



CITY OF MIDWEST CITY

ORDINANCE OVERSIGHT COUNCIL COMMITTEE AGENDA

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

- A. **CALL TO ORDER.** February 29, 2024 – 5:00 PM
- B. **DISCUSSION ITEMS.**
1. Discussion, consideration and possible action to approve the minutes of the October 30, 2023 special meeting. (City Clerk - S. Hancock)
 2. Discussion, consideration, and possible action on an ordinance amending Midwest City code, Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, Section 9-382, Definitions; and providing for repealer and severability. (Planning & Zoning - M. Summers)
 3. Discussion, consideration, and possible action on an ordinance amending Midwest City code, Chapter 38, Subdivision Regulations, Article V, Application Submittal and Processing Procedures for all Plats and Plans, bringing Section 38-40 out of reserve and titling it "Public Notice Requirements for Plats and Plans"; and providing for repealer and severability. (Planning & Zoning - M. Summers)
 4. Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12, Exterior Construction and Design Requirements; and providing for repealer and severability. (Planning & Zoning - M. Summers)
 5. Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability. (Planning & Zoning - M. Summers)
 6. Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; and providing for repealer and severability. (Planning & Zoning - M. Summers)
 7. Discussion, consideration, and possible action of recommending for approval an ordinance amending Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 10, Sewer Mainline Backup Service Program; Section 43-251, Provisions; Section 43-254, Fees; and providing for repealer and severability. (D. Maisch - City Attorney)
 8. Discussion, consideration and possible action regarding an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and

Stormwater Quality, Article 1, In General; Section 43-3, Definitions; Article II, Water; Division 1, Generally; Sections 43-18, Installation Fees; Meter Installation, Etc; Division 3, Meters; Section 43-52, Generally; Article III, Sewers And Sewage Disposal; Division 1, Generally; Section 43-107, Unlawful Discharges; Penalty; Section 43-115, Recreational Vehicles (R.V.'S) Disposal Station; Division 3, Private Sewage Disposal Systems; Section 43-138, Permit And Inspection; Section 43-142, Additional Requirements Of Health Officer; Division 4, Building Sewers And Connections Generally; Section 43-152, Multiple Use Of Building Sewer; Section 43-157, Connection To Public Sewer, Tapping Regulations And Saddle Specifications; Division 6, Fats, Oils, And Grease Control Requirements For Commercial Establishments; Section 43-188, Definitions; Section 43-189, Applicability And Prohibitions; And Section 43-191, General Interceptor Requirements; Design, Size And Location; And Providing For Repealer And Severability. (Public Works - P. Streets)

9. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article I, In General, Section 43-5, Temporary Water; Article II, Water, Division 3, Meters, Section 43-55, Testing Meters; Division 4, Rates and Charges; Section 43-63 Water Rates Inside City; Section 43-68, Discontinuance of Service and Fee for Reinstatement; Section 43-69, Capital Improvement Charges; Section 43-71, Water System Improvement Fee; and providing for a repealer and severability. (Public Works - R. Streets)
10. Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article IV, Stormwater, Division 1, Generally; Section 43-404 Stormwater Charge; Exemptions; and providing for a repealer and severability. (Public Works - R. Streets)
11. Discussion, consideration, and possible action of an ordinance amending Midwest City Municipal code, Chapter 9, Building and Building Regulations, Article 1, Section 9-1 through Article VI, Section 9-380, being hereby repealed and replaced in their entirety; and providing for repealer and severability. (Engineering & Construction Services - B. Bundy)

C. FURTHER INFORMATION.

1. Discussion of noise issues in Midwest City, including a discussion on potential amendments to City Ordinances. (D. Maisch – City Attorney).

D. ADJOURNMENT.

**Ordinance Oversight Council Committee Minutes
Special Meeting**

October 30, 2023

This meeting was held in the second floor conference room of City Hall, City of Midwest City, County of Oklahoma, State of Oklahoma.

Chairman Pat Byrne called the meeting to order at 5:34 PM with Mayor Matt Dukes and Councilmember Susan Eads.

Staff Present: City Manager Tim Lyon, City Attorney Donald Maisch, City Clerk Sara Hancock, Vaughn Sullivan, Ryan Rushing, Paul Streets, Mike Stroh, Matt Summers, and Patrick Menefee

DISCUSSION ITEMS.

1. **Discussion, consideration and possible action to approve the minutes of the July 6, 2023 special meeting.**

Eads made a motion to approve the minutes, as submitted, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

2. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City Municipal Code, Chapter 9, Building and Building Regulations; Article I, In General, Section 9-3 Building and dwelling addresses; Article VII, Sign Regulations, Section 9-382, Definitions; Section 9-391, Temporary signs; Section 9-394 Illegal, nonconforming, deteriorated and vacant signs; and providing for repealer and severability.**

Eads made a motion to approve with amendments, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

3. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City Municipal Code, Chapter 20 Housing Code, Article IV, Rental Property, Sections 20-204, Definitions; taking out of reserve and adopting Sections 20-205, 20-206, 20-207, 20-208, 20-209, and 20-210, Reserved; amending 20-211, CrimeFree Rental Housing Program; repealing and placing into Reserve 20-221, Crime-Free Multi-Housing Program; and providing for repealer and severability.**

Eads made a motion to approve with amendments, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

4. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City Municipal Code, Chapter 23, Manufactured Homes, Trailers, Manufactured Home Parks, Etc., Article IV, Manufactured Home and Travel Trailer Park Regulations, Division 3, Sanitary Facilities, Section 23-111, Wastes to be discharged into public or private sewer or septic tank; Section 23-114, Private sewage system requirements; Section 23-115, Use of sewage system required; Division 4, Water Supply, Section 23-124 Private water sources must be**

approved; Section 23-131, Drinking fountains to be approved by health officer; Division 5, Refuse Disposal, Section 23-146, Collection and disposal requirements; Division 6, Insect and Rodent Control, Section 23-154, Control measures to be used; Section 23-155, Use of larvicidal solutions; Section 23-156, Measures to control additional insects or weeds may be required; Section 23-158 Rodent extermination required; and providing for repealer and severability.

Eads made a motion to approve, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

5. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City Code, Chapter 24, Motor Vehicles and Traffic Article III, Traffic-Control Devices, Signals, Etc., Section 24-60, Manual and Specifications for Traffic-Control Devices; and providing for repealer and severability.**

Eads made a motion to approve, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

6. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City Municipal Code, Chapter 37, Streets and Sidewalks; Article I, In General; Section 37-6, Building and dwelling addresses.**

Eads made a motion to approve with amendments, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

7. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City code, Chapter 37, Streets and Sidewalks, Article III Transportation Plan, Division 2, Standards and Requirements, Section 37-63, Design Standards for Ingress and Egress Facilities; Division 4, Tables, Section 37-71, Table 4; Article IV, Work Affecting Streets, Section 37-86, Permits Required; Fee Display; and providing for repealer and severability.**

Dukes made a motion to approve, seconded by Eads. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

8. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City code, Chapter 38, Subdivision Regulations, Article VI, Subdivision Standards, Section 38-47, Sidewalks; and providing for repealer and severability.**

Eads made a motion to approve along with report requested at Council, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

9. **Discussion, consideration, and possible action of recommending to the City Council approval of an ordinance amending Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10 Sewer Mainline Backup Service Program, Sections 43-251, Provisions, and 43-254, Fees; and providing for repealer and severability.**

Eads made a motion to approve, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

10. **Discussion, consideration and possible action of recommending to the City Council approval of an ordinance amending the Midwest City Municipal Code, Appendix A, Zoning Regulations; Section 7, Development Review Procedures; Part 7.6, Special Use Permit; Subpart 7.6.3 Criteria for Special Permit Approval; and providing for a repealer, and severability.**

Eads made a motion to approve recommendation, seconded by Dukes. Voting aye: Dukes, Eads, and Byrne. Nay: none. Motion carried.

ADJOURNMENT. Chairman Byrne adjourned the meeting at 6:26 PM.

PAT BYRNE, Chairman



Planning & Zoning Department

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

TO: Ordinance Oversight Council Committee
FROM: Matt Summers, Director of Planning & Zoning
DATE: February 29, 2024
SUBJECT: Discussion, consideration, and possible action on an ordinance amending Midwest City code, Chapter 9, Buildings and Building Regulations, Article VII, Sign Regulations, Section 9-382, Definitions; and providing for repealer and severability.

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

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

Action is at the discretion of the City Council

Matt Summers, AICP
Director of Planning & Zoning

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

As used in this Code, the following terms shall have the indicated definitions:

Automatic, changing sign: An electronically or electrically controlled sign that automatically changes the visible message copy on a preprogrammed cycle through the use of illumination.

Banner: A sign printed or displayed on cloth, fabric or other flexible material, with or without frames.

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.

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 (W½) of the southwest quarter (SW¼) of Section 35, Township 12 North, Range 2 West of the Indian Meridian, Oklahoma

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

7 (1) Has been unoccupied for a period of six (6) consecutive months; or

8 (2) Refers to a business, product, service, event or purpose that has been inapplicable for
9 three (3) consecutive months or is no longer provided on the premises where the sign is
10 located; or

11 (3) Identifies a time, event or purpose that has passed or no longer applies; or

12 (4) In the case of a billboard, is vacant of copy or that advertises an establishment, good or
13 service that no longer exists.

14 *Wall sign:* Any sign painted on or attached to and erected parallel to the face of, or erected
15 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,
17 identification, marquee, module and projecting signs.

18 *Window display:* Any sign placed inside a structure on a window.

19
20 **Section 2.** REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
21 repealed.

22
23 **Section 3.** SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
24 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
25 of the ordinance.
26

1
2 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
3 Oklahoma, this _____ day of _____, 2024.
4

5 **THE CITY OF MIDWEST CITY, OKLAHOMA**
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7

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9 _____
10 MATTHEW D. DUKES, II, Mayor

11 ATTEST:
12
13

14 _____
15 SARA HANCOCK, City Clerk
16
17

18 Approved as to form and legality this _____ day of _____, 2024.
19
20

21 _____
22 DONALD D. MAISCH, City Attorney
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Planning & Zoning Department

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

TO: Ordinance Oversight Council Committee

FROM: Matt Summers, Director of Planning & Zoning

DATE: February 29, 2024

SUBJECT: Discussion, consideration, and possible action on an ordinance amending Midwest City code, Chapter 38, Subdivision Regulations, Article V, Application Submittal and Processing Procedures for all Plats and Plans, bringing Section 38-40 out of reserve and titling it "Public Notice Requirements for Plats and Plans"; and providing for repealer and severability.

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

Action is at the discretion of the City Council

Matt Summers, AICP
Director of Planning & Zoning

1 **ORDINANCE NO. _____**
2

3 AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 38,
4 SUBDIVISION REGULATIONS, ARTICLE V, APPLICATION SUBMITTAL AND
5 PROCESSING PROCEDURES FOR ALL PLATS AND PLANS, SECTION 38-40; AND
6 PROVIDING FOR 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, Chapter 38, Subdivision Regulations, Article
13 5, Application Submittal and Processing Procedures for all Plats and Plans, Section 38-40; is
14 hereby brought out of reserve and to read as follows:
15

16 **Sec. 38-40. – Reserved Public Notice Requirements for Plats and Plans**
17

18 **38-40.1 Applications requiring public notice.**
19

20 **(a) Preliminary Plat.**
21

22 **(b) Final Plat.**
23

24 **(c) Minor Plat.**
25

26 **(d) Deferral to the Planning Commission of an Amending Plat Decision.**
27

28 **38-40.2 Types of notice.**
29

30 **(a) Mailed notice.** Notice of a hearing shall be given by mailing written notice to all
31 **owners of property adjoining the exterior boundary of the subject property no less**
32 **than twenty (20) calendar days prior to hearing.**
33

34 **(1) Provision of the mailing list.**
35

36 **a. The applicant shall provide the Community Development**
37 **Department with a certified list from the Oklahoma County**
38 **Assessor's Office of the names and addresses of all property owners.**
39

40 **b. The list shall be provided in both a hardcopy and digital format**
41 **[Microsoft Excel format (*.xlsx) or Comma-separated values (*.csv)]**
42

43 **(2) Elements of a mailed notice.**
44

45 **a. Legal description of the property and the street address or**
46 **approximate location within the City of Midwest City.**
47

b. Present zoning classification of the property and the zoning sought by the applicant. If not a rezoning, then the nature or intent of the application shall be described.

c. The date, time, and place of hearing.

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

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.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2024.

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 _____, 2024.

DONALD D. MAISCH, City Attorney



Planning & Zoning Department

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

TO: Ordinance Oversight Council Committee
FROM: Matt Summers, Director of Planning & Zoning
DATE: February 29, 2024
SUBJECT: Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12, Exterior Construction and Design Requirements; and providing for repealer and severability.

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

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

Action is at the discretion of the City Council

Matt Summers, AICP
Director of Planning & Zoning

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

Section 1. That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.12.1, Exterior Construction and Design Requirements; is hereby amended to read as follows:

(A) *Masonry requirement for residential uses.*

- (B) *Masonry requirement for nonresidential uses.*

- (1) Office and Commercial Districts: Buildings shall consist of eighty (80) percent masonry materials.
- (2) Industrial Districts: Buildings shall consist of sixty (60) percent masonry materials.

(3) Nonresidential Uses within Residential Districts: Buildings shall consist of eighty (80) percent masonry materials.

(4) Approved masonry materials for nonresidential construction include: brick, rock, stone, stucco, cementitious fiberboard and other materials as approved by staff.

(C) *Temporary construction buildings.* Temporary buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specific period of time in accordance with a permit issued by the city and subject to periodic renewal.

(D) *Wall façade articulation.* In order to ensure the aesthetic value and visual appeal of nonresidential land uses and structures, façade articulation shall be required.

(1) Wall façade articulation of at least three (3) feet in depth or offset shall be required for every twenty-five (25) feet in horizontal surface length.

(2) Wall façade offsets shall be shown, along with calculations verifying that the building elevations meet the above requirement, on a building façade (elevation) plan, and shall be submitted for Planning Commission review along with the site plan.

(3) Buildings smaller than fifteen thousand (15,000) square feet shall be exempt from wall façade articulation.

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

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.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2024.

THE CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES, II, Mayor

ATTEST:

1 SARA HANCOCK, City Clerk
2
3

4 Approved as to form and legality this ____ day of _____, 2024.
5
6

7 _____
8 DONALD D. MAISCH, City Attorney
9



Planning & Zoning Department

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

TO: Ordinance Oversight Council Committee
FROM: Matt Summers, Director of Planning & Zoning
DATE: February 29, 2024
SUBJECT: Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 7, Development Review Procedures, Sub-Section 7.1.3, Public Notice Requirements for Public Hearings; and providing for repealer and severability.

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

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

Action is at the discretion of the City Council

Matt Summers, AICP
Director of Planning & Zoning

1
2 a. Sign Requirements.
3

- 4 1. Signs shall be a minimum of thirty-two (32) square feet in size.
5
6 2. Signs shall be white with black lettering.
7
8 3. Signs shall have lettering at least four (4) inches in height.
9

10 b. Elements of a property posted notice.
11

- 12 1. The date, time, and place of the public hearing;
13
14 2. Who will conduct the public hearing;
15
16 3. The desired zoning classification;
17
18 4. The proposed use of the property; and
19
20 5. Other information as may be necessary to provide adequate and
21 timely public notice.
22

- 23 (2) *Published notice.* Notice of public hearing shall be given by publication in a
24 newspaper of general circulation in the City of Midwest City wherein the
25 property is located no less than ~~fifteen (15) business~~ **twenty (20) calendar** days
26 prior to public hearing.
27

28 a. Elements of a published notice.
29

- 30 1. A published notice shall include ea map of the area to be affected
31 which indicates street names or numbers, streams, or other
32 significant landmarks in said area.
33

- 34 (3) *Mailed notice.* Notice of a public hearing shall be given by mailing written
35 notice to all owners of property within a three hundred-foot radius of the exterior
36 boundary of the subject property no less than ~~fifteen (15) business~~ **twenty (20)**
37 **calendar** days prior to public hearing.
38

39 a. Provision of the mailing list.
40

- 41 1. The applicant shall provide the Community Development
42 Department with a **certified list from the Oklahoma County**
43 **Assessor's Office of** the names and addresses of all property
44 owners.
45
46 2. **The list shall be provided in both a hardcopy and digital**
47 **format [Microsoft Excel format (*.xlsx) or Comma-separated**
48 **values (*.csv)]**
49

50 b. Elements of a mailed notice.
51

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

(C) *Types of required public notice for plans and applications.* Public notices shall be required according to the following table:

Table 7.1-1: Required Public Notices per Application Type

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

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

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

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.

1 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
2 Oklahoma, this _____ day of _____, 2024.

3
4 **THE CITY OF MIDWEST CITY, OKLAHOMA**

5
6
7
8 _____
9 MATTHEW D. DUKES, II, Mayor

10 ATTEST:

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12
13 _____
14 SARA HANCOCK, City Clerk

15
16
17 Approved as to form and legality this _____ day of _____, 2024.

18
19
20 _____
21 DONALD D. MAISCH, City Attorney
22



Planning & Zoning Department

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

TO: Ordinance Oversight Council Committee

FROM: Matt Summers, Director of Planning & Zoning

DATE: February 29, 2024

SUBJECT: Discussion, consideration, and possible action on an ordinance amending Midwest City code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; and providing for repealer and severability.

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

In 2016, Ordinance 3260 was adopted amending Section 5.23 of the Zoning Regulations. This ordinance added the lists of allowed and prohibited fence materials listed above. Staff was recently asked to research allowing other types of metal fence materials in addition to the wrought iron currently allowed.

In general, sheet metal fence materials, whether corrugated or ribbed, evoke a character more commonly associated with industrially developed and used properties. If we were to allow fences made of these materials in our residential areas without carefully crafted restrictions, it could have damaging effects upon the character and perceived value of our residential developments.

Attached to this memo is a summary, compiled by staff, regarding how some of our peer Oklahoma communities may or may not regulate residential fence materials. Of the ten cities we looked at, only six regulate fence residential materials, and one of those only regulates the materials used in the front yard.

Staff does not recommend adoption of language along the lines of “to harmonize with the main building” as part of any fencing regulations as seen in the requirements for Lawton and Enid. These are open to interpretation and may produce different results based on the staff person reviewing an application. Oklahoma City allows use of ribbed steel panels of a similar type to the steel panels we allow in industrial and heavy commercial districts.

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

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

The second type of fence in the drafted text amendment would allow ribbed sheet metal fences similar to those allowed by our industrial and heavy commercial districts. Staff does not recommend amending the ordinance to allow this type of fencing, because it tends to create an industrial character, the panels are very difficult for property owner to replace when damaged, and replaced panels will never match the fading on older panels.

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

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

Action is at the discretion of the City Council

A handwritten signature in black ink, appearing to read "Matt Summers".

Matt Summers, AICP
Director of Planning & Zoning

Residential Fencing Materials Outline

Peer Communities Summary

Edmond

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

Moore

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

Norman

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

Stillwater

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

Broken Arrow

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

Lawton

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

Enid

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

Del City

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

Choctaw

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

Oklahoma City

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

[illegible]

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

Section 1. That the Midwest City Municipal Code, Appendix A, Zoning Regulations, Section 5, Supplemental Regulations, Sub-Section 5.2.3, Fencing and Screening; is hereby amended to read as follows:

(A) *Fencing and screening requirements for medium and high density residential districts with multifamily uses.* Only properties zoned 2.9 R-MD, Medium Density Residential District and 2.10 R-HD, High Density Residential District are permitted to have fences and walls beyond or in front of the front building line. The properties must be developed with 4.2.4., Multifamily Residential. A fence may then be constructed to the front property line.

(1) All fencing extending beyond or in front of a building line or extending to a side building line abutting a dedicated public street shall be wrought iron or wrought iron-like to allow visibility into the complex by a person standing on a ground level or sitting in a vehicle.

a. Wrought iron or wrought iron-like fences shall be constructed so as to eliminate the possibility of a child becoming trapped between the wrought iron rails and shall not have any sharp points on top of or on any other portion of the fences that may cause bodily harm.

b. Wrought iron or wrought iron-like fences may be installed with or without masonry pillars.

c. If security gates are installed, provisions shall be made for emergency vehicle access such as: (1) security gate guard manning the gate whenever the gate is closed; or (2) an emergency system designed to allow entrance by emergency vehicles. Security gates must be approved by the city prior to installation. Provision shall be made for sanitation pick-up and water meter reading by the city if gates are to be installed that would not be manned by a twenty-four hour security gate guard.

- d. If a gate is installed, the gate shall be located a distance of no less than fifty (5) feet from the back of the curb of the public street to the front of the gate so as to allow a minimum of three (3) automobiles to be located completely off the public street.

(B) *Fencing and screening requirements for two-family and single-family residential districts.*

- (1) Fencing ~~and screening fencing~~ and screening, including hedges, are prohibited from extending into the street right-of-way.

- (2) Fences extending past front or side building lines including ornamental fences. Except as authorized in 5.2.3.(A), fencing and screening requirements for medium and high density residential districts with multifamily uses, properties are permitted to have ornamental fences up to four (4) feet in height located, placed, or erected to the front and side property lines of the residence. Such fences shall meet the following provisions and regulations:

- a. Maximum of four (4) feet in height as measured from the ground level;
- b. A minimum of fifty (50) percent of the total fence area must be open to allow visibility into the front or side yard (i.e. chain-link or picket fence);
- c. Any fence in front of the front or side building line in excess of four (4) feet must be approved, prior to its installation, by the Board of Adjustment pursuant to 7.8.2.(G), Provide for fencing in front of front and side setback building lines.

- (3) *Fence Material.* Fencing material must be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner. **The owner shall provide material and dimension information as part of the permit application.**

- a. Approved fence materials in two-family and single-family districts include: ~~wood, vinyl, wrought iron, brick/stone and chain-link.~~

1. Wood, vinyl, and metal slats with a depth of at least five-eighths (5/8) of an inch;

2. Wrought iron or aluminum wrought iron-like fences;

3. Brick/stone;

4. Chain-link;

5. Ribbed steel panel fencing that meets the following standards:

- a) **Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 ½) inches by a width of two and one-half (2 ½) to three and one-half (3 ½) inches with six (6) to twelve (12) inches between rib centers.**

- b) Ribbed steel panels must be properly primed and coated with a factory thermal set silicone polyester base finish.
- c) The tops of ribbed steel panels must be capped and level following the lay of the land.
- d) Poles must not extend past the top of the ribbed sheet panels.
- e) The requirements for ribbed steel panel fencing must be presented with a fence permit application.

6. All metal fencing must be powder coated, primed and coated with a factory thermal set silicone polyester base finish, or other factory applied coating as approved by staff.

- b. Prohibited fence materials in two-family and single-family districts include sheet metal, plastic, corrugated metal panels, or plywood. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.

- (4) *Rear yard height limitation.* In rear yards the height limitation shall be eight (8) feet from ground level.
- (5) *Sight triangle.* No fence, wall, or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3., Sight Lines at Intersection.
- (6) *Surface drainage.* No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
- (7) *Safety.* On lots smaller than one (1) acre, no electrified fence or wall or any fence containing barbed wire or other substances reasonably capable of causing bodily harm shall be permitted.
- (8) *Permit fee.* Refer to the adopted Zoning Ordinance Fee Schedule for fees.
- (9) *Construction prior to occupancy.* Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code.

(C) *Fencing and screening requirements for all Commercial and Industrial districts.*

- (1) Fencing and screening are prohibited from extending into the street right-of-way.
- (2) *Surface drainage.* No fence or wall shall be constructed in such a manner as to impede the normal flow of surface drainage.
- (3) *Fence material.* Fencing material must be kept in an attractive state, in good repair, and in safe and sanitary condition at all times by the property owner.
 - a. Approved fencing and screening materials for the O-1, O-2, C-1, C-2, and C-3 zoning districts include: wood, wrought iron, vinyl, and brick/stone.

b. Prohibited fencing and screening materials for the O-1, O-2, C-1, C-2, and C-3 zoning districts include: sheet metal, plastic or plywood sheets. Stockade (i.e. wood) posts are prohibited. Only the caps of posts or poles may extend past the top of the fence line.

c. Approved fencing and screening materials for the C-4, I-1, I-2, and I-3 zoning districts include wood, wrought iron, vinyl, brick/stone and ribbed steel panel fencing that meets the following standards:

1. Ribbed sheet panels shall have the following dimensions: Rib depth of one (1) to one and one-half (1 ½) inches by a width of two and one-half (2 ½) to three and one-half (3 ½) inches with six (6) to twelve (12) inches between rib centers.
2. Ribbed steel panels must be properly primed and coated with a factory thermal set silicone polyester base finish.
3. The tops of ribbed steel panels must be capped and level following the lay of the land.
4. Poles must not extend past the top of the ribbed sheet panels.
5. The requirements for ribbed steel panel fencing must be presented with a fence permit application.

(4) *Permit Fee.* The fee for a fence permit in all office, commercial, and industrial zoning districts shall be thirty-five dollars (\$35.00).

(5) *Construction prior to occupancy.* Where a fence is constructed on a property within any zoning district prior to occupancy, no use or conversion of use shall be made of the property until the owner or occupant has met the requirements of this code.

(6) *Sight triangle.* No fence, wall or hedge or any portion thereof shall be located in the sight triangle in accordance with 5.6.3, Sight Lines at Intersections.

(7) *Rear yard height limitation.* In rear yards, the height limitation shall be eight (8) feet from ground level.

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

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.

1 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
2 Oklahoma, this _____ day of _____, 2024.

3
4 **THE CITY OF MIDWEST CITY, OKLAHOMA**

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6
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8 _____
9 MATTHEW D. DUKES, II, Mayor

10 ATTEST:

11
12
13 _____
14 SARA HANCOCK, City Clerk

15
16
17 Approved as to form and legality this _____ day of _____, 2024.

18
19
20 _____
21 DONALD D. MAISCH, City Attorney
22



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: Chair and Members of the Ordinance Review Committee

From: Donald D. Maisch, City Attorney

Date: February 29, 2024

RE: Discussion, consideration, and possible action of recommending for approval an ordinance amending Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality; Article III, Sewers and Sewage Disposal; Division 10, Sewer Mainline Backup Service Program; Section 43-251, Provisions; Section 43-254, Fees; and providing for repealer and severability.

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

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

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

The proposed amendment is before the Ordinance Review Committee for consideration.

Respectfully submitted,

Donald D. Maisch
City Attorney

1 **ORDINANCE NO.**_____

3 AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43
4 WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY; ARTICLE III,
5 SEWERS AND SEWAGE DISPOSAL; DIVISION 10, SEWER MAINLINE BACKUP
6 SERVICE PROGRAM; SECTION 43-251, PROVISIONS; SECTION 43-254, FEES;
7 PROVIDING FOR REPEALER AND SEVERABILITY.

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

1 **ORDINANCE**

Section 1. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline Backup Service Program, Section 43-251, Provisions, is hereby amended to read as follows:

7 Section 43-251, Provisions.

9 In cases of mainline sanitary sewer blockage and backups into homes or commercial buildings due
10 to main sewer line stoppage by routine occurrence the ~~mandatory~~ service agreement will pay for
11 certain damages, including, but not limited to: for dewatering, cleanup, disinfecting, sanitizing,
12 removal of pad and carpet, drying, reinstallation and/or replacement of pad and carpeting, floor
13 covering and structural material of like kind and quality, ~~pursuant to the following Program~~
14 ~~Limitations:~~

Program Limitations: (Maximum Payment)	
Residential/mobile homes	\$10,000.00 per occurrence, per dwelling unit.
Commercial/office/industrial/institutional/apartment nonresidential	\$10,000.00 per occurrence, per billed account.

8 **Section 2.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
9 and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 10, Sewer Mainline
10 Backup Service Program, Section 43-254, Fees is hereby amended to read as follows:

2 Section 43-254, Fees.

4 Fees from surcharge on sewer accounts shall be:

6 Residential, per month, per dwelling unit\$0.25

1
2 Mobile homes, per month, per dwelling unit\$0.25

3
4 Apartments/commercial/office/industrial/nonresidential, per month, per billed
5 account\$0.75

6
7 All monies shall be deposited in a special "sewer mainline backup account" and all
8 balances will be carried forward from year to year.

9
10 When the balance of the sewer mainline backup account reaches a balance of one ~~hundred~~
11 ~~thousand~~ million dollars (~~\$100,000.00~~) (\$1,000,000.00) the fees from the surcharge shall be
12 suspended on the last day of the month. If the balance of the sewer mainline backup account
13 should fall below the balance of seven hundred and fifty thousand dollars (~~\$75,000.00~~)
14 (\$750,000.00) the surcharge fee shall be resumed on the first day of the month.

15
16 **Section 3.** REPEALER. All other ordinances or parts of ordinances in conflict herewith are
17 hereby repealed.

18
19 **Section 4.** SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for
20 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions
21 of the ordinance.

22
23 Ordinance Amendments PASSED AND APPROVED by the Mayor and the Council of the City
24 of Midwest City, Oklahoma, this _____ day of _____, 2024.

25
26 **THE CITY OF MIDWEST CITY, OKLAHOMA**

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30 _____
31 MATTHEW D. DUKES, II, Mayor

32 ATTEST:

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35 _____
36 SARA HANCOCK, City Clerk

37
38 Approved as to form and legality this _____ day of _____, 2024.

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



Public Works Administration
R. Paul Streets, Director
rstreets@midwestcityok.org
Carrie J. Evenson, Assistant Director
cevenson@midwestcityok.org
8730 S.E. 15th Street,
Midwest City, Oklahoma 73110
O: 405-739-1060 /Fax: 405-739-1090

MEMO

TO: Ordinance Oversight Council Committee

FROM: R. Paul Streets, Public Works Director

DATE: February 29, 2024

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

Midwest City Ordinance Chapter 43 defines the Water, Sewer, Sewage Disposal and Stormwater Quality minimum standards. Below is the justification for each of the recommended modifications.

1. Section 43-3 Definitions

This proposed change adds a term to the Definitions section, “commercial dwelling unit”, in order to provide a term of reference for a suite, office, unit, or other division of a commercial or industrial building out of which individual tenants or businesses operate. It is necessary for the changes being proposed in Sections 43-18 and 43-152.

2. Section 43-18

This proposed change will require individual water meters for each suite, office, unit, or other division of a commercial or industrial building out of which individual tenants or businesses operate. The requirement of individual water meters for individual commercial dwelling units is a multi-department recommendation. Customer Service, Community Development, Engineering and Construction Services, and Public Works have discussed and agree on the need for individual meters for permitting, enforcement of ordinance, and environmental protection. One example in which Public Works, Line Maintenance, benefits from having individual water meters for commercial dwelling units occurs when a user is discharging wastewater that is noncompliant with the current limits or causes an upset at the Water Resources Recovery Facility (WRRF). The water meter for the particular commercial dwelling unit causing the issue can be turned off without interrupting surrounding businesses/tenants.

3. Section 43-52

This proposed change will add “or inspected” to the ordinance to reflect current meter installation procedures.

4. Section 43-107

Sewer Surveys have traditionally been required as part of the Certificate of Occupancy regulations. With recent recommended changes from other departments, the Sewer Survey would be removed as a required item. This change provides an ordinance-based requirement to submit Sewer Surveys with penalties for noncompliance.

5. Section 43-115

This proposed change corrects a typographical error by changing “transit” to “transient” and specifies that transient RV waste can only be disposed of at an approved disposal station.

6. Section 43-138

This proposed change modifies ordinance language in order to be consistent with changes being proposed to Section 9-372 to reflect regulation of on-site sewage treatment systems by the Oklahoma Department of Environmental Quality.

7. Section 43-142

This change removes reference to a process that is no longer practiced and reserves this section.

8. Section 43-152

This proposed change is similar to the change proposed for Section 43-18 and will require individual sanitary sewer service lines from multi-tenant nonresidential facilities. This change allows Public Works Line Maintenance to sample a specific commercial dwelling unit in order to identify the source of

noncompliant discharges that may adversely compromise the safety of City staff and or upset the treatment processes at the WRRF.

9. Section 43-157

This proposed change clarifies the types of sewer tapping saddles allowed in Midwest City and the approved location of the saddles connection to the sewer line in order to eliminate lateral backflow into the private infrastructure when the sewer line is operating at normal flow levels.

10. Section 43-188

This change adds “interceptor” to the definition of “grease interceptor” to allow its use as an abbreviation in other parts of this Chapter.

11. Section 43-189

This proposed change removes the term “grease trap” and bans the use of garbage disposals in commercial establishments. International Plumbing Code does not allow the waste from garbage disposals to flow into grease interceptors, thus allowing grease laden waste to directly enter the POTW.

12. Section 43-191

This proposed change establishes size requirements for sample ports on in-ground interceptors.

I am confident that the recommended changes will allow the City to enforce the Ordinance and at the same time allow the facilities to understand what is required of them.

Respectfully,

R. Paul Streets
Public Works Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 43, WATER, SEWER, SEWAGE DISPOSAL AND STORMWATER QUALITY, ARTICLE 1, IN GENERAL; SECTION 43-3, DEFINITIONS; ARTICLE II, WATER; DIVISION 1, GENERALLY; SECTIONS 43-18, INSTALLATION FEES; METER INSTALLATION, ETC; DIVISION 3, METERS; SECTION 43-52, GENERALLY; ARTICLE III, SEWERS AND SEWAGE DISPOSAL; DIVISION 1, GENERALLY; SECTION 43-107, UNLAWFUL DISCHARGES; PENALTY; SECTION 43-115, RECREATIONAL VEHICLES (R.V.'S) DISPOSAL STATION; DIVISION 3, PRIVATE SEWAGE DISPOSAL SYSTEMS; SECTION 43-138, PERMIT AND INSPECTION; SECTION 43-142, ADDITIONAL REQUIREMENTS OF HEALTH OFFICER; DIVISION 4, BUILDING SEWERS AND CONNECTIONS GENERALLY; SECTION 43-152, MULTIPLE USE OF BUILDING SEWER; SECTION 43-157, CONNECTION TO PUBLIC SEWER, TAPPING REGULATIONS AND SADDLE SPECIFICATIONS; DIVISION 6, FATS, OILS, AND GREASE CONTROL REQUIREMENTS FOR COMMERCIAL ESTABLISHMENTS; SECTION 43-188, DEFINITIONS; SECTION 43-189, APPLICABILITY AND PROHIBITIONS; AND SECTION 43-191, GENERAL INTERCEPTOR REQUIREMENTS; DESIGN, SIZE AND LOCATION; AND PROVIDING FOR REPEALER AND SEVERABILITY.

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

ORDINANCE

SECTION 1. That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article 1, In General, Section 43-3 Definitions, is hereby amended to read as follows:

Sec. 43-3. Definitions.

- (a) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:
- (1) *Best management practices* means the best available practices or devices that, when used singly or in combination, eliminate or reduce the contamination of surface and/or ground waters.
- (2) *City* shall mean the City of Midwest City, Oklahoma, a municipal corporation, and the duly authorized officers or agents of the City of Midwest City.
- (3) *Clean Water Act* means the Federal Water Pollution Control Act, as amended, codified at 33 USC § 1251, et seq., and any amendment or addition thereto.
- (4) *Commercial* means property devoted in whole or in part to commerce, that is, the exchange and buying and selling of commodities or services. The term shall include, by way of example but not of limitation, the following businesses: amusement

1 establishments, animal clinics or hospitals, automobile service stations, new or used
2 automobile dealerships, automobile car washes, automobile and vehicular repair shops,
3 banking establishments, beauty and barber shops, bowling alleys, bus terminals and
4 repair shops, camera shops, dental offices or clinics, day care centers, department
5 stores, drug stores, funeral homes, furniture stores, gift shops, grocery stores, hardware
6 stores, hotels, jewelry stores, laboratories, laundries and dry cleaning establishments,
7 liquor stores, medical offices and clinics, motels, movie theaters, office buildings, paint
8 stores or shops, parking lots, produce markets, professional offices, radio stations,
9 repair establishments, retail stores, restaurants and similar establishments serving
10 prepared food and beverages, rooming houses, shopping centers, stationary stores,
11 television stations and production facilities, and theaters.

12
13 ~~(5)~~ Commercial dwelling unit means any suite, office, unit, or part of a commercial or
14 industrial building or structure with its own front door that provides complete,
15 independent facilities for a tenant or building owner, eg. Individual businesses with
16 separate front entrances in a strip mall or industrial park.

17
18 ~~(5)~~ *Community waters* means any and all rivers, streams, creeks, branches, lakes,
19 reservoirs, ponds, drainage systems, springs, wetlands, wells and other bodies of
20 surface or subsurface water, natural or artificial, lying within or forming a part of the
21 boundaries of the city or the waters into which the sample of stormwater runoff
22 resulting from the combination of individual samples taken at selected intervals based
23 on an increment of either flow or time stormwater system outfalls flow.

24 ~~(6)~~ *Confidential information* means a document or information regarding or describing a
25 process, product or information that has been determined by the manager to be
26 confidential or has been declared by a court of competent jurisdiction to be exempt
27 from disclosure to third parties under the Oklahoma Open Records Act and any
28 amendment or supplement thereto.

29 ~~(7)~~ *Construction activity* means clearing, grading, mining and excavation activities except
30 operations that result in disturbance of less than one (1) acre of total land area and that
31 are not part of a larger common plan of development or sale.

32 ~~-(8)~~ *Construction stormwater discharge permit* means a permit issued by the city that
33 establishes controls to the maximum extent practicable to effectively prohibit non-
34 stormwater discharged from a construction site to enter the municipal storm sewer
35 system and, where necessary, contains applicable water quality-based controls.

36 ~~-(9)~~ *Cosmetic cleaning* means any system, machine or substance used to remove
37 undesirable substances from any surface or facade creating free foreign matter.

38 ~~(10)~~ *Days* means calendar days.

39 ~~(11)~~ *Department* means the Department of Public Works of the City of Midwest City.

40 ~~(12)~~ *DEQ* means the Oklahoma Department of Environmental Quality.

- (13) *Director* means the director of the department of public works of the City of Midwest City or the person succeeding to his duties and functions by whatever name known, or his/her duly authorized deputy, agent or designated representative.
- (14) *Discharge* means to cause or allow to throw, drain, release, dump, spill, empty, emit or pour any pollutants or harmful quantity of any substance into the municipal storm sewer system or into the waters of the United States.
- (15) *Discharger* means any person who causes, allows, permits or is otherwise responsible for a discharge including, without limitation, any operator of a construction site or industrial facility; the owner/operator of any commercial, residential or agricultural property; or the owner/operator or transporter of any source of discharge.
- (16) *Domestic sewage* means human excrement, gray water (from home clothes washing, bathing, showers, dish washing or food preparation), other wastewater from household drains and waterborne waste normally discharged from the sanitary conveniences of dwellings (including apartments and hotels), office buildings, factories or commercial properties and institutions that is free from industrial waste.
- (17) *Environmental Protection Agency or EPA* means the U.S. Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Regional Water Management Division Director or other duly authorized official of said agency.
- (18) *Erosion and sediment control plan* means a written plan, including drawings or other graphic representations, for the control of soil erosion and sedimentation resulting from a land disturbing activity.
- (19) *Fund* means the stormwater management fund.
- (20) *Garbage* means putrescible animal and vegetable waste materials from the handling, preparation, cooking or consumption of food, including waste materials from markets, storage facilities and the handling and sale of produce and other food products; ashes, street cleanings, dead animals, abandoned automobiles and other solid waste other than industrial waste.
- (21) *General OPDES permit* means a general OPDES permit for stormwater discharges associated with construction activity issued by the DEQ.
- (22) *Harmful quantity* means the amount of any substance that will cause pollution of waters of the state, or that will cause lethal or sub-lethal adverse effects on representative, sensitive fathead minnows *Pimephales Promelas*, bacteria *Photobacterium Phosphoreum* or daphnids *Ceriodaphnia Dubia* belonging to the city upon their exposure to samples of any discharge into the municipal storm sewer system, community waters or waters of the state.
- (23) *Hazardous substance* means any substance listed in Table 302.4 of 40 CFR Part 302 and any amendment or addition thereto.
- (24) *Hazardous waste* means any substance identified or listed as a hazardous waste by the EPA pursuant to 40 CFR Part 261.

- (25) *Illicit discharge* means any intentional discharge to the municipal storm sewer system that is not composed entirely of stormwater, except discharges pursuant to any NPDES permit, or discharges resulting from fire fighting activities.
- (26) *Impervious surface* means any hard-surfaced area that prevents or retards the entry of water into the soil in the manner and to the extent that such water entered the soil under natural conditions, causing water to run off the surface in greater quantities or at an increased rate of flow than was present under natural conditions such as, but not limited to, roof tops, asphalt or concrete sidewalks, paving, driveways, parking lots, walkways, patio areas, storage areas, and gravel, bituminous substances or other surfaces which similarly affect the natural infiltration or runoff patterns of real property in its natural state.
- (27) *Industrial means* a business engaged in industrial production or service, that is a business characterized by manufacturing or productive enterprise or a related service business. This term shall include, by way of example but not of limitation, the following: apparel and fabric finishers, blast furnace, blueprint and related shops, boiler works, cold storage plants, contractors' plants and storage facilities, foundries, furniture and household good manufacturing, forge plants, greenhouses, junk yards, manufacturing plants, metal fabricating shops, ore reduction facilities, planning mills, rock crushers, rolling mills, saw mills, smelting operations, stockyards, stone mills or quarries, textile production, utility transmission or storage facilities, warehousing and wholesaling facilities.
- (28) *Industrial activity* means any activity that is directly related to manufacturing, processing or raw materials storage areas at an industrial facility. The term includes, but is not limited to, industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material or by-products used or created by the industrial facility sites where material handling activities are performed, refuse sites; sites used for the applications or disposal of process wastewaters; sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and immediate and finished products.
- (29) *Industrial facility* means a premises whose function is classified in the latest edition of the Standard Industrial Classification Manual (United States Office of Management and Budget).
- (30) *Industrial stormwater discharge permit* means a permit, issued by the city, regulating regular discharges from facilities which may control any conveyance that is used for collecting and conveying stormwater and that is directly related to material storage areas at an industrial plant.
- (31) *Industrial waste means* any waterborne liquid or solid substance that results from any process of industrial, manufacturing, mining, production, trade or business activities.
- (32) *Institutional* means an established organization, especially of a charitable or public character. This term shall include, by way of example but not of limitation, the following: churches, community buildings, colleges, day care facilities, dormitories, drug or alcohol rehabilitation facilities, fire halls, fraternal organizations, golf courses

and driving ranges, government buildings, hospitals, libraries, kindergartens or preschools, nursing homes, mortuaries, schools, social agencies, synagogues, parks and playgrounds.

~~(33)~~ *Land disturbing activity* means any land change that may result in soil erosion from water and/or wind, and the movement of sediments into community waters or onto lands and roadways within the community including, but not limited to, clearing, dredging, grading, excavating, transporting, stockpiling, mining and filling of land.

~~(34)~~ *Manager* means the person designated by the city to supervise the operation of the stormwater quality management division and the stormwater management system, and who is charged with certain duties and responsibilities by this article [article IV of this chapter], or his duly authorized representative.

~~(35)~~ *Material handling activities* means the storage, loading and unloading, transportation or conveyance of any raw material, immediate product, finished product, by-product or waste product.

~~(36)~~ *Monitoring* shall mean the performance of stormwater flow measurements, stormwater sampling, sample analysis and like procedures necessary to determine compliance with the applicable permit.

~~(37)~~ *Motor vehicle fluid* means any vehicle crankcase oil, antifreeze, transmission fluid, brake fluid, differential lubricant, gasoline, diesel fuel, gasoline/alcohol blend and any other fluid used in, or from within, a motor vehicle.

~~(38)~~ *Multifamily residential* means an apartment building or other residential structure built for three (3) or more family units, mobile home parks with three (3) or more units or lots under common ownership, and condominiums of three (3) or more units.

~~(39)~~ *Municipal separate storm sewer system or MS4* means the system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels or storm drains) owned or regulated by the city and designed or used for collecting or conveying stormwater, and which is not used for collecting or conveying sewage.

~~(40)~~ *National Pollutant Discharge Elimination System (NPDES) permit* means a permit, and any addition or amendment thereto, issued to the city by EPA (or by the state under authority delegated pursuant to 33 USC § 1342 (b)) that authorizes the discharge of pollutants to the waters of the United States.

~~(41)~~ *Notice of intent or NOI* means a written notice by a discharger or potential discharger to the superintendent that the person wishes his discharge to be authorized under a general permit authorized by state law or regulation.

~~(42)~~ *Notice of termination or NOT* means a written notice by a discharger to the superintendent that the permitted project has seventy (70) percent revegetation of all bare areas and all soil disturbing activities are concluded, allowing the termination of the permit issued under this section, or the discharger is no longer the operator of the facility and another has assumed the responsibility and obtained an NOI.

- (43) *Oil* means any kind of oil in any form including, but not limited to, petroleum, fuel oil, crude oil or any fraction thereof that is liquid at standard conditions of temperature and pressure, sludge, oil refuse and oil mixed with waste.
- (44) *OPDES* means Oklahoma Pollution Discharge Elimination System Act, 27 O.S. § 2-201 et seq., and any amendment or addition thereto.
- (45) *Owner/operator* means the person, firm, organization or any other entity, or its representative, that either individually or together meet the following (2) two criteria:
- a. It has operational control over the site specifications (including the ability to make modifications in the specifications);
 - b. It has the day-to-day operational control of those activities at the site necessary to ensure compliance with plan requirements and permit conditions (e.g., is authorized to direct (workers at the site to carry out activities identified in the plan).
- (46) *Permit* means a license to conduct an activity, which is regulated by the Clean Water Act or this article [article IV of this chapter].
- (47) *Person* means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or a legal representative, agent or assign. The masculine gender shall include the feminine and the singular shall include the plural where indicated by the context. This definition includes all federal, state or local governments.
- (48) *Pollutant* means any dredge spoil, solid waste, incinerator residue, oil, grease, sewage, garbage, sewage sludge, munitions, medical waste, chemical waste, industrial waste, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, agricultural and industrial waste, and characteristics of the wastewater (i.e., pH, temperature, total suspended solids, turbidity, color, biochemical oxygen demand, chemical oxygen demand, toxicity, odor).
- (49) *Pollution prevention plan* means a written site specific plan to eliminate or reduce and control the pollution of stormwater through designed facilities, sedimentation ponds, natural or constructed wetlands, and best management practices.
- (50) *POTW* means publicly owned treatment works.
- (51) *Premises* means any plot or tract of ground, regardless of size or plat, owned by a person, or used by a person and any contiguous plots.
- (52) *Release* means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping or disposing into the municipal storm sewer system, community waters, waters of the state or waters of the United States.
- (53) *Rubbish* means nonputrescible solid waste, excluding ashes, that consists of:
- a. Combustible waste materials, including paper, rags, cartons, wood, excelsior, furniture, rubber, plastics, yard trimmings, leaves and similar materials; and
 - b. Noncombustible waste materials, including glass, crockery, tin cans, aluminum cans, metal furniture and any other materials that do not burn at ordinary incinerator temperatures (1,600° F to 1,800° F).

- ~~(54)~~ *Sanitary sewer* means the system of pipes, conduits and other conveyances that carry industrial waste and domestic sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities and institutions, whether treated or untreated, to a sewage treatment plant or POTW (and to which stormwater, surface water and groundwater are not intentionally admitted).
- ~~(55)~~ *Service station* means any retail establishment engaged in the business of selling fuel for motor vehicles that is dispensed from stationary storage tanks.
- ~~(56)~~ *Sewage* means industrial and/or domestic waste.
- ~~(57)~~ *SIC code* means Standard Industrial Classification Code of Executive Office of the President of the United States, Office of Management and Budget.
- ~~(58)~~ *Significant spills* means, but is not limited to, releases of oil or hazardous substances in excess of reportable quantities under the Clean Water Act or the Comprehensive Environmental Response, Compensation and Liability Act, and any amendment or addition thereto.
- ~~(59)~~ *Solid waste* means any garbage, rubbish and refuse, and sludge from a waste treatment plant, water supply treatment plant or air pollution control facility, and other discarded material, including solid, liquid, semi-solid or contained gaseous material resulting from or incidental to industrial, municipal, commercial, mining and agricultural operations, and from community, recreational or institutional activities.
- ~~(60)~~ *Spills* means any release that, in the opinion of the superintendent, negatively impacts the quality of water within or discharges from the city's municipal storm sewer system or causes damaging or deleterious effects to the city's municipal storm sewer system including all of its structures or appurtenances, and/or waters to the storm sewers.
- ~~(61)~~ *State* means the State of Oklahoma.
- ~~(62)~~ *Stormwater* means any precipitation runoff, surface runoff and drainage related to rain, storm events or snow melt.
- ~~(63)~~ *Stormwater charge* means the fees levied within the boundaries of the city for the use of the stormwater drainage system.
- ~~(64)~~ *Stormwater drainage system* means any facility, structure, improvement, development, equipment, property or interest therein, or other structural or nonstructural element made, constructed, used or acquired for the purpose of collecting, containing, storing, conveying and controlling stormwater wherever located including, but not limited to, storm sewers, curbs, street drains, conduits, natural and manmade channels, pipes, culverts and detention ponds whether public or private.
- ~~(65)~~ *Stormwater management* means the collection, conveyance, storage, treatment and disposal of stormwater runoff in a manner to meet the objectives of this article [article IV of this chapter] and its terms including, but not limited to, measures that control the increased volume and rate of stormwater runoff and water quality impacts caused by manmade changes to the land.
- ~~(66)~~ *Stormwater management plan* means the set of drawings and other documents that comprise all of the information and specifications for the programs, drainage systems, structures, best management practices, concepts and techniques for the control of

stormwater and which is incorporated as part of the NPDES permit for the city, and as part of this article [article IV of this chapter].

~~(67)~~ *Stormwater management program or program* means the overall strategy and framework for the stormwater management activities of the city.

~~(68)~~ *Stormwater runoff* means that portion of any precipitation that is drained into the stormwater drainage system.

~~(69)~~ *Superintendent* means the City of Midwest City's Utilities Superintendent or his/her designated representative.

~~(70)~~ *Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in 40 CFR Part 401 promulgated by the EPA under the provisions of 33 U.S.C. § 1317 and any amendment or addition thereto.

~~(71)~~ *Uncontaminated* means not containing a harmful quantity of any substance.

~~(72)~~ *Used oil* means any oil that has been refined from crude oil or a synthetic oil that, as a result of use, storage or handling, has become unsuitable for its original purpose because of impurities or the loss of original properties, but may be suitable for further use and is recyclable in compliance with state and federal law.

~~(73)~~ *User* means any source of direct or indirect discharge to the municipal storm sewer system; the occupant or the owner/operator of any real estate; and the owner/operator of any impervious surface or improvement and/or other person or entity benefiting from the stormwater drainage system.

~~(74)~~ *Utilities* means a television, electric, gas, water, sanitary and storm sewer, cable TV or other company or legal or government entity that provides service to the public.

~~(75)~~ *Variance* means the modification of the minimum stormwater management requirements contained in this article [article IV of this chapter] and the stormwater management plan for specific circumstances where strict adherence to the requirements would result in unnecessary hardship and not fulfill the intent of this article [article IV of this chapter].

~~(76)~~ *Wastewater* means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

~~(77)~~ *Waters of the state* means any groundwater, percolating or otherwise, lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, marshes, inlets and canals, inside the territorial limits of the state, and all other bodies of surface water, natural or artificial, navigable or nonnavigable, and including the beds and banks of all watercourses and bodies of surface water, that are wholly or partially inside or bordering the state or inside the jurisdiction of the state.

~~(78)~~ *Waters of the United States* means all waters that are currently used, were used in the past or may be susceptible to use in the future in interstate or foreign commerce including all waters that are subject to the ebb and flow of the tide; all interstate waters, including interstate wetlands; all other waters the use, degradation or destruction of which would affect interstate or foreign commerce; all impoundments of waters otherwise defined as waters of the United States under this definition; all tributaries of waters identified in this definition; all wetlands adjacent to waters identified in this

definition and any waters within the federal definition of "Waters of the United States" at 40 CFR § 122.2; but not including any wastewater treatment systems, treatment ponds or lagoons designed to meet the requirements of the Clean Water Act.

~~(79)~~ *Water quality* means those characteristics of stormwater runoff that relate to the physical, chemical, biological or radiological integrity of water.

~~(80)~~ *Wetland* means an area that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

(b) The following abbreviations shall have the designated meanings:

(1) CFR shall stand for Code of Federal Regulations.

(2) USC shall stand for United States Code.

SECTION 2. That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article II, Water, Division 1, Generally, Section 43-18, Installation fees; meter installation, etc. is hereby amended to read as follows:

Sec. 43-18. Installation fees; meter installation, etc.

(a) The fees for installation of water service and meter shall be as determined on a schedule of fees provided by the public works director or designee prior to July 1st of each calendar year or, as the cost of materials and labor increase or decrease, the schedule shall be revised to reflect the increases or decreases in cost as necessary, after approval by the council. Fees for connection to the water system and installation or purchase of a water meter shall be paid at the time the building permit is issued. All meters shall be furnished and installed by the city.

(b) If a service line has been connected to the city water main to service a particular lot and there are subsequent lot splits and the installed service line does not meet the requirements of the new lot boundary or greenbelt requirement, the owner of the lot or lots shall be responsible for providing proper service line connections to the designated lot or lots.

(c) In general, the required meter shall be the same size as the service lines. The meter shall not exceed the size of the service line (i.e., one and one-half (1½) inch meter on a one-inch service line).

(d) In all cases where meters, meter boxes, transmitters, antennae, or related equipment are lost, damaged or broken by carelessness or negligence of the property owner, or anyone working for or under the general supervision of the property owner, they shall be replaced or repaired by or under the direction of the environmental services director and the cost will be levied to the property owner. During construction, the builder shall be charged with the care and protection of the meter and related equipment, water lines and meter boxes. If the meter or related equipment, water lines, or meter boxes are broken or damaged, it shall be prima facie negligence of the builder. The items shall be replaced or repaired by or under the direction of the environmental service director and the cost will

1 be levied to the builder. The city shall be responsible only for the proper functioning and
2 registry of the water meter.

3 (e) All commercial dwelling units will be required to be connected to a dedicated water meter
4 providing water solely to said facility. Water meter(s) shall be installed to serve each
5 commercial dwelling unit in a manner as to not disrupt or interfere with any other tenants'
6 water supply. Water supply to commercial dwelling units shall remain separate. Tenants
7 that occupy more than one commercial dwelling unit shall maintain separate water accounts
8 and plumbing to ensure the continued separation of each commercial dwelling unit's
9 utilities.

10 Existing structures and/or those that have new construction/remodel plans approved prior to
11 the effective date of March 28, 2024, that allow multiple commercial dwelling units to
12 operate through a master water meter shall be required to install individual water meters to
13 each commercial dwelling unit when a remodel exceeds fifty (50%) of the definition of a
14 Level 3 alteration as defined in the City's International Building Code as adopted by
15 reference in Chapter 9, for said commercial dwelling unit as calculated cumulatively over
16 the life of the commercial dwelling unit and/or includes modifications to the commercial
17 dwelling unit's plumbing. Water supply to all commercial dwelling units shall remain
18 separate. Tenants that occupy more than one commercial dwelling unit shall maintain
19 separate water accounts and plumbing to ensure the continued separation of each
20 commercial dwelling unit's utilities.

21 (f) All multi-family residential properties will be required to install individual water meters to
22 each multi-story building for apartment complexes or to each dwelling unit for multi-family
23 residential structures with three (3) or more dwelling units.

24 Existing multi-family residential structures and/or those that have new construction/remodel
25 plans approved prior to the effective date of March 28, 2024, that allow multiple residential
26 dwelling units to operate through a master water meter shall be required to install individual
27 water meters to each multi-story building, and/or to each single story multi-family building
28 containing more than three (3) dwelling units, and/or to each dwelling unit for single story
29 multi-family buildings containing three (3) or less dwelling units when a remodel exceeds
30 fifty (50%) of the assessed value for the multi-story building and/or dwelling unit as
31 calculated cumulatively over the life of the dwelling unit and/or includes modifications to
32 the dwelling unit's plumbing.

33
34 **SECTION 3.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
35 Disposal and Stormwater Quality, Article II, Water, Division 3, Meters, Section 43-52, Generally
36 is hereby amended to read as follows:

37 **Sec. 43-52. Generally.**

38 (a) All meters installed or inspected by the city shall be and remain the property of the city and
39 will not be removed unless the use of the water on the premises is to be entirely stopped or
40 the service connections discontinued. In all cases where meters, transmitters, antennae or
41 any related equipment are lost, damaged or broken by carelessness or negligence of the
42 owner or occupant of the premises, or anyone working for or under the general supervision

1 of the property owner or occupant, they shall be replaced or repaired by or under the
2 direction of the environmental services director and the cost levied against the owner or
3 occupant. The owner or occupant shall be charged with the care and protection of the meter
4 and related equipment, water lines and meter boxes. If the meter or related equipment, water
5 lines or meter boxes are broken or damaged, it shall be prima facie negligence of the
6 property owner or occupant; and the city shall be responsible only for the proper
7 functioning and registry of the water meter.

- 8 (b) It shall be an offense for any property owner or occupant, to obstruct or allow the
9 obstruction, in any manner, of access to the property's meter for inspection or repair by the
10 city. "Obstruct" or "obstruction" as used herein shall include, but shall not be limited to,
11 parking automobiles, trailers, boats or other vehicles over meters, planting shrubs over or
12 allowing shrubbery to cover meters, or placing any trash or debris over or allowing any
13 trash or debris to cover the meter, in such a manner that prevents access to the meter for
14 inspection or repair by the city.

15
16
17 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
18 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 1, Generally,
19 Section 43-107, Unlawful discharges; penalty is hereby amended to read as follows:
20

21 **Sec. 43-107. Unlawful discharges; penalty.**

22 It shall be unlawful to dispose of any substance in any amount in or near a sanitary or storm
23 sewer access point or to any natural outlet within the city. All new or changes of ownership of
24 non-residential sewer users shall be required to accurately complete a Sewer Survey prior to the
25 first sanitary sewer discharge to the POTW. All current users shall accurately complete a Sewer
26 Survey by December 31, 2026.

27
28 Any person convicted of violating this section shall be punished by a fine of not more
29 than two hundred dollars (\$200.00), plus court costs, or by imprisonment for not more than
30 thirty (30) days or by both such fine and imprisonment. Each day that any violation of this
31 section occurs or continues shall constitute a separate offense and shall be punishable as a
32 separate violation.

33
34 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
35 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 1, Generally,
36 Section 43-115, Recreational vehicles (R.V.'s) disposal station is hereby amended to read as
37 follows:
38

39 **Sec. 43-115. Recreational vehicles (R.V.'s) disposal station.**

- 40 (a) Only establishments that sell, perform maintenance or rejuvenate recreational vehicles shall
41 be authorized to install or operate a disposal station within the city limits of Midwest City.
42 Owner/operators of disposal stations shall allow both Midwest City residents who own

1 R.V.'s and ~~transit~~ transient recreational vehicle owners to utilize their facility. This service
2 may be provided at no charge to the customer, or if there is a charge the city shall receive
3 fifty (50) percent of said charge for utilizing the city's sewer facilities. Disposal sites for the
4 general public shall be made available only during normal business hours.

5 (b) Only recreational vehicles shall be authorized to utilize disposal stations and shall be limited
6 to a maximum of one hundred (100) gallons waste per recreational vehicle. No septic tanks,
7 grease traps or port-o-pots shall be authorized to utilize any disposal site within Midwest
8 City.

9 (c) Owner/operators shall display signs stating the following information: Hours of operation;
10 for recreational vehicle use only; no commercial dumping; and users shall clean site after
11 each use.

12 (d) Disposal sites shall be installed and maintained in accordance with Chapter 9~~the BOCA~~
13 ~~plumbing code~~. The pad shall be constructed in such a manner that drainage from roofs or
14 water runoffs shall not enter the disposal opening. Such opening shall be watertight when
15 not in use and be fitted with a foot operated flush valve. Potable water shall be made
16 available through a frost free plug for cleaning of the disposal station after use.

17 (e) Disposal station shall be subject to inspection by Midwest City ~~city's~~ plumbing inspector
18 and/or ~~industrial waste monitor~~ Line Maintenance official.

19 (f) Transient R.V. waste shall only be disposed of at an approved disposal station.
20

21 43. DIVISION 3. – PRIVATE SEWAGE DISPOSAL SYSTEMS

22 Footnotes:

23 ---(6)---

24 Cross reference – ~~Septic tanks, § 9-299.9-372~~ On-Site Sewage Treatment System

25 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
26 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 3, Private
27 Sewage Disposal Systems, Section 43-138, Permit and inspection is hereby amended to read as
28 follows:
29

30 **Sec. 43-138. Permit and inspection.**

31 Before commencement of construction of ~~a private sewage disposal system~~ an on-site
32 sewage treatment system, the owner shall first submit a registration request to the Chief Building
33 Official according to Sec. 9-372 On-Site Sewage Treatment System and pay the associated fees.
34 obtain a written permit signed by the building inspector. The application for such permit shall be
35 made on a form furnished by the city, which the applicant shall supplement by any plans,
36 specifications and other information as are deemed necessary by the building inspector. The
37 permit application shall be accompanied by a fee of fifteen dollars (\$15.00). A permit for a
38 private sewage disposal system shall not become effective until the installation is completed to
39 the satisfaction of the health officer. He shall be allowed to inspect the work at any stage of

1 construction and, in any event, the applicant for the permit shall notify the health officer when
2 the work is ready for final inspection, and before any underground portions are covered. The
3 inspection shall be made within twenty-four (24) hours of the receipt of notice by the health
4 officer.

5
6 **SECTION 7.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
7 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 3, Private
8 Sewage Disposal Systems, Section 43-142, Additional requirements of health officer is hereby
9 repealed and placed into Reserve:

10
11 **Sec. 43-142. Additional requirements of health officer. Reserved**

12 No statement contained in this division shall be construed to interfere with any additional
13 requirements that may be imposed by the health officer.

14
15 **SECTION 8.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
16 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 4, Building
17 Sewers and Connections Generally, Section 43-152, Multiple use of building sewer is hereby
18 amended to read as follows:

19
20 **Sec. 43-152. Multiple use of building sewer.**

21 (a) A separate and independent building sewer shall be provided for every building; except
22 where one building stands at the rear of another on an interior lot and no private sewer is
23 available or can be constructed to the rear building through an adjoining alley, court, yard
24 or driveway, the building sewer from the front building may be extended to the rear
25 building and the whole considered as one building sewer.

26 (b) All new commercial dwelling units shall be required to be connected to the sanitary
27 sewer system via a dedicated sewer service line exiting the unit. All service lines shall
28 comply with Chapter 9 of the City Code. Additionally, a sample port as described in 43-
29 191 shall be installed before any manifold or combination of service lines prior to
30 connection to the POTW.

31 Existing structures and/or those that have new construction/remodel plans approved prior
32 to effective date of March 28, 2024, that allow multiple commercial dwelling units to
33 operate through a single sewer service shall be required to install individual sewer
34 services exiting the structure from each commercial dwelling unit when a remodel
35 exceeds fifty (50%) of the definition of a Level 3 alteration as defined in the City's
36 International Building Code as adopted by reference in Chapter 9, f or the commercial
37 dwelling unit as calculated cumulatively over the life of the commercial dwelling unit
38 and/or includes modifications to the commercial dwelling unit's plumbing. Sewer
39 services to all commercial dwelling units shall remain separate to a point beyond a

sample port (as described in 43-191), directional cleanout(s), and backflow prevention device. Tenants that occupy more than one commercial dwelling unit shall maintain the individual sewer service plumbing to ensure the continued separation of each commercial dwelling unit's utilities.

- (c) New and/or remodeled facilities that operate an in-ground grease interceptor shall install samples ports as required in 43-191.

SECTION 9. That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 4, Building Sewers and Connections Generally, Section 43-157, Connection to public sewer, tapping regulations and saddle specifications is hereby amended to read as follows:

Sec. 43-157. Connection to public sewer, tapping regulations and saddle specifications.

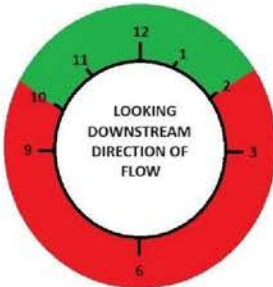
- (a) Whenever no wye or tee presently exists on a main sewer line and a building and/or house is to be constructed, a special fitting called a saddle is to be utilized to make the connection. The spigot's end shall be specifically shaped to fit snugly against a hole cut into the mainline. These saddles shall be sealed with epoxy cement and/or secured to the line with stainless steel bands.
- (b) Whenever a saddle is required on a new or existing main, it is to be installed by the contractor only when continuous supervision is provided by the utilities department. The saddle selected to be used shall fit the contour of the inside of the mainline and shall be specifically designed to fit the particular type and size of the line. It shall be installed in accordance with the manufacturer's instructions. The saddle connection shall be capable of withstanding any conditions such as stress and/or strain encountered in normal construction or maintenance. The connection shall be water- and gas-tight.
- (c) When the opening for the saddle is cut into the sewer line, care must be taken to prevent the cracking or breaking of the mainline. If the main is cracked or broken, that length of pipe shall be removed and a new wye or tee fitting installed in its place.
- (d) The contractor may make the cut into the main for the installation of the saddle only if he possesses the proper equipment to make the tap; otherwise, the city work crew shall make the tap and install the saddle.
- (e) The opening shall be fully dressed to fit the saddle by gentle trimming with small dressing tools. All pipe chips, etc., must be removed from the bottom of the dry mainline. If the saddle is being installed on a line already in use, some means must be provided to prevent the chips, etc., from entering the sewer line.

(f) The Only tapping saddles approved by the Line Maintenance official shall be allowed. Insert tee and flexible tapping saddle shall not be allowed. shall be as manufactured by the following or an approved equal:

~~MULTIFITTING LIMITED; gasket is a solvent weld; PLUMBING RESEARCH AND DEVELOPMENT COMPANY, Fast Fit; CARLON Vylon "Z" gasket or solvent weld; G.P.K. PRODUCTS, INC., type PSM/PSP BOCA 74-31 and FOWLER SEWER TAP, INC., "Quick-Way". Any deviation from the prescribed procedures and/or materials must be approved by the utilities superintendent prior to installation.~~

(g) The saddle, wye, tee, or other lateral connections (including the seal between the lateral connection and the POTW main) shall remain private infrastructure and the responsibility of the property owner to maintain.

(h) All lateral connections shall be located between the 10 o'clock and 2 o'clock position on the POTW main.



SECTION 10. That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils and Grease Control Requirements for Commercial Establishments, Section 43-188, Definitions is hereby amended to read as follows:

Sec. 43-188. Definitions.

Unless otherwise stated in the context of this article, the following terms and abbreviations will have the ascribed meanings:

Approved haulers list means a list of all waste haulers approved by the city to operate within the public owned treatment works' (POTW's) collection area or city limits.

Bypass means any overflow of any amount from a private or POTW collection system.

Chronic violator means a person or facility with a pattern of neglect or disregard that results in the same or similar repeated violations during a floating twenty-four-month period.

- 1 *Decanting* means the practice of returning wastewater back into the grease interceptor,
2 oil/water separator, grinder device, grit trap, or any part of the sanitary sewer after it is
3 removed.
- 4 *Domestic user* means a user of the sanitary sewer system that an individual(s) occupies as a
5 residential premises and is not categorized as a facility.
- 6 *Facility* means a commercial business that generates and discharges FOG (fats, oils, and
7 greases), waste oil, grit, other petroleum waste, wipes, or any debris larger than one-half ($\frac{1}{2}$)
8 inch into the city's POTW, i.e. restaurants, automobile service, hotels, apartment complex,
9 nursing homes, assisted living centers, etc.
- 10 *FOG* means fats, oils, and greases in any amount.
- 11 *Generator* means any person(s) or facility who owns or operates a grease interceptor, oil/water
12 separator, or whose act or process produces a FOG waste, wipes or debris larger than one-half
13 ($\frac{1}{2}$) inch, and discharges into the POTW.
- 14 *Grease interceptor or interceptor*, means any device, no matter the capacity, that is designed
15 to use differences in specific gravities to separate and retain light density liquids, waterborne
16 fats, oils and greases or designed to collect settleable solids, generated by and from food
17 preparation activities, prior to the wastewater entering the POTW.
- 18 *Grinder* means a mechanical device used to shred solid substances to pieces less than one-half
19 ($\frac{1}{2}$) inch in any dimension.
- 20 *New facility* means a newly constructed facility and/or the remodeling and/or expansion of an
21 existing facility.
- 22 *Nondomestic user* means any user other than domestic users.
- 23 *Notice to comply* means a document issued to the responsible party that either requests
24 additional information needed to determine compliance with their permit and/or this Code, or
25 serves as a notice to correct a minor violation of their permit and/or this Code.
- 26 *Notice of violation* means a document issued to the responsible party when they have violated
27 their permit and/or this Code.
- 28 *Oil/water separator* means any device that separates the sand, oil and other types of grit from
29 the wastewater before it enters the POTW.
- 30 *Public owned treatment works ("POTW")* means a treatment works, as defined by Section 212
31 of the Act (33 U.S.C. § 1292), which is owned by the city. This definition includes any devices
32 or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or
33 industrial wastes of a liquid nature and any conveyances, which convey wastewater to the
34 treatment plant.

1 *Public works director* means the director of public works or designee.

2 *Reclamation system* means a series of tanks or basins and filters that renders water reusable.

3 *Responsible party* means a person(s) or corporation who controls, manages, and or directs a
4 facility.

5 *Transporter* means any hauler that removes the contents and cleans any grease trap/interceptor
6 or oil/water separator.

7 *Twenty-five (25) percent rule* means when the floating grease and bottom sludge combine to
8 displace at least one-quarter ($\frac{1}{4}$) of the tanks total liquid depth, or the liquid depth of any single
9 chamber of the interceptor.

10
11 **SECTION 11.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
12 Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils
13 and Grease Control Requirements for Commercial Establishments, Section 43-189, Applicability
14 and prohibitions is hereby amended to read as follows:
15

16 **Sec. 43-189. Applicability and prohibitions.**

17 This article shall apply to all nondomestic users of the POTW.

18 (1) Grease ~~traps, grease~~ interceptors, oil/water separators, grit traps, and/or grinder devices
19 shall not be required for domestic users.

20 (2) Facilities generating FOG as a result of food manufacturing, processing, preparation or
21 service shall install, use and maintain appropriate grease interceptors. These facilities
22 include, but are not limited to, restaurants, food manufacturers, food processors,
23 hospitals, hotels, motels, prisons, nursing homes, churches, day cares and any other
24 facility preparing, serving or otherwise making any foodstuff available for
25 consumption.

26 (3) Facilities generating and/or collecting automotive/petroleum oil, grease, sand, grit and
27 other types of waste as a result of automotive servicing and repair shall install, use and
28 maintain an oil/water separator and/or grit trap. These facilities include, but are not
29 limited to, car washes, automotive repair shops, tractor/trailer repair shops, car
30 dealerships and any other facility that maintains, repairs or washes any type of
31 motorized vehicles.

32 (4) No user may intentionally or unintentionally allow the direct or indirect discharge of
33 any petroleum oil, non-biodegradable cutting oil, mineral oil, gasoline, kerosene, FOG,
34 wipes, any debris larger than one-half ($\frac{1}{2}$) inch, or any other chemicals into the POTW.
35 Nor shall it be allowed to violate any technically based local limits (TBLLs) as
36 established in section 43-274, local limits.

37 (5) Garbage disposals shall not be permitted in commercial or industrial establishments.
38

SECTION 12. That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage Disposal and Stormwater Quality, Article III, Sewers and Sewage Disposal, Division 6, Fats, Oils and Grease Control Requirements for Commercial Establishments, Section 43-191, General interceptor requirements; design, size and location is hereby amended to read as follows:

Sec. 43-191. General grease interceptor requirements; design, size and location.

- (a) All new or remodeling facilities that produce FOG shall complete an EPA grease interceptor sizing sheet, or equivalent determination method, and provide the information used to complete the sizing determination method to Midwest City Line Maintenance. A minimum of one thousand (1,000) gallons or engineer approved equivalent in-ground grease interceptor shall be required. A minimum one thousand five hundred (1,500) gallon interceptor shall be required for all shell structures that may accommodate FOG contributors. If an existing facility has a smaller grease interceptor in use, the facility shall submit to a complete facility and process review. The findings of this review will include all required actions that may include, but not limited to, the installation of additional or higher capacity interceptor(s). All grease interceptors installed will conform to this Code and the current International Plumbing Code adopted by the city.
- (b) All new or remodeled facilities that generate and discharge waste oil, grit and other petroleum waste will be required to install grit traps with a minimum five hundred (500) gallon capacity and oil/water separators of one thousand (1,000) gallon capacity or larger in accordance with this Code. If an existing facility has a smaller oil/water separator or grit trap in use it shall submit to a complete facility and process review. The findings of this review will include all required actions that may include, but are not limited to, the installation of an additional or larger trap(s), and/or separators. All grit traps and oil/water separators installed will conform to this Code and the current International Plumbing Code adopted by the city.
- (c) All in-ground grease interceptors that exceed a fifty (50) gallon per minute designed flow rating or any chain series of interceptor shall be installed with two (2) single directional clean-outs facing away from the interceptor, one (1) before the interceptor and one (1) after the backwater valve, within the clean-out requirements of the current International Plumbing Code adopted in Chapter 9. Additionally, a sample port with an opening of twelve (12) inches or larger shall be installed after the point of no further treatment but before the backwater valves. For further backwater valve requirements, see Chapter 9, buildings and building regulations, article VI, plumbing.
- (d) All in ground interceptors shall be installed with two (2) single directional clean-outs facing away from the interceptor, one (1) before the interceptor and one (1) after the backwater valve, within the clean-out requirements of the current International Plumbing Code. Additionally, a sample port with an opening of twelve (12) inches or larger shall be installed after the point of no further treatment but before the backwater valves. For further backwater valve requirements, see chapter 9, buildings and building regulations, article VI, plumbing.

- (e) All in ground interceptors, oil/water separators, grit traps, clean-outs, backwater valve and sampling ports shall have all required lids above grade. The final elevation of the lids and the surrounding area will ensure that all rain and runoff is directed away from the lids, additional influent and inflow prevention measures may be required. Interceptors, lids, boxes, vaults, clean out access or other related components that are installed in an improved surface shall be traffic rated at a minimum of H-20.
- (f) All grease interceptors, oil/water separators, grit traps, and grinder pumps shall be inspected and approved by Midwest City Line Maintenance before being placed into service.
- (g) A variance request to this Code can be submitted to the pretreatment coordinator on the variance request form. The request will be assessed on a case by case basis, approval or denial of the request will be returned to the applicant in writing and will be considered final. The variance is non-transferrable and may be revoked as needed.

Section 13. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 14. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2024.

THE CITY OF MIDWEST CITY, OKLAHOMA

ATTEST:

MATTHEW D. DUKES, II, Mayor

SARA HANCOCK, City Clerk

Approved as to form and legality this _____ day of _____, 2024.

DON MAISCH, City Attorney

MEMORANDUM

TO: Ordinance Oversight Council Committee

FROM: R. Paul Streets, Public Works Director

DATE: February 29, 2024

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

Public Works recently completed a review of funding sources and needs for Water Operations and Maintenance (191), Capital Improvement (172), and Water System Improvement (178). Both rates and associated fees were evaluated in order to determine if these revenue sources will continue to meet current and projected needs of the City and its water treatment and distribution system.

Based on this review, it was determined that all three funds and several fee assessments need to be increased to cover the cost of operating and maintaining the water system. Additional revenue also needs to be generated in order to provide the funding necessary for recapitalization of the Automated Meter Infrastructure (AMI) system, which was installed beginning in 2014. These rate increases will allow Public Works to invest in water line replacement to reduce the number of water breaks that occur annually and conduct needed maintenance to the water treatment plant and well system. The proposed increases will also allow Public Works to begin replacing 1 ½" and larger meters in 2029 and 1" and smaller meters in 2034, which is the estimated end of the meters' useful life, and provide needed funding to update the supportive infrastructure and software for the AMI system.

The AMI installation process began in November 2014 with commercial customers. These customers typically have meters that are 1 ½" or larger. Meters of this size have a 10 year battery guarantee and an expected life of 15 years, which means these meters will need to be replaced beginning in 2029. Residential customers' meters began to be replaced with the new automated meters in early 2015. These customers typically have either 5/8 x 3/4" or 1" meters. Meters of this size have a 20 year life expectancy and a 20-year prorated warranty, which means these meters will need to be replaced beginning in 2034. The original project was \$5.6 million and was funded by water rates. It is estimated that the City will need approximately \$13.1 million in order to replace the automated meters as they reach the end of their useful life. In order to have the funds available to replace these meters, Public Works is proposing to increase

Currently, funding for Water Operations and Maintenance relies heavily on revenue generated by consumption through a variable fee based on the volume of water used per customer. This leads to inadequate funding in years where consumption is lower than projected. More stable funding can be established by adjusting the rates to rely more heavily on the base rate, which is a fixed monthly service fee that helps to pay the basic costs of water treatment and distribution. The rate changes proposed in this memo will gradually increase the base rate, Capital Improvement charge, and the Water System Improvement fee over the next 5 years so that a larger percentage of the funding for Water Operations and Maintenance comes from the base rate and additional funding is available for capital improvements. Table 1 below shows how an average residential monthly water bill will be affected by the proposed rate changes, assuming the customer uses 6,000 gallons of water per month.

Effective Date:	Current	Proposed 5/1/2024	Proposed 5/1/2025	Proposed 5/1/2026	Proposed 5/1/2027	Proposed 5/1/2028
Base Rate	\$9.94	\$15.87	\$18.19	\$21.29	\$22.83	\$24.38
Cost per 1,000 gal	\$18.40	\$21.20	\$25.20	\$28.20	\$30.20	\$32.20
Total:	\$28.34	\$37.07	\$43.39	\$49.49	\$53.03	\$56.58

Table 2 below compares the cost of an average residential customer's water bill in Midwest City with that of similar customers in several cities across Oklahoma.

[illegible]

Total:	\$28.34	\$30.69	\$35.90	\$40.00	\$44.78	\$49.65	\$50.65	\$50.96	\$51.65	\$52.28	\$58.60	\$56.58
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Table 3 below outlines the proposed base rate changes by meter size over the next 5 years.

Typically, base rates increase as meter size increases because larger meters are more expensive to install and maintain. As the smallest and most frequently installed meter, the 5/8" meter has been established as the base meter. In order to determine how to equitably increase base rates as meter sizes increase, the maximum amount of water per minute each meter size can supply to a customer was compared to the maximum amount of water per minute that the base meter can supply. For example, the 2" meter provides 571% more water per minute than the base meter; therefore, the base rate for the 2" meter was calculated to be 571% greater than the base meter.

Table 3: Proposed Base Rate Changes by Meter Size (0-2,000 gallons, All Users)

Meter Size	Total # of Customers	Current 1/1/2024	Proposed 5/1/2024	Proposed 5/1/2025	Proposed 5/1/2026	Proposed 5/1/2027	Proposed 5/1/2028
5/8"	20105	\$9.94	\$15.87	\$18.19	\$21.29	\$22.83	\$24.38
1"	642	\$11.36	\$21.96	\$25.62	\$30.48	\$32.91	\$35.34
1 1/2"	238	\$13.52	\$78.09	\$91.37	\$109.05	\$117.89	\$126.73
2"	343	\$17.48	\$100.01	\$116.61	\$138.71	\$149.76	\$160.81
3"	32	\$22.03	\$238.70	\$281.86	\$339.32	\$368.05	\$396.78
4"	20	\$26.57	\$453.16	\$536.15	\$646.66	\$701.91	\$757.16
6"	7	\$48.16	\$892.56	\$1,058.54	\$1,279.56	\$1,390.06	\$1,500.57
8"	2	N/A	\$1,249.37	\$1,481.74	\$1,791.16	\$1,945.87	\$2,100.58

Note: 8" meter customers are Midwest City accounts, and 6" meter customers include Midwest City (x3), Parker Development, Village Oaks MHP, Tinker Air Force Base, St. Anthony's Hospital.

Table 4 compares the proposed base rate changes by meter size to other cities across Oklahoma whose base rates also differ based on meter size. Important to note is that not all municipalities charge different base rates for larger meters. Table 4 includes only those cities from Table 2 that use a similar rate system as that used by the City.

**Table 4: Cost Comparison with Neighboring Cities
Base Rate by Meter Size**

Meter Size:	Midwest City			Edmond	Owasso	Broken Arrow	Stillwater	Del City
	Current	May 2024	May 2028	November 2023	October 2022	October 2023	July 2022	July 2020
5/8"	\$9.94	\$15.87	\$24.38	\$16.85	\$13.08	\$10.34	\$7.23	\$10.14
1"	\$11.36	\$21.96	\$35.34	\$42.12	\$13.99	\$11.42	\$14.64	\$16.45
1 1/2"	\$13.52	\$78.09	\$126.73	\$84.26	\$16.03	\$15.30	\$29.86	N/A
2"	\$17.48	\$100.01	\$160.81	\$168.53	\$17.05	\$21.94	\$44.30	\$27.81
3"	\$22.03	\$238.70	\$396.78	\$379.17	\$32.35	\$50.17	\$86.17	\$36.98
4"	\$26.57	\$453.16	\$757.16	\$842.63	\$37.45	\$82.40	\$136.57	\$46.10
6"	\$48.16	\$892.56	\$1,500.57	\$1,685.25	\$52.75	\$96.64	\$264.78	\$90.29
8"	N/A	\$1,249.37	\$2,100.58	\$3,370.50	\$76.50	\$136.28	N/A	N/A

Historically, investment in capital improvements to the water treatment and distribution system has been underfunded in Midwest City and nationwide. As pipes age, they can become more susceptible to leaks and breaks. In order to provide safe and reliable service for the long-term, the current infrastructure must be repaired, replaced, and upgraded. This requires a significant investment in capital improvements. Public Works is proposing a series of increases to the Capital Improvement charge and the Water System Improvement fee over the next 5 years as outlined in Table 5 below in order to begin that investment.

Table 5: Proposed Changes to the Cost per Thousand Rate

Cost per Thousand (over 2,000 gal min)	Current Cost	Proposed 2024	Proposed 2025	Proposed 2026	Proposed 2027	Proposed 2028
Residential (191)	\$3.68	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80
Commercial (191)	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80	\$3.80
Capital Improvement Charge (172)	\$0.35	\$0.50	\$1.00	\$1.50	\$1.75	\$2.00
Water System Improvement Fee (178)	\$0.57	\$1.00	\$1.50	\$1.75	\$2.00	\$2.25
Total Residential Cost per 1,000	\$4.60	\$5.30	\$6.30	\$7.05	\$7.55	\$8.05
Total Commercial Cost per 1,000	\$4.72	\$5.30	\$6.30	\$7.05	\$7.55	\$8.05

Additionally, the following fee assessments were updated to reflect the actual cost to perform each activity, where applicable, and are submitted for consideration. As an example, the Redec fee is a fee charged to property owners who want access to water temporarily to clean, paint, or remodel a structure that does not currently have an active water account. When this is requested, a Public Works employee must turn on water service to the address for limited period of time then turn off water service to that address when the time period is over. The proposed increase is based on the actual cost of labor and equipment required to do this.

Table 6: Proposed Fee Assessment Updates

Fee Type	Current Cost	Proposed Cost
Water Disconnection Fee	\$25.00	\$68.00
Redec (includes \$25 application fee)	\$38.26	\$81.00
Meter Pull and Test		
5/8 x 3/4" & 1"	\$15.00	\$100.00
1 1/2" & 2"	\$20.00	\$100.00
3" & 4"	\$30.00	\$250.00
6" & 8"	\$30.00	\$450.00
Flush Meter Monthly Rental	\$30.00	\$60.00
Flush Meter Deposit	\$400.00	\$600.00
Meter Tampering Fee	\$100.00	\$200.00
Estimated Annual Revenue Generated:	\$203,000	\$537,000

Action is at the discretion of the Ordinance Oversight Council Committee.

Respectfully,



R. Paul Streets

Public Works Director

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

SECTION 1. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article I, In General, Section 43-5, Temporary Water, is hereby amended to read as follows:

- (a) Builders shall pay a thirty-five dollar (\$35.00) utility deposit and the applicable utility application fee to the city upon payment of connection and meter fees. No utility account will be closed or deposit refunded until all final inspections have been completed and approved by the city.
- (b) Landlords can establish temporary water service for a consecutive thirty-day period to allow for maintenance and clean up. Applicants must pay an eighty-one dollar (\$81.00) fee for this service, which includes the applicable utility application fee and pay a minimum amount equal to the then-current rate for three thousand (3,000) gallons of usage (nonrefundable). Any usage above three thousand (3,000) gallons will be billed at the current water rate at the end of thirty (30) days or when the customer has notified the city to discontinue service.

SECTION 2. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article II, Water, Division 3, Meters, Section 43-55, Testing of Meters, is hereby amended to read as follows:

Sec. 43-55. Testing of meters.

Where the accuracy of a water meter is questioned, it shall be removed at the customer's request, and shall be in his presence tested in the shops of the utility department by means of the apparatus there provided, and a report thereon duly made. Both parties to the test must accept the findings so made. If the test discloses an error against the consumer of more than three (3) percent in the meter's registry, the excess of the consumption on the three (3) previous readings shall be credited to the customer's account the utility department shall bear the entire expense of the test and the deposit required as hereinafter prescribed shall be returned. On the other hand,

where no such error is found, the person who has required the test shall pay the charge for such test. Before making a test of any meter the person requesting such test shall at the time of filing his request with the superintendent, make a deposit with the city clerk in the amount charged for such test subject to the conditions herein stated, which charges are fixed as follows:

- (1) For testing five-eighths-inch, ~~or three-fourths-inch, one-inch, one-half-inch, or two-inch~~ meters, ~~fifteen dollars (\$15.00)~~ one hundred dollars (\$100.00).
- (2) For testing ~~one-inch or one-half-inch~~ three-inch or four-inch meters, ~~twenty dollars (\$20.00)~~ two hundred-fifty dollars (\$250.00).
- (3) For testing any meters ~~two (2)~~ six (6) inches or larger, ~~thirty dollars (\$30.00)~~ four hundred-fifty dollars (\$450.00).

SECTION 3. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-63, Water Rates Inside City, is hereby amended to read as follows:

Sec. 43-63. Water rates inside city.

(a) The water rates for users of water inside the corporate limits of the city shall be as follows:

~~(1) Single family residential:~~

a. ~~Beginning May 1, 2020, first two thousand (2,000) gallons used (minimum charge based on meter size):~~

~~$\frac{5}{8}$ inch \$8.75~~

~~1 inch \$10.00~~

~~1 $\frac{1}{2}$ inch \$11.90~~

b. ~~Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.24.~~

~~(2) Multiple family residential (more than three units, including apartments):~~

a. ~~Beginning May 1, 2020, first 2,000 gallons used (minimum charge whether vacant or occupied) shall be \$8.50.~~

b. ~~Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.24.~~

~~(3) Mobile home parks:~~

a. ~~Beginning May 1, 2020, first 2,000 gallons used (minimum charge whether vacant or occupied) shall be \$9.00.~~

b. ~~Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.24.~~

~~(4) Commercial:~~

a. ~~Beginning May 1, 2020, first 2,000 gallons used (minimum charge based on meter size):~~

~~$\frac{5}{8}$ inch \$9.25~~

- 1 ~~1 inch~~\$10.50
- 2 ~~1 ½ inch~~\$12.40
- 3 ~~2 inch~~\$15.40
- 4 ~~3 inch~~\$19.40
- 5 ~~4 inch~~\$23.40
- 6 ~~6 inch~~\$42.40

7 ~~b. Beginning May 1, 2020, charge per additional 1,000 gallons used shall be \$3.34.~~

8 (1) Base Rate (minimum charge based on meter size for the first two thousand (2,000)
 9 gallons used) for All Users:

<u>Meter Size</u>	<u>Beginning May 1, 2024</u>	<u>Beginning May 1, 2025</u>	<u>Beginning May 1, 2026</u>	<u>Beginning May 1, 2027</u>	<u>Beginning May 1, 2028</u>
<u>5/8"</u>	<u>\$15.87</u>	<u>\$18.19</u>	<u>\$21.29</u>	<u>\$22.83</u>	<u>\$24.38</u>
<u>1"</u>	<u>\$21.96</u>	<u>\$25.62</u>	<u>\$30.48</u>	<u>\$32.91</u>	<u>\$35.34</u>
<u>1 ½"</u>	<u>\$78.09</u>	<u>\$91.37</u>	<u>\$109.05</u>	<u>\$117.89</u>	<u>\$126.73</u>
<u>2"</u>	<u>\$100.01</u>	<u>\$116.61</u>	<u>\$138.71</u>	<u>\$149.76</u>	<u>\$160.81</u>
<u>3"</u>	<u>\$238.70</u>	<u>\$281.86</u>	<u>\$339.32</u>	<u>\$368.05</u>	<u>\$396.78</u>
<u>4"</u>	<u>\$453.16</u>	<u>\$536.15</u>	<u>\$646.66</u>	<u>\$701.91</u>	<u>\$757.16</u>
<u>6"</u>	<u>\$892.56</u>	<u>\$1,058.54</u>	<u>\$1,279.56</u>	<u>\$1,390.06</u>	<u>\$1,500.57</u>
<u>8"</u>	<u>\$1,249.37</u>	<u>\$1,481.74</u>	<u>\$1,791.16</u>	<u>\$1,945.87</u>	<u>\$2,100.58</u>

10
 11 (2) Beginning May 1, 2024, charge per additional 1,000 gallons used for all users shall be
 12 \$3.80.

13 ~~Beginning October 1, 2024~~Beginning May 1, 2029, and May 1st each subsequent year thereafter, the rates
 14 will be adjusted annually by the average monthly increase in the Consumer Price Index as set out
 15 in section 43-70.

16 (b) Any household whose gross income for its family size is below the amount determined
 17 annually by the HUD income guidelines for very low income households, for any tax year,
 18 may bring proof of its gross income to the city clerk to receive a credit against its charges
 19 for water each calendar year. This credit will be calculated as one dollar fifty cents (\$1.50)
 20 per month toward the minimum charge, plus an additional credit of fifty cents (\$.50) per
 21 thousand (1,000) gallons above the two thousand-gallon minimum, for each month the
 22 household had an account with the city during the tax year shown. Residents requesting this

1 credit must show photo identification to prove ownership of the account and proof of gross
2 income by April 15th of each year.

3
4 **SECTION 4.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
5 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-68, Discontinuance
6 of Service and Fee for Reinstatement, is hereby amended to read as follows:

7 **Sec. 43-68. Discontinuance of service and fee for reinstatement.**

- 8 (a) In the event any account is not paid in full by the close of business on the twenty-fifth day
9 following the billing date, an administrative cut-off processing fee of ~~twenty-five dollars~~
10 ~~(\$25.00)~~ sixty-eight dollars (\$68.00) shall immediately be charged to the account or to any
11 other account that customer may have with the city regardless of whether the water service
12 is, in fact, discontinued due to nonpayment. Immediately upon nonpayment, water service
13 to such account or customer shall be eligible to be discontinued. Discontinued water service
14 to any such account or customer shall not be reinstated or resumed until all sums due the
15 city, including indebtedness to the city of all kinds together with the administrative cut-off
16 processing fee of ~~twenty-five dollars (\$25.00)~~ sixty-eight dollars (\$68.00), shall have been
17 paid in full. If payment in full is received before the water service has been discontinued,
18 the service can continue uninterrupted; however, the administrative cut-off processing fee of
19 ~~twenty-five dollars (\$25.00)~~ sixty-eight dollars (\$68.00) will still apply and must still be
20 paid. A fee of ~~twenty-five dollars (\$25.00)~~ sixty-eight dollars (\$68.00) will be charged when
21 water service is discontinued at the voluntary request of a customer.
- 22 (b) When an account has been charged an administrative cut-off processing fee of ~~twenty-five~~
23 ~~dollars (\$25.00)~~ sixty-eight dollars (\$68.00), as specified in subsection (a) above, more than
24 four (4) times in a twelve-month period, an additional security deposit of fifty dollars
25 (\$50.00) must be paid prior to water service being reinstated.

26
27 **SECTION 5.** That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal
28 and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-69, Capital
29 Improvement Charges, is hereby amended to read as follows:

30 **Sec. 43-69. Capital improvement charges.**

31 There shall be established a capital improvement fund for the express purpose of funding
32 improvements to the water system of the City of Midwest City.

- 33 (1) Revenues for this fund shall be deposited in a nontransferable interest bearing account.
34 Funds from other sources may be deposited in this account but, once deposited in this
35 account, can only be expended in the same manner and under the same regulations that
36 govern this account.
- 37 (2) Expenditures may be made from this account for physical capital improvements
38 including, but not limited to, items such as new wells, additional water treatment
39 facilities, new water lines and replacement of old water lines, and engineering studies
40 and services necessary or appropriate to effect the improvements to the water system.

- (3) Expenditures from this account can also be made for general operation, maintenance, supplies, operational salaries, or any item or structure that has an expected useful life of less than twenty (20) years. ~~These funds may not be used to fund bonds or any indebtedness of any sort.~~
- (4) There is hereby added a thirty-five cent (\$0.35) fee to each one thousand (1,000) gallons of water above the minimum sold to each customer to fund this account. Beginning on May 1, 2024, this fee shall increase according to the following schedule:

<u>Effective Date</u>	<u>Fee per additional 1, 000 gallons</u>
<u>May 1, 2024</u>	<u>\$0.50</u>
<u>May 1, 2025</u>	<u>\$1.00</u>
<u>May 1, 2026</u>	<u>\$1.50</u>
<u>May 1, 2027</u>	<u>\$1.75</u>
<u>May 1, 2028</u>	<u>\$2.00</u>

- (5) Expenditures from this account in any amount must be approved by a majority vote of the city council.
- ~~(6) For those persons tying into public water in the following described area, there is hereby established a one hundred dollar (\$100.00) water line assessment fee which must be paid at the time a building permit is issued or at the time of tying into the water main, whichever first occurs. An additional fee of twenty five cents (\$0.25) shall be assessed for each one thousand (1,000) gallons of water above the minimum sold to each customer required to pay the one hundred dollar (\$100.00) water line assessment fee. These fees shall be in addition to all other current fees or charges. These fees established by this subsection shall remain in effect until revenues from these fees equal construction and right of way costs associated with the water distribution system installed to serve the referenced area of the city. The revenues from these fees shall be placed in the capital water improvement fund established for the express purpose of funding improvements to the water system as set forth in this section.~~

~~*Assessment area.* An assessment area located in the east half (E/2) of section 8, T11N, R1W, section 9, T11N, R1W and the west half (W/2) of section 10, T11N, R1W of the I.M. Midwest City, Oklahoma County, Oklahoma more particularly described as follows:~~

~~Beginning at a point on the north line of section 8, said point being at the intersection of said north line and the east line of Oakwood East, a subdivision; THENCE continuing east along said north line to the northeast corner (NE/C) of said section 8, also being the northwest corner (NW/C) of section 9; thence continuing east along the north line of said section 9 to the northeast corner (NE/C) of said section 9, also being the northwest corner (NW/C) of section 10; thence continuing east along the north line of said section 10 to the northeast corner (NE/C) of the west half (W/2) of said section 10; thence south along the east line of said west half (W/2) of said section 10 to the southeast corner (SE/C) of said west half (W/2) of said section 10; thence~~

1 west along the south line of said section 10 to a point on the south railroad right of-
2 way; thence continuing westerly along said railroad right of way to a point on the west
3 line of said section 10, also being the east line of section 9; thence continuing westerly
4 along said south railroad right of way line to a point on the west line of said section 9;
5 also being the east line of section 8; thence continuing westerly along said south
6 railroad right of way to a point on the west line of the east half (E/2) of section 8;
7 thence north along the west line of said east half (E/2) to the southeast corner (SE/C) of
8 Oakwood East Village, also being the southeast corner (SE/C) of lot 1, block 14 of said
9 addition; thence continuing north along the west line of said east half (E/2) of said
10 section 8 to the southwest corner (SW/C) of lot 3, block 13 of Oakwood East Village;
11 thence east along the south line of Oakwood East Village, Oakwood East section 2 and
12 Oakwood East to the southeast corner (SE/C) of Oakwood East, also being the
13 southwest corner of lot 22, block 5 of Oakwood East; thence north along the east line
14 of Oakwood East to the point or place of beginning.

15 (7) ~~For those persons tying onto public water in the following described area, there is~~
16 ~~hereby established a one hundred dollar (\$100.00) water line assessment fee which~~
17 ~~must be paid at the time a building permit is issued or at the time of tying onto the~~
18 ~~water main, whichever first occurs. An additional fee of twenty five cents (\$0.25) shall~~
19 ~~be assessed for each one thousand (1,000) gallons of water above the minimum sold to~~
20 ~~each customer required to pay the one hundred dollar (\$100.00) water line assessment~~
21 ~~fee. These fees shall be in addition to all other current fees or charges. These fees~~
22 ~~established by this subsection shall remain in effect until revenues from these fees~~
23 ~~equal construction and right of way costs associated with the water distribution system~~
24 ~~installed to serve the referenced area of the city. The revenues from these fees shall be~~
25 ~~placed in the capital water improvement fund established for the express purpose of~~
26 ~~funding improvements to the water system as set forth in this section.~~

27 *Assessment area.* ~~An assessment area located in the NE/4 of Section 31, Township 12~~
28 ~~North, Range 1 West of the I.M., Midwest City, Oklahoma County, Oklahoma, more~~
29 ~~particularly described as follows:~~

30 ~~The east 80 acres of the northeast quarter (NE/4) of section 31, T12N, R1W, also~~
31 ~~being described as beginning at the NE/C of the NE/4 of section 31, T12N, R1W;~~
32 ~~thence south along the east section line of said section 31, a distance of 2,640' to a~~
33 ~~point being the SE/C of the NE/4 of said section 31; thence west along the south line of~~
34 ~~the NE/4 of said section 31, a distance of 1,320'; thence north along the west line of the~~
35 ~~E/2 of the NE/4 of section 31, a distance of 2,640' to the north line of said section 31;~~
36 ~~thence east along the north line of said section 31 to the NE/C of the NE/4, being the~~
37 ~~point or place of beginning.~~

38
39 **SECTION 6.** That the Midwest City Municipal Code, Chapter 43, Water, Sewers, Sewage
40 Disposal and Stormwater Quality, Article II, Water, Division 4, Generally, Section 43-71, Water
41 System Improvement Fee, is hereby amended to read as follows:

42 **Sec. 43-71. Water system improvement fee.**

43 There is hereby established a water system improvement fee which shall be deposited in the
44 water capital improvement fund. Expenditures may be made from this fund only for physical

capital improvements to the city's water system including, but not limited to, new wells, additional water treatment facilities, new water lines and replacement of old water lines, and engineering studies and services necessary or appropriate to effect the improvements to the water system, or to repay or secure indebtedness incurred to effect improvements to the water system.

- (1) The water system improvement fee shall be an additional fifty-seven cents (\$0.57) which shall be added to each one thousand (1,000) gallons of water sold above the minimum two thousand (2,000) gallons for each utilities account each month. Beginning on May 1, 2024, this fee shall increase according to the following schedule:

<u>Effective Date</u>	<u>Fee per additional 1, 000 gallons</u>
<u>May 1, 2024</u>	<u>\$1.00</u>
<u>May 1, 2025</u>	<u>\$1.50</u>
<u>May 1, 2026</u>	<u>\$1.75</u>
<u>May 1, 2027</u>	<u>\$2.00</u>
<u>May 1, 2028</u>	<u>\$2.25</u>

- (2) Expenditures from this fund cannot be made for general operations, maintenance, supplies, operational salaries, or any item or structure that has an expected useful life of less than twenty (20) years.
- (3) Expenditures from this fund in any amount must be approved by a majority vote of the city council.

Section 4. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining provisions of the ordinance.

PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City, Oklahoma, this _____ day of _____, 2024.

ATTEST:

THE CITY OF MIDWEST CITY, OKLAHOMA

MATTHEW D. DUKES, II, Mayor

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SARA HANCOCK, City Clerk

Approved as to form and legality this _____ day of _____, 2024.

DON MAISCH, City Attorney

MEMORANDUM

TO: Ordinance Oversight Council Committee

FROM: R. Paul Streets, Public Works Director

DATE: February 29, 2024

SUBJECT: Discussion, consideration, and possible action of approving an ordinance amending the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article IV, Stormwater, Division 1, Generally; Section 43-404 Stormwater Charge; Exemptions, and providing for a repealer and severability.

The Stormwater Quality Division (SWQ) of Public Works is currently funded by a stormwater charge based on the size of the water meter serving the facility and has not been adjusted since 2008. The current minimum charge is \$2.42 for a 5/8" water meter. However, using water meter size to assess stormwater fees is problematic because the amount of potable water used by a customer is not a direct indication of the amount of stormwater runoff or pollution that a customer's property generates and must be managed by the City of Midwest City's (City) storm sewer system. A better assessment method for stormwater fees is impervious surface area because it is directly proportional to the amount of runoff generated and discharged from a customer's property. The City currently has access to impervious surface data citywide using Nearmap.

The only other city using water meter size as the assessment method for their stormwater utility fee in Oklahoma is Oklahoma City. Table 1 below compares Midwest City's stormwater utility fee to that of Oklahoma City.

Table 1: Fee Comparison between Oklahoma City and Midwest City

Meter Size	Midwest City	Oklahoma City
3/4" or less	\$2.42	\$5.69
1"	\$4.17	\$6.48
1.5"	\$5.87	\$20.43
2"	\$7.86	\$27.73
3"	\$10.81	\$52.60
4"	\$14.20	\$86.19
6"	\$20.86	\$167.21
8"	N/A	\$277.49
10"	N/A	\$423.56
16" and larger	N/A	\$658.92
Apartment (per unit)	\$1.20	
Mobile Home Parks (per occupied pad)	\$2.42	

A variety of assessment methods are used by other cities in Oklahoma for their stormwater fees. One of the more common methods, especially in the Tulsa metro area, uses an Equivalent Service Unit (ESU) or Equivalent Residential Unit (ERU). Edmond, Stillwater, Broken Arrow, and Tulsa all use an ESU to calculate their stormwater utility fees. With this method, an ESU is calculated by determining the average impervious surface area for a typical single-family residential property. In Edmond, the ESU was calculated as 4,860 sq ft. In Broken Arrow, the ESU is 2,600 sq ft. Each single-family residential property is then typically billed a flat rate based on a single ESU. For non-residential properties, each property's impervious surface area is calculated using aerial imaging provided by Nearmap and divided by the impervious surface area of a single ESU to determine the number of ESUs it is to be billed. Table 2 gives an example of how this fee is calculated for a Wal-Mart in Edmond, Broken Arrow, and Tulsa in comparison to Midwest City's current fee.

Table 2: ESU Calculation and Fee Comparison

Benchmark City	Stormwater Fee	Total ESU	Billed Amount
Midwest City	2" Water Meter = \$7.86	N/A	\$7.86
Edmond	1 ESU = 4,680 sq ft = \$3.00	171	\$513.00
Broken Arrow	1 ESU = 2,600 sq ft = \$8.89	308	\$2,738.12
Tulsa	1 ESU = 2,650 sq ft = \$10.63	302	\$3,210.26

Based on these comparisons, Midwest City's current non-residential stormwater fee is significantly less than Edmond, Stillwater, Broken Arrow, or Oklahoma City.

Given this information, Public Works is proposing to change the stormwater rate structure to more fairly account for the impact of large non-residential properties on our stormwater quality and infrastructure by transitioning to an ESU assessment method. To do this, Public Works worked with Freese and Nichols, Inc., to determine the average impervious surface area for a typical single-family residential property in Midwest City. This was determined to be 2,860 sq ft and will be equal to one (1) ESU. One (1) ESU is recommended to be set at \$2.42, the current fee for customers with 5/8" meters which consists primarily of residential customers. Doing this will mean that residential customer rates will not increase.

Non-residential customers, apartment complexes, and manufactured home parks that are not individually metered will be assessed a stormwater fee based on the number of ESUs each property has. To calculate this, the impervious surface area of each non-residential lot, tract, or parcel within the corporate city limits of the City has been measured to calculate the number of ESUs, and the number of ESUs will be multiplied by \$2.42. Table 3 below provides an example of how this fee is calculated for the Wal-Mart above and compares to Edmond, Broken Arrow and Tulsa.

Table 3: Proposed ESU Calculation and Fee Comparison

Benchmark City	Stormwater Fee	Total ESU	Billed Amount
Midwest City	1 ESU = 2,860 sq ft = \$2.42	280	\$677.60
Edmond	1 ESU = 4,680 sq ft = \$3.00	171	\$513.00
Broken Arrow	1 ESU = 2,600 sq ft = \$8.89	308	\$2,738.12
Tulsa	1 ESU = 2,650 sq ft = \$10.63	302	\$3,210.26

Action is at the discretion of the Ordinance Oversight Council Committee.

Respectfully,



R. Paul Streets
Public Works Director

Attachment

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

SECTION 1. That the Midwest City Municipal Code, Chapter 43, Water, Sewer, Sewage Disposal and Stormwater Quality, Article IV, Stormwater, Division 1, Generally, Section 43-404, Stormwater Charge; exemptions, is hereby amended to read as follows:

(a) There shall be and there is hereby established a stormwater charge which shall be billed monthly with the other city utilities. The stormwater charge shall be a minimum of two dollars and forty-two cents (\$2.42) per month per account. The deposit requirement, late charges and penalties as are now or may be established in the future for utility service shall also apply to the stormwater charge. The payment of the stormwater charge shall be governed by the same ordinances as the payment of the other city utilities.

(b) The stormwater charge shall be based on a rate of Two Dollars and Forty-Two Cents (\$2.42) for each Equivalent Service Unit (ESU) assigned to a lot, tract, or parcel of real estate wherein the ESU is an average area of impervious surface material on a residential non-residential parcel. One (1) ESU shall be defined as two thousand eight hundred sixty square feet (2,860 ft²) of impervious area. Fees ~~the size of the water meter serving the facility and shall be calculated~~ as follows:

5/8" meter	\$2.42
1" meter	4.17
1 1/2" meter	5.87
2" meter	7.86
3" meter	10.81
4" meter	14.20

(1) Residential Property. Residential property with three (3) or fewer dwelling units per lot, tract, or parcel within the corporate limits of the City is hereby assigned one ESU for each developed lot, tract, or parcel of record with the County Clerk, the resulting service charge being Two Dollars and Forty-Two Cents (\$2.42) for each such lot, tract, or parcel.

(2) All Other Real Estate. The impervious surface of all other lots, tracts, or parcels of developed real estate within the corporate limits of the City shall be measured to

1 determine the Equivalent Service Units to be assigned to such lots, tracts, or parcels;
2 and the service charge shall be Two Dollars and Forty-Two Cents (\$2.42) for each
3 Equivalent Service Unit or portion thereof.

4 Mobile home parks or manufactured home parks shall be billed as stated above unless
5 each pad has its own water meter, in which case each account shall be billed a
6 minimum of one (1) ESU or two dollars and forty-two cents (\$2.42) per month per
7 account.

8 (3) There are no caps on the monthly service charge rate.

9 (4) The stormwater rates shall be reviewed at least annually and shall be adjusted
10 accordingly. Beginning May 1, 2025, and each subsequent year thereafter, the
11 stormwater charge rates will be adjusted annually by the average monthly increase in
12 the Consumer Price Index, U.S. City Average for all Urban Consumers, Water Sewer
13 Trash Collection, Not Seasonally Adjusted. (Published by the United States Bureau of
14 Labor Statistics, Consumer Price Index) (the "CPI") during the twelve (12) most
15 recently published months. In the event U.S. Department of Labor, Bureau of Labor
16 Statistics ceases to publish this particular CPI, an equally authoritative measure of
17 change in purchasing power of the U.S. dollar may be substituted as approved by the
18 city manager. The annual CPI adjustment will be implemented by May 1st of each
19 year.

20 ~~(e) The stormwater charge for multifamily complexes that contain three (3) or more units,~~
21 ~~including apartments, shall be one dollar and twenty cents (\$1.20) per month per unit~~
22 ~~whether vacant or occupied.~~

23 ~~(d) Mobile home parks or manufactured home parks shall be billed as stated in subsection (a)~~
24 ~~above unless each pad has its own water meter, in which case each account shall be billed a~~
25 ~~minimum of one (1) ESU or two dollars and forty two cents (\$2.42) per month per account.~~

26 ~~(e)(c)~~ The stormwater charge shall not be imposed on the following types of property:

27 (1) City, state and federal roads, bridges, highways, streets and rights-of-way;

28 (2) City parks, city buildings, city facilities and open spaces owned or operated by the city;
29 or

30 (3) Undeveloped parcels of land.

31 ~~(f)(d)~~ All proceeds from the stormwater charge shall be deposited into the fund.

32 ~~(g)(e)~~ The provision for collection provided herein, shall be in addition to any other rights or
33 remedies that the city may have under the laws of the State of Oklahoma.

34 (f) Any person who considers the charges applicable to his/her parcel to be inaccurate or
35 erroneous may request review thereof by the Public Works Director or designee.

36
37 **Section 2. REPEALER.** All ordinances or parts of ordinances in conflict herewith are hereby
38 repealed.
39

1 **Section 3. SEVERABILITY.** If any section, sentence, clause, or portion of this ordinance is for
2 any reason held to be invalid, such decision shall not affect the validity of the remaining
3 provisions of the ordinance.
4
5
6

7 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,
8 Oklahoma, this _____ day of _____, 2024.
9

10
11 THE CITY OF MIDWEST CITY, OKLAHOMA

12 ATTEST:
13
14
15

16 _____
17 MATTHEW D. DUKES, II, Mayor

18 _____
19 SARA HANCOCK, City Clerk

20 Approved as to form and legality this _____ day of _____, 2024.
21
22
23

24 _____
25 DON MAISCH, City Attorney
26

TO : Ordinance Oversight Council Committee

FROM : Brandon Bundy, P.E., Director

DATE : February 29, 2024

SUBJECT : Discussion, consideration, and possible action of an ordinance amending Midwest City code, Chapter 9, Building and Building Regulations, Article I, Article II, Article III, Article IV, Article V, and Article VI; and providing for repealer and severability.

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

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

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

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

Notable Changes

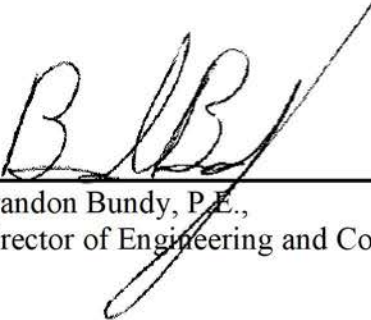
Notable changes to the Chapter include

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

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

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

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



Brandon Bundy, P.E.,
Director of Engineering and Construction Services

Attachment

Index Summary of Changes

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

Index Summary of Changes

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

Index Summary of Changes

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

Index Summary of Changes

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

Index Summary of Changes

New	Previous	Description	Note
9-189	9-69	Officers and Reports (Electrical)	Kept the same officers and added Secretary, added language to match other boards
9-206	9-226	Licensing Fees and Requirements (Mechanical)	Rewrote to match Electrical and Building trades.
9-207	9-227(e)	Vehicles to be Marked (Mechanical)	Rewrote to match Electrical and Building trades.
9-208	9-227(c)	Partnerships, Corporations, Firms (Mechanical)	Rewrote to match Electrical and Building trades.
9-220	9-204	Permit Application (Mechanical)	Rewrote to match Electrical and Building trades.
9-226	9-206	Permits (Mechanical)	Previously 9-206. Rewritten to reference fee table. Added in Permit Issuance fee like it is in Electrical and Plumbing
9-227	9-211	Inspections; Approval (Mechanical)	Rewrote to update to current practices
9-228	9-214	Appeals (Mechanical)	Rewrote to match Electrical and Building trades.
9-255	9-190	Plumbing Gas and Mechanical Board Created (Mechanical)	Rewrote to match Electrical and Building trades, kept all the same fundamental issues as before.
9-256	9-190	Members (Mechanical)	Modified structure to mimic Builder's Advisory, left the number of board at 6. Removed secretary from previous
9-323	9-340	Vehicles to be Marked (Plumbing)	Rewrote to match Electrical and Building trades.
9-324	9-341	Partnerships, Corporations, Firms (Plumbing)	Rewrote to match Electrical and Building trades.
9-341	9-312	Permit Cancellation (Plumbing)	Rewrote to match Electrical and Building trades.
9-342	9-308	Permits (Plumbing)	Previously 9-308 Rewritten to reference fee table.
9-344	9-317	Appeals (Plumbing)	Rewrote to match Electrical and Building trades.
9-352	9-372	On-Site Sewage Treatment System	Rewrote to match current ODEQ language, added a formal fee for registration of systems
9-371	9-286	Plumbing Gas and Mechanical Board Created (Plumbing)	Referenced back to Mechanical Article
9-373	9-288(b)	Meetings (Plumbing)	Referenced back to Mechanical Article
9-374	9-287	Quorum (Plumbing)	Referenced back to Mechanical Article
Consolidation			
9-1	9-1 (partial) 9-51	Definitions	Combined definitions throughout Articles into one area of the Chapter. Can be expanded later in include further Articles.

Index Summary of Changes

New	Previous	Description	Note
	9-176 9-275		
9-4	9-91 9-203 9-204	Powers and Duties of the Chief Building Official	Consolidated sections from Electrical and Mechanical and expanded to cover all trades.
9-24	9-105 9-215 9-318	Violations	Consolidated across articles, no change
9-25	9-106 9-216 9-319	Penalties	Consolidated across articles, update penalties from \$100 to \$500
9-26	9-101 9-213 9-316	Unlawful Continuance	Consolidated across articles, no change
9-28	9-124 9-212	Defective Workmanship or Materials	Brought out of Electrical and Mechanical to cover all trades.
9-259	9-192 9-193	Officers and Reports (Mechanical)	Kept the same officers and added Secretary, added language to match other boards
9-260	9-194 9-195	Duties (Mechanical)	Consolidated both to match other boards, removed “duty to promulgate”
9-322	9-336 9-337 9-338 9-342 9-343	Licensing Fees and Requirements (Plumbing)	Consolidated and used same language to match other trades
9-336	9-304 9-305 9-306	Permit Application (Plumbing)	Consolidated and used same language to match other trades
9-375	9-288(a) 9-289	Officers and Reports (Plumbing)	Referenced back to Mechanical Article
9-376	9-290 9-291	Duties (Plumbing)	Referenced back to Mechanical Article
Unchanged or Minor changes but Moved			
9-2	9-1	Homeowner’s Ordinance	Moved definitions to definitions Sec. and added qualifier
9-3	9-2	Dilapidated Buildings	Found old outdated reference under definition of dilapidated building and updated
9-27	9-103	Unsafe Equipment and Usage	Was within Electrical but brought out to Article I to cover all the trades.
9-30	9-344	License Revocation or Suspension	Moved out of plumbing to include all trade licenses and provided for appeal to applicable boards
9-55	9-32	Title (Building)	No change
9-65	9-31	International Building Code Adopted	Updated to reflect code book name and code year reference
9-66	9-35	International Residential Code Adopted	Updated reference to code year reference

Index Summary of Changes

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

Index Summary of Changes

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

ORDINANCE NO. _____

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

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

ORDINANCE

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

Article I. – In General

Sec.9-1. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Active contractor is one who is actively perforating as a contractor and who has met the bond and insurance requirements for licensure.

Building maintenance engineer means a person who is regularly employed on a monthly or weekly salary to serve as the maintenance engineer in an office building, hotel building, factory building or other similar building.

Electrical apprentice, electrical contractor and journeyman electrician shall all have the meaning assigned to the particular term as found in the Electrical License Act in the Oklahoma Statutes.

Electric wiring means the installation of electrical raceways, conductors or apparatus of any kind used, or to be used, in or on any structure for the transmission and distribution of electric current for electric light, heat or power, or nonportable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided, however, that the words "electric wiring," "electrical equipment" and "apparatus" do not include or refer to service lines, apparatus and equipment for the sale, distribution and regulation of electricity and remaining the property of the electric service company or for telephone, telegraph or other communication purposes, or in connection therewith.

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

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

Inactive contractor is one who has met all the licensing requirements of a contractor but has chosen not to currently perform as a contractor. An inactive contractor is not required to provide bond or insurance and will be regulated as a journeyman.

Journeyman plumber and plumbing contractor shall have the meaning assigned to it by the Plumbing License Law of 1955.

~~A Limited~~ *mechanical air conditioning license* entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping, that has a cooling capacity of no more than twenty-five (25) tons or three hundred thousand (300,000) British Thermal Units (BTU) per hour.

~~An Unlimited~~ *mechanical air conditioning license* entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping.

~~A Limited~~ *mechanical heating license* entitles the licensee to install, alter, modify, service, maintain, or repair all air heating appliances, including the process piping, that have:

Commented [BB1]: Deleted completely:

9-3 Building and dwelling addresses – found in other chapters

9-38 Pier and grade beam foundation – outdated technique and covered by other standards

9-71 Minutes of Meeting – language was consolidated into "Officers and Reports" of Electrical Board

9-72 Regulations – removed, as duplicative and seemingly oversteps City Councils right to govern

9-197 separate permits (mechanical), incorporated into each article under Permit Application

9-198 Fees. Was just a reference back to 9-206

9-199 Code Amended – OUBCC language

9-236 Code Amended – OUBCC language

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

9-306 Permit App (Plumbing), deleted Covered in other ordinances

9-307 Permit not Required for Minor Repairs.

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

9-314 Reinspection – covered under other sections

9-326 Signing of Certificates - outdated

9-327 Code Amended – OUBCC language

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

9-339 Place of business required deleted, outdated

9-355 Scope of Authority (Plumbing) – induces old language and titles related to "building maintenance engineer"

9-356 Examination and License Generally (Plumbing) – induces old language and titles related to "building maintenance engineer"

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

9-361 Registration Required (Plumbing) (Apprentice) – deleted, covered under state

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

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

Commented [BB2]: Consolidate definitions throughout chapter into here

Commented [BB3]: Previously 9-176

Commented [BB4]: Previously 9-275

Commented [BB5]: Previously 9-51

Commented [BB6]: Previously 9-51

Commented [BB7]: Previously 9-1, Homeowner's ordinance

Commented [BB8]: Previously 9-1, Homeowner's ordinance

Commented [BB9]: Previously 9-176

Commented [BB10]: Previously 9-275

Commented [BB11]: Previously 9-176

1 ~~Master~~ plumber shall have the same meaning as plumbing contractor.

Commented [BB14]: Previously 9-275

2 ~~Mechanical~~ journeyman is a person who possesses the knowledge and skills to perform
3 mechanical work within a category or categories without direct supervision. A journeyman must
4 be at least eighteen (18) years of age and have either: (1) three (3) years of verifiable experience
5 in the mechanical trade; or (2) an associates degree or vo-tech diploma from a school approved
6 by the Occupational Licensing Service of the Oklahoma State Department of Health and exhibit
7 knowledge of the trade and have one (1) year of verifiable experience in the mechanical trade.

Commented [BB15]: Previously 9-176

8 ~~Mechanical~~ contractor is a person who possesses the knowledge and skills of a journeyman and
9 who is responsible, either to himself or his employer, for plumbing, contracting, supervising, or
10 furnishing labor and/or materials used for mechanical work. A contractor must meet the same
11 requirements as a journeyman with an additional one (1) year of experience.

Commented [BB16]: Previously 9-176

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

Commented [BB17]: Previously 9-1, Homeowner's ordinance

14 ~~A Natural~~ gas pipeline license entitles the licensee to install, alter, modify, service, maintain, or
15 repair all natural gas piping.

Commented [BB18]: Previously 9-176

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

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

21 ~~A Process~~ piping license entitles the licensee to install, alter, modify, service, maintain, or repair
22 all process piping.

Commented [BB20]: Previously 9-176

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

Commented [BB21]: Previously 9-176

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

Commented [BB22]: Previously 9-176

27 Stop Work Order is a written notice posted by the Chief Building Official to stop all work at the
28 specified address.

29 ~~An Unlimited~~ mechanical heating license entitles the licensee to install, alter, modify, service,
30 maintain, or repair air heating appliances, including the process piping.

Commented [BB23]: Previously 9-176

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

Commented [BB24]: Previously 9-1, Homeowner's ordinance

36 Sec.9-2. - Homeowner's ordinance

Commented [BB25]: Previously 9-1

37 (a) ~~As used in this section, unless the context otherwise indicates:~~

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

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

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

8 of the Midwest City Code. Each day this section is violated shall constitute a separate offense.

Sec.9-3. - Dilapidated Buildings

Commented [BB26]: Previously 9-2

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

- (a) At least ten (10) days' notice that a building is to be torn down or removed shall be given to the owner of the property before the ~~city council~~City Council takes action or holds a hearing. A copy of the notice shall be posted on the property to be affected. In addition, a copy of the notice shall be sent by mail to the property owner at the address shown by the current year's tax rolls in the office of the ~~eCounty~~County Treasurer. Written notice shall also be mailed to the mortgage holder as shown by the records in the office of the ~~eCounty~~County Clerk to the last-known address of the mortgagee. At the time of mailing of notice to any property owner or mortgage holder, the municipality shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailer. However, if neither the property owner nor mortgage holder can be located, notice may be given by publication in a newspaper of general circulation in the City of Midwest City. If notice is given by publication, such notice shall be published once not less than ten (10) days prior to any hearing or action pursuant to the provisions of this section.
- (b) A hearing shall be held by the ~~eCity~~City Council to determine if the property is dilapidated and has become detrimental to the health, safety, or welfare of the general public and the community, or if said property creates a fire hazard which is dangerous to other property.
- (c) Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefitted by the removal of such conditions, the ~~eCity~~City Council may cause and order the dilapidated building to be torn down and removed. The ~~eCity~~City Council shall fix reasonable dates for the commencement and completion of the work. The ~~building official~~Chief Building Official, the ~~building official's~~Chief Building Official's designees, or code enforcement, as assigned by the ~~eCity~~City Manager are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the City of Midwest City if the work is not performed by the property owner within the dates fixed by the governing body. If the city performs the work or causes the work to be done, then the ~~eCity~~City Clerk shall immediately, upon completion of the work, file a notice of lien with the ~~county clerk~~County Clerk describing the property, the findings of the ~~eCity~~City Council at the hearing, and stating that the City of Midwest City claims a lien on said property for the destruction and removal costs. Any action to challenge the order of the ~~eCity~~City Council shall be filed within thirty (30) business days from the date of the order.
- (d) The ~~eCity~~City Council shall determine the actual cost of the dismantling and removal of the dilapidated buildings and any other expenses that may be necessary in conjunction with the dismantling and removal of the buildings, including the cost of notice and mailing. The ~~city clerk~~City Clerk shall forward a statement of the actual cost attributable to the dismantling and removal of the buildings and a demand for payment of such costs, by mail to the property owner. In addition, a copy of the statement shall be mailed to any mortgage holder at the address provided for in paragraph (a) of this section. If the City of Midwest City dismantles or removes any dilapidated buildings, the cost to the property owner shall not exceed the actual cost of the labor, maintenance, and equipment required for the dismantling and removal of the dilapidated buildings. If the dismantling and removal of the dilapidated buildings is done on a private contract basis, the contract shall be awarded to the lowest and best bidder.
- (e) When payment is made to the City of Midwest City for costs incurred, the ~~eCity~~City Clerk shall file a release of lien; but if payment attributable to the actual cost of the dismantling and removal of the buildings is not made within six (6) months from the date of the mailing of the statement to the owner of such property, the ~~city clerk~~City Clerk shall forward a certified statement of the amount of the cost to the ~~eCounty~~County Treasurer of the county in which the property is located. The costs shall be levied on the property and collected by the ~~county treasurer~~County Treasurer as are other taxes authorized by law. The costs and the

1 and all other taxes and special assessments and shall be prior and superior to all other titles
2 and liens against the property. The lien shall continue until the cost is fully paid. At any time
3 prior to collection as provided for in this paragraph, the City of Midwest City may pursue
4 any civil remedy for collection of the amount owing and interest thereon. Upon receiving
5 payment, the eCity eClerk shall forward to the eCounty eTreasurer a notice of such payment
6 and shall direct discharge of the lien.

- 7 (f) The eCity mManager may designate the Chief bBuilding eOfficial or code enforcement to
8 carry out the duties of the Ceity eCouncil specified in this section. The property owner shall
9 have the right to appeal to the eCity eCouncil from any order of the Chief bBuilding
10 eOfficial or code enforcement. Such appeal shall be taken by filing a written notice of
11 appeal with the eCity eClerk within ten (10) days after the administrative order of the Chief
12 bBuilding eOfficial or his designees is rendered. If said appeal is not taken within ten (10)
13 days as provided, the order shall be final and the costs of the action shall be determined as
14 provided.

- 15 (g) For the purposes of this section:

- 16 (1) "Dilapidated building" means:

- 17 (A) A structure which through neglect or injury lacks necessary repairs or otherwise is
18 in a state of decay or partial ruin to such an extent that the structure is a hazard to
19 the health, safety, or welfare of the general public;
20 (B) A structure which is unfit for human occupancy due to the lack of necessary
21 repairs and is considered uninhabitable or is a hazard to the health, safety, and
22 welfare of the general public;
23 (C) A structure which is determined by the municipal governing body or
24 administrative officer of the municipal governing body to be an unsecured
25 building, as defined by paragraph (g)(1)(A or B) ~~(*)~~(11) of this section, more
26 than three (3) times within any twelve-month period;
27 (D) A structure which has been boarded and secured, as defined by paragraph (g)(1)
28 (A or B) ~~(*)~~(11) of this section, for more than six (6) consecutive months; or
29 (E) A structure declared by the municipal governing body to constitute a public
30 nuisance; and

- 31 (2) Owner means the owner of record as shown by the most current tax rolls of the
32 eCounty eTreasurer.

- 33 (h) Nothing in the provisions of this section shall prevent the City of Midwest City from abating
34 a dilapidated building as a nuisance or otherwise exercising its police power to protect the
35 health, safety, or welfare of the general public.
36 (i) After a building has been declared dilapidated, as provided in this section, and before the
37 commencement of the tearing and removal of a dilapidated building, the eCity eCouncil of
38 the City of Midwest City may authorize that such a building be boarded and secured.
39 (j) The ~~city council~~City Council may cause the premises on which an unsecured building is
40 located to be cleaned of trash and weeds in accordance with the provisions of article
41 II, chapter 27.
42 (k) The eCity eCouncil may cause an unsecured building to be boarded and secured in
43 accordance with the dilapidated building procedures contained in this section.

44 For the purposes of this subsection:

- 45 (1) *Board and securing or boarded and secured* means the closing, boarding or locking of
46 any or all exterior openings so as to prevent entry into the structure; and
47 (2) *Unsecured building* shall mean any structure which is not occupied by a legal or
48 equitable owner thereof, or by a lessee of a legal or equitable owner, and into which
49 there are one (1) or more unsecured openings such as broken windows, unlocked
50 windows, broken doors, unlocked doors, holes in exterior walls, holes in the roof,
51 broken basement or cellar hatchways, unlocked basement or cellar hatchways or other

(l) The officers, employees or agents of the city shall not be liable for any damages or loss of property due to the removal of dilapidated buildings performed pursuant to the provisions of this section or as otherwise prescribed by law.

(m) The provisions of this act shall not apply to any property zoned and used for agricultural purposes.

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

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

(a) The ~~Chief Building Official building official~~ is hereby authorized and directed to enforce all the provisions of this ~~code~~Chapter. For such purposes, the ~~Chief Building Official building official~~ shall have the powers of an enforcement officer. The ~~Chief Building Official building official~~ shall have under his/her charge building inspectors who shall carry out the duties as directed and described herein, and such others as the City Manager may deem appropriate.

(b) Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the ~~Chief Building Official building official~~ has reasonable cause to believe that there exists in a structure or upon a premises a condition or code violation that makes such structure or premises unsafe, dangerous or hazardous, the ~~Chief Building Official building official~~ may enter such structure or premises at all reasonable times to inspect them or to perform any duty imposed upon the ~~Chief Building Official building official~~ by this ~~chapter~~code; provided that, if such structure or premises is occupied, the ~~Chief Building Official building official~~ shall first present proper credentials and request entry. If such structure or premises is unoccupied, the ~~Chief Building Official building official~~ shall first make a reasonable effort to locate the owner or other persons having charge or control of the structure or premises and request entry. If entry is refused, the ~~Chief Building Official building official~~ shall have recourse to every remedy provided by law to obtain entry.

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

(c) Stop work orders: Whenever work is being done contrary to the provisions of this ~~code~~Chapter, the ~~Chief Building Official building official~~ may order the work stopped by notice in writing served on persons engaged in the doing of or causing to be done such work, and such persons shall forthwith stop such work until authorized by the ~~Chief Building Official building official~~ to proceed with the work.

~~(d)~~ Suspension or revocation. The Chief Building Official may, in writing, suspend or revoke ~~any~~ permit issued under the provisions of this ~~code~~Chapter whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction. Any appeal of suspension or revocation shall follow the proper process as set forth in this Chapter.

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

~~(e)~~ (c) The ~~Chief Building Official building official~~ shall have the authority to disconnect electric power or energy service supplied to a structure or building service equipment therein regulated by this chapter in case of emergency where necessary to eliminate an immediate hazard to life or property. The ~~Chief Building Official building official~~ shall, whenever possible, notify the serving utility and the owner and any occupant of the structure of the decision to disconnect prior to taking such action. Immediately after disconnection, the ~~Chief Building Official building official~~ shall notify the owner and occupant, in writing, of the disconnection.

~~(f)~~ (f) Whenever the ~~Chief Building Official building official~~ ascertains that any ~~electrical~~ system or equipment regulated in this ~~Chapter~~code is defective, the ~~Chief Building Official building official~~ shall order in writing that such ~~electrical~~ system or equipment either be removed or restored to compliance with this code. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain a defective ~~electrical~~ system or equipment after receiving notice.

equipment be immediately disconnected and, within twenty-four (24) hours, either removed or restored to compliance with this code. The ~~Chief Building Official building official~~ shall give written notice to the serving utility, the owner and any occupants of the structure of the hazardous ~~electrical~~ system or equipment, and that the equipment must be immediately disconnected and the repairs made within twenty-four (24) hours or the system or equipment removed. When any ~~electrical~~ system or equipment is maintained in violation of this chapter and in violation of a notice issued pursuant to the provisions of this section, the ~~Chief Building Official building official~~ shall institute appropriate action to prevent, restrain, correct or abate the violation.

~~(f)(g)~~ Persons shall not make connections from an energy or power supply, or supply power to an electrical system or equipment that has been disconnected or ordered to be disconnected by the ~~Chief Building Official building official~~ until the ~~Chief Building Official building official~~ authorizes the reconnection and use of the electrical system or equipment.

Sec.9-5. - Incorporated by Reference.

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

- (a) 2018 International Building Code, first published by the International Code Council, Inc. as published on August 31, 2017 ~~with subsequent printings.~~
- (b) 2018 International Residential Code, first published by the International Code Council, Inc. as published on August 31, 2017 ~~with subsequent printings.~~
- (c) 2018 ~~International Existing Building Code~~ Existing Structures Code, first published by the International Code Council, Inc. as published on August 31, 2017 ~~with subsequent printings.~~
- (d) 2018 International Fuel Gas Code, ~~as modified by the OUBCC as published on August 31, 2017 with subsequent printings.~~
- (e) 2018 International Mechanical Code, ~~as modified by the OUBCC as published on August 31, 2017 with subsequent printings.~~
- (f) 2018 International Plumbing Code, ~~as modified by the OUBCC as published on August 31, 2017 with subsequent printings.~~
- (g) ~~2018 International Energy Conservation Code, first published by the International Code Council Inc. as published on August 31, 2017~~
- (h) ~~2020 National Electrical Code, as modified by the OUBCC~~

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

The building code adopted in section ~~9-4(b)~~ Sec.9-5. - is amended and modified in the following respects:

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

~~104.2 Building inspection; supervision; jurisdiction. The city manager or his designated representative shall be responsible for the supervision of building and housing inspections.~~

104.2 Application for permit; when required. It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the code official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in ~~Section 9-1~~ Sec.9-2. - , and which do not involve any violation of this Code, shall be exempt from this provision. The ~~Chief Building Official building official~~ may require every applicant for a building permit to furnish the following information:

- ~~(a) A plot plan, drawn to scale, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or~~

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

Commented [BB30]: Amended 9-6

Commented [BB31]: Amended 9-7

Commented [BB32]: Amended 9-8 RESERVED

Commented [BB33]: Amended 9-9 RESERVED

Commented [BB34]: Amended 9-10 RESERVED

Commented [BB35]: Amended 9-11 RESERVED

Commented [BB36]: Amended 9-12 RESERVED

Commented [BB37]: Amended 9-13

Commented [BB38]: Previously 9-34

(b) Additional information relating to the proposed improvement needed to determine compliance with these regulations.

(1) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.

(2) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon

(3) Or any other documentation as deemed necessary to the Chief Building Official to determine compliance with this code.

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

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

105.6 Promulgation of rules. A rule or regulation shall not become effective until the date specified in the ordinance passed by the council and signed by the mayor of the city adopting such rules and regulations.

108.5-107.3.1 Approved plans.

(a) The building official or an assistant shall review and consider for endorsement sets of approved plans with any corrections. For commercial construction, sets of such approved plans shall be retained by the building official and fire marshal. A set of such approved plans shall be kept at the building site, open to inspection of the building official or an authorized representative at all reasonable times. All plans shall comply with this code. The building official shall retain the plot plans for one- and two-family dwellings only.

112.0 Permit fees- 108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

(a) Plan review fees: At the time an application for permit (all commercial building permits) is submitted to the Chief Building Official, shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official. See Table located in Sec.9-47. -.

(b) For a permit for construction, alteration, remodel, or installation of a building or structure, the fee shall be at the rate located in Sec.9-47. -. They shall include the following:

1. Capital improvement fee: ~~The fee shall be thirteen cents (\$0.13) per square foot for the capital improvement fee for (A) and (B) above.~~

2. Sidewalk fee: ~~The fee shall be two cents (\$0.02) per square foot for sidewalk fee for (A) and (B) above.~~

3. Conversion from residential to commercial uses requires Capital improvement and Sidewalk fee:

4. Commercial Remodel requires Capital improvement and Sidewalk fee:

5. New warehouse and agricultural requires Capital improvement and Sidewalk fee:

6. Non-residential additions: The fee for a non-residential addition shall be the same fee as

1. The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47. -

2. Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -

~~1.3.~~ The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -

~~2. Accessory buildings, carports, retaining walls and fences: The fee for carports and fences shall be thirty dollars (\$30.00). The fee for retaining walls shall be thirty-five dollars (\$35.00). The fee for accessory buildings of two hundred fifty (250) square feet or less in area shall be fifty dollars (\$50.00) and for accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be five cents (\$0.05) per square foot plus the thirteen cents (\$0.13) per square foot for the capital improvements fee plus two cents (\$0.02) per square foot for the sidewalk fee. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be two cents (\$0.02) per square foot plus thirteen cents (\$0.13) per square foot for the capital improvement fee plus two cents (\$0.02) per square foot for the sidewalk fee.~~

(e) Reinspection fee: See Table located in Sec.9-47. -

~~(a)(f)~~ Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.

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

~~116.0 Investigation.~~

(a). Certificate of occupancy; fee. See Table located in Sec.9-47. -. No change shall be made in the use of any land or building until a certificate of occupancy is obtained from the Chief Building Official building inspector certifying:

(1). That all the provisions of this Code are met; and

(2). That all required federal and/ or state permits or licenses have been issued and copies have been received by the City, unless otherwise required under federal or state law and all federal and/ or state statutory and/ or regulatory requirements have been met.

(b). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to occupancy. ~~Temporary certificates of occupancy for a change in use of any land or tenancy or existing building or structure or for a new building or structure may be approved at the discretion of the building official, but at no time shall a temporary certificate of occupancy be approved if any life, safety or health requirements do not meet the ordinances of the city as determined by the building official. Any business operating without a valid certificate of occupancy shall be in violation of this section. Penalties include citations of seven hundred fifty dollars (\$750) plus court cost, each day is a separate violation. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.~~

(1). The fee for all new apartment complex certificates of occupancy is set in Table located in Sec.9-47. -. is fifty dollars (\$50)

(2). The fee for all commercial or industrial certificates of occupancy for a new building or for a change in occupancy is set in Table located in Sec.9-47. -. or tenancy is fifty dollars (\$50.00)

~~(3). Should a final commercial or industrial certificate of occupancy for a change in use of~~

~~extend the temporary commercial or industrial certificate of occupancy in thirty-day increments. The Chief Building Official and only if all life, safety requirements have been met. All requirements of the final building inspection will be satisfied on or before the expiration date of this Temporary Certificate of Occupancy. Failing to obtain a permanent certificate of occupancy on or before the expiration date may result in citations and the disconnecting of utilities to included water, electric and gas.~~

- (d). One- and two-family residences are exempt from the requirements of this section; they are governed by the requirements of the International Residential Code.

113.1 Appeal process. An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement, or decision made by the building inspector, by filing with the Chief Building Official within ~~ten (10) business~~ ~~five (5)~~ days from the building inspector's ruling, interpretation, requirement, or decision a statement in writing ~~showing wherein the building inspector is alleged to have been wrong, of the issues to be considered on appeal.~~ The ~~Chief Building Official building official~~ shall review, within ~~one (1) three (3)~~ business days of; ~~the decision of the building inspector receipt of appeal.~~ If the ~~Chief Building Official building official~~ upholds the ~~building inspector's~~ decision, the appeal will proceed to the Builder's Advisory Board. If the ~~Chief Building Official building official~~ overturns the decision of the building inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing within ten (10) ~~business~~ days of the ~~filing of the appeal decision of the Chief Building Official.~~ In such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the ~~Chief Building Official's building inspector's~~ decision. The appellant may make a final appeal, in writing, within five (5) ~~business~~ days of the ~~Builder's Advisory Board board's~~ decision, to the City Council. Written notice of the hearing by the City Council shall be ~~hand~~ delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

~~3015. Canopies and awnings. This section is deleted~~

The building code adopted in section ~~9-4(b)~~ Sec.9-5. - (b) is amended and modified in the following respects:

102.4.1 ~~101.5~~ Conflicts. In the event two (2) or more codes conflict, the more restrictive code will apply.

104.2 Building inspection; supervision; jurisdiction. ~~The city manager or his designated representative shall be responsible for the supervision of building and housing inspections.~~

104.2 ~~105.2~~ Application for permit; when required. It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the code official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in ~~Section 9-1~~ Sec.9-2. - , and which do not involve any violation of this Code, shall be exempt from this provision. The ~~Chief Building Official building official~~ may require every applicant for a building permit to furnish the following information:

~~(e) A plot plan, drawn to scale, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be repaired, altered, erected or moved, and the size, arrangement, number of parking stalls, direction of movement of vehicles and ingress and egress drives for all off-street parking and loading facilities~~

(b) Additional information relating to the proposed improvement needed to determine compliance with these regulations.

(1) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.

(2) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, which shows the topographic characteristics of the site at a contour

(3) Or any other documentation as deemed necessary to the Chief Building Official to determine compliance with this code.

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

~~105.6 Promulgation of rules.~~ A rule or regulation shall not become effective until the date specified in the ordinance passed by the council and signed by the mayor of the city adopting such rules and regulations.

~~108.5-107.3.1 Approved plans.~~

(e) The building official or an assistant shall review and consider for endorsement sets of approved plans with any corrections. For commercial construction, sets of such approved plans shall be retained by the building official and fire marshal. A set of such approved plans shall be kept at the building site, open to inspection of the building official or an authorized representative at all reasonable times. All plans shall comply with this code. The building official shall retain the plot plans for one- and two-family dwellings only.

~~112.0 Permit fees.~~ 108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

(a) Plan review fees: At the time an application for permit for any new structures is submitted to the Chief Building Official, shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official. See Table located in Sec.9-47. -.

(b) For a permit for construction, alteration, remodel, or installation of a building or structure, the fee shall be at the rate located in Sec.9-47. -. They shall include the following:

1. Capital improvement fee: ~~The fee shall be thirteen cents (\$0.13) per square foot for the capital improvement fee for (A) and (B) above.~~
2. Sidewalk fee: ~~The fee shall be two cents (\$0.02) per square foot for sidewalk fee for (A) and (B) above.~~

(c) Accessory buildings, carports, patio cover, retaining walls and fences: See Table located in Sec.9-47. - for fees-The fee for accessory building with dwelling capabilities regardless of size will be the same as Residential additions and include the capital improvement fee and sidewalk fee: Dwelling capabilities defined as having heat, plumbing and electrical.

1. The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47. -

2. Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -

~~4.3.~~ The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -

(a) Accessory buildings, carports, retaining walls and fences: The fee for carports and fences shall be thirty dollars (\$30.00). The fee for retaining walls shall be thirty-five dollars (\$35.00). The fee for accessory buildings of two hundred fifty (250) square feet or less in area shall be fifty dollars (\$50.00) and for accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be five cents (\$0.05) per square foot plus the thirteen cents (\$0.13) per square foot for the capital improvements fee plus two cents (\$0.02) per square foot for the sidewalk fee. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be two cents (\$0.02) per square foot plus thirteen cents (\$0.13) per square foot for the capital improvement fee plus two cents (\$0.02) per square foot for the sidewalk fee.

(e) Reinspection fee: See Table located in Sec.9-47. -

support revitalization. (Development fees may include building permits, fence permits, drive permits and any other development related fees deemed applicable at the City Manager's discretion.)

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

116.0 Investigation:

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

(b). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to being occupied. Any residence occupied without a valid certificate of occupancy shall be in violation of this section. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.

(c). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of the City Manager due to extenuating circumstances.

(d). Commercial classifications are exempt from the requirements of this section; they are governed by the requirements of the International Building Code as adopted in this Chapter.

~~(a). Certificate of occupancy; fee. No change shall be made in the use of any land or building until a certificate of occupancy is obtained from the building inspector certifying:~~

~~3015. Canopies and awnings. This section is deleted~~

Sec.9-9. - Reserved Code Amended – International Fuel Gas Code.

Sec.9-10. - Reserved Code Amended – International Mechanical Code

Sec.9-11. - Reserved Code Amended – International Plumbing Code.

Sec.9-12. - Reserved Code Amended – International Energy Conservation Code

Sec.9-13. - Reserved

Sec.9-14. - Reserved

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

The electrical code adopted in section 9-90 is amended and modified in the following respects:

(a). None of the informative annexes of the NEC® 2020 have been adopted by the City of Midwest City.

(b). Subsection 230-42(d) is amended to read as follows:

~~Chapter 1 of the adopted NEC® 2020 is adopted with the following modifications:~~

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

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

All electric conductors installed within the city shall be copper conductors except that in the following two circumstances: 1) aluminum and aluminum-clad aluminum conductors may be used for direct burial or exposed free air installation not located inside structures. Such aluminum and aluminum-clad aluminum conductors shall be terminated outside of the

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

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

Commented [BB43]: Previously 9-371 Deleted items within previous because it was exact same as adopted by OUBCC which is now covered using our modified adoption language.

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

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

services two hundred (200) amp and larger; and strictly installed to the manufacturer's specifications.

~~Chapter 3 of the adopted NEC 2020 is adopted with the following modification:~~

Sec.9-17. - Reserved.

Sec.9-18. - Reserved.

Sec.9-19. - Reserved.

Sec.9-20. - Reserved.

Sec.9-21. - Reserved.

Sec.9-22. - Reserved.

Sec.9-23. - Reserved.

Sec.9-24. - Violations

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

Sec.9-25. - Penalties.

Unless otherwise specified in this chapter, it shall be unlawful and an offense for any person to violate or fail to comply with any requirement of any provision of this ~~chapter~~ article. Any person who violates a provision of this ~~chapter~~ article or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair any electrical equipment or any systems that is governed by this chapter is in violation of an approved plan or directive of the ~~e~~City, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than ~~one hundred dollars (\$100.00)~~ five hundred dollars (\$500), plus court costs, or by imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Sec.9-26. - Unlawful Continuance.

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

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

- (a) ~~Any system or equipment that is governed by this Chapter~~ Electrical systems or equipment regulated by this Code that constitute a fire hazard or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of those electrical systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.
- (b) Unsafe ~~electrical~~ systems or equipment governed by this Chapter are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the International Building Code referenced in Sec.9-5. - ~~section 9-4~~, incorporated by reference for the abatement of dangerous structures or otherwise as allowed by law. The city may institute other appropriate action to prevent, restrain, correct or abate the violation.

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

Any person engaged in the business of a system or equipment governed by this Chapter ~~electrical construction and the installation of wiring and apparatus for electric light, heat or power~~ in the

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

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

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

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

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

to violate or persistently violates the ordinances of the City in regard to the work of the electrical inspection division to the same shall be suspended or revoked.

Sec.9-29. - Declaration of Uninhabitable Property Condemnation of Insanitary Property

Commented [BB51]: Previously 9-315.

(a) When any building or premises has been inspected by the ~~development services department and the plumbing or gas~~ City and is found to be unsafe, defective, or insanitary to such an extent that it constitutes a menace to public health, a notice to that effect shall be served upon the owner or his agent specifying the required alterations or improvements to be made. If such repairs, alterations or improvements as specified in the notice are not commenced in good faith within five (5) calendar days from the date of the service of such notice and completed within a reasonable time, ~~the department of health, through the development services department or the head of the department of health,~~ the Chief Building Official or Fire Marshal may ~~condemn~~ declare the property as being insanitary-uninhabitable and unfit for human habitation and its occupancy thereafter is prohibited.

(b) When a building has been ~~condemned by the health department~~ declared uninhabitable, the occupants, if any, shall vacate immediately and the premises shall remain vacant until such time as all repairs and alterations specified in the notice above provided have been made. A warning sign shall be placed upon the premises to read as follows:

"This building has been ~~condemned as being insanitary~~ declared uninhabitable and unfit for human habitation and it is unlawful for any person to reside in or occupy the same."

Health officer — Inspector."

Sec.9-30. - License Revocation or Suspension

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

(a) For good and sufficient cause the ~~development services department and the director of health~~ Chief Building Official may revoke the ~~certificate of registration of any master plumber (plumbing contractor)~~ license of any person licensed under this Chapter and thereafter ~~they~~ he shall not be permitted to do business or work within the city or on premises connected or to be connected with the city water or sewer system. In the event of such revocation or suspension, an appeal of suspension or revocation shall follow the proper process as set forth in this Chapter. ~~the holder of such certificate of registration may appeal to the Plumbing, Gas, and Mechanical board and the action of the plumbing board thereon shall be final.~~

1 Sec.9-31. - Reserved.

2 Sec.9-32. - Reserved.

3 Sec.9-33. - Reserved.

4 Sec.9-34. - Reserved.

5 Sec.9-35. - Reserved.

6 Sec.9-36. - Reserved.

7 Sec.9-37. - Reserved.

8 Sec.9-38. - Reserved.

9 Sec.9-39. - Reserved.

10 Sec.9-40. - Reserved.

11 Sec.9-41. - Reserved.

12 Sec.9-42. - Reserved.

13 Sec.9-43. - Reserved.

14 Sec.9-44. - Reserved.

15 Sec.9-45. - Reserved.

16 Sec.9-46. - Consumer Price Index

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

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

27
$$\text{Fee} = (C \times F) + F$$

28 Where:

29 C= CPI

30 F= Current Fee as of the adoption of this ordinance

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

	<u>Permit /</u>	<u>Code</u>	<u>Cost</u>	<u>Unit</u>	<u>*CPI</u>	<u>Notes</u>
	<u>License</u>					
<u>/ General</u>	<u>Lot Inspection</u>	Sec.9-6. - Sec.9-7. -	<u>\$50.00</u>		<u>No</u>	
	<u>Reinspection</u>	(c)Sec.9- 87. - (c) Sec.9- 156. - (i)(1)	<u>\$50.00</u>	<u>Each</u>	<u>No</u>	<u>first reinspection</u>

		Sec. 9-1. - (p)(1) Sec. 9-1. - (c) Sec.9- 293. - (c) Sec. 9-1. - (l)(1) Sec.9- 343. - (c)				
	<u>Additional Reinspection fee</u>	Sec.9-87. - (c) Sec.9- 156. - (i)(1) Sec.9- 157. - (c) Sec.9- 226. - Sec. 9-1. - (p)(1) Sec. 9-1. - (c) Sec.9- 293. - (c) Sec. 9-1. - (l)(1) Sec.9- 343. - (c)	<u>\$100.00</u>	<u>Each</u>	<u>No</u>	<u>for each reinspection after an initial resinspection</u>
	<u>Inspections outside normal business hours</u>	Sec.9- 156. - (i)(1) Sec.9- 226. - Sec. 9-1. - (p)(1) Sec. 9-1. - (l)(1)	<u>\$200.00</u>	<u>First hour</u>	<u>No</u>	<u>After hours Inspections</u>
	<u>Inspections outside normal business hours</u>	Sec.9- 156. - (i)(1) Sec.9- 226. - Sec. 9-1. - (p)(1) Sec. 9-1. - (l)(1)	<u>\$75.00</u>	<u>Each addition hour</u>	<u>No</u>	<u>After hours Inspections</u>
<u>Building</u>	<u>Miscellaneous inspections</u>	Sec.9-6. - Sec.9-7. -	<u>\$35.00</u>	<u>Flat Fee</u>	<u>No</u>	
	<u>Plan review fee</u>	Sec.9-6. - Sec.9-7. -	<u>25% of the estimated permit fee or minimum \$50.00</u>		<u>No</u>	
	<u>Certificate of Occupancy</u>	Sec.9-6. - Sec.9-7. -	<u>\$150.00</u>		<u>Yes</u>	
	<u>Certificate of</u>					

<u>Commercial: New</u>	Sec.9-6. - (b)	<u>\$0.04 for first 10,000 sqft then \$0.02 after</u>	<u>Per sqft</u>	<u>Yes</u>	<u>PLUS: Capital Improvement Fee \$0.13 per sqft Sidewalk Fee \$0.06 per sqft</u>
<u>Commercial: Warehouse and Agricultural</u>	Sec.9-6. - (b)	<u>\$0.03 for first 10,000 sqft then \$0.01 after</u>	<u>Per sqft</u>	<u>Yes</u>	<u>PLUS: Capital Improvement Fee \$0.13 per sqft Sidewalk Fee \$0.06 per sqft</u>
<u>Non-Residential Additions</u>	Sec.9-6. - (b)				<u>Same as Commercial New with Minimum fee \$50.00</u>
<u>Commercial Remodeling Conversion from Residential to Commercial</u>	Sec.9-6. - (b)	<u>\$4.00</u>	<u>Per \$1,000.00 Estimated cost of remodel</u>	<u>No</u>	<u>Minimum fee \$50.00 PLUS: Capital Improvement Fee \$13.00 per \$10,000 est cost Sidewalk Fee \$1.00 per \$10,000 est cost</u>
<u>Residential: New, Additions, Alteration, Remodel.</u>	Sec.9-7. - (b)	<u>\$0.05</u>	<u>Per sqft</u>	<u>Yes</u>	<u>Residential permit also requires Capital Improvement \$0.13, Sidewalk fees. \$0.02</u>
<u>Residential Sidewalk fee</u>	Sec.9-7. - (b)	<u>\$0.02</u>	<u>Per sqft</u>	<u>Yes</u>	<u>To be included with New Residential, Residential Additions, and certain Accessory Buildings</u>
<u>Residential Capital Improvement Fee</u>	Sec.9-7. - (b)	<u>\$0.13</u>	<u>Per sqft</u>	<u>Yes</u>	<u>To be included with New Residential, Residential Additions, and certain Accessory Buildings</u>
<u>Accessory building (sqft <250)</u>	Sec.9-6. - Sec.9-7. -	<u>\$50.00</u>	<u>Flat fee</u>	<u>Yes</u>	
<u>Accessory building (250< sqft <10,000)</u>	Sec.9-6. - Sec.9-7. -	<u>\$0.05</u>	<u>Per sqft</u>	<u>Yes</u>	<u>Residential permit also requires Capital Improvement \$0.13, Sidewalk fees. \$0.02</u>
<u>Accessory building</u>	Sec.9-6. -	<u>\$0.02</u>	<u>Per sqft</u>	<u>Yes</u>	<u>Residential permit also requires Capital</u>

<u>Carports, patio covers etc.</u>	Sec.9-6. - Sec.9-7. -	<u>\$30.00</u>	<u>Flat fee</u>	<u>Yes</u>	
<u>Demolition Permit</u>	Sec.9-6. - Sec.9-7. -	<u>\$100</u>	<u>Per Structure</u>	<u>Yes</u>	
<u>Retaining Walls</u>	Sec.9-6. - Sec.9-7. -	<u>\$35.00</u>	<u>Flat fee</u>	<u>Yes</u>	
<u>Fences</u>	Sec.9-6. - Sec.9-7. -	<u>\$30.00</u>	<u>Flat fee</u>	<u>Yes</u>	
<u>Commercial Usage Change of Ownership Compliance</u>	Sec.9-99. -	<u>\$100.00</u>	<u>Per inspection</u>	<u>No</u>	
<u>Roofing Registration fee</u>	Sec 9-94 (c)(1)	<u>\$150.00</u>	<u>Each</u>	<u>No</u>	<u>New License</u>
<u>Roofing Registration fee</u>	Sec.9-103. -	<u>\$75.00</u>	<u>Each</u>	<u>No</u>	<u>Renewal License</u>
<u>Roofing Permit Fee</u>	Sec.9-103. -	<u>\$25.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Electrical Contractor</u>	Sec.9-136. -	<u>\$300.00</u>	<u>First year or late renewals</u>	<u>No</u>	
<u>Electrical Contractor</u>	Sec.9-136. -	<u>\$100.00</u>	<u>Renewal License</u>	<u>No</u>	
<u>Electrical Permit Issuance Fee</u>	Sec.9-156. -	<u>\$35.00 or \$0.04 sqft</u>		<u>No</u>	<u>Whichever is greater</u>
<u>Swimming pool</u>	Sec.9-156. - (a)	<u>\$50.00</u>		<u>Yes</u>	
<u>Event Permit:</u>	Sec.9-156. -(b)	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	<u>For each generator, electrically or mechanically driven ride and walk through attraction</u>
<u>Event Permit</u>	Sec.9-156. -(b)	<u>\$4.50</u>	<u>Per area</u>	<u>Yes</u>	<u>For each display having electric lighting</u>
<u>Temporary power pole etc...</u>	Sec.9-156. -(c)	<u>\$35.00</u>	<u>Each</u>	<u>No</u>	
<u>Residential Appliance</u>	Sec.9-156. -(d)	<u>\$3.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Power Apparatus</u>	Sec.9-156. -(e)	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Busways</u>	Sec.9-156. -(f)	<u>\$100.00</u>	<u>< 200 feet</u>	<u>Yes</u>	
<u>Busways</u>	Sec.9-156. -(f)	<u>\$4.50</u>	<u>>200 feet</u>	<u>Yes</u>	
<u>Electrical for Signs</u>	Sec.9-156. -(g)	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Services</u>	Sec.9-156. -(h)	<u>\$75.00</u>	<u><400 amps</u>	<u>Yes</u>	
<u>Services</u>	Sec.9-156. -(h)	<u>\$100.00</u>	<u>400 – 1000 amps</u>	<u>Yes</u>	
<u>Services</u>	Sec.9-156. -(h)	<u>\$200.00</u>	<u>>1000 amps</u>	<u>Yes</u>	

Electrical

Mechanical	Unlimited Mechanical Contractor	Sec.9-206. -	\$170.00	New License	No	
	Unlimited Mechanical Contractor	Sec.9-206. -	\$75.00	Renewal License	No	
	Limited Mechanical Contractor	Sec.9-206. -	\$150.00	New License	No	
	Limited Mechanical Contractor	Sec.9-206. -	\$65.00	Renewal License	No	
	Mechanical Permit Issuance Fee	Sec.9-226. -	\$35.00 or \$0.04 sqft		No	Whichever is greater
	Installation or relocation furnace or boiler	Sec. 9-1. - (a)	\$35.00	<160,000 BTU/H		
	Installation or relocation furnace or boiler	Sec. 9-1. - (b)	\$40.00	>160,000	Yes	
	Package Units	Sec. 9-1. - (c)	\$25.00	Yes		0-4 tons
	Package Units	Sec. 9-1. - (c)	\$50.00	Yes		5-25 tons
	Package Units	Sec. 9-1. - (c)	\$75.00	Yes		26-60 tons
	Package Units	Sec. 9-1. - (c)	\$150.00	Yes		>61 tons
	Installation or relocation Heater	Sec. 9-1. - (d)	\$35.00		Yes	
	Unit Replacement	Sec. 9-1. - (e)	\$35.00		Yes	
	Air Handling unit	Sec. 9-1. - (f)	\$75.00	Each	Yes	<2000 Cubic feet per minute
	Air Handling unit	Sec. 9-1. - (g)	\$50.00	Each	Yes	>2000 CFM
	Evaporative Cooler	Sec. 9-1. - (h)	\$35.00	Each	Yes	
	Ventilation Fan	Sec. 9-1. - (i)	\$35.00	Each	Yes	
	Ventilation System	Sec. 9-1. - (j)	\$35.00	Each	Yes	
	Commercial Hood Vent	Sec. 9-1. - (k)	\$75.00	Each	Yes	
	Domestic Incinerator	Sec. 9-1. - (l)	\$50.00	Each	Yes	
	Commercial Incinerator	Sec. 9-1. - (m)	\$75.00	Each	Yes	Commercial Incinerator
	Appliances	Sec. 9-1. - (n)	\$35.00	Each	Yes	Appliances
	Duct Installation	Sec. 9-1. - (o)	\$35.00 or \$0.04 sqft		Yes	Duct Installation
Gas	Fuel Gas Permit Issuance Fee	Sec.9-292. -	\$35.00 or \$0.04 sqft		No	Whichever is greater
	Gas Piping	Sec.9-292. -	\$35.00	Each	Yes	Gas Piping

Commented [BB53]: Added not in current code

Plumbing	<u>Plumbing Contractor</u>	Sec.9-322. -	<u>\$300.00</u>	<u>New License</u>	<u>No</u>	
	<u>Plumbing Contractor</u>	Sec.9-322. -	<u>\$50.00</u>	<u>Renewal License</u>	<u>No</u>	
	<u>Plumbing Permit Issuance Fee</u>	Sec.9-342. -	<u>\$35.00 or \$0.04 sqft</u>		<u>No</u>	<u>Whichever is greater</u>
	<u>Building Sewer</u>	Sec. 9-1. - (a)	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
	<u>Rainwater system</u>	Sec. 9-1. - (b)	<u>\$10.00</u>	<u>Per Drain Inside building</u>	<u>Yes</u>	
	<u>On-Site Sewage Treatment System</u>	Sec. 9-1. - (c)	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	
	<u>Water Heaters and/or Vent</u>	Sec. 9-1. - (d)	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
	<u>Commercial / Industrial Interceptor</u>	Sec. 9-1. - (e)	<u>\$50.00</u>	<u>Each</u>		
	<u>Installation Water piping</u>	Sec. 9-1. - (f)	<u>\$35.00</u>			
	<u>Lawn Sprinkler</u>	Sec. 9-1. - (g)	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
	<u>Vacuum Breakers or Backflow Devices</u>	Sec. 9-1. - (h)	<u>\$10.00</u>	<u><4</u>	<u>Yes</u>	
	<u>Vacuum Breakers or Backflow Devices</u>	Sec. 9-1. - (i)	<u>\$5.00</u>	<u>>4</u>	<u>Yes</u>	
	<u>Oil Separator</u>	Sec. 9-1. - (j)	<u>\$50.00</u>		<u>Yes</u>	
	<u>Commercial Grease Interceptor</u>	Sec. 9-1. - (k)	<u>\$50.00</u>		<u>Yes</u>	

Sec.9-48. - Reserved.

Sec.9-49. - Reserved.

Sec.9-50. - Reserved.

Sec.9-51. - Reserved.

Sec.9-52. - Reserved.

Sec.9-53. - Reserved.

Sec.9-54. - Reserved.

Article II – Building

DIVISION 1. – IN GENERAL

Sec.9-55. - Title.

These regulations shall be known as the Building Code of the City of Midwest City, hereinafter

Commented [BB54]: Previously 9-32

1 Sec.9-56. - Reserved.

2 Sec.9-57. - Reserved.

3 Sec.9-58. - Reserved.

4 Sec.9-59. - Reserved.

5 Sec.9-60. - Reserved.

6 Sec.9-61. - Reserved.

7 Sec.9-62. - Reserved.

8 Sec.9-63. - Reserved.

9 Sec.9-64. - Reserved.

10 **DIVISION 2. – STANDARDS & REQUIREMENTS**

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

Commented [BB55]: Previously 9-31

12 There is hereby adopted by the city for the purpose of establishing rules and regulations for the
13 construction of buildings and structures, including permits and penalties, that certain building
14 code known as the International Building Code, recommended by the International Code
15 Council, Inc., being adopted and incorporating by reference in Sec.9-5. - ~~section 9-4~~, save and except such
16 portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1)
17 copy is declared the office file copy by the City Clerk of this city and said copy is available at
18 city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at
19 length herein, and the provisions thereof shall be controlling in the construction of all building
20 and other subjects therein contained within the corporate limits of the city.

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

Commented [BB56]: Previously 9-35

22 There is hereby adopted by the city for the purpose of establishing rules and regulations for the
23 construction of buildings and structures, including permits and penalties, that certain building
24 code known as the International Residential Code, recommended by the International Code
25 Council, Inc., being adopted and incorporating by reference in ~~section 9-4~~ Sec.9-5. -, save and except such
26 portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1)
27 copy is declared the office file copy by the City Clerk of this city and said copy is available at
28 city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at
29 length herein, and the provisions thereof shall be controlling in the construction of all building
30 and other subjects therein contained within the corporate limits of the city.

31 Sec.9-67. - **International Existing Structures-Building Code.**

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

32 There is hereby adopted and incorporated by reference the following International Codes:
33 International Existing ~~Structures-Building~~ Code published by the International Code Council,
34 Inc. referenced in Sec.9-5. - ~~section 9-4~~, incorporated by reference, save and except such portions as are
35 now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared
36 the office file copy by the ~~city clerk~~ City Clerk of this city and said copy is available at city hall for public
37 review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and
38 the provisions thereof shall be controlling in the construction of all building and other subjects
39 therein contained within the corporate limits of the city.

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

Commented [BB58]: Previously 9-33

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

Sec.9-69. - **Licensing Fees and Requirements**

Commented [BB59]: New language to match other

1 Sec.9-70. - Commercial Classification Access to Utilities

2 (a). Whereas a building shall have proper access to water and sanitary sewer.

3 (b). The term Commercial Classification for the purposes of this chapter shall be defined by all
4 classifications within Chapter 3 of the International Building Code, with the exception of
5 one and two family homes.

6 (c). No building permit for a commercial classification shall be issued for:

7 (1) Construction of a new commercial building

8 (2) Relocation of a building

9 (3) For an addition to an existing building, with said addition expanding the size of the
10 existing structure by fifty (50) percent

11 Until construction plans are approved for a public water supply to extend to and across the
12 frontage of the property as required by this chapter. The public water extension and its
13 service connections to the property shall be constructed at no cost to the city.

14 (d). No commercial classification building permit shall be issued for:

15 (1) Construction of a new commercial building

16 (2) Relocation of a building

17 (3) For an addition to an existing building, with said addition expanding the size of the
18 existing structure by fifty (50) percent

19 Until construction plans are approved for a public sewer to extend to an easement abutting
20 the property and the sewage facilities of the property are tied onto the public sewer. The
21 public sewer extension, if necessary, and its service connections to the property shall be
22 constructed at no cost to the city.

23 (e). No Certificate of Occupancy shall be granted to a new commercial classification unless the
24 building has tied properly into the public water supply and public sewer unless:

25 (1) The City Council determines that extension of and connection to the public water supply
26 and / or public sewer is impractical (e.g., due to construction timing of the city's system)
27 or not feasible; and

28 (2) Such on-site system(s) shall be permitted by Oklahoma Department of Environmental
29 Quality and follow the provisions found in Chapter 9 and 43 of Midwest City Ordinance.

30 Sec.9-71. - Reserved.

31 Sec.9-72. - Reserved.

32 Sec.9-73. - Reserved.

33 Sec.9-74. - Reserved.

34 Sec.9-75. - Reserved.

35 Sec.9-76. - Reserved.

36 Sec.9-77. - Reserved.

37 Sec.9-78. - Reserved.

38 Sec.9-79. - Reserved.

39 **DIVISION 3. – PERMITS AND INSPECTIONS**

40 Sec.9-80. - Permit Application.

41 (a) To obtain a building permit, an applicant shall first file an application therefor on a form
furnished by the City for that purpose. Every application shall:

Commented [BB60]: New ordinance to strengthen and compliment places in 9 and 43 requiring all new commercial be tied into public utilities

Commented [BB61]: From language in Electrical to match, previous template was 9-92

(2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

(b) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the City.

(c) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.

(d) Every permit issued by the City under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

(e) There shall be a separate permit for each building.

Sec.9-81. - Multiple Permits.

Only one (1) permit shall be issued for any building provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Commented [BB62]: To match Plumbing and Electrical, using previous 9-310 as a template.

Sec.9-82. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Commented [BB63]: New language to match Electrical, using previous 9-94 as a template

Sec.9-83. - Permit Required.

No building system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate building permit for each structure has first been obtained from the city.

Commented [BB64]: New language to match Electrical, using previous 9-96 as a template

Sec.9-84. - Permit Denial.

The City may refuse to issue a permit for a building as herein provided, or for any additions or extensions to any building where, in the Chief Building Official's judgment, the building done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Commented [BB65]: New language to match Electrical, using previous 9-97 as a template

Sec.9-85. - Permit Cancellation.

A contractor may request in writing that his permit be canceled. In the event that a contractor holding a valid permit issued by the city refuses to complete the work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that

Commented [BB66]: New language to match Electrical, using previous 9-98 as a template and modified further

1 first permit and for completion of the work in its entirety. No fees for permits will be refunded to
2 the contractor in the event that the permit is canceled under the terms of this section.

3 Sec.9-86. - Permits.

4 See applicable permits within either Sec.9-6. - or Sec.9-7. -

Commented [BB67]: New language, permits did not exist in previous building code. Matching other trades

5 Sec.9-87. - Inspections; Approval.

Commented [BB68]: New language based on Previous 9-211 to match all trades

- 6
7 (a). When an original rough-in installation of a building system is completed on any premises,
8 the permit-holding contractor shall notify the inspector that the work is ready for inspection.
9 When an alteration to the building for which a permit is required under the terms of this
10 article is completed on any premises, the permit-holding contractor shall notify the inspector
11 that the work is ready for inspection.
12 (b). The inspector shall make an inspection of the alteration or installation at the first available
13 time. If the installation or alteration to the building system has been done in accordance
14 with the terms and provisions of this article and amendments thereto, the inspector shall post
15 an inspection notice at or near the same, noting thereon the date and approval of the work,
16 together with his signature.
17 (c). The fees required for the making of the required inspection by the City unless the inspector
18 is required to make another or an additional inspection of the installation necessitating
19 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent
20 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

21 Sec.9-88. - Appeals.

Commented [BB69]: New language, appeals did not exist in previous building code. Matching other trades

22 An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation,
23 requirement or decision made by the building inspector, by filing with the Chief Building
24 Official within ten (10) business days from the building inspector's ruling, interpretation,
25 requirement or decision a statement in writing of the issues to be considered on appeal. The
26 Chief Building Official shall review, within three (3) business days of receipt of appeal. If the
27 Chief Building Official upholds the building inspector's decision, the appeal will proceed to the
28 Builder's Advisory Board. If the Chief Building Official overturns the decision of the building
29 inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing
30 within ten (10) business days of the decision of the Chief Building Official. In such matter
31 appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building
32 Official's decision. The appellant may make a final appeal, in writing, within five (5) business
33 days of the Builder's Advisory decision, to the City Council. Written notice of the hearing by the
34 City Council shall be delivered to the appellant, which shall be held at the next regularly
35 scheduled City Council meeting that permits proper notice to the appellant.
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1 Sec.9-89. - Reserved.

2 Sec.9-90. - Reserved.

3 Sec.9-91. - Reserved.

4 Sec.9-92. - Reserved.

5 Sec.9-93. - Reserved.

6 Sec.9-94. - Reserved.

7 Sec.9-95. - Reserved.

8 Sec.9-96. - Reserved.

9 Sec.9-97. - Reserved.

10 Sec.9-98. - Reserved.

11 Sec.9-99. - Commercial Classification Change of Ownership Compliance.

12 (a). When there is a requested change for a new account holder of a commercial city utility
13 account; said new account holder shall apply for a "commercial classification change of
14 ownership compliance permit" prior to changing the utility account.

15 (b). The fee for the commercial classification change of ownership compliance permit is
16 established in Table located in Sec.9-47. -

17 (c). The commercial classification change of ownership compliance permit shall provide
18 provisions for certain departments to check that the commercial classification related to the
19 city utility account is in compliance with current city ordinances.

20 Sec.9-100. - Retaining Walls.

21 All retaining walls must comply with standard engineering practices. Any wall over four (4) feet
22 in height and walls not complying with Midwest City standards must have an engineer's
23 signature and seal. The wall shall be measured from the top of the footing to the top of the wall.
24 A permit must be applied for and approved before construction on any retaining wall is started.
25 Failure to comply with this section may result in legal action and/or removal of the wall.

26 Sec.9-101. - Garage Doors Required.

27 Every residential dwelling having a garage shall have an operational, functional and maintained
28 garage door which shall be kept in such condition that the garage door provides a complete and
29 contiguous cover to the garage door opening, with the exterior surface to be architecturally
30 consistent with and maintained in the same manner and at the same level and quality as the
31 dwelling.

32 Sec.9-102. - Pre-engineered Buildings.

33 Each building permit issued by the ~~Chief Building Official building official~~ for the
34 construction of a building involving a span of thirty (30) feet or more and involving the use of
35 pre-engineered building systems or components shall be subject to the following conditional
36 requirements:

37 The ~~Chief Building Official building official~~ shall receive a letter from the officer of the
38 company constructing the building which states that the building shipped for the building
39 permit was designed and constructed in accordance with approved engineered plans and
40 specifications. The plans shall be stamped by an architect and/or engineer licensed in
41 Oklahoma.

Sec.9-103. - Roofing License Code.

(a) Roofing contractors.

Commented [BB70]: New ordinance to replace the current practice of a "change of ownership CO". Now it defers enforcement to the individual departments (ordinances) and takes the pressure off the CO

Commented [BB71]: Previously 9-6

Commented [BB72]: Previously 9-7

Commented [BB73]: Previously 9-36.

Commented [BB74]: Previously 9-41. Removed requirement of permit to be seen by street (a)(3)

(2) *Insurance.* Provide the City of Midwest City with verification of business general liability in the amount of five hundred thousand dollars (\$500,000.00) for residential construction and one million dollars (\$1,000,000.00) commercial general liability for all commercial construction. Proof of workman's compensation insurance must also be provided.

(3) *Permits.* Permits are required for all existing buildings in Midwest City. ~~The permit card must be displayed so that it is visible from a public street.~~

(4) *Failure to provide.* Any person or firm who violates any part of this section or Title 158, Chapter 85, Roofing Contractor Registration Act of the state statutes will be fined an amount not exceeding five hundred dollars (\$500.00) as per this section.

Exception: The actual owner of residential or farm property who physically performs roofing services, including construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of materials on his or her own dwelling in which they reside, without the assistance of any ~~registered~~ licensed roofing contractor, will be exempt from the Roofing [Contractor] Registration Act. The owner is still required to obtain a roofing permit from the community development department.

(b) *Construction requirements.* The owner will be required to follow current adopted code during construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of a roof.

(c) *Fees.*

(1) License fees. See Table located in Sec.9-47. -

(A) New license ~~—One hundred fifty dollars (\$150.00).~~

(B) Renewal fee ~~—Seventy five dollars (\$75.00).~~

All licenses will run from July 1 to June 30 of each year. Licenses will not be prorated. Licenses not renewed by August 15 will be charged the new license fee.

(2) Permit fees. A permit fee ~~of twenty five dollars (\$25.00)~~ will be collected for all existing structures requiring new roofs or repairs. See Table located in Sec.9-47. -.

Sec.9-104. - Reserved.

Sec.9-105. - Reserved.

Sec.9-106. - Reserved.

Sec.9-107. - Reserved.

Sec.9-108. - Reserved.

Sec.9-109. - Reserved.

Sec.9-110. - Reserved.

Sec.9-111. - Reserved.

Sec.9-112. - Reserved.

Sec.9-113. - Reserved.

Sec.9-114. - Reserved.

DIVISION 4. – BUILDER’S ADVISORY BOARD

Sec.9-115. - Builder’s Advisory Board Created.

There is hereby created a ~~builder’s advisory board of the city~~ Builder’s Advisory Board of the City.

Commented [BB75]: Fee table?

Commented [BB76]: Previously 9-16.

1 Sec.9-116. - Members.

Commented [BB77]: Previously 9-17.

- 2 (a) The Builder's Advisory Board shall consist of seven (7) members to be appointed by the
3 Mayor and approved by the City Council. The members of the board shall be chosen from
4 either:
5 (1) Residents of the city at large with reference to their fitness for such office; or
6 (2) Ownership, operation or involvement in the building, construction or development
7 business within the city.
8 (b) The members of the Builder's Advisory Board shall hold office until their successors are
9 appointed; ~~except that the in first instance, three (3) members shall be appointed for three~~
10 ~~(3) years, two (2) members for two (2) years, two (2) members for one (1) year. The Mayor~~
11 ~~shall be an ex-officio member of the board.~~
12 (c) Members may be removed for cause by the Mayor with approval of the City Council.
13 Absences from meetings by board members shall be governed by section 2-28 of this Code.
14 Vacancies shall be filled for an unexpired term in the same manner as appointment.
15 (d) The member of the Builder's Advisory Board shall serve without pay.

16 Sec.9-117. - Meetings.

Commented [BB78]: Previously 9-18

17 The Builder's Advisory Board shall meet at such times as meetings are called

18 Sec.9-118. - Quorum.

Commented [BB79]: Previously 9-19

19 For all business purposes, a quorum is required and is defined as any four (4) voting board
20 members.

21 Sec.9-119. - Officers and Reports.

Commented [BB80]: Previously 9-20. Changed
"third month of each calendar year" to "first meeting of
the calendar year"

22 The Builder's Advisory Board shall, immediately after its appointment, meet and organize by the
23 election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as
24 Secretary. Election of such officers shall be held the first meeting ~~third month~~ of each calendar
25 year. The board shall report fully and in writing to the Mayor and City Council immediately after
26 each meeting, which report shall be filed and preserved.

27 Sec.9-120. - Duties.

Commented [BB81]: Previously 9-21, Changed
building inspector to Chief Building Official and updated
pronouns

- 28 (a) The Builder's Advisory Board shall act in an advisory capacity to the Mayor and City
29 Council as regards building codes, construction, development requirements and related
30 matters of interest to the city.

31 ~~(b)~~ The Chief Building Official ~~building inspector~~ or their designee may provide such
32 assistance to the board as deemed necessary and appropriate.

33 ~~(b)(c)~~ The Builder's Advisory Board has the duty to review appeals as required in this Chapter.

34 Sec.9-121. - Reserved.

35 Sec.9-122. - Reserved.

36 Sec.9-123. - Reserved.

37 Sec.9-124. - Reserved.

38 **Article III – Electrical**

39 **DIVISION 1. – IN GENERAL**

40 Sec.9-125. - Title.

Commented [BB82]: Similar to other trades in
Articles, previous 9-32

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

1 Sec.9-126. - Reserved.

2 Sec.9-127. - Reserved.

3 Sec.9-128. - Reserved.

4 Sec.9-129. - Reserved.

5 Sec.9-130. - Reserved.

6 Sec.9-131. - Reserved.

7 Sec.9-132. - Reserved.

8 Sec.9-133. - Reserved.

9 Sec.9-134. - Reserved.

10 **DIVISION 2. – STANDARDS & REQUIREMENTS**

11 Sec.9-135. - Electrical Code Adopted.

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

20 Pursuant to 59 O.S. § 1000.23, the NFPA® 70, National Electrical Code, 2020 edition, as
21 published by the National Fire Protection Association®, including modifications by the
22 Oklahoma Uniform Building Code Commission as set forth in Title 748, Chapter 20, Subchapter
23 9 of the Oklahoma Administrative Code; hereinafter referred to as "NEC," is hereby adopted as
24 the Electrical Code of the City of Midwest City for regulating electrical installations made,
25 maintained and operated with the same force and effect as if fully set out in this section with
26 amendments thereto as prescribed in this section.

27 (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a
28 contractor license to any person who has a valid electrical license for the same license
29 period issued by the State of Oklahoma.

30 (a)(b) There is hereby levied licensing fees for the electrical trade see Table located in Sec.9-47.
31 -as follows:

32 (b)(c) It shall be unlawful for any person to engage in the trade or otherwise act as an ~~unlimited~~
33 electrical contractor, ~~unlimited journeyman electrician or apprentice~~ within the city without
34 first having been qualified and licensed as such by the State of Oklahoma. It shall also be
35 unlawful for any person to engage in the electrical trade or otherwise act as any type of
36 electrical contractor ~~or journeyman~~ within the city without first having been licensed by the
37 city. The city shall issue a ~~n unlimited journeyman or unlimited~~ contractor license to any
38 person, upon proper application, and payment of fees, who presents a valid ~~unlimited~~
39 ~~electrician~~ license and proper identification at the time of application for the same license
40 period issued by the State of Oklahoma.

41 (d) All city electrical trade licenses shall be for one (1) year but all such city licenses shall
expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals
shall be secured on or before the first day of July each year to be in effect from July 1
through June 30 of the following year. ~~Licenses Registrations~~ not renewed by the fifteenth
day of August shall be assessed the fee ~~for a new license (three hundred dollars (\$300.00))~~
~~for contractors and thirty dollars (\$30.00) for journeymen~~. See Table located in -Sec.9-47. -

Commented [BB83]: Previously 9-90, changed to same language as other trades

1 Sec.9-137. - Vehicles to be Marked.

2 All company vehicles or conveyances used in the scope of business or trade by any tradesman,
3 contractor or other person engaged in the electrical trade shall be identified by having printed on
4 the sides of such vehicles or conveyances in a conspicuous place the firm name and the
5 contractor's state license number. All letters and numbers shall be at least two (2) inches in
height displayed on both sides of such vehicle or conveyance.

Commented [BB85]: Previously 9-123

6 Sec.9-138. - Partnerships, Corporations, Firms.

7 No corporation, partnership or business trust shall engage in the business as an unlimited
8 electrical contractor within the city unless such entity shall have as an officer of the entity one
9 who holds an unlimited electrical contractor's ~~registration~~license and is active in the trade. The
10 name and address of such ~~registered~~licensed unlimited electrical contractor and the name and
address of the entity shall be ~~registered~~licensed with the eCity.

Commented [BB86]: Previously 9-125

11 Sec.9-139. - Supervision

12 A journeyman shall at all times while working at his trade be in the employment of a contractor
13 who is licensed with the City of Midwest City.

Commented [BB87]: Based of Previously 9-331, to match all trades

14 Sec.9-140. - Employing Unqualified Workmen.

- 15 (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any
16 person to work at the trade unless the person employed is licensed and licensed under
17 ordinances of the city, except such work as may be done by apprentices holding permits to
18 work as such as provided by this article.
- 19 (b) No person other than a licensed contractor shall hire, engage or employ any person to do
20 any mechanical work within the city, who is not a licensed, registered and bonded contractor
under the terms of this article.

Commented [BB88]: Based of Previously 9-345, to match all trades

21 Sec.9-141. - Licensing Generally.

22 The Electrical License Act shall apply to all persons applying for a city license as an ~~unlimited~~
23 ~~electrical contractor or unlimited journeyman electrician.~~

Commented [BB89]: Previously 9-121. Deleted unlimited journeyman electrician

24 Sec.9-142. - Reserved.

25 Sec.9-143. - Reserved.

26 Sec.9-144. - Reserved.

27 Sec.9-145. - Reserved.

28 Sec.9-146. - Reserved.

29 Sec.9-147. - Reserved.

30 Sec.9-148. - Reserved.

31 Sec.9-149. - Reserved.

32 **DIVISION 3. – PERMITS AND INSPECTIONS**

33 Sec.9-150. - Permit Application; Regulations.

- 34 (a) Permits required by this article shall be issued only to City licensed electrical contractors.
- 35 ~~(a)~~(b) To obtain an electrical permit, an applicant shall first file an application therefor in
36 writing on a form furnished by the City for that purpose. Every application shall:

Commented [BB90]: Previously 9-92

- 37 (1) Identify and describe the work to be covered by the permit for which the application is
38 made; and

The eCity may issue a permit for the construction of part of an electrical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

~~(b) One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the building official until final approval of the work covered therein. One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the building or work site at all times during which the work authorized thereby is in progress.~~

The issuance of a permit based upon plans shall not prevent the ~~building official~~ Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

(d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the ~~building official~~ Chief Building Official.

(e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The ~~building official~~ Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

~~(a) The following types of work are included in the building official's jurisdiction: (1) any new or existing garage which is a part of the electrical system of a dwelling, apartment house or motel.~~

~~(b)(g)~~ One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the ~~building official~~ Chief Building Official until final approval of the work covered therein. One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the building or work site at all times during which the work authorized thereby is in progress.

Sec.9-151. - Multiple Permits.

Only one (1) permit shall be issued for any electric wiring provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-152. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-153. - Permit Required to Whom Issued.

No electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed electrical contractor.

Commented [BB91]: Previously 9-95

Commented [BB92]: Previously 9-94

Commented [BB93]: Previously 9-96

judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-155. - Permit Cancellation.

An electrical contractor may request in writing that his permit be canceled. In the event that an electrical contractor holding a valid permit issued by the city refuses to complete the electrical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the ~~electrical board~~ Chief Building Official cancel the permit issued to the electrical contractor. ~~The electrical board shall give the electrical contractor in question five (5) days advance written notice that a hearing will be held to determine the validity of the owner's request. Upon hearing the matter, if the electrical board finds that sufficient cause exists to believe that the electrical contractor cannot or will not finish the job in the time contracted, then the electrical board may cancel the permit of the electrical contractor having first obtained such permit and issue another permit to any other electrical contractor making application therefor in accordance with the terms of this article.~~ The second electrical contractor permit holder shall take full responsibility for electrical work done after cancellation of the first electrical permit and for completion of the work in its entirety. No fees for permits will be refunded to the electrical contractor in the event that the ~~electric board cancels a permit~~ is canceled under the terms of this section.

Commented [BB95]: Previously 9-98. Rewritten to take Electrical Board out of canceling permit and gave power to Chief Building Official

Sec.9-156. - Permits.

There is a permit issuance fee for each electrical permit as in Table located in Sec.9-47. -

~~The fee for each electrical permit shall be thirty five (\$35.00) or 4 cents (\$0.04) per square foot, whichever is greater. When there is no current building permit issued, the electrical permit fee shall be:~~

Commented [BB96]: Previously 9-93. Refined, changed all power apparatus to a flat \$100 rate. Services are now from 0-400 instead of 0-200 amp to fix a previous gap in coverage

SYSTEM FEE SCHEDULE

IN ADDITION:

Private swimming pools:

Total\$50.00

For each electric generator and electrically driven ride\$100.00

For each mechanically driven ride and walk through attraction or display having electric lighting4.50

(c). Temporary power service permit:

(1). For each temporary service power pole or pedestal including all pole or pedestal-mounted receptacle outlets and appurtenances ~~-\$35.00, OR;~~

~~(3)-(2).~~ (2). For each temporary distribution system and temporary lighting and receptacle outlets for construction sites, Christmas tree sales lots, roadside stands, etc. ~~firework stands, etc -35.00.~~

~~(4)-(3).~~ (3). For pole or platform-mounted lighting fixtures, ~~each\$10.00~~

(4). For theatrical-type lighting fixtures or assemblies, ~~each10.00~~

~~(b)-(d).~~ (d). Residential appliances:

(1). Each special circuit 220 volt, 50 amp and above, ~~.....\$3.00~~

(2). For other types of air conditioners and other motor-driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.

Rating in horsepower (HP), kilowatts (KW), kilovolt amperes (KVA) or kilovolt amperes reactive (KVAR); heater, etc., the sum of the combined ratings shall be used.

(2). These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly related control equipment.

(f). Busway Permit

(1). For trolley and plug-in-type busways, first 200 feet minimum fee then, in the amount of \$100.

~~(3)-(2).~~ Each additional one hundred (100) feet or fraction thereof (per one hundred (100 feet) ~~4.50~~

(g). Electrical for signs, outline lighting and marquees:

~~(4)-(1).~~ For each sign, outline lighting system or marquee supplied from one branch circuit ~~\$35.00.~~

~~(d)-(h).~~ Services:

(1). For each service of 600 volts or less and not over ~~200~~ 400 amperes in rating \$75.00.

~~(1)-(2).~~ For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating ~~100.00.~~

~~(2)-(3).~~ For each service over 600 volts or over 1000 amperes in rating ~~200.00.~~

~~(3)-(4).~~ Elevators ~~75.00.~~

~~(e)-(i).~~ Other inspections and fees:

(1). Initial Reinspection fee

(2). All additional reinspection

(3). Inspections outside of normal business hours - initial call out (first 2 hours).

(4). Inspections outside of normal business hours - per hour thereafter initial call out.

~~(2). After hours inspections \$200.00~~

(a). All electrical systems and equipment for which a permit is required by this Code shall be subject to inspection by the city. The electrical system shall remain accessible and exposed for inspection purposes until approved by the city.

(b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the electrical system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.

(c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

~~(+)-(d).~~ Temporary electric service inspections shall be permitted for any and all new installation for the purpose of construction and safety to personnel and equipment, and to prevent water lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary central heating unit(s).

Sec.9-158. - Connection Approval.

(a). An electrical system or equipment regulated by this Code for which a permit is required shall not be connected to a source of energy or power until approved by the city.

(b). The ~~chief~~ electrical inspector may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the

Commented [BB98]: Previously 9-100. Updated nomenclature of inspector

1 (\$500.00) fine, not including court costs, and/or thirty (30) days in jail. Each day this
2 provision is violated shall constitute a separate offense.

3 (c). It is unlawful for any electric, light or power company, or any supplier of electricity for
4 light, heat or power to make any electrical connection to any structure or electric wiring or
5 apparatus until a certificate stating that the electric wiring has been approved or written
6 permit authorizing connection has been issued by the city. All persons, whether operating
7 under a regular franchise granted by the city or not, shall upon written notice by the
8 electrical inspector disconnect from any such circuit, including main service wires, branch
9 feeder wires or distribution, as designated by the notice, and shall not reconnect to the
10 installation except upon written notice from the electrical inspector. ~~Meter resets not
involving damage or a change to the original electrical system do not have to be performed
by an electrical contractor.~~

11 (d). Any electrical service that has been inactive for twelve (12) months or has had the service
12 disconnected for cause, ~~shall must~~ be inspected by the electrical inspector before service ~~will~~
~~beis~~ re-established.

13 Sec.9-159. - Appeals.

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

28 ~~Any person aggrieved by any ruling, interpretation, requirement or decision made by the~~
29 ~~electrical inspector may file an appeal to the electrical board by filing with the building official~~
30 ~~within five (5) days from the inspector's ruling, interpretation, requirement or decision a~~
31 ~~statement in writing specifying how the electrical inspector is alleged to have been wrong. The~~
32 ~~electrical board shall conduct a hearing within ten (10) days of the filing of the appeal. In such~~
33 ~~matter appealed, the electrical board shall rule to uphold or overturn the electrical inspector's~~
34 ~~decision. The appellant may make a final appeal, in writing, within five (5) days of the board's~~
35 ~~decision, to the city council. Written notice of the hearing by the council shall be delivered to the~~
36 ~~appellant at least three (3) days prior to the hearing which shall be held at the next regularly~~
37 ~~scheduled council meeting that permits proper notice to the appellant.~~

32 Sec.9-161. - Reserved.

33 Sec.9-162. - Reserved.

34 Sec.9-163. - Reserved.

35 Sec.9-164. - Solar Energy.

36 (a). Anyone desiring to erect, install, enlarge, alter, repair, remove, convert, or replace a Solar
37 Thermal or Photovoltaic Solar System, the installation which is regulated by the adopted
38 building codes of The City of Midwest City, or to cause such work to be performed, shall
39 first make application and submit all required documentation as deemed necessary to the
40 Chief Building Official and obtain the required permits.

41 (b). A person shall not make connections from a utility, source of energy, fuel or power to any
building or system that is regulated by this code until authorized by the Chief Building

Commented [BB99]: Previously 9-104, rewrote to match other trades

Commented [BB100]: New ordinance to address solar panels

1 Sec.9-165. - Reserved.

2 Sec.9-166. - Reserved.

3 Sec.9-167. - Reserved.

4 Sec.9-168. - Reserved.

5 Sec.9-169. - Reserved.

6 Sec.9-170. - Reserved.

7 Sec.9-171. - Reserved.

8 Sec.9-172. - Reserved.

9 Sec.9-173. - Reserved.

10 Sec.9-174. - Reserved.

11 Sec.9-175. - Reserved.

12 Sec.9-176. - Reserved.

13 Sec.9-177. - Reserved.

14 Sec.9-178. - Reserved.

15 Sec.9-179. - Reserved.

16 Sec.9-180. - Reserved.

17 Sec.9-181. - Reserved.

18 Sec.9-182. - Reserved.

19 Sec.9-183. - Reserved.

20 Sec.9-184. - Reserved.

21 **DIVISION 4. – ELECTRICAL BOARD**

22 Sec.9-185. - **Electrical Board Created.**

23 There is hereby created the Electrical Board

24 Sec.9-186. - **Members; ~~secretary.~~**

25 ~~All members of the electrical board shall be journeyman electricians or electrical contractors~~
26 ~~licensed by the city, and shall be persons who are familiar with the requirements of the National~~
27 ~~Electrical Code and who know the methods of installing electric wiring. They shall be appointed~~
28 ~~by the mayor and city council. The board shall consist of five (5) members, each of whom shall~~
29 ~~have been actually engaged in the business of electrical work as a registered journeyman~~
30 ~~electrician or a registered electrical contractor for the past five (5) years next preceding the date~~
31 ~~of appointment. Members shall serve staggered terms of three (3) years. The chief electrical~~
32 ~~inspector of the city shall serve as the board's secretary but shall not receive additional~~
33 ~~compensation to do so.~~

34 (1) Residents of the city at large with reference to their fitness for such office; or

35 (2) Ownership, operation or involvement in the business of electrical work as a licensed
36 journeyman electrician or a licensed electrical contractor for the past (5) years next
37 preceding the date of appointment.

Commented [BB101]: Previously 9-66

Commented [BB102]: Previously 9-67. Modified structure to mimic Builder's Advisory, left the number of board at 5. Removed secretary from previous

(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 this Code.
Vacancies shall be filled for an unexpired term in the same manner as appointment.

(d) The member of the Electrical Board shall serve without pay.

Sec.9-187. - Meetings.

~~The electrical board shall meet at least once each year and such other times as may be appropriate.~~The Electrical Board shall meet at such times as meetings are called

Commented [BB103]: Previously 9-70, re-ordered the same as Builder's Advisory

Sec.9-188. - Quorum.

~~At least three (3) members of the electrical board must be present to constitute a quorum in order to conduct any proceedings.~~

Commented [BB104]: Previously 9-68, rewritten to match Builder's Advisory

Sec.9-189. - Officers and Reports.

~~The electrical board shall elect a chair and vice chair on or around July 1 of each year.~~

Commented [BB105]: Previously 9-69, rewritten to match Builder's Advisory

Sec.9-190. - Duties, Responsibilities

(a) The electrical board shall act in an advisory capacity to the ~~mayor~~Mayor and ~~city council~~City Council ~~regarding as regards to~~ electrical construction and related matters of interest to the city.

Commented [BB106]: Previously 9-73, rewritten to match Builder's Advisory

~~(b) The chief electrical inspector shall provide such assistance to the electrical board as deemed necessary and appropriate.~~

(c) The Electrical Board has the duty to review appeals as required in this Chapter.

Sec.9-191. - Reserved.

Sec.9-192. - Reserved.

Sec.9-193. - Reserved.

Sec.9-194. - Reserved.

Article IV – Mechanical

DIVISION 1. – IN GENERAL

Sec.9-195. - Title.

This code shall be known as the Mechanical Code of Midwest City, Oklahoma, hereinafter referred to as the mechanical code or "this code".

Commented [BB107]: Previously 9-202

1 Sec.9-196. - Reserved.

2 Sec.9-197. - Reserved.

3 Sec.9-198. - Reserved.

4 Sec.9-199. - Reserved.

5 Sec.9-200. - Reserved.

6 Sec.9-201. - Reserved.

7 Sec.9-202. - Reserved.

8 Sec.9-203. - Reserved.

9 Sec.9-204. - Reserved.

10 **DIVISION 2. – STANDARDS & REQUIREMENTS**

11 Sec.9-205. - Mechanical Code Adopted

12 There is hereby adopted and incorporated by reference the following International Codes:
13 International Mechanical Code published by the International Code Council, Inc. referenced in
14 ~~section 9-4~~ Sec.9-5. - , incorporated by reference, save and except such portions as are now or may be
15 hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file
16 copy by the ~~city clerk~~ City Clerk of this city and said copy is available at city hall for public review. The
17 same is hereby adopted and incorporated as fully as if set forth at length herein, and the
18 provisions thereof shall be controlling in the construction of all building and other subjects
19 therein contained within the corporate limits of the city.

Commented [BB108]: Previously 9-201

20 Sec.9-206. - Licensing Fees and Requirements.

21 (a) Application: issuance. The City shall, upon proper application and payment of fees, issue a
22 contractor license to any person who has a valid mechanical license for the same license
23 period issued by the State of Oklahoma.

24 ~~(a)(b)~~ (b) There is hereby levied a schedule of registration license fees for the mechanical trade to
25 be as follows: For Unlimited and Limited Mechanical Contractors see Table located in See
26 Sec.9-47. - for fees.

Commented [BB109]: Previously 9-226 and 9-227
Rewrote heading to match electrical. Deleted
mechanical journeyman.

27 (c) It shall be unlawful for any person to engage in the trade or otherwise act as a mechanical
28 contractor, within the city without first having been qualified and licensed as such by the
29 State of Oklahoma. It shall also be unlawful for any person to engage in the mechanical
30 trade or otherwise act as any type of mechanical contractor within the city without first
31 having been licensed by the city. The city shall issue an contractor license to any person,
32 upon proper application, and payment of fees, who presents a valid mechanical license and
33 proper identification at the time of application for the same license period issued by the
34 State of Oklahoma.

35 ~~(b)(d)~~ (d) A registration may be applied for and secured at any time during the year, but in no event
36 shall the fee for such registration be less than for a full year. All registrations, including
37 building maintenance engineer's licenses, All city mechanical trade licenses shall be for one
38 (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner
39 revoked. Renewals shall be secured on or before the first day of July of each year to be in
40 effect for the ensuing from July 1 through June 30 of the following year.
41 LicensesRegistrations not renewed by the fifteenth day of August shall be assessed the fee
for a new license). The registration year shall coincide with the state license period which is
July 1st to June 30.

(e) A license may be applied for and secured at any time during the year, but in no event shall
the fee for such license be less than for a full year.

1 Sec.9-207. - Vehicles to be Marked.

2 All company vehicles or conveyances used in the scope of business or trade by any tradesman,
3 contractor or other person engaged in the ~~gas and/or mechanical trade covered by this article,~~
4 ~~which vehicles are used in the scope of business or trade concerned, except passenger~~
5 ~~automobiles (not including station wagons)~~ shall be identified by having printed on the sides of
6 such vehicles in a conspicuous place the firm name and number of the contractor's state license
7 ~~number theretofore issued to such contractor.~~ All letters and numbers shall be at least two (2)
8 inches in height displayed on both sides of such vehicle or conveyance.

Commented [BB110]: Pulled from 9-227(e) and modified to match electrical

9 Sec.9-208. - Partnerships, Corporations, Firms.

10 No corporation, partnership or business trust shall engage in the business as mechanical
11 contractor within the city unless such entity shall have as an officer of the entity one who holds a
12 contractor's license and is active in the trade. The name and address of such ~~registered~~ contractor
13 and the name and address of the entity shall be ~~registered~~ licensed with the ~~e~~City.

Commented [BB111]: Pulled from 9-227(c) and modified to match electrical

14 Sec.9-209. - Supervision

15 A journeyman shall at all times while working at his trade be in the employment of a contractor
16 who is licensed with the City of Midwest City.

Commented [BB112]: Based of Previously 9-331, to match all trades

17 Sec.9-210. - Employing Unqualified Workmen.

- 18 (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any
19 person to work at the trade unless the person employed is licensed and registered under
20 ordinances of the city, except such work as may be done by apprentices holding permits to
21 work as such as provided by this article.
- 22 (b) No person other than a licensed contractor shall hire, engage or employ any person to do
23 any mechanical work within the city, who is not a licensed, registered and bonded contractor
24 under the terms of this article.

Commented [BB113]: Based of Previously 9-345, to match all trades

25 Sec.9-211. - Reserved.

26 Sec.9-212. - Reserved.

27 Sec.9-213. - Reserved.

28 Sec.9-214. - Reserved.

29 Sec.9-215. - Reserved.

30 Sec.9-216. - Reserved.

31 Sec.9-217. - Reserved.

32 Sec.9-218. - Reserved.

33 Sec.9-219. - Reserved.

34 **DIVISION 3. – PERMITS AND INSPECTIONS**

35 Sec.9-220. - Permit Application; Regulations.

- 36 (a) Permits required by this article shall be issued only to City licensed mechanical contractors
37 ~~being qualified installing agencies licensed under this article.~~
- 38 (b) ~~Application.~~—To obtain a mechanical permit, an applicant shall first file an application
39 therefor ~~in writing~~ on a form furnished by the ~~City development services department~~ for that
40 purpose. Every application shall:
- 41 (1) Identify and describe the work to be covered by the permit for which the application is
made; and

Commented [BB114]: Previously 9-204, From language in Electrical to match, previous template was 9-92,

The City may issue a permit for the construction of part of a mechanical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

~~Suspension or revocation. The building official may, in writing, suspend or revoke a permit issued under the provisions of this code when a permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the city.~~

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

(d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.

(e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

(f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the mechanical system of a dwelling, apartment house or motel.

Sec.9-221. - Multiple Permits.

Only one (1) permit shall be issued for any mechanical provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-222. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-223. - Permit Required to Whom Issued.

No mechanical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate mechanical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed mechanical contractor.

Sec.9-224. - Permit Denial.

The City may refuse to issue a permit for the installation of mechanical as herein provided, or for any additions or extensions to any mechanical where, in the Chief Building Official's judgment, the mechanical done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-225. - Permit Cancellation.

Commented [BB115]: To match Plumbing and Electrical, using previous 9-310 as a template.

Commented [BB116]: New language to match Electrical, using previous 9-94 as a template

Commented [BB117]: New language to match Electrical, using previous 9-96 as a template

Commented [BB118]: New language to match Electrical, using previous 9-97 as a template

Commented [BB119]: New language to match

mechanical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the mechanical contractor. The second mechanical contractor permit holder shall take full responsibility for mechanical work done after cancellation of the first mechanical permit and for completion of the work in its entirety. No fees for permits will be refunded to the mechanical contractor in the event that the permit is canceled under the terms of this section.

Sec.9-226. - Permits.

Before a permit is issued for any mechanical system or work, there shall be an issuance permit as in Table located in Sec.9-47. -.

The following fees do not include the permit issuance fee but shall be based on all mechanical work and mechanical equipment in or on each structure or other mechanical equipment on the same premises constructed at the same time. Before a permit is issued for any refrigeration system or air conditioning or forced air heating system, fees shall be paid to the City of Midwest City in accordance with the following schedule:

See Table located in Sec.9-47. -

Fees:

- (a) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H
- (b) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H
- (c) For the installation of self-contained packaged units

(1) 0 — 5 tons25.00

(2) 5-25 tons

(3) 26-60 tons

(4) 61 tons or greater

- (d) For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater
- (e) For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code

~~6. For the installation or relocation of each boiler or condensing unit to and including five horsepower, or each absorption system to and including 100,000 BTU/H50.00~~

NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere

- (g) For each air-handling unit over 2000 cfm
- (h) For each evaporative cooler other than ~~per Table~~portable type
- (i) For each ventilation fan connected to a single duct
- (j) For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit
- (k) For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood
- (l) For the installation or relocation of each domestic type incinerator
- (m) For the installation or relocation of each commercial or industrial type incinerator

Commented [BB120]: Previously 9-206. Rewritten to reference fee table. Added in Permit Issuance fee like it is in Electrical and Plumbing

(+)(p) Other inspections and fees:

(1) Initial Reinspection fee

(2) All additional reinspection

(3) Inspections outside of normal business hours - initial call out (first 2 hours).

(4) Inspections outside of normal business hours - per hour thereafter initial call out.

~~(s) Inspection outside of normal business hours (minimum charge two (2) hours), per hour
.....\$200.00~~

(a) When an original rough-in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. ~~Either in the case of an original installation or in case of an alteration, the permit-holding contractor shall be permitted to immediately place the system in operation, unless a pressure test is required under the terms of this article or other ordinances.~~

(b) The inspector shall make an inspection of the alteration or installation at the first available time within twenty-four (24) hours from the time of notification. If the installation or alteration to the air conditioning or refrigeration or forced air heating system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection ~~chart notice~~ at or near the same, noting thereon the date and approval of the work, together with his signature. ~~If the installation or alteration of the system is found to be faulty, incorrect or defectively installed, the inspector shall notify the permit holding contractor who installed the work, advising him of the changes necessary to be made in order that the same may conform to this article.~~

(c) The fees required for the making of the required inspection by the City development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a fifty dollar (\$50.00) reinspection fee. All subsequent reinspections shall be assessed a one hundred dollar (\$100.00) fee. See Fee Table located in Sec.9-47. -

Sec.9-228. - Appeals.

~~An appeal may be taken to the plumbing, heating, and mechanical board from any ruling, interpretation, requirement or decision made by the building inspector by filing with the building official within five (5) days from the building inspector's ruling, interpretation, requirement or decision a statement in writing showing wherein the inspector is alleged to have been wrong. The building official shall review, within one (1) business day, the decision of the inspector. If the building official upholds the decision, the appeal will proceed to the plumbing, heating, and mechanical board. If the building official overturns the decision of the inspector, no further appeal shall be allowed. The plumbing, heating, and mechanical board shall conduct a hearing within ten (10) days of the filing of the appeal. In such matter appealed, the plumbing, heating, and mechanical board shall rule to uphold or overturn the inspector's decision. The appellant may make a final appeal, in writing, within five (5) days of the board's decision, to the city council. Written notice of the hearing by the council shall be hand delivered to the appellant at least three (3) days prior to the hearing, which shall be held at the next regularly scheduled council meeting that permits proper notice to the appellant.~~

Commented [BB122]: Previously 9-214, rewritten to follow appeals from other boards.

1 Sec.9-229. - Reserved.

2 Sec.9-230. - Reserved.

3 Sec.9-231. - Reserved.

4 Sec.9-232. - Reserved.

5 Sec.9-233. - Reserved.

6 Sec.9-234. - Reserved.

7 Sec.9-235. - Reserved.

8 Sec.9-236. - Reserved.

9 Sec.9-237. - Reserved.

10 Sec.9-238. - Reserved.

11 Sec.9-239. - Reserved.

12 Sec.9-240. - Reserved.

13 Sec.9-241. - Reserved.

14 Sec.9-242. - Reserved.

15 Sec.9-243. - Reserved.

16 Sec.9-244. - Reserved.

17 Sec.9-245. - Reserved.

18 Sec.9-246. - Reserved.

19 Sec.9-247. - Reserved.

20 Sec.9-248. - Reserved.

21 Sec.9-249. - Reserved.

22 Sec.9-250. - Reserved.

23 Sec.9-251. - Reserved.

24 Sec.9-252. - Reserved.

25 Sec.9-253. - Reserved.

26 Sec.9-254. - Reserved.

27 **DIVISION 4. – MECHANICAL BOARD**

28 Sec.9-255. - **Plumbing, Gas, and Mechanical Board Created.**

29 There is hereby created the Plumbing, Gas, and Mechanical Board

30 Sec.9-256. - **Members.**

31 (a) There is hereby created a plumbing, gas and mechanical board for the city, consisting The
32 Plumbing, Gas, and Mechanical Board shall ~~consist of~~ consist of six (6) members to be
33 appointed by the Mavor and approved by the City Council. All members of the Plumbing,
34

Commented [BB123]: Previously 9-190 Modified structure to mimic Builder's Advisory.

Commented [BB124]: Previously 9-190 (as well as created language). Modified structure to mimic Builder's Advisory, left the number of board at 6. Removed secretary from previous

1 least one (1) master of each of the trades). The board members shall serve on staggered
2 terms and shall be appointed by the mayor and approved by the city council. The members
3 of the board shall have been actively engaged in their respective businesses or trades for a
4 period of not less than two (2) years immediately preceding the date of appointment, be
actively licensed with the city in their respective trade, and be chosen from either:

- 5 (1) Residents of the city at large with reference to their fitness for such office; or
6 (2) Ownership, operation or involvement in the ~~building, construction or development~~
7 ~~business within the city business of plumbing, gas, and/or mechanical work as a~~
8 licensed journeyman or a licensed contractor for the past (5) years next preceding the
date of appointment.

- 9 (b) The members of the Plumbing, Gas, and Mechanical Board shall hold office until their
10 successors are appointed; ~~for the terms of three (3) years.~~ The Mayor shall be an ex officio
11 member of the board. Plumbing, Gas, and Mechanical Board stipulates staggered terms of
three (3) years.
12 (c) Members may be removed for cause by the Mayor with approval of the City Council.
13 Absences from meetings by board members shall be governed by section 2-28 of this Code.
14 Vacancies shall be filled for an unexpired term in the same manner as appointment.
15 (d) The member of the Plumbing, Gas, and Mechanical Board shall serve without pay.

16 Sec.9-257. - Meetings.

17 The Plumbing, Gas, and Mechanical Board shall meet at such times as meetings are called

18 Sec.9-258. - Quorum.

19 ~~At least three (3) voting members of the plumbing, gas and mechanical board must be present to~~
20 ~~constitute a quorum in order to conduct any proceedings.~~

21 Sec.9-259. - Officers and reports.

22 ~~The plumbing, gas and mechanical board shall elect a chair and vice chair and shall meet from~~
23 ~~time to time when necessary upon the call of the chair, or in his absence the vice chair, or upon~~
24 ~~call of a majority of the board members.~~

25 Sec.9-260. - Duties.

26 ~~The plumbing, gas and mechanical board shall adopt and promulgate all necessary rules and~~
27 ~~regulations in accordance with the provisions of this article.~~

- 28 (b) The Chief Building Official or their designee may provide such assistance to the board as
deemed necessary and appropriate.
29 (c) The Plumbing, Gas, and Mechanical Board has the duty to review appeals as required in this
30 Chapter.

31 Sec.9-261. - Reserved.

32 Sec.9-262. - Reserved.

33 Sec.9-263. - Reserved.

34 Sec.9-264. - Reserved.

35 **Article V – Fuel Gas**

36 **DIVISION 1. – IN GENERAL**

37 Sec.9-265. - Title.

38 These regulations shall be known as the Fuel Gas Code of the City of Midwest City, hereinafter
39 referred to as "this code."

Commented [BB125]: Previously 9-190(e)

Commented [BB126]: Previously 9-191, rewritten to match Builder's Advisory

Commented [BB127]: Previously 9-192 and 9-193, rewritten to match Builder's Advisory

Commented [BB128]: Previously 9-194 and 9-195, rewritten to match Builder's Advisory. Removed duty to adopt and promulgate

Commented [BB129]: New language added. Similar to other trades in Articles

Sec.9-266. - Reserved.

Sec.9-267. - Reserved.

Sec.9-268. - Reserved.

Sec.9-269. - Reserved.

Sec.9-270. - Reserved.

Sec.9-271. - Reserved.

Sec.9-272. - Reserved.

Sec.9-273. - Reserved.

Sec.9-274. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

Sec.9-275. - Fuel Code Adopted.

Commented [BB130]: Previously 9-196

There is hereby adopted and incorporated by reference the following International Codes: International Fuel Gas Code ~~of the [year/edition]~~ published by the International Code Council, Inc. referenced in ~~section 9-4~~ Sec.9-5. -, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the ~~city clerk~~ City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Sec.9-276. - Reserved.

Sec.9-277. - Reserved.

Sec.9-278. - Reserved.

Sec.9-279. - Reserved.

Sec.9-280. - Reserved.

Sec.9-281. - Reserved.

Sec.9-282. - Reserved.

Sec.9-283. - Reserved.

Sec.9-284. - Reserved.

Sec.9-285. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-286. - Permit Application.

Commented [BB131]: New language because fuel/gas used to be under Mechanical. From language in Electrical to match, previous template was 9-92,

(a) Permits required by this article shall be issued only to City licensed contractors.

(b) To obtain a permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:

(1) Identify and describe the work to be covered by the permit for which the application is made; and

(2) Describe, by legal description, street address or similar description that will readily

The City may issue a permit for the construction of part of a fuel/gas system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

- (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.

- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

- (f) There shall be a separate permit for each building, except in the case of the gas piping of an outbuilding or garage which is a part of the gas system of a dwelling, apartment house or motel.

Sec.9-287. - Multiple Permits.

Only one (1) permit shall be issued for any fuel/gas provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Commented [BB132]: To match Plumbing and Electrical, using previous 9-310 as a template.

Sec.9-288. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Commented [BB133]: New language to match Electrical, using previous 9-94 as a template

Sec.9-289. - Permit Required to Whom Issued.

No fuel/gas system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate fuel/gas permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed fuel/gas contractor.

Commented [BB134]: New language to match Electrical, using previous 9-96 as a template

Sec.9-290. - Permit Denial.

The City may refuse to issue a permit for the installation of fuel/gas as herein provided, or for any additions or extensions to any fuel/gas where, in the Chief Building Official's judgment, the fuel/gas done or proposed to be done is unsafe or not in accordance with the provisions of this code.

Commented [BB135]: New language to match Electrical, using previous 9-97 as a template

1 Sec.9-291. - Permit Cancellation.

2 A fuel/gas contractor may request in writing that his permit be canceled. In the event that a
3 fuel/gas contractor holding a valid permit issued by the city refuses to complete the fuel/gas
4 work in a reasonable time or there is an undue delay in the completion of the project, the owner
5 may request in writing that the Chief Building Official cancel the permit issued to the fuel/gas
6 contractor. The second fuel/gas contractor permit holder shall take full responsibility for fuel/gas
7 work done after cancellation of the first fuel/gas permit and for completion of the work in its
8 entirety. No fees for permits will be refunded to the fuel/gas contractor in the event that the
9 permit is canceled under the terms of this section.

Commented [BB136]: New language to match Electrical, using previous 9-98 as a template and modified further

10 Sec.9-292. - Permits.

11 Before a permit is issued for any fuel gas system or work, there shall be an issuance permit as in
12 Table located in Sec.9-47. -.

Commented [BB137]: New language to match all trades

13 The following fees do not include the permit issuance fee but shall be based on piping and fuel
14 gas equipment in or on each structure or other fuel gas equipment on the same premises
15 constructed at the same time.

16 IN ADDITION:

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

18 (a). Gas Piping

19 (b). Gas Piping Outlets

20 Sec.9-293. - Inspections; Approval.

21 (a). When an original rough-in installation of a fuel gas system is completed on any premises,
22 the permit-holding contractor shall notify the inspector that the work is ready for inspection.
23 When a fuel gas alteration for which a permit is required under the terms of this article is
24 completed on any premises, the permit-holding contractor shall notify the inspector that the
25 work is ready for inspection.

Commented [BB138]: New language based on Previous 9-211 to match all trades

26 (b). The inspector shall make an inspection of the alteration or installation at the first available
27 time. If the installation or alteration to the fuel gas system has been done in accordance with
28 the terms and provisions of this article and amendments thereto, the inspector shall post an
29 inspection notice at or near the same, noting thereon the date and approval of the work,
30 together with his signature.

31 (c). The fees required for the making of the required inspection by the City unless the inspector
32 is required to make another or an additional inspection of the installation necessitating
33 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent
34 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

35 Sec.9-294. - Appeals.

36 An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling,
37 interpretation, requirement or decision made by the fuel/gas inspector, by filing with the Chief
38 Building Official within ten (10) business days from the fuel/gas inspector's ruling,
39 interpretation, requirement or decision a statement in writing of the issues to be considered on
40 appeal. The Chief Building Official shall review, within three (3) business days or receipt of
41 appeal. If the Chief Building Official upholds the fuel/gas inspector's decision, the appeal will
proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns
the decision of the fuel/gas inspector, no further appeal is necessary. The Plumbing, Gas, and
Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the
Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board
shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make

Commented [BB139]: Previously was part of mechanical code, 9-214, but pulled into this article and modified to follow fuel/gas

1 Sec.9-295. - Reserved.

2 Sec.9-296. - Reserved.

3 Sec.9-297. - Reserved.

4 Sec.9-298. - Reserved.

5 Sec.9-299. - Reserved.

6 Sec.9-300. - Reserved.

7 **DIVISION 4. – FUEL GAS BOARD**

8 Sec.9-301. - Plumbing, Gas, and Mechanical Board Created.

9 Refer to Sec.9-255. -

Commented [BB140]: Did not exist as a stand alone reference within Mechanical previously

10 Sec.9-302. - Members.

11 Refer to Sec.9-256. -

Commented [BB141]: Did not exist as a stand alone reference within Mechanical previously

12 Sec.9-303. - Meetings.

13 Refer to Sec.9-257. -

Commented [BB142]: Did not exist as a stand alone reference within Mechanical previously

14 Sec.9-304. - Quorum.

15 Refer to Sec.9-258. -

Commented [BB143]: Did not exist as a stand alone reference within Mechanical previously

16 Sec.9-305. - Officers and reports.

17 Refer to Sec.9-259. -

Commented [BB144]: Did not exist as a stand alone reference within Mechanical previously

18 Refer to Sec.9-260. -

Commented [BB145]: Did not exist as a stand alone reference within Mechanical previously

19 ~~Sec.9-308. – Sec.9-307. -~~ Reserved.

20 ~~Sec.9-309. – Sec.9-308. -~~ Reserved.

21 ~~Sec.9-310. – Sec.9-309. -~~ Reserved.

22 ~~Sec.9-311. – Sec.9-310. -~~ Reserved.

23 **Article VI – Plumbing**

Commented [BB146]: RANDALL, Check 9-303 to make sure we aren't missing anything, propose we delete it totally and incorporate anything missing into the "powers and duties"

24 **DIVISION 1. – IN GENERAL**

25 ~~Sec.9-312. – Sec.9-311. -~~ Title.

26 This code shall be known as the Plumbing Code of Midwest City, Oklahoma, hereinafter referred to as the plumbing code or "this code."

Commented [BB147]: Previously 9-302

27 ~~Sec.9-313. – Sec.9-312. -~~ Applicability Outside the City.

28 All persons using water or sewage lines owned, furnished or operated by the city outside of the corporate limits of the city must comply with all of the terms and requirements contained in this article before such water or sewer-service may be obtained or continued.

Commented [BB148]: Previously 9-276

~~Sec.9-314.~~—Sec.9-313. - Reserved.

~~Sec.9-315.~~—Sec.9-314. - Reserved.

~~Sec.9-316.~~—Sec.9-315. - Reserved.

~~Sec.9-317.~~—Sec.9-316. - Reserved.

~~Sec.9-318.~~—Sec.9-317. - Reserved.

~~Sec.9-319.~~—Sec.9-318. - Reserved.

~~Sec.9-320.~~—Sec.9-319. - Reserved.

~~Sec.9-321.~~—Sec.9-320. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

~~Sec.9-322.~~—Sec.9-321. - **Plumbing Code Adopted.**

There is hereby adopted and incorporated by reference the following International Codes: International Plumbing Code published by the International Code Council, Inc. referenced in ~~Section 9-4~~ Sec.9-5. - , incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the City Clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

Commented [BB149]: Previously 9-301

~~Sec.9-323.~~—Sec.9-322. - **Licensing Fees and Requirements**~~Registration Terms; Renewal; Delinquency Penalty.~~

Commented [BB150]: Previously 9-336, 9-337, 9-338, 9-342 and 9-343 Rewrote to match electrical and mechanical.

- (a) Application; issuance. The ~~City development services department~~ shall, upon proper application and payment of fees, issue a ~~journeyman or contractor license~~ registration to any person who has a valid plumbing license for the same license period issued by the State of Oklahoma.
- (b) ~~Registration fees.~~—There is hereby levied a schedule of ~~registration~~ license fees for the plumbing trade to be as follows in Table located in Sec.9-47. - . :
- (c) It shall be unlawful for any person to engage in the plumbing trade or otherwise act as a plumbing contractor ~~or journeyman~~ within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the plumbing trade or otherwise act as any type of plumbing contractor within the city without first having been ~~registered~~ licensed by the city. The city shall issue an contractor license to any person, upon proper application, and payment of fees, who presents a valid plumbing license and proper identification at the time of application for the same license period issued by the State of Oklahoma.
- (d) All ~~registrations, including building maintenance engineer's licenses~~ city plumbing trade licenses shall be for one (1) year but all such city licenses and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect from July 1 through June 30 of the following year. ~~Licenses for the ensuing registration year. Registrations~~ not renewed by the fifteenth day of August shall be assessed the fee for a new license ~~(three hundred dollars (\$300.00) for contractors and five dollars (\$5.00) for journeymen). The registration year shall coincide with the state license period which is July 1st to June 30.~~
- (e) A ~~registration~~ license may be applied for and secured at any time during the year, but in no event shall the fee for such ~~registration~~ license be less than for a full year.
- (f) A master plumbers (plumbing contractors) ~~registration~~ license shall not be transferred, loaned or assigned.

Sec.9-324.—Sec.9-323. - Vehicles to be Marked.

All company vehicles or conveyances used in the scope of business or trade ~~any manner~~ by any tradesman, contractor or other person engaged in the plumbing trade ~~covered by this article, which vehicles are used in the scope of business or trade concerned except passenger automobiles (not including station wagons),~~ shall be identified by having printed on the sides of such vehicles or conveyances in a conspicuous place the firm name and number of the contractors state license ~~number theretofore issued to such contractor.~~ All letters and numbers shall be at least two (2) inches in height, displayed on both sides of such vehicle or conveyance. ~~in a conspicuous place, the firm name and this city registration number prefaced by the letters "MWC."~~

Commented [BB151]: Previously 9-340 and rewritten to match electrical

Sec.9-325.—Sec.9-324. - Patnrships, Corporations, Firms.

No corporation, partnership or business trust shall engage in the business as a plumbing contractor within the city unless such ~~corporation, partnership or business trust~~ entity shall have as an officer of the ~~entity corporation or a member of such firm~~ one who holds a plumbing contractor's ~~registration license~~ and is active in the trade. The name and address of such contractor and the name and address of the ~~entity employer~~ shall be ~~registered~~ certified by the employer and registered with the City.

Commented [BB152]: Previously 9-341

Sec.9-326.—Sec.9-325. - Supervision

A journeyman plumber shall at all times while working at his trade be in the employment of a plumbing contractor who is ~~registered~~ licensed with the City of Midwest City as a Master Plumber.

Commented [BB153]: Previously 9-331
This is the only trade that has this language?

Sec.9-327.—Sec.9-326. - Employing Unqualified Workmen.

- (a) It is hereby declared unlawful and an offense for any master plumber (plumbing contractor) to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a master plumber (plumbing contractor) shall hire, engage or employ any person to do any plumbing within the city, or work that connects with a water or sewer main of the city outside the city, who is not a licensed, registered and bonded master plumber (plumbing, contractor) under the terms of this article.

Commented [BB154]: Previously 9-345

Sec.9-328.—Sec.9-327. - Reserved.

Sec.9-329.—Sec.9-328. - Reserved.

Sec.9-330.—Sec.9-329. - Reserved.

Sec.9-331.—Sec.9-330. - Reserved.

Sec.9-332.—Sec.9-331. - Reserved.

Sec.9-333.—Sec.9-332. - Reserved.

Sec.9-334.—Sec.9-333. - Reserved.

Sec.9-335.—Sec.9-334. - Reserved.

Sec.9-336.—Sec.9-335. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-337.—Sec.9-336. - Permit Application ~~Issuance of Permits.~~

- (a) ~~Except as otherwise provided, no permit shall be issued for any plumbing, sanitary equipment or other work that must be done in accordance with the terms of this article, to~~

Commented [BB155]: Previously 9-304, 9-305, 9-306, From language in Electrical to match, previous template was 9-92,

(1) Identify and describe the work to be covered by the permit for which the application is made; and

(2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of a plumbing system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.

The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.

(d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.

(e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

(f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the plumbing system of a dwelling, apartment house or motel.

(g) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system within the city, or to make connections with a water or sewer main without obtaining a permit therefor from the development services department before the work is started.

(h) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system owned or operated by the city outside of its corporate limits without obtaining a permit therefor from the development services department before the work is started.

Sec.9-338.—Sec.9-337. - Multiple Permits.

Only one (1) permit shall be issued for any plumbing provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-339.—Sec.9-338. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization

Commented [BB156]: Previously 9-310.

Commented [BB157]: Previously 9-309

Sec.9-340.—Sec.9-339. - Permit Required to Whom Issued.

No plumbing system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate plumbing permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed plumbing contractor.

Commented [BB158]: New language to match Electrical, using previous 9-96 as a template

Sec.9-341.—Sec.9-340. - Permit Denial.

The City may refuse to issue a permit for the installation of the plumbing as herein provided, or for any additions or extensions to any plumbing where, in the Chief Building Official's judgment, the plumbing done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Commented [BB159]: Previously 9-311 to match Electrical

Sec.9-342.—Sec.9-341. - Permit Cancellation.

A plumbing contractor may request in writing that his permit be canceled. In the event that a plumbing contractor holding a valid permit issued by the city refuses to complete the plumbing work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the plumbing contractor. The second plumbing contractor permit holder shall take full responsibility for plumbing work done after cancellation of the first plumbing permit and for completion of the work in its entirety. No fees for permits will be refunded to the plumbing contractor in the event that the permit is canceled under the terms of this section.

Commented [BB160]: Previously 9-312 New language to match Electrical

A plumbing contractor may request in writing that his permit be canceled. In the event that a plumbing contractor holding a valid permit issued by the city refuses to complete the plumbing work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the plumbing, heating, and mechanical board cancel such permit issued to the plumbing contractor. The plumbing, heating, and mechanical board shall give the plumbing contractor in question five (5) days advance written notice that a hearing will be held to determine the validity of the owner's request. Upon hearing the matter, if the board finds that sufficient cause exists to believe that the plumbing contractor cannot finish the job in the time contracted, then the board may cancel the permit of the plumbing contractor having first obtained such permit and issue another permit to any other plumbing contractor making application therefor in accordance with the terms of this article. No fees for permits will be returned to the plumbing contractor in the event that any of the conditions herein set forth occur.

Before a permit is issued for any plumbing system or work, there shall be an issuance permit as in Table located in Sec.9-47. - fees shall be paid to the development services department in accordance with the following schedule;

The following fees do not include the permit issuance fee but shall be based on plumbing and plumbing equipment in or on each structure or other plumbing equipment on the same premises constructed at the same time.

IN ADDITION:

See Table located in Sec.9-47. -

(a) For each building sewer and each trailer park sewer ~~\$35.00~~

(b) Rainwater systems—per drain (inside building) ~~10.00~~

~~(3) For each cesspool.....100.00~~

(d) For each water heater and/or vent (includes gas) ~~35.00~~

~~(e) For each gas piping system 35.00~~

~~(f) For installation, alteration or repair of water piping and/or water treating equipment 35.00~~

~~(+)(h)~~ For each vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures, including necessary water piping—one (1) to four (4) ~~—10.00 ea~~

~~(+)(i)~~ Five (5) or more, each ~~—5.00~~

~~(+)(j)~~ Oil/Sand separator ~~—50.00~~

~~(+)(k)~~ Commercial grease interceptor ~~.....50.00~~

~~(+)(l)~~ Other inspections and fees:

(1) Initial Reinspection fee

(2) All additional reinspection

(3) Inspections outside of normal business hours - initial call out (first 2 hours).

(4) Inspections outside of normal business hours - per hour thereafter initial call out.

~~(e)~~ Inspections outside of normal business hours per hour.....\$ 200.00 (Minimum charge —two (2) hours)

(a). When an original rough-in installation of a plumbing system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When a plumbing alteration for which a permit is required under the terms of this article is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection.

(b). The inspector shall make an inspection of the alteration or installation at the first available time. If the installation or alteration to the plumbing system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection notice at or near the same, noting thereon the date and approval of the work, together with his signature.

(c). The fees required for the making of the required inspection by the City unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be assessed a fee. See Fee Table located in Sec.9-47. -

Sec.9-345.—Sec.9-344. - Appeals.

An appeal may be taken to the plumbing, gas and mechanical board from any ruling, interpretation, requirement or decision made by the plumbing inspector by filing with the building official within five (5) days from the inspector's ruling, interpretation, requirement or decision a statement in writing showing wherein the inspector is alleged to have been wrong. The building official shall review, within one (1) business day, the decision of the plumbing inspector. If the building official upholds the decision, the appeal will proceed to the plumbing, gas and mechanical board. If the building official overturns the decision of the plumbing inspector, no further appeal shall be allowed. The city plumbing, gas and mechanical board shall conduct a hearing within ten (10) days of the filing of the appeal. In such matter appealed, the plumbing, gas and mechanical board shall rule to uphold or overturn the plumbing inspector's decision. The appellant may make a final appeal, in writing, within five (5) days of the board's decision, to the city council. Written notice of the hearing by the council shall be hand-delivered to the appellant at least three (3) days prior to the hearing, which shall be held at the next regularly scheduled council meeting that permits proper notice to the appellant.

Commented [BB163]: Previously 9-317, rewritten to follow appeals from other boards.

1 Sec.9-346.—Sec.9-345. - Reserved.

2 Sec.9-347.—Sec.9-346. - Reserved.

3 Sec.9-348.—Sec.9-347. - Reserved.

4 Sec.9-349.—Sec.9-348. - Reserved.

5 Sec.9-350.—Sec.9-349. - Reserved.

6 Sec.9-351.—Sec.9-350. - Reserved.

7 Sec.9-352.—Sec.9-351. - Reserved.

8 Sec.9-353.—Sec.9-352. - **On-Site Sewage Treatment System-Septic tanks.**

9
10
11 ~~(a) There is hereby adopted the Oklahoma Department of Health Engineering Bulletin No. 600,~~
12 ~~1982 Revised Edition, entitled, "Septic Tank and Subsurface Tile Systems", which is the~~
13 ~~standard adopted by the city for the installation, maintenance and repair of septic systems~~
14 ~~within the city.~~

15 ~~(b) Whenever an on-site sewage treatment system is constructed, the design, installation,~~
16 ~~maintenance and replacement of the system shall be controlled by the latest standards and~~
17 ~~regulations of the Oklahoma Department of Environmental Quality.~~

18 ~~(c) Whenever there is an installation of an on-site sewage treatment system a copy of the~~
19 ~~completed DEQ form number 641-576AS, shall be submitted to the Chief Building Official.~~

20 ~~(d) Any person who shall violate any of the provisions of this section or fails to comply with~~
21 ~~any of the requirements hereof shall be guilty of an offense and each day such violation~~
22 ~~shall be permitted to exist shall constitute a separate offense. The city may initiate any~~
23 ~~proper action in the municipal or district court in the name of the city to prevent, restrain or~~
24 ~~abate any violations of this section.~~

25 ~~(e) The on-site sewage treatment system shall be registered by the homeowner with the City.~~
26 ~~The fee for registration see Table located in Sec.9-47. -~~

27 ~~(f) An on-site sewage treatment system shall be registered before a certificate of occupancy~~
28 ~~shall be issued.~~

Commented [BB164]: Previously 9-372 and "Septic Tanks". Updated to match ODEQ regulations and Chapter 43

1 Sec.9-354.—Sec.9-353. - Reserved.
2 Sec.9-355.—Sec.9-354. - Reserved.
3 Sec.9-356.—Sec.9-355. - Reserved.
4 Sec.9-357.—Sec.9-356. - Reserved.
5 Sec.9-358.—Sec.9-357. - Reserved.
6 Sec.9-359.—Sec.9-358. - Reserved.
7 Sec.9-360.—Sec.9-359. - Reserved.
8 Sec.9-361.—Sec.9-360. - Reserved.
9 Sec.9-362.—Sec.9-361. - Reserved.
10 Sec.9-363.—Sec.9-362. - Reserved.
11 Sec.9-364.—Sec.9-363. - Reserved.
12 Sec.9-365.—Sec.9-364. - Reserved.
13 Sec.9-366.—Sec.9-365. - Reserved.
14 Sec.9-367.—Sec.9-366. - Reserved.
15 Sec.9-368.—Sec.9-367. - Reserved.
16 Sec.9-369.—Sec.9-368. - Reserved.
17 Sec.9-370.—Sec.9-369. - Reserved.
18 Sec.9-371.—Sec.9-370. - Reserved.

DIVISION 4. – PLUMBING BOARD

26 Sec.9-372.—Sec.9-371. - Plumbing, Gas, and Mechanical Board Created.
27 Refer to Sec.9-255. -
28 Sec.9-373.—Sec.9-372. - Members.
29 Refer to Sec.9-256. -
30 Sec.9-374.—Sec.9-373. - Meetings.
31 Refer to Sec.9-257. -
32 Sec.9-375.—Sec.9-374. - Quorum.
33 Refer to Sec.9-258. -
34 Sec.9-376.—Sec.9-375. - Officers and reports.
35 Refer to Sec.9-259. -
36 Sec.9-377.—Sec.9-376. - Duties.
37 Refer to Sec.9-260. -

Commented [BB165]: Previously 9-286.

Commented [BB166]: Rewritten as a reference to first reference to board

Commented [BB167]: Previously 9-288(b) rewritten as a reference to first reference to board

Commented [BB168]: Previously 9-287, rewritten as a reference to first reference to board

Commented [BB169]: Previously 9-288 and 9-289, rewritten as a reference to first reference to board

Commented [BB170]: Previously 9-290 and 9-291, rewritten as a reference to first reference to board

1 Sec.9-378.—Sec.9-377. - Reserved.

2 Sec.9-379.—Sec.9-378. - Reserved.

3 Sec.9-380.—Sec.9-379. - Reserved.

4 Sec.9-381.—Sec.9-380. - Reserved.

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

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

11
12 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,
13 on the _____ day of _____, 2024.

14 THE CITY OF MIDWEST CITY, OKLAHOMA

15
16
17
18 _____
19 MATTHEW D. DUKES II, Mayor

20 ATTEST:

21
22 _____
23 SARA HANCOCK, City Clerk

24
25
26 APPROVED as to form and legality this _____ day of _____, 2024.

27
28
29
30 _____
31 DONALD MAISCH, City Attorney

ORDINANCE NO. _____

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

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

ORDINANCE

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

Sec. 9-1. Homeowner's ordinance.

~~(a) As used in this section, unless the context otherwise indicates:~~

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

~~The owner must also occupy the structure.~~

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

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

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

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

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

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

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

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

Sec. 9-2. Dilapidated buildings.

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

- (a) ~~At least ten (10) days' notice that a building is to be torn down or removed shall be given to the owner of the property before the city council takes action or holds a hearing. A copy of the notice shall be posted on the property to be affected. In addition, a copy of the notice shall be sent by mail to the property owner at the address shown by the current year's tax rolls in the office of the county treasurer. Written notice shall also be mailed to the mortgage holder as shown by the records in the office of the county clerk to the last known address of the mortgagee. At the time of mailing of notice to any property owner or mortgage holder, the municipality shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailer. However, if neither the property owner nor mortgage holder can be located, notice may be given by publication in a newspaper of general circulation in the City of Midwest City. If notice is given by publication, such notice shall be published once not less than ten (10) days prior to any hearing or action pursuant to the provisions of this section.~~
- (b) ~~A hearing shall be held by the city council to determine if the property is dilapidated and has become detrimental to the health, safety, or welfare of the general public and the community, or if said property creates a fire hazard which is dangerous to other property.~~
- (c) ~~Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefitted by the removal of such conditions, the city council may cause and order the dilapidated building to be torn down and removed. The city council shall fix reasonable dates for the commencement and completion of the work. The building official, the building official's designees, or code enforcement, as assigned by the city manager are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the City of Midwest City if the work is not performed by the property owner within the dates fixed by the governing body. If the city performs the work or causes the work to be done, then the city clerk shall immediately, upon completion of the work, file a notice of lien with the county clerk describing the property, the findings of the city council at the hearing, and stating that the City of Midwest City claims a lien on said property for the destruction and removal costs. Any action to challenge the order of the city council shall be filed within thirty (30) business days from the date of the order.~~
- (d) ~~The city council shall determine the actual cost of the dismantling and removal of the dilapidated buildings and any other expenses that may be necessary in conjunction with the dismantling and removal of the buildings, including the cost of notice and mailing. The city clerk shall forward a statement of the actual cost attributable to the dismantling and removal of the buildings and a demand for payment of such costs, by mail to the property owner. In addition, a copy of the statement shall be mailed to any mortgage holder at the address provided for in paragraph (a) of this section. If the City of Midwest City dismantles or removes any dilapidated buildings, the cost to the property owner shall not exceed the actual cost of the labor, maintenance, and equipment required for the dismantling and removal of the dilapidated buildings. If the dismantling and removal of the dilapidated buildings is done on a private contract basis, the contract shall be awarded to the lowest and best bidder.~~

- (e) ~~When payment is made to the City of Midwest City for costs incurred, the city clerk shall file a release of lien; but if payment attributable to the actual cost of the dismantling and removal of the buildings is not made within six (6) months from the date of the mailing of the statement to the owner of such property, the city clerk shall forward a certified statement of the amount of the cost to the county treasurer of the county in which the property is located. The costs shall be levied on the property and collected by the county treasurer as are other taxes authorized by law. The costs and the interest thereon shall be the personal obligation of the property owner from and after the date of the notice of dilapidation and lien is filed with the county clerk. The cost and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the county clerk. The lien shall be co-equal with the lien of ad valorem taxes and all other taxes and special assessments and shall be prior and superior to all other titles and liens against the property. The lien shall continue until the cost is fully paid. At any time prior to collection as provided for in this paragraph, the City of Midwest City may pursue any civil remedy for collection of the amount owing and interest thereon. Upon receiving payment, the city clerk shall forward to the county treasurer a notice of such payment and shall direct discharge of the lien.~~
- (f) ~~The city manager may designate the building official or code enforcement to carry out the duties of the city council specified in this section. The property owner shall have the right to appeal to the city council from any order of the building official or code enforcement. Such appeal shall be taken by filing a written notice of appeal with the city clerk within ten (10) days after the administrative order of the building official or his designees is rendered. If said appeal is not taken within ten (10) days as provided, the order shall be final and the costs of the action shall be determined as provided.~~
- (g) ~~For the purposes of this section:~~
- (1) ~~"Dilapidated building" means:~~
- a. ~~A structure which through neglect or injury lacks necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public;~~
- b. ~~A structure which is unfit for human occupancy due to the lack of necessary repairs and is considered uninhabitable or is a hazard to the health, safety, and welfare of the general public;~~
- c. ~~A structure which is determined by the municipal governing body or administrative officer of the municipal governing body to be an unsecured building, as defined by paragraph (k)(11) of this section, more than three (3) times within any twelve month period;~~
- d. ~~A structure which has been boarded and secured, as defined by paragraph (k)(11) of this section, for more than six (6) consecutive months; or~~
- e. ~~A structure declared by the municipal governing body to constitute a public nuisance; and~~
- (2) ~~Owner means the owner of record as shown by the most current tax rolls of the county treasurer.~~
- (h) ~~Nothing in the provisions of this section shall prevent the City of Midwest City from abating a dilapidated building as a nuisance or otherwise exercising its police power to protect the health, safety, or welfare of the general public.~~

- ~~(i) After a building has been declared dilapidated, as provided in this section, and before the commencement of the tearing and removal of a dilapidated building, the city council of the City of Midwest City may authorize that such a building be boarded and secured.~~
- ~~(j) The city council may cause the premises on which an unsecured building is located to be cleaned of trash and weeds in accordance with the provisions of article II, chapter 27.~~
- ~~(k) The city council may cause an unsecured building to be boarded and secured in accordance with the dilapidated building procedures contained in this section.~~

~~For the purposes of this subsection:~~

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

~~Sec. 9 3. Building and dwelling addresses.~~

~~It shall be unlawful for any person being the owner of any building, structure or dwelling which abuts a public street to fail to place and maintain thereon, in a place visible from the street, figures at least three (3) inches high, showing the number of the dwelling, building or structure.~~

~~Sec. 9 4. Incorporated by reference.~~

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

- ~~(a) 2018 International Building Code, first published by the International Code Council, Inc. as published on August 31, 2017 with subsequent printings.~~
- ~~(b) 2018 International Residential Code, first published by the International Code Council, Inc. as published on August 31, 2017 with subsequent printings.~~
- ~~(c) 2018 Existing Structures Code, first published by the International Code Council, Inc. as published on August 31, 2017 with subsequent printings.~~
- ~~(d) 2018 International Fuel Gas Code, first published by the International Code Council, Inc. as published on August 31, 2017 with subsequent printings.~~
- ~~(e) 2018 International Mechanical Code, first published by the International Code Council, Inc. as published on August 31, 2017 with subsequent printings.~~
- ~~(f) 2018 International Plumbing Code, first published by the International Code Council, Inc. as published on August 31, 2017 with subsequent printings.~~

~~Sec. 9-5. Reserved.~~

~~Sec. 9-6. Retaining walls.~~

~~All retaining walls must comply with standard engineering practices. Any wall over four (4) feet in height and walls not complying with Midwest City standards must have an engineer's signature and seal. The wall shall be measured from the top of the footing to the top of the wall. A permit must be applied for and approved before construction on any retaining wall is started. Failure to comply with this section may result in legal action and/or removal of the wall.~~

~~Sec. 9-7. Garage doors required.~~

~~Every residential dwelling having a garage shall have an operational, functional and maintained garage door which shall be kept in such condition that the garage door provides a complete and contiguous cover to the garage door opening, with the exterior surface to be architecturally consistent with and maintained in the same manner and at the same level and quality as the dwelling.~~

~~Secs. 9-8 — 9-15. Reserved.~~

~~ARTICLE II. BUILDER'S ADVISORY BOARD⁴~~

~~Sec. 9-16. Created.~~

~~There is hereby created a builder's advisory board of the city.~~

~~Sec. 9-17. Members.~~

- ~~(a) The builder's advisory board shall consist of seven (7) members to be appointed by the mayor and approved by the city council. The members of the board shall be chosen from either:~~
- ~~(1) Residents of the city at large with reference to their fitness for such office; or~~
 - ~~(2) Ownership, operation or involvement in the building, construction or development business within the city.~~
- ~~(b) 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.~~

⁴~~Cross-reference(s) — Termination of membership on board for unauthorized absences, § 2-28.~~

- ~~(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 this Code. Vacancies shall be filled for an unexpired term in the same manner as appointment.~~
- ~~(d) The member of the builder's advisory board shall serve without pay.~~

~~Sec. 9-18. Meetings.~~

~~The builder's advisory board shall meet at such times as meetings are called.~~

~~Sec. 9-19. Quorum.~~

~~For all business purposes, a quorum is required and is defined as any four (4) voting board members.~~

~~Sec. 9-20. Officers and reports.~~

~~The builder's advisory board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as chairperson, one (1) as vice chairperson and one (1) as secretary. Election of such officers shall be held the third month of each calendar year. The board shall report fully and in writing to the mayor and city council immediately after each meeting, which report shall be filed and preserved.~~

~~Sec. 9-21. Duties.~~

- ~~(a) The builder's advisory board shall act in an advisory capacity to the mayor and city council as regards building codes, construction, development requirements and related matters of interest to the city.~~
- ~~(b) The building inspector or his designee may provide such assistance to the board as deemed necessary and appropriate.~~

~~Secs. 9-22 — 9-30. Reserved.~~

~~ARTICLE III. BUILDING CODE²~~

~~Sec. 9-31. Code adopted.~~

~~There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction of buildings and structures, including permits and penalties, that certain building code known as the International Building Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in section 9-4, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the city clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at~~

length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

~~Sec. 9-32. Title.~~

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

~~Sec. 9-33. Conditions for issuing a building permit.~~

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

~~Sec. 9-34. Code amended.~~

~~The building code adopted in section 9-31 is amended and modified in the following respects:~~

~~101.5 Conflicts.~~ In the event two (2) or more codes conflict, the more restrictive code will apply.

~~104.2 Building inspection; supervision; jurisdiction.~~ The city manager or his designated representative shall be responsible for the supervision of building and housing inspections.

~~105.1 Administrative and enforcement procedures.~~ The regulations relating to building permits or certificates of occupancy shall be enforced by the building official appointed by the city manager. It shall be a violation of this Article for any person to change or permit the change in the use of land or buildings or structures or to erect, move, or improve any building or structure until a building permit or certificate of occupancy has been obtained under the conditions contained herein.

~~105.2 Application for permit; when required.~~ It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exit or sanitary provisions; or to change to another use without first filing an application with the code official in writing and obtaining the required permit therefor. However ordinary repairs, as defined in Section 9-1, and which do not involve any violation of this Code, shall be exempt from this provision. The building inspector may require every applicant for a building permit to furnish the following information:

- ~~(a) A plot plan, drawn to scale, which shows the topographic characteristics of the site at a contour interval of not less than two (2) feet and also shows the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be repaired, altered, erected or moved, and the size, arrangement, number of parking stalls, direction of movement of vehicles and ingress and egress drives for all off-street parking and loading facilities.~~
- ~~(b) A declaration of the existing and intended use of each existing and proposed building or structure on the lot and the number of families and housekeeping units which each~~

~~existing building accommodates and which each existing and proposed building is designed to accommodate.~~

~~(c) Additional information relating to the proposed improvement needed to determine compliance with these regulations.~~

~~(d) A survey, prepared by an engineer or land surveyor registered in the State of Oklahoma, of the boundaries of the lot on which the improvement is proposed to be located.~~

~~Nothing contained herein shall modify or alter the requirements contained in Section 4.2, Site Plan, Appendix A, Zoning.~~

~~105.6 Promulgation of rules. A rule or regulation shall not become effective until the date specified in the ordinance passed by the council and signed by the mayor of the city adopting such rules and regulations.~~

~~107.1.1 Repairs and maintenance. Application or notice to the code official is not required for ordinary repairs to structures, but such repairs shall not include the cutting away of any wall, partition or portion thereof; the removal or cutting of any structural beam or bearing support; the removal or change of any required means of egress; or the rearrangement of parts of a structure affecting the exit requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping; electric wiring; or mechanical or other work affecting public health or general safety.~~

~~107.5 Plans and Specifications. There will need to be three (3) sets of plans submitted for commercial construction.~~

~~108.2 Suspension of permit. Unless otherwise provided for, any permit issued shall become invalid if the authorized work is not commenced within six (6) months after issuance of the permit or after the work is started, the authorized work is suspended or abandoned for a period of six (6) months. Following suspension of a permit, the owner/contractor may apply for an extension to the permit and new permit fees shall be charged. There shall be a one time only six (6) month extension of a permit. If upon expiration of the permit extension the structure is not completed, the building official shall proceed to have the structure declared a public nuisance.~~

~~108.5 Approved plans.~~

~~(a) The building official or an assistant shall review and consider for endorsement sets of approved plans with any corrections. For commercial construction, sets of such approved plans shall be retained by the building official and fire marshal. A set of such approved plans shall be kept at the building site, open to inspection of the building official or an authorized representative at all reasonable times. All plans shall comply with this code. The building official shall retain the plot plans for one and two family dwellings only.~~

~~(b) Lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a representative of the city engineering department. The applicant and city official will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. A~~

fifty dollar (\$50.00) fee will be assessed for each site inspection. Failure to attend the scheduled on site meeting will result in standard reinspection fees of fifty dollars (\$50.00) for the first and one hundred dollars (\$100.00) for each one after the initial reinspection.

~~110.1 Demolition permit.~~ A permit is required for the demolition of any building in excess of one hundred twenty (120) square feet. For residential demolition, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next twenty (20) calendar days. For all other structures/buildings, the project shall commence within ten (10) days of issuance of permit and shall be completed and cleaned up within the next forty-five (45) calendar days. Extensions may be granted by the building official upon written request. The demolition permit fee shall be one hundred dollars (\$100.00) per structure, unless the city council or its designated representative recommends or requests the demolition. Then the city shall set the permit fee.

~~112.0 Permit fees.~~

- ~~(a) No permit as required by this Code shall be issued until the fee prescribed in this Article shall have been paid to the development services department; nor shall an amendment to a permit be approved until the additional fee, if any, due to an increase in the estimated cost of a building or structure, shall have been paid.~~
- ~~(b) For a permit for construction, alteration, or installation of a building or structure, the fee shall be at the rate of:~~
 - ~~(1) New residential; additions:~~
 - ~~(A) New residence:~~ Five cents (\$0.05) per square foot for new residence.
 - ~~(B) Residential additions:~~ Five cents (\$0.05) per square foot with a minimum fee of fifty dollars (\$50.00) for a residential addition.
 - ~~(C) Capital improvement fee:~~ The fee shall be thirteen cents (\$0.13) per square foot for the capital improvement fee for (A) and (B) above.
 - ~~(D) Sidewalk fee:~~ The fee shall be two cents (\$0.02) per square foot for sidewalk fee for (A) and (B) above.
 - ~~(E) Infill housing on city owned property:~~ The city manager or designee may waive development fees associated with building infill housing on city owned properties in order to support revitalization. (Development fees may include building permits, fence permits, drive permits and any other development related fees deemed applicable at the city manager's discretion.)
- ~~(c) Accessory buildings, carports, retaining walls and fences: The fee for carports and fences shall be thirty dollars (\$30.00). The fee for retaining walls shall be thirty five dollars (\$35.00). The fee for accessory buildings of two hundred fifty (250) square feet or less in area shall be fifty dollars (\$50.00) and for accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be five cents (\$0.05) per square foot plus the thirteen cents (\$0.13) per square foot for the capital improvements fee plus two cents (\$0.02) per square foot for the sidewalk fee. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be two cents (\$0.02) per square foot plus thirteen cents (\$0.13) per square foot for the capital improvement fee plus two cents (\$0.02) per square foot for the sidewalk fee.~~

- (d) ~~All permit fees associated with the replacement of accessory buildings set out in subsection (e) above are hereby waived if said original accessory building was destroyed or damaged beyond repair by an act of God. The following conditions are precedent to the granting of the waiver: the replacement accessory building is identical in size to the original accessory building being replaced; the replacement accessory building is to be located upon the lot where the original accessory building was located; and the original accessory building was permitted. In every case, an application for permit shall be required and the applicant is to comply with all other regulations relative to accessory buildings.~~
- (e) ~~*Residential remodeling:* A permit for remodeling is required when the remodeling involves repairs as defined in section 9-1. The fee for a residential remodeling permit shall be three dollars (\$3.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel based upon the fair market value of labor and materials, with a minimum fee of twenty-five dollars (\$25.00). In addition, a capital improvement fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000.00) of the estimated cost.~~
- (f) ~~*Commercial remodeling:* A permit for remodeling is required when the remodeling involves repairs as defined in section 9-1. The fee for a commercial remodeling permit shall be four dollars (\$4.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel; based upon the fair market value of labor and materials, with a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000.00) of the estimated cost.~~
- (g) ~~*Conversion from residential to commercial uses:* Upon approval of such conversion, a permit shall be required. The fee for conversion from residential to commercial uses permit shall be four dollars (\$4.00) per one thousand dollars (\$1,000.00) of the estimated cost of the remodel, based upon the fair market value of labor and materials, with a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen dollars (\$13.00) per ten thousand dollars (\$10,000.00) of the estimated cost plus a sidewalk fee shall be assessed at a rate of one dollar (\$1.00) per ten thousand dollars (\$10,000.00) of the estimated cost.~~
- (h) ~~*New commercial:* The fee for a new commercial building shall be four cents (\$0.04) per square foot for the first ten thousand (10,000) square feet of floor area and two cents (\$0.02) per square foot for the area in excess of ten thousand (10,000) square feet of floor area. In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.~~
- (i) ~~*New warehouse and agricultural:* The fee for new warehouse and agricultural buildings shall be three cents (\$0.03) per square foot for the first ten thousand (10,000) square feet of floor area and one cent (\$0.01) per square foot for the area in excess of ten thousand (10,000) square feet of floor area. In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.~~

- ~~(j) *Non-residential additions:* The fee for a non-residential addition shall be the same fee as would be charged for new construction, except there is a minimum fee of fifty dollars (\$50.00). In addition, a capital improvements fee shall be assessed at a rate of thirteen cents (\$0.13) per square foot plus six cents (\$0.06) per square foot for the sidewalk fee.~~
- ~~(k) *Parking area and driveways:* The fee for a residential driveway shall be thirty-five dollars (\$35.00) whether a curb cut is made or not. The fee for a commercial parking area shall be five-tenths of one cent (\$0.005) per square foot of the commercial parking area.~~
- ~~(l) *Reinspection fee:* The reinspection fee shall be fifty dollars (\$50.00) for the first reinspection and one hundred dollars (\$100.00) for each reinspection thereafter.~~
- ~~(m) *Plan review fees:* At the time an application for permit (excluding single-family and two-family residential) is submitted to the building official, twenty-five (25) percent of the fee prescribed in this section shall be paid and shall not be refundable. This fee shall be known as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the building official.~~
- ~~(n) *Refunds:* In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.~~
- ~~(o) *Miscellaneous inspections (no permit):* Any site visit where no building permit has been issued, there will be a thirty-five dollar (\$35.00) fee. This fee will be assessed for each visit.~~

~~116.0 Investigation.~~

~~Whenever any work for which a permit is required by this Code has been commenced without first obtaining the required permit, a special investigation shall be made before a permit may be issued for such work.~~

~~116.1 Violation and penalties.~~ Any person who shall violate a provision of this Article or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a misdemeanor punishable as set out in Section 1-8 of the Midwest City Code. Each day that a violation continues shall be deemed a separate offense.

~~117.2 Unlawful continuance.~~ Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be guilty of a misdemeanor punishable as set out in Section 1-8 of the Midwest City Code. Each day this violation continues shall be deemed a separate offense.

~~118.0 Certificate of occupancy.~~

- ~~(a) *Certificate of occupancy; fee.* No change shall be made in the use of any land or building until a certificate of occupancy is obtained from the building inspector certifying:

 - ~~(1) That all the provisions of this Code are met; and~~
 - ~~(2) That all required federal and/or state permits or licenses have been issued and copies have been received by the city, unless otherwise required under federal or state law and all federal and/or state statutory and/or regulatory requirements have been met.~~~~

- (b) ~~Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to occupancy. Temporary certificates of occupancy for a change in use of any land or tenancy or existing building or structure or for a new building or structure may be approved at the discretion of the building official, but at no time shall a temporary certificate of occupancy be approved if any life, safety or health requirements do not meet the ordinances of the city as determined by the building official.~~
- (1) ~~The fee for all new apartment complex certificates of occupancy is fifty dollars (\$50.00).~~
- (2) ~~The fee for all commercial or industrial certificates of occupancy for a new building or for a change in occupancy or tenancy is fifty dollars (\$50.00).~~
- (3) ~~Should a final commercial or industrial certificate of occupancy for a change in use of any land or tenancy or existing building or structure or for new building or structure not be approved by the building official, a temporary commercial or industrial certificate of occupancy may be approved for sixty (60) days at the discretion of the building official. At the end of the first sixty (60) days, the building official shall have the authority to extend the temporary commercial or industrial certificate of occupancy in thirty day increments.~~
- (4) ~~It shall be the responsibility of the applicant to apply for a temporary certificate of occupancy at the end of the date of expiration of the original certificate of occupancy. No extension of the temporary certificate of occupancy shall be issued until a new application is completed and an additional fifty dollar (\$50.00) fee is paid.~~
- (c) ~~The building official shall have the authority to deny applications for renewal of temporary certificates of occupancy. Upon denial of the application for renewal of a temporary certificate of occupancy, the building official shall give written notice to the applicant that the utility services to the premises shall be disconnected if operations have not ceased within ten (10) days after receipt of the notice of denial of the temporary certificate of occupancy. Notice shall be delivered in person or by certified mail, return receipt, within ten (10) days of the denial.~~
- (d) ~~One and two family residences are exempt from the requirements of this section.~~

121.1 Appeal process. ~~An appeal may be taken to the Builders' Advisory Board from any ruling, interpretation, requirement or decision made by the building inspector by filing with the building official within five (5) days from the inspector's ruling, interpretation, requirement or decision a statement in writing showing wherein the building inspector is alleged to have been wrong. The building official shall review, within one (1) business day, the decision of the building inspector. If the building official upholds the decision, the appeal will proceed to the Builders' Advisory Board. If the building official overturns the decision of the building inspector, no further appeal shall be allowed. The Builders' Advisory Board shall conduct a hearing within ten (10) days of the filing of the appeal. In such matter appealed, the Builders' Advisory Board shall rule to uphold or overturn the building inspector's decision. The appellant may make a final appeal, in writing, within five (5) days of the board's decision, to the city council. Written notice of the hearing by the council shall be hand delivered to the appellant at least three (3) days prior to the hearing, which shall be held at the next regularly scheduled council meeting that permits proper notice to the appellant.~~

~~3015. Canopies and awnings. This section is deleted.~~

~~3102. Signs. This section is deleted.~~

~~Chapter 32. Construction in the public right-of-way. This chapter is deleted from the Midwest City code.~~

~~Sec. 9-35. International Residential Code adopted.~~

~~There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction of buildings and structures, including permits and penalties, that certain building code known as the International Residential Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in section 9-4, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the city clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.~~

~~Sec. 9-36. Pre-engineered buildings.~~

~~Each building permit issued by the building official for the construction of a building involving a span of thirty (30) feet or more and involving the use of pre-engineered building systems or components shall be subject to the following conditional requirements:~~

~~The building official shall receive a letter from the officer of the company constructing the building which states that the building shipped for the building permit was designed and constructed in accordance with approved engineered plans and specifications. The plans shall be stamped by an architect and/or engineer licensed in Oklahoma.~~

~~Sec. 9-37. Reserved.~~

~~Sec. 9-38. Pier and grade beam foundations.~~

~~Where a pier and grade beam type of foundation is desired, the design of the grade beam and piers shall be in accordance with recognized engineering practice. Where the spacing of the piers and the size of the reinforcement of the grade beam has not been determined by a structural analysis, the following may be used as a guide based upon a one-story structure with average soil conditions:~~

~~(1) Piers.~~

~~a. Maximum pier spacing: eight (8) feet, o.e.~~

~~b. Minimum size of pier:~~

~~i. Diameter: Ten (10) inches.~~

~~ii. Depth: The bottom of the pier shall extend below the frost line and shall have a bearing area of approximately thirty inch depth and two (2) square feet for average soils.~~

- iii. ~~The pier shall be reinforced with No. 5 bar for the full length of the pier and extend into the beam.~~

~~(2) Grade beams.~~

- a. ~~Minimum width: Frame, six (6) inches except that ten-inch beam may be flared to be covered by a base trim. Masonry or masonry veneer, ten (10) inches.~~
- b. ~~Minimum effective depth, fourteen (14) inches except where a grade beam supports a wood floor framing, then the depth shall be that which will provide required clearance under the joists.~~
- c. ~~Reinforce with two (2) bars on the top and bottom of the beam as follows: Frame, four (4) No. 4 bars. Masonry or masonry veneer, four (4) No. 5 bars. Where the grade beam is flared at the top, reinforce with one (1) No. 6 bar instead of two (2) No. 4 bars.~~

~~(3) Stem walls.~~

- a. ~~Poured concrete—Minimum five and one half (5½) inches.~~
- b. ~~Masonry—Six (6) inches.~~
- c. ~~Interior bearing walls shall have either a separate footing as described above or be placed on a thickened slab eight (8) inches deep by sixteen (16) inches wide and reinforced with two (2) No. 4 bars.~~
- d. ~~The foundation and footing requirements as required in this section shall not apply in residential areas to construction of buildings of not more than two hundred (200) square feet of floor space, which are not attached to the dwelling and are not utilized for occupancy by any person(s) or as a garage for vehicles.~~

~~(4) Deep excavations. Whenever an excavation is made to a depth of more than two (2) feet below the established curb, the person who causes such excavation to be made, if afforded the necessary permission to enter the adjoining premises, shall preserve and protect from injury at all times and at his/her own expense such adjoining structure or premises which may be affected by the excavation. If the necessary permission is not afforded, it shall then be the duty of the owner of the adjoining premises to make his/her building or structure safe by installing proper underpinning or foundations or otherwise. Such owner, if it be necessary for the prosecution of his/her work, shall be granted the necessary license to enter the premises where the excavation or demolition is contemplated.~~

~~(5) Shallow excavations. Wherever an excavation is made to a depth less than two (2) feet below the curb, the owner of a neighboring building or structure shall be afforded a license to enter the premises where the excavation is contemplated if the safety of his/her building or structure may be affected by the proposed excavation. The owner of the neighboring building or structure shall preserve and protect from injury and shall support his/her own building or structure by the necessary underpinning or foundations.~~

~~Sec. 9-39. Existing Structures Code.~~

~~There is hereby adopted and incorporated by reference the following International Codes: International Existing Structures Code published by the International Code Council, Inc. referenced in section 9-4, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the city clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.~~

~~Sec. 9-40. Reserved.~~

~~Sec. 9-41. Roofing Registration Code.~~

~~(a) Roofing contractors.~~

- ~~(1) Registration. Any person or company wishing to engage in the practice of roofing residential and commercial buildings in the City of Midwest City must first register with the city and comply with all regulations set forth in Title 158, Construction Industries Board, Chapter 85, Roofing Contractor Registration Regulation.~~
- ~~(2) Insurance. Provide the City of Midwest City with verification of business general liability in the amount of five hundred thousand dollars (\$500,000.00) for residential construction and one million dollars (\$1,000,000.00) commercial general liability for all commercial construction. Proof of workman's compensation insurance must also be provided.~~
- ~~(3) Permits. Permits are required for all existing buildings in Midwest City. The permit card must be displayed so that it is visible from a public street.~~
- ~~(4) Failure to provide. Any person or firm who violates any part of this section or Title 158, Chapter 85, Roofing Contractor Registration Act of the state statutes will be fined an amount not exceeding five hundred dollars (\$500.00) as per this section.~~

~~Exception: The actual owner of residential or farm property who physically performs roofing services, including construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of materials on his or her own dwelling in which they reside, without the assistance of any registered roofing contractor, will be exempt from the Roofing [Contractor] Registration Act. The owner is still required to obtain a roofing permit from the community development department.~~

~~(b) Construction requirements. The owner will be required to follow current adopted code during construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of a roof.~~

~~(c) Fees.~~

~~(1) Registration fees.~~

- ~~a. New registration—One hundred fifty dollars (\$150.00).~~

~~b. — Renewal fee — Seventy five dollars (\$75.00).~~

~~All registrations will run from July 1 to June 30 of each year. Registrations will not be prorated. Registrations not renewed by August 15 will be charged the new registration fee.~~

~~(2) — Permit fees. A permit fee of twenty five dollars (\$25.00) will be collected for all existing structures requiring new roofs or repairs.~~

~~Secs. 9-42 — 9-50. Reserved.~~

~~ARTICLE IV. ELECTRICITY~~

~~DIVISION 1. GENERALLY.~~

~~Sec. 9-51. Definitions.~~

~~For the purpose of this article, the following terms shall have the following meanings:~~

~~*Electrical apprentice, electrical contractor and journeyman electrician* shall all have the meaning assigned to the particular term as found in the Electrical License Act in the Oklahoma Statutes.~~

~~*Electric wiring* means the installation of electrical raceways, conductors or apparatus of any kind used, or to be used, in or on any structure for the transmission and distribution of electric current for electric light, heat or power, or nonportable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided, however, that the words "electric wiring," "electrical equipment" and "apparatus" do not include or refer to service lines, apparatus and equipment for the sale, distribution and regulation of electricity and remaining the property of the electric service company or for telephone, telegraph or other communication purposes, or in connection therewith.~~

~~Secs. 9-52 — 9-65. Reserved.~~

~~DIVISION 2. ADMINISTRATION AND ORGANIZATION~~

~~Part A. Organization~~

~~Sec. 9-66. Electrical board created.~~

~~There is hereby created the electrical board.~~

~~Sec. 9-67. Members; secretary.~~

~~All members of the electrical board shall be journeyman electricians or electrical contractors licensed by the city, and shall be persons who are familiar with the requirements of the National Electrical Code and who know the methods of installing electric wiring. They shall~~

~~be appointed by the mayor and city council. The board shall consist of five (5) members, each of whom shall have been actually engaged in the business of electrical work as a registered journeyman electrician or a registered electrical contractor for the past five (5) years next preceeding the date of appointment. Members shall serve staggered terms of three (3) years. The chief electrical inspector of the city shall serve as the board's secretary but shall not receive additional compensation to do so.~~

~~Sec. 9-68. Quorum.~~

~~At least three (3) members of the electrical board must be present to constitute a quorum in order to conduct any proceedings.~~

~~Sec. 9-69. Officers.~~

~~The electrical board shall elect a chair and vice chair on or around July 1 of each year.~~

~~Sec. 9-70. Meetings generally.~~

~~The electrical board shall meet at least once each year and such other times as may be appropriate.~~

~~Sec. 9-71. Minutes of meetings.~~

~~The secretary of the electrical board shall keep minutes of the board's proceedings, showing the vote of each member.~~

~~Sec. 9-72. Regulations.~~

~~The electrical board shall adopt all necessary rules and regulations to govern itself in accordance with the provisions of this article.~~

~~Sec. 9-73. Responsibilities.~~

- ~~(a) The electrical board shall act in an advisory capacity to the mayor and city council regarding electrical construction and related matters of interest to the city.~~
- ~~(b) The chief electrical inspector shall provide such assistance to the electrical board as deemed necessary and appropriate.~~

~~Secs. 9-74 — 9-89. Reserved.~~

Part B. Administration

~~Sec. 9-90. National Electric Code adopted.~~

~~Pursuant to 59 O.S. § 1000.23, the NFPA® 70, National Electrical Code, 2020 edition, as published by the National Fire Protection Association®, including modifications by the Oklahoma Uniform Building Code Commission as set forth in Title 748, Chapter 20, Subchapter 9 of the Oklahoma Administrative Code; hereinafter referred to as "NEC," is hereby adopted as~~

the Electrical Code of the City of Midwest City for regulating electrical installations made, maintained and operated with the same force and effect as if fully set out in this section with amendments thereto as prescribed in this section.

~~Sec. 9-91. Powers and duties of building official.~~

- ~~(a) The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of an enforcement officer. The building official shall have under his/her charge the chief electrical inspector who shall carry out the duties as directed and described herein, and such others as the city manager may deem appropriate.~~
- ~~(b) Whenever necessary to make an inspection to enforce the provisions of this code, or whenever the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition or code violation that makes such structure or premises unsafe, dangerous or hazardous, the building official may enter such structure or premises at all reasonable times to inspect them or to perform any duty imposed upon the building official by this code; provided that, if such structure or premises is occupied, the building official shall first present proper credentials and request entry. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to every remedy provided by law to obtain entry.~~

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

- ~~(c) Whenever work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on persons engaged in the doing of or causing to be done such work, and such persons shall forthwith stop such work until authorized by the building official to proceed with the work.~~
- ~~(d) The building official shall have the authority to disconnect electric power or energy service supplied to a structure or building service equipment therein regulated by this code in case of emergency where necessary to eliminate an immediate hazard to life or property. The building official shall, whenever possible, notify the serving utility and the owner and any occupant of the structure of the decision to disconnect prior to taking such action. Immediately after disconnection, the building official shall notify the owner and occupant, in writing, of the disconnection.~~
- ~~(e) Whenever the building official ascertains that an electrical system or equipment regulated in this code is defective, the building official shall order in writing that such electrical system or equipment either be removed or restored to compliance with this code. The written notice itself shall fix a time limit for compliance with such order. Persons shall not use or maintain a defective electrical system or equipment after receiving notice.~~

~~Whenever the building official ascertains that an electrical system or equipment regulated by this code has become hazardous to life, health or property, the building official shall order in writing that such electrical system or equipment be immediately disconnected and, within twenty-four (24) hours, either removed or restored to compliance with this code. The building official shall give written notice to the serving utility, the owner and any occupants of the structure of the hazardous electrical system or equipment, and that the equipment must be immediately disconnected and the repairs made within twenty-four (24) hours or the system or equipment removed. When an electrical system or equipment is maintained in violation of this code and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.~~

- ~~(f) Persons shall not make connections from an energy or power supply, or supply power to an electrical system or equipment that has been disconnected or ordered to be disconnected by the building official until the building official authorizes the reconnection and use of the electrical system or equipment.~~

Sec. 9-92. Permit application; regulations.

- ~~(a) To obtain an electrical permit, an applicant shall first file an application therefor in writing on a form furnished by the city for that purpose. Every application shall:~~
- ~~(1) Identify and describe the work to be covered by the permit for which the application is made; and~~
 - ~~(2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.~~

~~The city may issue a permit for the construction of part of an electrical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.~~

- ~~(b) One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the building official until final approval of the work covered therein. One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the building or work site at all times during which the work authorized thereby is in progress.~~
- ~~(c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the city. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the city shall not be valid.~~

~~The issuance of a permit based upon plans shall not prevent the building official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the city.~~

~~(d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official.~~

~~(e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommenced, a new permit must first be obtained.~~

~~A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The building official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.~~

~~(f) The building official may, in writing, suspend or revoke a permit issued under the provisions of this code when a permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the city.~~

Sec. 9-93. Fees.

~~The fee for each electrical permit shall be thirty-five (\$35.00) or 4 cents (\$0.04) per square foot, whichever is greater. When there is no current building permit issued, the electrical permit fee shall be:~~

~~Re-inspection fee \$ 50.00~~

~~Each subsequent re-inspection 100.00~~

SYSTEM FEE SCHEDULE

~~The following fees do not include the permit issuance fee but shall be based on all wiring and electrical equipment in or on each structure or other electrical equipment on the same premises constructed at the same time.~~

~~Private swimming pools:~~

~~For new private, residential, in-ground swimming pools for single family and multi-family occupancies including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool.~~

~~Total \$50.00~~

~~Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable type rides, booths, displays and attractions:~~

~~For each electric generator and electrically driven ride \$100.00~~

~~For each mechanically driven ride and walk-through attraction or display having electric lighting 4.50~~

For each system of area and booth lighting4.50

For permanently installed rides, booths, displays and attractions, the fees shall be determined under the unit fee schedule below.

~~Temporary power service:~~

~~For each temporary service power pole or pedestal including all pole or pedestal mounted receptacle outlets and appurtenances\$35.00~~

~~For each temporary distribution system and temporary lighting and receptacle outlets for construction sites, Christmas tree sales lots, firework stands, etc35.00~~

UNIT FEE SCHEDULE

~~For pole or platform mounted lighting fixtures, each\$10.00~~

~~For theatrical type lighting fixtures or assemblies, each10.00~~

~~Residential appliances:~~

~~Each special circuit 220 volt, 50 amp and above\$3.00~~

~~For other types of air conditioners and other motor driven appliances having larger electrical ratings, the fees shall be the same as the fees for power apparatus below.~~

~~Power apparatus:~~

~~For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, the fees shall be as follows:~~

~~Rating in horsepower (HP), kilowatts (KW), kilovolt amperes (KVA) or kilovolt amperes reactive (KVAR):~~

~~Up to and including 5, each\$35.00~~

~~Over 5 and not over 10, each35.00~~

~~Over 10 and not over 50, each50.00~~

~~Over 50 and not over 100, each75.00~~

~~Over 100, each100.00~~

~~1. For equipment or appliances having more than one (1) motor, transformer, heater, etc., the sum of the combined ratings shall be used.~~

~~2. These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly related control equipment.~~

~~Busways:~~

~~For trolley and plug in type busways, first 200 feet minimum fee in the amount of\$100.00~~

~~Each additional one hundred (100) feet or fraction thereof (per one hundred (100) feet)4.50~~

~~Signs, outline lighting and marquees:~~

~~For each sign, outline lighting system or marquee supplied from one branch circuit\$35.00~~

Services:

~~For each service of 600 volts or less and not over 200 amperes in rating \$75.00~~

~~For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating 100.00~~

~~For each service over 600 volts or over 1000 amperes in rating 200.00~~

~~Elevators 75.00~~

Other inspections and fees:

~~After hours inspections \$200.00~~

~~Per hour thereafter 75.00~~

Sec. 9-94. Permit exemptions.

~~Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.~~

Sec. 9-95. Multiple permits.

~~Only one (1) permit shall be issued for any electric wiring provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.~~

Sec. 9-96. Permit required to whom issued.

~~No electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed electrical contractor.~~

Sec. 9-97. Permit denial.

~~The city may refuse to issue a permit for the installation of electric wiring as herein provided, or for any additions or extensions to any electric wiring where, in the electrical inspector's judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this article.~~

Sec. 9-98. Permit cancellation.

~~An electrical contractor may request in writing that his permit be canceled. In the event that an electrical contractor holding a valid permit issued by the city refuses to complete the electrical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the electrical board cancel the permit issued to the electrical contractor. The electrical board shall give the electrical contractor in question five (5) days advance written notice that a hearing will be held to determine the validity of the owner's request. Upon hearing the matter, if the electrical board finds that sufficient cause exists to~~

~~believe that the electrical contractor cannot or will not finish the job in the time contracted, then the electrical board may cancel the permit of the electrical contractor having first obtained such permit and issue another permit to any other electrical contractor making application therefor in accordance with the terms of this article. The second electrical contractor permit holder shall take full responsibility for electrical work done after cancellation of the first electrical permit and for completion of the work in its entirety. No fees for permits will be refunded to the electrical contractor in the event that the electric board cancels a permit under the terms of this section.~~

~~Sec. 9-99. Inspections.~~

- ~~(a) All electrical systems and equipment for which a permit is required by this Code shall be subject to inspection by the city. The electrical system shall remain accessible and exposed for inspection purposes until approved by the city.~~

~~It shall be the duty of the permit holder to cause the electrical system to remain accessible and exposed for inspection purposes. Neither the city nor any of its employees shall be liable for the expense entailed in the removal or replacement of any material required to allow inspection. When the installation of an electrical system and equipment is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by this Code shall not be connected to the energy source until authorized by the city.~~

~~Any approval by the city or any of its employees shall not be construed to be an approval of any violation of the provisions of this Code or any other laws. Inspections presuming to give authority to violate or cancel provisions of this Code or of other ordinances of the city shall not be valid.~~

- ~~(b) It shall be the duty of the electrical contractor doing the work authorized by a permit to notify the city that such work is ready for inspection. The city may require that every request for inspection be transmitted to the city at least one (1) working day before such inspection is desired. Such request may be verbal or by any electronic means. It shall be the duty of the electrical contractor requesting the inspection required by this Code to provide access to and means for inspection of the work.~~
- ~~(c) The requirements of this section shall not be construed to prohibit the operation of any electrical system or equipment installed to replace existing equipment.~~
- ~~(d) In addition to the inspections required by this Code, the city may make or require other inspections of any work to ascertain compliance with the provisions of this Code and other building codes that are enforced by the city.~~
- ~~(e) A re-inspection fee of fifty dollars (\$50.00) shall be assessed for each inspection when such portion of work for which inspection is requested is not complete or when corrections called for are not made by contractors and/or homeowners. All subsequent reinspections shall be assessed a fee of one hundred dollars (\$100.00).~~
- ~~(f) When any portion or all of the wiring in or on any structure or premises is ordered changed for any reason, the electrical inspector shall leave attached to the main switch or service equipment a tag or label showing the date of the order, a memorandum of the correction to be made and the signature of the authority making the order.~~

- ~~(g) Except as otherwise provided, inspections shall be requested only by the electrical contractor or by his authorized representatives. Each electrical contractor shall notify the city of each representative authorized to act on behalf of that electrical contractor.~~
- ~~(h) After inspecting any electric wiring, the electrical inspector shall leave notice in the form of a tag or label attached to the service entrance switch or branch cabinet. The notice shall clearly state whether the wiring is approved or is to be kept open for correction, and no person shall seal or in any manner conceal any electric wiring until such wiring has been approved. If, in any case, the wiring is in such a position as to interfere with the completion of the structure as called for by the plans, the electrical contractor must be notified to correct it. Proper conveniences such as ladders must be provided by the electrical contractor on work to be inspected. In all cases, on completion of the rough-in job, a final rough-in inspection must be requested.~~
- ~~(i) The rough-in of each job shall include the installation of main and branch cabinets and the installation of all boxes and transformers. All rough-in wiring shall be made up, with approved wire connectors and wiring completed. From each active outlet box, one (1) pair of wires not less than eight (8) inches long shall be left for the fixture connection.~~
- ~~(j) Temporary electric service inspections shall be permitted for any and all new installation for the purpose of construction and safety to personnel and equipment, and to prevent water lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary central heating unit(s).~~

Sec. 9-100. Connection approval.

- ~~(a) An electrical system or equipment regulated by this Code for which a permit is required shall not be connected to a source of energy or power until approved by the city.~~
- ~~(b) The chief electrical inspector may authorize the temporary connection of the electrical system or equipment to the source of energy or power for the purpose of testing the equipment. Occupancy of the dwelling is strictly prohibited until after a final electrical inspection has been completed. Violation of this provision shall be an offense and, upon conviction, punishment shall be a two hundred dollar (\$200.00) fine, not including court costs, and/or thirty (30) days in jail. Each day this provision is violated shall constitute a separate offense.~~
- ~~(c) It is unlawful for any electric, light or power company, or any supplier of electricity for light, heat or power to make any electrical connection to any structure or electric wiring or apparatus until a certificate stating that the electric wiring has been approved or written permit authorizing connection has been issued by the city. All persons, whether operating under a regular franchise granted by the city or not, shall upon written notice by the electrical inspector disconnect from any such circuit, including main service wires, branch feeder wires or distribution, as designated by the notice, and shall not reconnect to the installation except upon written notice from the electrical inspector. Meter resets not involving damage or a change to the original electrical system do not have to be performed by an electrical contractor.~~

- (d) ~~Any electrical service that has been inactive for twelve (12) months or has had the service disconnected for cause must be inspected by the electrical inspector before service is re-established.~~

~~Sec. 9-101. Unlawful continuance.~~

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

~~Sec. 9-102. Reserved.~~

~~Sec. 9-103. Unsafe equipment and usage.~~

- (a) ~~Electrical systems or equipment regulated by this Code that constitute a fire hazard or are otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of electrical systems or equipment regulated by this Code constituting a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is, for the purpose of this section, an unsafe use.~~
- (b) ~~Unsafe electrical systems or equipment are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedures set forth in the International Building Code referenced in section 9-4, incorporated by reference for the abatement of dangerous structures or otherwise as allowed by law. The city may institute other appropriate action to prevent, restrain, correct or abate the violation.~~

~~Sec. 9-104. Appeals.~~

~~Any person aggrieved by any ruling, interpretation, requirement or decision made by the electrical inspector may file an appeal to the electrical board by filing with the building official within five (5) days from the inspector's ruling, interpretation, requirement or decision a statement in writing specifying how the electrical inspector is alleged to have been wrong. The electrical board shall conduct a hearing within ten (10) days of the filing of the appeal. In such matter appealed, the electrical board shall rule to uphold or overturn the electrical inspector's decision. The appellant may make a final appeal, in writing, within five (5) days of the board's decision, to the city council. Written notice of the hearing by the council shall be delivered to the appellant at least three (3) days prior to the hearing which shall be held at the next regularly scheduled council meeting that permits proper notice to the appellant.~~

~~Sec. 9-105. Violations.~~

~~It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain an electric system or equipment or cause or permit the same to be done in violation of this Code.~~

~~Sec. 9-106. Penalties.~~

~~It shall be unlawful and an offense for any person to violate or fail to comply with any requirement of any provision of this article. Any person who violates a provision of this article or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair electrical equipment or systems in violation of an approved plan or directive of the city, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100.00), plus court costs, or by imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.~~

~~Sees. 9-107—9-120. Reserved.~~

DIVISION 3. ELECTRICIANS

~~Sec. 9-121. Licensing generally.~~

~~The Electrical License Act shall apply to all persons applying for a city license as an unlimited electrical contractor or unlimited journeyman electrician.~~

~~Sec. 9-122. Licensing fees and requirements.~~

~~(a) There is hereby levied licensing fees for the electrical trade as follows:~~

	Registration First Year	Registration Renewal
Unlimited Electrical Contractor	\$300.00	\$100.00
Unlimited Journeyman	—30.00	—20.00

~~(b) It shall be unlawful for any person to engage in the trade or otherwise act as an unlimited electrical contractor, unlimited journeyman electrician or apprentice within the city without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the electrical trade or otherwise act as any type of electrical contractor or journeyman within the city without first having been licensed by the city. The city shall issue an unlimited journeyman or unlimited contractor license to any person, upon proper application, and payment of fees, who presents a valid unlimited electrician license and proper identification at the time of application for the same license period issued by the State of Oklahoma.~~

~~(c) All city electrical trade licenses shall be for one (1) year but all such city licenses shall expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July each year, to be in effect from July 1~~

through June 30 of the following year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license (three hundred dollars (\$300.00) for contractors and thirty dollars (\$30.00) for journeymen).

~~Sec. 9-123. Vehicles to be marked.~~

~~All company vehicles or conveyances used in the scope of business or trade by any tradesman, contractor or other person engaged in the electrical trade shall be identified by having printed on the sides of such vehicles or conveyances in a conspicuous place the firm name and the contractor's state license number. All letters and numbers shall be at least two (2) inches in height displayed on both sides of such vehicle or conveyance.~~

~~Sec. 9-124. Defective workmanship or materials.~~

~~Any person engaged in the business of electrical construction and the installation of wiring and apparatus for electric light, heat or power in the city who fails to correct promptly any defect in any work done by him contrary to this article, after having been notified thereof by the city, shall not be issued any further permits until such defect has been corrected. The registration of any person who continues to violate or persistently violates the ordinances of the city in regard to electrical work or the orders of the electrical inspector in relation to the same shall be suspended or revoked.~~

~~Sec. 9-125. Partnerships, corporations, firms.~~

~~No corporation, partnership or business trust shall engage in the business as an unlimited electrical contractor within the city unless such entity shall have as an officer of the entity one who holds an unlimited electrical contractor's registration and is active in the trade. The name and address of such registered unlimited electrical contractor and the name and address of the entity shall be registered with the city.~~

~~Secs. 9-126 — 9-135. Reserved.~~

~~DIVISION 4. RESERVED~~

~~Secs. 9-136 — 9-160. Reserved.~~

~~DIVISION 5. STANDARDS AND REQUIREMENTS~~

~~Sec. 9-161. Code amended.~~

~~The electrical code adopted in section 9-90 is amended and modified in the following respects:~~

- ~~(a) None of the informative annexes of the NEC® 2020 have been adopted by the City of Midwest City.~~

~~Chapter 1 of the adopted NEC® 2020 is adopted with the following modifications:~~

(1) ~~Article 100 Definitions.~~ This section has been modified to include a definition of a nationally recognized testing laboratory and a definition of a plaque. This section has been modified to read:

(A) ~~Nationally Recognized Testing Laboratory.~~ A testing facility given this designation from the United States Occupational Safety and Health Administration (OSHA) that provides product safety testing and certification services to manufacturers.

(B) ~~Plaque.~~ A flat, thin piece of metal, wood, or non-conductive, UV, rain, corrosion, and ice resistant material with a sustainable temperature rating from negative 20 degrees Fahrenheit to 130 degrees Fahrenheit or better. For the ambient temperature of the environment to which it is installed, with engraved writing on it that is used especially as a reminder or warning of something. A plaque shall be designed to be installed by adhesive means or mechanical fasteners, as determined by the environment where to be permanently installed. A plaque shall also be known as a Permanent Plaque, Directory, or substitute for a label, excluding circuit directories.

(2) ~~Section 110.5 Conductors [Amended].~~ Conductors normally used to carry current shall be of copper unless otherwise provided in this Code. Where the conductor material is not specified, the material and the sizes given in this Code shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. The use of aluminum conductors shall be prohibited except for exterior uses and for underground service feeders for manufactured homes.

(3) ~~Section 110.12(B) Integrity of electrical equipment and connections.~~ This section has been modified to allow for the reuse of existing electrical equipment, rather than requiring new replacements when certain conditions are met. This section has been modified to read:

~~Section 110.12(B) Integrity of electrical equipment and connections.~~ Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, shall not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues. There shall be no damaged parts that may adversely affect safe operation or mechanical strength of the equipment such as parts that are broken, bent, cut, or deteriorated by corrosion, chemical action or overheating. Damaged materials, equipment, appliances, and devices shall not be reused unless such elements have been reconditioned, tested, and placed in good and proper working condition and approved by a nationally recognized testing laboratory, or by the manufacturer of the equipment. Electrical equipment damaged by natural or man-made events shall be reused only as recommended by the manufacturer of such equipment.

Chapter 2 of the adopted NEC® 2020 is adopted with the following modification:

~~Section 210.08(F) Outdoor outlets.~~ This section has been modified to include mini-split type heating/ventilating/air conditioning equipment and other HVAC units employing power conversion equipment as a means to control compressor speed. This section has been modified to read:

~~Section 210.08(F) Outdoor outlets.~~ All outdoor outlets for dwellings, other than those covered in 210.8(A)(3), exception to (3), and for mini-split type heating/ventilating/air-conditioning (HVAC) equipment and other HVAC units employing power conversion equipment as a means to control compressor speed, that are supplied by single-phase branch circuits rated 150 volts to ground or less, 50 amperes or less, shall have ground-fault circuit interrupter protection for personnel.

Informational note: Power conversion equipment is the term used to describe the components used in HVAC equipment that is commonly referred to as a variable-speed drive. The use of power conversion equipment to control compressor speed differs from multistage compressor speed control.

Exception: Ground-fault circuit interrupter protection shall not be required on lighting outlets other than those covered in Section 210.8(C).

~~Section 210.23(A)(3) Dwelling Occupancies [Added].~~ Dwelling unit receptacle outlets installed in accordance with 210.52 and lighting outlets installed in accordance with Section 210.70 shall be limited to a minimum of 20-ampere and a maximum of 8 for 15-ampere branch circuits. Kitchen receptacle outlets installed in accordance with [Sections] 210.52(B)(3) and 210.52(C) shall not exceed 5.

~~Subsection 230.42(d) is amended to read as follows:~~

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

~~(8) 230.70(A)(1) Readily accessible location [Amended].~~ The service disconnecting means shall be installed at a readily accessible location on the outside of a building or structure nearest the point of entrance of the service conductors. The distance from the point of entrance of a building or structure to the service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally or 60 inches measured vertically.

~~Chapter 3 of the adopted NEC 2020 is adopted with the following modification:~~

~~(9) 312.8(4) Mounting height [Added].~~ Enclosures for switches or over-current devices shall be installed so the bottom of the enclosure is not less than 600 mm (2 feet) above finish grade or working platform unless specifically listed or approved for an alternate mounting height.

~~Chapter 4 of the adopted NEC® 2020 is adopted with the following modification:~~

~~Section 422.16(B)(5) Gas-fired central furnaces.~~ This section has been added to allow flexible cord and plug connections in dwelling units as an alternative means of temporarily supplying the gas-fired furnace by a portable generator for heating purposes. This section has been added to read:

~~422.16(B)(5) Gas-fired central furnaces.~~ Gas-fired furnaces supplying dwelling units shall be permitted to be connected by a flexible cord and plug. The cord and attachment plug shall have sufficient ampacity for the load, and shall be routed or otherwise protected to prevent physical damage to the cord or attachment plug.

~~Chapter 5 of the adopted NEC® 2020 is adopted with the following modifications:~~

- (1) ~~Section 505.7(A) Implementation of zone classification system.~~ This section has been modified to require a registered professional engineer to engineer and design, and select the equipment and wiring methods for classification areas. It allows for the installation of the equipment, wiring methods and inspections to be performed by qualified persons. This section has been modified to read:

505.7(A) Implementation of zone classification system. Classification of areas, engineering and design, selection of equipment and wiring methods shall be performed by a Registered Professional Engineer with expertise in Hazardous (Classified) Locations and Zone Systems. The installation of equipment and wiring methods, and inspections shall be performed by qualified persons.

- (2) ~~Section 506.7(A) Implementation of zone classification system.~~ This section has been modified to require a registered professional engineer to engineer and design, and select the equipment and wiring methods for classification areas. It allows for the installation of the equipment, wiring methods and inspections to be performed by qualified persons. This section has been modified to read:

506.7(A) Implementation of zone classification system. Classification of areas, engineering and design, selection of equipment and wiring methods, shall be performed by a Registered Professional Engineer with expertise in Hazardous (Classified) Locations and Zone Systems. The installation of equipment and wiring methods and inspection shall be performed by qualified persons.

- (3) ~~Section 555.30(D) Luminaires and other electrical equipment.~~ This section has been added to require the location of luminaires and other electrical equipment to be located not less than five (5) feet horizontally from the nearest normal edge of the water. However, if the luminaire or other electrical equipment is within the five-foot horizontal zone it must be twelve (12) feet vertically from the nearest normal edge of the water. This section has been added to read:

555.30(D) Luminaires and other electrical equipment. Luminaires and electrical connections to luminaires or other electrical equipment shall be located not less than 5 feet horizontally from the nearest normal edge of the water. If a luminaire is within the 5-foot horizontal zone it must be 12 feet vertically.

Chapter 6 of the adopted NEC® 2020 is adopted with the following modifications:

- (1) ~~Section 680.23(A)(4) Voltage limitations.~~ This section has been modified to prohibit the use of underwater luminaries if they operate above the low voltage contact limit as defined in Section 680.2 and limit the use of luminaires or other electrical connections while standing in either a natural or man-made body of water. This section has been modified to read:

680.23(A)(4) Voltage limitations. No luminaries shall operate above the low voltage contact limit as defined in Section 680.2. This requirement shall apply to new installations, repair, replacement and modification of underwater luminaires. This section shall not apply to relamping if the line voltage luminaire is protected by a Class A ground fault circuit interrupter.

- (2) ~~Section 682.10 Electrical equipment and transformers.~~ This section has been modified to require luminaires or other electrical connections to be located at least five (5) feet

horizontally from the nearest normal edge of the water. This section has been modified to read:

~~682.10 Electrical equipment and transformers. Electrical equipment and transformers, including their enclosures, shall be specifically approved for the intended location. No portion of an enclosure for electrical equipment not identified for operation while submerged shall be located below the electrical datum plane. Luminaires or other electrical connections shall be located at least 5 feet (1524 mm) horizontally from the nearest edge of the water.~~

Chapter 7 of the adopted NEC® 2020 is adopted with the following modification:

~~Section 700.16(B) System reliability. This section has been modified to address errata to change the reference for listed equipment to be in accordance with 700.12(F) to 700.12(1). This section has been modified to read:~~

~~700.16(B) System reliability. Emergency lighting systems shall be designed and installed so that the failure of any illumination source cannot leave in total darkness any space that requires emergency illumination. Control devices in the emergency lighting system shall be listed for use in emergency systems. Listed unit equipment in accordance with 700.12(1) shall be considered as meeting the provisions of this section.~~

Secs. 9-162—9-175. Reserved.

ARTICLE V. MECHANICAL SYSTEMS³

DIVISION 1. GENERALLY

Sec. 9-176. General definitions.

Mechanical journeyman is a person who possesses the knowledge and skills to perform mechanical work within a category or categories without direct supervision. A journeyman must be at least eighteen (18) years of age and have either: (1) three (3) years of verifiable experience in the mechanical trade; or (2) an associates degree or vo tech diploma from a school approved by the Occupational Licensing Service of the Oklahoma State Department of Health and exhibit knowledge of the trade and have one (1) year of verifiable experience in the mechanical trade.

Mechanical contractor is a person who possesses the knowledge and skills of a journeyman and who is responsible, either to himself or his employer, for plumbing, contracting, supervising, or furnishing labor and/or materials used for mechanical work. A contractor must meet the same requirements as a journeyman with an additional one (1) year of experience.

Active contractor is one who is actively perforating as a contractor and who has met the bond and insurance requirements for licensure.

~~An inactive contractor is one who has met all the licensing requirements of a contractor but has chosen not to currently perform as a contractor. An inactive contractor is not required to provide bond or insurance and will be regulated as a journeyman.~~

~~A limited mechanical air conditioning license entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping, that has a cooling capacity of no more than twenty-five (25) tons or three hundred thousand (300,000) British Thermal Units (BTU) per hour.~~

~~An unlimited mechanical air conditioning license entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping.~~

~~A limited mechanical heating license entitles the licensee to install, alter, modify, service, maintain, or repair all air heating appliances, including the process piping, that have:~~

~~(1) A heat input of no more than five hundred thousand (500,000) British Thermal Units (BTU) per hour or 145.5 kilowatts; or~~

~~(2) A water temperature of no more than two hundred ten (210) degrees Fahrenheit.~~

~~An unlimited mechanical heating license entitles the licensee to install, alter, modify, service, maintain, or repair air heating appliances, including the process piping.~~

~~A natural gas pipeline license entitles the licensee to install, alter, modify, service, maintain, or repair all natural gas piping.~~

~~A process piping license entitles the licensee to install, alter, modify, service, maintain, or repair all process piping.~~

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

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

Sees. 9-177—9-189. Reserved.

DIVISION 2. ADMINISTRATION AND ORGANIZATION

Part A. Organization

Sec. 9-190. Plumbing, gas and mechanical board created; composition; terms; meetings.

~~(a) There is hereby created a plumbing, gas and mechanical board for the city, consisting of six (6) members of the plumbing, gas and mechanical trade (shall include at least one (1) master of each of the trades). The board members shall serve on staggered terms and shall be appointed by the mayor and approved by the city council. The members of the board shall have been actively engaged in their respective businesses or trades for a period of not less than two (2) years immediately preceding the date of appointment, be actively licensed with the city in their respective trade, and be chosen from either:~~

~~(1) Residents of the city at large with reference to their fitness for such office; or~~

- ~~(2) Ownership, operation or involvement in the building, construction or development business within the city.~~
- ~~(b) The members of the plumbing, gas and mechanical board shall hold office until their successors are appointed; for terms of three (3) years. The mayor shall be an ex officio member of the board.~~
- ~~(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 this Code. Vacancies shall be filled for and unexpired term in the same manner as appointment.~~
- ~~(d) The member of the plumbing, gas and mechanical board shall serve without pay.~~
- ~~(e) The board shall meet at such times as may be called.~~

~~Sec. 9-191. Quorum.~~

~~At least three (3) voting members of the plumbing, gas and mechanical board must be present to constitute a quorum in order to conduct any proceedings.~~

~~Sec. 9-192. Officers; calling meetings.~~

~~The plumbing, gas and mechanical board shall elect a chair and vice chair and shall meet from time to time when necessary upon the call of the chair, or in his absence the vice chair, or upon call of a majority of the board members.~~

~~Sec. 9-193. Minutes of meetings.~~

~~The secretary of the plumbing, gas and mechanical board shall keep minutes of the board's proceedings, showing the vote of each member.~~

~~Sec. 9-194. Regulations.~~

~~The plumbing, gas and mechanical board shall adopt and promulgate all necessary rules and regulations in accordance with the provisions of this article.~~

~~Sec. 9-195. Powers and duties of the board.~~

~~The board created by this article shall have the duty to advise the city council as to any changes, regulations, and rules relating to, or governing the provisions and requirements of this article.~~

~~Sec. 9-196. Fuel code adopted.~~

~~There is hereby adopted and incorporated by reference the following International Codes: International Fuel Gas Code of the [year/edition] published by the International Code Council, Inc. referenced in section 9-4, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the city clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and~~

the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.

~~Sec. 9-197. Separate permits.~~

~~There shall be a separate permit for each building, except in the case of the gas piping of an outbuilding or garage which is a part of the gas system of a dwelling, apartment house or motel.~~

~~Sec. 9-198. Fees.~~

~~See section 9-206.~~

~~Sec. 9-199. Fuel code amended.~~

~~(a) None of the appendices of the IFGC, have been adopted.~~

Chapter 2 of the adopted IFGC is adopted with the following modifications:

- ~~(1) The definition of a dispensing area has been added to clarify multiple references in the code with regard to fuel dispensing. This definition has been added to read:~~

~~DISPENSING AREA. The appropriate hazardous (classified) locations for the fuel being dispensed in accordance with the National Electrical Code®—NFPA® 70.~~

- ~~(2) The definition of a main railroad track has been added to provide clarity to building code officials. This definition has been added to read:~~

~~MAIN RAILROAD TRACK. That part of the railway, exclusive of switch tracks, branches, yards, and terminals upon which trains are operated by timetable or train order or both.~~

Chapter 3 of the adopted IFGC is adopted with the following modifications:

- ~~(1) 306.5 Equipment and appliances on roofs or elevated structures. This section has been modified to correlate and add language related to parapet walls that exists in the International Mechanical Code® and add a second exception for when the section would not apply. This section has been modified to read:~~

~~306.5 Equipment and appliances on roofs or elevated structures. Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4,877 mm) above grade to access such equipment or appliances, an interior or exterior means of access shall be provided. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) in height or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33 percent slope). Such access shall not require the use of portable ladders. Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.~~

~~(A) Permanent ladders installed to provide the required access shall comply with the following minimum design criteria:~~

- ~~(i) The side railing shall extend above the parapet or roof edge not less than 30 inches (762 mm).~~

- (ii) ~~Ladders shall have rung spacing not to exceed 14 inches (356 mm) on center. The upper most rung shall be not more than 24 inches (610 mm) below the upper edge of the roof hatch, roof or parapet, as applicable.~~
 - (iii) ~~Ladders shall have a toe spacing not less than 6 inches (152 mm) deep.~~
 - (iv) ~~There shall be not less than 18 inches (457 mm) between rails.~~
 - (v) ~~Rungs shall have a diameter not less than 0.75 inch (19 mm) and be capable of withstanding a 300 pound (136.1 kg) load.~~
 - (vi) ~~Ladders over 30 feet (9144 mm) in height shall be provided with offset sections and landings capable of withstanding 100 pounds per square foot (488.2 kg divided by meters squared). Landing dimensions shall be not less than 18 inches (457 mm) and not less than the width of the ladder served. A guard rail shall be provided on all open sides of the landing.~~
 - (vii) ~~Climbing clearance. The distance from the centerline of rungs to the nearest permanent object on the climbing side of the ladder shall be not less than 30 inches (762 mm) measured perpendicular to the rungs. This distance shall be maintained from the point of ladder access to the bottom of the roof hatch. A minimum clear width of 15 inches (381 mm) shall be provided on both sides of the ladder measured from the midpoint of and parallel with the rungs, except where cages or wells are installed.~~
 - (viii) ~~Landing required. The ladder shall be provided with a clear and unobstructed bottom landing area having a minimum dimension of 30 inches (762 mm) by 30 inches (762 mm) centered in front of the ladder.~~
 - (ix) ~~Ladders shall be protected against corrosion by approved means.~~
 - (x) ~~Access to ladders shall be provided at all times.~~
 - (B) ~~Catwalks installed to provide the required access shall be not less than 24 inches (610 mm) wide and shall have railings as required for service platforms.~~
- ~~Exceptions:~~
- (i) ~~This section shall not apply to Group R-3 occupancies.~~
 - (ii) ~~This section shall not apply to appliance replacement.~~
- (2) ~~Section 306.6 Guards. This section has been modified to clarify the circumstances under which guards shall be provided and to modify the exception to require the authority having jurisdiction approve the use of a fall restraint system instead of guards. This section has been modified to read:~~
- ~~306.6 Guards. Guards shall be provided where various components that require service are located on a roof or elevated structure and have a condition as set forth in Sections 306.6.1 through 306.6.3. The top of the guard shall be located not less than 42 inches (1,067 mm) above the elevated surface adjacent to the guard. The guard shall be constructed so as to prevent the passage of a 21-inch diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code®. Guards shall be provide at new components when added or replaced~~

on existing roof or elevated structure and have a condition as set forth in Sections 306.6.1 through 306.6.3.

Exception: When approved by the authority having jurisdiction, guards are not required where permanent fall arrest restraint anchorage connector devices that comply with ANSI/ASSE Z 359.1 are affixed for use during the entire roof covering lifetime. The devices shall be reevaluated for possible replacement when the entire roof covering is replaced. The devices shall be placed not more than 10 feet (3,048 mm) on center along hip and ridge lines and placed not less than 10 feet (3,048 mm) from roof edges and the open sides of walking surfaces.

- (3) ~~Section 306.6.1 Roof edge.~~ This section has been added to clarify the circumstances required to exist for the installation of guards at the roof edge when the components needing service are within a specific distance of the roof edge. This section has been added to read:

~~306.6.1 Roof edge.~~ Guards complying with 306.1 shall be provided when components are located within 10 feet (3,048 mm) of a roof edge or open side of a walking surface or elevated structure and such edge or open side is located more than 30 inches (762 mm) above the floor, roof, or grade below. The guard shall extend not less than 30 inches (762 mm) beyond each end of the component that requires service.

- (4) ~~Section 306.6.2 Skylights.~~ This section has been added to clarify the circumstances for the installation of guards around components near skylights and to provide exceptions to the requirement. This section has been added to read:

~~306.6.2 Skylights.~~ Guards complying with Section 306.6 shall be provided when a skylight is within 10 feet (3,048 mm) of the component that requires service. The guard shall extend 30 inches (762 mm) beyond the edge of the skylight.

Exceptions:

- (A) ~~Guards are not required when the skylight is located at least 42 inches (1067 mm) above the highest point of the walking surface adjacent to the skylight or component.~~
- (B) ~~Guards are not required if some other provision for skylight fall thru protection is provided and approved by the authority having jurisdiction.~~

- (5) ~~Section 306.6.3 Roof hatch.~~ This section has been added to clarify the circumstances for the installation of guards around components installed within a specific distance from the roof hatch. This section has been added to read:

~~306.6.3 Roof hatch.~~ Guards complying with Section 306.6 shall be provided when a roof hatch is within 10 feet (3,048 mm) of the component that requires service. The guard shall extend 30 inches (762 mm) beyond the edge of the roof hatch. If the component is within 10 feet (3,048 mm) of the ladder access side of the roof hatch, the guard shall incorporate a self-closing, self-latching gate. The gate shall have a top edge of not less than 42 inches (1,067 mm) above the elevated surface adjacent to the gate and shall not allow the passage of a 21 inch (533 mm) sphere. If a roof hatch exists within 10 feet of a roof edge that is located more than 30 inches (762 mm) above the floor, roof or grade below and a new component that requires service on that existing

roof or elevated structure, then a guard complying with Section 306.6 shall be added between the existing roof hatch and the roof edge.

- (6) ~~Section 307.2.1 Condensate drains.~~ This section has been added to require condensate drains to be protected from freezing. This section shall read:

307.2.1 Condensate drains. Where condensing appliances are in locations subject to freezing conditions, the condensate drain line shall be protected from freezing in an approved manner and in accordance with manufacturer's installation instructions.

Chapter 4 of the adopted IFGC is adopted with the following modifications:

- (1) ~~Section 404.12 Minimum burial depth.~~ This section has been modified to change the minimum burial depth from twelve (12) inches (three hundred five (305) mm) to eighteen (18) inches (four hundred fifty-seven (457) mm) and to allow for an exception when there is no ability to meet that minimum depth. This section has been modified to read:

404.12 Minimum burial depth. Underground piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade, except as provided for in Section 404.12.1. Exception: Where a minimum depth of cover cannot be provided, the pipe shall be installed in conduit or bridged (shielded).

- (2) ~~Section 412.5 Attendants.~~ This section has been modified to provide an exception to the requirement of an attendant when the dispensing equipment meets the guidelines of NFPA® 58 for a "Low emission transfer." This section has been modified to read:

412.5 Attendants. Motor fuel dispensing operations shall be conducted by qualified attendants or in accordance with Section 412.9 by persons trained in the proper handling of LP gas.

Exception: When the dispensing equipment meets the guidelines of NFPA® 58 for "Low emission transfer" an attendant is not required.

- (3) ~~Section 412.6.1 Low emission transfer.~~ This section has been added to clarify when the dispensing equipment meets the guidelines of NFPA® 58, Section 6.30.5 for "Low emission transfer," then the transfer distance shall be reduced by one-half (½). This section has been modified to read:

412.6.1 Low emission transfer. When the dispensing equipment is installed in accordance with Section 6.30.5 of NFPA® 58 for "Low emission transfer," the transfer distance requirements in Table 6.7.2.1 and Section 6.27.4.3 of NFPA® 58 shall be reduced by one-half.

- (4) ~~Section 412.9 Public fueling of motor vehicles.~~ This section has been modified to provide an exception to the owner's requirement to train users when the dispensing equipment meets the guidelines of NFPA® 58 for a "Low emission transfer." This section has been modified to read:

412.9 Public fueling of motor vehicles.

- (A) Self service LP gas dispensing systems, including key, code and card lock dispensing systems, shall be limited to the filling of permanently mounted containers providing fuel to the LP gas-powered vehicle.

- (B) ~~The requirements for self-service LP-gas dispensing systems shall be in accordance with the following:~~
- ~~(i) The arrangement and operation of the transfer of product into a vehicle shall be in accordance with this section and Chapter 61 of the International Fire Code®.~~
 - ~~(ii) The system shall be provided with an emergency shut-off switch located within 100 feet (30,480 mm) of, but not less than 20 feet (6,096 mm) from dispensers.~~
 - ~~(iii) The owner of the LP-gas motor fuel dispensing facility or the owner's designee shall provide for the safe operation of the system and the training of users.~~

~~Exception: If the LP-gas motor fuel dispensing facility meets the requirements of a low emission transfer station per NFPA® 58, then training of the users is not the responsibility of the facility.~~
 - ~~(iv) The dispenser and hose end valve shall release not more than 4 cubic centimeters of liquid to the atmosphere upon breaking the connection with the fill valve on the vehicle.~~
 - ~~(v) Fire extinguishers shall be provided in accordance with Section 2305.5 of the International Fire Code®.~~
 - ~~(vi) Warning signs shall be provided in accordance with Section 2305.6 of the International Fire Code®.~~
 - ~~(vii) The area around the dispenser shall be maintained in accordance with Section 2305.7 of the International Fire Code®.~~
- (5) ~~Section 413.3.2 Warning signs. This section has been added to require warning signs be posted on compressed natural gas (CNG) dispensing devices. This section has been added to read:~~
- ~~413.3.2 Warning signs. Warning signs complying with Section 310 of the International Fire Code® shall be posted as follows:~~
- ~~(A) Warning sign(s) shall be conspicuously posted within sight of each dispenser in the fuel dispensing area and shall state the following:~~
 - ~~(i) No smoking.~~
 - ~~(ii) Shut off motor.~~
 - ~~(iii) Flammable gas.~~
 - ~~(iv) Natural gas vehicle fuel cylinders shall be inspected at intervals not exceeding 3 years or 36,000 miles to ensure safe operation of the vehicle.~~
 - ~~(v) Natural gas fuel cylinders past their end-of-life date shall not be refueled and shall be removed from service.~~
 - ~~(B) A warning sign with the words "NO SMOKING, FLAMMABLE GAS" shall be posted in all compressor and storage areas.~~

- (C) ~~The lettering on the sign shall be legible and large enough to be visible from each point of transfer.~~
- (D) ~~The service pressure of each dispenser shall be posted in view of the operator.~~
- (6) ~~Section 413.5 Private fueling of motor vehicles. This section has been modified to allow for the industry practice of utilizing CNG trailers that are not permanently attached to CNG powered vehicles and delete the requirement for the owner to ensure the user of a CNG powered vehicle be properly trained on the vehicle's filling procedures. This section has been modified to read:~~
- 413.5 private fueling of motor vehicles.*
- ~~(A) Self-service CNG dispensing systems, including key, code and card lock dispensing systems, shall be limited to the filling of approved, permanently mounted fuel containers.~~
- ~~(B) In addition to the requirements in the International Fire Code, the owner of a self-service CNG dispensing facility shall ensure the safe operation of the system.~~
- (7) ~~Section 413.8 Emergency shutdown devices. This section has been modified to change the word "control" to "devices" in the section heading, clarify the requirements of the emergency shutdown device and provide an exception to those requirements for time-fill applications. This section has been modified to read:~~
- 413.8 Emergency shutdown devices.* A remote and local emergency manual shutdown device shall be provided. Upon activation, the emergency shut-down system shall automatically close valves between the main gas supply and the compressor and between the storage containers and dispensers, and automatically shut off the power supply to the compressor and the following associated devices: dispensing enclosures; remote pumps; power, control, and signal circuits; and electrical equipment in the hazardous (classified) locations surrounding the fuel dispensing enclosures. All labeled emergency shutdown devices shall be interconnected, whether required or not. Resetting from an emergency shutoff condition shall require manual intervention and the manner of resetting shall be approved by the Authority Having Jurisdiction.
- Exception: In time fill applications, in lieu of a defined remote and local emergency manual shutdown device, an emergency manual shutdown device shall be provided within 50 feet (15,240 mm) of each fixed point of dispensing hose attachment and located inside and out side the compressor area within 10 feet (3,048 mm) of the main access to the compressor area.
- (8) ~~Section 413.8.1 Remote emergency shutdown device. This section has been added to clarify the distance requirements for remote emergency shutdown device placement and provide an exception to the maximum distance required when located within line of sight of the dispensing enclosures and approved by the authority having jurisdiction. This section has been added to read:~~
- 413.8.1 Remote emergency shutdown device.* A remote emergency manual shutdown device shall be located within 100 feet (30,480 mm) of, but not less than 20 feet (6,096 mm) from all dispensing enclosures and shall be provided inside and outside the compressor area within 10 feet (3,048 mm) of the main access to the compressor area.

Exception: A remote emergency manual shutdown device may be located greater than 100 feet (30,480 mm) from one or more dispensing enclosures when within line of sight of the dispensing enclosures and approved by the City of Midwest City.

- (9) ~~Section 413.8.2 Local emergency shutdown device.~~ This section has been added to require a local emergency shutdown device be provided within fifteen (15) feet (four thousand five hundred seventy two (4,572) mm) of each dispensing enclosure. This section has been added to read:

~~413.8.2 Local emergency shutdown device.~~ A local emergency manual shutdown device shall be located within 15 feet (4,572 mm) of each dispensing enclosure.

Chapter 8 of the adopted IFGC® 2018 is adopted with the following modifications:

- (1) ~~The reference to the International Building Code® has been modified to include after the title the words "as adopted and modified by the City of Midwest City." This section has been modified to read:~~

~~IBC® International Building Code® as adopted and modified by the City of Midwest City.~~

- (2) ~~The reference to the International Fire Code® has been modified to include after the title the words "as adopted and modified by the State of Oklahoma through the OUBCC." This section has been modified to read:~~

~~IFC® International Fire Code® as adopted and modified by the City of Midwest City.~~

- (3) ~~The reference to the International Mechanical Code® has been modified to include after the title the words "as adopted and modified by the City of Midwest City." This section has been modified to read:~~

~~IMC® International Mechanical Code® as adopted and modified by the City of Midwest City.~~

- (4) ~~The reference to the International Plumbing Code® has been modified to include after the title the words "as adopted and modified by the City of Midwest City." This section has been modified to read:~~

~~IPC® International Plumbing Code® as adopted and modified by the City of Midwest City.~~

- (5) ~~The referenced standard for NFPA 70® National Electrical Code® has been modified to include after the title the words "as adopted and modified by the City of Midwest City." This section has been modified to read:~~

~~70-17 National Electrical Code® as adopted and modified by the City of Midwest City.~~

Sec. 9-200. Reserved.

Part B. Administration

~~Sec. 9-201. Mechanical code adopted.~~

~~There is hereby adopted and incorporated by reference the following International Codes: International Mechanical Code published by the International Code Council, Inc. referenced in section 9-4, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the city clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.~~

~~Sec. 9-202. Title.~~

~~This code shall be known as the Mechanical Code of Midwest City, Oklahoma, hereinafter referred to as the mechanical code or "this code".~~

~~Sec. 9-203. Powers and duties of building official.~~

- ~~(a) The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have under his/her charge the building inspector who shall carry out the duties as directed and described herein.~~
- ~~(b) *Stop work orders.* Whenever work is being done contrary to the provisions of this code, the building official may order the work stopped by notice in writing served on persons engaged in the doing or causing such work to be done, and such persons shall forthwith stop such work until authorized by the building official to proceed with the work.~~

~~Sec. 9-204. Issuance of permits.~~

- ~~(a) Permits required by this article shall be issued only to mechanical contractors being qualified installing agencies licensed under this article.~~
- ~~(b) *Application.* To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished by the development services department for that purpose. Every application shall:
 - ~~(1) Identify and describe the work to be covered by the permit for which application is made.~~
 - ~~(2) Describe, by legal description, street address, or similar description that will readily identify and definitely locate the proposed building or work, the land on which the proposed work is to be done.~~~~
- ~~(c) *Suspension or revocation.* The building official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error, or on the basis of incorrect information supplied, or in violation of any ordinance or regulation of the jurisdiction.~~

Sec. 9-205. Separate permits.

See section 9-197.

Sec. 9-206. Permit fees.

Before a permit is issued for any refrigeration system or air conditioning or forced air heating system, fees shall be paid to the development services department in accordance with the following schedule:

IN ADDITION:

1. ~~For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H \$ 35.00~~
2. ~~For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H 40.00~~
3. ~~For the installation of self-contained packaged units~~
 - 0-5 tons 25.00
 - 6-15 tons 50.00
 - 16+ tons 75.00
4. ~~For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater 35.00~~
5. ~~For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code 35.00~~
6. ~~For the installation or relocation of each boiler or condensing unit to and including five horsepower, or each absorption system to and including 100,000 BTU/H 50.00~~
7. ~~For the installation or relocation of each boiler or condensing unit over six horsepower and up to and including 15 horsepower, or each absorption system over 100,000 BTU/H and up to and including 500,000 BTU/H 75.00~~
8. ~~For the installation or relocation of each boiler or condensing unit over 15 horsepower and up to and including 30 horsepower, or each absorption system over 500,000 BTU/H and up to and including 1,000,000 BTU/H 100.00~~
9. ~~For the installation or relocation of each boiler or condensing unit over 30 horsepower up to and including 50 horsepower, or for each absorption system over 1,000,000 BTU/H to and including 1,750,000 BTU/H 125.00~~
10. ~~For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, or each absorption system over 1,750,000 BTU/H 150.00~~
11. ~~For each air handling unit up to and including 2000 cubic feet per minute, including ducts attached thereto 75.00~~

NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere

- ~~12. For each air handling unit over 2000 cfm 50.00~~
- ~~13. For each evaporative cooler other than portable type 35.00~~
- ~~14. For each ventilation fan connected to a single duct 35.00~~
- ~~15. For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit 35.00~~
- ~~16. For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood 75.00~~
- ~~17. For the installation or relocation of each domestic type incinerator 50.00~~
- ~~18. For the installation or relocation of each commercial or industrial type incinerator 75.00~~
- ~~19. For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code 35.00~~
- ~~20. For each gas piping system 35.00~~
- ~~21. Outlets for each gas piping system each 5.00~~
- ~~22. Duct installation only 35.00~~

~~or .04 sq. ft. whichever is greater.~~

OTHER INSPECTIONS AND FEES:

- ~~1. Inspection outside of normal business hours (minimum charge two (2) hours), per hour \$200.00~~
- ~~2. Per hour thereafter 75.00~~
- ~~3. Additional plan review required by changes, additions or revisions to approved plans (minimum charge one half (1/2) hour), per hour 30.00~~
- ~~4. Each reinspection trip to an address 10.00~~

Secs. 9-207 — 9-210. Reserved.

Part C. Enforcement

Sec. 9-211. Inspections; approval.

- ~~(a) When an original rough in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit holding contractor shall notify the inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration for which a permit is required under the terms of this article is completed on any premises, the permit holding contractor shall notify the inspector that the work is ready for inspection. Either in the case of an original installation or in case~~

of an alteration, the permit holding contractor shall be permitted to immediately place the system in operation, unless a pressure test is required under the terms of this article or other ordinances.

- (b) ~~The inspector shall make an inspection of the alteration or installation within twenty four (24) hours from the time of notification. If the installation or alteration to the air conditioning or refrigeration or forced air heating system has been done in accordance with the terms and provisions of this article and amendments thereto, the inspector shall post an inspection chart at or near the same, noting thereon the date and approval of the work, together with his signature. If the installation or alteration of the system is found to be faulty, incorrect or defectively installed, the inspector shall notify the permit holding contractor who installed the work, advising him of the changes necessary to be made in order that the same may conform to this article.~~
- (c) ~~The fees required for the making of the required inspection by the development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a fifty dollar (\$50.00) reinspection fee. All subsequent reinspections shall be assessed a one hundred dollar (\$100.00) fee.~~

Name	Formula	Minimum Test Pressure High Pressure Side	Pounds Per Square Inch Low Pressure Side
Ammonia	NH ₃	300	150
Dichlorodifluoromethane			
(Freon-12)	CCl ₂ F ₂	250	150
Dichlorotetrafluoroethane			
(Freon-114)	C ₂ Cl ₂ F ₄	80	50
Dichloromethane			
(Carrene No. 1)			
(Methane Chloride)	CH ₂ Cl ₂	30	30
Dichloromonofluoromethane			
(Freon-12)	CHCl ₂ F	70	50
Methylehloride	CH ₃ Cl	215	125
Trichloromonofluoromethane			
(Freon-11)	CC ₃ F	50	30
Freon-22		300	150
R-500		285	150

R-502 Azeotrophe of			
F-22 and F-115		300	150

~~Sec. 9-212. Defective workmanship or materials.~~

~~Any mechanical contractor doing construction or installation within his/her trade who fails to correct promptly any defect in any work done by or at his/her direction contrary to this article, after having been notified thereof by the city inspector, shall not be issued any further permits until such defect has been corrected.~~

~~Sec. 9-213. Unlawful continuance.~~

~~Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be punished as set out in Section 1-8 of the Midwest City Code. Each day that this violation continues shall be deemed a separate offense.~~

~~Sec. 9-214. Application for appeal.~~

~~An appeal may be taken to the plumbing, heating, and mechanical board from any ruling, interpretation, requirement or decision made by the building inspector by filing with the building official within five (5) days from the building inspector's ruling, interpretation, requirement or decision a statement in writing showing wherein the inspector is alleged to have been wrong. The building official shall review, within one (1) business day, the decision of the inspector. If the building official upholds the decision, the appeal will proceed to the plumbing, heating, and mechanical board. If the building official overturns the decision of the inspector, no further appeal shall be allowed. The plumbing, heating, and mechanical board shall conduct a hearing within ten (10) days of the filing of the appeal. In such matter appealed, the plumbing, heating, and mechanical board shall rule to uphold or overturn the inspector's decision. The appellant may make a final appeal, in writing, within five (5) days of the board's decision, to the city council. Written notice of the hearing by the council shall be hand delivered to the appellant at least three (3) days prior to the hearing, which shall be held at the next regularly scheduled council meeting that permits proper notice to the appellant.~~

~~Sec. 9-215. Violations.~~

~~It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain a mechanical system or equipment or cause or permit the same to be done in violation of this code.~~

~~Sec. 9-216. Penalties.~~

~~Any person who shall violate a provision of this article or who shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair mechanical equipment or systems in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable~~

as set out in section 1-8 of the Midwest City Code. Each day that this violation continues shall be deemed a separate offense.

Sees. 9-217—9-225. Reserved.

Part D. Registration

Sec. 9-226. Registration fees.

There is hereby levied a schedule of registration fees for the mechanical trade to be as follows:

	Registration First Year	Registration Renewal
Unlimited Mechanical Contractor	\$170.00	\$75.00
Limited Mechanical Contractor	150.00	65.00
Mechanical Journeyman	10.00	5.00

A registration may be applied for and secured at any time during the year, but in no event shall the fee for such registration be less than for a full year. All registrations, including building maintenance engineer's licenses, shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect for the ensuing registration year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license). The registration year shall coincide with the state license period which is July 1st to June 30.

Sec. 9-227. Registration requirements; business regulations.

- (a) ~~Registration required.~~ It shall be unlawful for any person to engage in the mechanical trade or otherwise act as a mechanical contractor or journeyman within the city, without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the mechanical trade or otherwise act as a mechanical contractor or journeyman within the city without first having been registered with the City of Midwest City.
- (b) ~~Issuance of registration.~~ The development services department shall, upon proper application and payment of fees, issue a journeyman or contractor registration to any person who has a valid mechanical license issued by the State of Oklahoma.
- (c) ~~Partnerships, corporations, firms.~~ No corporation, partnership or business trust [shall] engage in the business as a mechanical contractor within the city unless such corporation, partnership or business trust shall have as an officer of the corporation or a member of such

~~firm one who holds a contractors license. The name and address of such contractor and the name and address of the employer shall be certified by the employer and registered in the office of the building inspector.~~

- ~~(d) *Places of business required.* Every person engaged in the business of installing, servicing, altering, offering for sale, trade, lease or repair of any gas or mechanical system on consumer premises and operating under a license as a contractor within the city shall maintain a permanent place of business conforming to all requirements under this article.~~
- ~~(e) *Vehicles to be marked.* All vehicles or conveyances used in any manner by any tradesman, contractor or other person engaged in the gas and/or mechanical trade covered by this article, which vehicles are used in the scope of business or trade concerned, except passenger automobiles (not including station wagons) shall be identified by having printed on the sides of such vehicles in a conspicuous place the number of the contractor's state license theretofore issued to such contractor. All letters and numbers shall be at least two (2) inches in height.~~

~~Secs. 9-228 — 9-235. Reserved.~~

~~DIVISION 3. STANDARDS AND REQUIREMENTS~~

~~Sec. 9-236. Mechanical code amended.~~

~~The mechanical code adopted in section 9-201 is amended and modified in the following respects:~~

~~*M-114.3 Fee Schedule* is hereby deleted.~~

~~*M-122.1 Application for appeal* is hereby deleted.~~

~~*M-122.2 through M-122.8* are hereby deleted.~~

- ~~(a) None of the appendices of the IMC® have been adopted.~~

~~Chapter 3 of the adopted IMC® is adopted with the following modifications:~~

- ~~(1) *Section 301.15 Wind resistance.* This section has been modified to allow design and installation of equipment and appliances that are exposed to wind to be built in accordance with SMACNA HVAC Duct Construction Standards—Metal and Flexible and other approved methods. This section has been modified to read:~~

~~*301.15 Wind resistance.* Mechanical equipment, appliances and supports that are exposed to wind shall be designed and installed to resist the wind pressures determined in accordance with the International Building Code®, SMACNA HVAC Duct Construction Standards—Metal and Flexible, and other approved methods.~~

- ~~(2) *Section [BE] 304.11 Guards.* This section has been modified to clarify the circumstances under which guards shall be provided around components and to modify the exception to require the authority having jurisdiction approve the use of a fall/restraint system instead of guards. This section has been modified to read:~~

~~[BE] 304.11 Guards. Guards shall be provided where various components that require service located on a roof or elevated structure and have a condition as set forth in Sections 304.11.1 through 304.11.3. The top of the guard shall be located not less than 42 inches (1,067 mm) above the elevated surface adjacent to the guard. The guard shall be constructed so as to prevent the passage of a 21-inch diameter (533 mm) sphere and shall comply with the loading requirements for guards as specified in the International Building Code®. Guards shall be provided at new components when added or replaced on an existing roof or elevated structure and have a condition as set forth in Sections 304.11.1 through 304.11.3.~~

~~Exception: When approved by the authority having jurisdiction, guards are not required where permanent fall arrest/restraint anchorage connector devices that comply with ANSI/ASSE Z 359.1 are affixed for use during the entire roof covering lifetime. The devices shall be reevaluated for possible replacement when the entire roof covering is replaced. The devices shall be placed not more than 10 feet (3,048 mm) on center along hip and ridge lines and placed not less than 10 feet (3,048 mm) from roof edges and the open sides of walking surfaces.~~

- ~~(3) Section 304.11.1 Roof edge. This section has been added to clarify the circumstances required to exist for the installation of guards at the roof edge when the components needed service are within a specific distance of the roof edge. This section has been added to read:~~

~~304.11.1 Roof edge. Guards complying with 304.11 shall be provided when components are located within 10 feet (3,048 mm) of a roof edge or open side of a walking surface or elevated structure and such edge or open side is located more than 30 inches (762 mm) above the floor, roof, or grade below. The guard shall extend not less than 30 inches (762 mm) beyond each end of the component that requires service.~~

- ~~(4) Section 304.11.2 Skylights. This section has been added to clarify the circumstances for the installation of guards around components near skylights and to provide exceptions to the requirement. This section has been added to read:~~

~~304.11.2 Skylights. Guards complying with Section 304.11 shall be provided when a skylight is within 10 feet (3,048 mm) of the component that requires service. The guard shall extend 30 inches (762 mm) beyond the edge of the skylight.~~

~~Exceptions:~~

- ~~(A) Guards are not required when the skylight is located at least 42 inches (1,067 mm) above the highest point of the walking surface adjacent to the skylight or component.~~
- ~~(B) Guards are not required if some other provision for skylight fall-through protection is provided and approved by the authority having jurisdiction.~~

- ~~(5) Section 304.11.3 Roof hatch. This section has been added to clarify the circumstances for the installation of guards around components installed within a specific distance from the roof hatch. This section has been added to read:~~

~~304.11.3 Roof hatch. Guards complying with Section 304.11 shall be provided when a roof hatch is within 10 feet (3,048 mm) of the component that requires service. The~~

guard shall extend 30 inches (762 mm) beyond the edge of the roof hatch. If the component is within 10 feet (3,048 mm) of the ladder access side of the roof hatch, the guard shall incorporate a self-closing, self-latching gate. The gate shall have a top edge of not less than 42 inches (1,067 mm) above the elevated surface adjacent to the gate and shall not allow the passage of a 21 inch (533 mm) sphere. If a roof hatch exists within 10 feet of a roof edge that is located more than 30 inches (762 mm) above the floor, roof or grade below and a new component that requires service on that existing roof or elevated structure, then a guard complying with Section 304.11 shall be added between the existing roof hatch and the roof edge.

- (6) ~~Section 305.5.1 Location and protection of refrigerant piping.~~ This section has been added to provide protection for refrigerant piping installed within one and one-half (1½) inches (thirty-eight (38) mm) of the underside of roof decks. This section shall read:

~~305.5.1 Location and protection of refrigerant piping.~~ Refrigerant piping installed within 1½ inches (38 mm) of the underside of roof decks shall be protected from damage caused by nails and other fasteners.

- (7) ~~Section 306.5 Equipment and appliances on roofs or elevated structures.~~ This section has been modified to add a second exception for when the section would not apply. This section has been modified to read:

~~306.5 Equipment and appliances on roofs or elevated structures.~~ Where equipment requiring access or appliances are located on an elevated structure or the roof of a building such that personnel will have to climb higher than 16 feet (4,877 mm) above grade to access such equipment or appliances, an interior or exterior means of access shall be provided. Such access shall not require climbing over obstructions greater than 30 inches (762 mm) in height or walking on roofs having a slope greater than 4 units vertical in 12 units horizontal (33 percent slope). Such access shall not require the use of portable ladders. Where access involves climbing over parapet walls, the height shall be measured to the top of the parapet wall.

- (A) Permanent ladders installed to provide the required access shall comply with the following minimum design criteria:

- (i) ~~The side railing shall extend above the parapet or roof edge not less than 30 inches (762 mm).~~
- (ii) ~~Ladders shall have rung spacing not to exceed 14 inches (356 mm) on center. The uppermost rung shall be not more than 24 inches (610 mm) below the upper edge of the roof hatch, roof or parapet, as applicable.~~
- (iii) ~~Ladders shall have a toe spacing not less than 6 inches (152 mm) deep.~~
- (iv) ~~There shall be not less than 18 inches (457 mm) between rails.~~
- (v) ~~Rungs shall have a diameter not less than 0.75 inch (19 mm) and be capable of withstanding a 300-pound (136.1 kg) load.~~
- (vi) ~~Ladders over 30 feet (9,144 mm) in height shall be provided with offset sections and landings 16 capable of withstanding 100 pounds per square foot (488.2 kg divided by meters squared). Landing dimensions shall be not less~~

than 18 inches (457 mm) and not less than the width of the ladder served. A guard rail shall be provided on all open sides of the landing.

(vii) Climbing clearance. The distance from the centerline of rungs to the nearest permanent object on the climbing side of the ladder shall be not less than 30 inches (762 mm) measured perpendicular to the rungs. This distance shall be maintained from the point of ladder access to the bottom of the roof hatch. A minimum clear width of 15 inches (381 mm) shall be provided on both sides of the ladder measured from the midpoint of and parallel with the rungs except where cages or wells are installed.

(viii) Landing required. The ladder shall be provided with a clear and unobstructed bottom landing area having a minimum dimension of 30 inches (762 mm) by 30 inches (762 mm) centered in front of the ladder.

(ix) Ladders shall be protected against corrosion by approved means.

(x) Access to ladders shall be provided at all times.

(B) Catwalks installed to provide the required access shall be not less than 24 inches (610 mm) wide and shall have railings as required for service platforms.

Exceptions:

(i) This section shall not apply to Group R-3 occupancies.

(ii) This section shall not apply to appliance replacement.

(8) ~~Section 307.2.1 Condensate disposal.~~ This section has been modified to allow condensate drains to terminate to a pit or French drain when approved by the code official. This section has been modified to read:

307.2.1 Condensate disposal. Condensate from all cooling coils and evaporators shall be conveyed from the drain pan outlet to an approved place of disposal. Such piping shall maintain a minimum horizontal slope in the direction of discharge of not less than one-eighth unit vertical in 12 units horizontal (1 percent slope). Condensate drains shall be allowed to terminate to an approved pit or French drain consisting of a minimum of 24 inches by 24 inches by 24 inches (610 mm by 610 mm by 610 mm), or equivalent; of 1 inch (25 mm) washed rock. Such pits or French drains shall be located 30 inches (762 mm) minimum from outer edge of foundation to nearest edge of pit or French drain. Condensate shall not discharge into a street, alley or other areas so as to cause a nuisance.

(9) ~~Section 307.2.3.1 Water level monitoring devices.~~ This section has been modified to add an exception for when the section shall not apply. This section has been modified to read:

307.2.3.1 Water level monitoring devices. On down-flow units and all other coils that do not have a secondary drain or provisions to install a secondary or auxiliary drain pan, a water level monitoring device shall be installed inside the primary drain pan. This device shall shut off the equipment served in the event that the primary drain becomes restricted. Devices installed in the drain line shall not be permitted.

Exception: This section shall not apply to appliances installed in areas outside on the ground or elevated structure where condensate overflow will not damage building components or contents.

Chapter 5 of the adopted IMC has been adopted with the following modifications:

- (1) ~~Section 502.15 Repair garages.~~ This section has been modified to require compliance with Section 2311.4.3 of the International Fire Code® when designing basement or pit ventilation. This section has been modified to read:

~~502.15 Repair garages.~~ Where Class I liquids or LP gas are stored or used within a building having a basement or pit wherein flammable vapors could accumulate, the basement or pit shall be provided with ventilation designed in accordance with Section 2311.4.3 of the International Fire Code® to prevent the accumulation of flammable vapors therein.

- (2) ~~Section 506.3.1.1 Grease duct materials.~~ This section has been added to clarify the language between the code and NFPA® 96 regarding the type of steel to be utilized. This section has been modified to read:

~~506.3.1.1 Grease duct materials.~~ Grease ducts serving Type I hoods shall be constructed of non-galvanized carbon steel having a minimum thickness of 0.0575 inch (1.463 mm) (No. 16 gage) or stainless steel not less than 0.0450 inch (1.14 mm) (No. 18 gage) in thickness.

Exception: Factory-built commercial kitchen grease ducts listed and labeled in accordance with UL 1978 and installed in accordance with Section 304.1.

- (3) ~~Section 507.2 Type I hoods.~~ This section has been modified to add an additional exception for installation of Type II hoods when specific conditions are met. This section has been modified to read:

~~507.2 Type I hoods.~~ Type I hoods shall be installed where cooking appliances produce grease or smoke as a result of the cooking process. Type I hoods shall be installed over medium-duty, heavy-duty, and extra-heavy-duty cooking appliances.

Exceptions:

- (4) ~~A Type I hood shall not be required for an electric cooking appliance where an approved testing agency provides documentation that the appliance effluent contains 5 mg per cubic meter when tested at an exhaust flow rate of 500 cfm (0.236 cubic meters per second) in accordance with UL 710B.~~
- (8) ~~Where approved, a Type II hood equipped with a suppression system listed in accordance with UL 300A, or meeting the requirements of ICC-ES E-1031, shall be permitted in new construction and renovation of adult day care facilities or child day care facilities having an occupant load of 16 or less, with a single domestic Medium-Duty Cooking Appliance, utilized for warming food only.~~

Chapter 6 of the adopted IMC has been adopted with the following modification:

~~Section 604.1 General.~~ This section has been modified to add a requirement to duct insulation to conform to SMACNA HVAC Duct Construction Standards—Metal and Flexible. This section has been modified to read:

~~604.1 General. Duct insulation shall conform to the requirements of Sections 604.2 through 604.13, the International Energy Conservation Code® and SMACNA HVAC Duct Construction Standards—Metal and Flexible.~~

~~Chapter 8 of the Oklahoma adopted IMC® has been adopted with the following modifications:~~

- ~~(1) Section 805.3 Factory built fireplaces. The originally published Section 805.3 entitled "Factory built chimney offsets" has been moved to Section 805.4 and a new Section 805.3 entitled "Factory built fireplaces" has been added to address errata published by the ICC®. The modification adds a requirement for chimneys used with factory built fireplaces to comply with UL 127. This section has been added to read:~~

~~805.3 Factory built fireplaces. Chimneys for use with factory built fireplaces shall comply with the requirements of UL 127.~~

- ~~(2) Section 805.4 Factory built chimney offsets. The originally published Section 805.4 entitled "Support" has been moved to Section 805.5 and the previously published Section 805.3 entitled "Factory built chimney offsets" has been moved to Section 805.4. No other modifications have been made to the section. This section has been modified to read:~~

~~805.4 Factory built chimney offsets. Where a factory built chimney assembly incorporates offsets, no part of the chimney shall be at an angle of more than 30 degrees (.52 rad) from vertical at any point in the assembly and the chimney assembly shall not include more than four elbows.~~

- ~~(3) Section 805.5 Support. The originally published Section 805.5 entitled "Medium heat appliances" has been moved to Section 805.6 and the previously published Section 805.4 entitled "Support" has been moved to Section 805.5. No other modifications have been made. This section has been modified to read:~~

~~805.5 Support. Where factory built chimneys are supported by structural members, such as joists and rafters, such members shall be designed to support the additional load.~~

- ~~(4) Section 805.6 Medium heat appliances. The originally published Section 805.6 entitled "Decorative shrouds" has been moved to Section 805.7 and the previously published Section 805.5 entitled "Medium heat appliances" has been moved to Section 805.6. No other modifications have been made. This section has been modified to read:~~

~~805.6 Medium heat appliances. Factory built chimneys for medium heat appliances producing flue gases having a temperature above 1,000 degrees Fahrenheit (538 degrees Celsius) measured at the entrance to the chimney shall comply with UL 959.~~

- ~~(5) Section 805.7 Decorative shrouds. The originally published Section 805.7 entitled "Insulation shield" has been moved to Section 805.8 and the previously published Section 805.6 entitled "Decorative shrouds" has been moved to Section 805.7. No other modifications have been made. This section has been modified to read:~~

~~805.7 Decorative shrouds. Decorative shrouds shall not be installed at the termination of factory built chimneys except where such shrouds are listed and labeled for use with the specific factory built chimney system and are installed in accordance with Section 304.1.~~

~~(6) Section 805.8 Insulation shield. The originally published Section 805.7 entitled "Insulation shield" has been moved to Section 805.8. No other modifications have been made. This section has been modified to read:~~

~~805.8 Insulation shield. Where factory-built chimneys pass through insulated assemblies, an insulation shield constructed of steel having a thickness of not less than 0.0187 inch (0.4712 millimeter) (No. 26 gage) shall be installed to provide clearance between the chimney and the insulation material. The clearance shall be not less than the clearance to combustibles specified by the chimney manufacturer's installation instructions. Where chimneys pass through attic space, the shield shall terminate not less than 2 inches (51 millimeter) above the insulation materials and shall be secured in place to prevent displacement. Insulation shields provided as part of a listed chimney system shall be installed in accordance with the manufacturer's instructions.~~

Chapter 14 of the adopted IMC has been adopted with the following modification:

~~Section 1402.8.3 Piping has been modified to correct errata published by the ICC®. The modification changes a specified chapter from "10" to "12." This section has been modified to read:~~

~~1402.8.3 Piping. Potable piping shall be installed in accordance with the International Plumbing Code®. Hydronic piping shall be installed in accordance with Chapter 12 of this code. Mechanical system piping shall be supported in accordance with Section 305.~~

Editor's note(s) — The numbering of the amendments set out in § 9-236 refer to the 1990 edition of the International Mechanical Code. With Ord. No. 2838, adopted May 14, 2002, the city adopted the 2000 edition of the International Mechanical Code and International Fuel Gas Code.

~~Secs. 9-237 — 9-274. Reserved.~~

ARTICLE VI. PLUMBING.⁴

DIVISION 1. GENERALLY

Sec. 9-275. Definitions.

~~(a) The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:~~

~~*Building maintenance engineer* means a person who is regularly employed on a monthly or weekly salary to serve as the maintenance engineer in an office building, hotel building, factory building or other similar building.~~

~~Journeyman plumber and plumbing contractor shall have the meaning assigned to it by the Plumbing License Law of 1955.~~

~~Master plumber shall have the same meaning as plumbing contractor.~~

~~(b) The definitions contained in the plumbing code adopted in section 9-301 shall be applicable to this article.~~

~~Sec. 9-276. Applicability outside the city.~~

~~All persons using water or sewage lines owned, furnished or operated by the city outside of the corporate limits of the city must comply with all of the terms and requirements contained in this article before such water or sewer service may be obtained or continued.~~

~~Sees. 9-277—9-285. Reserved.~~

~~DIVISION 2. ADMINISTRATION AND ORGANIZATION~~

~~Part A. Organization~~

~~Sec. 9-286. Plumbing board.~~

~~Reference Section 9-190.~~

~~Sec. 9-287. Quorum.~~

~~At least three (3) voting members of the plumbing, gas and mechanical board must be present to constitute a quorum in order to conduct any proceedings.~~

~~Sec. 9-288. Officers; calling meetings.~~

~~(a) The plumbing, gas and mechanical board shall elect a chair and vice chair and shall meet from time to time when necessary upon the call of the chair, or in his absence the vice chair, or upon call of a majority of the board members.~~

~~(b) The board shall meet at such times as may be called.~~

~~Sec. 9-289. Minutes of meetings.~~

~~The secretary of the plumbing, gas and mechanical board shall keep minutes of the board's proceedings, showing the vote of each member.~~

~~Sec. 9-290. Regulations.~~

~~The plumbing, gas and mechanical board shall adopt and promulgate all necessary rules and regulations in accordance with the provisions of this article.~~

~~Sec. 9-291. Powers and duties of the board.~~

~~The board created by this article shall have the duty to advise the city council as to any changes, regulations, and rules relating to or governing the provisions and requirements of this article.~~

~~Secs. 9-292—9-300. Reserved.~~

Part B. Administration

~~Sec. 9-301. Plumbing code adopted.~~

~~There is hereby adopted and incorporated by reference the following International Codes: International Plumbing Code published by the International Code Council, Inc. referenced in Section 94, incorporated by reference, save and except such portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1) copy is declared the office file copy by the city clerk of this city and said copy is available at city hall for public review. The same is hereby adopted and incorporated as fully as if set forth at length herein, and the provisions thereof shall be controlling in the construction of all building and other subjects therein contained within the corporate limits of the city.~~

~~Sec. 9-302. Title.~~

~~This code shall be known as the Plumbing Code of Midwest City, Oklahoma, hereinafter referred to as the plumbing code or "this code."~~

~~Sec. 9-303. Enforcement generally.~~

~~Officers and employees of the development service department shall perform their duties under the supervision of the city manager and shall have the power and authority of police officers of the city. They shall inspect all plumbing within or without the city, either in old or new buildings, that is controlled by this article, and see that the terms and provisions of this article, and any amendments thereto, are complied with. They shall have the power and authority to enter any building or premises to inspect plumbing. The refusal of such entrance shall be deemed an offense, and the party refusing entrance shall be prosecuted and fined for the violation of this article. They shall at all times while on duty wear a badge that denotes their authority, position and power. It shall be the duty of the department to investigate all complaints made against plumbers who are registered under the terms of this article; and, if after an investigation thereof, it shall determine that the plumber has been guilty of a violation of the terms and provisions of this article, or the rules and regulations promulgated hereunder, it shall suspend the registration of the offending plumber and notify him to appear before the plumbing board at a special meeting to be held not more than five (5) days from the date of suspension by the plumbing inspector. The purpose of the hearing shall be for the plumber to show cause why his/her registration should not be revoked.~~

~~Sec. 9-304. Permits required.~~

- ~~(a) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system within the city, or to make connections with a water or sewer main without obtaining a permit therefor from the development services department before the work is started.~~
- ~~(b) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system owned or operated by the city outside of its corporate limits without obtaining a permit therefor from the development services department before the work is started.~~

~~Sec. 9-305. Permit issuance.~~

- ~~(a) Except as otherwise provided, no permit shall be issued for any plumbing, sanitary equipment or other work that must be done in accordance with the terms of this article, to any person other than a registered and bonded master plumber (plumbing contractor) or a licensed building maintenance engineer.~~
- ~~(b) The development services department shall, after an inspection, issue a plumbing permit in accordance therewith, if the application complies with the terms and provisions of this article.~~

~~Sec. 9-306. Permit application.~~

~~Before a plumber shall install any plumbing work, or make additions to or alterations in existing plumbing, appliances or fixtures, he shall file with the development services department an application in writing for a permit. Before any building maintenance engineer shall do any repairing or replacing of any plumbing requiring a permit under the provisions of this article, he shall file with the development services department an application in writing for a permit. The application shall be made out on a form which shall be furnished by the development services department. The following information shall appear:~~

- ~~(a) Street and house number of the premises where the plumbing is to be done;~~
- ~~(b) Name of owner or builder;~~
- ~~(c) Name of the plumbing contractor or building maintenance engineer;~~
- ~~(d) Kind of building;~~
- ~~(e) Number of stories;~~
- ~~(f) A list of the plumbing fixtures or work to be done.~~

~~Sec. 9-307. Permit not required for minor repairs.~~

~~A permit will not be required for the making of minor repairs in existing plumbing within any building. The making of minor repairs shall consist of the repairing or replacing of parts of water systems and the replacing or repairing of all trimmings or parts of water fixtures, with the exception of traps. All minor repairs shall be made by registered journeyman plumbers under the supervision of registered master plumbers, except that owners of property may either make such~~

~~minor repairs on their own properties themselves or have the same made under their direct supervision. The making of minor repairs shall not be construed to mean replacing of complete water systems, nor making connections with sewer mains or water supply mains, nor to the replacement or repair of water tanks or water heaters or parts thereof, nor shall this section be construed to permit master plumbers (plumbing contractors) to make minor repairs by or through anyone except registered journeyman plumbers.~~

~~Sec. 9-308. Permit fees.~~

~~Before a permit is issued for any plumbing system or work, fees shall be paid to the development services department in accordance with the following schedule;~~

~~For the issuance of each plumbing permit \$35.00
or \$0.04 per square foot, whichever is greater~~

~~IN ADDITION:~~

- ~~(1) For each building sewer and each trailer park sewer \$ 35.00~~
- ~~(2) Rainwater systems — per drain 10.00
(inside building)~~
- ~~(3) For each cesspool 100.00~~
- ~~(4) For each private sewage disposal system 100.00~~
- ~~(5) For each water heater and/or vent (includes gas) 35.00~~
- ~~(6) For each gas piping system 35.00~~
- ~~(7) For each gas piping system outlet 5.00~~
- ~~(8) For each industrial waste pre-treatment interceptor, including its trap and vent,
excepting kitchen type grease interceptors functioning as fixture traps 50.00~~
- ~~(9) For installation, alteration or repair of water piping and/or water treating
equipment 35.00~~
- ~~(10) For each lawn sprinkler system or any one (1) meter, including backflow protection
devices therefor 35.00~~
- ~~(11) For vacuum breakers or backflow protective devices on tanks, vats, etc., or for
installation on unprotected plumbing fixtures, including necessary water piping — one
(1) to four (4) 10.00 ea~~
- ~~(12) Five (5) or more, each 5.00~~
- ~~(13) Oil/Sand separator 50.00~~
- ~~(14) Commercial grease interceptor 50.00~~

~~OTHER INSPECTIONS AND FEES:~~

- ~~(1) Inspections outside of normal business hours per hour \$ 200.00
(minimum charge — two (2) hours)~~

~~(2) Per hour thereafter 75.00~~

~~(3) Additional plan review required for changes, additions or revisions to approved plans
per hour 30.00~~

~~(minimum charge—one half (1/2) hour)~~

~~(4) Each reinspection trip to an address 10.00~~

~~Sec. 9-309. Permit exemptions.~~

~~Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.~~

~~Sec. 9-310. Multiple permits.~~

~~Only one (1) permit shall be issued for any plumbing provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.~~

~~Sec. 9-311. Permit denial.~~

~~The plumbing inspector shall have authority to refuse to issue a permit for the installation of the plumbing as herein provided, or for any additions or extensions to any plumbing where, in his judgment, the plumbing done or proposed to be done is unsafe or not in accordance with the provisions of this article.~~

~~Sec. 9-312. Permit cancellation.~~

~~A plumbing contractor may request in writing that his permit be canceled. In the event that a plumbing contractor holding a valid permit issued by the city refuses to complete the plumbing work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the plumbing, heating, and mechanical board cancel such permit issued to the plumbing contractor. The plumbing, heating, and mechanical board shall give the plumbing contractor in question five (5) days advance written notice that a hearing will be held to determine the validity of the owner's request. Upon hearing the matter, if the board finds that sufficient cause exists to believe that the plumbing contractor cannot finish the job in the time contracted, then the board may cancel the permit of the plumbing contractor having first obtained such permit and issue another permit to any other plumbing contractor making application therefor in accordance with the terms of this article. No fees for permits will be returned to the plumbing contractor in the event that any of the conditions herein set forth occur.~~

~~Sec. 9-313. Permit transferability; permits to complete unfinished work.~~

~~Plumbing permits are not transferable. The issuance of a second permit cancels a permit issued prior thereto. In the event a master plumber (plumbing contractor) obtains a permit for work to be performed and fails to finish it, another master plumber (plumbing contractor) who desires to finish the work may apply for a new permit. If after an investigation, the development~~

services department finds that the master plumber (plumbing contractor) who held the original or first permit has not been diligent in performing his contract and finishing the work described in the permit, it may issue a new or another permit according to the plans and application therefor upon the payment of the required fees for the issuance of the permit as provided by the terms and provisions of this article.

Sec. 9-314. Reinspection.

The fees required for the making of the required inspection by the development services department unless the inspector is required to make another or an additional inspection of the installation necessitating another trip in which event the applicant shall be assessed a fifty dollar (\$50.00) reinspection fee. All subsequent reinspections shall be assessed a one hundred dollar (\$100.00) fee.

Sec. 9-315. Condemnation of insanitary property.

- (a) When any building or premises has been inspected by the development services department and the plumbing or gas is found to be defective or insanitary to such an extent that it constitutes a menace to public health, a notice to that effect shall be served upon the owner or his agent specifying the required alterations or improvements to be made. If such repairs, alterations or improvements as specified in the notice are not commenced in good faith within five (5) days from the date of the service of such notice and completed within a reasonable time, the department of health, through the development services department or the head of the department of health, may condemn the property as being insanitary and unfit for human habitation and its occupancy thereafter is prohibited.
- (b) When a building has been condemned by the health department, the occupants, if any, shall vacate immediately and the premises shall remain vacant until such time as all repairs and alterations specified in the notice above provided have been made. A warning sign shall be placed upon the premises to read as follows:

"This building has been condemned as being insanitary and unfit for human habitation and it is unlawful for any person to reside in or occupy the same.

Health officer—Inspector."

Sec. 9-316. Unlawful continuance.

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

Sec. 9-317. Appeals.

An appeal may be taken to the plumbing, gas and mechanical board from any ruling, interpretation, requirement or decision made by the plumbing inspector by filing with the building official within five (5) days from the inspector's ruling, interpretation, requirement or decision a statement in writing showing wherein the inspector is alleged to have been wrong. The

building official shall review, within one (1) business day, the decision of the plumbing inspector. If the building official upholds the decision, the appeal will proceed to the plumbing, gas and mechanical board. If the building official overturns the decision of the plumbing inspector, no further appeal shall be allowed. The city plumbing, gas and mechanical board shall conduct a hearing within ten (10) days of the filing of the appeal. In such matter appealed, the plumbing, gas and mechanical board shall rule to uphold or overturn the plumbing inspector's decision. The appellant may make a final appeal, in writing, within five (5) days of the board's decision, to the city council. Written notice of the hearing by the council shall be hand delivered to the appellant at least three (3) days prior to the hearing, which shall be held at the next regularly scheduled council meeting that permits proper notice to the appellant.

~~Sec. 9-318. Violations.~~

~~It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain a plumbing system or equipment or cause or permit the same to be done in violation of this code.~~

~~Sec. 9-319. Penalties.~~

~~Any person who violates a provision of Article VI, Plumbing, or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair plumbing equipment or systems in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than one hundred dollars (\$100.00), or by imprisonment not exceeding fifteen (15) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.~~

~~Secs. 9-320—9-325. Reserved.~~

DIVISION 3. PLUMBERS

Part A. General Provision

~~Sec. 9-326. Signing of certificates.~~

~~All certificates of registration or licenses granted under the provisions of this division will be signed by either the building official or the plumbing inspector.~~

~~Secs. 9-327—9-330. Reserved.~~

Part B. Journeyman Plumbers

~~Sec. 9-331. Supervision.~~

~~A journeyman plumber shall at all times while working at his trade be in the employment of a plumbing contractor who is registered with the City of Midwest City as a Master Plumber.~~

~~Secs. 9-332—9-335. Reserved.~~

*Part C. Master Plumbers
(Plumbing Contractors)*

~~Sec. 9-336. Registration required.~~

~~It shall be unlawful for any person to engage in the plumbing trade or otherwise act as a plumbing contractor or journeyman within the city, without first having been qualified and licensed as such by the State of Oklahoma. It shall also be unlawful for any person to engage in the plumbing trade or otherwise act as a plumbing contractor or journeyman within the city without first having been registered with the City of Midwest City.~~

~~Sec. 9-337. Registration not transferable.~~

~~A master plumbers (plumbing contractors) registration shall not be transferred, loaned or assigned.~~

~~Sec. 9-338. Amendment of registration.~~

~~In the event the person holding a certificate of registration as a master plumber (plumbing contractor) changes his business address or his business connection, association or employment, he shall, within five (5) days thereafter, notify the development services department of such change and present his certificate or registration to the development services department for amendment. Development services department shall thereupon write into the certificate of registration the new address or business connection or both, together with the date of the change thereof and note the changes in its records.~~

~~Sec. 9-339. Places of business required.~~

~~Every person engaged in the business of installing, servicing, altering, offering for sale, trade, lease and repair of any plumbing system on consumer premises and operating under a registration as a plumbing contractor within the city shall maintain a permanent place of business conforming to all requirements under this article.~~

~~Sec. 9-340. Vehicles to be marked.~~

~~All vehicles or conveyances used in any manner by any tradesman, contractor or other person engaged in the plumbing trade covered by this article, which vehicles are used in the scope of business or trade concerned except passenger automobiles (not including station wagons), shall be identified by having printed on the sides of such vehicles in a conspicuous place the number of the contractors state license theretofore issued to such contractor. All letters and numbers shall be at least two (2) inches in height, displayed on both sides of such vehicle in a conspicuous place, the firm name and this city registration number prefaced by the letters "MWC."~~

Sec. 9-341. Partnerships, corporations, firms.

~~No corporation, partnership or business trust shall engage in the business as a plumbing contractor within the city unless such corporation, partnership or business trust shall have as an officer of the corporation or a member of such firm one who holds a plumbing contractor's registration and is active in the trade. The name and address of such contractor and the name and address of the employer shall be certified by the employer and registered with the development services department of Midwest City.~~

Sec. 9-342. Registration issuance; fees.

- ~~(a) Application; issuance.~~ The development services department shall, upon proper application and payment of fees, issue a journeyman or contractor registration to any person who has a valid plumbing license for the same license period issued by the State of Oklahoma.
- ~~(b) Registration fees.~~ There is hereby levied a schedule of registration fees for the plumbing trade to be as follows:

	Registration First Year	Registration Renewal
Plumbing Contractor	\$300.00	\$50.00
Journeyman	—5.00	—5.00
Plumbing Maintenance Engineer	—5.00	—5.00

~~A registration may be applied for and secured at any time during the year, but in no event shall the fee for such registration be less than for a full year.~~

Sec. 9-343. Registration terms; renewal; delinquency penalty.

~~All registrations, including building maintenance engineer's licenses, shall be for one (1) year and shall expire on the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the first day of July of each year to be in effect for the ensuing registration year. Registrations not renewed by the fifteenth day of August shall be assessed the fee for a new license (three hundred dollars (\$300.00) for contractors and five dollars (\$5.00) for journeymen). The registration year shall coincide with the state license period which is July 1st to June 30.~~

Sec. 9-344. Registration revocation or suspension.

~~For good and sufficient cause the development services department and the director of health may revoke the certificate of registration of any master plumber (plumbing contractor), and thereafter he shall not be permitted to do business or work within the city or on premises connected or to be connected with the city water or sewer system. In the event of such revocation, the holder of such certificate of registration may appeal to the plumbing board, and the action of the plumbing board thereon shall be final.~~

~~Sec. 9-345. Employing unqualified workmen.~~

- ~~(a) It is hereby declared unlawful and an offense for any master plumber (plumbing contractor) to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.~~
- ~~(b) No person other than a master plumber (plumbing contractor) shall hire, engage or employ any person to do any plumbing within the city, or work that connects with a water or sewer main of the city outside the city, who is not a licensed, registered and bonded master plumber (plumbing, contractor) under the terms of this article.~~

~~Sees. 9-346 — 9-354. Reserved.~~

Part D. Building Maintenance Engineers

~~Sec. 9-355. Scope of authority.~~

~~A building maintenance engineer may do only maintenance work and minor repairs. It is hereby declared unlawful and an offense for him to replace any traps or waste lines, make any new installations of fixtures, or do any joint wiping upon vent and waste lines, except that he may disconnect lavatory traps and he may replace lavatory traps that have been previously disconnected. A building maintenance engineer will also be permitted to do the cleaning, adjusting, calibrating, and repairing of mechanical system parts and the replacement of fuses and room thermostats; the installation of portable, self-contained, ductless air conditioners or heaters; the setting or connecting of detached air conditioning units which utilize flexible duct work on a manufactured home; and other minor repairs which shall not include any repair which could violate the safe operation of the mechanical equipment. A building maintenance engineer will be permitted to work only on the building or buildings which he is employed to maintain, and a list of such buildings must be filed with the development services department before such engineer will be permitted to do any work as a maintenance engineer under the provisions of this article. It shall be unlawful and an offense for a building maintenance engineer to do any work of any kind or character upon any building other than those listed on file with the development services department. All building maintenance engineers must be employed regularly, and it is hereby declared unlawful and an offense for any building maintenance engineer to do piecework or job work. All work done as a part of the routine duty of a building maintenance engineer must comply with the terms and provisions of this article.~~

~~Sec. 9-356. Examination and license generally.~~

~~No person shall engage in or work at the trade of building maintenance engineer within the city without having first passed an examination, given by the development services department, and without having first obtained a license as such.~~

~~Sec. 9-357. Nature of examination.~~

~~The examination given to applicants for a building maintenance engineer's license shall be uniform and must be conducted with regard to the practical knowledge of the applicant and his knowledge of the requirements of this article applicable to his particular trade.~~

~~Secs. 9-358—9-360. Reserved.~~

Part E. Apprentices

~~Sec. 9-361. Registration required.~~

~~Any person desiring to serve as an apprentice at the trade of plumbing within the city must first register with the development services department. Such registration and the date thereof shall constitute proof of his service as an apprentice.~~

~~Sec. 9-362. Employing unregistered apprentice.~~

~~It is hereby declared unlawful and an offense for any master plumber who employs an apprentice to fail to have him registered within thirty (30) days after the date of his employment.~~

~~Sec. 9-363. Supervision.~~

~~An apprentice plumber must at all times be under the direct supervision of a licensed journeyman plumber. No journeyman plumber shall at any time have more than two (2) apprentices working under his supervision.~~

~~Secs. 9-364—9-370. Reserved.~~

~~DIVISION 4. STANDARDS AND REQUIREMENTS~~

~~Sec. 9-371. Plumbing code amended.~~

~~The plumbing code adopted in section 9-301 is amended and modified in the following respects:~~

- ~~(a) *Title.* These regulations shall be known as the Plumbing Code of Midwest City hereinafter referred to as "this code."~~
- ~~(b) *Fee schedule.* The permit fees for all plumbing work shall be as indicated in the Code of Midwest City, section 9-308.~~
- ~~(c) *Service discontinued.* Any gas service which has been inactive for a period of one (1) year or has been disconnected for cause shall be inspected by the development services department before service is reestablished.~~
- ~~(d) *Application for appeal.* An appeal of the plumbing official's decision shall be made upon application in writing for the city council's consideration.~~

- ~~(e) *Penalties.* Any person who violates a provision of this code or shall fail to comply with any requirements thereof or who shall install plumbing work in violation of an approved plan or directive of the plumbing official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor, punishable as set out in section 1-8 of the Midwest City Code. Each day that a violation continues shall be deemed a separate offense.~~
- ~~(f) *Unlawful continuance.* Any person who shall continue any plumbing work in or about the structures after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not more than one hundred dollars (\$100.00) including court costs. Each day that this violation continues shall be deemed a separate offense.~~
- ~~(g) *Sewer saddles and risers.* All sewer saddles to be installed on the mains are considered private infrastructure and shall comply with the requirements outlined in chapter 43 of the City Code of Midwest City.~~
- ~~(h) *Public systems available.* A public water main or public sewer system shall be considered available to a building as outlined in chapter 43 of the City Code of Midwest City.~~
- ~~(i) *Freezing.* Water service piping and sewers shall be installed below recorded frost penetration but not less than one (1) foot, six (6) inches below grade of water piping and one (1) foot zero inches below grade for sewers. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be adequately protected against freezing by insulation or heat or both.~~
- ~~(j) *Sewer depth.* Building sewers that connect to private sewage disposal systems shall be a minimum of twelve (12) inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve (12) inches below grade.~~
- ~~(k) *Backwater valves.* A backwater valve shall be installed on all new and replacement sewer lines that are connected to the Midwest City Sanitary Sewer System, including any sewer line outside the city limits of Midwest City that is connected to the Midwest City Sanitary Sewer System.~~
- ~~(l) *Location of backwater valves.* Backwater valves shall be installed on the building drain between the building and the cleanout. The cleanout shall be installed within five (5) feet of the building. The backwater valve shall be installed so that access is provided to the working parts for service and repair. Two (2) cleanouts shall be required, one (1) of which shall be directed toward the mainline and the other cleanout shall be directed toward the structure. The owner of the structure is responsible for maintaining the backwater valve and cleanouts.~~

~~Sec. 9-372. Septic tanks.~~

- ~~(a) There is hereby adopted the Oklahoma Department of Health Engineering Bulletin No. 600, 1982 Revised Edition, entitled, "Septic Tank and Subsurface Tile Systems", which is the standard adopted by the city for the installation, maintenance and repair of septic systems within the city.~~
- ~~(b) Any person who shall violate any of the provisions of this section or fails to comply with any of the requirements hereof shall be guilty of an offense and each day such violation~~

~~shall be permitted to exist shall constitute a separate offense. The city may initiate any proper action in the municipal or district court in the name of the city to prevent, restrain or abate any violations of this section.~~

~~Secs. 9-373—9-380. Reserved~~

Article I. – In General

Sec.9-1. - Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Active contractor is one who is actively perforating as a contractor and who has met the bond and insurance requirements for licensure.

Building maintenance engineer means a person who is regularly employed on a monthly or weekly salary to serve as the maintenance engineer in an office building, hotel building, factory building or other similar building.

Electrical apprentice, electrical contractor and journeyman electrician shall all have the meaning assigned to the particular term as found in the Electrical License Act in the Oklahoma Statutes.

Electric wiring means the installation of electrical raceways, conductors or apparatus of any kind used, or to be used, in or on any structure for the transmission and distribution of electric current for electric light, heat or power, or nonportable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided, however, that the words "electric wiring," "electrical equipment" and "apparatus" do not include or refer to service lines, apparatus and equipment for the sale, distribution and regulation of electricity and remaining the property of the electric service company or for telephone, telegraph or other communication purposes, or in connection therewith.

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

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

Inactive contractor is one who has met all the licensing requirements of a contractor but has chosen not to currently perform as a contractor. An inactive contractor is not required to provide bond or insurance and will be regulated as a journeyman.

Journeyman plumber and plumbing contractor shall have the meaning assigned to it by the Plumbing License Law of 1955.

Limited mechanical air conditioning license entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping, that has a cooling capacity of no more than twenty-five (25) tons or three hundred thousand (300,000) British Thermal Units (BTU) per hour.

Unlimited mechanical air conditioning license entitles the licensee to install, alter, modify, service, maintain, or repair any cooling product, system, or equipment, including the process piping.

Limited mechanical heating license entitles the licensee to install, alter, modify, service, maintain, or repair all air heating appliances, including the process piping, that have:

(a) A heat input of no more than five hundred thousand (500,000) British Thermal Units (BTU) per hour or 145.5 kilowatts; or

(b) A water temperature of no more than two hundred ten (210) degrees Fahrenheit.

Master plumber shall have the same meaning as plumbing contractor.

Mechanical journeyman is a person who possesses the knowledge and skills to perform mechanical work within a category or categories without direct supervision. A journeyman must be at least eighteen (18) years of age and have either: (1) three (3) years of verifiable experience in the mechanical trade; or (2) an associates degree or vo-tech diploma from a school approved by the Occupational Licensing Service of

Natural gas pipeline license entitles the licensee to install, alter, modify, service, maintain, or repair all natural gas piping.

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

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

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

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

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

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

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

Sec.9-2. - Homeowner's ordinance

- (a) The owner must also occupy the structure.
- (b) Examples of work items that are considered minor alterations or ordinary repairs are: installation of ceiling fans; replace light fixtures, switches or receptacles; replace branch circuit breakers; replace fuses; reset electric meter; replacement of faucets, sinks, stools, window air conditioners.
- (c) The work items which must be performed by a licensed contractor are: additions to, alterations of, or rearrangement, relocation or removal of any water distribution piping; house sewer or drainage system involving curb cuts or right-of-way work or any soil or waste piping or any furnace, hot water heater, or air conditioner (excluding window air conditioners); or any gas distribution system; or any electrical wiring; or any other work affecting the occupant's health, or the fire or structural safety of the building. Major services including meters, i.e., gas, sewer, water, or electric, shall be done by a licensed contractor.

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

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

Sec.9-3. - Dilapidated Buildings

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

1 is given by publication, such notice shall be published once not less than ten (10) days prior to any
2 hearing or action pursuant to the provisions of this section.

- 3 (b) A hearing shall be held by the City Council to determine if the property is dilapidated and has
4 become detrimental to the health, safety, or welfare of the general public and the community, or if
5 said property creates a fire hazard which is dangerous to other property.
- 6 (c) Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that
7 the property would be benefitted by the removal of such conditions, the City Council may cause and
8 order the dilapidated building to be torn down and removed. The City Council shall fix reasonable
9 dates for the commencement and completion of the work. The Chief Building Official, the Chief
10 Building Official's designees, or code enforcement, as assigned by the City Manager are granted the
11 right of entry on the property for the performance of the necessary duties as a governmental function
12 of the City of Midwest City if the work is not performed by the property owner within the dates
13 fixed by the governing body. If the city performs the work or causes the work to be done, then the
14 City Clerk shall immediately, upon completion of the work, file a notice of lien with the County
15 Clerk describing the property, the findings of the City Council at the hearing, and stating that the
16 City of Midwest City claims a lien on said property for the destruction and removal costs. Any
17 action to challenge the order of the City Council shall be filed within thirty (30) business days from
18 the date of the order.
- 19 (d) The City Council shall determine the actual cost of the dismantling and removal of the dilapidated
20 buildings and any other expenses that may be necessary in conjunction with the dismantling and
21 removal of the buildings, including the cost of notice and mailing. The City Clerk shall forward a
22 statement of the actual cost attributable to the dismantling and removal of the buildings and a
23 demand for payment of such costs, by mail to the property owner. In addition, a copy of the
24 statement shall be mailed to any mortgage holder at the address provided for in paragraph (a) of this
25 section. If the City of Midwest City dismantles or removes any dilapidated buildings, the cost to the
26 property owner shall not exceed the actual cost of the labor, maintenance, and equipment required
27 for the dismantling and removal of the dilapidated buildings. If the dismantling and removal of the
28 dilapidated buildings is done on a private contract basis, the contract shall be awarded to the lowest
29 and best bidder.
- 30 (e) When payment is made to the City of Midwest City for costs incurred, the City Clerk shall file a
31 release of lien; but if payment attributable to the actual cost of the dismantling and removal of the
32 buildings is not made within six (6) months from the date of the mailing of the statement to the
33 owner of such property, the City Clerk shall forward a certified statement of the amount of the cost
34 to the County Treasurer of the county in which the property is located. The costs shall be levied on
35 the property and collected by the County Treasurer as are other taxes authorized by law. The costs
36 and the interest thereon shall be the personal obligation of the property owner from and after the date
37 of the notice of dilapidation and lien is filed with the County Clerk. The cost and the interest thereon
shall be a lien against the property from the date the notice of the lien is filed with the County Clerk.
The lien shall be co-equal with the lien of ad valorem taxes and all other taxes and special
assessments and shall be prior and superior to all other titles and liens against the property. The lien
shall continue until the cost is fully paid. At any time prior to collection as provided for in this
paragraph, the City of Midwest City may pursue any civil remedy for collection of the amount
owing and interest thereon. Upon receiving payment, the City Clerk shall forward to the County
Treasurer a notice of such payment and shall direct discharge of the lien.
- (f) The City Manager may designate the Chief Building Official or code enforcement to carry out the
duties of the City Council specified in this section. The property owner shall have the right to appeal
to the City Council from any order of the Chief Building Official or code enforcement. Such appeal
shall be taken by filing a written notice of appeal with the City Clerk within ten (10) days after the
administrative order of the Chief Building Official or his designees is rendered. If said appeal is not
taken within ten (10) days as provided, the order shall be final and the costs of the action shall be

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

For the purposes of this subsection:

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

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

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

provided, to promptly permit entry therein by Chief Building Official for the purpose of inspection and examination pursuant to this chapter.

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

Sec.9-5. - Incorporated by Reference.

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

- (a) 2018 International Building Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (b) 2018 International Residential Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (c) 2018 International Existing Building Code, first published by the International Code Council, Inc. as published on August 31, 2017.
- (d) 2018 International Fuel Gas Code, as modified by the OUBCC
- (e) 2018 International Mechanical Code, as modified by the OUBCC

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

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

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

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

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

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

107.3.1 Approved plans.

- (a) In addition, lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures shall be required to have an on-site meeting with a designated representative of the City. The applicant and designated city representative will discuss the drainage plan for the subject lot and what improvements will be needed to meet the requirements of the drainage plan, such as the installation of a retaining wall or any needed drainage improvements. Fee in Table located in Sec.9-47. -.

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

(c) Plan review fees: At the time an application for permit (all commercial building permits) is

4. Commercial Remodel requires Capital improvement and Sidewalk fee:
5. New warehouse and agricultural requires Capital improvement and Sidewalk fee:
6. Non-residential additions: The fee for a non-residential addition shall be the same fee as would be charged for new construction.
- (c) Accessory buildings, carports, patio cover, retaining walls and fences: See fee Table located in Sec.9-47. -.
 1. The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47. -
 2. Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
 3. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
- (d) Miscellaneous inspections (no permit): See Table located in Sec.9-47. -
- (e) Reinspection fee: See Table located in Sec.9-47. -
- (f) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.

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

110.0 Certificate of occupancy.

- (a). Certificate of occupancy; fee. See Table located in Sec.9-47. -. No change shall be made in the use of any building until a certificate of occupancy is obtained from the Chief Building Official certifying:
 - (1). That all the provisions of this Code are met; and
 - (2). That all required federal and/ or state permits or licenses have been issued and copies have been received by the City, unless otherwise required under federal or state law and all federal and/ or state statutory and/ or regulatory requirements have been met.
- (b). Whenever a building permit is issued for the erection of a new building or structure, an occupancy permit shall be required prior to being occupied. Any business operating without a valid certificate of occupancy shall be in violation of this section. Penalties include citations of seven hundred fifty dollars (\$750) plus court cost, each day is a separate violation. If life safety issues are present as defined by the electrical and fire codes, the disconnecting of utilities to include water, electric and gas may also be used for enforcement.
 - (1). The fee for all new apartment complex certificates of occupancy is set in Table located in Sec.9-47. -.
 - (2). The fee for all commercial or industrial certificates of occupancy for a new building or for a change in occupancy is set in Table located in Sec.9-47. -.
- (c). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of The Chief Building Official and only if all life, safety requirements have been met. All requirements of

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

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

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

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

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

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

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

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

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

107.3.1 Approved plans.

- (b) In addition, lot inspections required with the issuance of building permit. As one of the requirements for the issuance of a building permit, an applicant applying for said building permit on new structures

review fee. The plan review fee shall be subtracted from the fee prescribed in this section when the permit is issued by the Chief Building Official. See Table located in Sec.9-47. -.

- (b) For a permit for construction, alteration, remodel, or installation of a building or structure, the fee shall be at the rate located in Sec.9-47. -. They shall include the following:
1. Capital improvement fee:
 2. Sidewalk fee:
- (c) Accessory buildings, carports, patio cover, retaining walls and fences: See Table located in Sec.9-47. - for fees-The fee for accessory building with dwelling capabilities regardless of size will be the same as Residential additions and include the capital improvement fee and sidewalk fee: Dwelling capabilities defined as having heat, plumbing and electrical.
1. The fee for accessory buildings of two hundred fifty (250) square feet or less in area. See Table located in Sec.9-47. -
 2. Accessory building greater than two hundred fifty (250) square feet in area but less than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
 3. The fee for accessory buildings more than ten thousand (10,000) square feet in area shall be. See Table located in Sec.9-47. -
- (d) Miscellaneous inspections (no permit): See Table located in Sec.9-47. -
- (e) Reinspection fee: See Table located in Sec.9-47. -
- (f) Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, there shall be no refunds.
- (g) Infill housing on city-owned property: The City Manager or designee may waive development fees associated with building infill housing on city-owned properties in order to support revitalization. (Development fees may include building permits, fence permits, drive permits and any other development related fees deemed applicable at the City Manager's discretion.)

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

110.0 Certificate of occupancy.

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

113.1 Appeal process. An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement, or decision made by the building inspector, by filing with the Chief Building

notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-8. - Reserved Code Amended – International Existing Building Code

Sec.9-9. - Reserved Code Amended – International Fuel Gas Code.

Sec.9-10. - Reserved Code Amended – International Mechanical Code

Sec.9-11. - Reserved Code Amended – International Plumbing Code.

Sec.9-12. - Reserved Code Amended – International Energy Conservation Code

Sec.9-13. - Reserved

Sec.9-14. - Reserved

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

The electrical code adopted in section 9-90 is amended and modified in the following respects:

(i). None of the informative annexes of the NEC® 2020 have been adopted by the City of Midwest City.

(j). Subsection 230-42(d) is amended to read as follows:

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

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

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

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

Sec.9-16. - Reserved

Sec.9-17. - Reserved.

Sec.9-18. - Reserved.

Sec.9-19. - Reserved.

Sec.9-20. - Reserved.

Sec.9-21. - Reserved.

Sec.9-22. - Reserved.

1 **Sec.9-25. - Penalties.**

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

10 **Sec.9-26. - Unlawful Continuance.**

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

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

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

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

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

31 **Sec.9-29. - Declaration of Uninhabitable Property**

- 32 (a) When any building or premises has been inspected by the City and is found to be unsafe, defective,
33 or insanitary to such an extent that it constitutes a menace to public health, a notice to that effect
34 shall be served upon the owner or his agent specifying the required alterations or improvements to be
35 made. If such repairs, alterations or improvements as specified in the notice are not commenced in
36 good faith within five (5) calendar days from the date of the service of such notice and completed
37 within a reasonable time, the Chief Building Official or Fire Marshal may declare the property as
38 being uninhabitable and unfit for human habitation and its occupancy thereafter is prohibited.
- 39 (b) When a building has been declared uninhabitable, the occupants, if any, shall vacate immediately
40 and the premises shall remain vacant until such time as all repairs and alterations specified in the
41 notice above provided have been made. A warning sign shall be placed upon the premises to read as
42 follows:

43 "This building has been declared uninhabitable and unfit for human habitation and it is unlawful for

Sec.9-31. - Reserved.

Sec.9-32. - Reserved.

Sec.9-33. - Reserved.

Sec.9-34. - Reserved.

Sec.9-35. - Reserved.

Sec.9-36. - Reserved.

Sec.9-37. - Reserved.

Sec.9-38. - Reserved.

Sec.9-39. - Reserved.

Sec.9-40. - Reserved.

Sec.9-41. - Reserved.

Sec.9-42. - Reserved.

Sec.9-43. - Reserved.

Sec.9-44. - Reserved.

Sec.9-45. - Reserved.

Sec.9-46. - Consumer Price Index

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

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

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

Where:

C= CPI

F= Current Fee as of the adoption of this ordinance

Sec.9-47. - Fee Table

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

<u>Permit / License</u>	<u>Code</u>	<u>Cost</u>	<u>Unit</u>	<u>*CPI indexed</u>	<u>Notes</u>
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Sec 9-6. -

1		<u>Sec. 9-1. -</u>				
2		<u>(c)</u>				
3		<u>Sec.9-293. -</u>				
4		<u>(c)</u>				
5		<u>Sec. 9-1. -</u>				
6		<u>(l)(1)</u>				
7		<u>Sec.9-343. -</u>				
8		<u>(c)</u>				
9		<u>Sec.9-87. -</u>				
10		<u>(c)</u>				
11		<u>Sec.9-156. -</u>				
12		<u>(i)(1)</u>				
13		<u>Sec.9-157. -</u>				
14		<u>(c)</u>				
15		<u>Sec.9-226. -</u>				
16	<u>Additional</u>	<u>Sec. 9-1. -</u>	<u>\$100.00</u>	<u>Each</u>	<u>No</u>	<u>for each reinspection</u>
17	<u>Reinspection fee</u>	<u>(p)(1)</u>				<u>after an initial</u>
18		<u>Sec. 9-1. -</u>				<u>resinspection</u>
19		<u>(c)</u>				
20		<u>Sec.9-293. -</u>				
21		<u>(c)</u>				
22		<u>Sec. 9-1. -</u>				
23		<u>(l)(1)</u>				
24		<u>Sec.9-343. -</u>				
25		<u>(c)</u>				
26		<u>Sec.9-156. -</u>				
27		<u>(i)(1)</u>				
28	<u>Inspections</u>	<u>Sec.9-226. -</u>				
29	<u>outside normal</u>	<u>Sec. 9-1. -</u>	<u>\$200.00</u>	<u>First hour</u>	<u>No</u>	<u>After hours</u>
30	<u>business hours</u>	<u>(p)(1)</u>				<u>Inspections</u>
31		<u>Sec. 9-1. -</u>				
32		<u>(l)(1)</u>				
33		<u>Sec.9-156. -</u>				
34		<u>(i)(1)</u>				
35	<u>Inspections</u>	<u>Sec.9-226. -</u>				
36	<u>outside normal</u>	<u>Sec. 9-1. -</u>	<u>\$75.00</u>	<u>Each</u>	<u>No</u>	<u>After hours</u>
37	<u>business hours</u>	<u>(p)(1)</u>		<u>addition hour</u>		<u>Inspections</u>
38		<u>Sec. 9-1. -</u>				
39		<u>(l)(1)</u>				
40	<u>Miscellaneous</u>	<u>Sec.9-6. -</u>	<u>\$35.00</u>	<u>Flat Fee</u>	<u>No</u>	
41	<u>inspections</u>	<u>Sec.9-7. -</u>				
42			<u>25% of</u>			
43			<u>the</u>			
44		<u>Sec.9-6. -</u>	<u>estimated</u>			
45	<u>Plan review fee</u>	<u>Sec.9-7. -</u>	<u>permit</u>		<u>No</u>	
46			<u>fee or</u>			
47			<u>minimum</u>			
48			<u>\$50.00</u>			
49	Building	<u>Sec.9-6. -</u>	<u>\$150.00</u>		<u>Yes</u>	
50	<u>Certificate of</u>	<u>Sec.9-7. -</u>				
51	<u>Occupancy</u>					
52	<u>Certificate of</u>	<u>Sec.9-6. -</u>	<u>\$150.00</u>		<u>Yes</u>	
53	<u>Occupancy</u>					

			<u>10,000</u>			<u>Sidewalk Fee \$0.06</u>
			<u>sqft then</u>			<u>per sqft</u>
			<u>\$0.01</u>			
			<u>after</u>			
	<u>Non-Residential</u>	<u>Sec.9-6. - (b)</u>				<u>Same as Commercial</u>
	<u>Additions</u>					<u>New with Minimum</u>
						<u>fee \$50.00</u>
						<u>Minimum fee \$50.00</u>
	<u>Commercial</u>			<u>Per</u>		<u>PLUS:</u>
	<u>Remodeling</u>			<u>\$1,000.00</u>		<u>Capital Improvement</u>
	<u>Conversion from</u>	<u>Sec.9-6. - (b)</u>	<u>\$4.00</u>	<u>Estimated</u>	<u>No</u>	<u>Fee \$13.00 per</u>
	<u>Residential to</u>			<u>cost of</u>		<u>\$10,000 est cost</u>
	<u>Commercial</u>			<u>remodel.</u>		<u>Sidewalk Fee \$1.00</u>
						<u>per \$10,000 est cost</u>
	<u>Residential: New,</u>					<u>Residential permit</u>
	<u>Additions,</u>	<u>Sec.9-7. - (b)</u>	<u>\$0.05</u>	<u>Per sqft</u>	<u>Yes</u>	<u>also requires Capital</u>
	<u>Alteration,</u>					<u>Improvement \$0.13,</u>
	<u>Remodel.</u>					<u>Sidewalk fees. \$0.02</u>
						<u>To be included with</u>
						<u>New Residential,</u>
	<u>Residential</u>	<u>Sec.9-7. - (b)</u>	<u>\$0.02</u>	<u>Per sqft</u>	<u>Yes</u>	<u>Residential</u>
	<u>Sidewalk fee</u>					<u>Additions, and</u>
						<u>certain Accessory</u>
						<u>Buildings</u>
						<u>To be included with</u>
						<u>New Residential,</u>
	<u>Residential</u>	<u>Sec.9-7. - (b)</u>	<u>\$0.13</u>	<u>Per sqft</u>	<u>Yes</u>	<u>Residential</u>
	<u>Capital</u>					<u>Additions, and</u>
	<u>Improvement Fee</u>					<u>certain Accessory</u>
						<u>Buildings</u>
	<u>Accessory</u>	<u>Sec.9-6. -</u>				
	<u>building (sqft</u>	<u>Sec.9-7. -</u>	<u>\$50.00</u>	<u>Flat fee</u>	<u>Yes</u>	
	<u><250)</u>					
	<u>Accessory</u>	<u>Sec.9-6. -</u>				<u>Residential permit</u>
	<u>building (250<</u>	<u>Sec.9-7. -</u>	<u>\$0.05</u>	<u>Per sqft</u>	<u>Yes</u>	<u>also requires Capital</u>
	<u>sqft <10,000)</u>					<u>Improvement \$0.13,</u>
						<u>Sidewalk fees. \$0.02</u>
						<u>Residential permit</u>
	<u>Accessory</u>	<u>Sec.9-6. -</u>				<u>also requires Capital</u>
	<u>building (<10,000</u>	<u>Sec.9-7. -</u>	<u>\$0.02</u>	<u>Per sqft</u>	<u>Yes</u>	<u>Improvement \$0.13,</u>
	<u>sqft)</u>					<u>Sidewalk fees. \$0.02</u>
	<u>Carports, patio</u>	<u>Sec.9-6. -</u>				
	<u>covers etc.</u>	<u>Sec.9-7. -</u>	<u>\$30.00</u>	<u>Flat fee</u>	<u>Yes</u>	
	<u>Demolition</u>	<u>Sec.9-6. -</u>				
	<u>Permit</u>	<u>Sec.9-7. -</u>	<u>\$100</u>	<u>Per Structure</u>	<u>Yes</u>	
	<u>Retaining Walls</u>	<u>Sec.9-6. -</u>	<u>\$35.00</u>	<u>Flat fee</u>	<u>Yes</u>	
		<u>Sec.9-7. -</u>				
	<u>Fences</u>	<u>Sec.9-6. -</u>	<u>\$30.00</u>	<u>Flat fee</u>	<u>Yes</u>	
		<u>Sec.9-7. -</u>				
	<u>Commercial</u>					
	<u>Usage Change of</u>	<u>Sec.9-99. -</u>	<u>\$100.00</u>	<u>Per</u>	<u>No</u>	
	<u>Ownership</u>			<u>inspection</u>		

Mechanical

<u>Electrical Contractor</u>	<u>Sec.9-136. -</u>	<u>\$100.00</u>	<u>Renewal License</u>	<u>No</u>	
<u>Electrical Permit Issuance Fee</u>	<u>Sec.9-156. -</u>	<u>\$35.00 or \$0.04 sqft</u>		<u>No</u>	<u>Whichever is greater</u>
<u>Swimming pool</u>	<u>Sec.9-156. - (a)</u>	<u>\$50.00</u>		<u>Yes</u>	
<u>Event Permit:</u>	<u>Sec.9-156. - (b)</u>	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	<u>For each generator, electrically or mechanically driven ride and walk through attraction</u>
<u>Event Permit</u>	<u>Sec.9-156. - (b)</u>	<u>\$4.50</u>	<u>Per area</u>	<u>Yes</u>	<u>For each display having electric lighting</u>
<u>Temporary power pole etc...</u>	<u>Sec.9-156. - (c)</u>	<u>\$35.00</u>	<u>Each</u>	<u>No</u>	
<u>Residential Appliance</u>	<u>Sec.9-156. - (d)</u>	<u>\$3.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Power Apparatus</u>	<u>Sec.9-156. - (e)</u>	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Busways</u>	<u>Sec.9-156. - (f)</u>	<u>\$100.00</u>	<u>< 200 feet</u>	<u>Yes</u>	
<u>Busways</u>	<u>Sec.9-156. - (f)</u>	<u>\$4.50</u>	<u>>200 feet</u>	<u>Yes</u>	
<u>Electrical for Signs</u>	<u>Sec.9-156. - (g)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Services</u>	<u>Sec.9-156. - (h)</u>	<u>\$75.00</u>	<u><400 amps</u>	<u>Yes</u>	
<u>Services</u>	<u>Sec.9-156. - (h)</u>	<u>\$100.00</u>	<u>400 – 1000 amps</u>	<u>Yes</u>	
<u>Services</u>	<u>Sec.9-156. - (h)</u>	<u>\$200.00</u>	<u>>1000 amps</u>	<u>Yes</u>	
<u>Elevators</u>	<u>Sec.9-156. - (h)</u>	<u>\$75.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Solar Energy Unlimited</u>	<u>Sec.9-164. -</u>	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Mechanical Contractor Unlimited</u>	<u>Sec.9-206. -</u>	<u>\$170.00</u>	<u>New License</u>	<u>No</u>	
<u>Mechanical Contractor Limited</u>	<u>Sec.9-206. -</u>	<u>\$75.00</u>	<u>Renewal License</u>	<u>No</u>	
<u>Mechanical Contractor Limited</u>	<u>Sec.9-206. -</u>	<u>\$150.00</u>	<u>New License</u>	<u>No</u>	
<u>Mechanical Contractor Limited</u>	<u>Sec.9-206. -</u>	<u>\$65.00</u>	<u>Renewal License</u>	<u>No</u>	
<u>Mechanical Permit Issuance Fee</u>	<u>Sec.9-226. -</u>	<u>\$35.00 or \$0.04 sqft</u>		<u>No</u>	<u>Whichever is greater</u>
<u>Installation or</u>	<u>Sec 9-1 -</u>		<u><160 000</u>		

Gas**Plumbing**

<u>Package Units</u>	<u>Sec. 9-1. - (c)</u>	<u>\$75.00</u>	<u>Yes</u>		<u>26-60 tons</u>
<u>Package Units</u>	<u>Sec. 9-1. - (c)</u>	<u>\$150.00</u>	<u>Yes</u>		<u>>61 tons</u>
<u>Installation or relocation Heater</u>	<u>Sec. 9-1. - (d)</u>	<u>\$35.00</u>		<u>Yes</u>	
<u>Unit Replacement</u>	<u>Sec. 9-1. - (e)</u>	<u>\$35.00</u>		<u>Yes</u>	
<u>Air Handling unit</u>	<u>Sec. 9-1. - (f)</u>	<u>\$75.00</u>	<u>Each</u>	<u>Yes</u>	<u><2000 Cubic feet per minute</u>
<u>Air Handling unit</u>	<u>Sec. 9-1. - (g)</u>	<u>\$50.00</u>	<u>Each</u>	<u>Yes</u>	<u>>2000 CFM</u>
<u>Evaporative Cooler</u>	<u>Sec. 9-1. - (h)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Ventilation Fan</u>	<u>Sec. 9-1. - (i)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Ventilation System</u>	<u>Sec. 9-1. - (j)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Commercial Hood Vent</u>	<u>Sec. 9-1. - (k)</u>	<u>\$75.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Domestic Incinerator</u>	<u>Sec. 9-1. - (l)</u>	<u>\$50.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Commercial Incinerator</u>	<u>Sec. 9-1. - (m)</u>	<u>\$75.00</u>	<u>Each</u>	<u>Yes</u>	<u>Commercial Incinerator</u>
<u>Appliances</u>	<u>Sec. 9-1. - (n)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	<u>Appliances</u>
<u>Duct Installation</u>	<u>Sec. 9-1. - (o)</u>	<u>\$35.00 or \$0.04 sqft</u>		<u>Yes</u>	<u>Duct Installation</u>
<u>Fuel Gas Permit Issuance Fee</u>	<u>Sec.9-292. -</u>	<u>\$35.00 or \$0.04 sqft</u>		<u>No</u>	<u>Whichever is greater</u>
<u>Gas Piping</u>	<u>Sec.9-292. - (a)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	<u>Gas Piping</u>
<u>Gas Piping Outlets</u>	<u>Sec.9-292. - (b)</u>	<u>\$5.00</u>	<u>Each</u>	<u>Yes</u>	<u>Gas Piping Outlets</u>
<u>Plumbing Contractor</u>	<u>Sec.9-322. -</u>	<u>\$300.00</u>	<u>New License</u>	<u>No</u>	
<u>Plumbing Contractor</u>	<u>Sec.9-322. -</u>	<u>\$50.00</u>	<u>Renewal License</u>	<u>No</u>	
<u>Plumbing Permit Issuance Fee</u>	<u>Sec.9-342. -</u>	<u>\$35.00 or \$0.04 sqft</u>		<u>No</u>	<u>Whichever is greater</u>
<u>Building Sewer</u>	<u>Sec. 9-1. - (a)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Rainwater system</u>	<u>Sec. 9-1. - (b)</u>	<u>\$10.00</u>	<u>Per Drain Inside building</u>	<u>Yes</u>	
<u>On-Site Sewage Treatment System</u>	<u>Sec. 9-1. - (c)</u>	<u>\$100.00</u>	<u>Each</u>	<u>Yes</u>	
<u>Water Heaters and/or Vent Commercial /</u>	<u>Sec. 9-1. - (d)</u>	<u>\$35.00</u>	<u>Each</u>	<u>Yes</u>	
	<u>Sec. 9-1. -</u>				

<u>Vacuum Breakers</u> <u>or Backflow</u> <u>Devices</u>	<u>Sec. 9-1. - (i)</u>	<u>\$5.00</u>	<u>>4</u>	<u>Yes</u>
<u>Oil Separator</u> <u>Commercial</u> <u>Grease Interceptor</u>	<u>Sec. 9-1. - (j)</u> <u>Sec. 9-1. -</u> <u>(k)</u>	<u>\$50.00</u> <u>\$50.00</u>		<u>Yes</u> <u>Yes</u>

Sec.9-48. - Reserved.

Sec.9-49. - Reserved.

Sec.9-50. - Reserved.

Sec.9-51. - Reserved.

Sec.9-52. - Reserved.

Sec.9-53. - Reserved.

Sec.9-54. - Reserved.

Article II – Building

DIVISION 1. – IN GENERAL

Sec.9-55. - Title.

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

Sec.9-56. - Reserved.

Sec.9-57. - Reserved.

Sec.9-58. - Reserved.

Sec.9-59. - Reserved.

Sec.9-60. - Reserved.

Sec.9-61. - Reserved.

Sec.9-62. - Reserved.

Sec.9-63. - Reserved.

Sec.9-64. - Reserved.

DIVISION 2. – STANDARDS & REQUIREMENTS

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

There is hereby adopted by the city for the purpose of establishing rules and regulations for the construction of buildings and structures, including permits and penalties, that certain building code known as the International Building Code, recommended by the International Code Council, Inc., being adopted and incorporating by reference in Sec 9.5. save and except such portions as are now or may

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

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

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

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

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

Sec.9-69. - Licensing Fees and Requirements

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

Sec.9-70. - Commercial Classification Access to Utilities

(l). Whereas a building shall have proper access to water and sanitary sewer.

(m). The term Commercial Classification for the purposes of this chapter shall be defined by all classifications within Chapter 3 of the International Building Code, with the exception of one and two family homes.

(n). No building permit for a commercial classification shall be issued for:

(1) Construction of a new commercial building

(2) Relocation of a building

(3) For an addition to an existing building, with said addition expanding the size of the existing structure by fifty (50) percent

Until construction plans are approved for a public water supply to extend to and across the frontage of the property as required by this chapter. The public water extension and its service connections to the property shall be constructed at no cost to the city.

(o). No commercial classification building permit shall be issued for:

(1) Construction of a new commercial building

(2) Relocation of a building

(3) For an addition to an existing building, with said addition expanding the size of the existing structure by fifty (50) percent

Until construction plans are approved for a public sewer to extend to an easement abutting the property and the sewage facilities of the property are tied onto the public sewer. The public sewer extension, if necessary, and its service connections to the property shall be constructed at no cost to

1 Sec.9-71. - Reserved.

2 Sec.9-72. - Reserved.

3 Sec.9-73. - Reserved.

4 Sec.9-74. - Reserved.

5 Sec.9-75. - Reserved.

6 Sec.9-76. - Reserved.

7 Sec.9-77. - Reserved.

8 Sec.9-78. - Reserved.

9 Sec.9-79. - Reserved.

10 DIVISION 3. – PERMITS AND INSPECTIONS

11 Sec.9-80. - Permit Application.

12 (a) To obtain a building permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:

13 (1) Identify and describe the work to be covered by the permit for which the application is made; and

14 (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

15 (b) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any violation of any of the provisions of this code, or of any other ordinance of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid.

16 The issuance of a permit based upon plans shall not prevent the Chief Building Official from thereafter requiring the correction of errors in the plans, specifications and other data, or from preventing building operations being carried on thereunder when in violation of this code or of any other ordinances of the City.

17 (c) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.

18 (d) Every permit issued by the City under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.

19 A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.

1 **Sec.9-82. - Permit Exemptions.**

2 Exemption from the permit requirements of this code shall not be deemed to grant authorization for any
3 work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

4 **Sec.9-83. - Permit Required.**

5 No building system regulated by this code shall be installed, altered, repaired, replaced or remodeled
6 unless a separate building permit for each structure has first been obtained from the city.

7 **Sec.9-84. - Permit Denial.**

8 The City may refuse to issue a permit for a building as herein provided, or for any additions or extensions
9 to any building where, in the Chief Building Official's judgment, the building done or proposed to be
10 done is unsafe or not in accordance with the provisions of this article.

11 **Sec.9-85. - Permit Cancellation.**

12 A contractor may request in writing that his permit be canceled. In the event that a contractor holding a
13 valid permit issued by the city refuses to complete the work in a reasonable time or there is an undue
14 delay in the completion of the project, the owner may request in writing that the Chief Building Official
15 cancel the permit issued to the contractor. The second contractor permit holder shall take full
16 responsibility for the building work done after cancellation of the first permit and for completion of the
17 work in its entirety. No fees for permits will be refunded to the contractor in the event that the permit is
18 canceled under the terms of this section.

19 **Sec.9-86. - Permits.**

20 See applicable permits within either Sec.9-6. - or Sec.9-7. -

21 **Sec.9-87. - Inspections; Approval.**

- 22 (a). When an original rough-in installation of a building system is completed on any premises, the
23 permit-holding contractor shall notify the inspector that the work is ready for inspection. When an
24 alteration to the building for which a permit is required under the terms of this article is completed
25 on any premises, the permit-holding contractor shall notify the inspector that the work is ready for
26 inspection.
- 27 (b). The inspector shall make an inspection of the alteration or installation at the first available time. If
28 the installation or alteration to the building system has been done in accordance with the terms and
29 provisions of this article and amendments thereto, the inspector shall post an inspection notice at or
30 near the same, noting thereon the date and approval of the work, together with his signature.
- 31 (c). The fees required for the making of the required inspection by the City unless the inspector is
32 required to make another or an additional inspection of the installation necessitating another trip in
33 which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be
34 assessed a fee. See Fee Table located in Sec.9-47. -

35 **Sec.9-88. - Appeals.**

36 An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation, requirement or
37 decision made by the building inspector, by filing with the Chief Building Official within ten (10)
38 business days from the building inspector's ruling, interpretation, requirement or decision a statement in
39 writing of the issues to be considered on appeal. The Chief Building Official shall review, within three
40 (3) business days or receipt of appeal. If the Chief Building Official upholds the building inspector's
41 decision, the appeal will proceed to the Builder's Advisory Board. If the Chief Building Official

1 Sec.9-89. - Reserved.

2 Sec.9-90. - Reserved.

3 Sec.9-91. - Reserved.

4 Sec.9-92. - Reserved.

5 Sec.9-93. - Reserved.

6 Sec.9-94. - Reserved.

7 Sec.9-95. - Reserved.

8 Sec.9-96. - Reserved.

9 Sec.9-97. - Reserved.

10 Sec.9-98. - Reserved.

11 Sec.9-99. - Commercial Classification Change of Ownership Compliance.

- 12 (q). When there is a requested change for a new account holder of a commercial city utility account; said
13 new account holder shall apply for a "commercial classification change of ownership compliance
14 permit" prior to changing the utility account.
15 (r). The fee for the commercial classification change of ownership compliance permit is established in
16 Table located in Sec.9-47. -
17 (s). The commercial classification change of ownership compliance permit shall provide provisions for
18 certain departments to check that the commercial classification related to the city utility account is in
19 compliance with current city ordinances.

20 Sec.9-100. - Retaining Walls.

21 All retaining walls must comply with standard engineering practices. Any wall over four (4) feet in
22 height and walls not complying with Midwest City standards must have an engineer's signature and seal.
23 The wall shall be measured from the top of the footing to the top of the wall. A permit must be applied
24 for and approved before construction on any retaining wall is started. Failure to comply with this section
25 may result in legal action and/or removal of the wall.

26 Sec.9-101. - Garage Doors Required.

27 Every residential dwelling having a garage shall have an operational, functional and maintained garage
28 door which shall be kept in such condition that the garage door provides a complete and contiguous cover
29 to the garage door opening, with the exterior surface to be architecturally consistent with and maintained
30 in the same manner and at the same level and quality as the dwelling.

31 Sec.9-102. - Pre-engineered Buildings.

32 Each building permit issued by the Chief Building Official for the construction of a building involving
33 a span of thirty (30) feet or more and involving the use of pre-engineered building systems or
34 components shall be subject to the following conditional requirements:

35 The Chief Building Official shall receive a letter from the officer of the company constructing the
36 building which states that the building shipped for the building permit was designed and constructed in
37 accordance with approved engineered plans and specifications. The plans shall be stamped by an
 architect and/or engineer licensed in Oklahoma.

million dollars (\$1,000,000.00) commercial general liability for all commercial construction.
Proof of workman's compensation insurance must also be provided.

(3) Permits. Permits are required for all existing buildings in Midwest City.

(4) Failure to provide. Any person or firm who violates any part of this section or Title 158, Chapter 85, Roofing Contractor Registration Act of the state statutes will be fined an amount not exceeding five hundred dollars (\$500.00) as per this section.

Exception: The actual owner of residential or farm property who physically performs roofing services, including construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of materials on his or her own dwelling in which they reside, without the assistance of any licensed roofing contractor, will be exempt from the Roofing [Contractor] Registration Act. The owner is still required to obtain a roofing permit from the community development department.

(b) Construction requirements. The owner will be required to follow current adopted code during construction, installation, renovation, repair, maintenance, alteration, waterproofing, or removal of a roof.

(c) Fees.

(1) License fees. See Table located in Sec.9-47. -

(A) New license

(B) Renewal fee

All licenses will run from July 1 to June 30 of each year. Licenses will not be prorated. Licenses not renewed by August 15 will be charged the new license fee.

(2) Permit fees. A permit fee will be collected for all existing structures requiring new roofs or repairs. See Table located in Sec.9-47. -.

Sec.9-104. - Reserved.

Sec.9-105. - Reserved.

Sec.9-106. - Reserved.

Sec.9-107. - Reserved.

Sec.9-108. - Reserved.

Sec.9-109. - Reserved.

Sec.9-110. - Reserved.

Sec.9-111. - Reserved.

Sec.9-112. - Reserved.

Sec.9-113. - Reserved.

Sec.9-114. - Reserved.

DIVISION 4. – BUILDER’S ADVISORY BOARD

Sec.9-115. - Builder’s Advisory Board Created.

- 1 (b) The members of the Builder's Advisory Board shall hold office until their successors are appointed;
2 (c) Members may be removed for cause by the Mayor with approval of the City Council. Absences from
3 meetings by board members shall be governed by section 2-28 of this Code. Vacancies shall be
4 filled for an unexpired term in the same manner as appointment.
5 (d) The member of the Builder's Advisory Board shall serve without pay.

6 **Sec.9-117. - Meetings.**

7 The Builder's Advisory Board shall meet at such times as meetings are called

8 **Sec.9-118. - Quorum.**

9 For all business purposes, a quorum is required and is defined as any four (4) voting board members.

10 **Sec.9-119. - Officers and Reports.**

11 The Builder's Advisory Board shall, immediately after its appointment, meet and organize by the election
12 of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary.
13 Election of such officers shall be held the first meeting of each calendar year. The board shall report fully
14 and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed
15 and preserved.

16 **Sec.9-120. - Duties.**

- 17 (a) The Builder's Advisory Board shall act in an advisory capacity to the Mayor and City Council as
18 regards building codes, construction, development requirements and related matters of interest to the
19 city.
20 (b) The Chief Building Official or their designee may provide such assistance to the board as deemed
21 necessary and appropriate.
22 (c) The Builder's Advisory Board has the duty to review appeals as required in this Chapter.

23 **Sec.9-121. - Reserved.**

24 **Sec.9-122. - Reserved.**

25 **Sec.9-123. - Reserved.**

26 **Sec.9-124. - Reserved.**

27 **Article III – Electrical**

28 **DIVISION 1. – IN GENERAL**

29 **Sec.9-125. - Title.**

30 These regulations shall be known as the Electrical Code of the City of Midwest City, hereinafter referred
31 to as "this code."
32
33
34
35
36
37

1 Sec.9-126. - Reserved.

2 Sec.9-127. - Reserved.

3 Sec.9-128. - Reserved.

4 Sec.9-129. - Reserved.

5 Sec.9-130. - Reserved.

6 Sec.9-131. - Reserved.

7 Sec.9-132. - Reserved.

8 Sec.9-133. - Reserved.

9 Sec.9-134. - Reserved.

10 **DIVISION 2. – STANDARDS & REQUIREMENTS**

11 **Sec.9-135. - Electrical Code Adopted.**

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

19 **Sec.9-136. - Licensing Fees and Requirements.**

- 20
- 21 (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a
22 contractor license to any person who has a valid electrical license for the same license period issued
23 by the State of Oklahoma.
- 24 (b) There is hereby levied licensing fees for the electrical trade see Table located in Sec.9-47. -;
- 25 (c) It shall be unlawful for any person to engage in the trade or otherwise act as an electrical contractor,
26 within the city without first having been qualified and licensed as such by the State of Oklahoma. It
27 shall also be unlawful for any person to engage in the electrical trade or otherwise act as any type of
28 electrical contractor within the city without first having been licensed by the city. The city shall issue
29 a contractor license to any person, upon proper application, and payment of fees, who presents a
30 valid license and proper identification at the time of application for the same license period issued by
31 the State of Oklahoma.
- 32 (d) All city electrical trade licenses shall be for one (1) year but all such city licenses shall expire on the
33 thirtieth day of June after they are issued, unless sooner revoked. Renewals shall be secured on or
34 before the first day of July each year to be in effect from July 1 through June 30 of the following
35 year. Licenses not renewed by the fifteenth day of August shall be assessed the fee See Table
36 located in Sec.9-47. -
- 37 (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for
38 such license be less than for a full year.
- 39 (f) An electrical contractor license shall not be transferred, loaned or assigned.

unlimited electrical contractor's license and is active in the trade. The name and address of such licensed unlimited electrical contractor and the name and address of the entity shall be licensed with the City.

Sec.9-139. - Supervision

A journeyman shall at all times while working at his trade be in the employment of a contractor who is licensed with the City of Midwest City.

Sec.9-140. - Employing Unqualified Workmen.

- (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any person to work at the trade unless the person employed is licensed and licensed under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a licensed contractor shall hire, engage or employ any person to do any mechanical work within the city, who is not a licensed, registered and bonded contractor under the terms of this article.

Sec.9-141. - Licensing Generally.

The Electrical License Act shall apply to all persons applying for a city license as an electrical contractor.

Sec.9-142. - Reserved.

Sec.9-143. - Reserved.

Sec.9-144. - Reserved.

Sec.9-145. - Reserved.

Sec.9-146. - Reserved.

Sec.9-147. - Reserved.

Sec.9-148. - Reserved.

Sec.9-149. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-150. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed electrical contractors.
- (b) To obtain an electrical permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:
- (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of an electrical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
- A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the electrical system of a dwelling, apartment house or motel.
- (g) One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the Chief Building Official until final approval of the work covered therein. One (1) set of approved plans and specifications shall be returned to the applicant and shall be kept on the building or work site at all times during which the work authorized thereby is in progress.

Sec.9-151. - Multiple Permits.

Only one (1) permit shall be issued for any electric wiring provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-152. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-153. - Permit Required to Whom Issued.

No electrical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate electrical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed electrical contractor.

Sec.9-154. - Permit Denial.

The City may refuse to issue a permit for the installation of electric wiring as herein provided, or for any additions or extensions to any electric wiring where, in the electrical inspector's judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-155. - Permit Cancellation.

An electrical contractor may request in writing that his permit be canceled. In the event that an electrical contractor holding a valid permit issued by the city refuses to complete the electrical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the electrical contractor. The second electrical contractor permit holder shall take full responsibility for electrical work done after cancellation of the

1 The following fees do not include the permit issuance fee but shall be based on all wiring and electrical
2 equipment in or on each structure or other electrical equipment on the same premises constructed at the
3 same time.

4 IN ADDITION:

5 (a). Swimming Pool Permit: For new private, residential, in-ground swimming pools for single-family
6 and multi-family occupancies including a complete system of necessary branch circuit wiring,
7 bonding, grounding, underwater lighting, water pumping and other similar electrical equipment
8 directly related to the operation of a swimming pool.

9 (b). Event Permit: Carnivals, circuses, or other traveling shows or exhibitions utilizing transportation-
10 type rides, booths, displays and attractions.

11 (1). Permit based on each electric generator and electrically driven ride, OR;

12 (2). For each mechanically driven ride, walk through attraction, display having electric lighting,
13 system of area, and booth lighting

14 (c). Temporary power service permit:

15 (1). For each temporary service power pole or pedestal including all pole or pedestal-mounted
16 receptacle outlets and appurtenances, OR;

17 (2). For each temporary distribution system and temporary lighting and receptacle outlets for
18 construction sites, Christmas tree sales lots, roadside stands, etc..

19 (3). For pole or platform-mounted lighting fixtures.

20 (4). For theatrical-type lighting fixtures or assemblies.

21 (d). Residential appliances:

22 (1). Each special circuit 220 volt, 50 amp and above.

23 (2). For other types of air conditioners and other motor-driven appliances having larger electrical
24 ratings, the fees shall be the same as the fees for power apparatus below.

25 (e). Power apparatus permit: Including motors, generators, transformers, rectifiers, synchronous
26 converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking
27 equipment, solar energy and other apparatus:

28 (1). Permits for shall be for each equipment or appliances having one (1) motor, transformer, heater,
29 etc.

30 (2). These fees include all switches, circuit breakers, conductors, thermostats, relays and other directly
31 related control equipment.

32 (f). Busway Permit

33 (1). For trolley and plug-in-type busways, first 200 feet minimum fee then,

34 (2). Each additional one hundred (100) feet or fraction thereof (per one hundred (100) feet)

35 (g). Electrical for signs, outline lighting and marquees:

36 (1). For each sign, outline lighting system or marquee supplied from one branch circuit.

37 (h). Services:

(1). For each service of 600 volts or less and not over 400 amperes in rating \$75.00.

(2). For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating.

(3). For each service over 600 volts or over 1000 amperes in rating.

1 **Sec.9-157. - Inspections; Approval.**

- 2 (a). When an original rough-in installation of an electrical system is completed on any premises, the
3 permit-holding contractor shall notify the inspector that the work is ready for inspection. When an
4 electrical alteration for which a permit is required under the terms of this article is completed on any
5 premises, the permit-holding contractor shall notify the inspector that the work is ready for
6 inspection.
- 7 (b). The inspector shall make an inspection of the alteration or installation at the first available time. If
8 the installation or alteration to the electrical system has been done in accordance with the terms and
9 provisions of this article and amendments thereto, the inspector shall post an inspection notice at or
10 near the same, noting thereon the date and approval of the work, together with his signature.
- 11 (c). The fees required for the making of the required inspection by the City unless the inspector is
12 required to make another or an additional inspection of the installation necessitating another trip in
13 which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be
14 assessed a fee. See Fee Table located in Sec.9-47. -
- 15 (d). Temporary electric service inspections shall be permitted for any and all new installation for the
16 purpose of construction and safety to personnel and equipment, and to prevent water lines from
17 freezing in cold weather. Outlets will be limited to two (2) 110V and one (1) 220V, and all necessary
18 central heating unit(s).

19 **Sec.9-158. - Connection Approval.**

- 20 (a). An electrical system or equipment regulated by this Code for which a permit is required shall not be
21 connected to a source of energy or power until approved by the city.
- 22 (b). The electrical inspector may authorize the temporary connection of the electrical system or
23 equipment to the source of energy or power for the purpose of testing the equipment. Occupancy of
24 the dwelling is strictly prohibited until after a final electrical inspection has been completed.
25 Violation of this provision shall be an offense and, upon conviction, punishment shall be a five
26 hundred dollar (\$500.00) fine, not including court costs, and/or thirty (30) days in jail. Each day this
27 provision is violated shall constitute a separate offense.
- 28 (c). It is unlawful for any electric, light or power company, or any supplier of electricity for light, heat or
29 power to make any electrical connection to any structure or electric wiring or apparatus until a
30 certificate stating that the electric wiring has been approved or written permit authorizing connection
31 has been issued by the city. All persons, whether operating under a regular franchise granted by the
32 city or not, shall upon written notice by the electrical inspector disconnect from any such circuit,
33 including main service wires, branch feeder wires or distribution, as designated by the notice, and
34 shall not reconnect to the installation except upon written notice from the electrical inspector.
- 35 (d). Any electrical service that has been inactive for twelve (12) months or has had the service
36 disconnected for cause, shall be inspected by the electrical inspector before service will be re-
37 established.

38 **Sec.9-159. - Appeals.**

39 An appeal may be taken to the Electrical Board from any ruling, interpretation, requirement or decision
40 made by the electrical inspector, by filing with the Chief Building Official within ten (10) business days
41 from the building inspector's ruling, interpretation, requirement or decision a statement in writing of the
42 issues to be considered on appeal. The Chief Building Official shall review, within three (3) business
43 days or receipt of appeal. If the Chief Building Official upholds the electrical inspector's decision, the

1 Sec.9-160. - Reserved.

2 Sec.9-161. - Reserved.

3 Sec.9-162. - Reserved.

4 Sec.9-163. - Reserved.

5 Sec.9-164. - Solar Energy.

6
7 (a). Anyone desiring to erect, install, enlarge, alter, repair, remove, convert, or replace a Solar Thermal
8 or Photovoltaic Solar System, the installation which is regulated by the adopted building codes of
9 The City of Midwest City, or to cause such work to be performed, shall first make application and
10 submit all required documentation as deemed necessary to the Chief Building Official and obtain the
11 required permits.

12 (b). A person shall not make connections from a utility, source of energy, fuel or power to any building
13 or system that is regulated by this code until authorized by the Chief Building Official.

14 (c). See Table located in Sec.9-47. -

15 Sec.9-165. - Reserved.

16 Sec.9-166. - Reserved.

17 Sec.9-167. - Reserved.

18 Sec.9-168. - Reserved.

19 Sec.9-169. - Reserved.

20 Sec.9-170. - Reserved.

21 Sec.9-171. - Reserved.

22 Sec.9-172. - Reserved.

23 Sec.9-173. - Reserved.

24 Sec.9-174. - Reserved.

25 Sec.9-175. - Reserved.

26 Sec.9-176. - Reserved.

27 Sec.9-177. - Reserved.

28 Sec.9-178. - Reserved.

29 Sec.9-179. - Reserved.

30 Sec.9-180. - Reserved.

31 Sec.9-181. - Reserved.

32 Sec.9-182. - Reserved.

1 **Sec.9-186. - Members.**

- 2 (a) The Electrical Board shall consist of five (5) members to be appointed by the Mayor and approved
3 by the City Council. All members of the Electrical Board shall be journeyman electricians or
4 electrical contractors licensed by the City, and shall be persons who are familiar with the
5 requirements of the National Electrical Code and who know the methods of installing electric
6 wiring. The members of the board shall be chosen from either:
7 (1) Residents of the city at large with reference to their fitness for such office; or
8 (2) Ownership, operation or involvement in the business of electrical work as a licensed journeyman
9 electrician or a licensed electrical contractor for the past (5) years next preceding the date of
10 appointment.
11 (b) The members of the Electrical Board shall hold office until their successors are appointed; The
12 Mayor shall be an ex officio member of the board. Electrical Board stipulates staggered terms of
13 three (3) years.
14 (c) Members may be removed for cause by the Mayor with approval of the City Council. Absences from
15 meetings by board members shall be governed by section 2-28 of this Code. Vacancies shall be
16 filled for an unexpired term in the same manner as appointment.
17 (d) The member of the Electrical Board shall serve without pay.

18 **Sec.9-187. - Meetings.**

19 The Electrical Board shall meet at such times as meetings are called

20 **Sec.9-188. - Quorum.**

21 For all business purposes, a quorum is required and is defined as any three (3) voting board members.

22 **Sec.9-189. - Officers and Reports.**

23 The Electrical Board shall, immediately after its appointment, meet and organize by the election of one
24 (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of
25 such officers shall be held the first meeting of each calendar year. The board shall report fully and in
26 writing to the Mayor and City Council immediately after each meeting, which report shall be filed and
27 preserved.

28 **Sec.9-190. - Duties.**

- 29 (a) The electrical board shall act in an advisory capacity to the Mayor and City Council as regards to
30 electrical construction and related matters of interest to the city.
31 (b) The Chief Building Official or their designee may provide such assistance to the board as deemed
32 necessary and appropriate.
33 (c) The Electrical Board has the duty to review appeals as required in this Chapter.

34 **Sec.9-191. - Reserved.**

35 **Sec.9-192. - Reserved.**

36 **Sec.9-193. - Reserved.**

37 **Sec.9-194. - Reserved.**

Article IV - Electricity

1 Sec.9-196. - Reserved.

2 Sec.9-197. - Reserved.

3 Sec.9-198. - Reserved.

4 Sec.9-199. - Reserved.

5 Sec.9-200. - Reserved.

6 Sec.9-201. - Reserved.

7 Sec.9-202. - Reserved.

8 Sec.9-203. - Reserved.

9 Sec.9-204. - Reserved.

10 **DIVISION 2. – STANDARDS & REQUIREMENTS**

11 **Sec.9-205. - Mechanical Code Adopted**

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

19 **Sec.9-206. - Licensing Fees and Requirements.**

- 20
- 21 (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a
22 contractor license to any person who has a valid mechanical license for the same license period
23 issued by the State of Oklahoma.
- 24 (b) There is hereby levied a schedule of license fees for the mechanical trade to be as follows: For
25 Unlimited and Limited Mechanical Contractors see Table located in Sec.9-47. - for fees.
- 26 (c) It shall be unlawful for any person to engage in the trade or otherwise act as a mechanical contractor,
27 within the city without first having been qualified and licensed as such by the State of Oklahoma. It
28 shall also be unlawful for any person to engage in the mechanical trade or otherwise act as any type
29 of mechanical contractor within the city without first having been licensed by the city. The city shall
30 issue an contractor license to any person, upon proper application, and payment of fees, who
31 presents a valid mechanical license and proper identification at the time of application for the same
32 license period issued by the State of Oklahoma.
- 33 (d) All city mechanical trade licenses shall be for one (1) year and shall expire on the thirtieth day of
34 June after the same are issued, unless sooner revoked. Renewals shall be secured on or before the
35 first day of July of each year to be in effect from July 1 through June 30 of the following year.
36 Licenses not renewed by the fifteenth day of August shall be assessed the fee for a new license.
- 37 (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for
38 such license be less than for a full year.
- 39 (f) A mechanical contractor license shall not be transferred, loaned or assigned.

active in the trade. The name and address of such contractor and the name and address of the entity shall be licensed with the City.

Sec.9-209. - Supervision

A journeyman shall at all times while working at his trade be in the employment of a contractor who is licensed with the City of Midwest City.

Sec.9-210. - Employing Unqualified Workmen.

- (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any person to work at the trade unless the person employed is licensed and registered under ordinances of the city, except such work as may be done by apprentices holding permits to work as such as provided by this article.
- (b) No person other than a licensed contractor shall hire, engage or employ any person to do any mechanical work within the city, who is not a licensed, registered and bonded contractor under the terms of this article.

Sec.9-211. - Reserved.

Sec.9-212. - Reserved.

Sec.9-213. - Reserved.

Sec.9-214. - Reserved.

Sec.9-215. - Reserved.

Sec.9-216. - Reserved.

Sec.9-217. - Reserved.

Sec.9-218. - Reserved.

Sec.9-219. - Reserved.

DIVISION 3. – PERMITS AND INSPECTIONS

Sec.9-220. - Permit Application.

- (a) Permits required by this article shall be issued only to City licensed mechanical contractors.
- (b) To obtain a mechanical permit, an applicant shall first file an application therefor on a form furnished by the City for that purpose. Every application shall:
- (1) Identify and describe the work to be covered by the permit for which the application is made; and
 - (2) Describe, by legal description, street address or similar description that will readily identify and definitely locate the proposed structure or work, the land on which the proposed work is to be done.

The City may issue a permit for the construction of part of a mechanical system before the plans for the whole system have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holders of such permits shall proceed at their own risk without assurance that the permit for the entire structure or building service will be granted.

- (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
- A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the mechanical system of a dwelling, apartment house or motel.

Sec.9-221. - Multiple Permits.

Only one (1) permit shall be issued for any mechanical provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-222. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

Sec.9-223. - Permit Required to Whom Issued.

No mechanical system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate mechanical permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed mechanical contractor.

Sec.9-224. - Permit Denial.

The City may refuse to issue a permit for the installation of mechanical as herein provided, or for any additions or extensions to any mechanical where, in the Chief Building Official's judgment, the mechanical done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-225. - Permit Cancellation.

A mechanical contractor may request in writing that his permit be canceled. In the event that a mechanical contractor holding a valid permit issued by the city refuses to complete the mechanical work in a reasonable time or there is an undue delay in the completion of the project, the owner may request in writing that the Chief Building Official cancel the permit issued to the mechanical contractor. The second mechanical contractor permit holder shall take full responsibility for mechanical work done after cancellation of the first mechanical permit and for completion of the work in its entirety. No fees for permits will be refunded to the mechanical contractor in the event that the permit is canceled under the terms of this section.

Sec.9-226. - Permits.

- (a) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, up to and including 160,000 BTU/H
- (b) For the installation or relocation of each forced air or gravity type furnace or burner, including ducts and vents attached to such appliance, over 160,000 BTU/H
- (c) For the installation of self-contained packaged units
- (1) 0-4 tons
- (2) 5-25 tons
- (3) 26-60 tons
- (4) 61 tons or greater
- (d) For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater
- (e) For replacement of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls, regulated by this code
- (f) For each air-handling unit up to and including 2000 cubic feet per minute, including ducts attached thereto
- NOTE: This fee shall not apply to an air handling unit which is a portion of a factory assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere
- (g) For each air-handling unit over 2000 cfm
- (h) For each evaporative cooler other than portable type
- (i) For each ventilation fan connected to a single duct
- (j) For each ventilation system which is not a portion of any heating or air conditioning system authorized by a permit
- (k) For the installation of each commercial kitchen hood which is served by mechanical exhaust, including the ducts for such hood
- (l) For the installation or relocation of each domestic type incinerator
- (m) For the installation or relocation of each commercial or industrial type incinerator
- (n) For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code35.00
- (o) Duct installation only
- (p) Other inspections and fees:
- (1) Initial Reinspection fee
- (2) All additional reinspection
- (3) Inspections outside of normal business hours - initial call out (first 2 hours).
- (4) Inspections outside of normal business hours - per hour thereafter initial call out.

Sec.9-227. - Inspections; Approval.

- (a) When an original rough-in installation of an air conditioning or heating or refrigeration system is completed on any premises, the permit-holding contractor shall notify the inspector that the work is ready for inspection. When an air conditioning or refrigeration or forced air heating system alteration

1 which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be
2 assessed a fee. See Fee Table located in Sec.9-47. -

3 **Sec.9-228. - Appeals.**

4 An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation,
5 requirement or decision made by the mechanical inspector, by filing with the Chief Building Official
6 within ten (10) business days from the mechanical inspector's ruling, interpretation, requirement or
7 decision a statement in writing of the issues to be considered on appeal. The Chief Building Official shall
8 review, within three (3) business days or receipt of appeal. If the Chief Building Official upholds the
9 mechanical inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If
10 the Chief Building Official overturns the decision of the mechanical inspector, no further appeal is
11 necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business
12 days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and
13 Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant
14 may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical
15 Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered
16 to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits
17 proper notice to the appellant.

1 Sec.9-229. - Reserved.

2 Sec.9-230. - Reserved.

3 Sec.9-231. - Reserved.

4 Sec.9-232. - Reserved.

5 Sec.9-233. - Reserved.

6 Sec.9-234. - Reserved.

7 Sec.9-235. - Reserved.

8 Sec.9-236. - Reserved.

9 Sec.9-237. - Reserved.

10 Sec.9-238. - Reserved.

11 Sec.9-239. - Reserved.

12 Sec.9-240. - Reserved.

13 Sec.9-241. - Reserved.

14 Sec.9-242. - Reserved.

15 Sec.9-243. - Reserved.

16 Sec.9-244. - Reserved.

17 Sec.9-245. - Reserved.

18 Sec.9-246. - Reserved.

19 Sec.9-247. - Reserved.

20 Sec.9-248. - Reserved.

21 Sec.9-249. - Reserved.

22 Sec.9-250. - Reserved.

23 Sec.9-251. - Reserved.

24 Sec.9-252. - Reserved.

25 Sec.9-253. - Reserved.

26 Sec.9-254. - Reserved.

27 **DIVISION 4. – MECHANICAL BOARD**

28 Sec.9-255. - Plumbing, Gas, and Mechanical Board Created.

(2) Ownership, operation or involvement in the business of plumbing, gas, and/or mechanical work as a licensed journeyman or a licensed contractor for the past (5) years next preceding the date of appointment.

(b) The members of the Plumbing, Gas, and Mechanical Board shall hold office until their successors are appointed; the Mayor shall be an ex officio member of the board. Plumbing, Gas, and Mechanical Board stipulates staggered terms of three (3) years.

(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 this Code. Vacancies shall be filled for an unexpired term in the same manner as appointment.

(d) The member of the Plumbing, Gas, and Mechanical Board shall serve without pay.

Sec.9-257. - Meetings.

The Plumbing, Gas, and Mechanical Board shall meet at such times as meetings are called

Sec.9-258. - Quorum.

For all business purposes, a quorum is required and is defined as any three (3) voting board members.

Sec.9-259. - Officers and reports.

The Plumbing, Gas, and Mechanical Board shall, immediately after its appointment, meet and organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary. Election of such officers shall be held the first meeting of each calendar year. The board shall report fully and in writing to the Mayor and City Council immediately after each meeting, which report shall be filed and preserved.

Sec.9-260. - Duties.

(a) The Plumbing, Gas, and Mechanical Board shall act in an advisory capacity to the Mayor and City Council as regards plumbing, gas, and mechanical construction and related matters of interest to the city.

(b) The Chief Building Official or their designee may provide such assistance to the board as deemed necessary and appropriate.

(c) The Plumbing, Gas, and Mechanical Board has the duty to review appeals as required in this Chapter.

Sec.9-261. - Reserved.

Sec.9-262. - Reserved.

Sec.9-263. - Reserved.

Sec.9-264. - Reserved.

Article V – Fuel Gas

DIVISION 1. – IN GENERAL

Sec.9-265. - Title.

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

1 Sec.9-266. - Reserved.

2 Sec.9-267. - Reserved.

3 Sec.9-268. - Reserved.

4 Sec.9-269. - Reserved.

5 Sec.9-270. - Reserved.

6 Sec.9-271. - Reserved.

7 Sec.9-272. - Reserved.

8 Sec.9-273. - Reserved.

9 Sec.9-274. - Reserved.

10 **DIVISION 2. – STANDARDS & REQUIREMENTS**

11 Sec.9-275. - Fuel Code Adopted.

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

19 Sec.9-276. - Reserved.

20 Sec.9-277. - Reserved.

21 Sec.9-278. - Reserved.

22 Sec.9-279. - Reserved.

23 Sec.9-280. - Reserved.

24 Sec.9-281. - Reserved.

25 Sec.9-282. - Reserved.

26 Sec.9-283. - Reserved.

27 Sec.9-284. - Reserved.

28 Sec.9-285. - Reserved.

29 **DIVISION 3. – PERMITS AND INSPECTIONS**

30 Sec.9-286. - Permit Application.

31 (a) Permits required by this article shall be issued only to City licensed contractors.

1 such permits shall proceed at their own risk without assurance that the permit for the entire structure
2 or building service will be granted.

- 3 (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve, any
4 violation of any of the provisions of this code, or of any other ordinance of the city. Permits
5 presuming to give authority to violate or cancel the provisions of this code or other ordinances of the
6 city shall not be valid.

7 The issuance of a permit based upon plans shall not prevent the Chief Building Official from
8 thereafter requiring the correction of errors in the plans, specifications and other data, or from
9 preventing building operations being carried on thereunder when in violation of this code or of any
10 other ordinances of the city.

- 11 (d) If no permit is issued within one hundred eighty (180) days following the date of application, the
12 application shall expire. All plans and other data submitted for review may thereafter be returned to
13 the applicant or destroyed by the Chief Building Official.

- 14 (e) Every permit issued by the city under the provisions of this code shall expire and become null and
15 void if the structure or work authorized by such permit is not commenced within one hundred eighty
16 (180) days from the date of such permit, or if the structure or work authorized by such permit is
17 suspended or abandoned at any time for a period of more than one hundred eighty (180) days after
18 the work is commenced. Before such work can be recommended, a new permit must first be
19 obtained.

20 A permittee holding an unexpired permit may apply for an extension of the time within which work
21 may be commenced under that permit when the permittee is unable to commence work, for good and
22 satisfactory reasons, within the time required by this section. The Chief Building Official may
23 extend the time to commence work under the permit by the permittee for a period not exceeding one
24 hundred eighty (180) days upon written request by the permittee showing that circumstances beyond
25 the permittee's control have prevented work from being commenced.

- 26 (f) There shall be a separate permit for each building, except in the case of the gas piping of an
27 outbuilding or garage which is a part of the gas system of a dwelling, apartment house or motel.

28 **Sec.9-287. - Multiple Permits.**

29 Only one (1) permit shall be issued for any fuel/gas provided for herein. In the event two (2) or more
30 permits are issued on the same job or project, the permit first issued shall take precedence; however, any
31 contractor may release his permit in writing to any other contractor who has already obtained a permit.

32 **Sec.9-288. - Permit Exemptions.**

33 Exemption from the permit requirements of this code shall not be deemed to grant authorization for any
34 work to be done in violation of the provisions of this code or any other laws or ordinances of the city.

35 **Sec.9-289. - Permit Required to Whom Issued.**

36 No fuel/gas system regulated by this code shall be installed, altered, repaired, replaced or remodeled
37 unless a separate fuel/gas permit for each structure has first been obtained from the city. Except as
38 otherwise provided, no permit shall be issued to anyone other than a licensed fuel/gas contractor.

39 **Sec.9-290. - Permit Denial.**

40 The City may refuse to issue a permit for the installation of fuel/gas as herein provided, or for any
41 additions or extensions to any fuel/gas where, in the Chief Building Official's judgment, the fuel/gas done
42 or proposed to be done is unsafe or not in accordance with the provisions of this article.

43 **Sec.9-291. - Permit Cancellation.**

1 **Sec.9-292. - Permits.**

2 Before a permit is issued for any fuel gas system or work, there shall be an issuance permit as in Table
3 located in Sec.9-47. -.

4 The following fees do not include the permit issuance fee but shall be based on piping and fuel gas
5 equipment in or on each structure or other fuel gas equipment on the same premises constructed at the
6 same time.

7 IN ADDITION:

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

9 (a). Gas Piping

10 (b). Gas Piping Outlets

11 **Sec.9-293. - Inspections; Approval.**

12 (a). When an original rough-in installation of a fuel gas system is completed on any premises, the
13 permit-holding contractor shall notify the inspector that the work is ready for inspection. When a
14 fuel gas alteration for which a permit is required under the terms of this article is completed on any
15 premises, the permit-holding contractor shall notify the inspector that the work is ready for
16 inspection.

17 (b). The inspector shall make an inspection of the alteration or installation at the first available time. If
18 the installation or alteration to the fuel gas system has been done in accordance with the terms and
19 provisions of this article and amendments thereto, the inspector shall post an inspection notice at or
20 near the same, noting thereon the date and approval of the work, together with his signature.

21 (c). The fees required for the making of the required inspection by the City unless the inspector is
22 required to make another or an additional inspection of the installation necessitating another trip in
23 which event the applicant shall be assessed a reinspection fee. All subsequent reinspections shall be
24 assessed a fee. See Fee Table located in Sec.9-47. -

25 **Sec.9-294. - Appeals.**

26 An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling, interpretation,
27 requirement or decision made by the fuel/gas inspector, by filing with the Chief Building Official within
28 ten (10) business days from the fuel/gas inspector's ruling, interpretation, requirement or decision a
29 statement in writing of the issues to be considered on appeal. The Chief Building Official shall review,
30 within three (3) business days or receipt of appeal. If the Chief Building Official upholds the fuel/gas
31 inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief
32 Building Official overturns the decision of the fuel/gas inspector, no further appeal is necessary. The
33 Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the
34 decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical
35 Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a
36 final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board
37 decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the
38 appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper
39 notice to the appellant.

1 Sec.9-295. - Reserved.

2 Sec.9-296. - Reserved.

3 Sec.9-297. - Reserved.

4 Sec.9-298. - Reserved.

5 Sec.9-299. - Reserved.

6 Sec.9-300. - Reserved.

7
8
9 **DIVISION 4. – FUEL GAS BOARD**

10 Sec.9-301. - Plumbing, Gas, and Mechanical Board Created.

11 Refer to Sec.9-255. -

12 Sec.9-302. - Members.

13 Refer to Sec.9-256. -

14 Sec.9-303. - Meetings.

15 Refer to Sec.9-257. -

16 Sec.9-304. - Quorum.

17 Refer to Sec.9-258. -

18 Sec.9-305. - Officers and reports.

19 Sec.9-306. - Refer to Sec.9-259. - Duties.

20 Refer to Sec.9-260. -

21 Sec.9-307. - Reserved.

22 Sec.9-308. - Reserved.

23 Sec.9-309. - Reserved.

24 Sec.9-310. - Reserved.

25
26
27 **Article VI – Plumbing**

28
29 **DIVISION 1. – IN GENERAL**

30 Sec.9-311. - Title.

31 This code shall be known as the Plumbing Code of Midwest City, Oklahoma, hereinafter referred to as
32 the plumbing code or "this code."

33 Sec.9-312. - Applicability Outside the City.

34 All persons using water or sewage lines owned, furnished or operated by the city outside of the corporate
35 limits of the city must comply with all of the terms and requirements contained in this article before such
36 water or sewer-service may be obtained or continued.
37

1 Sec.9-313. - Reserved.

2 Sec.9-314. - Reserved.

3 Sec.9-315. - Reserved.

4 Sec.9-316. - Reserved.

5 Sec.9-317. - Reserved.

6 Sec.9-318. - Reserved.

7 Sec.9-319. - Reserved.

8 Sec.9-320. - Reserved.

9 **DIVISION 2. – STANDARDS & REQUIREMENTS**

10 Sec.9-321. - Plumbing Code Adopted.

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

18 Sec.9-322. - Licensing Fees and Requirements.

- 19 (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a
20 contractor license to any person who has a valid plumbing license for the same license period issued
21 by the State of Oklahoma.
- 22 (b) There is hereby levied a schedule of license fees for the plumbing trade to be as follows in Table
23 located in Sec.9-47. - . :
- 24 (c) It shall be unlawful for any person to engage in the plumbing trade or otherwise act as a plumbing
25 contractor within the city without first having been qualified and licensed as such by the State of
26 Oklahoma. It shall also be unlawful for any person to engage in the plumbing trade or otherwise act
27 as any type of plumbing contractor within the city without first having been licensed by the city.
28 The city shall issue an contractor license to any person, upon proper application, and payment of
29 fees, who presents a valid plumbing license and proper identification at the time of application for
30 the same license period issued by the State of Oklahoma.
- 31 (d) All city plumbing trade licenses shall be for one (1) year but all such city licenses and shall expire on
32 the thirtieth day of June after the same are issued, unless sooner revoked. Renewals shall be secured
33 on or before the first day of July of each year to be in effect from July 1 through June 30 of the
34 following year. Licenses not renewed by the fifteenth day of August shall be assessed the fee for a
35 new license.
- 36 (e) A license may be applied for and secured at any time during the year, but in no event shall the fee for
37 such license be less than for a full year.
- 38 (f) A master plumbers (plumbing contractors) license shall not be transferred, loaned or assigned.

39 Sec.9-323. - Vehicles to be Marked.

1 license and is active in the trade. The name and address of such contractor and the name and address of
2 the entity shall be registered with the City.

3 **Sec.9-325. - Supervision**

4 A journeyman plumber shall at all times while working at his trade be in the employment of a plumbing
5 contractor who is licensed with the City of Midwest City as a Master Plumber.

6 **Sec.9-326. - Employing Unqualified Workmen.**

- 7 (a) It is hereby declared unlawful and an offense for any master plumber (plumbing contractor) to
8 employ any person to work at the trade unless the person employed is licensed and registered under
9 ordinances of the city, except such work as may be done by apprentices holding permits to work as
10 such as provided by this article.
- 11 (b) No person other than a master plumber (plumbing contractor) shall hire, engage or employ any
12 person to do any plumbing within the city, or work that connects with a water or sewer main of the
13 city outside the city, who is not a licensed, registered and bonded master plumber (plumbing
14 contractor) under the terms of this article.

15 **Sec.9-327. - Reserved.**

16 **Sec.9-328. - Reserved.**

17 **Sec.9-329. - Reserved.**

18 **Sec.9-330. - Reserved.**

19 **Sec.9-331. - Reserved.**

20 **Sec.9-332. - Reserved.**

21 **Sec.9-333. - Reserved.**

22 **Sec.9-334. - Reserved.**

23 **Sec.9-335. - Reserved.**

24 **DIVISION 3. – PERMITS AND INSPECTIONS**

25 **Sec.9-336. - Permit Application.**

- 26 (a) Permits required by this article shall be issued only to City licensed plumbing contractors.
- 27 (b) To obtain a plumbing permit, an applicant shall first file an application therefor on a form furnished
28 by the City for that purpose. Every application shall:
- 29 (1) Identify and describe the work to be covered by the permit for which the application is made; and
30 (2) Describe, by legal description, street address or similar description that will readily identify and
31 definitely locate the proposed structure or work, the land on which the proposed work is to be
32 done.

33 The City may issue a permit for the construction of part of a plumbing system before the plans for
34 the whole system have been submitted or approved, provided adequate information and detailed
35 statements have been filed complying with all pertinent requirements of this code. The holders of
36 such permits shall proceed at their own risk without assurance that the permit for the entire structure
37 or building service will be granted.

- (d) If no permit is issued within one hundred eighty (180) days following the date of application, the application shall expire. All plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Chief Building Official.
- (e) Every permit issued by the city under the provisions of this code shall expire and become null and void if the structure or work authorized by such permit is not commenced within one hundred eighty (180) days from the date of such permit, or if the structure or work authorized by such permit is suspended or abandoned at any time for a period of more than one hundred eighty (180) days after the work is commenced. Before such work can be recommended, a new permit must first be obtained.
- A permittee holding an unexpired permit may apply for an extension of the time within which work may be commenced under that permit when the permittee is unable to commence work, for good and satisfactory reasons, within the time required by this section. The Chief Building Official may extend the time to commence work under the permit by the permittee for a period not exceeding one hundred eighty (180) days upon written request by the permittee showing that circumstances beyond the permittee's control have prevented work from being commenced.
- (f) There shall be a separate permit for each building, except in the case of an outbuilding or garage which is a part of the plumbing system of a dwelling, apartment house or motel.
- (g) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system within the city, or to make connections with a water or sewer main without obtaining a permit therefor from the development services department before the work is started.
- (h) It shall be unlawful and an offense for any person to install any plumbing or sanitary equipment that is directly or indirectly connected to any water or sewer system owned or operated by the city outside of its corporate limits without obtaining a permit therefor from the development services department before the work is started.

Sec.9-337. - Multiple Permits.

Only one (1) permit shall be issued for any plumbing provided for herein. In the event two (2) or more permits are issued on the same job or project, the permit first issued shall take precedence; however, any contractor may release his permit in writing to any other contractor who has already obtained a permit.

Sec.9-338. - Permit Exemptions.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Sec.9-339. - Permit Required to Whom Issued.

No plumbing system regulated by this code shall be installed, altered, repaired, replaced or remodeled unless a separate plumbing permit for each structure has first been obtained from the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed plumbing contractor.

Sec.9-340. - Permit Denial.

The City may refuse to issue a permit for the installation of the plumbing as herein provided, or for any additions or extensions to any plumbing where, in the Chief Building Official's, the plumbing done or proposed to be done is unsafe or not in accordance with the provisions of this article.

Sec.9-341. - Permit Cancellation.

A plumbing contractor may request in writing that his permit be canceled. In the event that a plumbing

1 **Sec.9-342. - Permits.**

2 Before a permit is issued for any plumbing system or work, there shall be an issuance permit as in Table
3 located in Sec.9-47. -.

4 The following fees do not include the permit issuance fee but shall be based on plumbing and plumbing
5 equipment in or on each structure or other plumbing equipment on the same premises constructed at the
6 same time.

7 **IN ADDITION:**

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

- 9
- 10 (a) For each building sewer and each trailer park sewer
- 11 (b) Rainwater systems—per drain (inside building)
- 12 (c) For each On-Site Sewage Treatment System
- 13 (d) For each water heater and/or vent (includes gas)
- 14 (e) For each commercial or industrial waste pre-treatment interceptor, including its trap and vent,
15 excepting kitchen type grease interceptors functioning as fixture traps
- 16 (f) For installation, alteration or repair of water piping and/or water treating equipment
- 17 (g) For each lawn sprinkler system or any one (1) meter, including backflow protection devices therefor
- 18 (h) For each vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on
19 unprotected plumbing fixtures, including necessary water piping—one (1) to four (4)
- 20 (i) Five (5) or more, each
- 21 (j) Oil/Sand separator
- 22 (k) Commercial grease interceptor
- 23 (l) Other inspections and fees:
- 24 (1) Initial Reinspection fee
- 25 (2) All additional reinspection
- 26 (3) Inspections outside of normal business hours - initial call out (first 2 hours).
- 27 (4) Inspections outside of normal business hours - per hour thereafter initial call out.

28 **Sec.9-343. - Inspections; Approval.**

- 29 (a). When an original rough-in installation of a plumbing system is completed on any premises, the
30 permit-holding contractor shall notify the inspector that the work is ready for inspection. When a
31 plumbing alteration for which a permit is required under the terms of this article is completed on any
32 premises, the permit-holding contractor shall notify the inspector that the work is ready for
33 inspection.
- 34 (b). The inspector shall make an inspection of the alteration or installation at the first available time. If
35 the installation or alteration to the plumbing system has been done in accordance with the terms and
36 provisions of this article and amendments thereto, the inspector shall post an inspection notice at or
37 near the same, noting thereon the date and approval of the work, together with his signature.
- 38 (c). The fees required for the making of the required inspection by the City unless the inspector is

inspector's decision, the appeal will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns the decision of the building inspector, no further appeal is necessary. The Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the City Council shall be delivered to the appellant, which shall be held at the next regularly scheduled City Council meeting that permits proper notice to the appellant.

Sec.9-345. - Reserved.

Sec.9-346. - Reserved.

Sec.9-347. - Reserved.

Sec.9-348. - Reserved.

Sec.9-349. - Reserved.

Sec.9-350. - Reserved.

Sec.9-351. - Reserved.

Sec.9-352. - On-Site Sewage Treatment System.

- (a) On-Site Sewage Treatment System shall mean the same as defined by Oklahoma Department of Environmental Quality
- (b) Whenever an on-site sewage treatment system is constructed, the design, installation, maintenance and replacement of the system shall be controlled by the latest standards and regulations of the Oklahoma Department of Environmental Quality.
- (c) Whenever there is an installation of an on-site sewage treatment system a copy of the completed DEQ form number 641-576AS, shall be submitted to the Chief Building Official.
- (d) Any person who shall violate any of the provisions of this section or fails to comply with any of the requirements hereof shall be guilty of an offense and each day such violation shall be permitted to exist shall constitute a separate offense. The city may initiate any proper action in the municipal or district court in the name of the city to prevent, restrain or abate any violations of this section.
- (e) The on-site sewage treatment system shall be registered by the homeowner with the City. The fee for registration see Table located in Sec.9-47. -
- (f) An on-site sewage treatment system shall be registered before a certificate of occupancy shall be issued.

1 Sec.9-353. - Reserved.

2 Sec.9-354. - Reserved.

3 Sec.9-355. - Reserved.

4 Sec.9-356. - Reserved.

5 Sec.9-357. - Reserved.

6 Sec.9-358. - Reserved.

7 Sec.9-359. - Reserved.

8 Sec.9-360. - Reserved.

9 Sec.9-361. - Reserved.

10 Sec.9-362. - Reserved.

11 Sec.9-363. - Reserved.

12 Sec.9-364. - Reserved.

13 Sec.9-365. - Reserved.

14 Sec.9-366. - Reserved.

15 Sec.9-367. - Reserved.

16 Sec.9-368. - Reserved.

17 Sec.9-369. - Reserved.

18 Sec.9-370. - Reserved.

19 **DIVISION 4. – PLUMBING BOARD**

20 Sec.9-371. - Plumbing, Gas, and Mechanical Board Created.

21 Refer to Sec.9-255. -

22 Sec.9-372. - Members.

23 Refer to Sec.9-256. -

24 Sec.9-373. - Meetings.

25 Refer to Sec.9-257. -

26 Sec.9-374. - Quorum.

27 Refer to Sec.9-258. -

28 Sec.9-375. - Officers and reports.

29 Refer to Sec.9-259. -

1 Sec.9-377. - Reserved.

2 Sec.9-378. - Reserved.

3 Sec.9-379. - Reserved.

4 Sec.9-380. - Reserved.

5 SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby
6 repealed.

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

10
11
12 PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the
13 _____ day of _____, 2024.

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37
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 _____, 2024.

DONALD MAISCH, City Attorney



City Attorney, Donald D. Maisch

100 N. Midwest Boulevard

Midwest City, OK 73110

DMaisch@midwestcityok.org

Office: 405.739.1203

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MEMORANDUM

To: Chair and Members of the Ordinance Review Committee

From: Donald D. Maisch, City Attorney

Date: February 29, 2024

RE: Discussion of noise issues in Midwest City, including a discussion on potential amendments to City Ordinances. (D. Maisch – City Attorney).

Members of the Midwest City Police Department have stated that the City's current noise ordinances are vague and can only be enforced by a citizen filing a citizen's complaint and being willing to appear in court and testify to the noise issue. The City may wish to review objective criteria for noise complaints.

Any Recommended action is at the discretion of the Ordinance Review Committee.

Respectfully submitted,

Donald D. Maisch
City Attorney