

ORDINANCE NO. 2021-11-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TONKAWA, OKLAHOMA, AMENDING CHAPTER 5 AND CHAPTER 13 OF THE TONKAWA MUNICIPAL CODE 2021, UPDATING THE CODES TO THE STATE ADOPTED VERSIONS; PROVIDING FOR THE AMENDMENT OF SECTIONS 5-101 AND 5-102 ADOPTING THE INTERNATIONAL BUILDING CODE 2018 EDITION; PROVIDING FOR THE AMENDMENT OF SECTION 5-110 ADOPTING THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2018 EDITION; PROVIDING FOR THE AMENDMENT OF SECTION 5-110 ADOPTING THE INTERNATIONAL EXISTING BUILDING CODE 2018 EDITION; PROVIDING FOR THE AMENDMENT OF SECTIONS 5-201 AND 5-202 ADOPTING AND AMENDING THE INTERNATIONAL PLUMBING CODE 2018 EDITION; PROVIDING FOR THE AMENDMENT OF SECTION 5-302 ADOPTING THE NATIONAL ELECTRIC CODE 2017 EDITION; PROVIDING FOR THE AMENDMENT OF SECTION 5-401 ADOPTING THE INTERNATIONAL MECHANICAL CODE 2018 EDITION; PROVIDING FOR THE AMENDMENT OF SECTION 5-601 ADOPTING THE INTERNATIONAL FUEL GAS CODE 2018 EDITION; PROVIDING FOR THE AMENDMENT OF SECTION 13-101 ADOPTING THE INTERNATIONAL FIRE CODE 2018 EDITION; PROVIDING FOR REPEALER; SAVINGS; CODIFICATION; SEVERABILITY; PENALTY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

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

Section I: That the following sections contained in Chapters 5 and 13 of the Tonkawa Municipal Code 2021 are hereby amended as follows:

SECTION 5-101 INTERNATIONAL BUILDING CODE ADOPTED.

That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Building Code, ~~2015~~ 2018 Edition, its appendices and annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Building Code for the City of Tonkawa, 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 International Building Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-102 of this Article. State Law Reference: Building codes, adoption by cities, 11 O.S. § 14-107; 74 O.S. § 324.8.

SECTION 5-102 ADDITIONS AND CHANGES TO INTERNATIONAL BUILDING CODE.

The following section of the International Building Code, 2015 2018 Edition, are hereby revised:

1. §100.1, insert the City of Tonkawa, State of Oklahoma.
2. §1612.3, insert the City of Tonkawa, State of Oklahoma.
3. §1612.3, insert May 1, 2017
4. §3410.2, insert May 1, 2017

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

SECTION 5-109 INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.

That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Property Maintenance Code, 2015 2018 Edition, its appendices and annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Code 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 Property Maintenance Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the following additions, insertions, deletions and changes:

Section 101.1, insert the City of Tonkawa, Oklahoma

Section 103.5, insert a schedule of fees on file in the office of the City Clerk or contained in the Tonkawa Municipal Code ~~2012-2021~~

Section 304.14, insert from April 1 to September 30

Section 602.3, insert from November 1 through March 31

Section 602.4, insert from November 1 through March 31

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

SECTION 5-110 INTERNATIONAL EXISTING BUILDING CODE ADOPTED.

That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Existing Building Code, ~~2015~~ 2018 Edition, but not to include the Appendix Chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Code for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing 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 International Existing Building Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as fully set out in this ordinance, with the following additions, insertions, deletions and changes:

Section 101.1, insert the City of Tonkawa, Oklahoma

Section 1201.2, insert May 1, 2017.

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

Section 5-201 INTERNATIONAL PLUMBING CODE ADOPTED.

That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Plumbing Code, ~~2015~~ 2018 Edition, including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of Tonkawa, State of Oklahoma, for 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 Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes as set out in Section 5-202.

Section 5-202 ADDITIONS, INSERTIONS AND CHANGES TO THE INTERNATIONAL PLUMBING CODE

The following sections contained in the International Plumbing Code, ~~2015~~ 2018 Edition, are hereby revised:

Section 101.1, insert the City of Tonkawa, Oklahoma

Section 106.6.2, insert as provided by resolution of the City or as provided in the Tonkawa Municipal Code ~~2017~~ 2021

Section 106.6.3, insert in first blank 75% and second blank 50%

Section 108.4, insert as provided by Section 1-108 of the Tonkawa Municipal Code, ~~2017~~ 2021

Section 108.5, insert as provided by Section 1-108 of the Tonkawa Municipal Code ~~2017~~ 2021

Section 305.6.1, insert 18"

Section 904.1, insert 12"

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

State Law Reference: City powers to supervise plumbing, 59 O.S. §§ 1001 et seq.

Section 5-302 NATIONAL ELECTRIC CODE AND NATIONAL ELECTRIC SAFETY CODE ADOPTED.

A. National Electric Code Adopted. That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the National Electric Code, ~~2014~~ 2017 Edition, with all variances adopted by the State of Oklahoma, its appendices and annual amendments thereof, as published by the National Fire Protection Association, be and is hereby adopted as the Electric Code, regulating and governing wiring and safety standards of all property, buildings and structures in the City of Tonkawa, State of Oklahoma; 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 Electric Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section.

The following sections in the National Electric Code are hereby revised:

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

B. National Electric Safety Code Adopted. That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the

National Electric Safety Code, ANSI C2, latest edition, its appendices and annual amendments thereof, as published by the Institute of Electrical and Electronics Engineers, Inc., be and is hereby adopted as the City's Electric Safety Code, in addition to the National Electric Code, regulating and governing wiring and safety standards of all property, buildings and structures in the City of Tonkawa, State of Oklahoma; 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 Electric Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section.

Section 5-401 INTERNATIONAL MECHANICAL CODE ADOPTED

That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Mechanical Code ~~2015~~ 2018 Edition,, with all variances adopted by the State of Oklahoma, including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of Tonkawa, State of Oklahoma, for 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 Plumbing Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes:

Section 101.1, insert the City of Tonkawa, Oklahoma

Section 106.6.2, insert as provided by resolution of the Cityor as provided in the Tonkawa Municipal Code 2017 2021

Section 106.5.3, insert in first blank 75% and second blank 50%

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

Section 5-601 INTERNATIONAL FUEL GAS CODE ADOPTED.

That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Fuel Gas Mechanical Code, ~~2015~~ 2018 Edition, with all variances adopted by the State of Oklahoma. including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Tonkawa, State of Oklahoma, for regulating and governing fuel gas system and gas-fired appliances 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 Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and

made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes:

Section 101.1, insert the City of Tonkawa, Oklahoma

Section 106.5.2, insert as provided by resolution of the Cityor as provided in the Tonkawa Municipal Code, ~~2012-2021~~.

Section 106.5.3, insert in first blank 75% and second blank 50%

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

Section 13-101 INTERNATIONAL FIRE CODE ADOPTED.

A. That a certain document is on file in the Office of the City Clerk of the City of Tonkawa, Oklahoma, being marked and designated as the International Fire Code, ~~2015~~ 2018 Edition, its appendices and annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Fire Code for the City of Tonkawa, State of Oklahoma, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property 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 therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City Clerk of the City of Tonkawa, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 13-101 of this Article.

B. The following section of the International Fire Code, ~~2015~~ 2018 Edition, are hereby revised:

1. §100.1, insert the City of Tonkawa, State ofOklahoma.
2. §105.5 is repealed and replaced by the followingprovision:
 1. A building permit properly issued shall be valid for a period of 180 days from the date of ~~it~~
 2. A building permit may be extended for a period of thirty (30) days, provided that written application for extension of time is made and filed with the City Clerk prior to the expiration of the original

permit or subsequent extension of time, and justifiable cause as demonstrated by the applicant for extension of time.

3. 1612.3, insert the City of Tonkawa, State of Oklahoma.
4. 1612.3, insert May 1, 2017.
5. 3410.2, insert May 1, 2017.

All references to jurisdiction shall be amended to mean the City of Tonkawa, Oklahoma.

All amendments made by the Oklahoma Uniform Building Code Commission to this Code are hereby incorporated by reference as herein set out.

State Law Reference: Building codes, adoption by cities, 11 O.S. § 14-107; 74 O.S. § 324.8.

Section II. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section III. SAVINGS CLAUSE. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

Section IV. CODIFICATION. This ordinance shall be codified as herein provided.

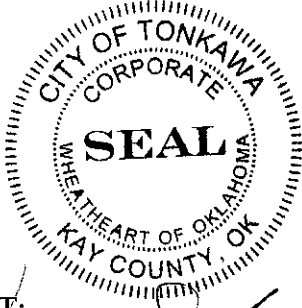
Section V. SEVERABILITY. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Council of the City of Tonkawa that this section of the Tonkawa Municipal Code would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

Section VI. PENALTY. Any person who shall violate the provisions of this ordinance, by act or omission, shall be deemed guilty of an offense against the City and upon conviction thereof shall be punishable by a fine of not more than Two Hundred and Fifty Dollars (\$250.00), plus court costs, fees, and state assessments, if applicable, unless a different fine is otherwise specified herein or elsewhere in this municipal code. Each day of violation may be deemed a separate offense.

Section VII. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the City and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect in order immediately provide

for adoption of the correct version of the state adopted codes for building, trades and fire, this Ordinance shall take effect and be in full force and effect after its passage, as provided by law.

Approved and executed this 16th day of November 2021.

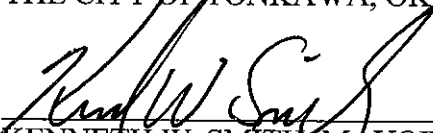


(Seal)


ATTEST:


NANCY C. SKIPPER, CITY CLERK

THE CITY OF TONKAWA, OKLAHOMA


KENNETH W. SMITH, MAYOR

APPROVED AS TO FORM AND LEGALITY:


BRYCE S. KENNEDY, CITY ATTORNEY