, or for any additions or extensions to any electric wiring where, in the electrical inspector's judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-155. - Permit Cancellation.

An electrical contractor may request in writing that his permit be canceled. In the event that an electrical contractor holding a valid permit issued by the city refuses to complete the electrical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the electrical

Commented [BB91]: Previously 9-95

Commented [BB92]: Previously 9-94

Commented [BB93]: Previously 9-96

Commented [BB94]: Previously 9-97

Commented [BB95]: Previously 9-98. Rewritten to take Electrical Board out of canceling permit and gave power to Chief Building Official

contractor. The second electrical contractor permit holder shall take full responsibility for electrical work done after cancellation of the first electrical permit and for completion of the work in its entirety. No fees for permits will be refunded to the electrical contractor in the event that the permit is canceled under the terms of this section.

Sec.9-156. - Permits.

There is a permit issuance fee for each electrical permit as in Table located in Sec.9-47. -

The following fees do not include the permit issuance fee but shall be based on all wiring and electrical equipment in or on each structure or other electrical equipment on the same premises constructed at the same time.

IN ADDITION:

- (a). Swimming Pool Permit: For new private, residential, in-ground swimming pools for single-family and multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool.
- (b). Event Permit: Carnivals, circuses, or other traveling shows or exhibitions utilizing transportation-type rides, booths, displays and attractions.
 - (1). Permit based on each electric generator and electrically driven ride, OR;
 - (2). For each mechanically driven ride, walk through attraction, display having electric lighting, system of area, and booth lighting
- (c). Temporary power service permit:
 - (1). For each temporary service power pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances, OR;
 - (2). For each temporary distribution system and temporary lighting and receptacle outlets for construction sites, Christmas tree sales lots, roadside stands, etc..
 - (3). For pole or platform-mounted lighting fixtures.
 - (4). For theatrical-type lighting fixtures or assemblies.
- (d). Residential appliances:
 - (1). Each special circuit 220 volt, 50 amp and above.
 - (2). For other types of air conditioners and other motor-driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.
- (e). Power apparatus permit: Including motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment, solar energy and other apparatus:
 - (1). Permits for shall be for each equipment or appliances having one (1) motor, transformer, heater, etc.
 - (2). These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly related control equipment.
- (f). Busway Permit
 - (1). For trolley and plug-in-type busways, first 200 feet minimum fee then,
 - (2). Each additional one hundred (100) feet or fraction thereof (per one hundred (100 feet)
- (g). Electrical for signs, outline lighting and marquees:
 - (1). For each sign, outline lighting system or marquee supplied from one branch circuit.
- (h). Services:

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- (1). For each service of 600 volts or less and not over 400 amperes in rating \$75.00.
- (2). For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating.

previous gap in coverage

Commented [BB96]: Previously 9-93. Refined, changed all power apparatus to a flat \$100 rate. Services are now from 0-400 instead of 0-200 amp to fix a

- (3). For each service over 600 volts or over 1000 amperes in rating.
- (4). Elevators.
- (i). Other inspections and fees:
 - (1). Initial Reinspection fee
 - (2). All additional reinspection
 - (3). Inspections outside of normal business hours initial call out (first 2 hours).
 - (4). Inspections outside of normal business hours per hour thereafter initial call out.

Sec.9-157. - Inspections; Approval.

- (a). When an original rough-in installation of an electrical system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an electrical alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the electrical system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -
- (d). Temporary electric service inspections shall be permitted for any and all new installation for the purpose of construction and safety to personnel and equipment, and to prevent water lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary central heating unit(s).

Sec.9-158. - Connection Approval.

- (a). An electrical system or equipment regulated by this Code for which a permit is required shall not be connected to a source of energy or power until approved by the city.
- (b). The electrical inspector may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment.
 Occupancy of the dwelling is strictly prohibited until after a final electrical inspection has been completed. Violation of this provision shall be an offense and, upon conviction, punishment shall be a five hundred dollar (\$500.00) fine, not including court costs, and/or thirty (30) days in jail. Each day this provision is violated shall constitute a separate offense.
- (c) It is unlawful for any electric, light or power company, or any supplier of electricity for light, heat or power to make any electrical connection to any structure or electric wiring or apparatus until a certificate stating that the electric wiring has been approved or written permit authorizing connection has been issued by the city. All persons, whether operating under a regular franchise granted by the city or not, shall upon written notice by the electrical inspector disconnect from any such circuit, including main service wires, branch feeder wires or distribution, as designated by the notice, and shall not reconnect to the installation except upon written notice from the electrical inspector.
- (d). Any electrical service that has been inactive for twelve (12) months or has had the service disconnected for cause, shall be inspected by the electrical inspector before service will be re-established.

Sec.9-159. - Appeals.

An appeal may be taken to the Electrical Board from any ruling, interpretation, requirement or decision made by the electrical inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement or decision a

Commented [BB97]: Previously 9-99. Rewritten to match other trades

Commented [BB98]: Previously 9-100. Updated nomenclature of inspector

Commented [BB99]: Previously 9-104, rewrote to match other trades

statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the electrical inspector's decision, the appeal will proceed to the Electrical Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Electrical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Electrical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Electrical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-160. - Reserved.

Sec.9-161. - Reserved.

Sec.9-162. - Reserved.

Sec.9-163. - Reserved.

Sec.9-164. - Solar Energy.

- (a). Anyone desiring to erect, install, enlarge, alter, repair, remove, convert, or replace a Solar Thermal or Photovoltaic Solar System, the installation which is regulated by the adopted building codes of The City of Midwest City, or to cause such work to be performed, shall first make application and submit all required documentation as deemed necessary to the Chief Building Official and obtain the required permits.
- (b). A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code until authorized by the Chief Building Official.
- (c). See Table located in Sec.9-47. -

Commented [BB100]: New ordinance to address solar

| 1 | Sec.9-165 Reserved. |
|----------|-----------------------------|
| 2 | Sec.9-166 Reserved. |
| 3 | |
| 4 | <u>Sec.9-167 Reserved.</u> |
| 5 | <u>Sec.9-168 Reserved.</u> |
| 6 | Sec.9-169 Reserved. |
| 7 | Sec.9-170 Reserved. |
| 8 | |
| 9 | <u>Sec.9-171 Reserved.</u> |
| 10 | Sec.9-172 Reserved. |
| 11 | Sec.9-173 Reserved. |
| 12 | Sec.9-174 Reserved. |
| 13 | |
| 14 | <u>Sec.9-175 Reserved.</u> |
| 15 16 | Sec.9-176 Reserved. |
| 10 17 | Sec.9-177 Reserved. |
| 18 | Sec.9-178 Reserved. |
| 19 | Sec.9-179 Reserved. |
| 20 | |
| 21 | <u>Sec.9-180 Reserved.</u> |
| 22 | Sec.9-181 Reserved. |
| 23 | Sec.9-182 Reserved. |
| 24 | Sec.9-183 Reserved. |
| 25 | Beery-103 Reserveu. |
| 26 | <u>Sec.9-184 Reserved.</u> |
| 27 | DIVISION 4. – ELEC |
| 28 | Sec.9-185 Electrical |
| 29 | There is hereby created the |
| 30 | |
| 31 | Sec.9-186 Members. |
| 32 | (a) The Electrical Board |

Commented [BB101]: Previously 9-66

Commented [BB102]: Previously 9-67. Modified structure to mimic Builder's Advisory, left the number of board at 5. Removed secretary from previous

ECTRICAL BOARD

al Board Created.

the Electrical Board

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- rd shall consist of five (5) members to be appointed by the Mayor and approved by the City Council. All members of the Electrical Board shall be journeyman electricians or electrical contractors licensed by the City, and shall be persons who are familiar with the requirements of the National Electrical Code and who know the methods of installing electric wiring. The members of the board shall be chosen from either:
 - (1) Residents of the city at large with reference to their fitness for such office; or
 - (2) Ownership, operation or involvement in the business of electrical work as a licensed journeyman electrician or a licensed electrical contractor for the past (5) years next preceding the date of appointment.
- (b) Each member shall serve a term of three (3) years:
- (c) The members of the Electrical Board shall hold office until their successors are appointed; The Mayor shall be an ex officio member of the board. Electrical Board stipulates staggered terms of three (3) years.
- (d) Members may be removed for cause by the Mayor with approval of the City Council. Absences from meetings by board members shall be governed by section 2-28 of this Code. Vacancies shall be filled for an unexpired term in the same manner as appointment.

(e) The member of the Electrical Board shall serve without pay.

Sec.9-187. - Meetings.

The Electrical Board shall meet at such times as meetings are called

Sec.9-188. - Quorum.

<u>For all business purposes, a quorum is required and is defined as any three (3) voting board members.</u>

Sec.9-189. - Officers and Reports.

The Electrical Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of such officers shall be held the first meeting of each calendar year. The board shall report fully and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed and preserved.

Sec.9-190. - Duties.

- (a) The electrical board shall act in an advisory capacity to the Mayor and City Council as regards to electrical construction and related matters of interest to the city.
- (b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate.
- (c) The Electrical Board has the duty to review appeals as required in this Chapter.

Sec.9-191. - Reserved.

Sec.9-192. - Reserved.

Sec.9-193. - Reserved.

Sec.9-194. - Reserved.

Article IV - Electricity

DIVISION 1. - GENERALLY.

DIVISION 1. – IN GENERAL

Sec.9-195. - Title.

This code shall be known as the Mechanical Code of Midwest City, Oklahoma, hereinafter referred to as the mechanical code or "this code".

Commented [BB103]: Previously 9-70, re-ordered the same as Builder' Advisory

Commented [BB104]: Previously 9-68, rewritten to match Builder's Advisory

Commented [BB105]: Previously 9-69. rewritten to match Builder's Advisory

Commented [BB106]: Previously 9-73, rewritten to match Builder's Advisory

Commented [BB107]: Previously 9-202

Sec.9-196. - Reserved.

Sec.9-197. - Reserved.

Sec.9-198. - Reserved.

Sec.9-199. - Reserved.

Sec.9-200. - Reserved.

Sec.9-201. - Reserved.

Sec.9-202. - Reserved.

Sec.9-203. - Reserved.

Sec.9-204. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-205. - Mechanical Code Adopted

There is hereby adopted and incorporated by reference the following International Codes: International Mechanical Code published by the International Code Council, Inc. referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-206. - Licensing Fees and Requirements.

- (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a contractor license to any person who has a valid mechanical license for the same license period issued by the State of Oklahoma.
- (b) There is hereby levied a schedule of license fees for the mechanical trade to be as follows:

 For Unlimited and Limited Mechanical Contractors see Table located in Sec.9-47. for fees.
- (c) It shall be unlawful for any person to engage in the trade or otherwise act as a mechanical contractor, within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the mechanical trade or otherwise act as any type of mechanical contractor within the city without first having been licensed by the city. The city shall issue an contractor license to any person, upon proper application, and payment of fees, who presents a valid mechanical license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All city mechanical trade licenses shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect from July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee for a new license.
- (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for such license be less than for a full year.
- (f) A mechanical contractor license shall not be transferred, loaned or assigned.

Sec.9-207. - Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the mechanical trade—shall be identified by having printed on the sides of such vehicles in a conspicuous place the firm name—and the contractor's state—license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.

Commented [BB108]: Previously 9-201

Commented [BB109]: Previously 9-226 and 9-227 Rewrote heading to match electrical. Deleted mechanical journeyman.

Commented [BB110]: Pulled from 9-227(e) and modified to match electrical

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Sec.9-208. - Partnerships, Corporations, Firms.

No corporation, partnership or business trust shall engage in the business as mechanical contractor within the city unless such entity shall have as an officer of the entity one who holds a contractor's license and is active in the trade. The name and address of such contractor and the name and address of the entity shall be licensed with the City.

Sec.9-209. - Supervision

A journeyman shall at all times while working at his trade be in the employment of a contractor who is licensed with the City of Midwest City.

Sec.9-210. - Employing Unqualifed Workmen.

- (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a licensed contractor shall hire, engage or employ any person to do any mechanical work within the city, who is not a licensed, registered and bonded contractor under the terms of this article.

Sec.9-211. - Reserved.

Sec.9-212. - Reserved.

Sec.9-213. - Reserved.

Sec.9-214. - Reserved.

Sec.9-215. - Reserved.

Sec.9-216. - Reserved.

Sec.9-217. - Reserved.

Sec.9-218. - Reserved.

Sec.9-219. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-220. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed mechanical contractors.
- (b) To obtain a mechanical permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of a mechanical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data,

Commented [BB111]: Pulled from 9-227(c) and modified to match electrical

Commented [BB112]: Based of Previously 9-331, to match all trades

Commented [BB113]: Based of Previously 9-345, to match all trades

Commented [BB114]: Previously 9-204, From language in Electrical to match, previous template was 9-92

- or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.
- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

(f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the mechanical system of a dwelling, apartment house or motel.

Sec.9-221. - Multiple Permits.

Only one (1) permit shall be issued for any mechanical provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-222. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-223. - Permit Required to Whom Issued.

No mechanical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate mechanical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed mechanical contractor.

Sec.9-224. - Permit Denial.

The City may refuse to issue a permit for the installation of mechanical as herein provided, or for any additions or extensions to any mechanical where, in the Chief Building Official's judgment, the mechanical done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-225. - Permit Cancellation.

A mechanical contractor may request in writing that his permit be canceled. In the event that a mechanical contractor holding a valid permit issued by the city refuses to complete the mechanical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the mechanical contractor. The second mechanical contractor permit holder shall take full responsibility for mechanical work done after cancellation of the first mechanical permit and for completion of the work in its entirety. No fees for permits will be refunded to the mechanical contractor in the event that the permit is canceled under the terms of this section.

Sec.9-226. - Permits.

Before a permit is issued for any mechanical system or work, there shall be an issuance permit as in Table located in Sec.9-47. -.

Commented [BB115]: To match Plumbing and Electrical, using previous 9-310 as a template.

Commented [BB116]: New language to match Electrical, using previous 9-94 as a template

Commented [BB117]: New language to match Electrical, using previous 9-96 as a template

Commented [BB118]: New language to match Electrical, using previous 9-97 as a template

Commented [BB119]: New language to match Electrical, using previous 9-98 as a template and modified further

Commented [BB120]: Previously 9-206. Rewritten to reference fee table. Added in Permit Issuance fee like it is in Electrical and Plumbing

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The following fees do not include the permit issuance fee but shall be based on all mechanical work and mechanical equipment in or on each structure or other mechanical equipment on the same premises constructed at the same time.IN ADDITION:

See Table located in Sec.9-47. -

IN ADDITION:

- (a) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H
- (b) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H
- (c) For the installation of self-contained packaged units
 - (1) 0-4 tons
 - (2) 5-25 tons
 - (3) 26-60 tons
 - (4) 61 tons or greater
- (d) For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater
- (e) For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code
- (f) For each air-handling unit up to and including 2000 cubic feet per minute, including ducts attached thereto

NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere

- (g) For each air-handling unit over 2000 cfm
- (h) For each evaporative cooler other than portable type
- (i) For each ventilation fan connected to a single duct
- (j) For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit
- (k) For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood
- (l) For the installation or relocation of each domestic type incinerator
- (m) For the installation or relocation of each commercial or industrial type incinerator
- (n) For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code35.00
- (o) Duct installation only
- (p) Other inspections and fees:
 - (1) Initial Reinspection fee
 - (2) All additional reinspection
 - (3) Inspections outside of normal business hours initial call out (first 2 hours).
 - (4) Inspections outside of normal business hours per hour thereafter initial call out.

Sec.9-227. - Inspections; Approval.

(a) When an original rough-in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration for which a permit is required under the terms of this

Commented [BB121]: Previously 9-211, deleted table outdated

- article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b) The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the air conditioning or refrigeration or forced air heating system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c) The fees required for the making of the required inspection by the Cityunless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

Sec.9-228. - Appeals.

An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation, requirement or decision made by the mechanical inspector, by filing with the Chief Building Official within ten (10) business days from the mechanical inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the mechanical inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the mechanical inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Commented [BB122]: Previously 9-214, rewritten to follow appeals from other boards.

| 1 | <u>Sec.9-229 Reserved.</u> |
|----------|---|
| 2 | Sec.9-230 Reserved. |
| 3 | Sec.9-231 Reserved. |
| 5 | Sec.9-232 Reserved. |
| 6 | Sec.9-233 Reserved. |
| 7 8 | <u>Sec.9-234 Reserved.</u> |
| 9 | Sec.9-235 Reserved. |
| 10 | <u>Sec.9-236 Reserved.</u> |
| 11 | Sec.9-237 Reserved. |
| 12 13 | Sec.9-238 Reserved. |
| 14 | <u>Sec.9-239 Reserved.</u> |
| 15 | <u>Sec.9-240 Reserved.</u> |
| 16 17 | Sec.9-241 Reserved. |
| 18 | Sec.9-242 Reserved. |
| 19 | Sec.9-243 Reserved. |
| 20 21 | Sec.9-244 Reserved. |
| 22 | Sec.9-245 Reserved. |
| 23 | Sec.9-246 Reserved. |
| 24 25 | Sec.9-247 Reserved. |
| 26 | Sec.9-248 Reserved. |
| 27 | <u>Sec.9-249 Reserved.</u> |
| 28 29 | <u>Sec.9-250 Reserved.</u> |
| 30 | <u>Sec.9-251 Reserved.</u> |
| 31 | Sec.9-252 Reserved. |
| 32 | <u>Sec.9-253 Reserved.</u> |
| 33 34 | <u>Sec.9-254 Reserved.</u> |
| 35 | DIVISION 4. – MECHANICAL BOARD |
| 36 | Sec.9-255 Plumbing, Gas, and Mechanical Board Created. |
| 37 | There is hereby created the Plumbing, Gas, and Mechanical Board |
| 38 39 | <u>Sec.9-256 Members.</u> |
| 40 | (a) The Plumbing, Gas, and Mechanical Board shall consist of six (6) members to be appointed by the Mayor and approved by the City Council. All members of the Plumbing, Gas, and |
| | by the mayor and approved by the City Council. An inembers of the Plumbing, Gas, and |

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shall be chosen from either:

by the Mayor and approved by the City Council. All members of the Plumbing, Gas, and

Mechanical Board shall be licensed by the City, and shall be persons who are familiar with the requirements of their governing Code. The Plumbing, Gas, and Mechanical Board shall

include at least one (1) master of each of the trades represented. The members of the board

Commented [BB123]: Previously 9-190 Modified structure to mimic Builder's Advisory.

Commented [BB124]: Previously 9-190 (as well as created language). Modified structure to mimic Builder's Advisory, left the number of board at 6. Removed secretary from previous

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- (1) Residents of the city at large with reference to their fitness for such office; or
- (2) Ownership, operation or involvement in the business of plumbing, gas, and/or mechanical work as a licensed journeyman or a licensed contractor for the past (5) years next preceding the date of appointment.
- (b) Each member shall serve a term of three (3) years;
- (c) The members of the Plumbing, Gas, and Mechanical Board shall hold office until their successors are appointed; the Mayor shall be an ex officio member of the board. Plumbing, Gas, and Mechanical Board stipulates staggered terms of three (3) years.
- (d) Members may be removed for cause by the Mayor with approval of the City Council.
 Absences from meetings by board members shall be governed by section 2-28 of this Code.
 Vacancies shall be filled for an unexpired term in the same manner as appointment.
- (e) The member of the Plumbing, Gas, and Mechanical Board shall serve without pay.

Sec.9-257. - Meetings.

The Plumbing, Gas, and Mechanical Board shall meet at such times as meetings are called

Sec.9-258. - Quorum.

For all business purposes, a quorum is required and is defined as any three (3) voting board members.

Sec.9-259. - Officers and reports.

The Plumbing, Gas, and Mechanical Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of such officers shall be held the first meeting of each calendar year. The board shall report fully and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed and preserved.

Sec.9-260. - Duties.

- (a) The Plumbing, Gas, and Mechanical Board shall act in an advisory capacity to the Mayor and City Council as regards plumbing, gas, and mechanical construction and related matters of interest to the city.
- (b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate.
- (c) The Plumbing, Gas, and Mechanical Board has the duty to review appeals as required in this Chapter.

Sec.9-261. - Reserved.

Sec.9-262. - Reserved.

Sec.9-263. - Reserved.

Sec.9-264. - Reserved.

Article V Mechanical Systems

DIVISION 1. – IN GENERAL

Sec.9-265. - Title.

These regulations shall be known as the Fuel Gas Code of the City of Midwest City, hereinafter referred to as "this code."

Commented [BB125]: Previously 9-190(e)

Commented [BB126]: Previously 9-191, rewritten to match Builder's Advisory

Commented [BB127]: Previously 9-192 and 9-193. rewritten to match Builder's Advisory

Commented [BB128]: Previously 9-194 and 9-195, rewritten to match Builder's Advisory. Removed duty to adopt and promulgate

Commented [BB129]: New language added. Similar to other trades in Articles

Sec.9-266. - Reserved.

Sec.9-267. - Reserved.

Sec.9-268. - Reserved.

Sec.9-269. - Reserved.

Sec.9-270. - Reserved.

Sec.9-271. - Reserved.

Sec.9-272. - Reserved.

Sec.9-273. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-275. - Fuel Code Adopted.

Sec.9-274. - Reserved.

There is hereby adopted and incorporated by reference the following International Codes: International Fuel Gas Code published by the International Code Council, Inc. referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

 Sec.9-276. Reserved.

 Sec.9-277. Reserved.

 Sec.9-278. Reserved.

 Sec.9-279. Reserved.

Sec.9-280. - Reserved.

Sec.9-281. - Reserved.

Sec.9-282. - Reserved.

Sec.9-283. - Reserved.

Sec.9-284. - Reserved.

Sec.9-285. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-286. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed contractors.
- (b) To obtain a permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

Commented [BB130]: Previously 9-196

Commented [BB131]: New language because fuel/gas used to be under Mechanical. From language in Electrical to match, previous template was 9-92,

- The City may issue a permit for the construction of part of a fuel/gas system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.
- (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city.
 Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.
 - The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.
- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
 - A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (f) There shall be a separate permit for each building, except in the case of the gas piping of an outbuilding or garage which is a part of the gas system of a dwelling, apartment house or motel.

Sec.9-287. - Multiple Permits.

Only one (1) permit shall be issued for any fuel/gas provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-288. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-289. - Permit Required to Whom Issued.

No fuel/gas system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate fuel/gas permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed fuel/gas contractor.

Sec.9-290. - Permit Denial.

The City may refuse to issue a permit for the installation of fuel/gas as herein provided, or for any additions or extensions to any fuel/gas where, in the Chief Building Official's judgment, the fuel/gas done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Commented [BB132]: To match Plumbing and Flectrical using previous 9-310 as a template

Commented [BB133]: New language to match Electrical, using previous 9-94 as a template

Commented [BB134]: New language to match Electrical, using previous 9-96 as a template

Commented [BB135]: New language to match Electrical, using previous 9-97 as a template

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Sec.9-291. - Permit Cancellation.

A fuel/gas contractor may request in writing that his permit be canceled. In the event that a fuel/gas contractor holding a valid permit issued by the city refuses to complete the fuel/gas work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the fuel/gas contractor. The second fuel/gas contractor permit holder shall take full responsibility for fuel/gas work done after cancellation of the first fuel/gas permit and for completion of the work in its entirety. No fees for permits will be refunded to the fuel/gas contractor in the event that the permit is canceled under the terms of this section.

Commented [BB136]: New language to match Electrical, using previous 9-98 as a template and modified further

Commented [BB137]: New language to match all

Sec.9-292. - Permits.

Before a permit is issued for any fuel gas system or work, there shall be an issuance permit as in Table located in Sec.9-47. -.

The following fees do not include the permit issuance fee but shall be based on piping and fuel gas equipment in or on each structure or other fuel gas equipment on the same premises constructed at the same time.

IN ADDITION:

See Table located in Sec.9-47. -.

(a). Gas Piping

(b). Gas Piping Outlets

Sec.9-293. - Inspections; Approval.

- (a). When an original rough-in installation of a fuel gas system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When a fuel gas alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the fuel gas system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

Sec.9-294. - Appeals.

An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation, requirement or decision made by the fuel/gas inspector, by filing with the Chief Building Official within ten (10) business days from the fuel/gas inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the fuel/gas inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the fuel/gas inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Commented [BB138]: New language based on Previous 9-211 to match all trades

Commented [BB139]: Previously was part of mechanical code, 9-214, but pulled into this article and modified to follow fuel/gas

| 1 | Sec.9-295 Reserved. | |
|------------|---|--|
| 2 | Sec.9-296 Reserved. | |
| 3 | | |
| 4 | Sec.9-297 Reserved. | |
| 5 | <u>Sec.9-298 Reserved.</u> | |
| 6 | <u>Sec.9-299 Reserved.</u> | |
| 7 | Sec.9-300 Reserved. | |
| 8 | DIVISION 4. – FUEL GAS BOARD | |
| 9 | | |
| 10 11 | Sec.9-301 Plumbing, Gas, and Mechanical Board Created. | Commented [BB140]: Did not exist as a stand alone reference within Mechanical previously |
| 12 | <u>Refer to Sec.9-255</u> | |
| 13 | Sec.9-302 Members. | Commented [BB141]: Did not exist as a stand alone reference within Mechanical previously |
| 14 | <u>Refer to Sec.9-256</u> | reference within Mechanical previously |
| 15 | Sec.9-303 Meetings. | Commented [BB142]: Did not exist as a stand alone |
| 16 | <u>Refer to Sec.9-257</u> | reference within Mechanical previously |
| 17 | Sec.9-304 Quorum. | Commented [BB143]: Did not exist as a stand alone |
| 18 | <u>Refer to Sec.9-258</u> | reference within Mechanical previously |
| 19 | Sec.9-305 Officers and reports. | Commented [BB144]: Did not exist as a stand alone |
| 20 | Sec.9-306 Refer to Sec.9-259 Duties. | reference within Mechanical previously |
| 21 | Refer to Sec.9-260 | Commented [BB145]: Did not exist as a stand alone reference within Mechanical previously |
| 22 23 | | |
| 23 | <u>Sec.9-307 Reserved.</u> | |
| 25 | Sec.9-308 Reserved. | |
| 26 | <u>Sec.9-309 Reserved.</u> | |
| 27 | Sec.9-310 Reserved. | |
| 28 | Article VI — Plumbing | |
| 29 | Article VI Transong | |
| 30 | - | |
| 31 | <u>DIVISION 1. – IN GENERAL</u> | |
| 32 | Sec.9-311 Title. | Commented [BB147]: Previously 9-302 |
| 33 | This code shall be known as the Plumbing Code of Midwest City, Oklahoma, hereinafter referred | |
| 34 | to as the plumbing code or "this code." | |
| 35 | Sec.9-312 Applicability Outside the City. | Commented [BB148]: Previously 9-276 |
| 36 37 | All persons using water or sewage lines owned, furnished or operated by the city outside of the corporate limits of the city must comply with all of the terms and requirements contained in this | |
| 38 | article before such water or sewer-service may be obtained or continued. | |
| 39 | | |
| 37 | | |

Sec.9-313. - Reserved.

Sec.9-314. - Reserved.

Sec.9-315. - Reserved.

Sec.9-316. - Reserved.

Sec.9-317. - Reserved.

Sec.9-318. - Reserved.

Sec.9-319. - Reserved.

Sec.9-320. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-321. - Plumbing Code Adopted.

There is hereby adopted and incorporated by reference the following International Codes: International Plumbing Code published by the International Code Council, Inc. referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-322. - Licensing Fees and Requirements.

- (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a contractor license to any person who has a valid plumbing license for the same license period issued by the State of Oklahoma.
- (b) There is hereby levied a schedule of license fees for the plumbing trade to be as follows in Table located in Sec.9-47. -. :
- (c) It shall be unlawful for any person to engage in the plumbing trade or otherwise act as a plumbing contractor within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the plumbing trade or otherwise act as any type of plumbing contractor within the city without first having been licensed by the city. The city shall issue an contractor license to any person, upon proper application, and payment of fees, who presents a valid plumbing license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All city plumbing trade licenses shall be for one (1) year but all such city licenses and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked.
 Renewals shall be secured on or before the first day of July of each year to be in effect from July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee for a new license.
- (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for such license be less than for a full year.
- (f) A master plumbers (plumbing contractors) license shall not be transferred, loaned or assigned.

Sec.9-323. - Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the plumbing trade—shall be identified by having printed on the sides of such vehicles or conveyances in a conspicuous place the firm name and the contractors state license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.

Commented [BB149]: Previously 9-301

Commented [BB150]: Previously 9-336, 9-337, 9-338, 9-342 and 9-343 Rewrote to match electrical and mechanical.

Commented [BB151]: Previously 9-340 and rewritten to match electrical

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Sec.9-324. - Patrnerships, Corporations, Firms.

No corporation, partnership or business trust shall engage in the business as a plumbing contractor within the city unless such entity shall have as an officer of the entity one who holds a plumbing contractor's license and is active in the trade. The name and address of such contractor and the name and address of the entity shall be registered with the City.

Sec.9-325. - Supervision

A journeyman plumber shall at all times while working at his trade be in the employment of a plumbing contractor who is licensed with the City of Midwest City as a Master Plumber.

Sec.9-326. - Employing Unqualifed Workmen.

- (a) It is hereby declared unlawful and an offense for any master plumber (plumbing contractor) to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a master plumber (plumbing contractor) shall hire, engage or employ any person to do any plumbing within the city, or work that connects with a water or sewer main of the city outside the city, who is not a licensed, registered and bonded master plumber (plumbing, contractor) under the terms of this article.

Sec.9-327. - Reserved.

Sec.9-328. - Reserved.

Sec.9-329. - Reserved.

Sec.9-330. - Reserved.

Sec.9-331. - Reserved.

Sec.9-332. - Reserved.

Sec.9-333. - Reserved.

Sec.9-334. - Reserved.

Sec.9-335. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-336. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed plumbing contractors.
- (b) To obtain a plumbing permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of a plumbing system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

Commented [BB152]: Previously 9-341

Commented [BB153]: Previously 9-331 This is the only trade that has this language?

Commented [BB154]: Previously 9-345

Commented [BB155]: Previously 9-304, 9-305, 9-306, From language in Electrical to match, previous template was 9-92,

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The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the plumbing system of a dwelling, apartment house or motel.
- (g) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system within the city, or to make connections with a water or sewer main without obtaining a permit therefor from the development services department before the work is started.
- (h) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system owned or operated by the city outside of its corporate limits without obtaining a permit therefor from the development services department before the work is started.

Sec.9-337. - Multiple Permits.

Only one (1) permit shall be issued for any plumbing provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-338. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Sec.9-339. - Permit Required to Whom Issued.

No plumbing system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate plumbing permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed plumbing contractor.

Sec.9-340. - Permit Denial.

The City may refuse to issue a permit for the installation of the plumbing as herein provided, or for any additions or extensions to any plumbing where, in the Chief Building Official's, the plumbing done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-341. - Permit Cancellation.

A plumbing contractor may request in writing that his permit be canceled. In the event that a plumbing contractor holding a valid permit issued by the city refuses to complete the plumbing

Commented [BB156]: Previously 9-310.

Commented [BB157]: Previously 9-309

Commented [BB158]: New language to match Electrical, using previous 9-96 as a template

Commented [BB159]: Previously 9-311 to match Electrical

Commented [BB160]: Previously 9-312 New language to match Electrical

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work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the plumbing contractor. The second plumbing contractor permit holder shall take full responsibility for plumbing work done after cancellation of the first plumbing permit and for completion of the work in its entirety. No fees for permits will be refunded to the plumbing contractor in the event that the permit is canceled under the terms of this section.

Sec.9-342. - Permits.

Before a permit is issued for any plumbing system or work, there shall be an issuance permit as in Table located in Sec.9-47. -.

The following fees do not include the permit issuance fee but shall be based on plumbing and plumbing equipment in or on each structure or other plumbing equipment on the same premises constructed at the same time.

IN ADDITION:

See Table located in Sec.9-47. -

- (a) For each building sewer and each trailer park sewer
- (b) Rainwater systems—per drain (inside building)
- (c) For each On-Site Sewage Treatment System
- (d) For each water heater and/or vent (includes gas)
- (e) For each commercial or industrial waste pre-treatment interceptor, including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps
- (f) For installation, alteration or repair of water piping and/or water treating equipment
- (g) For each lawn sprinkler system or any one (1) meter, including backflow protection devices therefor
- (h) For each vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures, including necessary water piping—one (1) to four (4)
- (i) Five (5) or more, each
- (j) Oil/Sand separator
- (k) Commercial grease interceptor
- (1) Other inspections and fees:
 - (1) Initial Reinspection fee
 - (2) All additional reinspection
 - (3) Inspections outside of normal business hours initial call out (first 2 hours).
 - (4) Inspections outside of normal business hours per hour thereafter initial call out.

Sec.9-343. - Inspections; Approval.

- (a). When an original rough-in installation of a plumbinb system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When a plumbing alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the plumbing system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.

Commented [BB161]: Previously 9-308 Rewritten to reference fee table.

Commented [BB162]: New language based on Previous 9-211 to match all trades

 (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

Sec.9-344. - Appeals.

An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation, requirement or decision made by the plumbing inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the plumbing inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-345. - Reserved.

Sec.9-346. - Reserved.

Sec.9-347. - Reserved.

Sec.9-348. - Reserved.

Sec.9-349. - Reserved.

Sec.9-350. - Reserved.

Sec.9-351. - Reserved.

Sec.9-352. - On-Site Sewage Treatment System.

- (a) On-Site Sewage Treatment System shall mean the same as defined by Oklahoma Department of Environmental Quality
- (b) Whenever an on-site sewage treatment system is constructed, the design, installation, maintenance and replacement of the system shall be controlled by the latest standards and regulations of the Oklahoma Department of
- (c) Whenever there is an installation of an on-site sewage treatment system a copy of the completed DEQ form number 641-576AS, shall be submitted to the Chief Building Official.
- (d) Any person who shall violate any of the provisions of this section or fails to comply with any of the requirements hereof shall be guilty of an offense and each day such violation shall be permitted to exist shall constitute a separate offense. The city may initiate any proper action in the municipal or district court in the name of the city to prevent, restrain or abate any violations of this section.
- (e) The on-site sewage treatment system shall be registered by the homeowner with the City.

 The fee for registration see Table located in Sec.9-47. -
- (f) An on-site sewage treatment system shall be registered before a certificate of occupancy shall be issued.

Commented [BB163]: Previously 9-317, rewritten to follow appeals from other boards.

Commented [BB164]: Previously 9-372 and "Septic Tanks". Updated to match ODEQ regulations and Chapter 43

| 1 | Sec.9-353 Reserved. | |
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| 2 | <u>Sec.9-354 Reserved.</u> | |
| 3 4 | <u>Sec.9-355 Reserved.</u> | |
| 5 | <u>Sec.9-356 Reserved.</u> | |
| 6 | Sec.9-357 Reserved. | |
| 7 | Sec.9-358 Reserved. | |
| 8 | Sec.9-359 Reserved. | |
| 10 | Sec.9-360 Reserved. | |
| 11 | Sec.9-361 Reserved. | |
| 12 13 | Sec.9-362 Reserved. | |
| 14 | Sec.9-363 Reserved. | |
| 15 | Sec.9-364 Reserved. | |
| 16 17 | Sec.9-365 Reserved. | |
| 18 | Sec.9-366 Reserved. | |
| 19 | Sec.9-367 Reserved. | |
| 20 | Sec.9-368 Reserved. | |
| 21 22 | Sec.9-369 Reserved. | |
| 23 | Sec.9-370 Reserved. | |
| 24 | DIVISION 4. – PLUMBING BOARD | |
| 25 26 | Sec.9-371 Plumbing, Gas, and Mechanical Board Created. | Commented [BB165]: Previously 9-286. |
| 27 | Refer to Sec.9-255 | |
| 28 | Sec.9-372 Members. | Commented [BB166]: Rewritten as a reference to first reference to board |
| 29 30 | <u>Refer to Sec.9-256</u> | reference to board |
| 31 | Sec.9-373 Meetings. | Commented [BB167]: Previously 9-288(b) rewritten as a reference to first reference to board |
| 32 | Refer to Sec.9-257 | |
| 33 | Sec.9-374 Quorum. Refer to Sec.9-258 | Commented [BB168]: Previously 9-287, rewritten as a reference to first reference to board |
| 34 35 | Sec.9-375 Officers and reports. | Commented [BB169]: Previously 9-288 and 9-289, |
| 36 | Refer to Sec.9-259 | rewritten as a reference to first reference to board |
| 37 | Sec.9-376 Duties. | Commented [BB170]: Previously 9-290 and 9-291, |
| 38 39 | Refer to Sec.9-260 | rewritten as a reference to first reference to board |
| 39 | | |

| 1 <u>Sec.9-377 Reserved.</u> | |
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| 2 <u>Sec.9-378 Reserved.</u> | |
| Sec 9-379 - Reserved | |
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| | ces in conflict herewith are |
| hereby repealed. | |
| SECTION 3. SEVERABILITY. If any section, sentence, clau | |
| | the validity of the remaining |
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| 1 DASSED AND ADDROVED by the Movement Council of the | City of Midwest City Oklahama |
| on the day of | City of Midwest City, Okianoma, |
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| THE CITY OF | MIDWEST CITY, OKLAHOMA |
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| 0 | W D. DUKES II, Mayor |
| O ATTEST. | |
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| SARA HANCOCK, City Clerk | |
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| APPROVED as to form and legality this day of | , 2024. |
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| DONALD | MAISCH, City Attorney |
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| 2 3 4 5 6 7 8 9 0 1 2 3 3 4 5 6 7 8 9 0 1 2 3 3 4 5 7 8 9 0 1 2 3 3 4 5 6 | Sec.9-378 Reserved. Sec.9-379 Reserved. Sec.9-380 Reserved. SECTION 2. REPEALER. All ordinances or parts of ordinanhereby repealed. SECTION 3. SEVERABILITY. If any section, sentence, clause for any reason held to be invalid, such decision shall not affect to portions of the ordinance. PASSED AND APPROVED by the Mayor and Council of the on the day of THE CITY OF |

| 1 | OPDINA NOE NO |
|---|--|
| 2 | ORDINANCE NO |
| 3 | AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS, ARTICLE I, SECTION 9-1 |
| 4 | THROUGH ARTICLE VI, SECTION 9-380 ARE HEREBY AMENDED IN THEIR |
| 5 | ENTIRETY; AND PROVIDING FOR REPEALER AND SEVERABILITY. |
| 6 | BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, |
| 7 | OKLAHOMA: |
| 8 | ORDINANCE |
| 9 10 | SECTION 1. Chapter 9, Buildings and Building Regulations, Article 1, Section 9-1 through Article VI, Section 9-380, are hereby amended in their entirety and to read as follows: |
| 11 12 | ARTICLE I. – IN GENERAL |
| 13 | Sec.9-1 Definitions |
| 14 15 | The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: |
| 16 | Active contractor is one who is actively perforating as a contractor and who has met the bond and insurance requirements for licensure. |
| 17 18 | Building maintenance engineer means a person who is regularly employed on a monthly or weekly salary to serve as the maintenance engineer in an office building, hotel building, factory building or other similar building. |
| 19 20 | Electrical apprentice, electrical contractor and journeyman electrician shall all have the meaning assigned to the particular term as found in the Electrical License Act in the Oklahoma Statutes. |
| 212223242526 | Electric wiring means the installation of electrical raceways, conductors or apparatus of any kind used, or to be used, in or on any structure for the transmission and distribution of electric current for electric light, heat or power, or nonportable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided, however, that the words "electric wiring," "electrical equipment" and "apparatus" do not include or refer to service lines, apparatus and equipment for the sale, distribution and regulation of electricity and remaining the property of the electric service company or for telephone, telegraph or other communication purposes, or in connection therewith. |
| 27 | Homeowner shall mean the owner of the structure upon which the work is to be done. |
| 2829 | Home shall mean a single-family residence in which the homeowner resides. This term shall specifically exclude all rental properties in which the homeowner does not personally reside. |
| 30 31 | Inactive contractor is one who has met all the licensing requirements of a contractor but has chosen not to currently perform as a contractor. An inactive contractor is not required to provide bond or insurance and will be regulated as a journeyman. |
| 32 33 | Journeyman plumber and plumbing contractor shall have the meaning assigned to it by the Plumbing License Law of 1955. |
| 343536 | Limited mechanical air conditioning license entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping, that has a cooling capacity of no more than twenty-five (25) tons or three hundred thousand (300,000) British Thermal Units (BTU) per hour. |
| 3738 | Unlimited mechanical air conditioning license entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping. |
| 39 40 | Limited mechanical heating license entitles the licensee to install, alter, modify, service, maintain, or repair all air heating appliances, including the process piping, that have: |
| 41 | (a) A heat input of no more than five hundred thousand (500,000) British Thermal Units (BTU) per hour or 145.5 kilowatts; or |
| 42 | (b) A water temperature of no more than two hundred ten (210) degrees Fahrenheit. |

Master plumber shall have the same meaning as plumbing contractor.

Mechanical journeyman is a person who possesses the knowledge and skills to perform mechanical work within a category or categories without direct supervision. A journeyman must be at least eighteen (18) years of age and have either: (1) three (3) years of verifiable experience in the mechanical trade; or (2) an associates degree or vo-tech diploma from a school approved by the Occupational Licensing Service of the Oklahoma State Department of Health and exhibit knowledge of the trade and have one (1) year of verifiable experience in the mechanical trade.

Mechanical contractor is a person who possesses the knowledge and skills of a journeyman and who is responsible, either to himself or his employer, for plumbing, contracting, supervising, or furnishing labor and/or materials used for mechanical work. A contractor must meet the same requirements as a journeyman with an additional one (1) year of experience.

Minor alterations shall mean minor changes or modifications in a building or any part thereof that do not in any way affect the occupant's health or the fire or structural safety of the building.

Natural gas pipeline license entitles the licensee to install, alter, modify, service, maintain, or repair all natural gas piping.

Ordinary repairs shall mean replacements or renewals of existing systems or structures within a building, or of parts of the service equipment therein, with the same or equivalent materials or equipment parts, that are made in the ordinary course of maintenance and that do not in any way affect the occupant's health or the fire or structural safety of the building or the safe use and operation of the service equipment therein.

Process piping license entitles the licensee to install, alter, modify, service, maintain, or repair all process piping.

Refrigeration license entitles the licensee to install, alter, modify, service, maintain, or repair all cooling and refrigeration products, systems, or equipment, including the process piping.

Sheet metal license entitles the licensee to install, alter, modify, service, maintain, or repair all sheet metal systems.

Stop Work Order is a written notice posted by the Chief Building Official to stop all work at the specified address.

Unlimited mechanical heating license entitles the licensee to install, alter, modify, service, maintain, or repair air heating appliances, including the process piping.

Work consisting minor alterations or ordinary repairs shall not include additions to, alterations of, or rearrangement, relocation or removal of any water distribution piping, house sewer or drainage systems involving curb cuts or right-of-way work, or any soil or waste piping, or any gas distributions system, or any electrical wiring or any other work affecting the occupant's health, or the fire or structural safety of the building.

Sec.9-2. - Homeowner's ordinance

- (a) The owner must also occupy the structure.
- (b) Examples of work items that are considered minor alterations or ordinary repairs are: installation of ceiling fans; replace light fixtures, switches or receptacles; replace branch circuit breakers; replace fuses; reset electric meter; replacement of faucets, sinks, stools, window air conditioners.
- (c) The work items which must be performed by a licensed contractor are: additions to, alterations of, or rearrangement, relocation or removal of any water distribution piping; house sewer or drainage system involving curb cuts or right-of-way work or any soil or waste piping or any furnace, hot water heater, or air conditioner (excluding window air conditioners); or any gas distribution system; or any electrical wiring; or any other work affecting the occupant's health, or the fire or structural safety of the building. Major services including meters, i.e., gas, sewer, water, or electric, shall be done by a licensed contractor.

Exception: A permit may be issued to a homeowner if that homeowner holds at least a journeyman license in the trade of the work to be performed. Example: Electrical permit - minimum of journeyman electrician license; plumbing permit - minimum of journeyman plumber license; mechanical permit - minimum of mechanical journeyman license.

(d) Any person who violates any of the provisions of this section or fails to comply with any of the requirements hereof shall be guilty of a misdemeanor punishable as set out in Section 1-

8 of the Midwest City Code. Each day this section is violated shall constitute a separate offense.

Sec.9-3. - Dilapidated Buildings

The City Council may cause dilapidated buildings within the municipal limits to be torn down and removed in accordance with the provisions as follows:

- (a) At least ten (10) days' notice that a building is to be torn down or removed shall be given to the owner of the property before the City Council takes action or holds a hearing. A copy of the notice shall be posted on the property to be affected. In addition, a copy of the notice shall be sent by mail to the property owner at the address shown by the current year's tax rolls in the office of the County Treasurer. Written notice shall also be mailed to the mortgage holder as shown by the records in the office of the County Clerk to the last-known address of the mortgagee. At the time of mailing of notice to any property owner or mortgage holder, the municipality shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailee. However, if neither the property owner nor mortgage holder can be located, notice may be given by publication in a newspaper of general circulation in the City of Midwest City. If notice is given by publication, such notice shall be published once not less than ten (10) days prior to any hearing or action pursuant to the provisions of this section.
- (b) A hearing shall be held by the City Council to determine if the property is dilapidated and has become detrimental to the health, safety, or welfare of the general public and the community, or if said property creates a fire hazard which is dangerous to other property.
- (c) Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefitted by the removal of such conditions, the City Council may cause and order the dilapidated building to be torn down and removed. The City Council shall fix reasonable dates for the commencement and completion of the work. The Chief Building Official, the Chief Building Official's designees, or code enforcement, as assigned by the City Manager are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the City of Midwest City if the work is not performed by the property owner within the dates fixed by the governing body. If the city performs the work or causes the work to be done, then the City Clerk shall immediately, upon completion of the work, file a notice of lien with the County Clerk describing the property, the findings of the City Council at the hearing, and stating that the City of Midwest City claims a lien on said property for the destruction and removal costs. Any action to challenge the order of the City Council shall be filed within thirty (30) business days from the date of the order.
- (d) The City Council shall determine the actual cost of the dismantling and removal of the dilapidated buildings and any other expenses that may be necessary in conjunction with the dismantling and removal of the buildings, including the cost of notice and mailing. The City Clerk shall forward a statement of the actual cost attributable to the dismantling and removal of the buildings and a demand for payment of such costs, by mail to the property owner. In addition, a copy of the statement shall be mailed to any mortgage holder at the address provided for in paragraph (a) of this section. If the City of Midwest City dismantles or removes any dilapidated buildings, the cost to the property owner shall not exceed the actual cost of the labor, maintenance, and equipment required for the dismantling and removal of the dilapidated buildings is done on a private contract basis, the contract shall be awarded to the lowest and best bidder.
- (e) When payment is made to the City of Midwest City for costs incurred, the City Clerk shall file a release of lien; but if payment attributable to the actual cost of the dismantling and removal of the buildings is not made within six (6) months from the date of the mailing of the statement to the owner of such property, the City Clerk shall forward a certified statement of the amount of the cost to the County Treasurer of the county in which the property is located. The costs shall be levied on the property and collected by the County Treasurer as are other taxes authorized by law. The costs and the interest thereon shall be the personal obligation of the property owner from and after the date of the notice of dilapidation and lien is filed with the County Clerk. The cost and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the County Clerk. The lien shall be co-equal with the lien of ad valorem taxes and all other taxes and special assessments and shall be prior and superior to all other titles and liens against the property. The lien shall continue until the cost is fully paid. At any time prior to collection

- as provided for in this paragraph, the City of Midwest City may pursue any civil remedy for collection of the amount owing and interest thereon. Upon receiving payment, the City Clerk shall forward to the County Treasurer a notice of such payment and shall direct discharge of the lien.
- (f) The City Manager may designate the Chief Building Official or code enforcement to carry out the duties of the City Council specified in this section. The property owner shall have the right to appeal to the City Council from any order of the Chief Building Official or code enforcement. Such appeal shall be taken by filing a written notice of appeal with the City Clerk within ten (10) days after the administrative order of the Chief Building Official or his designees is rendered. If said appeal is not taken within ten (10) days as provided, the order shall be final and the costs of the action shall be determined as provided.
- (g) For the purposes of this section:
 - (1) "Dilapidated building" means:
 - (A) A structure which through neglect or injury lacks necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public;
 - (B) A structure which is unfit for human occupancy due to the lack of necessary repairs and is considered uninhabitable or is a hazard to the health, safety, and welfare of the general public;
 - (C) A structure which is determined by the municipal governing body or administrative officer of the municipal governing body to be an unsecured building, as defined by paragraph (g)(1) (A or B) of this section, more than three (3) times within any twelve-month period;
 - (D) A structure which has been boarded and secured, as defined by paragraph (g)(1) (A or B) of this section, for more than six (6) consecutive months; or
 - (E) A structure declared by the municipal governing body to constitute a public nuisance; and
 - (2) Owner means the owner of record as shown by the most current tax rolls of the County Treasurer.
- (h) Nothing in the provisions of this section shall prevent the City of Midwest City from abating a dilapidated building as a nuisance or otherwise exercising its police power to protect the health, safety, or welfare of the general public.
- (i) After a building has been declared dilapidated, as provided in this section, and before the commencement of the tearing and removal of a dilapidated building, the City Council of the City of Midwest City may authorize that such a building be boarded and secured.
- (j) The City Council may cause the premises on which an unsecured building is located to be cleaned of trash and weeds in accordance with the provisions of article II, chapter 27.
- (k) The City Council may cause an unsecured building to be boarded and secured in accordance with the dilapidated building procedures contained in this section.

For the purposes of this subsection:

- (1) Board and securing or boarded and secured means the closing, boarding or locking of any or all exterior openings so as to prevent entry into the structure; and
- (2) *Unsecured building* shall mean any structure which is not occupied by a legal or equitable owner thereof, or by a lessee of a legal or equitable owner, and into which there are one (1) or more unsecured openings such as broken windows, unlocked windows, broken doors, unlocked doors, holes in exterior walls, holes in the roof, broken basement or cellar hatchways, unlocked basement or cellar hatchways or other similar unsecured openings which would facilitate an unauthorized entry into the structure.
- (l) The officers, employees or agents of the city shall not be liable for any damages or loss of property due to the removal of dilapidated buildings performed pursuant to the provisions of this section or as otherwise prescribed by law.
- (m) The provisions of this act shall not apply to any property zoned and used for agricultural purposes.

Sec.9-4. - Powers and Duties of the Chief Building Official

- (a) The Chief Building Official is hereby authorized and directed to enforce all the provisions of this Chapter. For such purposes, the Chief Building Official shall have the powers of an enforcement officer. The Chief Building Official shall have under his/her charge building inspectors who shall carry out the duties as directed and described herein, and such others as the City Manager may deem appropriate.
- (b) Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the Chief Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition or code violation that makes such structure or premises unsafe, dangerous or hazardous, the Chief Building Official may enter such structure or premises at all reasonable times to inspect them or to perform any duty imposed upon the Chief Building Official by this chapter; provided that, if such structure or premises is occupied, the Chief Building Official shall first present proper credentials and request entry. If such structure or premises is unoccupied, the Chief Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the structure or premises and request entry. If entry is refused, the Chief Building Official shall have recourse to every remedy provided by law to obtain entry.
 - When the Chief Building Official shall have first obtained a proper inspection warrant or other remedy provided by law to obtain entry, an owner, occupant or other persons having charge, care or control of the structure or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by Chief Building Official for the purpose of inspection and examination pursuant to this chapter.
- (c) Stop work orders. Whenever work is being done contrary to the provisions of this Chapter, the Chief Building Official may order the work stopped by notice in writing served on persons engaged in the doing of or causing to be done such work, and such persons shall forthwith stop such work until authorized by the Chief Building Official to proceed with the work.
- (d) Suspension or revocation. The Chief Building Official may, in writing, suspend or revoke any permit issued under the provisions of this Chapter whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction. Any appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.
- (e) The Chief Building Official shall have the authority to disconnect electric power or energy service supplied to a structure or building service equipment therein regulated by this chapter in case of emergency where necessary to eliminate an immediate hazard to life or property. The Chief Building Official shall, whenever possible, notify the serving utility and the owner and any occupant of the structure of the decision to disconnect prior to taking such action. Immediately after disconnection, the Chief Building Official shall notify the owner and occupant, in writing, of the disconnection.
- (f) Whenever the Chief Building Official ascertains that any system or equipment regulated in this Chapter is defective, the Chief Building Official shall order in writing that such system or equipment either be removed or restored to compliance with this code. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain a defective system or equipment after receiving notice.
 - Whenever the Chief Building Official ascertains that any system or equipment regulated by this chapter has become hazardous to life, health or property, the Chief Building Official shall order in writing that such system or equipment be immediately disconnected and, within twenty-four (24) hours, either removed or restored to compliance with this code. The Chief Building Official shall give written notice to the serving utility, the owner and any occupants of the structure of the hazardous system or equipment, and that the equipment must be immediately disconnected and the repairs made within twenty-four (24) hours or the system or equipment removed. When any system or equipment is maintained in violation of this chapter and in violation of a notice issued pursuant to the provisions of this section, the Chief Building Official shall institute appropriate action to prevent, restrain, correct or abate the violation.
- (g) Persons shall not make connections from an energy or power supply, or supply power to an electrical system or equipment that has been disconnected or ordered to be disconnected by

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the Chief Building Official until the Chief Building Official authorizes the reconnection and use of the electrical system or equipment.

Sec.9-5. - Incorporated by Reference.

The following codes are adopted by reference by the City of Midwest City and the requirements contained therein are, unless otherwise specified, adopted and incorporated by reference in their entirety:

- (a) 2018 International Building Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (b) 2018 International Residential Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (c) 2018 International Existing Building Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (d) 2018 International Fuel Gas Code, as modified by the Oklahoma Uniform Building Code Commission (OUBCC).
- (e) 2018 International Mechanical Code, as modified by the OUBCC.
- (f) 2018 International Plumbing Code, as modified by the OUBCC.
- (g) 2018 International Energy Conservation Code, first published by the International Code Council Inc. as published on August 31, 2017.
- (h) 2020 National Electrical Code, as modified by the OUBCC.

Sec.9-6. - Code Amended – International Building Code.

The building code adopted in section Sec.9-5. - is amended and modified in the following respects:

102.4.1 Conflicts. In the event two (2) or more codes conflict, the more restrictive code will apply.

104.1 Administrative and enforcement procedures. The regulations relating to building permits or certificates of occupancy shall be enforced by the Chief Building Official appointed by the City Manager. It shall be a violation of this Chapter for any person to change or permit the change in the use of land or buildings or structures or to erect, move, or improve any building or structure until a building permit or certificate of occupancy has been obtained under the conditions contained herein as set forth in this chapter.

104.2 Application for permit; when required. It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the Chief Building Official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in Sec.9-2. - , and which do not involve any violation of this Code, shall be exempt from this provision. The Chief Building Official may require every applicant for a building permit to furnish the following information:

- (a) A site plan, drawn to scale, showing the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be repaired, altered, erected or moved, and the size.
- (b) Additional information relating to the proposed improvement needed to determine compliance with these regulations.
 - (1) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.
 - (2) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon
 - (3) Or any other documentation as deemed necessary to the Chief Building Official to determine compliance with this code.

 Nothing contained herein shall modify or alter the requirements contained in Appendix A, Zoning.

105.2 Repairs and maintenance. Application or notice to the Chief Building Official is not required for ordinary repairs to structures, but such repairs shall not include the cutting away of any wall, partition or portion thereof; the removal or cutting of any structural beam or bearing support; the removal or change of any required means of egress; or the rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping; electric wiring; or mechanical or other work affecting public health or general safety.

105.10 Demolition permit requirements. A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition and all non-commercial buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. For all other structures/buildings, the project shall commence within ten (10) days of issuance of a permit and shall be completed and cleaned up within the next forty-five (45) calendar days. Extensions may be granted by the Chief Building Official upon written request. Fee in Table located in Sec.9-47.

107.3.1 Approved plans.

(a) In addition, lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a designated representative of the City. The applicant and designated city representative will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. Fee in Table located in Sec.9-47

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit as contained in Table located in Sec.9-47 shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

- (a) Plan review fees: At the time an application for permit (commercial in Table located in Sec. 9-47) is submitted to the Chief Building Official it shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official.
- (b) For a permit for construction, alteration, remodel, or installation of a building or structure, shall pay the fee. The fee shall include the following:
 - (1). Capital improvement fee:
 - (2). Sidewalk fee:
 - (3). Conversion from residential to commercial uses requires Capital improvement and Sidewalk fee:
 - (4). Commercial Remodel requires Capital Improvement and Sidewalk fee:
 - (5). New warehouse and agricultural requires Capital Improvement and Sidewalk fee:
 - (6). Non-residential additions: The fee for a non-residential addition shall be the same fee as would be charged for new construction.
- (c) Accessory buildings, carports, patio cover, retaining walls and fences:
 - (1). The fee for accessory buildings of two hundred fifty (250) square feet or less in area.
 - (2). Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area.
 - (3). The fee for accessory buildings more than ten thousand (10,000) square feet in area.
- (d) Miscellaneous inspections (no permit).
- (e) Reinspection fee.
- (f) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.

109.4 Work commencing before permit issuance: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be charged three times the normal rate as identified in the Table located in Sec.9-47. If work was done in an emergency situation and permit has been applied for on the first business day following fee may be waived by the City Manager.

110.0 Certificate of occupancy (CO).

- (a). Certificate of occupancy; fee. See Table located in Sec.9-47. No change shall be made in the use of any building until a certificate of occupancy is obtained from the Chief Building Official certifying:
 - (1). That all the provisions of this Code are met; and
 - (2). That all required federal and/ or state permits or licenses have been issued and copies have been received by the City, unless otherwise required under federal or state law and all federal and/ or state statutory and/ or regulatory requirements have been met.
- (b). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to being occupied. Any business operating without a valid certificate of occupancy shall be in violation of this section. Penalties include citations of seven hundred fifty dollars (\$750) plus court cost, each day is a separate violation. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.
 - (1). The fee for all commercial or industrial certificates of occupancy for a new building or for a change in occupancy is set in Table located in Sec.9-47.
- (c). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of The Chief Building Official and only if all life, safety requirements have been met. All requirements of the final building inspection will be satisfied on or before the expiration date of this Temporary Certificate of Occupancy. Failing to obtain a permanent certificate of occupancy on or before the expiration date may result in citations and the disconnecting of utilities to included water, electric and gas.
- (d). One- and two-family residences are exempt from the requirements of this section; they are governed by the requirements of the International Residential Code.
- 113.1 Appeal process. An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement, or decision made by the building inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement, or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days of receipt of appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Builder's Advisory Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-7. - Code Amended - International Residential Code.

The building code adopted in section Sec.9-5. - (b) is amended and modified in the following respects:

102.4.1 Conflicts. In the event two (2) or more codes conflict, the more restrictive code will apply.

104.1 Administrative and enforcement procedures. The regulations relating to building permits or certificates of occupancy shall be enforced by the Chief Building Official appointed by the City Manager. It shall be a violation of this Chapter for any person to change or permit the change in the use of land or buildings or structures or to erect, move, or improve any building or structure until a building permit or certificate of occupancy has been obtained under the conditions contained herein as set forth in this chapter.

104.2 Application for permit; when required. It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the Chief Building Official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in Sec.9-2. - , and which do not involve any violation of this Code, shall be exempt from this provision. The Chief Building Official may require every applicant for a building permit to furnish the following information:

- (a) A site plan, drawn to scale, showing the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be repaired, altered, erected or moved, and the size.
- (b) Additional information relating to the proposed improvement needed to determine compliance with these regulations.
 - (1) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.
 - (2) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon
 - (3) Or any other documentation as deemed necessary to the Chief Building Official to determine compliance with this code.

Nothing contained herein shall modify or alter the requirements contained in Appendix A, Zoning.

105.10 Demolition permit requirements. A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition and all non-commercial buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. Fee in Table located in Sec.9-47.

107.3.1 Approved plans.

(a) In addition, lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a designated representative of the City. The applicant and designated city representative will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. Fee in Table located in Sec.9-47.

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

- (a) Plan review fees: At the time an application for permit for any new structures is submitted to the Chief Building Official, shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official. See Table located in Sec.9-47
- (b) For a permit for construction, alteration, remodel, or installation of a building or structure, the fee shall be at the rate located in Sec.9-47. They shall include the following:
 - (1) Capital improvement fee:
 - (2) Sidewalk fee:
- (c) Accessory buildings, carports, patio cover, retaining walls and fences: See Table located in Sec.9-47 for fees for accessory building with dwelling capabilities regardless of size will be the same as Residential additions and include the capital improvement fee and sidewalk fee: Dwelling capabilities defined as having heat, plumbing and electrical.
 - (1) The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47.

- (2) Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47.
- (3) The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47.
- (d) Miscellaneous inspections (no permit): See Table located in Sec.9-47.
- (e) Reinspection fee: See Table located in Sec.9-47.
- (f) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.
- (g) Infill housing on city-owned property: The City Manager or designee may waive development fees associated with building infill housing on city-owned properties in order to support revitalization. (Development fees may include building permits, fence permits, drive permits and any other development related fees deemed applicable at the City Manager's discretion.)
- 109.4 Work commencing before permit issuance: Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be charged three times the normal rate as identified in the Table located in Sec.9-47. If work was done in an emergency situation and permit has been applied for on the first business day following fee may be waived by the City Manager.
- 110.0 Certificate of occupancy (CO).
- (a). Certificate of occupancy; fee. See Table located in Sec.9-47. No change shall be made in the use of any building until a certificate of occupancy is obtained from the Chief Building Official certifying that all the provisions of this Code are met.
- (b). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to being occupied. Any residence occupied without a valid certificate of occupancy shall be in violation of this section. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.
- (c). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of the City Manager due to extenuating circumstances.
- (d). Commercial classifications are exempt from the requirements of this section; they are governed by the requirements of the International Building Code as adopted in this Chapter.
- 113.1 Appeal process. An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement, or decision made by the building inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement, or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days of receipt of appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Builder's Advisory Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.
- Sec.9-8. Reserved Code Amended International Existing Building Code
- Sec.9-9. Reserved Code Amended International Fuel Gas Code.
- Sec.9-10. Reserved Code Amended International Mechanical Code
- Sec.9-11. Reserved Code Amended International Plumbing Code.
- The plumbing code adopted in Sec.9-5. (f) is amended and modified in the following respects

- (a). Sewer saddles and risers. All sewer saddles to be installed on the mains are considered private infrastructure and shall comply with the requirements outlined in chapter 43 of the City Code of Midwest City.
- (b). Public systems available. A public water main or public sewer system shall be considered available to a building as outlined in chapter 43 of the City Code of Midwest City.
- (c). Backwater valves. A backwater valve shall be installed on all new and replacement sewer lines that are connected to the Midwest City Sanitary Sewer System, including any sewer line outside the city limits of Midwest City that is connected to the Midwest City Sanitary Sewer System.
- (d). Location of backwater valves. Backwater valves shall be installed on the building drain between the building and the cleanout. The cleanout shall be installed within five (5) feet of the building. The backwater valve shall be installed so that access is provided to the working parts for service and repair. Two (2) cleanouts shall be required, one (1) of which shall be directed toward the mainline and the other cleanout shall be directed toward the structure. The owner of the structure is responsible for maintaining the backwater valve and cleanouts.
- Sec.9-12. Reserved Code Amended International Energy Conservation Code
- Sec.9-13. Reserved
- Sec.9-14. Reserved
- Sec.9-15. Code Amended Electrical Code.

The electrical code adopted in Sec.9-5. - (h)is amended and modified in the following respects:

- (a). None of the informative annexes of the NEC® 2020 have been adopted by the City of Midwest City.
- (b). Subsection 230-42(d) is amended to read as follows:

All residences shall be provided with a minimum service capacity of a one hundred (100) AMP service with three (3) #4 THHN or equivalent in a minimum of one and one-fourth-inch conduit, with a #6 grounding conductor or larger.

230.70(A)(1) Readily accessible location [Amended]. The service disconnecting means shall be installed on the outside of a building or structure nearest the point of entrance of the service conductors. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.

(c). Subsection 310-14, aluminum conductors, is amended to read as follows:

All electric conductors installed within the city shall be copper conductors except that in the following two circumstances: 1) aluminum and aluminum-clad aluminum conductors may be used for direct burial or exposed free air installation not located inside structures. Such aluminum and aluminum-clad aluminum conductors shall be terminated outside of the outside walls of a structure. 2) Type AA-8000 Series aluminum conductors may be installed with all following conditions being met: commercial (nonresidential) applications only with services two hundred (200) amp and larger; and strictly installed to the manufacturer's specifications.

Sec.9-16. - Reserved

2.1

Sec.9-17. - Reserved.

Sec.9-18. - Reserved.

Sec.9-19. - Reserved.

Sec.9-20. - Reserved.

Sec.9-21. - Reserved.

Sec.9-22. - Reserved.

Sec.9-23. - Reserved.

Sec.9-24. - Violations

It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any system that is governed by this chapter or cause or permit the same to be done in violation of this chapter.

Sec.9-25. - Penalties.

Unless otherwise specified in this chapter, it shall be unlawful and an offense for any person to violate or fail to comply with any requirement of any provision of this chapter. Any person who violates a provision of this chapter or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair any equipment or any system that is governed by this chapter is in violation of an approved plan or directive of the City, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than five hundred dollars (\$500), plus court costs, or by imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Sec.9-26. - Unlawful Continuance.

Any person who shall perform any work in or about the structure after having been served with a Stop Work Order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be in violation of this Code.

Sec.9-27. - Unsafe Equipment and Usage.

- (a) Any system or equipment that is governed by this Chapter that constitute a fire hazard or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of those systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.
- (b) Unsafe systems or equipment governed by this Chapter are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the International Building Code referenced in Sec.9-5. -, incorporated by reference for the abatement of dangerous structures or otherwise as allowed by law. The city may institute other appropriate action to prevent, restrain, correct or abate the violation.

Sec.9-28. - Defective Workmanship or Materials.

Any person engaged in the business of a system or equipment governed by this Chapter in the City who fails to correct promptly any defect in any work done by him contrary to this Chapter, after having been notified thereof by the City, shall not be issued any further permits until such defect has been corrected. The license of any person who continues to violate or persistently violates the ordinances of the City in relation to the same shall be suspended or revoked.

Sec.9-29. - Declaration of Uninhabitable Property

(a) When any building or premises has been inspected by the City and is found to be unsafe, defective, or insanitary to such an extent that it constitutes a menace to public health, a

notice to that effect shall be served upon the owner or his agent specifying the required alterations or improvements to be made. If such repairs, alterations or improvements as specified in the notice are not commenced in good faith within five (5) calendar days from the date of the service of such notice and completed within a reasonable time, the Chief Building Official or Fire Marshal may declare the property as being uninhabitable and unfit for human habitation and its occupancy thereafter is prohibited.

(b) When a building has been declared uninhabitable, the occupants, if any, shall vacate immediately and the premises shall remain vacant until such time as all repairs and alterations specified in the notice above provided have been made. A warning sign shall be placed upon the premises to read as follows:

"This building has been declared uninhabitable and unfit for human habitation and it is unlawful for any person to reside in or occupy the same."

(c) Any appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.

Sec.9-30. - License Revocation or Suspension

(a) For good and sufficient cause the Chief Building Official may revoke the license of any person licensed under this Chapter and thereafter they shall not be permitted to do business or work within the city or on premises connected or to be connected with the city water or sewer system. In the event of such revocation or suspension, an appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.

Sec.9-31. - Reserved.

Sec.9-32. - Reserved.

Sec.9-33. - Reserved.

Sec.9-34. - Reserved.

Sec.9-35. - Reserved.

Sec.9-36. - Reserved.

Sec.9-37. - Reserved.

Sec.9-38. - Reserved.

Sec.9-39. - Reserved.

Sec.9-40. - Reserved.

Sec.9-41. - Reserved.

Sec.9-42. - Reserved.

Sec.9-43. - Reserved.

Sec.9-44. - Reserved.

Sec.9-45. - Reserved.

Sec.9-46. - Consumer Price Index

(a) On May 1st of each year, the fees specified in the Table located in Sec.9-47. shall be adjusted by the average change in the Consumer Price Index, U.S. City Average for all Urban Consumers, All Items. (Published by the United States Bureau of Labor Statistics, Consumer Price Index) (the "CPI") during the twelve (12) most recently published months. In the event U.S. Department of Labor, Bureau of Labor Statistics ceases to publish this particular CPI, an equally authoritative measure of change in purchasing

power of the U.S. dollar may be substituted as approved by the City Manager. Upon the calculation of the CPI, the calculated amount may be rounded to the nearest dollar.

(1). The fee is defined in the code book as:

 $Fee = (C \times F) + F$

Where:

C= CPI

F= Current Fee as of the adoption of this ordinance

Sec.9-47. - Fee Table

(a) Pursuant to Oklahoma Statute, Title 59 a \$4.50 fee for all permits associated with a code governed by a code located in Sec.9-5. - shall be remitted to the State Treasury.

| | Permit / | G 1 | | T T •4 | *CPI | N |
|---------------|---|---|----------|---------------|---------|--|
| | License | Code Sec.9-6 | Cost | Unit | indexed | Notes |
| | Lot Inspection | Sec. 9-0 | \$50.00 | | No | |
| eral | Reinspection fee | (c)Sec.9- 87 (c); Sec.9- 156 (i)(1); Sec.9- 157 (c); Sec.9- 226 Sec. 9-1. - (p)(1); Sec. 9-1. - (c); Sec.9- 293 (c); Sec. 9-1. - (l)(1); Sec.9- 343 (c) | \$50.00 | Each | No | first reinspection |
| All / General | Additional Reinspection fee | Sec.9-87 (c); Sec.9- 156 (i)(1); Sec.9- 157 (c); Sec.9- 226 Sec. 9-1 (p)(1); Sec. 9-1 (c); Sec.9- 293 (c); Sec. 9-1 (l)(1); Sec.9- 343 (c) | \$100.00 | Each | No | for each reinspection after an initial reinspection |
| | Inspections outside normal business hours | Sec.9- 156 (i)(1); Sec.9- 226 | \$200.00 | First hour | No | After hours Inspections |

| . I | | | T a a a | Τ | | 1 | |
|-----|----------|--------------------------|------------------------|------------|-------------|-----|----------------------------------|
| 1 | | | Sec. 9-1. | | | | |
| 2 | | | - (p)(1); Sec. 9-1. | | | | |
| 3 | | | sec. 9-1. - (1)(1) | | | | |
| | | | Sec.9- | | | | |
| 4 | | | 156 | | | | |
| 5 | | | (i)(1); | | | | |
| 6 | | Inspections | Sec.9- | | Each | | |
| 0 | | outside normal | 226 | \$75.00 | additional | No | After hours |
| 7 | | business hours | Sec. 9-1. | φ,ε.σσ | hour | | Inspections |
| 8 | | | - (p)(1); | | | | |
| 9 | | | Sec. 9-1. | | | | |
| | | | - (1)(1) | | | | |
| 10 | | Miscellaneous | Sec.9-6 | \$50.00 | Flat Fee | No | |
| 11 | | inspections | Sec.9-7 | · | Tat rec | 110 | |
| 12 | | | Sec.9-6 | 25% of the | | | Minimum fee |
| | | Plan review fee | Sec.9-7 | estimated | | No | \$50.00 |
| 13 | | | 200.5 7. | permit fee | | | · |
| 14 | | | | | | | To be included |
| 1.5 | | | | | Per | | with Commercial |
| 15 | | Capital | Cas O C | | \$10,000.00 | | Remodel, |
| 16 | | Improvement | Sec.9-6 | \$13.00 | Estimated | Yes | Residential |
| 17 | | Fee – Remodel | Sec.9-7 | | cost of | | Remodel, and Conversions from |
| | | | | | remodel. | | Residential to |
| 18 | | | | | | | Commercial |
| 19 | | | | | | | To be included |
| 20 | | | | | | | with Commercial |
| | | | | | Per | | Remodel, |
| 21 | | Sidewalk Fee – | Sec.9-6 | | \$10,000.00 | | Residential |
| 22 | | Remodel | Sec.9-7 | \$1.00 | Estimated | Yes | Remodel, and |
| 23 | | | | | cost of | | Conversions from |
| | | | | | remodel. | | Residential to |
| 24 | | | | | | | Commercial |
| 25 | | | | | | | To be included |
| 26 | 50 | Commercial | | | | | with New |
| | lir. | Capital | Sec.9-6 | | _ | | Commercial, |
| 27 | ilc | Improvement | Sec.9-7 | \$0.13 | Per sq ft | Yes | Commercial |
| 28 | Building | Fee – New | | | | | Additions, and |
| 29 | | | | | | | certain Accessory |
| | | | | | | | Buildings To be included |
| 30 | | | | | | | with New |
| 31 | | Commercial | | | | | Commercial, |
| 22 | | Sidewalk Fee – | Sec.9-6 | \$0.06 | Per sq ft | Yes | Commercial, |
| 32 | | New | Sec.9-7 | ψ0.00 | 1 01 34 11 | 105 | Additions, and |
| 33 | | 1100 | | | | | certain Accessory |
| 34 | | | | | | | Buildings |
| | | | | | | | To be included |
| 35 | | D 11 31 1 | | | | | with New |
| 36 | | Residential | g 0.7 | | | | Residential, |
| 37 | | Capital | Sec.9-7 | \$0.13 | Per sq ft | Yes | Residential |
| | | Improvement Fee - New | (b) | | | | Additions, and |
| 38 | | ree - new | | | | | certain Accessory |
| 39 | | | | | | | Buildings |
| 40 | | | | | | | To be included |
| | | | | | | | with New |
| 41 | | Residential | Sec.9-7 | | _ | | Residential, |
| 42 | | Sidewalk Fee - | (b) | \$0.02 | Per sq ft | Yes | Residential |
| | | New | (-) | | | | Additions, and |
| | | | | | | | certain Accessory |
| | | | 1 | | | 1 | Buildings |

| 1 | Certificate of | Sec.9-6 | \$150.00 | | No | |
|----------------------------------|---|--------------------|---|---|-----|--|
| 2 | Occupancy | Sec.9-7 | Ψ150.00 | | 110 | DI LIC. |
| 3 4 5 6 7 | Commercial: New | Sec.9-6 (b) | \$0.04 for first 10,000 sq ft then \$0.02 after | Per square foot (sq ft) | Yes | PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New |
| 8 9 10 11 12 13 | Commercial: Warehouse and Agricultural | Sec.9-6 (b) | \$0.03 for first 10,000 sq ft then \$0.01 after | Per sq ft | Yes | PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New |
| 14 15 16 17 18 19 | Non-Residential Additions | Sec.9-6 (b) | \$0.04 for first 10,000 sq ft then \$0.02 after | | Yes | Minimum fee \$50.00 PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New |
| 20 21 22 23 24 | Commercial Remodeling Conversion from Residential to Commercial | Sec.9-6 (b) | \$4.00 | Per \$1,000.00 Estimated cost of remodel. | Yes | Minimum fee \$50.00 PLUS: Capital Improvement Fee - Remodel and Sidewalk Fee - Remodel |
| 25 26 27 28 29 30 | Residential: New, Additions | Sec.9-7 (b) | \$0.05 | Per sq ft | Yes | Minimum fee \$50.00 PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New |
| 31 32 33 34 35 | Residential: Alteration, Remodel. | Sec.9-7 (b) | \$3.00 | Per \$1,000.00 Estimated cost of remodel. | Yes | Minimum fee \$50.00 PLUS: Capital Improvement Fee - Remodel and Sidewalk Fee - Remodel |
| 36 37 | Accessory building (sq ft ≤250) | Sec.9-6 Sec.9-7 | \$50.00 | Flat fee | No | |
| 38 39 40 41 42 | Accessory building (250< sq ft ≤10,000) | Sec.9-6 Sec.9-7 | \$0.05 | Per sq ft | Yes | Minimum fee \$50.00 PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New |

| 1 2 3 4 5 6 | | Accessory building (<10,000 sq ft) | Sec.9-6 Sec.9-7 | \$0.02 | Per sq ft | Yes | PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New |
|---------------------------------|------------|---|--------------------|----------|-----------------------------|-----|--|
| 7 | | Carports, patio covers etc. | Sec.9-6 Sec.9-7 | \$50.00 | Flat fee | No | |
| 8 | | Demolition Permit | Sec.9-6 Sec.9-7 | \$100 | Per Structure | No | |
| 10 | | Retaining Walls | Sec.9-6 Sec.9-7 | \$50.00 | Flat fee | No | |
| 11 12 | | Fences | Sec.9-6 Sec.9-7 | \$50.00 | Flat fee | No | |
| 13 14 | | Commercial Usage Change of Ownership Compliance | Sec.9-99. | \$100.00 | Per inspection | No | |
| 15 16 | | Roofing Registration fee | Sec 9-94 (c)(1) | \$150.00 | Each | No | New License |
| 17 | | Roofing Registration fee | Sec.9- 103 | \$75.00 | Each | No | Renewal License |
| 18 19 | | Roofing Permit Fee | Sec.9- 103 | \$50.00 | Each | Yes | |
| 20 21 | | Electrical Contractor | Sec.9- 136 | \$300.00 | First year or late renewals | No | |
| 22 | | Electrical Contractor | Sec.9- 136 | \$100.00 | Renewal License | No | |
| 2324 | | Electrical Permit Issuance Fee | Sec.9- 156 | \$0.04 | Per sq ft | Yes | Minimum Fee \$50.00 |
| 2526 | | Swimming pool | Sec.9- 156 (a) | \$50.00 | | Yes | |
| 27 28 29 30 | ical | Event Permit: | Sec.9- 156(b) | \$100.00 | Each | Yes | For each generator, electrically or mechanically driven ride and walk through attraction |
| 31 32 33 | Electrical | Event Permit | Sec.9- 156(b) | \$4.50 | Per area | Yes | For each display having electric lighting |
| 34 35 | | Temporary power pole etc | Sec.9- 156(c) | \$50.00 | Each | Yes | |
| 36 37 | | Residential Appliance | Sec.9- 156(d) | \$5.00 | Each | Yes | Each special circuit 220 volt or 50 amp and above |
| 38 | | Power Apparatus | Sec.9- 156(e) | \$100.00 | Each | Yes | |
| 39 40 | | Busways | Sec.9- 156(f) | \$100.00 | First 200 ft | Yes | |
| 41 42 | | Busways | Sec.9- 156(f) | \$4.50 | Per 100 ft | Yes | For each additional or fraction thereof |
| | | Electrical for Signs | Sec.9- 156(g) | \$35.00 | Each | Yes | |

| 1 | | Services | Sec.9- 156(h) | \$75.00 | <400 amps | Yes | |
|---------------------------------|------------|--|---------------------|----------|--------------------|-----|-----------------------------|
| 2 3 | | Services | Sec.9- | \$100.00 | 400 – 1000 | Yes | |
| 4 | | Services | 156(h) Sec.9- | \$200.00 | >1000 amps | Yes | |
| 5 | | | 156(h) Sec.9-156 | | - | | |
| 6 | | Elevators | (h) Sec.9- | \$75.00 | Each | Yes | |
| 7 | | Solar Energy | 164 | \$100.00 | Each | Yes | |
| 8 9 10 | | Unlimited Mechanical Contractor | Sec.9- 206 | \$170.00 | New License | No | |
| 10 11 12 | | Unlimited Mechanical Contractor | Sec.9- 206 | \$75.00 | Renewal License | No | |
| 13 14 | | Limited Mechanical Contractor | Sec.9- 206 | \$150.00 | New License | No | |
| 15 16 | | Limited Mechanical Contractor | Sec.9- 206 | \$65.00 | Renewal License | No | |
| 17 18 | | Mechanical Permit Issuance Fee | Sec.9- 226 | \$0.04 | Per sq ft | Yes | Minimum Fee \$50.00 |
| 19 20 21 | | Installation or relocation furnace or boiler | Sec. 9-1. - (a) | \$35.00 | <160,000 BTU/H | Yes | |
| 22 23 | 7 | Installation or relocation furnace or boiler | Sec. 9-1. | \$40.00 | >160,000 | Yes | |
| 2425 | Mechanical | Package Units | Sec. 9-1. - (c) | \$25.00 | | Yes | 0-4 tons |
| 26 | echa | Package Units | Sec. 9-1. - (c) | \$50.00 | | Yes | 5-25 tons |
| 27 28 | | Package Units | Sec. 9-1. | \$75.00 | | Yes | 26-60 tons |
| 29 | | Package Units | Sec. 9-1. - (c) | \$150.00 | | Yes | >61 tons |
| 30 31 | | Installation or relocation Heater | Sec. 9-1. - (d) | \$35.00 | | Yes | |
| 32 33 | | Unit Replacement | Sec. 9-1. - (e) | \$35.00 | | Yes | |
| 34 | | Air Handling unit | Sec. 9-1. - (f) | \$75.00 | Each | Yes | <2000 Cubic feet per minute |
| 35 | | Air Handling unit | Sec. 9-1. | \$50.00 | Each | Yes | >2000 CFM |
| 36 37 | | Evaporative Cooler | Sec. 9-1. - (h) | \$35.00 | Each | Yes | |
| 38 | | Ventilation Fan | Sec. 9-1. - (i) | \$35.00 | Each | Yes | |
| 39 40 | | Ventilation System | Sec. 9-1. | \$35.00 | Each | Yes | |
| 41 | | Commercial Hood Vent | Sec. 9-1. - (k) | \$75.00 | Each | Yes | |
| 42 | | Domestic Incinerator | Sec. 9-1. - (1) | \$50.00 | Each | Yes | |

| | Commercial Incinerator | Sec. 9-1. | \$75.00 | Each | Yes | Commercial Incinerator |
|---------|--|--------------------|----------|---------------------------------|-----|---------------------------|
| | Appliances | Sec. 9-1. | \$35.00 | Each | Yes | Appliances |
| | Duct Installation | Sec. 9-1. - (o) | \$0.04 | Per sq ft | Yes | Minimum Fee \$35.00 |
| | Fuel Gas Permit Issuance Fee | Sec.9- 292 | \$0.04 | Per sq ft | Yes | Minimum Fee \$50.00 |
| Gas | Gas Piping | Sec.9- 292 (a) | \$35.00 | Each | Yes | Gas Piping |
| | Gas Piping Outlets | Sec.9- 292 (b) | \$5.00 | Each | Yes | Gas Piping Outlets |
| | Plumbing Contractor | Sec.9- 322 | \$300.00 | New License | No | |
| | Plumbing Contractor | Sec.9- 322 | \$50.00 | Renewal License | No | |
| | Plumbing Permit Issuance Fee | Sec.9- 342 | \$0.04 | Per sq ft | Yes | Minimum Fee \$50.00 |
| | Building Sewer | Sec. 9-1. | \$35.00 | Each | Yes | |
| | Rainwater system | Sec. 9-1. - (b) | \$10.00 | Per Drain Inside building | Yes | |
| | On-Site Sewage Treatment System | Sec. 9-1. - (c) | \$100.00 | Each | No | |
| g | Water Heaters and/or Vent | Sec. 9-1. | \$35.00 | Each | Yes | |
| lumbing | Commercial / Industrial Interceptor | Sec. 9-1. - (e) | \$100.00 | Each | Yes | |
| P | Installation Water piping | Sec. 9-1. - (f) | \$35.00 | | Yes | |
| | Lawn Sprinkler | Sec. 9-1. | \$35.00 | Each | Yes | |
| | Vacuum Breakers or Backflow Devices | Sec. 9-1. - (h) | \$10.00 | <4 | Yes | |
| | Vacuum Breakers or Backflow Devices | Sec. 9-1. - (i) | \$5.00 | >4 | Yes | |
| | Oil Separator | Sec. 9-1. | \$100.00 | | Yes | |
| | Commercial Grease Interceptor | Sec. 9-1. - (k) | \$100.00 | | Yes | |

1 Sec.9-48. -Reserved. 2 Sec.9-49. -Reserved. 3 Sec.9-50. -Reserved. 4 Sec.9-51. -Reserved. 5 6 Sec.9-52. -Reserved. 7 Sec.9-53. -Reserved. 8 Sec.9-54. -Reserved. 9 10 ARTICLE II – BUILDING 11 **DIVISION 1. – IN GENERAL** 12 Sec.9-55. -Title. 13 These regulations shall be known as the Building Code of the City of Midwest City, hereinafter 14 referred to as "this code." 15 Sec.9-56. -Reserved. 16 17 Sec.9-57. -Reserved. 18 Sec.9-58. -Reserved. 19 Sec.9-59. -Reserved. 20 21 Sec.9-60. -Reserved. 22 Sec.9-61. -Reserved. 23 Sec.9-62. -Reserved. 24 25 Sec.9-63. -Reserved. 26 Sec.9-64. -Reserved. 27 **DIVISION 2. – STANDARDS & REQUIREMENTS** 28 **International Building Code Adopted.** Sec.9-65. -29 There is hereby adopted by the city for the purpose of establishing rules and regulations for the 30 construction of buildings and structures, including permits and penalties, that certain building 31 code known as the International Building Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in Sec.9-5. - , save and except such 32 portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) 33 copy is declared the office file copy by the City Clerk of this city and said copy is available at 34 city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building 35 and other subjects therein contained within the corporate limits of the city. 36 **International Residential Code Adopted.** Sec.9-66. -37 There is hereby adopted by the city for the purpose of establishing rules and regulations for the 38 construction of buildings and structures, including permits and penalties, that certain building 39 code known as the International Residential Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in Sec.9-5. - , save and except such 40 portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) 41 copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at 42 length herein, and the provisions thereof shall be controlling in the construction of all building

and other subjects therein contained within the corporate limits of the city.

Sec.9-67. - International Existing Building Code.

There is hereby adopted and incorporated by reference the following International Codes: International Existing Building Code published by the International Code Council, Inc. referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-68. - Conditions for Issuing a Building Permit.

No building permit shall be issued for any new structure or change, improvement or alteration of any existing structure on any tract of land which does not comply with the street, water, sewer, drainage and fire code provisions of this Code.

Sec.9-69. - Licensing Fees and Requirements

See Table located in Sec.9-47.

Sec.9-70. - Commercial Classification Access to Utilities

- (d). Whereas a building shall have proper access to water and sanitary sewer.
- (e). The term Commercial Classification for the purposes of this chapter shall be defined by all classifications within Chapter 3 of the International Building Code, with the exception of one and two family homes.
- (f). No building permit for a commercial classification shall be issued for:
 - (1) Construction of a new commercial building
 - (2) Relocation of a building
 - (3) For an addition to an existing building, with said addition expanding the size of the existing structure by fifty (50) percent.

Until construction plans are approved for a public water supply to extend to and across the frontage of the property as required by this chapter. The public water extension and its service connections to the property shall be constructed at no cost to the city.

- (g). No commercial classification building permit shall be issued for:
 - (1) Construction of a new commercial building
 - (2) Relocation of a building
 - (3) For an addition to an existing building, with said addition expanding the size of the existing structure by fifty (50) percent.

Until construction plans are approved for a public sewer to extend to an easement abutting the property and the sewage facilities of the property are tied onto the public sewer. The public sewer extension, if necessary, and its service connections to the property shall be constructed at no cost to the city.

- (h). No Certificate of Occupancy shall be granted to a new commercial classification unless the building has tied properly into the public water supply and public sewer unless:
 - (1) The City Council determines that extension of and connection to the public water supply and / or public sewer is impractical (e.g., due to construction timing of the city's system) or not feasible; and
 - (2) Such on-site system(s) shall be permitted by Oklahoma Department of Environmental Quality and follow the provisions found in Chapter 9 and 43 of Midwest City Ordinance.

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Sec.9-71. - Reserved.

Sec.9-72. - Reserved.

Sec.9-73. - Reserved.

Sec.9-74. - Reserved.

Sec.9-75. - Reserved.

Sec.9-76. - Reserved.

Sec.9-77. - Reserved.

Sec.9-78. - Reserved.

Sec.9-79. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-80. - Permit Application.

- (a) To obtain a building permit, an applicant shall first file an application therefore on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.
- (b) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid.
 - The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the City.
- (c) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (d) Every permit issued by the City under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
 - A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (e) There shall be a separate permit for each building.

Sec.9-81. - Multiple Permits.

Only one (1) permit shall be issued for any building provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-82. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-83. - Permit Required.

No building system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate building permit for each structure has first been obtained from the city.

Sec.9-84. - Permit Denial.

The City may refuse to issue a permit for a building as herein provided, or for any additions or extensions to any building where, in the Chief Building Official's judgment, the building done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-85. - Permit Cancellation.

A contractor may request in writing that his permit be canceled. In the event that a contractor holding a valid permit issued by the city refuses to complete the work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the contractor. The second contractor permit holder shall take full responsibility for the building work done after cancellation of the first permit and for completion of the work in its entirety. No fees for permits will be refunded to the contractor in the event that the permit is canceled under the terms of this section.

Sec.9-86. - Permits.

See applicable permits within either Sec.9-6. - or Sec.9-7. -

Sec.9-87. - Inspections; Approval.

- (a). When an original rough-in installation of a building system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an alteration to the building for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the building system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

Sec.9-88. - Appeals.

An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement or decision made by the building inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Builder's Advisory decision, to the City Council. Written notice of the hearing by the

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City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-89. - Reserved.

Sec.9-90. - Reserved.

Sec.9-91. - Reserved.

Sec.9-92. - Reserved.

Sec.9-93. - Reserved.

Sec.9-94. - Reserved.

Sec.9-95. - Reserved.

Sec.9-96. - Reserved.

Sec.9-97. - Reserved.

Sec.9-98. - Reserved.

Sec.9-99. - Commercial Classification Change of Ownership Compliance.

- (i). When there is a requested change for a new account holder of a commercial city utility account; said new account holder shall apply for a "commercial classification change of ownership compliance permit" prior to changing the utility account.
- (j). The fee for the commercial classification change of ownership compliance permit is established in Table located in Sec.9-47.
- (k). The commercial classification change of ownership compliance permit shall provide provisions for certain departments to check that the commercial classification related to the city utility account is in compliance with current city ordinances.

Sec.9-100. - Retaining Walls.

All retaining walls must comply with standard engineering practices. Any wall over four (4) feet in height and walls not complying with Midwest City standards must have an engineer's signature and seal. The wall shall be measured from the top of the footing to the top of the wall. A permit must be applied for and approved before construction on any retaining wall is started. Failure to comply with this section may result in legal action and/or removal of the wall.

Sec.9-101. - Garage Doors Required.

Every residential dwelling having a garage shall have an operational, functional and maintained garage door which shall be kept in such condition that the garage door provides a complete and contiguous cover to the garage door opening, with the exterior surface to be architecturally consistent with and maintained in the same manner and at the same level and quality as the dwelling.

Sec.9-102. - Pre-engineered Buildings.

Each building permit issued by the Chief Building Official for the construction of a building involving a span of thirty (30) feet or more and involving the use of pre-engineered building systems or components shall be subject to the following conditional requirements:

The Chief Building Official shall receive a letter from the officer of the company constructing the building which states that the building shipped for the building permit was designed and constructed in accordance with approved engineered plans and specifications. The plans shall be stamped by an architect and/or engineer licensed in Oklahoma.

Sec.9-103. - Roofing License Code.

- (a) Roofing contractors.
 - (1) *License*. Any person or company wishing to engage in the practice of roofing residential and commercial buildings in the City of Midwest City must first register with the city and

Sec.9-116. - Members. (a) The Builder's Adviso Mayor and approved either: (1) Residents of the control of the

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- (a) The Builder's Advisory Board shall consist of seven (7) members to be appointed by the
- Mayor and approved by the City Council. The members of the board shall be chosen from either:
 - (1) Residents of the city at large with reference to their fitness for such office; or
 - (2) Ownership, operation or involvement in the building, construction or development business within the city.
- (b) Each member shall serve a term of three (3) years;
- (c) The members of the Builder's Advisory Board shall hold office until their successors are appointed;
- (d) Members may be removed for cause by the Mayor with approval of the City Council.

 Absences from meetings by board members shall be governed by section 2-28 of this Code.

 Vacancies shall be filled for an unexpired term in the same manner as appointment.
- (e) The member of the Builder's Advisory Board shall serve without pay.

Sec.9-117. - Meetings.

The Builder's Advisory Board shall meet at such times as meetings are called.

Sec.9-118. - Quorum.

For all business purposes, a quorum is required and is defined as any four (4) voting board members.

Sec.9-119. - Officers and Reports.

The Builder's Advisory Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of such officers shall be held the first meeting of each calendar year. The board shall report fully and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed and preserved.

Sec.9-120. - Duties.

- (a) The Builder's Advisory Board shall act in an advisory capacity to the Mayor and City Council as regards building codes, construction, development requirements and related matters of interest to the city.
- (b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate.
- (c) The Builder's Advisory Board has the duty to review appeals as required in this Chapter.

Sec.9-121. - Reserved.

Sec.9-122. - Reserved.

Sec.9-123. - Reserved.

Sec.9-124. - Reserved.

ARTICLE III – ELECTRICAL

DIVISION 1. – IN GENERAL

Sec.9-125. - Title.

These regulations shall be known as the Electrical Code of the City of Midwest City, hereinafter referred to as "this code."

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Sec.9-126. - Reserved. Sec.9-127. -Reserved. Sec.9-128. -Reserved. Sec.9-129. -Reserved. Sec.9-130. -Reserved. Sec.9-131. -Reserved. Sec.9-132. -Reserved. Sec.9-133. -Reserved. Sec.9-134. -Reserved. **DIVISION 2. – STANDARDS & REQUIREMENTS**

Sec.9-135. - Electrical Code Adopted.

There is hereby adopted and incorporated by reference the following International Codes: National Electrical Code published by the National Fire Protection Association®, referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-136. - Licensing Fees and Requirements.

- (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a contractor license to any person who has a valid electrical license for the same license period issued by the State of Oklahoma.
- (b) There is hereby levied licensing fees for the electrical trade see Table located in Sec.9-47.
- (c) It shall be unlawful for any person to engage in the trade or otherwise act as an electrical contractor, within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the electrical trade or otherwise act as any type of electrical contractor within the city without first having been licensed by the city. The city shall issue a contractor license to any person, upon proper application, and payment of fees, who presents a valid license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All city electrical trade licenses shall be for one (1) year but all such city licenses shall expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July each year to be in effect from July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee See Table located in Sec.9-47.
- (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for such license be less than for a full year.
- (f) An electrical contractor license shall not be transferred, loaned or assigned.

Sec.9-137. - Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the electrical trade shall be identified by having printed on the sides of such vehicles or conveyances in a conspicuous place the firm name and the contractor's state license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.

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Sec.9-138. - Partnerships, Corporations, Firms.

No corporation, partnership or business trust shall engage in the business as an unlimited electrical contractor within the city unless such entity shall have as an officer of the entity one who holds an unlimited electrical contractor's license and is active in the trade. The name and address of such licensed unlimited electrical contractor and the name and address of the entity shall be licensed with the City.

Sec.9-139. - Supervision

A journeyman shall at all times while working at his trade be in the employment of a contractor who is licensed with the City of Midwest City.

Sec.9-140. - Employing Unqualified Workmen.

- (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any person to work at the trade unless the person employed is licensed and licensed under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a licensed contractor shall hire, engage or employ any person to do any mechanical work within the city, who is not a licensed, registered and bonded contractor under the terms of this article.

Sec.9-141. - Licensing Generally.

The Electrical License Act shall apply to all persons applying for a city license as an electrical contractor.

- Sec.9-142. Reserved.
- Sec.9-143. -Reserved.
- Sec.9-144. -Reserved.
- Sec.9-145. -Reserved.
 - Sec.9-146. -Reserved.
 - Sec.9-147. -Reserved.
 - Sec.9-148. -Reserved.
 - Sec.9-149. -Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-150. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed electrical contractors.
- (b) To obtain an electrical permit, an applicant shall first file an application therefore on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of an electrical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city.

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 Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the electrical system of a dwelling, apartment house or motel.
- (g) One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the Chief Building Official until final approval of the work covered therein. One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the building or work site at all times during which the work authorized thereby is in progress.

Sec.9-151. - Multiple Permits.

Only one (1) permit shall be issued for any electric wiring provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-152. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-153. - Permit Required to Whom Issued.

No electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed electrical contractor.

Sec.9-154. - Permit Denial.

The City may refuse to issue a permit for the installation of electric wiring as herein provided, or for any additions or extensions to any electric wiring where, in the electrical inspector's judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-155. - Permit Cancellation.

An electrical contractor may request in writing that his permit be canceled. In the event that an electrical contractor holding a valid permit issued by the city refuses to complete the electrical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the electrical

contractor. The second electrical contractor permit holder shall take full responsibility for electrical work done after cancellation of the first electrical permit and for completion of the work in its entirety. No fees for permits will be refunded to the electrical contractor in the event that the permit is canceled under the terms of this section.

Sec.9-156. - Permits.

There is a permit issuance fee for each electrical permit as in Table located in Sec.9-47.

The following fees do not include the permit issuance fee but shall be based on all wiring and electrical equipment in or on each structure or other electrical equipment on the same premises constructed at the same time.

- (a). Swimming Pool Permit: For new private, residential, in-ground swimming pools for single-family and multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool.
- (b). Event Permit: Carnivals, circuses, or other traveling shows or exhibitions utilizing transportation-type rides, booths, displays and attractions.
 - (1). Permit based on each electric generator and electrically driven ride, OR;
 - (2). For each mechanically driven ride, walk through attraction, display having electric lighting, system of area, and booth lighting
- (c). Temporary power service permit:
 - (1). For each temporary service power pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances, OR;
 - (2). For each temporary distribution system and temporary lighting and receptacle outlets for construction sites, Christmas tree sales lots, roadside stands, etc..
 - (3). For pole or platform-mounted lighting fixtures.
 - (4). For theatrical-type lighting fixtures or assemblies.
- (d). Residential appliances:
 - (1). Each special circuit 220 volt, 50 amp and above.
 - (2). For other types of air conditioners and other motor-driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.
- (e). Power apparatus permit: Including motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment, solar energy and other apparatus:
 - (1). Permits for shall be for each equipment or appliances having one (1) motor, transformer, heater, etc.
 - (2). These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly related control equipment.
- (f). Busway Permit
 - (1). For trolley and plug-in-type busways, first 200 feet minimum fee then,
 - (2). Each additional one hundred (100) feet or fraction thereof (per one hundred (100 feet)
- (g). Electrical for signs, outline lighting and marquees:
 - (1). For each sign, outline lighting system or marquee supplied from one branch circuit.
- (h). Services:
 - (1). For each service of 600 volts or less and not over 400 amperes in rating \$75.00.
 - (2). For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating.
 - (3). For each service over 600 volts or over 1000 amperes in rating.
 - (4). Elevators.
- (i). Other inspections and fees:

- (1). Initial Reinspection fee
- (2). All additional reinspection
- (3). Inspections outside of normal business hours initial call out (first 2 hours).
- (4). Inspections outside of normal business hours per hour thereafter initial call out.

Sec.9-157. - Inspections; Approval.

- (a). When an original rough-in installation of an electrical system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an electrical alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the electrical system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.
- (d). Temporary electric service inspections shall be permitted for any and all new installation for the purpose of construction and safety to personnel and equipment, and to prevent water lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary central heating unit(s).

Sec.9-158. - Connection Approval.

- (a). An electrical system or equipment regulated by this Code for which a permit is required shall not be connected to a source of energy or power until approved by the city.
- (b). The electrical inspector may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment. Occupancy of the dwelling is strictly prohibited until after a final electrical inspection has been completed. Violation of this provision shall be an offense and, upon conviction, punishment shall be a five hundred dollar (\$500.00) fine, not including court costs, and/or thirty (30) days in jail. Each day this provision is violated shall constitute a separate offense.
- (c). It is unlawful for any electric, light or power company, or any supplier of electricity for light, heat or power to make any electrical connection to any structure or electric wiring or apparatus until a certificate stating that the electric wiring has been approved or written permit authorizing connection has been issued by the city. All persons, whether operating under a regular franchise granted by the city or not, shall upon written notice by the electrical inspector disconnect from any such circuit, including main service wires, branch feeder wires or distribution, as designated by the notice, and shall not reconnect to the installation except upon written notice from the electrical inspector.
- (d). Any electrical service that has been inactive for twelve (12) months or has had the service disconnected for cause, shall be inspected by the electrical inspector before service will be re-established.

Sec.9-159. - Appeals.

An appeal may be taken to the Electrical Board from any ruling, interpretation, requirement or decision made by the electrical inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the electrical inspector's decision, the appeal will proceed to the Electrical Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is

necessary. The Electrical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Electrical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Electrical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-160. - Reserved.

Sec.9-161. - Reserved.

Sec.9-162. - Reserved.

Sec.9-163. - Reserved.

Sec.9-164. - Solar Energy.

- (a). Anyone desiring to erect, install, enlarge, alter, repair, remove, convert, or replace a Solar Thermal or Photovoltaic Solar System, the installation which is regulated by the adopted building codes of The City of Midwest City, or to cause such work to be performed, shall first make application and submit all required documentation as deemed necessary to the Chief Building Official and obtain the required permits.
- (b). A person shall not make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code until authorized by the Chief Building Official.
- (c). See Table located in Sec.9-47.

| 1 | Sec.9-165 Reserved. |
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| 2 | |
| 3 | Sec.9-166 Reserved. |
| 4 | Sec.9-167 Reserved. |
| 5 | Sec.9-168 Reserved. |
| 6 | Sec.9-169 Reserved. |
| 7 8 | Sec.9-170 Reserved. |
| 9 | Sec.9-171 Reserved. |
| 10 | Sec.9-172 Reserved. |
| 11 | Sec.9-173 Reserved. |
| 12 13 | Sec.9-174 Reserved. |
| 14 | Sec.9-175 Reserved. |
| 15 | Sec.9-176 Reserved. |
| 16 | Sec.9-177 Reserved. |
| 17 18 | Sec.9-178 Reserved. |
| 19 | Sec.9-179 Reserved. |
| 20 | Sec.9-180 Reserved. |
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| 22 | Sec.9-181 Reserved. |
| 2324 | Sec.9-182 Reserved. |
| 25 | Sec.9-183 Reserved. |
| 26 | Sec.9-184 Reserved. |
| 27 | DIVISION 4. – ELECTRICAL BOARD |
| 28 | Sec.9-185 Electrical Board Created. |
| 29 | There is hereby created the Electrical Board |
| 30 | Sec.9-186 Members. |
| 31 | (a) The Electrical Board shall consist of five (5) members to be appointed by the Mayor and |
| 32 | approved by the City Council. All members of the Electrical Board shall be journeyman |
| 33 | electricians or electrical contractors licensed by the City, and shall be persons who are |
| 34 | familiar with the requirements of the National Electrical Code and who know the methods of installing electric wiring. The members of the board shall be chosen from either: |
| 35 | (1) Residents of the city at large with reference to their fitness for such office; or |
| 36 | (2) Ownership, operation or involvement in the business of electrical work as a licensed |
| 37 38 | journeyman electrician or a licensed electrical contractor for the past (5) years next preceding the date of appointment. |
| 39 | (b) Each member shall serve a term of three (3) years; |
| 40 | (c) The members of the Electrical Board shall hold office until their successors are appointed; |
| 41 | The Mayor shall be an ex officio member of the board. Electrical Board stipulates staggered |
| 41 | terms of three (3) years. |

(d) Members may be removed for cause by the Mayor with approval of the City Council. Absences from meetings by board members shall be governed by section 2-28 of Midwest

1 City Code. Vacancies shall be filled for an unexpired term in the same manner as appointment. 2 (e) The member of the Electrical Board shall serve without pay. 3 4 **Sec.9-187. - Meetings.** 5 The Electrical Board shall meet at such times as meetings are called 6 Sec.9-188. -Quorum. 7 For all business purposes, a quorum is required and is defined as any three (3) voting board 8 members. 9 Sec.9-189. - Officers and Reports. 10 The Electrical Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. 11 Election of such officers shall be held the first meeting of each calendar year. The board shall 12 report fully and in writing to the Mayor and City Council immediately after each meeting, which 13 report shall be filed and preserved. 14 Sec.9-190. - Duties. 15 (a) The electrical board shall act in an advisory capacity to the Mayor and City Council as 16 regards to electrical construction and related matters of interest to the city. 17 (b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate. 18 (c) The Electrical Board has the duty to review appeals as required in this Chapter. 19 20 Sec.9-191. -Reserved. 21 Sec.9-192. -Reserved. 22 Sec.9-193. -Reserved. 23 24 Sec.9-194. -Reserved. 25 ARTICLE IV – MECHANICAL 26 **DIVISION 1. – IN GENERAL** 27 28 Sec.9-195. - Title. 29 This code shall be known as the Mechanical Code of Midwest City, Oklahoma, hereinafter referred to as the mechanical code or "this code". 30 31 32 33 34 35 36 37 38 39 40 41

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Sec.9-196. - Reserved.

Sec.9-197. -

Sec.9-198. - Reserved.

Reserved.

Sec.9-199. - Reserved.

Sec.9-200. - Reserved.

Sec.9-201. - Reserved.

Sec.9-202. - Reserved.

Sec.9-203. - Reserved.

Sec.9-204. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-205. - Mechanical Code Adopted

There is hereby adopted and incorporated by reference the following International Codes: International Mechanical Code published by the International Code Council, Inc. referenced in Sec.9-5. - , incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-206. - Licensing Fees and Requirements.

- (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a contractor license to any person who has a valid mechanical license for the same license period issued by the State of Oklahoma.
- (b) There is hereby levied a schedule of license fees for the mechanical trade to be as follows: For Unlimited and Limited Mechanical Contractors see Table located in Sec.9-47. for fees.
- (c) It shall be unlawful for any person to engage in the trade or otherwise act as a mechanical contractor, within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the mechanical trade or otherwise act as any type of mechanical contractor within the city without first having been licensed by the city. The city shall issue a contractor license to any person, upon proper application, and payment of fees, who presents a valid mechanical license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All city mechanical trade licenses shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect from July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee for a new license.
- (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for such license be less than for a full year.
- (f) A mechanical contractor license shall not be transferred, loaned or assigned.

Sec.9-207. - Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the mechanical trade shall be identified by having printed on the sides of such vehicles in a conspicuous place the firm name and the contractor's state license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.

Sec.9-208. - Partnerships, Corporations, Firms.

No corporation, partnership or business trust shall engage in the business as mechanical contractor within the city unless such entity shall have as an officer of the entity one who holds a contractor's license and is active in the trade. The name and address of such contractor and the name and address of the entity shall be licensed with the City.

Sec.9-209. - Supervision

A journeyman shall at all times while working at his trade be in the employment of a contractor who is licensed with the City of Midwest City.

Sec.9-210. - Employing Unqualified Workmen.

- (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a licensed contractor shall hire, engage or employ any person to do any mechanical work within the city, who is not a licensed, registered and bonded contractor under the terms of this article.
- Sec.9-211. Reserved.
- Sec.9-212. Reserved.
- Sec.9-213. Reserved.
 - Sec.9-214. Reserved.
- Sec.9-215. Reserved.
- Sec.9-216. Reserved.
- Sec.9-217. Reserved.
- Sec.9-218. Reserved.
- Sec.9-219. Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-220. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed mechanical contractors.
- (b) To obtain a mechanical permit, an applicant shall first file an application on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of a mechanical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data,

- or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.
- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
 - A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the mechanical system of a dwelling, apartment house or motel.

Sec.9-221. - Multiple Permits.

Only one (1) permit shall be issued for any mechanical provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-222. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-223. - Permit Required to Whom Issued.

No mechanical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate mechanical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed mechanical contractor.

Sec.9-224. - Permit Denial.

The City may refuse to issue a permit for the installation of mechanical as herein provided, or for any additions or extensions to any mechanical where, in the Chief Building Official's judgment, the mechanical done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-225. - Permit Cancellation.

A mechanical contractor may request in writing that his permit be canceled. In the event that a mechanical contractor holding a valid permit issued by the city refuses to complete the mechanical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the mechanical contractor. The second mechanical contractor permit holder shall take full responsibility for mechanical work done after cancellation of the first mechanical permit and for completion of the work in its entirety. No fees for permits will be refunded to the mechanical contractor in the event that the permit is canceled under the terms of this section.

Sec.9-226. - Permits.

Before a permit is issued for any mechanical system or work, there shall be an issuance permit as in Table located in Sec.9-47.

The following fees do not include the permit issuance fee but shall be based on all mechanical work and mechanical equipment in or on each structure or other mechanical equipment on the same premises constructed at the same time.

See Table located in Sec.9-47.

- (a) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H
- (b) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H
- (c) For the installation of self-contained packaged units
 - (1) 0-4 tons
 - (2) 5-25 tons
 - (3) 26-60 tons
 - (4) 61 tons or greater
- (d) For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater
- (e) For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code
- (f) For each air-handling unit up to and including 2000 cubic feet per minute, including ducts attached thereto
 - NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere
- (g) For each air-handling unit over 2000 cfm
- (h) For each evaporative cooler other than portable type
- (i) For each ventilation fan connected to a single duct
- (j) For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit
- (k) For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood
- (l) For the installation or relocation of each domestic type incinerator
- (m) For the installation or relocation of each commercial or industrial type incinerator
- (n) For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code
- (o) Duct installation only
- (p) Other inspections and fees:
 - (1) Initial Reinspection fee
 - (2) All additional reinspection
 - (3) Inspections outside of normal business hours initial call out (first 2 hours).
 - (4) Inspections outside of normal business hours per hour thereafter initial call out.

Sec.9-227. - Inspections; Approval.

(a) When an original rough-in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.

- (b) The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the air conditioning or refrigeration or forced air heating system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c) The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

Sec.9-228. - Appeals.

An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation, requirement or decision made by the mechanical inspector, by filing with the Chief Building Official within ten (10) business days from the mechanical inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the mechanical inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the mechanical inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

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       Sec.9-229. - Reserved.
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       Sec.9-230. -
                     Reserved.
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       Sec.9-231. -
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       Sec.9-232. -
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       Sec.9-233. -
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       Sec.9-234. -
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       Sec.9-237. -
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       Sec.9-240. -
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       Sec.9-241. -
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       Sec.9-246. -
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       Sec.9-247. -
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       Sec.9-248. -
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       Sec.9-249. -
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       Sec.9-250. -
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       Sec.9-251. -
                     Reserved.
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       Sec.9-252. -
                     Reserved.
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       Sec.9-253. -
                     Reserved.
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       Sec.9-254. -
                     Reserved.
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       DIVISION 4. – MECHANICAL BOARD
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       Sec.9-255. - Plumbing, Gas, and Mechanical Board Created.
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       There is hereby created the Plumbing, Gas, and Mechanical Board
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       Sec.9-256. -
                     Members.
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           The Plumbing, Gas, and Mechanical Board shall consist of six (6) members to be appointed
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           by the Mayor and approved by the City Council. All members of the Plumbing, Gas, and
           Mechanical Board shall be licensed by the City, and shall be persons who are familiar with
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           the requirements of their governing Code. The Plumbing, Gas, and Mechanical Board shall
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           include at least one (1) master of each of the trades represented. The members of the board
           shall be chosen from either:
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- (1) Residents of the city at large with reference to their fitness for such office; or
- (2) Ownership, operation or involvement in the business of plumbing, gas, and/or mechanical work as a licensed journeyman or a licensed contractor for the past (5) years next preceding the date of appointment.
- (b) Each member shall serve a term of three (3) years;
- (c) The members of the Plumbing, Gas, and Mechanical Board shall hold office until their successors are appointed; the Mayor shall be an ex officio member of the board. Plumbing, Gas, and Mechanical Board stipulates staggered terms of three (3) years.
- (d) Members may be removed for cause by the Mayor with approval of the City Council. Absences from meetings by board members shall be governed by section 2-28 of this Code. Vacancies shall be filled for an unexpired term in the same manner as appointment.
- (e) The member of the Plumbing, Gas, and Mechanical Board shall serve without pay.

Sec.9-257. - Meetings.

The Plumbing, Gas, and Mechanical Board shall meet at such times as meetings are called

Sec.9-258. - Quorum.

For all business purposes, a quorum is required and is defined as any three (3) voting board members.

Sec.9-259. - Officers and reports.

The Plumbing, Gas, and Mechanical Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of such officers shall be held the first meeting of each calendar year. The board shall report fully and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed and preserved.

Sec.9-260. - Duties.

- (a) The Plumbing, Gas, and Mechanical Board shall act in an advisory capacity to the Mayor and City Council as regards plumbing, gas, and mechanical construction and related matters of interest to the city.
- (b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate.
- (c) The Plumbing, Gas, and Mechanical Board has the duty to review appeals as required in this Chapter.
- Sec.9-261. Reserved.
- Sec.9-262. Reserved.
- Sec.9-263. Reserved.
- Sec.9-264. Reserved.

ARTICLE V - FUEL GAS

DIVISION 1. – IN GENERAL

Sec.9-265. - Title.

These regulations shall be known as the Fuel Gas Code of the City of Midwest City, hereinafter referred to as "this code."

1 Sec.9-266. - Reserved. 2 Sec.9-267. -Reserved. 3 Sec.9-268. -Reserved. 4 Sec.9-269. -Reserved. 5 6 Sec.9-270. -Reserved. 7 Sec.9-271. -Reserved. 8 Sec.9-272. -Reserved. 9 10 Sec.9-273. -Reserved. 11 Sec.9-274. -Reserved. 12 **DIVISION 2. – STANDARDS & REQUIREMENTS** 13 14 Sec.9-275. - Fuel Code Adopted. 15 There is hereby adopted and incorporated by reference the following International Codes: International Fuel Gas Code published by the International Code Council, Inc. referenced in 16 Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be 17 hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The 18 same is hereby adopted and incorporated as fully as if set forth at length herein, and the 19 provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city. 20 21 Sec.9-276. -Reserved. 22 Sec.9-277. -Reserved. 23 Sec.9-278. -Reserved. 24 25 Sec.9-279. -Reserved. 26 Sec.9-280. -Reserved. 27 Sec.9-281. -Reserved. 28 29 Sec.9-282. -Reserved. 30 Sec.9-283. -Reserved. 31 Sec.9-284. -Reserved. 32 33 Sec.9-285. -Reserved. 34 **DIVISION 3. – PERMITS AND INSPECTIONS** 35 Sec.9-286. - Permit Application. 36 (a) Permits required by this article shall be issued only to City licensed contractors. 37 (b) To obtain a permit, an applicant shall first file an application on a form furnished by the City 38 for that purpose. Every application shall: 39 (1) Identify and describe the work to be covered by the permit for which the application is 40 41 (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the 42

proposed work is to be done.

The City may issue a permit for the construction of part of a fuel/gas system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

- (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.
 - The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.
- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
 - A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (f) There shall be a separate permit for each building, except in the case of the gas piping of an outbuilding or garage which is a part of the gas system of a dwelling, apartment house or motel.

Sec.9-287. - Multiple Permits.

Only one (1) permit shall be issued for any fuel/gas provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-288. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-289. - Permit Required to Whom Issued.

No fuel/gas system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate fuel/gas permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed fuel/gas contractor.

Sec.9-290. - Permit Denial.

The City may refuse to issue a permit for the installation of fuel/gas as herein provided, or for any additions or extensions to any fuel/gas where, in the Chief Building Official's judgment, the fuel/gas done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-291. - Permit Cancellation.

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A fuel/gas contractor may request in writing that his permit be canceled. In the event that a fuel/gas contractor holding a valid permit issued by the city refuses to complete the fuel/gas work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the fuel/gas contractor. The second fuel/gas contractor permit holder shall take full responsibility for fuel/gas work done after cancellation of the first fuel/gas permit and for completion of the work in its entirety. No fees for permits will be refunded to the fuel/gas contractor in the event that the permit is canceled under the terms of this section.

Sec.9-292. - Permits.

Before a permit is issued for any fuel gas system or work, there shall be an issuance permit as in Table located in Sec.9-47.

The following fees do not include the permit issuance fee but shall be based on piping and fuel gas equipment in or on each structure or other fuel gas equipment on the same premises constructed at the same time.

See Table located in Sec.9-47.

- (a). Gas Piping
- (b). Gas Piping Outlets

Sec.9-293. - Inspections; Approval.

- (a). When an original rough-in installation of a fuel gas system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When a fuel gas alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the fuel gas system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

Sec.9-294. - Appeals.

An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation, requirement or decision made by the fuel/gas inspector, by filing with the Chief Building Official within ten (10) business days from the fuel/gas inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the fuel/gas inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the fuel/gas inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

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| Sec.9-295 | Reserved. |
|-----------------|---|
| Sec.9-296 | Reserved. |
| Sec.9-297 | Reserved. |
| Sec.9-298 | Reserved. |
| Sec.9-299 | Reserved. |
| Sec.9-300 | Reserved. |
| DIVISION 4. | - FUEL GAS BOARD |
| Sec.9-301 | Plumbing, Gas, and Mechanical Board Created. |
| Refer to Sec.9 | G, , |
| Sec 9-302 - | Memhers |
| | |
| | |
| Sec.9-303 | Meetings. |
| Refer to Sec.9 | 2-257 |
| Sec.9-304 | Quorum. |
| Refer to Sec.9 | D-258 |
| Sec 9-305 - | Officers and reports. |
| | • |
| Kelel to Sec. 9 | - <i>237</i> |
| Sec.9-306 | Duties. |
| Refer to Sec.9 | 0-260 |
| Sec.9-307 | Reserved. |
| Sec.9-308 | Reserved. |
| Sec.9-309 | Reserved. |
| Sec.9-310 | Reserved. |
| ARTICLE | VI – PLUMBING |
| | |
| DIVISION 1. | . – IN GENERAL |
| Sec.9-311 | Title. |
| | ll be known as the Plumbing Code of Midwest City, Oklahoma, hereinafter referred |
| to as the plum | bing code or "this code." |
| Sec.9-312 | Applicability Outside the City. |
| All persons us | sing water or sewage lines owned, furnished or operated by the city outside of the |
| | ts of the city must comply with all of the terms and requirements contained in this |
| article before | such water or sewer-service may be obtained or continued. |
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| | |
| | Sec.9-296 Sec.9-297 Sec.9-298 Sec.9-299 Sec.9-300 DIVISION 4. Sec.9-301 Refer to Sec.9 Sec.9-302 Refer to Sec.9 Sec.9-303 Refer to Sec.9 Sec.9-304 Refer to Sec.9 Sec.9-306 Refer to Sec.9 Sec.9-306 Refer to Sec.9 Sec.9-307 Sec.9-308 Sec.9-309 Sec.9-310 ARTICLE DIVISION 1. Sec.9-311 This code shalt to as the plum Sec.9-312 All persons us corporate limit |

1 Sec.9-313. - Reserved. 2 Sec.9-314. -Reserved. 3 Sec.9-315. -Reserved. Sec.9-316. -Reserved. 5 6 Sec.9-317. -Reserved. Sec.9-318. -Reserved.

> Sec.9-319. -Reserved.

Sec.9-320. -Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-321. - Plumbing Code Adopted.

There is hereby adopted and incorporated by reference the following International Codes: International Plumbing Code published by the International Code Council, Inc. referenced in Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-322. - Licensing Fees and Requirements.

- (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a contractor license to any person who has a valid plumbing license for the same license period issued by the State of Oklahoma.
- (b) There is hereby levied a schedule of license fees for the plumbing trade to be as follows in Table located in Sec.9-47.
- (c) It shall be unlawful for any person to engage in the plumbing trade or otherwise act as a plumbing contractor within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the plumbing trade or otherwise act as any type of plumbing contractor within the city without first having been licensed by the city. The city shall issue a contractor license to any person, upon proper application, and payment of fees, who presents a valid plumbing license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All city plumbing trade licenses shall be for one (1) year but all such city licenses and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect from July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee for a new license.
- (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for such license be less than for a full year.
- A master plumbers (plumbing contractors) license shall not be transferred, loaned or assigned.

Sec.9-323. -Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the plumbing trade shall be identified by having printed on the sides of such vehicles or conveyances in a conspicuous place the firm name and the contractors state license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.

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Sec.9-324. - Partnerships, Corporations, Firms.

No corporation, partnership or business trust shall engage in the business as a plumbing contractor within the city unless such entity shall have as an officer of the entity one who holds a plumbing contractor's license and is active in the trade. The name and address of such contractor and the name and address of the entity shall be registered with the City.

Sec.9-325. - Supervision

A journeyman plumber shall at all times while working at his trade be in the employment of a plumbing contractor who is licensed with the City of Midwest City as a Master Plumber.

Sec.9-326. - Employing Unqualified Workmen.

- (a) It is hereby declared unlawful and an offense for any master plumber (plumbing contractor) to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a master plumber (plumbing contractor) shall hire, engage or employ any person to do any plumbing within the city, or work that connects with a water or sewer main of the city outside the city, who is not a licensed, registered and bonded master plumber (plumbing, contractor) under the terms of this article.
- Sec.9-327. Reserved.
- Sec.9-328. Reserved.
- Sec.9-329. Reserved.
- Sec.9-330. Reserved.
- Sec.9-331. Reserved.
 - Sec.9-332. Reserved.
 - Sec.9-333. Reserved.
 - Sec.9-334. Reserved.
 - Sec.9-335. Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-336. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed plumbing contractors.
- (b) To obtain a plumbing permit, an applicant shall first file an application on a form furnished by the City for that purpose. Every application shall:
 - (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of a plumbing system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

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 The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the plumbing system of a dwelling, apartment house or motel.
- (g) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system within the city, or to make connections with a water or sewer main without obtaining a permit therefor from the development services department before the work is started.
- (h) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system owned or operated by the city outside of its corporate limits without obtaining a permit therefor from the development services department before the work is started.

Sec.9-337. - Multiple Permits.

Only one (1) permit shall be issued for any plumbing provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-338. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Sec.9-339. - Permit Required to Whom Issued.

No plumbing system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate plumbing permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed plumbing contractor.

Sec.9-340. - Permit Denial.

The City may refuse to issue a permit for the installation of the plumbing as herein provided, or for any additions or extensions to any plumbing where, in the Chief Building Official's, the plumbing done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-341. - Permit Cancellation.

A plumbing contractor may request in writing that his permit be canceled. In the event that a plumbing contractor holding a valid permit issued by the city refuses to complete the plumbing

 work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the plumbing contractor. The second plumbing contractor permit holder shall take full responsibility for plumbing work done after cancellation of the first plumbing permit and for completion of the work in its entirety. No fees for permits will be refunded to the plumbing contractor in the event that the permit is canceled under the terms of this section.

Sec.9-342. - Permits.

Before a permit is issued for any plumbing system or work, there shall be an issuance permit as in Table located in Sec.9-47.

The following fees do not include the permit issuance fee but shall be based on plumbing and plumbing equipment in or on each structure or other plumbing equipment on the same premises constructed at the same time.

See Table located in Sec.9-47.

- (a) For each building sewer and each trailer park sewer
- (b) Rainwater systems—per drain (inside building)
- (c) For each On-Site Sewage Treatment System
- (d) For each water heater and/or vent (includes gas)
- (e) For each commercial or industrial waste pre-treatment interceptor, including its trap and vent, excepting kitchen type grease interceptors functioning as fixture traps
- (f) For installation, alteration or repair of water piping and/or water treating equipment
- (g) For each lawn sprinkler system or any one (1) meter, including backflow protection devices therefor
- (h) For each vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures, including necessary water piping—one (1) to four (4)
- (i) Five (5) or more, each
- (j) Oil/Sand separator
- (k) Commercial grease interceptor
- (l) Other inspections and fees:
 - (1) Initial Reinspection fee
 - (2) All additional reinspection
 - (3) Inspections outside of normal business hours initial call out (first 2 hours).
 - (4) Inspections outside of normal business hours per hour thereafter initial call out.

Sec.9-343. - Inspections; Approval.

- (a). When an original rough-in installation of a plumbing system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When a plumbing alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.
- (b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the plumbing system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.
- (c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating

another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

Sec.9-344. - Appeals.

An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation, requirement or decision made by the plumbing inspector, by filing with the Chief Building Official within ten (10) business days from the building inspector's ruling, interpretation, requirement or decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the plumbing inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-345. - Reserved.

Sec.9-346. - Reserved.

Sec.9-347. - Reserved.

Sec.9-348. - Reserved.

Sec.9-349. - Reserved.

Sec.9-350. - Reserved.

Sec.9-351. - Reserved.

Sec.9-352. - On-Site Sewage Treatment System.

- (a) On-Site Sewage Treatment System shall mean the same as defined by Oklahoma Department of Environmental Quality
- (b) Whenever an on-site sewage treatment system is constructed, the design, installation, maintenance and replacement of the system shall be controlled by the latest standards and regulations of the Oklahoma Department of Environmental Quality.
- (c) Whenever there is an installation of an on-site sewage treatment system a copy of the completed DEQ form number 641-576AS, shall be submitted to the Chief Building Official.
- (d) Any person who shall violate any of the provisions of this section or fails to comply with any of the requirements hereof shall be guilty of an offense and each day such violation shall be permitted to exist shall constitute a separate offense. The city may initiate any proper action in the municipal or district court in the name of the city to prevent, restrain or abate any violations of this section.
- (e) The on-site sewage treatment system shall be registered by the homeowner with the City. The fee for registration see Table located in Sec.9-47.
- (f) An on-site sewage treatment system shall be registered before a certificate of occupancy shall be issued.

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2
      Sec.9-354. - Reserved.
3
      Sec.9-355. - Reserved.
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      Sec.9-356. - Reserved.
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      Sec.9-357. - Reserved.
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      Sec.9-358. - Reserved.
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      Sec.9-359. - Reserved.
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      Sec.9-360. - Reserved.
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      Sec.9-361. - Reserved.
12
      Sec.9-362. - Reserved.
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      Sec.9-363. - Reserved.
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      Sec.9-364. - Reserved.
16
      Sec.9-365. - Reserved.
17
      Sec.9-366. - Reserved.
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19
      Sec.9-367. - Reserved.
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      Sec.9-368. - Reserved.
21
      Sec.9-369. - Reserved.
22
23
      Sec.9-370. - Reserved.
24
      DIVISION 4. – PLUMBING BOARD
25
      Sec.9-371. - Plumbing, Gas, and Mechanical Board Created.
26
      Refer to Sec.9-255. -
27
28
      Sec.9-372. - Members.
29
      Refer to Sec.9-256. -
30
      Sec.9-373. - Meetings.
31
      Refer to Sec.9-257. -
32
      Sec.9-374. - Quorum.
33
      Refer to Sec.9-258. -
34
      Sec.9-375. - Officers and reports.
35
      Refer to Sec.9-259. -
36
37
      Sec.9-376. - Duties.
38
      Refer to Sec.9-260. -
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Sec.9-353. - Reserved.

42

| Sec.9-377 Reserved. | |
|--|---|
| Sec.9-378 Reserved. | |
| Sec.9-379 Reserved. | |
| Sec.9-380 Reserved. | |
| SECTION 2. REPEALER. All ordinances hereby repealed. | s or parts of ordinances in conflict herewith are |
| | ction, sentence, clause or portion of this ordinance is sion shall not affect the validity of the remaining |
| PASSED AND APPROVED by the Mayor on the day of | and Council of the City of Midwest City, Oklahoma, 2024. |
| | THE CITY OF MIDWEST CITY, OKLAHOM |
| | |
| ATTEST: | MATTHEW D. DUKES II, Mayor |
| SARA HANCOCK, City Clerk | |
| APPROVED as to form and legality this | day of |
| | |
| | DONALD D. MAISCH, City Attorney |
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NEW BUSINESS/ PUBLIC DISCUSSION



FURTHER INFORMATION



Matt Summers, Director of Planning and Zoning Emily Richey, Current Planning Manager Petya Stefanoff, Comprehensive Planner Cameron Veal, Associate Current Planner Tami Anderson, Administrative Assistant

To: Honorable Mayor and Council

From: Matt Summers, Director of Planning & Zoning

Date: April 23, 2024

Subject: (PC-2168) Public hearing, discussion, consideration, and possible action approving an ordinance

to redistrict from Community Commercial District ("C-3") to Planned Unit Development

("PUD") with C-3 as a base zoning district, for the property described as Lot Three (3), Blocks Five (5), Six (6), Seven (7) and Eight (8) in Heritage Park Mall, A Re-Subdivision of Blocks 3, 4 and 5 of Miracle Mile Addition, An Addition to Midwest City, Oklahoma County, Oklahoma, As

Shown By the Recorded Plat Thereof.

Honorable Mayor and Council,

Public hearing notice was advertised for this case for the April 23, 2024, City Council meeting; however, it has been postponed to the May 28, 2024, meeting.

Suggested action: Take no action.

Respectfully,

Matt Summers

1 th Some

Director of Planning & Zoning

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

March 5, 2024 - 5:00 p.m.

This regular meeting of the Midwest City Planning Commission was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, March 5, 2024, at 5:00 p.m., with the following members present:

Commissioners present:

Russell Smith

Jess Huskey Dee Collins Rick Rice

Commissioners absent:

Jim Smith,

Dean Hinton

Staff present:

Matthew Summers, Planning and Zoning Director

Don Maisch, City Attorney

Emily Richey, Current Planning Manager Tami Anderson, Administrative Assistant Cameron Veal, Associate Current Planner

Patrick Menefee, City Engineer

A. CALL TO ORDER

The meeting was called to order by Chairperson R. Smith at 5:00 p.m.

B. MINUTES

1. A motion was made by Jess Huskey seconded by Dee Collins, to approve the minutes of the February 6, 2024. Planning Commission meeting as presented. Voting aye: R. Smith, Huskey, Rice, and Collins. Nay: None. Motion carried.

C. NEW MATTERS

1. (MP-00017) Public hearing, discussion, consideration, and possible action to consider Approval of the Minor Plat of Douglas Development Corporation Douglas Boulevard described as a tract of land being a part of the Southeast Quarter (SE/4) of Section Two (2), Township Eleven (11) North, Range Two (2) West of the Indian Meridian, Oklahoma City, Oklahoma County, Oklahoma.

Emily Richey presented the staff report and recommended approval of the application. There was general discussion amongst the Commission.

The applicant, Cy Valanejad - 9260 Elaine Dr. was present and addressed the council.

A motion was made by Rick Rice, seconded by Jess Huskey to recommend approval of this item.

Voting Aye: R. Smith, Huskey, Rice, and Collins.

Nay: None.

Motion Carried.

2. (PC-2163) Public hearing, discussion, consideration, and possible action of an ordinance to redistrict from Planned Unit Development ("PUD") to amended Planned Unit Development (PUD), for the property described as McCorkle Park ADD E 35 ft of Lot 27 & all of Lots 28 & 29, addressed as 227 & 231 W. MacArthur Dr., Midwest City.)

The Commission continued this item until later in the meeting to give the applicant time to arrive.

3. (PC-2164) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction and Design Requirements; and providing for repealer and severability.

Matt Summers, Planning and Zoning Director, presented the proposed text amendment to the Planning Commission.

A motion was made by Jess Huskey, seconded by Rick Rice to recommend approval of this item.

Voting aye R. Smith, Huskey, Collins, and R. Rice.

Nay: None.

Motion Carried.

4. (PC-2165) Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability.

Matt Summers, Planning and Zoning Director, presented the proposed text amendment to the Planning Commission.

Commissioner Rice asked about the statutory requirements for calendar and business days.

A motion was made by Jess Huskey seconded by Rick Rice to recommend approval of this item.

Voting aye R. Smith, Huskey, Collins, and R. Rice.

Nay: None.

Motion Carried

2. (PC-2163) Public hearing, discussion, consideration, and possible action of an ordinance to redistrict from Planned Unit Development ("PUD") to amended Planned Unit Development (PUD), for the property described as McCorkle Park ADD E 35 ft of Lot 27 & all of Lots 28 & 29, addressed as 227 & 231 W. MacArthur Dr., Midwest City.)

The applicant, Jeff Johnson, NE 7th Street, was present and addressed the Commission.

A motion was made by Dee Collins, seconded by Jess Huskey to recommend approval of this application.

March 5, 2024

Voting aye: R. Smith, Huskey, Collins, and R. Rice.

Nay: None.

Motion Carried.

- D. COMMISSION DISCUSSION:
- **E. PUBLIC DISCUSSION:**
- F. FURTHER INFORMATION:
- G. ADJOURNMENT:

A motion to adjourn was made by Jess Huskey, Seconded by Rick Rice.

Voting aye: R. Smith, Huskey, Collins, and R. Rice.

Nay: None.

Motion Carried.

The meeting was adjourned at 5:21 p.m.

Chalman Russell Smith

(ta)

MINUTES OF MIDWEST CITY PLANNING COMMISSION MEETING

March 11, 2024 - 5:00 p.m.

This special meeting of the Midwest City Planning Commission was held in the City Council Chambers, 100 North Midwest Boulevard, Midwest City, Oklahoma County, Oklahoma, on March 11, 2024 at 5:00 p.m., with the following members present:

Commissioners present:

Russell Smith

Jess Huskey Dean Hinton Jim Smith Dee Collins Rick Rice

Commissioners absent:

None

Staff present:

Brandon Bundy, Engineering & Construction Director

Don Maisch, City Attorney

Matthew Summers, Planning and Zoning Director

Emily Richey, Current Planning Manager Tami Anderson, Administrative Assistant Cameron Veal, Associate Current Planner

Patrick Menefee, City Engineer

A. CALL TO ORDER

The meeting was called to order by Chairperson R. Smith at 5:00 p.m.

B. DISCUSSION

1. Public hearing, discussion, consideration, and possible action of an ordinance amending Midwest City Municipal Code, Chapter 43 Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 5, Other Provisions Relating to Taps and Connections; Section 43-184, Reserved; providing for repealer and severability.

Brandon Bundy presented his presentation (Power Point) – explaining issues and situations. During the presentation the Planning Commissioners and a few questions that they were concerned about the cost.

The Commissioners asked questions on the rates and the proposed Development Fee, and discussed the balance between these topics.

Chairman Russell Smith expressed he felt the proposed Development Fees were too high, and he is concerned that growth would be hindered if fees are too high.

Jess Husky asked if the Development Fees be changed and updated in 2 years?

Mr. Bundy stated the fee is established by ordinance and can be updated in the future.



<u>Jeff Moore – (516 Cedar Dr.)</u> was present and addressed the council.

Mr. Moore asked about future requirements for lots planned for on-site sewage treatment to be connected to public sewer.

Don Maisch stated the City does not intend to require lots in the moratorium area served by on-site sewage systems to connect to public sewer until the on-site systems fail.

Joel Bryant - (10607 SE 10th St.) was present and addressed the council.

Mr. Bryant encouraged the Planning Commission to look at the Freese and Nichols report again. He expressed that the proposed Development Fee would be too high and might lead to development moving to other communities.

The Commissioners discussed the proposed development fees and expressed a desire to balance the needs of residents on fixed/low incomes and the needs of developers.

A motion was made by <u>Rick Rice</u>, seconded by <u>Jess Huskey</u> to recommend approval of the ordinance to City Council with the caveat that the Planning Commission would like the balance between the Development Fee and the sewer rate increase to be reevaluated.

Voting aye: R. Smith, Huskey, Hinton, J. Smith, Collins, and R. Rice.

Nay: None.

Motion Carried.

- C. COMMISSION DISCUSSION:
- D. PUBLIC DISCUSSION:
- E. FURTHER INFORMATION:
- F. ADJOURNMENT:

A motion to adjourn was made by Jess Huskey, Seconded by Rick Rice.

Voting aye: R. Smith, Huskey, Hinton, J. Smith, Collins, and R. Rice.

Nay: None.

Motion Carried.

The meeting was adjourned at 6:12 p.m.

Chairman Russell Smith



Engineering and Construction Services 100 N Midwest Boulevard Midwest City, OK 73110 Office 405.739.1220

TO: Honorable Mayor and Council

FROM: Brandon Bundy, P.E., Director

DATE: April 23, 2024

SUBJECT: Monthly Residential and Commercial Building report for March 2024

Brandon Bundy, P.E.,

Director of Engineering and Construction Services



100 N Midwest Boulevard - Midwest City, OK 73110

Building Permits Summary - Issued 3/1/2024 to 3/31/2024

Building - Commercial & Industrial

| <u>Count</u> | Permit Type | <u>Value</u> |
|--------------|--|--------------|
| 10 | Alteration of Man Home Or Const of Space | \$516,000.00 |
| 1 | Com Driveway Permit | |
| 5 | Com General Electrical Permit | |
| 6 | Com General Mechanical Permit | |
| 5 | Com General Plumbing Permit | |
| 16 | Com New Const Bldg Permit | \$500,000.00 |
| 1 | Com New Const Electrical Permit | |
| 2 | Com New Const Mechanical Permit | |
| 4 | Com Remodel Bldg Permit | \$20,000.00 |
| 3 | Com Sign Permit | \$13,090.00 |
| | Total Value of Building - Commercial & Industrial: | 1,049,090.00 |

Building - Residential

| <u>Count</u> | Permit Type | <u>Value</u> |
|--------------|--|-----------------|
| 5 | Res Accessory Bldg Permit | \$28,780.00 |
| 3 | Res Carport Permit | \$12,200.00 |
| 2 | Res Demolition Permit | \$16,590.00 |
| 8 | Res Driveway Permit | \$5,000.00 |
| 6 | Res Fence Permit | \$35,195.00 |
| 35 | Res General Electrical Permit | |
| 19 | Res General Mechanical Permit | |
| 38 | Res General Plumbing Permit | |
| 1 | Res Multi-Fam New Const Bldg Permit | \$45,000,000.00 |
| 4 | Res New Const Electrical Permit | |
| 6 | Res New Const Mechanical Permit | |
| 1 | Res New Const Plumbing Permit | |
| 16 | Res Roofing Permit | \$156,759.00 |
| 1 | Res Single-Fam Addition Bldg Permit | \$90,000.00 |
| 22 | Res Single-Fam Remodel Building Permit | \$672,259.24 |
| 5 | Res Storm Shelter Permit | \$19,590.00 |
| 2 | Res Swimming Pool / Hot Tub Permit | \$176,000.00 |
| 9 | zzRes House Moving (In) Permit | \$300,000.00 |
| | Total Value of Building - Residential: | 46,512,373.24 |

Grand Total: \$47,561,463.24

Report Printed: 4/1/2024 8:41:47AM Page 1 of 1



100 N Midwest Boulevard - Midwest City, OK 73110

Building Permits by Type - Issued 3/1/2024 to 3/31/2024

Building - Commercial & Industrial

Alteration of Man Home Or Const of Space

| Issued | Location | Applicant | Case # | Value |
|---------|---------------------------------|-------------|-----------|-------------|
| 3/5/24 | 10301 SE 29TH ST, 425, 73130 | TeFawn Hail | B-24-0608 | \$60,000.00 |
| 3/11/24 | 10301 SE 29TH ST, 429 73130 | TeFawn Hail | B-24-0675 | \$60,000.00 |
| 3/11/24 | 10301 SE 29TH ST, OK, 406 73130 | TeFawn Hail | B-24-0677 | \$60,000.00 |
| 3/11/24 | 10301 SE 29TH ST, 427 73130 | TeFawn Hail | B-24-0678 | \$0.00 |
| 3/15/24 | 10301 SE 29TH ST, 402 73130 | TeFawn Hail | B-24-0750 | \$36,000.00 |
| 3/21/24 | 10301 SE 29TH ST, 422 73130 | TeFawn Hail | B-24-0738 | \$60,000.00 |
| 3/21/24 | 10301 SE 29TH ST, 426 73130 | TeFawn Hail | B-24-0739 | \$60,000.00 |
| 3/21/24 | 10301 SE 29TH ST, 400 73130 | TeFawn Hail | B-24-0741 | \$60,000.00 |
| 3/21/24 | 10301 SE 29TH ST, 408 73130 | TeFawn Hail | B-24-0811 | \$60,000.00 |
| 3/28/24 | 10301 SE 29TH ST, 424 73130 | TeFawn Hail | B-24-0727 | \$60,000.00 |

\$516,000.00

Com Driveway Permit

| Issued | <u>Location</u> | <u>Applicant</u> | Case # | <u>Value</u> |
|---------|------------------------|------------------|-----------|--------------|
| 3/29/24 | 7221 E RENO AVE, 73110 | PADRONS OUTDOOR | B-24-0879 | |
| | | IMPROVEMENT LLC | | |

Com New Const Bldg Permit

| | <u> </u> | | | |
|--------|-------------------------------|------------------|-----------|--------------|
| Issued | <u>Location</u> | <u>Applicant</u> | Case # | Value |
| 3/7/24 | 1224 JET DR, 73110 | JOHN LINTON | B-23-1031 | \$500,000.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG G 73130 | Jessica Snyder | B-24-0621 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG C 73130 | Jessica Snyder | B-24-0631 | |
| 3/7/24 | 9309 SE 29TH ST, BLDG B 73130 | Jessica Snyder | B-24-0634 | |
| 3/7/24 | 9309 SE 29TH ST, BLDG L 73130 | Jessica Snyder | B-24-0645 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG I 73130 | Jessica Snyder | B-24-0640 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG D 73130 | Jessica Snyder | B-24-0638 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG F 73130 | Jessica Snyder | B-24-0639 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG E 73130 | Jessica Snyder | B-24-0635 | |
| 3/7/24 | 9309 SE 29TH ST, BLDG H 73130 | Jessica Snyder | B-24-0641 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG J 73130 | Jessica Snyder | B-24-0642 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG K 73130 | Jessica Snyder | B-24-0643 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG P 73130 | Jessica Snyder | B-24-0644 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG O 73130 | Jessica Snyder | B-24-0646 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG M 73130 | Jessica Snyder | B-24-0647 | \$0.00 |
| 3/7/24 | 9309 SE 29TH ST, BLDG N 73130 | Jessica Snyder | B-24-0648 | \$0.00 |
| | | | | |

\$500,000.00

Com Remodel Bldg Permit

| Issued | <u>Location</u> | <u>Applicant</u> | Case # | <u>Value</u> |
|---------|----------------------------|-------------------------------------|-----------|--------------|
| 3/6/24 | 1927 S DOUGLAS BLVD, 73130 | Drew Upchurch of Modus Construction | B-24-0615 | |
| 3/14/24 | 100 N MIDWEST BLVD, 73110 | Brian Thomas, AIA, RID, LEED AP | B-24-0185 | |

| 3/14/24 | 100 N MIDWEST BLVD, 73110 | Brian Thomas, AIA, RID, LEED AP | B-24-0186 | |
|------------------------------|---|------------------------------------|----------------------------|---------------------------|
| 3/21/24 | 2801 S DOUGLAS BLVD, OK, 73110 Suite 102 & 103 | Newey Family Partners LLC | B-24-0545 | \$20,000.0 |
| | | | | \$20,000.0 |
| Com Sigi | n Permit | | | |
| Issued | <u>Location</u> | <u>Applicant</u> | Case # | <u>Valu</u> |
| 3/4/24 | 7415 SE 15TH STREET | SILSBY MEDIA LLC | B-24-0420 | \$800.0 |
| 3/11/24 | 2501 LIBERTY PKWY, STE 450 73110 | Shelli Wagner | B-24-0402 | \$8,290.0 |
| 3/18/24 | 1201 S DOUGLAS BLVD, MIDWEST CITY, OK, 0 | Jace Larsen | B-24-0272 | \$4,000.0 |
| | | | | \$13,090.0 |
| Building | ı - Residential | | | |
| Res Acce | essory Bldg Permit | | | |
| Issued | Location | Applicant | Case # | Valu |
| 3/5/24 | 7040 E RENO AVE, 73110 | Sarah Dryer | B-24-0472 | \$2,700.0 |
| 3/6/24 | 500 E BELLVIEW DR, 73130 | SALAZAR, BENNY MARTINEZ | B-24-0541 | \$7,080.0 |
| 3/13/24 | 2309 SNAPPER LN, MIDWEST CITY, OK, 0 | Vicki Doolittle | B-24-0649 | \$4,000.0 |
| 3/14/24 | 1112 BELL DR, 73110 | Miles Davis | B-24-0674 | \$11,000.0 |
| 3/14/24 | 916 LOTUS AVE, MWC, OK, 73130 | Michelle Estrada | B-24-0686 | \$4,000.0 |
| 51 17124 | 0.0 L01007WL, MINVO, ON, 70100 | MICHOIC ESHAVA | D-27-0000 | |
| Res Carn | oort Permit | | | \$28,780.0 |
| Issued | Location | <u>Applicant</u> | Case # | <u>Valu</u> |
| 3/19/24 | 1800 TREAT DR, MIDWEST CITY, OK, 0 | Roger Ring | B-24-0729 | \$3,950.0 |
| 3/19/24 | 1120 SUNVALLEY DR, 73110 | CAMPBELL, DAN R | B-24-0700 | \$2,850.0 |
| 3/21/24 | 2813 ROBIN RD, 73110 | Randal Alexander | B-24-0473 | \$5,400.0 |
| | | | | \$12,200.0 |
| Res Dem | olition Permit | | | |
| <u>Issued</u> | <u>Location</u> | <u>Applicant</u> | Case # | <u>Valu</u> |
| 3/28/24 | 9619 SE 6TH ST, MWC, OK, 73130 | Midwest Wrecking | B-24-0609 | \$5,790.0 |
| 3/28/24 | 9220 E RENO AVE, 73130 | Midwest Wrecking | B-24-0798 | \$10,800.0 |
| | | | | \$16,590.0 |
| | eway Permit | | | |
| <u>Issued</u> | <u>Location</u> | <u>Applicant</u> | Case # | <u>Valu</u> |
| 3/5/24 | 1409 SANDRA DR, MWC, OK, 73110 | CORNICE UNLIMITED | B-24-0605 | \$0.0 |
| 3/5/24 | 524 E NORTHRUP DR, 73110 | OCHOA CONCRETE | B-24-0607 | |
| 3/7/24 | 301 E MARSHALL DR, 73110 | LIMITLESS CONSTRUCTION SOLUTIONS | B-24-0618 | |
| 3/12/24 | 10121 ST PATRICK DR, 73130 | J BARRON CONSTRUCTION LLC | B-24-0690 | \$0.0 |
| 3/12/24 | 621 N POST RD, 73130 | MARRUFO CONCRETE | B-24-0691 | \$0.0 |
| 3/14/24 | 724 E ROSE DR, 73110 | Adriana Martinez Macias | B-24-0735 | \$5,000.0 |
| 3/26/24 | 804 PROCTER PL, 73110 | HIGH VELOCITY REMOD/CONST | B-24-0850 | , - |
| 3/27/24 | 112 E MYRTLE DR, 73110 | OCHOA CONCRETE CONSTR | B-24-0863 | |
| | | | | \$5,000.0 |
| | | | | |
| Res Fenc | | A P 4 | 0 " | |
| Res Fend Issued 3/7/24 | Location 1109 TWISTED OAK DR, 73130 | Applicant Amy Voelker | <u>Case #</u> B-24-0514 | <u>Valu</u> \$13,000.0 |

| 3/7/24 3/7/24 | 10320 ALICIA DR, 73130 10320 CATON PL, MWC, OK, 73130 | Donald and Dianne England Richard Fritz | B-24-0561 B-24-0586 | \$6,995.00 \$9,000.00 |
|---------------------|--|---|------------------------|--------------------------|
| 3/11/24 | 2528 MURRAY DR, 73110 | Carolynn Doerr | B-24-0540 | \$3,000.0 |
| 3/18/24 | 1112 N DOUGLAS BLVD, 73130 | Drew Nixon | B-24-0581 | \$1,200.0 |
| 3/25/24 | 3807 N SHADYBROOK DR, 73110 | ECCLES, RICHARD | B-24-0438 | \$2,000.0 |
| 0/20/21 | GOT NOTWETEROON ER, TOTTO | LOGILO, MOTHUD | B 21 0100 | \$35,195.0 |
| Res Multi Issued | i-Fam New Const Bldg Permit Location | <u>Applicant</u> | Case # | <u>Value</u> |
| 3/7/24 | 9309 SE 29TH ST, BLDG A 73130 | Jessica Snyder | | 45,000,000.00 |
| | | · | \$ | 645,000,000.00 |
| Res Roof | fing Permit | | | |
| <u>Issued</u> | <u>Location</u> | <u>Applicant</u> | Case # | <u>Value</u> |
| 3/7/24 | 506 CROSBY BLVD, 73110 | SUPERIOR EXTERIOR INSURANCE RESTORATION LLC | B-24-0652 | \$6,159.00 |
| 3/8/24 | 232 W COE DR, 73110 | CHOICE SOLUTIONS | B-24-0651 | \$15,000.00 |
| 3/11/24 | 924 STIVER DR, 73110 | JTUCK CONSTRUCTION | B-24-0665 | \$12,000.00 |
| 3/11/24 | 1109 W PEEBLY DR, 73110 | ECLIPSE ROOFING & | B-24-0676 | . , |
| | | CONSTRUCTION | | <u> </u> |
| 3/11/24 | 905 W IDYLWILD DR, 73110 | PARKER BROTHERS CONSTRUCTION & ROOFING INC | B-24-0682 | \$7,200.00 |
| 3/12/24 | 10113 SE 23RD ST, 73130 | J & M ROOFING | B-24-0689 | \$11,000.00 |
| 3/13/24 | 123 CHEVY CHASE, 73110 | PARKER BROTHERS CONSTRUCTION & ROOFING INC | B-24-0718 | \$12,000.00 |
| 3/14/24 | 1024 HOLLY DR, 73110 | PARKER BROTHERS CONSTRUCTION & ROOFING INC | B-24-0740 | \$7,400.00 |
| 3/19/24 | 9241 APPLE DR, 73130 | MALLARD CONSTRUCTION LLC | B-24-0791 | \$15,000.00 |
| 3/21/24 | 1441 N KEY BLVD, 73110 | TEXOLA INC | B-24-0813 | |
| 3/21/24 | 2813 ROBIN RD, 73110 | ALEXANDER, RANDALL | B-24-0815 | |
| 3/22/24 | 1705 SONGBIRD LN, 73130 | LANES ROOFING & | B-24-0821 | \$20,000.00 |
| 3/26/24 | 9105 OAKWOOD DR, 73130 | CONSTRUCTION RGE ROOFING & CONSTRUCTION | B-24-0847 | |
| 3/27/24 | 300 ELM ST, 73110 | MCCANNS ROOFING & | B-24-0854 | \$13,000.00 |
| 3/27/24 | 9601 CREST DR, 73130 | CONST AMBASSADOR CONSTRUCTION | B-24-0748 | \$23,000.00 |
| 3/27/24 | 610 THREE OAKS DR, 73130 | MAUPIN ROOFING & CONSTRUCTION | B-24-0860 | \$15,000.00 |
| | | | | \$156,759.0 |
| Res Sing | le-Fam Addition Bldg Permit | | | |
| <u>Issued</u> | <u>Location</u> | <u>Applicant</u> | Case # | <u>Value</u> |
| 3/13/24 | 1412 MOORE AVE, 73130 | Lauren Sanders | B-23-2046 | \$90,000.00 |
| | | | | \$90,000.0 |
| | le-Fam Remodel Building Permit | A 1: 1 | | |
| Issued | Location | Applicant | Case # | <u>Valu</u> |
| 3/1/24 | 1321 HICKORY LN, 73110 | Tony Taylor | B-24-0480 | \$25,000.0 |
| 3/4/24 | 409 RUSSELL DR, MWC, OK, 73110 | Dionicio Labra | B-24-0411 | \$60,000.0 |
| 3/4/24 | 409 RUSSELL DR, MWC, OK, 73110 | Dionicio Labra | B-24-0411 | \$60,000.0 |
| 3/5/24 | 8705 HILLRIDGE DR, MWC, OK, 73141 | John Harrell ANOVA HOME LLC | B-24-0567 | \$26,879.0 |
| 3/6/24 | 503 N POST RD, 73130 | Josh McKenzie | B-24-0486 | \$17,778.60 |
| | | | | |

| 3/6/24 | 117 COUNTRY CLUB TER, MWC, OK, 73110 | Ricky Gehret, ION DEVELOPER | B-24-0512 | \$54,526.00 |
|--|---|--|---|---|
| 3/8/24 | 8321 NE 10TH ST, MIDWEST CITY, | Enrique.delgado | B-24-0613 | \$15,000.00 |
| 3/8/24 | OK, 0 906 E LOCKHEED DR, MWC, OK, | TNT Renovations and | B-24-0603 | \$30,000.00 |
| 3/11/24 | 73110 612 S DOUGLAS BLVD, 73130 | Construction LLC Mike and Veronica Gray | B-24-0657 | \$135,000.00 |
| | | | | |
| 3/12/24 | 333 N DOUGLAS BLVD, 73130 | Ronald James Stevens | B-24-0598 | \$25,000.00 |
| 3/12/24 | 1816 SAINT PETER, 73141 | Mohamed harroudi | B-24-0293 | \$25,000.00 |
| 3/13/24 | 225 E RANDALL DR, 73110 | HUTCHINSON, BRAEDON JAY | B-24-0507 | \$49,674.00 |
| 3/15/24 | 10505 SE 23RD ST, MIDWEST CITY, OK, 0 | Ricky Gehret, ION DEVELOPER | B-24-0659 | \$23,690.00 |
| 3/15/24 | 2404 CATTAIL CT, MIDWEST CITY, OK, 73130 | Ricky J Gehret, ION DEV | B-24-0616 | \$16,235.00 |
| 3/19/24 | 2239 CHAMPOLI DR, 73020 | Michael Ward, FREEDOM FOREVER | B-24-0481 | \$27,214.91 |
| 3/19/24 | 9410 NE 28TH ST, MWC, OK, 73141 | KEVIN YELL | B-24-0672 | \$10,000.00 |
| 3/21/24 | 3221 N GLENHAVEN DR, MWC, OK, | John Harrell ANOVA HOME | B-24-0664 | \$22,304.00 |
| 0/2 1/2 1 | 73110 | LLC | D 2 1 000 1 | ΨΕΕ,001.00 |
| 3/26/24 | 1104 AVERY AVE, MWC, OK, 73130 | TUCKER, JASON, SUN SOLAR | B-24-0663 | \$28,400.00 |
| 3/26/24 | 9714 NE 3RD ST, MWC, OK, 73130 | Leonard Tobin, Vyvue LLC | B-24-0792 | \$28,256.80 |
| | 621 CRESCENT CIR, MWC, OK, 73130 | Leonard Tobin, Vyvue LLC | | |
| 3/26/24 | 73110 | Leonard Tobin, vyvue LLC | B-24-0662 | \$17,476.80 |
| 2/20/24 | | LILINIT IINANAN | D 04 0000 | ¢4,000,00 |
| 3/26/24 | 10318 ST PATRICK DR, 73130 | HUNT, JIMMY | B-24-0802 | \$4,000.00 |
| 3/27/24 | 9313 RHYTHM RD, MWC, OK, 73130 | Bret Duplantis, GREEN LIGHT | B-24-0280 | \$28,324.13 |
| 0/00/04 | 4005 HUDIDUDO DD. 70440 | SOLAR | D 04 0004 | 40.500.00 |
| 3/28/24 | 1805 HUDIBURG DR, 73110 | DAVIS, JACK E | B-24-0831 | \$2,500.00 |
| | | | | \$732,259.24 |
| | | | | |
| Res Stori | m Shelter Permit | | | |
| <u>Issued</u> | <u>Location</u> | <u>Applicant</u> | Case # | <u>Value</u> |
| | | —————————————————————————————————————— | | |
| 3/4/24 | 10915 SARA CT, OK, 01, 73130 | Daniel Toney | B-24-0442 | \$3,550.00 |
| 3/4/24 3/13/24 | 10915 SARA CT, OK, 01, 73130 2413 FOREST GLEN DR, 73020 | Renay Reed | B-24-0442 B-24-0526 | \$4,395.00 |
| | | _ | | |
| 3/13/24 | 2413 FOREST GLEN DR, 73020 | Renay Reed | B-24-0526 | \$4,395.00 |
| 3/13/24 3/25/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 | Renay Reed CAGLE, JACK | B-24-0526 B-24-0775 | \$4,395.00 \$3,600.00 |
| 3/13/24 3/25/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, | Renay Reed CAGLE, JACK | B-24-0526 B-24-0775 | \$4,395.00 \$3,600.00 |
| 3/13/24 3/25/24 3/28/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 | Renay Reed CAGLE, JACK Vance Martin | B-24-0526 B-24-0775 B-24-0842 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 | Renay Reed CAGLE, JACK Vance Martin | B-24-0526 B-24-0775 B-24-0842 | \$4,395.00 \$3,600.00 \$4,250.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 | Renay Reed CAGLE, JACK Vance Martin | B-24-0526 B-24-0775 B-24-0842 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant | B-24-0526 B-24-0775 B-24-0842 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 <u>Value</u> |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison | B-24-0526 B-24-0775 B-24-0842 B-24-0836 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant | B-24-0526 B-24-0775 B-24-0842 B-24-0836 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 <u>Value</u> |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison | B-24-0526 B-24-0775 B-24-0842 B-24-0836 <u>Case #</u> B-24-0471 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 <u>Value</u> \$26,000.00 \$150,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison | B-24-0526 B-24-0775 B-24-0842 B-24-0836 <u>Case #</u> B-24-0471 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \textstyle{Value} \$26,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison | B-24-0526 B-24-0775 B-24-0842 B-24-0836 <u>Case #</u> B-24-0471 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 <u>Value</u> \$26,000.00 \$150,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 Value \$26,000.00 \$150,000.00 \$176,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 zzRes Ho Issued | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit Location | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$26,000.00 \$150,000.00 \$176,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 zzRes Ho Issued 3/15/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0444 Case # B-24-0454 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$26,000.00 \$150,000.00 \$176,000.00 \$Value \$0.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 zzRes Ho Issued 3/15/24 3/15/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0759 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$26,000.00 \$150,000.00 \$176,000.00 \$0.00 \$60,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 2ZRes Ho Issued 3/15/24 3/15/24 3/15/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, OK, 406 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0759 B-24-0760 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$26,000.00 \$150,000.00 \$176,000.00 \$0.00 \$60,000.00 \$60,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 3/15/24 3/15/24 3/15/24 3/22/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, OK, 406 73130 10301 SE 29TH ST, 422 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC BENNETT TRUCK TRANSPORT | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0760 B-24-0816 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$19,590.00 \$150,000.00 \$176,000.00 \$176,000.00 \$60,000.00 \$60,000.00 \$60,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 2ZRes Ho Issued 3/15/24 3/15/24 3/15/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 muse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, 422 73130 10301 SE 29TH ST, 422 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC BENNETT TRUCK | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0759 B-24-0760 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$26,000.00 \$150,000.00 \$176,000.00 \$0.00 \$60,000.00 \$60,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 3/15/24 3/15/24 3/15/24 3/22/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 puse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, OK, 406 73130 10301 SE 29TH ST, 422 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC BENNETT TRUCK TRANSPORT BENNETT TRUCK | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0760 B-24-0816 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$19,590.00 \$150,000.00 \$176,000.00 \$176,000.00 \$60,000.00 \$60,000.00 \$60,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 3/15/24 3/15/24 3/15/24 3/15/24 3/22/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 muse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, 422 73130 10301 SE 29TH ST, 422 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC BENNETT TRUCK TRANSPORT BENNETT TRUCK TRANSPORT BENNETT TRUCK | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0760 B-24-0816 B-24-0817 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$19,590.00 \$150,000.00 \$176,000.00 \$176,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 3/15/24 3/15/24 3/15/24 3/15/24 3/22/24 3/22/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 Inming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 Duse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, V, 406 73130 10301 SE 29TH ST, 422 73130 10301 SE 29TH ST, 426 73130 10301 SE 29TH ST, 426 73130 10301 SE 29TH ST, 400 73130 10301 SE 29TH ST, 400 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC BENNETT TRUCK TRANSPORT BENNETT TRUCK | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0471 B-24-0444 Case # B-24-0754 B-24-0759 B-24-0760 B-24-0816 B-24-0818 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$19,590.00 \$26,000.00 \$150,000.00 \$176,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$0.00 \$0.00 |
| 3/13/24 3/25/24 3/28/24 3/29/24 Res Swin Issued 3/4/24 3/18/24 3/15/24 3/15/24 3/15/24 3/15/24 3/22/24 3/22/24 3/22/24 | 2413 FOREST GLEN DR, 73020 200 RICHARDS AVE, 73130 1901 MEADOWLARK LN, MWC, OK, 73130 2402 SHADY HOLLOW, 73020 mming Pool / Hot Tub Permit Location 10810 E RENO AVE, OK, 73130 2420 FOREST GLEN DR, 73020 muse Moving (In) Permit Location 10301 SE 29TH ST, 402 73130 10301 SE 29TH ST, 427 73130 10301 SE 29TH ST, OK, 406 73130 10301 SE 29TH ST, 422 73130 10301 SE 29TH ST, 426 73130 10301 SE 29TH ST, 426 73130 | Renay Reed CAGLE, JACK Vance Martin Renay Reed Applicant Toni Ellison Leonel Hernandez Applicant TRUCKWORKS INC TRUCKWORKS INC TRUCKWORKS INC BENNETT TRUCK TRANSPORT | B-24-0526 B-24-0775 B-24-0842 B-24-0836 Case # B-24-0444 Case # B-24-0444 Case # B-24-0754 B-24-0759 B-24-0760 B-24-0816 B-24-0817 B-24-0818 B-24-0820 | \$4,395.00 \$3,600.00 \$4,250.00 \$3,795.00 \$19,590.00 \$19,590.00 \$150,000.00 \$150,000.00 \$176,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 \$60,000.00 |

\$300,000.00

Grand Total: \$47,621,463.24

Report Printed: 4/1/2024 8:16:49AM



100 N Midwest Boulevard - Midwest City, OK 73110

Inspections Summary - Inspected 3/1/2024 to 3/31/2024

| Inspection Description | Count |
|--|-------|
| Accessory Bldg Inspection | 3 |
| Building/Electrical General Inspection | 5 |
| Buildings - CO Inspection & Sign Off | 6 |
| Buildings - CO Reinspection & Sign Off | 1 |
| Com Building Final Inspection | 7 |
| Com Driveway Inspection | 2 |
| Com Duct Smoke Detector Test/Inspection (Building) | 2 |
| Com Duct Smoke Detector Test/Inspection (Fire Marshal) | 2 |
| Com Electrical Ceiling Inspection | 3 |
| Com Electrical Final Inspection | 5 |
| Com Electrical Final Reinspection | 3 |
| Com Electrical Ground Inspection | 1 |
| Com Electrical Rough-in Inspection | 2 |
| Com Electrical Rough-in Reinspection | 1 |
| - | 3 |
| Com Electrical Service Inspection | |
| Com Electrical Service Reinspection | 1 |
| Com Electrical Wall Inspection | 4 |
| Com Fire Alarm Final Inspection | 2 |
| Com Fire Alarm Rough Inspection | 1 |
| Com Fire Sprinkler Final Inspection | 2 |
| Com Footing & Building Setback Inspection | 1 |
| Com Framing Inspection | 8 |
| Com Gas Piping Inspection | 3 |
| Com Grease Trap Rough Inspection (Building) | 1 |
| Com Grease Trap Rough Inspection (Line Maintenance) | 2 |
| Com Grease Trap Rough Reinspection (Building) | 1 |
| Com Grease Trap Rough Reinspection (Line Maintenance) | 1 |
| Com Mechanical Ceiling Inspection | 3 |
| Com Mechanical Final Inspection | 1 |
| Com Mechanical Rough-in Inspection | 6 |
| Com Mechanical Rough-in Reinspection | 1 |
| Com Plumbing Final Inspection | 4 |
| Com Plumbing Ground Inspection | 1 |
| Com Plumbing Rough-in Inspection | 6 |
| Com Plumbing Rough-in Reinspection | 5 |
| Com Sewer Service Inspection | 3 |
| Com Sewer Service Reinspection | 1 |
| Com Temporary Electrical Pole Inspection | 1 |
| Com Temporary Electrical Pole Reinspection | 1 |
| Com Water Service Line Inspection | 1 |
| Com Water Service Line Reinspection | 2 |
| Commercial Meter Tap Inspection | 2 |
| County Health - CO Inspection & Sign Off | 1 |
| Electrical Generator Inspection | 2 |
| Electrical Generator Reinspection | 3 |
| | J |

| Fire - CO Inspection & Sign Off | 6 |
|---|----|
| Fire - CO Reinspection & Sign Off | 1 |
| Fire Marshal General Inspection | 2 |
| General Inspection | 1 |
| Hot Water Tank Inspection | 11 |
| Hot Water Tank Reinspection | 4 |
| Irrigation System Inspection | 1 |
| Mechanical Change Out Inspection | 14 |
| Mechanical Change Out Reinspection | 2 |
| Planning - CO Inspection & Sign Off | 6 |
| Plumbing/Mechanical General Inspection | 9 |
| Pre-Con Site Inspection/Meeting | 37 |
| Res Building Final Inspection | 5 |
| Res Building Final Reinspection | 1 |
| Res Drainage1 Inspection | 7 |
| Res Drainage2 Inspection | 6 |
| Res Drainage3 Inspection | 8 |
| Res Drainage3 Reinspection | 1 |
| Res Drainage4 Inspection | 8 |
| Res Drainage4 Reinspection | 3 |
| Res Drainage5 Inspection | 1 |
| Res Driveway Inspection | 9 |
| Res Electrical Final Inspection | 15 |
| Res Electrical Final Reinspection | 7 |
| Res Electrical Ground Inspection | 1 |
| Res Electrical Rough-in Inspection | 8 |
| Res Electrical Rough-in Reinspection | 4 |
| Res Electrical Service Inspection | 18 |
| Res Electrical Service Reinspection | 9 |
| Res Fence Inspection | 2 |
| Res Footing & Building Setback Inspection | 4 |
| Res Footing & Building Setback Reinspection | 4 |
| Res Framing Inspection | 5 |
| Res Framing Reinspection | 2 |
| Res Gas Meter Inspection | 5 |
| Res Gas Meter Reinspection | 2 |
| Res Gas Piping Inspection | 7 |
| Res Gas Piping Reinspection | 1 |
| Res Insulation Inspection | 8 |
| Res Mechanical Final Inspection | 8 |
| Res Mechanical Final Reinspection | 1 |
| Res Mechanical Rough-in Inspection | 7 |
| Res Miscellaneous Electrical Inspection | 1 |
| Res Plumbing Final Inspection | 14 |
| Res Plumbing Final Reinspection | 4 |
| Res Plumbing Ground Inspection | 4 |
| Res Plumbing Ground Reinspection | 2 |
| Res Plumbing Rough-in Inspection | 18 |
| Res Plumbing Rough-in Reinspection | 2 |
| Res Roofing Inspection | 5 |
| Res Sewer Service Inspection | 17 |
| Res Storm Shelter Inspection | 17 |
| Res Temporary Electrical Pole Inspection | 5 |
| Res Temporary Electrical Pole Reinspection | 2 |
| Res Termite Inspection | 2 |
| Res Water Service Line Inspection | 9 |
| Residential Meter Tap Inspection | 11 |
| Toolgonia Motor Tap Inspection | 11 |
| | |

| Sewer Cap Inspection | 5 |
|--------------------------------------|-----|
| Sewer Cap/Cave Inspection | 3 |
| Sign Inspection | 28 |
| Utilities - CO Inspection & Sign Off | 6 |
| Total Number of Inspections: | 517 |

Report Printed: 4/1/2024 8:39:46AM Page 3 of 3



Human Resources

100 N. Midwest Boulevard Midwest City, OK 73110 office 405.739.1235

Memorandum

TO: Honorable Mayor and Council

FROM: Troy Bradley, Human Resources Director

DATE: April 23, 2024

RE: Monthly report on the City of Midwest City Employees' Health Benefits Plan by the

City Manager.

This item is placed on the agenda at the request of the Council. Attached to this memo is information regarding the current financial condition of the City Employees' Health Benefits Plan for the month of March 2024, which is the ninth (9) period of FY 2023/2024.

Troy Bradley, Human Resources Director

| FISCAL YEAR 2023-2024 | Jul-23 | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Jan-24 | Feb-24 | Mar-24 | Apr-24 | May-24 | Jun-24 |
|--------------------------------|---------------|---------------|---------------|-----------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| PLAN INCOME | | | | | | | | | | | | |
| Projected Budgeted (MTD) | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 | 908,962 |
| Actual (MTD) | 842,448 | 830,192 | 859,381 | 837,643 | 1,121,966 | 605,683 | 925,894 | 819,806 | 872,511 | | , | |
| Projected Budgeted (YTD) | 908,962 | 1,817,924 | 2,726,886 | 3,635,848 | 4,544,810 | 5,453,772 | 6,362,734 | 7,271,696 | 8,180,658 | 9,089,620 | 9,998,582 | 10,907,544 |
| Actual (YTD) | 842,448 | 1,672,640 | 2,532,021 | 3,369,664 | 4,491,630 | 5,097,313 | 6,023,207 | 6,843,013 | 7,715,524 | | | |
| | | | | | | | | | | | | |
| PLAN CLAIMS/ADMIN COSTS | <u>Jul-23</u> | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Jan-24 | Feb-24 | Mar-24 | Apr-24 | May-24 | Jun-24 |
| Projected Budgeted (MTD | 1,006,148 | 804,918 | 804,918 | 1,006,148 | 804,918 | 804,918 | 1,006,148 | 804,918 | 804,918 | 1,006,148 | 804,918 | 804,918 |
| Actual (MTD) | 955,777 | 772,922 | 874,065 | 858,857 | 1,012,243 | 778,430 | 1,122,190 | 803,629 | 753,491 | | | |
| Projected Budgeted (YTD) | 1,006,148 | 1,811,066 | 2,615,984 | 3,622,132 | 4,427,050 | 5,231,968 | 6,238,116 | 7,043,034 | 7,847,952 | 8,854,100 | 9,659,018 | 10,463,936 |
| Actual (YTD) | 955,777 | 1,728,699 | 2,602,764 | 3,461,621 | 4,473,864 | 5,252,294 | 6,374,484 | 7,178,113 | 7,931,604 | | | |
| | | | | | | | | | | | | |
| EXCESS INCOME vs. EXPENDITURES | <u>Jul-23</u> | <u>Aug-23</u> | <u>Sep-23</u> | Oct-23 | <u>Nov-23</u> | <u>Dec-23</u> | <u>Jan-24</u> | Feb-24 | Mar-24 | Apr-24 | May-24 | <u>Jun-24</u> |
| Projected Budgeted (MTD) | -97,186 | 104,044 | 104,044 | -97,186 | 104,044 | 104,044 | -97,186 | 104,044 | 104,044 | -97,186 | 104,044 | 104,044 |
| Actual (MTD) | -113,329 | 57,270 | -14,684 | -21,214 | 109,723 | -172,747 | -196,296 | 16,177 | 119,020 | 0 | 0 | 0 |
| Projected Budgeted (YTD) | -97,186 | 6,858 | 110,902 | 13,716 | 117,760 | 221,804 | 124,618 | 228,662 | 332,706 | 235,520 | 339,564 | 443,608 |
| Actual (YTD) | -113,329 | -56,059 | -70,743 | -91,957 | 17,766 | -154,981 | -351,277 | -335,100 | -216,080 | | | |
| | | | | | | | | | | | | |
| FISCAL YEAR 2022-2023 | <u>Jul-22</u> | <u>Aug-22</u> | <u>Sep-22</u> | Oct-22 | <u>Nov-22</u> | <u>Dec-22</u> | <u>Jan-23</u> | <u>Feb-23</u> | <u>Mar-23</u> | Apr-23 | May-23 | <u>Jun-23</u> |
| PLAN INCOME | | | | | | | | | | | | |
| Projected Budgeted (MTD) | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 | 821,885 |
| Actual (MTD) | 790,434 | 884,482 | 800,157 | 807,616 | 807,917 | 792,497 | 798,910 | 798,616 | 800,050 | 821,430 | 804,100 | 841,808 |
| Projected Budgeted (YTD) | 821,885 | 1,643,770 | 2,465,655 | 3,287,540 | 4,109,425 | 4,931,310 | 5,753,195 | 6,575,080 | 7,396,965 | 8,218,850 | 9,040,735 | 9,862,620 |
| Actual (YTD) | 790,434 | 1,674,916 | 2,475,073 | 3,282,689 | 4,090,606 | 4,883,103 | 5,682,013 | 6,480,629 | 7,280,679 | 8,102,109 | 8,906,209 | 9,748,017 |
| | | | | | | | | | | | | |
| PLAN CLAIMS/ADMIN COSTS | <u>Jul-22</u> | Aug-22 | <u>Sep-22</u> | Oct-22 | Nov-22 | <u>Dec-22</u> | <u>Jan-23</u> | Feb-23 | <u>Mar-23</u> | Apr-23 | May-23 | <u>Jun-23</u> |
| Projected Budgeted (MTD | 744,605 | 930,756 | 744,605 | 930,756 | 744,605 | 744,605 | 930,756 | 744,605 | 744,605 | 744,605 | 930,756 | 744,605 |
| Actual (MTD) | 801,455 | 1,114,999 | 734,533 | 861,832 | 864,708 | 665,891 | 774,525 | 842,342 | 777,097 | 696,459 | 884,587 | 757,408 |
| Projected Budgeted (YTD) | 744,605 | 1,675,361 | 2,419,966 | 3,350,722 | 4,095,327 | 4,839,932 | 5,770,688 | 6,515,293 | 7,259,898 | 8,004,503 | 8,935,259 | 9,679,864 |
| Actual (YTD) | 801,455 | 1,916,454 | 2,650,987 | 3,512,819 | 4,377,527 | 5,043,418 | 5,817,943 | 6,660,285 | 7,437,382 | 8,133,841 | 9,018,428 | 9,775,836 |
| | | | | | | | | | | | | |
| EXCESS INCOME vs. EXPENDITURES | <u>Jul-22</u> | Aug-22 | <u>Sep-22</u> | Oct-22 | <u>Nov-22</u> | <u>Dec-22</u> | <u>Jan-23</u> | <u>Feb-23</u> | <u>Mar-23</u> | <u>Apr-23</u> | <u>May-23</u> | <u>Jun-23</u> |
| Projected Budgeted (MTD) | 77,280 | -108,871 | 77,280 | -108,871 | 77,280 | 77,280 | -108,871 | 77,280 | 77,280 | 77,280 | -108,871 | 77,280 |
| Actual (MTD) | -11,021 | -230,517 | 65,624 | -54,216 | -56,791 | 126,606 | 24,385 | -43,726 | 22,953 | 124,971 | -80,487 | 84,400 |
| Projected Budgeted (YTD) | 77,280 | -31,591 | 45,689 | -63,182 | 14,098 | 91,378 | -17,493 | 59,787 | 137,067 | 214,347 | 105,476 | 182,756 |
| Actual (YTD) | -11,021 | -241,538 | -175,914 | -230,130 | -286,921 | -160,315 | -135,930 | -179,656 | -156,703 | -31,732 | -112,219 | -27,819 |



Finance Department

100 N. Midwest Boulevard Midwest City, OK 73110 tcromar@midwestcityok.org Office: 405-739-1245 www.midwestcityok.org

TO: Honorable Mayor and City Council

FROM: Tiatia Cromar, Finance Director/ City Treasurer

DATE: April 23, 2024

SUBJECT: Review of the City Manager's Report for the month of March 2024.

The funds in March that experienced a significant change in fund balance from the February report are as follows:

Risk Management (202) increased and **Workers Comp (204)** decreased due to the budgeted transfer of \$600,000.

G.O. Debt Services (350) decreased because of the following activities:

Series 2019 debt interest payment <\$278,055> Series 2019 debt principal payment <\$835,000>

Economic Dev Authority (353) decreased due to the payments for:

Utility Improvements <\$349,343>

MWC Hospital Authority (425) activities for March:

Compounded Principal (9010) - unrealized gain on investment \$2,087,420
Discretionary (9050) - unrealized gain on investment \$1,021,506
Grants (9080) - grants payments \$508,803>

<u>Tíatía Cromar</u>

Tiatia Cromar

Finance Director/ City Treasurer

City of Midwest City Financial Summary by Fund for Period Ending March, 2024

(Unaudited)

| Fund Number | Fund Description | Assets | Liabilities | 6/30/2023 Fund Balance | Revenues | Expenditures | Gain or (Loss) | Fund Balance |
|----------------|------------------------------|------------|-------------|---------------------------|------------|--------------|----------------|--------------|
| 9 | GENERAL GOVERNMENT SALES TAX | 10,316,151 | - | 7,097,989 | 5,114,465 | (1,896,303) | 3,218,161 | 10,316,151 |
| 10 | GENERAL | 14,663,097 | (152,861) | 15,529,517 | 34,936,510 | (35,955,791) | (1,019,281) | 14,510,236 |
| 13 | STREET AND ALLEY FUND | 1,819,397 | - | 1,905,998 | 493,178 | (579,779) | (86,601) | 1,819,397 |
| 14 | TECHNOLOGY FUND | 720,877 | - | 724,414 | 238,920 | (242,456) | (3,536) | 720,877 |
| 15 | STREET LIGHT FEE | 980,879 | - | 1,171,042 | 475,426 | (665,590) | (190,163) | 980,879 |
| 16 | REIMBURSED PROJECTS | 1,013,537 | (1,600) | 1,838,556 | 547,019 | (1,373,638) | (826,619) | 1,011,937 |
| 20 | MWC POLICE DEPARTMENT | 15,255,335 | (4,092) | 13,184,653 | 15,183,215 | (13,116,625) | 2,066,590 | 15,251,243 |
| 21 | POLICE CAPITALIZATION | 1,832,220 | - | 1,514,448 | 1,390,945 | (1,073,173) | 317,772 | 1,832,220 |
| 25 | JUVENILE FUND | 101,473 | - | 95,468 | 52,063 | (46,057) | 6,005 | 101,473 |
| 30 | POLICE STATE SEIZURES | 110,651 | - | 109,437 | 7,116 | (5,902) | 1,215 | 110,651 |
| 31 | SPECIAL POLICE PROJECTS | 84,543 | - | 81,429 | 7,423 | (4,309) | 3,113 | 84,543 |
| 34 | POLICE LAB FEE FUND | 12,026 | - | 18,545 | 600 | (7,119) | (6,519) | 12,026 |
| 35 | EMPLOYEE ACTIVITY FUND | 11,243 | - | 17,569 | 11,609 | (17,936) | (6,327) | 11,243 |
| 36 | JAIL | 221,409 | - | 181,401 | 74,532 | (34,524) | 40,008 | 221,409 |
| 37 | POLICE IMPOUND FEE | 123,499 | - | 104,051 | 29,376 | (9,928) | 19,447 | 123,499 |
| 40 | MWC FIRE DEPARTMENT | 10,334,041 | (4) | 8,860,897 | 11,710,943 | (10,237,803) | 1,473,140 | 10,334,037 |
| 41 | FIRE CAPITALIZATION | 2,791,613 | - | 2,266,633 | 588,040 | (63,059) | 524,981 | 2,791,613 |
| 45 | MWC WELCOME CENTER | 566,654 | | 475,662 | 158,358 | (67,366) | 90,992 | 566,654 |
| 46 | CONV / VISITORS BUREAU | 666,810 | - | 576,761 | 288,862 | (198,812) | 90,049 | 666,810 |
| 60 | CAPITAL DRAINAGE IMP | 454,131 | - | 444,840 | 368,728 | (359,438) | 9,290 | 454,131 |
| 61 | STORM WATER QUALITY | 1,614,546 | - | 1,489,045 | 636,443 | (510,942) | 125,501 | 1,614,546 |
| 65 | STREET TAX FUND | 2,365,744 | | 2,397,811 | 502,983 | (535,050) | (32,068) | 2,365,744 |
| 70 | EMERGENCY OPER FUND | 1,567,771 | - | 1,376,402 | 697,270 | (505,901) | 191,369 | 1,567,771 |
| 75 | PUBLIC WORKS ADMIN | 1,163,639 | | 1,052,349 | 1,019,831 | (908,541) | 111,290 | 1,163,639 |
| 80 | INTERSERVICE FUND | 532,508 | - | 632,994 | 2,581,371 | (2,681,857) | (100,486) | 532,508 |
| 81 | SURPLUS PROPERTY | 737,817 | (575,122) | 127,706 | 63,370 | (28,381) | 34,989 | 162,695 |
| 115 | ACTIVITY FUND | 547,100 | (3,282) | 478,528 | 232,752 | (167,464) | 65,289 | 543,817 |
| 123 | PARK & RECREATION | 1,956,556 | (12,764) | 2,585,167 | 951,104 | (1,592,478) | (641,374) | 1,943,792 |
| 141 | COMM. DEV. BLOCK GRANT | 6,575 | (546) | 6,029 | 480,599 | (480,599) | - | 6,029 |
| 142 | GRANTS/HOUSING ACTIVITIES | 177,118 | (4,557) | 175,016 | 56,692 | (59,147) | (2,456) | 172,561 |
| 143 | GRANT FUNDS | 93,213 | (33,213) | 60,000 | 672,349 | (672,349) | - | 60,000 |
| 157 | CAPITAL IMPROVEMENTS | 4,860,706 | | 3,422,471 | 2,670,814 | (1,232,579) | 1,438,236 | 4,860,706 |
| 172 | CAP. WATER IMP-WALKER | 2,757,207 | (2,520) | 3,517,645 | 441,603 | (1,204,561) | (762,958) | 2,754,687 |

City of Midwest City Financial Summary by Fund for Period Ending March, 2024 (Unaudited)

| Fund Number | Fund Description | Assets | Liabilities | 6/30/2023 Fund Balance | Revenues | Expenditures | Gain or (Loss) | Fund Balance |
|----------------|------------------------------|-------------|--------------|---------------------------|-------------|---------------|----------------|--------------|
| 178 | CONST LOAN PAYMENT REV | 5,161,852 | (13,701) | 4,618,759 | 672,527 | (143,134) | 529,393 | 5,148,152 |
| 184 | SEWER BACKUP FUND | 76,520 | - | 78,271 | 2,249 | (4,000) | (1,751) | 76,520 |
| 186 | SEWER CONSTRUCTION | 2,734,542 | (6,750) | 8,051,367 | 1,364,782 | (6,688,358) | (5,323,576) | 2,727,792 |
| 187 | UTILITY SERVICES | 1,047,702 | (924) | 845,050 | 1,027,569 | (825,840) | 201,728 | 1,046,778 |
| 188 | CAP. SEWER IMPSTROTH | 2,186,576 | - | 1,783,408 | 661,775 | (258,606) | 403,169 | 2,186,576 |
| 189 | UTILITIES CAPITAL OUTLAY | 3,020,121 | (117,015) | 2,649,282 | 379,793 | (125,969) | 253,824 | 2,903,106 |
| 190 | MWC SANITATION DEPARTMENT | 7,134,694 | - | 6,092,220 | 6,743,210 | (5,700,736) | 1,042,474 | 7,134,694 |
| 191 | MWC WATER DEPARTMENT | 5,313,753 | - | 4,750,723 | 6,056,241 | (5,493,211) | 563,030 | 5,313,753 |
| 192 | MWC SEWER DEPARTMENT | 6,347,822 | (315) | 5,573,077 | 6,594,150 | (5,819,720) | 774,429 | 6,347,506 |
| 193 | MWC UTILITIES AUTHORITY | 1,332,585 | - | 1,035,593 | 297,515 | (523) | 296,992 | 1,332,585 |
| 194 | DOWNTOWN REDEVELOPMENT | 524,380 | - | 470,038 | 49,576 | 4,766 | 54,342 | 524,380 |
| 195 | HOTEL/CONFERENCE CENTER | 368,671 | (1,102,406) | (772,157) | 2,747,917 | (2,709,495) | 38,422 | (733,735) |
| 196 | HOTEL 4% FF&E | 817,602 | - | 721,137 | 132,688 | (36,223) | 96,465 | 817,602 |
| 197 | JOHN CONRAD REGIONAL GOLF | 1,169,665 | (207,573) | 657,214 | 1,340,556 | (1,035,679) | 304,877 | 962,091 |
| 201 | URBAN RENEWAL AUTHORITY | 137,311 | - | 98,591 | 38,721 | - | 38,721 | 137,311 |
| 202 | RISK MANAGEMENT | 930,778 | (37) | 881,634 | 1,530,525 | (1,481,418) | 49,107 | 930,741 |
| 204 | WORKERS COMP | 3,758,535 | - | 4,211,806 | 764,222 | (1,217,493) | (453,271) | 3,758,535 |
| 220 | ANIMALS BEST FRIEND | 86,093 | (2,000) | 73,232 | 61,623 | (50,762) | 10,861 | 84,093 |
| 225 | HOTEL MOTEL FUND | - | - | - | 482,272 | (482,272) | - | - |
| 230 | CUSTOMER DEPOSITS | 1,520,861 | (1,520,861) | - | 44,226 | (44,226) | - | - |
| 235 | MUNICIPAL COURT | 108,712 | (108,712) | - | 2,658 | (2,658) | - | - |
| 240 | L & H BENEFITS | 2,530,258 | (45,297) | 2,570,990 | 7,650,770 | (7,736,799) | (86,029) | 2,484,961 |
| 250 | CAPITAL IMP REV BOND | 2,484,271 | (29,613,904) | (35,692,983) | 16,669,143 | (8,105,793) | 8,563,350 | (27,129,633) |
| 269 | 2002 G.O. STREET BOND | 60,218 | - | 191,585 | 2,597 | (133,964) | (131,367) | 60,218 |
| 270 | 2018 ELECTION G.O. BOND | 5,999,931 | - | 8,421,966 | 311,333 | (2,733,369) | (2,422,036) | 5,999,931 |
| 271 | 2018 G.O. BONDS PROPRIETARY | 426,643 | (121,172) | 314,522 | 12,271 | (21,321) | (9,051) | 305,471 |
| 272 | 2022 ISSUE G.O. BOND | 1,099,758 | (35,000) | 2,513,068 | 38,701 | (1,487,010) | (1,448,309) | 1,064,758 |
| 310 | DISASTER RELIEF | 8,042,133 | (196,589) | 7,293,918 | 784,246 | (232,620) | 551,626 | 7,845,544 |
| 340 | REVENUE BOND SINKING FUND | | | | 3,534,214 | (3,534,214) | | |
| 350 | G. O. DEBT SERVICES | 4,215,542 | (14,576) | 2,981,462 | 3,595,441 | (2,375,936) | 1,219,505 | 4,200,967 |
| 352 | SOONER ROSE TIF | 1,618,255 | - | 1,099,602 | 888,920 | (370,266) | 518,653 | 1,618,255 |
| 353 | ECONOMIC DEV AUTHORITY | 59,467,235 | (49,985,904) | 9,418,940 | 1,364,567 | (1,302,176) | 62,391 | 9,481,331 |
| 354 | NORTHSIDE TIF | 274,063 | (267,076) | - | 6,987 | - | 6,987 | 6,987 |
| 425-9010 | MWC HOSP AUTH-COMP PRINCIPAL | 121,382,873 | (18,849) | 111,301,846 | 12,691,722 | (2,629,544) | 10,062,178 | 121,364,024 |
| 425-9050 | MWC HOSP AUTH-DISCRETIONARY | 28,696,528 | (8,316) | 22,013,675 | 7,438,859 | (764,320) | 6,674,539 | 28,688,214 |
| 425-9060 | MWC HOSP IN LIEU OF/ROR/MISC | 11,029,380 | (22,530) | 10,858,612 | 1,022,647 | (874,408) | 148,240 | 11,006,852 |
| 425-9080 | MWC HOSP AUTH GRANTS | 150,859 | | 93,916 | 565,743 | (508,800) | 56,943 | 150,859 |
| | TOTAL | 371,716,808 | (84,200,067) | 258,720,835 | 170,257,465 | (141,461,557) | 28,795,909 | 287,516,744 |



MUNICIPAL AUTHORITY AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

April 23, 2024 – 6:01 PM

Presiding members: Chairman Matthew Dukes City Staff:

Trustee Susan Eads Trustee Marc Thompson General Manager Tim Lyon
Trustee Pat Byrne Trustee Sara Bana Secretary Sara Hancock

Trustee Rita Maxwell Trustee Rick Favors Authority Attorney Don Maisch

A. CALL TO ORDER.

- B. <u>CONSENT AGENDA</u>. These items are placed on the Consent Agenda so the Trustees, by unanimous consent, can approve routine agenda items by one motion. If any Trustee requests to discuss an item(s) or if there is not a unanimous consent, then the item(s) will be removed and heard in regular order.
 - 1. Discussion, consideration, and possible action to approve the March 26, 2024 meeting minutes. (Secretary S. Hancock)
 - 2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following fund for FY 2023-2024, increase: Sanitation Fund, expenditures/Sanitation (41) \$931,008.(Finance Department T. Cromar)
 - 3. Discussion, consideration, and possible action of rejecting the bid received for the 24" Water Valve Replacements Project, North Midwest Boulevard. (Engineering & Construction Services P. Menefee)
 - 4. Discussion, consideration, and possible action of approving a Resolution (1) authorizing the General Manager to file application with the Oklahoma Water Resources Board (OWRB) for financial assistance through the Clean Water State Revolving Fund Program, with the loan proceeds being for the purpose of financing a study of microplastics at the Midwest City Water Resources Recovery Facility, (2) authorizing and directing the General Manager to execute a professional services agreement with a qualified firm or individual to serve as Bond Counsel, and (3) containing other provisions related thereto. (Public Works R. Paul Streets)
 - 5. Discussion, consideration, and possible action of approving a Resolution (1) authorizing the General Manager to file application with the Oklahoma Water Resources Board (OWRB) for financial assistance through the Clean Water State Revolving Fund Program, with the loan proceeds being for the purpose of financing the design of wastewater system improvements for the City of Midwest City, Oklahoma, (2) authorizing and directing the General Manager to execute a professional services agreement with a qualified firm or individual to serve as Bond Counsel, and (3) containing other provisions related thereto. (Public Works R. Paul Streets)

C. NEW BUSINESS/PUBLIC DISCUSSION. In accordance with State Statue Title 25 Section 311. Public bodies - Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority/Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion" section of the agenda is for members of the public to speak to the Authority on any subject not scheduled on the regular agenda. The Authority shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.

D. <u>FURTHER INFORMATION</u>

1. Review of the monthly report on the current financial condition of the Delta Hotel at the Reed Center for the period ending March 31, 2024. (Director of Operations - R. Rushing)

E. ADJOURNMENT.



CONSENT AGENDA

Notice for the Midwest City Municipal Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Municipal Authority Minutes

March 26, 2024

This meeting was held in Midwest City Council Chambers at City Hall, 100 N. Midwest Boulevard, Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Matt Dukes called the meeting to order at 8:47 PM with the following members present:

Trustee Sean Reed Trustee Susan Eads General Manager Tim Lyon Trustee Pat Byrne Trustee Sara Bana Secretary Sara Hancock

Trustee Rick Dawkins Trustee Rick Favors Authority Attorney Don Maisch

CONSENT AGENDA. Reed made a motion to approve the consent agenda, seconded by Eads. Voting Ave: Eads, Byrne, Dawkins, Reed, Bana, Favors and Dukes. Nay: none. Motion Carried.

- 1. Discussion, consideration, and possible action to approve the February 27, 2024 meeting minutes.
- 2. Discussion, consideration and possible action of approving supplemental budget adjustments to the following funds for FY 2023-2024, increase: Sewer Construction Fund, expenditures/Sewer Construction (46) \$5,878,888. Capital Improvements Revenue Bond Fund, revenue/Transfers In (00) \$5,878,888. Water Fund, expenditures /Water (42) \$197,200. Wastewater Fund, (01) expenditures/Wastewater (43) \$100,000.
- 3. Discussion, consideration, and possible action of awarding the bid to and contract with Holland Backhoe Inc. in the amount of \$129,356.00 for the construction and installation of the new Reed Baseball Complex Water Line Improvements and the Trustees delegating to the Chairman the authority to sign and execute the agreements necessary.

NEW BUSINESS/PUBLIC DISCUSSION.

FURTHER INFORMATION.

1. Review of the monthly report on the current financial condition of the Delta Hotel at the Reed Center for the period ending February 29, 2024.

Discussion was had between Bana, Lyon and Rushing.

ADJOURNMENT.

| There being no further business. | Chairman Dukes adjourned | the meeting at 8:53 PM |
|----------------------------------|--------------------------|------------------------|
|----------------------------------|--------------------------|------------------------|

| There being no further business, Chanman Dukes | aujourned the meeting at 6.55 1 W. |
|--|------------------------------------|
| ATTEST: | |
| | MATTHEW D DUKES II, Chairman |
| SARA HANCOCK, Secretary | |



Finance Department

100 N. Midwest Boulevard Midwest City, OK 73110 tcromar@midwestcity.org Office: 405-739-1245 www.midwestcityok.org

TO: Honorable Chairman and Trustees

Midwest City Municipal Authority

FROM: Tiatia Cromar, Finance Director

DATE: April 23, 2024

SUBJECT: Discussion, consideration and possible action of approving supplemental budget

adjustments to the following fund for FY 2023-2024, increase: Sanitation Fund,

expenditures/Sanitation (41) \$931,008.

The supplement is needed to budget two new front end loading trucks for Sanitation Department.

<u>Tiatia Cromar</u>

Tiatia Cromar Finance Director

SUPPLEMENTS

April 23, 2024

| SAN | | BUDGET AMENDMENT FORM Fiscal Year 2023-2024 | | | | | | |
|---|---------------------------------------|--|------------------|--------------------|-----------------|--|--|--|
| | Estimated | Revenue | Budget App | ropriations | | | | |
| Dept Number | Department Name | <u>Increase</u> | <u>Decrease</u> | Increase | <u>Decrease</u> | | | |
| 41 | Sanitation | | | 931,008 | | | | |
| | | 0 | 0 | 931,008 | | | | |
| Explanation: To budget two new front lo | pading trash trucks (2 Peterbilt chas | sis and 2 Whittke b | oodies). Funding | g to come from fur | nd balance. | | | |



Engineering and
Construction Services
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405.739.1220

To: Honorable Chairman and Trustees

From: Patrick Menefee, P.E., City Engineer

Date: April 23rd, 2024

Subject: Discussion, consideration, and possible action of rejecting the bid received for the

24" Water Valve Replacements Project, North Midwest Boulevard.

On Tuesday April 9, 2024 the Midwest City Municipal Authority opened the one received bid for the 24" Water Valve Replacements Project. The bid of \$342,574.00 exceeds the Engineer's Estimate and the project's budget. Staff plans to revisit the parameters of the proposed project, make revisions, and readvertise it for new bids.

The project is funded in the budget under the description 24" Valves Repl (Midwest) in the 178 Water Department fund under the Project Number 422401. The Engineer's Estimate and the bid tab for the detailed bid is attached.

Patrick Menefee, P.E.,

City Engineer Attachment

BIDS RECEIVED April 09, 2024 BID TABULATION FOR CITY OF MIDWEST CITY 24 INCH VALVE REPLACEMENTS NORTH MIDWEST BOULEVARD

| | | ENGINEE | R'S ESTIMATE | DOWNEY CONTRACTING | | | |
|-------|---|-----------|--------------|--------------------|--------------|------------|--------------|
| ITEM | | ESTIMATED | | | | | |
| NO. | ITEM | QUANTITY | UNIT | UNIT BID | AMOUNT | UNIT BID | AMOUNT |
| 1 | REMOVE 24 INCH VALVE AND 8 INCH BYPASS ASSEMBLY | 2.00 | CY | \$ 25,000.00 | 50,000.00 | 37,951.00 | 75,902.00 |
| 2 | INSTALL 24 INCH AND 8 INCH BYPASS ASSEMBLY | 1.00 | CY | \$ 40,000.00 | 40,000.00 | 116,215.00 | 116,215.00 |
| 3 | INSTALL 24 INCH VALVE ASSEMBLY | 1.00 | CY | \$ 35,000.00 | 35,000.00 | 107,144.00 | 107,144.00 |
| 4 | MOBILIZATION | 1.00 | SY | \$ 10,000.00 | 10,000.00 | 31,313.00 | 31,313.00 |
| 5 | TRAFFIC CONTROL | 1.00 | LF | \$ 5,000.00 | 5,000.00 | 12,000.00 | 12,000.00 |
| TOTAL | TOTAL BASE BID | | | | \$140,000.00 | | \$342,574.00 |



Public Works Administration

8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

Public Works Director
pstreets@midwestcityok.org
(405) 739-1061

Assistant Public Works Director
cevenson@midwestcityok.org
(405) 739-1062
www.midwestcityok.org

To: Honorable Chairman and Trustees

From: R. Paul Streets, Public Works Director

Date: April 23, 2024

Subject: Discussion, consideration, and possible action of approving a Resolution (1) authorizing the

General Manager to file application with the Oklahoma Water Resources Board (OWRB) for financial assistance through the Clean Water State Revolving Fund Program, with the loan proceeds being for the purpose of financing a study of microplastics at the Midwest City Water Resources Recovery Facility, (2) authorizing and directing the General Manager to execute a professional services agreement with a qualified firm or individual to serve as Bond Counsel,

and (3) containing other provisions related thereto.

The Oklahoma Water Resources Board has issued a call for eligible wastewater projects and other pollution control/water quality activities that may require funding between State Fiscal Years (SFY) 2025 and 2029 through the Clean Water State Revolving Fund Program (CWSRF). The Midwest City Municipal Authority has several eligible wastewater projects that could be funded through the CWSRF. The Municipal Authority's application will be directed toward a study to determine if the Midwest City Water Resources Recovery Facility could be a source of microplastics and recommend treatment process modifications to minimize the discharge of these pollutants to the environment.

The following resolution is required to submit an application.

Respectfully,

R. Paul Streets

Public Works Director

R. Paul Struts

Attachment

A RESOLUTION OF THE MIDWEST CITY MUNICIPAL AUTHORITY (THE "AUTHORITY") AUTHORIZING THE GENERAL MANAGER TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD ("OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE CLEAN WATER STATE REVOLVING FUND PROGRAM, WITH THE LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WASTEWATER SYSTEM IMPROVEMENTS FOR THE CITY OF MIDWEST CITY, OKLAHOMA; APPROVING A PROFESSIONAL SERVICES AGREEMENT IF NECESSARY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, the Midwest City Municipal Authority (the "Authority") has under consideration the financing of improvements to the sanitary sewer system serving the City of Midwest City, Oklahoma (the "City"), including a study to determine if the Midwest City Water Resources Recovery Facility could be a source of microplastics and recommend treatment process modifications to minimize the discharge of these pollutants to the environment (the "Project"); and

WHEREAS, it is deemed desirable for the Authority to give preliminary authorization for the issuance of obligations for such purpose; and

WHEREAS, the Oklahoma Water Resources Board has made monies available to qualified entities for the financing or refinancing of certain qualifying projects; and

WHEREAS, the Authority hereby agrees to file an application(s) with the Oklahoma Water Resources Board for financial assistance in the aggregate amount which will be sufficient to accomplish the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE MIDWEST CITY MUNICIPAL AUTHORITY, THAT:

Section 1. Application. The Authority shall file an Application(s) with the Oklahoma Water Resources Board seeking financial assistance through the Clean Water State Revolving Fund Program; and the General Manager or Designee of the Authority are hereby authorized to execute said Application(s) for and on behalf of the Authority. The Authority is further authorized to advance to the Oklahoma Water Resources Board necessary application fees in connection with the referenced Application(s).

<u>Section 2.</u> Professional Service Agreement. The General Manager or Designee of the Borrower is hereby authorized and directed on behalf of the Borrower to execute a professional services agreement with a qualified firm or individual to serve as Bond Counsel, if necessary.

<u>Section 3.</u> Other Matters. The General Manager or Designee of the Authority are hereby authorized and directed to do all other lawful things necessary to carry out the terms and conditions of this Resolution.

| PASSED AND APPROVED by the Ch Authority this day of | nairman and Trustees of the Midwest City Municipal, 2024. |
|--|---|
| ATTEST: | MIDWEST CITY MUNICIPAL AUTHORITY |
| | MATTHEW D. DUKES, II, Chairman |
| SARA HANCOCK, Secretary | |
| APPROVED as form and legality this | day of, 2024. |
| DONALD D. MAISCH, City Attorney | |



Public Works Administration

8730 S.E. 15th Street,
Midwest City, Oklahoma 73110
Public Works Director
pstreets@midwestcityok.org
(405) 739-1061
Assistant Public Works Director
cevenson@midwestcityok.org
(405) 739-1062
www.midwestcityok.org

To: Honorable Chairman and Trustees

From: R. Paul Streets, Public Works Director

Date: April 23, 2024

Subject: Discussion, consideration, and possible action of approving a Resolution (1) authorizing the

General Manager to file application with the Oklahoma Water Resources Board (OWRB) for financial assistance through the Clean Water State Revolving Fund Program, with the loan proceeds being for the purpose of financing the design of wastewater system improvements for the City of Midwest City, Oklahoma, (2) authorizing and directing the General Manager to execute a professional services agreement with a qualified firm or individual to serve as Bond

Counsel, and (3) containing other provisions related thereto.

The Oklahoma Water Resources Board has issued a call for eligible wastewater projects and other pollution control/water quality activities that may require funding between State Fiscal Years (SFY) 2025 and 2029 through the Clean Water State Revolving Fund Program (CWSRF). The Midwest City Municipal Authority has several eligible wastewater projects that could be funded through the CWSRF. The Municipal Authority's application will be directed toward the design of several wastewater system improvement projects.

The following resolution is required to submit an application.

Respectfully,

R. Paul Streets Public Works Director

K. Paul Streets

Attachment

A RESOLUTION OF THE MIDWEST CITY MUNICIPAL AUTHORITY (THE "AUTHORITY") AUTHORIZING THE GENERAL MANAGER TO FILE APPLICATION WITH THE OKLAHOMA WATER RESOURCES BOARD ("OWRB") FOR FINANCIAL ASSISTANCE THROUGH THE CLEAN WATER STATE REVOLVING FUND PROGRAM, WITH THE LOAN PROCEEDS BEING FOR THE PURPOSE OF FINANCING WASTEWATER SYSTEM IMPROVEMENTS FOR THE CITY OF MIDWEST CITY, OKLAHOMA; APPROVING A PROFESSIONAL SERVICES AGREEMENT IF NECESSARY; AND CONTAINING OTHER PROVISIONS RELATED THERETO.

WHEREAS, the Midwest City Municipal Authority (the "Authority") has under consideration the financing of improvements to the sanitary sewer system serving the City of Midwest City, Oklahoma (the "City"), including design of four (4) projects that are necessary to address current capacity issues on the east side of Midwest City and replacement of up to 15,000 feet of 8-inch sewer lines in the Original Mile (the "Project"); and

WHEREAS, it is deemed desirable for the Authority to give preliminary authorization for the issuance of obligations for such purpose; and

WHEREAS, the Oklahoma Water Resources Board has made monies available to qualified entities for the financing or refinancing of certain qualifying projects; and

WHEREAS, the Authority hereby agrees to file an application(s) with the Oklahoma Water Resources Board for financial assistance in the aggregate amount which will be sufficient to accomplish the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF THE MIDWEST CITY MUNICIPAL AUTHORITY, THAT:

Section 1. Application. The Authority shall file an Application(s) with the Oklahoma Water Resources Board seeking financial assistance through the Clean Water State Revolving Fund Program; and the General Manager or Designee of the Authority are hereby authorized to execute said Application(s) for and on behalf of the Authority. The Authority is further authorized to advance to the Oklahoma Water Resources Board necessary application fees in connection with the referenced Application(s).

<u>Section 2.</u> Professional Service Agreement. The General Manager or Designee of the Borrower is hereby authorized and directed on behalf of the Borrower to execute a professional services agreement with a qualified firm or individual to serve as Bond Counsel, if necessary.

<u>Section 3.</u> Other Matters. The General Manager or Designee of the Authority are hereby authorized and directed to do all other lawful things necessary to carry out the terms and conditions of this Resolution.

| PASSED AND APPROVED by the Ch Authority this day of | nairman and Trustees of the Midwest City Municipal, 2024. |
|--|---|
| ATTEST: | MIDWEST CITY MUNICIPAL AUTHORITY |
| | MATTHEW D. DUKES, II, Chairman |
| SARA HANCOCK, Secretary | |
| APPROVED as form and legality this | day of, 2024. |
| DONALD D. MAISCH, City Attorney | |



NEW BUSINESS/ PUBLIC DISCUSSION



FURTHER INFORMATION



City Manager's Office 100 N. Midwest Boulevard Midwest City, OK 73110 Office 405.739.1205

MEMORANDUM

TO: Honorable Chairman and Trustees

Midwest City Municipal Authority

FROM: Ryan Rushing, Director of Operations

DATE: April 23, 2024

SUBJECT: Review of the monthly report on the current condition of the Delta Hotel at the Reed

Center for the period ending March 31, 2024.

This item is on the agenda at the request of the Authority. Attached to this memorandum is information concerning the status of the Delta Hotel at the Reed Center.

Any time you have a question concerning the conference center and hotel, please feel free to contact me at 739-1205.

| Revenue Reve | Fiscal Year 2023-2024 | Jul-23 | Aug-23 | Sep-23 | Oct-23 | Nov-23 | Dec-23 | Jan-24 | Feb-24 | Mar-24 | Apr-24 | May-24 | Jun-24 |
|--|--------------------------|---------------------------------------|---------|-----------|-----------|-----------|---------------------------------------|---------------------------------------|-----------|-----------|-----------|-----------|-----------|
| Actual (PTD) 261,367 378,874 256,865 431,861 292,666 136,238 132,604 366,406 496,038 Expenses Expense | Revenue | | Ü | · | | | | | | | · | • | |
| Mudgried (PTD) | Budgeted (MTD) | 410,419 | 431,525 | 510,625 | 586,974 | 483,480 | 297,582 | 315,574 | 362,587 | 608,058 | - | - | _ |
| Budgehed (PTD) | Actual (MTD) | 261,357 | 375,874 | 255,855 | 431,851 | 292,696 | 136,238 | 132,604 | 365,406 | 496,036 | - | - | _ |
| Achael (YTD) 261,557 637,231 893,086 1,324,937 1,617,633 1,753,871 1,886,475 2,261,881 2,747,917 2,747,9 | ` ' | 410,419 | 841,944 | 1,352,569 | 1,939,543 | 2,423,023 | 2,720,605 | 3,036,179 | 3,398,766 | 4,006,824 | 4,006,824 | 4,006,824 | 4,006,824 |
| Budgehed (MTD) 277,604 280,224 280,443 337,716 267,805 241,334,307 331,720 306,328 341,901 469,445 | - · · · · | 261,357 | 637,231 | 893,086 | 1,324,937 | 1,617,633 | 1,753,871 | 1,886,475 | 2,251,881 | 2,747,917 | 2,747,917 | 2,747,917 | 2,747,917 |
| Budgehed (MTD) 277,604 280,224 280,443 337,716 267,805 241,334,307 331,720 306,328 341,901 469,445 | Expenses | | | | | | | | | | | | |
| Actual (NTD) | Budgeted (MTD) | 354,409 | 378,100 | 400,332 | 454,283 | 383,871 | 331,720 | 306,328 | 341,951 | 469,445 | - | - | _ |
| Revnue Vs. Expenses Budgeted (MTD) | Actual (MTD) | 277,604 | 280,264 | 280,443 | 337,716 | 261,601 | 267,805 | 284,413 | 334,937 | 384,711 | - | - | - |
| Revenue vs. Expenses | Budgeted (YTD) | 354,409 | 732,509 | 1,132,841 | 1,587,124 | 1,970,995 | 2,302,715 | 2,609,043 | 2,950,994 | 3,420,439 | 3,420,439 | 3,420,439 | 3,420,439 |
| Budgeled (MTD) | Actual (YTD) | 277,604 | 557,867 | 838,311 | 1,176,027 | 1,437,628 | 1,705,433 | 1,989,846 | 2,324,784 | 2,709,495 | 2,709,495 | 2,709,495 | 2,709,495 |
| Budgeled (MTD) | Revenue vs. Expenses | | | | | | | | | | | | |
| Achual (NTT) | Budgeted (MTD) | 56,010 | 53,425 | 110,293 | 132,691 | 99,609 | (34,138) | 9,246 | 20,636 | 138,613 | - | - | - |
| Key Indicators Hotel Room Revenue 174,426 203,842 186,813 207,754 148,910 180,005 48,438 (103,372) (72,903) 38,422 48,631 39,986 32,031 36,631 38,422 38,422 38,422 38,422 38,422 38,422 38,422 38,422 38,422 38,422 38,422 38,422 48,423 48,425 | - · · · · | (16,246) | 95,610 | (24,589) | 94,134 | 31,095 | (131,567) | (151,809) | 30,469 | 111,325 | - | - | - |
| No. Company | Budgeted (YTD) | 56,010 | 109,435 | 219,728 | 352,419 | 452,028 | 417,890 | 427,136 | 447,772 | 586,385 | 586,385 | 586,385 | 586,385 |
| Hotel Room Revenue | Actual (YTD) | (16,246) | 79,364 | 54,775 | 148,910 | 180,005 | | (103,372) | (72,903) | 38,422 | 38,422 | 38,422 | 38,422 |
| Hotel Room Revenue | | | | | | | | | | | | | |
| Food and Banquet Revenue | Key Indicators | | | | | | | | | | | | |
| Fiscal Year 2022-2023 | Hotel Room Revenue | 174,426 | 203,842 | 165,813 | 207,754 | 145,251 | 90,198 | 94,661 | 176,917 | 250,403 | - | - | - |
| Revenue Budgeted (MTD) 314,473 | Food and Banquet Revenue | 58,116 | 178,433 | 70,265 | 189,490 | 123,397 | 39,096 | 32,013 | 165,017 | 205,352 | - | - | - |
| Budgeted (MTD) | Fiscal Year 2022-2023 | Jul-22 | Aug-22 | Sep-22 | Oct-22 | Nov-22 | Dec-22 | Jan-23 | Feb-23 | Mar-23 | Apr-23 | May-23 | Jun-23 |
| Actual (MTD) | Revenue | | | | | | | | | | | | |
| Budgeted (YTD) 314,473 771,031 1,225,854 1,916,811 2,399,565 2,679,687 2,964,681 3,326,177 4,026,851 4,424,850 4,947,808 5,355,004 Actual (YTD) 215,862 543,856 882,088 1,180,701 1,509,959 1,835,895 2,093,814 2,342,434 2,763,995 3,043,609 3,337,728 3,657,697 Expenses Budgeted (MTD) 317,640 357,848 352,577 429,679 372,335 303,854 297,787 314,509 436,038 355,615 389,108 355,713 Actual (MTD) 270,452 278,272 251,566 289,094 328,384 406,392 357,547 292,897 367,683 326,506 340,376 327,528 Budgeted (YTD) 317,640 675,488 1,028,065 1,457,744 1,830,079 2,133,933 2,431,720 2,746,229 3,182,267 3,537,882 3,926,990 4,282,703 Actual (YTD) 270,452 548,724 800,290 1,089,384 1,417,768 1,824,160 2,181,707 2,474,604 2,842,287 3,168,793 3,509,169 3,836,697 Revenue vs. Expenses Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Budgeted (MTD) | 314,473 | 456,558 | 454,823 | 690,957 | 482,754 | 280,122 | 284,994 | 361,496 | 700,674 | 397,999 | 522,958 | 407,196 |
| Actual (YTD) 215,862 543,856 882,088 1,180,701 1,509,959 1,835,895 2,093,814 2,342,434 2,763,995 3,043,609 3,337,728 3,657,697 Expenses Budgeted (MTD) 317,640 357,848 352,577 429,679 372,335 303,854 297,787 314,509 436,038 355,615 389,108 355,713 Actual (MTD) 270,452 278,272 251,566 289,094 328,384 406,392 357,547 292,897 367,683 326,506 340,376 327,528 Budgeted (YTD) 317,640 675,488 1,028,065 1,457,744 1,830,079 2,133,933 2,431,720 2,746,229 3,182,267 3,537,882 3,926,990 4,282,703 Actual (YTD) 270,452 548,724 800,290 1,089,384 1,417,768 1,824,160 2,181,707 2,474,604 2,842,287 3,168,793 3,509,169 3,836,697 Revenue vs. Expenses Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) KKy Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Actual (MTD) | 215,862 | 327,994 | 338,232 | 298,613 | 329,258 | 325,935 | 257,919 | 248,620 | 421,561 | 279,614 | 294,119 | 319,969 |
| Expenses Budgeted (MTD) | Budgeted (YTD) | 314,473 | 771,031 | 1,225,854 | 1,916,811 | 2,399,565 | 2,679,687 | 2,964,681 | 3,326,177 | 4,026,851 | 4,424,850 | 4,947,808 | 5,355,004 |
| Budgeted (MTD) 317,640 357,848 352,577 429,679 372,335 303,854 297,787 314,509 436,038 355,615 389,108 355,713 Actual (MTD) 270,452 278,272 251,566 289,094 328,384 406,392 357,547 292,897 367,683 326,506 340,376 327,528 Budgeted (YTD) 317,640 675,488 1,028,065 1,457,744 1,830,079 2,133,933 2,431,720 2,746,229 3,182,267 3,537,882 3,926,990 4,282,703 Actual (YTD) 270,452 548,724 800,290 1,089,384 1,417,768 1,824,160 2,181,707 2,474,604 2,842,287 3,168,793 3,509,169 3,836,697 Revenue vs. Expenses Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Actual (YTD) | 215,862 | 543,856 | 882,088 | 1,180,701 | 1,509,959 | 1,835,895 | 2,093,814 | 2,342,434 | 2,763,995 | 3,043,609 | 3,337,728 | 3,657,697 |
| Actual (MTD) | Expenses | | | | | | | | | | | | |
| Budgeted (YTD) 317,640 675,488 1,028,065 1,457,744 1,830,079 2,133,933 2,431,720 2,746,229 3,182,267 3,537,882 3,926,990 4,282,703 Actual (YTD) 270,452 548,724 800,290 1,089,384 1,417,768 1,824,160 2,181,707 2,474,604 2,842,287 3,168,793 3,509,169 3,836,697 Revenue vs. Expenses Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Budgeted (MTD) | 317,640 | 357,848 | 352,577 | 429,679 | 372,335 | 303,854 | 297,787 | 314,509 | 436,038 | 355,615 | 389,108 | 355,713 |
| Actual (YTD) 270,452 548,724 800,290 1,089,384 1,417,768 1,824,160 2,181,707 2,474,604 2,842,287 3,168,793 3,509,169 3,836,697 Revenue vs. Expenses Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Actual (MTD) | 270,452 | 278,272 | 251,566 | 289,094 | 328,384 | 406,392 | 357,547 | 292,897 | 367,683 | 326,506 | 340,376 | 327,528 |
| Revenue vs. Expenses Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Budgeted (YTD) | 317,640 | 675,488 | 1,028,065 | 1,457,744 | 1,830,079 | 2,133,933 | 2,431,720 | 2,746,229 | 3,182,267 | 3,537,882 | 3,926,990 | 4,282,703 |
| Budgeted (MTD) (3,167) 98,710 102,246 261,278 110,419 (23,732) (12,793) 46,987 264,636 42,384 133,850 51,483 Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Actual (YTD) | 270,452 | 548,724 | 800,290 | 1,089,384 | 1,417,768 | 1,824,160 | 2,181,707 | 2,474,604 | 2,842,287 | 3,168,793 | 3,509,169 | 3,836,697 |
| Actual (MTD) (54,590) 49,722 86,665 9,519 875 (80,457) (99,628) (44,277) 53,878 (46,892) (46,257) (7,559) Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Revenue vs. Expenses | | | | | | | | | | | | |
| Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Budgeted (MTD) | (3,167) | 98,710 | 102,246 | 261,278 | 110,419 | (23,732) | (12,793) | 46,987 | 264,636 | 42,384 | 133,850 | 51,483 |
| Budgeted (YTD) (3,167) 95,543 197,789 459,067 569,486 545,754 532,961 579,948 844,584 886,968 1,020,818 1,072,301 Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | • ` ' | ` ' ' | 49,722 | | | | · · · · · · · · · · · · · · · · · · · | · · · / | | 53,878 | (46,892) | | |
| Actual (YTD) (54,590) (4,868) 81,798 91,317 92,192 11,735 (87,893) (132,170) (78,292) (125,184) (171,441) (179,001) Key Indicators Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | ` ′ | · · · · · · · · · · · · · · · · · · · | | | | | · · · · · · · · · · · · · · · · · · · | · · · · · · · · · · · · · · · · · · · | | | | · / / | |
| Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | * ` ' | | | | | | | | | | | | (179,001) |
| Hotel Room Revenue 134,971 160,951 204,314 221,621 181,770 108,375 80,338 136,796 203,240 202,116 217,628 259,119 | Key Indicators | | | | | | | | | | | | |
| | | | | | | | | | | | | | |
| | Hotel Room Revenue | 134.971 l | 160.951 | 204.314 | 221.621 | 181,770 | 108.375 | 80.338 | 136.796 | 203,240 | 202,116 | 217,628 | 259,119 |



MEMORIAL HOSPITAL AUTHORITY AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

April 23, 2024 – 6:02 PM

Presiding members: Chairman Matthew Dukes City Staff:

Trustee Susan Eads Trustee Marc Thompson General Manager Tim Lyon Trustee Pat Byrne Trustee Sara Bana Secretary Sara Hancock

Trustee Rita Maxwell Trustee Rick Favors Authority Attorney Don Maisch

A. CALL TO ORDER.

- B. <u>CONSENT AGENDA</u>. These items are placed on the Consent Agenda so the Trustees, by unanimous consent, can approve routine agenda items by one motion. If any Trustee requests to discuss an item(s) or if unanimous consent is not received, then the item/s will be removed and heard in regular order.
 - 1. Discussion, consideration, and possible action to approve the March 26, 2024 meeting minutes. (Secretary S. Hancock)
 - 2. Discussion, consideration, and possible action of approving a request for a six-month extension to the Midwest City Engineering and Construction Services Department to complete the Blue Lights grant project. (Administrator T. Lyon)
 - 3. Discussion, consideration, and possible action of approving a request for an additional six-month extension to the EDA 2022 Business Assistance Program grant project. (Administrator T. Lyon)
 - 4. Discussion, consideration, and possible action of appointing Megan Bain as the Ward 5 representative on the Midwest City Memorial Hospital Authority Trust Board of Grantors for a four-year term ending on April 25, 2028. (City Manager T. Lyon)
 - 5. Discussion, consideration, and possible action of re-appointing Amber Moody as the Mayor representative on the Midwest City Memorial Hospital Authority Trust Board of Grantors for a second four-year term ending on April 25, 2028. (City Manager T. Lyon)
- C. NEW BUSINESS/PUBLIC DISCUSSION. In accordance with State Statue Title 25 Section 311. Public bodies Notice. A-9, the purpose of the "New Business" section is for action to be taken at any Council/Authority/Commission meeting for any matter not known about or which could not have been reasonably foreseen 24 hours prior to the public meeting. The purpose of the "Public Discussion" section of the agenda is for members of the public to speak to the Authority on any subject not scheduled on the regular agenda. The Authority shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Authority will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. THOSE ADDRESSING THE AUTHORITY ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE AUTHORITY.

D. ADJOURNMENT.



CONSENT AGENDA

Notice for the Midwest City Memorial Hospital Authority meetings was filed for the calendar year with the City Clerk of Midwest City. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Memorial Hospital Authority Minutes

March 26, 2024

| This meeting was held in Midwest City | Council Chambers at City | y Hall, 100 N. | Midwest Boulevard |
|---------------------------------------|--------------------------|----------------|-------------------|
| Midwest City, County of Oklahoma, Sta | ate of Oklahoma. | | |

| Midwest City, County of Ok | lahoma, State of Oklahoma. | · | | | | |
|---|---|--|--|--|--|--|
| Chairman Matt Dukes called Trustee Susan Eads Trustee Pat Byrne Trustee Rick Dawkins | the meeting to order at 8:53 Trustee Sean Reed Trustee Sara Bana Trustee Rick Favors | PM with the following members present: General Manager Tim Lyon Secretary Sara Hancock Authority Attorney Don Maisch | | | | |
| DISCUSSION ITEMS. | | | | | | |
| 1. Discussion, consideration, and possible action to approve the February 27, 2024 meeting minutes. | | | | | | |
| Eads made a motion to approve the minutes, seconded by Reed. Voting Aye: Eads, Byrne, Dawkins, Reed, Bana, Favors and Dukes. Nay: none. Motion Carried. | | | | | | |
| 2. Discussion, consideration and possible action to reallocate assets, change fund managers or make changes in the Statement of Investment Policy, Guidelines and Objectives. | | | | | | |
| No Action Needed. | | | | | | |
| NEW BUSINESS/PUBLIC DISCUSSION. There was no new business or public discussion. | | | | | | |
| ADJOURNMENT. | | | | | | |
| There was no further business, Chairman Dukes adjourned the meeting at 8:54 PM. | | | | | | |
| | | | | | | |
| ATTEST: | | | | | | |
| | | | | | | |
| | | MATTHEW D DUKES II, Chairman | | | | |

SARA HANCOCK, Secretary



City Manager

tlyon@midwestcityok.org 100 N. Midwest Blvd, Midwest City, Oklahoma 73110 Office: 405-739-1201 www.midwestcityok.org

www.midwestchyok.

TO: Honorable Chairman and Trustees of the Midwest City Memorial Hospital Authority

MEMORANDUM

FROM: Tim Lyon, General Manager/Administrator

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of approving a request for a six-month

extension to the Midwest City Engineering and Construction Services Department to

complete the Blue Lights grant project.

As you may recall in February 2023, the Trustees approved a grant to the Midwest City Community Development Engineering and Construction Services Department for five emergency blue lights along two new trails, the Mid-America Trail and the Palmer Loop Trail.

Director, Brandon Bundy reports that the trails are completed in the designated areas that the lights will be installed, so he is ready to move forward with the installation of the lights, but it is beyond the year mark of the agreement for the grant funds, so he is requesting an extension.

Tim L. Lyon, City Manager



Engineering and
Construction Services
100 N Midwest Boulevard
Midwest City, OK 73110
Office 405,739,1220

TO: Tim Lyon, City Manager

FROM: Brandon Bundy, P.E., Director

DATE: March 26, 2024

SUBJECT: Request to extend FY 22-23 Hospital Authority Grant, Blue Light Phone,

\$54,306

I would like to request an extension of the Hospital Authority Grant regarding the Blue Light Phone project. This project was brought to management from my department as a way to install the emergency call boxes "Blue Lights" at locations along our newly constructed trails. This project has not yet begun. The project is in the budget as Project # 242310, 016-2410-431.40-02.

I do intend to start the project soon and am hoping that the extension will only be needed one time, at least in the context of encumbering the funds.

Apologize for any trouble this may cause. Am available for any questions or further information.

Sincerely,

Brandon Bundy, J.E.,

Director of Engineering and Construction Services

CC: Vaughn Sullivan, Assistant City Manager
Jill Donaldson, Executive Administrative Assistant



City Manager

tlyon@midwestcityok.org 100 N. Midwest Blvd, Midwest City, Oklahoma 73110 Office: 405-739-1201

www.midwestcityok.org

MEMORANDUM

TO: Honorable Chairman and Trustees of the Midwest City Memorial Hospital Authority

FROM: Tim Lyon, General Manager/Administrator

DATE: April 23, 2024

SUBJECT: Discussion, consideration, and possible action of approving a request for an additional six-

month extension to the EDA 2022 Business Assistance Program grant project.

As you may recall, this grant was awarded to provide matching funds to local commercial property owners as an incentive to eliminate blight without further government intervention. In April 2023, the Trustees extended this grant program to allow more property owners the opportunity to utilize the funds.

We have seen great success such as the former Maytag Repair Center at 720 S Air Depot Boulevard and the Brentwood property at 7121 E Reno Avenue. There is a remaining balance \$57,415.44, so we are asking for the extension.

Tim L. Lyon, City Manager



Midwest City Economic Development Authority 100 N Midwest Boulevard Midwest City, OK 73110-4327 (405) 739-1218 MidwestCityOK.biz

MEMORANDUM

TO: City Manager, Tim Lyon

FROM: Robert Coleman, Director of Economic Development

CC: General Manager/Administrator Tim Lyon

DATE: 11 April 2024

RE: FY 2021 – 2022 Business Assistant Grant Update, Request for Extension

Dear Mr. Lyon,

Please accept this memo as our request for yet another extension to the FY 2021 - 2022 Business Assistant Grant program. We have seen positive results, and we would kindly ask for more patience as we go after some of the most obsolete and unattractive commercial buildings in Midwest City. We feel the program is very impactful, and we would hate to see it suspended or eliminated before its full potential is realized.

For example, the former Maytag Repair Center, 720 S Air Depot Boulevard, was cleared as part of the program. The 61-year old, 3,956 ft,² vacant structure had asbestos contamination and sat empty for well over a decade before being razed a few months ago. It was one of several targets we identified on our original grant applications.

We also saw the elimination of an eyesore that once sat prominently on top of a hill at 7121 E Reno Avenue. This mostly wooden, \pm 4000 square foot former office building demanded constant attention from our code enforcement officers after sustaining major structural damage in a 2021 storm.

The documentation for the demolition of 720 S Air Depot BL is complete. This project amounts to a little over \$30,000, which will leave the program's fund balance at \$56,840, enough to clear four to six more targets.

There are many other buildings around town that remain in our sights, including at least three others in the Air Depot Boulevard Corridor Improvement Plan project area and a handful on NE 10th Street.

We are respectfully requesting another one (1) year extension to the program so we may continue our pursuit of more unsightly addresses in our commercial corridors.

Sincerely,

Robert Coleman

Director of Economic Development



Midwest City Memorial Hospital Authority 100 North Midwest Boulevard Midwest City, OK 73110 Office (405) 739-1207 tlyon@midwestcityok.org www.midwestcityok.org

MEMORANDUM

To: Midwest City Memorial Hospital Authority Trustees

From: Tim Lyon, General Manager/Administrator

Date: April 23, 2024

Subject: Discussion, consideration, and possible action of appointing Megan Bain as the

Ward 5 representative on the Midwest City Memorial Hospital Authority Trust

Board of Grantors for a four-year term ending on April 25, 2028.

Council member Bana has nominated former Ward 3 Council member Megan Bain to represent Ward 5 on the Board of Grantors for a four-year term to end on April 25, 2028.

As you may recall, per the Hospital Authority Trust Indenture, Grantors are nominated by the City Council members with two by the Chamber and the City Council appoints them by majority vote. The Grantors meet on call and serve 4-year terms with a limit of 2 terms (terms are consider two-years or more).

The current Grantors include:

| Appointee | Name | Appointed | 2 nd Term Ends | BOG Position |
|-----------|----------------|------------------------------|---------------------------|---------------------------------------|
| Chamber | Stacy Willard | 04/24/18 | 04/28/26 | |
| Chamber | Vacant | | | (McGlamery) Chairman elected 06-22-23 |
| Ward 1 | Vacant | | | |
| Ward 2 | Zac Watts | 05/25/21 | 04/28/26 | Vice-chair elected 06-22-23 |
| Ward 3 | Vacant | | | |
| Ward 4 | Kelly Albright | elly Albright 03/22/22 04/28 | | |
| Ward 5 | Vacant | | | |
| Ward 6 | Wade Moore | 05/08/18 | 04/28/26 | |
| Mayor | Amber Moody | 05/12/20 | | Sec./Tre. elected 06-22-23 |

LL Con-Tim L. Lyon, City Manager



Midwest City Memorial Hospital Authority 100 North Midwest Boulevard Midwest City, OK 73110 Office (405) 739-1207 tlyon@midwestcityok.org www.midwestcityok.org

MEMORANDUM

To: Midwest City Memorial Hospital Authority Trustees

From: Tim Lyon, General Manager/Administrator

Date: April 23, 2024

Subject: Discussion, consideration, and possible action of re-appointing Amber Moody as

the Mayor representative on the Midwest City Memorial Hospital Authority Trust

Board of Grantors for a second four-year term ending on April 25, 2028.

Mayor Dukes would like to re-appoint Amber Moody as his representative on the Board of Grantors for a four-year term to end on April 25, 2028.

As you may recall, per the Hospital Authority Trust Indenture, Grantors are nominated by the City Council members with two by the Chamber and the City Council appoints them by majority vote. The Grantors meet on call and serve 4-year terms with a limit of 2 terms (terms are consider two-years or more).

The current Grantors include:

| Appointee | Name | Appointed | 2 nd Term Ends | BOG Position |
|-----------|----------------|-----------|---------------------------|---------------------------------------|
| Chamber | Stacy Willard | 04/24/18 | 04/28/26 | |
| Chamber | Vacant | | | (McGlamery) Chairman elected 06-22-23 |
| Ward 1 | Vacant | | | |
| Ward 2 | Zac Watts | 05/25/21 | 04/28/26 | Vice-chair elected 06-22-23 |
| Ward 3 | Vacant | | | |
| Ward 4 | Kelly Albright | 03/22/22 | 04/28/26 | |
| Ward 5 | Vacant | | | |
| Ward 6 | Wade Moore | 05/08/18 | 04/28/26 | |
| Mayor | Amber Moody | 05/12/20 | | Sec./Tre. elected 06-22-23 |

Tim L. Lyon, City Manager



NEW BUSINESS/ PUBLIC DISCUSSION



SPECIAL ECONOMIC DEVELOPMENT COMMISSION AGENDA

City Hall - Midwest City Council Chambers, 100 N. Midwest Boulevard

April 23, 2024 – 6:03 PM

Presiding members: Chairman Matthew Dukes Staff:

Commissioner Susan Eads
Commissioner Pat Byrne
Commissioner Rita Maxwell
Maisch
Commissioner Marc Thompson
Commissioner Marc Thompson
Commissioner Sara Bana
Commissioner Sara Bana
Secretary Sara Hancock
Authority Attorney Don

A. <u>CALL TO ORDER.</u>

B. DISCUSSION ITEM.

- 1. Discussion, consideration, and possible action to approve the December 12, 2023 meeting minutes. (Secretary S. Hancock)
- C. <u>PUBLIC DISCUSSION</u>. The purpose of the "Public Discussion" section of the Agenda is for members of the public to speak to the Commissioners on any Subject not scheduled on the Regular Agenda. The Commissioners shall make no decision or take any action, except to direct the City Manager to take action, or to schedule the matter for discussion at a later date. Pursuant to the Oklahoma Open Meeting Act, the Commissioners will not engage in any discussion on the matter until that matter has been placed on an agenda for discussion. THOSE ADDRESSING THE COUNCIL ARE REQUESTED TO STATE THEIR NAME AND ADDRESS PRIOR TO SPEAKING TO THE C COMMISSIONERS.

D. FURTHER INFORMATION.

- 1. Review of the Communications & Marketing / CVB report for the 1st quarter, period ending March 31, 2024. (Communications & Recreation J. Ryan)
- 2. Review of the Midwest City Chamber of Commerce's Quarterly Activities for the 2024 first quarter period ending March 31, 2023. (City Manager T. Lyon)

E. ADJOURNMENT.



DISCUSSION ITEM

Notice for the Midwest City Economic Development Commission special meeting was filed with the City Clerk of Midwest City 48 hour prior to the meeting. Public notice of this agenda was accessible at least 24 hours before this meeting at City Hall and on the Midwest City website (www.midwestcityokorg).

Midwest City Economic Development Commission Minutes

December 12, 2023

| This | special | meeting | was held | in Mid | west City | Council | Chambers | at City | Hall, | 100 N | I. Midwest |
|------|----------|-----------|-----------|----------|-----------|------------|----------|---------|-------|-------|------------|
| Boul | evard, M | Iidwest C | ity, Coun | ty of Ok | lahoma, l | State of O | klahoma. | | | | |

Chairman Matt Dukes called the meeting to order at 6:28 PM with the following members present:

Commissioner Susan Eads

Commissioner Pat Byrne

Commissioner Sara Bana

Commissioner Rick Favors

Commissioner Rick Favors

Commissioner Rick Favors

City Attorney Don Maisch

Absent: Commissioner Sean Reed

DISCUSSION ITEM.

1. Discussion, consideration and possible action of approving the July 25, 2023 meeting minutes.

Eads made a motion to approve the minutes, seconded by Bana. Voting Aye: Eads, Byrne, Dawkins, Bana, Favors, and Dukes. Nay: none. Absent: Reed. Motion carried.

PUBLIC DISCUSSION. There was no public discussion.

ADJOURNMENT.

There being no further business, Chairman Dukes adjourned the meeting at 6:29 PM.

| ATTEST: | |
|------------------------|-------------------------------|
| | |
| | MATTHEW D. DUKES II, Chairman |
| SARA HANCOCK Secretary | |



PUBLIC DISCUSSION



FURTHER INFORMATION



Communications & Marketing

100 N. Midwest Boulevard Midwest City, OK 73110 jryan@midwestcityok.org Office: 405.739.1206 www.midwestcityok.org

MEMORANDUM

TO: Honorable Chairman and Commissioners

FROM: Josh Ryan, Communications & Recreation Director

DATE: April 23, 2024

SUBJECT: Review of the Communications & Marketing / CVB report for the 1st quarter, period ending

March 31, 2024. (Communications & Recreation - J. Ryan)

The Quarterly Communications & Marketing / CVB Report is developed by Susan MacQuarrie, Community Engagement Manager and Josh Ryan, Communications & Recreation Dir. and is attached for your review.

Josh Ryan Communications & Recreation Director

MIDWEST CITY Communications & Marketing Dept.

Q1 2024 Highlights Report

Communications & Marketing Department / CVB Responsibilities

 Media relations, public information, event management, City services and special event marketing, external special event coordination, convention recruitment and tourism attraction.
 Staff includes the C&M Director, Community Engagement Manager and Events Specialist.

Community Engagement

- Coordinated planning sessions, secured entertainment, secured technical support, partnered with food trucks, and developed activities & partnerships/sponsorships for the following events:
 - Daddy Daughter Dance
 - State of the City
 - o Groundbreaking Ceremony A-OK Railroad @ SCIP
 - 2024 Season of Cruise in for Coffee (Every 3rd Saturday, April October)
 - o Public Works Dept on Spring Events Calendar/ Great American Cleanup
 - Digital Board @ 15th & Sooner + Print Marketing
 - Tom Poore Park Cleanup
 - Earth Day Festival
 - Rain Barrel Sales Promotion & Tree Giveaway
 - New & Improved Covered in Color event (Saturday, April 13th)
 - W.P "Bill" Atkinson Park
 - Marketing Digital and Print
 - Vendor, Food Truck, Entertainment, Activity arrangements
 - Entertainment Partners: Mid-Del Schools Fine Arts and RSC Band
 - Started Tribute to Liberty planning July 4 w/ new Event Specialist
- Third-Party Event Permit Package Coordination
 - Juneteenth 2024
 - Old School Cruisers Car Show
 - COMA Car Show

Convention & Visitors Bureau – Participation & Support

- OK Hunters and Anglers Conference
- OK Firefighters Convention
- o Tinker and The Primes
- o Experience Midwest City guide, video and updated visitmidwestcity.com website
- New guide distribution OTRD
- o Renewed OSAE Membership
- Midwest City 'swag" for sports market and group business

On the Horizon

- We are excited to have our new Event Specialist on board
- o Looking forward to renewing relationships at the hotels to promotion Delta / Reed Center
- Looking forward to launching Covered in Color as the first event in W.P Atkinson Park.
 - Covered in Color will set the standard for future events
- Excited that the new Experience Midwest City Guide is out for major distribution at all the Welcome / TIC's. The new "EXPERIENCE" video and website will round out the EXPERIENCE MIDWEST CITY campaign launch.



Q1 2024 Highlights Report

Communications & Marketing

- o Marketing, Graphic Design & Promotional Support
 - New Year's Holiday City Service Schedule
 - Winter Storms City Service Schedule & Updates
 - Daddy Daughter Dance
 - Parks & Recreation Learn to Play Youth Sports Clinic
 - Midwest City Senior Center Closures
 - Annual Schedule Promotion for Midwest City MAC and Reed Ballpark
 - Council Meeting Posts
 - MLK Prayer Breakfast
 - MLK Day Holiday City Service Schedule
 - CMC Sports League Registration and Start
 - Aquatics Jobs
 - Primary and Runoff Elections
 - 2023 Municipal Report
 - Midwest Blvd. Road Construction
 - Arbor Day Art Contest
 - Reno Swim & Slide Pool Party Reservations
 - SCIP Rail Spur Groundbreaking
 - Public Works Spring Events
 - Covered in Color
 - Jan., Feb., March Constant Contact Newsletters

On the Horizon

- Working with the CVB on new Experience Midwest City videos
- Taking every opportunity to use video on social media channels for messaging
- Event season combined with sports tourism seasons will be very busy for the community
- o Excited that this could finally be the year that Mid-America Street Fest makes a return



City Manager
100 N. Midwest Boulevard
Midwest City, OK 73110
tlyon@midwestcityok.org
Office: 405.739.1201
www.midwestcityok.org

MEMORANDUM

TO: Honorable Chairman and Commissioners

Midwest City Economic Development Commission

FROM: Tim Lyon, City Manager

DATE: April 23, 2024

SUBJECT: Review of the Midwest City Chamber of Commerce's Quarterly Activities for the

period ending March 31, 2024.

The Midwest City Chamber of Commerce has provided the attached report.

Tim L. Lyon, City Manager



2024 Q1 EDC Report

Submitted 4.9.24

New Members (Jan - Mar)

| Current 2024 | 2024 Projected | 2023 Annual Total | | | |
|--------------|----------------|-------------------|--|--|--|
| 19 | 50 | 37 | | | |

^{*}Current Membership Total (342)

Chamber Programming

- Hosted Chamber Banquet in January
- (4) Lunch Bunch events
- (10) Ribbon Cuttings
- Hosted (1) Leadership Alumni Mixer at Altitude 1291
- (2) Non Profit Coffee Talks
- Hosted Groundbreaking event for Whataburger
- Currently at the end of our 2024 Leadership Midwest City Class
- Currently planning partnership networking event with other Chambers in Eastern Oklahoma County
- (1) Community Marketing Meeting\

Leadership Programming

- Will be hosting state-wide leadership programming seminar through the Oklahoma Chamber of Commerce Executives Association

Community Partner Events

- Attended the Leah's Hope Liberation Luncheon
- Attended Mid Del Tinker 100 Club Annual Banquet
- Attended the Mid Del Public Schools Foundation Banquet
- Attended the 72d ABW Awards Banquet
- Attended the 552d Annual Awards Banquet
- Attended the TACAMO 100th Meeting of the Navy Community Council
- Attended the Mid Del Public Schools Foundation Galentine's Day Fundraiser
- Attended the Ribbon Cutting for the Tannebaum Aerospace & Cybersecurity building at Rose State College
- Attended the Groundbreaking for the new rail spur with Congressman Cole
- Attended the Rotary Shrimp Boil

Partnership with the City of Midwest City

- State of the City Address with Mayor Matt Dukes
- Hosted the Candidate Forum for City Council Candidates
- Currently working with the Public Works Department for their Spring Activities: Tom Poore Park Clean Up & the Earth Day Festival
- Currently working with the Special Events Department for the Covered in Color Event at WP Atkinson Park



Military Affairs

- Attended the TACAMO Change of Command Ceremony
- Secured Navy League of Oklahoma City events at the Delta Reed Center, John Conrad Golf Course, and Joe B. Barnes Regional Park
- Active planning for the 2024 Tinker and the Primes Conference
- Active planning for the 2025 Tinker Air Show

Upcoming Annual Events:

- June 20th Eastern Oklahoma County Chamber Mixer
- July 12th Fill the Bus Week 1
- July 19th Fill the Bus Week 2
- July 26th Fill the Bus Week 3
- August 5th 8th Tinker and the Primes
- September 12th Strike Out Hunger Bowling Tournament
- September 26th Military Affairs Summit (Formerly known at State of Tinker)
- October 10th Picnic with Protectors and Public Works
- November TBD Ambassador and Alumni Mixer
- January 30th 2025 Chamber Annual Banquet 2025