

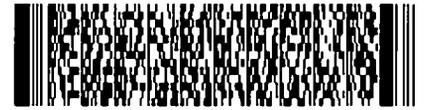
Ordinance

Version 3.2 released on 8/3/21

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.

APPROVED
FEB 22 2023
Tulsa City Council

ORDINANCE NO.
24999



CITY COUNCIL USE ONLY Date Received: _____ Committee Date: <u>2-8-23</u> 1 st Agenda Date: <u>2-8-23</u>	Tracking #: <u>23-70-1</u> Committee: <u>PW</u> Hearing Date: _____ 2 nd Agenda Date: <u>2-22-23</u>	CITY CLERK USE ONLY <input type="checkbox"/> Scanned Date: <u>03.01.2023</u> <input type="checkbox"/> Posted Item #: <u>2302.00208</u>
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All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Dept. Tracking No.	Board Approval	Other Board Name	City Council Approval <input checked="" type="radio"/> Yes <input type="radio"/> No
Department Legal	Contact Name Mark Swiney	Email mswiney@cityoftulsa.org	Phone 918-596-7748
Subject (Description) Amending Title 24 TRO Section 207, deleting second sentence of 207.C.		Ordinance Type Amending Tulsa Revised Ordinances	
Section	Township	Range	Lot
Block	Address		BA / CT Number
Amending Ord. No.	TRO Title No. <small>e.g. 43</small>	TRO Subtitle <small>e.g. G</small>	Property/Non-Property
Council District	Zoning No.	PUD No.	Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:		Date: <u>1.27.23</u>
Legal:	(M. SWINEY)	Date: <u>JAN. 27. 2023</u>
Board:	_____	Date: _____
Mayor:		Date: <u>FEB 01 2023</u>
Other:	_____	Date: _____

Policy Statement

Background Information

According to Title 24 TRO "Nuisances", Section 207, "Appeals to the Council", any person aggrieved by an order, requirement, decision or determination of a City of Tulsa Nuisance Hearing Officer may appeal it to the City Council. Pursuant to Sub-Section C. of this Section, the City Council may reverse, affirm or modify such order, requirement, decision or determination; the second sentence of Sub-Section C. states: *The concurring vote of a majority of the Council shall be necessary to reverse any order of the Hearing Officer* This sentence requires a majority vote of the entire City. City Council. That conflicts with Tulsa City Charter Article II, Section 6.2, "Quorum and Voting", which requires the affirmative vote of the entire City Council to adopt an ordinance or resolution, but states (in part, emphasis added): *All other actions of the Council...shall be effective upon an affirmative vote of a majority of the quorum*. All city ordinances must conform to the provisions of the City Charter (see Article I, Section 3, "General Grant of Power"); therefore, deletion of that second sentence is proposed.

Provide background information on the requested action.

Summation of the Requested Action

Approval

Summarize the pertinent details of the requested action.

Emergency Clause?

- Yes
- No

Reason for Emergency Clause

This ordinance deals with enforcement actions of our Code inspectors, property rights, expenses, and citizens' appeals to City Council. Therefore, it is appropriate to include an emergency clause so the ordinance will become effective immediately.

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- Mail vendor copy (add'l signature copies attached)
- Must be filed with other governmental entity
- Add'l governmental entity approval(s) required

Additional Routing and Processing Details

March 5, 2023.

ORDINANCE No. 24999

AN ORDINANCE AMENDING TITLE 24 TULSA REVISED ORDINANCES (TRO), "NUISANCES", CHAPTER 2, "PROCEDURE FOR ABATEMENT", SECTION 207, "APPEALS TO THE COUNCIL", SUBSECTION C., "COUNCIL ACTION"; DELETING THE SECOND SENTENCE OF SUB-SECTION C. TO BRING IT INTO CONFORMITY WITH CITY CHARTER ARTICLE II, "THE COUNCIL", SECTION 6.2, "QUORUM AND VOTING"; PROVIDING SEVERABILITY; REPEALING ANY ORDINANCE IN CONFLICT WITH THIS ORDINANCE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA

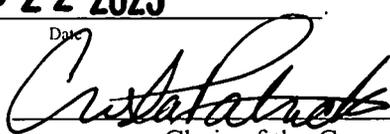
Section 1. That Title 24 TRO "Nuisances", Section 207, Sub-Section C. is hereby amended by the deletion of the second sentence, to read as follows:

C. Council Action. The Council shall hold a hearing and may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made.

Section 2. SEVERABILITY CLAUSE: If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 3. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 4. EMERGENCY CLAUSE. That the amendments hereby enacted are essential to the proper, orderly and ethical conduct of the business of the City of Tulsa by its City Officials; therefore, an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this ordinance shall take effect immediately upon its passage, approval, and publication.

ADOPTED by the Council: FEB 22 2023
Date

Chair of the Council

ADOPTED as an emergency measure: FEB 22 2023

Date

[Handwritten Signature]

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____

Date

Time

G. T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____

MAR 01 2023

Date

at _____
Time



[Handwritten Signature]

Mayor

(Seal)
ATTEST:

[Handwritten Signature]
City Clerk

APPROVED:

[Handwritten Signature]
City Attorney MDS

TULSA WORLD

P.O. Box 1770 Tulsa, Oklahoma 74102-1770 | tulsa-world.com

Account Number

1030936

CITY OF TULSA
Attn: City Clerk's Office
175 E. 2ND ST. SUITE 260
TULSA, OK 74103

Date

March 05, 2023

Date	Category	Description	Ad Size	Total Cost
03/05/2023	Legal Notices	24999	2 x 69.00 CL	108.32

Affidavit of Publication

797307
Published in the Tulsa World, Tulsa County, Oklahoma,
March 5, 2023

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BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA

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ADOPTED by the Tulsa City Council, this 22nd Day of February 2023

ADOPTED as an emergency measure, this 22nd Day of February 2023

Crista Patrick, Chair of the City Council

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this 1st Day of March 2023

G. T. Bynum, Mayor

ATTEST: Christina Chappell, City Clerk

APPROVED: Jack Blair, City Attorney



I, Brenda Brumbaugh, of lawful age, am a legal representative of the Tulsa World of Tulsa, Oklahoma, a daily newspaper of general circulation in Tulsa County, Oklahoma, a legal newspaper qualified to publish legal notices, as defined in 25 O.S. § 106 as amended, and thereafter, and complies with all other requirements of the laws of Oklahoma with reference to legal publication. That said notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publication and not in a supplement, on the DATE(S) LISTED BELOW

03/05/2023

Newspaper reference: 0000797307

B Brumbaugh
Legal Representative

Sworn to and subscribed before me this date: 3-6-23

M. Marshall
Notary Public

My Commission expires 10-14-24

M. MARSHALL
NOTARY PUBLIC - STATE OF OKLAHOMA
MY COMMISSION EXPIRES OCT. 14, 2024
COMMISSION # 20012760

CONFIDENTIAL

CONFIDENTIAL - SECURITY INFORMATION

CONFIDENTIAL

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