ORDIANCE OVERSIGHT COUNCIL COMMITTEE AGENDA

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

April 18, 2022 - 5:30 PM

A. CALL TO ORDER.

B. **DISCUSSION ITEMS.**

- Discussion and consideration for adoption, including any possible amendment of, an ordinance amending the Midwest City Municipal Code, Chapter 2 Administration, Article VIII, Purchasing, Section 2-118, Bids Required, Invitation; and Providing for Repealer and Severability. (City Attorney - D. Maisch)
- 2. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 3 Advertising, Article II, License, Sections 3-16, Required; Application; Section 3-17, Fee, 3-18, Expiration; Prorating; Transfer; Signing, Seal; Chapter 9, Buildings And Building Regulations; Article VII, Sign Regulations; Section 9-382, Definitions; and Providing For Repealer And Severability. (City Attorney - D. Maisch)
- 3. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article II, Builder's Advisory Board, Section 9-17, Members; and providing for a repealer and severability. (City Attorney D. Maisch)
- 4. Discussion and consideration for adoption, including any possible amendment, of an ordinance amending the Midwest City Municipal Code, Chapter 13, Drainage and Flood Control, Article III, Stormwater Runoff Control, Sections 13-71, Requirements relating to improvements, and Section 13-73, Figures; and Providing for Repealer and Severability. (City Attorney D. Maisch)
- 5. Discussion and consideration for adoption, including any possible amendment, of an ordinance amending the Midwest City Municipal Code, Chapter 18, Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, Container Required, Duty to Use; and providing for Repealer and Severability. (PWA Director P. Streets)
- 6. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 28 Offenses Miscellaneous, Article V, Offenses Against Public Peace, Section 28-94 out of reserve and entitling it "Offenses Against Public Peace; and providing for Repealer and Severability. (City Attorney D. Maisch)
- 7. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 38 Subdivision Regulations, Article VIII, Definitions, Section 38-65.120, Park Land Review Committee; and providing for a repealer and severability. (City Attorney D. Maisch)

B. Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code: Appendix A, Zoning Regulations; Section 6, Development Review Bodies; Part 6.3, Board of Adjustment; Subpart 6.3.2, Membership; and providing for repealer, and severability. (City Attorney – D. Maisch)

C. <u>FURTHER INFORMATION.</u>

- 1. Discussion of appointment of Boards and Commissions. No action will be taken.
- 2. Discussion of Soft Surface Parking. No action will be taken.
- 3. Discussion of abandoned shopping carts. No action will be taken.
- 4. Discussion of sidewalks and overlay districts. No action will be taken.

D. ADJOURNMENT.



MEMORANDUM

To: Members of the Ordinance Review Committee

From: Don Maisch City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 2, Administration, Article VIII, Purchasing, Section 2-118, Bids required, Invitation; and Providing for Repealer and Severability.

Date: April 11, 2022

The proposed amendment to Chapter 2 Administration, updates the language in Section 2-118 to keep the ordinance in line with changes made by the City Council concerning purchasing. The changes to Section 2-118 increases the amount the when bids are required for the purchase of equipment, materials and supplies from \$25,000.00 to \$50,000.00. The City Council, in 2021 adopted changes to city ordinances increasing the amount of when bids are required for other purposes to \$50,000.00.

Approval is at the pleasure of the Ordinance Review Committee.

. Maisch

Donald D. Maisch City Attorney

	ORDINANCE NO.
AN ORDINANCE AMENDING	THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 2
	VIII, PURCHASING, SECTION 2-118, BIDS REQUIRED;
	IG FOR REPEALER AND SEVERABILITY.
BE IT ORDAINED BY THE CO	UNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
	ORDINANCE
	ity Municipal Code, Chapter 2 Administration, Article VIII,
urchasing, Section 2-118, Bids re	equired; invitation; is hereby amended to read as follows:
Every contract for purchs	ase of supplies, materials or equipment exceeding twenty five
	fty thousand dollars (\$50,000.00) shall be purchased from the
	otice inviting bids by this city or any other political subdivision
	stringent bidding requirements, or the city may avail itself of
	Central Purchasing Office as its agent for the purchase or
	led under the Oklahoma Central Purchasing Act. If this city
1	ides such notice, that notice shall be published in an official
ewspaper in the city at least ten	(10) days prior to the date set for the receipt of the bids.
Section ? DEDEALED All ordi	inances or parts of ordinances in conflict herewith are hereby
epealed.	mances of parts of ordinances in conflict herewith are hereby
epealed.	
ection 3. SEVERABILITY If a	any section, sentence, clause, or portion of this ordinance is for
	decision shall not affect the validity of the remaining provisions
of the ordinance.	
PASSED AND APPROVED by	y the Mayor and the Council of the City of Midwest City,
Oklahoma, this day of	, 2022.
	THE CITY OF MIDWEST CITY, OKLAHOMA
	MATTHEW D. DUKES, II, Mayor
Δ ΤΤΕΩΤ.	
ATTEST:	
SARA HANCOCK, City Clerk	

1	
2	Approved as to form and legality this day of, 2022.
3	
4	
5	
6	DONALD D. MAISCH, City Attorney

1	ORDINANCE NO.
2 3 4 5	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 2 ADMINISTRATION, ARTICLE VIII, PURCHASING, SECTION 2-118, BIDS REQUIRED, INVITATION; AND PROVIDING FOR REPEALER AND SEVERABILITY.
6 7	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
8 9	ORDINANCE
10	
11 12 12	<u>Section 1.</u> That the Midwest City Municipal Code, Chapter 2 Administration, Article VIII, Purchasing, Section 2-118, Bids required; invitation; is hereby amended to read as follows:
13 14 15 16 17 18 19 20 21 22	Every contract for purchase of supplies, materials or equipment exceeding fifty thousand dollars (\$50,000.00) shall be purchased from the lowest and best bidder after due notice inviting bids by this city or any other political subdivision in the state with similar or more stringent bidding requirements, or the city may avail itself of the provisions of the Oklahoma Central Purchasing Office as its agent for the purchase or procurement of any item provided under the Oklahoma Central Purchasing Act. If this city chooses to solicit bids and provides such notice, that notice shall be published in an official newspaper in the city at least ten (10) days prior to the date set for the receipt of the bids.
23 24 25	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
25 26 27 28 29	Section 3. 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.
30 31	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this day of, 2022.
32	της στην όε μιρινές τ στην ότλι απόμα
33 34	THE CITY OF MIDWEST CITY, OKLAHOMA
35	
36	MATTHEW D. DUKES, II, Mayor
37	ATTEST:
38 39	SARA HANCOCK, City Clerk
40 41 42 43	Approved as to form and legality this day of, 2022.
43 44	DONALD D. MAISCH, City Attorney



MEMORANDUM

To: Ordinance Review Committee

From: Don Maisch City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 3 Advertising, Article II, License, Sections 3-16, Required; Application; Section 3-17, Fee, 3-18, Expiration; Prorating; Transfer; Signing, Seal; Chapter 9, Buildings And Building Regulations; Article VII, Sign Regulations; Section 9-382, Definitions; And Providing For Repealer And Severability.

Date: April 11, 2022

The proposed changes would repeal and reserve Sections 3-16, 3-17 and 3-18 that have not been used or amended since 1972. Chapter 3 covered advertising issues and permits. Most of the items covered in these three sections have now been enforced through the sign ordinances in Chapter 9. There is an amendment and addition to the definition of the term "sign" in 9-382, to ensure that everything that was covered in Sections 3-16, 3-17 and 3-18 are now covered in the sign ordinances.

Approval is at the pleasure of the Ordinance Review Committee.

). Maisch

Donald D. Maisch City Attorney

1	ORDINANCE NO.
2	
3 4	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 3 ADVERTISING, ARTICLE II, LICENSE, SECTIONS 3-16, REQUIRED; APPLICATION;
5	SECTION 3-17, FEE, 3-18, EXPIRATION; PRORATING; TRANSFER; SIGNING, SEAL;
6	CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS; ARTICLE VII, SIGN
7	REGULATIONS; SECTION 9-382, DEFINITIONS; AND PROVIDING FOR REPEALER AND
8	SEVERABILITY.
9	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
10 11	BE IT ORDAINED BY THE COUNCIL OF THE CITT OF MIDWEST CITT, ORLAHOMA.
12	ORDINANCE
12	ORDINANCE
15 14	Section 1. That the Midwest City Municipal Code, Chapter 3 Administration, Article II, License,
15	Section 1. That the Widwest City Wullerpar Code, Chapter 5 Administration, Article 1, Electise, Section 3-16, Required; application; is hereby repealed and reserved as follows:
16 17	Section 2.16 Dequired application Deserved
17 18	Section 3-16, Required; application Reserved.
19	Any person conducting the business of billposting within the city, or who paints, posts,
20	puts up, displays or distributes commercial signs, commercial bills, commercial posters,
21	commercial pictures, commercial lithographs, commercial maps, commercial plats, commercial
22	samples or other commercial devices or advertisements of any kind, must first procure a license
23	to do so. Upon application for same, and upon payment to the city clerk of the required fee, a
24	license shall be issued for such purpose.
25	
26	Section 2. That the Midwest City Municipal Code, Chapter 3 Administration, Article II, License,
27	Section 3-17, Fee; is hereby repealed and reserved as follows:
28	
29	Section 3-17, Fee Reserved.
30	The fee for licenses required by this orticle shall be as follows:
31 22	The fee for licenses required by this article shall be as follows:
32 33	(a) For every natural person engaged in the business of advertising by only
33 34	distributing bills or other advertising matter, ten dollars (\$10.00) per day or one hundred
35	dollars (\$100.00) per year.
36	(b) For every firm or corporation engaged in the business of advertising by
37	only distributing bills or other advertising matter, one hundred dollars (\$100.00) per year;
38	no license shall be issued for less than one year to such firm or corporation.
39	
40	
41	Section 3. That the Midwest City Municipal Code, Chapter 3 Administration, Article II, License,
42	Section 3-18, Expiration; prorating; transfer; signing; seal; is hereby repealed and reserved as
43	follows:
44	
45	Section 3-18, Expiration; prorating; transfer; signing; seal Reserved.

1	
2	All licenses required by this article, except as otherwise provided, shall expire on the last
3	day of December following issuance; provided that all licenses that are issued for six (6) months
4	shall expire on the last days of June and December after same are issued. No license shall be
5	issued until the amount prescribed therefor shall have been paid to the city clerk, and no license
6	shall in any case be prorated, returned to or transferred from person to person. Licenses shall be
7	signed by the city clerk and the clerk shall affix the corporate seal of the city thereto.
8	
9	Section 4. That the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations,
10	Article VII, Sign Regulations, Section 9-382, Definitions; is hereby amended as follows:
11	
12	Section 9-382, Definitions.
13	
14	As used in this Code, the following terms shall have the indicated definitions:
15	
16	"A" frame sign: A sign, ordinarily in the shape of an "A" or some variation thereof,
17	located on the ground, easily moveable, not permanently attached and usually two (2) sided.
18	Automatic, changing sign: An electronically or electrically controlled sign that automatically
19	changes the visible message copy on a preprogrammed cycle through the use of illumination.
20	Awning: Any structure made of a lightweight material attached to a building and projecting over
21	a walkway.
22	
23	Banner: A sign printed or displayed on cloth, fabric or other flexible material, with or
24	without frames.
25	
26	Billboard: A sign upon which advertising or other message may be posted, painted,
27	pasted or affixed, and which directs attention to a business, organization, event, person, place,
28	commodity, service or entertainment conducted, sold, located, manufactured, used or offered at
29	a location other than the premises on which the sign is located.
30	
31	Bulletin board sign: A sign that indicates the name of a governmental, religious,
32	educational or other noncommercial institution on whose premises it is located, and which may
33	contain the names of individuals connected with it and general announcements of events or
34	activities occurring at the institution, or similar messages not advertising a specific product or
35	business service.
36	
30 37	<i>Canopy:</i> A fixed shelter of any material and of any length projecting from a building and
38	supported by columns or posts from the ground, or a freestanding shelter supported by columns
39	or posts from the ground.
	or posts from the ground.
40 41	Changeable copy sign: A permanent ground or pole sign consisting of nonstructural
41 42	panels or individual message elements such as letters, numbers or symbols that are designed and
42 42	
43 44	intended for manual replacement or alteration after the sign is erected.
44 45	Civia contary An area described as a part of the west are helf (W/1/) of the conthrust
45	<i>Civic center:</i> An area described as a part of the west one-half $(W\frac{1}{2})$ of the southwest
46	quarter (SW1/4) 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.

5 *Commercial temporary sign:* A temporary sign that is not a noncommercial temporary 6 sign and that identifies, advertises or directs attention to a business or is intended to induce 7 purchase of a good, property or service including, without limitation, any sign naming a brand 8 of good or service.

9

4

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.

15

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.

19 20

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

21
 22 *Directional sign:* A sign that directs the movement or placement of pedestrian or
 23 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.

26

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.

- 33
- 34 35

38

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.

42

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 ground sign and pole sign).

Frontage: The area between the boundary lines of a lot or parcel of land along the street 1 2 right-of-way. 3 4 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. 5 6 7 *Identification nameplate:* A wall sign giving any combination of the name, address, and 8 recognized symbol or logo of a building, business or establishment that is attached to and flat 9 against the wall of a building. 10 Illegal sign: Any sign that in any manner does not conform to all of the requirements of 11 this Code. 12 13 Illuminated sign: Any sign that has characters, letters, figures, designs or outlines 14 illuminated by electric lights or luminous tubes whether such sources of illumination are a part 15 of the sign or not. 16 17 Illumination: Lighting from a source concealed or contained within a sign which 18 becomes visible through a translucent surface or lighting performed by spotlights or other 19 lighting devices that are not a part of the sign display surface including those lighting devices 20 that are extended from the sign by means of a rod or rods from which the illumination is directed 21 toward the display surface area of the sign. 22 23 Marquee: A permanent roof-like structure projecting beyond a building wall at an 24 entrance to a building or extending along and projecting beyond the building's wall and generally 25 26 designed and constructed to provide protection against the weather. 27 28 *Memorial sign:* A sign, tablet or plaque commemorating a person, event, structure or site. 29 *Noncombustible:* Any material that does not ignite below twelve hundred (1,200) degrees 30 Fahrenheit or disintegrate, melt or give off toxic odor or fumes. 31 32 33 *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 34 a good, property or service, or portrays or symbolizes a good, property or service especially but, 35 without limitation, a brand or trade name, an identifiable container shape or a trademark. 36 37 Nonconforming sign: A sign that was lawfully erected, altered, moved or maintained 38 under previous ordinances of the city but does not conform to the provisions of this article. 39 40 Owner: The fee owner of a sign, the lessee of the sign, the fee holder of the property 41 upon which the sign is located, the leaseholder of such property or the individual, person or 42 business who has purchased the copy on a sign, or the agent of any of the listed entities. 43 44

1	Parcel: A contiguous area of land described in a single description in a deed or as one of
2 3	a number of lots on a plat; separately owned, either publicly or privately; and capable of being separately conveyed.
5 4	separatery conveyed.
5	Permanent sign: A sign that, by its construction and made of such materials, is intended
6	to remain erected and in use for an extended period of time.
7	
8	Pole cover: A decorative covering constructed of materials that are attractive,
9	aesthetically pleasing and architecturally consistent with the sign and/or the main building on
10	the premises, built the full length of and entirely surrounding the freestanding poles on which
11 12	the sign is mounted.
13	<i>Pole sign:</i> A freestanding sign that is mounted on one (1) or more freestanding poles or
14	other supports.
15	
16	Political sign: A sign announcing or supporting one (1) or more political candidates or
17	issues in connection with any national, state, county or local election.
18	
19	<i>Portable sign:</i> A sign, whether mounted on a chassis with tires or wheels for transport
20	from one place to another, designed to be movable from one location to another and not
21	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
22 23	located on the same site as the portable sign or elsewhere.
24	focuted on the same site as the portable sign of elsewhere.
25	<i>Projecting sign:</i> A sign, other than a banner, that is attached to, and is wholly or partially
26	dependent upon a building for support and that extends beyond the line of the building or beyond
27	the surface of that portion of the building to which it is attached.
28	
29	Public use or public service sign: A sign of a governmental or noncommercial nature
30	including public transit and public utility information signs, traffic control signs and any other
31	sign erected by a public officer in the performance of a public duty.
32 33	Real estate sign: A temporary sign pertaining to the sale or lease of a parcel or tract of
33 34	land or to the sale or lease of one (1) or more structures.
35	
36	Roof sign: A sign that is erected, constructed and maintained wholly upon or over the
37	roof of any building with the principal support of the sign on the roof structure.
38	
39	Setback: A distance measured horizontally from, and perpendicular to, the right-of-way
40	line of a street or a property line to the nearest edge of the sign.
41 42	Sight twigned as As defined by subsections 4.9.2(a) and (b) of encendin A of this Code
42 43	Sight triangle: As defined by subsections 4.8.3(a) and (b) of appendix A of this Code.
45 44	Sign: Any object, announcement, declaration, demonstration, display, illustration,
45	insignia, device, display or structure or part thereof situated outdoors in view of the general
46	public that is used to advertise, identify, promote, display, direct or attract attention to or promote

1 2 3 4 5 6	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, commercial bills, commercial posters, commercial pictures, commercial lithographs, commercial maps, commercial plats,
7 8 9	<u>samples or other commercial devices or advertisements of any kind</u> or any other attention-getting device or other display whether affixed to a building or separate from a building.
10	Sign contractor: Any person, firm, partnership, association or corporation involved in
11	the installation, repair, alteration or service of any electric sign, and all permanent or temporary
12	signs involving structural requirements of the building code and/or electrical requirements of the
13	electric code <u>and/or billposting</u> .
14	
15 16	<i>Structure:</i> Anything built or constructed whether or not permanently attached to the ground.
16 17	ground.
18	Subdivision construction sign: An on-premises sign with a display surface area of fifty
19	(50) square feet or less containing information about a particular subdivision as a whole, which
20	information may include, but may not be limited to, the location, price range and/or amenities
21	of the subdivision.
22	
23	Swinging sign: A sign, all or part of which is animated, revolves, swings or is otherwise
24	designed to move by mechanical means or by the force of the wind.
25	
26 27	<i>Temporary sign:</i> 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
28	(30) feet or shorter section of pennant and/or valance, or any other advertising display.
29	
30	Temporary sign setback: A twelve-foot distance measured horizontally from, and
31	perpendicular to, the curb or, where there is no curb, other discernible edge of the street or road.
32	
33	<i>Vacant sign:</i> A sign that pertains to a building or is on a parcel of land that:
34 25	(1) Has been uncoording for a period of six (6) consecutive months, or
35 36	 (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
30 37	inapplicable for three (3) consecutive months or is no longer provided on the premises
38	where the sign is located; or
39	(3) Identifies a time, event or purpose that has passed or no longer applies; or
40	(4) In the case of a billboard, is vacant of copy or that advertises an
41	establishment, good or service that no longer exists.
42	
43	Wall sign: Any sign painted on or attached to and erected parallel to the face of, or erected
44	and confined within the limits of, the outside wall of any building and supported by such wall or
45	building; and which displays only one (1) advertising surface including awning and canopy,
46	identification, marquee, module and projecting signs.

Window displ	an Any cia	nlocad incida	a structure on	a window
w maow a spi	<i>uy.</i> Any sign	I placed mislue	a sulucione on	a willuow.

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5 <u>Section 2.</u> REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
6 repealed.

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

11	
12	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
13	Oklahoma, this day of, 2022.
14	
15	THE CITY OF MIDWEST CITY, OKLAHOMA
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18		
19		MATTHEW D. DUKES, II, Mayor
20		
21	ATTEST:	
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23		
24		
25	SARA HANCOCK, City Clerk	
26		
27		
28	Approved as to form and legality this	day of, 2022.
29		
30		
31		
22	DONALDD MAISCH City Attorney	

32 DONALD D. MAISCH, City Attorney

1	ORDINANCE NO.
2 3 4 5 6 7 8 9	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 3 ADVERTISING, ARTICLE II, LICENSE, SECTIONS 3-16, REQUIRED; APPLICATION; SECTION 3-17, FEE, 3-18, EXPIRATION; PRORATING; TRANSFER; SIGNING, SEAL; CHAPTER 9, BUILDINGS AND BUILDING REGULATIONS; ARTICLE VII, SIGN REGULATIONS; SECTION 9-382, DEFINITIONS; AND PROVIDING FOR REPEALER AND SEVERABILITY.
10 11	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
12 13	ORDINANCE
14 15 16	Section 1. That the Midwest City Municipal Code, Chapter 3 Administration, Article II, License, Section 3-16, Required; application; is hereby repealed and reserved as follows:
10 17 18	Section 3-16, Reserved.
19 20	Section 2. That the Midwest City Municipal Code, Chapter 3 Administration, Article II, License, Section 3-17, Fee; is hereby repealed and reserved as follows:
21 22 23	Section 3-17, Reserved.
24 25 26	Section 3. That the Midwest City Municipal Code, Chapter 3 Administration, Article II, License, Section 3-18, Expiration; prorating; transfer; signing; seal; is hereby repealed and reserved as follows:
27 28 29	Section 3-18, Reserved.
30 31	Section 4. That the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, Section 9-382, Definitions; is hereby amended as follows:
32 33 34	Section 9-382, Definitions.
35 36	As used in this Code, the following terms shall have the indicated definitions:
37 38 39 40 41 42 43	"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. <i>Automatic, changing sign:</i> An electronically or electrically controlled sign that automatically changes the visible message copy on a preprogrammed cycle through the use of illumination. <i>Awning:</i> Any structure made of a lightweight material attached to a building and projecting over a walkway.
44 45 46	<i>Banner:</i> A sign printed or displayed on cloth, fabric or other flexible material, with or without frames.

Billboard: 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.

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.

Canopy: 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.

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.

Civic center: An area described as a part of the west one-half (W¹/₂) of the southwest
quarter (SW¹/₄) 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.

31 *Construction sign:* A sign identifying a construction project erected on the premises 32 where construction is taking place, during the period of such construction, and containing 33 information pertinent to the construction project such as the names of the architects, engineers, 34 landscape architects, contractors or similar artisans, and the owners, lending institutions and 35 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.

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

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43 *Directional sign:* A sign that directs the movement or placement of pedestrian or 44 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 1 including the outer extremities of all letters, figures, characters and delineations; provided, 2 however, display surface area shall not include the structural supports for freestanding signs if 3 the structural supports are so arranged so as not to become a part of the attention-attracting aspect 4 of the sign; provided, further, that only one (1) face of a double-faced sign as defined herein 5 shall be considered in determining the display surface area. 6 7 8 *Double-faced sign:* Any sign that has more than one (1) display surface. 9 *Erect:* To build, attach, hang, place, suspend, affix, construct or allow to be constructed, 10 including the painting of wall signs. 11 12 Flashing sign: An illuminated sign, other than an automatic, changing sign, on which 13 artificial or reflected light is not maintained stationary and constant in light intensity and color 14 15 at all times when in use. 16 17 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 18 below the ground surface (see ground sign and pole sign). 19 20 *Frontage:* The area between the boundary lines of a lot or parcel of land along the street 21 right-of-way. 22 23 *Ground sign:* A freestanding sign that is secured to a fixed base, usually at ground level 24 or a slight elevation above ground, rather than being pole-mounted. 25 26 Identification nameplate: A wall sign giving any combination of the name, address, and 27 28 recognized symbol or logo of a building, business or establishment that is attached to and flat 29 against the wall of a building. 30 31 Illegal sign: Any sign that in any manner does not conform to all of the requirements of 32 this Code. 33 34 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 35 of the sign or not. 36 37 Illumination: Lighting from a source concealed or contained within a sign which 38 becomes visible through a translucent surface or lighting performed by spotlights or other 39 lighting devices that are not a part of the sign display surface including those lighting devices 40 that are extended from the sign by means of a rod or rods from which the illumination is directed 41 toward the display surface area of the sign. 42 43 44 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 45 designed and constructed to provide protection against the weather. 46 47

1	Memorial sign: A sign, tablet or plaque commemorating a person, event, structure or site.
2 3	Noncombustible: Any material that does not ignite below twelve hundred (1,200) degrees
4 5	Fahrenheit or disintegrate, melt or give off toxic odor or fumes.
6	Noncommercial temporary sign: A temporary sign that in no way identifies, advertises
7	or directs attention to a business, good, property or service, or is intended to induce purchase of
8	a good, property or service, or portrays or symbolizes a good, property or service especially but,
9	without limitation, a brand or trade name, an identifiable container shape or a trademark.
10	
11	Nonconforming sign: A sign that was lawfully erected, altered, moved or maintained
12	under previous ordinances of the city but does not conform to the provisions of this article.
13	Owners. The fee engran of a given the lesses of the given the fee helder of the grouperty.
14 15	<i>Owner:</i> 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
16	business who has purchased the copy on a sign, or the agent of any of the listed entities.
17	business who has parenased the copy on a sign, of the agent of any of the fisted entities.
18	Parcel: A contiguous area of land described in a single description in a deed or as one of
19	a number of lots on a plat; separately owned, either publicly or privately; and capable of being
20	separately conveyed.
21	
22	Permanent sign: A sign that, by its construction and made of such materials, is intended
23	to remain erected and in use for an extended period of time.
24	D 1
25 26	<i>Pole cover:</i> A decorative covering constructed of materials that are attractive, aesthetically pleasing and architecturally consistent with the sign and/or the main building on
20	the premises, built the full length of and entirely surrounding the freestanding poles on which
28	the sign is mounted.
29	
30	<i>Pole sign:</i> A freestanding sign that is mounted on one (1) or more freestanding poles or
31	other supports.
32	
33	Political sign: A sign announcing or supporting one (1) or more political candidates or
34	issues in connection with any national, state, county or local election.
35	
36 27	<i>Portable sign:</i> A sign, whether mounted on a chassis with tires or wheels for transport from one place to enother designed to be moughle from one location to enother and not
37 38	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
39	is to provide advertisement of products or services in connection with a business or activity
40	located on the same site as the portable sign or elsewhere.
41	
42	Projecting sign: A sign, other than a banner, that is attached to, and is wholly or partially
43	dependent upon a building for support and that extends beyond the line of the building or beyond
44	the surface of that portion of the building to which it is attached.
45	

- Public use or public service sign: A sign of a governmental or noncommercial nature 1 2 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. 3
- Real estate sign: A temporary sign pertaining to the sale or lease of a parcel or tract of 5 6 land or to the sale or lease of one (1) or more structures.
- 8 *Roof sign:* A sign that is erected, constructed and maintained wholly upon or over the 9 roof of any building with the principal support of the sign on the roof structure.
- 11 Setback: A distance measured horizontally from, and perpendicular to, the right-of-way 12 line of a street or a property line to the nearest edge of the sign.
- 13 14

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- 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, 16 17 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 18 the interest of an object, person, institution, corporation, organization, business, product, service, 19 event or location by any means including words, letters, figures, designs, symbols, fixtures, 20 colors, motion, illumination or projected images, whether illuminated or not, including, but not 21 limited to, every billboard, wall sign, roof sign, projecting sign, ground sign, pole sign, window 22 23 sign, changeable copy sign, temporary sign, portable sign, commercial bills, commercial posters, commercial pictures, commercial lithographs, commercial maps, commercial plats, commercial 24 25 samples or other commercial devices or advertisements of any kind or any other attention-getting device or other display whether affixed to a building or separate from a building. 26
- 27

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28 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 29 signs involving structural requirements of the building code and/or electrical requirements of the 30 31 electric code and/or billposting.

Structure: Anything built or constructed whether or not permanently attached to the 33 34 ground. 35

Subdivision construction sign: An on-premises sign with a display surface area of fifty 36 37 (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 38 of the subdivision. 39

- 40
- Swinging sign: A sign, all or part of which is animated, revolves, swings or is otherwise 41 designed to move by mechanical means or by the force of the wind. 42

Temporary sign: Any sign, either commercial or noncommercial, that is not a permanent 43 sign which may include, but shall not be limited to, a balloon or other inflatable, banner, thirty 44 (30) feet or shorter section of pennant and/or valance, or any other advertising display. 45

1 2	<i>Temporary sign setback:</i> 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.
3 4	Vacant sign: A sign that pertains to a building or is on a parcel of land that:
5 6 7	 (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
8	inapplicable for three (3) consecutive months or is no longer provided on the premises
9	where the sign is located; or
10	(3) Identifies a time, event or purpose that has passed or no longer applies; or
11	(4) In the case of a billboard, is vacant of copy or that advertises an
12	establishment, good or service that no longer exists.
13 14	Wall sign. Any sign pointed on or attached to and areated parallel to the face of or areated
14 15	<i>Wall sign:</i> 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
16	building; and which displays only one (1) advertising surface including awning and canopy,
10	identification, marquee, module and projecting signs.
18	dentification, marquee, module and projecting signs.
19	Window display: Any sign placed inside a structure on a window.
20	
21	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
22	repealed.
23	·L · · · · · · · ·
24	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
25	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
26	of the ordinance.
27	
28	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
29	Oklahoma, this day of, 2022.
30	
31	THE CITY OF MIDWEST CITY, OKLAHOMA
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33	
34	MATTHEW D. DUKES, II, Mayor
35	ATTEST:
36	
30 37	
	SARA HANCOCK, City Clerk
38 20	SARA HANCOUR, CITY CITIK
39 40	Approved as to form and legality this day of, 2022.
40	Approved as to form and regarity this day of, 2022.
41 42	
42 42	DONIALD D. MAISOIL C'AN Attainer
43	DONALD D. MAISCH, City Attorney



<u>MEMORANDUM</u>

To: Ordinance Review Committee

From: Don Maisch City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 9, Buildings and Building Regulations, Article II, Builder's Advisory Board, Section 9-17, Members; and providing for a repealer and severability.

Date: April 11, 2022

The proposed amendment to Section 9-17 of the City of Midwest City municipal code removes ambiguous language and makes clear that either residents or individuals who are engaged in the building, construction or development businesses are eligible to serve on the Builder's Advisory Board.

male), Maisch

Donald D. Maisch City Attorney

1	ORDINANCE NO.
2 3	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 9
4	BUILDINGS AND BUILDING REGULATIONS, ARTICLE II, BUILDER'S ADVISORY
5	BOARD, SECTION 9-17, MEMBERS; AND PROVIDING FOR REPEALER AND
6	SEVERABILITY.
7	
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9 10	ORDINANCE
11	
12	Section 1. That the Midwest City Municipal Code, Chapter 9 Buildings and Building Regulations,
13	Article II, Builder's Advisory Board, Section 9-17, Members; is hereby amended to read as
14	follows:
15	
16	(a) The builder's advisory board shall consist of seven (7) members to be appointed by the mayor
17	and approved by the city council. The members of the board shall be chosen from either:
18	
19	(1) the residents of the city at large with reference to their fitness for such office: or-
20	
21	(2) <u>Ownership</u> ownership, operation or involvement in the building, construction or
22	development business with within the city shall also qualify one (1) to serve on the board.
23 24	(b) The members of the builder's advisory board shall hold office until their successors are
24 25	appointed; except that the in first instance, three (3) members shall be appointed for three (3)
26	years, two (2) members for two (2) years, two (2) members for one (1) year. The mayor shall be
27	an ex officio member of the board.
28	
29	(c) Members may be removed for cause by the mayor with approval of the city council. Absences
30	from meetings by board members shall be governed by section 2-28 of the Municipal Code.
31	Vacancies shall be filled for and unexpired term in the same manner as appointment.
32	
33	(d) The member of the builder's advisory board shall serve without pay.
34	
35	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
36	repealed.
37	
38	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
39	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
40	of the ordinance.
41 42	PASSED AND APPROVED by the Mayor and the Council of the City of Midwast City
42 43	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this day of, 2022.
40	Oktanoma, uns uay 01, 2022.

2	THE CITY OF MIDWEST CITY, OKLAHOMA
L	
	MATTHEW D. DUKES, II, Mayor
,	
B ATTEST:	
)	
SARA HANCOCK, City Clerk	
Approved as to form and legality this	day of, 2022.
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 II, BUILDER'S ADVISORY BOARD, SECTION 9-17, MEMBERS; AND PROVIDING FOR REPEALER AND SEVERABILITY.
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9 10	ORDINANCE
11 12 13 14 15	Section 1. That the Midwest City Municipal Code, Chapter 9 Buildings and Building Regulations, Article II, Builder's Advisory Board, Section 9-17, Members; is hereby amended to read as follows:
16 17 18	(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:
19 20	(1) residents of the city at large with reference to their fitness for such office: or
20 21 22 23	(2) ownership, operation or involvement in the building, construction or development business within the city.
23 24 25 26 27 28	(b) The members of the builder's advisory board shall hold office until their successors are appointed; except that the in first instance, three (3) members shall be appointed for three (3) years, two (2) members for two (2) years, two (2) members for one (1) year. The mayor shall be an ex officio member of the board.
29 30 31 32	(c) 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 the Municipal Code. Vacancies shall be filled for and unexpired term in the same manner as appointment.
32 33 34	(d) The member of the builder's advisory board shall serve without pay.
35 36 37	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
38 39 40 41	Section 3. 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.
41 42 43	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this day of, 2022.

	THE CITY OF MIDWEST CITY, OKLAHOMA
	MATTHEW D. DUKES, II, Mayor
ATTEST:	
SARA HANCOCK, City Clerk	
Approved as to form and legality this	day of, 2022.
DONALD D. MAISCH, City Attorney	



MEMORANDUM

To: Ordinance Review Committee

From: Don Maisch City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 13, Drainage and Flood Control, Article III, Stormwater Runoff Control, Section 13-71, Requirements relating to improvements; and providing for a repealer, and severability.

Date: April 11, 2022

Staff discovered a conflict between Section 13-71 and Section 13-73 of the City Ordinances for the City of Midwest City. To resolve the conflict, this proposed amendment is to amend Section 13-71, so that it and Section 13-73 no longer conflict. Additionally, since Chapter 13 was written to meet FEMA requirements, an additional exception was added to Section 13-71 allowing approvals if they meet FEMA requirements.

Approval is at the pleasure of the Ordinance Review Committee.

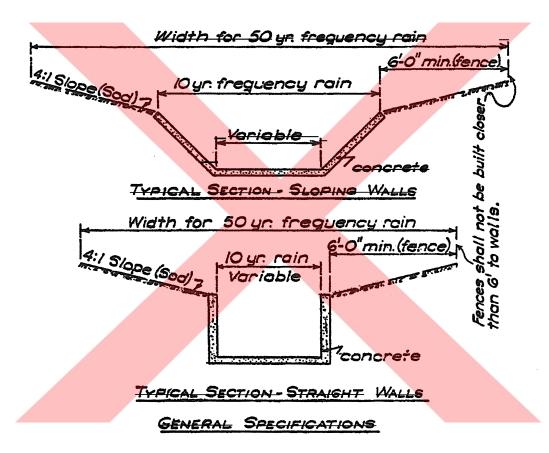
Id. Maisch

Donald D. Maisch City Attorney

1	ORDINANCE NO.
2 3 4 5 6 7	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 13,, , DRAINAGE AND FLOOD CONTROL, ARTICLE III, STORMWATER RUNOFF CONTROL, SECTIONS 13-71, REQUIREMENTS RELATING TO IMPROVEMENTS, SECTION 13-73, FIGURES; AND PROVIDING FOR REPEALER AND SEVERABILITY.
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9 10	ORDINANCE
11 12 13 14 15 16	 <u>Section 1.</u> That the Midwest City Municipal Code, Chapter 13 Drainage and Flood Control, Article III, Stormwater Runoff Control, Section 13-71, Requirements relating to improvements; is hereby amended to read as follows: <u>Sec. 13-71 Requirements relating to improvements.</u>
17 18 19	(a) Bridges and culverts:
20 21 22	(1) All flow of water across continuous streets or alleys shall be through culverts or bridges.
22 23 24 25 26 27 28 29	(2) Bridges and culverts shall be sized to accommodate a one-hundred (100) year frequency rain without increasing the head water depth more than one (1) foot above the inside top of the structure based on the drainage area involved. No "half street" structures shall be permitted. Bridges and culverts located within creeks and channels which have been designated on the Federal Emergency Management Agency Flood Insurance Rate Map as Zone A shall be approved by the Federal Emergency Management Agency.
30 31 32	(3) Bridges and culverts shall be designed and constructed in accordance with specification of the city and applicable Oklahoma Department of Transportation standards.
33 34 35 36 37 38	(b) Closed storm sewers: Closed storm sewers shall be constructed of precast, prefabricated pipe or box sections or built-in-place pipe or concrete box designed to conform to construction specifications of the city and applicable Oklahoma Department of Transportation standards to serve a fifty-year frequency rain for the drainage area involved. Sizing shall be calculated in accordance with section 13-70(2).
39 40 41 42 43 44	(c) Open paved storm drainage: Open paved storm drainage channels shall be constructed in accordance with city specifications. Side slopes above the paved section shall be shaped and sodded on a slope of four (4) horizontal to one vertical or flatter. Fences shall not be erected: below the shoulder of the sodded section, and in no case shall fences be closer than six (6) feet (measured horizontally) to the edge of the paved section
45	(1) Within six (6) feet of the edge of the paved section (measured horizontally); or

1 2 2	(2) Within the floodway for the site, as determined by the most recently published Federal Emergency Management Agency (FEMA) maps.
3 4	No trees, tree roots, structures, or drainage onto or emanating from private property that negatively
4 5	impact(s) or damage(s) or could potentially cause damage, to the open paved storm drain is
6	allowed. The City of Midwest City may take action to abate and fine the land owner pursuant to
7	the fines contained in Section 1-15 of the City Ordinance for a first offense for a nuisance upon a
8	determination of such impact from private property onto the open paved storm drain.
9	
10	Section 2. That the Midwest City Municipal Code, Chapter 13 Drainage and Flood Control, Article
11 12	III, Stormwater Runoff Control, Section 13-73, Figures; is hereby amended to read as follows:
13	Sec. 13-73 Figures.
14	See 10 For Figures.
15	[See attached document for amendments to be inserted here].
16	
17	Section 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
18	repealed.
19	
20	Section 4. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
21	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
22	of the ordinance.
23	
24	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
25	Oklahoma, this day of, 2022.
26	
27	THE CITY OF MIDWEST CITY, OKLAHOMA
28	
29	
30	
31	MATTHEW D. DUKES, II, Mayor
32	
33	ATTEST:
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35	
36	SARA HANCOCK, City Clerk
37	
38	
39	Approved as to form and legality this day of, 2022.
40	
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43	DONALD D. MAISCH, City Attorney

(a) The following shall be "Figure B" and may be cited as such:

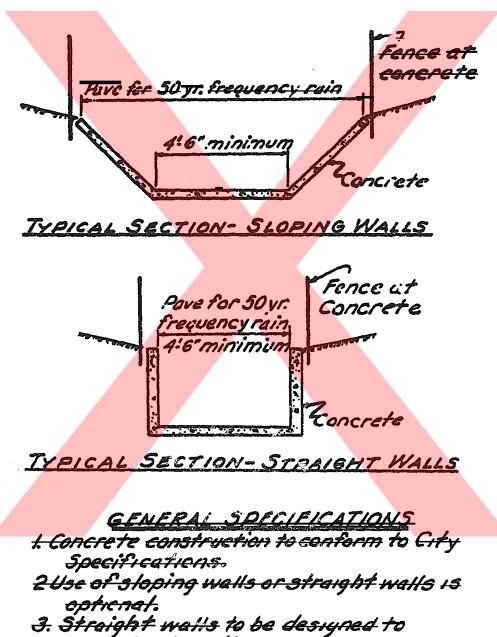


- I. Use of sloping walls or straight walls is optional.
- 2. Construction of concrete lining to conform to City Specifications:
- 3. Straight walls to be designed to withstand earth pressures.
- 4. Sloping walls to have slope ratio of l'horizontal to l'vertical, or flatter.
- 5. Sodded slope ratio to be 4' horizontal to l'vertical, or flatter.

FIGURE B

FIGURE B

(b) The following shall be "Figure B-1" and may be cited as such;



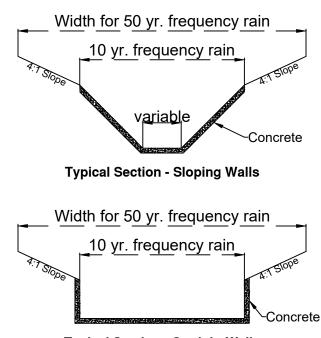
withstand earth pressures.

FIGURE B-1

FIGURE B-1

(c) The following shall be "Figure C" and may be cited as such:

Width to serve Soyr. frequency rain 6° min. - see note 6'min. 6'-6'min. 6"minconcrete TYPICAL SECTION GENERAL SPECIFICATIONS t. Stopes back of curb to have ratio of. A horizontal to I vertical, or flatter. 2. Siopes to be sodded uniformly to permit monina. 3. Concrete construction to conform to City Specifications. 4. This section to be constructed, only, in those locations cutlined in General Policies and Requirements. FIGURE C and the second FIGURE C 7'4 (Ord. No. 2186, § 1, 3 24 87) 6'-6' PARK SECTION ALTERNATE PARK SECTION FIGURE C, Detail



Typical Section - Straight Walls

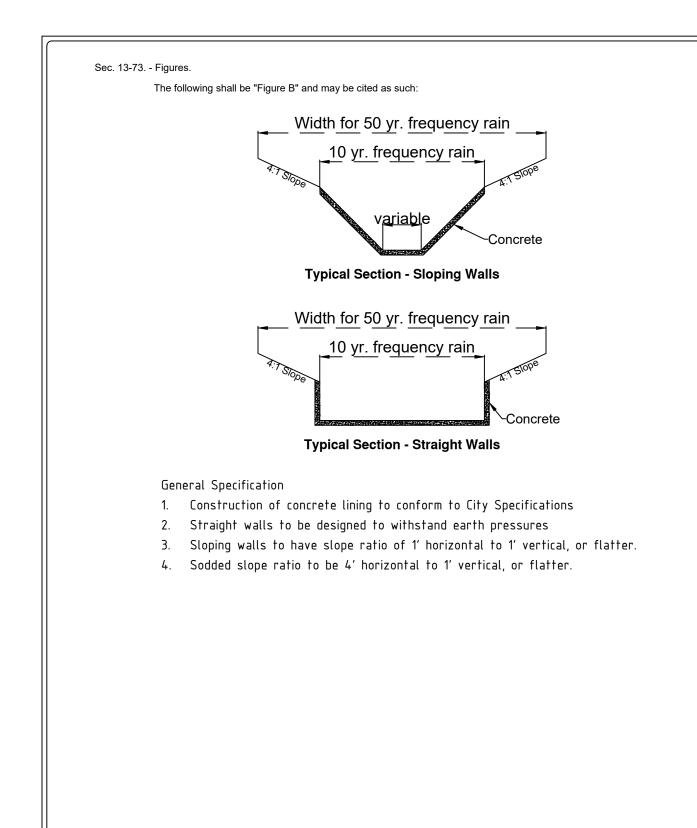
General Specification

- 1. Construction of concrete lining to conform to City Specifications
- 2. Straight walls to be designed to withstand earth pressures
- З. Sloping walls to have slope ratio of 1' horizontal to 1' vertical, or flatter.
- Sodded slope ratio to be 4' horizontal to 1' vertical, or flatter. 4.



1	ORDINANCE NO.
2 3 4 5 6 7	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 13, DRAINAGE AND FLOOD CONTROL, ARTICLE III, STORMWATER RUNOFF CONTROL, SECTIONS 13-71, REQUIREMENTS RELATING TO IMPROVEMENTS, SECTION 13-73, FIGURES; 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 16	 <u>Section 1.</u> That the Midwest City Municipal Code, Chapter 13 Drainage and Flood Control, Article III, Stormwater Runoff Control, Section 13-71, Requirements relating to improvements; is hereby amended to read as follows: <u>Sec. 13-71 Requirements relating to improvements.</u>
17 18	(a) Bridges and culverts:
19 20 21 22	(1) All flow of water across continuous streets or alleys shall be through culverts or bridges.
23 24 25 26 27 28 29	(2) Bridges and culverts shall be sized to accommodate a one-hundred (100) year frequency rain without increasing the head water depth more than one (1) foot above the inside top of the structure based on the drainage area involved. No "half street" structures shall be permitted. Bridges and culverts located within creeks and channels which have been designated on the Federal Emergency Management Agency Flood Insurance Rate Map as Zone A shall be approved by the Federal Emergency Management Agency.
30 31 32	(3) Bridges and culverts shall be designed and constructed in accordance with specification of the city and applicable Oklahoma Department of Transportation standards.
33 34 35 36 37 38	(b) Closed storm sewers: Closed storm sewers shall be constructed of precast, prefabricated pipe or box sections or built-in-place pipe or concrete box designed to conform to construction specifications of the city and applicable Oklahoma Department of Transportation standards to serve a fifty-year frequency rain for the drainage area involved. Sizing shall be calculated in accordance with section 13-70(2).
39 40 41 42	(c) Open paved storm drainage: Open paved storm drainage channels shall be constructed in accordance with city specifications. Side slopes above the paved section shall be shaped and sodded on a slope of four (4) horizontal to one vertical or flatter. Fences shall not be erected:
42 43 44 45	(1) Within six (6) feet of the edge of the paved section (measured horizontally); or(2) Within the floodway for the site, as determined by the most recently published Federal Emergency Management Agency (FEMA) maps.

1	No trace trace roots structures or drainage onto or emonating from private property that pagetively
2 3	No trees, tree roots, structures, or drainage onto or emanating from private property that negatively impact(s) or damage(s) or could potentially cause damage, to the open paved storm drain is
4	allowed. The City of Midwest City may take action to abate and fine the land owner pursuant to
5	the fines contained in Section 1-15 of the City Ordinance for a first offense for a nuisance upon a
6	determination of such impact from private property onto the open paved storm drain.
7	
8 9	<u>Section 2.</u> That the Midwest City Municipal Code, Chapter 13 Drainage and Flood Control, Article III, Stormwater Runoff Control, Section 13-73, Figures; is hereby amended to read as follows:
10	
11	Sec. 13-73 Figures.
12	
13	[See attached document for amendments to be inserted here].
14	
15	Section 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
16	repealed.
17	
18	Section 4. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
19	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
20	of the ordinance.
21	
22 23	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this day of, 2022.
24	
25	THE CITY OF MIDWEST CITY, OKLAHOMA
26	
27	
28	
29	MATTHEW D. DUKES, II, Mayor
30	
31	ATTEST:
32	
33	
34	SARA HANCOCK, City Clerk
35	
36	
37	Approved as to form and legality this day of, 2022.
38	
39	
40	
41	DONALD D. MAISCH, City Attorney







Memorandum

- To: Ordinance Oversight Council Committee
- From: R. Paul Streets, Public Works Director
- Date: 11 April 2022
- Subject: Discussion and consideration for adoption, including any possible amendment of, an ordinance amending the Midwest City Municipal Code, Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, Container Required; Duty to Use; and providing for Repealer and Severability.

The proposed amendment to Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, adds language allowing the city to help enforce the rules associated with curbside single-stream recycling. Previously, we did not have the ability to charge customers when they chose to use the recycling carts for trash disposal. The cost to dump the recycling cart as trash was not being recovered. Additionally, if someone continued to dump trash in their recycling cart we could not remove it.

Action is at the discretion of the committee.

Respectfully,

K. Paul Streets

R. Paul Streets Public Works Director

ORDINANCE NO.
AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 18 GARBAGE AND REFUSE, ARTICLE II, MUNICIPAL COLLECTION AND DISPOSAL SERVICE, SECTION 18-25, CONTAINER REQUIRED; DUTY TO USE; AND PROVIDING FOR REPEALER AND SEVERABILITY.
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
ORDINANCE
Section 1. That the Midwest City Municipal Code, Chapter 18 Garbage and Refuse, Article II, Municipal Collection and Disposal Service, Section 18-25, Container required; duty to use is hereby amended to read as follows:
Sec. 18-25 Container required; duty to use.
(a) Except as otherwise provided in this article, all residential customers shall place their garbage and refuse in the carts provided by the city and, beginning July 1, 2013, their recyclables in a separate cart provided for that purpose by the city.
(b) The city shall provide one (1) cart for each residence for garbage and refuse, and one (1) cart for each residence for materials that are to be recycled. Residents are allowed to have additional refuse carts per residence from the city. These carts will be emptied on a weekly basis when the primary cart is emptied with the monthly cost to the resident of the additional carts being seven dollars (\$7.00) for each additional cart. Each additional cart requested will require a one year commitment paid in monthly increments unless the customer requests its removal before the end of the year at which point the remaining cost of the commitment will be added to the utility bill. Residential recycling carts will be emptied bi-weekly.
The resident may place normal household garbage and refuse, as defined in section 18-1 of this Code, in the refuse cart(s) for collection. Residents may not place household hazardous waste, or regulated medical waste, as defined in section 18-1 of this Code in the refuse cart(s) for collection. Residents may place materials they wish to be recycled in the recycling cart. The resident shall be responsible for the safekeeping of the carts until such time as an inspection is made by the city and service is terminated. Should any person change residences, the person shall promptly notify the city. If any cart is lost or stolen, the resident shall promptly notify the police department of the loss or theft of the cart and obtain a case number. Lost or stolen carts will not be replaced without a case number from the police department. The city will empty the carts so long as the carts contain no more than two hundred (200) pounds of garbage and refuse in each cart during any given pickup. If a cart is damaged beyond normal wear and tear, including fire damage from improper disposal of fire ashes, the cost of replacement shall be charged to the resident at the current replacement cost of the cart. All carts shall remain the property of the city even though the resident

1 may have paid for a replacement cart. All carts are to remain at the residence to which they are 2 assigned. It shall be unlawful and an offense for a person to be in possession of a cart without the 3 permission of the resident to which it is assigned. It is the responsibility of the resident to keep the 4 cart clean. At the request of the resident, carts can be cleaned by the city. Such cleaning shall be 5 performed for a twenty dollar (\$20.00) charge which shall be paid by the resident.

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- 7 (c) All carts to be emptied, including recycling carts, shall be placed at the curbline. Carts 8 are not to be obstructed from view, e.g., behind parked cars, behind hedges, etc. Carts 9 shall be placed for collection no earlier than 7:00 p.m. the day before the scheduled 10 collection and no later than 7:00 a.m. the day of scheduled collection. Parking shall not be in front of or blocking access to a poly cart. The resident is required to return 12 the carts to their regular storage place within five (5) feet of the residential structure or 13 behind the front building line of the property by no later than 7:00 p.m. the day of 14 scheduled collection. Failure to return the carts by the stated time limitation above may result in a fine as set forth in 1-15 of this code, assessed to the responsible party. A 15 16 twenty dollar (\$20.00) call back collection fee shall be charged to empty a cart and/or pick up authorized items not at the curbline prior to 7:00 a.m. the day of scheduled 17 collection. Any items that are not in compliance with subsection (d) below that are not 18 19 picked up during collection shall be removed from the curbline by no later than 7:00 20 p.m. on the day of scheduled collection. Failure to remove such items not in compliance with subsection (d) by 7:00 p.m. may result in a citation for violation of this Code. 21 22
 - (d) Residents may not place with the carts other types of containers for collection. Garbage and refuse placed in refuse carts and recyclable materials placed in recycle carts will be the only things that will be collected during a normal collection.
 - (e) Rollout service will be provided for the disabled. Any residence in which all the residents are disabled may request rollout service be performed by the city. The director shall determine the need for rollout service and to approve or disapprove requests. If the director determines that a particular residence qualifies for rollout service, the city will roll out, dump and return the carts at no extra charge.
 - (f) There will be a charge of twenty dollars (\$20.00) if a cart is picked up and returned for nonpayment of a sanitation bill.
 - (g) Penalties for non-recyclable items being found in the recycling cart are as follows:
 - 1. For the first offense the occupant of the residence, shall receive a courtesy call or visit in order to provide educational resources.
 - 2. For the second offense a charge of twenty dollars (\$20.00) to dump the recycling cart's contents as trash will be added to the utility bill.
 - 3. For the third offense there shall be a charge of twenty dollars (\$20.00) to dump the recycling cart's contents as trash will be added to the utility bill and the recycling cart shall be permanently removed.

1	Every offense will be documented by Publi	c Works Department of The City of Midwest City. Any	
2	appeal of the decision described herein must be submitted in writing to the Public Works Director		
3	The appeal must state with specificity why the resident believes the action taken by the Public		
4			
5			
6	Section 2. REPEALER. All ordinances or	parts of ordinances in conflict herewith are hereby	
7 8	repealed.	-	
9	Section 3. SEVERABILITY. If any section	n, sentence, clause, or portion of this ordinance is for	
10	any reason held to be invalid, such decision	n shall not affect the validity of the remaining	
11	provisions of the ordinance.		
12	-		
13	PASSED AND APPROVED by the Mayor	r and the Council of the City of Midwest City,	
14	Oklahoma, this day of		
15			
16		THE CITY OF MIDWEST CITY, OKLAHOMA	
17			
18			
19			
20		MATTHEW D. DUKES, II, Mayor	
21			
22	ATTEST:		
23			
24			
25	SARA HANCOCK, City Clerk		
26			
27	Approved as to form and legality this	_ day of, 2022.	
28			
29			
30		DONALD D. MAISCH, City Attorney	
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ORDINANCE NO.
AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 18 GARBAGE AND REFUSE, ARTICLE II, MUNICIPAL COLLECTION AND DISPOSAL SERVICE, SECTION 18-25, CONTAINER REQUIRED; DUTY TO USE; AND PROVIDING FOR REPEALER AND SEVERABILITY.
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(b) The city shall provide one (1) cart for each residence for garbage and refuse, and one (1) cart for each residence for materials that are to be recycled. Residents are allowed to have additional refuse carts per residence from the city. These carts will be emptied on a weekly basis when the primary cart is emptied with the monthly cost to the resident of the additional carts being seven dollars (\$7.00) for each additional cart. Each additional cart requested will require a one year commitment paid in monthly increments unless the customer requests its removal before the end of the year at which point the remaining cost of the commitment will be added to the utility bill. Residential recycling carts will be emptied bi-weekly.
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- 7 (c) All carts to be emptied, including recycling carts, shall be placed at the curbline. Carts 8 are not to be obstructed from view, e.g., behind parked cars, behind hedges, etc. Carts 9 shall be placed for collection no earlier than 7:00 p.m. the day before the scheduled 10 collection and no later than 7:00 a.m. the day of scheduled collection. Parking shall not be in front of or blocking access to a poly cart. The resident is required to return 12 the carts to their regular storage place within five (5) feet of the residential structure or 13 behind the front building line of the property by no later than 7:00 p.m. the day of 14 scheduled collection. Failure to return the carts by the stated time limitation above may result in a fine as set forth in 1-15 of this code, assessed to the responsible party. A 15 16 twenty dollar (\$20.00) call back collection fee shall be charged to empty a cart and/or pick up authorized items not at the curbline prior to 7:00 a.m. the day of scheduled 17 collection. Any items that are not in compliance with subsection (d) below that are not 18 19 picked up during collection shall be removed from the curbline by no later than 7:00 20 p.m. on the day of scheduled collection. Failure to remove such items not in compliance with subsection (d) by 7:00 p.m. may result in a citation for violation of this Code. 22
 - (d) Residents may not place with the carts other types of containers for collection. Garbage and refuse placed in refuse carts and recyclable materials placed in recycle carts will be the only things that will be collected during a normal collection.
 - (e) Rollout service will be provided for the disabled. Any residence in which all the residents are disabled may request rollout service be performed by the city. The director shall determine the need for rollout service and to approve or disapprove requests. If the director determines that a particular residence qualifies for rollout service, the city will roll out, dump and return the carts at no extra charge.
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 - (g) Penalties for non-recyclable items being found in the recycling cart are as follows:
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 - 2. For the second offense a charge of twenty dollars (\$20.00) to dump the recycling cart's contents as trash will be added to the utility bill.
 - 3. For the third offense there shall be a charge of twenty dollars (\$20.00) to dump the recycling cart's contents as trash will be added to the utility bill and the recycling cart shall be permanently removed.
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1 2	Every offense will be documented by Public Works Department of The City of Midwest City. An appeal of the decision described herein must be submitted in writing to the Public Works Director		
$\frac{2}{3}$	The appeal must state with specificity why the resident believes the action taken by the Public		
4	Works Department should be modified.		
5	vorks Department should be modified.		
6	Section 2. <u>REPEALER</u> . All ordinances or parts of ordinances in conflict herewith are hereby		
7 8	repealed.		
9	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for		
10	any reason held to be invalid, such decision shall not affect the validity of the remaining		
11	provisions of the ordinance.		
12			
13	PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,		
14	Oklahoma, this day of, 2022.		
15			
16	THE CITY OF MIDWEST CITY, OKLAHOMA		
17			
18			
19 20	MATTHEW D. DUKES, II, Mayor		
20	MATTIEW D. DOKES, II, Mayor		
22	ATTEST:		
23	ATTEST.		
23 24			
25	SARA HANCOCK, City Clerk		
26	Ammoused as to form and locality this day of 2022		
27	Approved as to form and legality this day of, 2022.		
28 29			
29 30	DONALD D. MAISCH, City Attorney		
30 31	DOIVALD D. WAISCH, City Automety		
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MEMORANDUM

To: Ordinance Review Committee

From: Don Maisch City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 28 Offenses - Miscellaneous, Article V, Offenses Against Public Peace, Section 28-94 out of reserve and entitling it "Offenses Against Public Peace; and providing for Repealer and Severability.

Date: April 11, 2022

The proposed amendment to Chapter 28 Offenses, Section 28-94 takes the provision out of reserve and adopts new language to implement within the City of Midwest City the changes adopted by the Oklahoma Legislature in 2021 to make it a crime to willfully disturb, interfere, or disrupt city business, including publically posted meetings. This ordinance change tracks with the changes in state statute. The punishment for this crime is equal to the punishment for disturbing the peace that is already adopted in city ordinance.

Approval is at the pleasure of the Ordinance Review Committee.

Respectfully submitted,

onald.). Maisch

Donald D. Maisch City Attorney

1	ORDINANCE NO.
2	AN ADDIVANCE AMENDING THE MIDWERT CITY MUNICIDAL CODE CHADTED AN
3	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 28 OFFENSES - MISCELLANEOUS, ARTICLE V, OFFENSES AGAINST PUBLIC PEACE,
4 5	SECTION 28-94 OUT OF RESERVE AND ENTITILING IT "OFFENSES AGAINST PUBLIC
5	
6	PEACE; AND PROVIDING FOR REPEALER AND SEVERABILITY.
7	DE LT ODDAINED DY THE COUNCIL OF THE CITY OF MIDWERT CITY OVI ALIONA.
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9 10	ORDINANCE
10 11	ORDINANCE
12	Section 1. That the Midwest City Municipal Code, Chapter 28 Offenses - Miscellaneous, Article
13	V, Offenses Against Public Peace, Section 28-94, Reserved; is hereby created to read as follows:
13 14	v, orienses riganist i ubne i eace, beeton 26 94, Reserved, is hereby ereated to read as follows.
15	Reserved.Sec. 28-11 – Offenses Against Public Peace.
16	
17	(a) It shall be unlawful for any person, alone or in concert with others and without
18	authorization, to willfully disturb, interfere or disrupt city business, which includes publicly posted
19	meetings, or any city operations or any employee, agent, official or representative of the city.
20	
21	(b) It shall be unlawful for any person who is without authority or who is causing any
22	disturbance, interference or disruption to willfully refuse to disperse or leave any property,
23	building or structure owned, leased or occupied by the city or its employees, agents or
24	representatives or used in any manner to conduct city business after proper notice by a law
25	enforcement officer, peace officer, sergeant-at-arms, code enforcement, or other security
26	personnel.
27 20	(c) For purposes of this section, "disturb, interfere or disrupt" means any conduct that is
28 29	violent, threatening, abusive, obscene, jeopardizes the safety of self or others or causes the
30	stoppage of city business.
31	stoppuge of enty business.
32	(d) Any person violating this section shall be punished by a fine not to exceed six hundred
33	dollars (\$600.00) or imprisonment not to exceed sixty (60) days, plus costs, or by both such fine
34	and imprisonment.
35	
36	(e) This ordinance is adopted in conformance with Title 21 of the Oklahoma Statutes, Section
37	<u>280.</u>
38	
39	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
40	repealed.
41	
42	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
43	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
44	of the ordinance.
45	

1	Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City
2	of Midwest City, Oklahoma, this day of, 2022.
3	
4	
5	THE CITY OF MIDWEST CITY, OKLAHOMA
6	
7	ATTEST:
8	MATTHEW D. DUKES, II, Mayor
9	
10	
11	SARA HANCOCK, City Clerk
12	
13	Approved as to form and legality this day of, 2022.
14	
15	
16	DONALD D. MAISCH, City Attorney
17	

1	ORDINANCE NO.
2	
3	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 28
4	OFFENSES - MISCELLANEOUS, ARTICLE V, OFFENSES AGAINST PUBLIC PEACE,
5	SECTION 28-94 OUT OF RESERVE AND ENTITILING IT "OFFENSES AGAINST PUBLIC DEACE: AND PROVIDING FOR REPEALER AND SEVERABLETY
6 7	PEACE; AND PROVIDING FOR REPEALER AND SEVERABILITY.
7 8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9 10	<u>ORDINANCE</u>
11	
12	Section 1. That the Midwest City Municipal Code, Chapter 28 Offenses - Miscellaneous, Article
13 14	V, Offenses Against Public Peace, Section 28-94, Reserved; is hereby amended to read as follows:
15 16	<u>Sec. 28-11 – Offenses Against Public Peace.</u>
10 17	(a) It shall be unlawful for any person, alone or in concert with others and without
18	authorization, to willfully disturb, interfere or disrupt city business, which includes publicly posted
19	meetings, or any city operations or any employee, agent, official or representative of the city.
20	
21	(b) It shall be unlawful for any person who is without authority or who is causing any
22	disturbance, interference or disruption to willfully refuse to disperse or leave any property,
23 24	building or structure owned, leased or occupied by the city or its employees, agents or representatives or used in any manner to conduct city business after proper notice by a law
25	enforcement officer, peace officer, sergeant-at-arms, code enforcement, or other security
26	personnel.
27	1
28	(c) For purposes of this section, "disturb, interfere or disrupt" means any conduct that is
29	violent, threatening, abusive, obscene, jeopardizes the safety of self or others or causes the
30	stoppage of city business.
31	(1) And a second signation of the second signature that he second has a first second signature that the
32 33	(d) Any person violating this section shall be punished by a fine not to exceed six hundred dollars (\$600.00) or imprisonment not to exceed sixty (60) days, plus costs, or by both such fine
33 34	and imprisonment.
35	and mprisonnient.
36	(e) This ordinance is adopted in conformance with Title 21 of the Oklahoma Statutes, Section
37	280.
38	
39	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
40	repealed.
41	
42	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
43	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
44	of the ordinance.
45	

1		PROVED by the Mayor and the Council of the City
2	of Midwest City, Oklahoma, this da	ay of, 2022.
3		
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6		THE CITY OF MIDWEST CITY, OKLAHOMA
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10		MATTHEW D. DUKES, II, Mayor
11		
12	ATTEST:	
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14 15		
15 16	SARA HANCOCK, City Clerk	
17	SARA HAIVEOER, Eity Eleik	
18	Approved as to form and legality this	day of 2022
19	rippioved us to form and regarity tins	duy of, 2022.
20		
21		
22	DONALD D. MAISCH, City Attorney	
23		
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MEMORANDUM

To: Ordinance Review Committee

From: Don Maisch City Attorney

RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code, Chapter 38 Subdivision Regulations, Article VIII, Definitions, Section 38-65.120, Park Land Review Committee; and providing for a repealer and severability.

Date: April 11, 2022

The proposed amendment to Chapter 38, Section 38-65.120 provides for the definition of, powers delegated to and membership to the Park Land Review Committee. This committee was originally passed by the City Council, but is not currently codified in City Ordinance. This amendment formally adopts the Committee into City Ordinance.

Approval is at the pleasure of the Ordinance Review Committee.

Respectfully submitted,

, Maisch

Donald D. Maisch City Attorney

1	ORDINANCE NO.
2	
3	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 38
4 5	SUBDIVISION REGULATIONS, ARTICLE VIII, DEFINITIONS; SECTION 38-65.120,
5 6	PARK LAND REVIEW COMMITTEE; AND PROVIDING FOR REPEALER AND SEVERABILITY.
о 7	SEVERADILIT 1.
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9	
10	ORDINANCE
11	
12	Section 1. That the Midwest City Municipal Code, Chapter 38 Subdivision Regulations, Article
13	VIII, Definitions, Section 38-65.120, Park land review committee; is hereby amended to read as
14	follows:
15 10	A The Dark L and Daview Committee is hereby committee established in accordance with
16 17	A <u>The Park Land Review Committee is hereby</u> committee established in <u>accordance with</u> <u>Article X of</u> the city Charter. <u>The Park Land Review Committee is charged with the exercising</u>
17	that authority established in Article X of the City Charter and is an authorized decision-maker
18 19	for section 38-51. The Park Land Review Committee shall consist of one representative from
20	each of the following:
21	eden of the following.
22	1. Builders' Advisory Board of Midwest City;
23	2. Park and Recreation Board of Midwest City;
24	3. Planning Commission of Midwest City;
25	4. Tree Board of Midwest City; and
26	5. One citizen appointed by the Mayor for a term of three (3) years, or longer
27	until such time as a replacement is named.
28 29	The Park Land Review Committee shall be provided support, as it deems necessary, by the various
30	departments of the City."
31	
32	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
33	repealed.
34	
35	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
36	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
37	of the ordinance.
38	
39	
40	Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City
41	of Midwest City, Oklahoma, this day of, 2022.
42	
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44	

	THE CITY OF MIDWEST CITY, OKLAHOMA
	MATTHEW D. DUKES, II, Mayor
ATTEST:	
SARA HANCOCK, City Clerk	
Approved as to form and legality this	day of, 2022.
DONALD D. MAISCH, City Attorney	
	SARA HANCOCK, City Clerk Approved as to form and legality this

1	ORDINANCE NO.
2	
3	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 38
4 r	SUBDIVISION REGULATIONS, ARTICLE VIII, DEFINITIONS; SECTION 38-65.120, PARK LAND REVIEW COMMITTEE: PROVIDING FOR REPEALER AND
5	· · · · · · · · · · · · · · · · · · ·
6	SEVERABILITY.
7 8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9	
10	ORDINANCE
11	
12	Section 1. That the Midwest City Municipal Code, Chapter 38 Subdivision Regulations, Article
13	VIII, Definitions, Section 38-65.120, Park land review committee; is hereby amended to read as
14	follows:
15	
16	The Park Land Review Committee is hereby established in accordance with Article X of
17	the city Charter. The Park Land Review Committee is charged with the exercising that authority
18	established in Article X of the City Charter and is an authorized decision-maker for section 38-
19	51. The Park Land Review Committee shall consist of one representative from each of the
20	following:
21	
22	1. Builders' Advisory Board of Midwest City;
23	2. Park and Recreation Board of Midwest City;
24	3. Planning Commission of Midwest City;
25	4. Tree Board of Midwest City; and
26 27	5. One citizen appointed by the Mayor for a term of three (3) years, or longer
27 28	until such time as a replacement is named.
28	The Park Land Review Committee shall be provided support, as it deems necessary, by the various
30	departments of the City.
31	1 5
32	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
33	repealed.
34	
35	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
36	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
37	of the ordinance.
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40	Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City
41	of Midwest City, Oklahoma, this day of, 2022.
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	THE CITY OF MIDWEST CITY, OKLAHOMA
	MATTHEW D. DUKES, II, Mayor
ATTEST:	
SARA HANCOCK, City Clerk	
Approved as to form and legality this	day of, 2022.
DONALD D. MAISCH, City Attorney	
	SARA HANCOCK, City Clerk Approved as to form and legality this



<u>MEMORANDUM</u>

To: OOCC

- From: Donald D. Maisch City Attorney
- RE: Discussion and consideration for adoption, including any amendments, of an ordinance amending the Midwest City Municipal Code: Appendix A, Zoning Regulations; Section 6, Development Review Bodies; Part 6.3, Board of Adjustment; Subpart 6.3.2, Membership; and providing for repealer, and severability.

Date: April 11, 2022

The proposed amendment to Appendix A, Zoning Regulations, concerning the Board of Adjustment removes conflicting language, concerning whether Planning Commission members can serve on the Board of Adjustment simultaneously.

Respectfully submitted,

Maych

Donald D, Maisch City Attorney

1	ORDINANCE NO.
2	
3	AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, APPENDIX A,
4	ZONING REGULATIONS, SECTION 6, DEVELOPMENT REVIEW BODIES, PART 6.3,
5	BOARD OF ADJUSTMENT; SUBPART 6.3.2, MEMBERSHIP; AND PROVIDING FOR
6	REPEALER AND SEVERABILITY.
7	
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
9 10	ORDINANCE
11	
12	Section 1. That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 6,
13	Development Review Bodies, Part 6.3, Board of Adjustment, Subpart 6.3.2, Membership; is
14	hereby amended to read as follows:
15	
16	(A) Number of members and residency. The Board of Adjustment shall be composed of five (5)
17	members, citizens of the City of Midwest City.
18	
19	(B) Appointment and approval of members. Members shall be appointed by the mayor with the
20	approval of the City Council.
21	
22	(C) <i>Term.</i> Members shall serve a term of three (3) years.
23	
24	(D) <i>Planning Commission Membership</i> . Two (2) members of the Board of Adjustment may be
25	appointed by the City Council from the Planning Commission membership.
26	
27	(1) Members of the Planning Commission shall not serve simultaneously on the Planning
28	Commission and Board of Adjustment.
29	(E) Down and of a direction of a direction of the Decord of A direction on the ll he for accuse as married
30 21	(E) <i>Removal of members</i> . Removal from the Board of Adjustment shall be for cause as provided
31 22	by State statute after notice and hearing. Cause shall include, but not be limited to, violation of Section 2.28 of the Midwart City Code, maintaining permanent residence outside the
32 22	of Section 2-28 of the Midwest City Code, maintaining permanent residence outside the corporate limits of Midwest City, or using his/her position for personal gain.
33 34	corporate mints of windwest City, of using ins/net position for personal gam.
34 35	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
36	repealed.
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38	Section 3. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
39	any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
40	of the ordinance.
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2	PASSED AND APPROVED by the M	ayor and the Council of the City of Midwest City,
3	Oklahoma, this day of	, 2022.
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5		THE CITY OF MIDWEST CITY, OKLAHOMA
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9		MATTHEW D. DUKES, II, Mayor
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11	ATTEST:	
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15	SARA HANCOCK, City Clerk	
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18	Approved as to form and legality this	day of, 2022.
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22	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 6, DEVELOPMENT REVIEW BODIES, PART 6.3, BOARD OF ADJUSTMENT; SUBPART 6.3.2, MEMBERSHIP; AND PROVIDING FOR REPEALER AND SEVERABILITY.
8	BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDWEST CITY, OKLAHOMA:
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10	ORDINANCE
11 12 13 14 15	Section 1. That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 6, Development Review Bodies, Part 6.3, Board of Adjustment, Subpart 6.3.2, Membership; is hereby amended to read as follows:
16 17 18	(A) <i>Number of members and residency</i> . The Board of Adjustment shall be composed of five (5) members, citizens of the City of Midwest City.
19 20 21	(B) <i>Appointment and approval of members</i> . Members shall be appointed by the mayor with the approval of the City Council.
22 23	(C) <i>Term</i> . Members shall serve a term of three (3) years.
24 25 26	(D) <i>Planning Commission Membership</i> . Two (2) members of the Board of Adjustment may be appointed by the City Council from the Planning Commission membership.
27 28 29 30 31	(E) <i>Removal of members</i> . Removal from the Board of Adjustment shall be for cause as provided by State statute after notice and hearing. Cause shall include, but not be limited to, violation of Section 2-28 of the Midwest City Code, maintaining permanent residence outside the corporate limits of Midwest City, or using his/her position for personal gain.
32 33 34	Section 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.
35 36 37 38 39	Section 3. 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.
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19 20		
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21	DONALD D. MAISCIL City Attorney	
22	DONALD D. MAISCH, City Attorney	
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