

ORDINANCE NO. 3193

AN ORDINANCE AMENDING THE MIDWEST CITY CODE BY AMENDING CHAPTER 9, BUILDING AND BUILDING REGULATIONS, ARTICLE XI, PORTABLE AND TEMPORARY BUILDINGS, AMENDING SECTION 9-641 DEFINED AND SECTION 9-642 SPECIAL REVOCABLE PERMIT PERTAINING TO THE ZONING DISTRICT IN WHICH SUCH CAN BE LOCATED, THE PLACEMENT OF SUCH BUILDINGS / STRUCTURES, ANNUAL PERMITS FOR SUCH BUILDINGS / STRUCTURES AND THEIR COMPLIANCE WITH SECTION 5.7.9 OF THE ZONING CODE, ESTABLISHING AN EFFECTIVE DATE; AND PROVIDING FOR REPEALER AND SEVERABILITY

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

**ORDINANCE**

SECTION 1. That Chapter 9, Building and Building Regulations, Article XI, Portable and Temporary Buildings, Section 9-641 Defined, is hereby amended to read as follows:

This section shall apply to those portable and / or temporary buildings / structures to be used for the sale of seasonable items or other merchandise for a limited period of time. Such buildings / structures are required to be located on property currently regulated by the C-3, Community Commercial, C-4, General Commercial, I-1, Light Industrial, I-2, Moderate Industrial and /or I-3 Heavy Industrial districts.

SECTION 2. That Chapter 9, Building and Building Regulations, Article XI, Portable and Temporary Buildings, Section 9-642, Special Revocable Permit, is hereby amended to read as follows:

- (a) It is unlawful for any person to move or construct any portable or temporary building or structure of any kind or character upon any lot, block, tract or parcel of land within the city without first having obtained a special revocable permit therefore. All such permits, except those for real estate offices, can be purchased for a \$65.00 fee and such shall expire on the 31<sup>st</sup> day of January of each year. Such permit is not transferable from one person to another.
- (b) Special revocable permits may be granted by the building official upon application in writing by the applicant stating the use to which such building will be made, length of time such building will be utilized, a copy of the lease on the premises, or, if no lease, evidence as to length of such lease with the owner. A site plan indicating where the portable / temporary building will be located on the property is also required to be submitted with the request for the Special Revocable Permit. If the owner is utilizing his own property such information shall be furnished as the city may require.
- (c) Permits issued pursuant to this article shall be only for the types of structures defined in Section 9-641. Only one temporary / portable building will be permitted on one property.
- (d) Permits issued under the provisions of this article shall be special revocable permits, and may be revoked upon giving the premise thirty (30) days notice in writing of the revocation of such permit. Special Revocable permits shall be signed by the applicant and in doing so, so cause a agreement that he / she will remove the building / structure when the permit is revoked by the building official.
- (e) Those temporary / portable buildings / structures proposed to be located on any lot, block, tract or parcel shall be required to meet the conditions of Section 5.7.9. of the zoning code.

SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. SEVERABILITY. If any section, sentence, clause or portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

PASSED AND APPROVED by the Mayor and Council of the City of Midwest City, Oklahoma, on the 26<sup>th</sup> day of February, 2013.

CITY OF MIDWEST CITY, OKLAHOMA

  
MAYOR

ATTEST:

  
CITY CLERK

APPROVED as to form and legality this 26<sup>th</sup> day of February, 2013.

  
CITY ATTORNEY