

## **ORDINANCE NO. 2810NS**

AN ORDINANCE OF THE CITY OF SHAWNEE, OKLAHOMA AMENDING CHAPTER 26, "UTILITIES"; AND ALSO PROVIDING FOR REPEALER, CODIFICATION, AND SEVERABILITY.

**WHEREAS** the Code of Ordinances of the City of Shawnee must be amended from time to time to comply with the laws of the State of Oklahoma and the Charter of the City of Shawnee; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION FOR THE CITY OF SHAWNEE, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA AS FOLLOWS:**

### **Section 1: Section 26-68**

The service line from the water main to the meter box and three feet beyond shall be polyethylene water service tubing, color blue, copper tube size (CTS) PE 3408/3608, high density PE tubing, PC 200 (psi), DR 9 (outside diameter-based dimension ratio), in conformance with the Engineering Design Manual, Standard Construction details, and requirements of ANSI/AWWA C901 and ASTM D2737. (All polyethylene water service lines will require tracer wire to be installed in accordance with the city water main installation specifications.)

### **Section 2: Section 26-69**

- a) There is adopted by the city, for the purpose of amending standards and specifications for the construction of water distribution main lines, that certain compilation entitled "Standard Specifications for Construction of Water Distribution Mains, Shawnee, Oklahoma," adopted September 2024, of which copies are filed in the office of the city clerk and are made a part of the public records of the city. All water lines and appurtenances thereto shall conform to the state department of environmental quality standards for public water supply facilities, as set forth in O.A.C. 252, chapter 625, "Public Water Supply Construction Standards," as adopted and as may be from time to time amended by the state board of health. Additionally, All water lines and appurtenances thereto shall conform to the "Engineering Design Manual, Shawnee, Oklahoma," adopted September 2024, of which copies are filed in the office of the city clerk and are made a part of the public records of the city.
- b) Permit Required.
  1. No person shall do or cause to be done any work constituting public water distribution main construction, within the city without first having obtained a construction permit number for the work from the office of the city engineer. A permit for such work shall not be issued to any person who has failed to comply with this Code. Permits shall not be required for maintenance work or for repair work if the maintenance and repair work does not require alteration or rearrangement of roadway geometry.
- c) Permit Issuance.
  1. Upon compliance with Section 26-69a and prior to commencement of the work, it shall be the duty of the city engineer to issue a permit permitting the person to perform the water distribution work covered by the application, provided the plans for the work conform to the Engineering Design Manual and the city engineer shall charge the utility contractor with the amount of proper fees.
- d) Plans and Specifications
  1. The office of the city engineer shall require plans and specifications for any public main extension in accordance with the currently adopted Engineering Design Manual.
  2. The city engineer shall have and is given authority to refuse to issue a permit for the installation of public main extension, as provided in this division, or for any additions or extensions to public mains if the work that is proposed to be done is shown to be unsafe or not in accordance with this Code.

3. Approval of plans and specifications for purposes of issuing a permit by the city shall not relieve the owner or his agents of responsibility for errors of any kind in drawings and specifications and for compliance with applicable codes.

e) Fees

1. An administrative plan review fee for privately funded public improvements shall be paid in the amount provided by the city fee schedule.
2. Inspection and supervision fees shall be a percentage of estimated costs as follows:

1.0% of the estimated construction costs at the time of permit. Construction estimate is subject to review and approval by the city engineer.

The above fee schedule will be valid for the installation of public water distribution mains.

- f) *Bond*. Before any person, and/or entity, shall engage in work of any kind within the city, which constitutes public water distribution construction, shall execute and deliver to the city a bond in an amount as described in the city fee schedule. The bond shall be conditioned upon the faithful performance of his duties, that he shall save the city harmless from any liabilities that may arise in the use of any of the construction where such work is performed and that they shall in all respects comply with all city ordinances, rules and regulations relating to the use of public facilities.

- g) *Liability insurance*. Before any person shall engage in work of any kind in the city constituting public water distribution mains, the person doing such work shall file with the city clerk or designee an insurance policy for an indemnity fund as follows:

1. The insurance policy shall be issued by a company licensed and authorized to do business in the state and shall provide public liability insurance coverage for each operation required in the conduct of such work. The insurance policy coverage, for injury or death of any one person, for the injury or death of any number of persons in any one accident and for property damage in any one accident growing out of the work, shall be in an amount as described in the city fee schedule.
2. The policy cannot be cancelled until ten days' notice of cancellation is given to the city clerk or designee, and the policy shall carry an endorsement of actual notice to the city of any changes therein.
3. The insurance policy shall be approved by the city manager or designee and endorsed thereon. The insurance policy shall be approved as to form by the city attorney.
4. The insurance policy shall be made for the use and benefit and protection of the city and for the use and benefit and protection of any person who may suffer injury either to his person or property because of an accident or omission or negligence of any person, his agents or servants engaged in such work. If the policy is approved by the city manager or designee, it shall remain in force and effect during the life of the policy.

- h) *Manner of doing work*. Any work, of any kind, in the city constituting public water distribution mains shall be done under the supervision and according to specifications of the city engineer and shall be inspected and approved by the city engineer, or designee.

**Section 3: Section 26-168**

- a) All water meters installed on the city water system shall be of a type and brand as approved by the line maintenance utility director.
- b) Meters shall comply with the latest adopted standard construction details.
- c) All meters larger than two inches shall be installed with a bypass and appropriate valves. Bypasses may be required on two-inch meter installations where, in the judgment of the line maintenance utility director, uninterruptible service is important.

**Section 4: Section 26-268**

- a) There is adopted by the city, for the purpose of establishing standards and specifications for the construction of sanitary sewer lines, the current edition of Standard Specifications for

Construction of Public Sanitary Sewer Lines, Shawnee, Oklahoma, of which not less than three copies are filed in the office of the utilities department and are made a part of the public records of the city, and the specifications are incorporated in this section as fully as if set out at length. All sanitary sewer lines and water pollution control facilities shall conform to the state department of health standards for water pollution control facilities as set forth in ODH Engineering Bulletin No. 0587, as adopted and as may be from time to time amended by the state board of health.

b) Permit Required.

1. No person shall do or cause to be done any work constituting public sanitary sewer main construction, within the city without first having obtained a construction permit number for the work from the office of the city engineer. A permit for such work shall not be issued to any person who has failed to comply with this Code. Permits shall not be required for maintenance work or for repair work if the maintenance and repair work does not require alteration or rearrangement of roadway geometry.

c) Permit Issuance.

1. Upon compliance with Section 26-268a and prior to commencement of the work, it shall be the duty of the city engineer to issue a permit permitting the person to perform the sanitary sewer collection work covered by the application, provided the plans for the work conform to the Engineering Design Manual and the city engineer shall charge the utility contractor with the amount of proper fees.

d) Plans and Specifications

1. The office of the city engineer shall require plans and specifications for any public main extension in accordance with the currently adopted Engineering Design Manual.
2. The city engineer shall have and is given authority to refuse to issue a permit for the installation of public sewer main extensions, as provided in this division, or for any additions or extensions to public mains if the work that is proposed to be done is shown to be unsafe or not in accordance with this Code.
3. Approval of plans and specifications for purposes of issuing a permit by the city shall not relieve the owner or his agents of responsibility for errors of any kind in drawings and specifications and for compliance with applicable codes.

e) Fees

1. An administrative plan review fee for privately funded public improvements shall be paid in the amount provided by the city fee schedule.
2. Inspection and supervision fees shall be a percentage of estimated costs as follows:  
  
1.0% of the estimated construction costs at the time of permit. Construction estimate is subject to review and approval by the city engineer.

The above fee schedule will be valid for the installation of public sewer collection mains.

f) *Bond.* Before any person, and/or entity, shall engage in work of any kind within the city, which constitutes public sanitary sewer main construction, shall execute and deliver to the city a bond in an amount as described in the city fee schedule. The bond shall be conditioned upon the faithful performance of his duties, that he shall save the city harmless from any liabilities that may arise in the use of any of the construction where such work is performed and that they shall in all respects comply with all city ordinances, rules and regulations relating to the use of public facilities.

g) *Liability insurance.* Before any person shall engage in work of any kind in the city constituting public sanitary sewer main construction, the person doing such work shall file with the city clerk or designee an insurance policy for an indemnity fund as follows:

1. The insurance policy shall be issued by a company licensed and authorized to do business in the state and shall provide public liability insurance coverage for each operation

required in the conduct of such work. The insurance policy coverage, for injury or death of any one person, for the injury or death of any number of persons in any one accident and for property damage in any one accident growing out of the work, shall be in an amount as described in the city fee schedule.

2. The policy cannot be cancelled until ten days' notice of cancellation is given to the city clerk or designee, and the policy shall carry an endorsement of actual notice to the city of any changes therein.
3. The insurance policy shall be approved by the city manager or designee and endorsed thereon. The insurance policy shall be approved as to form by the city attorney.
4. The insurance policy shall be made for the use and benefit and protection of the city and for the use and benefit and protection of any person who may suffer injury either to his person or property because of an accident or omission or negligence of any person, his agents or servants engaged in such work. If the policy is approved by the city manager or designee, it shall remain in force and effect during the life of the policy.

h) *Manner of doing work.* Any work, of any kind, in the city constituting public sanitary sewer main construction shall be done under the supervision and according to specifications of the city engineer and shall be inspected and approved by the city engineer, or designee.

**Section 5: REPEALER.** All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

**Section 6: CODIFICATION.** This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

**Section 7: SEVERABILITY.** The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

PASSED AND APPROVED this \_\_\_\_ day of October, 2024

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ERIC STEPHENS, MAYOR

ATTEST:  
(SEAL)

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LISA LASYONE, MMC, CITY CLERK

Approved as to form and legality this \_\_\_\_ day of October, 2024.

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JOSEPH M. VORNDRAN  
CITY ATTORNEY