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ORDINANCE NO. 3520

AN ORDINANCE AMENDING THE MIDWEST CITY MUNICIPAL CODE, CHAPTER 5 ALCOHOLIC BEVERAGES, ARTICLE IV, OCCUPATIONAL TAX, SECTIONS 5-124, APPLICATION FOR CERTIFICATE OF COMPLIANCE; INVESTIGATIONS, 5-125, ISSUANCE OF CERTIFICATE OF ZONING AND CERTIFICATE OF COMPLIANCE; 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 5 Alcoholic Beverages, Article IV, Occupational Tax, Section 5-124, Application for certificate of compliance; investigations; is hereby amended to read as follows:

**5-124, Application for certificate of compliance and/or certificate of zoning investigations.**

- (a) Every applicant for a certificate of compliance and/or certificate of zoning to determine compliance with the zoning, fire, health and safety codes of the City of Midwest City, as required by Title 37A of the Oklahoma Statutes shall apply by filing a written application on forms provided by the Planning and Zoning Department.
- (b) Upon receipt of an application for a certificate of compliance and/or certificate of zoning, notification of the application shall be sent to the City Manager or designee, who shall cause an investigation to be made to determine whether the premises proposed for licensed operations comply with the provisions of the zoning ordinance and any health, fire, building and other safety codes applicable to it.
- (c) The City Manager, or designee, shall act on all such applications within thirty (30) days of receipt thereof.

**Section 2.** That the Midwest City Municipal Code, Chapter 5 Alcoholic Beverages, Article IV, Occupational Tax, Section 5-125, Issuance of certificate of zoning and certificate of compliance; is hereby amended to read as follows:

**5-125, Issuance of certificate of zoning and certificate of compliance.**

- (a) Upon finding that the premises of an applicant for a certificate is in compliance with all applicable zoning ordinances, a certificate of zoning shall be issued to the ABLE Commission.
- (b) Upon finding that the premises of an applicant for a certificate is in compliance with all applicable fire, safety, and health codes, a certificate of compliance shall be issued to the ABLE Commission.

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2 (c) The above certificates of compliance shall be signed by the mayor or the City Manager or  
3 the designee of the City Manager.  
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5 **Section 3.** REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby  
6 repealed.  
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8 **Section 4.** SEVERABILITY. If any section, sentence, clause, or portion of this ordinance is for  
9 any reason held to be invalid, such decision shall not affect the validity of the remaining provisions  
10 of the ordinance.  
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12 PASSED AND APPROVED by the Mayor and the Council of the City of Midwest City,  
13 Oklahoma, this 25 day of July, 2023.  
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**THE CITY OF MIDWEST CITY, OKLAHOMA**

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20 MATTHEW D. DUKES, II, Mayor

21 ATTEST:

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25 SARA HANCOCK, City Clerk

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28 Approved as to form and legality this 26th day of July, 2023.

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32 DONALD D. MAISCH, City Attorney