

ORDINANCE NO. 2658NS

AN ORDINANCE REPEALING AND AMENDING PORTIONS OF THE SHAWNEE MUNICIPAL CODE, CHAPTER 16 “LAKES”; AUTHORIZING THE CITY MANAGER TO CHANGE THE EXPIRATION OF ANNUAL FISHING AND BOATING PERMITS; AUTHORIZING FEES SET BY RESOLUTION AND LOCATED IN THE CITY FEE SCHEDULE OF THE SHAWNEE LAKES; REPEALING PROVISIONS THAT NO SUCH LICENSE SHALL BE REQUIRED OF RETIRED CITY EMPLOYEES OR OF PERSONS WHO HAVE SERVED AS MEMBERS OF THE CITY COMMISSION AND WHO HAVE COMPLETED THEIR TERMS OF OFFICE; REVISING USE OF BLINDS; SETTING THE EFFECTIVE DATE; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION.

WHEREAS, the Mayor and City Commissioners, in accordance with law, have determined that a review and recodification of the Shawnee Municipal Code of Ordinances should be conducted; and

WHEREAS, the Shawnee Municipal Code needs updates in order to comply with state and federal law and to provide more efficient administration of city departments; and

WHEREAS, the Mayor and City Commissioners wish to implement those changes:

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COMMISSIONERS OF THE CITY OF SHAWNEE, OKLAHOMA THAT CHAPTER 16 OF THE SHAWNEE MUNICIPAL CODE, REGULATING “LAKES”, BE AMENDED AS FOLLOWS:

Section 1. Wherever in Chapter 16 an amount is set for fines, fees, bonds and insurance, that portion is amended to provide that the amounts are to be set in schedules adopted by resolution of the City Commission.

Section 2: Article II, Division 4 “Fishing”, Section 16-117, Subsection (c) “Expiration of annual licenses” shall be amended to read:

All licenses issued pursuant to this division shall bear the date of issuance and the date of expiration. All annual licenses shall expire one year from date of purchase.

Section 3: Article II, Division 5 “Hunting”, Subdivision I, Section 16-155, “Use of Blinds” shall be amended to read:

Each person obtaining a license to hunt under this division is on a first come basis in finding a site to hunt on Shawnee Twin Lakes No. 2. No permanent blinds will be allowed and they shall not be closer together than approximately 400 feet. All hunting and shooting shall be from blinds. However, if any person has a license to hunt upon such Lakes by the day and has no blind available, he may shoot or hunt from without a blind, and he shall not hunt or shoot closer than 400 feet to a blind. Boats may be set up with blinds and/or may be used to access the hunting location.

Section 4: Article II, Division 5 “Hunting”, Subdivision II, Section 16-181 “Required” shall be amended to read:

No person shall hunt or shoot upon any waters of Shawnee Twin Lakes Nos. 1 and 2 or in any tributary or arm thereof or on the lands owned and controlled by the city surrounding such waters without first obtaining a license from the city, and then only in conformity with this division.

Section 5: Article II, Division 5 “Hunting”, Subdivision II, Section 16-184, Subsection (a) “Issuance; Terms, Conditions,” shall be amended to read:

All licenses issued pursuant to this subdivision shall bear the date of issuance and the date of expiration. All annual licenses shall expire one year from date of purchase.

Section 6: Article II, Division 6 “Watercraft”, Subdivision I, Section 16-254, Subsection (a) “Issuance; Terms, Conditions,” shall be amended to read:

All licenses issued pursuant to this subdivision shall bear the date of issuance and the date of expiration. All annual licenses shall expire one year from date of purchase.

Section 7: Article II, Division 6 “Watercraft”, Subdivision I, Section 16-255 “Numbering of Watercraft; Renewal” is repealed in its entirety.

Section 8: Article II, Division 1 “Generally”, Section 16-27 shall be amended to read:

Sec. 16-27. – Combination Fishing and Boating

Any person can purchase a Combination Fishing and Boating Permit. A copy must be kept on the watercraft and on the person to which the permit belongs.

Section 9: Article II, Division 1 “Generally”, Section 16-28 shall be amended to read:

Sec. 16-28. – City Employees

- (a) Any city employee, as long as their employment is current, may Fish, Hunt, Boat, and Camp at the Shawnee Twin Lakes Nos. 1 and 2 at no charge.
- (b) Any city employee, as long as their employment is current, may Fish, Hunt, Boat, and Camp at Wes Watkins Lakes at no charge.
- (c) Any McCloud city employee, as long as their employment is current, may Fish, Hunt, Boat, and Camp at the Shawnee Twin Lakes Nos. 1 and 2 and Wes Watkins Lakes, as long as McCloud holds the Wes Watkins maintenance contract with the City of Shawnee, at no charge.

Section 10: EFFECTIVE DATE. The provisions of this Ordinance shall become effective on May 1, 2019.

Section 11: REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance are repealed.

Section 12: CODIFICATION. This Ordinance shall be codified in the Shawnee Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

Section 13: 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 1st day of April, 2019.

RICHARD FINLEY, MAYOR

ATTEST:
(SEAL)

LISA LASYONE, CMC, CITY CLERK

Approved as to form and legality this 1st day of April, 2019.

JOSEPH M. VORNDRAN
CITY ATTORNEY

Municipal Code Site	Department	Description	Fee	Fine	Bond	Insurance
CHAPTER 16: LAKES						
Part II Chapter 16 Art II Div 1 Sec 16-27	Lakes	Combination Fishing and Boating Annual Permit	\$45			
Part II Chapter 16 Art II Div 4 Sec 16-117 (a)	Lakes	Fishing: Annual License Fee	\$15			
Part II Chapter 16 Art II Div 4 Sec 16-117 (a)	Lakes	Fishing: Daily License Fee	\$3			
Part II Chapter 16 Art II Div 4 Sec 16-117 (g)	Lakes	Fishing: Portion of License Fee May Be Kept By Retail Outfits Other Than The City	\$1			
Part II Chapter 16 Art II Div 4 Sec 16-118 (b)	Lakes	Fishing: Maximum Penalty Imposed On Violation of Kind Of Fish Taken Section		\$500		
Part II Chapter 16 Art II Div 4 Sec 16-121 (a)	Lakes	Fishing: Maximum Penalty Imposed On Violation of Fishing In Connecting Channel Subsection;		\$500		
Part II Chapter 16 Art II Div 4 Sec 16-121 (b)	Lakes	Fishing: Maximum Penalty Imposed On Violation of Number of Fish Taken Subsection		\$500		
Part II Chapter 16 Art II Div 5 SubDiv I Sec 16-151 (c)	Lakes	Hunting: Penalty for Use of Motor-Driven Vehicle in Game Refuge		\$100		
Part II Chapter 16 Art II Div 5 SubDiv I Sec 16-153 (d)	Lakes	Hunting: Seasonal License Fee Dove, Quail, Squirrel, or Rabbit Hunting	\$8			
Part II Chapter 16 Art II Div 5 SubDiv I Sec 16-153 (d)	Lakes	Hunting: Daily License Fee Per Dove, Quail, Squirrel, or Rabbit Hunting Season	\$2			
Part II Chapter 16 Art II Div 5 SubDiv II Sec 16-183 (a)	Lakes	Hunting: Annual Hunting License Upon the Waters or Lands Owned or Controlled By City Surrounding Twin Lakes No. 1 and 2	\$8			

		Hunting:				
Part II Chapter 16 Art II Div 5 SubDiv II Sec 16-183 (a)	Lakes	Daily Hunting License Upon the Waters or Lands Owned or Controlled By City Surrounding Twin Lakes No. 1 and 2	\$2			
Part II Chapter 16 Art II Div 6 SubDiv II Sec 16-253 (a)	Lakes	Recreator's Annual License to Operate Watercraft	\$26			
Part II Chapter 16 Art II Div 6 SubDiv II Sec 16-253 (a)	Lakes	Recreator's Daily License to Operate Watercraft	\$7			
Part II Chapter 16 Art II Div 6 SubDiv II Sec 16-253 (b)	Lakes	Dealers' Annual License to Operate Watercraft	\$25			
		Camping:				
Part II Chapter 16 Art II Div 7 Sec 16-288 (a)	Lakes	Daily Fee	\$5			
		Lot Rentals:				
Part II Chapter 16 Art II Div 8 Sec 16-321	Lakes	Annual Rental/Lease Fee Per Lake Lot	\$600			
		Lot Rentals:				
Part II Chapter 16 Art II Div 8 Sec 16-322 (b)	Lakes	Transfer Fee	\$1,000			
		Lot Rentals:				
Part II Chapter 16 Art II Div 8 Sec 16-326	Lakes	Early Cancellation of Lease Fee	\$1,000			
		Lot Rentals:				
Part II Chapter 16 Art II Div 8 Sec 16-327	Lakes	Renewal of Lease After Cancellation Fee	\$75			
Part II Chapter 16 Art II Div 8 Sec 16-328	Lakes	Inspection Fee of Lake Lot Septic System	\$75			