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ORDINANCE NO. 3560

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

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

ORDINANCE

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

**ARTICLE I. – IN GENERAL**

**Sec.9-1. - 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.

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

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.

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.

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.

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

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.

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

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

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

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

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

31 *Work consisting minor alterations or ordinary repairs* shall not include additions to, alterations  
32 of, 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.

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

37 (a) The owner must also occupy the structure.

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,  
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-

1 8 of the Midwest City Code. Each day this section is violated shall constitute a separate  
2 offense.

3 **Sec.9-3. - Dilapidated Buildings**

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

- 6 (a) At least ten (10) days' notice that a building is to be torn down or removed shall be given to  
7 the owner of the property before the City Council takes action or holds a hearing. A copy of  
8 the notice shall be posted on the property to be affected. In addition, a copy of the notice  
9 shall be sent by mail to the property owner at the address shown by the current year's tax  
10 rolls in the office of the County Treasurer. Written notice shall also be mailed to the  
11 mortgage holder as shown by the records in the office of the County Clerk to the last-known  
12 address of the mortgagee. At the time of mailing of notice to any property owner or  
13 mortgage holder, the municipality shall obtain a receipt of mailing from the postal service,  
14 which receipt shall indicate the date of mailing and the name and address of the mailer.  
15 However, if neither the property owner nor mortgage holder can be located, notice may be  
16 given by publication in a newspaper of general circulation in the City of Midwest City. If  
17 notice is given by publication, such notice shall be published once not less than ten (10)  
18 days prior to any hearing or action pursuant to the provisions of this section.
- 19 (b) A hearing shall be held by the City Council to determine if the property is dilapidated and  
20 has become detrimental to the health, safety, or welfare of the general public and the  
21 community, or if said property creates a fire hazard which is dangerous to other property.
- 22 (c) Pursuant to a finding that the condition of the property constitutes a detriment or a hazard  
23 and that the property would be benefitted by the removal of such conditions, the City  
24 Council may cause and order the dilapidated building to be torn down and removed. The  
25 City Council shall fix reasonable dates for the commencement and completion of the work.  
26 The Chief Building Official, the Chief Building Official's designees, or code enforcement,  
27 as assigned by the City Manager are granted the right of entry on the property for the  
28 performance of the necessary duties as a governmental function of the City of Midwest City  
29 if the work is not performed by the property owner within the dates fixed by the governing  
30 body. If the city performs the work or causes the work to be done, then the City Clerk shall  
31 immediately, upon completion of the work, file a notice of lien with the County Clerk  
32 describing the property, the findings of the City Council at the hearing, and stating that the  
33 City of Midwest City claims a lien on said property for the destruction and removal costs.  
34 Any action to challenge the order of the City Council shall be filed within thirty (30)  
35 business days from the date of the order.
- 36 (d) The City Council shall determine the actual cost of the dismantling and removal of the  
37 dilapidated buildings and any other expenses that may be necessary in conjunction with the  
38 dismantling and removal of the buildings, including the cost of notice and mailing. The City  
39 Clerk shall forward a statement of the actual cost attributable to the dismantling and removal  
40 of the buildings and a demand for payment of such costs, by mail to the property owner. In  
41 addition, a copy of the statement shall be mailed to any mortgage holder at the address  
42 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

1 as provided for in this paragraph, the City of Midwest City may pursue any civil remedy for  
2 collection of the amount owing and interest thereon. Upon receiving payment, the City  
3 Clerk shall forward to the County Treasurer a notice of such payment and shall direct  
4 discharge of the lien.

5 (f) The City Manager may designate the Chief Building Official or code enforcement to carry  
6 out the duties of the City Council specified in this section. The property owner shall have  
7 the right to appeal to the City Council from any order of the Chief Building Official or code  
8 enforcement. Such appeal shall be taken by filing a written notice of appeal with the City  
9 Clerk within ten (10) days after the administrative order of the Chief Building Official or his  
10 designees is rendered. If said appeal is not taken within ten (10) days as provided, the order  
11 shall be final and the costs of the action shall be determined as provided.

12 (g) For the purposes of this section:

13 (1) "Dilapidated building" means:

14 (A) A structure which through neglect or injury lacks necessary repairs or otherwise is  
15 in a state of decay or partial ruin to such an extent that the structure is a hazard to  
16 the health, safety, or welfare of the general public;

17 (B) A structure which is unfit for human occupancy due to the lack of necessary  
18 repairs and is considered uninhabitable or is a hazard to the health, safety, and  
19 welfare of the general public;

20 (C) A structure which is determined by the municipal governing body or  
21 administrative officer of the municipal governing body to be an unsecured  
22 building, as defined by paragraph (g)(1) (A or B) of this section, more than three  
23 (3) times within any twelve-month period;

24 (D) A structure which has been boarded and secured, as defined by paragraph (g)(1)  
25 (A or B) of this section, for more than six (6) consecutive months; or

26 (E) A structure declared by the municipal governing body to constitute a public  
27 nuisance; and

28 (2) Owner means the owner of record as shown by the most current tax rolls of the  
29 County Treasurer.

30 (h) Nothing in the provisions of this section shall prevent the City of Midwest City from abating  
31 a dilapidated building as a nuisance or otherwise exercising its police power to protect the  
32 health, safety, or welfare of the general public.

33 (i) After a building has been declared dilapidated, as provided in this section, and before the  
34 commencement of the tearing and removal of a dilapidated building, the City Council of the  
35 City of Midwest City may authorize that such a building be boarded and secured.

36 (j) The City Council may cause the premises on which an unsecured building is located to be  
37 cleaned of trash and weeds in accordance with the provisions of article II, chapter 27.

38 (k) The City Council may cause an unsecured building to be boarded and secured in accordance  
39 with the dilapidated building procedures contained in this section.

40 For the purposes of this subsection:

41 (1) *Board and securing* or *boarded and secured* means the closing, boarding or locking  
42 of any or all exterior openings so as to prevent entry into the structure; and

43 (2) *Unsecured building* shall mean any structure which is not occupied by a legal or  
44 equitable owner thereof, or by a lessee of a legal or equitable owner, and into which  
45 there are one (1) or more unsecured openings such as broken windows, unlocked  
46 windows, broken doors, unlocked doors, holes in exterior walls, holes in the roof,  
47 broken basement or cellar hatchways, unlocked basement or cellar hatchways or other  
48 similar unsecured openings which would facilitate an unauthorized entry into the  
49 structure.

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

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

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

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

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

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

18 (c) Stop work orders. Whenever work is being done contrary to the provisions of this Chapter,  
19 the Chief Building Official may order the work stopped by notice in writing served on  
20 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.

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

25 (e) The Chief Building Official shall have the authority to disconnect electric power or energy  
26 service supplied to a structure or building service equipment therein regulated by this  
27 chapter in case of emergency where necessary to eliminate an immediate hazard to life or  
28 property. The Chief Building Official shall, whenever possible, notify the serving utility and  
29 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.

30 (f) Whenever the Chief Building Official ascertains that any system or equipment regulated in  
31 this Chapter is defective, the Chief Building Official shall order in writing that such system  
32 or equipment either be removed or restored to compliance with this code. The written notice  
33 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.

34 Whenever the Chief Building Official ascertains that any system or equipment regulated by  
35 this chapter has become hazardous to life, health or property, the Chief Building Official  
36 shall order in writing that such system or equipment be immediately disconnected and,  
37 within twenty-four (24) hours, either removed or restored to compliance with this code. The  
38 Chief Building Official shall give written notice to the serving utility, the owner and any  
39 occupants of the structure of the hazardous system or equipment, and that the equipment  
40 must be immediately disconnected and the repairs made within twenty-four (24) hours or  
41 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.

42 (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

1 the Chief Building Official until the Chief Building Official authorizes the reconnection and  
2 use of the electrical system or equipment.

3 **Sec.9-5. - Incorporated by Reference.**

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

- 7 (a) 2018 International Building Code, first published by the International Code Council, Inc. as  
8 published on August 31, 2017.
- 9 (b) 2018 International Residential Code, first published by the International Code Council, Inc.  
10 as published on August 31, 2017.
- 11 (c) 2018 International Existing Building Code, first published by the International Code  
12 Council, Inc. as published on August 31, 2017.
- 13 (d) 2018 International Fuel Gas Code, as modified by the Oklahoma Uniform Building Code  
14 Commission (OUBCC).
- 15 (e) 2018 International Mechanical Code, as modified by the OUBCC.
- 16 (f) 2018 International Plumbing Code, as modified by the OUBCC.
- 17 (g) 2018 International Energy Conservation Code, first published by the International Code  
18 Council Inc. as published on August 31, 2017.
- 19 (h) 2020 National Electrical Code, as modified by the OUBCC.

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

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

23 *102.4.1 Conflicts.* In the event two (2) or more codes conflict, the more restrictive code will  
24 apply.

25 *104.1 Administrative and enforcement procedures.* The regulations relating to building permits  
26 or certificates of occupancy shall be enforced by the Chief Building Official appointed by the  
27 City Manager. It shall be a violation of this Chapter for any person to change or permit the  
28 change in the use of land or buildings or structures or to erect, move, or improve any building or  
29 structure until a building permit or certificate of occupancy has been obtained under the  
30 conditions contained herein as set forth in this chapter.

31 *104.2 Application for permit; when required.* It shall be unlawful to construct, enlarge, alter or  
32 demolish a structure; or change the occupancy of a building or structure requiring greater  
33 strength, exit or sanitary provisions; or to change to another use without first filing an application  
34 with the Chief Building Official in writing and obtaining the required permit therefor. However  
35 ordinary repairs, as defined in Sec.9-2. - , and which do not involve any violation of this Code,  
36 shall be exempt from this provision. The Chief Building Official may require every applicant for  
37 a building permit to furnish the following information:

- 38 (a) A site plan, drawn to scale, showing the exact size and location on the lot of all existing  
39 buildings and structures, and the exact size and location on the lot of the structure or  
40 building proposed to be repaired, altered, erected or moved, and the size.
- 41 (b) Additional information relating to the proposed improvement needed to determine  
42 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.

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

3 *105.2 Repairs and maintenance.* Application or notice to the Chief Building Official is not  
4 required for ordinary repairs to structures, but such repairs shall not include the cutting away of  
5 any wall, partition or portion thereof; the removal or cutting of any structural beam or bearing  
6 support; the removal or change of any required means of egress; or the rearrangement of parts of  
7 a structure affecting the exit requirements; nor shall ordinary repairs include addition to,  
8 alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain  
9 leader, gas, soil, waste, vent or similar piping; electric wiring; or mechanical or other work  
10 affecting public health or general safety.

11 *105.10 Demolition permit requirements.* A permit is required for the demolition of any building  
12 in excess of one hundred twenty (120) square feet. For residential demolition and all non-  
13 commercial buildings, the project shall commence within ten (10) days of issuance of permit and  
14 shall be completed and cleaned up within the next twenty (20) calendar days. For all other  
15 structures/buildings, the project shall commence within ten (10) days of issuance of a permit and  
16 shall be completed and cleaned up within the next forty-five (45) calendar days. Extensions may  
17 be granted by the Chief Building Official upon written request. Fee in Table located in Sec.9-47.

18 *107.3.1 Approved plans.*

19 (a) In addition, lot inspections required with the issuance of building permit. As one of the  
20 requirements for the issuance of a building permit, an applicant applying for said building  
21 permit on new structures shall be required to have an on-site meeting with a designated  
22 representative of the City. The applicant and designated city representative will discuss the  
23 drainage plan for the subject lot and what improvements will be needed to meet the  
24 requirements of the drainage plan, such as the installation of a retaining wall or any needed  
25 drainage improvements. Fee in Table located in Sec.9-47

26 *108.2 Schedule of permit fees.* On buildings, structures, electrical, gas, mechanical and plumbing  
27 systems or alterations requiring a permit, a fee for each permit as contained in Table located in  
28 Sec.9-47 shall be paid as required, in accordance with the schedule as established by the  
29 applicable governing authority.

30 (a) Plan review fees: At the time an application for permit (commercial in Table located in Sec.  
31 9-47) is submitted to the Chief Building Official it shall be paid and shall not be refundable.  
32 This fee shall be known as a plan review fee. The plan review fee shall be subtracted from  
33 the fee prescribed in this section when the permit is issued by the Chief Building Official.

34 (b) For a permit for construction, alteration, remodel, or installation of a building or structure,  
35 shall pay the fee. The fee shall include the following:

36 (1). Capital improvement fee:

37 (2). Sidewalk fee:

38 (3). Conversion from residential to commercial uses requires Capital improvement and  
39 Sidewalk fee:

40 (4). Commercial Remodel requires Capital Improvement and Sidewalk fee:

41 (5). New warehouse and agricultural requires Capital Improvement and Sidewalk fee:

42 (6). Non-residential additions: The fee for a non-residential addition shall be the same fee as  
would be charged for new construction.

(c) Accessory buildings, carports, patio cover, retaining walls and fences:

(1). The fee for accessory buildings of two hundred fifty (250) square feet or less in area.

(2). Accessory building greater than two hundred fifty (250) square feet in area but less than  
ten thousand (10,000) square feet in area.

(3). The fee for accessory buildings more than ten thousand (10,000) square feet in area.

(d) Miscellaneous inspections (no permit).

(e) Reinspection fee.

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

1 *109.4 Work commencing before permit issuance:* Any person who commences any work on a  
2 building, structure, electrical, gas, mechanical or plumbing system before obtaining the  
3 necessary permits shall be charged three times the normal rate as identified in the Table located  
4 in Sec.9-47. If work was done in an emergency situation and permit has been applied for on the  
5 first business day following fee may be waived by the City Manager.

6 *110.0 Certificate of occupancy (CO).*

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

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

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

14 (b). Whenever a building permit is issued for the erection of a new building or structure, an  
15 occupancy permit shall be required prior to being occupied. Any business operating without  
16 a valid certificate of occupancy shall be in violation of this section. Penalties include  
17 citations of seven hundred fifty dollars (\$750) plus court cost, each day is a separate  
18 violation. If life safety issues are present as defined by the electrical and fire codes, the  
19 disconnecting of utilities to include water, electric and gas may also be used for  
20 enforcement.

21 (1). The fee for all commercial or industrial certificates of occupancy for a new building or  
22 for a change in occupancy is set in Table located in Sec.9-47.

23 (c). A temporary CO will only be issued for a one time (30) thirty day period at the discretion of  
24 The Chief Building Official and only if all life, safety requirements have been met. All  
25 requirements of the final building inspection will be satisfied on or before the expiration  
26 date of this Temporary Certificate of Occupancy. Failing to obtain a permanent certificate of  
27 occupancy on or before the expiration date may result in citations and the disconnecting of  
28 utilities to included water, electric and gas.

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

31 *113.1 Appeal process.* An appeal may be taken to the Builder's Advisory Board from any ruling,  
32 interpretation, requirement, or decision made by the building inspector, by filing with the Chief  
33 Building Official within ten (10) business days from the building inspector's ruling,  
34 interpretation, requirement, or decision a statement in writing of the issues to be considered on  
35 appeal. The Chief Building Official shall review, within three (3) business days of receipt of  
36 appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will  
37 proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of  
38 the building inspector, no further appeal is necessary. The Builder's Advisory Board shall  
39 conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In  
40 such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief  
41 Building Official's decision. The appellant may make a final appeal, in writing, within five (5)  
42 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.

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

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

38 *102.4.1 Conflicts.* In the event two (2) or more codes conflict, the more restrictive code will  
39 apply.

40 *104.1 Administrative and enforcement procedures.* The regulations relating to building permits  
41 or certificates of occupancy shall be enforced by the Chief Building Official appointed by the  
42 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.



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

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

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

24 *105.10 Demolition permit requirements.* A permit is required for the demolition of any building  
25 in excess of one hundred twenty (120) square feet. For residential demolition and all non-  
26 commercial buildings, the project shall commence within ten (10) days of issuance of permit and  
27 shall be completed and cleaned up within the next twenty (20) calendar days. Fee in Table  
28 located in Sec.9-47.

29 *107.3.1 Approved plans.*

- 30 (a) In addition, lot inspections required with the issuance of building permit. As one of the  
31 requirements for the issuance of a building permit, an applicant applying for said building  
32 permit on new structures shall be required to have an on-site meeting with a designated  
33 representative of the City. The applicant and designated city representative will discuss the  
34 drainage plan for the subject lot and what improvements will be needed to meet the  
35 requirements of the drainage plan, such as the installation of a retaining wall or any needed  
36 drainage improvements. Fee in Table located in Sec.9-47.

37 *108.2 Schedule of permit fees.* On buildings, structures, electrical, gas, mechanical and plumbing  
38 systems or alterations requiring a permit, a fee for each permit shall be paid as required, in  
39 accordance with the schedule as established by the applicable governing authority.

- 40 (a) Plan review fees: At the time an application for permit for any new structures is submitted to  
41 the Chief Building Official, shall be paid and shall not be refundable. This fee shall be known  
42 as a plan review fee. The plan review fee shall be subtracted from the fee prescribed in this  
43 section when the permit is issued by the Chief Building Official. See Table located in Sec.9-  
44 47.
- 45 (b) For a permit for construction, alteration, remodel, or installation of a building or structure,  
46 the fee shall be at the rate located in Sec.9-47. They shall include the following:
- 47 (1) Capital improvement fee:
- 48 (2) Sidewalk fee:
- 49 (c) Accessory buildings, carports, patio cover, retaining walls and fences: See Table located in  
50 Sec.9-47 for fees for accessory building with dwelling capabilities regardless of size will be  
51 the same as Residential additions and include the capital improvement fee and sidewalk fee:  
52 Dwelling capabilities defined as having heat, plumbing and electrical.
- 53 (1) The fee for accessory buildings of two hundred fifty (250) square feet or less in area.  
54 See Table located in Sec.9-47.

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

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

5 (d) Miscellaneous inspections (no permit): See Table located in Sec.9-47.

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

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

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

14 *109.4 Work commencing before permit issuance:* Any person who commences any work on a  
15 building, structure, electrical, gas, mechanical or plumbing system before obtaining the  
16 necessary permits shall be charged three times the normal rate as identified in the Table located  
17 in Sec.9-47. If work was done in an emergency situation and permit has been applied for on the  
18 first business day following fee may be waived by the City Manager.

19 *110.0 Certificate of occupancy (CO).*

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

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

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

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

32 *113.1 Appeal process.* An appeal may be taken to the Builder's Advisory Board from any ruling,  
33 interpretation, requirement, or decision made by the building inspector, by filing with the Chief  
34 Building Official within ten (10) business days from the building inspector's ruling,  
35 interpretation, requirement, or decision a statement in writing of the issues to be considered on  
36 appeal. The Chief Building Official shall review, within three (3) business days of receipt of  
37 appeal. If the Chief Building Official upholds the building inspector's decision, the appeal will  
38 proceed to the Builder's Advisory Board. If the Chief Building Official overturns the decision of  
39 the building inspector, no further appeal is necessary. The Builder's Advisory Board shall  
40 conduct a hearing within ten (10) business days of the decision of the Chief Building Official. In  
41 such matter appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief  
42 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.

37 **Sec.9-8. - Reserved Code Amended – International Existing Building Code**

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

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

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

41 The plumbing code adopted in Sec.9-5. - (f) is amended and modified in the following respects  
42

- 1 (a). Sewer saddles and risers. All sewer saddles to be installed on the mains are considered  
2 private infrastructure and shall comply with the requirements outlined in chapter 43 of the  
3 City Code of Midwest City.
- 4 (b). Public systems available. A public water main or public sewer system shall be considered  
5 available to a building as outlined in chapter 43 of the City Code of Midwest City.
- 6 (c). Backwater valves. A backwater valve shall be installed on all new and replacement sewer  
7 lines that are connected to the Midwest City Sanitary Sewer System, including any sewer  
8 line outside the city limits of Midwest City that is connected to the Midwest City Sanitary  
9 Sewer System.
- 10 (d). Location of backwater valves. Backwater valves shall be installed on the building drain  
11 between the building and the cleanout. The cleanout shall be installed within five (5) feet of  
12 the building. The backwater valve shall be installed so that access is provided to the working  
13 parts for service and repair. Two (2) cleanouts shall be required, one (1) of which shall be  
14 directed toward the mainline and the other cleanout shall be directed toward the structure.  
15 The owner of the structure is responsible for maintaining the backwater valve and cleanouts.

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

17 **Sec.9-13. - Reserved**

18 **Sec.9-14. - Reserved**

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

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

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

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

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

27 230.70(A)(1) Readily accessible location [Amended]. The service disconnecting means shall  
28 be installed on the outside of a building or structure nearest the point of entrance of the  
29 service conductors. The distance from the point of entrance of a building or structure to the  
30 service disconnecting equipment enclosure shall not exceed 24 inches measured horizontally  
31 or 60 inches measured vertically.

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

33 All electric conductors installed within the city shall be copper conductors except that in the  
34 following two circumstances: 1) aluminum and aluminum-clad aluminum conductors may  
35 be used for direct burial or exposed free air installation not located inside structures. Such  
36 aluminum and aluminum-clad aluminum conductors shall be terminated outside of the  
37 outside walls of a structure. 2) Type AA-8000 Series aluminum conductors may be installed  
38 with all following conditions being met: commercial (nonresidential) applications only with  
39 services two hundred (200) amp and larger; and strictly installed to the manufacturer's  
40 specifications.  
41  
42

1     **Sec.9-16. - Reserved**

2     **Sec.9-17. - Reserved.**

3     **Sec.9-18. - Reserved.**

4     **Sec.9-19. - Reserved.**

5     **Sec.9-20. - Reserved.**

6     **Sec.9-21. - Reserved.**

7     **Sec.9-22. - Reserved.**

8     **Sec.9-23. - Reserved.**

9     **Sec.9-24. - Violations**

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

13    **Sec.9-25. - Penalties.**

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

23    **Sec.9-26. - Unlawful Continuance.**

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

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

28    (a) Any system or equipment that is governed by this Chapter that constitute a fire hazard or are  
29    otherwise dangerous to human life are, for the purpose of this section, unsafe. Use of those  
30    systems or equipment regulated by this Code constituting a hazard to safety, health or public  
31    welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard,  
32    disaster, damage or abandonment is, for the purpose of this section, an unsafe use.

33    (b) Unsafe systems or equipment governed by this Chapter are hereby declared to be public  
34    nuisances and shall be abated by repair, rehabilitation, demolition or removal in accordance  
35    with the procedures set forth in the International Building Code referenced in Sec.9-5. - ,  
36    incorporated by reference for the abatement of dangerous structures or otherwise as allowed  
37    by law. The city may institute other appropriate action to prevent, restrain, correct or abate  
38    the violation.

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

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

45    **Sec.9-29. - Declaration of Uninhabitable Property**

46    (a) When any building or premises has been inspected by the City and is found to be unsafe,  
47    defective, or insanitary to such an extent that it constitutes a menace to public health, a

1 notice to that effect shall be served upon the owner or his agent specifying the required  
2 alterations or improvements to be made. If such repairs, alterations or improvements as  
3 specified in the notice are not commenced in good faith within five (5) calendar days from  
4 the date of the service of such notice and completed within a reasonable time, the Chief  
5 Building Official or Fire Marshal may declare the property as being uninhabitable and unfit  
6 for human habitation and its occupancy thereafter is prohibited.

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

9 "This building has been declared uninhabitable and unfit for human habitation and it is  
10 unlawful for any person to reside in or occupy the same."

- 11 (c) Any appeal of suspension or revocation shall follow the proper process as set forth in this  
12 Chapter.

13 **Sec.9-30. - License Revocation or Suspension**

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

19 **Sec.9-31. - Reserved.**

20 **Sec.9-32. - Reserved.**

21 **Sec.9-33. - Reserved.**

22 **Sec.9-34. - Reserved.**

23 **Sec.9-35. - Reserved.**

24 **Sec.9-36. - Reserved.**

25 **Sec.9-37. - Reserved.**

26 **Sec.9-38. - Reserved.**

27 **Sec.9-39. - Reserved.**

28 **Sec.9-40. - Reserved.**

29 **Sec.9-41. - Reserved.**

30 **Sec.9-42. - Reserved.**

31 **Sec.9-43. - Reserved.**

32 **Sec.9-44. - Reserved.**

33 **Sec.9-45. - Reserved.**

34 **Sec.9-46. - Consumer Price Index**

- 35 (a) On May 1<sup>st</sup> of each year, the fees specified in the Table located in Sec.9-47. shall be  
36 adjusted by the average change in the Consumer Price Index, U.S. City Average for all  
37 Urban Consumers, All Items. (Published by the United States Bureau of Labor Statistics,  
38 Consumer Price Index) (the "CPI") during the twelve (12) most recently published  
39 months. In the event U.S. Department of Labor, Bureau of Labor Statistics ceases to  
40 publish this particular CPI, an equally authoritative measure of change in purchasing  
41  
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power of the U.S. dollar may be substituted as approved by the City Manager. Upon the calculation of the CPI, the calculated amount may be rounded to the nearest dollar.

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

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

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.

	<b>Permit / License</b>	<b>Code</b>	<b>Cost</b>	<b>Unit</b>	<b>*CPI indexed</b>	<b>Notes</b>
<b>All / General</b>	Lot Inspection	Sec.9-6. - Sec. 9-7	\$50.00		No	
	Reinspection fee	(c)Sec.9-87. - (c); Sec.9-156. - (i)(1); Sec.9-157. - (c); Sec.9-226. - Sec. 9-1. - (p)(1); Sec. 9-1. - (c); Sec.9-293. - (c); Sec. 9-1. - (l)(1); Sec.9-343. - (c)	\$50.00	Each	No	first reinspection
	Additional Reinspection fee	Sec.9-87. - (c); Sec.9-156. - (i)(1); Sec.9-157. - (c); Sec.9-226. - Sec. 9-1. - (p)(1); Sec. 9-1. - (c); Sec.9-293. - (c); Sec. 9-1. - (l)(1); Sec.9-343. - (c)	\$100.00	Each	No	for each reinspection after an initial reinspection
	Inspections outside normal business hours	Sec.9-156. - (i)(1); Sec.9-226. -	\$200.00	First hour	No	After hours Inspections

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		Sec. 9-1. - (p)(1); Sec. 9-1. - (l)(1)				
	Inspections outside normal business hours	Sec.9-156. - (i)(1); Sec.9-226. - Sec. 9-1. - (p)(1); Sec. 9-1. - (l)(1)	\$75.00	Each additional hour	No	After hours Inspections
<b>Building</b>	Miscellaneous inspections	Sec.9-6. - Sec.9-7. -	\$50.00	Flat Fee	No	
	Plan review fee	Sec.9-6. - Sec.9-7. -	25% of the estimated permit fee		No	Minimum fee \$50.00
	Capital Improvement Fee – Remodel	Sec.9-6. - Sec.9-7. -	\$13.00	Per \$10,000.00 Estimated cost of remodel.	Yes	To be included with Commercial Remodel, Residential Remodel, and Conversions from Residential to Commercial
	Sidewalk Fee – Remodel	Sec.9-6. - Sec.9-7. -	\$1.00	Per \$10,000.00 Estimated cost of remodel.	Yes	To be included with Commercial Remodel, Residential Remodel, and Conversions from Residential to Commercial
	Commercial Capital Improvement Fee – New	Sec.9-6. - Sec.9-7. -	\$0.13	Per sq ft	Yes	To be included with New Commercial, Commercial Additions, and certain Accessory Buildings
	Commercial Sidewalk Fee – New	Sec.9-6. - Sec.9-7. -	\$0.06	Per sq ft	Yes	To be included with New Commercial, Commercial Additions, and certain Accessory Buildings
	Residential Capital Improvement Fee - New	Sec.9-7. - (b)	\$0.13	Per sq ft	Yes	To be included with New Residential, Residential Additions, and certain Accessory Buildings
	Residential Sidewalk Fee - New	Sec.9-7. - (b)	\$0.02	Per sq ft	Yes	To be included with New Residential, Residential Additions, and certain Accessory Buildings

1	Certificate of Occupancy	Sec.9-6. - Sec.9-7. -	\$150.00		No	
2						
3	Commercial: New	Sec.9-6. - (b)	\$0.04 for first 10,000 sq ft then \$0.02 after	Per square foot (sq ft)	Yes	PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New
4						
5	Commercial: Warehouse and Agricultural	Sec.9-6. - (b)	\$0.03 for first 10,000 sq ft then \$0.01 after	Per sq ft	Yes	PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New
6						
7	Non-Residential Additions	Sec.9-6. - (b)	\$0.04 for first 10,000 sq ft then \$0.02 after		Yes	Minimum fee \$50.00 PLUS: Commercial Capital Improvement Fee - New and Commercial Sidewalk Fee - New
8						
9	Commercial Remodeling Conversion from Residential to Commercial	Sec.9-6. - (b)	\$4.00	Per \$1,000.00 Estimated cost of remodel.	Yes	Minimum fee \$50.00 PLUS: Capital Improvement Fee - Remodel and Sidewalk Fee - Remodel
10						
11	Residential: New, Additions	Sec.9-7. - (b)	\$0.05	Per sq ft	Yes	Minimum fee \$50.00 PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New
12						
13	Residential: Alteration, Remodel.	Sec.9-7. - (b)	\$3.00	Per \$1,000.00 Estimated cost of remodel.	Yes	Minimum fee \$50.00 PLUS: Capital Improvement Fee - Remodel and Sidewalk Fee - Remodel
14						
15	Accessory building (sq ft ≤250)	Sec.9-6. - Sec.9-7. -	\$50.00	Flat fee	No	
16						
17	Accessory building (250< sq ft ≤10,000)	Sec.9-6. - Sec.9-7. -	\$0.05	Per sq ft	Yes	Minimum fee \$50.00 PLUS: Residential Capital Improvement Fee - New and Residential Sidewalk Fee - New
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1						PLUS:
2						Residential
3	Accessory	Sec.9-6. -	\$0.02	Per sq ft	Yes	Capital
4	building	Sec.9-7. -				Improvement Fee
5	(<10,000 sq ft)					- New and
6						Residential
7	Carports, patio	Sec.9-6. -	\$50.00	Flat fee	No	Sidewalk Fee -
8	covers etc.	Sec.9-7. -				New
9	Demolition	Sec.9-6. -	\$100	Per	No	
10	Permit	Sec.9-7. -		Structure		
11	Retaining Walls	Sec.9-6. -	\$50.00	Flat fee	No	
12	Fences	Sec.9-7. -				
13	Commercial	Sec.9-99.	\$100.00	Per	No	
14	Usage Change	-		inspection		
15	of Ownership					
16	Compliance					
17	Roofing	Sec 9-94	\$150.00	Each	No	New License
18	Registration fee	(c)(1)				
19	Roofing	Sec.9-	\$75.00	Each	No	Renewal License
20	Registration fee	103. -				
21	Roofing Permit	Sec.9-	\$50.00	Each	Yes	
22	Fee	103. -				
23	Electrical	Sec.9-	\$300.00	First year or	No	
24	Contractor	136. -		late		
25	Electrical	Sec.9-	\$100.00	renewals	No	
26	Contractor	136. -		License		
27	Electrical	Sec.9-	\$0.04	Per sq ft	Yes	Minimum Fee
28	Permit Issuance	156. -				\$50.00
29	Fee					
30	Swimming pool	Sec.9-	\$50.00		Yes	
31		156. - (a)				
32	Event Permit:	Sec.9-	\$100.00	Each	Yes	For each
33		156(b)				generator,
34						electrically or
35						mechanically
36						driven ride and
37						walk through
38						attraction
39	Event Permit	Sec.9-	\$4.50	Per area	Yes	For each display
40		156(b)				having electric
41						lighting
42	Temporary	Sec.9-	\$50.00	Each	Yes	
	power pole	156(c)				
	etc...					
	Residential	Sec.9-	\$5.00	Each	Yes	Each special
	Appliance	156(d)				circuit 220 volt or
	Power	Sec.9-	\$100.00	Each	Yes	50 amp and above
	Apparatus	156(e)				
	Busways	Sec.9-	\$100.00	First 200 ft	Yes	
		156(f)				
	Busways	Sec.9-	\$4.50	Per 100 ft	Yes	For each
		156(f)				additional or
						fraction thereof
	Electrical for	Sec.9-	\$35.00	Each	Yes	
	Signs	156(g)				

1		Services	Sec.9-156(h)	\$75.00	<400 amps	Yes	
2		Services	Sec.9-156(h)	\$100.00	400 – 1000 amps	Yes	
3		Services	Sec.9-156(h)	\$200.00	>1000 amps	Yes	
4		Elevators	Sec.9-156(h)	\$75.00	Each	Yes	
5		Solar Energy	Sec.9-164. -	\$100.00	Each	Yes	
6	<b>Mechanical</b>	Unlimited Mechanical Contractor	Sec.9-206. -	\$170.00	New License	No	
7		Unlimited Mechanical Contractor	Sec.9-206. -	\$75.00	Renewal License	No	
8		Limited Mechanical Contractor	Sec.9-206. -	\$150.00	New License	No	
9		Limited Mechanical Contractor	Sec.9-206. -	\$65.00	Renewal License	No	
10		Mechanical Permit Issuance Fee	Sec.9-226. -	\$0.04	Per sq ft	Yes	Minimum Fee \$50.00
11		Installation or relocation furnace or boiler	Sec. 9-1. - (a)	\$35.00	<160,000 BTU/H	Yes	
12		Installation or relocation furnace or boiler	Sec. 9-1. - (b)	\$40.00	>160,000	Yes	
13		Package Units	Sec. 9-1. - (c)	\$25.00		Yes	0-4 tons
14		Package Units	Sec. 9-1. - (c)	\$50.00		Yes	5-25 tons
15		Package Units	Sec. 9-1. - (c)	\$75.00		Yes	26-60 tons
16		Package Units	Sec. 9-1. - (c)	\$150.00		Yes	>61 tons
17		Installation or relocation Heater	Sec. 9-1. - (d)	\$35.00		Yes	
18		Unit Replacement	Sec. 9-1. - (e)	\$35.00		Yes	
19		Air Handling unit	Sec. 9-1. - (f)	\$75.00	Each	Yes	<2000 Cubic feet per minute
20		Air Handling unit	Sec. 9-1. - (g)	\$50.00	Each	Yes	>2000 CFM
21		Evaporative Cooler	Sec. 9-1. - (h)	\$35.00	Each	Yes	
22		Ventilation Fan	Sec. 9-1. - (i)	\$35.00	Each	Yes	
23		Ventilation System	Sec. 9-1. - (j)	\$35.00	Each	Yes	
24		Commercial Hood Vent	Sec. 9-1. - (k)	\$75.00	Each	Yes	
25		Domestic Incinerator	Sec. 9-1. - (l)	\$50.00	Each	Yes	

1		Commercial Incinerator	Sec. 9-1. - (m)	\$75.00	Each	Yes	Commercial Incinerator
2		Appliances	Sec. 9-1. - (n)	\$35.00	Each	Yes	Appliances
3		Duct Installation	Sec. 9-1. - (o)	\$0.04	Per sq ft	Yes	Minimum Fee \$35.00
4							
5	<b>Gas</b>	Fuel Gas Permit Issuance Fee	Sec.9-292. -	\$0.04	Per sq ft	Yes	Minimum Fee \$50.00
6		Gas Piping	Sec.9-292. - (a)	\$35.00	Each	Yes	Gas Piping
7		Gas Piping Outlets	Sec.9-292. - (b)	\$5.00	Each	Yes	Gas Piping Outlets
8							
9	<b>Plumbing</b>	Plumbing Contractor	Sec.9-322. -	\$300.00	New License	No	
10		Plumbing Contractor	Sec.9-322. -	\$50.00	Renewal License	No	
11		Plumbing Permit Issuance Fee	Sec.9-342. -	\$0.04	Per sq ft	Yes	Minimum Fee \$50.00
12		Building Sewer	Sec. 9-1. - (a)	\$35.00	Each	Yes	
13		Rainwater system	Sec. 9-1. - (b)	\$10.00	Per Drain Inside building	Yes	
14		On-Site Sewage Treatment System	Sec. 9-1. - (c)	\$100.00	Each	No	
15		Water Heaters and/or Vent	Sec. 9-1. - (d)	\$35.00	Each	Yes	
16		Commercial / Industrial Interceptor	Sec. 9-1. - (e)	\$100.00	Each	Yes	
17		Installation Water piping	Sec. 9-1. - (f)	\$35.00		Yes	
18		Lawn Sprinkler	Sec. 9-1. - (g)	\$35.00	Each	Yes	
19		Vacuum Breakers or Backflow Devices	Sec. 9-1. - (h)	\$10.00	<4	Yes	
20		Vacuum Breakers or Backflow Devices	Sec. 9-1. - (i)	\$5.00	>4	Yes	
21		Oil Separator	Sec. 9-1. - (j)	\$100.00		Yes	
22		Commercial Grease Interceptor	Sec. 9-1. - (k)	\$100.00		Yes	
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1     **Sec.9-48. - Reserved.**

2     **Sec.9-49. - Reserved.**

3     **Sec.9-50. - Reserved.**

4     **Sec.9-51. - Reserved.**

5     **Sec.9-52. - Reserved.**

6     **Sec.9-53. - Reserved.**

7     **Sec.9-54. - Reserved.**

8  
9  
10    **ARTICLE II – BUILDING**

11    **DIVISION 1. – IN GENERAL**

12  
13    **Sec.9-55. - Title.**

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

16    **Sec.9-56. - Reserved.**

17    **Sec.9-57. - Reserved.**

18    **Sec.9-58. - Reserved.**

19    **Sec.9-59. - Reserved.**

20    **Sec.9-60. - Reserved.**

21    **Sec.9-61. - Reserved.**

22    **Sec.9-62. - Reserved.**

23    **Sec.9-63. - Reserved.**

24    **Sec.9-64. - Reserved.**

25  
26  
27    **DIVISION 2. – STANDARDS & REQUIREMENTS**

28  
29    **Sec.9-65. - International Building Code Adopted.**

30    There is hereby adopted by the city for the purpose of establishing rules and regulations for the  
31    construction of buildings and structures, including permits and penalties, that certain building  
32    code known as the International Building Code, recommended by the International Code  
33    Council, Inc., being adopted and incorporating by reference in Sec.9-5. - , save and except such  
34    portions as are now or may be hereinafter deleted, modified or amended. Not less than one (1)  
35    copy is declared the office file copy by the City Clerk of this city and said copy is available at  
36    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.

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

38    There is hereby adopted by the city for the purpose of establishing rules and regulations for the  
39    construction of buildings and structures, including permits and penalties, that certain building  
40    code known as the International Residential Code, recommended by the International Code  
41    Council, Inc., being adopted and incorporating by reference in Sec.9-5. - , save and except such  
42    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.

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

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

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

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

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

15 See Table located in Sec.9-47.

16 **Sec.9-70. - Commercial Classification Access to Utilities**

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

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

21 (f). No building permit for a commercial classification shall be issued for:

22 (1) Construction of a new commercial building

23 (2) Relocation of a building

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

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

29 (g). No commercial classification building permit shall be issued for:

30 (1) Construction of a new commercial building

31 (2) Relocation of a building

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

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

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

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

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

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 therefore 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.

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

21    **Sec.9-81. - Multiple Permits.**

22    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.

1 **Sec.9-82. - Permit Exemptions.**

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

5 **Sec.9-83. - Permit Required.**

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

9 **Sec.9-84. - Permit Denial.**

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

13 **Sec.9-85. - Permit Cancellation.**

14 A contractor may request in writing that his permit be canceled. In the event that a contractor  
15 holding a valid permit issued by the city refuses to complete the work in a reasonable time or  
16 there is an undue delay in the completion of the project, the owner may request in writing that  
17 the Chief Building Official cancel the permit issued to the contractor. The second contractor  
18 permit holder shall take full responsibility for the building work done after cancellation of the  
19 first permit and for completion of the work in its entirety. No fees for permits will be refunded to  
20 the contractor in the event that the permit is canceled under the terms of this section.

21 **Sec.9-86. - Permits.**

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

23 **Sec.9-87. - Inspections; Approval.**

- 24 (a). When an original rough-in installation of a building system is completed on any premises,  
25 the permit-holding contractor shall notify the inspector that the work is ready for inspection.  
26 When an alteration to the building for which a permit is required under the terms of this  
27 article is completed on any premises, the permit-holding contractor shall notify the inspector  
28 that the work is ready for inspection.
- 29 (b). The inspector shall make an inspection of the alteration or installation at the first available  
30 time. If the installation or alteration to the building system has been done in accordance  
31 with the terms and provisions of this article and amendments thereto, the inspector shall post  
32 an inspection notice at or near the same, noting thereon the date and approval of the work,  
33 together with his signature.
- 34 (c). The fees required for the making of the required inspection by the City unless the inspector  
35 is required to make another or an additional inspection of the installation necessitating  
36 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent  
37 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

38 **Sec.9-88. - Appeals.**

39 An appeal may be taken to the Builder's Advisory Board from any ruling, interpretation,  
40 requirement or decision made by the building inspector, by filing with the Chief Building  
41 Official within ten (10) business days from the building inspector's ruling, interpretation,  
42 requirement or decision a statement in writing of the issues to be considered on appeal. The  
43 Chief Building Official shall review, within three (3) business days of receipt of appeal. If the  
44 Chief Building Official upholds the building inspector's decision, the appeal will proceed to the  
45 Builder's Advisory Board. If the Chief Building Official overturns the decision of the building  
46 inspector, no further appeal is necessary. The Builder's Advisory Board shall conduct a hearing  
47 within ten (10) business days of the decision of the Chief Building Official. In such matter  
48 appealed, the Builder's Advisory Board shall rule to uphold or overturn the Chief Building  
49 Official's decision. The appellant may make a final appeal, in writing, within five (5) business  
50 days of the Builder's Advisory decision, to the City Council. Written notice of the hearing by the

1 City Council shall be delivered to the appellant, which shall be held at the next regularly  
2 scheduled City Council meeting that permits proper notice to the appellant.

3 **Sec.9-89. - Reserved.**

4 **Sec.9-90. - Reserved.**

5 **Sec.9-91. - Reserved.**

6 **Sec.9-92. - Reserved.**

7 **Sec.9-93. - Reserved.**

8 **Sec.9-94. - Reserved.**

9 **Sec.9-95. - Reserved.**

10 **Sec.9-96. - Reserved.**

11 **Sec.9-97. - Reserved.**

12 **Sec.9-98. - Reserved.**

13 **Sec.9-99. - Commercial Classification Change of Ownership Compliance.**

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

17 (j). The fee for the commercial classification change of ownership compliance permit is  
18 established in Table located in Sec.9-47.

19 (k). The commercial classification change of ownership compliance permit shall provide  
20 provisions for certain departments to check that the commercial classification related to the  
21 city utility account is in compliance with current city ordinances.  
22

23 **Sec.9-100. - Retaining Walls.**

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

29 **Sec.9-101. - Garage Doors Required.**

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

35 **Sec.9-102. - Pre-engineered Buildings.**

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

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

**Sec.9-103. - Roofing License Code.**

(a) Roofing contractors.

(1) *License.* Any person or company wishing to engage in the practice of roofing residential  
and commercial buildings in the City of Midwest City must first register with the city and



1 comply with all regulations set forth in Title 158, Construction Industries Board, Chapter  
2 85, Roofing Contractor Registration Regulation.

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

8 (3) *Permits.* Permits are required for all existing buildings in Midwest City.

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

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

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

21 (c) Fees.

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

23 (A) New license

24 (B) Renewal fee

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

27 (2) Permit fees. A permit fee will be collected for all existing structures requiring new roofs  
28 or repairs. See Table located in Sec.9-47.

29 **Sec.9-104. - Reserved.**

30 **Sec.9-105. - Reserved.**

31 **Sec.9-106. - Reserved.**

32 **Sec.9-107. - Reserved.**

33 **Sec.9-108. - Reserved.**

34 **Sec.9-109. - Reserved.**

35 **Sec.9-110. - Reserved.**

36 **Sec.9-111. - Reserved.**

37 **Sec.9-112. - Reserved.**

38 **Sec.9-113. - Reserved.**

39 **Sec.9-114. - Reserved.**

40 **DIVISION 4. – BUILDER’S ADVISORY BOARD**

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

42 There is hereby created a Builder’s Advisory Board of the City.

1 **Sec.9-116. - Members.**

- 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) Each member shall serve a term of three (3) years;  
9 (c) The members of the Builder's Advisory Board shall hold office until their successors are  
10 appointed;  
11 (d) Members may be removed for cause by the Mayor with approval of the City Council.  
12 Absences from meetings by board members shall be governed by section 2-28 of this Code.  
13 Vacancies shall be filled for an unexpired term in the same manner as appointment.  
14 (e) The member of the Builder's Advisory Board shall serve without pay.

15 **Sec.9-117. - Meetings.**

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

17 **Sec.9-118. - Quorum.**

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

20 **Sec.9-119. - Officers and Reports.**

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

26 **Sec.9-120. - Duties.**

- 27 (a) The Builder's Advisory Board shall act in an advisory capacity to the Mayor and City  
28 Council as regards building codes, construction, development requirements and related  
29 matters of interest to the city.  
30 (b) The Chief Building Official or their designee may provide such assistance to the board as  
31 deemed necessary and appropriate.  
32 (c) The Builder's Advisory Board has the duty to review appeals as required in this Chapter.

33 **Sec.9-121. - Reserved.**

34 **Sec.9-122. - Reserved.**

35 **Sec.9-123. - Reserved.**

36 **Sec.9-124. - Reserved.**

37 **ARTICLE III – ELECTRICAL**

38 **DIVISION 1. – IN GENERAL**

39 **Sec.9-125. - Title.**

40 These regulations shall be known as the Electrical Code of the City of Midwest City, hereinafter  
41 referred to as "this code."  
42

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

21    **Sec.9-136. - Licensing Fees and Requirements.**

- 22    (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a  
23    contractor license to any person who has a valid electrical license for the same license  
24    period issued by the State of Oklahoma.
- 25    (b) There is hereby levied licensing fees for the electrical trade see Table located in Sec.9-47.
- 26    (c) It shall be unlawful for any person to engage in the trade or otherwise act as an electrical  
27    contractor, within the city without first having been qualified and licensed as such by the  
28    State of Oklahoma. It shall also be unlawful for any person to engage in the electrical trade  
29    or otherwise act as any type of electrical contractor within the city without first having been  
30    licensed by the city. The city shall issue a contractor license to any person, upon proper  
31    application, and payment of fees, who presents a valid license and proper identification at  
32    the time of application for the same license period issued by the State of Oklahoma.
- 33    (d) All city electrical trade licenses shall be for one (1) year but all such city licenses shall  
34    expire on the thirtieth day of June after they are issued, unless sooner revoked. Renewals  
35    shall be secured on or before the first day of July each year to be in effect from July 1  
36    through June 30 of the following year. Licenses not renewed by the fifteenth day of August  
37    shall be assessed the fee See Table located in Sec.9-47.
- 38    (e) A license may be applied for and secured at any time during the year, but in no event shall  
39    the fee for such license be less than for a full year.
- 40    (f) An electrical contractor license shall not be transferred, loaned or assigned.

41    **Sec.9-137. - Vehicles to be Marked.**

42    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.

1 **Sec.9-138. - Partnerships, Corporations, Firms.**

2 No corporation, partnership or business trust shall engage in the business as an unlimited  
3 electrical contractor within the city unless such entity shall have as an officer of the entity one  
4 who holds an unlimited electrical contractor's license and is active in the trade. The name and  
5 address of such licensed unlimited electrical contractor and the name and address of the entity  
6 shall be licensed with the City.

6 **Sec.9-139. - Supervision**

7 A journeyman shall at all times while working at his trade be in the employment of a contractor  
8 who is licensed with the City of Midwest City.

9 **Sec.9-140. - Employing Unqualified Workmen.**

- 10 (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any  
11 person to work at the trade unless the person employed is licensed and licensed under  
12 ordinances of the city, except such work as may be done by apprentices holding permits to  
13 work as such as provided by this article.
- 14 (b) No person other than a licensed contractor shall hire, engage or employ any person to do  
15 any mechanical work within the city, who is not a licensed, registered and bonded contractor  
16 under the terms of this article.

16 **Sec.9-141. - Licensing Generally.**

17 The Electrical License Act shall apply to all persons applying for a city license as an electrical  
18 contractor.

19 **Sec.9-142. - Reserved.**

20 **Sec.9-143. - Reserved.**

21 **Sec.9-144. - Reserved.**

22 **Sec.9-145. - Reserved.**

23 **Sec.9-146. - Reserved.**

24 **Sec.9-147. - Reserved.**

25 **Sec.9-148. - Reserved.**

26 **Sec.9-149. - Reserved.**

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

28 **Sec.9-150. - Permit Application.**

- 29 (a) Permits required by this article shall be issued only to City licensed electrical contractors.
- 30 (b) To obtain an electrical permit, an applicant shall first file an application therefore on a form  
31 furnished by the City for that purpose. Every application shall:
- 32 (1) Identify and describe the work to be covered by the permit for which the application is  
33 made; and
- 34 (2) Describe, by legal description, street address or similar description that will readily  
35 identify and definitely locate the proposed structure or work, the land on which the  
36 proposed work is to be done.

37 The City may issue a permit for the construction of part of an electrical system before the  
38 plans for the whole system have been submitted or approved, provided adequate information  
39 and detailed statements have been filed complying with all pertinent requirements of this  
40 code. The holders of such permits shall proceed at their own risk without assurance that the  
41 permit for the entire structure or building service will be granted.

- 42 (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.

1 Permits presuming to give authority to violate or cancel the provisions of this code or other  
2 ordinances of the city shall not be valid.

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

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

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

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

23 (f) There shall be a separate permit for each building, except in the case of an outbuilding or  
24 garage which is a part of the electrical system of a dwelling, apartment house or motel.

25 (g) One (1) set of approved plans one thousand (1,000) amps and above shall be retained by the  
26 Chief Building Official until final approval of the work covered therein. One (1) set of  
27 approved plans and specifications shall be returned to the applicant and shall be kept on the  
28 building or work site at all times during which the work authorized thereby is in progress.

29 **Sec.9-151. - Multiple Permits.**

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

34 **Sec.9-152. - Permit Exemptions.**

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

38 **Sec.9-153. - Permit Required to Whom Issued.**

39 No electrical system regulated by this code shall be installed, altered, repaired, replaced or  
40 remodeled unless a separate electrical permit for each structure has first been obtained from the  
41 city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed  
42 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

1 contractor. The second electrical contractor permit holder shall take full responsibility for  
2 electrical work done after cancellation of the first electrical permit and for completion of the  
3 work in its entirety. No fees for permits will be refunded to the electrical contractor in the event  
4 that the permit is canceled under the terms of this section.

5 **Sec.9-156. - Permits.**

6 There is a permit issuance fee for each electrical permit as in Table located in Sec.9-47.

7 The following fees do not include the permit issuance fee but shall be based on all wiring and  
8 electrical equipment in or on each structure or other electrical equipment on the same premises  
9 constructed at the same time.

10 (a). Swimming Pool Permit: For new private, residential, in-ground swimming pools for single-  
11 family and multi-family occupancies including a complete system of necessary branch circuit  
12 wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical  
13 equipment directly related to the operation of a swimming pool.

14 (b). Event Permit: Carnivals, circuses, or other traveling shows or exhibitions utilizing  
15 transportation-type rides, booths, displays and attractions.

16 (1). Permit based on each electric generator and electrically driven ride, OR;

17 (2). For each mechanically driven ride, walk through attraction, display having electric  
18 lighting, system of area, and booth lighting

19 (c). Temporary power service permit:

20 (1). For each temporary service power pole or pedestal including all pole or pedestal-mounted  
21 receptacle outlets and appurtenances, OR;

22 (2). For each temporary distribution system and temporary lighting and receptacle outlets for  
23 construction sites, Christmas tree sales lots, roadside stands, etc..

24 (3). For pole or platform-mounted lighting fixtures.

25 (4). For theatrical-type lighting fixtures or assemblies.

26 (d). Residential appliances:

27 (1). Each special circuit 220 volt, 50 amp and above.

28 (2). For other types of air conditioners and other motor-driven appliances having larger  
29 electrical ratings, the fees shall be the same as the fees for power apparatus below.

30 (e). Power apparatus permit: Including motors, generators, transformers, rectifiers, synchronous  
31 converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking  
32 equipment, solar energy and other apparatus:

33 (1). Permits for shall be for each equipment or appliances having one (1) motor, transformer,  
34 heater, etc.

35 (2). These fees include all switches, circuit breakers, conductors, thermostats, relays and other  
36 directly related control equipment.

37 (f). Busway Permit

38 (1). For trolley and plug-in-type busways, first 200 feet minimum fee then,

39 (2). Each additional one hundred (100) feet or fraction thereof (per one hundred (100) feet)

40 (g). Electrical for signs, outline lighting and marquees:

41 (1). For each sign, outline lighting system or marquee supplied from one branch circuit.

42 (h). Services:

(1). For each service of 600 volts or less and not over 400 amperes in rating \$75.00.

(2). For each service of 600 volts or less and over 400 amperes to 1000 amperes in rating.

(3). For each service over 600 volts or over 1000 amperes in rating.

(4). Elevators.

(i). Other inspections and fees:

- 1 (1).Initial Reinspection fee
- 2 (2).All additional reinspection
- 3 (3).Inspections outside of normal business hours - initial call out (first 2 hours).
- 4 (4).Inspections outside of normal business hours - per hour thereafter initial call out.

5 **Sec.9-157. - Inspections; Approval.**

- 6 (a). When an original rough-in installation of an electrical system is completed on any premises,  
7 the permit-holding contractor shall notify the inspector that the work is ready for inspection.  
8 When an electrical alteration for which a permit is required under the terms of this article is  
9 completed on any premises, the permit-holding contractor shall notify the inspector that the  
10 work is ready for inspection.
- 11 (b). The inspector shall make an inspection of the alteration or installation at the first available  
12 time. If the installation or alteration to the electrical system has been done in accordance  
13 with the terms and provisions of this article and amendments thereto, the inspector shall post  
14 an inspection notice at or near the same, noting thereon the date and approval of the work,  
15 together with his signature.
- 16 (c). The fees required for the making of the required inspection by the City unless the inspector  
17 is required to make another or an additional inspection of the installation necessitating  
18 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent  
19 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.
- 20 (d). Temporary electric service inspections shall be permitted for any and all new installation for  
21 the purpose of construction and safety to personnel and equipment, and to prevent water  
22 lines from freezing in cold weather. Outlets will be limited to two (2) 110V and one (1)  
23 220V, and all necessary central heating unit(s).

24 **Sec.9-158. - Connection Approval.**

- 25 (a). An electrical system or equipment regulated by this Code for which a permit is required  
26 shall not be connected to a source of energy or power until approved by the city.
- 27 (b). The electrical inspector may authorize the temporary connection of the electrical system or  
28 equipment to the source of energy or power for the purpose of testing the equipment.  
29 Occupancy of the dwelling is strictly prohibited until after a final electrical inspection has  
30 been completed. Violation of this provision shall be an offense and, upon conviction,  
31 punishment shall be a five hundred dollar (\$500.00) fine, not including court costs, and/or  
32 thirty (30) days in jail. Each day this provision is violated shall constitute a separate offense.
- 33 (c). It is unlawful for any electric, light or power company, or any supplier of electricity for  
34 light, heat or power to make any electrical connection to any structure or electric wiring or  
35 apparatus until a certificate stating that the electric wiring has been approved or written  
36 permit authorizing connection has been issued by the city. All persons, whether operating  
37 under a regular franchise granted by the city or not, shall upon written notice by the  
38 electrical inspector disconnect from any such circuit, including main service wires, branch  
39 feeder wires or distribution, as designated by the notice, and shall not reconnect to the  
40 installation except upon written notice from the electrical inspector.
- 41 (d). Any electrical service that has been inactive for twelve (12) months or has had the service  
42 disconnected for cause, shall be inspected by the electrical inspector before service will be  
re-established.

43 **Sec.9-159. - Appeals.**

44 An appeal may be taken to the Electrical Board from any ruling, interpretation, requirement or  
45 decision made by the electrical inspector, by filing with the Chief Building Official within ten  
46 (10) business days from the building inspector's ruling, interpretation, requirement or decision a  
47 statement in writing of the issues to be considered on appeal. The Chief Building Official shall  
48 review, within three (3) business days or receipt of appeal. If the Chief Building Official  
49 upholds the electrical inspector's decision, the appeal will proceed to the Electrical Board. If the  
50 Chief Building Official overturns the decision of the building inspector, no further appeal is

1 necessary. The Electrical Board shall conduct a hearing within ten (10) business days of the  
2 decision of the Chief Building Official. In such matter appealed, the Electrical Board shall rule  
3 to uphold or overturn the Chief Building Official's decision. The appellant may make a final  
4 appeal, in writing, within five (5) business days of the Electrical Board decision, to the City  
5 Council. Written notice of the hearing by the City Council shall be delivered to the appellant,  
6 which shall be held at the next regularly scheduled City Council meeting that permits proper  
7 notice to the appellant.

8 **Sec.9-160. - Reserved.**

9 **Sec.9-161. - Reserved.**

10 **Sec.9-162. - Reserved.**

11 **Sec.9-163. - Reserved.**

12 **Sec.9-164. - Solar Energy.**

- 13 (a). Anyone desiring to erect, install, enlarge, alter, repair, remove, convert, or replace a Solar  
14 Thermal or Photovoltaic Solar System, the installation which is regulated by the adopted  
15 building codes of The City of Midwest City, or to cause such work to be performed, shall  
16 first make application and submit all required documentation as deemed necessary to the  
17 Chief Building Official and obtain the required permits.
- 18 (b). A person shall not make connections from a utility, source of energy, fuel or power to any  
19 building or system that is regulated by this code until authorized by the Chief Building  
20 Official.
- 21 (c). See Table located in Sec.9-47.
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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.**

25     (a) The Electrical Board shall consist of five (5) members to be appointed by the Mayor and approved by the City Council. All members of the Electrical Board shall be journeyman electricians or electrical contractors licensed by the City, and shall be persons who are familiar with the requirements of the National Electrical Code and who know the methods of installing electric wiring. The members of the board shall be chosen from either:

- 26         (1) Residents of the city at large with reference to their fitness for such office; or
- 27         (2) Ownership, operation or involvement in the business of electrical work as a licensed journeyman electrician or a licensed electrical contractor for the past (5) years next preceding the date of appointment.

28     (b) Each member shall serve a term of three (3) years;

29     (c) The members of the Electrical Board shall hold office until their successors are appointed; The Mayor shall be an ex officio member of the board. Electrical Board stipulates staggered terms of three (3) years.

30     (d) Members may be removed for cause by the Mayor with approval of the City Council. Absences from meetings by board members shall be governed by section 2-28 of Midwest

1 City Code. Vacancies shall be filled for an unexpired term in the same manner as  
2 appointment.

3 (e) The member of the Electrical Board shall serve without pay.

4 **Sec.9-187. - Meetings.**

5 The Electrical Board shall meet at such times as meetings are called

6 **Sec.9-188. - Quorum.**

7 For all business purposes, a quorum is required and is defined as any three (3) voting board  
8 members.

9 **Sec.9-189. - Officers and Reports.**

10 The Electrical Board shall, immediately after its appointment, meet and organize by the election  
11 of one (1) of their number as Chairperson, one (1) as Vice-Chairperson and one (1) as Secretary.  
12 Election of such officers shall be held the first meeting of each calendar year. The board shall  
13 report fully and in writing to the Mayor and City Council immediately after each meeting, which  
14 report shall be filed and preserved.

15 **Sec.9-190. - Duties.**

16 (a) The electrical board shall act in an advisory capacity to the Mayor and City Council as  
17 regards to electrical construction and related matters of interest to the city.

18 (b) The Chief Building Official or their designee may provide such assistance to the board as  
19 deemed necessary and appropriate.

20 (c) The Electrical Board has the duty to review appeals as required in this Chapter.

21 **Sec.9-191. - Reserved.**

22 **Sec.9-192. - Reserved.**

23 **Sec.9-193. - Reserved.**

24 **Sec.9-194. - Reserved.**

25 **ARTICLE IV – MECHANICAL**

26 **DIVISION 1. – IN GENERAL**

27 **Sec.9-195. - Title.**

28 This code shall be known as the Mechanical Code of Midwest City, Oklahoma, hereinafter  
29 referred to as the mechanical code or "this code".  
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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**

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

23 **Sec.9-206. - Licensing Fees and Requirements.**

- 24 (a) Application; issuance. The City shall, upon proper application and payment of fees, issue a  
25 contractor license to any person who has a valid mechanical license for the same license  
26 period issued by the State of Oklahoma.
- 27 (b) There is hereby levied a schedule of license fees for the mechanical trade to be as follows:  
28 For Unlimited and Limited Mechanical Contractors see Table located in Sec.9-47. for fees.
- 29 (c) It shall be unlawful for any person to engage in the trade or otherwise act as a mechanical  
30 contractor, within the city without first having been qualified and licensed as such by the  
31 State of Oklahoma. It shall also be unlawful for any person to engage in the mechanical  
32 trade or otherwise act as any type of mechanical contractor within the city without first  
33 having been licensed by the city. The city shall issue a contractor license to any person,  
34 upon proper application, and payment of fees, who presents a valid mechanical license and  
35 proper identification at the time of application for the same license period issued by the  
36 State of Oklahoma.
- 37 (d) All city mechanical trade licenses shall be for one (1) year and shall expire on the thirtieth  
38 day of June after the same are issued, unless sooner revoked. Renewals shall be secured on  
39 or before the first day of July of each year to be in effect from July 1 through June 30 of the  
40 following year. Licenses not renewed by the fifteenth day of August shall be assessed the  
41 fee for a new license.
- 42 (e) A license may be applied for and secured at any time during the year, but in no event shall  
the fee for such license be less than for a full year.
- (f) A mechanical contractor license shall not be transferred, loaned or assigned.

**Sec.9-207. - Vehicles to be Marked.**

All company vehicles or conveyances used in the scope of business or trade by any tradesman,  
contractor or other person engaged in the mechanical trade shall be identified by having printed  
on the sides of such vehicles in a conspicuous place the firm name and the contractor's state  
license number. All letters and numbers shall be at least two (2) inches in height displayed on  
both sides of such vehicle or conveyance.

1 **Sec.9-208. - Partnerships, Corporations, Firms.**

2 No corporation, partnership or business trust shall engage in the business as mechanical  
3 contractor within the city unless such entity shall have as an officer of the entity one who holds a  
4 contractor's license and is active in the trade. The name and address of such contractor and the  
5 name and address of the entity shall be licensed with the City.

6 **Sec.9-209. - Supervision**

7 A journeyman shall at all times while working at his trade be in the employment of a contractor  
8 who is licensed with the City of Midwest City.

9 **Sec.9-210. - Employing Unqualified Workmen.**

- 10 (a) It is hereby declared unlawful and an offense for any licensed contractor to employ any  
11 person to work at the trade unless the person employed is licensed and registered under  
12 ordinances of the city, except such work as may be done by apprentices holding permits to  
13 work as such as provided by this article.
- 14 (b) No person other than a licensed contractor shall hire, engage or employ any person to do  
15 any mechanical work within the city, who is not a licensed, registered and bonded contractor  
16 under the terms of this article.

17 **Sec.9-211. - Reserved.**

18 **Sec.9-212. - Reserved.**

19 **Sec.9-213. - Reserved.**

20 **Sec.9-214. - Reserved.**

21 **Sec.9-215. - Reserved.**

22 **Sec.9-216. - Reserved.**

23 **Sec.9-217. - Reserved.**

24 **Sec.9-218. - Reserved.**

25 **Sec.9-219. - Reserved.**

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

27 **Sec.9-220. - Permit Application.**

- 28 (a) Permits required by this article shall be issued only to City licensed mechanical contractors.
- 29 (b) To obtain a mechanical permit, an applicant shall first file an application on a form  
30 furnished by the City for that purpose. Every application shall:
- 31 (1) Identify and describe the work to be covered by the permit for which the application is  
32 made; and
- 33 (2) Describe, by legal description, street address or similar description that will readily  
34 identify and definitely locate the proposed structure or work, the land on which the  
35 proposed work is to be done.

36 The City may issue a permit for the construction of part of a mechanical system before the  
37 plans for the whole system have been submitted or approved, provided adequate information  
38 and detailed statements have been filed complying with all pertinent requirements of this  
39 code. The holders of such permits shall proceed at their own risk without assurance that the  
40 permit for the entire structure or building service will be granted.

- 41 (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve,  
42 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,

1 or from preventing building operations being carried on thereunder when in violation of this  
2 code or of any other ordinances of the city.

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

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

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

19 (f) There shall be a separate permit for each building, except in the case of an outbuilding or  
20 garage which is a part of the mechanical system of a dwelling, apartment house or motel.

21 **Sec.9-221. - Multiple Permits.**

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

26 **Sec.9-222. - Permit Exemptions.**

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

30 **Sec.9-223. - Permit Required to Whom Issued.**

31 No mechanical system regulated by this code shall be installed, altered, repaired, replaced or  
32 remodeled unless a separate mechanical permit for each structure has first been obtained from  
33 the city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed  
34 mechanical contractor.

35 **Sec.9-224. - Permit Denial.**

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

40 **Sec.9-225. - Permit Cancellation.**

41 A mechanical contractor may request in writing that his permit be canceled. In the event that a  
42 mechanical contractor holding a valid permit issued by the city refuses to complete the  
43 mechanical work in a reasonable time or there is an undue delay in the completion of the project,  
44 the owner may request in writing that the Chief Building Official cancel the permit issued to the  
45 mechanical contractor. The second mechanical contractor permit holder shall take full  
46 responsibility for mechanical work done after cancellation of the first mechanical permit and for  
47 completion of the work in its entirety. No fees for permits will be refunded to the mechanical  
48 contractor in the event that the permit is canceled under the terms of this section.

49 **Sec.9-226. - Permits.**

50 Before a permit is issued for any mechanical system or work, there shall be an issuance permit as  
51 in Table located in Sec.9-47.

1 The following fees do not include the permit issuance fee but shall be based on all mechanical  
2 work and mechanical equipment in or on each structure or other mechanical equipment on the  
3 same premises constructed at the same time.

4 See Table located in Sec.9-47.

- 5 (a) For the installation or relocation of each forced air or gravity type furnace or burner,  
6 including ducts and vents attached to such appliance, up to and including 160,000 BTU/H  
7 (b) For the installation or relocation of each forced air or gravity type furnace or burner,  
8 including ducts and vents attached to such appliance, over 160,000 BTU/H

- 9 (c) For the installation of self-contained packaged units

10 (1) 0-4 tons

11 (2) 5-25 tons

12 (3) 26-60 tons

13 (4) 61 tons or greater

- 14 (d) For the installation or relocation of each suspended heater, recessed wall heater or floor  
15 mounted unit heater

- 16 (e) For replacement of, alteration of, or addition to each heating appliance, refrigeration unit,  
17 cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling  
18 system, including installation of controls, regulated by this code

- 19 (f) For each air-handling unit up to and including 2000 cubic feet per minute, including ducts  
20 attached thereto

21 NOTE: This fee shall not apply to an air handling unit which is a portion of a factory  
22 assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit  
23 is required elsewhere

- 24 (g) For each air-handling unit over 2000 cfm

- 25 (h) For each evaporative cooler other than portable type

- 26 (i) For each ventilation fan connected to a single duct

- 27 (j) For each ventilation system which is not a portion of any heating or air conditioning system  
28 authorized by a permit

- 29 (k) For the installation of each commercial kitchen hood which is served by mechanical  
30 exhaust, including the ducts for such hood

- 31 (l) For the installation or relocation of each domestic type incinerator

- 32 (m) For the installation or relocation of each commercial or industrial type incinerator

- 33 (n) For each appliance or piece of equipment regulated by this code but not classed in other  
34 appliance categories, or for which no other fee is listed in this code

- 35 (o) Duct installation only

- 36 (p) Other inspections and fees:

37 (1) Initial Reinspection fee

38 (2) All additional reinspection

39 (3) Inspections outside of normal business hours - initial call out (first 2 hours).

40 (4) Inspections outside of normal business hours - per hour thereafter initial call out.

41 **Sec.9-227. - Inspections; Approval.**

- 42 (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.

- 1 (b) The inspector shall make an inspection of the alteration or installation at the first available  
2 time. If the installation or alteration to the air conditioning or refrigeration or forced air  
3 heating system has been done in accordance with the terms and provisions of this article and  
4 amendments thereto, the inspector shall post an inspection notice at or near the same, noting  
5 thereon the date and approval of the work, together with his signature.
- 6 (c) The fees required for the making of the required inspection by the City unless the inspector  
7 is required to make another or an additional inspection of the installation necessitating  
8 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent  
9 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

8 **Sec.9-228. - Appeals.**

9 An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling,  
10 interpretation, requirement or decision made by the mechanical inspector, by filing with the  
11 Chief Building Official within ten (10) business days from the mechanical inspector's ruling,  
12 interpretation, requirement or decision a statement in writing of the issues to be considered on  
13 appeal. The Chief Building Official shall review, within three (3) business days of receipt of  
14 appeal. If the Chief Building Official upholds the mechanical inspector's decision, the appeal  
15 will proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official  
16 overturns the decision of the mechanical inspector, no further appeal is necessary. The  
17 Plumbing, Gas, and Mechanical Board shall conduct a hearing within ten (10) business days of  
18 the decision of the Chief Building Official. In such matter appealed, the Plumbing, Gas, and  
19 Mechanical Board shall rule to uphold or overturn the Chief Building Official's decision. The  
20 appellant may make a final appeal, in writing, within five (5) business days of the Plumbing,  
21 Gas, and Mechanical Board decision, to the City Council. Written notice of the hearing by the  
22 City Council shall be delivered to the appellant, which shall be held at the next regularly  
23 scheduled City Council meeting that permits proper notice to the appellant.  
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- 1     **Sec.9-229. - Reserved.**
- 2     **Sec.9-230. - Reserved.**
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- 4     **Sec.9-231. - Reserved.**
- 5     **Sec.9-232. - Reserved.**
- 6     **Sec.9-233. - Reserved.**
- 7     **Sec.9-234. - Reserved.**
- 8
- 9     **Sec.9-235. - Reserved.**
- 10    **Sec.9-236. - Reserved.**
- 11    **Sec.9-237. - Reserved.**
- 12    **Sec.9-238. - Reserved.**
- 13    **Sec.9-239. - Reserved.**
- 14    **Sec.9-240. - Reserved.**
- 15    **Sec.9-241. - Reserved.**
- 16    **Sec.9-242. - Reserved.**
- 17    **Sec.9-243. - Reserved.**
- 18    **Sec.9-244. - Reserved.**
- 19    **Sec.9-245. - Reserved.**
- 20    **Sec.9-246. - Reserved.**
- 21    **Sec.9-247. - Reserved.**
- 22    **Sec.9-248. - Reserved.**
- 23    **Sec.9-249. - Reserved.**
- 24    **Sec.9-250. - Reserved.**
- 25    **Sec.9-251. - Reserved.**
- 26    **Sec.9-252. - Reserved.**
- 27    **Sec.9-253. - Reserved.**
- 28    **Sec.9-254. - Reserved.**
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35     **DIVISION 4. – MECHANICAL BOARD**

36     **Sec.9-255. - Plumbing, Gas, and Mechanical Board Created.**

37     There is hereby created the Plumbing, Gas, and Mechanical Board

38     **Sec.9-256. - Members.**

39     (a) The Plumbing, Gas, and Mechanical Board shall consist of six (6) members to be appointed  
40       by the Mayor and approved by the City Council. All members of the Plumbing, Gas, and  
41       Mechanical Board shall be licensed by the City, and shall be persons who are familiar with  
42       the requirements of their governing Code. The Plumbing, Gas, and Mechanical Board shall  
      include at least one (1) master of each of the trades represented. The members of the board  
      shall be chosen from either:



- 1 (1) Residents of the city at large with reference to their fitness for such office; or  
2 (2) Ownership, operation or involvement in the business of plumbing, gas, and/or  
3 mechanical work as a licensed journeyman or a licensed contractor for the past (5)  
4 years next preceding the date of appointment.

- 5 (b) Each member shall serve a term of three (3) years;  
6 (c) The members of the Plumbing, Gas, and Mechanical Board shall hold office until their  
7 successors are appointed; the Mayor shall be an ex officio member of the board. Plumbing,  
8 Gas, and Mechanical Board stipulates staggered terms of three (3) years.  
9 (d) Members may be removed for cause by the Mayor with approval of the City Council.  
10 Absences from meetings by board members shall be governed by section 2-28 of this Code.  
11 Vacancies shall be filled for an unexpired term in the same manner as appointment.  
12 (e) The member of the Plumbing, Gas, and Mechanical Board shall serve without pay.

13 **Sec.9-257. - Meetings.**

14 The Plumbing, Gas, and Mechanical Board shall meet at such times as meetings are called

15 **Sec.9-258. - Quorum.**

16 For all business purposes, a quorum is required and is defined as any three (3) voting board  
17 members.

18 **Sec.9-259. - Officers and reports.**

19 The Plumbing, Gas, and Mechanical Board shall, immediately after its appointment, meet and  
20 organize by the election of one (1) of their number as Chairperson, one (1) as Vice-Chairperson  
21 and one (1) as Secretary. Election of such officers shall be held the first meeting of each  
22 calendar year. The board shall report fully and in writing to the Mayor and City Council  
23 immediately after each meeting, which report shall be filed and preserved.

24 **Sec.9-260. - Duties.**

- 25 (a) The Plumbing, Gas, and Mechanical Board shall act in an advisory capacity to the Mayor  
26 and City Council as regards plumbing, gas, and mechanical construction and related matters  
27 of interest to the city.  
28 (b) The Chief Building Official or their designee may provide such assistance to the board as  
29 deemed necessary and appropriate.  
30 (c) The Plumbing, Gas, and Mechanical Board has the duty to review appeals as required in this  
31 Chapter.

32 **Sec.9-261. - Reserved.**

33 **Sec.9-262. - Reserved.**

34 **Sec.9-263. - Reserved.**

35 **Sec.9-264. - Reserved.**

36 **ARTICLE V – FUEL GAS**

37 **DIVISION 1. – IN GENERAL**

38 **Sec.9-265. - Title.**

39 These regulations shall be known as the Fuel Gas Code of the City of Midwest City, hereinafter  
40 referred to as "this code."  
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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:  
13    International Fuel Gas Code published by the International Code Council, Inc. 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.  
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21    **Sec.9-276. - Reserved.**

22    **Sec.9-277. - Reserved.**

23    **Sec.9-278. - Reserved.**

24    **Sec.9-279. - Reserved.**

25    **Sec.9-280. - Reserved.**

26    **Sec.9-281. - Reserved.**

27    **Sec.9-282. - Reserved.**

28    **Sec.9-283. - Reserved.**

29    **Sec.9-284. - Reserved.**

30    **Sec.9-285. - Reserved.**

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

32    **Sec.9-286. - Permit Application.**

- 33    (a) Permits required by this article shall be issued only to City licensed contractors.
- 34    (b) To obtain a permit, an applicant shall first file an application on a form furnished by the City  
35    for that purpose. Every application shall:
- 36        (1) Identify and describe the work to be covered by the permit for which the application is  
37        made; and
- 38        (2) Describe, by legal description, street address or similar description that will readily  
39        identify and definitely locate the proposed structure or work, the land on which the  
40        proposed work is to be done.  
41  
42

1 The City may issue a permit for the construction of part of a fuel/gas system before the  
2 plans for the whole system have been submitted or approved, provided adequate information  
3 and detailed statements have been filed complying with all pertinent requirements of this  
4 code. The holders of such permits shall proceed at their own risk without assurance that the  
5 permit for the entire structure or building service will be granted.

- 6 (c) The issuance of a permit or approval of plans shall not be construed to allow, or approve,  
7 any violation of any of the provisions of this code, or of any other ordinance of the city.  
8 Permits presuming to give authority to violate or cancel the provisions of this code or other  
9 ordinances of the city shall not be valid.

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

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

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

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

- 30 (f) There shall be a separate permit for each building, except in the case of the gas piping of an  
31 outbuilding or garage which is a part of the gas system of a dwelling, apartment house or  
32 motel.

33 **Sec.9-287. - Multiple Permits.**

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

38 **Sec.9-288. - Permit Exemptions.**

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

42 **Sec.9-289. - Permit Required to Whom Issued.**

No fuel/gas system regulated by this code shall be installed, altered, repaired, replaced or  
remodeled unless a separate fuel/gas permit for each structure has first been obtained from the  
city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed  
fuel/gas contractor.

**Sec.9-290. - Permit Denial.**

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

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.

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.

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 See Table located in Sec.9-47.

17 (a). Gas Piping

18 (b). Gas Piping Outlets

19 **Sec.9-293. - Inspections; Approval.**

20 (a). When an original rough-in installation of a fuel gas system is completed on any premises,  
21 the permit-holding contractor shall notify the inspector that the work is ready for inspection.  
22 When a fuel gas alteration for which a permit is required under the terms of this article is  
23 completed on any premises, the permit-holding contractor shall notify the inspector that the  
24 work is ready for inspection.

25 (b). The inspector shall make an inspection of the alteration or installation at the first available  
26 time. If the installation or alteration to the fuel gas system has been done in accordance with  
27 the terms and provisions of this article and amendments thereto, the inspector shall post an  
28 inspection notice at or near the same, noting thereon the date and approval of the work,  
29 together with his signature.

30 (c). The fees required for the making of the required inspection by the City unless the inspector  
31 is required to make another or an additional inspection of the installation necessitating  
32 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent  
33 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

34 **Sec.9-294. - Appeals.**

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

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. -

10 **Sec.9-302. - Members.**

11 Refer to Sec.9-256. -

12 **Sec.9-303. - Meetings.**

13 Refer to Sec.9-257. -

14 **Sec.9-304. - Quorum.**

15 Refer to Sec.9-258. -

16 **Sec.9-305. - Officers and reports.**

17 Refer to Sec.9-259. -

18 **Sec.9-306. - Duties.**

19 Refer to Sec.9-260. -

20 **Sec.9-307. - Reserved.**

21 **Sec.9-308. - Reserved.**

22 **Sec.9-309. - Reserved.**

23 **Sec.9-310. - Reserved.**

24 **ARTICLE VI – PLUMBING**

25 **DIVISION 1. – IN GENERAL**

26 **Sec.9-311. - Title.**

27 This code shall be known as the Plumbing Code of Midwest City, Oklahoma, hereinafter referred to as the plumbing code or "this code."

28 **Sec.9-312. - Applicability Outside the City.**

29 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.

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

12  
13     **Sec.9-321. - Plumbing Code Adopted.**

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

22  
23     **Sec.9-322. - Licensing Fees and Requirements.**

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

27     (b) There is hereby levied a schedule of license fees for the plumbing trade to be as follows in  
28     Table located in Sec.9-47.

29     (c) It shall be unlawful for any person to engage in the plumbing trade or otherwise act as a  
30     plumbing contractor within the city without first having been qualified and licensed as such  
31     by the State of Oklahoma. It shall also be unlawful for any person to engage in the plumbing  
32     trade or otherwise act as any type of plumbing contractor within the city without first having  
33     been licensed by the city. The city shall issue a contractor license to any person, upon  
34     proper application, and payment of fees, who presents a valid plumbing license and proper  
35     identification at the time of application for the same license period issued by the State of  
36     Oklahoma.

37     (d) All city plumbing trade licenses shall be for one (1) year but all such city licenses and shall  
38     expire on the thirtieth day of June after the same are issued, unless sooner revoked.  
39     Renewals shall be secured on or before the first day of July of each year to be in effect from  
40     July 1 through June 30 of the following year. Licenses not renewed by the fifteenth day of  
41     August shall be assessed the fee for a new license.

42     (e) A license may be applied for and secured at any time during the year, but in no event shall  
   the fee for such license be less than for a full year.

   (f) A master plumbers (plumbing contractors) license shall not be transferred, loaned or  
   assigned.

**Sec.9-323. - Vehicles to be Marked.**

   All company vehicles or conveyances used in the scope of business or trade by any tradesman,  
   contractor or other person engaged in the plumbing trade shall be identified by having printed on  
   the sides of such vehicles or conveyances in a conspicuous place the firm name and the  
   contractors state license number. All letters and numbers shall be at least two (2) inches in  
   height displayed on both sides of such vehicle or conveyance.

1 **Sec.9-324. - Partnerships, Corporations, Firms.**

2 No corporation, partnership or business trust shall engage in the business as a plumbing  
3 contractor within the city unless such entity shall have as an officer of the entity one who holds a  
4 plumbing contractor's license and is active in the trade. The name and address of such contractor  
5 and the name and address of the entity shall be registered with the City.

6 **Sec.9-325. - Supervision**

7 A journeyman plumber shall at all times while working at his trade be in the employment of a  
8 plumbing contractor who is licensed with the City of Midwest City as a Master Plumber.

9 **Sec.9-326. - Employing Unqualified Workmen.**

- 10 (a) It is hereby declared unlawful and an offense for any master plumber (plumbing contractor)  
11 to employ any person to work at the trade unless the person employed is licensed and  
12 registered under ordinances of the city, except such work as may be done by apprentices  
13 holding permits to work as such as provided by this article.
- 14 (b) No person other than a master plumber (plumbing contractor) shall hire, engage or employ  
15 any person to do any plumbing within the city, or work that connects with a water or sewer  
16 main of the city outside the city, who is not a licensed, registered and bonded master  
17 plumber (plumbing, contractor) under the terms of this article.

18 **Sec.9-327. - Reserved.**

19 **Sec.9-328. - Reserved.**

20 **Sec.9-329. - Reserved.**

21 **Sec.9-330. - Reserved.**

22 **Sec.9-331. - Reserved.**

23 **Sec.9-332. - Reserved.**

24 **Sec.9-333. - Reserved.**

25 **Sec.9-334. - Reserved.**

26 **Sec.9-335. - Reserved.**

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

28 **Sec.9-336. - Permit Application.**

- 29 (a) Permits required by this article shall be issued only to City licensed plumbing contractors.
- 30 (b) To obtain a plumbing permit, an applicant shall first file an application on a form furnished  
31 by the City for that purpose. Every application shall:
- 32 (1) Identify and describe the work to be covered by the permit for which the application is  
33 made; and
- 34 (2) Describe, by legal description, street address or similar description that will readily  
35 identify and definitely locate the proposed structure or work, the land on which the  
36 proposed work is to be done.

37 The City may issue a permit for the construction of part of a plumbing system before the  
38 plans for the whole system have been submitted or approved, provided adequate information  
39 and detailed statements have been filed complying with all pertinent requirements of this  
40 code. The holders of such permits shall proceed at their own risk without assurance that the  
41 permit for the entire structure or building service will be granted.

- 42 (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.

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

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

7 (e) Every permit issued by the city under the provisions of this code shall expire and become  
8 null and void if the structure or work authorized by such permit is not commenced within  
9 one hundred eighty (180) days from the date of such permit, or if the structure or work  
10 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.

11 A permittee holding an unexpired permit may apply for an extension of the time within  
12 which work may be commenced under that permit when the permittee is unable to  
13 commence work, for good and satisfactory reasons, within the time required by this section.  
14 The Chief Building Official may extend the time to commence work under the permit by the  
15 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.

16 (f) There shall be a separate permit for each building, except in the case of an outbuilding or  
17 garage which is a part of the plumbing system of a dwelling, apartment house or motel.

18 (g) It shall be unlawful and an offense for any person to install any plumbing or sanitary  
19 equipment that is directly or indirectly connected to any water or sewer system within the  
20 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.

21 (h) It shall be unlawful and an offense for any person to install any plumbing or sanitary  
22 equipment that is directly or indirectly connected to any water or sewer system owned or  
23 operated by the city outside of its corporate limits without obtaining a permit therefor from  
the development services department before the work is started.

24 **Sec.9-337. - Multiple Permits.**

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

29 **Sec.9-338. - Permit Exemptions.**

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

32 **Sec.9-339. - Permit Required to Whom Issued.**

33 No plumbing system regulated by this code shall be installed, altered, repaired, replaced or  
34 remodeled unless a separate plumbing permit for each structure has first been obtained from the  
35 city. Except as otherwise provided, no permit shall be issued to anyone other than a licensed  
36 plumbing contractor.

37 **Sec.9-340. - Permit Denial.**

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

41 **Sec.9-341. - Permit Cancellation.**

42 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



1 work in a reasonable time or there is an undue delay in the completion of the project, the owner  
2 may request in writing that the Chief Building Official cancel the permit issued to the plumbing  
3 contractor. The second plumbing contractor permit holder shall take full responsibility for  
4 plumbing work done after cancellation of the first plumbing permit and for completion of the  
5 work in its entirety. No fees for permits will be refunded to the plumbing contractor in the event  
6 that the permit is canceled under the terms of this section.

7 **Sec.9-342. - Permits.**

8 Before a permit is issued for any plumbing system or work, there shall be an issuance permit as  
9 in Table located in Sec.9-47.

10 The following fees do not include the permit issuance fee but shall be based on plumbing and  
11 plumbing equipment in or on each structure or other plumbing equipment on the same premises  
12 constructed at the same time.

13 See Table located in Sec.9-47.

- 14 (a) For each building sewer and each trailer park sewer
- 15 (b) Rainwater systems—per drain (inside building)
- 16 (c) For each On-Site Sewage Treatment System
- 17 (d) For each water heater and/or vent (includes gas)
- 18 (e) For each commercial or industrial waste pre-treatment interceptor, including its trap and  
19 vent, excepting kitchen type grease interceptors functioning as fixture traps
- 20 (f) For installation, alteration or repair of water piping and/or water treating equipment
- 21 (g) For each lawn sprinkler system or any one (1) meter, including backflow protection devices  
22 therefor
- 23 (h) For each vacuum breakers or backflow protective devices on tanks, vats, etc., or for  
24 installation on unprotected plumbing fixtures, including necessary water piping—one (1) to  
25 four (4)
- 26 (i) Five (5) or more, each
- 27 (j) Oil/Sand separator
- 28 (k) Commercial grease interceptor
- 29 (l) Other inspections and fees:
  - 30 (1) Initial Reinspection fee
  - 31 (2) All additional reinspection
  - 32 (3) Inspections outside of normal business hours - initial call out (first 2 hours).
  - 33 (4) Inspections outside of normal business hours - per hour thereafter initial call out.

34 **Sec.9-343. - Inspections; Approval.**

- 35 (a). When an original rough-in installation of a plumbing system is completed on any premises,  
36 the permit-holding contractor shall notify the inspector that the work is ready for inspection.  
37 When a plumbing alteration for which a permit is required under the terms of this article is  
38 completed on any premises, the permit-holding contractor shall notify the inspector that the  
39 work is ready for inspection.
- 40 (b). The inspector shall make an inspection of the alteration or installation at the first available  
41 time. If the installation or alteration to the plumbing system has been done in accordance  
42 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

1 another trip in which event the applicant shall be assessed a reinspection fee. All subsequent  
2 reinspections shall be assessed a fee. See Fee Table located in Sec.9-47.

3 **Sec.9-344. - Appeals.**

4 An appeal may be taken to the Plumbing, Gas, and Mechanical Board from any ruling,  
5 interpretation, requirement or decision made by the plumbing inspector, by filing with the Chief  
6 Building Official within ten (10) business days from the building inspector's ruling,  
7 interpretation, requirement or decision a statement in writing of the issues to be considered on  
8 appeal. The Chief Building Official shall review, within three (3) business days or receipt of  
9 appeal. If the Chief Building Official upholds the plumbing inspector's decision, the appeal will  
10 proceed to the Plumbing, Gas, and Mechanical Board. If the Chief Building Official overturns  
11 the decision of the building inspector, no further appeal is necessary. The Plumbing, Gas, and  
12 Mechanical Board shall conduct a hearing within ten (10) business days of the decision of the  
13 Chief Building Official. In such matter appealed, the Plumbing, Gas, and Mechanical Board  
14 shall rule to uphold or overturn the Chief Building Official's decision. The appellant may make  
15 a final appeal, in writing, within five (5) business days of the Plumbing, Gas, and Mechanical  
16 Board decision, to the City Council. Written notice of the hearing by the City Council shall be  
17 delivered to the appellant, which shall be held at the next regularly scheduled City Council  
18 meeting that permits proper notice to the appellant.

15 **Sec.9-345. - Reserved.**

16 **Sec.9-346. - Reserved.**

17 **Sec.9-347. - Reserved.**

18 **Sec.9-348. - Reserved.**

19 **Sec.9-349. - Reserved.**

20 **Sec.9-350. - Reserved.**

21 **Sec.9-351. - Reserved.**

22 **Sec.9-352. - On-Site Sewage Treatment System.**

- 23 (a) On-Site Sewage Treatment System shall mean the same as defined by Oklahoma  
24 Department of Environmental Quality
- 25 (b) Whenever an on-site sewage treatment system is constructed, the design, installation,  
26 maintenance and replacement of the system shall be controlled by the latest standards and  
27 regulations of the Oklahoma Department of Environmental Quality.
- 28 (c) Whenever there is an installation of an on-site sewage treatment system a copy of the  
29 completed DEQ form number 641-576AS, shall be submitted to the Chief Building Official.
- 30 (d) Any person who shall violate any of the provisions of this section or fails to comply with  
31 any of the requirements hereof shall be guilty of an offense and each day such violation  
32 shall be permitted to exist shall constitute a separate offense. The city may initiate any  
33 proper action in the municipal or district court in the name of the city to prevent, restrain or  
34 abate any violations of this section.
- 35 (e) The on-site sewage treatment system shall be registered by the homeowner with the City.  
36 The fee for registration see Table located in Sec.9-47.
- 37 (f) An on-site sewage treatment system shall be registered before a certificate of occupancy  
38 shall be issued.
- 39  
40  
41  
42

- 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.**

**DIVISION 4. – PLUMBING BOARD**

- 25   **Sec.9-371. - Plumbing, Gas, and Mechanical Board Created.**
- 26   Refer to Sec.9-255. -
- 27
- 28   **Sec.9-372. - Members.**
- 29   Refer to Sec.9-256. -
- 30   **Sec.9-373. - Meetings.**
- 31   Refer to Sec.9-257. -
- 32
- 33   **Sec.9-374. - Quorum.**
- 34   Refer to Sec.9-258. -
- 35   **Sec.9-375. - Officers and reports.**
- 36   Refer to Sec.9-259. -
- 37   **Sec.9-376. - Duties.**
- 38   Refer to Sec.9-260. -
- 39
- 40
- 41
- 42



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  
6    hereby repealed.

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

10    PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma,  
11    on the 23 day of April, 2024.

12    THE CITY OF MIDWEST CITY, OKLAHOMA



13    Matthew D. Dukes II  
14    MATTHEW D. DUKES II, Mayor

15    ATTEST:

16    Sara Hancock  
17    SARA HANCOCK, City Clerk

18    APPROVED as to form and legality this 24<sup>th</sup> day of April, 2024.

19    Donald D. Maisch  
20    DONALD D. MAISCH, City Attorney