ORDINANCE NO. 24- 063

AN ORDINANCE PERTAINING TO FIRE DEPARTMENT AND SERVICES AMENDING SECTIONS 11-2-201, 11-2-208, 11-2-209, AND 11-2-216, ARTICLE 11-2, CHAPTER 11, LAWTON CITY CODE, 2015; BY CHANGING ALL REFERENCES OF THE 2015 INTERNATIONAL FIRE CODE TO THE 2018 VERSIONS OF SAID CODE AS AMENDED BY THE OKLAHOMA UNIFORM BUILDING CODE COMMISSION , PROVIDING FOR SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE.

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

Section 1. Section 11-2-201 is hereby amended to read as follows:

11-2-201 Adoption of International Fire Code, ~~2015~~ 2018 edition—Incorporation by reference—Filing of copy with the city clerk.

The city hereby adopts the International Fire Code, ~~2015~~2018 edition, including as modified by the Oklahoma Uniform Building Code Commission (OUBCC) and as set forth in Title 748, Chapter ~~15~~ 20 of the Oklahoma Administrative Code, more specifically Sections 748:20-3-1 to 748:20-~~3-15~~4-86, 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, ~~2015~~ 2018 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.

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Section 2. Section 11-2-208 is hereby amended to read as follows:

11-2-208 Amendments to the International Fire Code, ~~2015~~2018 edition.

A. Amendments to the International Fire Code, ~~2015~~2018 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 Section 108.1 entitled "Board of appeals established" is hereby repealed and replaced to read as follows: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 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 5601.2.4.
6. Provided, notwithstanding the immediately foregoing provision, subsection 5601.2.4.1 entitled "Blasting" of Section 5601.2.4.1 remains adopted as written without further modification.
7. Subsection 5601.2.4.2 entitled "Fireworks display" of Section 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 5601.2.4.2.
8. Section 5601.7 entitled "Seizure" shall be modified and supplemented by the provisions of Section 11-2-214 entitled "Consumer fireworks prohibited".
9. Section 5601.2.2 entitled "Sale and retail display" is hereby repealed and the subsection number is reserved for future use.

Section 3. Section 11-2-209 is hereby amended to read as follows:

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

The provisions of the International Fire Code, ~~2015~~2018 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 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 4. 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 5601 of the ~~2015~~2018 International Fire Code as adopted and otherwise amended by this article.

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Section 5. 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 6. Effective Date. The provisions of this ordinance shall become effective on November 1, 2024.

ADOPTED and APPROVED by the Council of the City of Lawton, Oklahoma this 24th day of September, 2024.

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STANLEY BOOKER, MAYOR

ATTEST:

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DONALYNN BLAZEK-SCHERLER, CITY CLERK

APPROVED as to form and legality this _____ day of _____, 2024.

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JOHN ANDREW, CITY ATTORNEY