

ORDINANCE 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.

1. 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)

8. 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. FURTHER INFORMATION.

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.



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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.

Respectfully submitted,

Donald D. Maisch
City Attorney

1
2
3
4
5
6

Approved as to form and legality this _____ day of _____, 2022.

DONALD D. MAISCH, City Attorney



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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.

Respectfully submitted,

Donald D. Maisch
City Attorney

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

37 *Canopy:* 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.
40

41 *Changeable copy sign:* A permanent ground or pole sign consisting of nonstructural
42 panels or individual message elements such as letters, numbers or symbols that are designed and
43 intended for manual replacement or alteration after the sign is erected.
44

45 *Civic center:* An area described as a part of the west one-half (W¹/₂) of the southwest
46 quarter (SW¹/₄) of Section 35, Township 12 North, Range 2 West of the Indian Meridian,

1 Oklahoma County, Oklahoma, beginning at a point fifty (50) feet north and fifty (50) feet east
2 of the southwest corner of said section, north 758.33 feet, thence east 1,267.98 feet, thence south
3 758.33 feet, thence west to the point of beginning.
4

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

10 *Construction sign:* A sign identifying a construction project erected on the premises
11 where construction is taking place, during the period of such construction, and containing
12 information pertinent to the construction project such as the names of the architects, engineers,
13 landscape architects, contractors or similar artisans, and the owners, lending institutions and
14 other parties having a role or interest in the structure or project.
15

16 *Decoration:* Illustration, symbol, flag, streamer, bunting, wreath, figure, insignia or other
17 devices employed to express and/or illustrate a message or patriotic holiday or seasonal
18 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.

24 *Display surface:* The surface of a sign upon, against or through which the message is displayed
25 or illustrated.
26

27 *Display surface area:* The net geometric area enclosed by the display surface of the sign
28 including the outer extremities of all letters, figures, characters and delineations; provided,
29 however, display surface area shall not include the structural supports for freestanding signs if
30 the structural supports are so arranged so as not to become a part of the attention-attracting aspect
31 of the sign; provided, further, that only one (1) face of a double-faced sign as defined herein
32 shall be considered in determining the display surface area.
33

34 *Double-faced sign:* Any sign that has more than one (1) display surface.
35

36 *Erect:* To build, attach, hang, place, suspend, affix, construct or allow to be constructed,
37 including the painting of wall signs.
38

39 *Flashing sign:* An illuminated sign, other than an automatic, changing sign, on which
40 artificial or reflected light is not maintained stationary and constant in light intensity and color
41 at all times when in use.
42

43 *Freestanding sign:* Any sign that is attached to or a part of a completely self-supporting
44 structure that is not attached to any building or any other structure and is anchored firmly to or
45 below the ground surface (see ground sign and pole sign).
46

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

3
4 *Ground sign:* A freestanding sign that is secured to a fixed base, usually at ground level
5 or a slight elevation above ground, rather than being pole-mounted.

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

13
14 *Illuminated sign:* Any sign that has characters, letters, figures, designs or outlines
15 illuminated by electric lights or luminous tubes whether such sources of illumination are a part
16 of the sign or not.

17
18 *Illumination:* Lighting from a source concealed or contained within a sign which
19 becomes visible through a translucent surface or lighting performed by spotlights or other
20 lighting devices that are not a part of the sign display surface including those lighting devices
21 that are extended from the sign by means of a rod or rods from which the illumination is directed
22 toward the display surface area of the sign.

23
24 *Marquee:* A permanent roof-like structure projecting beyond a building wall at an
25 entrance to a building or extending along and projecting beyond the building's wall and generally
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
30 *Noncombustible:* Any material that does not ignite below twelve hundred (1,200) degrees
31 Fahrenheit or disintegrate, melt or give off toxic odor or fumes.

32
33 *Noncommercial temporary sign:* A temporary sign that in no way identifies, advertises
34 or directs attention to a business, good, property or service, or is intended to induce purchase of
35 a good, property or service, or portrays or symbolizes a good, property or service especially but,
36 without limitation, a brand or trade name, an identifiable container shape or a trademark.

37
38 *Nonconforming sign:* A sign that was lawfully erected, altered, moved or maintained
39 under previous ordinances of the city but does not conform to the provisions of this article.

40
41 *Owner:* The fee owner of a sign, the lessee of the sign, the fee holder of the property
42 upon which the sign is located, the leaseholder of such property or the individual, person or
43 business who has purchased the copy on a sign, or the agent of any of the listed entities.

44

1 *Parcel:* A contiguous area of land described in a single description in a deed or as one of
2 a number of lots on a plat; separately owned, either publicly or privately; and capable of being
3 separately conveyed.
4

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 the sign is mounted.
12

13 *Pole sign:* 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 *Portable sign:* 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
22 is to provide advertisement of products or services in connection with a business or activity
23 located on the same site as the portable sign or elsewhere.
24

25 *Projecting sign:* 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
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 triangle:* As defined by subsections 4.8.3(a) and (b) of appendix A of this Code.
43

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 the interest of an object, person, institution, corporation, organization, business, product, service,
2 event or location by any means including words, letters, figures, designs, symbols, fixtures,
3 colors, motion, illumination or projected images, whether illuminated or not, including, but not
4 limited to, every billboard, wall sign, roof sign, projecting sign, ground sign, pole sign, window
5 sign, changeable copy sign, temporary sign, portable sign, commercial bills, commercial posters,
6 commercial pictures, commercial lithographs, commercial maps, commercial plats, commercial
7 samples or other commercial devices or advertisements of any kind or any other attention-getting
8 device or other display whether affixed to a building or separate from a building.

9
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 and/or billposting.

14
15 *Structure:* Anything built or constructed whether or not permanently attached to the
16 ground.

17
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 *Temporary sign:* Any sign, either commercial or noncommercial, that is not a permanent
27 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 *Vacant sign:* A sign that pertains to a building or is on a parcel of land that:

- 34
35 (1) Has been unoccupied for a period of six (6) consecutive months; or
36 (2) Refers to a business, product, service, event or purpose that has been
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.

1
2 *Window display:* Any sign placed inside a structure on a window.
3

4
5 **Section 2.** REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
6 repealed.
7

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**
16

17
18 _____
19 MATTHEW D. DUKES, II, Mayor
20

21 ATTEST:
22

23
24 _____
25 SARA HANCOCK, City Clerk
26

27
28 Approved as to form and legality this _____ day of _____, 2022.
29

30
31 _____
32 DONALD D. MAISCH, City Attorney

1 *Billboard:* A sign upon which advertising or other message may be posted, painted,
2 pasted or affixed, and which directs attention to a business, organization, event, person, place,
3 commodity, service or entertainment conducted, sold, located, manufactured, used or offered at
4 a location other than the premises on which the sign is located.
5

6 *Bulletin board sign:* A sign that indicates the name of a governmental, religious,
7 educational or other noncommercial institution on whose premises it is located, and which may
8 contain the names of individuals connected with it and general announcements of events or
9 activities occurring at the institution, or similar messages not advertising a specific product or
10 business service.
11

12 *Canopy:* A fixed shelter of any material and of any length projecting from a building and
13 supported by columns or posts from the ground, or a freestanding shelter supported by columns
14 or posts from the ground.
15

16 *Changeable copy sign:* A permanent ground or pole sign consisting of nonstructural
17 panels or individual message elements such as letters, numbers or symbols that are designed and
18 intended for manual replacement or alteration after the sign is erected.
19

20 *Civic center:* An area described as a part of the west one-half (W½) of the southwest
21 quarter (SW¼) of Section 35, Township 12 North, Range 2 West of the Indian Meridian,
22 Oklahoma County, Oklahoma, beginning at a point fifty (50) feet north and fifty (50) feet east
23 of the southwest corner of said section, north 758.33 feet, thence east 1,267.98 feet, thence south
24 758.33 feet, thence west to the point of beginning.
25

26 *Commercial temporary sign:* A temporary sign that is not a noncommercial temporary
27 sign and that identifies, advertises or directs attention to a business or is intended to induce
28 purchase of a good, property or service including, without limitation, any sign naming a brand
29 of good or service.
30

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.
36

37 *Decoration:* Illustration, symbol, flag, streamer, bunting, wreath, figure, insignia or other
38 devices employed to express and/or illustrate a message or patriotic holiday or seasonal
39 character.
40

41 *Deteriorated sign:* A permanent sign that is partially dilapidated or in need of repair.
42

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.

45 *Display surface:* The surface of a sign upon, against or through which the message is displayed
46 or illustrated.
47

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

7
8 *Double-faced sign:* Any sign that has more than one (1) display surface.

9
10 *Erect:* To build, attach, hang, place, suspend, affix, construct or allow to be constructed,
11 including the painting of wall signs.

12
13 *Flashing sign:* An illuminated sign, other than an automatic, changing sign, on which
14 artificial or reflected light is not maintained stationary and constant in light intensity and color
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
18 structure that is not attached to any building or any other structure and is anchored firmly to or
19 below the ground surface (see ground sign and pole sign).

20
21 *Frontage:* The area between the boundary lines of a lot or parcel of land along the street
22 right-of-way.

23
24 *Ground sign:* A freestanding sign that is secured to a fixed base, usually at ground level
25 or a slight elevation above ground, rather than being pole-mounted.

26
27 *Identification nameplate:* A wall sign giving any combination of the name, address, and
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
35 illuminated by electric lights or luminous tubes whether such sources of illumination are a part
36 of the sign or not.

37
38 *Illumination:* Lighting from a source concealed or contained within a sign which
39 becomes visible through a translucent surface or lighting performed by spotlights or other
40 lighting devices that are not a part of the sign display surface including those lighting devices
41 that are extended from the sign by means of a rod or rods from which the illumination is directed
42 toward the display surface area of the sign.

43
44 *Marquee:* A permanent roof-like structure projecting beyond a building wall at an
45 entrance to a building or extending along and projecting beyond the building's wall and generally
46 designed and constructed to provide protection against the weather.

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 Fahrenheit or disintegrate, melt or give off toxic odor or fumes.

5
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
14 *Owner:* The fee owner of a sign, the lessee of the sign, the fee holder of the property
15 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
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
25 *Pole cover:* A decorative covering constructed of materials that are attractive,
26 aesthetically pleasing and architecturally consistent with the sign and/or the main building on
27 the premises, built the full length of and entirely surrounding the freestanding poles on which
28 the sign is mounted.

29
30 *Pole sign:* 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 *Portable sign:* A sign, whether mounted on a chassis with tires or wheels for transport
37 from one place to another, designed to be movable from one location to another and not
38 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

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

4
5 *Real estate sign:* A temporary sign pertaining to the sale or lease of a parcel or tract of
6 land or to the sale or lease of one (1) or more structures.

7
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.

10
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 *Sight triangle:* As defined by subsections 4.8.3(a) and (b) of appendix A of this Code.

15
16 *Sign:* Any object, announcement, declaration, demonstration, display, illustration,
17 insignia, device, display or structure or part thereof situated outdoors in view of the general
18 public that is used to advertise, identify, promote, display, direct or attract attention to or promote
19 the interest of an object, person, institution, corporation, organization, business, product, service,
20 event or location by any means including words, letters, figures, designs, symbols, fixtures,
21 colors, motion, illumination or projected images, whether illuminated or not, including, but not
22 limited to, every billboard, wall sign, roof sign, projecting sign, ground sign, pole sign, window
23 sign, changeable copy sign, temporary sign, portable sign, commercial bills, commercial posters,
24 commercial pictures, commercial lithographs, commercial maps, commercial plats, commercial
25 samples or other commercial devices or advertisements of any kind or any other attention-getting
26 device or other display whether affixed to a building or separate from a building.

27
28 *Sign contractor:* Any person, firm, partnership, association or corporation involved in
29 the installation, repair, alteration or service of any electric sign, ~~and~~ all permanent or temporary
30 signs involving structural requirements of the building code and/or electrical requirements of the
31 electric code and/or billposting.

32
33 *Structure:* Anything built or constructed whether or not permanently attached to the
34 ground.

35
36 *Subdivision construction sign:* An on-premises sign with a display surface area of fifty
37 (50) square feet or less containing information about a particular subdivision as a whole, which
38 information may include, but may not be limited to, the location, price range and/or amenities
39 of the subdivision.

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

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

46



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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.

Respectfully submitted,

Donald D. Maisch
City Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

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



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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

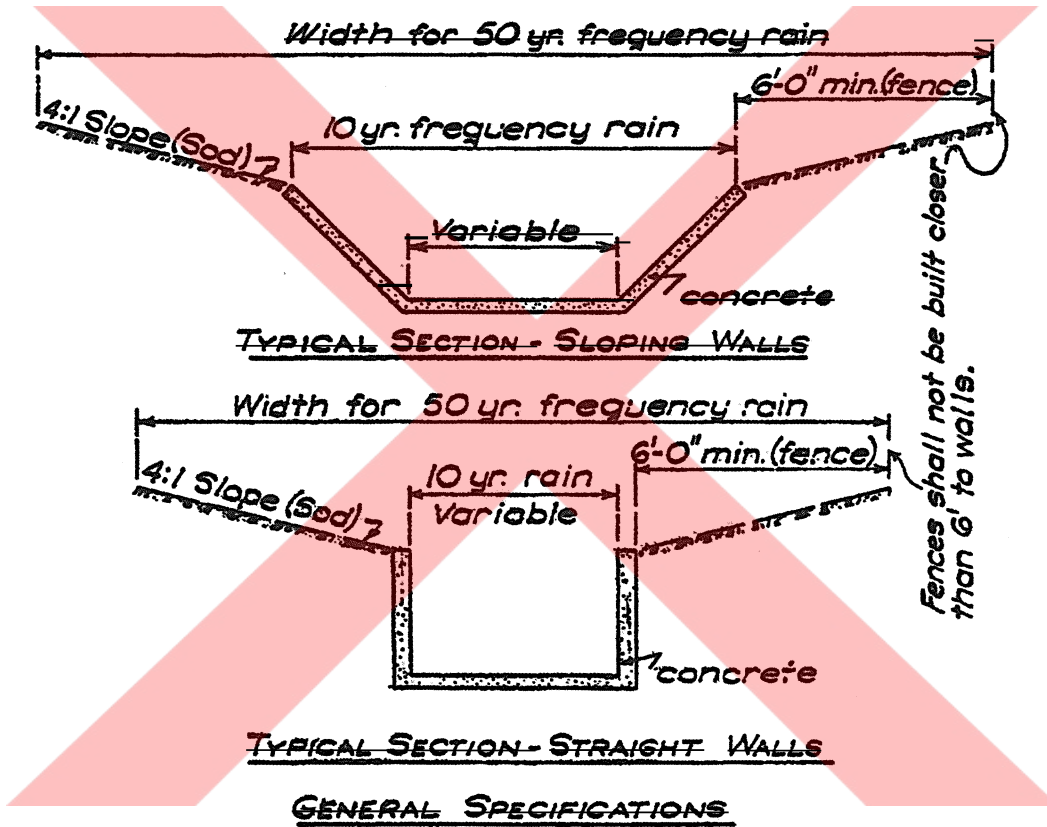
Staff discovered a conflict between Section 13-71 and Section 13-73 of the City Ordinances for the City of Midwest City. To resolve the conflict, this proposed amendment is to amend Section 13-71, so that it and Section 13-73 no longer conflict. Additionally, since Chapter 13 was written to meet FEMA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

Respectfully submitted,

Donald D. Maisch
City Attorney

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

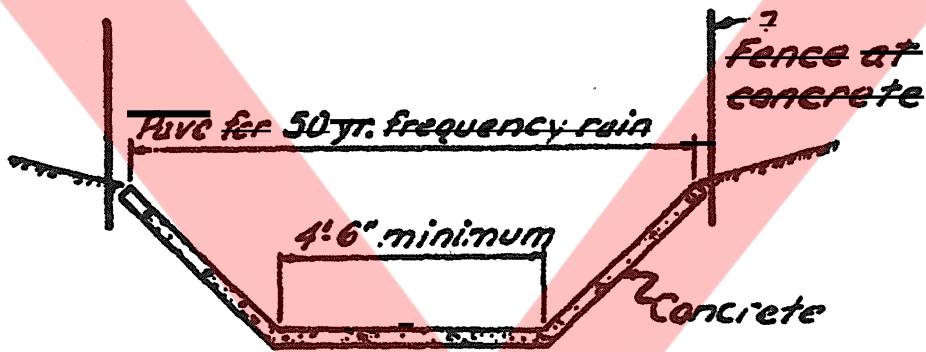


- ~~1. Use of sloping walls or straight walls is optional.~~
- ~~2. Construction of concrete lining to conform to City Specifications.~~
- ~~3. Straight walls to be designed to withstand earth pressures.~~
- ~~4. Sloping walls to have slope ratio of 1' horizontal to 1' vertical, or flatter.~~
- ~~5. Seded slope ratio to be 4' horizontal to 1' vertical, or flatter.~~

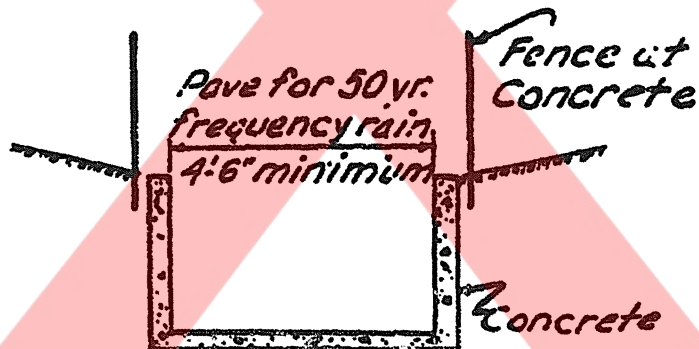
FIGURE B

FIGURE B

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



TYPICAL SECTION- SLOPING WALLS



TYPICAL SECTION- STRAIGHT WALLS

GENERAL SPECIFICATIONS

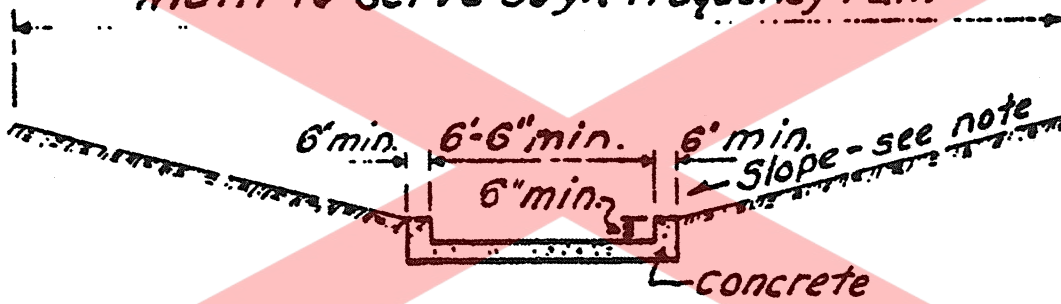
1. Concrete construction to conform to City Specifications.
2. Use of sloping walls or straight walls is optional.
3. Straight walls to be designed to withstand earth pressures.

FIGURE B-1

FIGURE B-1

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

Width to serve 50 yr. frequency rain



TYPICAL SECTION

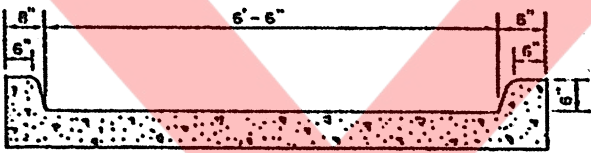
GENERAL SPECIFICATIONS

1. Slopes back of curb to have ratio of 4 horizontal to 1 vertical, or flatter.
2. Slopes to be sodded uniformly to permit mowing.
3. Concrete construction to conform to City Specifications.
4. This section to be constructed, only, in those locations outlined in General Policies and Requirements.

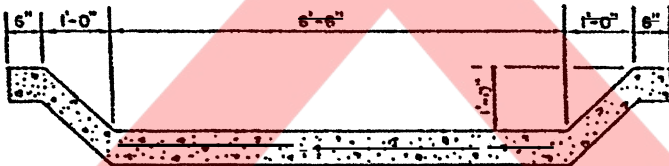
FIGURE C

FIGURE C

(Ord. No. 2186, § 1, 3-24-87)

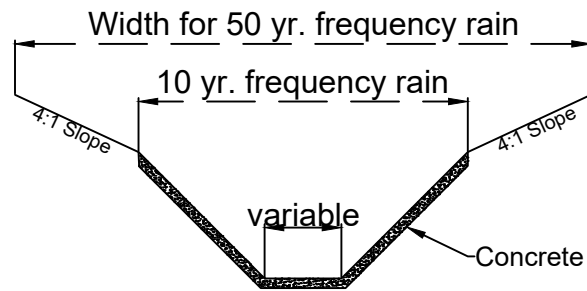


PARK SECTION

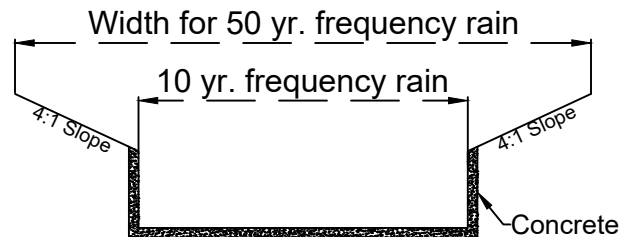


ALTERNATE
PARK SECTION

FIGURE C, Detail



Typical Section - Sloping Walls



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
3. Sloping walls to have slope ratio of 1' horizontal to 1' vertical, or flatter.
4. Sodded slope ratio to be 4' horizontal to 1' vertical, or flatter.

1
2 No trees, tree roots, structures, or drainage onto or emanating from private property that negatively
3 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 **Section 2.** That the Midwest City Municipal Code, Chapter 13 Drainage and Flood Control, Article
9 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 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
23 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:

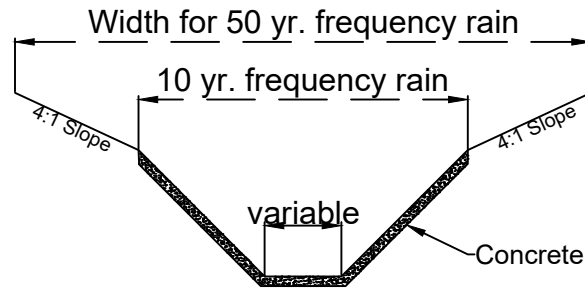
32
33 _____
34 SARA HANCOCK, City Clerk

35
36
37 Approved as to form and legality this _____ day of _____, 2022.

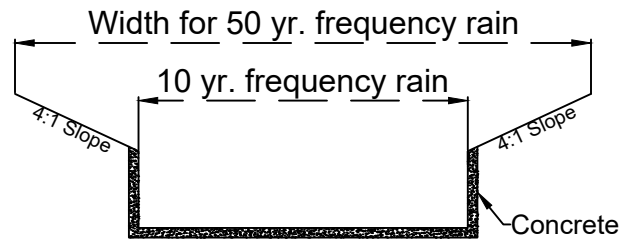
38
39
40 _____
41 DONALD D. MAISCH, City Attorney

Sec. 13-73. - Figures.

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



Typical Section - Sloping Walls



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
3. Sloping walls to have slope ratio of 1' horizontal to 1' vertical, or flatter.
4. Sodded slope ratio to be 4' horizontal to 1' vertical, or flatter.



Public Works Administration

8730 S.E. 15th Street,
Midwest City, Oklahoma 73110

Public Works Director
pstreets@midwestcityok.org

(405) 739-1061

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,

R. Paul Streets
Public Works Director

Attached: Midwest City Ordinance Chapter 18 with Recommended Changes

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.
6

7 (c) All carts to be emptied, including recycling carts, shall be placed at the curblineline. 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
11 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
15 result in a fine as set forth in 1-15 of this code, assessed to the responsible party. A
16 twenty dollar (\$20.00) call back collection fee shall be charged to empty a cart and/or
17 pick up authorized items not at the curblineline prior to 7:00 a.m. the day of scheduled
18 collection. Any items that are not in compliance with subsection (d) below that are not
19 picked up during collection shall be removed from the curblineline by no later than 7:00
20 p.m. on the day of scheduled collection. Failure to remove such items not in compliance
21 with subsection (d) by 7:00 p.m. may result in a citation for violation of this Code.
22

23 (d) Residents may not place with the carts other types of containers for collection. Garbage
24 and refuse placed in refuse carts and recyclable materials placed in recycle carts will
25 be the only things that will be collected during a normal collection.
26

27 (e) Rollout service will be provided for the disabled. Any residence in which all the
28 residents are disabled may request rollout service be performed by the city. The director
29 shall determine the need for rollout service and to approve or disapprove requests. If
30 the director determines that a particular residence qualifies for rollout service, the city
31 will roll out, dump and return the carts at no extra charge.
32

33 (f) There will be a charge of twenty dollars (\$20.00) if a cart is picked up and returned for
34 nonpayment of a sanitation bill.
35

36 (g) Penalties for non-recyclable items being found in the recycling cart are as follows:
37

- 38 1. For the first offense the occupant of the residence, shall receive a courtesy call or
39 visit in order to provide educational resources.
- 40 2. For the second offense a charge of twenty dollars (\$20.00) to dump the recycling
41 cart's contents as trash will be added to the utility bill.
- 42 3. For the third offense there shall be a charge of twenty dollars (\$20.00) to dump the
43 recycling cart's contents as trash will be added to the utility bill and the recycling
44 cart shall be permanently removed.
45

1 Every offense will be documented by Public 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 Works Department should be modified.

5
6 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
7 repealed.
8

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
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 _____
31 DONALD D. MAISCH, City Attorney
32

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.
6

7 (c) All carts to be emptied, including recycling carts, shall be placed at the curblineline. 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
11 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
15 result in a fine as set forth in 1-15 of this code, assessed to the responsible party. A
16 twenty dollar (\$20.00) call back collection fee shall be charged to empty a cart and/or
17 pick up authorized items not at the curblineline prior to 7:00 a.m. the day of scheduled
18 collection. Any items that are not in compliance with subsection (d) below that are not
19 picked up during collection shall be removed from the curblineline by no later than 7:00
20 p.m. on the day of scheduled collection. Failure to remove such items not in compliance
21 with subsection (d) by 7:00 p.m. may result in a citation for violation of this Code.
22

23 (d) Residents may not place with the carts other types of containers for collection. Garbage
24 and refuse placed in refuse carts and recyclable materials placed in recycle carts will
25 be the only things that will be collected during a normal collection.
26

27 (e) Rollout service will be provided for the disabled. Any residence in which all the
28 residents are disabled may request rollout service be performed by the city. The director
29 shall determine the need for rollout service and to approve or disapprove requests. If
30 the director determines that a particular residence qualifies for rollout service, the city
31 will roll out, dump and return the carts at no extra charge.
32

33 (f) There will be a charge of twenty dollars (\$20.00) if a cart is picked up and returned for
34 nonpayment of a sanitation bill.
35

36 (g) Penalties for non-recyclable items being found in the recycling cart are as follows:
37

- 38 1. For the first offense the occupant of the residence, shall receive a courtesy call or
39 visit in order to provide educational resources.
- 40 2. For the second offense a charge of twenty dollars (\$20.00) to dump the recycling
41 cart's contents as trash will be added to the utility bill.
- 42 3. For the third offense there shall be a charge of twenty dollars (\$20.00) to dump the
43 recycling cart's contents as trash will be added to the utility bill and the recycling
44 cart shall be permanently removed.
45

1 Every offense will be documented by Public 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 Works Department should be modified.

5
6 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
7 repealed.
8

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

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

31
32



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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,

Donald D. Maisch
City Attorney

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 _____
9 MATTHEW D. DUKES, II, Mayor

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 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
6 **THE CITY OF MIDWEST CITY, OKLAHOMA**

7
8
9 _____
10 MATTHEW D. DUKES, II, Mayor

11
12 ATTEST:

13
14
15 _____
16 SARA HANCOCK, City Clerk

17
18 Approved as to form and legality this _____ day of _____, 2022.

19
20
21 _____
22 DONALD D. MAISCH, City Attorney

23
24



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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,

Donald D. Maisch
City Attorney

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

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



City Attorney, Donald D. Maisch

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

MEMORANDUM

To: 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,

Donald D. Maisch
City Attorney

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

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