

ORDINANCE NO. 4120-A

AN ORDINANCE AMENDING THE CITY OF MUSKOGEE CODE OF ORDINANCES BY AMENDING CHAPTER 18, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, BUILDING CODE AND REGULATIONS, DIVISION 2, BUILDING CODE, SECTION 18-185, AMENDMENTS TO INTERNATIONAL PROPERTY MAINTENANCE CODE; ADOPTING DEMOLITION PROCEDURES UNDER 11 O.S. §22-112; PROVIDING FOR REPEALER, SEVERABILITY, AND DECLARING AN EMERGENCY.

AN EMERGENCY ORDINANCE

Section 1. Chapter 18, *Buildings and Building Regulations*, Article III, *Building Code and Regulations*, Division 2, *Building Code*, Section 18-185, *Amendments to International Property Maintenance Code* is hereby amended as follows:

Sec. 18-185. Amendments to International Property Maintenance Code.

The following sections of the International Property Maintenance Code are hereby revised:

Section 101.1. Insert: City of Muskogee

Section 103.5. Insert: [Appendix A of the Muskogee City Code]

Section 110.1. General. [Repeal]. Replace with: "All procedures for demolition of dilapidated buildings shall comply with the procedures set forth in state law within Title 11, Oklahoma Statutes, Section 22- 112."

Section 110.2. [Delete].

Section 110.3. [Delete].

Section 111.1. Replace: "board of appeals" with "Uniform Building Code Appeals Board"

Section 111.2. Repeal.

Section 111.2.1 Alternate Members. [Delete].

Section 111.2.2 Chairman. [Delete].

Section 111.2.3 Disqualification of Member. [Delete].

Section 111.2.4 Secretary. [Delete].

Section 111.2.5 Compensation of Members. [Delete].

Section 111.3. Notice shall comply with the International Property Maintenance Code or the notice requirement for the condemnation of dilapidated buildings as provided by state law, whichever is stricter.

Section 302.4. Insert: ["12 inches"].

Section 1011.12. Stairway to roof. Replace "In buildings four or more stories above grade plane" with "All commercial buildings, regardless of number of stories".

Section 6025.3. Insert: ["September 1 to May 31" in two locations]. Section 602.4. Insert: ["September 1 to May 31" in two locations].

Section 4. REPEALER. All ordinances or parts of ordinances not specifically identified which are in direct conflict herewith are repealed hereby only to the extent of the conflict.

Section 5. SEVERABILITY. Should any part section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

Section 6. EMERGENCY. This ordinance being designated to protect the public health, safety and welfare of the inhabitants of the City of Muskogee, Oklahoma, and its passage being immediately necessary, an emergency is hereby declared to exist and by reason whereof this ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, THIS 26th DAY OF APRIL, 2021

CITY OF MUSKOGEE

MARLON J. COLEMAN

ATTEST:

TAMMY L. TRACY, CITY CLERK

Approved as to form and legality this ____ day of _____, 2021.

ROY D. TUCKER, CITY ATTORNEY