

**ORDINANCE NO. 21-04**

AN ORDINANCE AMENDING SECTIONS 6-1-1-101 THROUGH 6-1-1-103, DIVISION 6-1-1, ARTICLE 6-1, SECTIONS 6-2-1-201 THROUGH 6-2-1-203, 6-2-1-214, 6-2-1-215, DIVISION 6-2-1, ARTICLE 6-2, SECTIONS 6-3-1-301 THROUGH 6-3-1-302, DIVISION 6-3-1, ARTICLE 6-3, SECTIONS 6-4-1-401 THROUGH 6-4-1-403, 6-4-1-406 THROUGH 6-4-1-408, DIVISION 6-4-1, ARTICLE 6-4, SECTIONS 6-5-1-501 THROUGH 6-5-1-505, DIVISION 6-5-1, SECTIONS 6-5-2-221 THROUGH 6-5-2-223, DIVISION 6-5-2, ARTICLE 6-5, ALL IN CHAPTER 6, BUILDINGS, CONSTRUCTION AND HOUSING, LAWTON CITY CODE, 2015, AND AMENDING SECTIONS 11-2-201, 11-2-208, 11-2-209 AND 11-2-216, ARTICLE 11-2, CHAPTER 11, FIRE PREVENTION CODE, LAWTON CITY CODE, 2015, TO ADOPT THE AMENDED 2015 INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL MECHANICAL CODE, THE 2015 INTERNATIONAL PLUMBING CODE, THE 2015 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, THE 2015 INTERNATIONAL FIRE CODE AND THE 2014 NATIONAL ELECTRIC CODE, AS REQUIRED BY STATE STATUTE AND THE OKLAHOMA UNIFORM BUILDING CODE COMMISSION GUIDELINES, PROVIDING FOR RENUMBERING AND SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY.

*BE IT ORDAINED* by the Council of the City of Lawton, Oklahoma, that:

Section 1. Sections 6-1-101 through 6-1-1-103 are hereby amended as follows:

**6-1-1-101 - Adoption of International Building Code, 2009 2015 edition—Incorporation by reference—Filing of copy with the city clerk.**

The city hereby adopts the International Building Code, ~~2009 2015 Edition~~ edition, including as modified by the Oklahoma Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-1-1 to 748:20-1-~~18~~19, at least one copy of which is on file in the office of the city clerk. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.

**State Law reference**— Power of city to adopt building code, 11 O.S. Sec. 14-107; 74 O.S. Sec. 324.8.

**6-1-1-102 - Amendments to the International Building Code, 2009 2015 edition.**

- A. Section 101.1 entitled "Title" is hereby amended to read as follows:  
**101.1 Title.** These regulations shall be known as the Building Code of Lawton, Oklahoma, hereinafter referred to as the "building code."
- B. Section 105.2 entitled "Work exempt from permit" is hereby amended to read as follows:

**105.2 Work exempt from permit.** Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in

violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

#### BUILDING

1. Oil derricks.
2. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
3. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
4. Temporary motion picture, television and theater stage sets and scenery.
5. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
6. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
7. Swings and other playground equipment accessory to detached one- and two-family dwellings.
8. Window awnings of Group R-3 and U occupancies supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support ~~of Group R-3 and U occupancies~~.
9. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

#### ELECTRICAL

1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
2. Radio and television transmitting stations: The provisions of this code shall not apply to electrical equipment used for radio and television transmissions, but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. Temporary testing systems: A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

#### GAS

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

#### MECHANICAL

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.

7. Self-contained refrigeration system containing 10 pounds (5 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

#### PLUMBING

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
  2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.
- C. Section 109.2 entitled "Schedule of Permit Fees" is hereby amended to read as follows:  
**109.2 Schedule of permit fees.** On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the fee schedule established by the Lawton City Code.
- D. Section 113.1 entitled "General" is hereby amended to read as follows:  
**113.1 General.** Any person shall have the right to appeal a decision of the code official to the Building Development Appeal Board, as referenced in this chapter. An appeal shall be based on a claim that the true intent of the building code or rules legally adopted thereunder have been incorrectly interpreted, the provisions of the building code do not fully apply, or an equivalent form of construction is to be used. The request for an appeal shall be in the form of a letter and filed with the code official within twenty (20) calendar days after notice was served.

#### **6-1-1-103 - Provisions declared to be minimum requirements.**

The provisions of the International Building Code, ~~2009~~2015 edition, in their interpretation and application shall be held to be minimum requirements adopted for the promotion of public health, safety, and general welfare. Wherever any of the provisions or requirements of the International Building Code are inconsistent with the provisions of the city code or state statutes the provisions containing the most restrictive regulation shall apply and govern.

Section 2. Sections 6-2-1-201 through 6-2-1-203 are hereby amended to read as follows:

#### **6-2-1-201 - Application and scope.**

The provisions of the International Plumbing Code, ~~2009~~2015 edition, herein adopted shall apply to all new construction, relocated buildings, and alterations, repairs or reconstruction, except as provided for otherwise in this plumbing code.

**State Law reference**— Plumbers and plumbing generally, 59 O.S. Sec. 1001 et seq.

#### **~~6-2-1-202 - Plumbing code adopted~~ Adoption of International Plumbing Code, 2015 edition—Incorporation by reference—Appendices included—Filing of copy with the city clerk.**

~~For the purpose of prescribing regulations for the protection of the public health and safety, there is hereby adopted by reference that certain code recommended by the International Code~~

~~Council, Inc., and known as the International Plumbing Code, being particularly the 2009 edition thereof, hereinafter referred to as the "plumbing code," and the whole thereof, save and except those provisions as are hereinafter deleted or amended, and the same is hereby incorporated by reference as fully as if set out at length herein, of which code not less than one copy has been and now is filed in the office of the city clerk. The city hereby adopts the International Plumbing Code, 2015 edition, including as modified by the OUBCC and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-15-1 to 748:20-15-17, at least one copy of which is on file in the office of the city clerk. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the code of ordinances of the City of Lawton.~~

**State Law reference**— Power of city to adopt codes, 11 O.S. Sec. 14-107 and 59 O.S. Sec. 1015, 1020.

**6-2-1-203 - Amendments to the International Plumbing Code, 2009-2015 edition.**

- A. Section 101.1 entitled "Title" is hereby amended to read as follows:  
**101.1 Title.** These regulations shall be known as the Plumbing Code of Lawton, Oklahoma, hereinafter referred to as "the plumbing code".
- B. Section 106.4.1 entitled "Permits issued to owners" is hereby created to read as follows:  
**106.4.1 Permits issued to owners.** Any permit required by this article may be issued to any person to do any work regulated by this article in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, in the event that any such person is the bona fide owner of any such dwelling and accessory buildings and quarters, and that such are occupied by the owner. However, the owner shall perform all labor in connection therewith personally and the owner shall purchase all material personally.
- C. Section 106.6.2 entitled "Fee schedule" is hereby amended to read as follows:  
**106.6.2 Fee schedule.** The permit fees for all plumbing work shall be in accordance with the fee schedule of the Lawton City Code.
- D. Section 108.4 entitled "Violation penalties" is hereby amended to read as follows:  
**108.4 Violation penalties.** Any person who shall violate a provision of the plumbing code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this plumbing code, shall upon conviction thereof be punishable as provided in Section 1-119 of the Lawton City Code. Each day or any portion thereof during which any violation of this adopted code occurs or continues shall be deemed to constitute a separate offense.
- E. Section 108.5 entitled "Stop work orders" is hereby amended to read as follows:  
**108.5 Stop work orders.** Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this plumbing code or in a dangerous or unsafe manner, shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property or the owner's authorized agent or to

the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall issue a verbal stop work order at which time the work shall immediately cease. The code official shall thereafter issue a written stop work order. Any person who continues any plumbing work in or about the structure after having been served with a verbal or written stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall upon conviction be punishable as provided in Section 1-119 of Lawton City Code. Each separate day or any portion thereof during which any violation of this adopted code occurs or continues shall be deemed to constitute a separate offense.

- F. Section 109.1 entitled "Application for Appeal" is hereby amended to read as follows:

**109.1 Application for Appeal.** A person shall have the right to appeal a decision of the code official to the Building Development Appeal Board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The application shall be filed with the city clerk on a form obtained from the code official within twenty (20) calendar days after the notice was served.

- G. Sections 109.2 entitled "Membership of board", 109.2.1 entitled "Qualifications", 109.2.2 entitled "Alternate members", 109.2.3 entitled "Chairman", 109.2.4 entitled "Disqualification of member", 109.2.5 entitled "Secretary", 109.2.6 entitled "Compensation of members", 109.3 entitled "Notice of meeting", 109.4 entitled "Open hearing", 109.4.1 entitled "Procedure", 109.5 entitled "Postponed hearing", 109.6 entitled "Board decision", 109.6.1 entitled "Resolution", and 109.6.2 entitled "Administration" are hereby repealed and those section numbers are reserved for further use.
- H. Section ~~305.6.1~~ 305.4.1 entitled "Sewer depth" is hereby amended to read as follows:  
**Section 305.6.1 305.4.1 Sewer depth.** Building sewers that connect to private sewage disposal systems shall be a minimum of twenty-two (22) inches below finished grade at the point of septic tank connection. Building sewers shall be a minimum of twelve (12) inches below grade.

Section 3. Sections 6-2-1-214 and 6-2-1-215 are hereby amended to read as follows:

**6-2-1-214 - Minimum facilities, minimum requirements.**

- A. The minimum plumbing facilities are established in Chapter 4 of the International Plumbing Code, ~~2006~~ 2015 edition.
- B. The provisions of the International Plumbing Code, ~~2006~~ 2015 edition, in their interpretation and application shall be held to be minimum requirements adopted for the promotion of public health, safety, and general welfare. Wherever any of the provisions or requirements of the International Plumbing Code are inconsistent with the provisions of the city code or state statutes, the provisions or requirements containing the most restrictive regulation shall apply and govern.

**6-2-1-215 - Appendices included.**

- A. Appendices;
  - B. Rates of Rainfall for Various Cities;
  - D. Degree Day and Design Temperatures for Cities in the United States;
  - E. Sizing of Water Pipe System;
  - F. Structural Safety;
  - G. Vacuum Drainage System;
- Appendix D, titled "Degree Day and Design Temperatures for Cities in the United States", all of which are is contained in the International Plumbing Code, 2000 2015 edition, shall be and the same are included as part of the plumbing code of the city as minimum standards for the specific categories.

Section 4. Sections 6-3-1-301 and 6-3-1-302 are hereby amended to read as follows:

**6-3-1-301 - Adoption of National Electrical Code, 2014 edition – Incorporation by reference – Filing of copy with the city clerk.**

The city hereby adopts the National Electrical Code, ~~2011~~ 2014 edition, including as modified by the Oklahoma Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-9-1 to 748:20-9-~~6-8~~, at least one copy of which is on file in the office of the city clerk. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.

**State Law reference**— Power of city to adopt electrical code, 11 O.S. Sec. 14-107; Electrical license and requirements of state, 59 O.S. Secs. 1680 et seq.; state adoption of National Electrical Code, 59 O.S. Sec. 1696.

**6-3-1-302 - Provisions declared to be minimum requirements.**

The provisions of the National Electrical Code, ~~2011~~ 2014 edition, in their interpretation and application shall be held to be minimum requirements adopted for the promotion of public health, safety, and general welfare. Wherever any of the provisions or requirements of ~~this code~~ the National Electrical Code are inconsistent with the provisions of the city code or state statutes, the provisions or requirements containing the most restrictive regulation shall apply and govern.

Section 5. Sections 6-4-1-401 through 6-4-1-403 are hereby amended to read as follows:

**6-4-1-401 - Adoption of International Mechanical Code, 2009 2015 edition—Incorporation by reference—Filing of copy with the city clerk.**

~~There is hereby adopted by reference that certain code known as the International Mechanical Code, 2009 edition, and may be referred hereafter as the "mechanical code," and the whole thereof, save and except such portions as are hereinafter deleted or amended, and the same is hereby incorporated by reference as fully as if set out at length herein of which code not less than one copy has been and now is filed in the office of the city clerk. The city hereby adopts the International Mechanical Code, 2015 edition, including as modified by the Oklahoma~~

Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-13-1 to 748:20-13-11, at least one copy of which is on file in the office of the city clerk. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.

**6-4-1-402 - Amendments to the International Mechanical Code, 2009 2015 edition.**

- A. Section 101.1 entitled "Title" is hereby amended to read as follows:  
**101.1 Title.** These regulations shall be known as the Mechanical Code of Lawton, Oklahoma, hereinafter referred to as the "mechanical code".
- B. Section 106.5.2 entitled "Fee schedule" is hereby amended to read as follows:  
**106.5.2 Fee schedule.** The fees for mechanical work shall be in accordance with the fee schedule of the Lawton City Code.
- C. Section 108.4 entitled "Violation Penalties" is hereby amended to read as follows:  
**108.4 Violation penalties.** Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall upon conviction, be punishable as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of the mechanical code occurs or continues shall be deemed to constitute a separate offense.
- D. Section 108.5 entitled "Stop work orders" is hereby amended to read as follows:  
**108.5 Stop work orders.** Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall issue a verbal stop work order at which time the work shall immediately cease. The code official shall thereafter issue a written stop work order. Any person who continues any work on the system after having been served with a verbal or written stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall upon conviction be punishable as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of the mechanical code occurs or continues shall be deemed to constitute a separate offense.
- E. Section 109.1 entitled "Application for Appeal" is hereby amended to read as follows:  
**109.1 Application for Appeal.** A person shall have the right to appeal a decision of the code official to the Building Development Appeal Board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The

application shall be filed with the city clerk on a form obtained from the code official within twenty (20) calendar days after the notice was served.

- F. Sections 109.2 entitled "Membership of board", 109.2.1 entitled "Qualifications", 109.2.2 entitled "Alternate members", 109.2.3 entitled "Chairman", 109.2.4 entitled "Disqualification of members", 109.2.5 entitled "Secretary", 109.2.6 entitled "Compensation of members", 109.3 entitled "Notice of meeting", 109.4 entitled "Open hearing", 109.4.1 entitled "Procedure", 109.5 entitled "Postponed hearing", 109.6 entitled "Board decision", 109.6.1 entitled "Resolution", and 109.6.2 entitled "Administration" are hereby repealed and those section numbers are reserved for further use.

**6-4-1-403 - Provisions declared to be minimum requirements.**

The provisions of the International Mechanical Code, ~~2009~~ 2015 edition, in their interpretation and application shall be held to be minimum requirements adopted for the promotion of public health, safety and general welfare. Wherever any of the provisions or requirements of the International Mechanical Code ~~mechanical code~~ are inconsistent with the provisions of the city code or state statutes the provisions or requirements containing the most restrictive regulation shall apply and govern.

Section 6. Sections 6-4-1-406 through 6-4-1-408 are hereby amended to read as follows:

**6-4-1-406 - Adoption of International Fuel Gas Code, ~~2009~~ 2015 edition—Incorporation by reference—Filing of copy with the city clerk.**

~~There is hereby adopted by reference that certain code known as the International Fuel Gas Code, 2009 edition, and may be referred hereafter as the "fuel gas code," and the whole thereof, save and except such portions as are hereinafter deleted or amended, and the same is hereby incorporated by reference as fully as if set out at length herein of which code not less than one copy has been and now is filed in the office of the city clerk. The city hereby adopts the International Fuel Gas Code, 2015 edition, including as modified by the Oklahoma Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-11-1 to 748:20-11-10, at least one copy of which is on file in the office of the city clerk. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.~~

**6-4-1-407 - Amendments to the International Fuel Gas Code, ~~2009~~ 2015 edition.**

- A. Section 101.1 entitled "Title" is hereby amended to read as follows:  
**101.1 Title.** These regulations shall be known as the Fuel Gas Code of Lawton, Oklahoma, hereinafter referred to as the "fuel gas code."
- B. Section 106.6.2 entitled "Fee schedule" is hereby amended to read as follows:  
**106.6.2 Fee Schedule.** The fees for work shall be in accordance with the fee schedule of the Lawton City Code.
- C. Section 108.4 entitled "Violation Penalties" is hereby amended to read as follows:  
**108.4 Violation penalties.** Persons who shall violate a provision of this code, fail to comply with any of the requirements thereof or erect, install, construct, alter or repair

work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall upon conviction, be punishable as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense.

D. Section 108.5 entitled "Stop work orders" is hereby amended to read as follows:

**108.5 Stop work orders.** Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, the owner's authorized agent, or the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall issue a verbal stop work order at which time the work shall immediately cease. The code official shall thereafter issue a written stop work order. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall upon conviction be punishable as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of this code occurs or continues shall be deemed to constitute a separate offense.

E. Section 109.1 entitled "Application for Appeal" is hereby amended to read as follows:

**109.1 Application for Appeal.** A person shall have the right to appeal a decision of the code official to the Building Development Appeal Board. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The application shall be filed with the city clerk on a form obtained from the code official within twenty (20) calendar days after the notice was served.

F. Sections 109.2 entitled "Membership of board," 109.2.1 entitled "Qualifications," 109.2.2 entitled "Alternate members," 109.2.3 entitled "Chairman," 109.2.4 entitled "Disqualification of member," 109.2.5 entitled "Secretary," 109.2.6 entitled "Compensation of members" 109.3 entitled "Notice of meeting," 109.4 entitled "Open hearing," 109.4.1 entitled "Procedure," 109.5 entitled "Postponed hearing," 109.6 entitled "Board decision," 109.6.1 entitled "Resolution" and 109.6.2 entitled "Administration" are hereby repealed and those section numbers are reserved for further use.

#### **6-4-1-408 - Provisions declared to be minimum requirements.**

The provisions of the International Fuel Gas Code, ~~2009~~ 2015 edition, in their interpretation and application shall be held to be minimum requirements adopted for the promotion of public health, safety and general welfare. Wherever any of the provisions or requirements of the International Fuel Gas Code ~~fuel gas code~~ are inconsistent with the provisions of the city code or state statutes, the provisions or requirements containing the most restrictive regulation shall apply and govern.

Section 7. Sections 6-5-1-501 through 6-5-1-505 are hereby amended to read as follows:

**6-5-1-501 - Adoption of International Property Maintenance Code, ~~2009~~ 2015 edition—Incorporation by reference—Filing of copy with the city clerk.**

The city hereby adopts the International Property Maintenance Code, ~~2009 Edition~~2015 edition, at least one copy of which is on file in the office of the city clerk. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.

**6-5-1-502 - Summary of International Property Maintenance Code, ~~2009~~ 2015 edition.**

The International Property Maintenance Code, ~~2009~~ 2015 edition, establishes minimum standards governing the conditions and maintenance of all structures and dwellings; establishes minimum standards governing supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; establishes minimum standards governing the condition of dwellings offered for rent; fixes certain responsibilities and duties of owners and occupants of structures, and the condemnation of dwellings unfit for human habitation and the demolition of such dwellings and structures; and fixes penalties for violations.

**6-5-1-503 - Amendments to International Property Maintenance Code, ~~2009~~ 2015 edition.**

The International Property Maintenance Code, ~~2009~~ 2015 edition, is hereby amended, revised and supplemented as follows:

- A. Section 101.1 entitled "Title" is hereby amended to read as follows:  
**101.1 Title.** These regulations shall be known as the Property Maintenance Code of Lawton, Oklahoma, hereinafter referred to as the "property maintenance code".
- B. Section 106.4 entitled "Violation Penalties" is hereby amended to read as follows:  
**106.4 Violation Penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall upon conviction be subject to a penalty as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of this property maintenance code occurs or continues shall be deemed to constitute a separate offense.
- C. Section 107.1 entitled "Notice to person responsible" is hereby amended to read as follows:  
**107.1 Notice to person responsible.** Whenever the code official determines that there has been a violation of this property maintenance code or has grounds to believe that a violation has occurred, or whenever the governing body has condemned any structure or equipment under the provisions of Section 108, notice shall be given in the manner prescribed herein or in accordance with applicable state statutes to the person responsible for the violation as specified in the property maintenance code. The code official shall give notice to the owner and to the occupants of the intent to placard and to vacate the property or to order equipment

out of service. Notice for condemnation procedures shall also comply with Section 108.3.

- D. Section 107.3 entitled "Method of service" is hereby amended to read as follows:  
**107.3 Method of service.** Notice of violations shall be deemed to be properly served upon the owner if copy thereof is delivered to the owner personally, by leaving the notice at the usual place of abode, by mail addressed to the owner at the last known address, or by posting a copy thereof in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent, or upon the person responsible for the structure, shall constitute service upon the owner. Notice of condemnation of building structures shall be served in accordance with applicable state statutes.
- E. Section 108.1 entitled "General" is hereby amended to read as follows:  
**108.1 General.** When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of state statutes and shall be placarded and vacated. It shall not be reoccupied without the approval of the code official. Unsafe equipment shall be placarded and placed out of service.
- F. Section 108.1.6 entitled "Dilapidated Buildings" is hereby enacted to read as follows:

**108.1.6 Dilapidated building is:**

1. a structure which through neglect or injury lacks necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure is a hazard to the health, safety or welfare of the general public;
  2. a structure which is unfit for human occupancy due to the lack of necessary repairs and is considered uninhabitable or is a hazard to the health, safety and welfare of the general public;
  3. a structure which is determined by the municipal governing body or administrative officer of the municipal governing or administrative officer of the municipal governing body to be an unsecured building, as defined by paragraph 108.2.1.1 of this section, more than three (3) times within any twelve-month period;
  4. a structure which has been boarded and secured as defined by paragraph 108.2.1.2 of this section, for more than eighteen (18) consecutive months; or
  5. a structure declared by the municipal governing body to constitute a public nuisance.
- G. Section 108.1.7 entitled "Post emergency event reconstruction" is hereby enacted to read as follows:  
**108.1.7 Post emergency event reconstruction.** A structure which becomes unsafe or unfit for human occupancy due to an emergency event such as but not limited to wind, fire or flood, must be permitted for reconstruction within ninety (90) days of the event. The initial permit for reconstruction shall be as provided in Section 6-1-1-108(G) of the code. Boarding and securing and/or emergency stabilization of damaged buildings must be accomplished immediately upon release of access control to the owner or person or persons responsible for the property. If the property is not boarded and secured then action as outlined in Section 108.2 shall be taken.

- H. Section 108.2 entitled "Closing of vacant structures" is hereby amended to read as follows:  
**Section 108.2 Closing of vacant structures.** If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance.
- I. Section 108.2.1.1 entitled "Definitions" is hereby enacted to read as follows:  
**108.2.1.1 Definitions.**
1. "Unsecured structure or building" means any structure which is not occupied by a legal or equitable owner thereof, or by a lessee of a legal or equitable owner, and into which there are one or more unsecured openings such as broken windows, unlocked windows, broken doors, unlocked doors, holes in exterior walls, holes in the roof, broken basement or cellar hatchways, unlocked basement or cellar hatchways or other similar unsecured openings which would facilitate an unauthorized entry into the structure.
  2. "Boarding and securing" means the closing of an unsecured structure or building as prescribed herein. All exterior openings including doors, windows, basement or cellar hatchways, and holes in exterior walls shall be covered with a minimum of one-half (½) inch exterior sheeting, affixed to the structure with wood screws. All such covering shall be painted with a minimum of one prime coat and one exterior coat which harmonize with the color of the structure. If an access door is required, the front door may be used for this purpose, however, the door lock on the front door must be in good repair and capable of securing the door. Exterior sheets shall not be required on garage doors provided that the garage door has no holes or breaks and may be firmly secured to prevent entry.
- J. Section 108.3 entitled "Notice" is hereby amended to read as follows:  
**108.3 Notice.** Whenever the code official or the governing body has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment, as well as any mortgage holders. The code official shall give the owner, person responsible for the property and any mortgage holders ten (10) calendar days notice to secure the structure; such notice shall be given by first-class mail with the City obtaining a receipt of mailing from the postal service, which receipt shall indicate the date of mailing, and the name and address of the addressee. A copy of the notice and administrative order shall also be posted on the property affected.
- K. Section 108.4 entitled "Placarding" is hereby amended to read as follows:  
**108.4 Placarding.** After the condemnation notice required under the provisions of state statutes had resulted in an order by virtue of failure to comply within the time given, the code official shall post on the premises or structure or parts thereof, or on defective equipment, a placard bearing the words: "Condemned as unfit for human occupancy or use," and a statement of the penalties provided for any occupancy or use or equipment use or for removing the placard. The owner of the person or persons responsible for the correction of violations shall have removed themselves from the property on failure to comply with the correction order in the

time specified, but other occupants shall be given a reasonable time thereafter to vacate.

- L. Section 108.8 entitled "Written consent to securing" is hereby enacted to read as follows:

**108.8 Written consent to securing.** The owner may give written consent to the municipality authorizing the boarding and securing of such unsecured building and to the payment of any costs incurred thereby. By giving said written consent, the owner waives the right to a hearing by the governing body or administrative officer.

- M. Section 108.9 entitled "Appeals of administrative orders" is enacted to read as follows:

**108.9 Appeals of administrative order.** A property owner or mortgage holder may appeal to the governing body the administrative order to board or secure an unsecured building or structure by filing a written notice with the city clerk within ten (10) calendar days after the administrative order is rendered. The date of the hearing of the appeal shall be set by the governing body. The filing of an appeal from the administrative order to the governing body shall stall all actions regarding furtherance of the order until the appeal can be heard.

- N. Section 108.10 entitled "Assessment of costs" is enacted to read as follows:

**108.10 Assessment of costs.** If the owner or mortgage holder fails to board or secure the unsecured building or structure as specified in the administrative order of the administrative officer or governing body, the municipality may cause the boarding or securing of the unsecured building and the costs of such work assessed against the real property.

1. After the administrative officer or governing body orders the boarding and securing of such unsecured building, the city clerk shall immediately file a notice of unsecured building and lien with the county clerk describing the property, stating the findings of the municipality at the hearing at which such building was determined to be unsecured and stating that the municipality claims a lien on said property for the costs of boarding and securing such building and that such costs are the personal obligation of the property owner from and after the date of filing said notice.
2. Pursuant to the order of the administrative officer or the governing body if appealed, the agents of the municipality are granted the right of entry onto the property for the performance of the boarding and securing of such building and for the performance of all necessary duties as governmental functions of the municipality.
3. After an unsecured building has been boarded and secured, the building official shall determine the actual costs of such actions and any other expenses that may be necessary in conjunction therewith. The city clerk shall forward a statement of the actual costs attributable to the boarding and securing of the unsecured building and a demand for such payment of such costs to any property owners and mortgage holders as provided in Section 108.3 of this Code.
4. If a municipality boards and secures any unsecured building, the cost to the property owner shall not exceed the actual cost of the labor, materials, and

equipment required for the performance of such action. If such actions are done on a private contract basis, the contract shall be awarded to the lowest and best bidder.

5. When payment is made to the municipality for costs incurred, the city clerk shall file a release of lien, but if payment attributable to the actual costs of the boarding and securing of the unsecured building is not made within thirty (30) calendar days from the date of the mailing of the statement to the owner of such property, the city clerk shall forward a certified statement of the amount of the costs to the county treasurer of the county in which the property is located. Said costs shall be levied on the property and collected by the county treasurer as are other taxes authorized by law. The costs and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the county clerk. Said lien shall be coequal with the lien of ad valorem taxes and all other taxes and special assessments and shall be prior and superior to all other titles and liens against the property. The municipality, in addition to other means of collection, may pursue any civil remedy for collection of the amount owing and interest thereof. Upon receiving payment, the city clerk shall forward to the county treasurer a notice of such payment and shall direct discharge of the lien.

- O. Section 110.1 entitled "General" is hereby amended to read as follows:

**110.1 General.** The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that the governing body has declared that is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure, or where utilities required to make a structure habitable have not been provided for a period of more than one year to cause an inspection by the code official to determine if the structure is fit for human habitation or occupancy.

- P. Section 110.1.1 entitled "Unreasonable repairs" is hereby enacted to read as follows:

**110.1.1 Unreasonable repairs.** Wherever the governing body determines that the cost of such repairs would exceed fifty percent (50%) of the current value of such structure, such repairs shall be presumed unreasonable and it shall be presumed for the purpose of this section that such structure is a public nuisance which shall be ordered razed without option on the part of the owner to repair.

- Q. Section 110.3 entitled "Failure to comply" is hereby amended to read as follows:

**110.3 Failure to comply.** If the owner of a premises fails to comply with a demolition order within the time prescribed, the governing body or other designated officer shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private person, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

- R. Sections 110.4 entitled "Salvage materials, 111.2 entitled "Membership of board", 111.2.1 entitled "Alternate members", 111.2.2 entitled "Chairman", 111.2.3 entitled "Disqualification of member", 111.2.4 entitled "Secretary", 111.2.5 entitled "Compensation of members", 111.3 entitled "Notice of meeting", 111.4 entitled "Open Hearing", 111.5 entitled "Postponed hearing", 111.6 entitled "Board decisions", 111.7 entitled "Court Review" are hereby deleted.
- S. Section 301.4 entitled "Storage areas" is hereby enacted to read as follows:  
**301.4 Storage areas.** All approved open salvage yards and open storage areas shall be completely obscured from surrounding property by a solid screen not less than six feet (1829 mm) in height except as provided by the Lawton City Code, Section ~~18-216-18-6-17-688~~. Storage of debris, junk or construction materials which are not associated with an approved use or permitted construction at that site, shall be prohibited.

**6-5-1-504 - Enforcement.**

The official designated as being responsible for the enforcement of the International Property Maintenance Code shall be the code official. Those things specified in said ~~2009~~ 2015 edition code shall be performed by the code official.

**6-5-1-505 - Provisions declared to be minimum.**

The provisions of the International Property Maintenance Code, ~~2009~~ 2015 edition, in their interpretation and application, shall be held to be minimum requirements adopted for the promotion of public health, safety and general welfare. Wherever any of the provisions or requirements of the International Property Maintenance Code ~~property maintenance code~~ are inconsistent with the provisions of the city code or state statutes, the provisions or requirements containing the most restrictive regulation shall apply and govern.

Section 8. Sections 6-5-2-221 through 6-5-2-223 are hereby amended to read as follows:

**6-5-2-221 - Adoption of International Existing Building Code, ~~2009~~ 2015 edition—Incorporation by reference—Filing of copy with the city clerk.**

The city hereby adopts the International Existing Building Code, ~~2009~~ 2015 edition, including as modified by the Oklahoma Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-7-1 to 748:20-7-9, as and for the International Existing Building Code of the City of Lawton regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including, but not limited to, historic buildings, as herein provided; providing for the issuance of permits and collections of fees; and each and all of the regulations, provisions, penalties, conditions and terms of said International Existing Building Code, at least one copy of which is on file in the office of the city clerk, are hereby referred to, adopted and made a part of hereof. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.

**6-5-2-222 - Amendments to the International Existing Building Code, 2009 2015 edition.**

- A. Section 101.1 entitled "Title" is hereby amended to read as follows:  
**101.1 Title.** These regulations shall be known as the Existing Building Code of Lawton, Oklahoma, hereinafter referred to as "the existing building code".
- B. Section 108.2 entitled "Schedule of permit fees" is hereby amended to read as follows:  
**108.2 Schedule of permit fees.** On buildings, electrical, gas, mechanical, and plumbing systems or alternations requiring a permit, a fee for each permit shall be paid as required in accordance with the fee schedule of the Lawton City Code.
- C. Section 112.1 entitled "General" is hereby amended to read as follows:  
**112.1 General.** Any person shall have the right to appeal a decision of the code official to the Building Development Appeal Board, as referenced in this chapter. The request for an appeal shall be in the form of a letter and filed, with the code official, within twenty (20) calendar days after notice was served.
- ~~D. Section 112.3 entitled "Qualifications" is hereby repealed and that section number is reserved for further use.~~
- ED. Section 113.4 entitled "Violation Penalties" is hereby amended to read as follows:  
**113.4 Violation penalties.** Any person who violates a provision of the existing building code or fails to comply with any of the requirements thereof or who repairs or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under the provisions of the existing building code shall, upon conviction, be punishable as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of the Existing Building Code occurs or continues shall be deemed to constitute a separate offense.
- ~~FE.~~ Section 114.2 entitled "Issuance" is hereby amended to read as follows:  
**114.2 Issuance.** The stop work order shall be in writing and shall be given to the owner of the property involved or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume. Where an emergency exists, the code official shall issue a verbal stop work order at which time the work shall immediately cease. The code official shall thereafter issue a written stop work order. Any person who continues any work in or about the structure after having been served with a verbal or written stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall upon conviction be punishable as provided in Section 1-119 of Lawton City Code. Each separate day or any portion thereof during which any violation of the existing building code occurs or continues shall be deemed to constitute a separate offense,
- GF. Section 114.3 entitled "Unlawful continuance" is hereby amended to read as follows:

**114.3 Unlawful continuance.** Any person who shall continue work after having been served with a verbal or written stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall upon conviction be punishable as provided in Section 1-119 of the Lawton City Code. Each separate day or any portion thereof during which any violation of the existing building code occurs or continues shall be deemed to constitute a separate offense.

G. Section 1401.2 "Applicability" is hereby amended to read as follows:

**1401.2 Applicability.** Structures and/or uses that have been reviewed and approved for a specific location during the previous ten years shall be made to conform to the requirements of Chapter 14 or the provisions of Chapter 5 through 13 of the International Existing Building Code, 2015 edition.

**6-5-2-223 - Provisions declared to be minimum requirements.**

The provisions of the International Existing Building Code, ~~2009~~ 2015 edition, in their interpretation and application shall be held to be minimum requirements adopted for the promotion of public health, safety and general welfare. Wherever any of the provisions or requirements of the International Existing Building Code ~~existing building code~~ are inconsistent with the provisions of the city code or state statutes, the provisions or requirements containing the most restrictive regulation shall apply and govern.

Section 9. Section 11-2-201 is hereby amended to read as follows:

**11-2-201 - Adoption of International Fire Code, ~~2009~~ 2015 edition—Incorporation by reference—Filing of copy with the city clerk.**

The city hereby adopts the International Fire Code, ~~2009~~ 2015 edition, including as modified by ~~the~~ Oklahoma Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code, more specifically Sections 748:20-3-1 to 748:20-3-~~4~~15, at least one copy of which is on file in the office of the city clerk. Appendices B and C of the International Fire Code, ~~2009~~ 2015 edition, are also hereby adopted herein. Such code shall be in full force and effect within the city to the same extent as if set forth in full in this section. A violation of any provision of such code shall constitute a misdemeanor and shall be punished as provided in Section 1-1-119 of the Code of Ordinances of the City of Lawton.

**State Law reference**— Power of city to adopt fire code, 11 O.S. Sec. 14-107; 74 O.S. Sec. 324.8.

Section 10. Sections 11-2-208 through 11-2-209 are hereby amended to read as follows:

**11-2-208 - Amendments to the International ~~fire~~ Fire Code, ~~2009~~ 2015 edition.**

A. Amendments to the International Fire Code, ~~2009~~ 2015 edition.

1. Section 101.1 entitled "Title" is hereby amended to read as follows:

**101.1 Title:** These regulations as set forth herein shall be known as the Fire Code of Lawton, Oklahoma, and herein referred to as the "fire code."

2. Section 108.1 entitled "Board of appeals established" is hereby repealed and replaced to read as follows:  
**108.1 Application for appeal.** Any person shall have the right to appeal a decision of the fire code official to the Building Development Appeal Board, as established in Article 7, Chapter 6, of Lawton City Code. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better method of fire prevention is used. The request for an appeal shall be in the form of a letter and filed with the fire code official within twenty (20) calendar days after notice was served.
3. Sections 108.2 entitled "Limitations on authority" and 108.3 entitled "Qualifications" are hereby repealed and those section numbers are reserved for future use.
4. Section 507.5.1 entitled "Where required" is hereby repealed and the section number is reserved for future use.
5. Section ~~3301.2.4~~ 5601.2.4 entitled "Financial responsibility" is hereby repealed and the subsection number is reserved for future use. The provisions of Section 11-2-216 entitled "Public Fireworks Displays" shall replace the provisions of this subsection ~~3301.2.4~~5601.2.4.
6. Provided, notwithstanding the immediately foregoing provision, subsection ~~3301.2.4.1~~ 5601.2.4.1 entitled "Blasting" of Section ~~3301.2.4~~ 5601.2.4.1 remains adopted as written without further modification.
7. Subsection ~~3301.2.4.2~~ 5601.2.4.2 entitled "Fireworks display" of Section ~~3301.2.4~~ 5601.2.4.2 is hereby repealed and the subsection number is reserved for future use. The provisions of Section 11-2-216 entitled "Public Fireworks Displays" shall replace the provisions of this subsection ~~3301.2.4.2~~ 5601.2.4.2.
8. Section ~~3301.7~~ 5601.7 entitled "Seizure" shall be modified and supplemented by the provisions of Section 11-2-214 entitled "Consumer Fireworks Prohibited".
9. Section ~~3308.11~~ 5601.2.2 entitled "~~Retail display and sale~~" is hereby amended to read as follows: "Sale and retail display" is hereby repealed and the subsection number is reserved for future use.  
~~**3308.11 Display and sale.** Fireworks displayed for sale as permitted by this Article shall not be made readily accessible to the consumers. A minimum of one pressurized water portable fire extinguisher complying with Section 906 shall be located not more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from the hazard. "No Smoking" signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for sale or advertisement.~~

### **11-2-209 - Provisions declared to be minimum requirements.**

The provisions of the International Fire Code, 2009 2015 edition, in their interpretation and application, shall be held to be minimum requirements adopted for the promotion of public health, safety, and general welfare. Wherever any of the provisions or requirements of the International Fire Code ~~this code~~ are inconsistent with the provisions of the city code or state

statutes, the provisions or requirements containing the most restrictive regulation shall apply and govern.

Section 11. Section 11-2-216 is hereby amended to read as follows:

**11-2-216 - Public fireworks display.**

- A. Public fireworks displays may be permitted as provided by this section and as supplemented by Section ~~33085601~~ of the ~~2009~~ 2015 International Fire Code as adopted and otherwise amended by this article.
- B. Every public fireworks display event shall be supervised by a competent operator approved by the fire marshal. The public fireworks display shall be of such composition and character and so located, discharged and fired as, in the opinion of the fire marshal and after proper inspection, shall not be hazardous to property or endanger any person.
- C. No person other than a state-licensed outdoor display operator shall conduct a public fireworks display. No person shall conduct a public fireworks display except in accordance with NFPA 1123. No permit issued pursuant to this section shall be transferable.
- D. No person may conduct a public fireworks display without first making application for and receiving a written permit from the licensing official for the City of Lawton.
  - 1. Every application shall be made at least ten (10) days in advance of each proposed public fireworks display event.
  - 2. A separate permit shall be required for each separate public display site, event, or date.
  - 3. A single permit may be issued for a fireworks display event to be held on consecutive days at the same site, provided that the application for such consecutive day events must indicate all requested dates on the face of the application and the same dates must be specified on the face of the permit. Otherwise, a separate application must be made, a separate fee must be paid and a separate permit must be obtained for each separate fireworks display event.
  - 4. If an approved and permitted public display event is cancelled by the fire marshal because of weather conditions or some other unforeseen circumstances, the permit holder may make a renewed application at no additional fee and, if approved by the fire marshal, may conduct the public fireworks display on an alternate date.
  - 5. No permit granted under this section shall be transferable.
- E. Application for a public fireworks display must be made by an outdoor display operator licensed by the Office of the Oklahoma State Fire Marshal. At the time of application for a public fireworks display, the applicant shall deposit the required fee as provided in the fee schedule of this code, submit an application on an approved form and provide the following information and documentation:
  - 1. The name and address of the applicant;
  - 2. The name and address of the person or organization sponsoring the display event;

3. The location of the proposed display event;
  4. The name and address of the person supervising the public fireworks display and a narrative of that person's prior experience conducting same;
  5. A true and correct copy of the applicant's license for outdoor display operator issued by and bearing the seal of the Office of the State Fire Marshal;
  6. Such other information or documentation as the fire marshal may require.
- F. No permit for a public fireworks display shall be issued unless the applicant first submits to the City of Lawton the following:
1. A cash or surety bond payable to the City of Lawton in the amount of three thousand dollars (\$3,000.00), or such greater amount as may be required by the fire marshal, for each public fireworks display site or event. The bond shall insure payment of all costs of cleaning the public fireworks display site of all trash, debris, refuse, litter, and other waste within twenty-four (24) hours of the completion of each public fireworks display event as provided by subsection H of this section. Any surety bond shall be issued by a surety bonding company authorized to do business in Oklahoma. The provision of this subsection shall not imply a limit of liability to the city of the permit holder or sponsoring person for the cost of cleanup in excess of the value of such bond.
  2. A corporate surety bond in the principal sum of one million dollars (\$1,000,000.00) or a public liability insurance policy for the same amount. The bond shall insure payment of all damages to persons or property which may arise from, or are caused by, the conduct of any act authorized by the permit upon which any judicial judgment results. The fire marshal is authorized to specify a greater or lesser amount when, in his or her opinion, conditions at the location of use indicate a greater or lesser is required. Government entities shall be exempt from this bond requirement. The surety bond or insurance policy referenced above shall be issued by a bonding or insurance company authorized to do business in the State of Oklahoma.
  3. Such other information or documentation as the fire marshal may require.
- G. The permit holder shall immediately and safely dispose any remaining unfired fireworks upon the conclusion of the public fireworks display.
- H. The permit holder and sponsoring person shall clean the public fireworks display site of all trash, debris, refuse, litter, and other waste within twenty-four (24) hours of the completion of each public fireworks display event to the satisfaction of the fire marshal. Should the permit holder and sponsoring person fail to do so, the city shall clean or cause to be cleaned, without notice to the permit holder or sponsoring person, the event site. All such costs shall be a personal obligation of the permit holder and sponsoring person as well as a claim against any cash or surety bond provided or issued in favor of the city pursuant to this section.
- I. The permit holder shall assume full responsibility and liability for any personal injury, death, property damage or other casualty arising or resulting from each public fireworks display event. By accepting the city-issued permit, the permit holder agrees to indemnify and hold harmless the city, its officials and employees from any liability arising from the conduct, or operation of the public fireworks display events.

- J. The fire marshal is authorized to adopt additional reasonable regulations relating to public fireworks displays and display events to ensure the health, safety and welfare of fireworks display participants and the public.

Section 12. Renumbering. The provisions of Sections 6-1-1-101 through 6-1-1-103, 6-2-1-201 through 6-2-1-203, 6-2-1-214, 6-2-1-215, 6-3-1-301, 6-3-1-302, 6-4-1-401 through 6-4-1-403, 6-4-1-406, 6-4-1-408, 6-5-1-501 through 6-5-1-505, 6-5-2-221 through 6-5-2-223, Chapter 6, and Sections 11-2-201, 11-2-208, 11-2-209 and 11-2-216, Chapter 11, Lawton City Code, 2015, shall be renumbered consecutively to reflect the new numbering of paragraphs of said section as amended by this ordinance as to avoid duplication or omission of numbers and/or letters in said section.

Section 13. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Section 14. Effective Date. Sections 1 through 6 and 8 through 11 of this ordinance shall be effective on April 9, 2021. Section 7 will be effective upon adoption of the ordinance.

Section 15. Emergency Clause. Whereas, it being immediately necessary for the immediate preservation of the peace, health, and safety of the City of Lawton and inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage, as provided by law.

**ADOPTED and APPROVED** by the Council of the City of Lawton, Oklahoma this 9<sup>th</sup> day of March, 2021.

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STANLEY BOOKER, MAYOR

ATTEST:

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TRACI L. HUSHBECK, CITY CLERK

**APPROVED** as to form and legality this \_\_\_\_ day of \_\_\_\_\_, 2021.

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JOHN RATLIFF, CITY ATTORNEY

