

PART 5

BUILDING REGULATIONS AND CODES

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Chapter 1

INTERNATIONAL  
AND PERMITS

BUILDING

CODE

Sections:

- 5-101 Adoption of International Building Code.
- 5-102 Conflicting ordinances repealed.
- 5-103 BOCA National Building Code revisions.
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- 5-107 Permit required.
- 5-108 Fire limits defined.
- 5-109 Penalty.
- 5-110 Adoption of Building Code.

5-101 Adoption of International Building Code.

A. That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Building Code, 2003 Edition, excluding Appendix

Chapters A and B as published by the International Code Council, be and is hereby adopted as the Building Code of the city of Bristow, in the state of Oklahoma for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary, and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on filed in the office of the city of Bristow are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any, prescribed in subsection B of this section.

B. The following sections of the 2003 Edition of the International Building Code are hereby revised as follows:

1. Section 101.1 - insert City of Bristow in place of the phrase [name of jurisdiction].
2. Section 1612.3 - insert City of Bristow in place of the phrase [name of jurisdiction].
3. All of the provisions of Section 103 are deleted and replaced with the following: The City Inspector, sometimes referred to as the Bristow Building Inspector, is hereby designated as the “Building Official” for the purposes of this Code.
4. Section 1612.3 - insert \_\_\_\_\_ in place of the phrase [date of issuance].
5. Section 3410.2 - insert February 5, 2003 in place of the phrase [date in one location].
6. Section 112.3.1 insert the following schedule of fees:

Building Permits	
New residential and modular homes	\$30.00 base minimum plus \$4.00 per 100 square feet
Residential addition and/or residential remodel	\$30.00 base minimum plus \$4.00 per 100 square feet
Accessory building	\$25.00 base minimum plus \$2.50 per 100 square feet for building in excess of 100 square feet
Carport, residential driveway, porch or patio with roof	\$25.00
New commercial building (including non-governmental or institutional)	\$50.00 base minimum plus \$7.50 per 100 square feet
Swimming pools (in-ground, above-ground and on-ground, including hot tubs and spas) of requiring water supply, drainage and water disposal systems	\$35.00
Signs (portable, ground, wall, projecting and subdivision marquees)	\$2.50 per foot for the longest cross-sectional distance
Demolition	\$30.00 base minimum plus \$5.00 for each ten feet in height
Moving of any residential structure across or within the corporation limits of the city	\$100.00
Sprinkler system	\$25.00

Inspections	
Certificate of occupancy	Residential-fifteen dollars, Commercial-thirty dollars

Building Permits
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Building Inspections	
Commercial reinspection (all trades)	\$35.00
Residential reinspection (all trades)	\$25.00
Sprinkler systems	\$25.00
Parking lots	\$25.00
Mobile home-manufactured home fee	\$25.00

7. Section 113.4 shall provide as follows:

Any persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who erects, constructs, alters, or repairs a building or structure in violation of the approved construction documents or directive of the Building official, or of a permit or certificate issued under the provisions of this code, shall be, upon conviction, by punished as provided in Part I, Chapter 1, Section 1-108 of the Code of Ordinances of the City of Bristow. Each day a violation continues after due notice has been served shall be deemed a separate offense.

(Resolution 7/7/80; Ord. 12-04-95 §§ 1, 2; Ord. 7-21-97A § 1: Ord. 20-110501 § 3 (part): Ord. 34-010504 §§ 1 (part), 2, 3)

5-102 Conflicting ordinances repealed.

All other ordinances in conflict with the 2003 Edition of the International Building Code except as otherwise provided in this chapter are hereby repealed. (Ord. 7-21-97B § 1: Ord. 20-110501 § 3 (part): Ord. 34-010504 §§ 1 (part), 4)

5-103 BOCA National Building Code revisions.

Repealed by Ordinance Number 20-110501 § 3 (part); repealed by Ordinance Number 34-010504 § 1 (part). (Ord. 7-21-97C § 1: Ord. 20-110501 § 3 (part): Ord. 34-010504 § 1 (part))

5-104 City inspector.

Repealed by Ordinance Number 12-04-95 § 1(B); repealed by Ordinance Number 7-21-97D § 2; repealed by Ordinance Number 34-010504 § 1 (part).

5-105 Application for permits.

Repealed by Ordinance Number 12-04-95 § 1(B); repealed by Ordinance Number 7-21-97D § 2; repealed by Ordinance Number 34-010504 § 1 (part).

5-106 Building permit fees.

Repealed by Ordinance Number 12-04-95 § 1(B); repealed by Ordinance Number 7-21-97D § 2; repealed by Ordinance Number 34-010504 § 1 (part).

5-107 Permit required.

Repealed by Ordinance Number 34-010504 § 1 (part). (Ord. 12-04-95 § 1(B); Ord. 7-21-97D § 2; Ord. 3-2-98 § 1: Ord. 34-010504 § 1 (part))

5-108 Fire limits defined.

Repealed by Ordinance Number 7-21-97D § 2; repealed by Ordinance Number 34-010504 § 1 (part).

5-109 Penalty.

Repealed by Ordinance Number 12-04-95 § 1(B); repealed by Ordinance Number 34-010504 § 1 (part).

5-110 Adoption of Building Code.

A. That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Building Code, including Appendix Chapters C, E, G, H and I, as published by the International Code Council, be and is hereby adopted as the Building Code, city of Bristow, in the state of Oklahoma; for the control of building and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions, and terms of said Building Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any prescribed in subsection B of this section.

B. Additions, Insertions and Changes.

The following sections are hereby created:

101.1 City of Bristow.

103.1 Delete and replace with:

For purposes of this Code, the Building Inspector shall also mean the Code Official, Code Enforcer, and/or the City Inspector.

103.2 Delete.

103.3 Delete.

108.2 Delete and replace with:

On buildings and structures or alterations requiring a permit or fee for each permit shall be paid as follows:

A. Building Permits:

1. New residential and modular homes, twenty-five dollars base minimum plus five dollars per 100 square feet;

2. Residential addition and/or residential remodel, thirty-five dollars base minimum plus three dollars per 100 square feet;

3. Accessory building, twenty-five dollars base minimum plus five dollars per 100 square feet for building in excess of 100 square feet;

4. Carport, residential driveway, porch or patio with roof, twenty-five dollars;

5. New commercial building (including non-governmental or institutional) fifty dollars base minimum plus seven dollars and fifty cents per 100 square feet;

6. Construction or alteration of building or structure listed in 74 O.S. 1991, § 324.11e, no fee but permit required;

7. Swimming pools (in-ground, above-ground, and on-ground, including hot tubs and spas) if requiring water supply, drainage, and water disposal systems, thirty-five dollars;

8. Signs (portable, ground, wall, projecting, and subdivision marquees), 2.50 per square foot;

9. Demolition, thirty dollars base minimum plus five dollars for each ten feet in height;

10. Curb-cut, ten dollars permit fee. Controller is responsible for making all cuts;

11. Earth change permits, twenty-five dollars;

12. Moving of any residential structure across or within the corporation limits of the city, one hundred dollars;

13. Parking lot fee; twenty-five dollars;

14. Appeal fee, twenty-five dollars;

15. Sprinkler system, twenty-five dollars;
16. Mobile home - manufactured home, twenty-five dollars;
- B. Inspections:
  1. Certificate of occupancy: residential - fifteen dollars, commercial - thirty dollars;
  2. Building inspections:
    - a. Residential - footing, slab, frame, partial wall, partial ceiling, final inspection, thirty-five dollars per inspection.
    - b. Commercial - footing, slab, frame, partial wall, partial ceiling, final inspection, thirty-five dollars per inspection.
  3. Commercial reinspection (all trades), thirty-five dollars;
  4. Residential reinspection (all trades), twenty-five dollars;
  5. Sprinkler Systems, twenty-five dollars;
  6. Parking lots, twenty-five dollars;
  7. Mobile home - manufactured home fee, twenty-five dollars.

112.1 Delete and replace with:

General. In order to hear and decide appeals of orders, decisions, or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a Board of Appeals. The Board of Appeals shall consist of the eight members of the City Council. The Chairman of the Board shall be the Mayor.

112.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

112.3 Delete and replace with: Procedure.

112.3.1 A board member shall not hear an appeal in which that board member has any personal, professional, or financial interest.

112.3.2 The Board of Appeals shall meet within ten days of the filing of an appeal, or at stated periodic meetings. All appeals shall be filed with the City Clerk of the City of Bristow.

112.3.3 All hearings before the Board of Appeals shall be open to the public. The appellant, the appellant's representative, the code official, any person designated by the code official, and any person whose interests are affected shall be given an opportunity to be heard.

112.3.4 In conducting appeal hearings, the Board of Appeals shall not require compliance with strict rules of evidence but shall mandate that only relevant information be received.

112.3.5 When five members of the Board of Appeals are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

112.3.6 The Board of Appeals shall modify or reverse the decision of the code official by a majority vote. In the event of a tie, the Chairman of the Board shall be permitted to cast a vote.

112.3.7 The decision of the Board of Appeals shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

112.3.8 The code official shall take immediate action in accordance with the decision of the Board of Appeals.

112.3.9 Any person, whether or not a previous party to the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for judicial review shall be made within thirty days following the filing of the decision in the office of the City Clerk of the City of Bristow.

112.3.10 Structures existing prior to March 17, 1997, in which there is work involving additions, alterations, or changes of occupancy, shall be made to conform to the requirements of this section or the provisions of Sections 3403.0 through 3407. The provisions of Section 3408.2.1 through 3408.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Use Groups, A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Use Group H or I.

113.4 Delete and replace with:

Any person, firm, or corporation who shall violate a provision of this section shall, upon conviction, be punished as provided in Section 1-108 of the Code of Ordinances of the City of Bristow. Each day that a violation occurs shall be deemed a separate offense. (Ord. 5-18-98H §§ 2, 3, 4)

1612.3 City of Bristow; May 4, 1982.

3409.2 December 4, 2001.

(Ord. 20-110501 § 1)

## Chapter 2

### PLUMBING CODE

#### Sections:

- 5-201 Adoption of International Plumbing Code.
- 5-202 Conflicting ordinances repealed.
- 5-203 Additions, insertions and changes.
- 5-204 License--Surety bond.

#### 5-201 Adoption of International Plumbing Code.

That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Plumbing Code, 2003 Edition, including Appendix Chapters B, C, D, E, F and G as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the city of Bristow, in the state of Oklahoma; regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Plumbing Code on file in the office of the city of Bristow are hereby referred to, adopted, and made apart hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-203 of this code. (Adopted 7/7/80; Ord. No. 11-6-89: Ord. 31-010504 §§ 1 (part), 2)

State Law Reference: Plumbing regulations and licensing, 59 O.S. Sections 1001 et seq.

#### 5-202 Conflicting ordinances repealed.

All ordinances in conflict with the provisions of 2003 Edition of the International Plumbing Code except as otherwise provided in this chapter are hereby repealed. (Ord. No. 11-6-89: Ord. 31-010504 §§ 1 (part), 3)

#### 5-203 Additions, insertions and changes.

The following sections of the 2003 Edition of the International Plumbing Code are hereby revised as follows:

1. Section 101.1 - insert City of Bristow in place of the phrase [name of jurisdiction].
2. All of the provisions of Section 103 are deleted and replaced with the following: The City Inspector, sometimes referred to as the Bristow Building Inspector, is hereby designated as the "Code Official" for the purposes of this Code.
3. Section 106.6.2 insert the following schedule of fees:

#### PLUMBING RESIDENTIAL

Floor Drain	\$ 2.50 each
Gas Service	20.00 each
Kitchen Sink	2.50 each
Lavatory	2.50 each
Sewer	20.00 each
Shower	2.50 each
Stool	2.50 each
Tub	2.50 each

Utility Sink	2.50 each
Washer Drain	2.50 each
Water Heater	15.00 each
Water Service	20.00 each

**PLUMBING COMMERCIAL**

Floor Drain	\$ 4.00 each
Kitchen Sink	4.00 each
Lavatory	4.00 each
Shower	4.00 each
Stool	4.00 each
Tub	4.00 each
Utility Sink	4.00 each
Washer Drain	4.00 each
Water Heater	4.00 each

4. Section 108.4 shall provide as follows:

Any persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall upon conviction, be punished as provided in Part 1, Chapter 1, Section 1-108 of the Code of Ordinances of the City of Bristow. Each day that a violation occurs after due notice has been served shall be deemed a separate offense.

5. Section 108.5 Insert \$50.00 in the first location reciting [amount] and insert \$200.00 in the second location reciting [amount].

6. Section 109.2.1: Section 109.2.1 is deleted.  
(Ord. No. 11-6-89: Ord. 31-010504 §§ 1 (part), 4)

5-204 License--Surety bond.

A. It is unlawful to perform work as a plumbing contractor, journeyman and/or an apprentice unless a proper license has been issued by the city of Bristow and a surety bond posted.

B. Commencing July 1, 1998, the following license fees and surety bonds shall be assessed all plumbing contractors, journeyman and/or apprentices:

First Year Plumbing	
Contractor license	\$125.00
Journeyman license	30.00
Apprentice license	10.00
Surety bond	3,000.00

Annual Plumbing Renewal	
Contractor renewal	\$50.00
Journeyman renewal	15.00
Apprentice renewal	10.00



C. Any person, firm or corporation who shall violate a provision of this section shall, upon conviction, be punished as provided in Section 1-108 of the Code of Ordinances of the city of Bristow. Each day that a violation occurs shall be deemed a separate offense. (Ord. 5-18-98H §§ 2, 3, 4)

## Chapter 3

### ELECTRICAL CODE

#### Sections:

- 5-301 Electrical equipment defined.
- 5-302 National Electrical Code adopted.
- 5-303 Underwriters' Laboratories, Inc. standards.
- 5-304 Electrical inspector; office created.
- 5-305 Inspector may make special rulings.
- 5-306 Wiring in city.
- 5-307 Permit required for electrical installation; exceptions; fee.
- 5-308 Public utilities compliance.
- 5-309 Electrical inspector to inspect all electrical installations.
- 5-310 Installation not to be concealed until approved.
- 5-311 Work "roughed in."
- 5-312 Inspection of new work "roughed in."
- 5-313 Premises not to be connected until installation is approved.
- 5-314 Annual inspection in fire zone--Corrections.
- 5-315 Inspector may enter buildings--Decisions final.
- 5-316 Responsibility for damages.
- 5-317 Electricians--Registration required.
- 5-318 Bond for electrical contractors.
- 5-319 Registration or bond--When not required.
- 5-320 Revocation of registration.
- 5-321 Electrical board created.

#### 5-301 Electrical equipment defined.

A. The term "electrical equipment" as used in this chapter refers to electrical conductors, metallic raceways, fittings, devices, fixtures, appliances, apparatus, and any electrical material of any nature, kind or description, to be installed within or on any building or structure for transmitting electrical current for electric light, heat or power.

B. The term "electrical wiring" means the installation of electrical equipment, lighting fixtures or installing electrical apparatus of any kind or nature or description to be connected to light, heat or power service. (Prior Code, Chapter 11, in part)

#### 5-302 National Electrical Code adopted.

All installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the state and any orders, rules, and regulations issued by authority thereof, and with approved electrical standards for safety to person and property. Where no specific standards are prescribed by this code or by the

statutes of the state or by any orders, rules, or regulations issued by the authority thereof, conformity with the regulations set forth in the 2005 Edition of the National Electrical Code as approved by the National Fire Protection Association, Inc., shall be required. (Prior Code, Chapter 11, in part: Ord. 10-040201 § 1; Ord. 75-030606 § 1)

State Law Reference: State electrical licensing and regulations, 59 O.S. Sections 1680 to 1696.

5-303 Underwriters' Laboratories, Inc. standards.

All electrical equipment installed or used shall be in conformity with the provisions of this chapter, the statutes of the state and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons or to property. Unless by this chapter, by a statute of the state or any orders, rules, or regulations issued by authority thereof, a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriters' Laboratories, Inc., shall be prima facie evidence of conformity with approved standards for safety to persons or to property. (Prior Code, Chapter 11, in part)

5-304 Electrical inspector; office created.

There shall be an electrical inspector who may be the building official appointed in this code or other person appointed by the mayor with approval of the council. The electrical inspector shall be a person who has had practical experience in inside electrical construction and who is familiar with the National Electrical Code and the application of the "Code" rulings. (Prior Code, Chapter 11, in part)

5-305 Inspector may make special rulings.

The electrical inspector with the approval of the electrical board created in this chapter, shall have the authority to make special rulings, when circumstances warrant, for the safeguarding of life and property and the improvement of electrical installations, but in all cases persons engaged in the installing of electrical equipment and holding an electrical license must be notified by letter of these decisions. (Prior Code, Chapter 11, in part)

5-306 Wiring in city.

All commercial wiring hereafter done in the city limits must be installed in rigid galvanized conduit, thin wall EMT or metal molding. Armored cable or Greenfield is to be used only when in the judgment of the electrical inspector. It is not practicable to install rigid conduit or any commercial or industrial building PVC plastic under concrete. (Prior Code, Chapter 11, in part)

5-307 Permit required for electrical installation; exceptions; fee.

A. It is unlawful for any person to install any electrical wiring, fixtures, equipment or apparatus in or on any building or structure in the corporate limits of this city or make extensions to any existing electrical installations without first securing a permit from the electrical inspector.

B. Applications for electrical permits shall be made to the electrical inspector; and the applicant shall provide such plans, specifications and other data as may be necessary to determine whether the permit shall be issued.

C. It is the duty of the city clerk to issue all permits upon approval of the electrical inspector. The electrical inspector shall make inspection of all work for which permit has been issued within forty-eight (48) hours after having been notified that work is ready for inspection (Sundays and holidays not included).

D. No permit shall be issued until the applicant shall have paid a permit fee in such amount as set by the city council, by motion or resolution. (Prior Code, Article B)

5-308 Public utilities compliance.

It is unlawful for any public service corporation, individual, light, heat or power company to connect, or cause to be connected any service, or building for the supply of electrical current for light, heat or power, until they have been notified by the electrical inspector that electric work has been inspected and approved and is ready for electric service. (Prior Code, Chapter 11, in part)

5-309 Electrical inspector to inspect all electrical installations.

The electrical inspector shall have the power to inspect all electrical equipment installed within the city. (Prior Code, Chapter 11, in part)

5-310 Installation not to be concealed until approved.

It is unlawful for any person, firm, partnership, corporation or individual to conceal or cause to be concealed, any electrical equipment, used for electric light, heat or power, until it is known by the person that the installation has been approved by the electrical inspector; and a tag in the switch cabinet, or attached to the service equipment properly signed and dated, so stating, will be sufficient notice. (Prior Code, Chapter 11, in part)

5-311 Work "roughed in."

New or old work "roughed in" shall include all electrical equipment to make the installation complete, be free from unintentional grounds, with joints properly made up, ready for attachment of fixtures, drop lights and appliances. (Prior Code, Chapter 11, in part)

5-312 Inspection of new work "roughed in."

After making inspection of new work "roughed in," the electrical inspector shall leave a tag or notice in the switch cabinet or attached to the service equipment, plainly indicating whether the work has been approved and is ready to conceal, or that the installation is not standard and must not be covered until approved by the electrical inspector. (Prior Code, Chapter 11, in part)

5-313 Premises not to be connected until installation is approved.

It is unlawful for any public service corporation, individual, light, heat or power company to connect, or cause to be connected any service or building, for the supply of electric current for light, heat or power, until they have been notified by the electrical inspector that electric work has been inspected and approved and is ready for electric service. (Prior Code, Chapter 11, in part)

5-314 Annual inspection in fire zone--Corrections.

The electrical inspector may make an annual inspection of all electrical equipment in the fire zone of the city. When any electrical installations are found to be in an unsafe or hazardous condition, the electrical inspector shall notify the person, firm or corporation where such electrical conditions exist to correct the same and place in a safe condition. Any person, firm or corporation failing or refusing to make correction of hazardous or unsafe electrical installations, after having been notified by the electrical inspector, within a designated time to be determined by the electrical inspector, shall be fined according to the provisions of this chapter. Each day after the expiration of the time designated to make corrections shall constitute a separate offense. When hazardous or unsafe electrical conditions exist and any person, firm or corporation fails to make corrections after having been

notified, the electrical inspector shall have the authority to discontinue the electrical service. (Prior Code, Chapter 11, in part)

5-315 Inspector may enter buildings--Decisions final.

The electrical inspector, while in the discharge of his official duty, shall have the authority to enter any building or premises at any reasonable hour, for the purpose of making any electrical inspection, reinspection, or test of the electrical equipment contained therein or its installation. Any person interfering with the electrical inspector shall be fined as provided for in this chapter. The electrical inspector shall be the judge of what constitutes the safe installation of electrical conductors and his decision shall be final and binding. (Prior Code, Chapter 11, in part)

5-316 Responsibility for damages.

The provisions of this chapter shall not be construed to affect the responsibility or liability of any party owning, operating, controlling, or installing any electrical equipment for damages to persons or to property caused by any defect therein, nor shall the city or any officer or employee of the city, be held as assuming such liability by reason of the inspection or reinspection as herein provided or by reason of the approval or disapproval of any equipment authorized herein. (Prior Code, Chapter 11, in part)

5-317 Electricians--Registration required.

A. All persons, firms, partnerships, corporations, or individuals engaging in or hereafter engaging in the business of installing electrical fixtures, wiring or apparatus in or on any building within the corporate limits of the city shall first procure from the city clerk a registration certificate, and upon the payment of the required fee such certificate shall entitle the holder to install electrical conductors, fixtures or appliances in or on any buildings within the corporate limits of the city for a period of one year or until June 30th following the date when the license is issued, after all other provisions have been complied with.

1. It is unlawful to perform work as an electrical contractor, journeyman and/or an apprentice unless a proper license has been issued by the city of Bristow.

2. Commencing July 1, 1998, the following license fees shall be assessed:

First Year Electrical	
Contractor license	\$125.00
Journeyman license	30.00
Apprentice license	10.00

Annual Electrical Renewal	
Contractor renewal	\$50.00
Journeyman renewal	15.00
Apprentice renewal	10.00

3. Any person, firm or corporation who shall violate a provision of this chapter shall, upon conviction, be punished as provided in Section 1-108 of the Code of Ordinances of the city of Bristow. Each day that a violation occurs shall be deemed a separate offense.

B. There must be a registered electrician on any and all jobs at all times.

C. Any electrical contractor or journeyman electrician registered hereunder shall be entitled to be re-registered on each succeeding year hereafter upon payment of this fee and provision of the bond herein provided. (Prior Code, Chapter 11, in part; Ord. 6-15-98B §§ 1-3)

State Law Reference: State licensing and exams, city may require registration, 59 O.S. Sections 1680 to 1696.

5-318 Bond for electrical contractors.

Repealed by Ordinance Number 6-15-98B.

5-319 Registration or bond--When not required.

For the installing of bell, telephone, or signal systems not using over twelve (12) volts, no registration or bond will be required but the installation of same must comply with all other requirements of the ordinances of the city. (Prior Code, Chapter 11, in part)

5-320 Revocation of registration.

After adequate opportunity for a hearing, the council may revoke the registration of an electrical contractor, an apprentice electrician, or a journeyman electrician for any of the following causes:

1. Serious or repeated violations of the laws, ordinances or other regulations relating to electrical installations;
2. Grossly unethical conduct in connection with the electrical trade or business;
3. Poor workmanship or service; or
4. Installing inferior or substandard materials, fixtures or equipment.

A request that the registration be revoked may be presented to the council by the electrical inspector or by any aggrieved person. (Prior Code, Chapter 11, in part)

5-321 Electrical board created.

An electrical board is hereby created and established, which board shall consist of three (3) members to be appointed by the mayor and confirmed by the city council of the city. Two (2) of the members of the board shall be licensed electrical contractors. It is the duty of this electrical board to:

1. To work with the electrical inspector; and
2. To hold meetings and pass on and settle any disputes that may arise pertaining to the provisions of this chapter.

The members of the electrical board shall each serve for a term of two (2) years, or at the pleasure of the mayor and city council. The electrical inspector shall be an ex officio member of the board but without the privilege of having a vote on the decisions made by the board. (Prior Code, Chapter 11, in part)

## Chapter 4

### GAS PIPING

Sections:

- 5-401 Rules adopted.
- 5-402 Inspection; fee.

5-401 Rules adopted.

The Standard Gas Code, latest edition thereof, issued by the Southern Building Code Congress International is hereby adopted and incorporated in this code by reference. The code shall be in full force and effect in the city and shall govern the installation of gas piping and gas appliances in buildings in the city. Any violation of this pamphlet shall be deemed a violation of the ordinances of the city.

5-402 Inspection; fee.

All installations of gas piping within the city, upon completion, shall be inspected by the plumbing inspector or by the gas inspector if a gas inspector is appointed, and shall not be used by the occupants until approved by the inspector as complying with applicable city ordinances and codes. The fee for such inspection shall be as set by the city council by motion or resolution.

## Chapter 5

### LIQUEFIED PETROLEUM GAS

#### Sections:

- 5-501 Persons must comply with state law, code adopted.
- 5-502 Inspection; fee.
- 5-503 Definitions.
- 5-504 Tank trucks, trailers prohibited.
- 5-505 State inspection, approval.
- 5-506 Trucks to comply with state rules.
- 5-507 Parking prohibited.
- 5-508 Notice to city if truck breaks down.
- 5-509 Repairs, fire chief approval.
- 5-510 LPG prohibited in residential area where natural gas is available.
- 5-511 State certificate required for installation.
- 5-512 Penalty.

5-501 Persons must comply with state law, code adopted.

It is unlawful for any person, firm or corporation to manufacture, fabricate, assemble, install, or repair any system, container, apparatus, or appliance to be used for the transportation, storage, dispensing, or utilization of liquefied petroleum gas, or to transport, handle, or store such gas, unless such person has complied with and complies with all provisions of the law and ordinances relating thereto, and has any license or permit which may be required by state law. Pamphlet Number 58 of the National Fire Protection Association, entitled Liquefied Petroleum Gases, Storage and Handling, also adopted by the Liquefied Petroleum Gas Board, shall have full force and effect within this city; and any violation of these rules and regulations shall be deemed a violation of the ordinances of the city and shall be punished accordingly.

State Law Reference: State rules, liquefied petroleum gas, 52 O.S. Sections 420.1 et seq.

5-502 Inspection; fee.

All liquefied petroleum installations within the city, upon completion, shall be inspected by the plumbing inspector, or by the gas inspector if a gas inspector is appointed, and shall not be used by the occupants until ap-

proved by the inspector as complying with this chapter and the rules and regulations adopted thereby. The fee for such inspection shall be as set by the city council by motion or resolution.

5-503 Definitions.

The terms “liquefied petroleum gases, LPG, or LP gas” when used in this chapter shall mean and include any material which is composed predominantly of any of the following hydrocarbons or mixtures of the same: propane, propylene, butanes, (normal butane and isobutane), and butylenes. (Prior Code, Chapter 11)

5-504 Tank trucks, trailers prohibited.

It is unlawful and an offense for any person, firm or corporation to operate any tank, tank truck, or tank trailer or any other container containing LPG on any street or highway within the city or to install, possess and maintain any system for the use of liquefied petroleum gas or to store or to possess any LPG or container thereof in violation of this chapter. (Prior Code, Chapter 11)

5-505 State inspection, approval.

No tank, truck or trailer used for or containing LPG shall be driven through the city or make any delivery within the city unless the same shall be properly labeled with the name of the contents and inspected and approved by the Oklahoma Liquefied Petroleum Gas Administrator. (Prior Code, Chapter 11)

5-506 Trucks to comply with state rules.

All tanks, trucks and trailers containing or used for LPG and all liquefied petroleum gas systems used or operated within this city or passing through this city shall be at all times subject to the laws of the state applicable thereto, and the rules and regulations of the Oklahoma Liquefied Petroleum Gas Administrator now, or hereafter in force and effect. A violation of any such laws, rules or regulations, shall be deemed a violation of this code. All such tanks, trucks, trailers and systems shall be subject to inspection at all reasonable times by the fire chief of this city, who, in the event of discovery of a violation of any such laws, rules, regulations or the provisions of this code which he deems to constitute a hazard to life or property, shall have the power to immediately order the removal or abatement of such hazard and it shall thereupon be the duty of the person having control thereof to comply with such order. Such person shall have the right to appeal the order of the fire chief to the city council but this shall not excuse his compliance with the order of the fire chief pending a hearing by the city council. (Prior Code, Chapter 11)

5-507 Parking prohibited.

No such tank, truck or trailer, whether loaded or empty shall be at any time, parked within the city except on making deliveries of LPG to any user thereof, in which event the same may be stopped long enough to make such delivery. (Prior Code, Chapter 11)

5-508 Notice to city if truck breaks down.

In the event of a breakdown or other unavoidable stop of any tank, truck, or tank trailer used for transporting LPG within the city, the driver of the tank, truck or trailer shall give immediate notice to the fire department of the city as to the location of the truck or trailer. The same shall not remain parked longer than is necessary for its removal from the city. (Prior Code, Chapter 11)

5-509 Repairs, fire chief approval.

In the event it becomes necessary to make any mechanical repairs to any such truck, tank, or trailer within the city, before such mechanical repairs shall be made, it is the duty of the person having control thereof to notify the fire chief who shall inspect the same. If he should find that the same is in a safe condition for the contemplated repairs, he shall issue a permit therefor which shall expire five (5) days after its issuance. If the fire chief shall find upon such inspection that the same is not in a safe condition for the contemplated repairs, no such repairs shall be made until the tank, truck or trailer shall be made safe as required by the fire chief and he may require that the same be removed from the city until his requirements are complied with. (Prior Code, Chapter 11)

5-510 LPG prohibited in residential area where natural gas is available.

No person, firm or corporation shall hereafter set up or establish within the city any tanks or receptacles of any nature, temporary or permanent, for the storage, handling, transfer or sale of any LP gas within the main street business area nor within any residential area for home use where natural gas is available. (Prior Code, Chapter 11)

5-511 State certificate required for installation.

Any person, firm or corporation hereafter installing any LP gas system for domestic, commercial or other use within the city shall, prior to its use, furnish the city clerk with a certificate of the Oklahoma State Liquefied Petroleum Gas Administrator showing that such installation or system has been duly inspected and found satisfactory to the administrator. (Prior Code, Chapter 11)

5-512 Penalty.

The doing of any act prohibited by this chapter or the failure to do any act required herein, shall be an offense and upon conviction thereof, the offender shall be punished by a fine as provided in Section 1-108 of this code. (Prior Code, Chapter 11)

## Chapter 6

### MOVING HOUSES AND BUILDINGS

#### Sections:

- 5-601 Prohibition on moving buildings, exceptions.
- 5-602 Permit, procedure and fee.
- 5-603 Temporary parking of buildings, structures in transit, permit.
- 5-604 Caution signs.
- 5-605 Protection of trees and overhead structures.
- 5-606 Guards against danger.
- 5-607 Limit to size of building.
- 5-608 Time limit.
- 5-609 Notice to fire department.
- 5-610 Liability.

5-601 Prohibition on moving buildings, exceptions.



A. The moving of houses, buildings or similar structures from one location to another within the city or from a location outside of the city to a location within the city, except as provided by this chapter, is hereby prohibited.

B. Nothing in this chapter shall be construed to prohibit the moving of houses, buildings or similar structures through the city, or from a location within the city to a location outside the city.

C. The provisions of this chapter shall not apply to portable storage buildings not larger than two hundred (200) square feet of floor area, moved onto a location, which are not to be used for human occupancy, and which are intended for and actually used for storage of ordinary residential equipment and paraphernalia. However, to be exempt from this chapter, at the time of moving such a portable storage building there must exist on the location an occupied residential structure. (Ord. No. 5586A, 5/5/86)

#### 5-602 Permit, procedure and fee.

A. No house, building or other structure shall be moved without prior approval by the city council, in accordance with the following procedures.

B. The building inspector for the city or other authorized representative of the city shall first inspect such house, building or similar structure at its existing location and shall also inspect the proposed location onto which the property is to be moved. Prior to such inspection the owner thereof or applicant shall agree in writing to pay an inspection fee to the city at the rate of:

1. Fifty dollars (\$50.00) per hour or any part thereof; and
2. Twelve cents (\$.12) per mile.

Where any part of such inspection must occur outside of the incorporated limits of the city, the owner or applicant shall deposit the sum of one hundred dollars (\$100.00), plus mileage with the city clerk to be applied upon such inspection fee.

C. In the event such inspection, in the opinion of the inspector, reveals that such house, building or similar structure will or can comply with all pertinent city building codes and zoning requirements at its proposed location, and will conform generally to other structures in the immediate neighborhood, so as not to constitute a detriment to surrounding property, the owner or applicant shall be allowed to request that the city council consider such proposed move. At least ten (10) days notice by publication in a newspaper of general circulation in the city shall be given prior to council hearing on the permit, describing the proposed location, the present location of such structure, and the date of consideration by the city council at a public hearing. In addition, all property owners of record within a radius of three hundred (300) feet from the proposed location, as shown by the records in the office of the county treasurer of the county, shall be notified of the date of the public hearing, the proposed location, and the present location of such structure, by certified mail, postage prepaid, mailed to the last known address of such property owner at least ten (10) days in advance of such meeting. The written findings of the inspector shall be forwarded to the council for their use at such hearing.

D. In the event of approval by the council for such proposed move, the owner or applicant shall provide the city with a Five Thousand Dollar (\$5,000.00) cash or surety bond, guaranteeing that such structure will conform, with all city building and zoning codes within a period of one hundred twenty days (120) from its location on the new site, and a permit to move will not be allowed until such bond is posted with the city clerk.

E. The permit for moving the structure shall be issued by the city clerk only after approval of the city council and payment of the fee of Fifty Dollars (\$50.00) for issuance of the permit. (Ord. No. 5586A, 5/5/86)

#### 5-603 Temporary parking of buildings, structures in transit, permit.

A. Houses, buildings and similar structures in transit may be parked upon a lot within a zone designated as C-4, 1-1, 1-2, or 1-3 under the zoning ordinance of the city for the purpose of storage in transit, for a period not to exceed thirty (30) days from the date of the issuance of the permit provided hereinafter.

B. A special permit shall be obtained from the building inspector of the city for the storage of buildings or structures, upon payment of a fee of Five Dollars (\$5.00), such fee to be in addition to any other fees required hereunder. (Ord. No. 5586A, 5/5/86)

#### 5-604 Caution signs.

It is the duty of the permittee to place red lights plainly visible for not less than two hundred (200) feet on each and every side of the building or structure which is being moved at the close of day and to keep same burning throughout the entire night and until one hour after sunrise on the morning following. Such lights shall be so placed and maintained that and bond required hereunder. And the view of same will not be in any sense obstructed. If necessary, as many additional lights as may be necessary shall be placed at such other points on the building or structure as will enable any person of reasonable and ordinary prudence to take notice of the obstruction. (Prior Code, Article D, as amended)

#### 5-605 Protection of trees and overhead structures.

The person who may have a permit to move a building or structure over any street within the city shall by virtue of such permit and license derive no right to injure or impair the condition or usefulness of any shade tree, electric light, telephone or telegraph poles or lines. No tree of any kind shall be cut, bruised, scarred under any circumstances, without the expressed permission in writing of the owner of the same and with the permission of the street commissioner. In all cases where necessary to remove any electric light, telephone or telegraph construction, it shall be the duty of the person moving such building or structure to give not less than twenty-four (24) hours notice to the public utility company or person owning or operating the same, which notice shall state the place, the construction which it is necessary to be removed, or temporarily changed or altered and the day on which it is desired to have such clearance made as well as the amount of time it will be necessary to keep such space clear. It is the duty of the person moving the building or structure to deposit an amount in money estimated necessary to cover the cost of the changing or moving of public utility overhead construction and replacing the same in its former condition, not exceeding the sum of Five Hundred Dollars (\$500.00) with the city clerk. Upon such deposit being made with the city clerk and such notice being delivered to the owner or operator of the telephone or telegraph and line construction, it is the duty of the person owning or operating the overhead construction to make such temporary changes as are reasonably necessary to comply with the representations set forth in the notice made and delivered to him. (Prior Code, Article D, as amended)

#### 5-606 Guards against danger.

It is the duty of the house mover, to station sufficient persons on guard and to establish such notices by placards or boards in the immediate vicinity of the moving activities as will be necessary to apprise any reasonable person of any potential danger that might be incurred by coming closer to the moving operations or buildings being moved or the instruments or agencies used in the moving of the same. (Prior Code, Article D, as amended)

#### 5-607 Limit to size of building.

No permit shall be issued to move any building which in the judgment of the building inspector or street department might by any chance result in an injury to the pavements, bridges, conduits or other street improvements within the city. (Prior Code, Article D, as amended)

5-608 Time limit.

At the time of application for a permit it is the duty of the mover of any building or structure to estimate the reasonable time required for the moving of the building from its present location to its proposed location and shall state in his application for permit what he deems to be such reasonable time. (Prior Code, Article D, as amended)

5-609 Notice to fire department.

Any person desiring to move any building shall show his permit to the chief of the fire department. If for any reason any delay is occasioned by any unforeseen contingency, it is his duty to inform the fire chief of such facts, to the end that the fire chief may keep accurate and recent information on the true conditions of the streets and alleys for fire prevention purposes. (Prior Code, Article D, as amended)

5-610 Liability.

No provision or condition of this chapter shall be construed so as to limit the liability civilly of any person moving any house on or over the city streets, avenues and alleys from any and all damages which may result as the proximate cause of such acts to any person or his property or to the city. (Prior Code, Article D, as amended)

## Chapter 7

### FAIR HOUSING

Sections:

- 5-701 Purposes and construction.
- 5-702 Housing discrimination acts prohibited.
- 5-703 Exemptions.
- 5-704 Fair housing board created.
- 5-705 Duties of fair housing board.
- 5-706 Procedure for complaints.
- 5-707 Notices.
- 5-708 Penalty.

5-701 Purposes and construction.

The general purposes of this chapter are:

1. To secure for all people equal access to housing in all neighborhoods; and
2. To preserve the public safety, health and welfare.

5-702 Housing discrimination acts prohibited.

It is unlawful for any person, real estate broker, real estate salesperson, or corporation:

1. To refuse to sell, lease, rent, assign or otherwise transfer the title or other interest in any housing, or real property upon which residential housing is to be constructed to any person, or to discriminate in the terms or conditions of the sale, rental or leasing of any residential housing unit, because of race, sex, religion or national origin;

2. To refuse to negotiate with any person for the sale, rental, or leasing of any residential property, or to represent that such property is not available for inspection, sale, rental or lease when in fact it is so available, because of such person's race, sex, religion or national origin;

3. To solicit or induce, or attempt to solicit or induce, any person owning any interest in any residential housing to sell, rent or lease, or not to sell, rent or lease such housing to any person on the ground of loss of value due to the present or prospective entry into the neighborhood of a person or persons of another race, sex, religion, or national origin, either by direct solicitation or inducement or by the purchase of other property in the neighborhood for the purpose of such inducement, or to distribute, or cause to be distributed material or making statements designed to induce a residential property owner to sell or lease his property due to such change in neighborhood; or

4. To file a complaint alleging a violation of this chapter, with knowledge that such complaint is false in any material respect, or to file such complaint for the sole purpose of harassment.

#### 5-703 Exemptions.

A. Nothing herein shall apply to any religious organization, association, society or private club; a religious nonprofit organization, operated, supervised or controlled by or in conjunction with a religious organization, association, or society from limiting the sale or rental of dwelling units owned and operated for other than a commercial purpose.

B. Nothing herein shall apply to:

1. Any single-family house sold or rented by an owner, provided that such private individual owner does not own more than three (3) such single family houses and was not the most recent resident of such house prior to such sale with the exception granted to one such sale within a twenty-four (24) month period; provided further that such owner does not own or retain in his behalf title to a portion of the proceeds from the sale or rental of more than three (3) such single family houses at any one time; provided further that such sale or rental of such single family house shall be excepted if such house is sold or rented without the use in any manner of a sale or rental facilities or employee thereof; or

2. Any dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independent of each other and the owner actually occupies one such living quarter as his residence.

#### 5-704 Fair housing board created.

There is hereby created a Fair Housing Board of the city, hereinafter referred to as "board," which shall be the mayor and city council.

#### 5-705 Duties of fair housing board.

It is the duty of the Fair Housing Board to:

1. Initiate, receive, and investigate complaints, charging unlawful housing practices;

2. Seek conciliation of such complaints, hold hearings, make findings of fact, and publish its findings of fact; and

3. Adopt such rules and regulations as may be necessary within the limits of this chapter, and carry out the purposes and provisions of this chapter.

#### 5-706 Procedure for complaints.

A. Any person aggrieved by discriminatory practice prohibited by this chapter may file with the fair housing board a complaint in writing, under oath. The complaint shall be signed by the person claiming to be ag-

grieved, and shall state the name and address of the person alleged to have violated the provisions of this chapter, and shall further set forth the particulars of the violation, and may include such other information as may be required by the board. Complaints filed under this section must be filed within thirty (30) days after the alleged violation, and failure to file within the time, shall be considered a waiver of the application of this chapter. The board may issue a complaint on its own initiative, at any time it is within the knowledge of the board that a person has violated any of the provisions of this chapter.

B. The board shall investigate each complaint filed with the board, and shall attempt an adjustment of the complaint by means of conference and conciliation. Sixty (60) days shall be allowed for the purpose of investigation, conference and conciliation. Upon determination that a complaint is not well founded, the board shall dismiss the complaint and notify the complainant and respondent in writing of the dismissal. If the board takes no action within ninety (90) days of the filing of the complaint, it shall be considered as dismissed.

C. If conference or conciliation does not result in compliance with this chapter, the board shall cause to be issued and served in the name of the city a written notice, together with a copy of the complaint, requiring the person named in the complaint, hereinafter referred to as respondent, to answer charges of the complaint at a hearing before the board at a time and place to be specified in the notice.

D. At the hearing, provided for in Subsection C of this section, the complaint shall be heard by the board. At the hearing, the complainant or person aggrieved may appear in person or by counsel, and the respondent may file a written answer to the complaint and may appear in person or by legal counsel. The board, when conducting any hearing pursuant to this section, may permit amendments to any complaint or answer, and the testimony taken at the hearing shall be under oath, and shall be transcribed at the request of either party, or at the direction of the board. If the board finds at the hearing that the respondent has engaged in any discriminatory practice or practices prohibited by this chapter, it shall state its findings of fact, and shall so certify the matter to the city attorney for appropriate action. No prosecution shall be brought under this chapter except upon such certification. If the board, upon hearing, finds that respondent has not engaged in any discriminatory practice, it shall state its findings of fact and shall issue and file an order dismissing the complaint. The board shall establish rules and regulations to govern and expedite and effectuate the foregoing procedure, and shall maintain the files provided for herein.

#### 5-707 Notices.

Any and all notices required under the provisions of this chapter to be served upon any person, may be served personally on such person, or by mailing a copy thereof by certified or registered mail, with return receipt requested, to the most current business or residence address of such person.

#### 5-708 Penalty.

It is unlawful and an offense for any person to violate any of the provisions of this chapter. Any person found guilty of violating any provisions shall be deemed guilty of an offense, and is subject, upon conviction, to a fine as provided in Section 1-108 of this code, including costs.

## Chapter 8

### HOUSING CODE

#### Sections:

#### Article A. Housing Code

#### 5-801 Adoption of housing code.

## Article B. Equal Access to Housing

5-802 Intent.

5-803 Acts prohibited.

5-804 Acts exempted.

5-805 Complaint procedure.

## Article A. Housing Code

5-801 Adoption of housing code.

There is hereby adopted by reference the Standard One and Two Family Dwelling Code, and the Standard Housing Code, the latest editions thereof, issued by the Southern Building Code Congress International, as dwelling and housing codes, for the city. The One and Two Family Dwelling Code and the Housing Code shall be fully applicable and enforceable in governing housing in the city, save and except such portions as are hereinafter deleted, modified or amended, as fully as if set out at length herein. If any provision of the ordinances of the city are in conflict with the provisions of these codes, except as provided in this chapter, the provisions of the codes shall prevail.

## Article B. Equal Access to Housing

5-802 Intent.

The general intention of the city council of the city of Bristow in providing for the passage of this article is as follows:

A. To secure for all residents of Bristow, Oklahoma, equal access to housing in all neighborhoods and areas of the city;

B. To preserve the public welfare, to provide for the preservation of public peace, health and safety. (Ord. 5-18-98B § 1(1))

5-803 Acts prohibited.

It is unlawful for any person, firm, corporation or association to commit any of the following acts:

A. To refuse to sell, lease, rent, assign or otherwise transfer the title or other interest in any housing, or real property upon which residential housing is to be constructed, to any person, or to discriminate in the terms or conditions of the sale, rental or leasing of any residential housing unit, because of race, color, religion, or national origin, familial status, or disabilities;

B. To refuse to negotiate with any person for the sale, rental, or leasing of any residential property, or to represent that such property is not available for inspection, sale, rental or lease when, in fact, it is so available, because of such person's race, color, religion, or national origin, familial status or disabilities;

C. To solicit or induce, or attempt to solicit or induce, any person owning any interest in residential housing to sell, rent or lease, or not to sell, rent or lease such housing to any person on the grounds of loss of value due to the present or prospective entry in the neighborhood of a person or persons of another race, color, religion, or national origin, familial status or disabilities either by direct solicitation or inducement or by the purchase of other property in the neighborhood for the purpose of such inducement, to distribute, or cause to be distributed, material or make statements designed to induce a residential property owner to sell or lease his property due to such change in neighborhood;

D. To file a complaint alleging violation of Sections 5-802 through 5-805, with knowledge that such complaint is false in any material respect, or to file such complaint for the sole purpose of harassment. (Ord. 5-18-98B § 1(2))

5-804 Acts exempted.

Nothing contained in this Article B shall apply to the following:

A. To prohibit persons from giving a preference to prospective buyers or tenants for reasons other than race, color, religion, national origin, familial status or disability;

B. To the sale of a dwelling which is, or was at the time when first offered for sale, the principal residence of its owner;

C. To the rental of rooms in an owner-occupied residence or in a dwelling used exclusively as a rooming house;

D. To the rental or leasing of a housing unit in a building containing less than four (4) housing units;

E. To the rental or leasing of a dwelling or housing units owned by a religious or fraternal organization, or private club used and occupied for such organizational purposes. (Ord. 5-18-98B § 1(3))

5-805 Complaint procedure.

A. Any person aggrieved by any discriminatory practice as prohibited by Sections 5-802 through 5-804, may file with the mayor a complaint in writing which shall be filed under oath. Such complaint shall be signed by the person claiming to be aggrieved, and shall state the name and address of the person alleged to have violated the provisions of this article, and shall further set forth the particulars of such violation, and may include such other information as may be required by the mayor. Complaints filed under this section must be filed within thirty (30) days after the alleged violation, and failure to file within such time period shall be considered a waiver of the application of this section. The city may issue a complaint on its own initiative, at any time that it comes within the knowledge of the city that a person has violated any of the provisions of Sections 5-802 through 5-804.

B. The mayor shall forward the filed complaint to the State Human Rights Commission for investigation and resolution. The State Human Rights Commission has one hundred (100) days to complete its investigation. If the State Human Rights Commission cannot complete its investigation in that time period, it must notify the U.S. Department of Housing and Urban Development (HUD) in writing explaining the cause of the delay.

C. The State Human Rights Commission will attempt to conciliate the complaint. Under state law, the State Human Rights Commission must prosecute the alleged violator if the facts warrant it. If the State Human Rights Commission finds the complaint is unjustified, and has followed the housing discrimination complaint guidelines issued by the U.S. Department of Housing and Urban Development, the findings will be honored by HUD. The complainant may, however, pursue redress through district court within two (2) years of the alleged violation or from two (2) years of the date notice is given by the State Human Rights Commission that the matter will not be pursued. (Ord. 5-18-98B § 1(4))

Chapter 9

MECHANICAL CODE

Sections:

- 5-901 Adoption of International Mechanical Code.
- 5-902 Conflicting ordinances repealed.
- 5-903 Additions, insertions and changes.
- 5-904 License required.
- 5-905 License fees.
- 5-906 Violation--Penalty.

5-901 Adoption of International Mechanical Code.

That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Mechanical Code, 2003 Edition, including Appendix Chapter A as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the city of Bristow, in the state of Oklahoma; regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Mechanical Code on file in the office of the city of Bristow are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-902 of this code. (Ord. No. 2-21-89: Ord. 33-010504 §§ 1 (part), 2)

5-902 Conflicting ordinances repealed.

All other ordinances in conflict with the 2003 Edition of the International Mechanical Code except as otherwise provided in this chapter are hereby repealed. (Ord. No. 2-21-89: Ord. 33-010504 §§ 1 (part), 3)

5-903 Additions, insertions and changes.

The following sections of the 2003 Edition of the International Mechanical Code are hereby revised as follows:

1. Section 101.1 - insert City of Bristow in place of the phrase [name of jurisdiction].
2. All of the provisions of Section 103 are deleted and replaced with the following: The City Inspector, sometimes referred to as the Bristow Building Inspector, is hereby designated as the “Code Official” for the purposes of this Code.
3. Section 106.5.2 insert the following schedule of fees:

RESIDENCE	
Refrigeration Units	\$ 20.00
Heating Appliance	20.00
Rough-in-Duct	20.00
Range	5.00
Range Hood	5.00
Clothes Dryer	5.00
Chimneys	20.00



Vents	20.00
Gas Piping	20.00
COMMERCIAL	
Heating Appliance	\$ 30.00
Refrigeration Units	30.00
Rough-in-Duct	10.00
Incinerator	10.00
Range	10.00
Range Hood	10.00

4. Section 1068.4 shall provide as follows:

Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall upon conviction, be punished as provided in Part 1, Chapter 1, Section 1-108 of the Code of Ordinances of the City of Bristow. Each day that a violation occurs after due notice has been served shall be deemed a separate offense.

5. Section 109.21: Section 109.21 is deleted and replaced with the following:

The Board of Appeals shall consist of five individuals.

(Ord. No. 2-21-89: Ord. 33-010504 §§ 1 (part), 4)

5-904 License required.

It is unlawful to perform work as an mechanical contractor, journeyman and/or an apprentice unless a proper license has been issued by the city of Bristow. (Ord. 6-30-98D § 1)

5-905 License fees.

Commencing July 1, 1998, the following license fees shall be assessed:

First Year Mechanical	
Contractor license	\$125.00
Journeyman license	30.00
Apprentice license	10.00
Annual Mechanical License Renewal Center	
Contractor renewal	\$50.00
Journeyman renewal	15.00
Apprentice renewal	10.00

(Ord. 6-30-98B § 1)

5-906 Violation--Penalty.

Any person, firm or corporation who shall violate a provision of this chapter shall, upon conviction, be punished as provided in Section 1-108 of the Code of Ordinances of the city of Bristow. Each day that a violation occurs shall be deemed a separate offense.

(Ord. 6-30-98C § 1)



## Chapter 10

### WATER WELL PERMITS

#### Sections:

5-1001 Water wells to be inspected by water superintendent--Permits.

5-1002 Application for permit--Fee--Permit issued.

5-1003 Use of water from private wells.

5-1004 Drilling, deepening, and use of well.

5-1005 Compliance with laws ordinances, and regulations; revocation of permit.

5-1006 Penalty.

5-1001 Water wells to be inspected by water superintendent--Permits.

No water well shall be used within the city unless the well has been inspected and approved by the water superintendent and a permit issued therefor by the city clerk. (Prior Code, Article F)

5-1002 Application for permit--Fee--Permit issued.

Each owner of property in the city having a water well thereon shall apply to the city clerk for a permit for the use of the well, and in the application shall state the location, depth, and capacity of the well, the nature of the use of the water obtained therefrom, and the sand or sands from which it produces. Each person making such application shall pay to the city clerk a permit fee in such amount as may be set by the council, by motion or resolution. After receipt of the application and fee in the office of the city clerk, the water superintendent shall inspect the well and the connections thereto, and shall approve the well if it complies with the ordinances of the city, the laws of the state and the regulations of the State Health Department. Upon approval by the water superintendent, or other appropriate city official, the city clerk shall issue a permit for the use of the well. (Prior Code, Article F)

5-1003 Use of water from private wells.

Water from privately owned wells within the city shall be used only for domestic purposes on the premises where the well is located, and there shall be no interconnection of any kind between any such well and the water supply of the city or any connection thereto or extension thereof. In the case of wells in use prior to the effective date of this chapter, use of the water therefrom for other than domestic purposes may be continued to the same extent and for the same purposes, but such uses shall not be extended or increased. (Prior Code, Article F)

5-1004 Drilling, deepening, and use of well.

A. No privately owned water well within the city shall hereafter be drilled to, nor shall any existing well hereafter be deepened to, nor shall any privately owned well be completed at, such depth as will interfere with or allow water to be taken and produced from the water producing sands from which the city obtains its municipal water supply, except in those instances and in those areas where water is not available to the prospective user from the city's regular water system.

B. In the event a well is completed in the sands comprising the city's water supply in pursuance of the authorization herein granted, by any citizen of the city, the well and its operation shall be subject to inspection and regulation in all respects by the officials and administrative agents of the city to prevent pollution of the water sands and to prevent damage to the sands by such operation.

C. No water from a privately owned well within or without the city limits shall be taken from the sands from which the city obtains its water supply for industrial or commercial purposes unless the prospective user thereof shall have first received the permission of the city council.

D. The city, acting through its city council, shall at all times have power and authority to issue cease and desist orders to all users of water from such water sands during those periods of drought or low water periods, and at any other time when in the discretion of the council, the cease and desist orders are necessary to the welfare of the city and its citizens.

E. At such time as water is available to the persons from the city's regular water system, or at such time as the city can furnish water by other means to the persons who have completed a well in the water sands, the persons owning such wells shall immediately and forthwith cease using water from the water sands, and shall plug and abandon any such wells having been completed in the water sands of the city. (Prior Code, Article F)

#### 5-1005 Compliance with laws, ordinances, and regulations; revocation of permit.

The drilling and use of water wells within the city shall comply in all respects with city ordinances, the laws of the state, and the regulations of the state health department in respect to the drilling, equipping, and use of such wells. The water superintendent shall have the right to inspect any such well at any time and to revoke the permit for the use thereof if any violation of any such ordinance, law, or regulation is found to exist. (Prior Code, Article F)

#### 5-1006 Penalty.

Any person, firm, or corporation violating any provision of this chapter, or who wilfully fails to cease and desist using water from the water supply sands of the city, after receiving notice of such order from the city, upon conviction thereof, shall be fined as provided in Section 1-108 of this code. (Prior Code, Article F)

### Chapter 11

#### PENALTY AND JUDICIAL RELIEF

##### Sections:

##### 5-1101 Penalty.

##### 5-1102 Relief in the courts.

##### 5-1101 Penalty.

Any person who shall engage in any business, trade or vocation for which a license, permit, certificate, or registration is required by this Part 5 without having a valid license, permit, certificate, registration as required, or who shall fail to do anything required by this chapter, or by any code adopted by this Part 5, or who shall otherwise violate any provision of this chapter or of any code adopted by this Part 5, or who shall violate any lawful regulation or order made by any of the officers provided for in this Part 5, shall be guilty of an offense, and upon conviction thereof, shall be punished as provided in Section 1-108 of this code. Each day that a violation occurs shall be deemed a separate offense. (Ord. 6-30-98A § 1)

##### 5-1102 Relief in the courts.

No penalty imposed by and pursuant to this chapter shall interfere with the right of the city also to apply to the proper courts of the state for a mandamus, an injunction, or other appropriate action against such person.

## Chapter 12

### FLOOD DAMAGE PREVENTION

#### Sections:

- 5-1201 Findings of fact.
- 5-1202 Statement of purpose.
- 5-1203 Methods of reducing flood losses.
- 5-1204 Definitions.
- 5-1205 Lands to which special flood hazard applies.
- 5-1206 Basis for establishing the areas of special flood hazard.
- 5-1207 Establishment of development permit.
- 5-1208 Compliance.
- 5-1209 Abrogation and greater restrictions.
- 5-1210 Interpretation.
- 5-1211 Warning and disclaimer of liability.
- 5-1212 Designation of the floodplain administrator.
- 5-1213 Duties and responsibilities of the floodplain administrator.
- 5-1214 Permit procedures.
- 5-1215 Variance procedures.
- 5-1216 Provisions for flood hazard reduction; general standards.
- 5-1217 Provisions for flood hazard reduction; specific standards.
- 5-1218 Standards for subdivision proposals.

#### 5-1201 Findings of fact.

A. The flood hazard areas of the city are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

B. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage. (Ord. No. 5-15-87, 5/15/87)

#### 5-1202 Statement of purpose.

It is the purpose of this chapter to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;

6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
7. Insure that potential buyers are notified that property is in a flood area. (Ord. No. 5-15-87, 5/15/87)

#### 5-1203 Methods of reducing flood losses.

In order to accomplish its purposes, this chapter uses the following methods:

1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase flood damage; or
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands. (Ord. No. 5-15-87, 5/15/87)

#### 5-1204 Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted to give them the meaning they have in common usage and to give this chapter its most reasonable application. The following terms as used herein will mean:

1. "Appeal" means a request for a review of the floodplain administrator's interpretation of any provision of this chapter or a request for a variance;
2. "Area of special flood hazard" means the land in the floodplain within a community subject to a one percent (1%) or greater change of flooding in any given year. The area may be designated as zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, zone A usually is refined into zones A, AE, AH, AO, A1-99, VO, V1-30, VE or
3. "Base flood" means the flood having a one percent (1%) chance of being equalled or exceeded in any given year;
4. "Critical feature" means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised;
5. "Development" means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations;
6. "Elevated building" means a nonbasement building:
  - a. Built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and pliers), or shear walls parallel to the floor of the water; and
  - b. Adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood;

In the case of zones A1-30, A1, A, A99, AO, AH, B, C, X, D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of

breakaway walls if the breakaway walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations;

7. “Existing construction” means for the purpose of determining rates, structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. “Existing construction” may also be referred to as “existing structures;”

8. “Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

a. The overflow of inland or tidal waters; or

b. The unusual and rapid accumulation or runoff of surface waters from any source;

9. “Flood Hazard Boundary Map (FHBM)” means the official map of a community on which the Federal Emergency Management Agency has delineated the boundaries of the flood, mudslide (i.e., mudflow) related to erosion areas having special hazards which have been designated as Zone A, M, or E;

10. “Floodplain or flood-prone area” means any land area susceptible to being inundated by water from any source (see definition of flooding);

11. “Flood protection system” means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards;

12. “Levee” means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding;

13. “Levee system” means a flood protection system which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices;

14. “Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building’s lowest floor; provided that such enclosure is not built to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations;

15. “Manufactured home” means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term “manufactured home” also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than one hundred eighty (180) consecutive days. For insurance purposes the term “manufactured home” does not include park trailers, travel trailers, and other similar vehicles;

16. “Mean sea level” means for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which the base flood elevations shown on a community’s flood insurance rate map are referenced;

17. “New construction” means for floodplain management purposes, structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by a community;

18. “Start of construction” means for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the build-

ing permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets or walkways; nor does it include excavation of basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or shed not occupied as dwelling units or not part of the main structure;

19. "Structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home;

20. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:

a. Before the improvement or repair is started; or

b. If the structure has been damaged and is being restored, before the damage occurred;

For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

a. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

b. Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places;

21. "Variance" means a grant of relief to a person from the requirements of this chapter when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this chapter. For full requirements see Section 60.6 of the National Flood Insurance Program regulations;

22. "Violation" means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided; and

23. "Water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, here specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas. (Ord. No. 5-15-87, 5/15/87)

5-1205 Lands to which special flood hazard applies.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the city. (Ord. No. 5-15-87, 5/15/87)

5-1206 Basis for establishing the areas of special flood hazard.

The areas of special flood hazard identified by the Federal Emergency Management Agency on its Flood Hazard Boundary Map (FHBM) and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter. (Ord. No. 5-15-87, 5/15/87)

5-1207 Establishment of development permit.



A development permit shall be required to ensure conformance with the provisions of this chapter. (Ord. No. 5-15-87, 5/15/87)

#### 5-1208 Compliance.

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this chapter and other applicable regulations. (Ord. No. 5-15-87, 5/15/87)

#### 5-1209 Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. No. 5-15-87, 5/15/87)

#### 5-1210 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor appeal any other powers granted under state statutes. (Ord. No. 5-15-87, 5/15/87)

#### 5-1211 Warning and disclaimer or liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder. (Ord. No. 5-15-87, 5/15/87)

#### 5-1212 Designation of the floodplain administrator.

The building inspector is hereby appointed the floodplain administrator to administer and implement the provisions of this chapter and other appropriate sections of 44 CRF (National Flood Insurance Program Regulations) pertaining to floodplain management. (Ord. No. 5-15-87, 5/15/87)

#### 5-1213 Duties and responsibilities of the floodplain administrator.

Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:

1. Maintain and hold open for public inspection all records pertaining to the provisions of this chapter;
2. Review permit application to determine whether proposed building site will be reasonably safe from flooding;
3. Review, approve or deny all applications for development permits required by adoption of this chapter;
4. Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. I 334) from which prior approval is required;
5. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation;

6. Notify, in riverine situations, adjacent communities and the state coordinating agency which is the Oklahoma Water Resources Board prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency;

7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained; and

8. When base flood elevation data has not been provided in accordance with Section 5-1206, the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of Sections 5-1216, 5-1217 and 5-1218 of this chapter. (Ord. No. 5-15-87, 5/15/87)

#### 5-1214 Permit procedures.

A. Application for a development permit shall be presented to the floodplain administrator on forms furnished by him and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor, including basement, of all new and substantially improved structures;

2. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;

3. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of Paragraph 2 of Section 5-1217;

4. Description of the extent of which any watercourse or natural drainage will be altered or relocated as a result of proposed development; and

5. Maintain a record of all such information in accordance with Paragraph 1 of Section 5-1213.

B. Approval or denial of a development permit by the floodplain administrator shall be based on all of the provisions of this chapter and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage;

2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;

3. The danger that materials may be swept onto other lands to the injury of others;

4. The compatibility of the proposed use with existing and anticipated development;

5. The safety of access to the property in times of flood for ordinary and emergency vehicles;

6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;

7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;

8. The necessity to the facility of a waterfront location, where applicable;

9. The availability of alternative locations, not subject to flooding or erosion damage, for proposed use; and

10. The relationship of the proposed use to the comprehensive plan for that area. (Ord. No. 5-15-87, 5/15/87)

#### 5-1215 Variance procedures.

A. The appeal board of the community shall hear and render judgment on requests for variances from the requirements of this chapter. This board shall consist of the mayor and council of the city.

B. The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.

C. Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.

D. The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.

E. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this chapter.

F. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Paragraph 2 of Section 5-1214 have been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.

G. Upon consideration of the factors noted above and the intent of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this chapter as set out in Section 5-1202 herein.

H. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

I. Pre-requisites for granting variances:

1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;

2. Variances shall only be issued upon:

a. Showing a good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances; and

3. Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the costs of flood insurance will commensurate with the increased risk resulting from the reduced lowest floor elevation.

J. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:

1. The criteria outline in Subsections A through I of this section are met; and

2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety. (Ord. No. 5-15-87, 5/15/87)

5-1216 Provisions for flood hazard reduction; general standards.

In all areas of special flood hazards, the following provisions are required for all new construction and substantial improvements:

1. All new construction or substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;

3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;

4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed or located so as to prevent water from entering or accumulating within the components during conditions of flooding;

5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood water; and

7. On-site waste water disposal systems shall be located to avoid impairment to them or contamination from them during flooding. (Ord. No. 5-15-87, 5/15/87)

#### 5-1217 Provisions for flood hazard reduction; specific standards.

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Sections 5-1206, Paragraph 8 of 5-1213 or Subsection D of 5-1218, the following provisions are required:

1. Residential construction. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in Subsection A of Section 5-1214 is satisfied;

2. Nonresidential construction. New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood level or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation, in relation to mean sea level, to which such structures are floodproofed shall be maintained by the floodplain administrator; and

3. Manufactured homes are required to be placed within zone A, and shall be installed using methods and practices which minimize flood damage. For the purpose of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces. All manufactured homes shall be in compliance with Paragraph 1 of Section 5-1217. (Ord. No. 5-15-87, 5/15/87)

#### 5-1218 Standards for subdivision proposals.

A. All subdivision proposals including manufactured home parks and subdivisions shall be consistent with Sections 5-1201, 5-1202 and 5-1203 of this chapter.

B. All proposals for the development of subdivisions including manufactured home parks and subdivisions shall meet development permit requirements of Sections 5-1207, 5-1214 and the provisions of Sections 5-1216 and 5-1217.

C. Base flood elevation data shall be generated for subdivision proposals and other proposed development, including manufactured home parks and subdivisions, which is greater than fifty (50) lots or five (5) acres, whichever is lesser, if not otherwise provided pursuant to Sections 5-1206 or 5-1213(8) of this chapter.

D. All subdivision proposals including manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.

E. All subdivision proposals, including manufactured home parks and subdivisions, shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage. (Ord. No. 5-15-87, 5/15/87)

## Chapter 13

### OIL AND GAS DRILLING

#### Sections:

5-1301 Intent and purpose.

5-1302 Definitions.

5-1303 Permits.

5-1304 Application and filing fee.

5-1305 Issuance or refusal of permit.

5-1306 Permittee's insurance and bond.

5-1307 Conversion from natural or primary to enhanced recovery or disposal well.

5-1308 Annual fee to operate.

5-1309 Disposal of salt water.

5-1310 Compliance with applicable laws.

5-1311 Surface casing.

5-1312 Plugging and abandonment.

5-1313 Well location.

5-1314 Movement of heavy equipment.

5-1315 Fences.

5-1316 Noise and other nuisances.

5-1317 Facilities.

5-1318 Storage tanks and separators.

5-1319 Fire prevention.

5-1320 Pits.

5-1321 Retaining walls and diversion dikes.

5-1322 Motive power.

5-1323 Derrick and rig.

5-1324 Drilling operations, equipment.

5-1325 Open hole formation testing.

5-1326 Moving of drilling rig.

5-1327 Streets and alleys.

5-1328 Flaring of gas.

5-1329 Fracture and acidizing.

5-1330 Swabbing and bailing.

- 5-1331 Rupture in surface casing.
- 5-1332 Depositing oil products.
- 5-1333 Safety precautions.
- 5-1334 Forms filed with the corporation commission.
- 5-1335 Water for muds.
- 5-1336 Oil and gas inspector.
- 5-1337 Service companies.
- 5-1338 Accumulation of vapor.
- 5-1339 Pipe lines.
- 5-1340 Ingress and egress.
- 5-1341 Order to cease operations.
- 5-1342 Appeals.
- 5-1343 City council review of permit recommendations.
- 5-1344 Conduits on streets and alleys.
- 5-1345 Annual fee for conduits.
- 5-1346 Applicability to existing conditions.
- 5-1347 Penalties.
- 5-1348 Temporarily abandoned wells.
- 5-1349 Transfer of ownership.
- 5-1350 Blowout prevention equipment.
- 5-1351 Flood elevations and pollution prevention.
- 5-1352 Zoning.
- 5-1353 Informal complaints.
- 5-1354 Salt water (or other deleterious substance) disposal well.

5-1301 Intent and purpose.

Whereas the imprudent operation of an oil and gas facility can constitute a menace to the public health, safety and welfare of the city, it is the intent and purpose of this chapter that oil and gas operations be reasonably regulated for the public good. (Ord. No. 11-16-92)

5-1302 Definitions.

For the purpose of this chapter, the following definitions shall apply:

1. "Permittee" means the person to whom is issued a permit or permits under the terms of this chapter;
2. "Well" means, unless specifically qualified, any hole or holes, bore or bores, to any depth for the purpose of producing and recovering any oil, gas or liquefied petroleum matter or deleterious substances, or for the injection or disposal of any of the foregoing;
3. "Natural production" means the raising to the surface of the earth, by natural flow, petroleum or natural gas;
4. "Artificial production" means the raising to the surface of the earth, by means other than natural flow, petroleum or natural gas;
5. "Deleterious substance" means any chemical, salt water, oil field brine, waste oil, waste emulsified oil, basic sediment, mud or injurious substances produced or used in the drilling, development, producing, transportation, refining and processing of oil, gas or condensate;
6. "Pollution" means the contamination or other alteration of the physical, chemical, or biological properties of any natural waters of the city, or such discharge of any liquid, gaseous or solid substance into any water

of the city as will or is likely to create a nuisance or render such waters harmful or detrimental or injurious to public health, safety, or welfare; to domestic, commercial, industrial, agricultural, recreational, or other beneficial uses; or to livestock, animals or aquatic life;

7. "Water", "waters of the city" or "city water" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through or border upon the city or any portion thereof;

8. "Pressure maintenance" means an operation by which gas, water or other fluids are injected into a supply of oil to maintain pressure or retard pressure decline therein for the purpose of facilitating recovery therefrom, and which has been approved by the Corporation Commission after notice and hearing;

9. "Enhanced recovery" means an operation by which fluid or energy is introduced into a source of supply for the purpose of facilitating recovery therefrom;

10. "Corporation Commission" means the Oklahoma Corporation Commission;

11. All technical or oil and gas industry words or phrases used herein and not specifically defined herein shall have that meaning customarily attributable thereto by prudent operators in the oil and gas industry;

12. "Oil and gas inspector" means that person, firm or corporation appointed by the city mayor to enforce the provisions of this chapter, or by his authorized representatives;

13. "Abandoned well" means any natural production or enhanced recovery well in which production casing has been run but which has not been operated for six (6) months and the city has not granted temporarily abandoned status; each well in which no production casing has been run, and for which drilling operations have ceased for thirty (30) consecutive days; and each well for which a city permit has not been obtained;

14. "Temporarily abandoned well" means any well, for which the city has issued a permit as a "temporarily abandoned well";

15. "Salt water" as used in this chapter means any water containing more than two hundred fifty (250) mg/l chlorides;

16. "Treatable water" means surface and subsurface water in its natural state which may or may not require treatment to be useful for human consumption, and contains less than ten thousand (10,000) ppm total dissolved solids and/or five thousand (5,000) ppm chlorides;

17. "Injection well" means any well used for the injection of any fluid and shall include wells used for enhanced recovery and injection purposes;

18. "Public building" means all buildings used or designed and intended to be used for gathering together fifty (50) or more persons for such purposes as deliberation, entertainment, amusement, health care, or awaiting transportation. Public buildings include, but shall not be limited to:

- a. Armories;
- b. Assembly halls;
- c. Auditoriums;
- d. Bowling lanes;
- e. Clubrooms;
- f. Conference rooms;
- g. Courtrooms;
- h. Dance halls;
- i. Drinking establishments;
- j. Exhibition halls;
- k. Golf course club house;
- l. Gymnasiums;

- m. Hospitals;
- n. Libraries;
- o. Mortuary chapels;
- p. Motion picture theaters;
- q. Museums;
- r. Pool rooms;
- s. Recreation piers;
- t. Rodeo facilities;
- u. Restaurants;
- v. Skating rinks; and
- w. Theaters;

19. "Drinking quality water" means water from a fresh water well or a city water supply and suitable for domestic use;

20. "Dry hole" means any well which is determined to be noncommercial and in which plugging operations are completed within ninety (90) days of the initial removal of the completion rig from the well;

21. "Pipeline" means any pipe constructed or used to transport produced oil, water or gas or any water or other fluid for enhanced recovery or disposal purposes in association with any oil or gas production operation; and

22. "Conduit" means any casing used to protect one of more pipelines where the pipeline crosses a city street or alley. (Ord. No. 11-16-92)

#### 5-1303 Permits.

It is unlawful and an offense for any person acting for himself or acting as agent, servant, employee, subcontractor, or independent contractor of any other person, to commence to drill an original well or re-enter any abandoned well or plugged well or temporarily abandoned well or to change the status of any well or to plug any well or to relocate or to enlarge any surface production facilities in this city, or to work upon or assist in any way in the production or operation of any such well, or other oil and gas facility, without a permit having first been issued by the authority of the oil and gas inspector in accordance with this chapter. (Ord. No. 11-16-92)

#### 5-1304 Application and filing fee.

A. Every application for a permit to drill an original well, to deepen an existing well, or to re-enter an abandoned well, except when a valid permit exists, shall be in writing, signed by the applicant or by some person duly authorized to sign same on his behalf, and it shall be filed with the oil and gas inspector and be accompanied by a filing fee as set by the council in cash or certified funds. No application shall request a permit to drill more than one well. The application shall contain full information required by the oil and gas inspector, including the following:

- 1. Name and address of applicant and date of application;
- 2. Where applying for a proposed original well:
  - a. A plat of the surface surrounding the drill site and proposed surface facilities, including thereon the location of the proposed well, the proposed surface facilities, pipe lines, roads, powerlines, fences, streams and ponds. The plat should show the distances from the proposed well bore and proposed production facilities to all dwelling houses, buildings, or other structures designated for the occupancy of human beings or animals within six hundred (600) feet of the proposed well bore and the proposed production facilities. The plat should also show the distances from the proposed well bore and proposed surface facilities to all oil, gas, or fresh water wells located within six hundred (600) feet of the proposed well or production facilities. The radius required by



this subparagraph shall be increased when such a condition is placed on the Special Use Permit issued by the city; and

- b. The names of the mineral, surface and lease owners;
3. A copy of the approved Notice of Intent to Drill from the corporation commission and a copy of the staking plat, showing the location and elevation of the proposed well bore signed by a registered surveyor;
4. The applicant shall provide all of the information shown in Exhibit A as attached to and hereby incorporated into Ordinance 11-16-92A by reference. Plugging procedures to be used in the event production is not established shall also be specified. A well bore diagram showing the proposed plugging of a dry hole shall be included. The applicant shall provide any additional information which may be required by the oil and gas inspector;
5. A statement of the provisions for water for the drilling rig;
6. The name and address of the person within the state upon whom service or process upon applicant may be made within this state; and in the case of any non-resident person who has no such service agent within this state, there shall be attached to the application the designation of such a service agent resident in Creek County, Oklahoma, and a consent that service of summons may be made upon such person in any action to enforce any of the obligations of the applicant hereunder; and
7. A verification of the above information by the applicant hereunder.

B. Where the application is one for the re-entry of an abandoned well or plugged well, the application shall contain all the information required by Subsection A, with the exception that the oil and gas inspector may vary the requirements thereof to suit the application before him. Provided, that such application for a permit to re-enter an abandoned well shall provide the following information in every case:

1. A statement of:
  - a. The then condition of the well at time of present application;
  - b. The depth to which it is proposed such well shall be deepened;
  - c. The proposed casing program to be used in connection with the proposed re-entry; and
2. A statement of the tests which are to be performed on the casing strings in order to show that the casing meets the same requirements for casing as for an original well.

C. There shall be no fee charged for the re-entry of a temporarily abandoned well in full compliance with the requirements of the city ordinance except when the application includes the deepening of the well. (Ord. No. 11-16-92; Ord. No. 1-4-93A)

Editor's Note: Ord. 1-4-93A set fee in Subsection A at \$50.00.

5-1305 Issuance or refusal of permit.

A. The oil and gas inspector's office within thirty (30) city business days after the filing of a complete application for a permit under this chapter shall determine whether or not the application complies in all respects with the provisions of this chapter and applicable federal and state law, and, if it does, shall recommend to the mayor and city council that the permit be issued. Each permit issued under the terms of this chapter shall:

1. By reference have incorporated therein all the provisions of this chapter with the same force and effect as if this chapter were copied verbatim therein;
2. By reference have incorporated therein all the provisions of applicable state law and the rules, regulations and standards adopted in accordance therewith relating to the protection of human beings, animals, and natural resources;

3. Specify that the term of the permit shall be for a period of one year from the date of issuance thereof, and for like periods thereafter upon the successful inspection of the permittee's well and operations, as is provided for elsewhere herein;

4. Specify such conditions imposed by the oil and gas inspector as are by this chapter authorized; and

5. Specify that no actual operations shall be commenced until the permittee shall file and have approved the required bonds and certificate of insurance in the appropriate amounts as provided for elsewhere herein.

B. If the permit is issued, it shall, in two (2) originals, be signed by the oil and gas inspector and the permittee, and when so signed shall constitute the permittee's license to drill and operate in the city and the contractual obligation of the permittee to comply with the terms of such permit, such bonds as are required, and applicable state law, rules, regulations, standards and directives. One executed original copy of the permit shall be retained by the oil and gas inspector; the other shall be retained by the permittee and shall be kept available for inspection by any city or state law enforcement official who shall demand to see same.

C. If the approved permit is refused, or if the applicant notifies the oil and gas inspector in writing that he wishes to withdraw his application prior to approval by council, or if the applicant fails to execute the approved permit within ten (10) city business days of the date of city approval, then upon the happening of any of the events the cash fee filed with the application shall be refunded to the applicant, except that there shall be retained therefrom by the city the sum as set by the city council as a processing fee. (Ord. No. 11-16-92)

#### 5-1306 Permittee's insurance and bond.

A. In the event a permit shall be issued by the city, no operations shall be commenced until the permittee shall file with the city a bond and insurance certificate as provided in this section.

B. An approved bond or irrevocable letter of credit in the principal sum of at least Twenty-five Thousand Dollars (\$25,000.00). The bond to be executed by a reliable insurance company authorized to do business in the state, as surety, and with the applicant as principal, running to the city for the benefit of the city and all persons concerned, conditioned that the permittee will comply with the terms and conditions of this chapter in the operation of the well for either natural or artificial production, injection or disposal. The bond shall become effective on or before the date the same is filed with the city and remain in force and effect for at least twelve (12) months subsequent to the expiration of the permit term, and in addition the bond will be conditioned that the permittee will promptly pay fines, penalties, and other assessments imposed upon the permittee by reason of his breach of any of the terms, provisions and conditions of this chapter, and that the permittee will promptly restore the streets, sidewalks and other public property of the city which may be disturbed or damaged in permittee's operations, to their former condition; and that the permittee will promptly clear all premises of all litter, trash, waste, and other substances, and will, after abandonment, grade, level and restore the property to the same surface condition, as practicable as is possible, as existed prior to commencing operations; and further that the permittee shall indemnify and hold harmless the city from any and all liability attributable to granting the permit. When a permittee operates several wells in the city, he may post a blanket bond or an irrevocable blanket letter of credit in the amount of One Hundred Fifty Thousand Dollars (\$150,000.00) to cover all of his wells in the city.

C. In addition to the bond required in Subsection A of this section, the permittee shall obtain either a bond as in paragraph 1 below or pollution insurance as in paragraph 2 below:

1. The permittee shall obtain a bond in the principal sum of at least One Million Dollars (\$1,000,000.00). The bond to be executed by a reliable insurer licensed to do business in the state, as surety, and with applicant as principal, running to the city for the benefit of the city and all persons concerned, conditioned that the permittee will comply with every applicable federal and state law, rule, regulations, standard or directive relating to the maintenance of the safe and beneficial physical, chemical and biological properties of any natural waters of the city; that the permittee shall obtain the necessary permits from the city and state with regard to any operations

which have the potential of rendering such water harmful or detrimental or injurious to the public health, safety and welfare; that the permittee shall bear all the costs necessary and incidental to the correction of any pollution to the water caused by the permittee or permittee's agents, servants, employees, subcontractors or independent contractors; that the permittee shall pay all fines, penalties, assessments or judgment resulting directly or incidentally from the permittee's activities and which result in pollution of city waters; that the permittee shall indemnify and hold harmless the city from any and all liability attributable to granting the permit where such liability results from the pollution of city waters;

2. Pollution insurance meeting the requirements set out below:

a. The policy shall indemnify the insured for all losses incurred due to pollution of any waters of the city. The indemnification and loss to include, but not be limited to reimbursement to the city for all costs incurred in clean up or containment of any pollution of the waters of the city, including the Garber-Wellington Aquifer which provides the city with potable water, and in restoring the waters to their previous condition; any additional costs of water treatment or other costs incurred to supplement or continue the city's water supply and services prior to clean up and restoration; and, any net revenues lost by reason of irreparable damage to any waters of the city or to water stored by the city or which could have been stored by the city;

b. For the purposes of this policy, the term "water" or "waters of the city" means all rivers, streams, lakes, ponds, marshes, watercourses, waterways, aquifers, wells, springs, irrigation systems, drainage systems and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, which are contained within, flow through or border upon the city or any portion thereof;

c. The city shall be named as additional insured hereunder. However, this extension shall not limit the city from any rights it would have, had it not been included as an additional insured;

d. The limits of liability as provided by this policy shall be in the sum of One Million Dollars (\$1,000,000.00) for each accident or occurrence;

e. This policy is specifically intended to cover all claims made by third parties against the city, but only in respect of the rights and interests in wells scheduled below;

f. The well insured hereunder represents one hundred percent (100%) interest irrespective of the insured working interest being less than one hundred percent (100%);

g. The deductible applicable shall be Twenty-five Thousand Dollars (\$25,000.00) any one accident or occurrence;

h. In the event of expiration of the term of this policy any well which is in course of drilling at the time of such termination shall continue under full coverage afforded by the policy until drilling of the well is completed or complete abandonment of the well. Where a well hereon has been covered while drilling, coverage shall continue while producing until policy expiry without additional premium;

i. The policy shall identify covered wells by operator, lease, well number and United States Survey location, including quarter section, township and range;

j. The city shall receive thirty (30) days written notice by certified mail with return receipt requested prior to any termination, cancellation or change in any of the conditions of the policy. Notice shall be mailed to the following address:

Oil and Gas Inspector  
The City of Bristow  
110 W. 7th St.  
Bristow, Oklahoma 74010

k. The policy shall show the name and address of the authorized agency. The policy shall be issued by an insurer authorized to do business in the state;

C. In addition to the bonds required in Subsections A and B of this section, the permittee shall carry a policy or policies of standard comprehensive public liability insurance, including contractual liability covering bodily injuries and property damage, naming the permittee and the city, issued by an insurer authorized to do business within the state, the policy or policies in the aggregate shall provide for the following minimum coverage: One Million Dollars (\$1,000,000.00) per occurrence combined bodily injuries and property damage. Permittee shall file with the city, certificates of the insurance as above stated, and shall obtain the written approval thereof of the oil and gas inspector who shall act thereon promptly after the date of such filing. The insurance policy or policies shall not be cancelled without written notice to the oil and gas inspector at least thirty (30) days prior to the effective date of such cancellation. In the event the policy or policies are cancelled, the permit granted shall immediately thereupon terminate without any action on the part of the oil and gas inspector, and permittee's rights to operation under the permit shall cease until permittee files additional approved insurance as provided herein. (Ord. No. 11-16-92)

5-1307 Conversion from natural or primary to enhanced recovery or disposal well.

No person shall convert any well from natural or primary production to a use for enhanced recovery or disposal. (Ord. No. 11-16-92)

5-1308 Annual fee to operate.

A. An annual inspection fee is hereby levied upon each well operated or maintained under a permit issued by the city.

B. Such fee shall be in the amount set by the council, payable to the city on or before the annual anniversary date of the issuance of any permit under this chapter.

C. No permit for any well shall be considered valid for any year for which the annual fee has not been paid. Failure to pay any required permit fee within thirty (30) days of a delinquent notice sent to the latest address provided by the permittee will result in cancellation of the permit. (Ord. No. 11-16-92; Ord. No. 1-4-93B)

Editor's Note: Ord. 1-4-93B set fee in Subsection A at \$ 50.00.

5-1309 Disposal of salt water.

A. Every permittee under this chapter shall be responsible for the safe disposal of salt water or other deleterious substances which he may bring to the surface of the earth and shall provide a plan for such disposal as required in this chapter. Such disposal shall not result in pollution of the waters of the city and shall not result in any other environmental hazard, and shall incorporate the best available techniques and equipment.

B. In the event of any leakage or spillage of any pollutant or deleterious substance, whatever the cause thereof, the permittee shall cause the oil and gas inspector to be notified thereof promptly. If, in the judgment of the oil and gas inspector, such leakage or spillage represents a potential environmental hazard, he may issue whatever corrective orders he deems appropriate, and additionally may require the appropriate testing of the surface and subsurface for pollutant incursion, the cost of such test or tests to be borne by the permittee.

C. The operator shall identify in writing to the oil and gas inspector the method of disposing of salt water produced from each well. The disposal well used shall be identified by operator, lease, well number and U.S. Survey when the disposal well is located within the city limits. The operator shall notify the oil and gas inspector in writing when there is any change in the method of disposing of produced water from any producing well.

D. No lined or unlined earthen pit shall be used in conjunction with any salt water disposal facility located in the city.

E. No person shall inject any salt water or other deleterious substance into the annulus between the inside of the surface casing string and the next inside casing string, or into any other annulus of a well.

F. No disposal wall shall be used to dispose of any substance other than fluids produced from oil or gas wells located on the same lease or other leases in the immediate area. (Ord. No. 11-16-92)

#### 5-1310 Compliance with applicable laws.

No person shall drill an original well or re-enter an abandoned well or a temporarily abandoned well or change the status of any well for any purpose, or permit to exist any well, structure, equipment, pipeline, machinery, tank or other appurtenance, in violation of any of the provisions of this chapter or other city ordinances as may be applicable, or the laws, rules, regulations, operative standards or directives of the state. (Ord. No. 11-16-92)

#### 5-1311 Surface casing.

A. Surface casing requirements are as follows:

1. Surface casing shall be set a minimum of two hundred (200) feet below the deepest fresh water zone found in the nine (9) section area surrounding the well site;

2. A resistivity and porosity electric log shall be run in the surface hole before surface pipe is set, a copy of which will be filed with the corporation commission, Oklahoma Water Resources Board, and the oil and gas inspector, but the oil and gas inspector may waive these logs when sufficient data exists to show the depth of the fresh water in the nine (9) section area. Surface pipe shall have a centralizer on the shoe joint, a centralizer within fifty (50) feet of the shoe joint and centralizers no more than two hundred (200) feet apart above the second centralizer;

3. A guide shoe shall be installed on the first joint of surface casing and a float collar or equivalent shall be installed within fifty (50) feet of the first joint. No cement baskets may be installed on the surface casing;

4. Surface casing requirements:

a. Surface casing shall be new pipe of an API grade of J or K or a higher grade. The casing shall be eight and five eighths (8-5/8) inch outside diameter casing having a minimum weight of twenty-four (24) pounds per foot or a different diameter and weight of pipe, having a wall thickness and internal yield pressure at least equal to the casing specified above.

b. Provided, however, that the oil and gas inspector may approve used casing to be used for surface casing when he inspects the used casing and finds it to be acceptable. The used casing shall be inspected by the oil and gas inspector and he may reject such casing based solely on this inspection and any decision by the oil and gas inspector to reject the casing shall be final. Before the oil and gas inspector may approve the used casing, he shall witness a successful pressure test on such casing to a minimum internal pressure of four thousand (4000) pounds per square inch (PSI). The oil and gas inspector may require any additional non-destructive testing of such casing which he may consider appropriate to insure the quality and acceptability of the casing. The cost of all pressure testing or non-destructive testing to be borne by the applicant. When used casing approved by the oil and gas inspector is installed in a well, a signed, written statement stating that the casing installed was the casing approved by the oil and gas inspector and that no other pipe was substituted, shall be submitted to the oil and gas inspector within twenty-four (24) hours of the installation of such casing. The statement shall be signed by the pipe vendors, the applicant, the trucking firm, the drilling contractor, the casing contractor, the cementer and any other firm or individual assisting with the installation of such casing; and

5. Only drinking quality water shall be used to mix cement used to cement the surface casing.

B. Surface pipe and cementing requirements are as follows:

1. Surface pipe shall be cemented by attempting to circulate good cement to surface by normal displacement practices. If cement cannot be circulated to surface due to washed out hole or lost circulation, the existing cement shall not be over-displaced and a plug shall be left in the bottom of the casing string to be drilled out once the surface is set. The remaining open hole behind the surface pipe shall be cemented by running a tubing string between the conductor string and the surface pipe until the top of the cement is tagged. The remaining uncemented annular space will then be cemented until good cement is circulated to surface;

2. The cement used to cement surface casing shall be a grade of cement capable of reaching a minimum compressive strength of five hundred (500) PSI in twenty-four (24) hours at a curing temperature of eighty degrees Fahrenheit (80° F). After the surface casing is cemented, the surface casing shall not be disturbed in any way until the cement has set a sufficient period of time to reach a compressive strength of six hundred (600) PSI at a curing temperature of eighty degrees Fahrenheit (80° F). A minimum of twelve (12) hours curing time is required on any cement used to cement surface casing before cutting off the casing or disturbing the casing. Only drinking quality water shall be used to mix cement to be placed in the well. Prior to drilling below the surface casing a cement bond log of a type approved by the oil and gas inspector shall be run to check the quality of the cement bond. The oil and gas inspector shall be notified so that he may be present to witness the running of the cement bond log. The applicant shall not drill below the surface casing until the oil and gas inspector has examined and approved the cement bond log. If the bond log does not show good bonding then remedial cementing shall be performed as required by the oil and gas inspector and an additional bond log shall be run to check the cement bond. This process shall be repeated until a good cement bond has been achieved throughout the complete interval of the surface casing.

C. Where an existing well is to be used as an injection or disposal site, the existing casing and cement shall be of such integrity and depth as to adequately and safely isolate fresh water producing zones from the seepage or bleeding of injection fluids or disposants. Where additional protective operations are undertaken to comply with this paragraph, the oil and gas inspector shall be notified thereof sufficiently in advance in order for him to be present for such operations. (Ord. No. 11-16-92)

#### 5-1312 Plugging and abandonment.

A. A permit shall be required to plug any well in the city with the exception of a dry hole permitted under this chapter.

B. Application requirements are as follows:

1. When applying to the oil and gas inspector for a plugging permit, the following information must be provided to the oil and gas inspector:

a. A well bore diagram showing the current status of the well bore. This diagram should show all tubing, packers, casing, perforations, plugs, squeeze cemented intervals, known cement tops and any known defects in the casing;

b. Details of the original casing and cementing of the well;

c. Copies of any cement bond logs or temperature surveys run in the well to evaluate the cement or to locate the top of the cement;

d. A proposed plugging procedure including the position of plugs, the quantity of cement to be used for plugs, and the type of cement to be used. This procedure should also identify any casing stubs to be left in the well;

e. A well bore diagram to show the proposed plugged condition of the well; and

f. Copies of any forms filed with the State of Oklahoma Corporation Commission pertaining to any drilling, recompletion, deepening or reclassification of the well;

2. Whenever any well is abandoned it shall be the obligation of the permittee and the operator of the well to properly plug the well. In plugging wells, it is essential that all formations bearing usable quality water, oil or gas be protected. All cementing operations during plugging must be performed under the direct supervision of the operator or his authorized representative, who shall not be an employee of the service or cementing company hired to plug the well. Direct supervision means supervision on location at the well site;

3. A cement plug shall be set to isolate the productive horizons. A productive horizon is defined as any zone known to be capable of producing hydrocarbons at any location in the city. This plug shall be placed above but within two hundred (200) feet of the top of the shallowest productive horizon. The plug shall be sized to fill a minimum of two hundred (200) feet of the well bore. This plug shall be tagged by placing tubing or drill string weight on the plug. If the plug has moved, an additional plug shall be required;

4. Cement plugs must be placed by the circulation or squeeze method through tubing or drill pipe;

5. All cement for plugging shall be an appropriate API oil well cement without volume extenders mixed in accordance with API standards. Slurry weights shall be reported on the cementing report. The oil and gas inspector may require specific cementing compositions to be used in special situations;

6. Operators shall use only cementers approved by the oil and gas inspector. Cementing companies, service companies or operators can qualify as approved cementers by demonstrating that they are able and qualified to mix and pump cement in compliance with this rule. If the oil and gas inspector refuses to administratively approve a cementing company, the company may request a hearing on the matter with the city mayor. After the hearing, the city mayor shall recommend final action to the city council;

7. A fifty (50) foot cement plug shall be placed in the top of the well, and the casing must be cut off three (3) feet below ground level;

8. Mud-laden fluid having a density of at least nine (9) pounds per gallon, but not less than the density of the mud used to drill the well, and a funnel viscosity of at least thirty-six (36) funnel seconds shall be placed in all portions of the hole not filled with cement. The hole must be in static condition at the time cement plugs are set; and

9. Material that would hamper re-entry of a well shall not be placed in any well bore during plugging operations. Pipe and unretrievable junk shall not be cemented in the hole during plugging operations without prior approval by the oil and gas inspector. After the plugging work is completed, the operator must fill the rat hole, mouse hole and cellar, and must remove all loose junk and trash from the location. All pits must be emptied and back-filled within a reasonable period of time.

C. Plugging requirements for wells with surface casing are as follows:

1. When insufficient surface casing is set to protect all usable quality water strata and such usable quality water strata are exposed to the well bore when production or intermediate casing is pulled from the well or as a result of such casing not being run, a cement plug shall be placed from one hundred (100) feet below the base of the deepest usable water stratum to one hundred (100) feet above the top of the stratus. This plug shall be evidenced by tagging with tubing or drill pipe. The plug must be respotted if it has not been properly set. In addition a cement plug must be set across the shoe of the surface casing. This plug must be a minimum of two hundred (200) feet in length and shall extend at least one hundred (100) feet above and below the shoe;

2. When sufficient surface casing has been set to protect all usable quality water strata, a cement plug shall be placed across the shoe of the surface casing. This plug shall be a minimum of two hundred (200) feet in length and shall extend at least one hundred (100) feet above the shoe and at least one hundred (100) feet below the shoe; or

3. If the surface casing has been set deeper than two hundred (200) feet below the base of the deepest usable quality water stratum, an additional cement plug shall be placed inside the surface casing across the base of the deepest usable quality water stratum. This plug shall be a minimum of two hundred (200) feet in length and

shall extend from one hundred (100) feet below the base of the deepest usable quality water stratum to one hundred (100) feet above the top of the stratum.

D. Plugging requirements for wells with intermediate casing are as follows:

1. For wells in which the intermediate casing has been cemented through all usable quality water strata and all productive horizons, a cement plug shall be placed inside the casing and centered opposite the base of the deepest usable quality water stratum, but extend no less than one hundred (100) feet above and below the stratum; or

2. For wells in which the intermediate casing is not cemented through all usable quality water strata and all productive horizons, and if the casing will not be pulled, the intermediate casing shall be perforated at the required depths to place cement outside of casing by squeeze cementing through casing perforations.

E. Plugging requirements for wells with production casing are as follows:

1. For wells in which the production casing has been cemented through all usable quality water strata and all productive horizons, a cement plug having a minimum height of two hundred (200) feet shall be placed inside the casing and centered opposite the base of the deepest usable quality water stratum and across any multi-stage cementing tool;

2. For wells in which the production casing has not been cemented through all usable quality water strata and all productive horizons and if the casing will not be pulled, the production casing shall be perforated at the required depths to place cement outside of the casing by squeeze cementing through casing perforations;

3. The oil and gas inspector may approve a cast iron bridge plug to be placed immediately above each perforated interval, provided at least twenty (20) feet of cement is placed on top of each bridge plug.

F. Plugging requirements for a well with screen or liner are as follows:

1. If practical, the screen or liner shall be removed from the well; or

2. If the screen or liner is not removed, a cement plug having a minimum height of two hundred (200) feet shall be placed on the top of the liner.

G. Plugging requirement for wells without production casing and open-hole completions are as following: Any production horizon or any formation in which a pressure or formation water problem is known to exist shall be isolated by placing a cement plug having a minimum height of two hundred (200) feet immediately above the productive horizon or formation.

H. When any oil, gas or water line is abandoned, it shall be flushed with fresh water, and the salt water or hydrocarbons removed shall be collected in steel tanks and disposed of properly. The portions of any abandoned lines underlying any city street shall be abandoned in accordance with the recommendations of the oil and gas inspector and the city engineer.

I. Any foundations remaining at the site of an abandoned well or associated oil and gas operation shall be removed from the site or buried on-site with a minimum of four (4) feet of cover.

J. All abandoned pressure vessels, tanks and other surface facilities used in conjunction with an oil and gas operation shall be removed from the site.

K. The ground at the site of the abandoned well shall be returned as near as is practical to the original contour.

L. The surface shall be seeded, sodded or otherwise treated as required by the oil and gas inspector to prevent erosion. (Ord. No. 11-16-92; Ord. No. 1-4-93C)

#### 5-1313 Well location.

A. No well shall be drilled nor shall any tank batteries, well facilities or equipment be located and no permit shall be issued for any well to be drilled at any location which is nearer than three hundred (300) feet to any occupied or unoccupied dwelling or any other building used or designated and intended to be used for human oc-



cupancy. This distance shall be calculated from the well bore, tank batteries, well facilities and equipment to the closest exterior point of the dwelling or other subject building.

B. No well shall be drilled nor shall any tank batteries, well facilities or equipment be located and no permit shall be issued for any well to be drilled at any location which is nearer than six hundred (600) feet to any public building, religious building or school building. This distance shall be calculated from the well bore, tank batteries, well facilities and equipment to the closest exterior point of the building. The city council may waive the requirement for a six hundred (600) foot separation distance.

C. No well shall be drilled and no permit shall be issued for any well to be drilled at any location which is nearer than three hundred (300) feet to an active or inactive fresh water well. This distance shall be calculated from the well bore to the fresh water well bore. An inactive fresh water well nearer than three hundred (300) feet to the proposed well bore may be plugged in accordance with the State Water Resources Board if the owner of the inactive fresh water well grants permission for such plugging.

D. The provisions of this section shall also apply to any dwellings, public buildings, religious buildings, or other subject buildings under construction or to any fresh water wells being drilled on the date the application for a permit is filed with the oil and gas inspector.

E. The application of the provisions of this section to a proposed well shall be determined by examining the existing uses of the surrounding property as of the date the application for a permit is filed with the oil and gas inspector.

F. The provisions of this section shall not apply to wells, facilities or equipment in use on the effective date of this chapter. (Ord. No. 11-16-92)

#### 5-1314 Movement of heavy equipment.

A. The permittee shall submit to the oil and gas inspector the description of the route to be used for the move-in and move-out of all heavy equipment. The route to be used for the transportation of any mud, rock, oil, pipe, cement, water, or other heavy load shall also be identified. The permittee shall state the following information regarding the maximum load to be transported on each route:

1. Maximum length of vehicle and load;
2. Maximum width of vehicle and load;
3. Maximum weight of the vehicle and load;
4. Maximum weight of the load; and
5. Maximum axle load.

B. No heavy load may be transported on any city street without first obtaining written permission from the oil and gas inspector. Mud or debris shall not be deposited on city streets. Lease roads shall be paved or graveled, if necessary, to prevent mud being carried onto city streets by any vehicle. The oil and gas inspector may require rerouting of any heavy equipment as may be necessary to protect city roadways from damage. Similarly, axle load limits shall be regulated as may be necessary. It shall be the duty of every permittee to assure that any agents or subcontractors shall conform to routes approved hereunder. Failure of any equipment mover to so abide shall be deemed a violation of this chapter by the permittee. (Ord. No. 11-16-92)

#### 5-1315 Fences.

Any person who completes any well as a producer shall have the obligation to enclose the well, together with its surface facilities, by a fence sufficiently high and properly built so as to ordinarily keep persons and livestock out of the enclosure with all gates thereto to be kept locked when the permittee or his employees are not within the enclosure. A duplicate set of keys to the lock shall be filed with the oil and gas inspector. The oil and gas

inspector may require sight-proof fencing and landscaping be installed around the well site and surface production facilities when such installations are located in developed areas. (Ord. No. 11-16-92)

#### 5-1316 Noise and other nuisances.

All oil operations, drilling and production operations shall be conducted in such a manner as to eliminate, as far as practicable, dust, noise, vibration or noxious odors, and shall be in accordance with the best accepted practices incident to exploration for, drilling for and production of oil, gas and other hydrocarbon substances. Proven technological improvements in exploration, drilling and production methods shall be adopted as they become, from time to time, available, if capable of reducing factors of nuisance and annoyance. (Ord. No. 11-16-92)

#### 5-1317 Facilities.

All lease equipment shall be painted and maintained in a good state of appearance, and shall have posted at the point the access road intersects the city street and near the well in a prominent place metal signs no less than two (2) feet square in area upon which the following information shall be conspicuous: permittee's name; lease name; location of the drill site by reference to the United States survey; identifying number of the permit issued by the city; and emergency telephone numbers. Additional signs shall be posted warning of "Danger", "No Smoking", and "Equipment Starts Automatically" when equipment operates under automatic control. (Ord. No. 11-16-92)

#### 5-1318 Storage tanks and separators.

A. Crude oil storage tanks shall not be constructed, operated or used except to the extent of three (3) steel tanks for crude storage, not exceeding two hundred ten (210) barrels capacity each. One water storage tank not to exceed two hundred ten (210) barrels capacity may be constructed, operated and used. Provided, that additional tankage may be approved by the oil and gas inspector when the applicant or permittee can show that a need for the additional tankage exists. The operator shall provide for the safe handling of vapors which may be released from the tanks. A flame arrestor valve shall be installed on the tank battery vent line. In the event that excessive vapors are being released from the tanks, in the opinion of the oil and gas inspector, the operator shall be required to install a vapor recovery system to prevent the release of the vapors into the atmosphere.

B. A permittee may use, construct and operate a steel conventional separator and such other steel tanks and appurtenances as are necessary for treating oil with each of such facilities to be so constructed and maintained as to properly control vapors. Each separator or pressure vessel shall be equipped with both a regulation pressure-relief safety valve and a bursting head.

C. A dike made of properly compacted impervious material shall be constructed around any crude oil or salt water storage tanks or pressure vessels. The dike shall be sized to hold one hundred percent (100%) of the combined volume of the tanks and vessels which it surrounds with a minimum of six (6) inches additional height of the dike wall. Any vessel heated by gas burners or electric heating coils shall be diked separately from crude storage tanks. The design of the dike, including materials used to construct the dikes and the degree of compaction achieved shall meet the specifications of the oil and gas inspector.

D. All crude storage tanks and gas separators shall be located so that the top of the dike surrounding the above shall be at least three hundred (300) feet from the nearest point on any occupied or unoccupied dwelling or commercial building. All crude storage tanks and gas separators shall be located so that the top of the dike surrounding the above shall be at least six hundred (600) feet from the nearest point of a religious center, school or public building. The requirement of this subsection shall not apply to tanks in use on the effective date of this chapter. A greater separation distance shall be required when such condition is placed on the special use permit issued by the city. For pressure vessels or crude tanks installed after the effective date of this chapter, the dis-

tance separating pressure vessels containing hydrocarbons or crude tanks and residents or commercial buildings shall meet the guidelines of the United States Department of Housing and Urban Development handbook titled "Urban Development Siting with Respect to Hazardous Commercial/Industrial Facilities" (and prepared under contract HC 5232) in regard to protecting buildings and people from blast overpressure and thermal radiation. (Ord. No. 11-16-92)

#### 5-1319 Fire prevention.

A. Adequate fire fighting apparatus and supplies approved by the city fire department shall be maintained on the drilling site at all times during drilling and production operations. All machinery, equipment and installations on all drilling sites within the city limits shall conform with such requirements as may from time to time be issued by the fire department.

B. During drilling, workover, or any down-hole operations, the permittee shall provide a minimum of four (4) portable fire extinguishers, the size, rating, distribution and maintenance of which shall be in accordance with national Fire Protection Association (NFPA) Standard #10, entitled "Portable Fire Extinguishers" and NFPA Standard #30, entitled "Flammable Liquids Code".

C. In areas where flammable vapors may be present, precautions shall be taken to prevent ignition by controlling sources of ignition.

D. The permittee shall protect all hazardous materials or special hazards at the well site in accordance with applicable NFPA standards.

E. The permittee shall comply with such other requirements which the oil and gas inspector or the city fire department may prescribe for the particular well.

F. Crude and water storage tanks shall be equipped with lightening protection equipment as required by the oil and gas inspector. (Ord. No. 11-16-92)

#### 5-1320 Pits.

A. Steel mud or circulating pits shall be used during drilling. During drilling, no earthen pits, either lined or unlined, shall be constructed nor used as a mud circulating pit, mud storage pit, working pit, or settling pit. Steel pits and contents shall be removed from the drilling site within fifteen (15) days after the completion of the drilling phase of the well. Earthen pits may only be used when authorized by the oil and gas inspector as catch basins or sumps to collect drill cuttings and run-off. The oil and gas inspector shall authorize the use of such pits only when the excavated soil is an impervious type of soil such as stiff clay. When the soil excavated is a pervious type such as soil containing a significant fraction of sand or gravel, steel pits may be buried and used to collect cuttings and run-off. The maximum size of an earthen pit to be used to collect cuttings or run-off shall be ten (10) feet by ten (10) feet by six (6) feet deep. Earthen pits may be used only when authorized in writing by the oil and gas inspector. After the pit is constructed, but before any liquid is placed in the pit, the oil and gas inspector shall be contacted to inspect the type of soil in the sides and bottom of the pit. When the oil and gas inspector determines that the soil is an impervious type, he may approve the pit. No approval for the pit shall be given when the soil at the site is a pervious type.

B. Earthen pits may be constructed in an emergency to prevent or to minimize pollution. When emergency pits are constructed, the oil and gas inspector shall be notified immediately and his instructions shall be followed. Emergency pits shall be emptied and any contaminated soil shall be removed and disposed of before the emergency pit is back filled as soon as the emergency is over. Such pits shall be leveled within fifteen (15) days after completion of the drilling of the well. (Ord. No. 11-16-92)

#### 5-1321 Retaining walls and diversion dikes.

A. An earthen retaining wall of adequate size for the terrain involved will be constructed on the low side of the well site in the event the well site is located on sloping or unlevel ground. The top of the retaining wall shall be at least two (2) feet higher than the elevation of the ground at the well bore. The retaining wall shall be constructed prior to the commencement of the drilling of a new well.

B. When the well site is located on sloping or unlevel ground, an earthen diversion dike or ditch of adequate size for the terrain involved shall be constructed on the high side of the well site. The diversion dike or ditch shall be designed, constructed and maintained to divert runoff waters around the well site.

C. Depending upon conditions which exist at the site, the oil and gas inspector may waive the requirements of this section for well sites existing on the effective date of this ordinance. (Ord. No. 11-16-92)

#### 5-1322 Motive power.

Motive power for all well pumping equipment installed after the effective date of this chapter, shall be electricity, except that in rural areas, the oil and gas inspector may specify that internal combustion engines may be used. All internal combustion engines shall be equipped with "state of the art" mufflers to minimize noise. (Ord. No. 11-16-92)

#### 5-1323 Derrick and rig.

It shall be unlawful and an offense for any person to use or operate in connection with the drilling, re-entry or reworking of any well within the city, any wooden derrick or any steam-powered rig, and all engines shall be equipped with adequate mufflers approved by the oil and gas inspector. Permitting any drilling rig or derrick to remain on the premises or drilling site for a period of longer than sixty (60) days after completion or abandonment of a well is hereby prohibited. The oil and gas inspector may grant an extension in this time when extenuating circumstances exist. (Ord. No. 11-16-92)

#### 5-1324 Drilling operations, equipment.

All drilling, re-entry and operations at any well performed under this chapter shall be conducted in accordance with the best practices of the reasonably prudent operator. All casing, valves, blowout preventers, drilling fluid, tubing, bradenhead, Christmas tree and well head connections shall be of a type and quality consistent with the best practices of such reasonably prudent operator. Setting and cementing casing and running drill stem tests shall be performed in a manner and at a time consistent with the best practices of such reasonably prudent operator. Any permittee under this chapter shall observe and follow the recommendations or regulations of the American Petroleum Institute and the Corporation Commission, except in those instances that are specifically addressed by this chapter. A copy of all logs associated with the surface casing shall be filed with the oil and gas inspector. (Ord. No. 11-16-92)

#### 5-1325 Open hole formation testing.

A. All open hole formation testing shall be done during daylight hours, with adequate advance notification thereof made to the oil and gas inspector to enable him to be present if he so chooses.

B. All open hole formation testing shall be done into steel tanks, or flared properly in the case of gas. All flaring of gas shall require approval by the oil and gas inspector.

C. The well shall be circulated or reverse circulated prior to commencing to pull drill stem test tools from the hole. (Ord. No. 11-16-92)

#### 5-1326 Moving of drilling rig.

It is unlawful and an offense for any person to move or cause to be moved the drilling rig from a well until the hole has been cased or properly plugged unless written permission to do so is obtained from the oil and gas inspector. (Ord. No. 11-16-92)

5-1327 Streets and alleys.

No well shall be drilled, and no permit shall be issued for any well to be drilled at any location which is within any of the streets or alleys of the city; and no street or alley shall be blocked or encumbered or closed in any drilling or production operation except with the written approval of the oil and gas inspector, and then only temporarily. The city engineer shall specify axle tonnage limits for each roadway in the city limits. All vehicles exceeding this tonnage limit will be required to select an alternate route when and if possible. Any resulting street damage will require repair by the permittee or executing of the surety bond to repair the street as soon as the well site is complete or abandoned. (Ord. No. 11-16-92)

5-1328 Flaring of gas.

All produced gas shall either be sold or flared with the flaring procedures being approved by the oil and gas inspector and the fire marshal. Flaring shall not be approved unless the state has issued an order permitting such flaring. (Ord. No. 11-16-92)

5-1329 Fracture and acidizing.

In the completion work-over or servicing of an oil and gas, injection, disposal or service well, where acidizing or fracturing processes are used, no oil, gas or other deleterious substances or pollutants shall be permitted to pollute any surface or subsurface fresh waters. (Ord. No. 11-16-92)

5-1330 Swabbing and bailing.

In swabbing, bailing or purging a well, all deleterious substances removed from the bore hole shall be placed in appropriate tanks and no substances shall be permitted to pollute any surface or subsurface fresh waters. During swabbing or bailing operations, the well shall be equipped with the appropriate valves, fittings, blowout preventers, and a lubricator complete with a functional pack-off to permit complete pressure control of the well. (Ord. No. 11-16-92)

5-1331 Rupture in surface casing.

In the event a rupture, break or opening occurs in the surface or production casing, the permittee or the operator or drilling contractor shall take immediate action to repair it. The repair procedure shall be submitted to the oil and gas inspector for his approval prior to commencing the repair work. The oil and gas inspector may specify tests to be run to confirm the success of the repair work and extent of contamination. The oil and gas inspector shall be notified so that he may witness the repairs and testing. (Ord. No. 11-16-92)

5-1332 Depositing oil products.

No person shall deposit, drain or divert into or upon any public highway, street or alley, drainage ditch, storm drain, sewer, gutter, paving, creek, river, lake or lagoon, any oil or oily liquid with petroleum content or any mud, rotary mud, sand, water or salt water, or in any manner permit by seepage, overflow, deliberate release or otherwise, any of such substances to escape from any property owned, leased or controlled by such person and flow or be carried into or upon any public highway, street or alley, drainage ditch, storm drain, sewer, gutter, paving, creek, river, lake or lagoon, within the city. (Ord. No. 11-16-92)

5-1333 Safety precautions.

Persons drilling, operating or maintaining any well shall use all necessary care and take all precautions which shall be reasonably necessary under the circumstances to protect the public. The provisions of this chapter shall be deemed to be the minimum requirements for the preservation of the public health, safety and welfare, and compliance with the terms hereof shall not be deemed to relieve any persons of any additional duty imposed by law. (Ord. No. 11-16-92)

5-1334 Forms filed with the corporation commission.

When requested by the oil and gas inspector, copies of all applications, notices, forms, records, logs and the like filed by permittee with the corporation commission shall be filed with the city. The oil and gas inspector shall keep confidential all submitted material which the state requires to be kept confidential. (Ord. No. 11-16-92)

5-1335 Water for muds.

A. Water to be used in drilling or work-over operations may be brought in by tank trucks, or obtained from the existing city water supply. Surface water from unpolluted ponds or streams may also be used. When a fresh water supply well is drilled, a copy of a permit for the well from the State Water Resources Board shall be submitted to the oil and gas inspector as part of the permit application. The applicant shall also state the disposition of the fresh water supply well upon the completion of the drilling of the oil well. A fresh water well shall not be drilled closer than three hundred (300) feet to the oil well. A fresh water well may not be drilled deeper than two hundred (200) feet above the base of the fresh water aquifer. The oil and gas inspector shall determine the base of the fresh water aquifer.

B. When any fresh water well is drilled as a source of drill water, the applicant shall state the disposition of the fresh water well. When ownership of the water well is to be transferred to the land owner, a written statement from the land owner accepting responsibility of the well shall be submitted to the city. When any such water well is plugged, it shall be plugged in accordance with the rules of the State Water Resources Board. Only drilling contractors licensed by the State Water Resources Board shall drill fresh water wells to be used as a source of drill water. (Ord. No. 11-16-92)

5-1336 Oil and gas inspector.

A. The city mayor shall employ or retain a qualified person, person, firm or corporation as an oil and gas inspector, whose duty it shall be to enforce the provisions of this chapter.

B. The oil and gas inspector shall have the authority to issue such orders or directives as are required to carry out the intent and purpose of this chapter and its particular provisions. Failure to abide by any such order or directive shall be a violation of this chapter.

C. The oil and gas inspector shall have the authority to go upon and inspect any premises covered by the terms of this chapter to ascertain whether this chapter and the applicable laws, rules, regulations, standards or directives of the state are being complied with. Failure to permit access to the oil and gas inspector shall be deemed a violation of this chapter.

D. The oil and gas inspector shall have the authority to request and receive from any permittee, contractor, or subcontractor, any records, logs, reports and the like relating to the status or condition of any well or project or the appurtenances thereof within the city. Such material shall remain confidential where such confidentiality is usually granted by the state. Material considered confidential by the state shall be submitted to the oil and gas inspector in a sealed envelope and shall be opened only in the presence of the operator. Failure to provide any such requested material shall be deemed a violation of this chapter. (Ord. No. 11-16-92)

5-1337 Service companies.

Upon request of the oil and gas inspector, service companies or other persons shall furnish and file reports and records showing perforating, hydraulic fracturing, cementing, shooting, chemical treatment and all other service operations on any site covered by this chapter. Such furnished material shall remain confidential where such confidentiality is usually granted by the state. Failure to provide any such requested material shall be deemed a violation of this chapter. (Ord. No. 11-16-92)

5-1338 Accumulation of vapor.

The oil and gas inspector shall have the authority to require the immediate shutting in or closing of any well if he finds that there exists, within a one hundred (100) foot radius of any well, any gas or gasoline vapor in a quantity sufficient to constitute, in his judgment, or in the judgment of the city fire marshal, a fire hazard. The well shall remain shut or closed in until the hazard and its cause are removed. (Ord. No. 11-16-92)

5-1339 Pipe lines.

A. No permittee shall make any excavations or construct any pipelines for the conveyance of fuel, water or minerals, on, under or through the city without first having obtained a revocable permit therefor upon application to the oil and gas administration office.

B. The oil and gas inspector shall prescribe the forms to be used for such application and the information to accompany it and prescribe the appropriate publication notice requirements. Such information shall include the plans, specifications and maps submitted to the state.

C. Each application for a permit under this section shall be accompanied by a non-refundable filing fee in the amount of Three Hundred Dollars (\$300.00). (Ord. No. 11-16-92)

5-1340 Ingress and egress.

Lease roads shall be maintained in such a manner as to safely and comfortably allow for ingress and egress of city or state personnel traveling in a common passenger motor vehicle. Upon completion of a new well, the lease road shall be covered with a layer of gravel. (Ord. No. 11-16-92)

5-1341 Order to cease operations.

A. If the oil and gas inspector finds that, in his judgment, a hazard to life or natural resources exists, he shall order immediate rectification of the cause. If the permittee takes no immediate measure to reduce the hazard, or if the situation be so perilous as to constitute an imminent threat to safety, then in either of these events he may order the prompt cessation of activity, and if necessary, the clearance of the premises.

B. The oil and gas inspector shall apply to the city mayor for a hearing upon such order, which hearing shall be held not longer than twenty-four (24) hours after the issuance of the order by the oil and gas inspector. The city mayor shall determine if proper cause existed, and, if not, shall order the permittee's activity to resume without delay. If the city mayor determines that proper cause did not exist for the order to cease activity to be issued, then he shall make whatever ruling is proper to assure rectification of the cause of the peril. Such ruling and compliance with it by the permittee shall not be construed to absolve the permittee of any liability for any violation of this chapter or for any damage or injury caused thereby. (Ord. No. 11-16-92)

5-1342 Appeals.

Any permittee aggrieved by any order, directive or ruling issued by the oil and gas inspector, or by any ruling by the city mayor, may appeal the same to the city council which shall hear the matter at a meeting. The lodging

of such appeal shall not stay the enforcement of any of the provisions of this chapter. The city council, upon hearing the matter, may issue whatever ruling or order is appropriate, provided that such ruling or order be in keeping with the spirit and purpose of this chapter. (Ord. No. 11-16-92)

#### 5-1343 City council review of permit recommendations.

Upon the consideration of any application for a permit required by the terms of this chapter, the oil and gas inspector shall recommend approval or disapproval thereof to the mayor and city council, who shall review the matter at a regularly scheduled meeting, and thereupon uphold or reverse the recommendation with or without the addition of any conditions thereto. (Ord. No. 11-16-92)

#### 5-1344 Conduits on streets and alleys.

A. No permittee shall make any excavations or construct any lines for the conveyance of fuel, water or minerals, on, under or through the streets and alleys of the city without first having obtained a permit therefor upon application to the oil and gas inspector.

B. The oil and gas inspector shall prescribe the forms to be used for such application and the information to accompany it and prescribe the appropriate publication notice requirements.

C. The oil and gas inspector shall, within thirty (30) city business days of receipt of the properly executed application, either grant or deny the request.

D. The granting of any such permit shall not be construed to be the granting of a franchise, nor do the provisions hereof mandate city approval of any request for a permit. (Ord. No. 11-16-92; Ord. No. 1-4-93D)

#### 5-1345 Annual fee for conduits.

The oil and gas inspector shall inspect such conduits to assure the public safety. No permit issued under this chapter shall be renewed if the conduit or any part thereof covered by such permit is in an unsafe condition. (Ord. No. 11-16-92; Ord. No. 1-4-93D)

#### 5-1346 Applicability to existing conditions.

This chapter shall apply to any person drilling an original well, re-entering an abandoned well or temporarily abandoned well, conducting natural or artificial production projects or operations, or maintaining a disposal well within the city on the effective date of this chapter and every such person shall have no longer than ninety (90) days to come into compliance with this chapter. Provided that:

1. No initial permit fees shall be charged such person as would otherwise apply; and
2. No penalties shall be sought against any activity violative of this chapter where such activity pre-existed the adoption of this chapter and was otherwise in compliance with the applicable state law, rules, regulations, standards or directives, provided the operation is brought into compliance within ninety (90) days of the effective date of this chapter. (Ord. No. 11-16-92)

#### 5-1347 Penalties.

It is unlawful and an offense for any person to violate or neglect to comply with any provisions hereof irrespective of whether or not the verbiage of each section hereof contains the specific language that such violation or neglect is unlawful and is an offense. Any person who shall violate any of the provisions of this chapter, or any of the provisions of a drilling and operating permit issued pursuant hereto, or any condition of the bond filed by the permittee pursuant to this chapter, or who shall neglect to comply with the terms hereof, shall be punished as provided in Section 1-108 of this code, and the violation of each separate provision of this chapter, and of the permit, insurance and of the bond, shall be considered a separate offense, and each day's violation of each sepa-



rate provision thereof shall be considered a separate offense. In addition to the foregoing penalties, it is further provided that the city council at any regular or special sessions or meeting thereof, may, provided ten (10) days notice has been given to the permittee that revocation is to be considered at such meeting, revoke or suspend any permit issued under this chapter and under which drilling or producing operations are being conducted in the event the permittee thereof has violated any provision of this chapter. In the event the permit be revoked, the permittee may make application to the oil and gas inspector for re-issuance of such permit, and the action of the city thereon shall be final. Any continuing offense shall be considered a public nuisance, the remedies for which under law shall be in addition to those hereinbefore enumerated. (Ord. No. 11-16-92)

#### 5-1348 Temporarily abandoned wells.

When the state corporation commission has granted temporary abandonment status for a well, and the well has been actively produced after January 1, 1984, the permittee may apply to the oil and gas inspector for temporary abandonment status. Temporary abandonment status shall be granted for a maximum of two (2) years except when an extension is granted by the city council. The temporary abandonment status shall be granted provided the requirements placed upon the well by the oil and gas inspector are met. These requirements shall include but not be limited to the following:

1. For enhanced recovery or disposal wells, a cast iron bridge plug shall be placed above but within one hundred (100) feet of the perforated interval and a minimum of twenty (20) feet of cement shall be placed on the cast iron bridge plug. The casing shall be pressure tested to a pressure approved by the oil and gas inspector. Pressure testing shall be repeated annually. The production casing and each annulus of the well shall be equipped with fittings to permit the pressure on each string of casing to be measured using a gauge having a one-fourth (1/4) inch fitting;

2. Producing wells shall have fittings and valves installed to permit the pressure on tubing and each string of casing to be measured using a gauge having a one-fourth (1/4) inch fitting:

- a. A fluid level test shall be performed on each well in this classification at intervals not to exceed six (6) months, and the pressure shall be checked on the tubing and each casing string at least every six (6) months. These tests shall be witnessed by the oil and gas inspector;

- b. If the fluid level in the production casing when no tubing is installed in the well is found to be less than two thousand (2,000) feet from ground level then the same requirements specified in paragraph 1 above shall be applied;

- c. If the fluid level in both the tubing and the tubing-casing annulus when tubing and packer are installed in the well is found to be less than two thousand (2,000) feet from the surface, then the requirements shall be the same as in paragraph 1 above; and

- d. If pressure in excess of fifty (50) PSI is found on the production casing or when other evidence of a leak exists, the requirements shall be as in paragraph 1 above;

3. If pressure in excess of fifty (50) PSI is found on the surface casing of any well or when other evidence of a leak exists, additional tests shall be performed to determine if a casing leak or channel flow outside the casing exists. When the oil and gas inspector determines that a leak exists, appropriate repair work or remedial cementing shall be performed by the permittee or applicant to correct the problem. All repair procedures shall be approved by the oil and gas inspector. The oil and gas inspector shall be notified so that he may witness the repair work and test to confirm the success of such repair work;

4. The requirements for annual fees, insurance and bonds for temporarily abandoned wells shall be the same as for active wells; and

5. All testing required by this chapter shall be performed at the permittee's expense. (Ord. No. 11-16-92)

5-1349 Transfer of ownership.

A. When a permittee desires to transfer ownership of a well to another operator, he shall notify the oil and gas inspector in writing. Transfer of the permit will be granted only when the subject well is in full compliance with the requirements of this chapter. A fee shall be paid by the applicant for a transfer of permit. The city shall inspect each well sought to be transferred as soon as may be practicable after filing of any application for transfer of ownership.

B. No permittee shall be released from the obligations imposed by this chapter until such time as the transfer is approved by the city, conditioned upon acceptance of all necessary bonds and insurance, to assure coverage of existing conditions. (Ord. No. 11-16-92; Ord. No. 1-4-93E)

Editor's Note: Ord. No. 1-4-93E set transfer fee in Subsection A at \$50.00.

5-1350 Blowout prevention equipment.

Blowout prevention equipment (BOPE) shall be installed and used on all wells during drilling, running, casing, down-hole work-over operations, logging, open-hole formation testing and the pulling of casing during plugging operations:

1. During drilling, a minimum of three (3) hydraulically operated blowout preventers which meet the American Petroleum Institute Recommended Practices RP # 53 recommendations for Class 3M shall be installed on the well. One blowout preventer shall be a spherical annular type, one shall be a ram type equipped with pipe rams to fit the drill pipe in use, and the third shall be a ram type equipped with blind rams. A hydraulic operating unit which meets the recommendations of the American Petroleum Institute (API) Recommended Practices RP # 53 shall be installed to operate the blowout preventers:

a. A choke line, kill line, and choke manifold which meet the blowout prevention equipment recommendations of API RP # 53 for Class 3M shall be connected to the BOPE during drilling operations;

b. The BOPE shall be installed prior to drilling below the surface casing. BOP equipment shall be function tested and pressure tested in accordance with the recommendations of the oil and gas inspector after installation and prior to drilling below the surface casing; or

c. The oil and gas inspector may specify more stringent requirements for BOPE when, in his opinion, conditions warrant the additional requirements;

2. During work-over operations and tubing changes, the minimum BOPE acceptable shall be two (2) ram type BOP. One BOP shall be a ram type equipped with rams to fit the tubing, and the other BOP shall be a ram type equipped with blind rams;

3. When casing is being pulled from a well, the well shall be equipped with rams to fit the tubing, and the other BOP equipment which shall be required; or

4. For operations other than the ones contained hereinunder, the oil and gas inspector shall determine the type of BOP equipment which shall be required.

(Ord. No. 11-16-92)

5-1351 Flood elevations and pollution prevention.

A. When well locations fall in an area that is within the one hundred (100) year flood elevation as defined by the Federal Insurance Rate Map (FIRM) or as determined by the city engineer, the ground level of the drilling and production pad shall be constructed to an elevation at least one foot above the one hundred (100) year flood elevation as defined by FIRM. When the proposed site is not covered by the FIRM, the city engineer shall determine the elevation of the one hundred (100) year flood elevation.

B. No wells, tanks, vessels, or structures may be located in the floodway as defined by FIRM. The floodway shall be defined by the city engineer when the FIRM does not cover the proposed site. No facilities may be

constructed which will cause adverse flooding affecting existing structures or roadways. Any dike or levee permitted to be in the one hundred (100) year flood elevation shall have an elevation at least two (2) feet above the elevation of the one hundred (100) year flood plain.

C. Storage tanks or other types of tanks used in connection with any oil, gas, or injection well shall have earthen embankments constructed as required in Section 5-1321.

D. A slope of not less than one percent (1%) away from the tank shall be provided for a minimum of fifty (50) feet or to the dike base, whichever is less.

E. The floor and walls of the diked area shall be constructed of impervious earth. The floor of the diked area shall be covered with a compacted layer of stiff clay having a minimum thickness of twelve (12) inches except when the native soil present is stiff clay. The floor of the diked area shall be constructed prior to the installation of tanks or vessels. The requirement for the floor of the diked area shall not apply to installations constructed prior to September 16, 1986. The walls of the diked area shall be constructed of adequately compacted impervious earth such as stiff clay and shall be covered with rock or other material to prevent erosion. The top of the dike shall have a flat section not less than two (2) feet wide, and the slope of the dike shall be consistent with the angle of repose of the material used to construct the dike, as determined by the oil and gas inspector. The requirements of this subsection shall not apply to wells or facilities in use on the effective date of this ordinance.

F. No drain plugs, openings or siphons shall be placed in the walls of dikes, which will permit the escape of any liquids through the dike. All pipe lines or cables running to the installation shall be routed above the dike or under the dike with a minimum of two (2) feet of earthen cover.

G. Storage tank areas shall be kept free of all liquids, combustible materials, brush, weeds and debris and shall be inspected by the oil and gas inspector every six (6) months.

H. Site proof fencing shall be placed around the diked area, but fences shall not be placed on top of the dike when the dike is constructed of earth. (Ord. No. 11-16-92)

#### 5-1352 Zoning.

All provisions of this chapter shall be construed as supplementary to the zoning ordinances of the city, and any activity requiring zoning approval shall be first so approved prior to being deemed eligible for any permit provided for hereinunder. (Ord. No. 11-16-92)

#### 5-1353 Informal complaints.

If, upon information or inspection, it is found that a permittee is violating any portion of this chapter or causing damage or pollution to any surface or underground treatable water the oil and gas inspector shall file a written administrative complaint with the city mayor, a copy of which shall be delivered or mailed to the permittee or his agent. If upon subsequent inspection, it is determined that the permittee has taken the corrective actions specified, the complaint may be dismissed; otherwise, formal application will be made to the city council for an order revoking the permit, and for any other appropriate remedy; pending the outcome of the final determination of the city council on the formal application, the oil and gas inspector shall, after an onsite inspection, have the authority to shut down those operations where conditions appear obvious that surface or underground pollution is occurring. It is the intent of this section to supplement the penalty provisions of this chapter and shall be construed so as not to conflict therewith. (Ord. No. 11-16-92)

#### 5-1354 Salt water (or other deleterious substance) disposal well.

No well shall be utilized for the purpose of disposing or storing salt water or any other deleterious substance. (Ord. No. 11-16-92)

## Chapter 14

### RESIDENTIAL CODE

#### Sections:

5-1401 Adoption of International Residential Code.

5-1402 International Residential Code revisions.

5-1403 Conflicting ordinances repealed.

5-1401 Adoption of International Residential Code.

That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Residential Code, 2003 Edition, including Appendix Chapters A, B, C, D, E, F, G, H, I, J and K as published by the International Code Council, be and is hereby adopted as the Residential Code of the city of Bristow, in the state of Oklahoma for regulating and governing the construction, alteration, movement, enlargement, replacement, repairs, equipment, location, removal and demolition of detached one and two family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Residential Code on file in the office of the city of Bristow are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-1402 of this code. (Ord. 30-010504 § 1)

5-1402 International Residential Code revisions.

The following sections of the 2003 Edition of the International Residential Code are hereby revised as follows:

1. Section R101.1 - insert City of Bristow in place of the phrase [Name of Jurisdiction].
2. All of the provisions of Section R103 are deleted and replaced with the following:

The City Inspector, sometimes referred to as the Bristow Building Inspector, is hereby designated as the "Building Official" for the purposes of this Code.

3. Section R113.4 shall provide as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall construct, alter, move, enlarge, repair, equip, locate, remove, or demolish one and two family dwellings and multiple single family dwellings in violation of the approved construction documents or directive of the code official, of or a permit or certificate issued under the provisions of this code, shall upon conviction, be punished as provided in Part 1, Chapter 1, Section 1-108 of the Code of Ordinances of the City of Bristow. Each day that a violation occurs after due notice has been served shall be deemed a separate offense.

(Ord. 30-010504 § 2)

5-1403 Conflicting ordinances repealed.

That any ordinance or any part of any ordinance of the city of Bristow, state of Oklahoma, in conflict herewith is hereby repealed. (Ord. 30-010504 § 3)

## Chapter 15

### INTERNATIONAL CODE

### EXISTING

### BUILDING

#### Sections:

5-1501 Adoption of International Existing Building Code.

5-1502 International Existing Building Code revisions.

5-1503 Conflicting ordinances repealed.

5-1501 Adoption of International Existing Building Code.

That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Existing Building Code, 2003 Edition, including the Appendix as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the city of Bristow, in the state of Oklahoma; regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, as herein provided, providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Existing Building Code on file in the office of the city of Bristow are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-1502 of this code. (Ord. 32-010504 § 1)

5-1502 International Existing Building Code revisions.

The following sections of the 2003 Edition of the International Existing Building Code are hereby revised as follows:

1. Section 101.1 - insert City of Bristow in place of the phrase [Name of Jurisdiction].
2. Section 1201.2 - insert February 5, 2004 in place of the phrase [Date in one location].
3. All of the provisions of Section 103 are deleted and replaced with the following:

The City Inspector, sometimes referred to as the Bristow Building Inspector, is hereby designated as the "Code Official" for the purposes of this Code.

4. Section 113.4 shall provide as follows:

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings in violation of the approved construction documents or directive of the code official, of or a permit or certificate issued under the provisions of this code, shall upon conviction, be punished as provided in Part 1, Chapter 1, Section 1-108 of the Code of Ordinances of the City of Bristow. Each day that a violation occurs after due notice has been served shall be deemed a separate offense.

(Ord. 32-010504 § 2)

5-1503 Conflicting ordinances repealed.

That any ordinance or any part of any ordinance of the city of Bristow, state of Oklahoma, in conflict herewith is hereby repealed. (Ord. 32-010504 § 3)

## Chapter 16

### LIFE SAFETY CODE

#### Sections:

5-1601 Adoption of Life Safety Code.

5-1602 City inspector.

5-1603 Violation--Penalty.

5-1604 Conflicting ordinances repealed.

5-1601 Adoption of Life Safety Code.

That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the Eighth Edition, be and is hereby adopted as the Life Safety Code of the city of Bristow, in the state of Oklahoma; providing for rules and regulations to improve safety of the public by promoting the control of fire hazards; regulating the installation, use, and maintenance of equipment; regulating the use of structures, premises, and open areas; providing for the abatement of fire hazards; setting forth standards for compliance to achieve their objectives; providing for penalties; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Existing Building Code on file in the office of the city of Bristow are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter. (Ord. 35-012004 § 1)

5-1602 City inspector.

The city inspector, sometimes referred to as the Bristow building inspector, is hereby designated as the "Code Official" for the purposes of this code. (Ord. 35-012004 § 2)

5-1603 Violation--Penalty.

Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings in violation of the approved construction documents or directive of the code official, of or a permit or certificate issued under the provisions of this code, shall upon conviction, be punished as provided in Section 1-108 of this code. Each day that a violation occurs after due notice has been served shall be deemed a separate offense. (Ord. 35-012004 § 3)

5-1604 Conflicting ordinances repealed.

That any ordinance or any part of any ordinance of the city of Bristow, state of Oklahoma, in conflict herewith is hereby repealed. (Ord. 35-012004 § 4)

## Chapter 17

### UNIFORM FIRE CODE

#### Sections:

5-1701 Adoption of Uniform Fire Code.

5-1702 City inspector.

5-1703 Violation--Penalty.

5-1704 Conflicting ordinances repealed.

5-1701 Adoption of Uniform Fire Code.

That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the NFPA 1 Uniform Fire Code, be and is hereby adopted as the Uniform Fire Code of the city of Bristow, in the state of Oklahoma; prescribing regulations governing conditions hazardous to life and property from fire or explosion, providing for penalties; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions, and terms of said Uniform Fire Code on file in the office of the city of Bristow are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter. (Ord. 36-012004 § 1)

5-1702 City inspector.

The city inspector, sometimes referred to as the Bristow building inspector, is hereby designated as the "AHJ Official" for the purposes of this code. (Ord. 36-012004 § 2)

5-1703 Violation--Penalty.

Any person who shall violate any provision of this code or standard hereby adopted or fail to comply therewith; or who shall violate or fail to comply with any order made thereunder; or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder; or failed to operate in accordance with any certificate or permit issued thereunder; and from which no appeal has been taken; or who shall fail to comply with such an order as affirmed or modified by the appeal board or a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance, respectively, shall upon conviction, be guilty of a misdemeanor, be punished as provided in Section 1-108 of this code. Each day that a violation occurs after due notice has been served shall be deemed a separate offense. (Ord. 36-012004 § 3)

5-1704 Conflicting ordinances repealed.

That any ordinance or any part of any ordinance of the city of Bristow, state of Oklahoma, in conflict herewith is hereby repealed. (Ord. 36-012004 § 4)

## Chapter 18

### INTERNATIONAL PROPERTY MAINTENANCE CODE

#### Sections:

5-1801 Adoption of International Property Maintenance Code.

5-1801 Adoption of International Property Maintenance Code.

A. That a certain document, three (3) copies of which are on file in the office of the city clerk of the city of Bristow, being marked and designated as the International Property Maintenance Code, 2003 Edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the city of Bristow, in the state of Oklahoma, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as provided in this chapter; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of such Property Maintenance Code on file in the office of the city clerk are hereby referred to, adopted, and made a part of this chapter, as if fully set out in this chapter, with the additions, insertions, deletions, and changes, if any, prescribed in subsection B of this section.

B. The following sections of the International Property Maintenance Code, 2003 Edition, are hereby revised:

101.1 insert "City of Bristow"

103.1 Delete

103.2 Delete and replace with:

"For purposes of this Code, the Building Inspector shall also mean the Code Official, Code Enforcer, and/or the City Inspector."

103.3 Delete

106.4 Delete and replace with:

"Any person, firm, partnership, corporation, or limited liability company who shall violate a provision of this Chapter shall, upon conviction, be punished as provided in Part 1, Chapter 1, Section 1-108 of the Code of Ordinances of the City of Bristow. Each day that a violation continues after due notice has been served shall be deemed a separate occurrence."

304.14 Insert March 15 and November 1

602.3 Insert September 1 and May 15

602.4 Insert September 15 and May 1

(Ord. 73-010306 § 1)