

(Published in the Journal Record \_\_\_\_\_ April 26, 2017 \_\_\_\_\_)

**ORDINANCE NO. 25,627**

**AN ORDINANCE RELATING TO BUSINESSES, STREETS AND SIDEWALKS, AND GENERAL SCHEDULE OF FEES, BY AMENDING CHAPTER 13 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, BY AMENDING SECTION 13-402, PAVING CONTRACTOR LICENSE, BY AMENDING CHAPTER 50 OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010, BY AMENDING SECTION 50-127, LICENSING OF PAVING CONTRACTORS, SECTION 50-136, SIDEWALK CONTRACTOR LICENSE REQUIRED, SECTION 50-137, EXAMINATION, AND SECTION 50-140, EXPIRATION AND RENEWAL, AND AMENDING CHAPTER 60, GENERAL SCHEDULE OF FEES, BY AMENDING SECTION 60-50-17, CURB CUT AND DRIVEWAY, AND SECTION 60-50-31, SIDEWALK CONTRACTOR, AND ADOPTING A NEW SECTION 60-50-32, SIDEWALK CONTRACTOR EXAMINATION FEE; AND PROVIDING FOR AN EFFECTIVE DATE.**

**ORDINANCE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:**

**SECTION 1.** That Section 13-402 of Article XII, Chapter 13 of the Oklahoma City Municipal Code, 2010, is hereby amended to read as follows:

**CHAPTER 13  
BUSINESSES**

**Article XII. Prequalification and Contractors' Licenses**

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**§ 13-402. - Paving contractor license.**

Any person engaging in paving construction work must be licensed as a paving contractor by the City and must obtain all permits required by this Code and State and Federal regulations and laws. "Paving construction work" shall mean the contracting to make or provide, construct, remove, replace or maintain an impervious surface or other surface for the conveyance or transporting of persons or vehicles upon or across any public property less and except for persons solely in the business of providing sidewalks, driveway aprons and driveways as private work on private property. Upon payment of the license fee, a paving contractor license shall be issued by the Supervisor of Licenses. In addition, as a pre-condition to obtaining a paving contractor license and to renew a paving contractor license, any person engaging in paving

construction must obtain and maintain an ADA certification from a list of ADA certification classes acceptable to the City Engineer. The ADA certification will be effective for three years from the last day of the ADA certification class. The person making and signing the prequalification application or renewal must have a current ADA certification at time of application and any renewal and whenever the paving contractor is engaging in sidewalk construction work. Additionally, an officer, employee or representative of the paving contractor with a current ADA certification must be on site whenever sidewalk forms set, materials are poured or placed, and during City inspections.

\* \* \*

**SECTION 2.** That Sections 50-127, 50-136, 50-137 and 50-140 of Article IV, Chapter 50 of the Oklahoma City Municipal Code, 2010, are hereby amended to read as follows:

## **CHAPTER 50**

### **STREETS AND SIDEWALKS**

#### **Article IV. Paving or Sidewalk Contractors**

\* \* \*

#### **§ 50-127. - Licensing of paving contractors.**

No person, firm or corporation, either as principal or agent, shall, in the City, carry on the business of contracting for paving or repairing the streets in any public right-of-way wherein the City presently maintains or will eventually assume maintenance responsibilities without first presenting an approved application for prequalification and paying in advance to the City Treasurer a license fee and by presenting the receipt for same to the City Clerk of said City, and procuring a license therefor; except that any person, firm or corporation, either as principal or agent, may carry on the business of paving or repairing driveways, parking setbacks, or other appurtenances without obtaining approval from the Prequalification Board but by having a current sidewalk contractor license, filing of a sidewalk contractor's bond, and by complying with the remaining provisions of this article. The ADA certification will be effective for three years from the last day of the ADA certification class. The person making and signing the license application or renewal must have a current ADA certification at time of application and any renewal of the paving contractor's license and whenever engaging in sidewalk construction work. Additionally, licensee with a current ADA certification must be on site whenever sidewalk forms set, materials are poured or placed, and during City inspections.

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**§ 50-136. - Sidewalk contractor license required.**

No person shall engage in business as a sidewalk contractor without a license issued by the Supervisor of Licenses. Any applicant for a sidewalk contractor's license must present proof of passing the sidewalk contractor's license exam(s), present a current ADA certification, present proper picture identification, file of the required sidewalk contractor's bond and paying to the City Treasurer the sidewalk contractor's license fee established in Chapter 60, the General Schedule of Fees. Any person not obtaining a license hereunder within ninety days of passing the field test must re-apply for a new sidewalk contractor's license, re-take and pass the sidewalk contractor examines, and comply with the remaining provisions of this article. The ADA certification will be effective for three years from the last day of the ADA certification class. The licensee must have a current ADA certification at time of application and any renewal of the sidewalk contractor's license and whenever engaging in sidewalk construction work. Additionally, licensee with a current ADA certification must be on site whenever sidewalk forms set, materials are poured or placed, and during City inspections.

**§ 50-137. – Examination – sidewalk contractors.**

- (a) No person shall be issued a license pursuant to the provisions of this division unless he or she has a current ADA certification from a program approved by the City Engineer and passes an examination administered by the Board of Examiners of Sidewalk Contractors. Examinations will include a written examination and a subsequent field examination. Applicants for examination must bring and present proof of payment of the examination fee, proper picture identification, and a copy of current ADA Certification at the time of the written examination. Such examinations shall be uniform and must be conducted with regard to the practical knowledge of the applicant and his knowledge of the requirements and application of ordinances pertaining to his particular business or trade.
- (b) A person taking such an examination shall pay to the City Treasurer the examination fees established in Chapter 60, the General Schedule of Fees.

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**§ 50-140. - Expiration and renewal of sidewalk contractor's license.**

- (a) A license issued pursuant to the provisions of this division shall be for one year from issuance of the license and shall expire as provided in Section 26-11, unless sooner suspended or revoked.
- (b) Any licensed person may renew a sidewalk contractor's license prior to expiration of the current license without examination by presenting a current ADA certification, presenting proper picture identification, filing of the required sidewalk contractor's bond and paying to the City Treasurer the sidewalk contractor's license renewal fee established in Chapter 60, the General Schedule of Fees. Renewed licenses will become effective on the day following the expiration of the prior license and shall be effective for one year. The ADA certification must be current at the time of renewal.

- (c) Any person may renew an expired sidewalk contractor's license after expiration but within ninety days of the expiration date of the license without examination by presenting a current ADA certification, presenting proper picture identification, filing of the required sidewalk contractor's bond and paying to the City Treasurer the sidewalk contractor's license late renewal fee established in Chapter 60, the General Schedule of Fees. Renewed licenses will become effective on the day following the expiration of the prior license and shall be effective for one year. The ADA Certificate must be current at the time of the renewal.
- (d) Any person not renewing an expired sidewalk contractor's license within ninety days after the expiration of the current license must re-apply for a new sidewalk contractor's license, re-take and pass the sidewalk contractor examinations, present a current ADA certification, present proper picture identification, file of the required sidewalk contractor's bond, and pay to the City Treasurer the examination fees and sidewalk contractor's license fees established in Chapter 60, the General Schedule of Fees.

\* \* \*

**SECTION 3.** That Sections 60-50-17 and 60-50-31 of Title 50 of Chapter 60 of the Oklahoma City Municipal Code, 2010, the General Schedule of Fees, are hereby amended to read as follows:

**CHAPTER 60**  
**THE GENERAL SCHEDULE OF FEES**

\* \* \*

**Title 50. Streets and Sidewalks**

\* \* \*

**Article III. – Other Provisions Relating to Construction and Repair of  
Sidewalks, Curbs, and Driveways**

\* \* \*

**§ 60-50-17. – Curb Cut and Driveway.**

- (a) minimum fee, permit and inspection (includes permit and inspection for first 44 feet of driveway) .....\$ 51.00
- (b) each linear foot in excess of 44 feet .....\$ 0.36
- (c) driveway re-inspection fee .....\$ 42.00

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#### **Article IV. - Paving or Sidewalk Contractors**

\* \* \*

##### **§ 60-50-31. - Sidewalk contractor license fees.**

- (a) license, annual .....\$ ~~60.00~~ 75.00
- (b) renewal of annual license before expiration of current license .... \$75.00
- (c) renewal of annual license after expiration ~~but-of~~ within 90-days of expiration grace period .....~~120.00~~ \$150.00

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**SECTION 4.** That a new Section 60-50-32 of Title 50 of Chapter 60 of the Oklahoma City Municipal Code, 2010, the General Schedule of Fees, is hereby adopted to read as follows:

#### **CHAPTER 60 THE GENERAL SCHEDULE OF FEES**

\* \* \*

#### **Title 50. Streets and Sidewalks**

\* \* \*

#### **Article IV. - Paving or Sidewalk Contractors**

\* \* \*

##### **§ 60-50-32. - Sidewalk contractor examination fees.**

- (a) written test fee .... \$ 50.00

Applicants failing or otherwise required to take a re-test must pay a re-test fee equal to the fee for that test stated above.

**SECTION 5.** Effective Date. This ordinance shall be effective July 1, 2017.

**INTRODUCED** and **CONSIDERED** in open meeting of the Council of the City of Oklahoma City this 28th day of March, 2017.

**PASSED** by the Council of the City of Oklahoma City this 25th day of April, 2017.

**SIGNED** by the Vice-Mayor of the City of Oklahoma City this 25th day of April, 2017.

ATTEST: (Seal)

Frances Kersey  
City Clerk

s/b David Greenwell  
VICE-MAYOR