McAlester City Council
NOTICE OF MEETING

Regular Meeting Agenda
Tuesday, September 8, 2026 - 6:00 PM
McAlester City Hall – Council Chambers
28 E. Washington

Attending in Person

Justin Few	Mayor
Levi Gilmore	Ward One
Robin Woodley	Ward Two
Chris Stone	Ward Three
Janet Wansick	Ward Four
Billy J. Boatright	Ward Five
Kevin Beaty-Vice Mayor	Ward Six
Ken Wimer	City Manager
Cora M. Middleton	City Clerk
John T. Hammons	City Attorney

This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: www.cityofmcalester.com within the required time frame.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The McAlester City Hall is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 918.423.9300, Extension 4956.

Official action can only be taken on items which appear on the agenda. The public body may adopt, approve, ratify, deny, defer, recommend, amend, strike, or continue any agenda item. When the public body desires more information on an item, the public body may refer the matter to City staff or back to a committee. Under certain circumstances, items may be deferred to a specific date or stricken from the agenda entirely.

CALL TO ORDER
Announce the presence of a Quorum.

INVOCATION, PLEDGE OF ALLEGIANCE & LAND ACKNOWLEDGMENT
The Choctaw Nation Reservation is located within the original homelands of the Caddo and Wichita peoples. The Pawnee and Arikara have ancestral ties here. The Shawnee and Quapaw established settlements in this region during the 1700s and early 1800s, while the Osage and Kiowa visited the area.

The Quapaw Tribe ceded this land by treaty to the United States, before it was later ceded to the Choctaw Nation. Shortly after being the first to endure the Trail of Tears and Death, the Choctaw people arrived here, followed by the Chickasaw, who lived among them before moving farther west. Through this acknowledgment, we remember those who came before us, honor the sovereignty and traditions of the Native peoples who remain connected to this land, and commit ourselves to respect and partnership with Indigenous communities — past, present, and future.

ROLL CALL

RECOGNITION AND AWARDS

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to five (5) minutes.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Approval of Minutes from the August 25, 2026, Regular Workshop of the McAlester City Council. (*Cora Middleton, City Clerk)*

B. Approval of the Minutes from the August 25, 2026, Regular Council Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*

C. Approval of Claims for August 19, 2026 through September 01, 2026 *(Sherri Swift, Chief Financial Officer)*

D. Authorize the Mayor to sign a Resolution directing the filing and notification for the publication of Supplement No. 9 to the McAlester City Code of Ordinances of 2017. *(Cora Middleton, City Clerk)*

E. Concur with the Mayor's appointment of Steve Harrison to the McAlester Park Board, for a term to expire July 31, 2029. *(Cora Middleton, City Clerk)*

F. Concur with the Mayor's appointment of Kaleb Swboni to the McAlester Park Board, for a term to expire July 31, 2028. (*Cora Middleton, City Clerk)*

G. Indefinitely postpone Tort Claim No. 219163-1-KH, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

H. Indefinitely postpone Tort Claim No. 219163-2-KH, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

I. Indefinitely postpone Tort Claim 219212-1-LN, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

ITEMS REMOVED FROM CONSENT AGENDA

Any item pulled from the consent agenda can be discussed and considered with action and/or possible amendments.

PUBLIC HEARING

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

A. **AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING MCALESTER CITY CODE CHAPTER 26, CEMETERIES, ARTICLE II. MUNICIPAL CEMETERIES, DIVISION 1. GENERALLY; BY ADDING SECTION 26-23, FEES FOR CEMETERY SERVICES, AND AMENDING CHAPTER 48, FEES, CHARGES, AND SERVICE RATES, BY ADDING FEES ASSOCIATED WITH CHAPTER 26, SECTION 26-23; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

SCHEDULED BUSINESS

1. Discussion and possible action, accepting the bid amount of $999,721.03 from S3 Construction LLC and authorizing the Mayor to sign the Notice of Award and Contract for the 6th Street Reconstruction Project Phase 1 Bid #2026-007. (*Tommy Hill, Public Works Director)*

2. Discussion and possible action to approve Muskogee Communication to install new radios in the new fire engine in the amount of $3,114.00 with funds to be used from the City of McAlester Fire Department's portion of the county quarter excise tax for fire services. *(Benny Brooks, Assistant Fire Chief)*

3. Discussion and possible action to approve the purchase of firefighting bunker gear from Casco Industries, in the amount of $13,145.00 with the funds to be used from the City of McAlester Fire Department's portion of the county quarter excise tax for fire services. *(Benny Brooks, Assistant Fire Chief)*

4. Discussion and possible action to approve and authorize the Mayor to sign Amendment 1 to Work Order Number 2502311 to Garver, LLC for the East Wastewater Treatment Plant Facility Plan. *(Jared Cottle, P.E., Interim Utilities Director)*

5. Discussion and possible action to accept the Flocculator Replacement Project as complete and authorize final payment of $36,930.00 to Machining & Valve Automation Services, LLC. *(Luke Anderson, Water Treatment Plant Superintendant)*

6. Discussion and possible action to approve and authorize the Mayor to sign the Work Order for Professional Services to Infrastructure Solutions Group, LLC in the amount of $15,000.00 for the Wallace Development Hydraulic Analysis. *(Dale Burke, P.E., Infrastructure Solutions Group/Jared Cottle, P.E., Interim Utilities Director)*

7. Discussion and possible action to approve and authorize the Mayor to sign the Professional Consulting Services Agreement with Jacobs Engineering Group, Inc for the McAlester Water Treatment Plant Facilities Plan in the amount of $149,207.00. *(Jared Cottle, P.E., Interim Utilities Director)*

8. Discussion and possible action to accept the TH Rogers Canal Repair project as complete and authorize final payment of $8,910.00 to Drake's Construction, LLC. *(Sophia West, Environmental Resources Manager)*

9. Discussion and possible action to approve amended Ordinance Chapter 26, Cemeteries, Article

II. Municipal Cemeteries, Division 1. Generally; by adding Section 26-23, Fees for cemetery services, and amended Chapter 48, fees, charges, and service rates, by adding fees associated with Chapter 26, Section 26-23. *(Doug Basinger, Community Services Director)*

NEW BUSINESS

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes.

STAFF REPORT

REMARKS AND INQUIRIES BY CITY COUNCIL

MAYORS COMMENTS

RECESS COUNCIL MEETING

CONVENE AS MCALESTER AIRPORT AUTHORITY

Majority of a Quorum required for approval

A. Approval of Minutes from the August 25, 2026, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*

B. Concur with action taken on City Council Consent Agenda Item C, regarding Claims from August 19, 2026 thru September 01, 2026. *(Sherri Swift, Chief Financial Officer)*

ADJOURN

CONVENE AS MCALESTER PUBLIC WORKS AUTHORITY

Majority of a Quorum required for approval

A. Approval of Minutes from the August 25, 2026, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*

B. Concur with action taken on City Council Consent Agenda Item C, regarding Claims from August 19, 2026 thru September 01, 2026. *(Sherri Swift, Chief Financial Officer)*

C. Concur with action taken on City Council Agenda Item No. 4. the approval and authorization of the Mayor to sign Amendment 1 to Work Order Number 2502311 to Garver, LLC for the East Wastewater Treatment Plant Facility Plan. *(Jared Cottle, P.E., Interim Utilities Director)*

D. Concur with action taken on City Council Agenda Item No. 5 regarding acceptance of the Flocculator Replacement Project as complete and authorizing final payment of $36,930.00 to Machining & Valve Automation Services, LLC. *(Luke Anderson, Water Treatment Plant Superintendant)*

E. Concur with action taken on City Council Agenda Item No. 6 regarding the approval and authorization of the Mayor to sign the Work Order for Professional Services to Infrastructure Solutions Group, LLC in the amount of $15,000.00 for the Wallace Development Hydraulic Analysis. *(Jared Cottle, P.E., Interim Utilities Director)*

F. Concur with action taken on City Council Agenda Item No. 7, regarding the approval and

authorization of the Mayor to sign the Professional Consulting Services Agreement with Jacobs Engineering Group, Inc for the McAlester Water Treatment Plant Facilities Plan in the amount of $149,207.00. *(Jared Cottle, P.E., Interim Utilities Director)*

ADJOURN

CONVENE AS MCALESTER ECONOMIC DEVELOPMENT AUTHORITY

Majority of a Quorum required for approval

A. Approval of Minutes from the August 25, 2026, Regular Meeting of the McAlester Economic Development Authority. *(Cora Middleton, City Clerk)*

B. Concur with action taken on City Council Consent Agenda Item C, regarding Claims from August 19, 2026 thru September 01, 2026. *(Sherri Swift, Chief Financial Officer)*

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this _____ day of _____ 2026 at _____ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. As a courtesy, this agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

Cora M. Middleton, City Clerk

Council Chambers
Municipal Building
August 25, 2026

The McAlester City Council met in a Regularly scheduled Workshop on Tuesday, August 25, 2026, at 5:00 P.M. after proper notice and agenda was posted, August 21, 2026, at 9:50 A.M.

Call to Order

Mayor Few called the meeting to order at 5:00 P.M.

Roll Call

Council Roll Call was as follows:

Attending:	Levi Gilmore, Robin Woodley, Janet Wansick, Billy Jack Boatright, Kevin Beaty & Justin Few
Absent:	Chris Stone
Presiding:	Justin Few, Mayor
Staff Present:	Ken Wimer, City Manager; Sherri Swift, CFO; Kara Coy, Chief Accountant; Doug Basinger, Community Services Director; Wendy Knight, Human Recourses Director; Elizabeth Neboyia, Chief Executive Assistant; John Tyler Hammons, City Attorney; Justice Adair, I.T. Computer Support; and Cora Middleton, City Clerk

Scheduled Business

3. Discussion only on the current status of the Community Advisory Committee and potential Resolutions/Ordinances for future consideration by Council. *(Cully Stephens, Committee Chair and Doug Basinger, Community Services Director)*

Cully Stevens, 1828 Wood Road addressed the Council as Chairman of the McAlester Community Advisory regarding the homelessness situations in the City of McAlester and the Council creating something that could help address some of the issues that were occurring around the City.

There was discussion concerning the recourses that were available in the City to help homeless individuals, the increase in the population of the homeless, the rules regarding sleeping in the parks, and having a safe place for people to sleep.

Attorney Hammons was asked about ordinances in other cities and how they dealt with the homeless population.

Attorney Hammons referred the Council to the MuniCode website where they could search for ordinances from other cities, and states on dealing with the homeless population.

There was a brief discussion regarding the website that one of the Committee members had created, pulling a lot of information together and designating what area Downtown was.

No action was taken on this item.

4. Discussion on filling potential vacancies on the Parks Board. (Justin Few, Mayor)

There was a brief discussion regarding the issue of retaining members on the Park Board, how most thought that they could make big changes to the parks and possibly combining the Tree Board and the Park Board.

No action was taken on this item.

2. Discussion only on whether to seek a vote of the people to raise the current sales tax rate by 1% dedicated to repair and maintenance of city streets. *(Ken Wimer, City Manager)*

There was a brief discussion concerning the condition of the streets in the City, what it takes to maintain them, what one half percent (1/2 %) increase would bring into the City, and how the Street Commission could be very impactful in this discussion.

No action was taken on this item.

1. Discussion on current vacancies on the Parking Authority Board of Trustees and to determine if the Parking Authority Trust should be dissolved or new board members appointed. *(Ken Wimer, City Manager)*

There was a brief discussion regarding the Parking Garage at the corner of 3rd Street and Carl Albert Parkway.

CFO Swift addressed the Council informing them that there were a total of eighty spaces and some of them were reserved.

Attorney Hammons informed the Council that there was a fifty (50) year lease between the Parking Authority and the Aldridge Assisted Living and that the Parking Authority could not be dissolved as long as it had a liability.

Manager Wimer stated that he would like the billing of the parking leases to be transferred to the Economic Development Department.

No action was taken on this item.

Adjournment

There being no further business before the Council, Mayor Few declared the adjourned at 5:58 P.M.

ATTEST:

_____
Justin Few, Mayor

_____
Cora Middleton, City Clerk

Council Chambers
Municipal Building
August 25, 2026

The McAlester City Council met in a Regular session on Tuesday, August 25, 2026, at 6:00 P.M. after proper notice and agenda was posted, August 24, at 3:32 A.M.

Rev. Janie Koch, All Saints Episcopal Church gave the invocation, and led the Pledge of Allegiance.

Call to Order

Mayor Few called the meeting to order at 6:00 P.M.

Mayor Few read the Choctaw Land Acknowledgment statement.

Roll Call

Council Roll Call was as follows:

Attending:	Levi Gilmore, Robin Woodley, Janet Wansick, Billy Jack Boatright, Kevin Beaty & Justin Few
Absent:	Chris Stone
Presiding:	Justin Few, Mayor
Staff Present:	Ken Wimer, City Manager; Sherri Swift, CFO; Kara Coy, Chief Accountant; Billy Sumner, Economic Development Director; Jayme Clifton, Community Development Director; Derick Asangong, Project Manager; Wendy Knight, Human Resources Director; Adrian O'Hanlon, Public Information Officer; Justice Adair, IT Computer Support; John Tyler Hammons, City Attorney and Cora Middleton, City Clerk

Recognition and Awards

Mayor Few recognized Stacey's Tae kwon do and Ms. Stacey addressed the Council informing them of the awards that her National Competition Team had earned at the National Competition in Florida.

Mayor Few recognized the McAlester High School Pom Squad.

Citizens' Comments on Non-Agenda Items

Kyleigh Tolman, Owner Klever Kids located at 1021 S. 2nd Street addressed the Council offering the City employees a ten percent (10%) discount and waive their enrollment fee. She commented that she wanted to give back to her community.

Consent Agenda

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

A. Approval of Minutes from the August 11, 2026, Regular Meeting of the McAlester City Council. *(Cora Middleton, City Clerk)*

B. Approval of Claims August 5, 2026 through August 18, 2026 *(Sherri Swift, Chief Financial Officer)* In the following amounts: General Fund - $162,720.36; Parking Authority - $516.46; Nutrition - $3,311.90; State Forfeiture Fund - $3,551.52; Airport Grant - $14,210.94; Tourism Fund - $11,579.24; E-911 - $5,912.38; Fleet Maintenance - $11,410.15; Worker's Compensation - $2,813.00; Dedicated Sales Tax-MPWA - $500.00; Police Equipment Fund - $8,519.88; CIP Fund – $29,312.00; Technology Fund - $3,001.00; Stormwater Fund - $112,070.16; Infrastructure Fund - $322,291.30; MPWA – DWSRF Projects - $112,240.40 and Wildfire Mitigation - $36,934.48.

C. Acknowledge the destruction of the listed found property in accordance with the City of McAlester City Code Section 66-28 b and c. *(Kevin Hearod, Chief of Police)*

D. Indefinitely postpone Tort Claim No. 219102-1-LR, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

E. Concur with Oklahoma Municipal Assurance Group (OMAG) recommendation to deny Tort Claim No. 218787-1-LR, filed by John Hardy. *(Cora Middleton, City Clerk)*

F. Approval of a three (3) year service agreement with Velocity EHS for renewal of SDS/chemical management services. (*Wendy Knight, Human Resources Director)*

There was no discussion, and a motion to approve the Consent Agenda was made by Councilor Gilmore. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Beaty, Woodley, Wansick, Boatright & Mayor Few
NAY: None

Mayor Few declared the motion carried.

Councilor Boatright moved to open a Public Hearing to address two (2) proposed ordinances. The motion was seconded by Vice-Mayor Beaty

There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Boatright, Beaty, Woodley, Wansick, Gilmore & Mayor Few
NAY: None

Mayor Few declared the motion carried, and the Public Hearing was opened at 6:14 P.M.

Public Hearing

All persons interested in any ordinance listed under Scheduled Business shall have an opportunity to be heard in accordance with Article 2, Section 2.12(b) of the City Charter.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE MCALESTER CITY CODE, CHAPTER 26, CEMETERIES; DIVISION 2, CEMETERY BOARD; RELATING TO THE MEMBERS AND MEETINGS OF THE CEMETERY BOARD; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND DECLARING AN EMERGENCY.

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2878, AN ORDINANCE PERTAINING TO FINANCE AND TAXATION, AMENDING THE MCALESTER CITY CODE, CHAPTER 98, TAXATION; ARTICLE IV, HOTEL TAX, BY INCREASING THE LODGING TAX TO TEN PERCENT (10.00%) AND BY PERMITTING REVENUES GENERATED THEREFROM TO BE USED FOR TOURISM PROMOTION AND ECONOMIC DEVELOPMENT ACTIVITIES; AND FOR OTHER PURPOSES; PROVIDING FOR AN EFFECTIVE DATE; AND REQUIRING THE FULL TEXT BE PUBLISHED.

There were no comments or inquiries, and a motion to close the Public Hearing was made by Councilor Gilmore. The motion was seconded by Councilor Boatright, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Boatright, Wansick, Beaty, Woodley & Mayor Few
NAY: None

Mayor Few declared the motion carried, and the Public Hearing was closed at 6:15 P.M.

Scheduled Business

1. Presentation and acceptance of the Actuarial Funding Report as of July 01, 2026, and the GASB Financial Reporting Statements 67 & 68 as of June 30, 2026, for the City of McAlester Defined Benefit Retirement Plan & Trust. *(Sherri Swift, Chief Financial Officer & Bruce Nordstrom with Marsh & McLennan Agency LLC).*

CFO Swift addressed the Council explaining that Bruce Nordstrom would be presenting the Actuarial Funding Report as of July 1, 2026, for the City of McAlester's Defined Benefit Plan & Trust.

Bruce Nordstrom, Senior Consulting Actuary, addressed the Council reviewing the status of the City's Defined Benefit Retirement Plan & Trust as of June 30, 2026. He commented that the Fund was currently funded at 99.2% and due to market conditions, the plan's market value asset performance exceeded the assumed investment return assumption. He stated that the plan was fully funded for several years, but he recommended that contributions continue but at a lower rate.

There was a brief discussion concerning the deficit that had occurred in 2022 and how COVID was most likely the cause.

No action was taken on this item.

2. Discussion and possible action to accept DWSRF Project #13, Kinkead Water System Improvements, as complete and authorize the Mayor to sign the Owner's Statement of Project Completion, Certificate of Substantial Completion, Pay Application #5A in the amount of $26,908.75, and Final Pay Application #5 in the amount of $85,331.65 for Pinnacle Construction. *(Dale Burke, P.E., Infrastructure Solutions Group, LLC)*

Robert Vaughan, P.E. Office Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this project had replaced a pipe that regularly broke. He stated that it was within about ten percent (10%) of what the budget was with the overruns that had been approved at previous meetings. He commented that it had been hard to locate the existing line which led to unknowns with the project. He added that the project was complete, the final inspection had been done, this was the official acceptance of the project and it started the two (2) year warranty period.

There was no discussion, and a motion to accept DWSRF Project #13, Kinkead Water System Improvements, as complete and authorize the Mayor to sign the Owner's Statement of Project Completion, Certificate of Substantial Completion, Pay Application #5A in the amount of $26,908.75, and Final Pay Application #5 in the amount of $85,331.65 for Pinnacle Construction was made by Councilor Boatright. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Boatright, Beaty, Wansick, Gilmore, Woodley & Mayor Few
NAY: None

Mayor Few declared the motion carried.

3. Discussion and possible action to approve and authorize the Mayor to sign Change Order #1 in the amount of $66,750.00 to Lone Hickory Cattle, LLC for DWSRF Project #20A Phase I, Choctaw Water System Improvements. *(Dale Burke, P.E., Infrastructure Solutions Group, LLC)*

Robert Vaughan, P.E. Office Manager Infrastructure Solutions Group, LLC addressed the Council explaining that this was the part of Phase 1 that was the section that was on 6th Street. He stated that that area had been done to accommodate the construction that was about to start. He commented that some of the next phase had been added to this phase to get a little further away from the intersection.

A motion to approve and authorize the Mayor to sign Change Order #1 in the amount of $66,750.00 to Lone Hickory Cattle, LLC for DWSRF Project #20A Phase I, Choctaw Water System Improvements was made by Councilor Wansick and seconded by Councilor Boatright. There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Wansick, Boatright, Beaty, Gilmore, Woodley & Mayor Few

NAY: None

Mayor Few declared the motion carried.

4. Discussion and possible action to approve an application for a sidewalk café permit for Urban Wineworks located at 115 E Choctaw Ave. *(Jayme Clifton, Community Development Director)*

Director Clifton addressed the Council explaining that this permit had been approved before but was not in compliance. She stated that the applicant had been asked to renew their application and it now meets all requirements.

There was no discussion, and a motion to approve an application for a sidewalk café permit for Urban Wineworks located at 115 E Choctaw Ave. was made by Councilor Woodley. The motion was seconded by Councilor Wansick, and the vote was taken as follows:

AYE: Councilmembers Woodley, Wansick, Beaty, Gilmore, Boatright & Mayor Few
NAY: None

Mayor Few declared the motion carried.

5. Discussion and possible action to approve a Resolution to name a public facility, the McAlester Archery Park located at 2350 West Highway 270, as "The Bill Derichsweiler Archery Park". *(Jayme Clifton, Community Development Director)*

Director Clifton addressed the Council explaining that an application had been submitted by the Community Services Department and supported by David Donoley with A-OK Railroad requesting to rename the municipal archery park facility located at 2350 W. Highway 270, currently known as “McAlester Archery Park” to “The Bill Derichsweiler Archery Park”. She added that the request honors the late William Morris “Bill” Derichsweiler for the contributions that he had made and his leadership. She commented that the McAlester Planning Commission had held a public hearing on August 18, 2026, and voted to recommend that the City Council approve the application and resolution as presented.

There was no discussion, and a motion to approve RESOLUTION NO. 26-11 and the application renaming the McAlester Archery Park to “The Bill Derichsweiler Archery Park” was made by Councilor Woodley. The motion was seconded by Councilor Boartight, and the vote was taken as follows:

AYE: Councilmembers Woodley, Boatright, Gilmore, Wansick, Beaty & Mayor Few
NAY: None

Mayor Few declared the motion carried.

6. Discussion on Financial Update for July 2026 *(Sherri Swift, Chief Financial Officer).*

CFO Swift addressed the Council thanking Councilor Woodley for her complement of the reports that were furnished to the Council. She then updated them on the City's financial status as of July, 2026. During her update, she reviewed the General Fund at a Glance and the McAlester Public Works Fund at a Glance, the Treasury Report and the City's Bond Debt. She commented that the Bond Debt would terminate September, 2031.

Mayor Few commented that it felt good to have one Bond paid off.

CFO Swift continued her update with a review of how the City's total Sales Tax revenue was broken down, how the City's four percent (4%) was distributed, commenting that it had exceeded the projected amount by $24 thousand. She then reviewed the reviewed the sales tax-comparable cities, the two percent (2%) sales tax that the City operates on and commented that it had exceeded projections by $12 thousand. She reviewed the Sales Tax and Use Tax Sectors' performance.

Mayor Few commented that with the addition of shops in the City some of the leakage had been stopped.

CFO Swift completed her update with a review of the Hotel Tax and stated that it was up and the July had been a good month.

No action was taken on this item.

7. Discussion and possible action to approve amended Ordinance Chapter 26, Cemeteries, Div. 2, Section 26-48 and Section 26-52. *(Doug Basinger, Community Services Director)*

Director Basinger addressed the Council explaining that the main change to this section of the Code was lowering the number of members to five (5) with one (1) non-voting advisory member. He also stated that the word quarterly in 26-52 should be removed. The Board would meet every other month.

ORDINANCE NO. 2886

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING THE MCALESTER CITY CODE, CHAPTER 26, CEMETERIES; DIVISION 2, CEMETERY BOARD; RELATING TO THE MEMBERS AND MEETINGS OF THE CEMETERY BOARD; PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND DECLARING AN EMERGENCY.

There was no discussion, and a motion to approve **ORDINANCE NO. 2886,** as amended, was made by Councilor Gilmore. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Beaty, Wansick, Boatright, Woodley & Mayor Few
NAY: None

Mayor Few declared the motion carried.

8. Discussion and possible action to amend Ordinance No. 2878, approved on June 9, 2026, increasing the Lodging Tax of the City of McAlester to ten percent (10%). *(Cora Middleton, City Clerk)*

Clerk Middleton addressed the Council explaining that speaking with the Finance Department, they verified the time needed by the Oklahoma Tax Commission and the effective date of January 1, 2027, would not provide them with the time needed to inform the businesses of the change in the tax rate. The Tax Commission said they would need ninety (90) days, so to clean the language up the change to April 1, 2027, was inserted into the ordinance.

ORDINANCE NO. 2887

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING ORDINANCE NO. 2878, AN ORDINANCE PERTAINING TO FINANCE AND TAXATION, AMENDEDING THE MCALESTER CITY CODE, CHAPTER 98, TAXATION; ARTICLE IV, HOTEL TAX, BY INCREASING THE LODGING TAX TO TEN PERCENT (10.00%) AND BY PERMITTING REVENUES GENERATED THEREFROM TO BE USED FOR TOURISM PROMOTION AND ECONOMIC DEVELOPMENT ACTIVITIES; AND FOR OTHER PURPOSES; PROVIDING FOR AN EFFECTIVE DATE; AND REQUIRING THE FULL TEXT BE PUBLISHED.

There was no discussion, and a motion to approve **ORDINANCE NO. 2887**, was made by Councilor Boatright. The motion was seconded by Vice-Mayor Beaty, and the vote was taken as follows:

AYE: Councilmembers Boatright, Beaty, Gilmore, Woodley, Wansick & Mayor Few
NAY: None

Mayor Few declared the motion carried.

New Business

Any matter not known or which could not have been reasonably foreseen prior to the time of posting the Agenda in accordance with Sec. 311.9, Title 25, Oklahoma State Statutes

There was no new business.

Staff Report

A. Update to City Council on Land Development Code Update. *(Jayme Clifton, Community Development Director)*

Director Clifton addressed the Council reviewing the status of the Land Development Code Update. During her review she informed the Council on why this update was so important, the process she had gone through to get the consulting company, what the Code was supposed to do, and what it would not do. She reviewed the phases and what those phases consisted of. She stated

that in October there would need to be a work session with the Planning Commission and the Council.

There was a brief discussion concerning how the survey was being made available to the citizens.

No action was taken on this item.

City Manager's Report

A. City Manager's Report for July 2026

Manager Wimer informed the Council that his full report was included in their packets. He then commented on the 4th of July Celebration at the Expo and how well attended it had been. He added that it had been an awesome display. He commented that when the video produced about the City was released next month there would be national exposure and he felt the company had done a very good job. He commented on the Corvette show and the number of entries, the Dancing Rabbit Musical Festival had ended the month with a great turnout. He informed the Council that there had been $30 million in permitting in July, Academy had opened Sunday, the TH Rogers' canal wall had been completed and the City had received the new Fire Truck. He stated that Project Manager Derick Asangong had started working for the City.

Mayor Few commented that instead of an Assistant City Manager, the City had opted for a Project Manager that could help with every Department.

Manager Wimer that he had told the Directors that he was proud and thankful for the work they did.

Remarks and Inquiries by City Council

Councilor Woodley commented on the passing of Dolly Parton and how much she had substantially contributed to the City Library's Imagination Library affiliate.

Councilor Boatright stated that he was thankful for the City crews and the work they did. He added that morale seemed to be high and they had been doing a super job.

Councilor's Gilmore, Wansick and Beaty did not have any comments for the evening.

Mayor's Comments and Committee Appointments

Mayor Few encouraged everyone to visit the Travel McAlester website to see everything that was going on in the City and surrounding area. He was looking forward to Fall and Halloween would be on Halloween. He stated that the first home football game was this Friday. He commented on the passing of Dolly Parton and her generosity. He added that Wing Stop had put their sign up, Academy had opened and Sharpes had opened in Tandy Town.

Recess Council Meeting

Councilor Gilmore moved to recess the Regular Meeting and convene the Authorities. The motion was seconded by Councilor Boatright.

There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Gilmore, Boatright, Wansick, Beaty, Woodley & Mayor Few
NAY: None

Mayor Few declared the motion carried, and the meeting was recessed at 7:05 P.M.

Reconvene Council Meeting

The Regular Meeting was reconvened at 7:07 P.M.

Adjournment

There being no further business before the Council, Mayor Few encouraged citizens to help control the pet population and have their pets spayed or neutered. He then declared the meeting adjourned at 7:08 P.M.

ATTEST: _____
Justin Few, Mayor

_____
Cora Middleton, City Clerk

CLAIMS FROM

August 19, 2026

Thru

September 01, 2026

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION		CHECK#	AMOUNT
01-A00219	ADVANCED DATA PROCESSIN						
		I-618004004	01 -5432308	CONTRACTED SE	JUL 26-CONTRACTED SERVICES	000000	8,024.95
01-A00454	AMAZON CAPITAL SERVICES						
		I-13RQ-K4FR-ND6F	01 -5542203	REPAIRS & MAI	REPAIR&MAINT SUPPLIES	000000	134.52
01-A00500	AMERICAN MUNICIPAL SERV						
		I-215913	01 -2105	COLLECTION AG	JUL 26-COURT COLLECTIONS	000000	4,185.02
01-A00710	ARTS ELECTRIC						
		I-6808	01 -5431202	OPERATING SUP	CIRCUIT & RECEPTACLE	000000	353.53
		I-6809	01 -5548316	REPAIRS & MAI	FIRE STATION# 1	000000	195.00
01-A00751	ATWOODS						
		I-9320/9	01 -5431203	REPAIRS & MAI	REPAIRS&MAINT SUPPLIES	000000	19.19
01-B00490	BRIGGS PRINTING						
		I-84519	01 -5101202	OPERATING SUP	TEMP NAME PLATE WARD#4	000000	5.00
		I-PC-84444	01 -5215202	OPERATING SUP	BUSINESS CARDS	000000	22.50
01-B00503	BROKEN ARROW ELECTRIC S						
		C-S3527302.001	01 -5548203	REPAIRS & MAI	CREDIT	000000	301.80-
		I-33538683.001	01 -5548203	REPAIRS & MAI	FIRE STATION# 1	000000	175.03
		I-S3527647.001	01 -5548203	REPAIRS & MAI	REPAIR&MAINT ITEMS-C.H.	000000	301.80
		I-S3536293.001	01 -5548203	REPAIRS & MAI	REPAIR&MAINT ITEMS-RTY PK	000000	42.47
		I-S3536845.001	01 -5548203	REPAIRS & MAI	REPAIR&MAINT ITEMS-MAINT	000000	18.34
01-C00840	CRAWFORD & ASSOCIATES P						
		I-35670	01 -5215302	CONSULTANTS	CONSULTING FEES	000000	332.50
01-F00306	FREESE AND NICHOLS, INC						
		I-0001407066	01 -5652403	LAND DEVELOPM	LAND DEVELPMT CODE UPDATE	000000	10,782.69
01-I00052	IDEAL CLEANING						
		I-242737	01 -5548308	CONTRACTED SE	CLEANING-C.H,LIBRARY, GEN	000000	1,350.00
		I-242737	01 -5551308	CONTRACT SERV	CLEANING-FEDERAL BLG	000000	1,100.00
01-J00143	JAMES SUPPLIES, LLC						
		I-07742906	01 -5432202	OPERATING SUP	OXYGEN SUPPLIES AS NEEDED	000000	103.00
01-K00105	KC FARM MACHINERY, INC.						
		I-01-35220	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	64.97
01-K00205	KIAMICHI AUTOMOTIVE WHO						
		I-229240	01 -5548203	REPAIRS & MAI	REPAIR&MAINT ITEMS PARKS	000000	49.99
01-L00340	DARIAN BELL dba LIMESTO						
		I-1011(LGC202608MOW)	01 -5652318	ABATEMENTS	CONTRACT ABATEMENT MOWING	000000	555.00
		I-1012(LGC-2026-09)	01 -5652318	ABATEMENTS	CONTRCT ABATEMENT MOWING	000000	1,350.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK#	AMOUNT
01-L00380	LOCKE SUPPLY CO.						
		I-59009824-00	01 -5548203	REPAIRS & MAI	CITY HALL-SBC	000000	17.38
		I-59098462-00	01 -5548203	REPAIRS & MAI	CITY HALL-AIRPORT	000000	44.28
01-L00428	LOWE'S CREDIT SERVICES						
		I-11012	01 -5542203	REPAIRS & MAI	REPAIR&MAINT SUPPLIES	000000	56.96
		I-13447	01 -5548203	REPAIRS & MAI	REPAIR & MAINT ITEMS-WWW	000000	132.38
		I-17765	01 -5431203	REPAIRS & MAI	REPAIRS&MAINT SUPPLIES	000000	28.48
		I-24820	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	71.04
		I-31986	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	28.40
		I-41705	01 -5542203	REPAIRS & MAI	REPAIR&MAINT SUPPLIES	000000	56.70
		I-42942	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	89.96
		I-44618	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	21.12
		I-47318	01 -5548203	REPAIRS & MAI	REPAIR & MAINT ITEMS-CARL	000000	21.34
		I-55963	01 -5548203	REPAIRS & MAI	REPAIR & MAINT ITEMS-FS#1	000000	18.49
		I-64945	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	80.40
		I-72851	01 -5547203	REPAIRS & MAI	REPAIR&MAINT ITEMS	000000	83.91
		I-90590	01 -5548203	REPAIRS & MAI	REPAIR & MAINT ITEMS-FS#1	000000	6.76
01-M00674	MULTI SERVICE TECHNOLOG						
		I-447d0259	01 -5431202	OPERATING SUP	STATION SUPPLIES	000000	239.10
		I-664b05a4	01 -5863213	SAFETY EXPENS	SAFETY ITEMS AS NEEDED	000000	53.52
01-MC0140	MCALESTER PAINT & SUPPL						
		C-00199986	01 -5543202	OPERATING SUP	CREDIT	000000	140.68-
		C-00199987	01 -5543206	CHEMICALS	CREDIT	000000	240.48-
		C-00199993	01 -5543206	CHEMICALS	CREDIT	000000	240.48-
		I-00199804	01 -5543206	CHEMICALS	CHEMICALS	000000	845.68
		I-00199805	01 -5543202	OPERATING SUP	REPAIR&MAINT SUPPLIES	000000	311.60
01-MC0146	PITTSBURG COUNTY EMERGE						
		I-2026-2027-09082026	01 -5101353	PITTSBURG EME	EMERGENCY MNGMT SERVICES	000000	6,723.27
01-N00061	NATIONAL FIRE PROTECTIO						
		I-19304	01 -5431330	DUES & SUBSCR	YRLY RENEWAL-C.ARMSTRONG	000000	169.00
01-N00250	MCALESTER NEWS CAPITAL						
		I-AD #177495	01 -5212317	ADVERTISING &	REVISED CIP PUBLICATION	000000	47.96
		I-AD #190484	01 -5212317	ADVERTISING &	ORD NO 2874	000000	28.92
		I-AD #193993	01 -5212317	ADVERTISING &	ORD NO 2875	000000	20.24
		I-AD #198186	01 -5212317	ADVERTISING &	ORD #2878 (ORIGINAL)	000000	280.06
		I-AD #198194	01 -5212317	ADVERTISING &	ORD #2877 AD	000000	26.10
		I-AD #199835	01 -5212317	ADVERTISING &	PUBLICATION-ORD# 2878	000000	245.30
		I-AD #200789	01 -5212317	ADVERTISING &	ORD #2879 AD	000000	13.86
		I-AD #200793	01 -5212317	ADVERTISING &	ORD #2880 AD	000000	21.14
		I-AD# 198184	01 -5212317	ADVERTISING &	ORD #2876 AD	000000	25.00
01-O00520	OIL-OK INDEPENDENT LIVI						
		I-2026-2027-09082026	01 -5101355	OIL-OK FOR IN	SEPT 26-CONTRACT SERVICES	000000	2,000.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-P00239	PERRY LAWNCARE AND LAND					
		I-1165(PLC202610MOW)	01 -5652318 ABATEMENTS	CONTRACT ABATEMENT MOWING	000000	810.00
		I-1169(PLC202611MOW)	01 -5652318 ABATEMENTS	CONTRACT ABATEMENT MOWING	000000	935.00
01-P00412	PONTOTOC TECHNOLOGY CTR					
		I-P506	01 -5432331 EMPLOYE TRAVE	FIRE ACADEMY-THOMPSON	000000	2,007.00
		I-P507	01 -5432331 EMPLOYE TRAVE	FIRE ACADEMY-WARD	000000	2,007.00
01-S00190	SECURITY SYS. & ENG. IN					
		I-35272	01 -5547308 CONTRACTED SE	MONTHLY SECURITY-CEM	000000	210.00
		I-35273	01 -5544308 CONTRACT LABO	MONTHLY SECURITY-SBC	000000	105.00
		I-35274	01 -5547308 CONTRACTED SE	MONTHLY SECURITY-CEM	000000	120.00
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	01 -5215110 PENSION - DEF	SEPT 2026-GENERAL CONTRIBUTION	000000	22,992.00
01-S00360	JOHNSON CONTROLS FIRE P					
		I-54342434	01 -5548309 FIRE ALARM MA	FIRE ALARM RELAY	000000	1,085.88
01-S00441	SOUTH CENTRAL INDUSTRIE					
		I-066614	01 -5542202 OPERATING SUP	JANITORIAL SUPPLIES-PARKS	000000	782.90
01-S00726	STAPLES BUSINESS ADVANT					
		I-6072142034	01 -5215202 OPERATING SUP	OFFICE SUPPLIES	000000	71.82
		I-6072836041	01 -5215202 OPERATING SUP	LEGAL PAPER	000000	35.84
01-T00453	TOMMY HENDRIX dba TLH E					
		I-TLH-2026-03-MOW	01 -5652318 ABATEMENTS	CONTRACT ABATEMENT MOWING	000000	95.00
		I-TLH-2026-REDEV-02	01 -5652321 REDEVELOPMENT	REDEVELOPMENT LOT MOWING	000000	442.00
01-T00540	TREATS SOLUTIONS LLC					
		I-376874	01 -5542202 OPERATING SUP	JANITORIAL SUPPLIES-PARKS	000000	245.61
01-T00598	TULSA ASPHALT LLC					
		I-23479	01 -5865218 STREET REPAIR	ASPHALT-COLD PATCH	000000	3,804.36

FUND 01 GENERAL FUND TOTAL: 75,799.82

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME		DESCRIPTION	CHECK#	AMOUNT
01-A00103	ACCURATE ENVIRONMENTAL						
		I-IH12010	02 -5974304	LAB TESTING	LAB TESTING	000000	150.00
		I-IH12011	02 -5974304	LAB TESTING	LAB TESTING	000000	370.00
		I-IH12012	02 -5974304	LAB TESTING	LAB TESTING	000000	545.00
01-A00501	AMERICHEMM, LLC						
		I-11307	02 -5973206	CHEMICALS	SODIUM BISULFATE	000000	1,110.20
01-B00180	UNION IRON WORKS, INC.						
		I-S2715393.001	02 -5973203	REPAIRS & MAI	REPAIR & MAINT SUPPLIES	000000	221.02
01-B00490	BRIGGS PRINTING						
		I-PC-84444	02 -5267202	OPERATING SUP	BUSINESS CARDS	000000	22.50
01-C00339	CERTIFIED LABORATORIES						
		I-9728831	02 -5973203	REPAIRS & MAI	X-433 AERESOL	000000	184.00
		I-9728831	02 -5973203	REPAIRS & MAI	PREMALUBE	000000	414.00
		I-9728831	02 -5973203	REPAIRS & MAI	SURCHARGE	000000	100.00
01-C00840	CRAWFORD & ASSOCIATES P						
		I-35670	02 -5267302	CONSULTANTS	CONSULTING FEES	000000	332.50
01-D00322	DEPT. OF ENVIR. QUALITY						
		I-INV-012236	02 -5216331	TRAVEL & TRAI	CLASS D WATER EXAM-TMITCH	000000	62.00
01-D00323	DEPT. OF ENVIR. QUALITY						
		I-INV-012142	02 -5973331	EMPLOYEE TRAV	OPERATOR EXAM FEES	000000	62.00
		I-INV-012157	02 -5974331	EMPLOYEE TRAV	OPERATOR LICENSING EXAM	000000	62.00
		I-INV-012263	02 -5973331	EMPLOYEE TRAV	OPERATOR EXAM FEES	000000	62.00
		I-INV-012266	02 -5975331	EMPLOYEE TRAV	OPERATOR EXAM APP FEES	000000	62.00
		I-INV-012267	02 -5975331	EMPLOYEE TRAV	OPERATOR EXAM APP FEES	000000	62.00
01-E00238	ENVIRONMENTAL RESOURCE						
		I-64936	02 -5973304	LAB TESTING	LAB TESTING	000000	180.00
01-E00289	EUROFINS ENVIRONMENT TE						
		I-00072400	02 -5973304	LAB TESTING	QUARTERLY TESTING	000000	2,640.00
		I-00072401	02 -5973304	LAB TESTING	QUARTERLY TESTING	000000	1,830.00
01-H00100	HAYNES EQUIPMENT,LLC						
		I-INV8133156	02 -5973203	REPAIRS & MAI	4" PUMP FOR LIFT STATIONS	000000	8,463.00
		I-INV8133156	02 -5973203	REPAIRS & MAI	EST SHIPPING	000000	276.25
01-I00052	IDEAL CLEANING						
		I-242737	02 -5267308	CONTRACTED SE	CLEANING-AIRPORT	000000	650.00
01-M00047	MACHINING & VALVE AUTOM						
		I-2026-400393	02 -5974316	REPAIRS & MAI	FLOCCULATOR ASSEMBLY UNIT	000000	36,930.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME		DESCRIPTION	CHECK#	AMOUNT
01-M00201	MAXWELL SUPPLY-MCALESTE						
		I-345299	02 -5974203	REPAIRS & MAI	REPAIRS & MAINT SUPPLIES	000000	719.71
		I-346043	02 -5975235	WATER MAIN RE	REPAIRS & MAINT AS NEEDED	000000	122.97
01-O00075	O'REILLY AUTO PARTS						
		I-0230-494548	02 -5973203	REPAIRS & MAI	REPAIRS & MAINT SUPPLIES	000000	243.83
		I-0230-495873	02 -5974203	REPAIRS & MAI	PARTS & MAINT SUPPLIES	000000	150.99
		I-0230-497901	02 -5973203	REPAIRS & MAI	REPAIRS & MAINT SUPPLIES	000000	22.99
		I-0230-497928	02 -5973203	REPAIRS & MAI	REPAIRS & MAINT SUPPLIES	000000	45.84
		I-0230-498147	02 -5974203	REPAIRS & MAI	PARTS & MAINT SUPPLIES	000000	278.36
		I-0230-498177	02 -5974203	REPAIRS & MAI	PARTS & MAINT SUPPLIES	000000	39.36
01-O00565	OMNI WATER CONSULTANTS,						
		I-23783	02 -5974206	CHEMICALS	CHEMICALS AS NEEDED	000000	32,391.10
01-S00249	MORGAN STANLEY SMITH BA						
		I-09082026-2026-2027	02 -5267110	PENSION - DEF	SEPT 2026-MPWA CONTRIBUTION	000000	13,394.17
01-S00441	SOUTH CENTRAL INDUSTRIE						
		I-066720	02 -5864202	OPERATING SUP	JANITORIAL SUPPLIES	000000	102.04
01-S00541	SOUTHWEST DISTRIBUTORS,						
		I-98425	02 -5975202	OPERATING SUP	MARKING PAINT-WHITE	000000	319.68
		I-98425	02 -5975202	OPERATING SUP	MARKING PAINT-PURPLE	000000	319.68
		I-98425	02 -5975202	OPERATING SUP	MARKING PAINT-GREEN	000000	426.24
		I-98425	02 -5975202	OPERATING SUP	MARKING PAINT-BLUE	000000	639.36
01-S00726	STAPLES BUSINESS ADVANT						
		I-6072142034	02 -5267202	OPERATING SUP	OFFICE SUPPLIES	000000	71.81
		I-6072836041	02 -5267202	OPERATING SUP	LEGAL PAPER	000000	35.83
01-T00052	TECHNICAL PROGRAMMING S						
		I-125055	02 -5216336	MAILING FEES	UB&C MAILING FEE Z2	000000	799.59
		I-125055	02 -5216317	POSTAGE	UB&C POSTAGE FEE Z2	000000	1,887.27
01-T00630	TWIN CITIES READY MIX,						
		I-326878	02 -5975218	STREET REPAIR	CONCRETE-HICKORY/SPRINGER	000000	1,481.20
01-U00051	UTILITY SUPPLY CO., INC						
		I-3015179	02 -5975235	WATER MAIN RE	REPAIR&MAINT SUPPLIES	000000	38.29
		I-3015180	02 -5975235	WATER MAIN RE	REPAIR&MAINT SUPPLIES	000000	166.64
		I-3015181	02 -5975235	WATER MAIN RE	REPAIR&MAINT SUPPLIES	000000	1,419.90
		I-3015439	02 -5975235	WATER MAIN RE	REPAIR&MAINT SUPPLIES	000000	865.42
		I-3015442	02 -5975235	WATER MAIN RE	REPAIR&MAINT SUPPLIES	000000	47.02
01-U00052	UTILITY TECHNOLOGY SERV						
		C-S107041122.001	02 -5975211	WATER METERS	CREDIT	000000	58.00-
		I-S107033557.001	02 -5975211	WATER METERS	METERS/CAMBERS	000000	7,675.00

FUND 02 MPWA TOTAL: 118,436.76

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00751	ATWOODS					
		I-9330/9	03 -5876208	LAND MAINTENA LAND MAINT SUPPLIES	000000	64.98
01-B00490	BRIGGS PRINTING					
		I-PC-84433	03 -5876202	OPERATING SUP #80 CRDSTCK FUEL SVC PADS	000000	200.00
01-F00170	FIRST NATIONAL BANK					
		I-09082026-LN#144316	03 -5876501	LEASE PAYMENT AIRPORT TERMINAL-INTEREST	000000	3,040.50
		I-09082026-LN#144316	03 -5876501	LEASE PAYMENT AIRPORT TERMINAL-PRINCIPLE	000000	4,907.71
01-O00610	OTA PIKEPASS CENTER					
		I-20260601328	03 -5876331	EMPLOYEE TRAV TOLL FOR 06/02/26 ACCT 2379018	000000	0.70
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	03 -5876110	PENSION-DEFIN SEPT 2026-AIRPORT CONTRIBUTION	000000	693.83
				FUND 03 AIRPORT AUTHORITY TOTAL:		8,907.72

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00674	MULTI SERVICE TECHNOLOG					
		I-1c2ec20b	08 -5549202	OPERATING SUP ITEMS NEEDED-NUTRITION	000000	17.40
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	08 -5549110	PENSION-DEFIN SEPT 2026-NUTRITION CONTRIBUTI	000000	727.33
			FUND 08	NUTRITION TOTAL:		744.73

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 20 CEMETERY CARE FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-K00105	KC FARM MACHINERY, INC.					
		I-01-35221	20 -5211401	CAPITAL OUTLA QUICK CHUTES FOR MOWERS	000000	1,700.00
				FUND 20 CEMETERY CARE FUND TOTAL:		1,700.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 24 AIRPORT GRANT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-H00348	HW LOCHNER, INC					
		I-000019991-TO05-07	24 -5876406	REHAB TAXIWAY TAXIWAY REHAB PRJ	000000	14,022.47
			FUND 24	AIRPORT GRANT TOTAL:		14,022.47

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 27 TOURISM FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00086	FIFTH QUARTER PRINTING					
		I-11595	27 -5655214	TOURISM EXPEN EMPLOYEE NAME BADGES	000000	90.00
01-J00199	JEFFERSON HIGHWAY ASSOC					
		I-01310	27 -5655331	EMPLOYEE TRAV CONFERENCE REGISTRATION	000000	130.00
01-L00049	LAUREN PAPE dba PTX EVE					
		I-202706	27 -5655359	TOURISM EVENT 2027-SPNSRSP-MAC ATTACK 3	000000	6,500.00
01-M00201	MAXWELL SUPPLY-MCALESTE					
		I-344478	27 -5655403	CAPITAL OUTLA MULLEN PARK-SUPPLIES	000000	315.46
01-MC0006	MCALESTER ASSOCIATION F					
		I-2026-002	27 -5655359	TOURISM EVENT PARTNERSHIP-MAGIC EVENTS	000000	3,000.00
01-P00450	PRIDE IN MCALESTER, INC					
		I-2026-2027-09082026	27 -5655352	KEEP MCALESTE SEPT 26-CONTRACT SERVICES	000000	5,000.00
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	27 -5655110	PENSION-DEFIN SEPT 2026-TOURISM CONTRIBUTION	000000	452.67
01-T00014	TANYA IRENE MCCOY					
		I-101	27 -5655359	TOURISM EVENT PARACON 2027 SPONSORSHIP	000000	7,500.00
01-T00630	TWIN CITIES READY MIX,					
		I-327463	27 -5655403	CAPITAL OUTLA CONCRETE-MULLENS PARK	000000	3,488.00
		I-327511	27 -5655403	CAPITAL OUTLA CONCRETE-MULLENS PARK	000000	3,488.00
		I-327605	27 -5655403	CAPITAL OUTLA CONCRETE-MULLENS PARK	000000	1,056.00
				FUND 27 TOURISM FUND TOTAL:		31,020.13

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	29 -5324110	PENSION-DEFIN SEPT 2026-E911 CONTRIBUTION	000000	866.67
01-S00441	SOUTH CENTRAL INDUSTRIE					
		I-066740	29 -5324202	OPERATING SUP JANITORIAL SUPPLIES	000000	30.66
			FUND 29 E-911		TOTAL:	897.33

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 30 ECONOMIC DEVELOPMENT

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-M00239	MDSA (MCALESTER DEFENSE					
		I-0109	30 -5211361	DEFENSE CONSU 26/27 ANNUAL CONTRACT SAL	000000	3,895.41
01-N00250	MCALESTER NEWS CAPITAL					
		I-AD# 211830	30 -5652408	INDUSTRIAL PA STEVEN TAYLOR BLV OVERLAY	000000	39.90
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	30 -5652110	PENSION SEPT 2026-ECON DEV CONTRIBUTIO	000000	484.42
01-T00231	THE SPECTRUM GROUP MEMB					
		I-15354	30 -5652302	CONSULTANTS PROFESSIONAL ADVOCACY SVC	000000	5,500.00
				FUND 30 ECONOMIC DEVELOPMENT TOTAL:		9,919.73

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 33 CDBG GRANTS FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-N00250	MCALESTER NEWS CAPITAL					
		I-AD #194684	33 -5971524	2025 CDBG PRO 2025 CDBG SEWER/CONALLY PH IV	000000	120.00
				FUND 33 CDBG GRANTS FUND	TOTAL:	120.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00215	ADVANCE AUTO PARTS					
		I-8117622245976	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-PD-134	000000	24.09
		I-8117622537156	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-PD-121	000000	11.82
		I-8117623037335	35 -5862203	REPAIRS & MAI PARTS AS NEEDED S-63	000000	120.16
		I-8117623037340	35 -5862203	REPAIRS & MAI PARTS AS NEEDED S-3	000000	34.99
		I-8117623037357	35 -5862203	REPAIRS & MAI PARTS AS NEEDED SC-1	000000	8.74
		I-8117623237416	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-MED3	000000	3.99
		I-8117623746351	35 -5862203	REPAIRS & MAI S-32	000000	15.90
		I-8117623837594	35 -5862317	EMERGENCY VEH FIRE BRUSH# 1	000000	42.94
		I-8117623837595	35 -5862203	REPAIRS & MAI S-7	000000	511.08
		I-8117623837596	35 -5862203	REPAIRS & MAI S-7	000000	34.99
01-A00775	AUTOZONE STORES, INC.					
		I-00519504478	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-PD-123	000000	31.67
		I-00519504742	35 -5862203	REPAIRS & MAI SHOP SUPPLIES	000000	299.99
		I-00519508106	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-PD-137	000000	330.71
		I-00519511014	35 -5862203	REPAIRS & MAI SHOP SUPPLIES-SHOP MISC	000000	10.55
		I-00519515545	35 -5862203	REPAIRS & MAI FLEET MISC	000000	59.70
		I-00519515649	35 -5862203	REPAIRS & MAI TC-1	000000	80.55
01-B00570	BUCK WILSON BODY SHOP I					
		I-RO9374	35 -5862317	EMERGENCY VEH BODY SHOP REPAIR-S-4 WORK	000000	9,552.41
01-J00002	J & R EQUIPMENT LLC					
		I-07003297	35 -5862316	REPAIRS & MAI WATER PUMP BELT-FLUSH TRL	000000	900.17
01-K00205	KIAMICHI AUTOMOTIVE WHO					
		I-229609	35 -5862203	REPAIRS & MAI S-35	000000	48.99
01-L00428	LOWE'S CREDIT SERVICES					
		I-54879	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-FLEET SHO	000000	138.66
01-M00769	MYDER FIRE SUPPORT SERV					
		I-ML06363	35 -5862317	EMERGENCY VEH SVC CALLS & TRUCK REPAIR	000000	4,392.00
01-O00075	O'REILLY AUTO PARTS					
		I-0230-495844	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-PD134	000000	125.32
		I-0230-495877	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-C-99	000000	171.99
		I-0230-496115	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-S-5	000000	98.73
		I 0230 496125	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-LF-14	000000	19.08
		I-0230-496259	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-UTM24C23	000000	24.22
		I-0230-496467	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-UTM-2	000000	44.60
		I-0230-496473	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-UTM-2	000000	23.71
		I-0230-496603	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-UTM2PD111	000000	18.52
		I-0230-497690	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-AC-1	000000	171.02
		I-0230-498040	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-S-32	000000	194.36
		I-0230-498181	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-S-45	000000	55.17
		I-0230-498357	35 -5862317	EMERGENCY VEH PARTS AS NEEDED-PD74	000000	140.18
		I-0230-499192	35 -5862317	EMERGENCY VEH PD-85	000000	29.13

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-O00075	O'REILLY AUTO PARTS continued					
		I-0230-499373	35 -5862317	EMERGENCY VEH PD-74	000000	182.00
		I-0230-499374	35 -5862317	EMERGENCY VEH PD-74	000000	222.08
01-P00023	P & K EQUIPMENT, INC					
		I-6494052	35 -5862203	REPAIRS & MAI PARTS AS NEEDED PK-61	000000	208.49
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	35 -5862110	PENSION-DEFIN SEPT 2026-FLEET MAINT CONTRIBU	000000	1,080.67
01-S00710	STANDARD MACHINE LLC					
		I-288565	35 -5862316	REPAIRS & MAI REPLACE ALL HYDRAULIC	000000	8,893.33
		I-288738	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-PK-65	000000	210.00
01-T00151	T & W TIRES, LLC					
		I-1250039616	35 -5862203	REPAIRS & MAI TIRES&ALIGNMENTS PD134	000000	95.00
		I-1250039798	35 -5862203	REPAIRS & MAI TIRES&ALIGNMENTS I-5	000000	221.80
		I-1250039805	35 -5862203	REPAIRS & MAI NEW TIRES G-8 SVC TRUCK	000000	711.64
		I-1250039806	35 -5862317	EMERGENCY VEH NEW TIRES MED-2 AMBULANCE	000000	1,975.92
		I-1250039807	35 -5862203	REPAIRS & MAI NEW TIRES PK-32	000000	741.56
		I-1250039809	35 -5862203	REPAIRS & MAI TRAILER STOCK TIRES	000000	1,309.00
		I-1250039812	35 -5862203	REPAIRS & MAI NEW TIRES S-4	000000	711.64
		I-1250039935	35 -5862203	REPAIRS & MAI ALIGNMENT S-7	000000	95.00
01-T00454	TOLIVER CHEVROLET GMC L					
		I-RO24942	35 -5862203	REPAIRS & MAI PARTS AS NEEDED-PD92	000000	575.00
01-T00612	ATC FREIGHTLINER GROUP,					
		I-125515124	35 -5862203	REPAIRS & MAI PARTS AS NEEDED S-39	000000	64.99
01-W00195	WELDON PARTS INC.					
		C-042826	35 -5862203	REPAIRS & MAI CREDIT	000000	26.76-
		C-3480206-00	35 -5862203	REPAIRS & MAI CORE CREDIT	000000	62.00-
		I-3472403-00	35 -5862203	REPAIRS & MAI S-39	000000	17.40
		I-3477368-00	35 -5862203	REPAIRS & MAI FIRE E4	000000	263.50
		I-3477484-00	35 -5862203	REPAIRS & MAI FIRE E-4	000000	275.35
		I-3480807-00	35 -5862203	REPAIRS & MAI LF-4	000000	411.15
				FUND 35 FLEET MAINTENANCE TOTAL:		35,946.89

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 36 WORKER'S COMPENSATION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00653	CONSOLIDATED BENEFITS R					
		I-6105	36 -5215315	THIRD PARTY A SEPT 26-W/C ADMIN	000000	1,750.00
				FUND 36 WORKER'S COMPENSATION TOTAL:		1,750.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 39 POLICE EQUIPMENT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-W00193	HTW ENTERPRISES INC dba					
		I-78745	39 -5321307	POLICE EQUIPM LETTER/GRAPHICS PD-119	000000	2,380.29
		I-78745	39 -5321307	POLICE EQUIPM #CHANGES PD-36,90,137	000000	165.00
				FUND 39 POLICE EQUIPMENT FUND TOTAL:		2,545.29

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 44 TECHNOLOGY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-C00472	CIVIC PLUS, LLC					
		I-385880	44 -5225402	SOFTWARE & TE AMM SELECT:HSTRCL IMPORTS	000000	1,500.00
				FUND 44 TECHNOLOGY FUND TOTAL:		1,500.00

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 46 STORMWATER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-D00322	DEPT. OF ENVIR. QUALITY					
		I-INV-012250	46 -5871331	EMPLOYEE TRAV CLASS D WATER EXAM	000000	62.00
		I-INV-012251	46 -5871331	EMPLOYEE TRAV CLASS D WASTEWATER EXAM	000000	62.00
01-I00139	INDIAN NATIONS COUNCIL					
		I-228274	46 -5871330	DUES & SUBSCR GSCA MEMBERSHIP FEE	000000	100.00
01-O00066	OFMA					
		I-2558A	46 -5871331	EMPLOYEE TRAV OFMA MEMBRSP-RCLARK	000000	50.00
		I-2558A	46 -5871331	EMPLOYEE TRAV OFMA MEMBRS-NDAVIS	000000	50.00
		I-2558A	46 -5871331	EMPLOYEE TRAV OFMA MEMBRSP-AZHUGHIN	000000	50.00
		I-2558B	46 -5871331	EMPLOYEE TRAV 2026 ANNUAL CONF SWEST	000000	525.00
		I-2558B	46 -5871331	EMPLOYEE TRAV 2026 ANNUAL CONF RCLARK	000000	525.00
01-S00249	MORGAN STANLEY SMITH BA					
		I-09082026-2026-2027	46 -5871110	PENSION-DEFIN SEPT 2026-STORMWATER CONTRIBUT	000000	693.83
01-W00468	WSB, LLC					
		I-R-029186-000-11	46 -5871413	CONSULTANTS AMENDMENT 3 TO MS4 ASSIST	000000	660.00
				FUND 46 STORMWATER FUND TOTAL:		2,777.83

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 48 INFRASTRUCTURE FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-L00417	LONE HICKORY CATTLE, LL					
		I-PAY APPLICATION #2	48 -5975403	SEWER LINE RE PEACHTREE SANITARY SEWER	000000	78,363.60
			FUND 48	INFRASTRUCTURE FUND TOTAL:		78,363.60

PACKET : 27319 27320
VENDOR SET: Mult
FUND : 52 CWDG - COMMUNITY WILDFIRE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00775	AUTOZONE STORES, INC.					
		I-00519447573	52 -5867202	OPERATING SUP GOOSENECK TRAILER HITCH	000000	489.84
01-L00428	LOWE'S CREDIT SERVICES					
		I-92052B	52 -5867202	OPERATING SUP AIR COMPRESSOR	000000	1,948.35
				FUND 52 CWDG - COMMUNITY WILDFIRETOTAL:		2,438.19
				REPORT GRAND TOTAL:		386,890.49

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET OVER AVAILABLE	OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET OVER AVAILABLE	OVER BUDG
2025-2026	01 -5212317	ADVERTISING & PRINTING	708.58	3,467	260.39-	Y			
	03 -5876331	EMPLOYEE TRAVEL & TRAININ	0.70	2,000	1,994.24				
	24 -5876406	REHAB TAXIWAY	14,022.47	467,200	63,899.36				
	33 -5971524	2025 CDBG PROJECT	120.00	385,714	385,594.00				
	52 -5867202	OPERATING SUPPLIES	489.84	197,559	196,241.23				
	** 2025-2026 YEAR TOTALS **		15,341.59						
2026-2027	01 -2105	COLLECTION AGENCY 25% (COU	4,185.02						
	01 -5101202	OPERATING SUPPLIES	5.00	1,200	900.20				
	01 -5101353	PITTSBURG EMERGENCY MGMT	6,723.27	80,680	0.00				
	01 -5101355	OIL-OK FOR INDEPENDENT LIV	2,000.00	24,000	0.00				
	01 -5215110	PENSION - DEFINED BENEFIT	22,992.00	275,904	206,928.00				
	01 -5215202	OPERATING SUPPLIES	130.16	10,000	656.48-	Y			
	01 -5215302	CONSULTANTS	332.50	45,000	20,000.00				
	01 -5431202	OPERATING SUPPLIES	592.63	10,000	6,170.37				
	01 -5431203	REPAIRS & MAINT SUPPLIES	47.67	6,000	2,600.00				
	01 -5431330	DUES & SUBSCRIPTIONS	169.00	7,000	6,831.00				
	01 -5432202	OPERATING SUPPLIES	103.00	30,000	17,652.50				
	01 -5432308	CONTRACTED SERVICES	8,024.95	158,000	134,458.27				
	01 -5432331	EMPLOYE TRAVEL & TRAINING	4,014.00	5,800	600.00-	Y			
	01 -5542202	OPERATING SUPPLIES	1,028.51	10,000	3,816.20				
	01 -5542203	REPAIRS & MAINT SUPPLIES	248.18	27,000	11,425.60				
	01 -5543202	OPERATING SUPPLIES	170.92	5,000	2,190.68				
	01 -5543206	CHEMICALS	364.72	20,000	17,068.12				
	01 -5544308	CONTRACT LABOR	105.00	18,000	510.00-	Y			
	01 -5547203	REPAIRS & MAINT SUPPLIES	439.80	8,000	5,000.00				
	01 -5547308	CONTRACTED SERVICES	330.00	1,000	50.00-	Y			
	01 -5548203	REPAIRS & MAINTENANCE SUPP	526.46	30,000	3,685.14				
	01 -5548308	CONTRACTED SERVICES-CLEANI	1,350.00	37,200	21,000.00				
	01 -5548309	FIRE ALARM MAINTENANCE	1,085.88	10,000	55.36-	Y			
	01 -5548316	REPAIRS & MAINTENANCE	195.00	40,000	417.05				
	01 -5551308	CONTRACT SERVICES	1,100.00	16,000	2,800.00				
	01 -5652318	ABATEMENTS	3,745.00	20,000	3,700.00				
	01 -5652321	REDEVELOPMENT MAINTENANCE	442.00	0	1,042.00-	Y			
	01 -5652403	LAND DEVELOPMENT CODE UPDA	10,782.69	0	156,937.38-	Y			
	01 -5863213	SAFETY EXPENSE	53.52	6,500	1,166.20				
	01 -5865218	STREET REPAIRS & MAINTENAN	3,804.36	200,000	87,662.25				
	02 -5216317	POSTAGE	1,887.27	40,000	30,674.68				
	02 -5216331	TRAVEL & TRAINING	62.00	0	62.00-	Y			
	02 -5216336	MAILING FEES	799.59	27,500	23,856.58				
	02 -5267110	PENSION - DEFINED BENEFIT	13,394.17	160,730	120,547.49				
	02 -5267202	OPERATING SUPPLIES	130.14	21,750	12,093.52				
	02 -5267302	CONSULTANTS	332.50	50,000	30,000.00				
	02 -5267308	CONTRACTED SERVICES	650.00	30,000	2,223.75				

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	==LINE ITEM== ANNUAL BUDGET	BUDGET OVER AVAILABLE	BUDG	=GROUP BUDGET= ANNUAL BUDGET	BUDGET OVER AVAILABLE	BUDG
	02 -5864202	OPERATING SUPPLIES	102.04	7,500	7,397.96				
	02 -5973203	REPAIRS & MAINT SUPPLIES	9,970.93	100,000	70,119.85				
	02 -5973206	CHEMICALS	1,110.20	20,000	17,889.80				
	02 -5973304	LAB TESTING	4,650.00	55,000	28,530.00				
	02 -5973331	EMPLOYEE TRAVEL & TRAININ	124.00	1,500	260.00				
	02 -5974203	REPAIRS & MAINT SUPPLIES	1,188.42	85,000	69,596.63				
	02 -5974206	CHEMICALS	32,391.10	750,000	483,700.00				
	02 -5974304	LAB TESTING	1,065.00	30,000	20,000.00				
	02 -5974316	REPAIRS & MAINTENANCE	36,930.00	300,000	240,020.00				
	02 -5974331	EMPLOYEE TRAVEL & TRAININ	62.00	7,500	5,802.35				
	02 -5975202	OPERATING SUPPLIES	1,704.96	4,000	1,525.67				
	02 -5975211	WATER METERS	7,617.00	85,000	71,579.80				
	02 -5975218	STREET REPAIRS & MAINTENAN	1,481.20	100,000	62,000.00				
	02 -5975235	WATER MAIN REPAIR	2,660.24	100,000	6,320.08				
	02 -5975331	EMPLOYEE TRAVEL & TRAININ	124.00	6,000	4,140.00				
	03 -5876110	PENSION-DEFINED BENEFIT	693.83	8,326	6,244.51				
	03 -5876202	OPERATING SUPPLIES	200.00	2,900	2,557.93				
	03 -5876208	LAND MAINTENANCE SUPP.	64.98	3,000	2,000.00				
	03 -5876501	LEASE PAYMENT	7,948.21	96,462	72,617.37				
	08 -5549110	PENSION-DEFINED BENEFIT	727.33	8,728	6,546.01				
	08 -5549202	OPERATING SUPPLIES	17.40	2,182	382.00				
	20 -5211401	CAPITAL OUTLAY	1,700.00	26,000	18,300.00				
	27 -5655110	PENSION-DEFINED BENEFIT	452.67	5,432	4,073.99				
	27 -5655214	TOURISM EXPENSE	90.00	48,000	47,750.04				
	27 -5655331	EMPLOYEE TRAVEL & TRAINING	130.00	6,500	6,270.00				
	27 -5655352	KEEP MCALESTER BEAUTIFUL	5,000.00	60,000	0.00				
	27 -5655359	TOURISM EVENTS	17,000.00	135,000	61,200.00				
	27 -5655403	CAPITAL OUTLAY-PARKS	8,347.46	200,000	165,840.50				
	29 -5324110	PENSION-DEFINED BENEFIT	866.67	10,400	7,799.99				
	29 -5324202	OPERATING SUPPLIES	30.66	2,000	799.34				
	30 -5211361	DEFENSE CONSULTANT SERVICE	3,895.41	47,000	255.00				
	30 -5652110	PENSION	484.42	5,813	4,359.74				
	30 -5652302	CONSULTANTS	5,500.00	85,000	14,000.00				
	30 -5652408	INDUSTRIAL PARK ENTRANCE	39.90	0	39.90-	Y			
	35 -5862110	PENSION-DEFINED BENEFIT	1,080.67	12,968	9,725.99				
	35 -5862203	REPAIRS & MAINTENANCE SUPP	8,008.46	200,000	129,881.71				
	35 -5862316	REPAIRS & MAINTENANCE	9,793.50	45,000	31,891.78				
	35 -5862317	EMERGENCY VEHICLES	17,064.26	90,000	37,791.06				
	36 -5215315	THIRD PARTY ADM FEES	1,750.00	21,000	0.00				
	39 -5321307	POLICE EQUIPMENT	2,545.29	157,500	24,825.90-	Y			
	44 -5225402	SOFTWARE & TECHNOLOGY UPDA	1,500.00	160,000	113,430.34				
	46 -5871110	PENSION-DEFINED BENEFIT	693.83	8,326	6,244.51				
	46 -5871330	DUES & SUBSCRIPTIONS	100.00	8,000	7,900.00				
	46 -5871331	EMPLOYEE TRAVEL & TRAINING	1,324.00	3,000	1,226.00				
	46 -5871413	CONSULTANTS	660.00	50,000	33,721.07-	Y			

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP BUDGET OVER BUDG
	48 -5975403	SEWER LINE REPLACEMENT	78,363.60	650,000	239,980.00-	Y			
	52 -5867202	OPERATING SUPPLIES	1,948.35	125,000	119,625.00				
	** 2026-2027 YEAR TOTALS **		371,548.90						

NO ERRORS

** END OF REPORT **

PACKET: 27343 HAMMONS 09/01/26
VENDOR SET: 01
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	EFT #	AMOUNT
01-H00044	HAMMONS, HAMBY & PRICE,					
		I-3611	01 -5214302	CONSULTANTS SEPT 26-CONTR LEGAL SVCS	009304	4,750.00
				FUND 01 GENERAL FUND TOTAL:		4,750.00
				REPORT GRAND TOTAL:		4,750.00

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP BUDGET OVER BUDG
2026-2027	01 -5214302	CONSULTANTS	4,750.00	109,000	4,000.00				
	** 2026-2027 YEAR TOTALS **		4,750.00						

NO ERRORS

** END OF REPORT **

PACKET: 27340 C.M. AUTO ALLOWANCE 09/01/26
VENDOR SET: 01
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	EFT #	AMOUNT
01-K00184	KENNETH JAMES WIMER, JR					
		I-2026-2027-09012026	01 -5210112	VEHICLE ALLOW SEPT 26-C.M. AUTO ALLOWAN	009303	500.00
			FUND 01	GENERAL FUND TOTAL:		500.00
				REPORT GRAND TOTAL:		500.00

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP BUDGET OVER BUDG
2026-2027	01 -5210112	VEHICLE ALLOWANCE	500.00	6,000	0.00				
	** 2026-2027 YEAR TOTALS **		500.00						

NO ERRORS

** END OF REPORT **

PACKET: 27315 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	EFT #	AMOUNT
01-D00686	FLYNNDO LLC					
		I-INV4-26	01 -5432308	CONTRACTED SE MEDICAL DIRECTOR SERVICE	009302	1,071.00
			FUND 01	GENERAL FUND TOTAL:		1,071.00

PACKET: 27315 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 43 CHILD ABUSE RESPONSE FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	EFT #	AMOUNT
01-R00656	RYAN'S HOUSE CHILD ADVO					
		I-08262026-2026-2027	43 -5211626	TRANSFER-CHIL JULY 2026-CHILD ABUSE RESPONSE	009301	1,140.15
			FUND 43	CHILD ABUSE RESPONSE FUNDTOTAL:		1,140.15

PACKET: 27315 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 49 MRHC - CANCER CENTER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	EFT #	AMOUNT
01-MC0170	MCALESTER REGIONAL HOSP					
		I-08262026-2026-2027	49 -5211626	TRANSFER - CA AUG 2026-CANCER CENTER	009300	57,409.82
				FUND 49 MRHC - CANCER CENTER FUNDTOTAL:		57,409.82
				REPORT GRAND TOTAL:		59,620.97

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET OVER AVAILABLE BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET OVER AVAILABLE BUDG
2026-2027	01 -5432308	CONTRACTED SERVICES	1,071.00	158,000	134,458.27		
	43 -5211626	TRANSFER-CHILD ABUSE	1,140.15	20,000	18,859.85		
	49 -5211626	TRANSFER - CANCER CENTER	57,409.82	610,182	500,393.24		
	** 2026-2027 YEAR TOTALS **		59,620.97				

NO ERRORS

** END OF REPORT **

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00362	VYVE BROADBAND					
		I-AUG26-338-246041	01 -5431328	INTERNET SERV FIR EM RES COM 338-246041	112459	89.91
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	01 -5215315	TELEPHONE UTI GEN FUND CELL PHONE EXPEN	112461	2,775.41
		I-G082626	01 -5215315	TELEPHONE UTI TICKET WRITER	112461	2,743.19
		I-M082626	01 -5215315	TELEPHONE UTI MODEMS-PD	112461	1,544.32
01-P00560	PSO/SOUTHWESTERN ELECTR					
		I-AUG26-95168545002	01 -5215313	ELECTRIC UTIL SHOPS@MCAL 95168545002	112463	505.83
		I-AUG26-95205457302	01 -5215313	ELECTRIC UTIL 1699 E C.A. 95205457302	112463	29.61
				FUND 01 GENERAL FUND TOTAL:		7,688.27

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00362	VYVE BROADBAND					
		I-AUG26-338-244158	02 -5267315	TELEPHONE UTI 1360 E KREBS 338-244158	112459	75.16
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	02 -5267315	TELEPHONE UTI MPWA CELL PHONE EXPEN	112461	1,419.65
01-S00580	AT & T					
		I-AUG26-831001615881	02 -5267315	TELEPHONE UTI MPWA-8310016158819 POTSLN	112464	501.32
01-V00072	VERIZON WIRELESS SERVIC					
		I-6150998964	02 -5216328	INTERNET SERV INTERNET-AMI BASE STATION	112465	55.22
				FUND 02 MPWA TOTAL:		2,051.35

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	03 -5876315	TELEPHONE UTI AIRPORT CELL PHONE EXPEN	112461	96.54
				FUND 03 AIRPORT AUTHORITY TOTAL:		96.54

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 08 NUTRITION

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	08 -5549315	TELEPHONE UTI NUTRITION CELL PHONE EXP	112461	61.14
				FUND 08 NUTRITION TOTAL:		61.14

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 26 EDUCATIONAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-MC0145	MCALESTER PUBLIC SCHOOL					
		I-08262026-2026-2027	26 -5211627	TRANSFER - MC AUG 2026-SALES TAX-SAFE ROOM	112462	57,409.82
			FUND 26	EDUCATIONAL FUND TOTAL:		57,409.82

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 27 TOURISM FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	27 -5655315	TELEPHONE UTI TOURISM CELL PHONE EXPEN	112461	48.27
				FUND 27 TOURISM FUND TOTAL:		48.27

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	29 -5324315	TELEPHONE UTI E911 CELL PHONE EXPENSE	112461	96.54
01-S00580	AT & T					
		I-AUG26-831001247623	29 -5324315	TELEPHONE UTI E911-8310012476238	112464	678.00
01-W00392	WINDSTREAM CORPORATION					
		I-INVAUG26	29 -5324315	TELEPHONE UTI 911 CO TRUNK LINE	112466	373.92
				FUND 29 E-911 TOTAL:		1,148.46

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	35 -5862315	TELEPHONE UTI FLEET MAIN CELL PHONE EXP	112461	96.54
			FUND 35	FLEET MAINTENANCE TOTAL:		96.54

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 41 CIP FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00712	ARVEST BANK dba ARVEST					
		I-08262026-LN2353549	41 -5865510	LEASE PAYMENT 2015 GRADALL XL 3100-INTEREST	112460	235.93
		I-08262026-LN2353549	41 -5865510	LEASE PAYMENT 2015 GRADALL XL 3100-PRINCIPLE	112460	4,220.52
01-F00170	FIRST NATIONAL BANK					
		I-08262026-LN#139027	41 -5974510	LEASE PAYMENT CLEARWELL PROJECT-INTEREST	001811	773.87
		I-08262026-LN#139027	41 -5974510	LEASE PAYMENT CLEARWELL PROJECT-PRINCIPLE	001811	5,929.73
		I-08262026-LN#144973	41 -5975510	UTM LOAN PAYM 2025 FLUSH TRUCK-INTEREST	001811	1,949.24
		I-08262026-LN#144973	41 -5975510	UTM LOAN PAYM 2025 FLUSH TRUCK-PRINCIPLE	001811	5,378.21
				FUND 41 CIP FUND TOTAL:		18,487.50

PACKET: 27314 UTILITY BILLS 08/26/26
VENDOR SET: 01
FUND : 52 CWDG - COMMUNITY WILDFIRE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-F00212	AT&T MOBILITY (FIRSTNET					
		I-G082626	52 -5867315	TELEPHONE UTI WFM CELL PHONE EXPEN	112461	89.81
				FUND 52 CWDG - COMMUNITY WILDFIRETOTAL:		89.81
				REPORT GRAND TOTAL:		87,177.70

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP BUDGET OVER BUDG
2026-2027	01 -5215313	ELECTRIC UTILITY	535.44	355,276	37,667.32-	Y			
	01 -5215315	TELEPHONE UTILITY	7,062.92	158,745	7,465.80				
	01 -5431328	INTERNET SERVICE	89.91	5,400	0.00				
	02 -5216328	INTERNET SERVICE	55.22	650	130.00-	Y			
	02 -5267315	TELEPHONE UTILITY	1,996.13	60,000	22,680.00				
	03 -5876315	TELEPHONE UTILITY	96.54	4,800	3,600.00				
	08 -5549315	TELEPHONE UTILITY	61.14	650	70.00-	Y			
	26 -5211627	TRANSFER - MCALESTER PUBLI	57,409.82	610,182	500,393.24				
	27 -5655315	TELEPHONE UTILITY	48.27	700	100.00				
	29 -5324315	TELEPHONE UTILITY	1,148.46	143,000	2,197.04				
	35 -5862315	TELEPHONE UTILITY	96.54	2,000	800.00				
	41 -5865510	LEASE PAYMENTS	4,456.45	53,478	44,565.10				
	41 -5974510	LEASE PAYMENTS	6,703.60	80,444	67,036.80				
	41 -5975510	UTM LOAN PAYMENTS	7,327.45	87,930	73,275.10				
	52 -5867315	TELEPHONE UTILITY	89.81	1,368	168.00				
	** 2026-2027 YEAR TOTALS **		87,177.70						

NO ERRORS

** END OF REPORT **

PACKET: 27304 UTILITY BILLS 08/19/26
VENDOR SET: 01
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	EFT #	AMOUNT
01-M00487	MILLER OFFICE EQUIPMENT					
		I-MOE361013	01 -5215312	EQUIPMENT REN MONLTHLY COPIER SERVICE	009237	630.58
			FUND 01	GENERAL FUND TOTAL:		630.58
				REPORT GRAND TOTAL:		630.58

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET AVAILABLE	LINE ITEM OVER BUDG	GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET AVAILABLE	GROUP BUDGET OVER BUDG
2026-2027	01 -5215312	EQUIPMENT RENTALS	630.58	25,000	5,996.20-	Y			
	** 2026-2027 YEAR TOTALS **		630.58						

NO ERRORS

** END OF REPORT **

PACKET: 27303 UTILITY BILLS 08/19/26
VENDOR SET: 01
FUND : 01 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1	MISC VENDOR					
	AUDRIE MORGAN	I-202608197600	01 -5213331	EMPLOYEE TRAV AUDRIE MORGAN:26OMCCACONF REIM	112408	308.85
01-A00362	VYVE BROADBAND					
		I-AUG26-338-267409	01 -5547328	INTERNET SERV OAKHILL CEMTRY 338-267409	112409	64.17
		I-AUG26-338-488276	01 -5431328	INTERNET SERV TRAING CTR CBL 338-488276	112409	129.62
01-C00100	CLEET					
		I-202608197601	01 -2100	CLEET PAYABLE JULY26-CLEET FEES	112410	2,375.06
01-O00219	OKLA BUREAU OF NARCOTIC					
		I-202608197603	01 -2103	OBN PAYABLE (JULY 2026-OBN FEES	112412	23.73
01-O00595	OSBI					
		I-202608197602	01 -2101	AFIS PAYABLE JULY 2026-AFIS FEES	112413	2,382.61
		I-202608197602	01 -2102	FORENSICS PAY JULY 2026-FORENSIC FEES	112413	2,280.56
01-P00380	PITTS. CTY. GENEALOGICA					
		I-202608197604	01 -5215313	ELECTRIC UTIL JUN 26-PSO UTILITY REIMB	112414	63.32
01-P00560	PSO/SOUTHWESTERN ELECTR					
		I-AUG26-95564769339	01 -5215313	ELECTRIC UTIL WATERWAY TRLS 95564769339	112415	334.92
				FUND 01 GENERAL FUND TOTAL:		7,962.84

PACKET: 27303 UTILITY BILLS 08/19/26
VENDOR SET: 01
FUND : 02 MPWA

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-K00210	KIAMICHI ELECTRIC COOP.					
		I-JUL26-10876001	02 -5267313	ELECTRIC UTIL STEVEN TAYLOR IND PRK	112411	109.00
		I-JUL26-10876002	02 -5267313	ELECTRIC UTIL ELECTRIC-UTM	112411	644.20
		I-JUL26-10876003	02 -5267313	ELECTRIC UTIL HWY 31 LIFT STATION	112411	80.00
01-S00580	AT & T					
		I-JUL26-287364817018	02 -5267315	TELEPHONE UTI MPWA-287364817018 POTS LN	112416	344.94
				FUND 02 MPWA TOTAL:		1,178.14

PACKET: 27303 UTILITY BILLS 08/19/26
VENDOR SET: 01
FUND : 03 AIRPORT AUTHORITY

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00362	VYVE BROADBAND					
		I-AUG26-338-488247	03 -5876328	INTERNET SERV AIRPORT 338-488247	112409	89.91
		I-AUG26-338-650780	03 -5876328	INTERNET SERV AIRPORT 338-650780	112409	166.48
			FUND 03	AIRPORT AUTHORITY TOTAL:		256.39

PACKET: 27303 UTILITY BILLS 08/19/26
VENDOR SET: 01
FUND : 29 E-911

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-S00580	AT & T					
		I-AUG26-831001247593	29 -5324315	TELEPHONE UTI E911-8310012475930	112416	234.00
				FUND 29 E-911 TOTAL:		234.00

PACKET: 27303 UTILITY BILLS 08/19/26
VENDOR SET: 01
FUND : 35 FLEET MAINTENANCE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-A00362	VYVE BROADBAND					
		I-AUG26-338-244686	35 -5862328	INTERNET SERV CENTRL GRG 338-244686	112409	83.86
			FUND 35	FLEET MAINTENANCE TOTAL:		83.86
				REPORT GRAND TOTAL:		9,715.23

** G/L ACCOUNT TOTALS **

YEAR	ACCOUNT	NAME	AMOUNT	LINE ITEM ANNUAL BUDGET	LINE ITEM BUDGET OVER AVAILABLE BUDG		GROUP BUDGET ANNUAL BUDGET	GROUP BUDGET OVER AVAILABLE BUDG	
2026-2027	01 -2100	CLEET PAYABLE (COURT)	2,375.06						
	01 -2101	AFIS PAYABLE - COURT	2,382.61						
	01 -2102	FORENSICS PAYABLE (COURT)	2,280.56						
	01 -2103	OBN PAYABLE (COURT)	23.73						
	01 -5213331	EMPLOYEE TRAVEL & TRAINING	308.85	1,400	741.15				
	01 -5215313	ELECTRIC UTILITY	398.24	355,276	37,667.32-	Y			
	01 -5431328	INTERNET SERVICE	129.62	5,400	0.00				
	01 -5547328	INTERNET SERVICE	64.17	775	5.00-	Y			
	02 -5267313	ELECTRIC UTILITY	833.20	475,350	24,210.00-	Y			
	02 -5267315	TELEPHONE UTILITY	344.94	60,000	22,680.00				
	03 -5876328	INTERNET SERVICE	256.39	5,800	2,500.00				
	29 -5324315	TELEPHONE UTILITY	234.00	143,000	2,197.04				
	35 -5862328	INTERNET SERVICE	83.86	1,010	73.86				
	** 2026-2027 YEAR TOTALS **		9,715.23						

NO ERRORS

** END OF REPORT **

FUND	PERIOD	AMOUNT
01	09/2026	98,402.51
02	09/2026	121,666.25
03	09/2026	9,260.65
05	09/2026	0.00
08	09/2026	805.87
09	09/2026	0.00
11	09/2026	0.00
14	09/2026	0.00
16	09/2026	0.00
20	09/2026	1,700.00
24	09/2026	14,022.47
26	09/2026	57,409.82
27	09/2026	31,068.40
28	09/2026	0.00
29	09/2026	2,279.79
30	09/2026	9,919.73
31	09/2026	0.00
32	09/2026	0.00
33	09/2026	120.00
34	09/2026	0.00
35	09/2026	36,127.29
36	09/2026	1,750.00
38	09/2026	0.00
39	09/2026	2,545.29
41	09/2026	18,487.50
42	09/2026	0.00
43	09/2026	1,140.15
44	09/2026	1,500.00
46	09/2026	2,777.83
47	09/2026	0.00
48	09/2026	78,363.60
49	09/2026	57,409.82
50	09/2026	0.00
51	09/2026	0.00
52	09/2026	2,528.00
		549,284.97

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Admin
Prepared By: Cora Middleton, City Clerk
Date Prepared: 08/31/2026

Account Code:
Budgeted Amount:

Subject:
Authorize the Mayor to sign a Resolution directing the filing and notification for the publication of Supplement No. 9 to the McAlester City Code of Ordinances of 2017. *(Cora Middleton, City Clerk)*

Recommendation:
Authorize the Mayor to sign a Resolution directing the filing and notification for the publication of Supplement No. 9 to the McAlester City Code of Ordinances of 2017. *(Cora Middleton, City Clerk)*

Discussion:
Biennial Code Supplementation is required by OS 11 sections 14-109 and 14-110. The City of McAlester does annual supplements for better budgeting.
Exhibits: 1. Resolution
2. Supplement No. 9

Approved By:	Inital		Date
Department Head:	CM		08.31.26
City Manager:	kjw	2 Sept 26	

Exhibits:
Code Supplement No. 9, Res. No. , Code Supplement No. 9, 09.08.26

SUPPLEMENT NO. 9
June 2026

CODE OF ORDINANCES

City of

McALESTER, OKLAHOMA

Looseleaf Supplement

This Supplement contains all ordinances deemed advisable to be included at this time through:

Ordinance No. 2860, enacted December 09, 2025.

See the Code Comparative Table for further information.

Remove Old Pages	*Insert New Pages*
xiii—xxii	xiii—xxii
Checklist of up-to-date pages	Checklist of up-to-date pages (following Table of Contents)
SH:5, SH:6	SH:5—SH:7
CD2:1—CD2:4	CD2:1—CD2:4
CD2:39—CD2:46	CD2:39—CD2:49
CD14:7—CD14:14	CD14:7—CD14:14
CD18:1—CD18:4	CD18:1—CD18:4.1
CD18:33, CD18:34	CD18:33—CD18:40
CD30:3—CD30:8	CD30:3—CD30:9
CD38:1, CD38:2	CD38:1, CD38:2
CD38:7—CD38:10	CD38:7—CD38:10.1
CD48:3—CD48:22	CD48:3—CD48:22
CD62:21—CD62:24	CD62:21—CD62:24.1
CD62:55—CD62:66	CD62:55—CD62:66.5
CD62:93—CD62:102	CD62:93—CD62:102.1
CD86:11, CD86:12	CD86:11—CD86:13
CD87:1	CD87:1
	CD90:1—CD90:4
	CD91:1
CD98:1—CD98:3	CD98:1—CD98:3
CD98:23, CD98:24	CD98:23—CD98:25
CD102:1—CD102:12.1	CD102:1—CD102:12.1
CD106:1—CD106:6	CD106:1—CD106:6
CD106:11—CD106:12.1	CD106:11—CD106:12.1
CD106:29—CD106:32	CD106:29—CD106:32.1
CD106:63—CD106:98	CD106:63—CD106:104
CCT:41, CCT:42	CCT:41, CCT:42

Remove Old Pages	*Insert New Pages*
CDi:1—CDi:164	CDi:1—CDi:164

Insert and maintain this instruction sheet in front of this publication. File removed pages for reference.

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TABLE OF CONTENTS

	Page
Officials of the City at the Time of this Recodification	iii
Current Officials (Reserved)	v
Preface	vii
Adopting Ordinance	ix
Checklist of Up-to-Date Pages	[1]
Supplement History Table	SH:1

PART I

CHARTER

Charter	CHT:1
Preamble	CHT:3
Art. 1. Powers of the City	CHT:3
Art. 2. City Council	CHT:3
Art. 3. City Manager	CHT:8
Art. 4. Departments, Divisions, and Other Organizational Units	CHT:11
Art. 5. Financial Management	CHT:14
Art. 6. Elections	CHT:19
Art. 7. General Provisions	CHT:26
Art. 8. Changes to the Charter	CHT:28
Art. 9. Transition and Severability	CHT:29
Charter Comparative Table—Legislation	CHTCT:1

PART II

CODE OF ORDINANCES

Chapter	
1. General Provisions	CD1:1
2. Administration	CD2:1
Art. I. In General	CD2:5
Art. II. City Council	CD2:5
Div. 1. Generally	CD2:5
Div. 2. Rules of Order and Procedure	CD2:5
Art. III. Officers and Employees	CD2:9
Div. 1. Generally	CD2:9

Chapter		Page
	Div. 2. Nonuniformed Council	CD2:21
	Art. IV. Departments	CD2:29
	Div. 1. Generally	CD2:29
	Div. 2. Community Development	CD2:29
	Div. 3. Public Works	CD2:29
	Div. 4. Economic Development	CD2:31
	Art. V. Boards, Commissions and Committees	CD2:32
	Div. 1. Generally	CD2:32
	Div. 2. Personnel Board	CD2:32
	Div. 3. Community Tree Board	CD2:33
	Div. 4. Local Development Act Review Committee	CD2:34
	Div. 5. Americans with Disabilities Advisory Board	CD2:37
	Div. 6. Stormwater Advisory Committee	CD2:38
	Div. 7. Local Economic Advancement and Development Committee	CD2:39
	Div. 8. Community Advisory Board	CD2:40
	Div. 9. Tourism Development Board	CD2:42
	Art. VI. Finance	CD2:42
	Div. 1. Generally	CD2:42
	Div. 2. Purchases	CD2:43
	Div. 3. Sale of Surplus or Obsolete Property	CD2:46
	Div. 4. Cost Sharing Policy for Public Works Projects	CD2:47
3—5.	Reserved	CD3:1
6.	Alcoholic and Nonintoxicating Beverages	CD6:1
	Art. I. In General	CD6:3
	Art. II. Alcoholic Beverages	CD6:3
	Div. 1. Generally	CD6:3
	Div. 2. Package Stores	CD6:7
	Div. 3. Occupation Tax	CD6:9
	Art. III. Nonintoxicating Beverages	CD6:10
	Art. IV. Sidewalk Cafes	CD6:12
	Art. V. Beverage Gardens	CD6:14
7—9.	Reserved	CD7:1
10.	Animals	CD10:1
	Art. I. In General	CD10:3
	Art. II. Administration and Enforcement	CD10:6
	Div. 1. Generally	CD10:6
	Div. 2. Impoundment	CD10:7
	Art. III. Care and Control Regulations	CD10:9
	Div. 1. Generally	CD10:9

Chapter		Page
	Div. 2. Rabies Control	CD10:17
	Art. IV. Dogs and Cats	CD10:18
11—13.	Reserved	CD11:1
14.	Aviation	CD14:1
	Art. I. In General	CD14:3
	Art. II. Municipal Airport	CD14:3
	Art. III. Airport Zoning	CD14:8
15—17.	Reserved	CD15:1
18.	Buildings and Construction	CD18:1
	Art. I. In General	CD18:5
	Art. II. Code Administration	CD18:5
	Art. III. Building Code	CD18:6
	Art. IV. Electrical Code	CD18:9
	Div. 1. Generally	CD18:9
	Div. 2. Administration and Enforcement	CD18:10
	Subdiv. I. In General	CD18:10
	Subdiv. II. Permits and Inspections	CD18:11
	Div. 3. Electricians	CD18:12
	Subdiv. I. In General	CD18:12
	Subdiv. II. Registration	CD18:12
	Div. 4. Technical Standards	CD18:14
	Art. V. Plumbing Code	CD18:16
	Div. 1. Generally	CD18:16
	Div. 2. Plumbers	CD18:18
	Subdiv. I. In General	CD18:18
	Subdiv. II. Registration	CD18:18
	Div. 3. Technical Standards	CD18:20
	Art. VI. Mechanical Code	CD18:21
	Div. 1. Generally	CD18:21
	Div. 2. Mechanical Contractors, Journeymen and Apprentices	CD18:25
	Subdiv. I. In General	CD18:25
	Subdiv. II. License	CD18:26
	Art. VII. Energy Conservation Code	CD18:27
	Art. VIII. Moving of Buildings	CD18:28
	Div. 1. Generally	CD18:28
	Div. 2. Permit	CD18:30
	Art. IX. Dangerous Buildings	CD18:33
	Art. X. Minimum Property Maintenance Standards for Structures and Buildings	CD18:34

Chapter		Page
19—21.	Reserved	CD19:1
22.	Businesses	CD22:1
	Art. I. In General	CD22:3
	Art. II. Licenses Generally	CD22:4
	Art. III. Amusements	CD22:7
	Art. IV. Peddlers and Solicitors	CD22:8
	Div. 1. Generally	CD22:8
	Div. 2. Aggressive Begging, Panhandling or Solicitation	CD22:9
	Art. V. Precious Metals Dealers	CD22:11
	Div. 1. Generally	CD22:11
	Div. 2. License	CD22:13
	Art. VI. Used Goods	CD22:14
	Art. VII. Medical Facilities	CD22:15
	Art. VIII. Mobile Food Vendors	CD22:17
	Art. IX. Medical Marijuana	CD22:21
23—25.	Reserved	CD23:1
26.	Cemeteries	CD26:1
	Art. I. In General	CD26:3
	Art. II. Municipal Cemeteries	CD26:3
	Div. 1. Generally	CD26:3
	Div. 2. Cemetery Board	CD26:3
	Div. 3. Cemetery Care Fund	CD26:4
27—29.	Reserved	CD27:1
30.	Courts and Jails	CD30:1
	Art. I. In General	CD30:3
	Art. II. Municipal Court Not of Record	CD30:3
	Div. 1. Generally	CD30:3
	Div. 2. Judge	CD30:7
	Div. 3. Community Service Program	CD30:8
31—33.	Reserved	CD31:1
34.	Elections	CD34:1
35—37.	Reserved	CD35:1
38.	Emergency Management and Services	CD38:1
	Art. I. In General	CD38:3
	Art. II. Continuity of Government	CD38:3
	Art. III. Emergency Management Organization and Program	CD38:5

Chapter		Page
	Art. IV. Public Order Preservation	CD38:9
	Art. V. Alarm Systems	CD38:11
	Art. VI. 911 Emergency Number Service	CD38:14
	Art. VII. Ambulance Service	CD38:17
39—45.	Reserved	CD39:1
46.	Environment	CD46:1
	Art. I. In General	CD46:3
	Art. II. McAlester Water District	CD46:3
47.	Reserved	CD47:1
48.	Fees, Charges and Service Rates	CD48:1
49.	Reserved	CD49:1
50.	Fire Prevention and Protection	CD50:1
	Art. I. In General	CD50:3
	Art. II. Fire Department	CD50:3
	Art. III. Fire Code	CD50:4
	Art. IV. Liquefied Petroleum Gas	CD50:7
51—53.	Reserved	CD51:1
54.	Health and Public Welfare	CD54:1
	Art. I. In General	CD54:3
	Art. II. Food	CD54:3
	Art. III. Smoking Inside Public Places and Workplaces	CD54:4
	Art. IV COVID-19 Pandemic Face Coverings	CD54:8
55—57.	Reserved	CD55:1
58.	Human Relations and Social Services	CD58:1
	Art. I. In General	CD58:3
	Art. II. Discrimination	CD58:3
	Div. 1. Generally	CD58:3
	Div. 2. Community Relations Commission	CD58:4
	Div. 3. Employment	CD58:6
	Div. 4. Public Accommodations	CD58:8
	Div. 5. Fair Housing	CD58:8
59—61.	Reserved	CD59:1
62.	Land Development, Planning, Zoning and Subdivisions	CD62:1
	Art. I. In General	CD62:9
	Art. II. Administration and Enforcement	CD62:19
	Div. 1. Generally	CD62:19
	Div. 2. Planning Commission	CD62:19

Chapter		Page
	Div. 3. Board of Adjustment	CD62:21
	Div. 4. Permits and Certificates	CD62:25
	Div. 5. Amendments	CD62:28
	Art. III. Nonconforming Structures and Uses	CD62:29
	Art. IV. Zoning Districts and District Regulations	CD62:31
	Div. 1. Generally	CD62:31
	Div. 2. Specific Districts	CD62:33
	Div. 3. Supplemental District Regulations	CD62:72.3
	Art. V. Flood Hazard Overlay District	CD62:77
	Div. 1. Generally	CD62:77
	Div. 2. Administration and Enforcement	CD62:85
	Div. 3. Flood Hazard Reduction	CD62:89
	Art. VI. Off-Street Parking and Loading	CD62:93
	Div. 1. Generally	CD62:93
	Div. 2. Space Requirements	CD62:98
	Art. VII. Subdivisions	CD62:101
	Div. 1. Generally	CD62:101
	Div. 2. Plats and Plat Approval	CD62:106
	Div. 3. Design Standards	CD62:112
	Div. 4. Improvements	CD62:118
	Art. VIII. Signs	CD62:122
	Div. 1. Generally	CD62:122
	Div. 2. Permits	CD62:125
	Div. 3. Standards and Specifications	CD62:127
	Subdiv. I. In General	CD62:127
	Subdiv. II. Ground Signs	CD62:127
	Subdiv. III. Wall Signs	CD62:128
	Subdiv. IV. Roof Signs	CD62:129
	Subdiv. V. Projecting Signs	CD62:129
	Subdiv. VI. Temporary Signs	CD62:131
	Subdiv. VII. Marquees	CD62:131
	Subdiv. VIII. Awnings and Canopies	CD62:132
	Subdiv. IX. Street Clocks	CD62:133
	Art. IX. Public Ways and Easements	CD62:134
	Div. 1. Generally	CD62:134
	Div. 2. Closing	CD62:134
	Div. 3. Opening	CD62:136
63—65.	Reserved	CD63:1
66.	Law Enforcement	CD66:1
	Art. I. In General	CD66:3
	Art. II. Police Department	CD66:3

Chapter		Page
67—69.	Reserved	CD67:1
70.	Library	CD70:1
	Art. I. In General	CD70:3
	Art. II. Library Board	CD70:3
71—73.	Reserved	CD71:1
74.	Manufactured and Mobile Homes	CD74:1
	Art. I. In General	CD74:3
	Art. II. Trailer Camps	CD74:3
	Div. 1. Generally	CD74:3
	Div. 2. License	CD74:6
75—81.	Reserved	CD75:1
82.	Offenses and Nuisances	CD82:1
	Art. I. In General	CD82:3
	Art. II. Offenses Against Public Authority	CD82:4
	Art. III. Offenses Against Property	CD82:4
	Art. IV. Offenses Against Public Safety	CD82:6
	Div. 1. Generally	CD82:6
	Div. 2. Weapons	CD82:6
	Art. V. Tobacco	CD82:6
	Art. VI. Juveniles	CD82:8.1
	Art. VII. Nuisances	CD82:13
	Div. 1. Generally	CD82:13
	Div. 2. Lot Cleaning	CD82:15
	Div. 3. Noise	CD82:17
	Div. 4. Synthetic Intoxicants	CD82:20
	Div. 5. Disorderly House	CD82:23
83—85.	Reserved	CD83:1
86.	Parks, Water Activities and Other Recreation	CD86:1
	Art. I. In General	CD86:3
	Art. II. Municipal Golf Course Advisory Board	CD86:4
	Art. III. Public Conduct in Parks	CD86:5
	Art. IV. City Watershed Lakes	CD86:6
	Div. 1. Generally	CD86:6
	Div. 2. Fishing and Frog Hunting	CD86:7
	Div. 3. Boats and Boating	CD86:8
	Subdiv. I. In General	CD86:8
	Subdiv. II. Skiing on Lake McAlester	CD86:10
	Art. V. Public Trail Regulations	CD86:11
87—89.	Reserved	CD87:1

Chapter	Page
90. Railroad Operations and Industrial Track Management	CD90:1
91—93. Reserved	CD91:1
94. Streets, Sidewalks and Other Public Places	CD94:1
Art. I. In General	CD94:3
Art. II. Streets	CD94:5
Div. 1. Generally	CD94:5
Div. 2. Openings	CD94:6
Art. III. Sidewalks	CD94:8
Art. IV. Driveways	CD94:9
Div. 1. Generally	CD94:9
Div. 2. Permit to Construct, Alter or Repair	CD94:10
Art. V. Street or Public Facility Name Change	CD94:10
95—97. Reserved	CD95:1
98. Taxation	CD98:1
Art. I. In General	CD98:5
Art. II. Sales Tax	CD98:6
Art. III. Use Tax	CD98:10
Art. IV. Hotel Tax	CD98:13
Art. V. Infrastructure Sales Tax	CD98:19
Art. VI. Economic Development Fund	CD98:21
Art. VII. Public Schools Early Childhood and Safer Schools Sales Tax	CD98:22
Art. VIII. McAlester Regional Health Center Authority Cancer Treatment Center Sales Tax	CD98:24
99. Reserved	CD99:1
100. Telecommunications	CD100:1
Art. I. In General	CD100:3
Art. II. Towers and Antennas	CD100:3
Art. III. Small Wireless Facilities	CD100:8
101. Reserved	CD101:1
102. Traffic and Vehicles	CD102:1
Art. I. In General	CD102:5
Art. II. Administration and Enforcement	CD102:7
Div. 1. Generally	CD102:7
Div. 2. Traffic Control Signs, Signals, Devices and Markings	CD102:9
Art. III. Operation of Vehicles	CD102:10
Art. IV. Stopping, Standing and Parking	CD102:12.1
Div. 1. Generally	CD102:12.1

Chapter		Page
	Div. 2. Parking Meters	CD102:16
	Art. V. Bicycles	CD102:18
	Div. 1. Generally	CD102:18
	Div. 2. License	CD102:19
	Div. 3. Bicycle Lanes	CD102:21
	Art. VI. Special Events and Processions	CD102:22
	Div. 1. Generally	CD102:22
	Div. 2. Special Event Permit	CD102:23
103—105.	Reserved	CD103:1
106.	Utilities	CD106:1
	Art. I. In General	CD106:7
	Art. II. Water Supply System	CD106:7
	Div. 1. Generally	CD106:7
	Div. 2. Service Charges	CD106:12
	Div. 3. Water Emergencies	CD106:14
	Div. 4. Water Supply and Distribution Lines	CD106:15
	Subdiv. I. In General	CD106:15
	Subdiv. II. Excavations, Trenching and Backfilling	CD106:15
	Subdiv. III. Mains and Connections	CD106:19
	Art. III. Sewers and Sewage Disposal	CD106:28
	Div. 1. Generally	CD106:28
	Div. 2. User Charges	CD106:30
	Div. 3. Industrial Use Regulations	CD106:32.1
	Div. 4. Fats Oils and Grease (FOG) Control Program	CD106:64
	Art. IV. Solid Waste	CD106:71
	Div. 1. Generally	CD106:71
	Div. 2. Municipal Collection Service	CD106:74
	Div. 3. Landfill	CD106:78
	Art. V. Stormwater Utility Program	CD106:79
	Div. 1. Generally	CD106:79
	Div. 2. Administration	CD106:88
	Div. 3. Enforcement and Abatement	CD106:89
	Div. 4. Supplemental Permit Classifications and Requirements	CD106:94
	Art. VI. Regulation of Utility Lines and Poles	CD106:97
107—109.	Reserved	CD107:1
110.	Vehicles for Hire	CD110:1
	Art. I. In General	CD110:3

Chapter	Page
Art. II. Taxicabs	CD110:3
Div. 1. Generally	CD110:3
Div. 2. Taxicab Business License	CD110:4
Div. 3. Taxicab Driver's License	CD110:7
Code Comparative Table—1974 Code	CCT:1
Code Comparative Table—1993 Code	CCT:11
Code Comparative Table—Legislation	CCT:25
State Law Reference Table	SLT:1
Charter Index	CHTi:1
Code Index	CDi:1

Checklist of Up-to-Date Pages

(This checklist will be updated with the printing of each Supplement)

From our experience in publishing Looseleaf Supplements on a page-for-page substitution basis, it has become evident that through usage and supplementation many pages can be inserted and removed in error.

The following listing is included in this Code as a ready guide for the user to determine whether the Code volume properly reflects the latest printing of each page.

In the first column all page numbers are listed in sequence. The second column reflects the latest printing of the pages as they should appear in an up-to-date volume. The letters "OC" indicate the pages have not been reprinted in the Supplement Service and appear as published for the original Code. When a page has been reprinted or printed in the Supplement Service, this column reflects the identification number or Supplement Number printed on the bottom of the page.

In addition to assisting existing holders of the Code, this list may be used in compiling an up-to-date copy from the original Code and subsequent Supplements.

Page No.	Supp. No.	Page No.	Supp. No.
Title Page	4	CHT:13, CHT:14	7
iii	OC	CHT:15, CHT:16	7
vii, viii	OC	CHT:17, CHT:18	7
ix	OC	CHT:19, CHT:20	7
xi, xii	1	CHT:21, CHT:22	7
xii.i	1	CHT:23, CHT:24	7
xiii, xiv	9	CHT:25, CHT:26	7
xv, xvi	9	CHT:27, CHT:28	7
xvii, xviii	9	CHT:29, CHT:30	7
xix, xx	9	CHTCT:1	7
xxi, xxii	9	CD1:1	OC
SH:1, SH:2	6	CD1:3, CD1:4	OC
SH:3, SH:4	6	CD1:5, CD1:6	OC
SH:5, SH:6	9	CD1:7, CD1:8	OC
SH:7	9	CD1:9	OC
CHT:1, CHT:2	7	CD2:1, CD2:2	9
CHT:3, CHT:4	7	CD2:3, CD2:4	9
CHT:5, CHT:6	7	CD2:5, CD2:6	8
CHT:7, CHT:8	7	CD2:7, CD2:8	8
CHT:9, CHT:10	7	CD2:9, CD2:10	8
CHT:11, CHT:12	7	CD2:11, CD2:12	8

Page No.	Supp. No.	Page No.	Supp. No.
CD2:13, CD2:14	8	CD10:15, CD10:16	8
CD2:15, CD2:16	8	CD10:17, CD10:18	8
CD2:17, CD2:18	8	CD10:19, CD10:20	8
CD2:19, CD2:20	8	CD10:21, CD10:22	8
CD2:21, CD2:22	8	CD10:23	8
CD2:23, CD2:24	8	CD11:1	OC
CD2:25, CD2:26	8	CD14:1	7
CD2:27, CD2:28	8	CD14:3, CD14:4	7
CD2:29, CD2:30	8	CD14:5, CD14:6	7
CD2:31, CD2:32	8	CD14:7, CD14:8	9
CD2:33, CD2:34	8	CD14:9, CD14:10	9
CD2:35, CD2:36	8	CD14:11, CD14:12	9
CD2:37, CD2:38	8	CD14:13, CD14:14	9
CD2:39, CD2:40	9	CD15:1	OC
CD2:41, CD2:42	9	CD18:1, CD18:2	9
CD2:43, CD2:44	9	CD18:3, CD18:4	9
CD2:45, CD2:46	9	CD18:4.1	9
CD2:47, CD2:48	9	CD18:5, CD18:6	8
CD2:49	9	CD18:7, CD18:8	8
CD3:1	OC	CD18:9, CD18:10	8
CD6:1, CD6:2	1	CD18:11, CD18:12	8
CD6:3, CD6:4	1	CD18:13, CD18:14	8
CD6:4.1	1	CD18:15, CD18:16	8
CD6:5, CD6:6	OC	CD18:17, CD18:18	8
CD6:7, CD6:8	OC	CD18:19, CD18:20	8
CD6:9, CD6:10	OC	CD18:21, CD18:22	8
CD6:11, CD6:12	OC	CD18:23, CD18:24	8
CD6:13, CD6:14	8	CD18:25, CD18:26	8
CD6:15, CD6:16	8	CD18:27, CD18:28	8
CD6:17	8	CD18:29, CD18:30	8
CD7:1	OC	CD18:31, CD18:32	8
CD10:1, CD10:2	1	CD18:33, CD18:34	9
CD10:3, CD10:4	1	CD18:35, CD18:36	9
CD10:5, CD10:6	1	CD18:37, CD18:38	9
CD10:7, CD10:8	1	CD18:39, CD18:40	9
CD10:9, CD10:10	8	CD19:1	OC
CD10:11, CD10:12	8	CD22:1, CD22:2	1
CD10:13, CD10:14	8	CD22:2.1	2

Page No.	Supp. No.	Page No.	Supp. No.
CD22:3, CD22:4	OC	CD38:19, CD38:20	2
CD22:5, CD22:6	OC	CD38:21, CD38:22	2
CD22:7, CD22:8	OC	CD38:23	2
CD22:9, CD22:10	1	CD39:1	OC
CD22:11, CD22:12	OC	CD46:1	OC
CD22:13, CD22:14	OC	CD46:3, CD46:4	OC
CD22:15, CD22:16	OC	CD46:5, CD46:6	7
CD22:17, CD22:18	1	CD46:7	7
CD22:19, CD22:20	1	CD47:1	OC
CD22:21, CD22:22	5	CD48:1	OC
CD22:23, CD22:24	5	CD48:3, CD48:4	9
CD22:25, CD22:26	5	CD48:5, CD48:6	9
CD23:1	OC	CD48:7, CD48:8	9
CD26:1	OC	CD48:9, CD48:10	9
CD26:3, CD26:4	OC	CD48:11, CD48:12	9
CD26:5	OC	CD48:13, CD48:14	9
CD27:1	OC	CD48:15, CD48:16	9
CD30:1	1	CD48:17, CD48:18	9
CD30:3, CD30:4	9	CD48:19, CD48:20	9
CD30:5, CD30:6	9	CD48:21, CD48:22	9
CD30:7, CD30:8	9	CD49:1	OC
CD30:9	9	CD50:1, CD50:2	OC
CD31:1	OC	CD50:3, CD50:4	8
CD34:1	OC	CD50:5, CD50:6	8
CD34:3, CD34:4	5	CD50:7, CD50:8	8
CD34:5, CD34:6	5	CD51:1	OC
CD34:7	5	CD54:1	3
CD35:1	OC	CD54:3, CD54:4	2
CD38:1, CD38:2	9	CD54:5, CD54:6	2
CD38:3, CD38:4	7	CD54:7, CD54:8	3
CD38:5, CD38:6	OC	CD54:9, CD54:10	3
CD38:7, CD38:8	9	CD54:11, CD54:12	3
CD38:9, CD38:10	9	CD55:1	OC
CD38:10.1	9	CD58:1, CD58:2	OC
CD38:11, CD38:12	OC	CD58:3, CD58:4	OC
CD38:13, CD38:14	OC	CD58:5, CD58:6	OC
CD38:15, CD38:16	OC	CD58:9, CD58:10	OC
CD38:17, CD38:18	2	CD58:11, CD58:12	OC

Page No.	Supp. No.	Page No.	Supp. No.
CD58:13, CD58:14	OC	CD62:66.3, CD62:66.4	9
CD58:15	OC	CD62:66.5	9
CD59:1	OC	CD62:67, CD62:68	OC
CD62:1, CD62:2	OC	CD62:69, CD62:70	OC
CD62:3, CD62:4	3	CD62:71, CD62:72	1
CD62:5, CD62:6	1	CD62:73, CD62:74	3
CD62:7, CD62:8	1	CD62:74.1, CD62:74.2	3
CD62:9, CD62:10	OC	CD62:74.3, CD62:74.4	3
CD62:11, CD62:12	8	CD62:74.5, CD62:74.6	3
CD62:13, CD62:14	8	CD62:75, CD62:76	8
CD62:15, CD62:16	8	CD62:77, CD62:78	OC
CD62:17, CD62:18	8	CD62:79, CD62:80	OC
CD62:19, CD62:20	8	CD62:81, CD62:82	OC
CD62:21, CD62:22	9	CD62:83, CD62:84	OC
CD62:23, CD62:24	9	CD62:85, CD62:86	2
CD62:24.1	9	CD62:86.1	2
CD62:25, CD62:26	8	CD62:87, CD62:88	OC
CD62:27, CD62:28	8	CD62:89, CD62:90	OC
CD62:29, CD62:30	8	CD62:91, CD62:92	OC
CD62:31, CD62:32	8	CD62:93, CD62:94	9
CD62:33, CD62:34	8	CD62:95, CD62:96	9
CD62:35, CD62:36	8	CD62:97, CD62:98	9
CD62:37, CD62:38	8	CD62:99, CD62:100	9
CD62:39, CD62:40	8	CD62:101, CD62:102	9
CD62:41, CD62:42	8	CD62:102.1	9
CD62:43, CD62:44	8	CD62:103, CD62:104	OC
CD62:45, CD62:46	8	CD62:105, CD62:106	OC
CD62:47, CD62:48	8	CD62:107, CD62:108	OC
CD62:49, CD62:50	8	CD62:109, CD62:110	OC
CD62:51, CD62:52	8	CD62:111, CD62:112	OC
CD62:53, CD62:54	8	CD62:113, CD62:114	OC
CD62:55, CD62:56	9	CD62:115, CD62:116	OC
CD62:57, CD62:58	9	CD62:117, CD62:118	OC
CD62:59, CD62:60	9	CD62:119, CD62:120	OC
CD62:61, CD62:62	9	CD62:121, CD62:122	OC
CD62:63, CD62:64	9	CD62:123, CD62:124	OC
CD62:65, CD62:66	9	CD62:125, CD62:126	OC
CD62:66.1, CD62:66.2	9	CD62:127, CD62:128	OC

Page No.	Supp. No.
CD62:129, CD62:130	OC
CD62:131, CD62:132	OC
CD62:133, CD62:134	OC
CD62:135, CD62:136	OC
CD62:137	OC
CD63:1	OC
CD66:1	7
CD66:3, CD66:4	7
CD67:1	OC
CD70:1	OC
CD70:3	OC
CD71:1	OC
CD74:1, CD74:2	OC
CD74:3, CD74:4	OC
CD74:5, CD74:6	OC
CD74:7, CD74:8	OC
CD75:1	OC
CD82:1, CD82:2	5
CD82:2.1	5
CD82:3, CD82:4	OC
CD82:5, CD82:6	7
CD82:7, CD82:8	7
CD82:8.1	7
CD82:9, CD82:10	OC
CD82:11, CD82:12	OC
CD82:13, CD82:14	OC
CD82:15, CD82:16	5
CD82:16.1	5
CD82:17, CD82:18	OC
CD82:19, CD82:20	OC
CD82:21, CD82:22	OC
CD82:23, CD82:24	3
CD82:25, CD82:26	3
CD82:27	3
CD83:1	OC
CD86:1, CD86:2	OC
CD86:3, CD86:4	4
CD86:5, CD86:6	OC
CD86:7, CD86:8	OC
CD86:9, CD86:10	OC
CD86:11, CD86:12	9
CD86:13	9
CD87:1	9
CD90:1	9
CD90:3, CD90:4	9
CD91:1	9
CD94:1, CD94:2	5
CD94:3, CD94:4	8
CD94:5, CD94:6	8
CD94:7, CD94:8	8
CD94:9, CD94:10	8
CD94:11	8
CD95:1	OC
CD98:1, CD98:2	9
CD98:3	9
CD98:5, CD98:6	8
CD98:7, CD98:8	8
CD98:9, CD98:10	8
CD98:11, CD98:12	8
CD98:13, CD98:14	8
CD98:15, CD98:16	8
CD98:17, CD98:18	8
CD98:19, CD98:20	8
CD98:21, CD98:22	8
CD98:23, CD98:24	9
CD98:25	9
CD99:1	OC
CD100:1	4
CD100:3, CD100:4	OC
CD100:5, CD100:6	OC
CD100:7, CD100:8	4
CD100:9, CD100:10	4
CD100:11, CD100:12	4
CD100:13, CD100:14	4
CD101:1	OC
CD102:1, CD102:2	9

Page No.	Supp. No.	Page No.	Supp. No.
CD102:3, CD102:4	9	CD106:45, CD106:46	OC
CD102:5, CD102:6	9	CD106:47, CD106:48	OC
CD102:7, CD102:8	9	CD106:49, CD106:50	OC
CD102:9, CD102:10	9	CD106:51, CD106:52	OC
CD102:11, CD102:12	9	CD106:53, CD106:54	OC
CD102:12.1	9	CD106:55, CD106:56	OC
CD102:13, CD102:14	OC	CD106:57, CD106:58	OC
CD102:15, CD102:16	OC	CD106:59, CD106:60	OC
CD102:17, CD102:18	3	CD106:61, CD106:62	OC
CD102:19, CD102:20	2	CD106:63, CD106:64	9
CD102:21, CD102:22	8	CD106:65, CD106:66	9
CD102:23, CD102:24	8	CD106:67, CD106:68	9
CD102:25, CD102:26	8	CD106:69, CD106:70	9
CD103:1	OC	CD106:71, CD106:72	9
CD106:1, CD106:2	9	CD106:73, CD106:74	9
CD106:3, CD106:4	9	CD106:75, CD106:76	9
CD106:5, CD106:6	9	CD106:77, CD106:78	9
CD106:7, CD106:8	1	CD106:79, CD106:80	9
CD106:9, CD106:10	1	CD106:81, CD106:82	9
CD106:11, CD106:12	9	CD106:83, CD106:84	9
CD106:12.1	9	CD106:85, CD106:86	9
CD106:13, CD106:14	OC	CD106:87, CD106:88	9
CD106:15, CD106:16	OC	CD106:89, CD106:90	9
CD106:17, CD106:18	OC	CD106:91, CD106:92	9
CD106:19, CD106:20	OC	CD106:93, CD106:94	9
CD106:21, CD106:22	OC	CD106:95, CD106:96	9
CD106:23, CD106:24	1	CD106:97, CD106:98	9
CD106:25, CD106:26	OC	CD106:99, CD106:100	9
CD106:27, CD106:28	OC	CD106:101, CD106:102	9
CD106:29, CD106:30	9	CD106:103, CD106:104	9
CD106:31, CD106:32	9	CD107:1	OC
CD106:32.1	9	CD110:1	3
CD106:33, CD106:34	OC	CD110:3, CD110:4	3
CD106:35, CD106:36	OC	CD110:5, CD110:6	3
CD106:37, CD106:38	OC	CD110:7, CD110:8	3
CD106:39, CD106:40	OC	CD110:9, CD110:10	3
CD106:41, CD106:42	OC	CCT:1, CCT:2	OC
CD106:43, CD106:44	OC	CCT:3, CCT:4	OC

Page No.	Supp. No.	Page No.	Supp. No.
CCT:5, CCT:6	OC	CDi:21, CDi:22	9
CCT:7, CCT:8	OC	CDi:23, CDi:24	9
CCT:9, CCT:10	OC	CDi:25, CDi:26	9
CCT:11, CCT:12	OC	CDi:27, CDi:28	9
CCT:13, CCT:14	OC	CDi:29, CDi:30	9
CCT:15, CCT:16	OC	CDi:31, CDi:32	9
CCT:17, CCT:18	OC	CDi:33, CDi:34	9
CCT:19, CCT:20	OC	CDi:35, CDi:36	9
CCT:21, CCT:22	OC	CDi:37, CDi:38	9
CCT:23, CCT:24	OC	CDi:39, CDi:40	9
CCT:25, CCT:26	OC	CDi:41, CDi:42	9
CCT:27, CCT:28	OC	CDi:43, CDi:44	9
CCT:29, CCT:30	OC	CDi:45, CDi:46	9
CCT:31, CCT:32	OC	CDi:47, CDi:48	9
CCT:33, CCT:34	OC	CDi:49, CDi:50	9
CCT:35, CCT:36	OC	CDi:51, CDi:52	9
CCT:37, CCT:38	2	CDi:53, CDi:54	9
CCT:39, CCT:40	5	CDi:55, CDi:56	9
CCT:41, CCT:42	9	CDi:57, CDi:58	9
SLT:1, SLT:2	8	CDi:59, CDi:60	9
SLT:3, SLT:4	8	CDi:61, CDi:62	9
SLT:5, SLT:6	8	CDi:63, CDi:64	9
SLT:7, SLT:8	8	CDi:65, CDi:66	9
SLT:9, SLT:10	8	CDi:67, CDi:68	9
SLT:11, SLT:12	8	CDi:69, CDi:70	9
CHTi:1, CHTi:2	OC	CDi:71, CDi:72	9
CHTi:3, CHTi:4	OC	CDi:73, CDi:74	9
CHTi:5, CHTi:6	OC	CDi:75, CDi:76	9
CDi:1, CDi:2	9	CDi:77, CDi:78	9
CDi:3, CDi:4	9	CDi:79, CDi:80	9
CDi:5, CDi:6	9	CDi:81, CDi:82	9
CDi:7, CDi:8	9	CDi:83, CDi:84	9
CDi:9, CDi:10	9	CDi:85, CDi:86	9
CDi:11, CDi:12	9	CDi:87, CDi:88	9
CDi:13, CDi:14	9	CDi:89, CDi:90	9
CDi:15, CDi:16	9	CDi:91, CDi:92	9
CDi:17, CDi:18	9	CDi:93, CDi:94	9
CDi:19, CDi:20	9	CDi:95, CDi:96	9

Page No.	Supp. No.
CDi:97, CDi:98	9
CDi:99, CDi:100	9
CDi:101, CDi:102	9
CDi:103, CDi:104	9
CDi:105, CDi:106	9
CDi:107, CDi:108	9
CDi:109, CDi:110	9
CDi:111, CDi:112	9
CDi:113, CDi:114	9
CDi:115, CDi:116	9
CDi:117, CDi:118	9
CDi:119, CDi:120	9
CDi:121, CDi:122	9
CDi:123, CDi:124	9
CDi:125, CDi:126	9
CDi:127, CDi:128	9
CDi:129, CDi:130	9
CDi:131, CDi:132	9
CDi:133, CDi:134	9
CDi:135, CDi:136	9
CDi:137, CDi:138	9
CDi:139, CDi:140	9
CDi:141, CDi:142	9
CDi:143, CDi:144	9
CDi:145, CDi:146	9
CDi:147, CDi:148	9
CDi:149, CDi:150	9
CDi:151, CDi:152	9
CDi:153, CDi:154	9
CDi:155, CDi:156	9
CDi:157, CDi:158	9
CDi:159, CDi:160	9
CDi:161, CDi:162	9
CDi:163, CDi:164	9

legislation	Include/ Omit	Supp. No.
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2756	Omit	5
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Charter Approved 2-6-2023	Include	6
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2794	Include	7
2795	Include	8

legislation	Include/ Omit	Supp. No.
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2832	Include	9
2833	Omit	9
2834	Omit	9
2835	Omit	9
2836	Omit	9
2837	Include	9
2838	Include	9

SUPPLEMENT HISTORY TABLE

legislation	Include/ Omit	Supp. No.
2839	Include	9
2840	Include	9
2841	Include	9
2842	Omit	9
2843	Include	9
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2855	Omit	9
2856	Include	9
2857	Include	9
2858	Include	9
2859	Include	9
2860	Include	9
2861	Omit	9

Chapter 2

ADMINISTRATION*

Article I. In General

Sec. 2-1. McAlester city government business hours.
Secs. 2-2—2-18. Reserved.

Article II. City Council

Division 1. Generally

Sec. 2-19. City manager to attend council meetings.
Secs. 2-20—2-41. Reserved.

Division 2. Rules of Order and Procedure

Sec. 2-42. Suspension of rules.
Sec. 2-43. Meetings.
Sec. 2-44. Quorum.
Sec. 2-45. Presiding officer.
Sec. 2-46. Parliamentary procedure.
Sec. 2-47. Agenda.
Sec. 2-48. Order of business.
Sec. 2-49. Debate.
Sec. 2-50. Public participation.
Sec. 2-51. Minutes.
Secs. 2-52—2-75. Reserved.

Article III. Officers and Employees

Division 1. Generally

Sec. 2-76. Acting city manager.
Sec. 2-77. Personnel policies.
Sec. 2-78. Conflict of interest.
Sec. 2-79. Board of ethics.
Sec. 2-80. Code of conduct.
Sec. 2-81. Warning signs of ethical problems.
Sec. 2-82. Open records act procedures.
Secs. 2-83—2-87. Reserved.

Division 2. Nonuniformed Council

Sec. 2-88. Definitions.
Sec. 2-89. Created.
Sec. 2-90. Purpose.

***State law references**—Municipal code, 11 O.S. § 1-101 et seq.; municipal charters, 11 O.S. § 13-101 et seq.; municipal ordinances, 11 O.S. § 14-101 et seq.; political subdivisions ethics act, 51 O.S. § 301 et seq.; general powers of municipalities, 11 O.S. § 22-101 et seq.; public officers, 51 O.S. § 1 et seq.; municipal officers generally, 11 O.S. § 8-101 et seq.; council-manager form of city government, 11 O.S. § 10-101 et seq.

Sec. 2-91. Composition.
Sec. 2-92. Procedures for meetings and hearings.
Sec. 2-93. Scope of responsibility.
Secs. 2-94—2-110. Reserved.

Article IV. Departments

Division 1. Generally

Secs. 2-111—2-130. Reserved.

Division 2. Community Development

Sec. 2-131. Definitions.
Sec. 2-132. Created.
Sec. 2-133. Duties, functions and responsibilities.
Secs. 2-134—2-151. Reserved.

Division 3. Public Works

Sec. 2-152. Created; director.
Sec. 2-153. Duties.
Secs. 2-154—2-174. Reserved.

Division 4. Economic Development

Sec. 2-175. Established; divisions; appointment of economic development director.
Sec. 2-176. Duties of economic development director.
Secs. 2-177—2-205. Reserved.

Article V. Boards, Commissions and Committees

Division 1. Generally

Sec. 2-206. Membership, terms, credentials and qualifications of the audit and finance advisory committee.
Secs. 2-207—2-225. Reserved.

Division 2. Personnel Board

Sec. 2-226. Created.
Sec. 2-227. Removal, etc.; hearing before the personnel board.
Secs. 2-228—2-247. Reserved.

Division 3. Community Tree Board

Sec. 2-248. Creation.
Sec. 2-249. Street trees defined.
Sec. 2-250. Terms of office.
Sec. 2-251. Duties; responsibilities.
Sec. 2-252. Organization, rules of procedure.
Sec. 2-253. Officers.
Sec. 2-254. Review by city council.
Secs. 2-255—2-276. Reserved.

Division 4. Local Development Act Review Committee

Sec. 2-277. Creation of review committee.
Sec. 2-278. Membership.
Sec. 2-279. Manner and term of appointment.
Sec. 2-280. Meetings.
Sec. 2-281. Officers.
Sec. 2-282. Voting rights; quorum.
Sec. 2-283. Authority.
Secs. 2-284—2-304. Reserved.

Division 5. Americans With Disabilities Advisory Board

Sec. 2-305. Established.
Sec. 2-306. Purpose.
Sec. 2-307. Meetings.
Sec. 2-308. Staff assistance.
Sec. 2-309. Recommendations.
Sec. 2-310. Expenditure; budget.
Secs. 2-311—2-330. Reserved.

Division 6. Stormwater Advisory Committee

Sec. 2-331. Composition; qualification of members; compensation; chair.
Sec. 2-332. Terms.
Sec. 2-333. Functions and duties.
Sec. 2-334. Meetings.
Sec. 2-335. Access to records and additional materials.
Sec. 2-336. Authority to conduct research and investigations.
Secs. 2-337—2-340. Reserved.

Division 7. Local Economic Advancement and Development Committee

Sec. 2-341. Committee created.
Sec. 2-342. Purpose, authority and duties.
Sec. 2-343. Membership, terms, and method of appointment of general membership and election of chairperson.
Sec. 2-344. Other provisions.

Division 8. Community Advisory Board

Sec. 2-345. Board established.
Sec. 2-346. Board procedures.
Sec. 2-347. Board functions.

Division 9. Tourism Development Board

Sec. 2-348. Board established.

Article VI. Finance

Division 1. Generally

Sec. 2-349. City depositories and general deposits.
Sec. 2-350. Capital improvement fund.
Sec. 2-351. Emergency fund.

Sec. 2-352. Identity theft prevention program.
Secs. 2-353—2-377. Reserved.

Division 2. Purchases

Sec. 2-378. Definitions.
Sec. 2-379. Authority to make purchases; administrative policies.
Sec. 2-380. General purchases; competitive bidding; exemptions.
Sec. 2-381. Contract negotiation.
Sec. 2-382. Purchases by state office of central purchasing.
Sec. 2-383. Contracts for collection services.
Secs. 2-384—2-409. Reserved.

Division 3. Sale of Surplus or Obsolete Property

Sec. 2-410. Disposal authorized; council action required.
Sec. 2-411. General disposal procedure.
Sec. 2-412. Exceptions to competitive sale.
Secs. 2-413—2-437. Reserved.

Division 4. Cost Sharing Policy for Public Works Projects

Sec. 2-438. Applicability.
Sec. 2-439. Streets.
Sec. 2-440. Storm drains and culverts.
Sec. 2-441. Paving of parking areas and existing, open alleys.
Sec. 2-442. Sidewalks.
Sec. 2-443. Water main extensions.
Sec. 2-444. Sewer main extensions.

(3) Assessment of potential impacts of regulations on the community;

(4) Providing public education and awareness on stormwater effects and management;

(5) Coordination of efforts to reduce stormwater pollution and provide adequate flood control;

(6) Strategies for compliance with state and federal regulatory agencies, and completion of outstanding consent orders; and

(7) Recommendations regarding establishment, exemption, and administration of stormwater service fees.

(Ord. No. 2564, § 2, 4-12-2016)

Sec. 2-334. Meetings.

The committee shall meet at least once quarterly. A majority of the members shall be a quorum for the transaction of business.
(Ord. No. 2564, § 2, 4-12-2016; Ord. No. 2744, § 1, 4-12-2022)

Sec. 2-335. Access to records and additional materials.

The committee shall have access to mapping of the city's stormwater drainage system and all public records of the city and may request that the city council provide such additional records or engineering reports that the committee deems necessary and appropriate for making necessary recommendations to the city.
(Ord. No. 2564, § 2, 4-12-2016)

Sec. 2-336. Authority to conduct research and investigations.

The committee is authorized to conduct reasonable inquiry, research, or investigation deemed necessary by the city to make necessary recommendations.
(Ord. No. 2564, § 2, 4-12-2016)

Secs. 2-337—2-340. Reserved.

DIVISION 7. LOCAL ECONOMIC ADVANCEMENT AND DEVELOPMENT COMMITTEE

Sec. 2-341. Committee created.

That there shall be created hereby the Local Economic Advancement and Development Committee of the City of McAlester, Oklahoma.
(Ord. No. 2650, § 1, 4-9-2019)

Sec. 2-342. Purpose, authority and duties.

(a) Local economic advancement and development (hereinafter "LEAD") committee is an advisory board of the city's community and economic development department. The committee, in conjunction with city staff will work to evaluate the following:

(1) Current community and economic development policy and ordinances.

(2) Opportunities for financially sustainable economic growth from organizations currently located in the McAlester area.

(3) Opportunities for financially sustainable economic growth from startups and early-stage organizations interested in locating to the McAlester area.

(4) Opportunities to attract or recruit businesses and industries from outside of the McAlester area.

(b) The committee shall from time to time make recommendations to the city council on the above-mentioned matters. These reports shall include but not be limited to any recommended changes to policies and ordinances, estimated total project

cost, any requested public assistance or anticipated return rates associated with the public assistance.
(Ord. No. 2650, § 2, 4-9-2019; Ord. No. 2765, § 2, 10-11-2022; Ord. No. 2796, § 2, 1-23-2024)

Sec. 2-343. Membership, terms, and method of appointment of general membership and election of chairperson.

(a) The LEAD committee shall be comprised of eleven members.

(1) Eleven members shall be made up of one representative nominated by the mayor from names submitted from each of the following sectors: finance, education, defense industry, Choctaw Nation, small business, healthcare, real estate, chamber of commerce, one from city council and two at large members. Members will be nominated by the Mayor and approved by the city council.

(2) Primary LEAD committee members will nominate an alternative representative from their industry. The alternate representatives are allowed to meet and vote on behalf of their committee member when the need arises. Members and alternate members will be approved by the city council.

(3) The mayor and the city manager will be ex-officio, non-voting members.

(b) Terms will be for two fiscal years beginning on July 1 and ending on June 30 biennially with the exception of the inaugural term which will begin on passage of this ordinance and end on June 30 of this same year. There will be no term limits.

(c) The City of McAlester committee representative will be the committee chairperson.
(Ord. No. 2650, § 3, 4-9-2019; Ord. No. 2765, § 3, 10-11-2022; Ord. No. 2796, § 3, 1-23-2024)

Sec. 2-344. Other provisions.

(a) All members shall serve without compensation.

(b) The committee is not vested with any power to spend or obligate funds of the city.

(c) The committee shall meet the third Tuesday of each quarter (third Tuesday of January, April, July, and October) and from time to time as deemed necessary by the chairperson or by three committee members.

(d) Any committee member who misses two meetings within a given fiscal year, without a reasonable cause, shall not be eligible to serve on the committee during the next term.

(e) In the event a LEAD member vacates their seat before the end of term, said members alternate shall automatically serve remainder of term as the primary committee member with council approval, and shall nominate a new alternate to be approved by the city council.
(Ord. No. 2650, § 4, 4-9-2019; Ord. No. 2765, § 4, 10-11-2022)

DIVISION 8. COMMUNITY ADVISORY BOARD*

Sec. 2-345. Board established.

(a) There is hereby established a community advisory board for the city which shall consist of 13 members. The members of the board shall be appointed by the mayor by and with the consent of the city council. All members of the board shall serve without compensation.

*__Editor's note__—Ord. No. 2856, § 1, adopted Oct. 28, 2025, set out provisions intended for use as division 8, §§ 2-401—2-403 of article V. For purposes of classification, and at the editor's discretion, these provisions have been included as division 8, §§ 2-345—2-347.

(b) The members of the community advisory board shall serve staggered five-year terms, with initial appointments being made such that the terms will be sufficiently staggered to prevent unnecessary turnover. Thereafter, all members shall serve a five-year term. Vacancies on the board occurring as a result of resignation or removal shall be filled by appointment for the remainder of the unexpired term.

(c) Continued absence of any member of the community advisory board shall, at the discretion of the city council, render such member liable to immediate removal from office.

(d) The director of community services shall serve as an *ex officio* nonvoting member of the community advisory board to provide advice to the board in the performance of its duties.
(Ord. No. 2856, § 1, 10-28-2025)

Sec. 2-346. Board procedures.

(a) The community advisory board shall annually elect from among its members a chair and a vice chair. The chair of the board shall preside over all meetings of the board. The vice chair shall, in the absence of the chair, preside in the place of the chair.

(b) The director of community services shall serve *ex officio* as the secretary of the board and shall be responsible for providing all necessary and appropriate staff support to the board, including, but not limited to, keeping a detailed record of all the board's proceedings.

(c) The community advisory board shall establish such rules and regulations for its own procedure and shall hold such regular monthly meetings at such times and places as determined by the board. Seven members of the board shall constitute a quorum. Special meetings of the board may be called by the chair. All meetings of the board shall be consistent with the provisions of the Oklahoma Open Meetings Act.
(Ord. No. 2856, § 1, 10-28-2025)

Sec. 2-347. Board functions.

The community advisory board shall:

(1) Serve in an advisory capacity to the city council on strategies and partnerships that promote community engagement, strengthen public resources, and support residents.

(2) Assist the city council, local organizations, and community groups that have an interest in improving access to resources, services, and programs that benefit residents.

(3) Assist the city council in planning, coordinating, and implementing community-based programs and initiatives that address local needs and promote engagement, safety, and well-being.

(4) Provide input to the city council in the preparation and submission of its annual budget and any supplemental requests related to community initiatives and programs.

(5) Recommend to the city council ordinances, resolutions, and policies that strengthen the effectiveness, coordination, and delivery of community services and resources throughout the city.

(6) When requested by the city council, consider, investigate, make findings, report, and recommend upon any special matter or question within the scope of its work.

(Ord. No. 2856, § 1, 10-28-2025)

DIVISION 9. TOURISM DEVELOPMENT BOARD*

Sec. 2-348. Board established.

(a) There is hereby established the McAlester Tourism Development Board. The board shall be composed of seven members to be appointed by the mayor with the consent of the city council to serve overlapping three year terms. The first appointments under this section shall be appointed as follows: two members shall be appointed for a one-year term; two members shall be appointed for a two-year term; and three members shall be appointed for a three-year term.

(b) The tourism development board shall advise city staff on the preparation and publication of tourism and convention development activities, to act as an advisory board to the city tourism manager on matters having to do with tourism and convention development, and to recommend to the city council plans and programs for improving tourism and convention development, and to oversee and advise the city council on use of the tourism development fund as may from time to time be established. The board, when requested by the city council, shall consider, investigate, make findings, report and recommend any special matter or question within the scope of its work.
(Ord. No. 2837, § 1, 5-13-2025)

Ord. No. 2837, § 1, adopted May 13, 2025, set out provisions intended for use as division 8, § 2-801 of article V. For purposes of classification, and at the editor's discretion, these provisions have been included as division 9, § 2-348.

ARTICLE VI. FINANCE†

DIVISION 1. GENERALLY

Sec. 2-349. City depositories and general deposits.

(a) The depositories for the funds of the city shall be as designated by the treasurer. The city treasurer shall deposit daily all public funds received by him in these banks. Funds may be transferred from one depository to the other as the city council may direct by motion or resolution.

(b) The deposits of the city shall be secured as required by state law, including, without limitation, the Security for Local Public Deposits Act, 62 O.S. § 517.4 et seq.
(Code 1974, §§ 2-7, 2-8; Code 1993, § 2-256)

Sec. 2-350. Capital improvement fund.

(a) There is hereby established a capital improvement fund for the purpose of the expansion of the city's infrastructure, purchase of major equipment and the financing of major capital projects, as approved by the city council.

(b) The city treasurer is directed to deposit monies in the fund, which shall consist of a certain percentage of revenue derived from the water, sewer, garbage and landfill fees, which shall be determined by the city council from time to time, and any other monies as may be deemed appropriate.
(Code 1974, § 31-51; Code 1993, § 2-257)

Sec. 2-351. Emergency fund.

(a) *Purpose.* The purpose of the emergency fund is to insulate general fund programs and current service levels from large and unanticipated one-

†**State law references**—Municipal finances generally, 11 O.S. § 17-101 et seq.; Municipal Budget Act, 11 O.S. § 17-201 et seq.; public finance generally, 62 O.S. § 11 et seq.; Security for Public Deposits Act, 62 O.S. § 72.1 et seq.; public finance regarding state subdivisions, 62 O.S. § 281 et seq.; contracts and expenditures, 62 O.S. § 310.1 et seq.

time emergency-expenditure requirements, a revenue reduction due to a change in state or federal legislation, resulting from adverse litigation, or similar unforeseen action.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Emergency means an unplanned or unforeseen event that may, if not immediately corrected, cause death or injury to the public, or significantly disrupt essential city services, or result in damage to city property, or result in significant environmental damage.

Emergency fund means the same fund currently identified as the reserve fund and will be hereafter referred to as the emergency fund.

(c) *Restrictions on use.* This emergency fund will not be used because general fund expenditure growth exceeds budgeted revenue growth. Revenue shortfalls may not be offset by a transfer of funds from the emergency fund.

(d) *Use of emergency fund.* The emergency fund is available to fund one-time emergency requirements. The council may only authorize a fund transfer from the emergency fund after the general fund's budgeted contingency, if any, is exhausted. The emergency fund will only be accessed when the result of emergency expenditures or an unexpected revenue reduction would be that the general fund would likely end the fiscal year with a negative ending fund balance. Any proposed use of the emergency fund will be placed on the council agenda in the form of a budget amendment. Such amendment will be strictly limited to the proposed transfer amount from the emergency fund and the proposed fund and account that will receive the transfer. As part of the agenda item, the city manager shall, as a minimum, provide a written certification to the council identifying in substantial detail the nature of the emergency, the total anticipated cost of the emergency, the steps the city has taken to address the emergency and the reason those steps have not eliminated the need for using a portion of the emergency fund.

(e) *Approval of transfers.* An affirmative vote of at least five of the seven councilmembers is required for funds to be transferred from the emergency fund.

(f) *Restoration of fund.* Restoration of the emergency fund will begin the next fiscal year following their use.

(Code 1993, § 2-258; Ord. No. 2291, § 1, 6-10-2008)

Sec. 2-352. Identity theft prevention program.

The administrative rules entitled "identity theft prevention program," which are attached to Ordinance No. 2320 and fully incorporated herein by reference, shall be, and same hereby are, completely adopted and approved.

(Code 1993, § 2-300; Ord. No. 2320, § 1, 4-28-2009)

Secs. 2-353—2-377. Reserved.

DIVISION 2. PURCHASES*

Sec. 2-378. Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Contractual services means services performed for the city by persons not in the employment of

***State law references**—Purchases and sales, 11 O.S. §§ 22-101, 22-104; councilpersons furnishing supplies, 21 O.S. § 355 et seq.; purchase from person with criminal background, 51 O.S. § 24.3; competitive bids, 61 O.S. § 101 et seq.; contracts and expenditures, 62 O.S. § 310.1 et seq.; central purchasing, 74 O.S. § 85.1 et seq.

the city, and may include the use of equipment or the furnishing of commodities in connection with such services under express or implied contract. The term "contractual services" includes travel; freight; express; parcel post; postage; telephone; telegraph; utilities; rents; printing and binding; repairs, alterations and maintenance of buildings, equipment, streets and bridges and other physical facilities of the city; and other services performed for the city by persons not in the employment of the city.

Professional services includes all services that involve professional judgment or scientific knowledge, including, but not limited to, engineering, architectural, legal and medical services, and shall exclude only those services specifically governed by section 5.13 of the City Charter.
(Code 1974, § 2-271; Code 1993, § 2-27)

Sec. 2-379. Authority to make purchases; administrative policies.

(a) The city manager, or his designee, is hereby authorized to purchase supplies, equipment, materials and/or services in the amount not to exceed $100,000.00 in a single transaction.

(b) The city manager shall develop such administrative policies as necessary for said purchases to ensure efficient and economical purchasing practices.
(Code 1993, § 2-272; Ord. No. 2219, §§ 2, 3, 1-24-2006; Ord. No. 2739, § 1, 11-23-2021)

Sec. 2-380. General purchases; competitive bidding; exemptions.

(a) The city manager, or his designee, may purchase the following without giving an opportunity for competitive bidding:

(1) Supplies, materials, equipment, or contractual services whose cost does not exceed $100,000.00 in a single transaction;

(2) Supplies, materials, equipment, or contractual services which can be furnished only by a single dealer, or which has a uniform price wherever bought;

(3) Supplies, materials, equipment, or contractual services purchased from another unit of government at a price deemed below that obtainable from private vendors, including war surplus;

(4) Supplies, materials, equipment, or contractual services when purchased at a price not exceeding a price set therefor by any state, federal, or government purchasing cooperative bid list;

(5) Supplies, materials, equipment, or contractual services whose purchase is approved by the council as necessary for the immediate preservation of the peace, health, or safety;

(6) Contractual services of a professional nature, such as engineering, architectural, and medical services; and

(7) Utility services (gas, electricity, telephone services, etc.) purchased from the public utility corporation at a price or rate determined by the state corporation commission or other government agency.

(8) When considering the purchase of any supplies, materials, equipment, or contractual services from any state or federal bid list, if the exact same item is available from a vendor at or below the price listed on such bid list, the item may be obtained from the vendor.

(b) For the procurement of supplies, materials, equipment and/or services valued in excess of $100,000.00 in a single transaction, except as pro-

vided in subsection (c) of this section, the following formal bids and awards are hereby adopted and authorized:

(1) The city manager, or his authorized representative, shall prepare an invitation for bids packet, containing, among other things:

a. Written specifications of the supplies, materials, equipment, and services to be procured;

b. Deadline for receipt of bids;

c. Bid opening date;

d. Required bidder's qualifications, if any;

e. Statement that the city council may accept or reject any or all bids without penalty; and

f. Non-collusion affidavits.

(2) Invitation for bids shall be publicized as follows:

a. A brief descriptive advertising in local newspaper and notification by mail or all known qualified vendors and/or contractors;

b. The minimum advertising period shall be two weeks with two published notices, the second publication being at least five days after the first publication and bid opening not earlier than five days after final publication.

c. Bid packets will be maintained by and be available from the office of the city manager, or his authorized representative.

(3) Bids submitted by each contractor and/or vendor shall be detailed in the invitation for bids.

(4) Bid opening shall be as follows:

a. Bids shall be opened on the day and hour and at the place identified in the invitation for bids;

b. Bids shall be opened and read aloud by the city manager, or his designated representative; and

c. Bids shall be tabulated and reviewed for conformity to the invitation for bids.

d. The city council shall review the bid tabulations and recommendations from the city manager and shall accept or reject any or all bids.

(c) Professional service contracts valued in excess of $100,000.00 in a single transaction are exempt from the requirements of competitive bidding but require approval by an affirmative vote of the city council.

(Code 1993, § 2-273; Ord. No. 2219, § 4, 1-24-2006; Ord. No. 2316, § 1, 3-24-2009; Ord. No. 2400, § 1, 9-27-2011; Ord. No. 2739, § 1, 11-23-2021; Ord. No. 2775, § 1, 4-25-2023)

State law reference—When bid required, 61 O.S. § 103.

Sec. 2-381. Contract negotiation.

At the conclusion of any competitive bidding required without the receipt of any bids in response to the published invitation for bids, the city manager is hereby authorized to negotiate contracts to be approved by the city council for the purchase of supplies, materials or equipment in a single transaction or contractual services to be furnished by a single provider, not to exceed the value of $100,000.00.

(Code 1993, § 2-274; Ord. No. 2304, §§ 1, 2, 10-10-2008; Ord. No. 2739, § 1, 11-23-2021)

Sec. 2-382. Purchases by state office of central purchasing.

In lieu of the competitive bidding procedures provided in sections 2-380 and 2-381 the city man-

ager is authorized to designate the state office of central purchasing as its agent for the purchase or procurement of any item or service contracted or available to the state under the provisions of the Oklahoma Central Purchasing Act, 74 O.S. § 85.1 et seq. Purchases made under this section valued in excess of $100,000.00 in a single transaction require approval by an affirmative vote of the city council.
(Code 1974, § 2-31; Code 1993, § 2-275; Ord. No. 2401, § 1, 9-27-2011; Ord. No. 2739, § 1, 11-23-2021)

Sec. 2-383. Contracts for collection services.

The city may enter into a contract with a collection agency for the provision of collection services for one or more of the following items:

(1) Debts and accounts receivable, including, but not limited to, unpaid fees, penalties, interest, and other sums due the city, as applicable; or

(2) Court penalties, costs, fines and fees in cases in municipal court in which the accused has failed to appear or otherwise failed to satisfy a monetary obligation ordered by the court.

If the city enters into a contract with a collection agency pursuant to this section, a collection fee in an amount as provided in chapter 48 on each item described in subsections (1) and (2) of this section referred by the city to the collection agency for collection may be added. If the city enters into such contract with a collection agency and authorizes the collection fee, the court shall order defendants to reimburse the fee arising pursuant to subsection (2) of this section and such court-ordered fee may be collected as provided by law for the collection of any other civil debt or criminal action.
(Code 1993, § 2-276; Ord. No. 2334, § 1, 9-22-2009)

Secs. 2-384—2-409. Reserved.

DIVISION 3. SALE OF SURPLUS OR OBSOLETE PROPERTY

Sec. 2-410. Disposal authorized; council action required.

The city manager may dispose of supplies, materials or equipment belonging to the city which are surplus to the needs of the city as allowed in this division. No surplus or obsolete supplies, materials or equipment with a then prevailing fair market value of more than $2,000.00, as determined in the reasonable discretion of the city manager, may be sold until the city council has declared them surplus or obsolete. Should the city manager determine the item at issue has a then prevailing fair market value lower than that which requires city council approval, the city manager shall note his reasons for reaching such a conclusion of record prior to conducting any disposal.
(Code 1974, § 2-42; Code 1993, § 2-286; Ord. No. 2126, § 1, 3-13-2001; Ord. No. 2839, § 1, 5-13-2025)

Sec. 2-411. General disposal procedure.

(a) Before the city manager disposes of any surplus or obsolete supplies, materials or equipment, except as otherwise provided in section 2-412, he shall advertise them for sale in a newspaper of general circulation in the City or in such other manner as he deems necessary to reach prospective buyers to give them an opportunity to make bids. All bids shall be sealed and shall be opened in public at a designated time and place, except when the sale is by auction. The city manager may repeatedly reject all bids and advertise again. He shall sell such supplies, materials or equipment to the highest responsible bidder, and if necessary, shall cast lots in case of a tie to determine to whom to sell.

(b) Whenever any surplus or obsolete supplies, materials or equipment is disposed of by the city manager, whether by sale or otherwise, the city manager shall note, or caused to be noted, the fact of the disposition in the city's inventory record, including:

(1) A brief description of the item including the serial number if applicable;

(2) The reason for the disposal;

(3) The date upon which the property was disposed;

(4) The name and address of the person or entity to whom the property was transferred, if applicable.

(5) The proceeds received pursuant to the disposal.

(Code 1974, § 2-43; Code 1993, § 2-287; Ord. No. 2839, § 1, 5-13-2025)

Sec. 2-412. Exceptions to competitive sale.

(a) The city manager may sell surplus or obsolete supplies, materials or equipment when the then prevailing fair market value does not exceed $1,000.00 as determined in the reasonable discretion of the city manager, in a single transaction, without giving an opportunity for competitive bidding. Should the city manager determine the item at issue has a then prevailing fair market value lower than that which requires competitive bidding, the city manager shall note his reasons for reaching such a conclusion of record prior to conducting any disposal.

(b) The city council, by resolution, may authorize the city manager to sell or transfer any surplus or obsolete supplies, materials or equipment to a governmental entity at a price mutually agreed upon by the city and the receiving governmental entity without giving an opportunity for competitive bidding regardless of the original cost or the then prevailing fair market value of the item in question.

(c) The city manager may summary dispose of any surplus or obsolete supplies, materials or equipment which has no economically meaningful recoverable value in such manner as the city manager determines best. Should the city manager determine the item at issue has no economically meaningful recoverable value, the city manager shall note his reasons for reaching such a conclusion of record prior to conducting any such summary disposal.

(Code 1974, § 2-44; Code 1993, § 2-288; Ord. No. 2839, § 1, 5-13-2025)

Secs. 2-413—2-437. Reserved.

DIVISION 4. COST SHARING POLICY FOR PUBLIC WORKS PROJECTS

Sec. 2-438. Applicability.

This division establishes the city's cost sharing policies for public works construction. All cost sharing is subject to previously established priorities and the availability of city funds. Cost sharing does not apply to new subdivisions, M.M.I.A. lines, or outside the city limits.

(Code 1974, § 2-12; Code 1993, § 90-26)

Sec. 2-439. Streets.

(a) *Oil mat (dust control).* Property owners' cost will be as provided in chapter 48.

(b) *Standard 29-foot street (Existing platted streets).*

(1) *Concrete:* Property owners are to pay as provided in chapter 48.

(2) *Asphalt:* Property owners are to pay as provided in chapter 48. City to provide labor, equipment, engineering and inspection.

(c) *Arterials and collectors (wider than 29 feet).* Property owners are to cost share as provided in chapter 48 on basis of standard 29-foot residential street. Additional widths, when required, will be paid 100 percent by the city.

(d) *Street openings (presently platted but unopened).* Property owners shall petition the city council for opening of platted but unopened streets. Upon approval of the city council, such streets shall be opened to permanent grade, 30 feet of roadway with a minimum of four inches of crushed limestone base of full 30 feet. Ditches will be constructed outside of the 30 feet of roadway. Property owners must deposit with the city treasurer 100 percent of the estimated cost of materials (before construction will start) as provided in chapter 48, the city will provide labor, equipment, engineering and inspection. Thereafter, these streets come under the regular city cost sharing policy.

(e) *Street cuts and backfills.* All street cuts are to be financed 100 percent by the person requesting the work as provided in chapter 48. All costs will be paid, using city standard costs, before permit is issued. No street cut will be made unless backfill can be completed by noon of the following Friday.
(Code 1974, § 2-12; Code 1993, § 90-27)

Sec. 2-440. Storm drains and culverts.

The city will install or repair storm drain pipe and culverts on city rights-of-way after the residential property owner buy the storm drain pipe. The city will install or repair up to two storm drain pipes per driveway, per residential property. The application and approval of a permit is required to install or repair a storm drain pipe, per chapter 94, article II, section 94-35. The city will charge a $100.00 fee for performing the work involved. Thereafter, upkeep of such repair or installation, shall be the responsibility of the property owner.
(Code 1974, § 2-12; Code 1993, § 90-28; Ord. No. 2672, § 2, 10-22-2019; Ord. No. 2688, § 2, 7-14-2020)

Sec. 2-441. Paving of parking areas and existing, open alleys.

Parking areas adjacent to street and located on a dedicated right-of-way, and existing, open alleys can be surfaced by the city for a fee as provided in chapter 48, total cost to be paid by the adjacent property owners. Unopened alleys, if opening is approved by the city council, will be opened and gravel base installed upon deposit by the property owners of 100 percent of the cost for all materials as provided in chapter 48. Thereafter, these alleys come under the regular city cost sharing policy.
(Code 1974, § 2-12; Code 1993, § 90-29)

Sec. 2-442. Sidewalks.

(a) *Construction.* Property owners will pay 100 percent of new concrete sidewalk construction as provided in chapter 48. City pays for all engineering, grading and sand cushion. Sidewalks extending five standard city blocks, 1,500 feet in each direction from public schools, are eligible for 50 percent city participation. Only one sidewalk extending in each direction from schools is eligible and such sidewalk shall be continuous.

(b) *Repairs.* Property owners are to pay 50 percent of the city standard cost as provided in chapter 48 for repairs of all sidewalks.
(Code 1974, § 2-12; Code 1993, § 90-30)

Sec. 2-443. Water main extensions.

Property owners are to pay 50 percent of the total cost estimate as provided in chapter 48, excluding service line tap fees, for mains six inches in diameter or smaller. (Tap fees shall be paid separately as set forth below.) When required by the city to install a main larger than six inches in diameter, the city is to pay for the additional sizing. A water tap fee in the amount as set forth below shall be paid for tapping existing mains or mains installed under this policy. Water tap fees shall be paid only on those water mains laid under

the city's participation policy. Water tap fees in such cases shall be as provided in chapter 48 or a cost equal to that of the property owner, who originally participated in the construction of the water main to be tapped, whichever is greater.
(Code 1974, § 2-12; Code 1993, § 90-31)

Sec. 2-444. Sewer main extensions.

Property owners are to pay 50 percent of the total cost estimate for sewer main extensions as provided in chapter 48. Sewer tap fees shall be paid only on those sewer mains laid under the city's participation policy. Sewer tap fees in such cases shall be as provided in chapter 48 or a cost equal to that of the property owner, who originally participated in the construction of the sewer main to be tapped, whichever is greater.

(b) *Fees.* Fees shall be paid at the office of the city treasurer on the first working day of each calendar month.

(c) *Combination activities.* The aviation advisory board shall recommend and the council shall cause to be adopted appropriate fees for combinations of aeronautical activities enumerated in this article.

(d) *Fees for temporary/transient commercial activities.* Fees for temporary/transient commercial aeronautical activity shall be paid upon departure, or within ten days thereof, except that when activity is recurring, subsection (b) of this section shall apply.

(e) *Fees for sale of aviation fuel.* The city manager, or his/her designee, is allowed to procure aviation fuel for resale to customers of the McAlester region airport. The city manager, or his designee, may offer such procured aviation fuel for sale at a price not to exceed $3.00 dollars per gallon over and above the City's actual costs to procure said aviation fuel per gallon. As used herein, the term "actual costs" means the city's actual acquisition costs to obtain aviation fuel for resale to customers of the McAlester regional airport, including, but not limited to, the price the City pays to the distributor, merchant fees, taxes, flowage fees, and any and all other charges applied by the city's fuel supplier. The city manager shall review the fee charged by this section at least quarterly to ensure the McAlester regional airport's pricing is competitive with surrounding aviation facilities.

(f) *Hangar lease rates.* The city manager, or his/her designee, is allowed to offer city-owned aircraft hangars for lease to the general public for the explicit use of sheltering aircraft and ancillary aviation equipment. Fees for hangar leasing shall be as provided in chapter 48, and the city manager as well as the McAlester regional airport advisory board shall review the fees charged by this section at least annually to ensure the McAlester regional airport's pricing is competitive with surrounding aviation facilities.

(g) *After hours support.* A fee, as identified in chapter 48, shall be levied by airport personnel for each instance of aircraft refueling services provided outside of published operating hours at the McAlester Regional Airport. Such fee shall be in addition to fuel purchase.

(Code 1974, § 6-12; Code 1993, § 14-35; Ord. No. 2777, § 1, 5-9-2023; Ord. No. 2794, § 1, 12-26-2023; Ord. No. 2848, § 1, 7-22-2025)

Sec. 14-31. Landing or taking off of aircraft prohibited except at approved airports or areas; landing area permits; flight regulations observed.

(a) No person shall land or take off in any aircraft of any type, whether fixed wing, helicopter or lighter-than-air such as a balloon or dirigible, except at an airport or area within the city approved for such operation by the Federal Aviation Administration and the city council, unless such action is necessary in an emergency.

(b) The aviation advisory board shall establish procedures to review each request for an additional landing area within the city and shall submit its recommendation to the city council for approval. The airport manager, in coordination with the chairperson of the aviation advisory board, or his designee, shall have authority to approve temporary landing areas. Duration of permits for temporary landing areas shall be limited to the next meeting of the aviation advisory board.

(c) Permits issued for landing areas will be subject to an annual review by the aviation advisory board. Permits can be revoked at any time, with 30 days' notice, for any condition which is considered in the public interest. Permits are subject to immediate revocation if the aviation advisory board

determines an unsafe condition develops which did not exist or was not established to exist prior to issuance.

(d) Approval of a landing area may require conditions of usc. Any conditions of use will be set forth in the landing area permit.

(e) No person shall operate an aircraft of any type within the airspace of the city without observing Federal Aviation Administration regulations, part 91.97.
(Code 1974, § 6-13; Code 1993, § 14-36)

Sec. 14-32. Exemption of aircraft owned by federal or state government.

Section 14-31 shall not apply to aircraft owned by the federal or state government wherein the operations involve any of the activities prohibited by that section and are incident to and in aid of national defense or security.
(Code 1974, § 6-14; Code 1993, § 14-37)

Sec. 14-33. Authorization for exhibitions.

On special occasions and for the purpose of exhibition, educational purposes or for photographer's work, the airport manager may authorize such flights to be conducted under his general supervision. No person shall perform any aerobatic maneuvers or stunts while flying in or on any aircraft giving any exhibition, or otherwise, unless specifically authorized by the airport manager.
(Code 1974, § 6-15; Code 1993, § 14-38)

Secs. 14-34—14-54. Reserved.

ARTICLE III. AIRPORT ZONING*

Sec. 14-55. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Airport means the McAlester Municipal Airport.

Airport elevation means 770 feet above mean sea level.

Approach surface means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 14-58. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, transitional, horizontal and conical zones. These zones are set forth in section 14-57.

Board of adjustment means a board consisting of five members appointed by the mayor and approved by the city council.

Conical surface means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.

Hazard to air navigation means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height. For the purpose of determining the height limits in all zones set forth in this article and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

***State law references**—Airport Zoning Act, 3 O.S. § 100 et seq.; airport zoning required, 3 O.S. § 103.

Horizontal surface means a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Larger than utility runway means a runway that is constructed for and intended to be used by propeller-driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.

Nonconforming use means any preexisting structures, object of natural growth, or use of land which is inconsistent with the provisions of this article or an amendment thereto.

Nonprecision instrument runway means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned.

Obstruction means any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in section 14-58.

Person means an individual, firm, partnership, corporation, company, association, joint-stock association or government entity; includes a trustee, a receiver, an assignee or a similar representative of any of them.

Primary surface means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway. The width of the primary surface is set forth in section 14-57. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway means a defined area on an airport prepared for the landing and takeoff of aircraft along its length.

Structure means an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

Transitional surfaces means surfaces that extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces.

Tree means any object of natural growth.

Visual runway means a runway intended solely for the operation of aircraft using visual approach procedures.

(Code 1993, § 14-62; Ord. No. 1687, § II, 11-23-1982)

Sec. 14-56. Penalty.

Each violation of this article or of any regulation, order or ruling promulgated hereunder shall constitute a misdemeanor and be punishable by a fine of not more than $500.00 or imprisonment for not more than one year in the county jail, or both; and each day a violation continues to exist shall constitute a separate offense.

(Code 1993, § 14-63; Ord. No. 1687, § XII, 11-23-1982)

State law reference—Similar provisions, 3 O.S. § 112.

Sec. 14-57. Airport zones established.

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces as they apply to McAlester Municipal Airport. Such zones are shown on the McAlester Municipal Airport zoning map, consisting of one sheet, prepared by the city engineering department, dated August 15,

1983, which is made a part of this section and is on file in the office of the city manager. An area located in more than one of the following zones is considered to be only in that zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) *Runway larger than utility, with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone (RW-19).* The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

(2) *Runway larger than utility, with a visibility minimum as low as three-fourths mile nonprecision instrument approach zone (RW-1).* The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

(3) *Transitional zones.* The transitional zones are the areas beneath the transitional surfaces.

(4) *Horizontal zone.* The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

(5) *Conical zone.* The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

(Code 1993, § 14-64; Ord. No. 1687, § III, 11-23-1982; Ord. No. 1706, § 1, 9-27-1983)

Sec. 14-58. Airport zone height limitations.

(a) *Generally.* Except as otherwise provided in this article, no structure shall be erected, altered or maintained, and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit established for such zone. Such applicable height limitations are hereby established for each of the zones in question, as follows:

(1) *Runway larger than utility, with a visibility minimum greater than three-fourths mile nonprecision instrument approach zone.* Slopes 34 feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

(2) *Runway larger than utility, with a visibility minimum as low as three-fourths mile nonprecision instrument approach zone.* Slopes 34 feet outward for each foot upward, beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

(3) *Transitional zones.* Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 770

feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface.

(4) *Horizontal zone.* Established at 150 feet above the airport elevation or at a height of 920 feet above mean sea level.

(5) *Conical zone.* Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

(b) *Excepted height limitations.* Nothing in this article shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface of the land.
(Code 1993, § 14-65; Ord. No. 1687, § IV, 11-23-1982; Ord. No. 1706, § 2, 9-27-1983)

Sec. 14-59. Use restriction.

Notwithstanding any other provisions of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights, and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.
(Code 1993, § 14-66; Ord. No. 1687, § V, 11-23-1982)

Sec. 14-60. Nonconforming uses.

(a) *Regulations not retroactive.* The regulations prescribed in this article shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of November 23, 1992, or otherwise interfere with the continuance of a nonconforming use. Nothing contained in this article shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which has begun prior to November 23, 1992, and is diligently prosecuted.

(b) *Marking and lighting.* Notwithstanding the provisions of this article, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the city manager to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the city.
(Code 1993, § 14-67; Ord. No. 1687, § VI, 11-23-1982)

Sec. 14-61. Permits.

(a) *Future uses.* Except as specifically provided in subsections (a)(1) and (2) of this section, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created unless a permit therefor has been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations prescribed in this article. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the

provisions of this article shall be granted unless a variance has been approved in accordance with subsection (d) of this section.

(1) In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.

(2) In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than 75 feet in vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this article except as set forth in section 14-58.

(b) *Existing uses.* No permit, or any amendments thereto, shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation, than it was on November 23, 1992, or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

(c) *Nonconforming uses abandoned or destroyed.* Whenever the city manager determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(d) *Variances.* Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property, not in accordance with the regulations prescribed in this article, may apply to the board of adjustment for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this article. Additionally, no application for variance to the requirements of this article may be considered by the board of adjustment unless a copy of the application has been furnished to the airport manager for advice as to the aeronautical effects of the variance. If the airport manager does not respond to the application within 15 days after receipt, the board of adjustment may act on its own to grant or deny the application.

(e) *Obstruction marking and lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this article and be reasonable in the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the board of adjustment, this condition may be

modified to require the owner to permit the city, at its own expense, to install, operate and maintain the necessary markings and lights.
(Code 1993, § 14-68; Ord. No. 1687, § VII, 11-23-1982)

State law reference—Permits and variances, 3 O.S. § 107.

Sec. 14-62. Enforcement.

It shall be the duty of the city manager to administer and enforce the regulations prescribed in this article. Applications for permits and variances shall be made to the city manager upon a form published for that purpose. Applications required by this article to be submitted to the city manager shall be promptly considered and granted or denied. Application for action by the board of adjustment shall be forthwith transmitted by the city manager.
(Code 1993, § 14-69; Ord. No. 1687, § VIII, 11-23-1982)

State law reference—Administration of airport zoning ordinances, 3 O.S. § 109.

Sec. 14-63. Board of adjustment.

(a) There is hereby created an airport zoning board of adjustment, referred to in this article as the board of adjustment, to have and exercise the following powers:

(1) To hear and decide appeals from any order, requirement, decision, or determination made by the city manager in the enforcement of this article.

(2) To hear and decide special exceptions to the terms of this article upon which such board of adjustment under such regulations may be required to pass.

(3) To hear and decide specific variances.

(b) The board of adjustment shall be composed of five members, each appointed by the mayor with the approval of the council for a term of three years; provided, however, that for the first appointment under the provisions of this section one member shall be appointed for a term of one year; two shall be appointed for a term of two years; and two shall be appointed for a term of three years. Two alternate members shall be appointed for overlapping terms of two years. All appointments thereafter shall be for a term of three years. Not less than two members shall be appointed for the McAlester Airport advisory committee. The board shall elect a chairperson from its membership to serve for a term of two years.

(c) The board of adjustment shall adopt rules for its governance and in harmony with the provisions of this article. Meetings of the board of adjustment shall be held at the call of the chairperson and at such other times as the board of adjustment may determine. The chairperson or, in the absence of the chairperson, the acting chairperson, may administer oaths and compel the attendance of witnesses. All hearings of the board of adjustment shall be public. The board of adjustment shall keep minutes of its proceedings showing the vote of each member upon each question; or of its examinations and other official actions, all of which shall immediately be filed in the office of the city clerk and on due cause shown.

(d) The board of adjustment shall make written findings of facts and conclusions of law giving the facts upon which it acted and its legal conclusions from such facts in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of this article.

(e) The concurring vote of a majority of the members of the board of adjustment shall be sufficient to reverse any order, requirement, decision or determination of the city manager or decide in favor of the applicant on any matter upon which it is required to pass under this article, or to effect variation to this article.
(Code 1993, § 14-70; Ord. No. 1687, § IX, 11-23-1982)

State law reference—Board of adjustment, 3 O.S. § 110.

Sec. 14-64. Appeals.

(a) Any person aggrieved, or any taxpayer affected, by any decision of the city manager made in the administration of this article may appeal to the board of adjustment.

(b) All appeals hereunder must be taken within a reasonable time as provided by the rules of the board of adjustment, by filing with the city manager a notice of appeal specifying the grounds thereof. The city manager shall forthwith transmit to the board of adjustment all the papers constituting the record upon which the action appealed from was taken.

(c) An appeal shall stay all proceedings in furtherance of the action appealed from unless the city manager certifies to the board of adjustment, after the notice of appeal has been filed with it, that by reason of the facts stated in the certificate a stay would in the opinion of the city manager cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the board of adjustment on notice to the city manager and on due cause shown.

(d) The board of adjustment shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

(e) The board of adjustment may, in conformity with the provisions of this article, reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as may be appropriate under the circumstances.
(Code 1993, § 14-71; Ord. No. 1687, § X, 11-23-1982)

Sec. 14-65. Judicial review.

Any person aggrieved, or any taxpayer affected, by any decision of the board of adjustment may appeal the same, as provided in the Airport Zoning Act (3 O.S. § 100 et seq.).
(Code 1993, § 14-72; Ord. No. 1687, § XI, 11-23-1982)

State law reference—Appeals, 3 O.S. § 111.

Sec. 14-66. Conflicting regulations.

Where there exists a conflict between any of the regulations or limitations prescribed in this article and any other regulations applicable to the same area, whether the conflict is with respect to the height of structures or trees, and the use of land or any other matter, the more stringent limitation or requirement shall govern and prevail.
(Code 1993, § 14-73; Ord. No. 1687, § XIII, 11-23-1982)

Chapter 18

BUILDINGS AND CONSTRUCTION*

Article I. In General

Sec. 18-1. Permit requirements for construction of buildings outside city when connected to city utilities.
Sec. 18-2. Improperly built, altered, etc., buildings deemed nuisances.
Secs. 18-3—18-22. Reserved.

Article II. Code Administration

Sec. 18-23. Created; code administrator appointment and supervision.
Sec. 18-24. General powers and duties—Department and inspectors.
Sec. 18-25. Same—Code administrator.
Sec. 18-26. Officers' and employees' conflicts of interest.
Sec. 18-27. Records.
Secs. 18-28—18-57. Reserved.

Article III. Building Code

Sec. 18-58. Adopted.
Sec. 18-59. Definitions.
Sec. 18-60. Amendments.
Sec. 18-61. Rights of inspectors.
Sec. 18-62. Violations.
Secs. 18-63—18-82. Reserved.

Article IV. Electrical Code

Division 1. Generally

Sec. 18-83. Definitions.
Sec. 18-84. Article does not affect liability for damages.
Secs. 18-85—18-111. Reserved.

Division 2. Administration and Enforcement

Subdivision I. In General

Sec. 18-112. Relief from personal responsibility.
Sec. 18-113. Electrical inspector's right of entry.
Sec. 18-114. Special rulings by electrical inspector.
Secs. 18-115—18-141. Reserved.

***State law references**—Public Construction and Planning Act, 61 O.S. § 209 et seq.; adoption of building standards by municipalities, 11 O.S. § 14-107; municipal building and zoning authority generally, 11 O.S. § 43-101; municipal authority to remove dilapidated buildings, 11 O.S. § 22-112 et seq.; Lighting Energy Conservation Act, 61 O.S. § 151 et seq.; municipal authority to require buildings permits and impose fees, 74 O.S. § 324.11; Oklahoma Floodplain Management Act, 82 O.S. § 1601 et seq.; Asbestos Control Act, 40 O.S. § 450 et seq.; Mechanical Licensing Act, 50 O.S. § 1850.1 et seq.; Plumbing License Law of 1955, 50 O.S. § 1001 et seq.; Oklahoma Inspectors Act, 50 O.S. § 1031 et seq.; Electrical License Act, 50 O.S. § 1680 et seq.

Subdivision II. Permits and Inspections

Sec. 18-142. Work permit.
Sec. 18-143. General inspection and approval of new installations.
Sec. 18-144. Electrical inspections and permit fees.
Secs. 18-145—18-171. Reserved.

Division 3. Electricians

Subdivision I. In General

Sec. 18-172. Apprentices.
Secs. 18-173—18-197. Reserved.

Subdivision II. Registration

Sec. 18-198. Required.
Sec. 18-199. Exceptions.
Sec. 18-200. State licensure or certification required; fees.
Sec. 18-201. Effect of issuance.
Sec. 18-202. Bond and insurance requirements for electrical contractors.
Sec. 18-203. Expiration and renewal.
Sec. 18-204. Transfer to or use by another.
Sec. 18-205. Revocation.
Secs. 18-206—18-233. Reserved.

Division 4. Technical Standards

Sec. 18-234. National Electrical Code adopted.
Sec. 18-235. Amendments to electrical code.
Sec. 18-236. General equipment standards.
Sec. 18-237. Special requirements for wiring in commercial buildings and places of public assembly.
Sec. 18-238. Branch circuits; type C lamp cords prohibited in certain places.
Sec. 18-239. Ground connections prohibited in certain locations.
Sec. 18-240. Trailer hookups; electrical inspection required.
Secs. 18-241—18-258. Reserved.

Article V. Plumbing Code

Division 1. Generally

Sec. 18-259. Definitions.
Sec. 18-260. Relief from personal responsibility.
Sec. 18-261. Plumbing inspector's right of entry.
Sec. 18-262. Plumbing inspections and permit fees.
Sec. 18-263. Backflow prevention devices.
Secs. 18-264—18-289. Reserved.

Division 2. Plumbers

Subdivision I. In General

Sec. 18-290. Apprentices.
Secs. 18-291—18-313. Reserved.

Subdivision II. Registration

Sec. 18-314. Required.
Sec. 18-315. Fees.
Sec. 18-316. Bond and insurance for plumbing contractors.
Sec. 18-317. Expiration and renewal.
Sec. 18-318. Effect of issuance.
Sec. 18-319. Transfer to or use by another.
Sec. 18-320. Revocation.
Secs. 18-321—18-343. Reserved.

Division 3. Technical Standards

Sec. 18-344. Plumbing code adopted.
Sec. 18-345. PVC plastic drain and vent pipe and fittings; PVC plastic water services.
Secs. 18-346—18-363. Reserved.

Article VI. Mechanical Code

Division 1. Generally

Sec. 18-364. Definitions.
Sec. 18-365. Intent.
Sec. 18-366. Applicability.
Sec. 18-367. Matters not provided for.
Sec. 18-368. Conflicting provisions.
Sec. 18-369. Continuation of unlawful use.
Sec. 18-370. Purpose and scope of article; Mechanical and Fuel Gas codes adopted.
Sec. 18-371. Annual license, permit and inspection fees.
Sec. 18-372. Rights of inspection.
Sec. 18-373. Appeals board.
Sec. 18-374. Examining board.
Secs. 18-375—18-391. Reserved.

Division 2. Mechanical Contractors, Journeymen and Apprentices

Subdivision I. In General

Sec. 18-392. Exemptions.
Secs. 18-393—18-412. Reserved.

Subdivision II. License

Sec. 18-413. Required.
Sec. 18-414. Application; examination and fee.
Sec. 18-415. Expiration.
Sec. 18-416. Bond and insurance requirements.
Sec. 18-417. Transfer.
Sec. 18-418. Appeals board.
Secs. 18-419—18-449. Reserved.

Article VII. Energy Conservation Code

Sec. 18-450. Adopted; construction.

Secs. 18-451—18-468. Reserved.

Article VIII. Moving of Buildings

Division 1. Generally

Sec. 18-469. Definitions.
Sec. 18-470. Enforcement.
Sec. 18-471. Appeals.
Sec. 18-472. Compliance with other ordinances.
Sec. 18-473. Mover's license.
Sec. 18-474. Route; use of streets.
Sec. 18-475. Limitation on occupancy of streets.
Sec. 18-476. Notice in change of proposed time of move.
Sec. 18-477. Flagman or escort.
Sec. 18-478. Lights, barricades.
Sec. 18-479. Notice of damage to city property.
Sec. 18-480. Payment of expenses and damages incurred by city.
Sec. 18-481. Clearance, filling of original site.
Sec. 18-482. Plugging of sewer at original site; notice regarding utility services.
Secs. 18-483—18-502. Reserved.

Division 2. Permit

Sec. 18-503. Required.
Sec. 18-504. Application, accompanying documents.
Sec. 18-505. Fees; security bond and mileage charge.
Sec. 18-506. Applicant's general deposit, bond or insurance.
Sec. 18-507. Applicant to deposit amount of city's estimated expenses.
Sec. 18-508. Inspection of building, applicant's equipment.
Sec. 18-509. Issuance to licensed mover only.
Sec. 18-510. Denial.
Sec. 18-511. Deposit of money, bonds, etc., received under division.
Secs. 18-512—18-530. Reserved.

Article IX. Dangerous Buildings

Sec. 18-531. Duties of code administrator.
Sec. 18-532. Designation of administrative officer; appeals.
Sec. 18-533. Condemnation proceedings.
Secs. 18-534—18-552. Reserved.

Article X. Minimum Property Maintenance Standards for Structures and Buildings

Sec. 18-553. Purpose.
Sec. 18-554. Applicability and scope.
Sec. 18-555. Pre-existing structures, buildings and modifications
Sec. 18-556. Short title.
Sec. 18-557. Existing remedies.
Sec. 18-558. Definitions.
Sec. 18-559. Exterior structure on residential properties.
Sec. 18-560. Basic facilities on residential properties.

Sec. 18-561. Rights of inspectors.
Sec. 18-562. Violations.
Sec. 18-563. Dangerous structures.
Sec. 18-564. Retaliation.

Secs. 18-512—18-530. Reserved.

ARTICLE IX. DANGEROUS BUILDINGS*

Sec. 18-531. Duties of code administrator.

The general duties to investigate and determine the present location and owner of those certain structures which are considered to be dilapidated or dangerous to the safety of inhabitants of the city is placed upon the code administrator of the city. Any determination that a building is classed as dilapidated or dangerous will be by any one or several reasons, regarding dilapidation, deterioration, age or obsolescence, inadequate provision of ventilation, light, air or sanitation, neglect, need of repair, or accumulation of debris, where the same constitutes a danger to the safety of the neighborhood. Utility companies shall be notified by the code department of the impending condemnation and location of the structure. Basis and procedure for enforcement is provided in 11 O.S. § 22.112.
(Code 1974, §§ 7-178, 17-27; Code 1993, § 18-376)

Sec. 18-532. Designation of administrative officer; appeals.

The city council designates the code administrator as the administrative officer responsible for carrying out the duties of the city council regarding dilapidated or dangerous structure determinations and removals. The property owner or mortgage holder shall have a right of appeal to the city council from any order of the administrative officer. Such appeal shall be taken by filing written notice of appeal with the city clerk within ten days after the administrative order is rendered.
(Code 1974, § 17-29; Code 1993, § 18-377)

*State law reference—Condemnation or repair of dangerous or dilapidated buildings, 11 O.S. §§ 22-112, 22-112.1.

Sec. 18-533. Condemnation proceedings.

(a) If a house or structure has been posted by the building inspector and subsequently condemned by the city council as being dangerous, unsafe, unsanitary or unfit for occupancy (as provided for in this article) and if the structure could be safely remodeled, the owner of the property must obtain a special remodeling permit. The permit shall specify that the structure has been previously condemned, but demolition proceedings have been stayed for 90 days. Prior to the special remodeling permit being issued, the permit applicant must post a $2,500.00 cash deposit with the city. The structure must then be repaired to meet all current building, electrical, plumbing, and mechanical codes that could apply to new construction, and work must be completed within the 90-day special permit period. Existing plumbing or wiring systems may be left in place with modifications at the inspector's discretion. If the code inspectors determine that the structure does not meet all applicable building, electrical, plumbing, and mechanical codes at the end of the 90-day special permit period, because in the code inspector's opinion that due to the weather conditions, the extensiveness of the repairs or other mitigating circumstances, if requested by the owner, the building code inspector may grant up to an additional 90-day extension of the original special permit period. Provided, if such request of the owner for such extension is denied, such request for a 90-day extension by the code inspector upon written request with demonstrable, justifiable and mitigating causes shown can be made on appeal to the city council. A majority decision of all of the elected councilmembers shall be controlling. Additional extensions of the special permit period may be granted only by a majority decision of the city council.

(b) A final inspection shall be performed of the structure by the code inspector to determine if the structure meets all building codes for new construc-

tion. If it does, the $2,500.00 deposit made by the owner shall be returned and the process of condemnation shall be withdrawn. If on the other hand, said final inspection determines said structure does not meet all such building codes, then the city shall retain the $2,500.00 deposit made by the owner to be applied to the demolition and removal of the structure and the condemnation procedure shall continue without further action by the city council.

(c) The provisions of this section shall apply notwithstanding any conflicting provisions of any other section of this code.
(Code 1974, § 7-48; Code 1993, § 18-378; Ord. No. 2262, § 1, 8-14-2007; Ord. No. 2574, § 1, 9-13-2016)

Secs. 18-534—18-552. Reserved.

ARTICLE X. MINIMUM PROPERTY MAINTENANCE STANDARDS FOR STRUCTURES AND BUILDINGS

Sec. 18-553. Purpose.

The purpose of this article is to protect the public health, safety and welfare in all structures and on all premises by enactment of this chapter which establishes minimum maintenance standards for all residential structures and premises for basic equipment facilities for light, ventilation, and sanitation; for safety from fire; for crime prevention; for space, use and location. There exist in the city structures which are now or which may be in the future become substandard with respect to structure, equipment and maintenance. That such conditions, together with inadequate provision for light and air, insufficient protection against fire hazards, unsanitary conditions, constitute a menace to public health, safety and welfare of its citizens. It is further found and declared that the existence of such conditions, factors or characteristics adversely affects public health and safety and leads to the continuation, extension and aggravation of urban blight. It is further found that adequate protection of public health, safety and welfare, therefore, requires the establishment and enforcement of minimum property standards. This chapter is to establish standards for safe and sanitary maintenance of all residential structures and premises; determines the responsibilities of owners, operators and occupants of all structures and premises; provides for administration, enforcement and penalties; promotes the stabilization and maintenance of structures and premises.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-554. Applicability and scope.

Every portion of a structure occupied or intended to be occupied for residential purpose and its premises shall comply with chapter 18, irrespective of when such structure shall have been constructed, altered or repaired. Any alterations thereof or changes of use therein, which may be caused directly or indirectly by the enforcement of this code, shall be done in accordance with applicable building, plumbing, electrical, mechanical codes and the land development code. Nothing in this chapter shall be applicable to rest homes, convalescent homes, nursing homes or hotels.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-555. Pre-existing structures, buildings and modifications

This chapter establishes minimum standards for the occupancy of residential structures and buildings and does not replace or modify standards otherwise established for the construction, repair, alteration or use of building equipment or facilities. Alterations, repairs, additions or modifications that required a permit at the time of construction must have been approved in accordance with the building code in effect at the time of construction or as altered or modified under an approved building permit.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-556. Short title.

This chapter shall be called the "Minimum Property Maintenance Standards for Structures and Buildings" and may be cited as the "Property Maintenance Code."
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-557. Existing remedies.

Nothing in this property maintenance code shall be deemed to abolish, impair, or prevent the execution of any existing remedies of the City of McAlester or its officers or agents existing under any law, statute, regulation, resolution, ordinance, or any existing remedies related to the abatement of a public nuisance.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-558. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this Code, have the meanings indicated in this section. Where terms are not defined in this section and are defined in the state building codes as adopted by the city under chapter 18 of the Code of Ordinances, they shall have the meanings ascribed to them in said building code. Where terms are not defined under the provisions of this chapter or under the provisions of the building code, they shall have ascribed to them their ordinarily accepted meanings and/or such as the context herein may apply.

Approved means "approved," as applied to a material, device or method of construction, shall mean approved by the enforcement officer under the provisions of this chapter, or approved by other authority designated by law to give approval in the matter in question.

Bathroom means a room containing plumbing fixtures, that includes a toilet and sink, and a bathtub or shower.

Bedroom means any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building code means the International Building Code, International Residential Code or International Existing Building Code as adopted by the city under chapter 18 of this Code of Ordinances.

Code administrator means the community development director, appointed by the city manager, with supervision and control of the department, including the building inspector, the plumbing inspector, the electrical inspector and other inspectors of the building trades.

Deterioration means to weaken, disintegrate, corrode, rust or decay and lose its intended effectiveness.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation within the unit.

Electrical code means the National Electrical Code, as adopted by the city under chapter 18 of this Code of Ordinances.

Exterior wall means an above-grade wall that defines the exterior boundaries of a building.

Garbage means discarded material resulting from the handling, processing, storage, preparation, serving and consumption of food.

Guest room means a room or a group of rooms in a permitted bed and breakfast facility forming a single habitable unit which is located within the walls of a residential structure and which is used or intended to be used for sleeping and living, but not for cooking or eating purposes and which is let individually as a unit.

Habitable room means a room occupied by one or more persons used or intended for living, cooking, eating or sleeping purposes, but does not include bathrooms, closets, water closet compartments, laundries, serving and storage pantries, corridors, cellars and spaces that are not used frequently or during extended periods.

Hotel means a hotel, resort, boarding house, bed and breakfast, furnished apartment or other building, which is kept, used or advertised as, or held out to the public to be, a place where sleeping or housekeeping accommodations are supplied for pay to guests for transient occupancy.

Imminent danger means a condition which could cause serious or life-threatening injury or death at any time.

Let for occupancy or *let* means to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded agreement of contract for the sale of land whether or not for compensation.

Mechanical code means the International Mechanical Code or International Fuel Gas Code as adopted by the city under chapter 18 of this Code of Ordinances.

Occupancy means the purpose for which a building or a portion thereof is utilized or occupied.

Occupant means any person over one year of age, including owner or operator; an individual living or sleeping in a building or having possession of a space within a building.

Operator means any person who has charge, care or control of a premises which is let or offered for occupancy.

Owners means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or owner of record as shown by the most current tax rolls of the county treasurer; or as holding title to the property; or otherwise having control of the property, including the recorded contract for deed, the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court. Any person who has charge, care, or of control of the premises as agent, executor, administrator, assignee, receiver, trustee, guardian, or lessee;

Person includes a firm, company, corporation, organization, trust, association, partnership, or other legal entity, as well as an individual.

Plumbing or *plumbing fixture* shall mean water pipes, gas pipes, waste pipes, water closets, sinks, lavatories, bathtubs, shower baths, or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connection to water, gas, sewer or vent lines.

Plumbing code means the International Plumbing Code, as adopted by the city under chapter 18 of this Code of Ordinances.

Premises means a lot, plot or parcel of land, easement or right-of-way, including any buildings or structures thereon.

Professional state of maintenance and repair. Whenever the words "professional state of maintenance and repair" are used in this chapter, they shall mean that such maintenance and repair shall be complete and made in a reasonable and skillful manner. For example, generally plumb, level, square, sound, in line, undamaged and without marring adjacent work.

Refuse means garbage, rubbish, solid waste, small dead animals, vegetable waste and yard waste.

Residential structure means a "residential structure," except when classified as an institution under the building code, shall mean a building in

which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided.

Secure means to take all reasonable measures to prevent unauthorized or unintended entry into any building or structure by unauthorized persons, animals, birds or insects, and to mitigate hazards.

Solid waste means useless, unwanted or discarded materials with insufficient liquid content to be free flowing, that result from domestic operations which require proper storage, collection, transportation and disposal to prevent environmental pollution inimical to public health, safety and welfare.

Structure shall mean that which is built, erected or constructed, or any piece of work artificially built up or composed of parts joined together in some definite manner which requires location on the ground or attachment to something having location on the ground.

Supplied shall mean installed, furnished or provided by the owner or operator.

Tenant means a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

Ventilation means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

Workmanlike means executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-559. Exterior structure on residential properties.

The owner of any premises regulated by this section shall comply with the following requirements:

(1) Every exterior wall and every roof shall be free of holes, breaks, deterioration, loose or rotting boards or timbers and any other conditions which might allow a person or animal to access the interior portions of the wall or to the interior spaces of structures.

(2) Every window and exterior door shall be substantially tight and shall be kept in a workmanlike state of maintenance and repair.

a. Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, and be maintained so as to exclude adverse weather elements from entering the structure. Windows in dwellings shall be capable of being easily opened and held in position by hardware.

b. Exterior doors, including garage doors, shall be maintained so as to be structurally sound, fit within frames so as to be weatherproof, windproof, and waterproof, and be provided with door hinges and door latches, as applicable, which are in good working condition.

(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-560. Basic facilities on residential properties.

The provisions of this chapter shall govern the minimum basic facilities to be provided in prem-

ises and structures. The owner of the structure or premises shall provide and maintain such basic facilities in compliance with these requirements. The owner of the structure or premises shall maintain all basic facilities in a workmanlike state of maintenance and repair. A person shall not occupy as owner occupied or permit another person to occupy any structure or premises which is not in compliance with this chapter.

(1) *Toilet and hand sink.* Every dwelling unit shall contain within its walls a room, or adjacent rooms, separate from the habitable rooms, which afford privacy, and which is equipped with a toilet and hand sink. In every structure, every water line, plumbing fixture, drain, stack, waste, vent and sewer line shall be properly installed, connected and maintained in proper working order, and must be kept free from obstructions, leaks and defects and capable of performing the function for which it was designed and installed. All repairs and installations must be made in accordance with the building code in effect at the time of construction or as altered/modified under an approved building permit.

(2) *Connected to water and sewer system.* Every kitchen sink, hand sink, bathtub, shower, laundry tub, washing machine outlets, toilet or urinal which is supplied must be connected to an adequate water and sewer system in accordance with the plumbing code. Each of these facilities shall be connected to and supplied with running water and every separate premises supplied by city water must have its own separate service connection and meter. No water service connection may be allowed from the city water mains to any premises supplied by water from any other source unless the city manager grants permission. Sewer facilities shall be of the sanitary water closet type connected to a sanitary sewer, provided that if the facilities are not within 300 feet of a sanitary sewer and accessible thereto, in accordance with Sec. 106-217 they may be of the sanitary water closet type connected with a septic tank

(3) *Connected to electrical service.* All residential structures and dwelling units shall be supplied with electrical service that is adequate to safely meet the electrical needs of the residential structures and dwelling units in accordance with the building code in effect at the time of construction or as altered or modified under an approved building permit. Any illegal or electrical devices shall be removed, repaired or replaced. All electrical components shall be maintained in an approved manner and free of defects.

(4) *Mixed municipal solid waste refuse storage and removal.* Every residential building shall be supplied with approved containers which are of sufficient quantity and capacity to store all the mixed municipal solid waste and refuse from the unit and which are equipped with tight-fitting covers for storage of mixed municipal solid waste.

(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-561. Rights of inspectors.

(a) *Right of entry.* In the discharge of duties, the building official or authorized representative shall have the authority to enter at any reasonable hour any building, structure or premises in the jurisdiction to enforce the provisions of this Code.

(b) *Relief from personal responsibility.* The building official, officer or employee charged with the enforcement of this Code, while acting for the jurisdiction, shall not thereby be rendered liable

personally, and the building official, officer or employee is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that person in the lawful discharge of duties and under the provisions of this Code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinates shall not be liable for costs in any action, suit or proceeding that may be instituted in pursuance of the provisions of this Code; and any officer of the department of building inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-562. Violations.

(a) *Unlawful acts.* It shall be unlawful for any person to use or occupy any building or structure regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

(b) *Notice of violation.* The code administrator shall serve a notice of violation or order on the person responsible for the building or structure in violation of the provisions of this chapter. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

(1) The notice shall:

a. Be in writing; and

b. Include a description of the real estate sufficient for identification; and

c. Specify the violation which exists, and the remedial action required; and

d. Provide at least ten days to the owner of the property to take action; and

e. Include a statement that the order may be appealed to the municipal governing body in accordance with the procedures set forth in this section.

(2) *Service of notice.* Service of an order shall be adequate if provided by:

a. Sent by mail to the property owner at the address shown by the current year's tax rolls in the office of the county treasurer, with receipt of mailing which shall indicate the date of mailing and the name and address of the mailee; or

b. If the property owner cannot be located, notice may be given by posting a copy of the notice on the property, or by publication at least once not less than ten days prior to any action by the municipality.

(3) *Emergency enforcement procedures.* If an emergency situation exists which creates an imminent health or safety hazard or danger to the public that by its nature requires immediate action, the code administrator may issue oral orders to the owner, operator and/or occupant that immediate corrective action shall be taken. The oral order shall:

a. Include a description of the premises sufficient for identification;

b. Specify the violation which exists, and the immediate remedial action required; and

c. Specify a reasonable time for the performance of the actions required. Within 24 hours following issuance of an oral order, the officer shall serve

a written order upon the owner in the manner provided above. Failure to obey the orders shall constitute a violation subject to the penalties provided for in section 1-9 of this code.

(4) *Right of appeal.* The property owner shall have a right of appeal to the municipal governing body from any order of the administrative officer or administrative body. Such appeal shall be taken by filing written notice of appeal with the municipal clerk within ten (10) days after the administrative order is rendered.

(c) *Penalties.* Any person who shall violate a provision of this code or fail to comply therewith or with any of the requirements thereof shall be guilty of a misdemeanor punishable as prescribed by section 1-9. Each day upon which a violation continues shall be deemed a separate offense.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-563. Dangerous structures.

If in the opinion of the enforcement officer any building or structure, or part thereof, is deemed to be in an unsafe condition and dangerous and/or unsafe to life, limb or property, upon vacancy the officer shall proceed to have the building or structure condemned pursuant to the applicable provisions of chapter 18, article IX Dangerous Buildings.
(Ord. No. 2840, § 1, 5-13-2025)

Sec. 18-564. Retaliation.

Property owners may not terminate a tenancy, refuse to renew a tenancy, increase rent, decrease services normally supplied, or harass, intimidate, or threaten to bring action for possession of a leased residential unit in response to a tenant complaining in good faith of regulatory violations concerning the maintenance or condition of the leased residential unit, surrounding community, or rules imposed.
(Ord. No. 2840, § 1, 5-13-2025)

ARTICLE I. IN GENERAL

Sec. 30-1. Municipal court.

Cases arising out of violations of the Charter and ordinances of the city shall be tried by the municipal court created by state law, or a lawful successor of the court created by state law.
(Code 1993, § 34-1; Ord. No. 2289, § 1, 5-27-2008)

Sec. 30-2. City judge, city prosecutor; appointment, removal.

The city judge and city prosecutor shall be appointed by the city manager, subject to confirmation by the city council. The city judge and city prosecutor shall serve at the pleasure of the city manager, and may be removed by the city manager.
(Code 1993, § 34-2; Ord. No. 2290, § 1, 5-27-2008)

Secs. 30-3—30-22. Reserved.

ARTICLE II. MUNICIPAL COURT NOT OF RECORD*

DIVISION 1. GENERALLY

Sec. 30-23. Application of article.

This article shall govern the organization and operation of the municipal court of the city, as put into operation by resolution duly passed on February 10, 1969, and filed in accordance with law.
(Code 1974, § 16-1; Code 1993, § 34-26)

Sec. 30-24. Clerk's bond.

The bond of the clerk of the municipal court shall be in the sum of $10,000.00. When executed, the bond shall be submitted to the city council for approval and, when approved, it shall be filed with the city clerk and retained in the municipal archives.
(Code 1974, § 16-17; Code 1993, § 34-27)

State law reference—Bond required in amount fixed by governing body and form prescribed, 11 O.S. § 27-111.

Sec. 30-25. Frequency, notice of sessions.

The judge of the municipal court shall conduct a session of the municipal court at least once every 16 days. Notice of such sessions shall be given as prescribed in the Oklahoma Open Meeting Act 25 O.S. § 301 et seq.
(Code 1974, § 16-23(b); Code 1993, § 34-28)

Sec. 30-26. Postponement of trial.

Before a trial commences in the court, either party, upon good cause shown, may obtain a reasonable postponement thereof.
(Code 1974, § 16-25; Code 1993, § 34-29)

Sec. 30-27. Defendant must be present at trial.

The defendant must be present in person at the trial of his case in the court.
(Code 1974, § 16-26; Code 1993, § 34-30)

Sec. 30-28. Witness fees.

(a) Witnesses in any proceeding in the court, other than police officers or peace officers, shall be entitled to a witness fee and mileage for each mile actually and necessarily traveled in going to and returning from the place of attendance, if their residence is outside the limits of the city as provided in chapter 48. However, no witness shall receive fees or mileage in more than one case for the same period of time or the same travel. A defendant seeking to subpoena witnesses must deposit with the clerk of the court a sum sufficient to cover fees and mileage for one day of atten-

*State law references—Creation of municipal court not of record, 11 O.S. § 27-101; findings in municipal resolution required, 11 O.S. § 27-102.; municipal courts of record, 11 O.S. § 28-101 et seq.

dance for each witness to be summoned, but such deposit shall not be required from an indigent defendant who files an affidavit setting out:

(1) The names of no more than three witnesses;

(2) That the defendant, by reason of his poverty, is unable to provide the fees and mileage allowed by law;

(3) That the testimony of said witnesses is material; and

(4) That their attendance at the trial is necessary for his proper defense.

(b) The fees of such witnesses shall be paid by the city.

(Code 1974, § 16-28; Code 1993, § 34-31)

State law reference—Witness fees to be prescribed by ordinance, 11 O.S. § 27-121.

Sec. 30-29. Rendition and recording of judgment.

At the close of a trial in the court, judgment must be rendered immediately by the judge who shall cause it to be entered in his docket.

(Code 1974, § 16-29; Code 1993, § 34-32)

Sec. 30-30. Discharge of defendant upon acquittal.

If judgment of the court is of acquittal, and the defendant is not to be detained for any other legal case, he must be discharged at once.

(Code 1974, § 16-30; Code 1993, § 34-33)

Sec. 30-31. Rendition of judgment on plea of guilty or conviction after trial.

If the defendant pleads guilty or is convicted after trial, the court must render judgment thereon, fixing the penalty within the limits prescribed by this Code or other applicable ordinance and imposing sentence accordingly.

(Code 1974, § 16-31; Code 1993, § 34-34)

Sec. 30-32. Costs upon judgment of conviction.

(a) If judgment of conviction is entered, the clerk of the court shall tax the costs to the defendant in a sum as provided in chapter 48, plus the fees and mileage of jurors and witnesses, together with any collection fee which may be charged, all of which the defendant shall pay, in addition to any fine that may be imposed.

(b) (1) There is hereby established a technology fund for the express and sole purpose of funding technological maintenance and improvements for the city. There shall be a technology improvement fee in the amount of $25.00 assessed by the clerk of the court in addition to any other costs or fees assessed on every citation disposed of in the municipal court except those that are voided, declined for prosecution or on which the defendant is acquitted, as provided in chapter 48. The revenues generated by the technology improvement fee shall be deposited in a nontransferable interest-bearing account. Fifty percent of the revenue generated by the technology improvement fee will be deposited into the technology fund for the purpose of funding technology maintenance and improvements for the city. The remaining 50 percent of the revenue generated by the technology improvement fee will be deposited into the capital improvement fund dedicated for the purpose of funding repairs, maintenance, construction, and improvements to city infrastructure, including but not limited to, capital improvements to water and sewer infrastructure, streets, roadways, and other public facilities.

(2) There is hereby established a child abuse response fund for the express

and sole purpose of funding child abuse investigations and child abuse prevention services within the city, including contracting with any third-party agency to provide such services. There shall be a child abuse response fee in the amount of $5.00 assessed by the clerk of the court in addition to any other costs or fees assessed on every citation disposed of in the municipal court except those that are voided, declined for prosecution or on which the defendant is acquitted, as provided in chapter 48. All revenue collected pursuant to the child abuse response fee will be deposited into the child abuse response fund, which shall be deposited in a nontransferable interest-bearing account.

(3) There is hereby established a police equipment improvement fund for the express and sole purpose of acquiring additional equipment for the McAlester Police Department. There shall be a police equipment fee in the amount of $50.00 assessed by the clerk of the court in addition to any other costs or fees assessed on every citation disposed of in the municipal court except those that are voided, declined for prosecution or on which the defendant is acquitted, as provided in chapter 48. All revenue collected pursuant to the police equipment fee will be deposited into the police equipment improvement fund, which shall be deposited in a nontransferable interest-bearing account.

(4) There is hereby established an incarceration cost fund for the express and sole purpose of offsetting the costs borne by the city to house and care for its criminal defendants, whether before or after conviction, while being incarcerated by or on behalf of the city. There shall be an incarceration cost fee assessed by the clerk of the court in addition to any other costs or fees assessed on every citation disposed of in the municipal court except those that are voided, declined for prosecution or on which the defendant is acquitted, as provided in chapter 48. The incarceration cost fee shall be in an amount as follows:

Number of days (or any portion thereof) in which the defendant was incarcerated by or on behalf of the city multiplied by the actual cost per day borne by the city to incarcerate such person

All revenue collected pursuant to the incarceration cost fee will be deposited into the incarceration cost fund, which shall be deposited in a nontransferable interest-bearing account.

(c) In addition, regarding any such fines, costs or fees which exceed the sum of $50.00 and which remain unpaid by any individual who has filed a state income tax return, the clerk of the court may file a claim with the state tax commission requesting that the amount owed to the city be deducted from any state income tax refund due to that individual, all in compliance with the provisions of 68 O.S. § 205.2 et seq.

(d) The cumulative total penalty imposed by the city upon a defendant following a judgment of conviction shall not exceed the limits imposed by state law for the same.

(Code 1974, § 16-32; Code 1993, § 34-35; Ord. No. 2175, § 1, 6-22-2004; Ord. No. 2206, § 1, 9-27-

2005; Ord. No. 2334, § 2, 9-22-2009; Ord. No. 2455, § 1, 3-12-2013; Ord. No. 2616, § 1, 1-23-2018; Ord. No. 2773, § 1, 2-14-2023; Ord. No. 2790, § 1, 11-28-2023; Ord. No. 2857, § 1, 10-28-2025)

State law reference—Council to determine costs by ordinance, 11 O.S. § 27-126.

Sec. 30-33. Work performed by prisoners.

(a) All prisoners confined to jail on conviction or on plea of guilty may be compelled, if their health permits, to work on the public streets, avenues, alleys, parks, buildings or other public premises or property. For each day of such work, the prisoner shall be credited for serving two days of imprisonment under his sentence.

(b) The chief of police, subject to the direction of the city manager, shall direct where the work referred to in subsection (a) of this section shall be performed. The head of the department in charge of the place where the work is to be performed, or some person designated by him, shall oversee the work. If a guard is necessary, the chief of police shall make provision therefor.
(Code 1974, § 16-33; Code 1993, § 34-36)

Sec. 30-34. Copy of judgment of imprisonment as warrant for execution of sentence.

If, after conviction, judgment of imprisonment is entered, a copy thereof, certified by the clerk, shall be delivered to the chief of police, the sheriff of the county or other appropriate police officer. Such copy shall be sufficient warrant for execution of the sentence.
(Code 1974, § 16-34; Code 1993, § 34-37)

Sec. 30-35. Failure to appear.

(a) Any person who is charged with a violation of this Code and who, having been duly issued a summons, or having been arraigned and released on recognizance, or having made a promise to appear, and violates such recognizance, or fails to answer the summons, or fails to honor a promise to appear and does not voluntarily appear before this court on the appointed date and time, regardless of the disposition of the charge for which the citation was originally issued, shall be guilty of an offense.

(b) Any person who shall violate the provisions of this section by failing to appear in the municipal court shall be deemed guilty of an offense and, upon conviction thereof, shall be punishable by a fine not to exceed $200.00 and cost.
(Code 1993, § 34-38; Ord. No. 2061, § 1, 4-8-1997)

Sec. 30-36. Execution of sentences of municipal court.

(a) All sentences of imprisonment shall be executed by the chief of police of the city, and any person convicted of a violation of any ordinance of the city and sentenced to imprisonment shall be confined in the jail, farm, or workhouse of the city, in the discretion of the court, for the time specified in the sentence; provided, however, the court may, in lieu of imprisonment, order the defendant to engage in a term of community service without compensation. If the defendant fails to perform the required community service or if the conditions of community service are violated, the judge may impose a sentence of imprisonment, not to exceed the maximum sentence allowable for the violation for which the defendant was convicted.

(b) The judge of the municipal court imposing a judgment and sentence, at the judge's discretion, is empowered to modify, reduce, suspend, or defer the imposition of a sentence or any part thereof and to authorize probation for a period not to exceed six months from the date of sentence under terms or conditions as the judge may specify. Procedures relating to suspension of the judgment or costs or both shall be as provided in 11 O.S. § 27-123. Upon completion of the terms of probation, the defendant shall be discharged without a court

judgment of guilt, and the verdict, judgment of guilty, or plea of guilty shall be expunged from the record and the charge dismissed with prejudice to any further action. Upon a finding of the court that the conditions of probation have been violated, the municipal judge may enter a judgment of guilty.

(c) The judge of the municipal court may continue or delay imposing a judgment and sentence for a period of time not to exceed six months from the date of sentence. At the expiration of this period of time, the judge may allow the municipal attorney to amend the charge to a lesser offense.

(d) If a deferred sentence is imposed, an administrative fee as provided in chapter 48 may be imposed as costs in the case, in addition to any deferral fee otherwise authorized by law.
(Code 1993, § 34-39; Ord. No. 2246, § 1, 9-26-2006)

Secs. 30-37—30-60. Reserved.

DIVISION 2. JUDGE*

Sec. 30-61. Number; qualifications.

There shall be one judge of the court, who must be duly licensed to practice law in the state.
(Code 1974, § 16-5; Code 1993, § 34-51)

State law references—Council to determine number of judges; judge's qualifications, 11 O.S. § 27-104(A).

Sec. 30-62. Term of office.

The official term of the judge expires on February 12, in each odd-numbered year.
(Code 1974, § 16-7; Code 1993, § 34-52)

State law reference—Judge's term to be two years, expiring on date fixed by ordinance, 11 O.S. § 27-104(A).

*State law reference—Municipal judges, 11 O.S. § 27-104 et seq.

Sec. 30-63. Alternate and acting judges.

There shall be appointed an alternate judge of the court, possessed of the same qualifications as the judge. His appointment shall be for the same term and made in the same manner as the judge. He shall sit as acting judge of the court in any case if the judge is absent from the court, unable to act as judge, or disqualified from acting as judge in the case.
(Code 1974, § 16-11(a); Code 1993, § 34-53)

State law reference—Alternate or acting judge, 11 O.S. § 27-106.

Sec. 30-64. Removal.

Proceedings for removal of a municipal judge shall be instituted by the filing of a verified written petition, setting forth facts sufficient to constitute one or more legal grounds for removal. Petitions may be signed and filed by the mayor or by 25 or more qualified electors of this city. In the latter event, verification may be executed by one or more of the petitioners. The council shall set a date for hearing the matter, and shall cause notice thereof, together with a copy of the petition, to be served personally upon the judge at least ten days before the hearing. At the hearing, the judge shall be entitled to representation by counsel, to present testimony and to cross examine the witnesses against him, and to have all evidence against him presented in open hearing. So far as they can be made applicable, the provisions of the Oklahoma Administrative Procedure Act governing individual proceedings (75 O.S. §§ 309 through 317 and any amendments or additions thereto in effect at the time of the hearing) shall govern removal proceedings hereunder. Judgment of removal shall be entered only upon individual votes, by a majority of all members of the city council, in favor of such removal.
(Code 1974, § 16-13; Code 1993, § 34-54)

State law reference—Removal of judge, 11 O.S. § 27-104(A).

Sec. 30-65. Vacancy in office.

A vacancy in the office of judge shall occur if the incumbent dies, resigns, ceases to possess the qualifications for the office or is removed, and the removal proceedings have been affirmed finally in judicial proceedings or are no longer subject to judicial review.

(Code 1974, § 16-14; Code 1993, § 34-55)

State law reference—Vacancies, 11 O.S. §§ 27-104(A), 27-107.

DIVISION 3. COMMUNITY SERVICE PROGRAM

Sec. 30-66. Definitions.

Unless specified, the term:

(1) *Community service program* means a constructive, valuable sanction available for use by a municipal judge to allow offenders to pay court fines by providing needed services.

(2) *Community service agreement* means an agreement between the defendant and the municipal court for the defendant to complete community service hours in lieu of court fines.

(Ord. No. 2595, 2-28-2017)

Sec. 30-67. Criteria for community service program.

(a) Defendant must be physically able to perform manual labor. If the defendant is pregnant, has doctor orders not to work, or is on disability, the defendant may not be allowed to complete community service.

(b) Defendant must complete the necessary community service hours at either a non-profit organization or governmental agencies within the City of McAlester unless otherwise approved by the judiciary.

(c) Defendant must receive approval by the municipal court before beginning the community service hours.

(Ord. No. 2595, 2-28-2017)

Sec. 30-68. Community service agreement.

(a) Before the defendant is allowed to work, he/she will be required to sign a community service agreement. This agreement contains the following eight rules and regulations:

(1) The defendant will be allowed one opportunity to participate in the community service program.

(2) The defendant must return completed hours to the municipal court in order to receive credit for community service.

(3) Community service must be completed within 45 days unless the municipal court has granted an extension.

(4) The defendant understands that participating in the community service program is voluntary.

(5) The defendant is not considered an employee of the City of McAlester, the municipal court, or the agency to which the defendant is assigned or their respective employees and agents. Defendant shall not be entitled to worker's compensation, unemployment benefits, or any other benefits otherwise provided by law to employees.

(6) The defendant will sign a release of liability and indemnity agreement releasing the City of McAlester, its municipal court, or any agency to which the defendant is assigned, and their respective employees and agents from liability.

(7) Appropriate safety equipment will be supplied by the supervising entity in order for the defendant to complete the tasks safely.

The defendant is required to wear clothing that is appropriate for the assigned work site.

(8) The defendant is responsible for making the necessary transportation and child care arrangements in order to comply with the community service program. Defendants are also responsible for making arrangements with their employer if participation in the program conflicts with their employment schedule.

(b) Juvenile defendants participating in community service shall be supervised at separate locations from adult defendants.
(Ord. No. 2595, 2-28-2017)

Sec. 30-69. Hourly rate and completion time.

(a) The pay grade will be classified as grade 112-8 which will apply towards the defendant's court fines.

(b) The defendant will have 45 days to complete the community service program. An extension may be granted by the municipal court.

(c) If the defendant completes a portion of the community service program, the municipal court may grant credit for time served.
(Ord. No. 2595, 2-28-2017)

Sec. 30-70. Violations and penalties.

The defendant is expected to work the hours and days assigned. The defendant will be asked to leave the service site immediately if performance, attitude or unsatisfactory performance occurs. Failure to report for work, failure to report on time or failure to accept direction will result in noncompliance and the defendant will be referred back to the municipal court for further action.
(Ord. No. 2595, 2-28-2017)

Secs. 30-71—30-90. Reserved.

Chapter 38

EMERGENCY MANAGEMENT AND SERVICES*

Article I. In General

Sec. 38-1. Fallout protection.
Sec. 38-2. Ambulance services must comply with statutes.
Secs. 38-3—38-24. Reserved.

Article II. Continuity of Government

Sec. 38-25. Definitions.
Sec. 38-26. Emergency interim successors—Designation.
Sec. 38-27. Same—Qualifications and status.
Sec. 38-28. Same—Formalities when taking office.
Sec. 38-29. Same—Filing of information concerning deputies and successors.
Sec. 38-30. Same—Powers and duties.
Sec. 38-31. Quorum and vote requirements for council in event of attack.
Secs. 38-32—38-50. Reserved.

Article III. Emergency Management Organization and Program

Sec. 38-51. Definitions.
Sec. 38-52. Establishment, composition of office of emergency management; office space, equipment, etc.
Sec. 38-53. Emergency management advisory committee.
Sec. 38-54. Director of emergency management—Office created; appointment, term.
Sec. 38-55. Same—General powers and duties.
Sec. 38-56. Same—Powers during emergency.
Sec. 38-57. Mayor's powers during emergency.
Sec. 38-58. Establishment of emergency control centers.
Sec. 38-59. Acceptance of gifts, grants and loans for civil defense purposes.
Sec. 38-60. Exemption from liability for damages resulting from civil defense activities.
Secs. 38-61—38-78. Reserved.

Article IV. Public Order Preservation

Sec. 38-79. Definitions.
Sec. 38-80. Proclamation of existence of emergency.
Sec. 38-81. Invocation of curfew.
Sec. 38-82. Closing of streets.
Sec. 38-83. Closing certain businesses, prohibiting sale of certain products, etc.
Sec. 38-84. Notice of orders affecting business establishments.
Sec. 38-85. Termination or extension of emergency proclamation.

***State law references**—Oklahoma Emergency Management Act of 2003, 63 O.S. § 683.1 et seq.; Oklahoma Riot Control and Prevention Act, 21 O.S. § 1321.1 et seq.; municipalities authorized to enact ordinances in conformity with act, 21 O.S. § 1321.9; political subdivisions, emergency management programs, 63 O.S. §§ 683.11, 683.12.

Sec. 38-86. Failure to disperse from scene of riot or unlawful assembly during emergency.
Sec. 38-87. Violation of article or emergency orders.
Sec. 38-88. Article supplemental to other ordinances.
Secs. 38-89—38-119. Reserved.

Article V. Alarm Systems

Sec. 38-120. Purpose.
Sec. 38-121. Definitions.
Sec. 38-122. Alarm business; registration requirements.
Sec. 38-123. License, false alarm fees; penalties.
Secs. 38-124—38-144. Reserved.

Article VI. 911 Emergency Number Service

Sec. 38-145. Definitions.
Sec. 38-146. Purpose.
Sec. 38-147. Established.
Sec. 38-148. Fee.
Sec. 38-149. Other participants.
Sec. 38-150. Rate of emergency telephone fee for calendar year.
Sec. 38-151. Collection of emergency fee; establishment of rate.
Sec. 38-152. False alarm, complaint or information; penalty.
Secs. 38-153—38-184. Reserved.

Article VII. Ambulance Service

Sec. 38-185. Definitions.
Sec. 38-186. Sole source ambulance service within the city.
Sec. 38-187. Insurance required.
Sec. 38-188. Application for ambulance service license and certificate of necessity.
Sec. 38-189. Rates and charges.
Sec. 38-190. Application for drivers', attendants' and attendant/drivers' permits.
Sec. 38-191. Standards for drivers', attendants', and attendant/drivers' permits.
Sec. 38-192. Duties of the attendant.
Sec. 38-193. Duties of the driver.
Sec. 38-194. Ambulance trip procedure and clearance.
Sec. 38-195. Response time performance required.
Sec. 38-196. Prohibition against refusal to transport.
Sec. 38-197. EMS standard operation guidelines.
Sec. 38-198. Hours of operation.
Sec. 38-199. Authority of city manager.
Sec. 38-200. Violations and penalties.

regular meetings at least four times a year and at other times on the call of the mayor. The committee shall serve without compensation.
(Code 1974, § 11-3; Code 1993, § 30-58)

Sec. 38-54. Director of emergency management—Office created; appointment, term.

The office of director of emergency management is hereby created. The director of emergency management shall be appointed by the mayor and shall serve at his pleasure.
(Code 1974, § 11-4; Code 1993, § 30-59)

State law reference—Requirement for appointment of director, 63 O.S. § 683.11.

Sec. 38-55. Same—General powers and duties.

(a) The director of emergency management shall be the executive head of the office of emergency management and shall have general direction and control of such office. He shall be responsible for carrying out the emergency management program of the city and the provisions of this article. In so carrying out the provisions of this article, the director is expressly authorized to cooperate, insofar as permitted by other appropriate legislation, with the federal government, the government of the state and its subdivisions, with other states and their subdivisions and with private agencies in all matters pertaining to emergency management in this city.

(b) The director of emergency management shall coordinate the activities of all organizations for emergency management within the city, and shall maintain liaison with and cooperate with emergency management agencies and organizations of other governmental units, both within and without the state, and of the federal government, and shall have such additional authority, duties and responsibilities as may be authorized under this article or amendments thereof.

(c) Prior to an emergency, the director of emergency management shall have the following powers:

(1) To make, amend and rescind the necessary orders, rules and regulations to carry out the provisions of this article within the limits of the authority conferred upon him herein, with due consideration to be given to the plans and powers of the federal government, the government of the state, and other public and private agencies and organizations empowered to act in either enemy-caused emergencies or natural emergencies, or both.

(2) To prepare comprehensive plans for the emergency management of the city in both enemy-caused and natural emergencies, such plans and programs to be integrated and coordinated with the plans and programs of the federal government, of the government of the state, and of other public and private agencies and organizations empowered to act in either enemy-caused or natural emergencies, or both.

(3) To establish, within the limits of funds available, a public warning system, composed of sirens, horns or other acceptable warning devices.

(4) To establish and carry out recruitment and training programs as may be necessary to develop an adequate, qualified emergency management volunteer corps.

(5) To conduct drills, exercises and similar programs as may be necessary to develop a well-trained, alert, fully prepared emergency management organization.

(6) To make such studies and surveys of the industries, resources and facilities of this city as he deems necessary to ascertain its

capabilities for emergency management, and plan for the most efficient emergency use thereof.

(7) On behalf of the city, to enter into mutual-aid arrangements with surrounding communities, subject to the approval of the city council.

(8) To delegate any administrative authority vested in him under this article, and to provide for the subdelegation of any such authority.

(9) To take any other action proper and lawful under his authority to prepare for either an enemy-caused or a natural emergency.

(Code 1974, § 11-5; Code 1993, § 30-60)

Sec. 38-56. Same—Powers during emergency.

In the event of any actual emergency, as proclaimed by the mayor, the director of emergency management, with the approval of the mayor, may exercise during such emergency the power to enforce all rules and regulations relating to emergency management and, acting under the authority of state statutes or under the authority of the mayor as an agent of the governor of the state, may take control of all means of transportation and communications, all stocks of fuel, food, clothing, medicine and supplies, and all facilities, including buildings and plants, and exercise all powers necessary to secure the safety and protection of the civilian population. In exercising such powers, he shall be guided by regulations and orders issued by the federal government and the governor of the state relating to emergency management and shall take no action contrary to orders which may be issued by the governor under similar emergency powers.

(Code 1974, § 11-6; Code 1993, § 30-61)

Sec. 38-57. Mayor's powers during emergency.

(a) The provisions of this section shall be operative only during the existence of a natural or man-made emergency. The existence of such emergency may be proclaimed by the mayor if the mayor in such proclamation finds that an emergency or disaster has occurred or is anticipated in the immediate future. Any such emergency shall terminate upon the proclamation of the termination thereof by the mayor, or by passage by the city council of a resolution terminating such emergency.

(b) During such period as such state of emergency exists or continues, the mayor shall have and may exercise the following additional emergency powers:

(1) To assume regulatory control over all essential financial and human resources of the city government in order to determine the priorities of such resources and to allocate such resources as the mayor may deem necessary. This includes, but is not limited to, the allocation of any funds available to the city government to purposes aimed at alleviating distress and aid in restoring normal conditions.

(2) To temporarily suspend the discontinuation of utility services for non-payment of charges and to waive such charges related to non-payment of utility services as the mayor may determine.

(3) To enforce all laws, rules and regulations relating to emergency management.

(4) To perform and exercise such other functions, powers and duties as are necessary to promote and secure the safety and protection of the civilian population and to carry out the provisions of the emergency operations plan during a local, national,

or state emergency, provided, the mayor shall take no action contrary to orders which may be issued by the governor.

(c) In the event of any emergency whether natural or man-made, as proclaimed by the mayor, the director of emergency management, with the approval of the mayor and acting under his instructions, shall coordinate in every way proper the activities of the emergency management organization. He is specifically charged in such emergency with the collection, evaluation, and dissemination of information to all agencies participating in the city's emergency management organization or cooperating in any such emergency. He shall, as director, have the power to recommend appropriate action, but he shall not have control over the participating agencies.
(Code 1974, § 11-7; Code 1993, § 30-62; Ord. No. 2859, § 1, 11-12-2025)

Sec. 38-58. Establishment of emergency control centers.

The director of emergency management shall, within the appropriations therefor, establish a primary and one or more secondary control centers, as he deems necessary to serve during an enemy-caused or a natural emergency.
(Code 1974, § 11-8; Code 1993, § 30-63)

Sec. 38-59. Acceptance of gifts, grants and loans for civil defense purposes.

Whenever the federal government or the state or any person shall offer to the city any services, equipment, supplies, materials or funds by way of gift, grant or loan, for purposes of emergency management, the mayor may accept such offer and may authorize the director of emergency management to receive the same subject to the terms of the offer and the rules and regulations, if any, of the agency making the offer.
(Code 1974, § 11-9; Code 1993, § 30-64)

Sec. 38-60. Exemption from liability for damages resulting from civil defense activities.

Neither the city nor any officer or member of the emergency management organizations provided for in this article shall be liable for personal injury or property damage sustained by any person appointed or acting as a volunteer emergency management worker or member of any agency engaged in any emergency management activity prior to or during either an enemy-caused or a natural emergency, nor shall the city or any such officer or member be liable for the death or injury of any person or damage to property resulting from such emergency management activity prior to or during either an enemy-caused or a natural emergency.
(Code 1974, § 11-10; Code 1993, § 30-65)

State law reference—Similar provisions, 63 O.S. § 683.14.

Secs. 38-61—38-78. Reserved.

ARTICLE IV. PUBLIC ORDER PRESERVATION*

Sec. 38-79. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City manager means the city manager or his designated representative.

Civil emergency means:

(1) A riot. Any use of force or violence, or any threat to use force or violence, if accompanied by the immediate power of execution, which threatens to result in acts described in subsection (4) of this definition by three or more persons acting together,

***State law references**—Oklahoma Riot Control and Prevention Act, 21 O.S. § 1321.1 et seq.; authority of city to enact ordinance in conformity with said act, 21 O.S. § 1321.9.

and without authority of law, which cannot be controlled or stopped under existing conditions and authority, is a riot.

(2) An unlawful assembly consisting of three or more persons assembling together with intent to do any unlawful act described in subsection (4) of this definition with force or violence against the person or property of another, and who make any overt act to carry out such unlawful purpose, or who do a lawful act in an unlawful, violent or tumultuous manner, which cannot be controlled or stopped under existing conditions or authority.

(3) A natural disaster or a manmade calamity, including, but not limited to, flood, conflagration, cyclone, tornado, earthquake or explosion occurring within or affecting property within the city limits, which endangers life and property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare of the citizens.

(4) Unlawful activities, such as looting, arson, fire bombing, sniping, interference with emergency vehicles, widespread criminal damage to property, which in the opinion of the city manager, based upon consultation with the chief of police, cannot be controlled nor stopped under existing conditions and authority without unduly further endangering life of property.

Curfew means that period of time, as declared by the city manager, during which no person shall be upon the public streets, sidewalks, grounds or semipublic property, either on foot or in vehicles of any type within the city except, however, that persons authorized by the city manager by administrative order shall not be subject to the curfew.
(Code 1974, § 11-43; Code 1993, § 30-86)

Sec. 38-80. Proclamation of existence of emergency.

Whenever the mayor shall, after consultation with the city manager, police chief or fire chief, find that a civil emergency exists and that invocation of the extraordinary powers conferred by this chapter is necessary to ensure or to restore the public peace, he shall forthwith proclaim, in writing, the existence of such emergency as provided by section 38-57.
(Code 1974, § 11-44; Code 1993, § 30-87; Ord. No. 2859, § 1, 11-12-2025)

Sec. 38-81. Invocation of curfew.

After the proclamation of the existence of an emergency, as authorized in section 38-80, the city manager may order the invocation of the curfew. Such order shall declare the hours of curfew in all or any portion of the city, thereby requiring all persons in such designated curfew areas to forthwith remove themselves from the public streets, alleys, parks or other public or semipublic places. The curfew shall be declared by proclamation which shall be delivered to the chief of police, who shall see that copies thereof are delivered to all news media within the city and who shall also use public address systems to notify the public of the proclamation and curfew hours and warn the public that violation of the curfew constitutes a misdemeanor or violators are subject to arrest.
(Code 1974, § 11-45; Code 1993, § 30-88)

Sec. 38-82. Closing of streets.

After the proclamation of the existence of a civil emergency, as authorized in section 38-80, the city manager may close any and all streets, alleys and other public ways in the city to the public whenever it is necessary for the preservation of life and property and the maintenance of law and order.
(Code 1974, § 11-46; Code 1993, § 30-89)

Sec. 38-83. Closing certain businesses, prohibiting sale of certain products, etc.

After the declaration of the existence of a civil emergency, as authorized in section 38-80, the city manager may:

(1) Order the closing of all retail package liquor stores and outlets.

(2) Order the closing of all bars and other establishments selling intoxicating liquor or beer by the drink.

(3) Order the discontinuance of selling, distributing or giving away gasoline or other flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle, such sale to be limited to not more than one gallon per motor vehicle, or in the alternative, order the closing of gasoline stations and other establishments, the chief activity of which is the sale, distribution or dispensing of liquid flammable or combustible products.

(4) Order the discontinuance of selling, distributing, dispensing or giving away of any firearms or ammunition of any character whatsoever, or in the alternative, order the closing of all establishments or portions thereof where firearms or ammunition are kept for sale or distribution.

(5) Issue such other orders as are imminently necessary for the protection of life and property.

(Code 1974, § 11-47; Code 1993, § 30-90)

Sec. 38-84. Notice of orders affecting business establishments.

All orders issued pursuant to the authority contained in section 38-83 regulating or prohibiting the conduct of business shall be delivered to the police department, which shall forthwith inform

For the purposes of providing a clear and concise listing of the fees and charges authorized by the provisions of this Code in payment for city licenses, permits and services, a fee schedule is set forth. The headings give the title of the appropriate chapters and articles, as applicable.

Code Section	*Description*	*Amount*
	Chapter 2. Administration	
	Article III. Offices and Employees	
	Division 1. Generally	
2-82	Open Records Act Procedures	
	(1) Where a written request is to inspect open public records, no fee shall be charged except as provided in this paragraph.	
	(2) Where a written request is to copy open public records, the city clerk shall collect a fee from the requestor equal to twenty-five cents ($0.25) per page for records having the dimensions of eight and one-half (8 ½) by fourteen (14) inches or smaller, and a fee equal to One Dollar ($1.00) per page for certified copies.	
	a. Where a written request is to copy open public records which cannot be mechanically reproduced by photocopy, the city clerk shall collect a fee from the requestor in an amount to recovery of the reasonable, direct costs of record copying, or mechanical reproduction costs borne by the city without markup.	
	b. Where a written request is to inspect or copy open public records is (A) made solely for commercial purposes or (B) would clearly cause an excessive disruption of the essential functions of the city government, the city clerk shall charge a search fee in the amount of twenty dollars ($20.00) per hour (pro-rated) per employee of the city government actually dedicated to the fulfillment of the request. The decision of the city clerk that a request is subject to the search fee above described shall be final.	
	c. Any fees applicable to a request are due at the time the records, or copies thereof, are provided to the requester. Provided the city clerk shall demand prepayment of the fee whenever the city clerk estimates the total fees associated with the request shall exceed twenty dollars ($20.00). The prepayment amount shall be an estimate of the total cost of copying, mechanical reproduction, and searching for the requested records as applicable. The estimation of the city clerk as to the total fee shall be final. Any overage or underage in the prepayment amount shall be settled prior to the city clerk permitting inspection of the requested records or delivering the copies or mechanical reproduction of the requested records.	
	d. No record search or copying fee shall be assessed against officers or employees of the city government who make requests which are reasonably necessary to the performance of their official duties.	
	e. The above fees shall be posted in a conspicuous place in the office of the city clerk and filed with the Pittsburg County Clerk's Office.	
	Article VI. Finance	
	Division 2. Purchases	
2-383	Contracts for collection services	
	Collection fee maximum	35%
	Division 4. Cost Sharing Policy for Public Works Projects	
2-439	Streets	
	Oil mat (dust control). Property owners' cost per front foot of property for each side of street	$0.10
	Standard 29-foot street (existing platted streets)	
	Concrete: total estimate	50% cost

Code Section	*Description*	*Amount*
	Curb, gutters and driveways are 100 percent property owners' cost	100% cost
	Asphalt: curbs, gutters and driveways	100% cost
	City to provide labor, equipment, engineering and inspection	
	Arterials and collectors (wider than 29 feet). Property owners are to cost share on basis of standard 29-foot residential street	
	Additional widths, when required, will be paid 100 percent by the city	
	Street openings (presently platted but unopened). Deposit with the city treasurer the estimated cost of materials (before construction will start). Thereafter, these streets come under the regular city cost sharing policy	100% cost
	The city will provide labor, equipment, engineering and inspection	
	Street cuts and backfills. All street cuts are to be financed by the person requesting the work	100%
2-440	Storm drains and culverts	$100.00
2-441	Paving of parking areas and existing, open alleys	
	Parking areas adjacent to street and located on a dedicated right-of-way, and existing, open alleys; per ton of asphaltic concrete	$9.50
	Unopened alleys, opened and gravel base installed upon deposit of the cost for all materials	100% cost
2-442	Sidewalks	
	New concrete sidewalk construction	100% cost
	City pays for all engineering, grading and sand cushion	
	Five standard city blocks, 1,500 feet in each direction from public schools, are eligible for 50 percent city participation	
	Repairs, standard cost	50% cost
2-443	Water main extensions	
	Mains six inches in diameter or smaller	50% cost
	Water tap fee for existing mains or mains installed under this policy	
	Size of tap in inches	
	5/8 meter	$50.00
	3/4 meter	$75.00
	1 and 1 1/2 meter	$150.00
	2 meter	$200.00
	Water tap fees shall be paid only on those water mains laid under the city's participation policy	$150.00 or cost of original owner, whichever is greater
2-444	Sewer main extensions	
	Total cost of extension	50% cost
	Water tap fees shall be paid only on those water mains laid under the city's participation policy	$150.00 or cost of original owner, whichever is greater
Chapter 6. Alcoholic and Nonintoxicating Beverages		
Article II. Alcoholic Beverages		
Division 1. Generally		
6-31	Permitting or allowing gatherings where minors are consuming alcoholic beverages	
	Administrative fees	$0.00
Article II. Alcoholic Beverage		

Code Section	*Description*	*Amount*
	Division 3. Occupation Tax	
6-79	Levied; amount	
	Occupation	Tax
	Brewer	$1,250.00
	Distiller	$3,125.00
	Winemaker	$625.00
	Oklahoma winemaker	$75.00
	Rectifier	$3,125.00
	Wine and spirits wholesaler	$3,000.00
	Beer distributor license	$500.00
	Retail spirit license	$750.00
	Retail wine license (Initial)	$150.00
	Retail wine license (Renewal)	$75.00
	Retail beer license (Initial)	$150.00
	Retail beer license (Renewal)	$75.00
	Mixed beverage/caterer combination (Initial)	$1,250.00
	Mixed beverage/caterer combination (Renewal)	$1,000.00
	Employee, each	$15.00
	Carrier, each	$23.00
	Private carrier	$23.00
	Special events, per day	$50.00
	Industrial	$23.00
	Nonresident seller	$750.00
	I.R.S. 501(c)(19) exempt service organizations Mixed beverage or bottle club licenses	$500.00
	Article III. Nonintoxicating Beverages	
6-115	Retail dealer's license	
	Annual nonintoxicating beverage retail dealer's license	
	For selling such beverages for consumption on or off the premises	$20.00
	For selling such beverages in the original packages and not for consumption on the premises	$10.00
	Article IV. Sidewalk Cafe	
6-159	Sidewalk cafe permit	
	Permit fee for designated area	$100.00
	Article V. Beverage Gardens	
6-194	Beverage garden permit	
	Permit fee for designated area	$50.00
	Refundable cleaning deposit	$100.00
	Chapter 10. Animals	
	Article II. Administration and Enforcement	
	Division 2. Impoundment	
10-56	General custody and containment procedures	
	Rabies vaccination	$30.00

Code Section	*Description*	*Amount*
	Subsequent impoundments occurring within 12 months	Double the scheduled rate
10-59	Adoption	
	Physical exam and food for the isolation period	100% cost
	Spay or neuter	100% cost
	Additional physical examination	100% cost
	Article III. Care and Control Regulations	
	Division 1. Generally	
10-77	Permit to keep animals other than dogs or cats	
	Small animals other than dogs or cats, annually	$2.00
	Large animals, annually	$10.00
10-93	Requirements for keeping a potentially vicious animal	
	Annual registration	$100.00
	Chapter 14. Aviation	
	Article II. Municipal Airport	
14-30	Fees for aeronautical activities	
	(d) Fees for temporary transient commercial activities.	Reserved for future use
	(e) Fees for sale of Aviation fuel (Cost plus "up to" $3/gal)	Set by Market Cost
	(f) Hangar Fees	
	Overnight Hanger Parking Single Eng./Helicopter /Night	$40.00
	Overnight Hanger Parking Twin Engine /Night	$65.00
	Shade Parking /Mo.	$60.00
	T-Hanger /Mo.	$150.00
	Small Box Hanger /Mo.	$200.00
	Medium Box Hanger /Mo.	$250.00
	Large Box Hanger /Mo.	$350.00
	(g) After hours fueling fee	$100.00
	Chapter 18. Buildings and Construction	
	Article III. Building Code	
18-60	Amendments	
	Permit to construct, remodel, repair, or add to any residential building.	
	Per square foot of total construction area covered by roof	$0.17
	Minimum	$30.00
	Permit to construct, remodel, repair, or add to any commercial or industrial building	
	Per square foot of total construction area covered by roof	$0.17
	Minimum	$40.00
	Per square foot for fire inspection, administration and plan review to ensure compliance with fire codes	$0.02
	All structures of more than 2,500 square feet of construction area covered by roof, requiring a detailed plan review by the engineering, code and fire department, per hour per actual time	$25.00
	Any additional inspections required after the normal five: footing, slab/steel, framing, insulation and final	
	Residential, per inspection	$30.00

Code Section	*Description*		*Amount*
	Commercial, per inspection		$40.00
	Permits		
	Moving any building or structure		$100.00
	Demolition of any building or structure per issuance		$30.00
	Construct a residential swimming pool		$50.00
	Construct a water well		$50.00
Article IV. Electrical Code			
Division 2. Administration and Enforcement			
Subdivision II. Permits and Inspections			
18-144	Electrical inspections and permit fees		
	Residential, per square foot of construction		$0.06
	Commercial, per square foot of construction		$0.06
	Remodeling/general inspection fees		
	Residential		$30.00
	Commercial		$40.00
	Required reinspection		
	Residential		$30.00
	Commercial		$40.00
18-200	Registration and fees		
	Type	Initial fee	Renewal fee
	Electrical contractor	$200.00	$80.00
	Electrical journeyman	$25.00	$15.00
	Electrical sign contractor	$80.00	$80.00
	Apprentice electrician	$5.00	$5.00
18-203	Expiration and renewal		
	Renewal fee		$0.00
Article V. Plumbing Code			
Division 1. Generally			
18-262	Plumbing inspections and permit fees		
	Residential, per square foot of construction		$0.06
	Commercial, per square foot of construction		$0.06
	Remodeling/general inspection fees		
	Residential		$30.00
	Commercial		$40.00
	Required reinspection		
	Residential		$30.00
	Commercial		$40.00
18-315	Fees		
	Type	Initial fee	Renewal fee
	Plumbing contractor	$200.00	$80.00
	Plumbing journeyman	$25.00	$15.00
	Plumbing apprentice	$5.00	$5.00
18-317	Expiration and renewal		$0.00

Code Section	Description		Amount
	Article VI. Mechanical Code		
	Division 1. Generally		
18-371	Annual license, permit and inspection fees		
	Type	Initial fee	Renewal fee
	Corporation or firm	$300.00	$100.00
	Mechanical contractor	$200.00	$80.00
	Mechanical journeyman	$25.00	$15.00
	Mechanical apprentice	$5.00	$5.00
	Mechanical inspections and permit fees		
	Residential, per square foot of construction new/additions		$0.04
	Commercial, per square foot of construction		$0.04
	Single inspection		
	Residential		$30.00
	Commercial		$40.00
	Required reinspection		
	Residential		$30.00
	Commercial		$40.00
	Division 2. Mechanical Contractors, Journeymen and Apprentices		
	Subdivision II. License		
18-414	Application; examination and fee		
	Examination fee, companies		$100.00
	Examination fee, contractors		$50.00
	Examination fee journeymen		$15.00
	Article VIII. Moving of Buildings		
	Division 1. Generally		
18-473	Mover's license		
	Building mover's license		$50.00
	Division 2. Permit		
18-505	Fees		
	Permit fee		$100.00
	Inspection fee		$50.00
	Inspection mileage charge on structures to be moved into the city, from the nearest point of city limits to the location of the structure		$0.555 per mile, round trip
	Chapter 22. Businesses		
	Article I. In General		
22-4	Annual inspection fee and service charge for telephone companies		
	Annual inspection fee and service charge		2% gross revenues annually for exchange telephone transmission service within the city limits
	Article II. Licenses Generally		
22-34	Fee—Schedule		
	Auctioneer license, per year per license		$25.00

Code Section	*Description*	*Amount*
	Auction/merchant permit, per auction	$50.00
	Auction permit, per day	$10.00
	Automobile salvage yard, per year	$100.00
	Bingo parlor license, per year per license (veterans organizations excluded)	$250.00
	Carnival, per day	$500.00
	Circus, per day (non-profit organizations qualified by IRS § 501(c)(3) excluded)	$500.00
	Junk dealer or junkyard, per year	$100.00
	Peddler or solicitor	
	Per year	$150.00
	Per day	$25.00
	Per week	$55.00
	Additional peddler or solicitor representing the person	
	Per year	$75.00
	Per day	$15.00
	Per week	$20.00
	Background check fee	$5.00
	Pest control service, exterminators and termite contractors, per year	$100.00
	Restaurant and/or food service as follows:	
	Employees	Per year
	1—10	$25.00
	11—25	$35.00
	26 or more	$50.00
	Shooting gallery, per year	$50.00
	Theatre license, per year per viewing screen	$75.00
	Tree trimmer, per year	$50.00
	Wholesale fireworks distributor, per year	$100.00
22-39	Duplicates when lost or destroyed	
	Duplicate license	$1.00
22-44	Retail sales of fireworks permit, per location, per season	$25.00
	Article V. Precious Metals Dealers	
	Division 2. License	
22-191	Fee	
	Per day	$50.00
	Per year	$150.00
	Article VI. Used Goods	
22-225	Garage sales, other residential sales	
	Residential sale permit	$5.00
	Article VII. Medical Facilities	
22-248	Hospitals	
	Permit application filing fee	1% of the capital cost of the proposed hospital

Code Section	*Description*		*Amount*
		Minimum	$1,000.00
		Maximum	$75,000.00
22-249	Ambulatory surgical care facilities		
	Permit application filing fee		1% of the capital cost of the proposed hospital
		Minimum	$1,000.00
		Maximum	$75,000.00
	Article VIII. Mobile Food Vendors		
22-282	Mobile food vendor license		
	Annual, per year		$35.00
	Seasonal, per 180 days		$20.00
	Article IX. Medical Marijuana		
	Medical Marijuana Dispensary		
	Initial fee for approval period to June 30, 2019		$375.00
	Annual, per year		$750.00
	Annual renewal		$250.00
	Commercial Medical Marijuana Growing Facility		
	Initial fee for approval period to June 30, 2019		$375.00
	Annual, per year		$750.00
	Annual renewal		$250.00
	Commercial Medical Marijuana Processing Facility		
	Initial fee for approval period to June 30, 2019		$375.00
	Annual, per year		$750.00
	Annual renewal		$250.00
	Chapter 30. Courts and Jails		
	Article II. Municipal Court Not of Record		
	Division 1. Generally		
30-28	Witness fees		
	Each day of attendance		$2.00
	Mileage for each mile actually and necessarily traveled in going to and returning from the place of attendance, if their residence is outside the limits of the city		$0.10
30-32	Costs upon judgment of conviction		
	Tax the costs to the defendant in a sum of not to exceed		$30.00
	Fees and mileage of jurors and witnesses		100% cost
	Technology fund fee, per disposed citation, except those voided, declined for prosecution or where defendant is acquitted		$25.00
	Incarceration cost fee		$50.00
30-36	Execution of sentences of municipal court		
	Deferred sentence administrative fee, maximum		$500.00
	Chapter 38. Emergency Management and Services		
38-2	Ambulance services must comply with statutes		
	Base rate per patient:BLS emergent and non-emergent		$750.00
	ALS non-emergent:		

Code Section	*Description*		*Amount*
	ALS 1		$850.00
	ALS 2 per patient		$950.00
	Per mile charge		$15.00
	Article V. Alarm Systems		
38-122	Alarm business; registration requirements		
	Duplicate license		$1.00
38-123	License/false alarm fees/penalties		
	First year		$25.00
	Annually after first year		$10.00
	Fourth false alarm		$25.00
	Fifth false alarm		$40.00
	Sixth false alarm		$50.00
	Each false alarm after the sixth		$75.00
	Article VI. 911 Emergency Number Service		
38-148	Fee		
	Emergency telephone fee maximum: Not to exceed five percent during the first year of the contract and not to exceed five percent in any year thereafter of the tariff rate in areas of the city where such service has been contracted		$0.00
	Article VII. Ambulance Service		
38-188	Annual ambulance service license		$500.00
	Ambulance permit, per vehicle		$250.00
38-189	Lift assist service provided to a care facility within the primary service area		$400.00
	Lift assist service provided to a care facility in the secondary service area		$550.00
	Chapter 50. Fire Prevention and Protection		
	Article II. Fire Department		
50-28	Fire protection outside city limits; mutual aid; fees		
	Outside aid for fire protection, fire apparatus and personnel, per hour or fraction thereof		$500.00
	Outside city limits, payment from the property owner, per hour or fraction thereof		$500.00
	Article III. Fire Code		
50-55	Modifications		
	Open burning permit		
		Small (pile no larger than six feet by six feet by four feet in height)	$25.00
		Large	$50.00
50-60	Appeals		
	Filing fee		$50.00
	Article IV. Liquefied Petroleum Gas		
50-84	Vehicles used for transporting—Maintenance and repair		

Code Section	*Description*	*Amount*
	Repair permit	$1.00
	Chapter 54. Health and Public Welfare	
	Article II. Food	
54-27	Sale from vehicles	
	Annual license	$10.00
	Chapter 62. Land Development, Planning, Zoning and Subdivisions	
	Article II. Administration and Enforcement	
	Division 3. Board of Adjustment	
62-98	Appeals	
	Filing fee	$45.00
62-128	Building permit or certificate of occupancy required	
	Residential building permit, per square foot	$0.035
	Minimum	$10.00
	Commercial or industrial building permit, per square foot	$0.05
	Minimum	$20.00
	Detailed plan review of structures of more than 2,500 square feet of construction area covered by roof, per hour	$10.00
	Additional required inspections (after the five normal and necessary inspections: footing; slab/steel; framing; insulation), per inspection	$5.00
	Moving of any building or structure	
	Permit fee	$100.00
	Inspection fee	$50.00
	Demolition of any building or structure	$10.00
	Division 5. Amendments	
62-157	Authority to change or repeal provisions; petition of amendment	
	Petitions to change the zoning of land and to amend the district boundaries	
	Land area involved in rezoning request	
	Over 0 sq. ft. but not over 10,000 sq. ft.	$82.00
	Over 10,000 sq. ft. but not over 20,000 sq. ft.	$90.00
	Over 20,000 sq. ft. but not over 30,000 sq. ft.	$97.00
	Over 30,000 sq. ft. but not over 40,000 sq. ft.	$105.00
	Over 40,000 sq. ft. but not over 50,000 sq. ft.	$112.00
	Over 50,000 sq. ft. but not over 60,000 sq. ft.	$120.00
	Over 60,000 sq. ft. but not over 70,000 sq. ft.	$127.00
	Over 70,000 sq. ft. but not over 80,000 sq. ft.	$135.00
	Over 80,000 sq. ft. but not over 90,000 sq. ft.	$142.00
	Over 90,000 sq. ft. but not over 100,000 sq. ft.	$150.00
	Over 100,000 sq. ft. but not over 120,000 sq. ft.	$157.00
	Over 120,000 sq. ft. but not over 140,000 sq. ft.	$165.00
	Over 140,000 sq. ft. but not over 160,000 sq. ft.	$172.00
	Over 160,000 sq. ft. but not over 180,000 sq. ft.	$180.00
	Over 180,000 sq. ft. but not over 200,000 sq. ft.	$187.00
	Over 200,000 sq. ft. but not over 220,000 sq. ft.	$195.00

Code Section	*Description*	*Amount*
	Over 220,000 sq. ft. but not over 240,000 sq. ft.	$202.00
	Over 240,000 sq. ft. but not over 260,000 sq. ft.	$210.00
	Over 260,000 sq. ft. but not over 280,000 sq. ft.	$217.00
	Over 280,000 sq. ft. but not over 300,000 sq. ft.	$225.00
	All over 300,000 square feet is $225.00, plus $37.00 for each additional 100,000 square feet or fraction thereof	
	For filing petitions to vacate alleys	
	Land area involved in dedicated alley	
	Over 0 sq. ft. but not over 10,000 sq. ft.	$82.00
	Over 10,000 sq. ft. but not over 20,000 sq. ft.	$90.00
	Over 20,000 sq. ft. but not over 30,000 sq. ft.	$97.00
	Over 30,000 sq. ft. but not over 40,000 sq. ft.	$105.00
	Over 40,000 sq. ft. but not over 50,000 sq. ft.	$112.00
	Over 50,000 sq. ft. but not over 60,000 sq. ft.	$120.00
	Over 60,000 sq. ft. but not over 70,000 sq. ft.	$127.00
	Over 70,000 sq. ft. but not over 80,000 sq. ft.	$135.00
	Over 80,000 sq. ft. but not over 90,000 sq. ft.	$142.00
	Over 90,000 sq. ft. but not over 100,000 sq. ft.	$150.00
	Over 100,000 sq. ft. but not over 120,000 sq. ft.	$157.00
	Over 120,000 sq. ft. but not over 140,000 sq. ft.	$165.00
	Over 140,000 sq. ft. but not over 160,000 sq. ft.	$172.00
	Over 160,000 sq. ft. but not over 180,000 sq. ft.	$180.00
	Over 180,000 sq. ft. but not over 200,000 sq. ft.	$187.00
	Over 200,000 sq. ft. but not over 220,000 sq. ft.	$195.00
	Over 220,000 sq. ft. but not over 240,000 sq. ft.	$202.00
	Over 240,000 sq. ft. but not over 260,000 sq. ft.	$210.00
	Over 260,000 sq. ft. but not over 280,000 sq. ft.	$217.00
	Over 280,000 sq. ft. but not over 300,000 sq. ft.	$225.00
	All over 300,000 square feet is $225.00, plus $37.00 for each additional 100,000 square feet or fraction thereof	
	For filing petitions to vacate streets	
	Land area involved in dedicated street	
	Over 0 sq. ft. but not over 10,000 sq. ft.	$97.00
	Over 10,000 sq. ft. but not over 20,000 sq. ft.	$112.00
	Over 20,000 sq. ft. but not over 30,000 sq. ft.	$127.00
	Over 30,000 sq. ft. but not over 40,000 sq. ft.	$142.00
	Over 40,000 sq. ft. but not over 50,000 sq. ft.	$157.00
	Over 50,000 sq. ft. but not over 60,000 sq. ft.	$172.00
	Over 60,000 sq. ft. but not over 70,000 sq. ft.	$187.00
	Over 70,000 sq. ft. but not over 80,000 sq. ft.	$202.00
	Over 80,000 sq. ft. but not over 90,000 sq. ft.	$217.00
	Over 90,000 sq. ft. but not over 100,000 sq. ft.	$232.00
	Over 100,000 sq. ft. but not over 120,000 sq. ft.	$247.00

Code Section	Description	Amount
	Over 120,000 sq. ft. but not over 140,000 sq. ft.	$262.00
	Over 140,000 sq. ft. but not over 160,000 sq. ft.	$277.00
	Over 160,000 sq. ft. but not over 180,000 sq. ft.	$292.00
	Over 180,000 sq. ft. but not over 200,000 sq. ft.	$307.00
	Over 200,000 sq. ft. but not over 220,000 sq. ft.	$322.00
	Over 220,000 sq. ft. but not over 240,000 sq. ft.	$337.00
	Over 240,000 sq. ft. but not over 260,000 sq. ft.	$352.00
	Over 260,000 sq. ft. but not over 280,000 sq. ft.	$267.00
	Over 280,000 sq. ft. but not over 300,000 sq. ft.	$382.00
	All over 300,000 square feet is $382.00, plus $50.00 for each additional 100,000 square feet or fraction thereof	
Article V. Flood Hazard Overlay District		
Division 2. Administration and Enforcement		
62-368	Variances	
	Variance filing fee	$25.00
Division 3. Flood Hazard Reduction		
62-400	Floodplain management fee schedule	
	Maximum per service	$500.00
	Notice of intent fee, maximum	$25.00
	Floodplain development permit application review	$100.00
	Floodplain development permit fee	$50.00
	Inspection fee, per inspection	$50.00
Article VII. Subdivisions		
Division 2. Plats and Plat Approval		
62-539	General procedure	
	Preliminary plat filing fee, base rate	$5.00
	Per lot for the first ten lots	$1.00
	For each additional lot	$0.10
Article VIII. Signs		
Division 2. Permits		
62-679	Fee	
	Temporary signs and portable electric signs	$10.00
	Wall signs less than 50 square feet in size	$10.00
	Permanent ground signs	$25.00
	Additional inspection, minimum	$10.00
Article IX. Public Ways and Easements		
Division 2. Closing		
62-1006	Fees to be paid by petitioner	
	Petition to change the zoning of land or to request a use permitted on review	
	Square feet of land area involved:	
	0 to 19,000 sq. ft.	$105.00
	20,000 to 39,000 sq. ft.	$125.00
	40,000 to 50,000 sq. ft.	$150.00

Code Section	*Description*	*Amount*
	51,000 to 60,000 sq. ft.	$165.00
	61,000 to 80,000 sq. ft.	$175.00
	81,000 to 100,000 sq. ft.	$200.00
	All over 100,000 sq. ft.	$175.00
	Plus for each additional 100,000 sq. ft. or fraction thereof	$25.00
	Square feet of land in dedicated street and/or alley:	
	0 to 10,000 sq. ft.	$90.00
	11,000 to 20,000 sq. ft.	$105.00
	21,000 to 30,000 sq. ft.	$125.00
	31,000 to 40,000 sq. ft.	$145.00
	41,000 to 50,000 sq. ft.	$165.00
	All over 50,000 sq. ft.	$175.00
	Plus for each additional 20,000 sq. ft. or fraction thereof	$25.00
Division 3. Opening		
62-1033	Fees and expenses	
	Filing fee	$0.00
Chapter 74. Manufactured and Mobile Homes		
Article II. Trailer Camps		
Division 2. License		
74-60	Trailer camp license	
	Annual fee for each unit	$5.00
Chapter 82. Offenses and Nuisances		
Article VII. Nuisances		
Division 1. Generally		
82-127	Abatement—Health nuisances	
	Removing or abating the public nuisance	Cost
	Administrative fee	$100.00
Chapter 86. Parks, Water Activities and Other Recreation		
Article IV. City Watershed Lakes		
Division 2. Fishing and Frog Hunting		
86-123	Fishing permit	
	Daily permit	$1.00
	Annual permit	$5.00
86-127	General prohibition against hunting; permit for duck hunting	
	Annual duck hunting permit	$5.00
	Combination fishing and duck hunting permit	$8.00
Division 3. Boats and Boating		
Subdivision I. In General		
86-155	Permit	
	Annual permit for any boat, except an inboard motorboat with more than one cylinder	$10.00
	Annual permit for an inboard motorboat with more than one cylinder	$20.00

Code Section	*Description*	*Amount*
	Additional per passenger on rated capacity over and above six passengers	$1.00
	Daily permit for any boat	$1.00
Chapter 82. Offenses and Nuisances		
Article VII. Nuisances		
Division 5. Disorderly House		
82-200	Fine	$500.00
Subdivision II. Skiing on Lake McAlester		
86-197	Permit	
	Daily permit	$0.50
	Annual permit	$3.00
	Annual permit for husband and wife named on same permit	$4.00
Chapter 90. Railroad Operations and Industrial Track Management		
90-5	Fees Established	
	Per-rail tie maintenance inspection fee	$195.00
Chapter 94. Streets, Sidewalks and Other Public Places		
Article II. Streets		
Division 1. Generally		
94-35	Permit for installation of drainage structures in street ditches	$5.00
Article IV. Driveways		
Division 2. Permit to Construct, Alter or Repair		
94-153	Fee	
	Permit	$2.50
	Commercial driveways, additional fee for each ten feet, or fraction thereof, based on the width of the driveway, as measured at the curb	$1.00
Article V. Street or Public Facility Name Change		
94-179	Fees to be paid by petitioner	
	Filing fee	$50.00
Chapter 100. Telecommunications		
Article II. Towers and Antennas		
100-53	Permit required	
	Permit fee, per foot of tower height	$10.00
Article III. Small Wireless Facilities		
100-83	Permit required, fees	
	Siting applications to collocate facilities, for the first five small wireless facilities on the same application	$200.00
	For each additional small wireless facility on the same siting application.	$100.00
	Siting applications for installation, modification or replacement of a utility pole and associated collocation, per pole on the same siting application.	$350.00
Chapter 102. Traffic and Vehicles		
Article II. Administration and Enforcement		
Division 1. Generally		

Code Section	*Description*		*Amount*
102-41	Traffic violations bureau created, schedule of fines		
	Violation		Fee
	All school zones violation		$325.00
	Reckless driving		$500.00
	Fleeing, resisting, or attempting to elude officer		$500.00
	Leaving scene of accident		$500.00
	DWI, driving while impaired		$500.00
	DUI, driving under the influence		$500.00
	Actual physical control		
		Minimum	$100.00
		Maximum	$325.00
	Speeding:		
	1—10 mph in excess of speed limit		$50.00
	11—20 mph in excess of speed limit		$73.00
	21—30 mph in excess of speed limit		$125.00
	31 mph and over in excess of speed limit		$200.00
	Transporting open container of intoxicating beverage		
		Beer	$125.00
		Liquor	$200.00
	Driving under suspension of license		$500.00
	Careless driving		$98.00
	Operating vehicle without license plate (having paid all taxes due state)		$98.00
	All other weapons violations		$325.00
	Parking in fire lane		$73.00
	Fire zone		$73.00
	Handicap parking		
		Minimum	$150.00
		Maximum	$250.00
	All other parking		$20.00
	No proof of liability insurance		
		Minimum	$200.00
		Maximum	$325.00
	Failure to appear		$75.00
	All other traffic-related violations		$98.00
	False identification		$325.00
Article IV. Administration and Enforcement			
Division 1. Generally			
102-147	Loading and unloading permits		
	Per vehicle per year		$70.00
	Prorated for new vehicles, per month for the remaining months in the fiscal year		$10.00
102-148	Designation, marking and use of loading zones		

Code Section	*Description*	*Amount*
	Per year for each space designated as a loading zone	$70.00
	Article VI. Special Events and Processions	
	Division 2. Special Event Permit	
102-301	Special event permit	
	Per event per year	$10.00
	Chapter 106. Utilities	
	Article II. Water Supply System	
	Division 1. Generally	
106-20	Deposits	
	Construction	$25.00
	Single-family residences, apartments (per unit), roominghouses, duplexes, churches, schools and business establishments	
	Renters	$100.00
	Owners	$80.00
	Realtors (clean-up only)	$45.00
	Motel:	
	Zero to 150 units	$300.00
	Over 150 units	$500.00
	Rest home	$200.00
	Restaurants:	
	Zero to 40 seating capacity	$45.00
	41 to 150 seating capacity	$90.00
	Over 150 seating capacity	$135.00
	Carwash	$300.00
	Ice plant	$300.00
	Laundromat	$300.00
	Industrial	20 % of estimated usage
	Industrial minimum	$200.00
106-28(a)	Meter installation fee: New water service	
	For a 5/8-inch meter	$750.00
	For a 3/4-inch meter	$750.00
	For a one-inch meter	$950.00
	For a 1 1/2-inch meter	$1,050.00
	For a two-inch meter	$1,250.00
	For a meter larger than two inches, the cost shall be determined by the utility superintendent by the actual cost of all necessary materials and meter, plus the estimated labor and equipment	
106-28(b)	Meter installation fee: Prior water service	
	For a 5/8-inch meter	$365.00
	For a 3/4-inch meter	$420.00
	For a one-inch meter	$470.00
	For a 1 1/2-inch meter	$825.00
	For a two-inch meter	$985.00

Code Section	*Description*		*Amount*
	For a meter larger than two inches, the cost shall be determined by the utility superintendent by the actual cost of all necessary materials and meter, plus the estimated labor and equipment		
106-29	Meter relocation fee		
	For a 5/8-inch, 3/4-inch, one-inch or 1 1/2-inch meter		$300.00
	For a meter larger than 1 1/2 inches		$300.00 plus the cost of the meter and additional parts and materials
	Connection of a meter of a different size than the meter to be disconnected		$300.00 plus the cost difference in meter sizes and any additional parts and materials
106-30	Testing meters		
	5/8-inch, 3/4-inch, one-inch or 1 1/2-inch water meter replacement		$35.00
106-31	Charges for reconnection and rereading of meter		
	Service fee		$25.00
106-37	Connection to sprinkler systems		
	Connections from the main to the sprinkler service line valve		$50.00
	Plan review, review of test results, inspection and certification of system, one-time fee		$100.00
106-40	Unlawful reconnection of service after cutoff		
	Reinstallation of the meter		$100.00
	Division 2. Service Charges		
106-64	Rates established		
	Cubic feet	Inside city users	Outside city users
	1—300 minimum charge	$12.22	$18.51
	Over 300, per 100 cubic feet	$4.43	$6.64
	Low income discount		$12.80
	Gallon Meter	Inside city users	Outside city users
	1—2,244 minimum charge	$12.22	$18.51
	Over 2,244, per 1,000 gallons	$5.92	$8.88
106-68	When due and payable; delinquency		
	Reconnection		$25.00
	Repeat offense		$45.00
	Water turned on by occupant after turn off by city for nonpayment		$100.00
	Tampering with meter lock		$100.00
	Removal of meter by city due to tampering		$100.00
106-70	Raw water sales		
	Raw water furnished per barrel/42 gallons		$0.25
	Article III. Sewers and Sewage Disposal		
	Division 1. Generally		
106-218	Permit to connect structures inside corporate limits		
	Single-family dwelling		$300.00
	Duplexes, apartment houses, mobile home parks		$300.00

Code Section	*Description*		*Amount*
	Plus for each unit in excess of one apartment house, duplex or mobile home park		$10.00
	All others, including commercial and industrial		$400.00
	Sewer tap fee to existing lines		$100.00
106-219	Permit to connect structures outside corporate limits		
	Single-family dwelling		$300.00
	Duplexes, apartment houses, mobile home parks		$300.00
	Plus for each unit in excess of one apartment house, duplex or mobile home park		$10.00
	All others, including commercial and industrial		$400.00
	Sewer tap fee to existing lines		$100.00
	Division 2. User Charges		
106-253	Rates established		
	Cubic feet	Inside city users	Outside city users
	1—300 (minimum)	$5.63	$8.56
	Over 300, per 100 cubic feet	$1.79	$2.67
	The rates stated above shall apply to each dwelling, public building, commercial or industrial use per unit per month of metered water usage		
	Article IV. Solid Waste		
	Division 2. Municipal Collection Service		
106-364 All prices are subject to change based on current contract	Charges for removal of permissible solid waste		
	For removal of permissible solid waste from single-family dwelling, duplex and/or apartment, church, per month		$21.73 1st cart 2nd cart free Any additional carts $7.13 per cart
	Business establishments, industrial concerns and schools shall be charged on the basis of the schedule of minimum fees		
		Pickups/week	*Fee/month*
	Polycart	1	$29.99
	2-yard dumpster	Every other week	$24.97
	2-yard dumpster	1	$49.59
	2-yard dumpster	2	$92.92
	2-yard dumpster	3	$136.24
	2-yard dumpster	4	$173.68
	2-yard dumpster	5	$215.59
	2-yard compactor	1	$92.92
	2-yard compactor	2	$173.68
	4-yard dumpster	Every other week	$44.94
	4-yard dumpster	1	$89.86
	4-yard dumpster	2	$173.68
	4-yard dumpster	3	$257.50
	4-yard dumpster	4	$341.33
	4-yard dumpster	5	$425.14
	4-yard compactor	1	$173.68

Code Section	*Description*		*Amount*
	4-yard compactor	2	$341.33
	6-yard dumpster	Every other week	$65.90
	6-yard dumpster	1	$131.78
	6-yard dumpster	2	$257.50
	6-yard dumpster	3	$383.25
	6-yard dumpster	4	$508.97
	6-yard dumpster	5	$634.70
	6-yard compactor	1	$257.50
	6-yard compactor	2	$508.97
	8-yard dumpster	Every other week	$101.74
	8-yard dumpster	1	$203.46
	8-yard dumpster	2	$341.33
	8-yard dumpster	3	$508.97
	8-yard dumpster	4	$676.59
	8-yard dumpster	5	$844.25
	8-yard dumpster	6	$977.81
	8-yard compactor	1	$341.33
	8-yard compactor	2	$676.59
106-365	Recycling		
	Recycling fee per month		$2.00
	Division 3. Landfill		
106-393	Procedures and fees for resident users		
	Tipping fee		
	Minimum tipping charge for loads less than 500 pounds		$10.00
	Over 500 pounds, but less than one ton		$0.02 per lb.
106-398	Establishing a landfill fee to comply with federal mandated subtitle "D" regulations		
	Landfill fee		$4.28
	Article V. Stormwater Utility Program		
	Division 1. Generally		
106-427	Fee per equivalent service unit, per month		$4.00
	Minimum, per month		$4.00
	Service charge rate		
	For each equivalent service unit in 2020-2021		
	Increase		$5.00
	Fixed rate until action by council		$5.00
	For each fiscal year		
	2015/2016/2017		$2.00
	2017—2018		$2.75
	2018—2019		$3.50
	2019—2020		$4.25
	2020—2021		$5.00
	Division 4. Supplemental Permit Classifications and Requirements		
106-523	Issuance of permit and registration certificates		

Code Section	*Description*	*Amount*
	Annual fee for a permit and each registration certificate	$0.00
	Article VI. Regulation of Utility Lines and Poles	
106-561	Permit required, per pole or per every one hundred (100) linear feet	$50.00
	Chapter 110. Vehicles For Hire	
	Article II. Taxicabs	
	Division 2. Vehicle License	
110-56	Fee	
	Annual license	$20.00
110-59	Duplicates	
	Duplicate license	$2.00
	Division 3. Driver's License	
110-83	Fee	
	Annual taxicab driver's license	$2.00
110-86	Duplicates	
	Duplicate license	$2.00

(Ord. No. 2597, § 1, 3-28-2017; Ord. No. 2607, 10-10-2017; Ord. No. 2621, § 2, 3-13-2018; Ord. No. 2628, §§ 1, 2, 6-12-2018; Ord. No. 2634, § 1, 8-14-2018; Ord. No. 2636, § 1, 9-25-2018; Ord. No. 2647, § 7, 3-12-2019; Ord. No. 2658, § 1, 6-25-2019; Ord. No. 2662, § 2, 7-23-2019; Ord. No. 2664, § 2, 8-27-2019; Ord. No. 2671, § 2, 10-22-2019; Ord. No. 2672, §§ 3, 4, 10-22-2019; Ord. No. 2681, § 2, 3-10-2020; Ord. No. 2685, § 2, 4-28-2020; exp. 6-30-2020; Ord. No. 2707, § 2, 3-23-2021; Ord. No. 2711, § 2, 3-23-2021; Ord. No. 2723, § 1, 8-24-2021; Ord. No. 2801, § 1Added, 4-9-2024; Ord. No. 2822, § 2Added, 9-24-2024; Ord. No. 2838, § 2, 5-13-2025; Ord. No. 2848, § 2, 7-22-2025; Ord. No. 2849, § 2, 7-22-2025; Ord. No. 2857, § 2, 10-28-2025; Ord. No. 2860, § 3, 12-9-2025)

the closing of streets and alleys within the limits of the city or any additions thereto, shall be submitted to the planning commission for its recommendations before final acceptance or approval by the city. Such recommendations by the commission shall be made within 30 days of such submission and failure to do so shall constitute a waiver of its privilege to pass upon such plan, plat or closing.
(Code 1993, § 62-32; Ord. No. 1871, § 1(21.12), 8-27-1991)

State law reference—Recommendations as to subdivisions, 11 O.S. § 45-104.

Sec. 62-64. Duty with respect to public works program.

It shall be the duty of the planning commission to prepare and submit an annual public works program to the mayor and city council, on or before June 30 of each year. It shall be the duty of each city department or agency to furnish the commission, upon request, any data, plans, estimates or programs and to collaborate with the commission in the preparation of such public works program.
(Code 1993, § 62-33; Ord. No. 1871, § 1(21.13), 8-27-1991)

Sec. 62-65. Preparation and recommendation of proposed legislation.

It shall be the duty of the planning commission to prepare and recommend such municipal legislation as may be necessary to carry out the recommendations or suggestions of the commission.
(Code 1993, § 62-34; Ord. No. 1871, § 1(21.14), 8-27-1991)

Sec. 62-66. Employment of planners, engineers, etc.

The planning commission may employ such planners, engineers, architects, clerks and other persons as may be necessary in the performance of its duties, subject to the approval of the city council. The salaries and compensation of such persons shall be fixed by the city council and appropriations be made therefor, if deemed necessary by the city council.
(Code 1993, § 62-35; Ord. No. 1871, § 1(21.15), 8-27-1991)

State law reference—Similar provisions, 11 O.S. § 45-103.

Sec. 62-67. Reports to mayor and council.

The planning commission shall make an annual report to the mayor and city council covering its investigations, transactions and recommendations, and such other reports relative thereto as it may deem proper or as requested by the mayor or city council.
(Code 1993, § 62-36; Ord. No. 1871, § 1(21.16), 8-27-1991)

Secs. 62-68—62-92. Reserved.

DIVISION 3. BOARD OF ADJUSTMENT*

Sec. 62-93. Created.

There is hereby created within and for the city a board of adjustment, with the powers and duties as set forth in this division.
(Code 1993, § 62-141; Ord. No. 1843, § 1(art. VI, § 1), 2-14-1989)

State law reference—Board of adjustment required, 11 O.S. § 44-101.

Sec. 62-94. Membership.

(a) The board of adjustment shall be composed of five members, citizens of the city, each appointed by the mayor with the approval of the council for a term of three years; provided, however, that for the first appointment under the provisions of this division, one member shall be appointed for a term of one year; two members shall be appointed for a term of two years; and two

*State law reference—Board of adjustment, 11 O.S. § 44-101 et seq.

members shall be appointed for a term of three years. Two alternate members shall be appointed for overlapping terms of two years. All appointments thereafter shall be for a term of three years.

(b) Not less than two members shall be appointed from the membership of the planning commission.

(c) The board shall elect a chairperson from its membership to serve a term of two years.

(Code 1993, § 62-142; Ord. No. 1843, § 1(art. VI, § 2), 2-14-1989)

State law reference—Membership of board of adjustment, 11 O.S. § 43-101.

Sec. 62-95. Rules of procedure.

The board of adjustment shall adopt rules in accordance with the provisions of this division. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. The chairperson, or in his absence, the acting chairperson, may administer oaths and compel the attendance of witnesses. All meetings of the board shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent, of failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the city clerk, and shall be a public record. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance, or to effect any variation in such ordinance.

(Code 1993, § 62-143; Ord. No. 1843, § 1(art. VI, § 3), 2-14-1989)

State law references—Meetings and rules, 11 O.S. § 44-102; required vote, 11 O.S. § 44-105(B).

Sec. 62-96. General powers.

The board of adjustment shall have the following powers:

(1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by an administrative official in the interpretation or enforcement of this division.

(2) Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the original adoption of the regulations, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or condition of a specific piece of property, which condition is not generally prevalent in the area, the strict application of this division would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon the owner of such property, the board is hereby empowered to authorize upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulties or hardship; but may establish such requirements relative to such property as would carry out the purpose and intent of this division.

(Code 1993, § 62-144; Ord. No. 1843, § 1(art. VI, § 6), 2-14-1989)

State law references—Similar provisions, 11 O.S. § 44-104(1), (3); variances, 11 O.S. § 44-107.

Sec. 62-97. Powers relative to exceptions.

(a) Upon appeal, the board of adjustment is hereby empowered to permit the following exceptions:

(1) To permit the extension of a district where the boundary line of a district divides a lot in single ownership as shown of record.

(2) To interpret the provisions of this article where the street layout actually on the ground varies from the street layout as shown on the map fixing the several districts, which zoning map is attached to and made a part of this article.

(3) To grant exceptions to the off-street parking requirement when it is determined that the size and shape of the lot to be built on is such that off-street parking provisions could not be complied with, and that the proposed use will not create undue traffic congestion in the adjacent streets.

(4) To grant exceptions to the setback and area requirements herein established, where the slope of the land on 20 percent or more of the lot to be built on exceeds ten percent, and where such slope interferes with the reasonable development of the property for the uses permitted in the district in which the lot is located; provided, however, that whenever exceptions are granted to setback or to area requirements, new setback and area requirements for the lot covered by the exception shall be specifically set forth in a manner that will carry out the purpose and intent of these regulations.

(5) The board of adjustment, as established by the zoning codes of the city, is hereby authorized, upon appeal, to hear and approve variances to requirements on sign setbacks, area, height and size requirements where a strict application of these requirements would result in peculiar and exceptional practical difficulties to or exceptional and undue hardship upon the owner/occupant of such property, provided and assuming that all other applicable provisions of the sign ordinance have been complied with. The board is also authorized to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official in the interpretation or enforcement of this article.

(6) In exercising the powers mentioned in subsections (a)(1) through (5) of this section, the board of adjustment shall have the concurring vote of at least four of its members in order that it may, in conformance with the provisions of this division, 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, and to that end shall have all the powers of the officer from whom the appeal is taken.

(7) Notice of public hearing before the board of adjustment for an exception mentioned in subsections (a)(1) through (5) of this section shall be given by publication in a newspaper of general circulation in the municipality where the property is located and by mailing written notice by the clerk of the board of adjustment to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice; however, the notice by publication and written notice shall be published and mailed at least ten (10) days prior to the hearing. The notice, whether by publication or mail, of a public hearing before the board of adjustment shall contain the legal description of the property and the street address or approximate location in the municipality; the present zoning classification of the property and the nature of the appeal, variance or exception requested; and the date, time and place of the hearing.

(b) Upon appeal, minor variances or exceptions may be granted as an administrative adjustment only as expressly identified in this section:

(1) To reduce the minimum required front setbacks by up to five feet.

(2) To reduce the minimum required side and rear setbacks in any R District by up to 20 percent.

(3) To reduce thc minimum lot width and lot frontage requirements by up to ten percent.

(4) To reduce the off-street parking space requirements of parking spaces by up to ten percent.

(5) To reduce the minimum lot area and use intensity requirements by up to five percent (5%).

(6) The administrative adjustment procedures for minor variances or exceptions may not be used to vary, modify or otherwise override a condition of approval or requirement imposed by an authorized decision-making body (e.g., board of adjustment, planning commission, city council). Administrative adjustments are intended to provide a streamlined approval procedure for minor (de minimis) modifications of selected zoning regulations and are further intended to:

a. Allow development and construction that is in keeping with the general purpose and intent of zoning regulations and the established character of the area in which the development or construction is located; and

b. Provide flexibility that will help promote rehabilitation and reuse of existing buildings when such flexibility will not adversely affect nearby properties or neighborhood character; and

c. Provide flexibility for new construction when such flexibility is in keeping with the general purpose and intent of zoning regulations and will not adversely affect nearby properties or surrounding neighborhood character.

(7) In exercising the powers mentioned in subsections (b)(1) through (5) of this section, the community development director is authorized to act on the requests. The action may be to approve the application, to deny the application, or to refer the application to the board of adjustment for consideration as a variance if the request exceeds the limits expressly identified. The decision to approve or deny an administrative adjustment must be accompanied by written findings of fact and must be consistent with the general purpose and intent statements of this chapter, with the comprehensive plan, and will not have a substantial or undue adverse effect upon adjacent property, the character of the area, or the public health, safety, and general welfare.

(8) On hearings involving minor variances or exceptions mentioned in subsections (b)(1) through (5) of this section, notice of public hearing shall be given by mailing written notice to all owners of property adjacent to the subject property. The notice shall be mailed at least ten days prior to the hearing and shall contain the legal description of the property and the street address or approximate location in the municipality; the present zoning classification of the property and the nature of the appeal, variance or exception requested; the deadline of at least eight days for writ-

ten comments; and the date, time and place of the hearing. The applicant or any interested party aggrieved by the decisions of a minor variance or exception by the community development director may appeal the decision to the board of adjustment.

(c) In considering all appeals from rulings made under this division, the board shall, in making its findings on any specific case, determine the effect of the proposed change upon the supply of light and air to adjacent property, upon the congestion in the public streets, upon the public safety from fire and other hazards, upon the established property values within the surrounding area, and upon other factors relating to the public health, safety, comfort, morals and general welfare of the people of the city. Every ruling made upon any appeal to the board shall be accompanied by a written finding of fact based upon the testimony received at the hearing afforded by the board, and shall specify the reason for granting or denying the appeal, variance or exception.

(Code 1993, § 62-145; Ord. No. 1843, § 1(art. V, § 6), 2-14-1989; Ord. No. 2799, § 1, 2-27-2024; Ord. No. 2843, § 1, 5-27-2025)

State law reference—Powers relative to special exceptions, 11 O.S. §§ 44-104(2), 44-107.

Sec. 62-98. Appeals.

(a) Appeals to the board of adjustment may be taken by any person aggrieved or by any officer, department, board or bureau of the city affected by any decision based on Article II, Divisions 3, 4 and 5, and on all of Articles III, IV, V and VI. Such appeal shall be taken within 30 days from the date of the decision by filing with the officer from whom the appeal is taken and with the city clerk a notice of appeal specifying the grounds thereof, and by paying a filing fee as provided in chapter 48 at the office of the city clerk, at the time the notice is filed. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

(b) An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may

v. Hardware store.

w. Health spa.

x. Independent living options (retirement centers/elderly complexes).

y. Jewelry store.

z. Key shop.

aa. Lawn mower repair shop.

bb. Laundry/dry cleaners pickup stations.

cc. Liquor store.

dd. Lodge halls.

ee. Medical/dental clinics.

ff. Museums.

gg. Music conservatory.

hh. New and used automobile sales and/or service.

ii. Pet stores.

jj. Professional offices.

kk. Restaurants.

ll. Retail furniture store.

mm. Self-service laundry.

nn. Sign printing shop.

oo. Shoe repair shop.

pp. Small engine repair.

qq. Sporting goods store.

rr. Stockbroker.

ss. Tailor shop.

tt. Variety store.

uu. Veterinarian clinic.

vv. Ambulance operations, office and garage (no mechanical work).

(2) Accessory buildings and uses customarily incidental to the above uses.

(3) Any public buildings or uses, including fire stations, community buildings, utility buildings, library, auditorium or municipal building.

(4) Churches, provided they have major street frontage as shown on the major street plan, and meet the minimum lot area requirements as shown in section 62-259(d)(1)d.

(c) *Uses permitted after review.* The following uses may be permitted after review by the city planning commission in accordance with the provisions contained in section 62-129:

(1) *Multi-family residential (with stipulations).* Any use authorized shall comply with all standards and provisions of the zoning district, unless specifically modified by the provisions below:

a. *Multiple-family residential moderate intensity:* A development with between three and eight dwelling units attached in a single structure in any vertical or horizontal arrangement of which is designed to be occupied as a separate residence for one family. Typical uses include a triplex, a fourplex, townhouses and low-rise apartments.

b. *Multiple-family residential high intensity:* A development with at least nine dwelling units attached in a single structure in any vertical or horizontal arrangement. Typical uses include high density and high-rise apartments.

c. The conditions for approval of multi-family residential as set forth in subsection 62-261(c)(2).

(d) *Area regulations.* The following requirements shall apply to all uses permitted. All lots shall comply with the specific lot definition and yard definition found in section 62-1.

(1) *Minimum lot area and use intensity.* The following requirements shall apply:

a. The minimum lot area for this district shall be no less than 12,000 square feet.

b. The minimum lot area for rezoning to a C-4 (restricted commercial district) shall not be less than 50,000 square feet.

c. For churches and main and accessory buildings, other than dwellings and buildings accessory to dwellings, the lot areas shall be adequate to provide the yard area required in the R-1B district under churches, and the off-street parking areas required in section 62-469.

(2) *Minimum lot frontage.* The minimum lot frontage for this district shall be no less than 100 feet.

(3) *Maximum percentage of coverage.* Main and accessory buildings shall not cover more than 50 percent of the lot area.

(4) *Maximum height.* No building shall exceed 2.5 stories or 35 feet in height, except as provided in section 62-187 and section 62-189.

(5) *Front yard setback:* The following requirements shall apply:

a. All buildings shall set back from all street right-of-way lines to provide front yard setback no less than 25 feet in depth.

b. If and when motor fuel is sold in this district, fuel pumps may not be placed closer than 11 feet to any property line, nor closer than 15 feet to any building.

(6) *Side yard setback:* The following requirements shall apply:

a. On a side of a lot adjoining a residential dwelling district only, there shall be a side yard setback of no less than one foot per each foot of height, or a minimum of ten feet.

b. On a side of a lot adjoining the same commercial district or another commercial district, there shall be no side yard setback required.

c. If and when motor fuel is sold in this district, fuel pumps may not be placed closer than 11 feet to any property line, nor closer than 15 feet to any building.

(7) *Rear yard setback.* There shall be no rear yard setback requirements except in the following cases: Where a commercial building is to be serviced from the rear, there shall be provided an unobstructed alleyway, rear yard, or combination thereof of no less than 20 feet.

(e) *Screening requirements.* The following requirements shall apply:

(1) In this district, a screening shall be required between any adjacent or adjoining residential district and any area of storage, parking, shipping or receiving of goods; or any other business activity other than pedestrian traffic, as long as said screening does not interfere with the sight triangle clearance requirements at intersections.

(2) Where a service area for a building is adjacent to a street, screening shall be re-

quired between any area of storage, shipping or receiving of goods or refuse and said adjacent street.

(3) Screening shall consist of an opaque (solid) fence or wall no less than five feet high and no more than eight feet high. It shall be maintained in good condition along the lot line. The materials used in the construction of the screening shall be greatly compatible with the same materials used in the construction of the structure itself. Although the material is not required to be identical, the similarity should extend to color, proportion, style, texture, etc., sufficiently so as to be aesthetically compatible in nature.

(f) *Bulk limitations; floor area ratio.* In no instance shall the total floor space of the structure in a C-4 district exceed the relationship of one to one (i.e., there must be provided one square foot of open space to each square foot of floor space in the structure).

(g) *Parking requirements.* Parking requirements shall follow those regulations set out in article VI of this chapter.

(Code 1993, § 62-204; Ord. No. 1843, § 1(art. V, § 8), 2-14-1989; Ord. No. 2080, § 1, 3-24-1998; Ord. No. 2530, § 1, 2-24-2015; Ord. No. 2710, § 1, 3-23-2021)

Sec. 62-264. C-5 highway commercial and commercial recreation district.

(a) *General description.* This general commercial district is established as a district in which the principal use of land is for establishments offering accommodations, supplies or services to motorists, and for certain specialized uses such as retail outlets, extensive commercial amusements and service establishments which may serve the entire community but do not and should not locate in the central business district or the neighborhood convenience district.

(b) *Uses permitted.*

(1) Any use permitted in the C-1, C-2, C-3 or C-4 commercial districts.

(2) Additional uses include:

a. Ambulance service, office and garage.
b. Amusement enterprises.
c. Automobile service station.
d. Boat sales.
e. Bowling alleys.
f. Building material store, retail and wholesale.
g. Bus terminal.
h. Drive-in theatre or restaurant, standard theatre.
i. Feed and fuel store.
j. Food stores.
k. Frozen food locker.
l. Furniture repair and upholstery.
m. Garden centers/stores.
n. Golf course, miniature or practice range.
o. Heating/plumbing sales and service.
p. Humane Society animal shelter.
q. Ice plant.
r. Key shop.
s. Kennels.
t. Motels or motor inns.
u. New and/or used automobile/truck sales and/or service.
v. New and used machinery sales and service.

w. Nightclubs.

x. Novelty shop.

y. Pawnshop.

z. Recreation center, private.

aa. Research laboratories.

bb. Roller skating rink.

cc. Storage warehouse.

dd. Tavern.

ee. Travel trailer park and sales.

ff. Veterinarian clinic and/or hospital.

gg. Wholesale distributing center.

(3) Buildings, structures, and accessory uses customarily incidental to any of the above uses, provided that there shall be no manufacturing of products other than such as are customarily incidental to retail establishments.

(4) Any other store or shop for retail trade or for rendering personal, professional or business service which does not produce more noise, odor, dust, vibration or traffic than those above.

(5) Churches, provided they have major street frontage as shown on the major street plan, and meet the minimum lot area requirements as shown heretofore in section 62-259(d)(1)d.

(6) Mobile home courts, in compliance with the following requirements:

a. The applicant, upon making application for a zoning clearance permit, must submit a detailed site plan locating all mobile home stands, screening or fencing, and plans and specifications for the proposed park in a form suitable for making the determinations required herein.

b. The proposed site shall be a minimum of 2.5 acres in size and shall contain no more than 15 mobile home stands per acre. The proposed site shall have a minimum frontage of 200 feet on a street designated as a major street or collector street in the major street plan. All access or egress by automobile will be on such streets. The proposed site shall be a minimum of 200 feet in depth.

c. It shall be the intention of the proposed plan for the mobile home park to accommodate primarily permanent occupants with no more than ten percent of the mobile home stands devoted to purely transient purposes. These purely transient stands are to be located in one area of the park so they will in no way interfere with the permanent residents.

d. The proposed site shall have a front yard of not less than 20 feet from the corner or line of any mobile home stand to the street boundary of the park. The site shall have side and rear yards of ten feet solid fencing, screen planting or wall of six feet in height.

e. The proposed site shall be screened or buffered on all sides with a solid wall fence six feet in height or a screen planting which will attain at least six feet in height.

f. The proposed site shall provide one off-street parking space for each mobile home stand, plus one additional off-street parking space for each two mobile home stands.

g. The proposed site shall provide a connection for each mobile home stand

to all public utilities, i.e., sewer, water, and other facilities necessary for the health, safety, and general welfare of the public.

(7) Multi-family residential, in compliance with the following requirements.

a. Multi-family dwellings are subject to the lot and building regulations of the zoning district, except as otherwise expressly modified by the supplementary regulations of this section.

b. Façade. The front façade of new multi-family structures may not exceed 120 feet in width.

c. Screening. Trash and recycling dumpsters shall be located to the side or rear of the principal building and shall be screened on all four sides by sight-proof fencing six (6) feet in height with a metal gate. If the subject property abuts any residential zoned district or agricultural zoned district there shall be sight-proof screening eight (8) feet in height between the site and the residential zoned district or agricultural zoned district. Any fences, hedges, walls, access gates, or similar structures shall not be erected in a manner which will obstruct visibility or otherwise interfere with the proper flow of traffic. The distances and heights must be installed and maintained so as not to create a sight obstruction of a public way.

d. Landscaping. Perimeter landscaping with a minimum width of five (5) feet shall be adjacent to all streets with at least one (1) shade tree for every forty (40) feet of frontage but not in conflict with utilities. In addition to all perimeter landscaping, per each one thousand five hundred (1,500) square feet of parking, there shall be at least twenty-five (25) square feet of landscaping of either one (1) shade tree or (2) ornamental trees. All landscaped areas shall be protected by a raised six (6) inch concrete curb with openings to allow for the drainage of stormwater into the landscaped areas.

e. Lighting. All lighting shall be arranged with down-light, indirect, diffused or shielded lighting fixtures so that glare will be reduced, directed or reflected away from adjacent properties and boundary streets and shall only occur during hours of use. Parking areas shall be sufficiently illuminated to ensure the visibility of pedestrians and the safe movement of traffic within the site.

f. Point of access to public way. Provisions must be made for stacking and transition of incoming vehicular traffic from a public way into the subject property to maintain clear and safe path for vehicles, bicyclists, and pedestrians. A minimum stacking distance of sixty (60) feet from the property line to any gates, barriers, or guardhouses shall be provided

g. Parking. No off-street parking or loading space shall be closer than twenty (20) feet to any lot line abutting a residential district. The number of spaces provided shall not be less than 1.5 times the number of units.

h. Area regulations. The site shall front or have direct access to a street meet-

ing minimum design standard. Minimum lot frontage shall be fifty (50) feet. There shall be no minimum lot coverage. There shall be a maximum building height of forty (40) feet. No building shall be located closer than twenty (20) feet to any abutting single-family residential district.

(c) *Uses permitted after review.* The following uses may be permitted after review by the city planning commission in accordance with the provisions contained in section 62-129: None.

(d) *Area regulations.* The following requirements shall apply to all uses permitted. All lots shall comply with the specific lot definition and yard definition found in 62-1.

(1) *Minimum lot area and use intensity.* The following requirements shall apply:

a. The minimum lot area for this district shall be no less than 10,000 square feet.

b. The minimum lot area for rezoning to a C-1 (office commercial district) shall not be less than 25,000 square feet.

c. For churches and main and accessory buildings, other than dwellings and buildings accessory to dwellings, the lot area shall be adequate to provide the yard area required in the R-1B district under churches and the off-street parking areas required in section 62-469.

(2) *Minimum lot frontage.* The minimum lot frontage for this district shall be no less than 100 feet.

(3) *Maximum percentage of coverage.* Main and accessory buildings shall not cover more than 70 percent of the lot area.

(4) *Maximum height.* There is no current maximum height requirement for this district.

(5) *Front yard setback.* All buildings shall set back from all property lines no less than 50 feet to provide front yard setback.

(6) *Side yard setback.* On a side of a lot adjoining a residential dwelling district, there shall be a side yard setback of no less than one foot per each foot of height.

(7) *Rear yard setback.* There shall be no rear yard setback requirements except in the following case: Where a commercial building is to be serviced from the rear, there shall be provided an unobstructed alleyway, service court, rear yard or combination thereof of no less than 20 feet.

(e) *Screening requirements.* The following requirements shall apply:

(1) In this district, a screening shall be required between any adjacent or adjoining residential district and any area of storage, parking, shipping or receiving of goods; or any other business activity other than pedestrian traffic, as long as said screening does not interfere with the sight triangle intersection clearance requirements.

(2) Where a service area for a building is adjacent to a street, screening shall be required between any area of storage, shipping or receiving of goods or refuse and the adjacent street.

(3) Screening shall consist of an opaque (solid) fence or wall no less than five feet high and no more than eight feet high. It shall be maintained in good condition along the lot line. The materials used in the construction of the screening shall be greatly compatible with the same materials used in the construction of the structure itself. Al-

though the material is not required to be identical, the similarity should extend to color, proportion, style, texture, etc., sufficiently so as to be aesthetically compatible in nature.

(f) *Parking requirements.* Parking requirements shall follow those regulations set out in article VI of this chapter.

(Code 1993, § 62-205; Ord. No. 1843, § 1(art. V, § 9), 2-14-1989; Ord. No. 2530, § 1, 2-24-2015; Ord. No. 2710, § 1, 3-23-2021; Ord. No. 2791, 1, 11-28-2023; Ord. No. 2819, § 1, 8-27-2024)

Sec. 62-265. Planned unit development.

(a) Planned unit development shall be permitted when, in the opinion of the planning commission, the following objectives are achieved:

(1) To promote a flexible but unitary site development plan for residential development.

(2) To permit a clustering of dwelling units at appropriate gross densities for the preservation of existing landscape features and to promote the most efficient possible use of open space.

(3) To combine and coordinate building forms and building relationships within the planned unit developments.

(4) To encourage innovative development of smaller parcels of land that have been passed over.

(5) To ensure a quality of construction and public improvements commensurate with other quality development within the city.

(6) To provide a choice in the types of ownership, and community facilities available to existing and potential residents.

(7) To give the developer reasonable assurance of ultimate approval before investing in complete design development while providing the city with assurances that the project will retain the character envisioned at the time of approval.

(b) The minimum area required to qualify for a planned unit development shall be one contiguous acre of land.

(c) Planned unit development shall be subject to the following area regulations:

*Requirements**	*R-1B district*	*R-2 district*	*R-3 district*	*C-1 district*
Individual lot, square feet	3,250	3,250	1,500	1,500
Minimum area in PUD per individual platted lot, square feet	6,000	4,000	1,500	1,500
Lot width, minimum, feet	20	20	20	20
Yards, minimum	None	None	None	None
Floor area ratio, maximum				
PUD	0.30	0.30	0.40	0.80
Individual lot	0.40	0.50	0.60	1.20
Maximum coverage of individual lot, percent	40	40	50	50

*These requirements apply to interior yards of a planned unit development only. All perimeter yards (yards that abut property not included in the development plat) are subject to area regulations of the base zoning district.

(d) Before being placed on the planning commission agenda, the proposed planned unit development shall be reviewed by the planning department no less than 30 days prior to the date of the planning commission meeting. Such a review, or preapplication conference, shall be for the purpose of informing the city of the development concept and to familiarize the developer with the planned unit development process. At the conference, the developer shall submit a concept plan that clearly shows the following:

(1) The general outlines of the interior roadway system and all existing rights-of-way and easements.

(2) The general extent, size and composition in terms of the total number of dwelling units and the approximate percentage allocation by dwelling unit type.

(3) A calculation of the residential density in dwelling units per gross acre including interior roadways.

(4) The interior open space system.

(5) Proposed treatment of the perimeter of the PUD.

(e) The review by the planning department will include written comments to the applicant no later than two weeks after the preapplication conference. Planning department review will concern the following elements in the order that they are presented below:

(1) The design must first provide for certain external factors of communitywide concern. This includes adherence to the general plan in relationship to major streets, designated open spaces, parkways and major drainage channels.

(2) The proposal shall meet the objectives as expressed in subsection (a) of this section.

(3) The design must be properly related to proposed and existing land uses of adjacent properties.

(4) The design shall give proper attention to internal detailing, including layout of streets, lots, and blocks that, at a minimum, reflect urban design principles of the city subdivision regulations.

(f) The following materials shall be submitted with an application for a use permissible on review:

(1) Site development plan and supporting maps.

a. The existing site conditions including contours at two-foot intervals, floodplains, watercourse, and existing vegetation.

b. Proposed lot lines and building lines.

c. The location and maximum floor area size of all existing and proposed buildings, structures, and other improvements including maximum height, density and types of dwelling units.

d. Existing and proposed pedestrian circulation system, including its interrelationships with the vehicular circulation system.

e. A general landscape plan indicating the treatment of materials used for private and common open spaces.

f. Proposed treatment of the perimeter of the planned unit development, including materials and techniques used such as screens, fences and walls.

(2) Written documents.

a. A statement of specific planning objectives to be achieved by the planned unit development through the approach proposed by the applicant.

Staff recommendations will, in part, reflect whether or not the proposed design effectively meets the stated planning objectives.

b. Quantitative data for the following: total number and type of dwelling units; parcel size; proposed lot coverage of buildings and structure; total amount of open space; and total amount of nonresidential construction.

(3) Preliminary plat. The preliminary plat shall, at a minimum, incorporate urban design principles, and shall be presented separate from the required site development plan and supporting maps.

(g) All plats and building plans submitted subsequent to the approval of a PUD shall be in substantial conformity to the approved site development plan. A plat or building plan shall be deemed in substantial compliance so long as the plat or plan does not involve a change of one or more of the following:

(1) Violate any provision of this article.

(2) Vary any lot area as indicated on the preliminary plat by more than ten percent.

(3) Increase the ground area covered by buildings on any lot as depicted by the site development plan by more than five percent.

(4) Realign any street, sidewalk, or bicycle path.

(5) Change the location of any building or structure by more than ten feet in any direction.

(h) Preliminary plats and approved site development plans for planned unit development shall become null and void if no final plat has been submitted for approval within 12 months after the date of enactment by the city council of the request for the use permissible on review.

(i) If no development has occurred pursuant to the adopted final plat within 12 months after approval, the approved site development plan shall become null and void and approval of a new site development plan shall be required.

(Code 1993, § 62-206; Ord. No. 1843, § 1(art. V, § 10), 2-14-1989)

State law reference—Planned unit developments, 11 O.S. § 43-110 et seq.

Sec. 62-266. I-1 light industrial district.

(a) *General description.* The purpose of the I-1 light industrial district is to provide a location for industries which do not by their nature create nuisances. The intent is to preserve this land for industry in a location beneficial to industries and to prohibit nonindustrial uses. Because of the traffic generated and other objectionable influences created in this district, it is necessary to provide a buffer or setback area between this district and any other zoning district except I-2.

(b) *Uses permitted.*

(1) Bottling works.

(2) Building materials manufacturing, storage, distribution and pole yards.

(3) Commercial trade and television transmitting antenna towers and other electronic equipment requiring outdoor towers, including antenna towers for the dispatching of private messages.

(4) Compounding, processing and blending chemical products, but not including any materials which decompose by detonation.

(5) Dairy products, products and distribution.

(6) General and administrative offices incidental to permitted uses.

(7) Machine shops and metal products manufacture and tool and dye shops, provided they do not include any of the following equipment: automatic screw machines, drop forges or riveting machines.

(8) Mail order houses.

(9) Manufacturing and assembling (or any combination of such processes), products from wood, cork, glass, leather, fur, plastic, felt and other textiles, but not including, as a principal operation, the processing of any raw materials.

(10) Manufacturing and assembling electrical and electronic products and equipment.

(11) Manufacturing, fabricating, assembling, repairing, storing and cleaning, servicing or testing any of the following materials, goods or merchandise: apparel clothing, jewelry, or optical goods.

(12) Printing and binding plants.

(13) Public utility distribution centers.

(14) Research laboratories.

(15) Warehouses and storage facilities.

(16) Water filtration plants, pumping stations, reservoirs, and lift stations.

(17) Any other manufacturing process or establishment which can operate in compliance with the aforementioned requirements.

(18) Accessory uses incidental to and on the same zoning lots as a principal use.

(19) Any public buildings or uses, inclusive of but not limited to fire stations, community buildings, utility buildings, libraries, auditoriums or municipal buildings.

(20) Automobile wrecker services, related to the recovery, towing, storage or release of towed vehicles, and the reasonable and necessary tasks incident thereto.

(c) *Required development standards.*

(1) No building shall be used for residential purposes except that a watchman may reside on the premises.

(2) No retail sales or services shall be permitted except as incidental to or accessory to or associated with a permitted use.

(3) No noise from any operation conducted on the premises, other than that emanating from vehicular traffic, either continuous or intermittent, shall be detectable at any boundary line of the I-1 district.

(4) No toxic matter, noxious matter, smoke, gas, or odorous or particulate matter shall be emitted that is detectable beyond the lot lines of the zoning lot on which the use is located.

(5) No vibrations shall be detectable beyond the lot lines of the zoning lot on which the use is located.

(6) Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon property located in any residential district.

(7) The manufacture of flammable materials which produce explosive vapors or gases is prohibited.

(8) Any operation that produces intense glare or heat shall be performed within a completely enclosed building, and exposed sources of light shall be screened so as not to be detectable beyond the lot lines.

(9) No storage, manufacture or assembly of goods shall be conducted outside of a building unless the nearest point of said

activity is more than 200 feet from the boundary of any nonindustrial use district, and unless such storage shall be so screened by ornamental fencing or evergreen planting so that it cannot be seen by a person standing on ground level in the adjacent district; provided, however, that screening shall not be required in excess of seven feet in height. All planting shall be kept neatly trimmed and maintained in good condition at all times.

(10) No activities involving storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted.

(d) *Uses permitted after review (UPAR).* The following use may be permitted after review by the city planning commission in accordance with the provisions contained in section 62-129: child care centers (with stipulations). Any child care center authorized under the UPAR shall comply with the following provisions:

(1) Child care centers are not to be located in single-family dwellings which are the permanent residence (domicile) of the operator.

(2) The child care center shall provide a minimum indoor space available for child care of no less than 35 square feet per child, exclusive of hallways, bathrooms, kitchens and space occupied by furniture not intended for children's use.

(3) The child care center shall provide a minimum outdoor space of 75 feet per child which shall be enclosed by an opaque ornamental fence not less than 42 inches in height, or the fencing shall be in accordance with the appropriate screening requirements of the particular zoning district. This area must be hazard-free and keep children away from traffic, water and other dangers.

(4) The child care center shall meet city/county/state health requirements as to safety, design, facilities, equipment and licensing of the features. All child care centers shall be inspected by the state department of human services, city fire marshal, building inspectors, and the city planner, or their designees, prior to licensing, and other inspections may occur during the licensing period. The interior and exterior of all buildings shall comply with the city building codes.

(5) The child care center shall be operated in a manner that will not adversely affect property and other uses in the area. Parking for the leaving and picking up of children shall be required, so as not to interfere with the normal flow of traffic. Off-street hard-surface parking areas shall be required.

(6) A license shall be obtained from the state department of human services and all requirements relative to their standards must be adhered to.

(e) *Area regulations.* All buildings and uses hereafter established or enlarged shall comply with the following requirements:

(1) *Minimum lot area and use intensity.* There are no current minimum lot area requirements.

(2) *Minimum lot frontage.* There are no current minimum frontage requirements.

(3) *Maximum percentage of coverage.* Main and accessory buildings shall not cover more than 60 percent of the lot area.

(4) *Maximum height.* There are no current maximum height requirements.

(5) *Front yard setback.* All buildings shall set back from all property lines no less than 35 feet.

(6) *Side yard setback.* The following requirements shall apply:

a. When abutting another industrial district zoned lot, the side yard setback shall be no less than 25 feet.

b. On a side of a lot adjoining a residential dwelling district, there shall be a side yard setback of no less than one foot per each foot of height.

(7) *Rear yard setback.* There are no current rear yard setback requirements.

(f) *Parking requirements.* Wholesale, manufacturing and industrial plants, including warehouses and storage buildings and yards; public utility buildings; contractor's equipment and lumber yards; research laboratories; business service establishments, such as blueprinting and printing and engraving; binding, publishing and issuing newspapers or other reading matter; soft drink bottling establishments; laundry and dry cleaning plants; fabricating plants; and all other structures devoted to similar mercantile or industrial pursuits and not otherwise specifically classified shall be provided with two parking spaces for each three employees or one space for each 500 square feet of floor space, whichever requires the greater number of spaces.
(Code 1993, § 62-207; Ord. No. 1843, § 1(art. V, § 11), 2-14-1989; Ord. No. 1876, § 1, 2-25-1992; Ord. No. 2580, § 1(62-207), 10-11-2016; Ord. No. 2852, § 1, 9-23-2025)

Sec. 62-267. I-2 heavy industrial district.

(a) *General description.* The purpose of the I-2 heavy industrial district is to provide a location for industries, which, by their nature, may create nuisances. The intent is to preserve this land especially for industry, in locations with access to major streets as designated on the major street plan, as well as locations generally accessible to railroad transportation. Because of the nuisances or other objectionable influences that may be created in this district, it is necessary to provide a buffer or setback strip between this district and other zoning districts, except I-1.

(b) *Uses permitted.* All buildings or uses hereafter established or enlarged shall comply with the following conditions or restrictions:

(1) Any use permitted in the I-1 light industrial district, including:

a. Automobile wrecking and junkyards, provided they are enclosed throughout the entire perimeter by a solid fence not less than eight feet in height.

b. Blacksmiths, tinsmiths and sheet metal shops.

c. Bulk fuel sales and storage.

d. Canning or preserving factories.

e. Coal storage plants.

f. Heavy machinery rental, sales and service.

g. Machine/welding shops.

(2) Manufacturing, fabricating, assembling, repairing, storing, cleaning, servicing or testing any of the following materials, goods or merchandise:

a. Beverages (nonalcoholic), processing and bottling.

b. Building materials specialties.

c. Compounding or processing, blending, packaging or storing of chemical products, but not including any products which decompose by detonation.

d. Cosmetics and toiletries.

e. Drugs and pharmaceutical products.

f. Electrical and acoustic products and components.

g. Food products (except fish, sauerkraut, vinegar and yeast).

h. Furniture.

i. Glass products.

j. Ice, dry and natural.

k. Medical laboratory supplies, equipment and specialties.

l. Metal products and utensils.

m. Musical instruments.

n. Paper products, including boxes and containers.

o. Radio, phonograph recorder and television sets and parts.

p. Textiles.

q. Toys and children's vehicles.

r. Trailers and carts.

s. Wood products, including boxes and containers.

(3) Monument stone cutting.

(4) Motor freight terminals.

(5) Pattern shops.

(6) Printing plants.

(7) Processing of meat and vegetable products, including animal slaughter.

(8) Soldering and welding shops.

(9) Sign painting.

(10) Spray painting and mixing.

(11) Railroad yards and switching areas, including loading and sleeping facilities for transient railroad labor.

(12) Any other industrial use provided it meets the standards in subsection (c) of this section.

(13) Any public buildings or uses, inclusive of but not limited to fire stations, community buildings, utility buildings, libraries, auditoriums or municipal buildings.

(c) *Required development standards.* Any use constructed, established, altered, or enlarged in the I-2 heavy industrial district after February 14, 1989, shall be so operated as to comply with the following standards. No use already established on February 14, 1989, shall be so altered or modified as to conflict with, or further conflict with, the applicable standards established hereinafter for the I-2 heavy industrial district.

(1) No building shall be used for residential purposes, except that a watchman may reside on the premises.

(2) No storage, manufacture, or assembly of goods shall be conducted outside of a building unless the nearest point of said activity is more than 200 feet from the boundary of any nonindustrial use district, and unless such storage shall be so screened by ornamental fencing or evergreen planting that it cannot be seen by a person standing on ground level in the adjacent district; provided, however, that screening shall not be required in excess of seven feet in height. All planting shall be kept neatly trimmed and maintained in good condition at all times.

(3) Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon property located in any residential district.

(4) All manufacturing, fabricating, assembly, disassembly, repairing, storing, cleaning, servicing, and testing of goods, water, and merchandise, shall be carried on in such a manner as not to be injurious or offensive by reason of the emission or creation of noise, vibration, smoke, dust or other par-

ticulate matter, toxic or noxious matter, odorous, glare, heat, fire or explosive hazards.

(5) No activities involving storage, utilization, or manufacture of materials or products which decompose by detonation shall be permitted.

(d) *Uses permitted after review.* No current uses are listed as requiring review.

(e) *Area regulations.* All buildings and uses hereafter established or enlarged shall comply with the following requirements:

(1) *Minimum lot area and use intensity.* There are no current lot area minimum requirements.

(2) *Minimum lot frontage.* There are no current minimum frontage requirements.

(3) *Maximum percentage of coverage.* Main and accessory buildings shall not cover more than 60 percent of the lot area.

(4) *Maximum height.* There is no current maximum height requirement.

(5) *Front yard setback.* All buildings shall set back from all property lines no less than 35 feet to provide front yard setback.

(6) *Side yard setback.* The following requirements shall apply:

a. When abutting another industrial district zoned lot, the side yard setback shall be no less than 25 feet.

b. On a side of a lot adjoining a residential dwelling district, there shall be a side yard setback of no less than one foot per each foot of height.

(7) *Rear yard setback.* There are no current rear yard setback requirements.

(f) *Parking requirements.* Wholesale, manufacturing and industrial plants, including warehouses and storage buildings and yards; public utility buildings; contractor's equipment and lumber yards; research laboratories; business service establishments, such as blueprinting and printing and engraving; binding, publishing and issuing newspapers or other reading matter; soft drink bottling establishments; laundry and dry cleaning plants; fabricating plants; and all other structures devoted to similar mercantile or industrial pursuits and not otherwise specifically classified shall be provided with two parking spaces for each 500 square feet of floor space, whichever requires the greater number of spaces.
(Code 1993, § 62-208; Ord. No. 1843, § 1(art. V, § 12), 2-14-1989; Ord. No. 2580, § 1(62-208), 10-11-2016)

Sec. 62-268. H-1 health facilities district.

(a) *General description.* The purpose of the H-1 health facilities district shall be to provide a separate location exclusively for medical and health facilities and related uses thereof.

(b) *Uses permitted.* Property and buildings located in an H-1 health facilities district shall be used only for the following purposes:

(1) Dependent life care facilities (convalescent; nursing; rest homes).

(2) Hospital.

(3) Public health center.

(4) Sanatorium.

(5) Accessory buildings and uses customarily incidental to the above uses.

(c) *Uses permitted after review.* Supporting facilities, necessary in conjunction with the existing health facility, may be permitted only after review by the city planning commission, as follows:

(1) Ambulance service.

(2) Artificial limbs and braces; sales and service.

(3) Barbershop and beauty shop.

(4) Dental laboratory or supply house.

(5) Drugstores.

(6) Hotel and motel.

(7) Medical clinic or dental clinic.

(8) Orthopedic appliance sales.

(9) Pharmacy.

(10) Restaurant.

(11) Nameplate or sign relating only to the use of the store and premises, or to products sold on the premises.

(12) Accessory buildings and uses customarily incidental to the above uses.

Any building used primarily for the above enumerated uses shall not have more than 40 percent of the floor area devoted to purposes incidental to the primary use. Stores, shops and businesses permitted under this section shall be retail establishments exclusively and shall be conducted entirely within an enclosed building.

(d) *Area regulations.* All buildings and uses hereafter established or enlarged shall comply with the following requirements:

(1) *Minimum lot area and use intensity.* Minimum lot area for an H-1 health facilities district shall not be less than 25,000 square feet.

(2) *Minimum lot frontage.* There are no current requirements for minimum lot frontage.

(3) *Maximum percentage coverage.* The following requirements shall apply:

a. No more than 40 percent of floor space may be devoted to incidental uses.

b. There are no current other maximum coverage percentage requirements.

(4) *Maximum height.* There shall be no limit, except as heretofore provided in sections 62-187 and 62-189; and with the exception of one foot of setback per each two feet of height above 25 feet for the front, side and rear yards.

(5) *Front yard setback.* All buildings shall set back from all street right-of-way lines no less than 25 feet to provide front yard setback.

(6) *Side yard setback.* The following requirements shall apply:

a. When abutting another health facilities district zoned lot, the side yard setback shall be no less than one foot setback for each one foot in height.

b. On a side of a lot adjoining a residential dwelling district, there shall be a side yard setback of no less than one foot per each foot of height.

(7) *Rear yard setback.* There are no current rear yard setback requirements except as follows: Where a health facility building is to be serviced from the rear, there shall be provided an unobstructed alleyway, service court, rear yard or combination thereof, of not less than 20 feet.

(e) *Parking requirements.* The following requirements shall apply:

(1) Hospitals shall be provided with one parking space for each three patient beds, exclusive of bassinets, plus one space for each professional staff member, plus one space for each two employees (including nurses), plus adequate off-street space for loading and unloading emergency vehicles.

(2) Convalescent or nursing homes, sanitariums, asylums, orphanages and all other similar institutions shall be provided with one parking space for each six patient beds, plus one space for each staff or visiting doctor, plus one space for each two employees, including nurses, plus adequate off-street space for loading and unloading emergency vehicles.

(Code 1993, § 62-209; Ord. No. 1843, § 1(art. V, § 13), 2-14-1989; Ord. No. 2844, § 1, 5-27-2025)

Sec. 62-269. A-1 agricultural district.

(a) *General description.* The A-1 agricultural district shall be established for several purposes: to provide for the continued use of land for predominantly agricultural purposes; to preserve undeveloped areas until they can feasibly be developed at urban standards but with adequate public safeguards of health, safety, etc.

(b) *Uses permitted.* No buildings or uses hereafter shall be established or enlarged within the A-1 agricultural district, except as a building or use devoted to one of the following purposes:

(1) Agriculture, as defined in this article.

(2) Single-family dwellings.

(3) Churches and temples.

(4) Elementary schools and high schools.

(5) Golf courses, but not including golf driving ranges, pitch and putt courses or miniature golf courses.

(6) Parks and forest preserves, operated not-for-profit.

(7) Temporary buildings and uses for construction purposes only, and not for dwelling purposes nor for a period that exceeds the completion of the construction.

(8) Accessory buildings or uses incidental to the foregoing principal uses.

(9) Municipal or community recreation centers.

(10) Police or fire stations.

(11) Public buildings or buildings operated in the public interest by a not-for-profit corporation, including art galleries, post offices, libraries or museums.

(12) Public or not-for-profit auditoriums, stadiums, arenas, armories or sanitoriums.

(13) Public or private schools or colleges.

(14) Public utility and service uses, including electric substations, gas regulator stations, electric, gas, telegraph, telephone and water transmission metering and distribution equipment and structures, microwave relay towers, water reservoirs or pumping stations, and other similar facilities, subject to screening provisions in section 62-307.

(c) *Uses permitted after review.* No current uses are listed as requiring review.

(d) *Area regulations.* The following requirement shall apply to all uses permitted. All lots shall comply with the specific lot definition and yard definition found in section 62-1.

(1) *Minimum lot area and use intensity.* The following requirements shall apply:

a. The minimum lot area for this district shall be no less than two acres.

b. For churches and main and accessory buildings, other than dwellings and buildings accessory to dwellings, the lot areas shall be adequate to provide the yard area required in the R-1B district under churches, and the off-street parking areas required in section 62-469.

(2) *Minimum lot frontage.* The minimum lot frontage for this district shall be no less than 100 feet.

(3) *Maximum percentage of coverage.* Main and accessory buildings shall not cover more than 30 percent of the lot area.

(4) *Maximum height.* No buildings shall exceed 2.5 stories or 35 feet in height, except as provided in sections 62-187 and 62-189.

(5) *Front yard setback.* All buildings shall set back from all property lines no less than 60 feet to provide front yard setback.

(6) *Side yard setback.* The following requirements shall apply:

a. *Corner.* For dwellings and accessory buildings located on corner lots, there shall be a side yard setback from the intersecting street of not less than 30 feet in case such lot fronts the same as its adjacent lot.

b. *Interior.* The interior side yard setback shall be no less than 20 feet.

c. *Other.* The side yard setback shall be no less than 60 feet in every other case.

(7) *Rear yard setback.* The following requirements shall apply:

a. For main buildings, other than garage apartments, there shall be a rear yard of no less than 20 feet or 20 percent of the depth of the lot, whichever is smaller.

b. Garage apartments may be located in the rear yard of a single-family dwelling, but shall not be located closer than ten feet to the rear lot line.

c. Unattached buildings of accessory use may be located in the rear yard.

(Code 1993, § 62-210; Ord. No. 1843, § 1(art. V, § 14), 2-14-1989)

Sec. 62-270. Specific district regulations.

(a) *General provisions.* This section establishes specific regulations which have limited application within the city in order to ensure additional considerations for areas of special interest, development sensitivity or particular value.

(b) *Intent and purpose.* The purposes of this section are to:

(1) Provide a framework for the creation of special regulations.

(b) *Penalties for noncompliance.* No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this division and other applicable regulations. A structure or other development without the elevation certificate or other certifications required in this division is presumed to be in violation until such time as that documentation is provided. Violation of the provisions of this division by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this division or fails to comply with any of its requirements shall upon conviction thereof be fined not more than $500.00 for each violation, and in addition shall pay all costs and expenses involved in each case. Nothing herein contained shall prevent the city council or city attorney from taking such other lawful action as is necessary to prevent or remedy any violation.

(c) *Certification.* It is hereby found and declared by the city council that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program, and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately.

(d) *Effective.* This division goes into effect immediately and after this date supersedes any previous floodplain management regulations or ordinance applicable to the city. However, the current flood map for the city shall be used until July 22, 2010, when at this time the new FIS and FIRM dated July 22, 2010, shall be used.

(Code 1993, § 62-266; Ord. No. 2355, § 10, 5-11-2010)

Secs. 62-401—62-428. Reserved.

ARTICLE VI. OFF-STREET PARKING AND LOADING

DIVISION 1. GENERALLY

Sec. 62-429. Intent and application.

It is the intent of this article that adequate parking and loading facilities be provided off the street for each use of land within the city. Requirements are intended to be based on the demand created by each use. The requirements of this article shall apply to all uses in all districts. Whenever there is a use of land proposed which is not specifically mentioned in this article, the requirements for off-street parking facilities for a use which is so mentioned, and which is similar to the unmentioned use, shall apply. If such proposed use cannot be determined to be similar to a use specifically mentioned, the planning commission shall make a determination of the parking demand and such demand shall become a requirement and be made a condition of the building permit authorizing such use. The planning commission shall then recommend an amendment of this article to include such use and parking requirement.

(Code 1993, § 62-301; Ord. No. 1843, § 1(art. V, § 15.1), 2-14-1989)

Sec. 62-430. Enforcement.

The city manager or an officer or employee of the city designated by him is hereby authorized to enforce this article.

(Code 1993, § 62-302; Ord. No. 1843, § 1(art. V, § 15.2), 2-14-1989)

Sec. 62-431. Requirements for mixed land uses.

In the case of mixed uses of land, the total requirements for off-street parking shall be the

sum of the requirements of the various uses computed separately; and the off-street parking for one use shall not be considered as providing the required off-street parking for any other use; provided, however, that if the type of one structure indicates that its periods of usage will not be simultaneous with the usage of other structures (as determined by the planning commission), the parking provided for such other structures may be counted for the purpose of complying with the parking requirement for such structure.
(Code 1993, § 62-303; Ord. No. 1843, § 1(art. V, § 15.7), 2-14-1989)

Sec. 62-432. Access to street or alley; parking space deemed required open space.

Required parking spaces shall be provided with vehicular access to a street or alley and shall be deemed to be required open space associated with the permitted use and shall not therefore be reduced, diminished or encroached upon in any manner.
(Code 1993, § 62-304; Ord. No. 1843, § 1(art. V, § 15.3), 2-14-1989)

Sec. 62-433. Ownership and location.

The ownership of the land which parking is provided shall be the same as the ownership of the land upon which the principal use exists for which the parking is provided; and shall be located within 200 feet of the proposed land use, exclusive of streets and alleys. The area between the street right-of-way lines and setback lines may be used for parking when such area is hard surfaced and an adequate means of ingress is provided.
(Code 1993, § 62-305; Ord. No. 1843, § 1(art. V, § 15.4), 2-14-1989)

Sec. 62-434. Paving.

All parking spaces shall be paved with a sealed surface pavement or engineered permeable pavement, and maintained in such a manner that no dust will result from the continued use.
(Code 1993, § 62-306; Ord. No. 1843, § 1(art. V, § 15.5), 2-14-1989; Ord. No. 2851, § 1, 9-9-2025)

Sec. 62-435. Size of spaces.

The parking space for one vehicle shall consist of a rectangular area having dimensions of not less than nine feet by 19 feet, plus adequate area for ingress and egress.
(Code 1993, § 62-307; Ord. No. 1843, § 1(art. V, § 15.6), 2-14-1989; Ord. No. 2851, § 1, 9-9-2025)

Sec. 62-436. Handicapped parking requirements.

(a) *General overview.* Building construction in the city (including parking space requirements for all districts) is governed and controlled through the application of several building codes (including designs and tables for handicapped accessibility) adopted for specific use by the city council. Within these standards are the requirements for making parking spaces and passenger loading zones accessible for handicapped people.

(b) *Scope.* The standards and specifications adopted by the city council are intended to make buildings and facilities accessible to, and usable by, people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, sight and hearing disabilities, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size. Accessibility and usability allow a disabled person to get to, enter and use a building or facility.

(c) *Construction specifications.* State and federal handicap regulations specify that any building or facility (other than a privately owned resi-

dential structure, unless leased for federally subsidized housing programs), intended to be accessible to the general public, is required to be designed, constructed or altered so as to be readily accessible to, and usable by, physically handicapped people.

(d) *ANSI standards applicability.*

(1) The design and construction of new buildings and facilities, including both rooms and spaces, site improvements and public walks.

(2) Remodeling, alteration and rehabilitation of existing construction.

(3) Permanent, temporary and emergency conditions.

(e) *Parking and passenger loading zone minimum requirements.*

(1) If any parking is required to be provided by this article for employees or visitors or both in any district, each such parking area shall comply with section 1190.60 (36 CFR 1190), parking and passenger loading zones diagram;

(2) ANSI Standard 4.6.1 (ANSI A117.1-1980); and

(3) The following table from section 1190.31 (36 CFR 1190):

Total parking in lot	*Required minimum number of accessible spaces*
1—25	1
26—50	2
51—75	3
76—100	4
101—150	5
151—200	6
201—300	7
301—400	8
401—500	9
501—1,000	2 percent of total
Over 1,000	20 plus 1 for each 100 over 1,000

(f) *General parking requirements; commercial/industrial districts.*

(1) *Location.* Accessible parking spaces and accessible passenger loading zones shall:

a. Be the spaces or zones located closest to the nearest accessible entrance on an accessible route in accordance with ANSI 4.6.2.

b. If located in a separate building or facility, be on the shortest accessible route to an accessible entrance of the parking facility.

c. Passenger loading zones shall have an access aisle of at least five feet wide by 20 feet long, adjacent, parallel and level with vehicle standard space (ANSI 4.6.5).

d. Have curb ramps conforming to section 1190.70 ramps and curb ramps, if there are any curbs between the accessibility aisle and other portions of the access route.

(2) *Conformance required.* Conformance in all other areas of handicapped accessibility required by the Architectural Barriers Act and BOCA codes, incorporating the ANSI standards for handicapped accessibility shall be required, as well as any applicable city codes.

(Code 1993, § 62-308; Ord. No. 1843, § 1(art. V, §§ 15.28—15.33), 2-14-1989)

Sec. 62-437. Landscaping requirements for off-street parking.

(a) *Intent.* The intent of this section is to protect and promote the public health, safety and welfare by requiring the landscaping of parking

lots which will serve to reduce wind and air turbulence, heat and noise, and the glare of automobile lights; to prevent soil erosion; to reduce the level of carbon dioxide and return pure oxygen to the atmosphere; to provide shade; to visually enhance the appearance of parking lots; and to generally promote a healthful and pleasant environment. All areas used for the display, parking, or storage of any and all types of vehicles; boats are also subject to provisions herein.

(b) *Landscaping requirements for off-street parking/other vehicular use areas with ten to 30 spaces.*

(1) *Peripheral landscaping requirements.*

a. Peripheral landscaping shall be required along any side of a parking area that abuts adjoining property that is not a street or alley right-of-way.

b. A landscaping strip four feet in width shall be located between the parking area and the abutting property lines.

c. At least one tree for each 40 linear feet or fraction thereof shall be planted in the landscaping strip. The required trees may be evenly spaced or grouped.

d. In addition to the required trees, a wall, fence, hedge, berm, or other durable landscape barrier shall be planted or installed. The height of any such hedge or barrier shall be no less than six feet.

e. At least one shrub or vine for each ten feet of nonliving durable barrier (such as a wall or fence) shall be planted between the parking lot and the barrier.

f. Peripheral landscaping requirements shall not be applicable in the following situations:

1. To those portions of the property that are opposite a building located on the abutting property line.

2. Where the abutting property is zoned for nonresidential uses, only the tree provision and the landscape strip, planted with grass or ground cover, shall be required.

g. Twenty percent of the trees for peripheral landscaping requirements can be evergreens that normally grow to an overall height of a minimum of 15 feet.

(2) *Street landscaping requirements.*

a. Street landscaping shall be required along any side of a parking lot that abuts the right-of-way of any street, road or highway.

b. A landscaping strip five feet in depth shall be located between the abutting right-of-way and the parking lot.

c. At least one tree for each 40 linear feet or fraction thereof shall be planted in the landscaping strip. The required trees may be evenly spaced or grouped.

d. A hedge, landscaped berm, or other living durable landscape barrier shall extend the entire length of the landscaping strip. The height of any such barrier or hedge shall be no more than three feet. The first ten feet on both sides of any driveway pavement is excluded from this requirement, but shall be planted with grass or ground cover.

e. In lieu of the requirements of subsections (b)(2)c and d of this section, at least one tree for each 20 linear feet or fraction thereof shall be planted in the landscaping strip. The required trees may be evenly spaced or grouped.

(c) *Landscaping requirements (interior) for off-street parking/other vehicular use areas with more than 30 spaces.* The requirements for interior landscaping are as follows:

(1) Off-street parking areas shall have at least ten square feet of interior landscaping for each parking space excluding those spaces abutting a perimeter for which landscaping is required by other sections hereof and excluding all parking spaces which are directly served by an aisle abutting and running parallel to such perimeter.

(2) Each separate landscaped area shall contain a minimum of 50 square feet, shall have a minimum dimension of at least five feet, and shall include at least one tree. The remaining area shall be landscaping material not to exceed three feet in height.

(3) The total number of trees shall not be less than one for each 100 square feet or fraction thereof of required interior landscaped area.

(4) No parking space shall be located more than 100 feet from a portion of landscaped open space required by this section.

(d) *Plant material.* Species of plant material shall be acceptable to the director of planning, with guidance and recommendations from the tree board.

(1) *Trees.*

a. For the purposes of this article, trees are defined as any self-supporting woody plants which usually produce one main trunk and normally grow to an overall height of a minimum of 15 feet.

b. Trees having an average natural spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread. Trunks must be maintained in a clean condition over five feet of clear wood.

c. Tree species shall be a minimum of six feet overall height immediately after planting.

d. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be planted closer than 12 feet to such public works, unless the tree root system is completely contained within a barrier acceptable to the director of planning, with guidance and recommendations from the tree board.

(2) *Shrubs and hedges.*

a. For the purposes of this article, shrubs are defined as any woody plant that usually remains low and produces shoots or trunks from the base.

b. Hedges, where required, shall be a minimum of two feet in height when measured immediately after planting and shall be maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one year after planting.

(3) *Vines.* For the purposes of this article, vines are defined as plants which normally require support to reach mature form.

(e) *Other requirements for landscaped areas.*

(1) *Installation.*

a. All landscaping shall be installed according to accepted planting procedures and landscaped areas shall require protection from vehicular encroachment. The tree board shall be contacted for information, guidance and direction on how to follow the community tree board's master plan for street trees, and to ensure that landscaping efforts will be in harmony with the urban forestry's survey.

b. A building permit, including a certificate of occupancy therein, is required for all parking areas having ten or more spaces and no certificate will be issued unless the landscaping meets the requirements herein provided; or unless a bond is posted acceptable to the director of planning, who may accept such a bond in lieu of landscaping due to weather or climate conditions unsuitable for planting. Such a bond will not be maintained in lieu of planting for more than nine months.

(2) *Maintenance.*

a. The owners shall be responsible for providing, protecting, and maintaining all landscaping in growing and healthy condition; shall replace it when necessary; and shall keep it reasonably free from debris.

b. Should the owner not maintain the property as provided in subsection (e)(2)a of this section, the city has the authority to enter the premises upon written notice and perform the necessary maintenance. The cost of performing the maintenance shall be certified by the director of planning to the owner, upon information provided by the director of community services. Should the owner fail to pay the cost of maintenance within 30 days from date of the invoice, the cost shall become a lien on the property as provided by law.

(Code 1993, § 62-309; Ord. No. 1843, § 1(art. IV, § 21), 2-14-1989)

Secs. 62-438—62-457. Reserved.

DIVISION 2. SPACE REQUIREMENTS

Sec. 62-458. Application of division.

Off-street parking and loading facilities shall be provided in all districts in accordance with the provisions of this division.

(Code 1993, § 62-321; Ord. No. 1843, § 1(art. V, § 15.8), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-459. Dwellings.

(a) The following requirements shall apply in residential districts:

(1) Dwelling, single-family or duplex: Two parking spaces for each separate dwelling unit within the structure.

(2) Dwelling, multiple-family: The number of spaces provided shall not be less than 1.5 times the number of units in the dwelling.

(3) Accessory: One parking space per each accessory dwelling unit.

(4) Rooming house or boarding house: Shall provide spaces required in Sec 62-460.

(b) Whenever off-street parking lots for more than four vehicles are to be located within or adjacent to a residential district, the following provisions shall apply:

(1) All sides of the parking lot within or abutting the residential district shall be enclosed with an opaque ornamental fence, wall or dense evergreen hedge having a height of not less than five feet. Such fence, wall or hedge shall be maintained in good condition.

(2) No parking shall be permitted within a front yard setback line whenever the parking lot is located in a residential district or immediately abuts the front yard of a residential unit. In all other cases, a minimum five-foot setback shall be required.

(3) Driveways used for ingress and egress shall be confined to and shall not exceed 25 feet in width, exclusive of curb returns.

(4) Whenever lighting is provided, it shall be arranged so that all light is deflected from adjoining residential uses.

(5) No sign of any kind shall be erected except information signs used to guide traffic and to state the condition and terms of the use of the lots. Only nonintermittent white lighting of signs shall be permitted.

(Code 1993, § 62-322; Ord. No. 1843, § 1(art. V, § 15.9), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-460. Hotels, motels, tourist homes and other places offering overnight accommodations.

Hotels, clubs, lodging houses, tourist homes and cabins, motels, trailer courts, boardinghouses and rooming houses, dormitories, sororities, fraternities and all other similar places offering overnight accommodations, and not otherwise provided for in this division, shall be provided with one parking space for each guestroom. If assembly halls, bars, restaurants, nightclubs, retail shops or room for other shops, service establishments or businesses are provided at such places, additional off-street parking spaces will be required in accordance with the regulations set forth in this division for such uses.

(Code 1993, § 62-323; Ord. No. 1843, § 1(art. V, § 15.10), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-461. Mobile home parks.

(a) Mobile home parks accommodating tourists or other transient guests shall be provided with one parking space for each mobile home stand, plus one additional space for each four mobile home stands.

(b) Mobile home parks accommodating long-term or nontransient guests shall be provided with one parking space for each mobile home stand, plus one additional space for each two mobile home stands.

(Code 1993, § 62-324; Ord. No. 1843, § 1(art. V, § 15.11), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-462. Hospitals.

Hospitals shall be provided with one parking space for each four patient beds, exclusive of bassinets, plus one space for each professional staff member, plus one space for each three employees, including nurses, plus adequate off-street space for loading and unloading emergency vehicles.

(Code 1993, § 62-325; Ord. No. 1843, § 1(art. V, § 15.12), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-463. Convalescent homes, orphanages and similar institutions.

Convalescent or nursing homes, sanitoriums, asylums, orphanages and all other similar institutions shall be provided with one parking space for each six patient beds, plus one space for each staff or visiting doctor, plus one space for each two

employees, including nurses, plus adequate off-street space for loading and unloading emergency vehicles.
(Code 1993, § 62-326; Ord. No. 1843, § 1(art. V, § 15.13), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-464. Restaurants, bars and other similar eating and drinking establishments.

Restaurants, bars, taverns, nightclubs, lunch counters, diners and all similar dining or drinking establishments, unless otherwise specifically classified shall be provided with one parking space for each 150 square feet of gross floor area, plus drive-thru stacking spaces for 4 cars if drive-thru service is offered.
(Code 1993, § 62-327; Ord. No. 1843, § 1(art. V, § 15.14), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-465. Places of public assembly.

Places of public assembly, including private clubs, lodges and fraternal buildings not providing overnight accommodations, assembly halls, exhibition halls, convention halls, auditoriums, skating rinks, dancehalls, sports arenas, stadiums, gymnasiums, amusement parks, race tracks, fairgrounds, circus grounds, funeral homes and mortuaries, community centers, libraries, places of amusement or recreation, museums and all other similar places of relatively frequent public assembly and not otherwise specifically classified, shall be provided with one parking space for each four seats provided for patron use, or one space for each 100 square feet of net floor area, whichever requires the greater number of spaces.
(Code 1993, § 62-328; Ord. No. 1843, § 1(art. V, § 15.15), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-466. Theatres.

Theatres, including motion picture houses, but not including drive-in theatres, shall be provided with one parking space for each four seats provided for patron use.
(Code 1993, § 62-329; Ord. No. 1843, § 1(art. V, § 15.16), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-467. Drive-in theatres.

Drive-in theatres shall be provided with parking reservoir space equal to ten percent of the vehicle capacity of the theatre.
(Code 1993, § 62-330; Ord. No. 1843, § 1(art. V, § 15.17), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-468. Bowling alleys.

Bowling alleys shall be provided with four parking spaces for each alley.
(Code 1993, § 62-331; Ord. No. 1843, § 1(art. V, § 15.18), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-469. Religious institutions.

Religious institutions shall be provided with one parking space for each four seats, based on maximum seating capacity, or one space per 150 square feet of floor area, whichever is greater.
(Code 1993, § 62-332; Ord. No. 1843, § 1(art. V, § 15.19), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-470. Schools.

Schools, including academies, colleges, universities, elementary schools, junior high schools, high schools, prep schools and all other similar institutions of learning not otherwise specifically classified, shall be provided with two parking spaces for each three employees, including administrators, teachers and building maintenance personnel, plus one space for each ten students enrolled at a grade level above junior high school.
(Code 1993, § 62-333; Ord. No. 1843, § 1(art. V, § 15.20), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-471. Retail establishments.

Retail establishments, including personal service shops, equipment or repair shops, motor vehicle sales or repair establishments, retail stores and businesses and banks or other financial and

lending institutions, unless otherwise specifically classified, shall be provided with one parking space for each 250 square feet of net floor area.
(Code 1993, § 62-334; Ord. No. 1843, § 1(art. V, § 15.21), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-472. Motor fuel stations.

Motor fuel stations shall be provided with two parking spaces for each three employees, plus two spaces for each service bay, whether enclosed or not, plus one space for each service vehicle.
(Code 1993, § 62-335; Ord. No. 1843, § 1(art. V, § 15.22), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-473. Office buildings.

Office buildings, including commercial, governmental and professional buildings, unless otherwise specifically classified, shall be provided with one parking space for each 200 square feet of net floor area.
(Code 1993, § 62-336; Ord. No. 1843, § 1(art. V, § 15.23), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-474. Medical and dental clinics or offices.

Medical and dental clinics or offices shall be provided with one parking space for each 200 square feet of gross floor area.
(Code 1993, § 62-337; Ord. No. 1843, § 1(art. V, § 15.24), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-475. Wholesale, manufacturing and industrial plants, etc.

Wholesale, manufacturing and industrial plants, including warehouses and storage buildings and yards; public utility buildings; contractor's equipment and lumberyards; research laboratories; business service establishments, such as blueprinting and printing and engraving; binding, publishing and issuing newspapers or other reading matter; soft drink bottling establishments; laundry and dry cleaning plants; fabricating plants; and all other structures devoted to similar mercantile or industrial pursuits and not otherwise specifically classified shall be provided with one space for each 1,000 square feet of gross floor area.
(Code 1993, § 62-338; Ord. No. 1843, § 1(art. V, § 15.25), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-476. Terminal facilities.

Terminal facilities, including airports, railroad passenger and freight stations, bus depots, truck terminals and all other similar personal or material terminal facilities not otherwise specifically classified shall be provided with such number of spaces as the planning commission shall deem adequate to serve the public or customers, patrons and visitors.
(Code 1993, § 62-339; Ord. No. 1843, § 1(art. V, § 15.26), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Sec. 62-477. Motor freight terminals.

Motor freight terminals shall be provided with two parking spaces for each three employees.
(Code 1993, § 62-340; Ord. No. 1843, § 1(art. V, § 15.27), 2-14-1989; Ord. No. 2851, § 2, 9-9-2025)

Secs. 62-478—62-507. Reserved.

ARTICLE VII. SUBDIVISIONS*

DIVISION 1. GENERALLY

Sec. 62-508. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a minor right-of-way dedicated to public use which gives a secondary means of ve-

*State law references—Oklahoma Subdivided Land Sales Code, 71 O.S. § 601 et seq.; authority of municipal planning commission regarding subdivision of land and subdivision regulations, 11 O.S. § 45-104.

hicular access to back or side of properties otherwise abutting a street, and which may be used for public utility purposes.

Area of special flood hazard means the land in the floodplain within a community subject to a one-percent or greater chance of flooding in any given year.

Base flood means the flood which has a one percent chance of being equalled or exceeded in any given year (100-year flood).

Block means a parcel of land, intended to be used for urban purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks or green strips, rural land or drainage channels or a combination thereof.

Building line or *setback line* means a line designating the area outside of which buildings may not be erected.

Development means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving excavation or drilling operations.

Easement means a grant by the property owner to the public, a corporation, or person, of the use of a strip of land for specific purposes.

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) The overflow of lakes, streams, rivers or any other inland waters.

(2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood hazard boundary map (FHBM) means an official map of a community, issued by the Federal Insurance Administration where the areas having special flood hazards have been designated as zone A.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

General plan means the comprehensive development plan for the city which has been officially adopted to provide long-range development policies for the area subject to urbanization in the foreseeable future and which includes, among other things, the plan for land use, land subdivision, circulation and community facilities.

Habitable floor means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used for storage purposes only is not a habitable floor.

Lot means a subdivision of a block or other parcel intended as a unit for the transfer of ownership or for development.

Lot, corner, means a lot located at the intersection of and abutting on two or more streets.

Lot, double frontage, means a lot which runs through a block from street to street and which has two nonintersecting sides abutting on two or more streets.

Lot, reverse frontage, means a double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of ingress and egress provided on a minor street.

Mobile home means a structure, transportable in one or more sections, which is built on a perma-

nent chassis, designed to be used with or without a permanent foundation when connected to the required utilities.

Mobile home park or *mobile home subdivision* means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets).

Plat, final, means a map of a land subdivision prepared in a form suitable for filing of record with necessary affidavits, dedications and accep-

Sec. 86-205. Dropping skis.

No person shall drop a ski on the lake, unless there is another boat present and available to pick it up immediately for the safety of other skiers.
(Code 1974, § 10-63; Code 1993, § 86-141)

Sec. 86-206. Life preservers required.

(a) Any person skiing on the lake must wear a life preserver at all times.

(b) Approved life preservers must be provided for the pilot and all passengers in any boat towing skiers on the lake.
(Code 1974, § 10-64; Code 1993, § 86-142)

Sec. 86-207. Skiers shall not drink or be under influence of intoxicating beverages.

No person shall ski on the lake while he is drinking or under the influence of intoxicating beverages.
(Code 1974, § 10-65; Code 1993, § 86-143)

Sec. 86-208. Right-of-way of towboat.

A boat pulling a skier on the lake will have the right-of-way over a boat without a skier.
(Code 1974, § 10-66; Code 1993, § 86-144)

Secs. 86-209—86-230. Reserved.

ARTICLE V. PUBLIC TRAIL REGULATIONS

Sec. 86-231. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle means a vehicle propelled solely by human power through a belt, chain, or gears on which any person may ride, irrespective of the number of wheels.

Electric-assisted bicycle is any bicycle with two or three wheels and fully operative pedals for human propulsion and equipped with an electric motor with a power output of not more than 750 watts that meets the requirements of one of the three classes:

(1) "Class 1 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour,

(2) "Class 2 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a throttle-actuated motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour, and

(3) "Class 3 electric-assisted bicycle" shall mean an electric-assisted bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

Motorized bicycle is any bicycle having no more than three wheels with fully operative pedals for propulsion by human power with a combustion engine having a piston or motor displacement of 35 cubic centimeters or less, regardless of the number of chambers in the power source.

Natural trail means a route, path, or track with a natural surface tread made by clearing and grading the native soil with no added surfacing material.

Pedestrian means any person on foot or any person in a manually or mechanically propelled wheelchair.

Power-driven mobility device means any mobility device powered by batteries, fuel, or other en-

gines, that is used by individuals with mobility disabilities for the purpose of locomotion, including electric personal assistive mobility devices, electric-assisted bicycles, electric-powered foot scooters, tracked mobility chairs or tricycles that are designed to transport a single individual with a disability.

Public multi-use trail means any hard-surfaced path for two-directional travel on public land or public right-of-way that is separated from the roadway for use by pedestrians and users of various devices and equipment traveling at different speeds to be utilized for multi-purpose recreational activities such as walking, jogging, running, rollerblading, roller-skating, and cycling.

Single purpose trail means any trail on public land or public right-of-way that is separated from the roadway for use by one user group or for one trail activity.

(Ord. No. 2579, § 1(86-150), 10-11-2016; Ord. No. 2832, § 1, 3-25-2025

Sec. 86-232. Acceptable uses of public multi-use trails.

The following uses are authorized on and across public multi-use trails:

(1) Pedestrians, including persons walking, jogging, running, roller skating and in-line skating. Skateboards are not permitted.

(2) Human-propelled baby carriages and strollers.

(3) Bicycles propelled solely by human power.

(4) Electric-assisted bicycles that are either Class 1 or Class 2.

(Ord. No. 2579, § 1(86-151), 10-11-2016; Ord. No. 2832, § 1, 3-25-2025

Sec. 86-233. Acceptable uses of public single purpose pedestrian trails.

The following uses are authorized on and across public single purpose pedestrian trails:

(1) Pedestrians, including persons walking, jogging, running, roller skating and in-line skating. Skateboards are not permitted.

(2) Human-propelled baby carriages and strollers.

(Ord. No. 2579, § 1(86-152), 10-11-2016; Ord. No. 2832, § 1, 3-25-2025

Sec. 86-234. Prohibition on both public multi-use and single purpose pedestrian trails.

It is unlawful to operate any motorized bicycle, motor vehicle, motor-driven cycle, motorcycle, mini motorcycle, motor scooter, motor bikes, snowmobiles, full sized all-terrain vehicle, all-terrain vehicle, off highway vehicle, low speed vehicle, moped, or golf cart on a public multi-use or a single purpose pedestrian trail with the following exceptions:

(1) This prohibition shall not apply to persons with mobility disabilities who choose to use a power-driven mobility device, which is designed to transport a single individual with a disability as a substitute for walking and or biking unless prohibited by a designated traffic control device.

(2) This prohibition shall not apply to motorized or self-propelled equipment used for maintenance or events as designated by the city. Emergency vehicles are also exempt from this provision.

(Ord. No. 2579, § 1(86-153), 10-11-2016; Ord. No. 2832, § 1, 3-25-2025

Sec. 86-235. Public multi-use and single purpose pedestrian trail use regulations.

(a) The city council, as it deems necessary, may from time to time adopt additional multi-use and single purpose pedestrian trail rules and regulations by resolution.

(b) Public trail users shall obey all traffic and regulatory signs posted on each respective trail.

(c) The speed limit on all public trails is 15 miles per hour. The multi-use public trails are not designed for extreme biking.

(d) Riding in the dark. When riding in the dark on multi-use public trails, bicyclists are required to wear a forward-facing white light that is bright enough to be visible from 300 feet in front and from the sides of the bicycle.

(e) Public trail users shall keep their dog on a short leash. Dogs are not allowed to be off a leash. The maximum length of a leash is six feet. This includes retractable leads.

(f) All users shall yield to slower moving pedestrians traveling upon multi-use trails.
(Ord. No. 2579, § 1(86-154), 10-11-2016; Ord. No. 2832, § 1, 3-25-2025)

Chapters 87—89.

RESERVED

Chapter 90

RAILROAD OPERATIONS AND INDUSTRIAL TRACK MANAGEMENT*

Sec. 90-1. Purpose.
Sec. 90-2. Definitions.
Sec. 90-3. Responsibilities.
Sec. 90-4. Track construction and modifications.
Sec. 90-5. Fees established.

*__Editor's note__—Ord. No. 2849, § 1, adopted July 22, 2025, set out provisions intended for use as chapter 63. For purposes of alphabetization and at the editor's discretion, these provisions have been included as chapter 90, as set out herein.

Sec. 90-1. Purpose.

The purpose of this chapter is to establish the responsibilities, procedures, and standards for the operation and maintenance of railroad infrastructure serving the Steven Taylor Industrial Park, pursuant to the Operating Agreement between the City of McAlester and the Arkansas-Oklahoma Railroad Company (A-OK), dated October 24, 2023.
(Ord. No. 2849, § 1, 7-22-2025)

Sec. 90-2. Definitions.

A-OK means Arkansas-Oklahoma Railroad Company.

City means the City of McAlester, Oklahoma.

Client means those commercial endeavors that require rail spur support as part of their operations.

Fees means the cost to the customer to reimburse the city for inspections and maintenance.

Fee Schedule means those fees outlined in chapter 48 of the McAlester City Code.

Inspections means joint inspections conducted quarterly by A-OK and city employees to verify the safe conditions of the rails, ties, and rail bed.

Park means Steven Taylor Industrial Park, located at 401 Steven Taylor Blvd., McAlester, OK 74501.

A-OK Track means railroad track located outside the boundaries of the park, operated by A-OK.

Industry track means railroad track located within the boundaries of the park, owned and maintained by the city.
(Ord. No. 2849, § 1, 7-22-2025)

Sec. 90-3. Responsibilities.

(a) *A-OK responsibilities.*

(1) Operate and maintain the A-OK track at its own expense.

(2) Conduct quarterly joint inspections with the city of the industry track.

(3) Provide inspection reports and repair scopes to the city.

(b) *City responsibilities.*

(1) Own, manage, and maintain the industry track at its sole expense.

(2) Conduct quarterly joint inspections with A-OK of the industry track.

(3) Ensure compliance with all applicable laws, regulations, and A-OK safety requirements.

(4) Respond to A-OK inspection reports within 45 days.

(5) Complete emergency repairs within 48 hours of notification.

(6) Maintain required clearances around the industry track.

(7) Collect and document respective fees for inspections and routine maintenance of rail spur within the boundaries of the Steven Taylor Industrial Park.
(Ord. No. 2849, § 1, 7-22-2025)

Sec. 90-4. Track construction and modifications.

The City shall obtain all necessary real property rights and permits for any new track construction within the park. Any grade separation or relocation ordered by a competent authority shall be performed at the city's expense.
(Ord. No. 2849, § 1, 7-22-2025)

Sec. 90-5. Fees established.

(a) There shall be a fee established and levied against all city owned spur users of the municipally owned rail lines within the Steven Taylor Industrial Park. All user owned/funded spurs (listed in Para (b)2 of this section) shall be responsible for the maintenance and repair of their portion of the rail, the City of McAlester will not be responsible for any maintenance, upkeep, and/or repair to any user owned spurs.

(b) Rates for individual client rail lines shall be calculated on a per rail-tie basis, which is calculated by taking the total length of rail, multiplied by 12 (to get total inches), divided by 20 (20 inches center to center between ties), divided by three (1/3 of the ties), divided by 10 (every 10 years) = the total number of ties to be replaced annually, then multiplied by the per tie cost (As set in chapter 48) = total annual cost to the client. Clients will only be responsible for the spur that they utilize. *Example: 1,850 ft of track multiplied by 12 Inches = 22,200 divided by 20 inches (center to center) = 1,100 total rail ties. 1,100 ties divided by 3 (1/3 of the ties) = 367 ties divided by 10 (over a 10-year period) = 37 ties annually, multiplied by the Per Tie rate set in chapter 48.

(1) City owned spurs:

   a. Duraline (Lot B1) 1,150 Ft

   b. South East Development (Lot C2): 900 Ft.

(2) User owned/funded spurs:

   a. Eurocat (Lot B3): 750 Ft

   b. Magnera (Lot B5) 1,850 Ft

(3) Lead track.

   a. City of McAlester: 3,000 Ft

(c) The fee shall be placed in a separate fund to be used solely for the purposes of rail maintenance, inspection, renovation, weed abatement, adding of new lines, and covering emergencies occurred during, or caused by, rail operations on the municipally owned rail line.

(d) These rates shall be reviewed at the end of the current fiscal year, which is June 30. Each January 1 thereafter, the above rates shall be adjusted to reflect increases in the consumer price index (CPI). The city shall post and make available to the public a schedule of the adjusted rates to be charged.
(Ord. No. 2849, § 1, 7-22-2025)

Chapters 91—93.

RESERVED

Chapter 98

TAXATION*

Article I. In General

Sec. 98-1. Purpose of tax revenues.
Secs. 98-2—98-18. Reserved.

Article II. Sales Tax

Sec. 98-19. Definitions.
Sec. 98-20. Purpose.
Sec. 98-21. Levy.
Sec. 98-22. Exemptions.
Sec. 98-23. When due and payable.
Sec. 98-24. Manner of paying.
Sec. 98-25. Classification of taxpayers.
Sec. 98-26. Collection by vendors.
Sec. 98-27. Returns, remittances and discounts.
Sec. 98-28. Penalty and interest on delinquencies; forfeiture of discount.
Sec. 98-29. Failure to make reports and remittances; false or fraudulent reports.
Sec. 98-30. Money due under article constitutes superior claim; collection by suit.
Sec. 98-31. Refund of erroneous payments.
Sec. 98-32. Confidentiality of records.
Sec. 98-33. Amendments to article.
Sec. 98-34. Provisions of article cumulative.
Sec. 98-35. Article does not require city permit to do business in addition to state permit.
Sec. 98-36. Tax imposed.
Sec. 98-37. Purpose of revenues.
Sec. 98-38. Effective date and no stated termination date.
Sec. 98-39. Subsisting state permits.
Sec. 98-40. Payment of tax.
Sec. 98-41. This tax in addition to taxes currently levied; administrative procedures.
Sec. 98-42. Amendments.
Secs. 98-43—98-65. Reserved.

Article III. Use Tax

Sec. 98-66. Definitions.
Sec. 98-67. Purpose.
Sec. 98-68. Excise tax on storage, use or other consumption of tangible, personal property levied.
Sec. 98-69. Additional 0.5 percent excise tax.
Sec. 98-70. Exemptions.

***State law references**—Municipal taxation generally, 68 O.S. § 2701 et seq.; Oklahoma Sales Tax Code, 68 O.S. § 1350 et seq.; Streamlined Sales Tax System Act, 68 O.S. § 1354.7 et seq.; Streamlined Sales and Use Tax Administration Act, 68 O.S. § 1354.14 et seq.; uniform tax procedure, 68 O.S. § 201 et seq.; Franchise Tax Code, 68 O.S. § 1201 et seq.; Oklahoma Use Tax Code, 68 O.S. § 1401 et seq.; municipal tax on utilities, 68 O.S. § 2601 et seq.

Sec. 98-71. Time when due; returns and payment.
Sec. 98-72. Tax constitutes debt.
Sec. 98-73. General collection of tax by retailer or vendor.
Sec. 98-74. Classification of taxpayers.
Sec. 98-75. Subsisting state permits.
Sec. 98-76. Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits.
Sec. 98-77. Revoking permits.
Sec. 98-78. Remunerative deductions allowed vendors or retailers of other states.
Sec. 98-79. Interest and penalties; delinquency.
Sec. 98-80. Waiver of interest and penalties.
Sec. 98-81. Erroneous payments; claim for refund.
Sec. 98-82. Fraudulent returns.
Sec. 98-83. Records confidential.
Sec. 98-84. Provisions cumulative.
Secs. 98-85—98-111. Reserved.

Article IV. Hotel Tax

Sec. 98-112. Definitions.
Sec. 98-113. Imposition of tax; exemptions.
Sec. 98-114. Records to be kept.
Sec. 98-115. Returns.
Sec. 98-116. Payment of tax.
Sec. 98-117. Assessment and determination of tax.
Sec. 98-118. Refunds.
Sec. 98-119. Notices.
Sec. 98-120. Remedies exclusive.
Sec. 98-121. Reserved.
Sec. 98-122. General powers of the tax collector.
Sec. 98-123. Reserved.
Sec. 98-124. Reserved.
Sec. 98-125. Interest and penalties.
Sec. 98-126. Confidential records.
Sec. 98-127. Amendments.
Sec. 98-128. Provisions cumulative.
Sec. 98-129. Purpose of revenues.
Secs. 98-130—98-150. Reserved.

Article V. Infrastructure Sales Tax

Sec. 98-151. Citations and codification.
Sec. 98-152. Tax imposed.
Sec. 98-153. Purpose of revenues.
Sec. 98-154. Effective date and stated termination date.
Sec. 98-155. Subsisting state permits.
Sec. 98-156. Payment of tax.
Sec. 98-157. Tax in addition to taxes currently levied—Administrative procedures.
Sec. 98-158. Amendments.
Sec. 98-159. Provisions cumulative.
Sec. 98-160. Severability.
Secs. 98-161—98-180. Reserved.

Article VI. Economic Development Fund

Sec. 98-181. Establishment and purpose.
Sec. 98-182. Purpose of the economic development fund.
Sec. 98-183. Source of revenue.
Sec. 98-184. Revenue disbursements.
Sec. 98-185. Effective fiscal year.
Sec. 98-186. Provisions cumulative.
Sec. 98-187. Severability.
Secs. 98-188—98-210. Reserved.

Article VII. Public Schools Early Childhood and Safer Schools Sales Tax

Sec. 98-211. Citations and codification.
Sec. 98-212. Tax imposed.
Sec. 98-213. Purpose of revenues.
Sec. 98-214. Effective date and stated termination date.
Sec. 98-215. Subsisting state permits.
Sec. 98-216. Payment of tax.
Sec. 98-217. Tax in addition to taxes currently levied—Administrative procedures.
Sec. 98-218. Amendments.
Sec. 98-219. Provisions cumulative.
Sec. 98-220. Severability.
Secs. 98-221—98-240. Reserved.

Article VIII. McAlester Regional Health Center Authority Cancer Treatment Center Sales Tax

Sec. 98-241. Citations and codification.
Sec. 98-242. Tax imposed.
Sec. 98-243. Purpose of revenues.
Sec. 98-244. Effective date and stated termination date.
Sec. 98-245. Subsisting state permits.
Sec. 98-246. Payment of tax.
Sec. 98-247. Tax in addition to taxes currently levied—Administrative procedures.
Sec. 98-248. Amendments.
Sec. 98-249. Provisions cumulative.
Sec. 98-250. Severability.
Secs. 98-251—98-270. Reserved.

same in the manner prescribed by law. The provisions of this article and the collection of the excise tax referenced herein shall expire on July 1, 2033.
(Ord. No. 2611, § 4, 12-12-2017)

Sec. 98-215. Subsisting state permits.

All valid and subsisting permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purposes of this article, hereby ratified, confirmed and adopted in lieu of any requirement for an additional city permit for the same purpose.
(Ord. No. 2611, § 5, 12-12-2017)

Sec. 98-216. Payment of tax.

The tax herein levied shall be paid to the tax collector at the time and in the manner and form prescribed for payment of the state sales tax under the state tax law of the State of Oklahoma.
(Ord. No. 2611, § 6, 12-12-2017)

Sec. 98-217. Tax in addition to taxes currently levied—Administrative procedures.

The tax levied hereby is in addition to any and all other excise taxes levied or assessed by the city pursuant to existing city ordinances (the "existing ordinances"); provided, however, that those provisions, if any, of said existing ordinances relating to definitions; tax collector defined; classification of taxpayers - permit to do business; subsisting state permits; the portion of tax rate - sales subject to tax, pertaining to sales subject to tax (not rate of tax); the provisions of said existing ordinances regarding exemptions and other exempt transfers; the provisions of said existing ordinances regarding tax due when—returns—records; the portion of said existing ordinances regarding tax constituting debt; vendor's duty to collect tax; returns and remittances - discounts; interest and penalties—delinquency; waiver of interest and penalties; erroneous payments—claim for refund; fraudulent returns; and records confidential shall apply to the excise tax levied and assessed by this article. For purposes of this article, references in said existing ordinances, to specific provisions of the Oklahoma Statutes shall be deemed to be references to said statutory provisions, as amended.
(Ord. No. 2611, § 7, 12-12-2017)

Sec. 98-218. Amendments.

The people of the City of McAlester, Oklahoma, by their approval of this article at the election hereinabove provided for, hereby authorize the city by ordinance duly enacted to make such administrative and technical changes or additions in the method and manner of administration and enforcing this article as may be necessary or proper for efficiency and fairness or in order to make the same consistent with the Oklahoma Sales Tax Code, as amended, except that the rate of the tax herein provided for shall not be changed without approval of the qualified electors of the city as provided by law.
(Ord. No. 2611, § 8, 12-12-2017)

Sec. 98-219. Provisions cumulative.

The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of city ordinances.
(Ord. No. 2611, § 9, 12-12-2017)

Sec. 98-220. Severability.

The provisions of this article are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.
(Ord. No. 2611, § 10, 12-12-2017)

Secs. 98-221—98-240. Reserved.

ARTICLE VIII. MCALESTER REGIONAL HEALTH CENTER AUTHORITY CANCER TREATMENT CENTER SALES TAX

Sec. 98-241. Citations and codification.

This article shall be known and may be cited as the McAlester Regional Health Center Authority Cancer Treatment Center Sales Tax Ordinance of 2017, and the same shall be codified and incorporated into the Code of Ordinances of the City of McAlester, Oklahoma (the "city").
(Ord. No. 2612, § 1, 12-12-2017)

Sec. 98-242. Tax imposed.

There is hereby imposed an excise tax of one-eighth percent, in addition to any and all other excise taxes now in force; said excise tax to be levied upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code.
(Ord. No. 2612, § 2, 12-12-2017)

Sec. 98-243. Purpose of revenues.

It is hereby declared to be the purpose of this article and the excise tax levied hereunder is to provide revenues for the McAlester Regional Health Center Authority to construct a modern regional cancer treatment center to provide expanded cancer care and ancillary services for southeast Oklahoma.
(Ord. No. 2612, § 3, 12-12-2017)

Sec. 98-244. Effective date and stated termination date.

The provisions of this article and the collection of the excise tax referenced herein shall become effective on and after July 1, 2018, subject to approval by a majority of the qualified electors of the City of McAlester, Oklahoma, voting on the same in the manner prescribed by law. The provisions of this article and the collection of the excise tax referenced herein shall expire on July 1, 2033.
(Ord. No. 2612, § 4, 12-12-2017)

Sec. 98-245. Subsisting state permits.

All valid and subsisting permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purposes of this article, hereby ratified, confirmed and adopted in lieu of any requirement for an additional city permit for the same purpose.
(Ord. No. 2612, § 5, 12-12-2017)

Sec. 98-246. Payment of tax.

The tax herein levied shall be paid to the tax collector at the time and in the manner and form prescribed for payment of the state sales tax under the state tax law of the State of Oklahoma.
(Ord. No. 2612, § 6, 12-12-2017)

Sec. 98-247. Tax in addition to taxes currently levied—Administrative procedures.

The tax levied hereby is in addition to any and all other excise taxes levied or assessed by the city pursuant to existing city ordinances (the "existing ordinances"); provided, however, that those provisions, if any, of said existing ordinances relating to definitions; tax collector defined; classification of taxpayers - permit to do business; subsisting state permits; the portion of tax rate - sales subject to tax, pertaining to sales subject to tax (not rate of tax); the provisions of said existing ordinances regarding exemptions and other exempt transfers; the provisions of said existing ordinances regarding tax due when—returns—records; the portion of said existing ordinances regarding tax constituting debt; vendor's duty to collect tax; returns and remittances - discounts; interest and penalties—delinquency; waiver of interest and penalties; erroneous payments—claim for refund; fraudulent returns; and records confidential shall apply

to the excise tax levied and assessed by this article. For purposes of this article, references in said existing ordinances, to specific provisions of the Oklahoma Statutes shall be deemed to be references to said statutory provisions, as amended.
(Ord. No. 2612, § 7, 12-12-2017)

Sec. 98-248. Amendments.

The people of the City of McAlester, Oklahoma, by their approval of this article at the election hereinabove provided for, hereby authorize the city by ordinance duly enacted to make such administrative and technical changes or additions in the method and manner of administration and enforcing this article as may be necessary or proper for efficiency and fairness or in order to make the same consistent with the Oklahoma Sales Tax Code, as amended, except that the rate of the tax herein provided for shall not be changed without approval of the qualified electors of the city as provided by law.
(Ord. No. 2612, § 8, 12-12-2017)

Sec. 98-249. Provisions cumulative.

The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of city ordinances.
(Ord. No. 2612, § 9, 12-12-2017)

Sec. 98-250. Severability.

The provisions of this article are severable, and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.
(Ord. No. 2612, § 10, 12-12-2017)

Secs. 98-251—98-270. Reserved.

Chapter 102

TRAFFIC AND VEHICLES*

Article I. In General

Sec. 102-1. Definitions.
Sec. 102-2. Adoption of state statutes.
Sec. 102-3. Violation constitutes misdemeanor.
Sec. 102-4. Vehicle owner shall not permit or authorize violation.
Sec. 102-5. Parent or guardian shall not authorize or permit child or ward to violate chapter.
Sec. 102-6. Obedience to fire department officers.
Sec. 102-7. Riding on portion of vehicle not intended for passengers.
Sec. 102-8. Boarding or alighting from moving vehicles.
Sec. 102-9. Obstructing free passage with vehicle.
Sec. 102-10. Use of roller skates, skateboards, etc., on roadways and sidewalks.
Sec. 102-11. Transporting alcoholic beverages in opened containers.
Sec. 102-12. Careless driving.
Sec. 102-13. Pedestrians soliciting rides, business or donations from vehicle occupants.
Sec. 102-14. Purposeful avoidance of traffic regulations.
Secs. 102-15—102-40. Reserved.

Article II. Administration and Enforcement

Division 1. Generally

Sec. 102-41. Traffic violations bureau created; schedule of fines.
Sec. 102-42. Affixing citation to vehicle.
Sec. 102-43. Safety council.
Sec. 102-44. Authority of city manager to promulgate traffic regulations.
Sec. 102-45. General duties of police department with respect to traffic.
Sec. 102-46. Authority of police officers to direct traffic.
Sec. 102-47. Authority of officers of fire department to direct traffic.
Sec. 102-48. Inspection of vehicles.
Sec. 102-49. Prohibited turns at certain intersections.
Secs. 102-50—102-71. Reserved.

Division 2. Traffic Control Signs, Signals, Devices and Markings

Sec. 102-72. Necessity of signs.

***State law references**—Uniform Vehicle Code, 47 O.S. § 1-101 et seq. driver's licenses, 47 O.S. § 6-101 et seq.; accidents and accident reports, 47 O.S. § 10-101 et seq.; rules of the road, 47 O.S. § 11-101 et seq.; traffic signs, signals, and markings, 47 O.S. § 11-201 et seq.; pedestrian rights and duties, 47 O.S. § 11-501 et seq.; speed restrictions, 47 O.S. § 11-801 et seq.; reckless driving and driving while intoxicated, 47 O.S. § 11-901 et seq.; stopping, standing and parking, 47 O.S. § 11-1001 et seq.; operation of bicycles and play vehicles, 47 O.S. § 11-1201 et seq.; vehicle equipment, 47 O.S. § 12-101 et seq.; vehicle inspection, 47 O.S. § 13-101 et seq.; size, weight, and load regulations, 47 O.S. § 14-101 et seq.; Oklahoma Vehicle Excise Tax Code, 68 O.S. § 2101 et seq.; railroads generally, 66 O.S. § 1 et seq.; authority for municipal traffic ordinances and regulations and for designation of school zone speed limits, 11 O.S. § 22-117; municipal authority to regulate taxicabs, 11 O.S. § 22-118; municipal regulation of railway and freight operations within municipal limits, 11 O.S. § 22-119; municipal authority for regulation of roads and streets, 11 O.S. § 36-101 et seq.

Sec. 102-73. General installation and maintenance.
Sec. 102-74. Testing.
Sec. 102-75. Through streets and stop or yield intersections; designation and marking.
Sec. 102-76. One-way streets and alleys; designation and marking.
Sec. 102-77. Marking of traffic lanes.
Sec. 102-78. Marking of fire lanes.
Sec. 102-79. Designation, maintenance of crosswalks and safety zones or islands for protection of pedestrians.
Secs. 102-80—102-101. Reserved.

Article III. Operation of Vehicles

Sec. 102-102. Weight and size of vehicles.
Sec. 102-103. Obstructive or dangerous vehicles.
Sec. 102-104. Vehicles or objects likely to injure street shall not be driven or moved on street.
Sec. 102-105. Speed limits.
Sec. 102-106. Limitations on turning around.
Sec. 102-107. Play streets.
Sec. 102-108. Obstructing intersection or crosswalk.
Sec. 102-109. Truck routes.
Sec. 102-110. Motor vehicle operation in public parks.
Sec. 102-111. Driving on sidewalks.
Sec. 102-112. Operation of golf carts on city streets.
Secs. 102-113—102-137. Reserved.

Article IV. Stopping, Standing and Parking

Division 1. Generally

Sec. 102-138. Presumption in prosecutions for standing or parking violations.
Sec. 102-139. Impoundment of parked or standing vehicles.
Sec. 102-140. Angle parking.
Sec. 102-141. Parking within marked spaces.
Sec. 102-142. Parking so as to leave ten feet of roadway available for traffic.
Sec. 102-143. Prohibited for certain purposes.
Sec. 102-144. Parking more than 24 hours.
Sec. 102-145. Limited or prohibited parking on specific streets.
Sec. 102-146. Parking adjacent to schools.
Sec. 102-147. Loading and unloading permits.
Sec. 102-148. Designation, marking and use of loading zones.
Sec. 102-149. Designation and marking of bus stops, stands for taxicabs and other common carriers.
Sec. 102-150. Restriction on standing, parking or stopping of buses.
Sec. 102-151. Restriction on standing or parking of taxicabs.
Sec. 102-152. Unlawful use of bus stop, taxicab stand.
Sec. 102-153. Unmuffled compression brakes.
Secs. 102-154—102-174. Reserved.

Division 2. Parking Meters

Sec. 102-175. Purpose.
Sec. 102-176. Zones; installation; marking of metered spaces.

Sec. 102-177. Coin-operated devices; required information and indications.
Sec. 102-178. Charge determined by type of meter installed.
Sec. 102-179. Deposit of coins; overtime parking.
Sec. 102-180. Days, hours when meters not in use.
Sec. 102-181. Deposit of slugs; defacing, damaging, etc., meters.
Sec. 102-182. Police department in charge of operation of meters, etc.
Secs. 102-183—102-202. Reserved.

Article V. Bicycles

Division 1. Generally

Sec. 102-203. Scope.
Sec. 102-204. Signal devices.
Sec. 102-205. Identification number on frame.
Sec. 102-206. Speed.
Sec. 102-207. Emerging from alley, driveway or building.
Sec. 102-208. Riding on sidewalks.
Sec. 102-209. Obedience to signs prohibiting riding on sidewalks or roadways.
Sec. 102-210. Parking.
Secs. 102-211—102-230. Reserved.

Division 2. License

Sec. 102-231. Required.
Sec. 102-232. Application.
Sec. 102-233. Investigation of applicant's ownership.
Sec. 102-234. Reserved.
Sec. 102-235. Issuance; term; effect.
Sec. 102-236. Registration number; registration seal.
Sec. 102-237. Removal, alteration, etc., of registration seal.
Sec. 102-238. Transfer.
Sec. 102-239. Reserved.
Sec. 102-240. Refusal or revocation.
Sec. 102-241. Repair work on unregistered bicycle.
Sec. 102-242. False statements in application for registration or transfer.
Sec. 102-243. Records.
Secs. 102-244—102-254. Reserved.

Division 3. Bicycle Lanes

Sec. 102-255. Definitions.
Sec. 102-256. Applicability of traffic laws.
Sec. 102-257. Obedience to traffic control devices.
Sec. 102-258. Bicycle riding restrictions.
Sec. 102-259. Bicycle lane usage.
Sec. 102-260. Bicycle lanes and motor vehicles.
Secs. 102-261—102-264. Reserved.

Article VI. Special Events and Processions

Division 1. Generally

Sec. 102-265. Definitions.

Sec. 102-266. Identification of vehicles in funeral procession.
Sec. 102-267. Driving in processions.
Sec. 102-268. Driving through processions.
Secs. 102-269—102-299. Reserved.

Division 2. Special Event Permit

Sec. 102-300. Exemptions.
Sec. 102-301. Permit required.
Sec. 102-302. Application.
Sec. 102-303. Standards for issuance.
Sec. 102-304. Notice of decision.
Sec. 102-305. Alternative permit.
Sec. 102-306. Appeal process.
Sec. 102-307. Revocation.
Sec. 102-308. Compliance with laws, regulations.
Secs. 102-309—102-364. Reserved.

ARTICLE I. IN GENERAL

Sec. 102-1. Definitions.

The definitions in 47 O.S. ch. 1 (47 O.S. § 1-101 et seq.) apply to this chapter. In addition, the following words, terms and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section:

Curb loading zone means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Fire lane means any street or part of a street, or public or private property, upon which any parking is either mandatorily restricted or prohibited for the purpose of facilitating the use of passage of fire department emergency equipment. Such fire lanes will be designated by the fire chief and shall always be of sufficient size (no less than 20 feet in width) to allow access by emergency vehicles.

Freight curb loading zone means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers, but not at any time to include a designated fire lane.

Passenger curb loading zone means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Public park means a tract of publicly owned land or open space that is developed or intended for development as a recreational area, or set aside as open space for public use.
(Code 1974, § 28-1; Code 1993, § 102-1)

Sec. 102-2. Adoption of state statutes.

The provisions of 47 O.S., other than provisions whose violation constitutes a felony, are adopted by reference as if set out at length in this chapter. It is unlawful to violate the provisions adopted by reference in this section.
(Code 1993, § 102-2)

Sec. 102-3. Violation constitutes misdemeanor.

It shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter.
(Code 1974, § 28-31; Code 1993, § 102-7)

Sec. 102-4. Vehicle owner shall not permit or authorize violation.

It shall be unlawful for any person to authorize or knowingly permit a vehicle registered in his name to be driven or to stand or to be parked in violation of any provision of this chapter.
(Code 1974, § 28-29; Code 1993, § 102-8)

Sec. 102-5. Parent or guardian shall not authorize or permit child or ward to violate chapter.

It shall be unlawful for a parent of a child or the guardian of a ward to authorize or knowingly permit any such child or ward to violate any provision of this chapter.
(Code 1974, § 28-30; Code 1993, § 102-9)

Sec. 102-6. Obedience to fire department officers.

No person shall willfully fail or refuse to comply with any lawful order or direction of a fire department official invested with the authority to direct, control or regulate traffic, including the removal of parked vehicles from a designated fire lane.
(Code 1974, § 28-6; Code 1993, § 102-10)

Sec. 102-7. Riding on portion of vehicle not intended for passengers.

No person shall ride on any vehicle upon any portion thereof not designed or intended for the

use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or to persons riding within truck bodies in space intended for merchandise.
(Code 1974, § 28-17; Code 1993, § 102-12)

Sec. 102-8. Boarding or alighting from moving vehicles.

No person shall board or alight from any vehicle while such vehicle is in motion.
(Code 1974, § 28-19; Code 1993, § 102-13)

Sec. 102-9. Obstructing free passage with vehicle.

It shall be an offense for any person to obstruct or block any street, alley, crosswalk, sidewalk or fire lane with any kind of vehicle, so as to interfere with or obstruct the free passage or access over same.
(Code 1974, § 28-6(b); Code 1993, § 102-14)

Sec. 102-10. Use of roller skates, skateboards, etc., on roadways and sidewalks.

(a) No person upon roller skates, or riding in or by means of a skateboard, coaster, toy vehicle, or similar devices, shall go upon the roadway except as follows:

(1) When crossing a street on a crosswalk;

(2) In residential areas where no sidewalks are provided; and

(3) Upon streets which are set aside as play streets as authorized by ordinances.

(b) No person upon roller skates or riding in or by means of a skateboard, coaster, toy vehicle, or similar device, shall ride upon a hill or street that, by so riding, would constitute an immediate danger to themselves and/or vehicular traffic.

(c) It shall be unlawful for any person upon roller skates, coaster, toy vehicle or similar devices, to ride on the roadways or sidewalks within the central business district of the city, which is defined as the area between "A" street and Strong Boulevard, and Jefferson Avenue and Wyandotte Avenue. This section shall not apply to areas within the above defined central business district which are residential occupancy.

(d) No person shall ride a skateboard upon any sidewalk or sidewalk area where such riding is specifically prohibited by signs.
(Code 1974, § 28-21; Code 1993, § 102-15; Ord. No. 2288, § 1, 4-22-2008; Ord. No. 2297, § 1, 8-12-2008)

Sec. 102-11. Transporting alcoholic beverages in opened containers.

No person shall transport in any vehicle upon the public highways, streets or alleys of the city any alcoholic beverage, except in the original container which shall not have been opened and the seal upon which shall not have been broken, and from which the original cap or cork shall not have been removed, unless the opened container is in the trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion.
(Code 1993, § 102-16)

State law reference—Similar provisions, 21 O.S. § 1220, 37 O.S. § 537(a)(7).

Sec. 102-12. Careless driving.

The operator of every vehicle, while driving upon the streets and highways of this city, shall devote full time and attention to such driving and the failure to do so shall be deemed careless driving.
(Code 1993, § 102-17; Ord. No. 2060, § 1, 4-8-1997)

Sec. 102-13. Pedestrians soliciting rides, business or donations from vehicle occupants.

(a) No person shall stand in a public roadway, or stand in a traffic median, shoulder, improved shoulder, sidewalk, roadway right-of way or the

improved portion of any public roadway for purpose of soliciting a ride, donations, employment or business from the occupant of any vehicle.

(b) No person shall stand in any street, roadway traffic median, shoulder, improved shoulder, sidewalk, roadway right-of way or the improved portion of any public roadway and stop or attempt to stop and engage any person in any vehicle for the purpose of soliciting contributions or donations; or sell or attempt to sell anything to any person in any vehicle; or hand or attempt to hand to any person in any vehicle any circular, advertisement, handbill or any political campaign literature, or any sample, souvenir or gift; or in any other manner, while standing in the street or roadway or above described areas, attempt to interfere with the normal flow of traffic for any other similar purpose.

(Code 1974, § 28-225(b); Code 1993, § 102-233; Ord. No. 2470, § 1, 6-25-2013)

State law reference—Soliciting rides or business in streets, 47 O.S. § 11-507.

Sec. 102-14. Purposeful avoidance of traffic regulations.

No person shall drive upon or through any property such as a service station, parking area, vacant lot, or any similar property for the purpose of avoiding obedience to traffic regulations, the use of a street, or any traffic control device.

(Ord. No. 2841, § 1, 5-27-2025)

Secs. 102-15—102-40. Reserved.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

DIVISION 1. GENERALLY

Sec. 102-41. Traffic violations bureau created; schedule of fines.

(a) A traffic violations bureau is hereby established as a division of the office of the clerk of the municipal court, to be administered by the clerk, or by subordinates designated by him for the purpose. Persons who are cited for violation of one of the traffic regulatory ordinances of this city, other than a second traffic offense within a 12-month period, or a drivers' license offense, or a violation involving intoxicating drugs or beverages, may elect to pay a fine in the traffic violations bureau according to the schedule as provided in chapter 48.

(b) The municipal court may adopt rules to carry this section into effect. Payment of a fine under this section shall constitute a final determination of the cause against the defendant. If a defendant who has elected to pay a fine under this section fails to do so, prosecution shall proceed under the provisions of chapter 30.

(Code 1974, § 28-33; Code 1993, § 102-36; Ord. No. 2049, § 2, 4-9-1996; Ord. No. 2050, § 1, 5-14-1996; Ord. No. 2125, § 1, 11-28-2000; Ord. No. 2265, § 1, 8-14-2007; Ord. No. 2456, § 1, 3-12-2013)

State law reference—Authority of council to prescribe schedule of fines which defendants may pay in lieu of court appearance, 11 O.S. § 27-116.

Sec. 102-42. Affixing citation to vehicle.

If an alleged offense is a violation of an ordinance restricting or regulating the parking of vehicles, including any regulations issued under such an ordinance, and the operator is not present, the police officer shall place on the vehicle a citation, at a place reasonably likely to come to the notice of the operator. The operator of the vehicle shall be under the same obligation to respond to the citation as if it had been issued to him personally.

(Code 1974, § 28-32(c); Code 1993, § 102-37)

Sec. 102-43. Safety council.

(a) There is hereby established a safety council to serve without compensation, consisting of the following ex officio members: the city manager or his representative, the chief of police, the munici-

pal judge, one representative from the city attorney's office and such number of other city officials as may be determined and appointed by the mayor. The mayor, with the consent of the city council, shall determine and appoint representatives of unofficial bodies to compose the membership of the safety council.

(b) Any citizen member of the safety council may be removed by the mayor and the city council at any time for due cause shown. The terms of all appointive members shall expire on December 31 of each year, but they shall continue to serve thereafter until their respective successors are appointed.

(c) It shall be the duty of the safety council to conduct studies and educational activities for the improvement of traffic, the promotion of traffic safety and the prevention of traffic accidents, and to recommend to the city council and to the city manager ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.
(Code 1974, § 28-7; Code 1993, § 102-39)

Sec. 102-44. Authority of city manager to promulgate traffic regulations.

The city manager, subject to any directions which the city council may give by motion or resolution, is hereby empowered to make regulations necessary to make effective the provisions of the traffic ordinances of the city and to make and enforce temporary or experimental regulations to cover emergencies or special conditions. No such temporary or experimental regulation shall remain in effect for more than 90 days.
(Code 1974, § 28-2; Code 1993, § 102-40)

Sec. 102-45. General duties of police department with respect to traffic.

It shall be the duty of the police department to enforce the street traffic regulations of the city and all of the state vehicle laws applicable to street traffic in the city, to make arrests for traffic violations, to investigate accidents and to cooperate with other officers of the city in the administration of the traffic laws and in developing ways and means to improve traffic conditions and to carry out those duties specially imposed upon the department by this article and any other traffic ordinances of the city.
(Code 1974, § 28-3; Code 1993, § 102-41)

Sec. 102-46. Authority of police officers to direct traffic.

Officers of the police department or such officers as are assigned by the chief of police are hereby authorized to direct traffic by voice, hand or signal in conformance with traffic laws and ordinances, provided that in the event of a fire or other emergency or to expedite traffic or to safeguard pedestrians, officers of the police department may direct traffic as conditions may require notwithstanding the provisions of the traffic laws and ordinances.
(Code 1974, § 28-4; Code 1993, § 102-42)

State law reference—Authority of city to regulate traffic by means of police officers, 47 O.S. § 15-102(a)(2).

Sec. 102-47. Authority of officers of fire department to direct traffic.

Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.
(Code 1974, § 28-5; Code 1993, § 102-43)

Sec. 102-48. Inspection of vehicles.

Police officers shall have the authority to inspect and test any vehicle upon the streets of the city at any time to determine whether it is safe, whether it is properly equipped and whether its equipment is in proper adjustment and repair. It shall be the duty of the driver of any vehicle to

stop, when directed by any police officer, and submit the mechanical condition of the vehicle or its equipment to an inspection or test.
(Code 1974, § 28-13; Code 1993, § 102-44)

Sec. 102-49. Prohibited turns at certain intersections.

The city manager, subject to any directions which the city council may give by motion or resolution, is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right or left turn or U-turn and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours; in which event the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted.
(Code 1974, § 28-54(a); Code 1993, § 102-45)

State law reference—Authority of city to prohibit turning at intersections, 47 O.S. § 15-102(a)(9).

Secs. 102-50—102-71. Reserved.

DIVISION 2. TRAFFIC CONTROL SIGNS, SIGNALS, DEVICES AND MARKINGS

Sec. 102-72. Necessity of signs.

No provision of this article for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place.
(Code 1974, § 28-107; Code 1993, § 102-56)

State law references—Similar provisions, 47 O.S. § 11-201(b); necessity for signs to enforce city traffic regulations, 47 O.S. § 15-102(c).

Sec. 102-73. General installation and maintenance.

The city manager, subject to any directions which the city council may give by motion or resolution, shall have placed and maintained traffic control signs, signals and devices when and as required under the traffic ordinances of the city to make effective the provisions of such ordinances, and may have placed and maintained such additional traffic control signs, signals and devices as he may deem necessary to regulate traffic under the traffic ordinances of the city or under state law or to guide or warn traffic.
(Code 1974, § 28-103; Code 1993, § 102-57)

State law reference—Authority of city to regulate traffic by traffic control devices, 47 O.S. §§ 15-102(a)(2), 15-106 et seq.

Sec. 102-74. Testing.

The city manager may have traffic control devices tested under actual conditions of traffic.
(Code 1974, § 28-105; Code 1993, § 102-58)

Sec. 102-75. Through streets and stop or yield intersections; designation and marking.

(a) The city council, by motion or resolution, may designate any street or part of a street a through street. Whenever the council so designates and describes a through street, it shall be the duty of the city manager to have placed and maintained a stop sign or, if deemed more appropriate at any intersection, a yield sign, on each and every street intersecting such through street, unless traffic at any such intersection is controlled at all times by traffic control signals; provided, however, that at the intersection of two such through streets or at the intersection of a through street and a heavy traffic street not so designated, stop or yield signs shall be erected at one or more entrances to such intersection, as may be determined desirable by the city manager.

(b) The city manager, subject to any directions given by the city council by motion or resolution, is hereby authorized to determine and designate intersections where a particular hazard exists upon other than through streets and to determine:

(1) Whether vehicles shall stop at one or more entrances to any such intersection, in which event he shall cause to be erected a stop sign at every such place where a stop is required; or

(2) Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event he shall cause to be erected a yield sign at every place where obedience thereto is required.

(Code 1974, § 28-60; Code 1993, § 102-59)

State law references—Stop signs and yield signs, 17 O.S. § 11-703; authority of city to designate through streets and stop and yield intersections, 47 O.S. §§ 15-102(a)(6), 15-108.

Sec. 102-76. One-way streets and alleys; designation and marking.

Whenever the city council, by motion or resolution, designates any street or alley or part thereof as a one-way street or alley, the city manager shall have placed and maintained signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

(Code 1974, § 28-68; Code 1993, § 102-60)

State law reference—Authority of city to designate one-way streets, 47 O.S. §§ 11-308, 15-102(a)(4).

Sec. 102-77. Marking of traffic lanes.

The city manager, subject to any directions which the city council may give by motion or resolution, is hereby authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary.

(Code 1974, § 28-72; Code 1993, § 102-61)

Sec. 102-78. Marking of fire lanes.

All designated fire lanes will be marked or striped or posted with official signs and the fire chief will be the controlling authority on the designation of the fire lanes.

(Code 1974, § 28-73(4); Code 1993, § 102-62; Ord. No. 2637, § 1, 10-9-2018)

Sec. 102-79. Designation, maintenance of crosswalks and safety zones or islands for protection of pedestrians.

The city manager, subject to any directions which the city council may give by motion or resolution, is hereby authorized to:

(1) Designate and maintain, by appropriate devices, marks or lines upon the surface of the roadway, crosswalks at intersections where, in his opinion, there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary.

(2) Establish safety zones or islands of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

(Code 1974, § 28-218; Code 1993, § 102-63)

Secs. 102-80—102-101. Reserved.

ARTICLE III. OPERATION OF VEHICLES

Sec. 102-102. Weight and size of vehicles.

No person shall drive or convey through any public street or alley any vehicle, the width, height, length, weight or load of which exceeds that authorized by state law, except in accord with a permit issued by state authority or by the city manager.

(Code 1974, § 28-10; Code 1993, § 102-87)

State law reference—Size, weight and load of vehicles, 47 O.S. § 14-101 et seq.

Sec. 102-103. Obstructive or dangerous vehicles.

No person shall drive any vehicle which is in such a condition, so constructed or so loaded as to cause delay or be likely to cause delay in traffic, or as to constitute a hazard to persons or property, except by permit issued by the city manager and in accordance with the terms of such permit.
(Code 1974, § 28-11; Code 1993, § 102-88)

Sec. 102-104. Vehicles or objects likely to injure street shall not be driven or moved on street.

No vehicle or object which injures or is likely to injure the surface of a street shall be driven or moved on any street.
(Code 1974, § 28-12; Code 1993, § 102-89)

Sec. 102-105. Speed limits.

Except when a special hazard exists that requires lower speed for compliance with law, the limits specified below, or established as hereinafter authorized, shall be maximum lawful speeds, and no person shall drive a vehicle on a street at a speed in excess of such maximum limits, as follows:

(1) Fifteen miles per hour on any street adjacent to any school between 8:00 a.m. and 5:00 p.m. on days when school is in session;

(2) Thirty miles per hour on other streets and on streets adjacent to schools at other times than that specified immediately above.

The city manager may reduce or increase this speed limit, and when he does so, appropriate signs shall be placed on such streets or parts of streets indicating the lower or higher speed limit so authorized.
(Code 1974, § 28-52(b); Code 1993, § 102-90)

State law reference—Speed regulations and authority of city relative thereto, 47 O.S. § 11-801 et seq.

Sec. 102-106. Limitations on turning around.

(a) The driver of any vehicle shall not turn such vehicle so as to proceed in the opposite direction upon any street in the city except at an intersection; and furthermore, it shall be unlawful for the driver of a vehicle to make such a turn at any intersection:

(1) Where traffic control signals are installed;

(2) Where a police officer is directing traffic except at the latter's direction; or

(3) Where an official no U-turn sign has been placed and is maintained.

(b) When permitted, a U-turn may be made only when it can be made in safety and without interfering with other traffic.
(Code 1974, § 28-55; Code 1993, § 102-91)

Sec. 102-107. Play streets.

(a) The city manager, subject to any directions which the city council may give by motion or resolution, shall have the authority to declare any street or part thereof a play street and to have placed appropriate signs or devices in the roadway indicating and helping to protect the same.

(b) Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof, except drivers of vehicles having business or whose residences are within such closed area, and then any such driver shall exercise the greatest care in driving upon any such street or portion thereof.
(Code 1974, §§ 28-70, 28-71; Code 1993, § 102-92)

Sec. 102-108. Obstructing intersection or crosswalk.

No driver shall enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he is operating without

obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic control signal indication to proceed.
(Code 1974, § 28-78; Code 1993, § 102-93)

Sec. 102-109. Truck routes.

The city manager, subject to any directions which the city council may make by motion or resolution, may prescribe routes through the city for the use of trucks in general or trucks of particular kinds and other vehicles which are not ordinary private passenger vehicles, passing through the city. The city manager shall see that appropriate and adequate signs are placed along such routes so that drivers of such vehicles may follow the routes. When such signs are so erected and in place, the driver of a truck or other vehicle for which a route has been so prescribed, while passing through the city, shall keep on such route and shall not deviate therefrom except in case of emergency. Drivers of such vehicles shall follow such routes, so far as practicable, also when driving within the city and not merely through the city.
(Code 1974, § 28-87; Code 1993, § 102-94)

Sec. 102-110. Motor vehicle operation in public parks.

(a) The city manager, subject to any directions which the city council may give by motion or resolution, shall have the authority to declare any public park or portion thereof restricted by prohibiting the operation of motor vehicles and to have placed appropriate signs to designate such restricted areas.

(b) Whenever authorized signs are erected prohibiting the operation of motor vehicles in public parks, or any portion thereof, it shall be unlawful for any person to drive or operate a motor vehicle within the restricted area.
(Code 1974, §§ 28-88, 28-89; Code 1993, § 102-95)

Sec. 102-111. Driving on sidewalks.

The driver of a vehicle shall not drive upon a sidewalk or within any sidewalk area except at a permanent or temporary driveway.
(Code 1974, § 28-77; Code 1993, § 102-96)

Sec. 102-112. Operation of golf carts on city streets.

(a) Golf carts may be operated on the streets and alleys of the city with the following restrictions:

(1) The operation of golf carts are confined to travel to and from the golf course. They shall be allowed to travel to and from Mike Deak Field during the established dates of the Sunbelt Classic Tournament held annually within the City of McAlester.

(2) The operator of the golf cart must have and be in his possession a valid vehicle driver's license.

(3) The operator of the golf cart will obey all traffic laws and ordinances of the City of McAlester and State of Oklahoma.

(4) All operation on city streets and/or alleys must occur during daylight hours.

(b) It shall be unlawful for golf carts to be driven on any city street or alley other than as authorized in subsection (a) of this section.
(Code 1993, § 102-97; Ord. No. 2137, § 1, 7-24-2001; Ord. No. 2652, § 1, 4-23-2019)

Secs. 102-113—102-137. Reserved.

ARTICLE IV. STOPPING, STANDING AND PARKING*

DIVISION 1. GENERALLY

Sec. 102-138. Presumption in prosecutions for standing or parking violations.

In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was, at the time of such violation, the registered owner of such vehicle shall constitute in evidence a prima

*State law references—Stopping, standing and parking, 47 O.S. § 11-1001 et seq.; authority to regulate parking and standing, 47 O.S. § 15-102(a)(1).

Chapter 106

UTILITIES*

Article I. In General

Secs. 106-1—106-18. Reserved.

Article II. Water Supply System

Division 1. Generally

Sec. 106-19. Application for service.
Sec. 106-20. Deposits.
Sec. 106-21. Connection prohibited until prior city claims paid.
Sec. 106-22. Applicant to pay cost of running pipe to property not served by water.
Sec. 106-23. Multiple connections on same premises; each premises to have separate connection.
Sec. 106-24. Connections on premises supplied with water from other sources.
Sec. 106-25. Cross connections.
Sec. 106-26. Meter required prior to connection.
Sec. 106-27. Meters set and connected by city; ownership of meters.
Sec. 106-28. Meter installation fee.
Sec. 106-29. Meter relocation fee.
Sec. 106-30. Testing meters.
Sec. 106-31. Charges for reconnection and rereading of meter.
Sec. 106-32. Galvanized pipe required; depth of pipe.
Sec. 106-33. Maintenance of service lines; replacement of inadequate service lines.
Sec. 106-34. Maintenance of private lines.
Sec. 106-35. Keys for curb cocks.
Sec. 106-36. Service for fire protection.
Sec. 106-37. Connection to sprinkler systems.
Sec. 106-38. Fluoridation of water supply.
Sec. 106-39. Right of entry to inspect connections and lines; badge, credentials of inspectors.
Sec. 106-40. Unlawful reconnection of service after cutoff.
Sec. 106-41. Damaging, disturbing, etc., system property.
Sec. 106-42. Responsibility of owner or occupant to repair or replace damaged meters.
Sec. 106-43. Opening, interfering with, obstructing, etc., fire hydrants or stopcocks.
Sec. 106-44. Climbing ladder or appurtenances to standpipe, reservoir or water tower.
Sec. 106-45. Posting bills, signs on or defacing standpipe or water tower.

***State law references**—General authority with regard to utilities, 11 O.S. § 22-104; municipal public utilities, 11 O.S. § 35-101 et seq.; municipal sewer and water systems, 11 O.S. § 37-101 et seq.; Rural Water, Sewer, Gas and Solid Waste Management Districts Act, 82 O.S. § 1324.1 et seq.; Oklahoma Water Supply Systems Act, 27A O.S. § 2-6-301 et seq.; pollution of municipal water supply unlawful, 11 O.S. § 37-115; public and district sewers and district water distribution lines, 37 O.S. § 37-202; location of public sewers, 37 O.S. § 37-203; location of public water distribution lines, 37 O.S. § 37-204; Oklahoma Environmental Quality Code, 27A O.S. § 2-6-101.

Secs. 106-46—106-63. Reserved.

Division 2. Service Charges

Sec. 106-64. Rates established.
Sec. 106-65. Special contracts, rates for large users.
Sec. 106-66. Charged against applicant for service.
Sec. 106-67. Separate minimum charge for each premises served by same meter.
Sec. 106-68. When due and payable; delinquency.
Sec. 106-69. Estimate in case of defective meter.
Sec. 106-70. Raw water sales.
Secs. 106-71—106-98. Reserved.

Division 3. Water Emergencies

Sec. 106-99. Definitions.
Sec. 106-100. Division binding on all water users.
Sec. 106-101. Authority to proclaim and direct conservation of water.
Sec. 106-102. Specific emergency orders authorized.
Sec. 106-103. Publication of proclamation; when proclamation effective.
Sec. 106-104. Duration.
Sec. 106-105. Appeals to council by persons aggrieved by proclamation.
Sec. 106-106. Violations.
Secs. 106-107—106-125. Reserved.

Division 4. Water Supply and Distribution Lines

Subdivision I. In General

Secs. 106-126—106-148. Reserved.

Subdivision II. Excavations, Trenching and Backfilling

Sec. 106-149. Scope.
Sec. 106-150. Excavation.
Sec. 106-151. Protection of existing utilities.
Sec. 106-152. Backfilling.
Sec. 106-153. Replacement of paving and other surfaces.
Secs. 106-154—106-174. Reserved.

Subdivision III. Mains and Connections

Sec. 106-175. Scope.
Sec. 106-176. Applicable specifications.
Sec. 106-177. General standards.
Sec. 106-178. Excavation, trenching and backfilling.
Sec. 106-179. Cast iron pipe.
Sec. 106-180. Tests.
Sec. 106-181. Gate valves.
Sec. 106-182. Valve boxes.
Sec. 106-183. Fire hydrants.
Sec. 106-184. Setting valves, valve boxes and fire hydrants.
Sec. 106-185. Service connections.
Sec. 106-186. Sterilization.
Sec. 106-187. Railroad crossing.

Sec. 106-188. Concrete.
Sec. 106-189. Cleanup.
Secs. 106-190—106-216. Reserved.

Article III. Sewers and Sewage Disposal

Division 1. Generally

Sec. 106-217. Required facilities for disposal of human excrement.
Sec. 106-218. Permit to connect structures—Inside corporate limits.
Sec. 106-219. Same—Outside corporate limits.
Sec. 106-220. Supervision of connections; city not responsible for work up to point of connection.
Sec. 106-221. Standard construction specifications.
Sec. 106-222. Minimum size of sewers.
Secs. 106-223—106-252. Reserved.

Division 2. User Charges

Sec. 106-253. Rates established.
Sec. 106-254. User charge schedule.
Sec. 106-255. Excessive strength charges.
Sec. 106-256. Review and revision.
Sec. 106-257. Toxic pollutants charges.
Sec. 106-258. Notification.
Sec. 106-259. Charges for extraneous flows.
Sec. 106-260. Records.
Sec. 106-261. Billing.
Sec. 106-262. Disposition of funds.
Secs. 106-263—106-287. Reserved.

Division 3. Industrial Use Regulations

Sec. 106-288. General provisions.
Sec. 106-289. General sewer use requirements.
Sec. 106-290. Pretreatment of wastewater.
Sec. 106-291. Wastewater discharge permit application.
Sec. 106-292. Wastewater discharge permit issuance process.
Sec. 106-293. Reporting requirements.
Sec. 106-294. Compliance monitoring.
Sec. 106-295. Confidential information.
Sec. 106-296. Publication of users in significant noncompliance.
Sec. 106-297. Administrative enforcement remedies.
Sec. 106-298. Judicial enforcement remedies.
Sec. 106-299. Supplemental enforcement action.
Sec. 106-300. Affirmative defenses to discharge violations.
Sec. 106-301. Reconstruction of public sanitary sewers.
Sec. 106-302. New sewers and connections.
Secs. 106-303, 106-304. Reserved.

Division 4. Fats Oils and Grease (FOG) Control Program

Sec. 106-305. Purpose.
Sec. 106-306. Definitions.
Sec. 106-307. Participation required.

Sec. 106-308. Prohibitions.
Sec. 106-309. Installation requirements.
Sec. 106-310. Exemption from grease interceptor/trap requirements.
Sec. 106-311. Maintenance and cleaning.
Sec. 106-312. Disposal.
Sec. 106-313. Charge for remedial maintenance or repair.
Sec. 106-314. Compliance.
Sec. 106-315. Penalties and assessments for noncompliance.
Secs. 106-316—106-322. Reserved.

Article IV. Solid Waste

Division 1. Generally

Sec. 106-323. Definitions.
Sec. 106-324. Burning of refuse.
Sec. 106-325. Unlawful scattering, storing, etc.
Sec. 106-326. Removal of dead animals.
Sec. 106-327. Removal of waste material, construction debris.
Secs. 106-328—106-357. Reserved.

Division 2. Municipal Collection Service

Sec. 106-358. City's exclusive right to collect and remove refuse.
Sec. 106-359. Private or contract collection and removal of refuse.
Sec. 106-360. General container and storage requirements for permissible solid waste—Residential units.
Sec. 106-361. Same—Large commercial and industrial units.
Sec. 106-362. Maintenance, repair and replacement of polycarts and commercial dumpsters.
Sec. 106-363. Prohibiting the unauthorized deposit of refuse in containers belonging or assigned to someone else.
Sec. 106-364. Charges for removal of permissible solid waste.
Sec. 106-365. Recycling.
Sec. 106-366. Administrative procedures.
Secs. 106-367—106-390. Reserved.

Division 3. Landfill

Sec. 106-391. Definitions.
Sec. 106-392. Declaration of purpose.
Sec. 106-393. Procedures and fees for resident users.
Sec. 106-394. Nonmunicipal landfill usage procedures and fees in general.
Sec. 106-395. Procedures and fees for nonresident users.
Sec. 106-396. Procedures and fees for resident commercial haulers.
Sec. 106-397. Procedures and fees for nonresident commercial haulers.
Sec. 106-398. Establishing a landfill fee to comply with federal mandated subtitle "D" regulations.
Sec. 106-399. Emergency, disaster usage and operations.
Secs. 106-400—106-426. Reserved.

Article V. Stormwater Utility Program

Division 1. Generally

Sec. 106-427. Purpose.
Sec. 106-428. Definitions.
Sec. 106-429. Stormwater program manager.
Sec. 106-430. Inspection.
Sec. 106-431. City council discretion.
Sec. 106-432. Signatory requirements.
Sec. 106-433. Land disturbing activity and erosion and sedimentation control.
Sec. 106-434. Land disturbing activity regulated.
Sec. 106-435. Land disturbing permit.
Sec. 106-436. Permit application.
Sec. 106-437. Sediment and erosion control.
Sec. 106-438. Stormwater quality management.
Sec. 106-439. Authority of stormwater quality management.
Secs. 106-440—106-461. Reserved.

Division 2. Administration

Sec. 106-462. Monitoring.
Sec. 106-463. Illicit connections and improper disposal.
Sec. 106-464. Inspections.
Secs. 106-465—106-481. Reserved.

Division 3. Enforcement and Abatement

Sec. 106-482. Unauthorized discharge a public nuisance.
Sec. 106-483. Illicit discharge and illegal dumping.
Sec. 106-484. Prohibition of pollutant discharge not covered by the NPDES program.
Sec. 106-485. Accidental discharges.
Sec. 106-486. Administrative enforcement remedies.
Sec. 106-487. Unlawful acts, misdemeanor.
Sec. 106-488. Judicial proceedings and relief.
Sec. 106-489. Reconsideration.
Sec. 106-490. Hearings.
Sec. 106-491. Variances.
Secs. 106-492—106-520. Reserved.

Division 4. Supplemental Permit Classifications and Requirements

Sec. 106-521. Cosmetic cleaning.
Sec. 106-522. Permit application procedures.
Sec. 106-523. Issuance of permit and registration certificates.
Sec. 106-524. Permit conditions.
Sec. 106-525. Landscape maintenance.
Secs. 106-526—106-555. Reserved.

Article VI. Regulation of Utility Lines and Poles

Sec. 106-556. Definitions.
Sec. 106-557. Location and minimum burial depth.
Sec. 106-558. Construction standards.

Sec. 106-559. Variances.
Sec. 106-560. Restoration of property.
Sec. 106-561. Costs and expenses.
Sec. 106-562. Permit required.
Sec. 106-563. Authority to suspend during emergency.
Sec. 106-564. Pre-excavation location of equipment.
Sec. 106-565. Damage to other facilities.
Sec. 106-566. Enforcement.
Sec. 106-567. Penalties.
Sec. 106-568. Exemptions.
Secs. 106-569—106-585. Reserved.

peated shall constitute a separate offense. These fees are in addition to any other penalties for violation of code or legal offenses.
(Code 1974, § 31-33; Code 1993, § 106-47; Ord. No. 2207, § 1, 9-27-2005; Ord. No. 2496, 4-22-2014)

Sec. 106-41. Damaging, disturbing, etc., system property.

It shall be unlawful for any person, unless duly authorized by the superintendent of utilities, to disturb, displace, interfere with, cover up, damage or destroy any water main, water pipe, meter, meter box, machinery, tool, building, curb stop, curb box or any other property belonging to, connected with or under the control of the city water supply system. Customer will be charged on their utility account for cost plus labor for replacement or repair due to the above-listed damage. If meter is unable to be read due to intentional blockage then the city shall apply a $100.00 fee to the utility account. Each day or part of a day during which such violation is continued or repeated shall constitute a separate offense. These fees are in addition to any other penalties for violation of code or legal offenses.
(Code 1974, § 31-34; Code 1993, § 106-48; Ord. No. 2497, 4-22-2014; Ord. No. 2596, 3-28-2017)

Sec. 106-42. Responsibility of owner or occupant to repair or replace damaged meters.

In all cases where water meters or boxes are lost, injured or broken by willful action or as a result of carelessness or negligence of owners or occupants of premises, they shall be replaced or repaired at the expense of the owner or occupant. In case of nonpayment, the water shall be cut off and will not be turned on until such charges are paid.
(Code 1974, § 31-35; Code 1993, § 106-49)

Sec. 106-43. Opening, interfering with, obstructing, etc., fire hydrants or stopcocks.

(a) It shall be unlawful for any person, except one duly authorized by the superintendent of utilities or a member of the fire department, to open, turn on or off, interfere with, damage, destroy, attach any pipe or hose to, or connect any thing with, any fire hydrant to a stopcock belonging to the city.

(b) It shall be unlawful for any person to obstruct access to any fire hydrant by placing around or thereon brick, lumber, dirt or other things, or in any other manner.
(Code 1974, § 31-36; Code 1993, § 106-50)

Sec. 106-44. Climbing ladder or appurtenances to standpipe, reservoir or water tower.

It shall be unlawful for any person not an employee of the city to ascend the ladder or ladders, or any of the appurtenances attached to the standpipe, reservoirs or water tower of the city, which standpipe is located on Third Street, between Adams Avenue and Jefferson Avenue, and which water tower is located on the easterly 90 feet of Lot 4 in Block 532, and which reservoir is located on the Skyline Drive.
(Code 1974, § 31-37; Code 1993, § 106-51)

Sec. 106-45. Posting bills, signs on or defacing standpipe or water tower.

It shall be unlawful for any person to post any bills or attach any advertising matter or signs to the standpipe or water tower referred to in section 106-44, or any of the appurtenances attached thereto, or to write or print any matter thereon, or by any other means injure or deface the same.
(Code 1974, § 31-38; Code 1993, § 106-52)

Secs. 106-46—106-63. Reserved.

DIVISION 2. SERVICE CHARGES*

Sec. 106-64. Rates established.

(a) The rates to be charged for water furnished by the city water system shall be as provided in chapter 48.

(b) These rates shall be reviewed at the end of the current fiscal year, which is June 30. Each January 1 thereafter, the above rates shall be adjusted to reflect increases in the Consumer Price Index (CPI). The city shall post and make available to the public a schedule of the adjusted rates to be charged.

(c) Low income discount.

(1) Using the official poverty guidelines published by the U.S. Department of Health and Human Services each year, households with proof of income less than this poverty level shall be granted an adjustment on their monthly utility bill as provided in chapter 48, but in no case shall the bill be adjusted below the basic minimum. Each January 1 thereafter, the adjustment rate as provided in chapter 48 shall be amended based on the analysis of the Consumer Price Index (CPI).

(2) To qualify for the low income discount, the customer must provide a copy of his latest officially filed Federal Income Tax Return, or proof of income in lieu thereof. This form must be filed on June 1 of each year. Income shall mean total income, not adjusted income. The discount period shall expire on June 30 of each year and shall be renewed by the customer.

(3) This discount provision shall not apply to landlords or commercial enterprises. Discounts shall apply to the low income individual's occupied residence.

(d) Leak adjustment.

(1) Conditions. That appropriate adjustments to the utility billing of customers of the City of McAlester/McAlester Public Works Authority is authorized under the following conditions:

a. Adjustments will be made only for leaks or breaks in lines underground or under structures; and

b. Adjustments will be made only after the customer has provided written proof that the leak has been repaired (a repair bill from a plumber or invoice or receipt for materials); and

c. Adjustments will be made only after a subsequent billing cycle shows a reduction in water usage indicating the leak has been resolved; and

d. No customer may receive more than two adjustments in any 12 month period.

(2) Calculation. When all of the criteria listed above have been satisfied, the city manager, in his sole discretion, may approve an adjustment of the customer's highest water bill(s), not to exceed four bills, under the following method:

a. An average of the past six months water charges, prior to the leak, will be calculated; past adjustments will be omitted from calculations of the six month average required herein;

b. The monthly average water charge will be subtracted from the customer's highest water bill(s), not to exceed four bills;

c. The remainder will be divided by two; and

*State law reference—Authority to prescribe water rates, 11 O.S. § 37-109.

d. The divided sum will be subtracted from the highest bill; customer pays this amount.

(Code 1993, § 106-71; Ord. No. 1987, § 1(31-45), 7-28-1992; Ord. No. 2062, § 1, 5-13-1997; Ord. No. 2213, § 1, 10-25-2002; Ord. No. 2214, § 1, 11-8-2005; Ord. No. 2235, §§ 1, 2, 6-27-2006; Ord. No. 2439, §§ 1, 2, 9-25-2012; Ord. No. 2723, § 1, 8-24-2021; Ord. No. 2858, § 1, 10-28-2025)

Sec. 106-65. Special contracts, rates for large users.

The city council is authorized to enter into a special contract with any industrial concern or corporation or another municipal government for water services where the use will be in excess of 300,000 gallons per month. The rates established in those contracts shall be established by the city council and will not necessarily be those in effect for other residential or industrial users. This section shall not be so construed as to annul any valid contract which the city may have heretofore entered into or may have assumed, nor shall it invalidate any valid bonus agreement made to secure location of any business or manufacturing concern in or near the city.

(Code 1974, § 31-46; Code 1993, § 106-72)

Sec. 106-66. Charged against applicant for service.

All charges for water shall be charged against the person who signed the application for service.

(Code 1974, § 31-47; Code 1993, § 106-73)

Sec. 106-67. Separate minimum charge for each premises served by same meter.

When more than one building or apartment or other subdivision of space in any residence or commercial building is served through one water meter, each such additional building, apartment or subdivision of space shall be deemed a separate water service, and a separate minimum charge shall be made therefor and collected by the city treasurer. In any case, such minimum charge shall be the regular minimum charge at the current rates in effect at the time of billing.

(Code 1974, § 31-48; Code 1993, § 106-74)

Sec. 106-68. When due and payable; delinquency.

Charges for water service by meter and otherwise shall be due and payable monthly on dates to be determined by the city, and each bill will be stamped with a past due date. If such bill is not paid on or before the past due date stamped thereon, a ten percent penalty will be added. If the bill is not paid within ten days after the past due date stamped thereon, a ten percent penalty will be added. If the bill is not paid within ten days after the past due date stamped thereon, the connection will be cut off, without notice, by the city. In this event, an additional charge as provided in chapter 48 for first offense shall be added to the bill for turning the water off, and for repeat offenses a charge as provided in

(b) A building permit shall not be issued to any person to build or move any building or structure in the city, unless the applicant for the permit satisfies the authority issuing the permit that he can and will provide the sanitary facilities required by this section. The type and location of such facilities shall be noted on the face of the building permit. Such premises shall not be connected with the city water system until this subsection has been complied with.

(c) All human excrement disposed of within this city shall be disposed of by depositing it in closets of the type required by this section. It shall be unlawful for any owner or occupant of property within the city to permit the disposal of human excrement thereon in any other manner, and for any person to dispose of human excrement within the city in any other manner.

(d) All facilities for the disposal of human excrement in a manner different from that required by this section and all such facilities so constructed, situated or maintained as to endanger the public health, are hereby declared to be public nuisances, and may be dealt with and abated as such.

(e) The term "human excrement," as used in this section, means bowel and kidney discharges of human beings. The term "sanitary water closet" means a flush-type toilet which is connected with a sanitary sewer line of such capacity and construction as to carry away the contents at all times or to a septic tank. The term "septic tank" means a septic tank constructed, maintained and operated in accordance with state law and the regulations of the state health department.
(Code 1974, § 31-2; Code 1993, § 106-201)

Sec. 106-218. Permit to connect structures—Inside corporate limits.

Any person, firm or corporation desiring to connect with the sanitary sewer system of the city shall pay a fee as provided in chapter 48 to connect to the sanitary sewer.
(Code 1974, § 31-75; Code 1993, § 106-202; Ord. No. 2347, § 1, 2-9-2010)

Sec. 106-219. Same—Outside corporate limits.

Any person, firm or corporation desiring to connect with the sanitary sewer system of the city shall pay a fee as provided in chapter 48 to connect to the sanitary sewer.
(Code 1974, § 31-76; Code 1993, § 106-203; Ord. No. 2347, § 2, 2-9-2010)

Sec. 106-220. Supervision of connections; city not responsible for work up to point of connection.

All connections to the sanitary sewerage system shall be made under the supervision of the plumbing inspector. The city is not obligated to, nor responsible for, digging sewer line ditches and laying sewer tile or pipe up to the point of connection.
(Code 1974, § 31-77; Code 1993, § 106-204)

Sec. 106-221. Standard construction specifications.

(a) Ordinance No. 1551, as amended, providing standard specifications for sewer construction applying to all subdividing and developing of land within the corporate limits in the city, and to all new sewer line construction; requiring and regulating materials, construction methods, structures, including manholes and lampholes, field tests and provisions governing the acceptance thereof, including maintenance bond; and prescribing penalties for the violations of its provisions

and declaring it an emergency is hereby recognized as continuing in full force and effect to the same extent as if set out at length herein.

(b) Exhibit A attached and made a part thereof, containing standard specifications for sanitary sewer construction dated May, 1978, is hereby in all respects approved.
(Code 1974, § 31-78; Code 1993, § 106-205)

Sec. 106-222. Minimum size of sewers.

No trunk sewer, main sewer or submain sewer shall be constructed or connected within the city which is less than eight inches in diameter. The same size limitation shall apply to laterals when the lateral is new construction running into a submain, trunk or main sewer, or where the lateral is an extension of an existing eight-inch lateral. In no instance shall the city participate in the cost of construction of a sewer of less than six inches in diameter, nor shall there be any connection of a lateral of less than six inches to the sanitary sewerage system of the city.
(Code 1974, § 31-79; Code 1993, § 106-206)

Secs. 106-223—106-252. Reserved.

DIVISION 2. USER CHARGES

Sec. 106-253. Rates established.

(a) For the purpose of providing funds for the maintenance of the sanitary sewer system of the city, and for other purposes, there is hereby established a monthly schedule, or a system of fees and charges, for the use of the sanitary sewer system of the city as provided in chapter 48.

(b) Special summer monthly rates (lawn-watering months). This special summer rate will apply only to residential users located inside the city limits. For usage during the lawn-watering months of June, July and August of each year, in-city residential users will be billed their average monthly sewer rate as calculated for the preceding months of January, February and March. Bills affected by this special summer rate will be those due in July, August and September of each year.

(c) The city manager shall have the authority to adjust sewer rate fees in the following cases:

(1) Dwellings, public buildings or commercial users with inoperative water meters. In such cases, the manager shall adjust the rate commensurate with the previous average monthly consumption, but in no case shall the rate be less than the minimum monthly rate in effect at that time.

(2) Dwellings, public buildings or commercial use of nonmetered water. In such case, the manager shall increase the rate commensurate with the intent of this section and based on demand created on the sanitary sewer system.

(3) Dwellings, public buildings or commercial use of metered water in production. In such cases, the manager shall decrease the rate commensurate with the intent of this section and based on demand created on the sanitary sewer system.

(4) The quality of public buildings or commercial effluent is less than normal and as a result creates additional demand. In such cases, the manager shall increase the rate commensurate with the additional demand created on the sanitary sewer system.

(d) On January 1, 2007, and each January 1 thereafter, the rates set forth in chapter 48 and the above rates shall be adjusted after a review of the analysis of the Consumer Price Index (CPI).

(e) Pool adjustments.

(1) Adjustment is available no more than once annually.

(2) Adjustment is available only for wastewater (sewer) portion of bill.

(3) In-city residential user will be billed their average monthly sewer rate as calculated for the preceding months of January, February, and March.

(4) All customers requesting a billing adjustment in accordance with these guidelines are required to pay their bill in full or make payment arrangements while this form is being processed.

(5) No adjustment will be made if pool was filled during the months of June, July, or August (these months are already on summer sewer rates -see subsection (b) above).

(f) Leak adjustments.

(1) Conditions. That appropriate adjustments to the utility billing of customers of the City of McAlester/McAlester Public Works Authority is authorized under the following conditions:

a. Adjustments will be made only for leaks or breaks in lines underground or under structures; and

b. Adjustments will be made only after the customer has provided written proof that the leak has been repaired (a repair bill from a plumber or invoice or receipt for materials); and

c. Adjustments will be made only after a subsequent billing cycle shows a reduction in water usage indicating the leak has been resolved; and

d. No customer may receive more than two adjustments in any 12-month period.

(2) Calculation. When all of the criteria listed above have been satisfied, the city manager, in his sole discretion, may approve an adjustment of the customer's highest sewer bill(s), not to exceed four bills, under the following method:

a. An average of the past six months sewer charges, prior to the leak, will be calculated; past adjustments will be omitted from calculations of the six month average required herein. The customer will pay this amount.

(Code 1993, § 106-221; Ord. No. 1989, § 1(31-86), 7-28-1992; Ord. No. 2063, § 1, 5-13-1997; Ord. No. 2211, § 1, 10-25-2005; Ord. No. 2237, § 1, 6-27-2006; Ord. No. 2858, § 2, 10-28-2025)

Sec. 106-254. User charge schedule.

As the BOD, suspended solids and other pollutant concentrations discharged shall be approximately equal for all domestic users, users shall be charged on a volume basis in accordance with the following formula:

$$C_u = C_b + C_t/V_t(V_u)$$

(Based on Model #1, 40 CFR 35, Appendix B)

Symbols and definitions:

C_u = A user's charge per unit of time.

C_b = A user's base minimum charge (for debt retirement, billing administration, etc.) per unit of time.

C_t = Total operation and maintenance (O&M) costs per unit of time (may include extraneous flows).

V_t = Total volume from all users per unit of time. May include extraneous flows.

V_u = Volume contribution from a user per unit of time.

(Code 1974, § 31-87; Code 1993, § 106-222)

Sec. 106-255. Excessive strength charges.

For any user, when the BOD exceeds 250 mg/l, the suspended solids exceeds 250 mg/l, or when other pollutant concentrations exceed the range of concentrations of these pollutants in normal domestic sewage, a surcharge shall be added to the basic charge. This surcharge shall be calculated by the following formula:

$$C_{\S} = [B_c(B) = S_c(S) = P_c(P)]V_u$$

(Based on Model No. 2, 40 CFR 35, Appendix B)

Where:

$C_{\S}$ = A surcharge for wastewaters of excessive strength.

B_c = O&M cost for treatment of a unit of biochemical oxygen demand (BOD).

B = Concentration of BOD from a user above a base level.

S_c = O&M cost for treatment of a unit of suspended solids (SS).

S = Concentration of SS from a user above a base level.

P_c = O&M cost for treatment of a unit of any pollutant.

P = Concentration of any pollutant from a user above a base level.

V_u = Volume contribution from a user per unit of time.

(Code 1974, § 31-88; Code 1993, § 106-223)

Sec. 106-256. Review and revision.

The user charge ordinance shall be reviewed not less often than every two years regarding the wastewater contribution of users and user classes, the total costs of the operation and maintenance of the treatment works, and its approved user charge system. The charges for users or user classes shall be revised to accomplish the following:

(1) Maintain the proportionate distribution of operation and maintenance costs among users and user classes;

(2) Generate sufficient revenue to pay the total operation and maintenance costs necessary to the proper operation and maintenance (including replacement) of the treatment works; and

(3) Apply excess revenues collected from a class of users to the costs of operation and maintenance attributable to that class for the next year, and the rates shall be adjusted accordingly.

(Code 1974, § 31-89; Code 1993, § 106-224)

Sec. 106-257. Toxic pollutants charges.

Each user that discharges any toxic pollutants which cause an increase in the cost of managing the effluent or the sludge of the treatment works shall pay for such increased costs.

(Code 1974, § 31-90; Code 1993, § 106-225)

Sec. 106-258. Notification.

Each user shall be notified at least annually, in conjunction with the regular bill, of the sewer use rate and the portion of the user charges which are attributable to wastewater treatment services. Costs shall be broken down to show the operation and maintenance costs attributable to that user.

(Code 1974, § 31-91; Code 1993, § 106-226)

Sec. 106-259. Charges for extraneous flows.

The costs of operation and maintenance for all flows not directly attributable to users (such as infiltration/inflow) shall be distributed among users on the same basis as operation and maintenance charges.

(Code 1974, § 31-92; Code 1993, § 106-227)

Sec. 106-260. Records.

A recordkeeping system shall be established and maintained by the city to document compliance with federal regulations pertaining to the user charge ordinance.
(Code 1974, § 31-93; Code 1993, § 106-228)

Sec. 106-261. Billing.

Users will be billed on a monthly basis with payment due by the tenth day of the following month. Users on metered water service will be billed on the same notice as water charges and will be designated as a separate entry. Users of the wastewater system not on metered water service will be billed monthly on an individual notice for wastewater service at the rate established by the city manager. Users with delinquent accounts will be notified in writing by the utility billing department that water and/or wastewater services will be terminated unless the account is paid in full. The city manager will utilize the law enforcement agency to assist as required in the control and management of the user charge system.
(Code 1974, § 31-94; Code 1993, § 106-229)

Sec. 106-262. Disposition of funds.

The funds derived from fees and charges provided for in this division shall be deposited in the general revenues of the city, to be used for the upkeep, maintenance, extension and repair of the sanitary sewer system, and for such other purposes as the city council may deem fit.
(Code 1974, § 31-95; Code 1993, § 106-230)

Secs. 106-263—106-287. Reserved.

DIVISION 3. INDUSTRIAL USE REGULATIONS

Sec. 106-288. General provisions.

(a) *Purpose and policy.* This division sets forth uniform requirements for users of the publicly owned treatment works for the city, and enables the city to comply with all applicable state and federal laws, including the Clean Water Act (33 USC 1251 et seq.) and the General Pretreatment Regulations (40 CFR 403). The objectives of this division are to:

(1) Prevent the introduction of pollutants into the publicly owned treatment works that will interfere with its operation;

(2) Prevent the introduction of pollutants that will pass through the publicly owned treatment works, inadequately treated, into receiving waters or otherwise be incompatible with the publicly owned treatment works;

the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause, the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The city manager may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(4) Bypass is prohibited, and the city manager may take an enforcement action against a user for a bypass, unless:

a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

c. The user submitted notices as required under subsection (c)(3) of this section.

(5) The city manager may approve an anticipated bypass, after considering its adverse effects, if the city manager determines that it will meet the three conditions listed in subsection (c)(4) of this section.

(Code 1993, § 106-258; Ord. No. 2140, § 1, 11-27-2001)

Sec. 106-301. Reconstruction of public sanitary sewers.

No building, structure, wall or other aboveground obstruction, including additional fill material, shall be placed, erected, installed or permitted directly over any public sanitary sewer. If any of the above obstructions are to occupy the ground immediately above a public sanitary sewer, it shall be necessary to first reroute the public sanitary sewer at the property owner's expense in order to subsequently comply with the above provision. If there is not sufficient grade available in order to perform the rerouting, it shall be necessary for the property owner to present a proposed plan to the city manager, setting forth the necessary construction to safeguard the public sanitary sewer. In any event, the rerouting of the sanitary sewer or reconstruction, as approved by the city manager, shall be carried out through proper contracts and bond with the city.

(Code 1993, § 106-259; Ord. No. 2140, § 1, 11-27-2001)

Sec. 106-302. New sewers and connections.

(a) The connection of the building sewer into the public sewer system shall conform to the requirements of the BOCA National Building and Plumbing Codes and other applicable rules and regulations of the city.

(b) All new sanitary sewage works shall be designed and constructed in accordance with the requirements of the state department of health regulations.

and which has any process or device that uses or produces FOG, using one or more of the following preparation methods of cooking by frying (all methods), baking (all methods), grilling, sautéing, rotisserie cooking, broiling (all methods), boiling, blanching, roasting, toasting, infrared heating, searing, barbecuing, and any other method of food preparation that produces or may produce hot, non-drinkable food product in or on a receptacle that requires washing. Food service facilities shall include, but are not limited to, restaurants, grocery stores, delicatessens, meat markets, hotels, event centers, correctional facilities, cafeterias, food courts, public and private schools, hospitals, nursing homes, multiple tenant housing, commercial day care centers, churches, catering services and all other food service facilities not listed in this article.

Grease interceptor means a multi-compartment device that is constructed in different sizes and is generally required to be located, according to the plumbing code, underground between the food service establishment and the connection to the sewer system. These devices are designed to collect, contain, or remove food wastes and grease primarily using gravity to separate FOG from the wastewater as it moves from one compartment to the next. Interceptors shall have at least one inspection hatch on the top surface to facilitate inspection, cleaning, and maintenance. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective.

Grease trap means a grease control device used to serve individual fixtures designed to collect, contain, or remove food wastes and grease from the waste water while allowing the balance of the gray water to discharge to the wastewater collection system by gravity. Traps shall have a removable lid on the top surface to facilitate inspection, cleaning and maintenance. Traps have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible or impracticable.

Grinder means a mechanical device used to shred solid substances to pieces less than one-half inch in any dimension.

Manifest means a receipt which is retained by the generator of wastes for disposing recyclable wastes or liquid wastes as required by the city.

New construction means any structure planned or under construction for which a sewer connection permit pursuant to section 106-218 that has not been issued.

Sanitary sewer overflows or *SSOs* means overflows from sanitary sewer systems of FSEs wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters. Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system.

Sewage means any waterborne or liquid wastes, including domestic sewage and industrial waste, but does not include or mean stormwater, groundwater, and roof or yard drainage.

Sewer system means a system of any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge.

Sec. 106-309. Installation requirements.

(a) Except as provided for in section 106-309 below, any structure designed for or intended to be used for an FSE or FM/P must have a grease interceptor/trap installed prior to discharging any wastewater into the wastewater collection system. Such grease interceptor/trap must comply with all conditions as set forth in the currently adopted International Plumbing Code; The

(b) Property owners of new commercial construction structure designed to house multiple tenants on a single parcel shall be responsible to install and maintain a single grease interceptor/trap to serve each individual tenant unless a property owner demonstrates to the utility superintendent that it is not practically possible to install and maintain a single grease interceptor/trap to serve each individual unit located in the structure in which case the utility superintendent has the discretion to approve a plan for such structure providing for more than one grease interceptor/trap or a combination of grease interceptors and grease traps to service such property, which approval shall be in writing. Said approved plan shall include the minimum number of grease interceptors and grease traps that can reasonably serve the structure and the BMP program shall specifically include service for all approved grease interceptors and grease traps;

(c) The owner of any structure occupied by more than one FSE or FM/P (strip malls) shall be jointly and severally liable with the owner of each FSE or FM/P served by any grease interceptor or any grease trap for the servicing and maintenance of that grease interceptor or grease trap and for any servicing and maintenance of any wastewater facility located downstream from said structure to remove any accumulations of FOG there from;

(d) The utility superintendent may require existing FSE or FM/Ps and owners of structures in which such FSE or FM/Ps are located which have been identified as introducing FOG into any portion of the wastewater system, and which introduction of FOG, in whole or in combination with other FOG contributors, has been responsible for causing the need for the city to clean such portion of the wastewater system more than twice in a single calendar year to install grease interceptors or other FOG equipment as deemed necessary to comply with this section. Such installation shall be completed and operational within 60 days of notice by the utility superintendent.

(e) The utility superintendent may require any FSE or FM/Ps or users of sewer services to provide information needed to determine compliance with this division. These requirements from a licensed plumbing contractor, architect, factory certified product provider or product manufacturer may include specifications of the grease control equipment, use calculations, installation information or other pertinent criteria.
(Ord. No. 2728, § 1, 9-28-2021)

Sec. 106-310. Exemption from grease interceptor/trap requirements.

If the owner of any FSE or FM/P or of any structure in which an FSE or FM/P is located or is to be located demonstrates to the reasonable satisfaction of the utility superintendent that installation of a grease interceptor/trap is not feasible, the utility superintendent may grant an exception allowing such owner to install grease traps or other alternative treatment technology which will in his or her discretion adequately control the release of FOG from the FSE or FM/P or the structure into the wastewater system. The FSE or FM/P bears the burden of demonstrating that the installation of a grease interceptor/trap is not feasible. The request for an exemption shall include the following information if relevant:

(a) Evidence of a lack of available exterior space necessary to place an interceptor/trap relative to the location of sewer main and easement;

modified maintenance schedule which includes all details of operation for the utility superintendent to review.

(f) *Maintenance log*. The user shall be responsible for retaining records of the maintenance of grease interceptors and traps including manifests, discharge permits, discharge permit applications, correspondence, sampling data and any other documentation that may be requested by the city. This log shall include the dates of service, volume of waste removed, waste hauler, and disposal site of waste. These records shall be kept on-site at the location of the grease interceptor or trap for a period of three years and are subject to review without prior notification.

(g) The city may perform periodic inspections of these facilities and shall notify the user of any additional required maintenance or repairs. Upon written notification by the city, the user shall be required to perform the maintenance and records of said maintenance within 14 calendar days. Upon inspection by the city, the user may be required to install, at their expense, additional controls to provide a complete system which prevents discharges of undesirable materials into the wastewater collection system.

(Ord. No. 2728, § 1, 9-28-2021)

Sec. 106-312. Disposal.

The user shall be responsible for the proper removal and disposal of the grease interceptor or trap waste. All waste removed from each grease interceptor or trap must be disposed of properly at an appropriate facility designed to receive grease interceptor or trap waste. No grease interceptor or trap waste shall be discharged into any city sanitary or storm sewer system.

(Ord. No. 2728, § 1, 9-28-2021)

Sec. 106-313. Charge for remedial maintenance or repair.

(a) In the event that the owner of an FSE or FM/P or the owner of any structure in which an FSE or FM/P is located is found to have contributed to the partial or complete obstruction of a city wastewater system or wastewater facility resulting from the discharge of wastewater or waste containing FOG and that the city is required to act immediately to control a public health hazard because of such blockage, such owner shall be required to reimburse the city for all costs of abating such condition. In situations where there are multiple owners identified as contributing to FOG causing such obstruction, the utility superintendent will apportion the cost of the cleanup, maintenance or repair costs on a prorated basis, based on each owner's percentage share of the average total sanitary sewer charges for all such owners. Further, should inspection, testing or other sampling activity by the city confirm that any user is contributing excessive FOG (including other harmful ingredients) and is causing the repair or extraordinary maintenance activity to maintain the integrity of the system, the utility superintendent may require retrofitting of the structure with grease interceptors or grease traps, including testing facilities and access thereto sufficient to resolve the problem.

(b) The costs for curing any private sewer lateral failures and sewer system overflows, including cleaning and other maintenance, caused in whole or in part by FOG introduced into the wastewater collection system by any FSE or FM/P, alone or in conjunction with any other party, are the responsibility of the owner of the FSE or FM/P and the owner of any structure in which the FSE or FM/P contributing the FOG to wastewater system is located.

(Ord. No. 2728, § 1, 9-28-2021)

ARTICLE IV. SOLID WASTE*

DIVISION 1. GENERALLY

Sec. 106-323. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bags means plastic sacks designed to store garbage with sufficient wall strength to maintain physical integrity when lifted by the top. Total weight of a bag and its contents shall not exceed 35 lbs.

Bin or commercial dumpster means a metal receptacle designed to be lifted and emptied mechanically for use primarily at municipal facilities and large commercial and industrial units.

Bulky waste means stoves, refrigerators (with all CFC removed), water tanks, washing machines, furniture and other similar items, and, materials other than construction debris, large dead animals, hazardous waste or stable matter with weights or volumes greater than those allowed for bins or polycarts, as the case may be.

Bundle means tree, shrub and brush trimmings or newspapers and magazines securely tied together forming an easily handled package not exceeding four feet in length or 35 lbs. in weight.

Commercial and industrial refuse means construction debris, garbage, rubbish and stable matter generated by a producer at a large commercial and industrial unit.

Construction debris means waste building materials resulting from construction, remodeling, repair or demolition operations at a residential unit, municipal facility or large commercial and industrial unit.

Excluded waste means bulky waste, hazardous waste, large dead animals, offal waste, special waste, stable matter and vegetable waste.

Garbage means any and all small dead animals, every accumulation of waste (animal, vegetable and/or other matter) that results from the preparation, processing, consumption, dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains or other animal or vegetable matter (including, but not by way of limitation, used tin cans and other food containers, and all putrescible or easily decomposable waste animal or vegetable matter which is likely to attract flies or rodents), except (in all cases) any matter included in the definition of excluded waste.

Hazardous waste means any radioactive, volatile, corrosive, highly flammable, explosive, biomedical, infectious, biohazardous, toxic or listed or characteristic hazardous waste as defined by federal, state or local law or any otherwise regulated waste. The term "hazardous waste" shall include, but not be limited to, any amount of waste listed or characterized as hazardous by the United States Environmental Protection Agency or any state agency pursuant to the Resource Conservation and Recovery Act of 1976, as amended, and including future amendments thereto, and any other applicable federal, state or local laws or regulations.

House-side handicapped means a location designated by the public works director where there is no able-bodied person residing in a residential unit that can take the polycart to the curb. In such instances when the physical conditions of the resident, either permanent or temporary, is such that he cannot physically maneuver a polycart to the designated pick-up area, the city, through its duly

*State law references—Oklahoma Solid Waste Management Act, 27A O.S. § 2-10-101 et seq.; authority of municipalities to displace private collection companies, 19 O.S. § 365; littering of highways and public property prohibited, 21 O.S. § 1753.3; putting glass, nails, tacks, wire, cans and other substances on highway prohibited, 47 O.S. § 11-1110.

service stations, restaurants, amusement centers, schools and churches. Businesses run from a residential unit shall be classified the same as the water department classification.

Solid waste means useless, unwanted or discarded materials with insufficient liquid content to be free-flowing, that result from domestic, industrial, commercial, agricultural, governmental and community operations which require proper storage, collection, transportation and disposal to prevent environmental pollution inimical to public health, safety and welfare. The term "solid waste" does not include sewage, earth or material used to fill land in accordance with construction codes, mining residues, slag, dissolved or suspended solids in industrial waste water effluents which are not acceptable for disposal in sanitary sewage treatment systems or any material included in the definition of excluded waste.

Special waste means nonhazardous, solid waste that is subject to additional governmental regulations or special handling requirements in collection, transportation, processing or disposal as a result of the characteristics of, or processes which generate such waste. The term "special waste" includes, but is not limited to:

(1) Waste iron from a commercial or industrial activity;

(2) Waste generated by an industrial process or a pollution control process;

(3) Waste which may contain free liquids;

(4) Waste which may contain residue and debris from the cleanup of a spill of petroleum, chemical or commercial products or wastes, or contaminated residuals;

(5) Articles from the cleanup of a facility which generates, stores, treats, recycles or disposes of chemical substances, commercial products or wastes;

(6) Wastes which are nonhazardous as a result of proper treatment pursuant to subtitle C of the Resource Conservation and Recovery Act of 1976 ("RCRA");

(7) Asbestos containing or asbestos bearing material that has been properly secured under existing federal, state and local laws, rules and regulations;

(8) Containers that once contained hazardous substances, chemicals, or insecticides so long as such containers are "empty" as defined by RCRA;

(9) Municipal or commercial solid waste that may have come into contact with any of the foregoing;

(10) Filter cake sludge wastes from waste water treatment processes;

(11) Wastes containing any regulated polychlorinated biphenyls; and

(12) Ash, sludge, tires and powders.

Stable matter means all manure and other waste matter normally accumulated in or about a stable, or any animal, livestock or poultry enclosure, and resulting from the keeping of animals, poultry or livestock.

Vegetable waste means putrescible solid waste resulting from the processing of plants for food by commercial establishments such as canneries. This definition does not include waste products resulting from the preparation and consumption of food in places such as cafeterias and restaurants.

Yard waste means grass, leaves, flowers, stalks, stems, tree trimmings, branches, and tree trunks. For yard waste collection services, grass, pine needles, leaves, flowers, stalks, stems, and small tree trimmings (less than two feet in length and less than two inches in diameter) shall be in a container, bag or box the weight of which shall not exceed 35 pounds. Larger tree trimmings shall be

sive right to collect, remove and haul refuse within the city, and it shall be unlawful for any other person to collect, remove or haul refuse in the city, except as otherwise provided in section 106-359.
(Code 1974, § 24-7; Code 1993, § 106-321; Ord. No. 2417, § 1(106-321), 3-13-2012)

Sec. 106-359. Private or contract collection and removal of refuse.

(a) Authorization for private or contract refuse collection, removal and hauling may be issued on the basis of convenience and necessity, as determined by the city council, and may be revoked by the city council at any time it becomes evident that such collection, removal and hauling does not comply with the provisions of this article.

(b) The collection and removal of refuse by private or contract haulers shall not relieve the owner or occupant of any premises of responsibility for complying with all the provisions of this article regarding the storage of refuse or the payment of the minimum monthly service fee provided for in section 106-364.
(Code 1974, § 24-8; Code 1993, § 106-322)

Sec. 106-360. General container and storage requirements for permissible solid waste—Residential units.

It shall be the duty of every owner, tenant, lessee or occupant of any residential unit to comply with the following provisions pertaining to the storage of permissible solid waste:

(1) All permissible solid waste from residential units shall be properly stored in polycarts provided by the city or its agent or representative for such purpose. Polycarts shall remain the property of city or its agent or representative. Residents shall use polycarts only for their intended purpose and shall not overload (by weight or volume) or alter polycarts.

(2) Unless an additional polycart has been provided for such purpose, each residential unit may place for collection up to three bags of yard waste per week.

(3) Each polycart shall be out front and visible and placed at curbside for collection. Curbside refers to that portion of right-of-way adjacent to paved or traveled city roadways. Polycarts shall be placed as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians. Polycarts cannot be placed in a fenced area. When construction work is being performed in the right-of-way, polycarts shall be placed as close as practicable to an access point for the collection vehicle. The city may decline to collect any polycart not so placed or any solid waste not in a polycart as specified. House-side handicapped service will be provided upon determination of eligibility by the public works director.

(4) Polycarts shall not be placed on the curb earlier than 4:00 p.m. on the day preceding scheduled pick-up.

(5) Polycarts shall be removed from the curb not later than 7:00 p.m. on the day of pick-up.

(6) Excluded waste shall not be placed in a polycart. If excluded waste is discovered before it is collected by city or its authorized agent or representative, city shall take appropriate action to ensure that such excluded waste is removed and properly disposed of by the depositor or generator of the waste. In the event any excluded waste is not discovered before it is collected, city shall bill the depositor or generator of such excluded waste all direct and indirect costs incurred due to removal, remediation, handling, transportation, delivery and disposal of such excluded waste.

ers belonging or assigned to another without that person's consent. No household garbage shall be deposited in city containers. The identification of mail or other material bearing the name of a person identifying such person or entity deposited in, on, or around a container may constitute prima facie evidence of ownership.

(b) *Violation of subsection (a) of this section is declared a public nuisance and unlawful.* Any person convicted of a violation of subsection (a) of this section shall be punished by a penalty in accordance with the schedule of fines and costs of the city municipal court.
(Code 1974, § 24-6; Code 1993, § 106-326; Ord. No. 2240, § 1, 7-25-2006; Ord. No. 2417, § 1(106-326), 3-13-2012)

Sec. 106-364. Charges for removal of permissible solid waste.

(a) The owner or occupant of each of the following premises shall pay to the city for removal of permissible solid waste the sum as provided in chapter 48.

(1) Single-family dwelling.

(2) Duplex and/or apartment.

(3) Church.

(b) Business establishments, industrial concerns and schools shall be charged on the basis of the schedule of minimum fees as provided in chapter 48.

(c) As long as water service is connected to the premises and billings are rendered therefor, the charges for permissible solid waste removal shall accrue and it shall be conclusively presumed that removal services have been rendered by the city. Payment of such charge shall be made at the same time and in the same manner as water bills are paid, and all rules and regulations governing the collection of water bills shall apply in every particular to the collection of bills for refuse service.

(d) Each July 1st thereafter, any rate increases shall be equivalent to those adjustments stated within the contract.
(Code 1993, § 106-327; Ord. No. 1988, § 1, 7-28-1992; Ord. No. 2058, 2-11-1997; Ord. No. 2064, §§ 1, 2, 5-13-1997; Ord. No. 2163, § 1, 6-24-2003; Ord. No. 2212, §§ 1, 2, 10-25-2005; Ord. No. 2236, § 1, 6-27-2006; Ord. No. 2251, § 1, 2-13-2007; Ord. No. 2362, § 1, 6-22-2010; Ord. No. 2417, § 1(106-327), 3-13-2012; Ord. No. 2428, § 1, 7-10-2012; Ord. No. 2435, § 1, 8-14-2012; Ord. No. 2511, 7-22-2014; Ord. No. 2658, § 1, 6-25-2019)

Sec. 106-365. Recycling.

The city hereby establishes a recycling fee, as provided in Chapter 48, per month for each and every customer of the city to be charged on their monthly utility bill. The basic fee covers costs of recycling drop-off site, public education, operations, and administration.

These rates shall be reviewed at the end of each fiscal year, which is June 30th. Each January 1st thereafter, the above rates shall be adjusted to reflect increases in the Consumer Price Index (CPI). The city shall post and make available to the public a schedule of the adjusted rates to be charged.
(Code 1993, § 106-328; Ord. No. 2362, § 2, 6-22-2010; Ord. No. 2417, § 1(106-328), 3-13-2012; Ord. No. 2838, § 1, 5-13-2025)

Sec. 106-366. Administrative procedures.

The public works director is hereby authorized to develop supplemental administrative procedures consistent with the provisions of this division.
(Ord. No. 2417, § 1(106-329), 3-13-2012)

Secs. 106-367—106-390. Reserved.

(c) The only customers exempt from this landfill fee will be any customer who is a qualified recipient of Social Security's Supplemental Security Income (SSI). These SSI recipients will not be required to pay this monthly landfill fee as long as they are qualified SSI recipients. SSI recipients will be required to supply proper documentation on an annual basis to be exempt.
(Code 1993, § 106-358; Ord. No. 2017, § 2, 6-28-1994; Ord. No. 2048, § 1, 4-9-1996; Ord. No. 2250, § 1, 2-13-2007; Ord. No. 2362, § 3, 6-22-2010; Ord. No. 2860, § 2, 12-9-2025)

Sec. 106-399. Emergency, disaster usage and operations.

Following a declaration of emergency by the mayor, governor or president the city manager is authorized to take appropriate action to relieve the burden of the residents.
(Ord. No. 2860, § 2, 12-9-2025)

Secs. 106-400—106-426. Reserved.

ARTICLE V. STORMWATER UTILITY PROGRAM

DIVISION 1. GENERALLY

Sec. 106-427. Purpose.

(a) It is the purpose of this article to address the mandates of the federal government and establish a stormwater utility to promote public health, safety and welfare by providing for studying, designing, operating, constructing, equipping, maintaining, acquiring and owning within the city a stormwater drainage system. The establishment of a stormwater utility program will:

(1) Reduce flood and storm losses and inconveniences from uncontrolled stormwater runoff in the city.

(2) Ensure that the movement of emergency vehicles is not prohibited nor inhibited during storm or flood periods.

(3) Preserve the city's watercourses, improve and preserve water quality, minimize water quality degradation, and otherwise facilitate urban water resource management techniques, including both the reduction of pollution and the enhancement of the urban environment, including, but not limited to, the NPDES permit requirements and such other requirements of the city, state and federal governments.

(b) There is hereby established a service charge for the city's stormwater drainage system at rates hereinafter established; provided, however, that the service charge shall not be imposed on the following types of property:

(1) City streets, rights-of-way, parks, and open space;

(2) State highways or county rights-of-way;

(3) Undeveloped parcels of land; or

(4) Railroad rights-of-way.

(c) The monthly service charge rate is hereby established at a rate as provided in chapter 48 for each equivalent service unit assigned to a lot, tract, or parcel of real estate. Equivalent service unit is defined as 2,650 square feet of impervious surface. Each residential property is hereby assigned one equivalent service unit and shall be charged a rate as provided in chapter 48.

(d) The service charge rate established in subsection (c) of this section will increase automatically by $0.75 increments on July 1 of 2017, and each subsequent fiscal year until reaching a service charge rate as provided in chapter 48 for each equivalent service unit in 2020-2021, the service charge rate shall then remain fixed as provided in chapter 48 per equivalent service unit until further

provide for it to be consumed by evaporation, infiltration into the immediate soil or other natural means.

Stormwater drainage system means any facility, structure, improvement, development, equipment, property or interest therein, or other structural or nonstructural element made, constructed, used or acquired for the purpose of collecting, containing, storing, conveying and controlling stormwater wherever located, including, but not limited to, storm sewers, curbs, street drains, conduits, natural and manmade channels, pipes, culverts and detention ponds whether public or private.

Stormwater management program or *program* means an overall strategy and framework for the stormwater management activities of the city.

Stormwater runoff means that portion of the rainfall that is drained into the stormwater drainage system.

Undeveloped real estate means real estate that is unaltered with the construction or addition of any impervious surface which would change or affect the hydrology of the property from its natural state.

User means the occupant, the owner of the real estate, the owner of any impervious surface or improvement and/or other person or entity benefiting from the stormwater drainage system and facilities.

(Code 1993, § 106-402; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-429. Stormwater program manager.

The program manager shall exercise all lawful powers necessary and appropriate to administer the city's stormwater management program. The manager shall have the authority to:

(1) Develop and administer all phases of a comprehensive program of stormwater management.

(2) Administer the regulations contained in the NPDES permit and in this article.

(3) Perform studies, tests and analyses required to establish or modify the stormwater management program.

(4) Provide for public information and awareness that would improve management and reduce pollution and hazards to life and property.

(5) Coordinate enforcement of the regulations contained in this article with other city departments.

(6) Provide an exchange of information between the public and city employees and officers on flooding and stormwater drainage problems in the city.

(7) Recommend to the city manager and the city council a comprehensive stormwater management program.

(8) Recommend from time to time to the city manager and the city council policies for establishing new kinds of stormwater drainage services, preserving and expanding existing service and making changes in service for the benefit of the public.

(Code 1993, § 106-403; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-430. Inspection.

The program manager shall have the right to inspect any on-site detention or retention facility at any time to determine if it is in compliance with the approved design and is capable of functioning properly. The program manager shall have the right to inspect any property within the city to determine the source, quantity, quality or flow rate of stormwater and to determine the source and nature of pollutants, hazards and/or activities creating or promoting same.

(Code 1993, § 106-404; Ord. No. 2321, § 1, 4-28-2009)

manager or the manager's representatives. For purposes of this article, the term "land disturbing activity" is defined as follows:

Land disturbing activity is any land change which may result in soil erosion from water and wind and the movement of sediments into community waters or onto lands and roadways within the community, including, but not limited to, clearing, dredging, grading, excavating, transporting, stockpiling, mining, and filling of land, except that the term "land disturbing activity" shall not include the following:

(1) Such minor land disturbing activities as home gardens and individual home landscaping, home repairs, home maintenance work, and other related activities which result in minor soil erosion.

(2) The construction of single-family residences when built separately on lots of less than one acre not within a subdivision or which have been recorded in the office of stormwater quality management and have been issued building permits, provided that excavation is limited to trenches for the foundation, basements, service and sewer connections, and minor grading for driveways, yard areas and sidewalks, with no offsite discharge of pollutants.

(3) Individual service and sewer connections for single- or two-family residences.

(4) Agricultural practices involving the establishment, cultivation or harvesting of products of the field or orchard, preparing and planting of pasture land, forestry land management practices, including harvesting, farm ponds, dairy operations, and livestock and poultry management practices, and the construction of farm buildings.

(5) Any project carried out under the technical supervision of the Soil Conservation Service of the United States Department of Agriculture.

(6) Installation, maintenance and repair of any underground public utility lines when such activity occurs on an existing hard-surface road, street or sidewalk, provided the activity maintains pollution control and is confined to the area of the road, street or sidewalk which is hard-surfaced and a street, curb, gutter, or sidewalk permit has been obtained; and

(7) Construction, repair or rebuilding of tracks of a railroad company.

These activities may be undertaken without a permit; however, the persons conducting these excluded activities shall remain responsible for otherwise conducting those activities in accordance with the provisions of this article and other applicable laws including responsibility for controlling sedimentations and runoff.

(b) *Practices for land disturbing activities.* The minimum standards for controlling erosion and sedimentation from land disturbing activities shall be set forth in the "Best Management Practices Manual" as adopted and amended from time to time by resolution approved by the city council. (Code 1993, § 106-408; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-435. Land disturbing permit.

No person shall conduct, allow, or permit land disturbing activity, whether temporary or permanent, on any premises within the city until a land disturbing permit has been issued by the manager allowing such activity pursuant to the provisions of this article. Such permit shall be available for inspection by the manager or a manager's representative on the job site at all times during which land disturbing activities are in progress. Such

ducted so as to minimize erosion. Clearing and grubbing must be held to the minimum necessary for grading and equipment operation. Preconstruction vegetative ground cover shall not be destroyed, removed or disturbed more than 20 calendar days prior to grading or earth moving. Construction must be sequenced to minimize the exposure time of cleared surface area.

(2) Property owners shall be responsible, upon completion of land disturbing activities, for leaving slopes so that they will not erode. Such methods should include revegetation, sodding, mulching, rip-rapping, or guniting. Regardless of the method used, the objective will be to leave the site erosion-free and maintenance-free as practicable.

(3) Whenever feasible, natural vegetation shall be retained, protected, and supplemented.

(4) Permanent or temporary soil stabilization must be applied to disturbed areas to the extent feasible within seven days on areas that will remain unfinished for more than 14 calendar days. Permanent soil stabilization with perennial vegetation shall be applied as soon as practicable after final grading is reached on any portion of the site. Soil stabilization refers to measures which protect soil from the erosive forces of wind, raindrop impact, and flowing water, and includes the growing of grass, sod, application of straw, mulch, fabric mats, and the early application of gravel base on areas to be paved.

(5) A permanent vegetative cover shall be established on disturbed areas not otherwise permanently stabilized.

(6) To the extent necessary, sediment in runoff water must be trapped by the use of debris basins, sediment basins, silt traps or similar measures until the disturbed area is stabilized.

(7) Neighboring persons and property shall be protected from damage or loss resulting from excessive stormwater runoff, soil erosion or deposition upon property or public streets of water transported silt and debris. Adjacent property owners shall be protected from land devaluation due to exposed bare banks.

(8) Controlled construction entrances/exits shall be maintained in a condition that will prevent tracking or flowing of sediment onto the public right-of-way.

(9) Erosion and sediment control measures must be in place and functional before earth moving operations begin and must be constructed and maintained throughout the construction period. Temporary measures may be removed at the beginning of the workday, but must be replaced at the end of the workday.

(10) Structural controls shall be designed and maintained as required to prevent pollution.

(11) Surface water flowing toward the construction area shall, to the extent practicable, be diverted by using berms, channels or sediment traps as necessary. Erosion and sediment control measures shall be designed according to the size and slope of sediment basins and traps must be through a pipe or lined channel so that the discharge does not cause erosion. Muddy water to be pumped from excavation and work areas must be held in settling basins or treated by filtration prior to its discharge into surface waters where practicable. Waters must be discharged through a

e. Control the discharge of spills and the dumping or disposal of materials other than stormwater (e.g., industrial and commercial waste, trash, motor vehicle fluids, leaf litter, grass clippings, animal waste, etc.) into the MS4 and provide technical support for hazmat response.

f. Administer programs to identify and control pollutants from the transportation, storage, treatment, and disposal of hazardous wastes.

g. Provide assistance to the water and wastewater utilities division regarding the protection of drinking water and surface water bodies, which are a source of the city's drinking water.

h. Provide assistance to the solid waste division regarding the collection, transportation and disposal of solid waste and compliance with NPDES MS4 permit requirements.

i. Monitor the city's compliance with all federal, state and local laws; except that:

1. Administering the city's compliance with state and federal laws relating to the production and distribution of drinking water is the responsibility of the utilities department.

2. Administering the city's compliance with state and federal laws relating to the operation of the city's landfill programs is the responsibility of the division of solid waste management.

3. Administering the city's compliance with state and federal laws relating to risk management and safety operations training programs is the responsibility of the division of human resources.

(2) With respect to enforcement, the manager and his authorized representatives may do the following:

a. Investigate violations of and enforce those aspects of the Clean Water Act which are within the authority of local governments.

b. Investigate violations of and enforce this article.

c. Investigate violations of and enforce those provisions that relate to hazardous substances and spills, although primary enforcement will remain with the fire department.

d. Investigate all other violations of and enforce environmental laws within the city and within the city's extended jurisdiction.

e. Perform other environmental activities as may be required to ensure compliance of environmental regulations by city departments and others within the city.

(3) With respect to other programs, the manager and his authorized representatives may do the following:

a. Monitor and coordinate with other city departments on the city's response to releases of hazardous substances.

b. Review and assess the environment hazards of real property involved in city land transactions.

c. Monitor the use of city rights-of-way, property, and easement by person with use agreements for environmental monitoring.

ted by applicable law, the manager shall not release information which is designated as confidential information by the manager. Should the owner or his representative contend certain information to be confidential which has not been so determined or deemed by the manager, then the owner shall be obligated to seek a declaratory judgment to so protect the alleged confidential information.
(Code 1993, § 106-416; Ord. No. 2321, § 1, 4-28-2009)

Secs. 106-465—106-481. Reserved.

DIVISION 3. ENFORCEMENT AND ABATEMENT

Sec. 106-482. Unauthorized discharge a public nuisance.

No person shall conduct, allow or permit the discharge of stormwater in any manner in violation of this article or of any condition of a permit issued pursuant to this article or a stormwater discharge permit issued by the state. Such discharge is hereby declared a public nuisance and must be corrected or abated by any owner and by any operator.
(Code 1993, § 106-417; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-483. Illicit discharge and illegal dumping.

No person shall conduct, allow, or permit the direct or indirect discharge of any material other than stormwater into the MS4, the community waters or waters of the state. The following direct or indirect discharges are examples of prohibited discharges:

(1) Sewage dumping or dumping of sewage sludge.

(2) Discharge of any polluted household wastewater, such as, but not limited to, laundry wash water and dishwater, except to a sanitary sewer or septic system.

(3) Leaking sanitary sewers and connections.

(4) Leaking water lines.

(5) Commercial, industrial or non-exempt public vehicle wash or power wash discharge and commercial, industrial or non-exempt cosmetic cleaning.

(6) Garbage, rubbish, or sanitary waste disposal.

(7) Dead animals or animal fecal waste.

(8) Nonstormwater discharges, except pursuant to a permit issued by the state and the city.

(9) Dredged or spoil material.

(10) Solid waste and commercial or industrial process byproducts.

(11) Chemical waste.

(Code 1993, § 106-418; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-484. Prohibition of pollutant discharge not covered by the NPDES program.

(a) A permit is a license to conduct an activity, which is regulated by the Clean Water Act, the Water Pollution Control Act, or this article.

(b) Every person who is or who is planning to carry out any of the activities requiring a permit shall obtain such a permit prior to carrying out such activities.

(c) It shall be unlawful for any person to carry out any of the following activities, except in accordance with the conditions of a valid permit:

(1) The alteration of the physical, chemical, radiological, biological, or bacteriological properties of any of waters of the state or community waters.

a plan for the satisfactory correction and prevention thereof, to include specific required action, shall be submitted to the manager. Submission of this plan in no way relieves the discharger of liability or criminal prosecution for any violations occurring before or after receipt of the notice of violation.

(b) *Consent orders.* The manager is hereby empowered to enter into consent orders, assurance of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the compliance and for the noncompliance. Such orders will include specific action to be taken by the discharger, operator and owner to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as administrative orders issued pursuant to subsection (d) of this section.

(c) *Show-cause hearing.* The manager may order any person who causes or contributes to violation of this article or stormwater permit or order issued hereunder, to show cause why a proposed enforcement action should not be taken. Notice shall be served specifying the time and place for the meeting, the proposed enforcement action and the reasons for such action, and a request that the violator show cause why this proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) within ten calendar days prior to the hearing. Such notice may be served on any individual or the individual or the principal executive, general partner or manager of any legal entity or person of legal age at the office or business address of the permittee.

(d) *Compliance order.* When the manager finds that any person has violated or continues to violate directing that, following a specified time period, adequate structures or devices be installed or procedures implemented and properly operated, supervised and administrated. Orders may also contain such other requirements as might be reasonably necessary and appropriate to address the noncompliance, including the construction of appropriate structures, installation of devised, self-monitoring, and best management practices.

(e) *Cease-and-desist orders.* Notwithstanding any other notice, order or administrative process provided by this section, when the manager finds that any person has violated or continues to violate this article or any permit or order issued hereunder, and also finds that such violation may cause an impairment of water quality or that a permit is required and has not been issued, the manager may issue an order to cease and desist all such violations and direct those persons in noncompliance to:

(1) Comply forthwith; or

(2) Take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations or terminating the discharge or both.

(f) *Appeal.* A person receiving an order may file a written notice of appeal with the manager who issued it, no later than the tenth calendar day after receipt of the order. Such notice shall include an explanation as to why the person believes the enforcement action should not be taken. A person receiving a cease and desist order may file a written notice of appeal with the manager who issued it and obtain relief from such order upon a showing that the alleged violation will not cause an impairment of water quality or that a permit is not required. A hearing on the appeal will be scheduled within a reasonable time after receipt of the notice of appeal and the required explanation. All notices of appeal shall be signed by the owner or operator of the premises or activities in controversy, and shall include name and address of the person filing the notice of appeal. Notice of hear-

Sec. 106-489. Reconsideration.

Any person subject to a denial of a permit issued under this article, a compliance order, a stop-work order, an emergency suspension of utility service or any other enforcement action in this chapter which allows for reconsideration and hearing under this article may petition the manager who took such action to reconsider the basis for the action. In order for the petition to be reconsidered it shall be filed with such manager no later than the tenth calendar day after receipt of the notice/order.

(1) Failure to submit a timely written petition for reconsideration shall be deemed to be a waiver of any further right to administrative reconsideration or review of the action.

(2) In its petition, the petitioner shall indicate the action objected to and the reasons for the objections, any facts that are contested, the evidence that supports the petitioner's view of the facts, any alternative terms of an order that the petitioner would accept, whether the petitioner requests a hearing on its petition and the address where notice of hearing will be received and accepted.

(3) The effect of a compliance order to stop work shall be stayed pending the manager's reconsideration of the petition, and any hearing thereon, unless the manager shall expressly make a written determination to the contrary. The effect of an emergency suspension of utilities shall not be stayed pending the manager's reconsideration or any hearing, unless the manager expressly, and in writing, stays the emergency order.

(4) Within a reasonable time of the submittal of a petition for reconsideration, the manager shall either grant the petition and withdraw or modify the order or modify or grant the permit accordingly; deny the petition if no material issue of fact is raised; or if a hearing has been requested and/or material issue of fact has been raised, set a hearing on the petition.

(Code 1993, § 106-424; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-490. Hearings.

(a) The manager may also set a hearing if the manager determines that a show cause hearing should be conducted, if grounds exist to revoke or suspend a permit issued under this chapter or if grounds exist to terminate utilities on a non-emergency basis.

(b) Written notice of the hearing shall be served on a petitioner/violator at least ten calendar days prior to the hearing. Notice shall be served in person or by fax or mail, return receipt requested.

(c) Notices shall specify the date, time and place of the hearing.

(d) Notice that is mailed shall be deemed received five calendar days after it is placed in a mail receptacle of the United State Postal Service.

(e) No decision may be rendered at a hearing by reason of the petitioner/violator's failure to appear unless proof of service is shown.

(f) For purposes of this section, a manager shall be empowered to administer oaths and to promulgate procedural rules for the conduct of the hearing.

(g) Whenever any deadline specified in this section falls upon a Saturday, Sunday, or a city-recognized holiday, the deadline shall be the next regular city business day.

(h) The date of an order or ruling required to be made under this section shall be deemed to be the date it is signed.

(c) The application shall include a description and the vehicle license registration number of each vehicle to be registered under the permit. All motor vehicles and trailers used to transport cosmetic cleaning rigs shall be registered. However, a motor vehicle which is used to tow a trailer registered with the manager and which is not used to transport a cosmetic cleaning rig itself, shall not be required to be registered.

(d) Any applicant who utilized wash water recycling units shall list all sanitary sewer discharge locations and other disposal sites the applicant intends to use.

(e) An industrial pretreatment permit may also be required.
(Code 1993, § 106-428; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-523. Issuance of permit and registration certificates.

(a) The manager may issue a permit and registration certificates after the applicant pays all applicable fees as provided in chapter 48, unless the manager has cause to deny such permit, as specified in section 106-524(16). The manager shall provide for procedures to add registered vehicles to a permit during its term.

(b) A permit shall be valid for one year from the date of its issuance, unless suspended or revoked. Registration certificates shall be valid for the term of the permit.

(c) Neither a permit nor a registration certificate shall be transferable.

(d) The city shall set an annual fee for a permit and each registration certificate issued under this division.

(e) The manager will issue a registration number to each vehicle registered under a permit, and listed on the permit. A registration number is not transferable.

(f) The manager will issue a registration certificate for each vehicle registered under a permit. The certificate shall be of a size and design determined by the manager.
(Code 1993, § 106-429; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-524. Permit conditions.

As a condition of receiving and maintaining a permit under this division, a permit holder shall comply with the following:

(1) A permit holder shall immediately notify the manager of any management changes in the business during the time the permit is in effect.

(2) A permit holder shall submit samples of wash water and/or wastewater to the manager or to an authorized representative immediately upon their demand.

(3) A permit holder who utilizes wash water recycling units shall:

a. Notify the manager in writing of all changes in disposal sites it wants to use during the permit period.

b. Discharge wash water into the sanitary sewer only at those sites listed in its permit application and its notices.

c. Before the end of each permit period; test or cause to be tested a certified representative sample of its recycled wash water against the discharge limits set by industrial waste.

(4) A permit holder shall immediately notify the manager when it sells or otherwise disposes of a vehicle registered under its program.

(5) A permit holder shall ensure that all of its employees engaged in mobile commercial cosmetic cleaning are knowledgeable of

(19) A permit may also be suspended or revoked under the procedures of this article.

(Code 1993, § 106-430; Ord. No. 2321, § 1, 4-28-2009)

Sec. 106-525. Landscape maintenance.

No person shall dump, spill, leak, pump, pour, emit, discharge, leach, dispose or otherwise introduce or cause, allow or permit to be introduced any substance into the MS4 (municipal separate storm sewer system) other than stormwater, including, without limitation, the following common substances:

(1) Garbage;

(2) Rubbish;

(3) Yard waste;

(4) Sediment; or

(5) Floatable materials.

(Code 1993, § 106-431; Ord. No. 2321, § 1, 4-28-2009)

Secs. 106-526—106-555. Reserved.

ARTICLE VI. REGULATION OF UTILITY LINES AND POLES

Sec. 106-556. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affiliate means a person that directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person.

Depth means the top of the utility line below existing ground grade.

Excavate means to dig into, around or under, or in any way remove or physically disturb or penetrate any part of the rights-of-way, including but not limited to boring, blasting, pushing and drilling holes for the installation of poles or conduit.

Facility or *facilities* means all or any part of a collective system of tangible things, including but not limited to pipelines, conduits, copper or fiber optic cabling, pedestals, guy wires, anchors, vaults, junction boxes, utility poles and electrical wiring, that is partly or entirely located in the rights-of-way and is used for the transmission of goods or services, including but not limited to natural gas, steam, chilled or potable water, electricity, video service or telecommunications service, regardless of whether the services are provided for a fee, or provided to the general public, to a limited group of private users, or solely for the benefit of the owner of the system.

Permittee means any person to whom a ROW construction permit has been issued.

Person means any natural or corporate person, business association or other business entity, including but not limited to a partnership, a sole proprietorship, a political subdivision, a public or private agency or authority of any kind, a utility, a successor or assign of any of the foregoing or any other legal entity, but not the city.

Right-of-way means the area within the jurisdiction of the city that is on, below, or above a public roadway, highway, street, sidewalk, alley or similar property or a public easement that authorizes the placement sought by the provider, but does not include a state highway or other areas that are not within the legal jurisdiction, ownership or control of the city.

Right-of-way construction permit or *ROW construction permit* means an authorization to excavate in or obstruct rights-of-way at a specific place and time, for the purposes of installing, constructing or maintaining facilities within a specified portion of rights-of-way.

so as to obstruct, block, obscure or otherwise interfere with any traffic-control device, fire hydrant, wheelchair ramp or other safety device. Locations with existing or potential traffic signals shall have the overhead vehicle signal face display zones kept clear from wires and cables below a height of 22 feet above the pavement grade. Power lines which require a ten-foot separation from other facilities shall be suspended no lower that 32 feet above the pavement grade around intersections with existing or potential traffic signals. This minimum clearance shall not be violated by sagging due to cable elongation.

(m) No facilities equipment, including poles and guy wires, shall be placed so as to obstruct the flow of pedestrian traffic, and in no case result in less than four feet of clear sidewalk.

(Ord. No. 2582, § 1, 10-25-2016; Ord. No. 2664, § 1, 8-27-2019; Ord. No. 2711, § 1, 3-23-2021)

Sec. 106-558. Construction standards.

(a) *Backfilling/testing*. Excavations shall be promptly backfilled according to standards on file with the public works director or city manager's designee and the earth shall be restored to original grade to assure no hazard to vehicular, animal or pedestrian traffic.

(b) *Replacement*. The replacement of any sidewalk, any driving surface and the base of any roadway shall comply with public works engineering standards, pursuant to engineering plans on file with the public works department and may require additional removal to the nearest joint in all directions.

(c) *Trenching*. A permittee shall not proceed with additional trench work without the approval of public works director or city manager's designee.

(d) *Crossings*. All underground crossings of paved roadways, stormwater, creek channels or railroads shall be made by a bore method approved by the public works director or city manager's designee. Voids and all holes shall be properly grouted. Crossings shall be at approximately right angles to the roadway and in no case shall any facility be placed in any culvert or drainage pipe or within four feet of a culvert or storm sewer.

(e) *Erosion*. Erosion prevention measures shall be incorporated into all work within the public way as described by the stormwater utility program. All gutters, ditches and other drainage features shall be maintained free and unobstructed of sediment, dirt and debris. The handling, grading, excavating or moving of excess construction materials or the movement or cleaning of construction vehicles or equipment shall be conducted in such a manner that materials and washout will not be deposited into catch basins, gutters, ditches or areas where runoff may carry materials into any public or private stormwater system. Routine constructions inspections must be conducted once every 14 calendar days and within 24 hours of the end of a storm event of one-half inches or greater of water or discharge generated by snow melt.

(f) *Vehicle and construction equipment identification.* All vehicles and construction equipment used, parked or stored by or on behalf of a ROW permittee within a permitted construction zone shall be clearly marked, providing the name of the facility's owner, the permittee, the contractor or subcontractor. Any unmarked vehicles shall be subject to all moving and parking ordinances.

(g) *Permit*. A current rights-of-way construction permit shall be maintained on each work site. The rights-of-way construction permit shall be presented upon request to any city representative.

(h) *Due care.* A ROW permittee shall at all times employ due care during the installation and maintenance process and use commonly accepted

(c) Payment of a permit application fee and all other fees required as set forth in chapter 48 shall be paid, with exception to providers that have a franchise agreement authorizing those utilities to occupy the city's rights-of-way, and any invoiced cost, loss, damage or expense suffered by the city as a result of the applicant's prior construction activity, including but not limited to any emergency action taken by the city; and

(d) Work taking place within Oklahoma Department Of Transportation (ODOT) or Railroad rights-of-way will be subject to all necessary permitting and scope-of-work approval by the occupying authority. All ROW occupant requirements shall accompany city permit applications.

(e) Dates of the construction activity, the proposed start and stop times and any proposal to temporarily reopen any roadway; and

(f) The names of any known subcontractors working on the proposed project under the applicant's responsibility and authority; and

(g) A certificate of adequate liability insurance coverage, of applicant and subcontractors with limits of liability to conform to the limits of the city's statutory liability as provided in 51 O.S. 2001, § 154, as amended; and

(h) A traffic control plan in accordance with the uniform manual of traffic control devices for blockage of any traveling lane in any rights-of way or public way for any period of time; and

(i) A list of the applicant's emergency providers, including name of company, local contact person, mailing and e-mail address, 24-hour emergency phone number and fax number. This information shall be kept current by written notice to the public works director or city manager's designee; and

(j) A land disturbing permit for any earth change or excavation and/or construction; and

(k) A storm water pollution prevention plan (SWPP) when the total project area covers an acre or more of land or disturbs an area less than one acre but is part of a common plan of development that will ultimately disturb greater than one acre; and

(l) For all projects and those that require boring under rights-of-way or public way, or the cutting of any pavement in a public way, or involve the installation of an additional transmission pole, the following may be required:

(1) *Detailed engineering plans.* The plans shall show the location and area of the proposed project, the locations of all existing and proposed equipment and facilities, the height and/or depth of the proposed equipment and existing facilities and the spatial relationship with any adjacent infrastructure, rights-of-way line, easement, utility and/or other physical features. The plans shall be prepared under the direction of and signed by a registered professional engineer, and shall meet the size and scale as set forth in the department of public works' standard design criteria manual; and

(2) A copy of the engineering plans in an electronic format acceptable to the public works director or city manager's designee; and

(b) Size of the obstruction and work area less any normal traffic control in advance; and

(c) Applicant's company name; and

(d) Facility owner's name; and

(e) Local contact information; and

(f) General description of the type of construction activity and/or facilities installed.

(Ord. No. 2711, § 1, 3-23-2021)

Sec. 106-566. Enforcement.

(a) *Remedies for violations.* If a ROW permittee violates any provision of this chapter, the city manager or designee thereof may, after providing notice to the ROW permittee at the address provided in the ROW permit and a hearing in which the ROW permittee may appear and be heard, take one or more of the following actions:

(1) Impose liquidated damages in the amount, if any, provided in the rights-of-way construction permit, whether per day, incident or other measure of violation. Payment of liquidated damages by the ROW permittee does not relieve the ROW permittee of its obligation to meet the requirements of this chapter;

(2) Impose penalties pursuant to section 1-9;

(3) Reduce the duration of the rights-of-way construction permit on any basis the city determines is reasonable and affords the ROW permittee reasonable due process; and/or

(4) Revoke the rights-of-way construction permit pursuant to its terms or applicable law.

(b) In determining which remedy or remedies are appropriate under subsection 160-566(a), the city manager or designee shall consider the nature of the violation, the person or persons bearing the impact of the violation, the nature of the remedy required in order to prevent further violations and any other matters the city manager or designee determines are appropriate. In addition to or instead of these remedies, the city may seek legal or equitable relief from any court of competent jurisdiction.

(c) Before initiating a remedy under this section, other than revocation of the rights-of-way construction permit, the city shall give the ROW permittee written notice of the violations claimed and at least ten days to correct the violations.

(Ord. No. 2711, § 1, 3-23-2021)

Sec. 106-567. Penalties.

The city shall have the authority to assess penalties against a ROW permittee for failure to comply with the terms of its rights-of-way construction permit or any other portions of this chapter. Any such assessment must be provided to the ROW permittee in writing with a notice of violation and provide for a reasonable opportunity to cure the violation, provided that the violation is not a result of inclement weather. If the ROW permittee fails to remedy the deficiency by the end of the ten-day period provided in subsection 106-566(c), the penalty amounts shall begin to accrue and shall continue to accrue until the date that the deficiency is corrected.

(a) For failure to supply information, reports or filings required under the terms of ROW construction permit or applicable law or by the city: $500.00 a day for each violation for each day the violation continues;

(b) For failure to restore or repair damages to private property or city facilities: $200.00 per day, in addition to the cost of the restoration;

(c) For any other violations of the City Code, rights-of-way construction permit or other

Legislation	Date	Section		Section this Code
Ord. No. 2752	5-10-2022	1	Rpld	ch. 98, art. VI, 98-181—98-190
Ord. No. 2753	5-10-2022	1		94-177
Ord. No. 2755	5-24-2022	1		82-150
		2	Added	82-155
Ord. No. 2757	6-14-2022	1	Added	ch. 98, art. VI, 98-181—98-187
Ord. No. 2762	8- 9-2022	1		94-91
Ord. No. 2764	9-27-2022	1	Added	106-427(f)
Ord. No. 2765	10-11-2022	2	Added	2-342(a)(4)
		3		2-343
		4		2-344(c)
			Added	2-344(d), (e)
Ord. No. 2769	1-10-2023	1		82-81—82-86
Ord. No. 2771	1-10-2023	1		14-1
Ord. No. 2773	2-14-2023	1		30-32
Ord. No. 2775	4-25-2023	1		2-380
Ord. No. 2777	5- 9-2023	1		14-30
Ord. No. 2778	5- 9-2023	1		98-112
Ord. No. 2787	10-24-2023	1		38-2
		2		Ch. 48, § 38-2
Ord. No. 2788	10-24-2023	1		46-31(1)
Ord. No. 2790	11-28-2023	1		30-32
Ord. No. 2791	11-28-2023	1		62-260(d)
				62-261(d)
				62-262(d)
				62-264(d)
				62-303
Ord. No. 2792	12-12-2023	1	Add	66-28
Ord. No. 2794	12-26-2023	1		14-30
Ord. No. 2795	1- 9-2024	1		98-113
		1		98-115—98-118
		1	Rpld	98-121
		1	Rpld	98-123, 98-124
		1		98-125
				98-129
Ord. No. 2796	1-23-2024	2		2-342
		3		2-343
Ord. No. 2799	2-27-2024	1		62-97
Ord. No. 2801	4- 9-2024	1	Added	Ch. 48, § 102-265
		2		94-1—94-3
		3		102-265
				102-301—102-308
Ord. No. 2803	4- 9-2024	1	Rpld	98-241—98-250
Ord. No. 2804	4- 9-2024	1		10-79
Ord. No. 2807	5-14-2024	1		18-58
				18-234
				18-344
				18-370
Ord. No. 2809	5-28-2024	1		50-51

Section

A

ABANDONMENT
Animals
Care and control regulations
Abandoning or dumping domestic animals in public place or on property of another 10-81
Aviation
Airport zoning
Permits
Nonconforming uses abandoned or destroyed .... 14-61(c)
Health and public welfare
Open storage of abandoned or unattended vehicles, refrigerators, building material, etc..... 54-2
Telecommunications
Small wireless facilities
Abandonment of facilities.... 100-89
Towers and antennas
Permit conditions..... 100-58(a)

ABATEMENT
Offenses and nuisances ..... 82-125 et seq.

See: OFFENSES AND NUISANCES
Stormwater utility program ..... 106-482 et seq.

See: STORMWATER UTILITY PROGRAM

ABUSE OR NEGLECT
Animals
Administration and enforcement
Authority of police to take possession of animals kept in cruel manner..... 10-26
Offenses and nuisances
Display of insulting or abusive signs, flags, etc..... 82-4

Section

ABUSE OR NEGLECT (Cont'd.)
Juveniles
Temporary detention and custody of children subject to compulsory attendance law and neglect or refusal to compel child to attend school; exceptions; enforcement..... 82-102
Traffic and vehicles
Careless driving 102-12

ACCESS
Certain ordinances not affected by Code 1-13
Land development, planning, zoning and subdivisions ..... 62-271 et seq.

See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Manufactured and mobile homes
Trailer camps
Designation of and access driveways for units 74-28
Stormwater advisory committee
Access to records and additional materials 2-335
Tobacco
Display or sale of tobacco products; public access; fines.... 82-86

ACCESSORY BUILDINGS, STRUCTURES OR USES
Land development, planning, zoning and subdivisions
Flood hazard overlay district
Flood hazard reduction
Specific standards..... 62-396(6)
Off-street parking and loading
Access to street or alley; parking space deemed required open space 62-432

	Section
AGENT OR OPERATOR	
Boats and boating	
Operator and passengers shall not drink, nor be under influence of, intoxicating beverages	86-161
Fire department	
Considered agent of state, fire department answering calls outside corporate limits; liability for damages	50-31
AGREEMENTS. See: CONTRACTS AND AGREEMENTS	
AGRICULTURE	
Land development, planning, zoning and subdivisions	
A-1 agricultural district	62-269
Zoning districts and district regulations	
Districts established	62-217(6)
Municipal airport	
Standards for specific aeronautical activities	
Crop dusting and spraying	14-28(f)
AIR CONDITIONING. See: HEATING, VENTILATION AND AIR CONDITIONING	
AIRPORTS AND AIRCRAFT. See: AVIATION	
ALARM SYSTEMS	
Definitions	38-121
License, false alarm fees; penalties	38-123
Purpose	38-120
Registration requirements; alarm business	38-122
ALCOHOLIC AND NONINTOXICATING BEVERAGES	
Age	
ALCOHOLIC AND NONINTOXICATING BEVERAGES (Cont'd.)	
Alcoholic beverages	
Misrepresentation of age by minors	6-29
Nonintoxicating beverages. See herein that subject	
Alcoholic beverages	
Advertising of sale	6-26
Consume, harbor or possess	
Package stores	
Beverages shall not be consumed nor containers opened in store	6-59
Permitting or allowing gatherings where minors are consuming alcoholic beverages	6-31
Unlawful manufacture, sale, possession, etc.	6-24
Definitions	6-23
Generally	6-23(a)
Specific terms	6-23(b)
Employment of minors	6-28
Minors	
Employment of minors	6-28
Minors, sale or delivery to	6-27
Misrepresentation of age by minors	6-29
Package stores	
Minors not permitted	6-60
Permitting or allowing gatherings where minors are consuming alcoholic beverages	6-31
Minors, sale or delivery to	6-27
Misrepresentation of age by minors	6-29
Must comply with zoning ordinance, package stores, wholesalers, etc.	6-25

	Section
erages	86-161
Skiing on Lake McAlester	
Skiers shall not drink or be under influence of intoxicating beverages	86-207
Consume, harbor or possess	
Alcoholic beverages. See herein that subject	
Nonintoxicating beverages	
Person under 21 years of age prohibited from consuming nonintoxicating beverage and from entering or remaining in bar area	6-121
Food and food services	
Permitting intoxicated persons in restaurants, places of recreation, etc.	6-2
Licenses and permits	
Beverage gardens	
Permit, beverage garden	6-192
Violations and revocation	6-195
Sidewalk cafés	
Permit; sidewalk café	6-157
Violations and revocation	6-160
Minors	
Alcoholic beverages. See herein that subject	
Nonintoxicating beverages	
Employment of person under 18 years of age in place where sold or dispensed	6-120
Nonintoxicating beverages	
Age	
Employment of person under 18 years of age in place where sold or dispensed	6-120
Person under 21 years of age prohibited from consuming nonintoxicating beverage and from entering or remaining in bar area	6-121

ALCOHOLIC AND NONINTOXICATING BEVERAGES (Cont'd.)	Section
Sale, barter or gift to person under 21 years of age	6-119
Conduct of sales premises	6-116
Definitions	6-114
Employment of person under 18 years of age in place where sold or dispensed	6-120
Intoxicated persons, sale to; permitting intoxicated persons on sales premises	6-122
Obstruction of windows in sales premises; illumination of sales premises	6-117
Person under 21 years of age prohibited from consuming nonintoxicating beverage and from entering or remaining in bar area	6-121
Prohibited during certain hours, sales	6-118
Retail dealer's license	6-115
Sale, barter or gift to person under 21 years of age	6-119
Sales	
Conduct of sales premises	6-116
Employment of person under 18 years of age in place where sold or dispensed	6-120
Intoxicated persons, sale to; permitting intoxicated persons on sales premises	6-122
Obstruction of windows in sales premises; illumination of sales premises	6-117
Prohibited during certain hours, sales	6-118
Sale, barter or gift to person under 21 years of age	6-119

	Section
AMBULANCE SERVICE (Cont'd.)	
EMS standard operation guidelines	38-197
Hours of operation	38-198
Insurance required	38-187
Licenses and permits	
Application for ambulance service license and certificate of necessity	38-188
Drivers', attendants' and attendant/drivers' permits, application for	38-190
Standards for drivers', attendants', and attendant/drivers' permits	38-191
Officers and employees	
Authority of city manager	38-199
Drivers', attendants' and attendant/drivers' permits, application for	38-190
Duties of the driver	38-193
Standards for drivers', attendants', and attendant/drivers' permits	38-191
The attendant, duties of	38-192
Prohibition against refusal to transport	38-196
Rates and charges	38-189
Response time performance required	38-195
Sole source ambulance service within the city	38-186
Standards for drivers', attendants', and attendant/drivers' permits	38-191
The attendant, duties of	38-192
Violations and penalties	38-200
AMENDMENTS	
Amendments or additions to Code	1-11
Buildings and construction	
Building code	18-60
Electrical code	
Technical standards	
Amendments to electrical code	18-235
AMENDMENTS (Cont'd.)	
Certain ordinances not affected by Code	1-13
Land development, planning, zoning and subdivisions	62-157 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Taxation	98-33 et seq.
See: TAXATION	
AMERICANS WITH DISABILITIES ADVISORY BOARD	
Established	2-305
Expenditure; budget	2-310
Meetings	2-307
Purpose	2-306
Recommendations	2-309
Staff assistance	2-308
AMUSEMENTS	
Animals	
Care and control regulations	
Performing animal exhibitions	10-92
Using animals as prize or inducement	10-82
Hours of operation for pool, domino and amusement halls or parlors	22-73
Public dances	22-74
Shooting galleries	22-76
Sunday movies	22-75
ANCHORS, TIEDOWNS AND SUPPORTS	
Land development, planning, zoning and subdivisions	62-736 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
ANIMALS	
Administration and enforcement	
Authority of police to take possession of animals kept in cruel manner	10-26

	Section
ANIMALS (Cont'd.)	
Running at large	10-95
Striking with a motor vehicle	10-86
Traps	10-94
Using animals as prize or inducement	10-82
Confine or restrain	
Administration and enforcement	
Impoundment	
General custody or containment procedures	10-56
Care and control regulations	
Requirements for keeping a potentially vicious animal	
Confinement	10-93(a)
Leash and muzzle	10-93(b)
Dogs and cats	
Adequate shelter and space required; time restriction on tethering dogs	10-144
Female dogs and cats in season	10-143
Consume, harbor or possess	
Administration and enforcement	
Authority of police to take possession of animals kept in cruel manner	10-26
Dangerous or vicious animals	
Care and control regulations	
Keeping of wild animals, poisonous or dangerous reptiles prohibited; exception	10-90
Requirements for keeping a potentially vicious animal	10-93
Dogs and cats	
Determination of vicious dog	10-140
Definitions	10-1
Dogs and cats	
Adequate shelter and space required; time restriction on tethering dogs	10-144
Allowing dogs to urinate or defecate on public or private property	10-146
Determination of vicious dog	10-140
Dog park hours and use restrictions	10-139
Female dogs and cats in season.	10-143
Harassment of police dogs, guide dogs	10-147
Identification of dogs and cats	10-141
Licenses	10-148
Limitation on number of dogs and cats per physical location	10-142
Riding in motor vehicles, dogs and cats	10-145
Identification	
Care and control regulations	
Requirements for keeping a potentially vicious animal	
Electronic identification tag	10-93(g)
Identification photographs	10-93(f)
Dogs and cats	
Identification of dogs and cats	10-141
Manufactured and mobile homes	
Trailer camps	
Animals running at large	74-41
Parks, water activities and other recreation	
City watershed lakes	
Duck blinds	86-95
Solid waste	
Dead animals, removal of	106-326
ANNEX, DEANNEX	
Certain ordinances not affected by Code	1-13
Land development, planning, zoning and subdivisions	
Zoning districts and district regulations	62-219

	Section
APPOINTMENTS AND REMOVALS (Cont'd.)	
Local development act review committee	
Manner and term of appointment	2-279
Personnel board	
Removal, etc.; hearing before the personnel board	2-227
APPROPRIATIONS	
Certain ordinances not affected by Code	1-13
AREA	
Alcoholic and nonintoxicating beverages	
Nonintoxicating beverages	
Person under 21 years of age prohibited from consuming nonintoxicating beverage and from entering or remaining in bar area	6-121
Boats and boating	
Skiing on Lake McAlester	
Use of designated area required	86-199
Driveways	
Curb openings prohibited in certain areas	94-125
Finance	
Cost sharing policy for public works projects	
Paving of parking areas and existing, open alleys	2-441
Land development, planning, zoning and subdivisions	62-255 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Municipal airport	
Landing or taking off of aircraft prohibited except at approved airports or areas; landing area permits; flight regulations observed	14-31
Water supply system	
Excavations, trenching and backfilling	
Backfilling	
Placement and compaction	
Areas to be paved, beneath	106-152(c)(3)
Beneath unpaved areas and sidewalk	106-152(c)(2)
ASSEMBLIES	
Buildings and construction	
Electrical code	
Technical standards	
Special requirements for wiring in commercial buildings and places of public assembly	18-237
Emergency management and services	
Public order preservation	
Failure to disperse from scene of riot or unlawful assembly during emergency	38-86
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	
Places of public assembly	62-465
Streets, sidewalks and other public places	
Obstructing by crowds	94-2
ASSESSMENTS	
Certain ordinances not affected by Code	1-13
Sewers and sewage disposal	
Fats oils and grease (FOG) control program	
Penalties and assessments for noncompliance	106-315

	Section
AVIATION (Cont'd.)	
Transitional zones	14-57(3)
With a visibility minimum greater than three-fourths mile nonprecision instrument approach zone (RW-19), runway larger than utility	14-57(1)
Height limitations, airport zone	14-58
Excepted height limitations	14-58(b)
Generally	14-58(a)
Judicial review	14-65
Nonconforming uses	14-60
Marking and lighting	14-60(b)
Regulations not retroactive	14-60(a)
Penalty	14-56
Permits	14-61
Existing uses	14-61(b)
Future uses	14-61(a)
Nonconforming uses abandoned or destroyed	14-61(c)
Obstruction marking and lighting	14-61(e)
Variances	14-61(d)
Use restriction	14-59
Economic development	
Director; duties, airport division	2-176(2)
McAlester regional airport advisory board	14-1
Municipal airport	14-21 et seq.
See: MUNICIPAL AIRPORT	
AWNINGS. BALCONIES AND CANOPIES	
Land development, planning, zoning and subdivisions	62-912 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	

B

	Section
BARS AND CLUBS	
Alcoholic and nonintoxicating beverages	
Nonintoxicating beverages	
Person under 21 years of age prohibited from consuming nonintoxicating beverage and from entering or remaining in bar area	6-121
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	
Restaurants, bars and other similar eating and drinking establishments	62-464
BATHING OR SWIMMING	
Parks, water activities and other recreation	86-54 et seq.
See: PARKS, WATER ACTIVITIES AND OTHER RECREATION	
BEACHES AND SHORELINES	
Boats and boating	
Skiing on Lake McAlester	
Parking on or operating boat near ski beach	86-202
Required pattern; takeoffs from beach	86-200
BEER. See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
BICYCLES	
Bicycle lanes	
Applicability of traffic laws	102-256
Bicycle lane usage	102-259
Bicycle lanes and motor vehicles	102-260
Bicycle riding restrictions	102-258
Definitions	102-255

Section

BOARD OF ADJUSTMENT (Cont'd.)
Land development, planning, zoning and subdivisions ..... 62-93 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS

BOARD OF ETHICS
Officers and employees 2-79

BOARD OF HEALTH
Environment
McAlester water district
Rules, regulations of boards of health and health officers extended over district 46-27

BOARDS, COMMISSIONS AND COMMITTEES
Americans with disabilities advisory board..... 2-305 et seq.
See: AMERICANS WITH DISABILITIES ADVISORY BOARD
Aviation
Airport zoning
Board of adjustment..... 14-63
McAlester regional airport advisory board 14-1
Cemetery board ..... 26-48 et seq.
See: CEMETERY BOARD
Community advisory board
Board established 2-345
Board functions..... 2-347
Board procedures 2-346
Community relations commission 58-42 et seq.
See: COMMUNITY RELATIONS COMMISSION
Community tree board..... 2-248 et seq.
See: COMMUNITY TREE BOARD

Section

BOARDS, COMMISSIONS AND COMMITTEES (Cont'd.)
Emergency management and services
Organization and program, emergency management
Emergency management advisory committee 38-53
Environment
McAlester water district
Rules, regulations of boards of health and health officers extended over district 46-27
Fire prevention and protection
Fire code
Board of appeal created 50-56
Land development, planning, zoning and subdivisions ..... 62-57 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Library board..... 70-26 et seq.
See: LIBRARY BOARD
Local development act review committee ..... 2-277 et seq.
See: LOCAL DEVELOPMENT ACT REVIEW COMMITTEE
Local economic advancement and development committee ..... 2-341 et seq.
See: LOCAL ECONOMIC ADVANCEMENT AND DEVELOPMENT COMMITTEE
Mechanical code..... 18-373 et seq.
See: MECHANICAL CODE
Membership, terms, credentials and qualifications of the audit and finance advisory committee .. 2-206

	Section
BONDS, SURETY OR PERFORMANCE (Cont'd.)	
Mechanical code	
Mechanical contractors, journeymen and apprentices	
License	
Bond and insurance requirements	18-416
BOUNDARIES	
Alcoholic and nonintoxicating beverages	
Beverage gardens	
Boundaries and restrictions	6-193
Code and ordinances effective outside city on property owned or controlled by city	1-4
Elections	
Ward boundaries	34-2
Environment	
McAlester water district	
Authority of council to adopt additional rules, change boundaries of district	46-32
Fire department	50-28 et seq.
See: FIRE DEPARTMENT	
Manufactured and mobile homes	
Trailer camps	
Location of trailers with respect to other trailers, buildings and camp boundaries	74-30
BOWLING ALLEYS	
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	62-468
BRIDGES AND CULVERTS	
Finance	
Cost sharing policy for public works projects	
Storm drains and culverts	2-440
BRIDGES AND CULVERTS (Cont'd.)	
Rules of construction and definitions	1-2
BROKERS OR DEALERS	
Alcoholic and nonintoxicating beverages	
Nonintoxicating beverages	
Retail dealer's license	6-115
Businesses	
Used goods	
Pawnbrokers, junk and second-hand dealers shall not buy or receive property from minors	22-226
Fair housing	
Provision of brokerage services, discrimination in the	58-136
Precious metals dealers	22-153 et seq.
See: PRECIOUS METALS DEALERS	
BRUSH, GRASS AND WEEDS	
Streets, sidewalks and other public places	
Sidewalks	
Obstruction by trees or shrubs; grass on sidewalks and streets	94-91
BUDGET	
Americans with disabilities advisory board	
Expenditure; budget	2-310
Certain ordinances not affected by Code	1-13
BUFFERS	
Land development, planning, zoning and subdivisions	
Wade Watts corridor development	
Landscaping and screening	62-272(i)(3)

	Section
BUILDINGS AND CONSTRUCTION (Cont'd.)	
Special rulings by electrical inspector	18-114
Article does not affect liability for damages	18-84
Definitions	18-83
Electricians	
Apprentices	18-172
Registration	
Bond and insurance requirements for electrical contractors	18-202
Effect of issuance	18-201
Exceptions	18-199
Expiration and renewal	18-203
Required	18-198
Revocation	18-205
State licensure or certification required; fees	18-200
Transfer to or use by another	18-204
Inspections	
Administration and enforcement	
Electrical inspector's right of entry	18-113
Special rulings by electrical inspector	18-114
Permits and inspections. See within this subheading that subject	
Technical standards	
Trailer hookups; electrical inspection required	18-240
Licenses and permits	
Electricians	
Registration	
State licensure or certification required; fees.	18-200
Permits and inspections. See within this subheading that subject	

	Section
BUILDINGS AND CONSTRUCTION (Cont'd.)	
Permits and inspections	
Electrical inspections and permit fees	18-144
Commercial	18-144(2)
Remodeling/general inspection fees	18-144(3)
Required reinspection	18-144(4)
Residential	18-144(1)
General inspection and approval of new installations	18-143
Work permit	18-142
Technical standards	
Amendments to electrical code	18-235
Branch circuits; type C lamp cords prohibited in certain places	18-238
General equipment standards	18-236
Ground connections prohibited in certain locations	18-239
National Electrical Code adopted	18-234
Special requirements for wiring in commercial buildings and places of public assembly	18-237
Trailer hookups; electrical inspection required	18-240
Emergency management and services	
Fallout protection	
In public buildings	38-1(a)
Energy conservation code	
Adopted; construction	18-450
Fees, charges and service rates	
Building code	
Amendments	18-60(2)
Electrical code	
Electricians	
Registration	
State licensure or certification required; fees.	18-200

BUILDINGS AND CONSTRUCTION (Cont'd.)	Section
Minimum property maintenance standards for structures and buildings	
Applicability and scope	18-554
Basic facilities on residential properties	18-560
Dangerous structures	18-563
Definitions	18-558
Existing remedies	18-557
Exterior structure on residential properties	18-559
Pre-existing structures, buildings and modifications	18-555
Purpose	18-553
Retaliation	18-564
Rights of inspectors	18-561
Relief from personal responsibility	18-561(b)
Right of entry	18-561(a)
Short title	18-556
Violations	18-562
Notice of violation	18-562(b)
Penalties	18-562(c)
Unlawful acts	18-562(a)
Moving of buildings	
Appeals	18-471
Clearance, filling of original site	18-481
Compliance with other ordinances	18-472
Damage to city property, notice of	18-479
Definitions	18-469
Enforcement	18-470
Finance	
Payment of expenses and damages incurred by city	18-480
Permit. See within this subheading that subject	
Flagman or escort	18-477
Licenses and permits	
Mover's license	18-473

BUILDINGS AND CONSTRUCTION (Cont'd.)	Section
Permit. See within this subheading that subject	
Lights, barricades	18-478
Limitation on occupancy of streets	18-475
Mover's license	18-473
Notice in change of proposed time of move	18-476
Notice, notification	
Damage to city property, notice of	18-479
Notice in change of proposed time of move	18-476
Plugging of sewer at original site; notice regarding utility services	18-482
Payment of expenses and damages incurred by city	18-480
Permit	
Amount of city's estimated expenses, applicant to deposit	18-507
Applicant's general deposit, bond or insurance	18-506
Application, accompanying documents	18-504
Bonds, surety or performance	
Applicant's general deposit, bond or insurance	18-506
Deposit of money, bonds, etc., received under division	18-511
Fees; security bond and mileage charge	18-505
Denial	18-510
Deposit of money, bonds, etc., received under division	18-511
Fees; security bond and mileage charge	18-505

	Section
BUILDINGS AND CONSTRUCTION (Cont'd.)	
Dangerous buildings	
Duties of code administrator	18-531
Electrical code	
Administration and enforcement	
Relief from personal responsibility	18-112
Plumbing code	
Relief from personal responsibility	18-260
Regulation of utility lines and poles	106-558 et seq.
See: UTILITIES	
Rights	
Building code	
Rights of inspectors	18-61
Electrical code	
Administration and enforcement	
Electrical inspector's right of entry	18-113
Plumbing code	
Right of entry, plumbing inspector's	18-261
Sewers and sewage disposal	
Industrial use regulations	
Reconstruction of public sanitary sewers	106-301
Standard construction specifications	106-221
Solid waste	
Removal of waste material, construction debris	106-327
Standards and specifications	
Electrical code. See herein that subject	
Plumbing code	
Technical standards	
Plumbing code adopted	18-344
BUILDINGS AND CONSTRUCTION (Cont'd.)	
PVC plastic drain and vent pipe and fittings; PVC plastic water services	18-345
Streets, sidewalks and other public places	94-4 et seq.
See: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES	
Water supply system	
Lines, water supply and distribution	
Mains and connections	
Railroad crossing	106-187(d)
BUREAU OF FIRE PREVENTION	
Fire department	50-27
BURNING. See: OPEN BURNING	
BUSES, BUS STOPS	
Traffic and vehicles	102-149 et seq.
See: TRAFFIC AND VEHICLES	
BUSINESSES	
Alarm systems	
Registration requirements; alarm business	38-122
Alcoholic and nonintoxicating beverages	6-1 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
Amusements	22-73 et seq.
See: AMUSEMENTS	
Annual inspection fee and service charge for telephone companies	22-4
Buildings and construction	
Electrical code	

	Section
BUSINESSES (Cont'd.)	
Transferability	22-47
McAlester City Government Business Hours	2-1
Medical facilities	
Ambulatory surgical care facilities; permit and application requirements	22-249
Hospitals; permit and application requirements	22-248
Mobile food vendors	22-278 et seq.
See: MOBILE FOOD VENDORS	
Municipal airport	
Fees for aeronautical activities	
Temporary/transient commercial activities, fees for	14-30(d)
Peddlers and solicitors	22-96 et seq.
See: PEDDLERS AND SOLICITORS	
Precious metals dealers	22-153 et seq.
See: PRECIOUS METALS DEALERS	
Sales	
Consent required for sale of personal property on or in vacant property	22-5
Licenses generally	
Licensed retail sales of fireworks	22-43
Used goods	
Garage sales, other residential sales	22-225
Short weights and measures prohibited	22-2
Solid waste	106-361 et seq.
See: SOLID WASTE	

	Section
BUSINESSES (Cont'd.)	
Streets, sidewalks and other public places	
Drainage of water, other fluids from businesses onto streets or sidewalks	94-6
Taxation	
Sales tax	
Does not require city permit to do business in addition to state permit, article	98-35
Use tax	
Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits	98-76
Taxicabs	110-19 et seq.
See: TAXICABS	
Traffic and vehicles	
Pedestrians soliciting rides, business or donations from vehicle occupants	102-13
Tree trimmers must clean up after operations	22-6
Used goods	
Fencing requirements for junkyards, automobile salvage yards	22-227
Garage sales, other residential sales	22-225
Pawnbrokers, junk and second-hand dealers shall not buy or receive property from minors	22-226
Vehicles for hire	110-1 et seq.
See: VEHICLES FOR HIRE	

C

CABLE COMMUNICATIONS	
Offenses and nuisances	

	Section
CERTIFICATES, CERTIFICATION (Cont'd.)	
Land development, planning, zoning and subdivisions	62-127 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Mechanical code	
Annual license, permit and inspection fees	
Sales tax certificate; proof of insurance	18-371(b)
Sewers and sewage disposal	
Industrial use regulations	
Reporting requirements	
Certification and signatory requirements	106-293(g)
Wastewater discharge permit application	
Application signatories and certification	106-291(g)
Solid waste	
Landfill	
Procedures and fees for nonresident commercial haulers	
Certification of actual usage	106-397(c)
Stormwater utility program	
Supplemental permit classifications and requirements	
Issuance of permit and registration certificates	106-523
CHARGES, FEES AND RATES. See: FEES, CHARGES AND SERVICE RATES	
CHARITABLE ORGANIZATIONS	
Peddlers and solicitors	
Registration of peddlers and solicitors engaged in interstate commerce; charitable contributions; background checks	22-96
CHARTER	
Rules of construction and definitions	1-2
CHIEF OF POLICE	
Police department	
Department created; supervision by chief	66-26
CHIEF OF THE FIRE DEPARTMENT	
Fire department	
Established; function; chief	50-26
CHILDREN. See: MINORS	
CHURCHES	
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	
Religious institutions	62-469
CIGARETTES. See: TOBACCO	
CITATIONS. See: WRITS, WARRANTS AND OTHER LEGAL PROCESSES	
CITY	
Rules of construction and definitions	1-2
CITY CLERK	
Officers and employees	
Conflict of interest	
City clerk's duties and city manager's procedure for informal resolution of conflict of interest or potential conflict of interest	2-78(k)
CITY COUNCIL	
Cemetery board	
Advice, recommendations to council and manager	26-54

	Section
CITY COUNCIL (Cont'd.)	
Water supply system	
Water emergencies	
Appeals to council by persons aggrieved by proclamation	106-105
CITY ENGINEER	
Department of public works	
Created; director	2-152
CITY JUDGE	
Courts and jails	30-2 et seq.
See: COURTS AND JAILS	
CITY MANAGER	
Ambulance service	
Authority of city manager	38-199
Cemetery board	
Advice, recommendations to council and manager	26-54
City council	
City manager to attend council meetings	2-19
Manufactured and mobile homes	
Trailer camps	
License	
Favorable recommendation of city manager or favorable action by council prerequisite to issuance	74-61
Officers and employees	
Acting city manager	2-76
Conflict of interest	
City clerk's duties and city manager's procedure for informal resolution of conflict of interest or potential conflict of interest	2-78(k)
Traffic and vehicles	
Administration and enforcement	
Authority of city manager to promulgate traffic regulations	102-44
CITY PROSECUTOR. See: PROSECUTOR	
CITY TREASURER. See: TREASURER	
CLASSES, CLASSIFICATION	
Stormwater utility program	106-521 et seq.
See: STORMWATER UTILITY PROGRAM	
Taxation	
Sales tax	
Classification of taxpayers	98-25
Use tax	
Classification of taxpayers	98-74
CLERK. See: CITY CLERK	
CLERK OF THE MUNICIPAL COURT	
Courts and jails	
Municipal court not of record	
Clerk's bond	30-24
CLOTHING AND UNIFORMS	
Parks, water activities and other recreation	
Public conduct in parks	
Dressing, undressing in parks	86-57
Wearing bathing suits in parks	86-56
COASTER WHEELED DEVICES	
Traffic and vehicles	
Use of roller skates, skateboards, etc., on roadways and sidewalks	102-10
CODE ADMINISTRATION	
Created; code administrator appointment and supervision	18-23
General powers and duties	
Code administrator	18-25
Department and inspectors	18-24
Officers' and employees' conflicts of interest	18-26
Records	18-27

	Section
and electrical inspector	62-878
Projecting signs	
Design by structural engineer, approval by code administrator and electrical inspector	62-813
Mechanical code	18-364 et seq.
See: MECHANICAL CODE	
Officers and employees	
Code of conduct	2-80
Prior offenses, rights, etc., Code does not affect	1-14
Rules of construction and definitions	1-2
Severability of Code	1-10
Supplementation of Code	1-12
COLLECTIVE BARGAINING AGENTS	
Discrimination	
Employment	
Labor organizations	58-66
COMMISSIONS. See: BOARDS, COMMISSIONS AND COMMITTEES	
COMMITTEES. See: BOARDS, COMMISSIONS AND COMMITTEES	
COMMUNICATIONS	
Land development, planning, zoning and subdivisions	
Zoning districts and district regulations	
Supplemental district regulations	
Satellite communication antennas	62-306
Officers and employees	
Code of conduct	
Communication of this code	2-80(k)
COMMUNICATIONS (Cont'd.)	
Telecommunications	100-1 et seq.
See: TELECOMMUNICATIONS	
COMMUNITY AND ECONOMIC DEVELOPMENT. See: DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT	
COMMUNITY DEVELOPMENT	
Created	2-132
Definitions	2-131
Duties, functions and responsibilities	2-133
COMMUNITY RELATIONS COMMISSION	
Duties	58-43
Established	58-42
Procedures and powers	58-44
Service of notices	58-45
COMMUNITY TREE BOARD	
Creation	2-248
Duties; responsibilities	2-251
Officers	2-253
Organization, rules of procedure	2-252
Review by city council	2-254
Street trees defined	2-249
Terms of office	2-250
COMPENSATION, SALARIES, ETC.	
Cemetery board	
Members not compensated	26-49
Certain ordinances not affected by Code	1-13
Fire department	
Firefighters working outside city limits; compensation; pension fund	50-30

Section

CONFLICTS (Cont'd.)
Fire prevention and protection
Fire code
Conflicts with other provisions of chapter 50-53
Land development, planning, zoning and subdivisions
Conflicting provisions 62-6
Mechanical code
Conflicting provisions 18-368
Officers and employees
Code of conduct
Declaring a possible conflict of interest ..... 2-80(h)
Conflict of interest..... 2-78

CONSERVATION AND PRESERVATION
Buildings and construction
Energy conservation code
Adopted; construction..... 18-450
Emergency management and services..... 38-79 et seq.
See: EMERGENCY MANAGEMENT AND SERVICES
Water supply system
Water emergencies
Authority to proclaim and direct conservation of water 106-101

CONSTRUCTION. See: BUILDINGS AND CONSTRUCTION

CONSUME, HARBOR OR POSSESS
Alcoholic and nonintoxicating beverages ..... 6-24 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES
Animals ..... 10-26 et seq.
See: ANIMALS

Section

CONSUME, HARBOR OR POSSESS (Cont'd.)
Businesses
Licenses generally
Display and carrying on person 22-37
Health and public welfare
Smoking inside public places and workplaces
Possession of tobacco product..... 54-45
Offenses and nuisances
Nuisances
Synthetic intoxicants
Possession, use, sale or display of synthetic cannabinoids or incense... 82-190
Public safety, offenses against
Weapons
Making, possessing or using Molotov cocktails, other bombs 82-67
Taxation
Use tax
Excise tax on storage, use or other consumption of tangible, personal property levied 98-68
Tobacco
Purchase receipt or possession of tobacco products by minors prohibited; falsifying proof of age; penalties 82-83

CONTRACTORS
Buildings and construction
Electrical code
Electricians
Registration
Bond and insurance requirements for electrical contractors..... 18-202

	Section
COPY OR DUPLICATE (Cont'd.)	
Taxicabs	
Driver's license	110-86
Taxicab business license	110-59
COUNCIL. See: CITY COUNCIL	
COUNTY	
Rules of construction and definitions	1-2
COUNTY EXCISE BOARD	
Cemeteries	
Municipal cemeteries	
Cemetery care fund	
Not to be included in general funds of city or in financial statement to county excise board	26-87
COURTS AND JAILS	
City judge	
City judge, city prosecutor; appointment, removal	30-2
Municipal court not of record. See herein that subject	
City judge, city prosecutor; appointment, removal	30-2
Land development, planning, zoning and subdivisions	
Board of adjustment	
District court, appeal to	62-99
Municipal court	30-1
Municipal court not of record	
Application of article	30-23
Clerk's bond	30-24
Community service program	
Community service agreement	30-68
Criteria	30-67
Definitions	30-66
Hourly rate and completion time	30-69
Violations and penalties	30-70

	Section
COURTS AND JAILS (Cont'd.)	
Copy of judgment of imprisonment as warrant for execution of sentence	30-34
Costs upon judgment of conviction	30-32
Defendant must be present at trial	30-27
Discharge of defendant upon acquittal	30-30
Execution of sentences of municipal court	30-36
Failure to appear	30-35
Frequency, notice of sessions	30-25
Judge	
Alternate and acting judges	30-63
Number; qualifications	30-61
Removal	30-64
Term of office	30-62
Vacancy in office	30-65
Officers and employees	
Clerk's bond	30-24
Judge. See within this subheading that subject	
Plea of guilty or conviction after trial, rendition of judgment on	30-31
Postponement of trial	30-26
Rendition and recording of judgment	30-29
Suits, actions and other legal proceedings	
Defendant must be present at trial	30-27
Plea of guilty or conviction after trial, rendition of judgment on	30-31
Postponement of trial	30-26
Witness fees	30-28
Work performed by prisoners	30-33

	Section
DAMAGE, DEFACEMENT, DESTRUCTION OR INJURY (Cont'd.)	
Cemeteries	
Municipal cemeteries	
Removing, damaging, etc., property	26-22
Emergency management and services	
Organization and program, emergency management	
Exemption from liability for damages resulting from civil defense activities	38-60
Fire department	
Considered agent of state, fire department answering calls outside corporate limits; liability for damages	50-31
Land development, planning, zoning and subdivisions	
Nonconforming structures and uses	
Enlargement, destruction or movement of structures	62-187
Library	
Injuring library property	70-3
Offenses and nuisances	
Property, offenses against	
Bypassing utility meters; damaging, tampering with, etc., utility property; theft of cable television signals	82-22
Parks, water activities and other recreation	
City watershed lakes	
Burning of grass, destruction of timber or other property on watersheds	86-92
Telecommunications	
Small wireless facilities	
Damage to the right-of-way	100-90

	Section
DAMAGE, DEFACEMENT, DESTRUCTION OR INJURY (Cont'd.)	
Towers and antennas	
Permit conditions	
Defective facilities	100-58(b)
Traffic and vehicles	
Operation of vehicles	
Vehicles or objects likely to injure street shall not be driven or moved on street	102-104
Stopping, standing and parking	
Parking meters	
Slugs, deposit of; defacing, damaging, etc., meters.	102-181
Utilities	
Regulation of utility lines and poles	
Damage to other facilities	106-565
Water supply system	106-41 et seq.
See: WATER SUPPLY SYSTEM	
DANCES, DANCING	
Amusements	
Public dances	22-74
DANGEROUS OR VICIOUS ANIMALS	
Animals	10-90 et seq.
See: ANIMALS	
DEBRIS	
Solid waste	
Removal of waste material, construction debris	106-327
DECISIONS, FINDINGS AND REVIEWS	
Aviation	
Airport zoning	
Judicial review	14-65
Community tree board	
Review by city council	2-254

Section

DEPARTMENTS (Cont'd.)
Traffic and vehicles..... 102-6 et seq.
See: TRAFFIC AND VEHICLES

DESIGN STANDARDS
Driveways
General design standards 94-120
Land development, planning, zoning and subdivisions ..... 62-565 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS

DESIGNATE, DESIGNATION
Boats and boating
Skiing on Lake McAlester
Use of designated area required..... 86-199
Buildings and construction
Dangerous buildings
Designation of administrative officer; appeals..... 18-532
Emergency management and services
Continuity of government
Emergency interim successors 38-26
How Code designated and cited .. 1-1
Land development, planning, zoning and subdivisions
Flood hazard overlay district
Administration and enforcement
Designation of floodplain administrator..... 62-364
Manufactured and mobile homes
Trailer camps
Designation of and access driveways for units 74-28
Offenses and nuisances
Nuisances

Section

DESIGNATE, DESIGNATION (Cont'd.)
Lot cleaning
Designation of administrative officer 82-154
Parks, water activities and other recreation
Department and superintendent designated 86-1
Traffic and vehicles..... 102-75 et seq.
See: TRAFFIC AND VEHICLES

DESTRUCTION. See: DAMAGE, DEFACEMENT, DESTRUCTION OR INJURY

DEVELOPMENT
Community development..... 2-131 et seq.
See: COMMUNITY DEVELOPMENT
Economic development..... 2-175 et seq.
See: ECONOMIC DEVELOPMENT
Land development, planning, zoning and subdivisions ..... 62-1 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Local development act review committee ..... 2-277 et seq.
See: LOCAL DEVELOPMENT ACT REVIEW COMMITTEE

DIRECTOR OF EMERGENCY MANAGEMENT
Emergency management and services..... 38-54 et seq.
See: EMERGENCY MANAGEMENT AND SERVICES

Section

DISTRICTS (Cont'd.)
Environment ..... 46-26 et seq.
See: ENVIRONMENT
Land development, planning, zoning and subdivisions ..... 62-217 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Library
Multicounty library district..... 70-1
DOGS. See: ANIMALS
DOORS AND WINDOWS
Alcoholic and nonintoxicating beverages
Nonintoxicating beverages
Obstruction of windows in sales premises; illumination of sales premises 6-117
Land development, planning, zoning and subdivisions
Signs
Obstruction of doors, windows, fire escapes; attachment to standpipe or fire escape..... 62-637
DRAINAGE, DRAINS
Buildings and construction
Plumbing code
Technical standards
PVC plastic drain and vent pipe and fittings; PVC plastic water services... 18-345
Finance
Cost sharing policy for public works projects
Storm drains and culverts 2-440
Land development, planning, zoning and subdivisions ..... 62-515 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS

Section

DRAINAGE, DRAINS (Cont'd.)
Manufactured and mobile homes
Trailer camps
Site drainage and grading 74-27
Streets, sidewalks and other public places
Drainage of water, other fluids from businesses onto streets or sidewalks 94-6
Streets
Permit for installation of drainage structures in street ditches 94-35
DRILLING OR MINING
Environment
Drilling for, production of oil and gas prohibited 46-1
DRIVEWAYS
Angle to street 94-122
Application 94-117
Bicycles
Emerging from alley, driveway or building..... 102-207
Buildings and construction
Permit to construct, alter or repair. See herein that subject
Supervision of construction, alteration or repair..... 94-119
Cemeteries
Municipal cemeteries
Vehicles operated on established driveways only..... 26-20
Curb openings prohibited in certain areas..... 94-125
Encroachment on frontage of adjacent property..... 94-123
General design standards..... 94-120
Interpretation, purpose and administration of article; variances. 94-118
Manufactured and mobile homes
Trailer camps
Designation of and access driveways for units 74-28

Section

ELECTRIC, ELECTRICITY
Buildings and construction..... 18-83 et seq.
See: BUILDINGS AND CONSTRUCTION
Land development, planning, zoning and subdivisions
Signs
Standards and specifications
Marquees
Designed by structural engineer; approval by code administrator and electrical inspector..... 62-878
Projecting signs
Design by structural engineer, approval by code administrator and electrical inspector .. 62-813
Manufactured and mobile homes. 74-26 et seq.
See: MANUFACTURED AND MOBILE HOMES
Streets, sidewalks and other public places
Permit for electric charging stations on public streets and sidewalks..... 94-8

ELECTRICAL INSPECTOR
Buildings and construction
Electrical code
Administration and enforcement
Electrical inspector's right of entry..... 18-113
Special rulings by electrical inspector 18-114
Land development, planning, zoning and subdivisions
Signs
Standards and specifications
Marquees
Designed by structural engineer; approval by code administrator and electrical inspector..... 62-878
Projecting signs
Design by structural engineer, approval by code administrator and electrical inspector .. 62-813

ELECTRONIC DEVICES
Animals
Care and control regulations
Requirements for keeping a potentially vicious animal
Electronic identification tag 10-93(g)

EMERGENCIES
City council
Rules of order and procedure
Agenda
Emergency nature, items of 2-47(b)
Emergency management and services..... 38-1 et seq.
See: EMERGENCY MANAGEMENT AND SERVICES
Finance
Emergency fund..... 2-351
Sewers and sewage disposal
Industrial use regulations
Administrative enforcement remedies
Emergency suspensions .... 106-297(g)
Telecommunications
Small wireless facilities
Emergency removal or relocation of small cell facilities 100-88
Utilities
Regulation of utility lines and poles
Authority to suspend during emergency..... 106-563
Water supply system ..... 106-99 et seq.
See: WATER SUPPLY SYSTEM

	Section
EMERGENCY MANAGEMENT AND SERVICES (Cont'd.)	
Mayor's powers during emergency	38-57
Office of emergency management, establishment, composition of; office space, equipment, etc.	38-52
Powers, duties and responsibilities	
Continuity of government	
Emergency interim successors	38-30
Fallout protection	
Powers and duties of shelter managers	38-1(b)
Organization and program, emergency management. See herein that subject	
Public order preservation	
Article supplemental to other ordinances	38-88
Closing certain businesses, prohibiting sale of certain products, etc.	38-83
Definitions	38-79
Failure to disperse from scene of riot or unlawful assembly during emergency	38-86
Invocation of curfew	38-81
Notice of orders affecting business establishments	38-84
Proclamation of existence of emergency	38-80
Streets, closing of	38-82
Termination or extension of emergency proclamation	38-85
Violation of article or emergency orders	38-87
EMERGENCY VEHICLES	
Ambulance service	38-185 et seq.
See: AMBULANCE SERVICE	

	Section
EMERGENCY VEHICLES (Cont'd.)	
Emergency management and services	
Must comply with statutes, ambulance services	38-2
EMPLOYEES. See: OFFICERS AND EMPLOYEES	
ENCLOSURES. See: FENCES, HEDGES, WALLS AND OTHER ENCLOSURES	
ENCROACHMENTS	
Driveways	
Encroachment on frontage of adjacent property	94-123
Streets, sidewalks and other public places	
Encroachments and obstructions generally	94-1
ENGINEERING	
Department of public works	
Duties	
Engineering division	2-153(1)
Land development, planning, zoning and subdivisions	62-66 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
ENVIRONMENT	
Drilling for, production of oil and gas prohibited	46-1
McAlester water district	
Adopted, rules	46-31
Rule 1	46-31(1)
Rule 2	46-31(2)
Rule 3	46-31(3)
Rule 4	46-31(4)
Rule 5	46-31(5)
Rule 6	46-31(6)
Rule 7	46-31(7)
Rule 8	46-31(8)

	Section
EXAMINATIONS AND TESTS (Cont'd.)	
Traffic and vehicles	
Administration and enforcement	
Traffic control signs, signals, and devices and markings	102-74
Water supply system	106-30 et seq.
See: WATER SUPPLY SYSTEM	
EXCAVATIONS	
Land development, planning, zoning and subdivisions	
Filling and excavating of land	62-8
Water supply system	106-149 et seq.
See: WATER SUPPLY SYSTEM	
F	
FAIR HOUSING	
Administration	58-138
Definitions	58-132
Education and conciliation	58-139
Enforcement by private persons	58-142
Exemption	58-137
Financing or housing, discrimination in	58-135
General enforcement	58-140
Interference, coercion or intimidation	58-143
Investigations, subpoenas, giving of evidence	58-141
Policy	58-131
Prevention of intimidation in fair housing cases	58-144
Provision of brokerage services, discrimination in the	58-136
Sale or rental of housing, discrimination in the	58-134
Unlawful practices	58-133
FALSE ALARMS	
Alarm systems	
License, false alarm fees; penalties	38-123
Emergency management and services	
911 emergency number service	
False alarm, complaint or information; penalty	38-152
Fire prevention and protection	
False fire alarms	50-2
FALSE STATEMENTS	
Bicycles	
License	
False statements in application for registration or transfer	102-242
Officers and employees	
Code of conduct	2-80(g)
Sewers and sewage disposal	
Industrial use regulations	
Pretreatment of wastewater	
Provisions for fraud and false statements	106-290(e)
Taxation	
Sales tax	
Failure to make reports and remittances; false or fraudulent reports	98-29
FARMING, FARMS	
Municipal airport	
Standards for specific aeronautical activities	
Crop dusting and spraying	14-28(f)
FEE SCHEDULE	
Rules of construction and definitions	1-2
FEES, CHARGES AND SERVICE RATES (Generally)	
Alarm systems	
License, false alarm fees; penalties	38-123

	Section
FENCES, HEDGES, WALLS AND OTHER ENCLOSURES	
Animals	
Care and control regulations	
Enclosure requirements	10-98
Enclosures for keeping; required; size, location	10-91
Requirements for keeping a potentially vicious animal	
Sightproof fencing	10-93(c)
Businesses	
Used goods	
Fencing requirements for junkyards, automobile salvage yards	22-227
Land development, planning, zoning and subdivisions	62-396 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Towers and antennas	
Telecommunications facility standards	
Security fence	100-55(9)
FINANCE	
Alcoholic and nonintoxicating beverages	6-79 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
Americans with disabilities advisory board	
Expenditure; budget	2-310
Boards, commissions and committees	
Membership, terms, credentials and qualifications of the audit and finance advisory committee	2-206
Buildings and construction	18-480 et seq.
See: BUILDINGS AND CONSTRUCTION	

	Section
FINANCE (Cont'd.)	
Capital improvement fund	2-350
Cemeteries	26-82 et seq.
See: CEMETERIES	
Certain ordinances not affected by Code	1-13
City depositories and general deposits	2-349
Cost sharing policy for public works projects	
Applicability	2-438
Paving of parking areas and existing, open alleys	2-441
Sewer main extensions	2-444
Sidewalks	2-442
Construction	2-442(a)
Repairs	2-442(b)
Storm drains and culverts	2-440
Streets	2-439
Arterials and collectors (wider than 29 feet)	2-439(c)
Cuts and backfills, street	2-439(e)
Oil mat (dust control)	2-439(a)
Standard 29-foot street (Existing platted streets)	2-439(b)
Street openings (presently platted but unopened)	2-439(d)
Water main extensions	2-443
Courts and jails	
Municipal court not of record	
Costs upon judgment of conviction	30-32
Economic development	2-175 et seq.
See: ECONOMIC DEVELOPMENT	
Emergency fund	2-351
Approval of transfers	2-351(e)
Definitions	2-351(b)
Purpose	2-351(a)
Restoration of fund	2-351(f)
Restrictions on use	2-351(c)
Use of emergency fund	2-351(d)

	Section
FINES, FORFEITURES AND OTHER PENALTIES (Cont'd.)	
Permitting or allowing gatherings where minors are consuming alcoholic beverages	6-31(d)
Ambulance service	
Violations and penalties	38-200
Aviation	
Airport zoning	14-56
Buildings and construction	
Building code	
Violations	18-62(d)
Businesses	
Licenses generally	22-49
Emergency management and services	
911 emergency number service	
False alarm, complaint or information; penalty	38-152
Health and public welfare	
Smoking inside public places and workplaces	
Posting responsibility and fine	54-51
Land development, planning, zoning and subdivisions	62-2 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Noise	
Prohibited, noise	82-168(f)
Offenses and nuisances	
Juveniles	
Curfew, juvenile	82-101(f)
Nuisances	
Synthetic intoxicants	82-192
Penalty for violations	1-9
Sewers and sewage disposal	
Industrial use regulations	
Judicial enforcement remedies	
Civil penalties	106-298(b)
Taxation	98-28 et seq.
See: TAXATION	

	Section
FINES, FORFEITURES AND OTHER PENALTIES (Cont'd.)	
Tobacco	82-82 et seq.
See: TOBACCO	
Traffic and vehicles	
Administration and enforcement	
Created, traffic violations bureau; schedule of fines	102-41
FIRE DEPARTMENT	
Answering calls outside city limits, fire department	50-29
Boundaries	
Answering calls outside city limits, fire department	50-29
Considered agent of state, fire department answering calls outside corporate limits; liability for damages	50-31
Firefighters working outside city limits; compensation; pension fund	50-30
Outside city limits, fire protection; mutual aid; fees	50-28
Bureau of fire prevention establishment, supervision	50-27
Considered agent of state, fire department answering calls outside corporate limits; liability for damages	50-31
Cost recovery	50-32
Established; function; chief	50-26
Firefighters working outside city limits; compensation; pension fund	50-30
Outside city limits, fire protection; mutual aid; fees	50-28
Traffic and vehicles	
Administration and enforcement	
Officers of fire department to direct traffic, authority of	102-47
Obedience to fire department officers	102-6

	Section
FIREARMS AND WEAPONS	
Amusements	
Shooting galleries	22-76
Offenses and nuisances	
Public safety, offenses against	
Provisions re	
Discharging firearms, air rifles, BB guns	82-66
Making, possessing or using Molotov cocktails, other bombs	82-67
Parks, water activities and other recreation	
City watershed lakes	
Carrying or using firearms	86-97
FIREWORKS	
Businesses	
Licenses generally	
Licensed retail sales of fireworks	22-43
Special provisions applicable to fireworks wholesaler's license	22-42
Fire prevention and protection	
Manufacture, sale, discharge, etc., of fireworks	50-1
FISHING, HUNTING OR TRAPPING	
Animals	
Care and control regulations	10-94
Boats and boating	
Speed; interfering with fishermen	86-160
Parks, water activities and other recreation	86-95 et seq.
See: PARKS, WATER ACTIVITIES AND OTHER RECREATION	
FLOODPLAIN ADMINISTRATOR	
Land development, planning, zoning and subdivisions	
Flood hazard overlay district	
Administration and enforcement	
Designation of floodplain administrator	62-364
Duties, responsibilities of floodplain administrator	62-365
FLOODS, FLOODING	
Land development, planning, zoning and subdivisions	62-217 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
FLOORS AND FOUNDATIONS	
Land development, planning, zoning and subdivisions	
C-2 neighborhood convenience district	
Bulk limitations; floor area ratio	62-261(f)
C-4 restricted commercial district	
Bulk limitations; floor area ratio	62-263(f)
FOOD AND FOOD SERVICES	
Alcoholic and nonintoxicating beverages	6-2 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
Health and public welfare	
Provisions re	
Decayed or unwholesome food a public nuisance	54-26
Sale from vehicles	54-27

	Section
GARBAGE AND TRASH (Cont'd.)	
Manufactured and mobile homes	
Trailer camps	
Garbage storage and collection	74-37
Mobile food vendors	
Standards and restrictions	
Garbage receptacles	22-284(8)
Solid waste	106-323 et seq.
See: SOLID WASTE	
GATES	
Water supply system	
Lines, water supply and distribution	
Mains and connections	
Gate valves	106-181
GENDER	
Rules of construction and definitions	1-2
GIFTS OR GRATUITIES	
Alcoholic and nonintoxicating beverages	
Alcoholic beverages	
Package stores	
Offering prizes, gifts, other inducements	6-53
Nonintoxicating beverages	
Sale, barter or gift to person under 21 years of age	6-119
Emergency management and services	
Organization and program, emergency management	
Acceptance of gifts, grants and loans for civil defense purposes	38-59
Officers and employees	
Conflict of interest	
Acceptance of gifts and other things of value prohibited	2-78(f)
GOLF, GOLF COURSES	
Municipal golf course advisory board	86-23 et seq.
See: MUNICIPAL GOLF COURSE ADVISORY BOARD	
Traffic and vehicles	
Operation of vehicles	
Operation of golf carts on city streets	102-112
GOODS OR SERVICES	
Ambulance service	38-185 et seq.
See: AMBULANCE SERVICE	
Animals	
Administration and enforcement	
Contract animal control services, authority to	10-22
Buildings and construction	
Moving of buildings	
Plugging of sewer at original site; notice regarding utility services	18-482
Plumbing code	
Technical standards	
PVC plastic drain and vent pipe and fittings; PVC plastic water services	18-345
Businesses	22-4 et seq.
See: BUSINESSES	
Community relations commission	
Service of notices	58-45
Emergency management and services	38-1 et seq.
See: EMERGENCY MANAGEMENT AND SERVICES	
Fair housing	
Provision of brokerage services, discrimination in the	58-136
Finance	
Purchases	
Collection services, contracts for	2-383

	Section
HEALTH AND PUBLIC WELFARE (Cont'd.)	
Environment	
McAlester water district	
Rules, regulations of boards of health and health officers extended over district	46-27
Food	
Decayed or unwholesome food a public nuisance	54-26
Sale from vehicles	54-27
Land development, planning, zoning and subdivisions	
H-1 health facilities district	62-268
Zoning districts and district regulations	
Districts established	
Health/Medical	62-217(5)
Manufactured and mobile homes	
Trailer camps	
Reports to health officer of cases of communicable disease	74-43
Offenses and nuisances	
Nuisances	
Abatement	
Health nuisances	82-127
Officers and employees	
City/county cooperative health department and health officer	54-1
Smoking inside public places and workplaces. See herein that subject	
Open storage of abandoned or unattended vehicles, refrigerators, building material, etc.	54-2
Smoking inside public places and workplaces	
City-owned or operated properties	54-47
Definitions	54-44
Educational facilities	54-48
Exemptions	54-50
Indoor workplace	54-46
Possession of tobacco product	54-45
Posting responsibility and fine	54-51
Smoking rooms	54-49
Water supply system	106-25 et seq.
See: WATER SUPPLY SYSTEM	
HEALTH DEPARTMENT	
Health and public welfare	
City/county cooperative health department and health officer	54-1
Rules of construction and definitions	1-2
HEALTH OFFICER	
Environment	
McAlester water district	
Rules, regulations of boards of health and health officers extended over district	46-27
Health and public welfare	
City/county cooperative health department and health officer	54-1
Manufactured and mobile homes	
Trailer camps	
Reports to health officer of cases of communicable disease	74-43
HEARINGS	
City council	
Rules of order and procedure	
Public participation	
Public hearings	2-50(c)
Land development, planning, zoning and subdivisions	
Public ways and easements	

	Section
HOTELS AND MOTELS (Cont'd.)	
Space requirements	
Hotels, motels, tourist homes and other places offering overnight accommodations	62-460
Taxation	98-112 et seq.
See: TAXATION	
HOURS	
Alcoholic and nonintoxicating beverages	
Alcoholic beverages	
Package stores	
Operation prohibited on certain days, during certain hours	6-57
Nonintoxicating beverages	
Prohibited during certain hours, sales	6-118
Ambulance service	
Hours of operation	38-198
Amusements	
Hours of operation for pool, domino and amusement halls or parlors	22-73
Animals	
Dogs and cats	
Dog park hours and use restrictions	10-139
Boats and boating	
Skiing on Lake McAlester	
Prohibited during certain hours	86-198
McAlester City Government Business Hours	2-1
Parks, water activities and other recreation	
Public conduct in parks	
Extended hours of operation	86-53
General hours of operation	86-52
HOURS (Cont'd.)	
Peddlers and solicitors	
Hours, days regulated	22-97
Traffic and vehicles	
Stopping, standing and parking	
More than 24 hours, parking.	102-144
Parking meters	
Days, hours when meters not in use	102-180
HOUSING	
Fair housing	58-131 et seq.
See: FAIR HOUSING	
Land development, planning, zoning and subdivisions	
Zoning districts and district regulations	
Supplemental district regulations	
Group housing projects	62-298
Offenses and nuisances	82-193 et seq.
See: OFFENSES AND NUISANCES	
HUMAN RELATIONS AND SOCIAL SERVICES	
Discrimination	58-19 et seq.
See: DISCRIMINATION	
HUNTING. See: FISHING, HUNTING OR TRAPPING	
I	
ICE. See: SNOW AND ICE	
IDENTIFICATION	
Animals	10-93 et seq.
See: ANIMALS	
Bicycles	
Identification number on frame	102-205
Finance	
Identity theft prevention program	2-352

	Section
INJURY. See: DAMAGE, DEFACEMENT, DESTRUCTION OR INJURY	
INSPECTIONS	
Animals	
Administration and enforcement	10-25
Buildings and construction	18-61 et seq.
See: BUILDINGS AND CONSTRUCTION	
Businesses	
Annual inspection fee and service charge for telephone companies	22-4
Licenses generally	22-45
Code administration	
General powers and duties	
Department and inspectors	18-24
Environment	
McAlester water district	
Inspectors	46-29
Fire prevention and protection	
Liquefied petroleum gas	
Records, inspection of installation of equipment	50-80
Land development, planning, zoning and subdivisions	62-640 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Mechanical code	
Annual license, permit and inspection fees	18-371
Rights of inspection	18-372
Offenses and nuisances	
Nuisances	
Lot cleaning	
Reporting accumulation; inspection, determination	82-153
Precious metals dealers	
Right of law enforcement officers to inspect dealer's records	22-158
INSPECTIONS (Cont'd.)	
Sewers and sewage disposal	
Industrial use regulations	
Compliance monitoring	
Right of entry: inspection and sampling	106-294(a)
Reporting requirements	
Control authority inspection and sampling of industrial users	106-293(e)
Stormwater utility program	
Administration	106-464
Provisions re	106-430
Taxicabs	
Taxicab business license	
Applicant to present evidence of current inspection of vehicle	110-55
Traffic and vehicles	
Administration and enforcement	
Inspection of vehicles	102-48
Water supply system	
Right of entry to inspect connections and lines; badge, credentials of inspectors	106-39
INSURANCE	
Ambulance service	
Insurance required	38-187
Animals	
Care and control regulations	
Requirements for keeping a potentially vicious animal	10-93(e)
Buildings and construction	18-202 et seq.
See: BUILDINGS AND CONSTRUCTION	
Land development, planning, zoning and subdivisions	
Signs	
Permits	
Bond and insurance, applicant's	62-677

Section

JOINT AUTHORITY
Rules of construction and definitions..... 1-2

JUNK, SALVAGE OR SCRAP
Businesses
Used goods
Fencing requirements for junkyards, automobile salvage yards 22-227
Pawnbrokers, junk and secondhand dealers shall not buy or receive property from minors 22-226

JUVENILES. See: MINORS

L

LABELS AND TAGS
Bicycles ..... 102-236 et seq.

See: BICYCLES

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
A-1 agricultural district..... 62-269
After review, uses permitted .... 62-269(c)
Area regulations ..... 62-269(d)
Front yard setback ..... 62-269(d)(5)
Height, maximum ..... 62-269(d)(4)
Lot frontage, minimum ..... 62-269(d)(2)
Maximum percentage of coverage ..... 62-269(d)(3)
Minimum lot area and use intensity..... 62-269(d)(1)
Rear yard setback ..... 62-269(d)(7)
Setbacks
Front yard setback..... 62-269(d)(5)
Rear yard setback..... 62-269(d)(7)
Side yard setback ..... 62-269(d)(6)
Side yard setback..... 62-269(d)(6)
Weights and measures
Lot frontage, minimum..... 62-269(d)(2)

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
Maximum percentage of coverage..... 62-269(d)(3)
Minimum lot area and use intensity..... 62-269(d)(1)
Yards and open spaces
Front yard setback..... 62-269(d)(5)
Rear yard setback..... 62-269(d)(7)
Side yard setback ..... 62-269(d)(6)
General description..... 62-269(a)
Uses permitted ..... 62-269(b)
Access
Wade Watts corridor development
Access allowance ..... 62-272(h)
Wyandotte Avenue corridor development
Access allowance ..... 62-271(e)
Zoning districts and district regulations
Supplemental district regulations
Street access 62-296
Administration and enforcement. See herein specific subject
Amendments
Authority to change or repeal provisions; petition of amendment..... 62-157
Notice requirements in zoning map changes..... 62-158
Subdivisions
Administration and amendment 62-511
Area. See also herein specific subjects
A-1 agricultural district ..... 62-269(d)
C-1 office district..... 62-260(d)
C-2 neighborhood convenience district
Area regulations..... 62-261(d)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
R-1A single-family residential district (rural subdivision district)	
Area regulations	
Lot frontage, minimum	62-255(d)(2)
Minimum lot area	62-255(d)(1)
R-1B single-family residential district	
Area regulations	
Lot frontage, minimum	62-256(d)(2)
Minimum lot area	62-256(d)(1)
R-2 two-family dwelling (duplex) district	
Area regulations	
Lot frontage, minimum	62-258(d)(2)
Minimum lot area and use intensity	62-258(d)(1)
R-3 multiple-family dwelling district	
Area regulations	
Lot frontage, minimum	62-259(d)(2)
Minimum lot area and use intensity	62-259(d)(1)
Subdivisions. See herein that subject	
Wade Watts corridor development	
Area regulations	
Lot frontage, minimum	62-272(f)(2)
Minimum lot area and use intensity	62-272(f)(1)
Zoning districts and district regulations	
Supplemental district regulations	
Existing lots of record	62-300
Board of adjustment	
Appeals	62-98
Created	62-93
District court, appeal to	62-99
General powers	62-96
Membership	62-94
Powers relative to exceptions	62-97
Rules of procedure	62-95
Signs	62-643
Boards, commissions and committees	
Board of adjustment. See herein that subject	
Planning commission. See herein that subject	
Signs	
Board of adjustment	62-643
Buildings and construction	
Flood hazard overlay district	
Flood hazard reduction	
Specific standards	
Nonresidential construction	62-396(2)
Residential construction	62-396(1)
Nonconforming structures and uses. See herein that subject	
Off-street parking and loading	
Handicapped parking requirements	
Construction specifications	62-436(c)
Space requirements	
Office buildings	62-473
Permits and certificates	
Building permit or certificate of occupancy required	62-128
Zoning clearance permit required	
Existing buildings	62-127(b)
Signs	
Standards and specifications	
Street clocks	
When supported on building corner, height, projection	62-949

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
- Maximum percentage of coverage ..... 62-261(d)(3)
- Minimum lot area and use intensity..... 62-261(d)(1)
- Rear yard setback ..... 62-261(d)(7)
- Setbacks
  - Front yard setback..... 62-261(d)(5)
  - Rear yard setback..... 62-261(d)(7)
  - Side yard setback ..... 62-261(d)(6)
- Side yard setback..... 62-261(d)(6)
- Weights and measures
  - Lot frontage, minimum..... 62-261(d)(2)
  - Maximum percentage of coverage..... 62-261(d)(3)
  - Minimum lot area and use intensity..... 62-261(d)(1)
- Yards and open spaces
  - Front yard setback..... 62-261(d)(5)
  - Rear yard setback..... 62-261(d)(7)
  - Side yard setback ..... 62-261(d)(6)

Bulk limitations; floor area ratio 62-261(f)
General description..... 62-261(a)
Parking requirements..... 62-261(g)
Screening requirements..... 62-261(e)
Uses permitted ..... 62-261(b)
Weights and measures
- Area regulations. See within this subheading that subject
- Bulk limitations; floor area ratio ..... 62-261(f)

C-3 general commercial district... 62-262
After review, uses permitted .... 62-262(c)
Area regulations ..... 62-262(d)
- Front yard setback ..... 62-262(d)(5)
- Height, maximum ..... 62-262(d)(4)
- Lot frontage, minimum ..... 62-262(d)(2)
- Maximum percentage coverage ..... 62-262(d)(3)
- Minimum lot area and use intensity..... 62-262(d)(1)
- Rear yard setback ..... 62-262(d)(7)
- Setbacks
  - Front yard setback..... 62-262(d)(5)
  - Rear yard setback..... 62-262(d)(7)
  - Side yard setback ..... 62-262(d)(6)
- Side yard setback..... 62-262(d)(6)
- Weights and measures
  - Lot frontage, minimum..... 62-262(d)(2)
  - Maximum percentage coverage..... 62-262(d)(3)
  - Minimum lot area and use intensity..... 62-262(d)(1)
- Yards and open spaces
  - Front yard setback..... 62-262(d)(5)
  - Rear yard setback..... 62-262(d)(7)
  - Side yard setback ..... 62-262(d)(6)

General description..... 62-262(a)
Parking requirements..... 62-262(f)
Screening requirements..... 62-262(e)
Uses permitted ..... 62-262(b)
C-4 restricted commercial district 62-263
After review, uses permitted .... 62-263(c)
- Multi-family residential (with stipulations)..... 62-263(c)(1)
  - Multiple-family residential high intensity..... 62-263(c)(1)b
  - Multiple-family residential moderate intensity ..... 62-263(c)(1)a

Area regulations ..... 62-263(d)
- Front yard setback ..... 62-263(d)(5)
- Height, maximum ..... 62-263(d)(4)
- Lot frontage, minimum ..... 62-263(d)(2)
- Maximum percentage of coverage ..... 62-263(d)(3)
- Minimum lot area and use intensity..... 62-263(d)(1)

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
C-4 restricted commercial district
After review, uses permitted.. 62-263(c)
C-5 highway commercial and commercial recreation district
After review, uses permitted.. 62-264(c)
Downtown and Old Town Loft Apartment Overlay District
After review, uses permitted.. 62-273(e)
Flood hazard overlay district
Findings of fact 62-335
H-1 health facilities district
After review, uses permitted.. 62-268(c)
I-1 light industrial district
After review (UPAR), uses permitted..... 62-266(d)
I-2 heavy industrial district
After review, uses permitted.. 62-267(d)
Permits and certificates
Procedure for authorizing uses permitted after review.... 62-129
R-1A single-family residential district (rural subdivision district)
After review, uses permitted.. 62-255(c)
R-1B single-family residential district
After review, uses permitted.. 62-256(c)
R-2 two-family dwelling (duplex) district
After review, uses permitted.. 62-258(c)
R-3 multiple-family dwelling district
After review, uses permitted.. 62-259(c)
Subdivisions
Plats and plat approval
Subdivision review committee 62-540

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
Wade Watts corridor development
After review, uses permitted.. 62-272(e)
Definitions 62-1
Density
A-1 agricultural district
Area regulations
Minimum lot area and use intensity..... 62-269(d)(1)
C-1 office district
Area regulations
Minimum lot area and use intensity..... 62-260(d)(1)
C-2 neighborhood convenience district
Area regulations
Minimum lot area and use intensity..... 62-261(d)(1)
C-3 general commercial district
Area regulations
Minimum lot area and use intensity..... 62-262(d)(1)
C-4 restricted commercial district
Area regulations
Minimum lot area and use intensity..... 62-263(d)(1)
H-1 health facilities district
Area regulations
Minimum lot area and use intensity..... 62-268(d)(1)
I-1 light industrial district
Area regulations
Minimum lot area and use intensity..... 62-266(e)(1)
I-2 heavy industrial district
Area regulations
Minimum lot area and use intensity..... 62-267(e)(1)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Purpose	62-273(b)
Uses permitted	62-273(d)
Drainage, drains	
Signs	
Standards and specifications	
Marquees	62-882
Subdivisions	
Improvements	
Storm sewers and drainage	62-603
Standard specifications for storm drainage	62-515
Easements	
Public ways and easements. See herein that subject	
Subdivisions	
Design standards	
Subdivision design standards	62-566(c)
Zoning districts and district regulations	
Vacation of public easements	62-220
Engineering	
Planning commission	
Employment of planners, engineers, etc.	62-66
Signs	
Standards and specifications	
Marquees	
Designed by structural engineer; approval by code administrator and electrical inspector	62-878
Projecting signs	
Design by structural engineer, approval by code administrator and electrical inspector	62-813
Fees, charges and service rates	
Flood hazard overlay district	

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Flood hazard reduction	
Floodplain management fee schedule	62-400
Permits and certificates	
Building permit or certificate of occupancy required	
Fee schedule	62-128(2)
Public ways and easements	
Closing	
Fees to be paid by petitioner	62-1006
Opening	
Fees and expenses	62-1033
Signs	
Permits	62-679
Subdivisions	
Plats and plat approval	
General procedure	
Filing fee	62-539(d)
Fences, hedges, walls and other enclosures	
Flood hazard overlay district	
Flood hazard reduction	
Specific standards	62-396(3)
Signs. See herein that subject	
Filling and excavating of land	62-8
Exceptions	62-8(c)
Permissible fill material	62-8(b)
Permit required	62-8(a)
Fines, forfeitures and other penalties	
Flood hazard overlay district	
Enforcement; violations, penalties	62-334
Flood hazard reduction	
Floodplain management fee schedule	
Penalties for noncompliance	62-400(b)
Violations and penalties	62-2

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
- Permit procedures 62-367
- Lands to which this article applies
  - Establishment of development permit ..... 62-341(2)
- Methods of reducing flood losses 62-337
- Statement of purpose..... 62-336
- Uses permitted 62-345
- Warning and disclaimer of liability..... 62-340

Floods, flooding
- Flood hazard overlay district. See herein that subject
- Subdivisions
  - Design standards
    - Subdivision design standards
      - Flood hazard prevention 62-566(i)
- Zoning districts and district regulations
  - Districts established
    - Floodplain..... 62-217(7)

Frontage
- A-1 agricultural district
  - Area regulations
    - Lot frontage, minimum..... 62-269(d)(2)
- C-1 office district
  - Area regulations
    - Lot frontage, minimum..... 62-260(d)(2)
- C-2 neighborhood convenience district
  - Area regulations
    - Lot frontage, minimum..... 62-261(d)(2)
- C-3 general commercial district
  - Area regulations
    - Lot frontage, minimum..... 62-262(d)(2)
- C-4 restricted commercial district
  - Area regulations
    - Lot frontage, minimum..... 62-263(d)(2)==H-1 health facilities district
  - Area regulations
    - Lot frontage, minimum..... 62-268(d)(2)
- I-1 light industrial district
  - Area regulations
    - Lot frontage, minimum..... 62-266(e)(2)
- I-2 heavy industrial district
  - Area regulations
    - Lot frontage, minimum..... 62-267(e)(2)
- R-1A single-family residential district (rural subdivision district)
  - Area regulations
    - Lot frontage, minimum..... 62-255(d)(2)
- R-1B single-family residential district
  - Area regulations
    - Lot frontage, minimum..... 62-256(d)(2)
- R-2 two-family dwelling (duplex) district
  - Area regulations
    - Lot frontage, minimum..... 62-258(d)(2)
- R-3 multiple-family dwelling district
  - Area regulations
    - Lot frontage, minimum..... 62-259(d)(2)
- Wade Watts corridor development. See herein that subject
- Wyandotte Avenue corridor development
  - Access allowance
    - Land having frontage on Wyandotte Avenue..... 62-271(e)(2)
    - Not having frontage on Wyandotte Avenue, land..... 62-271(e)(1)

H-1 health facilities district..... 62-268
- After review, uses permitted .... 62-268(c)
- Area regulations ..... 62-268(d)
  - Front yard setback ..... 62-268(d)(5)
  - Height, maximum ..... 62-268(d)(4)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Area regulations	62-266(e)
Front yard setback	62-266(e)(5)
Height, maximum	62-266(e)(4)
Lot frontage, minimum	62-266(e)(2)
Maximum percentage of coverage	62-266(e)(3)
Minimum lot area and use intensity	62-266(e)(1)
Rear yard setback	62-266(e)(7)
Setbacks	
Front yard setback	62-266(e)(5)
Rear yard setback	62-266(e)(7)
Side yard setback	62-266(e)(6)
Side yard setback	62-266(e)(6)
Weights and measures	
Lot frontage, minimum	62-266(e)(2)
Maximum percentage of coverage	62-266(e)(3)
Minimum lot area and use intensity	62-266(e)(1)
Yards and open spaces	
Front yard setback	62-266(e)(5)
Rear yard setback	62-266(e)(7)
Side yard setback	62-266(e)(6)
General description	62-266(a)
Parking requirements	62-266(f)
Required development standards	62-266(c)
Uses permitted	62-266(b)
I-2 heavy industrial district	62-267
After review, uses permitted	62-267(d)
Area regulations	62-267(e)
Front yard setback	62-267(e)(5)
Height, maximum	62-267(e)(4)
Lot frontage, minimum	62-267(e)(2)
Maximum percentage of coverage	62-267(e)(3)
Minimum lot area and use intensity	62-267(e)(1)
Rear yard setback	62-267(e)(7)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Setbacks	
Front yard setback	62-267(e)(5)
Rear yard setback	62-267(e)(7)
Side yard setback	62-267(e)(6)
Side yard setback	62-267(e)(6)
Weights and measures	
Lot frontage, minimum	62-267(e)(2)
Maximum percentage of coverage	62-267(e)(3)
Minimum lot area and use intensity	62-267(e)(1)
Yards and open spaces	
Front yard setback	62-267(e)(5)
Rear yard setback	62-267(e)(7)
Side yard setback	62-267(e)(6)
General description	62-267(a)
Parking requirements	62-267(f)
Required development standards	62-267(c)
Uses permitted	62-267(b)
Industry, industrial	
I-1 light industrial district	62-266
I-2 heavy industrial district	62-267
Off-street parking and loading	
Space requirements	
Wholesale, manufacturing and industrial plants, etc.	62-475
Zoning districts and district regulations	
Districts established	62-217(4)
Supplemental district regulations	
Industrial pilot plants	62-304
Landscaping	
Medical development overlay district	62-275
Special development standards	62-275(g)
Landscaping and screening	62-275(g)(3)

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Exterior standards/visual appeal	62-275(g)(1)
Landscaping and screening	62-275(g)(3)
Standards for retail uses and eating and drinking establishments	62-275(g)(4)
Uses permitted after review	62-275(e)
Uses permitted	62-275(d)
Medical services	
H-1 health facilities district	62-268
Medical development overlay district	62-275
Off-street parking and loading	
Space requirements	
Convalescent homes, orphanages and similar institutions	62-463
Medical and dental clinics or offices	62-474
Zoning districts and district regulations	
Districts established	
Health/Medical	62-217(5)
Members, membership	
Board of adjustment	62-94
Planning commission. See herein that subject	
Moving or relocating	
Nonconforming structures and uses	
Enlargement, destruction or movement of structures	62-187
Signs	
Standards and specifications	
Projecting signs	
Movable parts secured	62-822
Street clocks	
Movable parts secured	62-945
Nature of zoning plan	62-5

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Nonconforming structures and uses	
Enlargement, destruction or movement of structures	62-187
Intent	62-185
Lots of record	62-186
Structures, uses of	62-188
Uses of land	62-189
Off-street parking and loading	
Access to street or alley; parking space deemed required open space	62-432
Enforcement	62-430
Handicapped parking requirements	62-436
ANSI standards applicability	62-436(d)
Construction specifications	62-436(c)
General overview	62-436(a)
Parking and passenger loading zone minimum requirements	62-436(e)
Conformance required	62-436(e)(2)
Location	62-436(e)(1)
Scope	62-436(b)
Intent and application	62-429
Landscaping requirements for off-street parking	62-437
Area	
Off-street parking/other vehicular use areas with ten to 30 spaces, landscaping requirements for	62-437(b)
Other requirements for landscaped areas	62-437(e)
Requirements (interior) for off-street parking/other vehicular use areas with more than 30 spaces, landscaping	62-437(c)

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Schools	62-470
Terminal facilities	62-476
Theatres	62-466
Wholesale, manufacturing and industrial plants, etc.	62-475
Weights and measures	
Landscaping requirements for off-street parking	
Off-street parking/other vehicular use areas with ten to 30 spaces, landscaping requirements for	62-437(b)
Requirements (interior) for off-street parking/other vehicular use areas with more than 30 spaces, landscaping	62-437(c)
Size of spaces	62-435
Space requirements. See within this subheading that subject	
Officers and employees	
Flood hazard overlay district	
Administration and enforcement	
Designation of floodplain administrator	62-364
Duties, responsibilities of floodplain administrator	62-365
Planning commission. See herein that subject	
Signs. See herein that subject	
Parking, parking lots	
C-1 office district	62-260(f)
C-2 neighborhood convenience district	62-261(g)
C-3 general commercial district	62-262(f)

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
C-4 restricted commercial district	62-263(g)
H-1 health facilities district	62-268(e)
I-1 light industrial district	62-266(f)
I-2 heavy industrial district	62-267(f)
Off-street parking and loading. See herein that subject	
Zoning districts and district regulations	
Supplemental district regulations	
Storage and parking of trailers and commercial vehicles	62-297
Permits and certificates	
Building permit or certificate of occupancy required	62-128
Building permits	62-128(1)
Certificate of occupancy	62-128(3)
Fee schedule	62-128(2)
Procedure for authorizing uses permitted after review	62-129
Zoning clearance permit required	62-127
Accompanying material	62-127(d)
Application	62-127(c)
Existing buildings	62-127(b)
Purpose	62-127(a)
Required form	62-127(e)
Permitted uses	
A-1 agricultural district	
After review, uses permitted	62-269(c)
Uses permitted	62-269(b)
C-1 office district	
After review, uses permitted (UPAR)	62-260(c)
Uses permitted	62-260(b)
C-2 neighborhood convenience district	
After review (UPAR), uses permitted	62-261(c)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Officers and employees	
Election of officers; adoption of rules	62-61
Employment of planners, engineers, etc.	62-66
Reports to mayor and council	62-67
Preparation and recommendation of proposed legislation	62-65
Qualifications of members	62-59
Recommendations as to subdivisions and closing of streets	62-63
Removal of members; members shall serve without compensation	62-60
Reports to mayor and council	62-67
Subdivisions	
Plats and plat approval	
Final plat	
Planning commission action	62-543(e)
Preliminary plat	
Planning commission action	62-542(d)
Policies and procedures	
Board of adjustment	
Rules of procedure	62-95
Flood hazard overlay district	
Administration and enforcement	
Permit procedures	62-367
Permits and certificates	
Procedure for authorizing uses permitted after review	62-129
Subdivisions	
Plats and plat approval	
General procedure	62-539
Powers, duties and responsibilities	
Board of adjustment	
General powers	62-96
Powers relative to exceptions	62-97

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Flood hazard overlay district	
Administration and enforcement	
Duties, responsibilities of floodplain administrator	62-365
Planning commission	
Duty with respect to public works program	62-64
General duties	62-62
Public property	
Public ways and easements. See herein that subject	
Signs	
Floodlights, spotlights prohibited on signs extending over public property	62-636
Public ways and easements	
Closing	
Definitions	62-1004
Fees to be paid by petitioner	62-1006
General petitioning	62-1005
Hearing on petition	62-1007
Limitations on effect of closure	62-1008
Petitions	
Fees to be paid by petitioner	62-1006
General petitioning	62-1005
Hearing on petition	62-1007
Reopening	62-1009
Opening	
Closing	62-1035
Compliance with subdivision regulations	62-1034
Definitions	62-1031
Fees and expenses	62-1033
Filing of petitions; required information	62-1032

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
- Area regulations ..... 62-258(d)
  - Front yard setback ..... 62-258(d)(5)
  - Height, maximum ..... 62-258(d)(4)
  - Lot frontage, minimum ..... 62-258(d)(2)
  - Maximum percentage of coverage ..... 62-258(d)(3)
  - Minimum lot area and use intensity..... 62-258(d)(1)
  - Rear yard setback ..... 62-258(d)(7)
  - Setbacks
    - Front yard setback..... 62-258(d)(5)
    - Rear yard setback..... 62-258(d)(7)
    - Side yard setback ..... 62-258(d)(6)
  - Side yard setback..... 62-258(d)(6)
  - Weights and measures
    - Lot frontage, minimum..... 62-258(d)(2)
    - Maximum percentage of coverage..... 62-258(d)(3)
    - Minimum lot area and use intensity..... 62-258(d)(1)
  - Yards and open spaces
    - Front yard setback..... 62-258(d)(5)
    - Rear yard setback..... 62-258(d)(7)
    - Side yard setback ..... 62-258(d)(6)
- General description..... 62-258(a)
- Uses permitted ..... 62-258(b)

R-3 multiple-family dwelling district 62-259
- After review, uses permitted .... 62-259(c)
- Area regulations ..... 62-259(d)
  - Front yard setback ..... 62-259(d)(5)
  - Height, maximum ..... 62-259(d)(4)
  - Lot frontage, minimum ..... 62-259(d)(2)
  - Maximum percentage of coverage ..... 62-259(d)(3)
  - Minimum lot area and use intensity..... 62-259(d)(1)
  - Rear yard setback ..... 62-259(d)(7)
  - Setbacks
    - Front yard setback..... 62-259(d)(5)
    - Rear yard setback..... 62-259(d)(7)
    - Side yard setback ..... 62-259(d)(6)
  - Side yard setback..... 62-259(d)(6)
  - Weights and measures
    - Lot frontage, minimum..... 62-259(d)(2)
    - Maximum percentage of coverage..... 62-259(d)(3)
    - Minimum lot area and use intensity..... 62-259(d)(1)
  - Yards and open spaces
    - Front yard setback..... 62-259(d)(5)
    - Rear yard setback..... 62-259(d)(7)
    - Side yard setback ..... 62-259(d)(6)
- General description..... 62-259(a)
- Specific mobile home (trailer) court regulations..... 62-259(e)
- Uses permitted ..... 62-259(b)

Records and reports
- Nonconforming structures and uses
  - Lots of record 62-186

Planning commission
- Reports to mayor and council 62-67

Subdivisions
- Plats and plat approval
  - Final plat
    - Recording of plat..... 62-543(g)
  - General procedure
    - Official recording..... 62-539(b)

Zoning districts and district regulations
- Supplemental district regulations
  - Existing lots of record..... 62-300

Residence, residential
- Cottage house development overlay district..... 62-274
- Downtown and Old Town Loft Apartment Overlay District 62-273

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Permits and certificates	
Building permit or certificate of occupancy required	
Fee schedule	62-128(2)
Subdivisions	
Improvements	
Table of street design standards	62-606
Screening	
C-1 office district	62-260(e)
C-2 neighborhood convenience district	62-261(e)
C-3 general commercial district	62-262(e)
C-4 restricted commercial district	62-263(e)
Cottage house development overlay district	
Development standards	62-274(d)
Screening requirements	62-274(d)(9)
Medical development overlay district	62-275
Special development standards	62-275(g)
Landscaping and screening	62-275(g)(3)
Wade Watts corridor development	
Landscaping and screening	62-272(i)
Zoning districts and district regulations	
Supplemental district regulations	
Utility screening requirements	62-307
Setbacks. See also herein specific subjects	
Cottage house development overlay district	
Development standards	62-274(d)
Building setbacks	62-274(d)(4)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Medical development overlay district	62-275
Area regulations	62-275(f)
Front yard setback	62-275(f)(5)
Wade Watts corridor development	
Area regulations	
Front yard setback	62-272(f)(5)
Signs	
Board of adjustment	62-643
Definitions	62-629
Display of obscene matter	62-639
Exemptions	62-630
Floodlights, spotlights prohibited on signs extending over public property	62-636
Gooseneck reflectors and lights	62-635
Information required to be displayed	62-633
Inspections	
Provisions re	62-640
Standards and specifications	
Marquees	
Designed by structural engineer; approval by code administrator and electrical inspector	62-878
Projecting signs	
Design by structural engineer, approval by code administrator and electrical inspector	62-813
Interfering with or distracting traffic	62-638
Licenses and permits	
Permits. See within this subheading that subject	

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Area	
Projecting signs	
Area limitations	62-815
Roof signs	
Area and height limitations	62-783
Wall signs	
Maximum area	62-761
Awnings and canopies	
Advertising, permitted	62-918
Frames and supports for canopies	62-917
General setback requirements	62-914
Minimum height	62-913
Permitted materials	62-912
Rolled or folded except when in service, awnings	62-919
Support for awnings	62-916
Width	62-915
Ceilings and roofs	
Marquees	
Roof use and material	62-881
Roof signs. See within this subheading that subject	
Fences, hedges, walls and other enclosures	
Temporary signs	
Extension over or into street or sidewalk or over wall opening	62-855
Wall signs. See within this subheading that subject	
Ground signs	
Bracing, anchorage and supports	62-736
Incombustible material required; exception	62-732
Letters, figures, etc., in cutout or irregular form	62-737

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Maintenance of signs and surrounding premises	62-738
Maximum height	62-733
Setback line	62-735
Space between sign and ground and other signs and structures	62-734
Height	
Awnings and canopies	62-913
Ground signs	62-733
Marquees	62-883
Roof signs	
Area and height limitations	62-783
Street clocks	
Height, location when erected on sidewalk	62-948
When supported on building corner, height, projection	62-949
Wall signs	
Extension beyond building line; minimum height	62-763
Locations	
Projecting signs	62-817
Street clocks	
Height, location when erected on sidewalk	62-948
Limitation on number at same location	62-946
Marquees	
Anchorage to wood structure	62-887
Designed by structural engineer; approval by code administrator and electrical inspector	62-878
Drainage	62-882
Illumination required	62-879

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Limitation on number at same location	62-946
Minimum diameter of dial	62-943
Movable parts secured	62-945
Permitted advertising	62-951
Special permit required for erection on sidewalk	62-947
Supports and attachments	62-950
When supported on building corner, height, projection	62-949
Streets, sidewalks and other public places	
Street clocks. See within this subheading that subject	
Temporary signs	
Extension over or into street or sidewalk or over wall opening	62-855
Supplies and materials	
Awnings and canopies	
Permitted materials	62-912
Ground signs	
Incombustible material required; exception	62-732
Marquees. See within this subheading that subject	
Projecting signs	
Incombustible material required	62-814
Use of glass or other transparent material	62-821
Roof signs	
Incombustible material required; exception	62-782
Street clocks	
Incombustible material required	62-942
Temporary signs	
Material requirements	62-853

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	Section
Wall signs	
Incombustible material required; exception	62-760
Temporary signs	
Anchorage and support	62-856
Exceeding 50 pounds, signs to be approved by building official	62-854
Extension over or into street or sidewalk or over wall opening	62-855
Material requirements	62-853
Permitted advertising	62-857
Wall signs	
Extension beyond building line; minimum height	62-763
Incombustible material required; exception	62-760
Maximum area	62-761
Not to cover wall opening or project beyond ends or top of wall	62-762
Supports and attachment	62-764
Weights and measures	
Awnings and canopies	
Width	62-915
Ground signs	
Space between sign and ground and other signs and structures	62-734
Marquees	
Live load requirements	62-888
Maximum width	62-885
Projecting signs	
Thickness limitation	62-816
Roof signs	
Space between sign and roof; clearance between vertical supports	62-786

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Zoning districts and district regulations	
Supplemental district regulations	
Street access	62-296
Subdivisions	
Administration and amendment	62-511
Authority	62-510
Conditions for issuing building permit	62-514
Definitions	62-508
Design standards	
Blocks, lots and parcels	
Subdivision design standards	
Blocks	62-566(e)
Lots	62-566(f)
Urban design principles	
Size of lots and blocks	62-565(2)
Improvements	
Table of street design standards	62-606
Plats and plat approval	
Preliminary plat	
Certification of design	62-542(b)
Subdivision design standards	62-566
Alleys	62-566(b)
Blocks	62-566(e)
Building lines	62-566(g)
Easements	62-566(c)
Flood hazard prevention	62-566(i)
Lots	62-566(f)
Neighborhood unit development	62-566(h)
Public areas and open spaces	62-566(d)
Streets	62-566(a)
Urban design principles	62-565
Design and circulation	62-565(4)
Minimum standards	62-565(5)
Natural features	62-565(3)

	Section
LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)	
Neighborhood unit	62-565(1)
Size of lots and blocks	62-565(2)
Improvements	
Continuity of improvements	62-598
Maintenance and supervision	62-604
Minimum standards	62-596
Permanent markers	62-599
Plan preparation	62-597
Sanitary sewers	62-602
Sidewalks	62-605
Storm sewers and drainage	62-603
Street improvements	62-600
Streets, sidewalks and other public places	
Sidewalks	62-605
Street improvements	62-600
Table of street design standards	62-606
Table of street design standards	62-606
Waterlines	62-601
Jurisdiction	62-512
Plats and plat approval	
Final plat	62-543
City council action	62-543(f)
Contents	62-543(d)
Drafting	62-543(c)
Generally	62-543(a)
Planning commission action	62-543(e)
Recording of plat	62-543(g)
Time of submission	62-543(b)
General procedure	62-539
Agenda	62-539(c)
Filing fee	62-539(d)
Official recording	62-539(b)
Plat approval	62-539(a)
Preapplication plans and data	62-541
Preliminary plat	62-542
Certification of design	62-542(b)
Contents	62-542(c)

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
- Area regulations ..... 62-272(f)
  - Front yard setback ..... 62-272(f)(5)
  - Height, maximum ..... 62-272(f)(4)
  - Lot frontage, minimum ..... 62-272(f)(2)
  - Maximum percentage coverage ..... 62-272(f)(3)
  - Minimum lot area and use intensity ..... 62-272(f)(1)
  - Rear yard ..... 62-272(f)(7)
  - Side yard ..... 62-272(f)(6)
  - Weights and measures
    - Lot frontage, minimum ..... 62-272(f)(2)
    - Maximum percentage coverage ..... 62-272(f)(3)
    - Minimum lot area and use intensity ..... 62-272(f)(1)
  - Yards and open spaces
    - Front yard setback ..... 62-272(f)(5)
    - Rear yard ..... 62-272(f)(7)
    - Side yard ..... 62-272(f)(6)
- Creation ..... 62-272(a)
- Exterior standards/visual appeal 62-272(g)
- Frontage
  - Access allowance
    - Land having frontage on Wade Watts Avenue ..... 62-272(h)(2)
    - Not having frontage on Wade Watts Avenue, land ..... 62-272(h)(1)
  - Area regulations
    - Lot frontage, minimum ..... 62-272(f)(2)
- General provisions and descriptions ..... 62-272(c)
- Landscaping and screening ..... 62-272(i)
  - Buffer ..... 62-272(i)(3)
  - Plan ..... 62-272(i)(2)
  - Purpose ..... 62-272(i)(1)
  - Screening ..... 62-272(i)(4)
- Purpose ..... 62-272(b)
- Uses permitted ..... 62-272(d)

Section

LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS (Cont'd.)
- Weights and measures. See also herein specific subjects
- Subdivisions
  - Design standards
    - Urban design principles
      - Size of lots and blocks ... 62-565(2)
- Wyandotte Avenue corridor development 62-271
  - Access allowance ..... 62-271(e)
    - Land having frontage on Wyandotte Avenue ..... 62-271(e)(2)
    - Not having frontage on Wyandotte Avenue, land . 62-271(e)(1)
  - Creation ..... 62-271(a)
  - General provisions and description ..... 62-271(c)
  - Landscaping requirements ..... 62-271(g)
  - Purpose ..... 62-271(b)
  - Request for closure of streets ... 62-271(f)
  - Zoning districts allowed ..... 62-271(d)
- Yards and open spaces. See also herein specific subjects
- Medical development overlay district 62-275
  - Area regulations ..... 62-275(f)
- Off-street parking and loading
  - Access to street or alley; parking space deemed required open space 62-432
- Subdivisions
  - Design standards
    - Subdivision design standards
      - Public areas and open spaces ..... 62-566(d)
- Zoning districts and district regulations
  - Supplemental district regulations 62-293

Section

LANDS, LAND USE (Cont'd.)
Stormwater utility program ..... 106-433 et seq.
See: STORMWATER UTILITY PROGRAM

LANDSCAPING
Land development, planning, zoning and subdivisions ..... 62-271 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Stormwater utility program
Supplemental permit classifications and requirements
Landscape maintenance 106-525
Towers and antennas
Telecommunications facility standards ..... 100-55(6)

LAUNDRY AND DRY CLEANING
Manufactured and mobile homes
Trailer camps
Service buildings; toilet, bathing and laundry facilities 74-34

LAW ENFORCEMENT
Police department ..... 66-26 et seq.
See: POLICE DEPARTMENT
Precious metals dealers
Right of law enforcement officers to inspect dealer's records 22-158

LEASE OR RENT
Certain ordinances not affected by Code 1-13
Fair housing
Sale or rental of housing, discrimination in the 58-134
Municipal airport ..... 14-23 et seq.
See: MUNICIPAL AIRPORT

Section

LEGAL PROCEEDINGS. See: SUITS, ACTIONS AND OTHER LEGAL PROCEEDINGS

LEGAL PROCESSES. See: WRITS, WARRANTS AND OTHER LEGAL PROCESSES

LEVY, LEVYING
Alcoholic and nonintoxicating beverages
Alcoholic beverages
Occupation tax
Levied; amount 6-79
Certain ordinances not affected by Code 1-13
Taxation ..... 98-21 et seq.
See: TAXATION

LIABILITY
Buildings and construction
Electrical code
Article does not affect liability for damages 18-84
Emergency management and services
Organization and program, emergency management
Exemption from liability for damages resulting from civil defense activities 38-60
Fire department
Considered agent of state, fire department answering calls outside corporate limits; liability for damages..... 50-31
Land development, planning, zoning and subdivisions
Flood hazard overlay district
Warning and disclaimer of liability 62-340

LIBRARY
Failure to return books 70-2

	Section
LICENSES AND PERMITS (Cont'd.)	
Stormwater utility program	106-434 et seq.
See: STORMWATER UTILITY PROGRAM	
Streets, sidewalks and other public places	
Streets	
Openings	
Permit for opening in unpaved street or alley	94-64
Permit for installation of drainage structures in street ditches	94-35
Taxation	98-35 et seq.
See: TAXATION	
Taxicabs	110-24 et seq.
See: TAXICABS	
Telecommunications	
Small wireless facilities	
Permit required	100-83
Permit time limits	100-84
Towers and antennas	100-53 et seq.
See: TOWERS AND ANTENNAS	
Traffic and vehicles	
Stopping, standing and parking	
Loading and unloading permits	102-147
Utilities	
Regulation of utility lines and poles	
Construction standards; permit	106-558(g)
Permit required	106-562

	Section
LIGHTING, LIGHTS	
Alcoholic and nonintoxicating beverages	
Nonintoxicating beverages	
Obstruction of windows in sales premises; illumination of sales premises	6-117
Aviation	
Airport zoning	
Nonconforming uses	
Marking and lighting	14-60(b)
Permits	
Obstruction marking and lighting	14-61(e)
Boats and boating	86-159
Buildings and construction	
Moving of buildings	
Lights, barricades	18-478
Land development, planning, zoning and subdivisions	62-635 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Streets, sidewalks and other public places	
Streets	
Openings	
Barricades, rails and lights	94-66
Towers and antennas	
Telecommunications facility standards	100-55(7)
LIQUOR. See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
LITTER	
Businesses	
Deposit of advertising matter on streets, other public property	22-3

	Section
LOCATIONS (Cont'd.)	
Manufactured and mobile homes	
Private property, parking or locating on	74-3
Trailer camps	
Location of trailers with respect to other trailers, buildings and camp boundaries	74-30
Towers and antennas	
Colocation requirements	100-54
Water supply system	
Excavations, trenching and backfilling	
Protection of existing utilities	106-151(a)
LOITERING	
Offenses and nuisances	
Loitering or sleeping in public places or on property of another after midnight	82-5
LOST PROPERTY	
Businesses	
Licenses generally	
Duplicates when lost or destroyed	22-39
LOTS. See: BLOCKS, LOTS AND PARCELS	
M	
MAINTENANCE	
Department of public works	
Duties	
Fleet maintenance division	2-153(3)
Maintenance division	2-153(7)
Fire prevention and protection	
Liquefied petroleum gas	
Vehicles used for transporting	
Maintenance and repair	50-84
Land development, planning, zoning and subdivisions	62-437 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	

	Section
MAINTENANCE (Cont'd.)	
Manufactured and mobile homes	
Trailer camps	
General maintenance requirements	74-36
Municipal airport	
Standards for specific aeronautical activities	
Engine, airframe and accessory maintenance, aircraft	14-28(c)
Offenses and nuisances	
Nuisances	
Creation or maintenance prohibited	82-124
Sewers and sewage disposal	
Fats oils and grease (FOG) control program	
Charge for remedial maintenance or repair	106-313
Maintenance and cleaning	106-311
Solid waste	
Municipal collection service	
Maintenance, repair and replacement of polycarts and commercial dumpsters	106-362
Stormwater utility program	
Supplemental permit classifications and requirements	
Landscape maintenance	106-525
Streets, sidewalks and other public places	
Sidewalks	
Duty of abutting property owners and occupants to maintain sidewalks	94-93
Taxation	
Use tax	
Classification of taxpayers	98-74
Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits	98-76

	Section
MANUFACTURED AND MOBILE HOMES (Cont'd.)	
Service buildings; toilet, bathing and laundry facilities	74-34
City fire protection facilities required	74-38
Copy of article or original ordinance posted in office	74-45
Designation of and access driveways for units	74-28
Duty of management to enforce article and report violations	74-44
Electric, electricity	
Applicability of plumbing, electrical and building ordinances	74-26
Electric outlets for units	74-29
License	
Conveys no right to perform building, plumbing or electrical work	74-62
Electric outlets for units	74-29
Fire extinguishers	74-39
Fire prevention and protection	
City fire protection facilities required	74-38
Fire extinguishers	74-39
Open fires prohibited	74-40
Garbage storage and collection	74-37
General maintenance requirements	74-36
Guest register	74-42
License	
Appeals from issuance, denial or revocation	74-66
Applicant's bond	74-59
Application requirements	74-57
Authorized revocation	74-65
Camp plan to accompany application	74-58
Conveys no right to perform building, plumbing or electrical work	74-62

	Section
MANUFACTURED AND MOBILE HOMES (Cont'd.)	
Expiration and renewal	74-64
Favorable recommendation of city manager or favorable action by council prerequisite to issuance	74-61
Fee	74-60
Posting	74-63
Required	74-56
Limitation on number of trailer occupants	74-31
Location of trailers with respect to other trailers, buildings and camp boundaries	74-30
Office building required	74-35
Open fires prohibited	74-40
Reports to health officer of cases of communicable disease	74-43
Service buildings; toilet, bathing and laundry facilities	74-34
Sewage and wastewater disposal	74-33
Site drainage and grading	74-27
Water supply	74-32
MAPS. See: SURVEYS, MAPS AND PLATS	
MARKERS AND MONUMENTS	
Aviation	
Airport zoning	
Nonconforming uses	
Marking and lighting	14-60(b)
Permits	
Obstruction marking and lighting	14-61(e)
Land development, planning, zoning and subdivisions	
Subdivisions	
Improvements	
Permanent markers	62-599
Traffic and vehicles	102-72 et seq.
See: TRAFFIC AND VEHICLES	

Section

MEDICAL SERVICES (Cont'd.)
Land development, planning, zoning and subdivisions ..... 62-217 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS

MEETINGS
Americans with disabilities advisory board..... 2-307
Cemetery board
Provisions re
Failure to attend..... 26-53
Generally..... 26-52
City council ..... 2-19 et seq.
See: CITY COUNCIL
Library board
Organization, meetings..... 70-27
Local development act review committee 2-280
Nonuniformed council
Procedures for meetings and hearings..... 2-92
Stormwater advisory committee .. 2-334

MEMBERS, MEMBERSHIP
Boards, commissions and committees
Membership, terms, credentials and qualifications of the audit and finance advisory committee..... 2-206
Cemetery board ..... 26-48 et seq.
See: CEMETERY BOARD
City council
Rules of order and procedure
Debate
Recorded remarks of councilmembers..... 2-49(d)
Fire prevention and protection
Fire code..... 50-57

Section

MEMBERS, MEMBERSHIP (Cont'd.)
Land development, planning, zoning and subdivisions ..... 62-58 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Library board
Composition; appointment, terms of members..... 70-26
Local development act review committee 2-278
Stormwater advisory committee
Composition; qualification of members; compensation; chair..... 2-331

MERCHANTS OR VENDORS
Taxation ..... 98-26 et seq.
See: TAXATION

METEOROLOGICAL CONDITIONS
Towers and antennas
Specific standards
Wind standards..... 100-57(3)

MINORS
Alcoholic and nonintoxicating beverages ..... 6-27 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES
Businesses
Used goods
Pawnbrokers, junk and secondhand dealers shall not buy or receive property from minors 22-226
Offenses and nuisances ..... 82-101 et seq.
See: OFFENSES AND NUISANCES
Precious metals dealers
Purchase from minors 22-160

	Section
MOVING OR RELOCATING (Cont'd.)	
Water supply system	
Relocation fee, meter	106-29
MUNICIPAL AIRPORT	
Aeronautical activity	
Application procedure	14-26
Action on application	14-26(b)
Application	14-26(a)
Temporary/transient activity, application for	14-26(c)
Lease or contract required	14-27
Airport authority	
Acceptance of beneficial interest in trust	14-22
Lease of airport and facilities	14-23
Authorization for exhibitions	14-33
Combinations of aeronautical activities	14-29
Definitions	14-21
Exclusive rights not permitted	14-25
Exemption of aircraft owned by federal or state government	14-32
Fees for aeronautical activities	14-30
After hours support	14-30(g)
Combination activities	14-30(c)
Fees	14-30(b)
Fees for sale of aviation fuel	14-30(e)
Hangar lease rates	14-30(f)
Specific activities	14-30(a)
Temporary/transient commercial activities, fees for	14-30(d)
Landing or taking off of aircraft prohibited except at approved airports or areas; landing area permits; flight regulations observed	14-31
Lease or rent	
Aeronautical activity	
Lease or contract required	14-27
Airport authority	
Lease of airport and facilities	14-23
MUNICIPAL AIRPORT (Cont'd.)	
Standards for specific aeronautical activities	
Rental and/or sales, aircraft	14-28(d)
Operations manual adopted	14-24
Standards for specific aeronautical activities	14-28
Charter and taxi service, aircraft	14-28(b)
Crop dusting and spraying	14-28(f)
Engine, airframe and accessory maintenance, aircraft	14-28(c)
Flight training	14-28(e)
Fuel and oil sales	14-28(a)
Rental and/or sales, aircraft	14-28(d)
MUNICIPAL COURT	
Courts and jails	30-1 et seq.
See: COURTS AND JAILS	
MUNICIPAL GOLF COURSE ADVISORY BOARD	
Created; composition	86-23
Responsibilities	86-24
MUNICIPAL JUDGE. See: CITY JUDGE	
MUST	
Rules of construction and definitions	1-2
N	
NAMING, NAMES	
Certain ordinances not affected by Code	1-13
NATURAL GAS	
Environment	
Drilling for, production of oil and gas prohibited	46-1
Water supply system	
Excavations, trenching and backfilling	
Protection of existing utilities	
Gas distribution lines	106-151(b)

	Section
NOTICE, NOTIFICATION (Cont'd.)	
Stormwater utility program	
Enforcement and abatement	
Administrative enforcement remedies	
Notice of violation	106-486(a)
Taxation	
Hotel tax	98-119
Taxicabs	
Taxicab driver's license	
Taxicab driver's license notification of termination of driver required	110-88
Towers and antennas	
Approval process, permit	
Public notification	100-59(a)
NUDITY	
Parks, water activities and other recreation	
Public conduct in parks	
Dressing, undressing in parks	86-57
NUISANCES. See: OFFENSES AND NUISANCES	
NUMBER, NUMBERING	
Rules of construction and definitions	1-2
O	
OATH, AFFIRMATION, SWEAR OR SWORN	
Rules of construction and definitions	1-2
OBSCENITY. See: INDECENCY AND OBSCENITY	
OBSTRUCTIONS	
Alcoholic and nonintoxicating beverages	
Nonintoxicating beverages	
Obstruction of windows in sales premises; illumination of sales premises	6-117
OBSTRUCTIONS (Cont'd.)	
Aviation	
Airport zoning	
Permits	
Obstruction marking and lighting	14-61(e)
Land development, planning, zoning and subdivisions	
Signs	
Obstruction of doors, windows, fire escapes; attachment to standpipe or fire escape	62-637
Standards and specifications	
Roof signs	
Prohibited obstructions	62-787
Mobile food vendors	
Standards and restrictions	
Obstruction prohibited	22-284(4)
Offenses and nuisances	
Public authority, offenses against	
Resisting, obstructing, etc., city officers or employees	82-13
Streets, sidewalks and other public places	94-1 et seq.
See: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES	
Traffic and vehicles	102-3 et seq.
See: TRAFFIC AND VEHICLES	
Water supply system	
Opening, interfering with, obstructing, etc., fire hydrants or stopcocks	106-43
OFFENSES AND NUISANCES	
Adoption of state statutes	82-1
Aiding in commission of offense	1-8
Animals	
Care and control regulations	
Animal nuisance	10-79
Noise nuisance	10-80

	Section
OFFENSES AND NUISANCES (Cont'd.)	
Public authority, offenses against. See herein that subject	
Peddlers and solicitors	
Aggressive begging, panhandling or solicitation	22-127
Going upon residences without invitation prohibited	
Trespass upon private residence for soliciting, peddling deemed a nuisance	22-98(b)
Prior offenses, rights, etc., Code does not affect	1-14
Property	
Loitering or sleeping in public places or on property of another after midnight	82-5
Property, offenses against	
Bypassing utility meters; damaging, tampering with, etc., utility property; theft of cable television signals	82-22
Posting advertisements, etc., on property of another	82-24
Unlawful entry	82-23
Property, offenses against	
Bypassing utility meters; damaging, tampering with, etc., utility property; theft of cable television signals	82-22
Unlawful entry	82-23
Public authority, offenses against	
False representations to city officer, employee or agency	82-15
Impersonating city officer or employee	82-14
Officers and employees	
False representations to city officer, employee or agency	82-15
Impersonating city officer or employee	82-14
OFFENSES AND NUISANCES (Cont'd.)	
Resisting, obstructing, etc., city officers or employees	82-13
Resisting, obstructing, etc., city officers or employees	82-13
Public safety, offenses against	
Removal of door, lock, etc., from discarded refrigerators, similar containers	82-41
Weapons	
Discharging firearms, air rifles, BB guns	82-66
Making, possessing or using Molotov cocktails, other bombs	82-67
Sewers and sewage disposal	
Industrial use regulations	
Supplemental enforcement action	
Public nuisances	106-299(b)
Solid waste	
Municipal collection service	
Prohibiting the unauthorized deposit of refuse in containers belonging or assigned to someone else	
Violation of subsection (a) of this section declared a public nuisance and unlawful	106-363(b)
Stormwater utility program	
Enforcement and abatement	
Unauthorized discharge a public nuisance	106-482
Tobacco	82-81 et seq.
See: TOBACCO	
Towers and antennas	
Telecommunications facility standards	
Attractive nuisance	100-55(1)
Unlawful throwing or shooting of stones or other objects	82-3

	Section
OFFICERS AND EMPLOYEES (Cont'd.)	
City clerk's duties and city manager's procedure for informal resolution of conflict of interest or potential conflict of interest	2-78(k)
Confidential information, disclosure of prohibited	2-78(g)
Definitions	2-78(b)
Disclosure	2-78(d)
Disqualification	2-78(c)
Prohibited conduct after leaving the city or authority	2-78(i)
Public contracts	2-78(e)
Purpose and declaration of policy	2-78(a)
Violations	2-78(l)
Courts and jails	30-2 et seq.
See: COURTS AND JAILS	
Department of public works	
Created; director	2-152
Discrimination	58-64 et seq.
See: DISCRIMINATION	
Emergency management and services	38-1 et seq.
See: EMERGENCY MANAGEMENT AND SERVICES	
Environment	
McAlester water district	
Inspectors	46-29
Rules, regulations of boards of health and health officers extended over district	46-27
Ethics	
Board of ethics	2-79
Code of conduct	
Outline of personnel ethical conduct	2-80(c)
Warning signs of ethical problems	2-81

	Section
OFFICERS AND EMPLOYEES (Cont'd.)	
Fire department	
Established; function; chief	50-26
Firefighters working outside city limits; compensation; pension fund	50-30
Health and public welfare	54-1 et seq.
See: HEALTH AND PUBLIC WELFARE	
Land development, planning, zoning and subdivisions	62-61 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Local development act review committee	2-281
Manufactured and mobile homes	
Trailer camps	
Reports to health officer of cases of communicable disease	74-43
Nonuniformed council	2-88 et seq.
See: NONUNIFORMED COUNCIL	
Offenses and nuisances	82-13 et seq.
See: OFFENSES AND NUISANCES	
Open records act procedures	2-82
Parks, water activities and other recreation	
Department and superintendent designated	86-1
Personnel board	2-226 et seq.
See: PERSONNEL BOARD	
Personnel policies	2-77
Police department	
Department created; supervision by chief	66-26
Policies and procedures	
Code of conduct	
Investigation procedures	2-80(i)

Section

ORDINANCES, RESOLUTIONS, ETC. (Cont'd.)
Certain ordinances not affected by Code 1-13
Code and ordinances effective outside city on property owned or controlled by city 1-4
Effect of repeal of ordinance..... 1-5
Emergency management and services
Public order preservation
Article supplemental to other ordinances..... 38-88
Land development, planning, zoning and subdivisions
Article deemed continuation of prior ordinance..... 62-3
Manufactured and mobile homes
Trailer camps
Applicability of plumbing, electrical and building ordinances 74-26
Copy of article or original ordinance posted in office.. 74-45
Officers and employees
Conflict of interest
City clerk's duties and city manager's procedure for informal resolution of conflict of interest or potential conflict of interest 2-78(k)
Provisions deemed continuations of existing ordinances..... 1-15
Rules of construction and definitions..... 1-2

O.S.
Rules of construction and definitions..... 1-2

Section

OUTDOOR EATING ESTABLISHMENTS
Alcoholic and nonintoxicating beverages ..... 6-156 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES

OWNER
Rules of construction and definitions..... 1-2

P

PANHANDLING
Peddlers and solicitors ..... 22-125 et seq.
See: PEDDLERS AND SOLICITORS

PARK BOARD
Parks, water activities and other recreation..... 86-2

PARKING, PARKING LOTS
Bicycles 102-210
Boats and boating
Skiing on Lake McAlester
Parking on or operating boat near ski beach..... 86-202
Finance
Cost sharing policy for public works projects
Paving of parking areas and existing, open alleys 2-441
Fire prevention and protection
Liquefied petroleum gas
Vehicles used for transporting
Stopping, parking or storing 50-81
Land development, planning, zoning and subdivisions ..... 62-260 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS

	Section
PARKS, WATER ACTIVITIES AND OTHER RECREATION (Cont'd.)	
Municipal golf course advisory board	86-23 et seq.
See: MUNICIPAL GOLF COURSE ADVISORY BOARD	
Park board	86-2
Public conduct in parks	
Age limit for use of wading pools in parks	86-55
Dressing, undressing in parks	86-57
Extended hours of operation	86-53
General hours of operation	86-52
Swimming in parks, general restrictions on	86-54
Wearing bathing suits in parks	86-56
Public trail regulations	
Acceptable uses of public single purpose pedestrian trails	86-233
Definitions	86-231
Pedestrians	
Acceptable uses of public single purpose pedestrian trails	86-233
Prohibition on both public multi-use and single purpose pedestrian trails	86-234
Use regulations, public multi-use and single purpose pedestrian trail	86-235
Prohibition on both public multi-use and single purpose pedestrian trails	86-234
Public multi-use trails, acceptable uses of	86-232
Use regulations, public multi-use and single purpose pedestrian trail	86-235
Traffic and vehicles	
Operation of vehicles	
Motor vehicle operation in public parks	102-110

	Section
PAVING OR SURFACING	
Certain ordinances not affected by Code	1-13
Driveways	
Paving of apron when concrete curb removed	94-126
Finance	
Cost sharing policy for public works projects	
Paving of parking areas and existing, open alleys	2-441
Land development, planning, zoning and subdivisions	
Off-street parking and loading	62-434
Streets, sidewalks and other public places	
Streets	
Minimum requirements and specifications for construction and paving of platted and dedicated streets within city limits	94-34
Water supply system	
Excavations, trenching and backfilling	
Backfilling	
Placement and compaction	
Areas to be paved, beneath	106-152(c)(3)
Replacement of paving and other surfaces	106-153
PAWN SHOPS, PAWNBROKERS	
Businesses	
Used goods	
Pawnbrokers, junk and second-hand dealers shall not buy or receive property from minors	22-226
PEDDLERS AND SOLICITORS	
Aggressive begging, panhandling or solicitation	
Definitions	22-126

Section

PERSONNEL (Cont'd.)
Personnel board ..... 2-226 et seq.
See: PERSONNEL BOARD

PERSONNEL BOARD
Created 2-226
Removal, etc.; hearing before the personnel board 2-227

PETITIONS
Land development, planning, zoning and subdivisions ..... 62-157 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Streets, sidewalks and other public places
Name change, street or public facility
Filing petition..... 94-178
Hearing on petition, recommendation..... 94-180

PETROLEUM PRODUCTS
Environment
Drilling for, production of oil and gas prohibited 46-1
Fire prevention and protection ... 50-76 et seq.
See: FIRE PREVENTION AND PROTECTION
Land development, planning, zoning and subdivisions
Zoning districts and district regulations
Supplemental district regulations
Liquefied petroleum gases, storage of 62-301

PIPES, CABLES AND CONDUITS
Buildings and construction
Plumbing code

Section

PIPES, CABLES AND CONDUITS (Cont'd.)
Technical standards
PVC plastic drain and vent pipe and fittings; PVC plastic water services... 18-345
Finance
Cost sharing policy for public works projects
Sewer main extensions 2-444
Water main extensions 2-443
Land development, planning, zoning and subdivisions
Signs
Obstruction of doors, windows, fire escapes; attachment to standpipe or fire escape..... 62-637
Subdivisions
Improvements
Waterlines..... 62-601
Offenses and nuisances
Property, offenses against
Bypassing utility meters; damaging, tampering with, etc., utility property; theft of cable television signals 82-22
Utilities ..... 106-556 et seq.
See: UTILITIES
Water supply system ..... 106-22 et seq.
See: WATER SUPPLY SYSTEM

PITTSBURG, COUNTY OF. See: COUNTY

PLANNING (Generally)
Land development, planning, zoning and subdivisions ..... 62-1 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS

Section

POLICE DEPARTMENT (Cont'd.)
Dogs and cats
Harassment of police dogs, guide dogs 10-147
Department created; supervision by chief 66-26
General duties 66-27
Police lost and found procedure .. 66-28
Precious metals dealers
Report of transactions to police 22-157
Right of law enforcement officers to inspect dealer's records 22-158
Traffic and vehicles ..... 102-45 et seq.

See: TRAFFIC AND VEHICLES

POLICE POWERS
Environment
McAlester water district
Police power of city extended over district 46-28

POLICIES AND PROCEDURES
Ambulance service
Ambulance trip procedure and clearance 38-194
Animals
Administration and enforcement
Impoundment
General custody or containment procedures 10-56
City council ..... 2-42 et seq.
See: CITY COUNCIL
Community relations commission
Procedures and powers 58-44
Community tree board
Organization, rules of procedure 2-252
Fair housing 58-131
Finance ..... 2-379 et seq.
See: FINANCE

Section

POLICIES AND PROCEDURES (Cont'd.)
Fire prevention and protection
Fire code
Rules of procedure 50-58
Land development, planning, zoning and subdivisions ..... 62-95 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
Municipal airport
Aeronautical activity
Application procedure 14-26
Nonuniformed council
Procedures for meetings and hearings 2-92
Scope of responsibility
Operational procedures ..... 2-93(4)
Offenses and nuisances
Nuisances
Abatement
Procedures cumulative 82-128
Officers and employees ..... 2-77 et seq.
See: OFFICERS AND EMPLOYEES
Sewers and sewage disposal
Industrial use regulations
General provisions
Purpose and policy ..... 106-288(a)
Solid waste ..... 106-366 et seq.
See: SOLID WASTE
Stormwater utility program
Supplemental permit classifications and requirements
Permit application procedures 106-522
Taxation
Sales tax
This tax in addition to taxes currently levied; administrative procedures 98-41

	Section
POWERS, DUTIES AND RESPONSIBILITIES (Cont'd.)	
Fire prevention and protection	
Fire code	50-59
Health and public welfare	
Smoking inside public places and workplaces	
Posting responsibility and fine	54-51
Land development, planning, zoning and subdivisions	62-62 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Library board	70-28
Manufactured and mobile homes	
Trailer camps	
Duty of management to enforce article and report violations	74-44
Mechanical code	
Rights of inspection	
Relief from personal responsibility	18-372(b)
Municipal golf course advisory board	86-24
Nonuniformed council	
Scope of responsibility	2-93
Offenses and nuisances	
Nuisances	
Lot cleaning	
Prohibited; responsibilities	82-152
Officers and employees	2-78 et seq.
See: OFFICERS AND EMPLOYEES	
Police department	
General duties	66-27
Sewers and sewage disposal	
Supervision of connections; city not responsible for work up to point of connection	106-220
Stormwater advisory committee	2-333

	Section
POWERS, DUTIES AND RESPONSIBILITIES (Cont'd.)	
Streets, sidewalks and other public places	
Sidewalks	
Duty of abutting property owners and occupants to maintain sidewalks	94-93
Taxation	
Hotel tax	
General powers of the tax collector	98-122
Taxicabs	
Financial responsibility requirements	110-20
Traffic and vehicles	
Administration and enforcement	
General duties of police department with respect to traffic	102-45
Water supply system	
Responsibility of owner or occupant to repair or replace damaged meters	106-42
PRECEDING; FOLLOWING	
Rules of construction and definitions	1-2
PRECIOUS METALS DEALERS	
Definitions	22-153
Exemptions	22-155
Holding period after acquisition of items by dealer	22-159
Identification of sellers	22-154
License	
Application	22-190
Fee	22-191
Investigation of application; issuance or denial	22-192
Required	22-189
Transfer; display	22-193
Purchase from minors	22-160

	Section
PROPERTY (Cont'd.)	
Nonaccessory signs prohibited on certain property..	62-631
Library	
Injuring library property.....	70-3
Offenses and nuisances	82-5 et seq.
See: OFFENSES AND NUISANCES	
Parks, water activities and other recreation	
City watershed lakes	
Burning of grass, destruction of timber or other property on watersheds.....	86-92
Rules of construction and definitions.....	1-2
Streets, sidewalks and other public places	
Sidewalks	
Duty of abutting property owners and occupants to maintain sidewalks	94-93
Taxation	
Use tax	
Excise tax on storage, use or other consumption of tangible, personal property levied	98-68
Utilities	
Regulation of utility lines and poles	
Restoration of property	106-560
Water supply system	
Applicant to pay cost of running pipe to property not served by water.....	106-22
Damaging, disturbing, etc., system property.....	106-41
PROSECUTION	
Buildings and construction	
Building code	
Violations	
Prosecution of violation ...	18-62(c)
Sewers and sewage disposal	
Industrial use regulations	
Judicial enforcement remedies	
Criminal prosecution.....	106-298(c)
Traffic and vehicles	
Stopping, standing and parking	
Presumption in prosecutions for standing or parking violations.....	102-138
PROSECUTOR	
Courts and jails	
City judge, city prosecutor; appointment, removal.....	30-2
PUBLIC GROUNDS	
Rules of construction and definitions.....	1-2
PUBLIC PEACE AND ORDER	
Emergency management and services.....	38-79 et seq.
See: EMERGENCY MANAGEMENT AND SERVICES	
PUBLIC PLACES. See: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES	
PUBLIC PROPERTY	
Animals	
Dogs and cats	
Allowing dogs to urinate or defecate on public or private property.....	10-146
Businesses	
Deposit of advertising matter on streets, other public property	22-3

	Section
RECORDS AND REPORTS	
Alcoholic and nonintoxicating beverages	
Alcoholic beverages	
Occupation tax	
Issuance and posting of receipt	6-82
Records	6-83
Animals	
Administration and enforcement	10-24
Care and control regulations	
Requirements for keeping a potentially vicious animal	
Reporting requirements	10-93(h)
Bicycles	
License	102-243
Cemeteries	
Municipal cemeteries	
Cemetery care fund	
Not to be included in general funds of city or in financial statement to county excise board	26-87
City council	
Rules of order and procedure	
Debate	
Recorded remarks of councilmembers	2-49(d)
Minutes	2-51
Code administration	
Records	18-27
Courts and jails	
Municipal court not of record	
Rendition and recording of judgment	30-29
Fire prevention and protection	
Liquefied petroleum gas	
Records, inspection of installation of equipment	50-80
Vehicles used for transporting	
Report of breakdown	50-83

	Section
RECORDS AND REPORTS (Cont'd.)	
Land development, planning, zoning and subdivisions	62-67 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Manufactured and mobile homes	
Trailer camps	
Duty of management to enforce article and report violations	74-44
Reports to health officer of cases of communicable disease	74-43
Offenses and nuisances	
Nuisances	
Lot cleaning	
Reporting accumulation; inspection, determination	82-153
Officers and employees	
Code of conduct	
False reports	2-80(g)
Reporting suspected noncompliance	2-80(f)
Precious metals dealers	22-156 et seq.
See: PRECIOUS METALS DEALERS	
Sewers and sewage disposal	
Industrial use regulations	
Reporting requirements	106-293
User charges	106-260
Stormwater advisory committee	
Access to records and additional materials	2-335
Taxation	98-29 et seq.
See: TAXATION	
RECREATION. See: PARKS, WATER ACTIVITIES AND OTHER RECREATION	

Section

RENT. See: LEASE OR RENT

REPORTS. See: RECORDS AND REPORTS

REPRESENTATION
- Local development act review committee ..... 2-279 et seq.
- See: LOCAL DEVELOPMENT ACT REVIEW COMMITTEE

RESEARCH AND STUDIES
- Stormwater advisory committee
  - Authority to conduct research and investigations 2-336

RESIDENCE, RESIDENTIAL
- Buildings and construction
  - Electrical code
    - Permits and inspections
      - Electrical inspections and permit fees ..... 18-144(1)
- Businesses
  - Used goods
    - Garage sales, other residential sales 22-225
- Land development, planning, zoning and subdivisions ..... 62-217 et seq.
- See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS
- Peddlers and solicitors
  - Going upon residences without invitation prohibited 22-98
- Solid waste
  - Landfill
    - For resident commercial haulers, procedures and fees .. 106-396
  - Municipal collection service
    - General container and storage requirements for permissible solid waste
      - Residential units 106-360

Section

RESOLUTIONS. See: ORDINANCES, RESOLUTIONS, ETC.

RETAIL, RETAILER
- Alcoholic and nonintoxicating beverages
  - Nonintoxicating beverages
    - Retail dealer's license 6-115
- Businesses
  - Licenses generally
    - Licensed retail sales of fireworks 22-43
- Land development, planning, zoning and subdivisions
  - Off-street parking and loading
    - Space requirements 62-471
- Taxation ..... 98-73 et seq.
- See: TAXATION

REZONING
- Certain ordinances not affected by Code 1-13
- Land development, planning, zoning and subdivisions
  - Zoning districts and district regulations
    - Supplemental district regulations
      - Development time limits; rezoning application 62-299

RIGHT-OF-WAY
- Certain ordinances not affected by Code 1-13
- Telecommunications
  - Small wireless facilities
    - Damage to the right-of-way .. 100-90

RIGHTS
- Boats and boating
  - Skiing on Lake McAlester
    - Right-of-way of towboat 86-208

	Section
regulations observed	14-31
Nonuniformed council	
Scope of responsibility	
Personnel rules	2-93(1)
Parks, water activities and other recreation	86-231 et seq.
See: PARKS, WATER ACTIVITIES AND OTHER RECREATION	
Peddlers and solicitors	
Hours, days regulated	22-97
Rules of construction and definitions	1-2
Sewers and sewage disposal	106-288 et seq.
See: SEWERS AND SEWAGE DISPOSAL	
Solid waste	
Landfill	
Establishing a landfill fee to comply with federal mandated subtitle "D" regulations	106-398
Special events and processions	
Special event permit	
Compliance with laws, regulations	102-308
Stormwater utility program	
Regulated, land disturbing activity	106-434
Traffic and vehicles	
Administration and enforcement	
Authority of city manager to promulgate traffic regulations	102-44
Utilities	106-556 et seq.
See: UTILITIES	

S

	Section
SAFETY	
Boats and boating	
Boats must be safe and watertight	86-158
Driveways	
Pedestrian safety island between driveways	94-124
Land development, planning, zoning and subdivisions	
Signs	
Removal or repair of unsafe and unlawful signs	62-641
Offenses and nuisances	82-41 et seq.
See: OFFENSES AND NUISANCES	
Traffic and vehicles	
Administration and enforcement	
Safety council	102-43
Traffic control signs, signals, and devices and markings	
Designation, maintenance of crosswalks and safety zones or islands for protection of pedestrians	102-79
Water supply system	
Excavations, trenching and backfilling	
Excavation	
Traffic safety	106-150(g)
SAFETY COUNCIL	
Traffic and vehicles	
Administration and enforcement	102-43
SALES	
Alcoholic and nonintoxicating beverages	6-24 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
Animals	
Care and control regulations	
Requirements for keeping a potentially vicious animal	
Sale or transfer of ownership prohibited	10-93(i)

	Section
SANITATION (Cont'd.)	
Water supply system	
Excavations, trenching and backfilling	
Excavation	
Trench excavation	
Sanitary sewers	106-150(d)(1)
SCHEDULES, TABLES AND GRAPHS	
Businesses	
Licenses generally	
Fee	22-34
Land development, planning, zoning and subdivisions	62-128 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Sewers and sewage disposal	
Industrial use regulations	
Reporting requirements	
Compliance schedule progress reports	106-293(b)
User charges	
Schedule, user charge	106-254
Taxicabs	
Schedule of rates posted	110-22
Traffic and vehicles	
Administration and enforcement	
Created, traffic violations bureau; schedule of fines	102-41
SCHOOLS	
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	62-470
Offenses and nuisances	
Juveniles	
Temporary detention and custody of children subject to compulsory attendance law and neglect or refusal to compel child to attend school; exceptions; enforcement	82-102
Public schools early childhood and safer schools sales tax	98-211 et seq.
See: TAXATION	
Traffic and vehicles	
Stopping, standing and parking	
Adjacent to schools, parking	102-146
SCREENING	
Land development, planning, zoning and subdivisions	62-260 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
SEARCH, SEIZURE OR SURRENDER	
Sewers and sewage disposal	
Industrial use regulations	
Compliance monitoring	
Search warrants	106-294(b)
SECONDHAND GOODS	
Businesses	22-225 et seq.
See: BUSINESSES	
SECURITY	
Buildings and construction	
Moving of buildings	
Permit	
Fees; security bond and mileage charge	18-505
Towers and antennas	
Telecommunications facility standards	
Security fence	100-55(9)
SEDIMENTATION CONTROL. See: SOIL EROSION AND SEDIMENTATION CONTROL	

	Section
SEWERS AND SEWAGE DISPOSAL (Cont'd.)	
Duration	106-292(a)
Modification	106-292(d)
Regulation of waste received from other jurisdictions	106-292(h)
Reissuance	106-292(g)
Revocation	106-292(f)
Transfer	106-292(e)
Judicial enforcement remedies	106-298
Civil penalties	106-298(b)
Criminal prosecution	106-298(c)
Injunctive relief	106-298(a)
Remedies nonexclusive	106-298(d)
New sewers and connections	106-302
Notice, notification	
Administrative enforcement remedies	
Notification of violation	106-297(a)
Reporting requirements	
Notification of the discharge of hazardous waste	106-293(l)
Violation/repeat sampling and reporting, notice of	106-293(k)
Pretreatment of wastewater	106-290
Accidental discharge/slug control plans	106-290(c)
Additional pretreatment measures	106-290(b)
Hauled wastewater	106-290(d)
Pretreatment facilities	106-290(a)
Provisions for fraud and false statements	106-290(e)
Publication of users in significant noncompliance	106-296
Reconstruction of public sanitary sewers	106-301
Reporting requirements	106-293
Analytical requirements	106-293(m)
Baseline monitoring reports	106-293(a)
Generally	106-293(a)(1)
Required information	106-293(a)(2)
Certification and signatory requirements	106-293(g)
Changed conditions, reports of	106-293(h)
Compliance schedule progress reports	106-293(b)
Control authority inspection and sampling of industrial users	106-293(e)
Notification of the discharge of hazardous waste	106-293(l)
Periodic compliance reports	106-293(d)
Potential problems, reports of	106-293(i)
Recordkeeping	106-293(p)
Reports on compliance with categorical pretreatment standard deadline	106-293(c)
Sample collection	106-293(n)
Self-monitoring requirements for significant industrial users	106-293(f)
Timing	106-293(o)
Unpermitted users, reports from	106-293(j)
Violation/repeat sampling and reporting, notice of	106-293(k)
Sewer use requirements, general	106-289
City's right of revision	106-289(e)
Dilution	106-289(f)
Local limits	106-289(d)
National categorical pretreatment standards	106-289(b)
Prohibited discharge standards	106-289(a)
General prohibitions	106-289(a)(1)
Specific prohibitions	106-289(a)(2)
Standards and specifications	
National categorical pretreatment standards	106-289(b)

	Section
SEWERS AND SEWAGE DISPOSAL (Cont'd.)	
User charges	
Billing	106-261
Charges for extraneous flows	106-259
Disposition of funds	106-262
Excessive strength charges	106-255
Notification	106-258
Rates established	106-253
Records	106-260
Review and revision	106-256
Schedule, user charge	106-254
Toxic pollutants charges	106-257
Water supply system	
Excavations, trenching and backfilling	
Excavation	
Trench excavation	
Sanitary sewers	106-150(d)(1)
Storm sewers	106-150(d)(2)
Weights and measures	
Industrial use regulations	
Sewer use requirements, general	
Dilution	106-289(f)
Local limits	106-289(d)
Minimum size of sewers	106-222
User charges	
Charges for extraneous flows	106-259
Excessive strength charges	106-255
SHALL	
Rules of construction and definitions	1-2
SHRUBS. See: TREES, SHRUBS AND PLANTS	
SIDEWALKS. See: STREETS, SIDEWALKS AND OTHER PUBLIC PLACES	
SIGNALING DEVICES	
Alarm systems	38-120 et seq.
See: ALARM SYSTEMS	
Bicycles	102-204
Offenses and nuisances	
Property, offenses against	
Bypassing utility meters; damaging, tampering with, etc., utility property; theft of cable television signals	82-22
Traffic and vehicles	102-72 et seq.
See: TRAFFIC AND VEHICLES	
SIGNATURE, SUBSCRIPTION	
Rules of construction and definitions	1-2
SIGNS	
Alcoholic and nonintoxicating beverages	
Alcoholic beverages	
Package stores	6-56
Animals	
Care and control regulations	
Requirements for keeping a potentially vicious animal	10-93(d)
Bicycles	
Obedience to signs prohibiting riding on sidewalks or roadways	102-209
Health and public welfare	
COVID-19 pandemic face coverings	
Signage	54-55
Land development, planning, zoning and subdivisions	62-629 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	

	Section
SOLID WASTE (Cont'd.)	
Landfill	
Declaration of purpose	106-392
Definitions	106-391
Emergency, disaster usage and operations	106-399
Establishing a landfill fee to comply with federal mandated subtitle "D" regulations	106-398
Fees, charges and service rates	
Establishing a landfill fee to comply with federal mandated subtitle "D" regulations	106-398
For resident commercial haulers, procedures and fees	106-396
Nonmunicipal landfill usage procedures and fees in general	106-394
Nonresident users, procedures and fees for	106-395
Procedures and fees for nonresident commercial haulers	106-397
Resident users, procedures and fees for	106-393
For resident commercial haulers, procedures and fees	106-396
Nonmunicipal landfill usage procedures and fees in general	106-394
Nonresident users, procedures and fees for	106-395
Policies and procedures	
For resident commercial haulers, procedures and fees	106-396
Nonmunicipal landfill usage procedures and fees in general	106-394
Nonresident users, procedures and fees for	106-395
Procedures and fees for nonresident commercial haulers	106-397
Resident users, procedures and fees for	106-393
Procedures and fees for nonresident commercial haulers	106-397
Action on application	106-397(b)
Application	106-397(a)
Certification of actual usage	106-397(c)
Usage rates	106-397(d)
Resident users, procedures and fees for	106-393
Manufactured and mobile homes	
Trailer camps	
Garbage storage and collection	74-37
Municipal collection service	
Administrative procedures	106-366
Bins, containers and other receptacles	
General container and storage requirements for permissible solid waste	
Large commercial and industrial units	106-361
Residential units	106-360
Maintenance, repair and replacement of polycarts and commercial dumpsters	106-362
Prohibiting the unauthorized deposit of refuse in containers belonging or assigned to someone else	106-363
Charges for removal of permissible solid waste	106-364
City's exclusive right to collect and remove refuse	106-358
General container and storage requirements for permissible solid waste	
Large commercial and industrial units	106-361
Residential units	106-360

	Section
STANDARDS AND SPECIFICATIONS (Cont'd.)	
Finance	
Cost sharing policy for public works projects	
Streets	
Standard 29-foot street (Existing platted streets)...	2-439(b)
Land development, planning, zoning and subdivisions	62-266 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
Municipal airport	
Standards for specific aeronautical activities.....	14-28
Sewers and sewage disposal	106-221 et seq.
See: SEWERS AND SEWAGE DISPOSAL	
Special events and processions	
Special event permit	
Standards for issuance.....	102-303
Streets, sidewalks and other public places	
Streets	
Construction specifications ..	94-33
Minimum requirements and specifications for construction and paving of platted and dedicated streets within city limits..	94-34
Towers and antennas.....	100-55 et seq.
See: TOWERS AND ANTENNAS	
Water supply system	
Lines, water supply and distribution	
Mains and connections	
Applicable specifications...	106-176
General standards	106-177

	Section
STATE	
Rules of construction and definitions.....	1-2
STOLEN PROPERTY. See: THEFT AND STOLEN PROPERTY	
STORAGE	
Animals	
Care and control regulations	
Collection, storage disposal of litter and droppings	10-88
Storage of feed	10-89
Fire prevention and protection ...	50-77 et seq.
See: FIRE PREVENTION AND PROTECTION	
Health and public welfare	
Open storage of abandoned or unattended vehicles, refrigerators, building material, etc.....	54-2
Land development, planning, zoning and subdivisions	
Zoning districts and district regulations	
Supplemental district regulations	
Liquefied petroleum gases, storage of	62-301
Storage and parking of trailers and commercial vehicles	62-297
Manufactured and mobile homes	
Trailer camps	
Garbage storage and collection.....	74-37
Solid waste	106-325 et seq.
See: SOLID WASTE	
Taxation	
Use tax	
Excise tax on storage, use or other consumption of tangible, personal prop-	

	Section
STORMWATER UTILITY PROGRAM (Cont'd.)	
Permit, land disturbing	106-435
Regulated, land disturbing activity	
Permit required	106-434(a)
Supplemental permit classifications and requirements. See herein that subject	
Management, stormwater quality	106-438
Permit, land disturbing	106-435
Purpose	106-427
Regulated, land disturbing activity	106-434
Permit required	106-434(a)
Practices for land disturbing activities	106-434(b)
Sediment and erosion control	106-437
Signatory requirements	106-432
Stormwater advisory committee	2-331 et seq.
See: STORMWATER ADVISORY COMMITTEE	
Stormwater program manager	106-429
Supplemental permit classifications and requirements	
Conditions, permit	106-524
Cosmetic cleaning	106-521
Issuance of permit and registration certificates	106-523
Landscape maintenance	106-525
Permit application procedures	106-522
Water supply system	
Excavations, trenching and backfilling	
Excavation	
Trench excavation	
Storm sewers	106-150(d)(2)

	Section
STREETS, SIDEWALKS AND OTHER PUBLIC PLACES	
Alcoholic and nonintoxicating beverages	6-1 et seq.
See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
Animals	10-81 et seq.
See: ANIMALS	
Bicycles	
Obedience to signs prohibiting riding on sidewalks or roadways	102-209
Riding on sidewalks	102-208
Buildings and construction	
Moving of buildings	
Limitation on occupancy of streets	18-475
Route; use of streets	18-474
Streets	
Construction specifications	94-33
Minimum requirements and specifications for construction and paving of platted and dedicated streets within city limits	94-34
Use of sidewalks for receipt or shipment of merchandise or deposit of building materials	94-4
Businesses	
Deposit of advertising matter on streets, other public property	22-3
Certain ordinances not affected by Code	1-13
Community tree board	
Street trees defined	2-249
Department of public works	
Duties	
Streets division	2-153(6)

	Section
STREETS, SIDEWALKS AND OTHER PUBLIC PLACES (Cont'd.)	
Openings	
Authorized openings	94-61
Backfilling	94-65
Barricades, rails and lights	94-66
Charge for opening in pavement	94-63
Permit for opening in unpaved street or alley	94-64
Request for opening in pavement	94-62
Permit for installation of drainage structures in street ditches	94-35
Traffic and vehicles	102-10 et seq.
See: TRAFFIC AND VEHICLES	
Use of sidewalks for receipt or shipment of merchandise or deposit of building materials	94-4
Water supply system	
Excavations, trenching and backfilling	
Backfilling	
Placement and compaction	
Beneath unpaved areas and sidewalk	106-152(c)(2)
SUBDIVISION REVIEW COMMITTEE	
Land development, planning, zoning and subdivisions	
Subdivisions	
Plats and plat approval	62-540
SUBDIVISIONS (Generally)	
Certain ordinances not affected by Code	1-13
SUBDIVISIONS (Generally) (Cont'd.)	
Land development, planning, zoning and subdivisions	62-1 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
SUBDIVISIONS. See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	
SUBPOENAS. See: WRITS, WARRANTS AND OTHER LEGAL PROCESSES	
SUITS, ACTIONS AND OTHER LEGAL PROCEEDINGS	
Alcoholic and nonintoxicating beverages	
Alcoholic beverages	
Occupation tax	
Collection by civil suit	6-85
Courts and jails	30-26 et seq.
See: COURTS AND JAILS	
Offenses and nuisances	
Nuisances	
Abatement	
By suit in district court	82-126
Sewers and sewage disposal	
Industrial use regulations	
Judicial enforcement remedies	
Injunctive relief	106-298(a)
Taxation	
Sales tax	
Money due under article constitutes superior claim; collection by suit	98-30
SUMMONS. See: WRITS, WARRANTS AND OTHER LEGAL PROCESSES	

	Section
TAXATION (Cont'd.)	
Amendments	
Hotel tax	98-127
Sales tax	
Article, amendments to	98-33
Provisions re	98-42
Certain ordinances not affected by Code	1-13
Confidentiality and privacy	
Hotel tax	
Confidential records	98-126
Sales tax	
Confidentiality of records	98-32
Use tax	
Fraudulent returns	98-82
Records confidential	98-83
Credits, rebates and refunds	
Hotel tax	98-118
Sales tax	
Refund of erroneous payments	98-31
Use tax	
Erroneous payments; claim for refund	98-81
Economic development fund	
Effective fiscal year	98-185
Establishment and purpose	98-181
Provisions cumulative	98-186
Purpose of the economic development fund	98-182
Revenue disbursements	98-184
Severability	98-187
Source of revenue	98-183
Fines, forfeitures and other penalties	
Hotel tax	
Interest and penalties	98-125
Sales tax	
Penalty and interest on delinquencies; forfeiture of discount	98-28
Use tax	
Interest and penalties; delinquency	98-79

	Section
TAXATION (Cont'd.)	
Waiver of interest and penalties	98-80
Hotel tax	
Amendments	98-127
Assessment and determination of tax	98-117
Confidential records	98-126
Definitions	98-112
General powers of the tax collector	98-122
Imposition of tax; exemptions	98-113
Interest and penalties	98-125
Notices	98-119
Payment of tax	98-116
Provisions cumulative	98-128
Purpose of revenues	98-129
Records to be kept	98-114
Refunds	98-118
Remedies exclusive	98-120
Returns	98-115
Infrastructure sales tax	
Amendments	98-158
Citations and codification	98-151
Effective date and stated termination date	98-154
Payment of tax	98-156
Provisions cumulative	98-159
Purpose of revenues	98-153
Severability	98-160
Subsisting state permits	98-155
Tax imposed	98-152
Tax in addition to taxes currently levied	
Administrative procedures	98-157
Levy, levying	
Sales tax	
Levy	98-21
This tax in addition to taxes currently levied; administrative procedures	98-41

	Section
TAXATION (Cont'd.)	
Manner of paying	98-24
Money due under article constitutes superior claim; collection by suit	98-30
Payment of tax	98-40
Penalty and interest on delinquencies; forfeiture of discount	98-28
Provisions of article cumulative	98-34
Purpose	98-20
Records and reports	
Confidentiality of records	98-32
Failure to make reports and remittances; false or fraudulent reports	98-29
Returns, remittances and discounts	98-27
Refund of erroneous payments	98-31
Returns, remittances and discounts	98-27
Revenues, purpose of	98-37
Subsisting state permits	98-39
Tax imposed	98-36
This tax in addition to taxes currently levied; administrative procedures	98-41
When due and payable	98-23
Use tax	
Additional 0.5 percent excise tax	98-69
Classification of taxpayers	98-74
Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits	98-76
Definitions	98-66
Erroneous payments; claim for refund	98-81
Excise tax on storage, use or other consumption of tangible, personal property levied	98-68
Exemptions	98-70
Fraudulent returns	98-82
General collection of tax by retailer or vendor	98-73
Interest and penalties; delinquency	98-79
Licenses and permits	
Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits	98-76
Revoking permits	98-77
Subsisting state permits	98-75
Merchants or vendors	
Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits	98-76
General collection of tax by retailer or vendor	98-73
Remunerative deductions allowed vendors or retailers of other states	98-78
Provisions cumulative	98-84
Purpose	98-67
Records confidential	98-83
Remunerative deductions allowed vendors or retailers of other states	98-78
Retail, retailer	
Collection of tax by retailer or vendor not maintaining place of business within state or both within and without state; permits	98-76
General collection of tax by retailer or vendor	98-73
Remunerative deductions allowed vendors or retailers of other states	98-78

	Section
TELECOMMUNICATIONS (Cont'd.)	
Emergency removal or relocation of small cell facilities	100-88
Height of small wireless facilities and associated poles and support structures	100-85
Permit required	100-83
Review time for applications for installation, modification or replacement of a utility pole and association collocation	100-83(e)
Review time for applications to collocate facilities	100-83(d)
Permit time limits	100-84
Purpose	100-80
Relocation or modification of small cell facilities	100-87
Small cell facilities	100-82
Small wireless facilities standards	100-86
Spacing requirements	100-86(e)
Towers and antennas	100-51 et seq.
See: TOWERS AND ANTENNAS	
TELEVISIONS	
Offenses and nuisances	
Property, offenses against	
Bypassing utility meters; damaging, tampering with, etc., utility property; theft of cable television signals	82-22
TEMPORARY BUILDINGS, STRUCTURES OR USES	
Certain ordinances not affected by Code	1-13
Land development, planning, zoning and subdivisions	62-82 et seq.
See: LAND DEVELOPMENT, PLANNING, ZONING AND SUBDIVISIONS	

	Section
TEMPORARY BUILDINGS, STRUCTURES OR USES (Cont'd.)	
Municipal airport	
Aeronautical activity	
Application procedure	
Temporary/transient activity, application for	14-26(c)
Fees for aeronautical activities	
Temporary/transient commercial activities, fees for	14-30(d)
Offenses and nuisances	
Juveniles	
Temporary detention and custody of children subject to compulsory attendance law and neglect or refusal to compel child to attend school; exceptions; enforcement	82-102
TENANT, OCCUPANT	
Rules of construction and definitions	1-2
TENSE	
Rules of construction and definitions	1-2
THEATERS	
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	
Drive-in theatres	62-467
Provisions re	62-466
THEFT AND STOLEN PROPERTY	
Finance	
Identity theft prevention program	2-352
Offenses and nuisances	
Property, offenses against	
Bypassing utility meters; damaging, tampering with, etc., utility property; theft	

	Section
TOWERS AND ANTENNAS (Cont'd.)	
Interference	100-55(5)
Landscaping	100-55(6)
Lighting	100-55(7)
Parking	100-55(8)
Security fence	100-55(9)
Setbacks and separation	100-55(10)
Signs	100-55(11)
Spacing	100-55(12)
Water supply system	
Climbing ladder or appurtenances to standpipe, reservoir or water tower	106-44
Posting bills, signs on or defacing standpipe or water tower	106-45
TRAFFIC AND VEHICLES	
Administration and enforcement	
Affixing citation to vehicle	102-42
Authority of city manager to promulgate traffic regulations	102-44
Created, traffic violations bureau; schedule of fines	102-41
General duties of police department with respect to traffic	102-45
Inspection of vehicles	102-48
Officers and employees	
Authority of city manager to promulgate traffic regulations	102-44
Officers of fire department to direct traffic, authority of	102-47
Police officers to direct traffic, authority of	102-46
Officers of fire department to direct traffic, authority of	102-47
Police officers to direct traffic, authority of	102-46
Prohibited turns at certain intersections	102-49
Safety council	102-43

	Section
TRAFFIC AND VEHICLES (Cont'd.)	
Traffic control signs, signals, and devices and markings	
Designate, designation	
Designation, maintenance of crosswalks and safety zones or islands for protection of pedestrians	102-79
One-way streets and alleys; designation and marking	102-76
Through streets and stop or yield intersections; designation and marking	102-75
Designation, maintenance of crosswalks and safety zones or islands for protection of pedestrians	102-79
Fire lanes, marking of	102-78
General installation and maintenance	102-73
Marking of traffic lanes	102-77
Necessity of signs	102-72
One-way streets and alleys; designation and marking	102-76
Testing	102-74
Through streets and stop or yield intersections; designation and marking	102-75
Adoption of state statutes	102-2
Ambulance service	38-185 et seq.
See: AMBULANCE SERVICE	
Animals	
Care and control regulations	
Striking with a motor vehicle	10-86
Dogs and cats	
Riding in motor vehicles, dogs and cats	10-145
Bicycles	102-203 et seq.
See: BICYCLES	

TRAFFIC AND VEHICLES (Cont'd.)	Section
Operation of vehicles	
Driving on sidewalks	102-111
Intersection or crosswalk, obstructing	102-108
Limitations on turning around	102-106
Motor vehicle operation in public parks	102-110
Obstructive or dangerous vehicles	102-103
Operation of golf carts on city streets	102-112
Play streets	102-107
Speed limits	102-105
Streets, sidewalks and other public places	
Driving on sidewalks	102-111
Operation of golf carts on city streets	102-112
Play streets	102-107
Vehicles or objects likely to injure street shall not be driven or moved on street	102-104
Truck routes	102-109
Vehicles or objects likely to injure street shall not be driven or moved on street	102-104
Weight and size of vehicles	102-102
Parent or guardian shall not authorize or permit child or ward to violate chapter	102-5
Pedestrians soliciting rides, business or donations from vehicle occupants	102-13
Police department	
Administration and enforcement	
General duties of police department with respect to traffic	102-45
Police officers to direct traffic, authority of	102-46

TRAFFIC AND VEHICLES (Cont'd.)	Section
Stopping, standing and parking	
Parking meters	
Police department in charge of operation of meters, etc.	102-182
Purposeful avoidance of traffic regulations	102-14
Riding on portion of vehicle not intended for passengers	102-7
Special events and processions	102-265 et seq.
See: SPECIAL EVENTS AND PROCESSIONS	
Stopping, standing and parking	
Adjacent to schools, parking	102-146
Angle parking	102-140
Bus stops, stands for taxicabs and other common carriers, designation and marking of	102-149
Buses, bus stops	
Bus stops, stands for taxicabs and other common carriers, designation and marking of	102-149
Restriction on standing, parking or stopping of buses	102-150
Unlawful use of bus stop, taxicab stand	102-152
Designation, marking and use of loading zones	102-148
Impoundment of parked or standing vehicles	102-139
Limited or prohibited parking on specific streets	102-145
Loading and unloading permits	102-147
Markers and monuments	
Bus stops, stands for taxicabs and other common carriers, designation and marking of	102-149

Section

TRAFFIC AND VEHICLES (Cont'd.)
Utilities
Regulation of utility lines and poles
Construction standards
Vehicle and construction equipment identification ..... 106-558(f)
Vehicle owner shall not permit or authorize violation 102-4
Vehicles for hire..... 110-1 et seq.
See: VEHICLES FOR HIRE
Violation constitutes misdemeanor 102-3
Water supply system
Excavations, trenching and backfilling
Excavation
Traffic safety..... 106-150(g)
Zones
Administration and enforcement
Traffic control signs, signals, and devices and markings
Designation, maintenance of crosswalks and safety zones or islands for protection of pedestrians.. 102-79
Stopping, standing and parking
Designation, marking and use of loading zones..... 102-148
Parking meters
Zones; installation; marking of metered spaces.. 102-176

TRAFFIC VIOLATIONS BUREAU
Traffic and vehicles
Administration and enforcement
Created, traffic violations bureau; schedule of fines ... 102-41

TRAILERS AND TRAILER PARKS. See: MANUFACTURED AND MOBILE HOMES

Section

TRAINS. See: RAILROADS AND TRAINS

TRANSPORT, TRANSPORTATION
Ambulance service
Prohibition against refusal to transport..... 38-196
Fire prevention and protection ... 50-77 et seq.
See: FIRE PREVENTION AND PROTECTION
Traffic and vehicles
Transporting alcoholic beverages in opened containers..... 102-11

TRASH. See: GARBAGE AND TRASH

TRAVEL AND TOURISM
Economic development
Director; duties, tourism division..... 2-176(3)
Land development, planning, zoning and subdivisions
Off-street parking and loading
Space requirements
Hotels, motels, tourist homes and other places offering overnight accommodations 62-460

TREASURER
Cemeteries
Municipal cemeteries
Cemetery care fund
General duties of city treasurer..... 26-84

TREES, SHRUBS AND PLANTS
Businesses
Tree trimmers must clean up after operations..... 22-6
Community tree board..... 2-248 et seq.
See: COMMUNITY TREE BOARD

	Section
UTILITIES (Cont'd.)	
Definitions	106-556
Enforcement	106-566
Remedies for violations	106-566(a)
Exemptions	106-568
Location and minimum burial depth	106-557
Penalties	106-567
Permit required	106-562
Pre-excavation location of equipment	106-564
Restoration of property	106-560
Variances	106-559
Sewers and sewage disposal	106-217 et seq.
See: SEWERS AND SEWAGE DISPOSAL	
Solid waste	106-323 et seq.
See: SOLID WASTE	
Stormwater utility program	106-427 et seq.
See: STORMWATER UTILITY PROGRAM	
Telecommunications	
Small wireless facilities	
Permit required	
Review time for applications for installation, modification or replacement of a utility pole and association collocation	100-83(e)
Water supply system	106-19 et seq.
See: WATER SUPPLY SYSTEM	

V

	Section
VACANT, VACANCY	
Businesses	
Consent required for sale of personal property on or in vacant property	22-5
VACANT, VACANCY (Cont'd.)	
Courts and jails	
Municipal court not of record	
Judge	
Vacancy in office	30-65
VACATE, VACATION	
Certain ordinances not affected by Code	1-13
Land development, planning, zoning and subdivisions	
Zoning districts and district regulations	
Vacation of public easements	62-220
VACCINES, VACCINATIONS	
Animals	
Care and control regulations	
Rabies control	
Vaccination compliance measure	10-119
VARIANCES	
Aviation	
Airport zoning	
Permits	14-61(d)
Driveways	
Interpretation, purpose and administration of article; variances	94-118
Land development, planning, zoning and subdivisions	
Flood hazard overlay district	
Administration and enforcement	62-368
Subdivisions	
Variations and exceptions	62-513
Stormwater utility program	
Enforcement and abatement	106-491
Utilities	
Regulation of utility lines	106-559
VEHICLES. See: TRAFFIC AND VEHICLES	

WATER SUPPLY SYSTEM (Cont'd.)	Section
Excavations	
Excavations, trenching and backfilling. See herein that subject	
Lines, water supply and distribution	
Mains and connections	
Excavation, trenching and backfilling	106-178
Excavations, trenching and backfilling	
Backfilling	106-152
Generally	106-152(a)
Materials, backfilling	106-152(b)
Around pipe	106-152(b)(1)
Remainder of backfill	106-152(b)(2)
Placement and compaction	106-152(c)
Areas to be paved, beneath	106-152(c)(3)
Bedding of pipe	106-152(c)(1)
Beneath unpaved areas and sidewalk	106-152(c)(2)
Excavation	106-150
Appurtenances, excavation for	106-150(e)
Blasting for excavation	106-150(c)
Bracing and shoring	106-150(f)
Generally	106-150(a)
Rock excavation	106-150(b)
Traffic safety	106-150(g)
Trench excavation	106-150(d)
Sanitary sewers	106-150(d)(1)
Storm sewers	106-150(d)(2)
Water supply and distribution lines	106-150(d)(3)

WATER SUPPLY SYSTEM (Cont'd.)	Section
Pipes, cables and conduits	
Backfilling	
Materials, backfilling	
Around pipe	106-152(b)(1)
Placement and compaction	
Bedding of pipe	106-152(c)(1)
Excavation	
Trench excavation	
Water supply and distribution lines	106-150(d)(3)
Protection of existing utilities	
Gas distribution lines	106-151(b)
Protection of existing utilities	106-151
Gas distribution lines	106-151(b)
Location	106-151(a)
Tests	106-151(c)
Replacement of paving and other surfaces	106-153
Scope	106-149
Fees, charges and service rates	
Charges for reconnection and rereading of meter	106-31
Installation fee, meter	106-28
Relocation fee, meter	106-29
Service charges. See herein that subject	
Finance	
Applicant to pay cost of running pipe to property not served by water	106-22
Cost sharing policy for public works projects	
Water main extensions	2-443
Deposits	106-20
Prior city claims paid, connection prohibited until	106-21
Service charges. See herein that subject	

WATER SUPPLY SYSTEM (Cont'd.)	Section
Water supply	74-32
Meters set and connected by city; ownership of meters	106-27
Multiple connections on same premises; each premises to have separate connection	106-23
Opening, interfering with, obstructing, etc., fire hydrants or stopcocks	106-43
Pipes, cables and conduits	
Applicant to pay cost of running pipe to property not served by water	106-22
Climbing ladder or appurtenances to standpipe, reservoir or water tower	106-44
Excavations, trenching and backfilling. See herein that subject	
Galvanized pipe required; depth of pipe	106-32
Lines, water supply and distribution. See herein that subject	
Maintenance of service lines; replacement of inadequate service lines	106-33
Posting bills, signs on or defacing standpipe or water tower	106-45
Private lines, maintenance of	106-34
Right of entry to inspect connections and lines; badge, credentials of inspectors	106-39
Posting bills, signs on or defacing standpipe or water tower	106-45
Prior city claims paid, connection prohibited until	106-21
Private lines, maintenance of	106-34
Relocation fee, meter	106-29
Required prior to connection, meter	106-26
Responsibility of owner or occupant to repair or replace damaged meters	106-42
Right of entry to inspect connections and lines; badge, credentials of inspectors	106-39
Service charges	
Charged against applicant for service	106-66
Estimate in case of defective meter	106-69
Rates established	106-64
Raw water sales	106-70
Separate minimum charge for each premises served by same meter	106-67
Special contracts, rates for large users	106-65
When due and payable; delinquency	106-68
Service for fire protection	106-36
Sewers and sewage disposal	
Industrial use regulations	
Supplemental enforcement action	
Water supply severance	106-299(a)
Sprinkler systems, connection to	106-37
Testing meters	106-30
Unlawful reconnection of service after cutoff	106-40
Water emergencies	
Appeals to council by persons aggrieved by proclamation	106-105
Authority to proclaim and direct conservation of water	106-101
Definitions	106-99
Division binding on all water users	106-100
Duration	106-104
Publication of proclamation; when proclamation effective	106-103

	Section
WEIGHTS AND MEASURES (Cont'd.)	
Traffic and vehicles	
Operation of vehicles	
Weight and size of vehicles...	102-102
Stopping, standing and parking	
Ten feet of roadway available for traffic, parking so as to leave	102-142
Utilities	
Regulation of utility lines and poles	
Location and minimum burial depth.....	106-557
Water supply system	
Galvanized pipe required; depth of pipe	106-32
WHITE GOODS (Refrigerators, freezers, iceboxes, etc.)	
Health and public welfare	
Open storage of abandoned or unattended vehicles, refrigerators, building material, etc.....	54-2
Offenses and nuisances	
Public safety, offenses against	
Removal of door, lock, etc., from discarded refrigerators, similar containers...	82-41
WHOLESALE, WHOLESALER	
Alcoholic and nonintoxicating beverages	
Alcoholic beverages	
Must comply with zoning ordinance, package stores, wholesalers, etc.	6-25
Businesses	
Licenses generally	
Special provisions applicable to fireworks wholesaler's license.....	22-42

	Section
WHOLESALE, WHOLESALER (Cont'd.)	
Land development, planning, zoning and subdivisions	
Off-street parking and loading	
Space requirements	
Wholesale, manufacturing and industrial plants, etc.....	62-475
WINE. See: ALCOHOLIC AND NONINTOXICATING BEVERAGES	
WIRES. See: POLES AND WIRES	
WRITS, WARRANTS AND OTHER LEGAL PROCESSES	
Courts and jails.....	22-29 et seq.
See: COURTS AND JAILS	
Emergency management and services	
Public order preservation	
Notice of orders affecting business establishments.....	38-84
Fair housing	
Investigations, subpoenas, giving of evidence	58-141
Sewers and sewage disposal	106-294 et seq.
See: SEWERS AND SEWAGE DISPOSAL	
Stormwater utility program	106-486 et seq.
See: STORMWATER UTILITY PROGRAM	
Traffic and vehicles	
Administration and enforcement	
Affixing citation to vehicle ...	102-42
Water supply system	
Water emergencies	
Specific emergency orders authorized.....	106-102

RESOLUTION NO . _____

A RESOLUTION DIRECTING FILING AND NOTIFICATION OF THE PUBLICATION OF BIENNIAL SUPPLEMENTS TO THE McALESTER CITY CODE OF 2017.

* * * * * * * * * * * * *

WHEREAS, the City of McAlester contracted with the Municipal Code Corporation to prepare biennial supplements to the City of McAlester Code of Ordinances; and

WHEREAS, one such supplement has been prepared in compliance with the contract dated September 24, 2012; and

WHEREAS, the City is required to publish biennial supplements to its permanent volume of compiled penal ordinances and to deposit a copy of the supplements with the County Law Library pursuant to Sections 14-109 and 14-110 of Title 11 of the Oklahoma Statutes; and

WHEREAS, the City is required to adopt a Resolution notifying the public of the publication of biennial supplements pursuant to Section 14-110 of Title 11 of the Oklahoma Statutes and to file a copy of the Resolution in the Office of the County Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF McALESTER:

THAT the public is hereby notified of the publication of this biennial supplement to the McAlester City Code of 2017 and that copies of the supplement are available for review in the Office of the City Clerk; and

THAT the City Clerk shall cause to be filed one copy of this Resolution with the Office of the County Clerk of Pittsburg County; and

THAT the City Clerk shall cause to be filed one copy of this Resolution and one copy of the supplement to the McAlester City Code with the Law Library of Pittsburg County; and

THAT the City Clerk shall keep at least three (3) copies of the McAlester City Code of 2017 as updated by the supplements in the Office of the City Clerk for public use, inspection and examination.

ADOPTED this _____ day of September, 2026, by the Mayor and City Council of the City of McAlester.

CITY OF MCALESTER, OKLAHOMA
A Municipal Corporation

By_____
Justin Few, Mayor

ATTEST:

_____
Cora Middleton, City Clerk

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Admin
Prepared By: Cora Middleton, City Clerk
Date Prepared: 09/01/2026

Account Code:
Budgeted Amount:

Subject:
Concur with the Mayor's appointment of Steve Harrison to the McAlester Park Board, for a term to expire July 31, 2029. *(Cora Middleton, City Clerk)*

Recommendation:
Concur with the Mayor's appointment of Steve Harrison to the McAlester Park Board, for a term to expire July 31, 2029. (Cora Middleton, City Clerk)

Discussion:
Staff have verified that Mr. Harrison meets all residency and professional requirements.
Exibits: 1. Steve Harrison, Bio
2. Code Sec. 86-2

Approved By:	Inital	Date
Department Head:	CM	09.01.26
City Manager:	kjw	2 Sept 26

Exhibits:
Code Sec. 86-2, Steve Harrison-Park Bd.

Sec. 86-2. - Park board.

(a) There is hereby created a park board consisting of nine members. One member shall be appointed from each of the six wards of the city and one shall be a member at large, such members to be appointed by the mayor with the approval of the council. Two members shall be elected by the student body of McAlester High School. The students so elected shall serve for a one-year term and be residents of the city and all other members shall serve for a term of three years. The members shall serve without compensation.

(b) If a member of the park board fails to attend more than half of all the meetings (regular and special) held within a year, he shall, ipso facto, cease to be a member. The mayor, with the approval of the council, may remove any member of the park board.

(c) As soon as practicable after January 1 of each year, the park board shall elect a chairperson, a vice-chairperson and a secretary. The secretary need not be a member of the board. The board shall determine the time and place of its regular meetings and the chairperson or any four of the members may call special meetings.

(d) The park board shall advise and make recommendations to the council and the city manager on any matters pertaining to parks and recreation.

(Code 1974, § 19-2; Code 1993, § 86-2)

I am willing and able to serve on the McAlester Park Board. I have been a resident of Ward 2 since 2002. I have previously served as McAlester city treasurer, city councilman and as mayor. I have served on other city committees but don't currently serve on any except for the Pittsburg County Regional Expo Authority. I am treasurer and board member of Keep McAlester Beautiful and treasurer and board member of the Ardeneum Foundation (owner and operator of the Puterbaugh Center). I also have been heavily involved in the renovation of the McAlester Public Library. My wife, Patty, serves on the McAlester Tree Board.

I visit Will Rogers Park several times a week (the ONLY park in Ward 2). McAlester has a wonderful collection of neighborhood parks and our parks department does a great job in maintaining them with limited resources. I believe an active and engaged Park Board can work with the city and the Tree Board to bring a sharper focus to our parks and their importance to the quality of life in our community. Working together, we can continue to improve our parks (and connecting trails) for the pleasure and enjoyment of generations to come.

Respectfully submitted,

Steve Harrison
37 Georgetown Circle
McAlester, OK 74501
918 429 9251
stevepattyharrison@sbcglobal.net

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Admin
Prepared By: Cora Middleton, City Clerk
Date Prepared: 09/01/2026

Account Code:
Budgeted Amount:

Subject:
Concur with the Mayor's appointment of Kaleb Swboni to the McAlester Park Board, for a term to expire July 31, 2028. (*Cora Middleton, City Clerk)*

Recommendation:
Concur with the Mayor's appointment of Kaleb Swboni to the McAlester Park Board, for a term to expire July 31, 2028. (Cora Middleton, City Clerk)

Discussion:
Staff have verified that Mr. Swboni meets all residency and professional requirements.
Exhibits: 1. Kaleb Swboni, Bio
2. Code Sec. 86-2

Approved By:	Inital	Date
Department Head:	CM	09.01.26
City Manager:	kjw	2 Sept 26

Exhibits:
Code Sec. 86-2, Kaleb Swboni - Park Board

Sec. 86-2. - Park board.

(a) There is hereby created a park board consisting of nine members. One member shall be appointed from each of the six wards of the city and one shall be a member at large, such members to be appointed by the mayor with the approval of the council. Two members shall be elected by the student body of McAlester High School. The students so elected shall serve for a one-year term and be residents of the city and all other members shall serve for a term of three years. The members shall serve without compensation.

(b) If a member of the park board fails to attend more than half of all the meetings (regular and special) held within a year, he shall, ipso facto, cease to be a member. The mayor, with the approval of the council, may remove any member of the park board.

(c) As soon as practicable after January 1 of each year, the park board shall elect a chairperson, a vice-chairperson and a secretary. The secretary need not be a member of the board. The board shall determine the time and place of its regular meetings and the chairperson or any four of the members may call special meetings.

(d) The park board shall advise and make recommendations to the council and the city manager on any matters pertaining to parks and recreation.

(Code 1974, § 19-2; Code 1993, § 86-2)

Kaleb Swboni has called Pittsburg County home for most of his life and has been a resident of McAlester since being honorably discharged from the United States Army in 2016. After serving his country, including a deployment to Afghanistan, George returned home with a passion for serving others and investing in his community.

George is currently a school principal and coach, where he continues to lead, mentor, and support the youth of the area. He and his wife, Jenna, are proud to raise their family in Pittsburg County and believe strongly in giving back to the community that has given them so much.

Through his service on the Park and Recreation Board, George hopes to help create opportunities, strengthen community connections, and ensure local programs continue to benefit families and future generations.

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Admin
Prepared By: Cora Middleton, City Clerk
Date Prepared: 09/01/2026

Account Code:
Budgeted Amount:

Subject:
Indefinitely postpone Tort Claim No. 219163-1-KH, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

Recommendation:
Indefinitely postpone Tort Claim No. 219163-1-KH, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

Discussion:
Postponing Tort Claims allows Oklahoma Municipal Assurance Group (OMAG), the City of McAlester's Auto & Equipment Insurance provider time to investigate the claim.
Exhibit: Tort Claim

Approved By:	Inital	Date
Department Head:	CM	09.01.26
City Manager:	kjw	2 Sept 26

Exhibits:
Tort Claim - Ladder 1

OMAG
3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

August 21, 2026

City of McAlester
Attn: Cora Middleton
P.O. Box 578
McAlester, Oklahoma 74502-0578

Re:	Vehicle Desc.	:	2001 Aerial Fire Truck
	VIN	:	3580
	Date of Loss	:	June 10, 2026
	Claim Number	:	219163-1-KH
	Loss Type	:	Collision
	Deductible	:	$500.00

Dear Ms. Middleton:

This will acknowledge receipt of the above captioned claim. The claim will be investigated by the following adjuster:

Kristen Haney
(405) 657-1400
Fax: (405) 657-1401
khaney@omag.org

We look forward to working with you on this matter. **Please note, there is no deductible owed at this time**. Should you have any questions, please do not hesitate to contact the adjuster.

Sincerely,

OMAG Claims Department

This form is for damage to City or Town vehicles *ONLY*. All other General Liability or Auto claims should be reported on the Tort Claim Form.

OMAG AUTO LOSS NOTICE

Today's date: August 20, 2026

Insured: City of McAlester

Date & Time of Incident: June 10, 2026; 7:05 A.M.

Location of Incident: 1000 Blk. S. Main St., McAlester, OK

Location of Damaged City Vehicle (place where it can be inspected, if necessary): 607 Village Boulevard, McAlester, OK

CITY VEHICLE INVOLVED IN INCIDENT:

2001	Custom	Aerial	3580
Year	Make	Model	VIN (last 4 digits)

Description of Damages to City Vehicle: Front bumper

Estimated Amount of Damages: estimates attached (Attach estimates if already obtained):

Name of Contact Person: Cora Middleton

Phone Number of Contact Person: (918) 423-9300 ext. 4956

Describe Incident:

2001 Aerial Fire Truck (Ladder 1) was parked on S. Main St. facing north while spraying water onto a structure fire & Engine 3, parked facing south on S. Main, jumped chock blocks and rolled into Ladder 1.

Attach related reports (Police, OHP, City Acc. Reports, etc.)

FAX OR MAIL THIS FORM IMMEDIATELY TO:

OMAG Claims Department
4130 N. Lincoln Boulevard
Oklahoma City, OK 73105
FAX: (405) 525-0009
PHONE: (405) 525-6624

CITY OF McALESTER
VEHICLE AND EQUIPMENT ACCIDENT REPORT

(To be completed by employee operating vehicle/equipment and submitted to the City Clerk's Office within 24 hours.)

* * * * * * * * * * * * *

1. Name of Operator at time of Accident it was Parked and in pump
2. Department Fire
3. Date of Accident 6-10-26 Time of Accident _____
4. Work Assignment at Time of Accident Fighting Fire
5. Name of City Employee(s) Witnessing Accident Alfred Blansett
6. Vehicle Involved in Accident (Make, Year, Tag #, Vehicle #) Engine 3 & Ladder 1
7. Work Activity at Time of Accident Spraying Water on Fire
8. Was another Party Involved in the Accident? Yes _____ No X
   If Yes, Name(s) of other party _____
9. Damage Estimate:
   a. City Vehicle $_____
   b. Other Vehicle $_____
   c. Other Property $_____
   (damage estimates from Central Garage & Police Department)
10. Was Traffic Citation Issued? Yes _____ No X
    a. To Whom _____
    b. Type of Charge _____
11. Have you had any accidents involving City vehicles/equipment before?
    Yes _____ No X
    If Yes, When _____ Reason _____
    Action, if any, by Supervisor _____
12. Was there any vehicle/equipment defect that contributed to the accident?
    Yes _____ No X
    If Yes, What way did the defect contribute to accident? _____

13. Accident Description: Engin 3 was parked pointing to the south on the street spraying water and Ladder 1 was pointing north on the street spraying water. I was standing next to Ladder 1 with Firefighter Cope putting a LDH Hose on the truck when Engine 3 slammed into Ladder 1 moving it about 10 to 12". Engine 3 had both the chock blocks under the tire on the rear of the Truck.

I certify that the information submitted in this report is true and correct to the best of my knowledge and belief.

Employee's Signature Alfred Blansett Date 6-12-26

* * * * * * * * * * * * *

SUPERVISOR'S REPORT

1. Was there a report of vehicle / equipment defect by employee?
   Yes _____ No X
   Remarks _____

2. Has employee had previous accident(s)? Yes _____ No X
   Remarks _____

3. Additional comments on accident Rodney Leamy was on the pump panel when this happened.

I have reviewed the information provided by the employee and find that it is true and correct to the best of my knowledge and belief, and that any exceptions are outlined in my comments above.

Supervisor's Signature Alfred Blansett Date 6-12-26

McALESTEROK
Small Town. Big Frontier.
28 E. Washington · PO Box 578 · McAlester, Oklahoma 74502 · 918-423-9300 · FAX 918-421-4971 · www.cityofmcalester.com

TO: Cora Middleton, City Clerk, City of McAlester

FROM: Virgil Young, Safety and Risk Manager, City of McAlester

LOCATION: 1000 Block S. Main St., McAlester, OK

SUBJECT: Engine 3 & Ladder 1 Vehicle Incident – Statement of Findings

This Statement of Findings is prepared for internal review and risk management purposes. It is based on information available a the time of investigation and is not intended to constitute an admission of liability by the City or any of its employees.

SUMMARY OF INCIDENT:

On, Wednesday, June 10, 2026, an investigation was conducted regarding damage to McAlester Fire Department Engine 3 & Ladder 1.

At approximately 07:05 a.m., I was dispatched to a structure fire scene located in the 1000 block of South Main Street. Upon arrival, I met with Fire Captain A. "Dusty" Blanset, Engine 3 had operating on scene and pumping water for approximately twenty (20) minutes when the apparatus unexpectedly moved from its parked position.

According to information obtained during the investigation, Engine 3 jumped the rear wheel chocks and rolled approximately fifteen (15) to twenty (20) feet southbound on Main Street before striking Ladder 1. After impact, the apparatus came to rest approximately 175 feet north of the intersection of E. Creek Ave and S. Main Street.

It was determined that Firefighter Lieutenant L. Reamy was assigned to and operating the apparatus from the pump panel area at the time the incident occurred.

Due to the ongoing emergency operations and the need to maintain fire suppression capabilities, I made the decision to leave the involved apparatus in service until the structure fire was extinguished. Once fire operations were completed, measurements and photographs were taken to document the incident and vehicle positions.

Fleet Maintenance Response

Fleet Maintenance Supervisor S. Barkley and Fleet Maintenance Foreman R. Waldron were notified and responded to the scene to inspect the involved apparatus. Following preliminary assessment, both the ladder truck and Engine 3 were removed from service pending further mechanical inspection and determination of the cause of the malfunction.

Injuries

No injuries to firefighters, city employees, or members of the public were reported as a result of this incident.

Preliminary Findings

1. Engine 3 was actively engaged in fire suppression operations and pumping water at the time of the incident.
2. The apparatus moved from its parked position despite wheel chocks being in place.
3. The apparatus traveled forward and struck the ladder truck before coming to rest.
4. Lieutenant L. Reamy was present at this assigned operating position at the pump panel when the movement occurred.
5. No injuries resulted from the incident.
6. Both involved apparatus were removed from service pending a comprehensive mechanical evaluation.

Recommended Corrective Actions

1. Conduct a complete mechanical inspection of Engine 3, including braking, transmission, parking brake, and interlock systems.
2. Inspect wheel chocks utilized during the incident for condition, suitability, and placement.
3. Review fire department apparatus parking and wheel cocking procedures during emergency operations.
4. Document all maintenance findings and repairs before returning either apparatus to service.
5. Present findings to department leadership and the Accident Review Board upon completion of the mechanical evaluation.

Status

This incident remains under investigation pending the results of fleet maintenance inspections and any manufacturer or vendor evaluations deemed necessary.

BANNER
FIRE EQUIPMENT, INC
4224 NORTH SANTA FE DRIVE
OKLAHOMA CITY, OK 73118
WWW.BANNERFIRE.COM
405.224.2596

PARTS QUOTE

Quote: 22540
Date / Time: 7/20/2026 2:56:01PM
Customer: 10350
Branch: CHIEF
Quote Total: $8,677.95

Bill To: McAlester Fire Department
1016 E. South Street
McAlester, OK 74501

Ship To: McAlester Fire Department
1016 E. South Street
McAlester, OK 74501
Office Phone: 918-421-4950
Email: debra.stewart@cityofmcalester.com

Office: 918-421-4950 Fax: 918-423-6910 Email: debra.stewart@cityofmcalester.com

Customer PO: ladder 1 Inside Slant matw

Part / Misc	Description / Ref Number	UM	Quantity	Price	Extended Price
287877	BUMP FR 10 2 RIB SS 40 CTRS	ea	1	2,537.99	2,537.99
548268	G-8 C2 10B/20E	Each	1	3,101.99	3,101.99
519926	TRAY GRAVEL SHIELD CYCLONE 2 REC 34X130X12D	Each	1	2,153.99	2,153.99
516482	BRACKET BUMPER TD 10B/12-22	Each	2	441.99	883.98

Customer Tax ID: 596266

Quote Subtotal:	$8,677.95
Total Tax:	$0.00
Quote Total:	$8,677.95

Remit To:
Banner Fire Equipment
4289 Industrial Drive
Roxana, IL 62084

Ladder - 1

Issues with product received on this invoice need to be reported within 10 business days.

Custom, Electronic, Electrical, or Special-Order items are Non-Returnable, Non-Refundable.

Returns must be approved with a return authorization number before returning. We are not responsible for items returned without a return authorization. All returns are subject to a 30% restocking fee.

Past due balances are subject to finance charges.

**********IMPORTANT CHANGE 11/01/2023**********

As of 11/01/2023 Invoices paid with a credit card will automatically be charged a 4% Credit Card Processing Fee

Jun 10, 2026 at 7:14:55 AM
1040 S Main St
McAlester OK 74501
United States
DIAL
911

Jun 10, 2026 at 7:15:03 AM
1010 S Main St
McAlester OK 74501
United States
McALESTER
E-ONE
3 39871

Jun 10, 2026 at 7:15:28 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 7:16:00 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 7:16:12 AM
1040 S Main St
McAlester OK 74501
United States
MCALESTER

Jun 10, 2026 at 7:31:05 AM
1010 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 8:22:57 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 7:31:07 AM
1010 S Main St
McAlester OK 74501
United States
McAlester Fire / EMS

Jun 10, 2026 at 8:23:14 AM
1040 S Main St
McAlester OK 74501
United States
E-ONE

Jun 10, 2026 at 8:23:23 AM
1040 S Main St
McAlester OK 74501
United States
Fire Dept.

Jun 10, 2026 at 8:23:35 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 8:23:44 AM
1040 S Main St
McAlester OK 74501
United States
AUTO SHINE
L2
DIAL
911

Jun 10, 2026 at 8:23:50 AM
1040 S Main St
McAlester OK 74501
United Stat
AUTO SHINE
L2

Jun 10, 2026 at 8:24:08 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 8:24:09 AM
1040 S Main St
McAlester OK 74501
United States
McALESTER

Jun 10, 2026 at 10:05:26 AM
1040 S Main St
McAlester OK 74501
United States

E-ONE
Jun 10, 2026 at 10:05:30 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 10:05:40 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 10:05:42 AM
1040 S Main St
McAlester OK 74501
United States

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Admin
Prepared By: Cora Middleton, City Clerk
Date Prepared: 09/01/2026

Account Code:
Budgeted Amount:

Subject:
Indefinitely postpone Tort Claim No. 219163-2-KH, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

Recommendation:
Indefinitely postpone Tort Claim No. 219163-2-KH, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

Discussion:
Postponing Tort Claims allows Oklahoma Municipal Assurance Group (OMAG), the City of McAlester's Auto & Equipment Insurance provider time to investiate the claim.
Exhibit: Tort Claim

Approved By:	Inital	Date
Department Head:	CM	09.01.26
City Manager:	kjw	2 Sept 26

Exhibits:
Tort Claim Engine 3

OMAG
3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

August 21, 2026

City of McAlester
Attn: Cora Middleton
P.O. Box 578
McAlester, Oklahoma 74502-0578

Re:	Vehicle Desc.	:	1996 Pumper Truck
	VIN	:	005726
	Date of Loss	:	June 10, 2026
	Claim Number	:	219163-2-KH
	Loss Type	:	Collision
	Deductible	:	$500.00

Dear Ms. Middleton:

This will acknowledge receipt of the above captioned claim. The claim will be investigated by the following adjuster:

Kristen Haney
(405) 657-1400
Fax: (405) 657-1401
khaney@omag.org

We look forward to working with you on this matter. **Please note, there is no deductible owed at this time**. Should you have any questions, please do not hesitate to contact the adjuster.

Sincerely,

OMAG Claims Department

This form is for damage to City or Town vehicles *ONLY*. All other General Liability or Auto claims should be reported on the Tort Claim Form.

OMAG AUTO LOSS NOTICE

Today's date: August 20, 2026

Insured: City of McAlester

Date & Time of Incident: June 10, 2026; 7:05 A.M.

Location of Incident: 1000 Blk. S. Main St., McAlester, OK

Location of Damaged City Vehicle (place where it can be inspected, if necessary): 2713 N. Main St., McAlester, OK

CITY VEHICLE INVOLVED IN INCIDENT:

1996	Eone	Pumper	5726
Year	Make	Model	VIN (last 4 digits)

Description of Damages to City Vehicle: Front bumper

Estimated Amount of Damages: estimates attached (Attach estimates if already obtained):

Name of Contact Person: Cora Middleton

Phone Number of Contact Person: (918) 423-9300 ext. 4956

Describe Incident:

2001 Aerial Fire Truck (Ladder 1) was parked on S. Main St. facing north while spraying water onto a structure fire & 1996 Eone Pumper (Engine 3), parked facing south on S. Main, jumped chock blocks and rolled into Ladder 1.

Attach related reports (Police, OHP, City Acc. Reports, etc.)

FAX OR MAIL THIS FORM IMMEDIATELY TO:

OMAG Claims Department
4130 N. Lincoln Boulevard
Oklahoma City, OK 73105
FAX: (405) 525-0009
PHONE: (405) 525-6624

CITY OF McALESTER
VEHICLE AND EQUIPMENT ACCIDENT REPORT

(To be completed by employee operating vehicle/equipment and submitted to the City Clerk's Office within 24 hours.)

* * * * * * * * * * * * *

1. Name of Operator at time of Accident it was Parked and in pump
2. Department Fire
3. Date of Accident 6-10-26 Time of Accident _____
4. Work Assignment at Time of Accident Fighting Fire
5. Name of City Employee(s) Witnessing Accident Alfred Blansett
6. Vehicle Involved in Accident (Make, Year, Tag #, Vehicle #) Engine 3 & Ladder 1
7. Work Activity at Time of Accident Spraying Water on Fire
8. Was another Party Involved in the Accident? Yes _____ No X
   If Yes, Name(s) of other party _____
9. Damage Estimate:
   a. City Vehicle $_____
   b. Other Vehicle $_____
   c. Other Property $_____
   (damage estimates from Central Garage & Police Department)
10. Was Traffic Citation Issued? Yes _____ No X
    a. To Whom _____
    b. Type of Charge _____
11. Have you had any accidents involving City vehicles/equipment before?
    Yes _____ No X
    If Yes, When _____ Reason _____
    Action, if any, by Supervisor _____
12. Was there any vehicle/equipment defect that contributed to the accident?
    Yes _____ No X
    If Yes, What way did the defect contribute to accident? _____

13. Accident Description: Engin 3 was parked pointing to the south on the street spraying water and Ladder 1 was pointing north on the street spraying water. I was standing next to Ladder 1 with Firefighter Cope putting a LDH Hose on the truck when Engine 3 slammed into Ladder 1 moving it about 10 to 12". Engine 3 had both the chock blocks under the tire on the rear of the Truck.

I certify that the information submitted in this report is true and correct to the best of my knowledge and belief.

Employee's Signature Alfred Blansett Date 6-12-26

* * * * * * * * * * * * *

SUPERVISOR'S REPORT

1. Was there a report of vehicle / equipment defect by employee?
   Yes _____ No ✓
   Remarks _____

2. Has employee had previous accident(s)? Yes _____ No ✓
   Remarks _____

3. Additional comments on accident Rodney Leamy was on the pump panel when this happened.

I have reviewed the information provided by the employee and find that it is true and correct to the best of my knowledge and belief, and that any exceptions are outlined in my comments above.

Supervisor's Signature Alfred Blansett Date 6-12-26

McALESTEROK
Small Town. Big Frontier.
28 E. Washington · PO Box 578 · McAlester, Oklahoma 74502 · 918-423-9300 · FAX 918-421-4971 · www.cityofmcalester.com

TO: Cora Middleton, City Clerk, City of McAlester

FROM: Virgil Young, Safety and Risk Manager, City of McAlester

LOCATION: 1000 Block S. Main St., McAlester, OK

SUBJECT: Engine 3 & Ladder 1 Vehicle Incident – Statement of Findings

This Statement of Findings is prepared for internal review and risk management purposes. It is based on information available a the time of investigation and is not intended to constitute an admission of liability by the City or any of its employees.

SUMMARY OF INCIDENT:

On, Wednesday, June 10, 2026, an investigation was conducted regarding damage to McAlester Fire Department Engine 3 & Ladder 1.

At approximately 07:05 a.m., I was dispatched to a structure fire scene located in the 1000 block of South Main Street. Upon arrival, I met with Fire Captain A. "Dusty" Blanset, Engine 3 had operating on scene and pumping water for approximately twenty (20) minutes when the apparatus unexpectedly moved from its parked position.

According to information obtained during the investigation, Engine 3 jumped the rear wheel chocks and rolled approximately fifteen (15) to twenty (20) feet southbound on Main Street before striking Ladder 1. After impact, the apparatus came to rest approximately 175 feet north of the intersection of E. Creek Ave and S. Main Street.

It was determined that Firefighter Lieutenant L. Reamy was assigned to and operating the apparatus from the pump panel area at the time the incident occurred.

Due to the ongoing emergency operations and the need to maintain fire suppression capabilities, I made the decision to leave the involved apparatus in service until the structure fire was extinguished. Once fire operations were completed, measurements and photographs were taken to document the incident and vehicle positions.

Fleet Maintenance Response

Fleet Maintenance Supervisor S. Barkley and Fleet Maintenance Foreman R. Waldron were notified and responded to the scene to inspect the involved apparatus. Following preliminary assessment, both the ladder truck and Engine 3 were removed from service pending further mechanical inspection and determination of the cause of the malfunction.

Injuries

No injuries to firefighters, city employees, or members of the public were reported as a result of this incident.

Preliminary Findings

1. Engine 3 was actively engaged in fire suppression operations and pumping water at the time of the incident.
2. The apparatus moved from its parked position despite wheel chocks being in place.
3. The apparatus traveled forward and struck the ladder truck before coming to rest.
4. Lieutenant L. Reamy was present at this assigned operating position at the pump panel when the movement occurred.
5. No injuries resulted from the incident.
6. Both involved apparatus were removed from service pending a comprehensive mechanical evaluation.

Recommended Corrective Actions

1. Conduct a complete mechanical inspection of Engine 3, including braking, transmission, parking brake, and interlock systems.
2. Inspect wheel chocks utilized during the incident for condition, suitability, and placement.
3. Review fire department apparatus parking and wheel cocking procedures during emergency operations.
4. Document all maintenance findings and repairs before returning either apparatus to service.
5. Present findings to department leadership and the Accident Review Board upon completion of the mechanical evaluation.

Status

This incident remains under investigation pending the results of fleet maintenance inspections and any manufacturer or vendor evaluations deemed necessary.

BANNER
FIRE EQUIPMENT, INC
4224 NORTH SANTA FE DRIVE
OKLAHOMA CITY, OK 73118
WWW.BANNERFIRE.COM
405.224.2596

PARTS QUOTE

Quote: 22562
Date / Time: 7/20/2026 2:36:17PM
Customer: 10350
Branch: CHIEF
Quote Total: $5,397.23

Page 1 of 1

Bill To: McAlester Fire Department
1016 E. South Street
McAlester, OK 74501

Ship To: McAlester Fire Department
1016 E. South Street
McAlester, OK 74501
Office Phone: 918-421-4950
Email: debra.stewart@cityofmcalester.com

Office: 918-421-4950 Fax: 918-423-6910 Email: debra.stewart@cityofmcalester.com

Customer PO: S/O 15726 ENG 3 Inside Slsm: mstar

Part / Misc	Description / Ref Number	UM	Quantity	Price	Extended Price
287877	BUMP FR 10 2 RIB SS 40 CTRS	ea	1	2,453.25	2,453.25
287872	BRACKET BUMPER FC/PRRC 108/10-24EX	Each	1	234.99	234.99
384039	GRAVEL SHIELD TILT CAB CYC & PROTECTOR 108/118	Each	1	2,708.99	2,708.99

Customer Tax ID: 596286

Quote Subtotal:	$5,397.23
Total Tax:	$0.00
Quote Total:	$5,397.23

Remit To:
Banner Fire Equipment
4289 Industrial Drive
Roxana, IL 62084

Eng. 3

Issues with product received on this invoice need to be reported within 10 business days.

Custom, Electronic, Electrical, or Special-Order items are Non-Returnable, Non-Refundable.

Returns must be approved with a return authorization number before returning. We are not responsible for items returned without a return authorization. All returns are subject to a 30% restocking fee.

Past due balances are subject to finance charges.

**********IMPORTANT CHANGE 11/01/2023**********
As of 11/01/2023 Invoices paid with a credit card will automatically be charged a 4% Credit Card Processing Fee

Jun 10, 2026 at 7:14:55 AM
1040 S Main St
McAlester OK 74501
United States
DIAL
911

Jun 10, 2026 at 7:15:03 AM
1010 S Main St
McAlester OK 74501
United States
McALESTER
E-ONE
3 39871

Jun 10, 2026 at 7:15:28 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 7:16:00 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 7:16:12 AM
1040 S Main St
McAlester OK 74501
United States
MCALESTER

Jun 10, 2026 at 7:31:05 AM
1010 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 7:31:07 AM
1010 S Main St
McAlester OK 74501
United States
McAlester Fire / EMS

Jun 10, 2026 at 8:22:57 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 8:23:14 AM
1040 S Main St
McAlester OK 74501
United States
E-ONE

Jun 10, 2026 at 8:23:23 AM
1040 S Main St
McAlester OK 74501
United States
Fire Dept.

Jun 10, 2026 at 8:23:35 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 8:23:44 AM
1040 S Main St
McAlester OK 74501
United States
L2
DIAL
911

Jun 10, 2026 at 8:23:50 AM
1040 S Main St
McAlester OK 74501
United Stat
AUTO SHINE
L2

Jun 10, 2026 at 8:24:08 AM
1040 S Main St
McAlester OK 74501
United States
McALESTER

Jun 10, 2026 at 8:24:09 AM
1040 S Main St
McAlester OK 74501
United States
McALESTER

Jun 10, 2026 at 10:05:26 AM
1040 S Main St
McAlester OK 74501
United States

E-ONE
Jun 10, 2026 at 10:05:30 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 10:05:40 AM
1040 S Main St
McAlester OK 74501
United States

Jun 10, 2026 at 10:05:42 AM
1040 S Main St
McAlester OK 74501
United States

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Admin
Prepared By: Cora Middleton, City Clerk
Date Prepared: 09/03/2026

Account Code:
Budgeted Amount:

Subject:
Indefinitely postpone Tort Claim 219212-1-LN, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

Recommendation:
Indefinitely postpone Tort Claim 219212-1-LN, filed by the City of McAlester. *(Cora Middleton, City Clerk)*

Discussion:
Postponing Tort Claims allows Oklahoma Municipal Assurance Group (OMAG) the City's Auto insurance provider, time to investigate the claim.
Exhibits: 1. Tort Claim

Approved By:	Inital	Date
Department Head:	CM	09.03.26
City Manager:	kjw	3 Sept 26

Exhibits:
Tort Claim PD 73-F150

3650 S. Boulevard • Edmond, OK 73013 • omag.org
405.657.1400 • 800.234.9461 • FAX 405.657.1401

September 2, 2026

City of McAlester
Attn: Cora Middleton
P.O. Box 578
McAlester, Oklahoma 74502-0578

Re:	Vehicle Desc.	:	2025 Ford F-150 4X4 RESPONDER
	VIN	:	1FTFW1P84SKF30621
	Date of Loss	:	August 11, 2026
	Claim Number	:	219212-1-LN
	Loss Type	:	Collision
	Deductible	:	$500.00

Dear Ms. Middleton:

This will acknowledge receipt of the above captioned claim. The claim will be investigated by the following adjuster:

Leslie Noriega
(405) 657-1400
Fax: (405) 657-1401
lnoriega@omag.org

We look forward to working with you on this matter. **Please note, there is no deductible owed at this time**. Should you have any questions, please do not hesitate to contact the adjuster.

Sincerely,

OMAG Claims Department

This form is for damage to City or Town vehicles *ONLY*. All other General Liability or Auto claims should be reported on the Tort Claim Form.

OMAG AUTO LOSS NOTICE

Today's date: September 1, 2026

Insured: City of McAlester

Date & Time of Incident: August 11, 2026; 6:42 p.m.

Location of Incident: 301 E. Carl Albert Pkwy, McAlester

Location of Damaged City Vehicle (place where it can be inspected, if necessary): 301 E. Carl Albert Pkwy., McAlester

CITY VEHICLE INVOLVED IN INCIDENT:

2026	Ford	F-150	0621
Year	Make	Model	VIN (last 4 digits)

Description of Damages to City Vehicle: Left bed panel

Estimated Amount of Damages: estimates attached (Attach estimates if already obtained):

Name of Contact Person: Cora Middleton

Phone Number of Contact Person: (918) 423-9300 ext. 4956

Describe Incident:

Patrol Officer was backing from parking space on the west side of North 3rd Street (MPD Station) when he struck MPD Unit 73, 2025 F150 pickup.

Attach related reports (Police, OHP, City Acc. Reports, etc.)

FAX OR MAIL THIS FORM IMMEDIATELY TO:

OMAG Claims Department
4130 N. Lincoln Boulevard
Oklahoma City, OK 73105
FAX: (405) 525-0009
PHONE: (405) 525-6624

CITY OF MCALESTER

VEHICLE AND EQUIPMENT ACCIDENT REPORT

(To be completed by employee operating vehicle/equipment and submitted to the City Clerk's Office within 24 hours)

****

1. Name of Operator at time of Accident: Quinn Cotton
2. Department: McAlester Police Department
3. Date of Accident: 8/11/2025 Time of Accident: 16:42
4. Work Assignment at time of Accident: Call for service C26-08-013TC
5. Name of City Employee(s) Witnessing Accident: Preston Rodgers Kyle Sharp Danny McKamy
6. Vehicle Involved in Accident (Make, Year, Vehicle No.) Ford explorer 2020 to/Ford F150 2025 73
7. Work Activity at Time of Accident: Backing out to go to a call for service
8. Was another Party Involved in the Accident? Yes____ No X

   If yes, Name(s) of other party_____

   _____
9. Damage Estimate:
   a. City Vehicle $ 500
   b. Other Vehicle $_____
   c. Other Property $_____
10. Was Traffic Citation Issued? Yes_____ No X
    a. To Whom_____
    b. Type of Charge_____

11. Have you had any accidents involving city vehicles, equipment before? Yes_____ No X
If yes, When_____
Reason_____
Action, if any by Supervisor_____

12. Was there any vehicle/equipment defect that contributed to the accident? Yes_____ No X
If Yes, What way did the defect contribute to accident? _____
If Yes, was the defect reported to Supervisor? Yes____ No ____

13. Accident Description Backing out for a call for service. Backed into T3's F-150

I certify that the information submitted in this report is true and correct to the best of my knowledge and belief.

Employee's Signature Jamy Cowing Date 8/11/2026

****

SUPERVISOR'S REPORT

1. Was there a report of vehicle/equipment defect by employee? Yes_____ No X
Remarks:_____

2. Has employee had previous accident(s)? Yes _____ No X
Remarks_____

3. Additional Comments on Accident Unit 2 was legally parked and unoccupied

I have reviewed the information provided by the employee and find that it is true and correct to the best of my knowledge and belief, and that any exceptions are outlined in my comments above.

Supervisor's Signature Cpt. Brent Mumble Date 8/11/2026

McALESTEROK
Small Town. Big Frontier.
28 E. Washington · PO Box 578 · McAlester, Oklahoma 74502 · 918-423-9300 · FAX 918-421-4971 · www.cityofmcalester.com

TO: Cora Middleton, City Clerk, City of McAlester

FROM: Virgil Young, Safety and Risk Manager, City of McAlester

LOCATION: 301 E. Carl Albert Parkway – McAlester Police Department

SUBJECT: Vehicle Accident

This Statement of Findings is prepared for internal review and risk management purposes. It is based on information available at the time of investigation and is not intended to constitute admission of liability by the City or any of its employees.

NOTIFICATION

On August 11, 2026, at approximately 6:42 p.m., I was notified by Brant Gamble, Captain, McAlester Police Department, that a accident involving McAlester Police Department vehicles had occurred. The accident occurred at 301 E. Carl Albert Parkway.

SUMMARY OF INVESTIGATION

On August 11, 2026, at approximately 6:42 p.m., Patrolman Corum was responding to a service call and was backing PD-70 from a parking space located on the west side of North 3rd Street adjacent to the McAlester Police Department. During the backing maneuver, PD-70, struck PD-73, which was legally parked in the adjacent parking space. The Safety Office reviewed the available information, including photographs of the damaged vehicles and the repair estimates for PD-73.

DAMAGE ASSESSMENT

PD-70 – 2020 Ford Explorer

- Right rear taillight damaged
- Right rear quarter panel damaged
- Repair cost: Unknown at the time of this investigation

(See attached photographs)

PD-73 – 2025 Ford F150

- Left bed panel damaged

- Estimated repair cost: $3,048.84

(See attached photographs and repair estimates.)

ROOT CAUSE

The primary cause of the accident was inattentive backing by Patrolman Corum. The investigation determined that PD-70 struck a stationary vehicle while backing from a parking space.

FINDINGS

Based on the facts gathered during this investigation, this accident is classified as an **at-fault accident.** Patrolman Corum failed to ensure the area behind and beside the vehicle was clear before backing, resulting in a collision with an adjacent parked city vehicle.

CONTRIBUTING FACTORS

- Reduced clearance created by the curb extension surrounding the storm drain.
- Failure to maintain adequate clearance between the trailer and the curb while negotiating the intersection.

DETERMINATION OF FAULT

Based on the facts gathered during the investigation, this accident is determined to be **preventable.** The operator failed to maintain sufficient clearance between his vehicle and the adjacent vehicle, resulting in damage to both city vehicles.

CONCLUSION

The investigation determined that both PD-70 and PD-73 were damaged when Officer Corum failed to maintain sufficient clearance from PD-73 while backing at 301 E. Carl Albert Parkway. PD-70 sustained damage to the right rear taillight and quarter panel, and PD-73 sustained damage to the left side of the bed. The incident was preventable by maintaining adequate clearance during the backing maneuver.

BUCK WILSON FRAME & BODY SHOP INC.

Workfile ID: b431be04
Federal ID: 26-0029861

103 E. OKLAHOMA AVE, MCALESTER, OK 74501
Phone: (918) 423-3161
FAX: (918) 423-3416

Preliminary Estimate

Customer: Mcalester Pd

Written By: Geoffrey Williams

Insured:	Mcalester Pd	Policy #:		Claim #:	
Type of Loss:		Date of Loss:		Days to Repair:	0
Point of Impact:					

Owner:
Mcalester Pd

Inspection Location:
BUCK WILSON FRAME & BODY SHOP INC.
103 E. OKLAHOMA AVE
MCALESTER, OK 74501
Repair Facility
(918) 423-3161 Business

Insurance Company:

VEHICLE

2025 FORD F-150 Police Responder XL SuperCrew 4WD w/5.5' Box (Fleet) 4D P/U 6-3.5L Turbocharged Gasoline Port/Direct Injection

VIN:	1FTFW1P84SKF30621	Interior Color:		Mileage In:	Vehicle Out:
License:		Exterior Color:		Mileage Out:	
State:	OK	Production Date:		Condition:	Job #:

TRANSMISSION
Automatic Transmission
4 Wheel Drive

POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Power Driver Seat

DECOR
Dual Mirrors
Tinted Glass
Overhead Console

CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Alarm
Message Center
Steering Wheel Touch Controls
Telescopic Wheel
Backup Camera
Parking Sensors

RADIO
AM Radio
FM Radio
Stereo
Search/Seek
Auxiliary Audio Connection

SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Traction Control
Stability Control
Front Side Impact Air Bags
Head/Curtain Air Bags
Hands Free Device
Xenon or L.E.D. Headlamps
Positraction
Blind Spot Detection
Lane Departure Warning

SEATS
Cloth Seats
Bucket Seats

WHEELS
Styled Steel Wheels

PAINT
Clear Coat Paint

OTHER
California Emissions

TRUCK
Rear Step Bumper
Trailer Hitch
Trailering Package

Customer: Mcalester Pd

2025 FORD F-150 Police Responder XL SuperCrew 4WD w/5.5' Box (Fleet) 4D P/U 6-3.5L Turbocharged Gasoline Port/Direct Injection

Line		Oper	Description	Part Number	Qty	Extended Price $	Labor	Paint
1	**PICK UP BOX**							
2		Repl	LT Side panel (ALU)	ML3Z9527841D	1	1,212.70	12.8	3.0
3			Add for Clear Coat					1.2
4		Repl	LT Side panel rivet blind type A	W702512S900C	2	3.22		
5		Repl	LT Side panel rivet blind type D	W707638S900C	54	93.42		
6		Repl	LT Side panel adhesive kit	TA1	1	152.20		
open		R&I	R&I box assy				2.5	
8		Repl	Mount bolt	W717000S901	4	48.00		
9		Repl	Mount bolt nut	W719379S439	4	20.00		
10	#		Shop Supplies		1	10.00		
11	#	Subl	Hazardous waste removal		1	7.50		
12	#		Cover Car for Primer Paint		1	10.00		0.4
13	#		Corrosion protection primer		1	10.00		
				SUBTOTALS		**1,567.04**	**15.3**	**4.6**

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				1,567.04
Body Labor	15.3 hrs	@	$ 67.00 /hr	1,025.10
Paint Labor	4.6 hrs	@	$ 67.00 /hr	308.20
Paint Supplies	4.6 hrs	@	$ 65.00 /hr	299.00
Subtotal				3,199.34
Grand Total				**3,199.34**
Deductible				0.00
CUSTOMER PAY				**0.00**
INSURANCE PAY				**3,199.34**

THIS IS AN ESTIMATE OF REPAIR COST. ADDITIONAL CHARGES MAY BE NECESSARY AFTER WORK HAS BEGUN AND HIDDEN DAMAGE IS FOUND. ESTIMATE VALID FOR 30 DAYS. PART PRICE INCREASES MAY OCCUR.

PROMISED DELIVERY DATE MAY CHANGE BASED ON THE AVAILABILTY OF PARTS OR WAIT TIME FOR ANY INSURANCE REINSPECTION. CUSTOMER WILL BE NOTIFIED OF ANY DELAYS AS SOON AS POSSIBLE.

Signed_____.
Date._____.

All our work is guaranteed for as long as you own this vehicle. (Excludes rock chips, scratches and normal wear items, or incidents determined to be unrelated to this claim.)
Thank You.

WARNING : ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

Customer: Mcalester Pd

2025 FORD F-150 Police Responder XL SuperCrew 4WD w/5.5' Box (Fleet) 4D P/U 6-3.5L Turbocharged Gasoline Port/Direct Injection

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR2MA21, CCC Data Date 08/10/2026, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2024 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:
m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:
D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:
Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. CFC=Carbon Fiber. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. STS=Stainless Steel. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Intelligent Solutions Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:
BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

MCCULLAR COLLISION REPAIR, LLC

900 N MAIN ST., MCALESTER, OK 74501
Phone: (918) 429-0887

Workfile ID: fb7017a5
Federal ID: 87-2925578

Preliminary Estimate

Customer: McAlester, PD

Job Number:

Written By: Mallori Rodgers

Insured: McAlester, PD
Type of Loss:
Point of Impact:

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:
McAlester, PD
(918) 423-1212 Business

Inspection Location:
MCCULLAR COLLISION REPAIR, LLC
900 N MAIN ST.
MCALESTER, OK 74501
Repair Facility
(918) 429-0887 Business

Insurance Company:

VEHICLE

2025 FORD F-150 Police Responder XL SuperCrew 4WD w/5.5' Box (Fleet) 4D P/U 6-3.5L Turbocharged Gasoline Port/Direct Injection

VIN: 1FTFW1P84SKF30621
License:
State:

Interior Color:
Exterior Color:
Production Date:

Mileage In:
Mileage Out:
Condition:

Vehicle Out:
Job #:

TRANSMISSION
Automatic Transmission
4 Wheel Drive

POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Power Driver Seat

DECOR
Dual Mirrors
Tinted Glass
Overhead Console

CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Alarm
Message Center
Steering Wheel Touch Controls
Telescopic Wheel
Backup Camera
Parking Sensors

RADIO
AM Radio
FM Radio
Stereo
Search/Seek
Auxiliary Audio Connection

SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Traction Control
Stability Control
Front Side Impact Air Bags
Head/Curtain Air Bags
Hands Free Device
Xenon or L.E.D. Headlamps
Positraction
Blind Spot Detection
Lane Departure Warning

SEATS
Cloth Seats
Bucket Seats

WHEELS
Styled Steel Wheels

PAINT
Clear Coat Paint

OTHER
California Emissions

TRUCK
Rear Step Bumper
Trailer Hitch
Trailering Package

Customer: McAlester, PD **Job Number:**

2025 FORD F-150 Police Responder XL SuperCrew 4WD w/5.5' Box (Fleet) 4D P/U 6-3.5L Turbocharged Gasoline Port/Direct Injection

Line		Oper	Description	Part Number	Qty	Extended Price $		Labor	Paint
1	**PICK UP BOX**								
2		Repl	LT Side panel (ALU)	ML3Z9527841D	1	1,212.70		12.8	3.0
3			Add for Clear Coat						1.2
4		Repl	LT Panel extn adhesive kit	TA1	1	152.20			
5		Repl	LT Side panel rivet blind type D	W707638S900C	54	93.42			
6		Repl	LT Side panel rivet blind type A	W702512S900C	2	3.22			
7		R&I	R&I box assy					2.5	
8	#	Subl	Hazardous waste removal		1	5.00	X		
9		Repl	Mount bolt nut	W719379S439	4	20.00			
10		Repl	Mount bolt	W717000S901	4	48.00			
11	#	Repl	Cover Car		1	10.00	T		
12	#	Repl	Corrosion protection primer		1	10.00	T		
				SUBTOTALS		**1,554.54**		**15.3**	**4.2**

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				1,529.54
Body Labor	15.3 hrs	@	$ 65.00 /hr	994.50
Paint Labor	4.2 hrs	@	$ 65.00 /hr	273.00
Paint Supplies	4.2 hrs	@	$ 54.00 /hr	226.80
Miscellaneous				25.00
Subtotal				3,048.84
Grand Total				**3,048.84**

WARNING : ANY PERSON WHO KNOWINGLY, AND WITH INTENT TO INJURE, DEFRAUD OR DECEIVE ANY INSURER, MAKES ANY CLAIM FOR THE PROCEEDS OF AN INSURANCE POLICY CONTAINING ANY FALSE, INCOMPLETE OR MISLEADING INFORMATION IS GUILTY OF A FELONY.

Customer: McAlester, PD **Job Number:**

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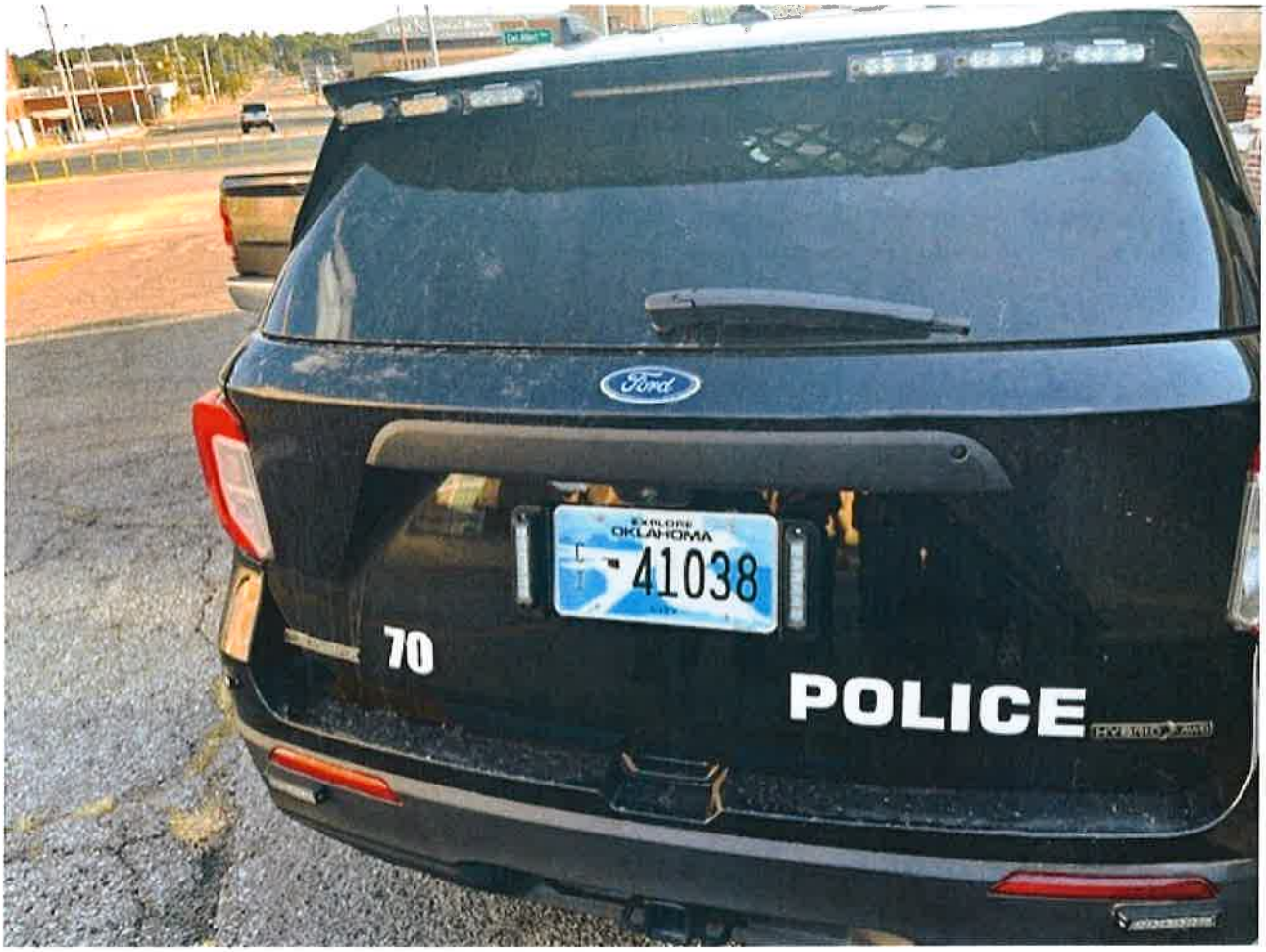
BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

911
POLICE

OLICE


EXPLORE
OKLAHOMA
41038
70
POLICE

GOODYEAR

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Public Works
Prepared By: Samantha Moore, Administrative Assistant
Date Prepared: 08/27/2026

Account Code: 48-5865401
Budgeted Amount: 999,721.03

Subject:
1. Discussion and possible action, accepting the bid amount of $999,721.03 from S3 Construction LLC and authorizing the Mayor to sign the Notice of Award and Contract for the 6th Street Reconstruction Project Phase 1 Bid #2026-007. (*Tommy Hill, Public Works Director)*

Recommendation:
Motion to authorize the Mayor to sign the Notice of Award and Contract for the 6th Street Reconstruction Project Phase 1 Bid #2026-007 to S3 Construction, LLC. (Tommy Hill, Public Works Director)

Discussion:
Phase 1 will consist of the reconstruction of 6th Street beginning at Carl Albert Parkway going south to the A-Ok railroad crossing. This will include stormwater improvements and sidewalk access. This will encompass approximately 600 feet of roadway.

1. 6th Street Phase 1 Project Tabulation and Spread Sheet
2. Notice of Award
3. Agreement

Approved By:	Inital	Date
Department Head:	TH	8/27/2026
City Manager:	kjw	2 Sept 26

Exhibits:
6th Street Phase 1 Project Tabulation and Spread Sheet, Notice of Award, Agreement

BID TABULATION SHEET

Phase 1 – Reconstruction of 6th St. south of Carl Albert Parkway

Bid Opening

Thursday, August 20, 2026 @ 1:00 P.M.

Bidder	Amount
Overland Corporation P.O. Box 1947 534 US Hwy. 77 Ardmore, OK 73402	N/B
D-Kerns Construction Curt@DKernsConstruction.com	$999,735.00
APAC Central Bryan.wimmer@apac.com	N/B
Central Contractors robin@centralcontractorsok.com	N/B
Ellis Construction dillon@ellis-concrete.com	N/B
Drake Construction P.O. Box 88 Alderson, OK 7452 Drakerusty8226@yahoo.com	N/B
Wyatt Contracting todd@wyattcontracting.net	N/B
Robinson Construction 34771 US Hwy. 271 Poteau, OK 74953 estimating@robinsonconstruction.org	$1,222,718.70

BID TABULATION SHEET

Phase 1 – Reconstruction of 6th St. south of Carl Albert Parkway

Bid Opening

Thursday, August 20, 2026 @ 1:00 P.M.

Bidder	Amount
Barnett Construction Barnett.construction55@gmail.com	N/B
Rudy Traffic jhernandez@rudycc.com	N/B
John Bruner Bruner.john2003@gmail.com	N/B
H&H Construction logan@hhbuildok.com	N/B
Lone Hickory Cattle Co. Dwshaw99@gmail.com	$1,864,375.00
SJ Construction, LLC	$999,914.63 / 999,721.03
Young's Land Mgmt.	$1,139,974.99
Engineer's Estimate	$964,859.30

Bid Tabulation

PROJ. NAME: 6th St. Reconstruction - Phase 1
PROJ. NO.: 2026-07
DATE: 8/20/2026

NO.	SECTION	DESCRIPTION	Quantity	Unit	Engineer's Estimate Unit Price	Engineer's Estimate Total Cost	S3 Construction, LLC 86 Haywood Rd McAlester, OK 74501 Unit Price	S3 Construction, LLC Total Cost	D-Kerns Coetruction, Inc. 6551 Tower Lane Claremore, OK 74019 Unit Price	D-Kerns Coetruction, Inc. Total Cost	Lone Hickory Cattle LLC 5433 SE 235th Rd Tallihina, OK 74571 Unit Price	Lone Hickory Cattle LLC Total Cost	Young's Land Management LLC 17575 E. 690 Rd Tahlequah, OK. 74464 Unit Price	Young's Land Management LLC Total Cost	Robinson Construction, LLC. 34771 SH 271 Poteau, OK. 74953 Unit Price	Robinson Construction, LLC. Total Cost
SCHEDULE A - Roadway																
1	201(A)	CLEARING AND GRUBBING	1	LS	$10,000.00	$10,000.00	$6,343.75	$6,343.75	$15,000.00	$15,000.00	$8,100.00	$8,100.00	$7,550.00	$7,550.00	$60,000.00	$60,000.00
2	202(A)	UNCLASSIFIED EXCAVATION	1,081	CY	$20.00	$21,620.00	$19.03	$20,571.43	$62.00	$67,022.00	$45.00	$48,645.00	$25.00	$27,025.00	$45.00	$48,645.00
3	202(E)	SELECT BORROW, TOPSOIL	61	CY	$20.00	$1,220.00	$38.06	$2,321.66	$80.00	$4,880.00	$58.00	$3,538.00	$51.64	$3,150.00	$65.00	$3,965.00
4	220	SWPPP DOCUMENTATION AND MANAGEMENT	1	LS	$7,500.00	$7,500.00	$6,343.75	$6,343.75	$8,000.00	$8,000.00	$8,100.00	$8,100.00	$3,500.00	$3,500.00	$7,500.00	$7,500.00
5	230(A)	SOLID SLAB SODDING	183	SY	$4.00	$732.00	$8.25	$1,509.75	$20.00	$3,660.00	$3.00	$549.00	$9.02	$1,650.00	$10.00	$1,830.00
6	303(A)	10" AGGREGATE BASE, TYPE A (Paving & Drives)	3,244	SY	$20.00	$64,880.00	$6.34	$20,568.96	$30.00	$97,320.00	$13.00	$42,172.00	$17.39	$56,425.00	$27.00	$87,588.00
7	310(B)	SUBGRADE, METHOD B (Paving & Drives)	3,244	SY	$3.00	$9,732.00	$3.81	$12,359.64	$2.00	$6,488.00	$7.00	$22,708.00	$5.00	$16,220.00	$1.30	$4,217.20
8	325	SEPARATOR FABRIC (Paving & Drives)	3,654	SY	$3.00	$10,962.00	$2.85	$10,413.90	$2.00	$7,308.00	$2.00	$7,308.00	$3.10	$11,327.40	$3.00	$10,962.00
9	414(G)	8" DOWEL JOINTED P.C.C. PAVEMENT	3,039	SY	$120.00	$364,680.00	$130.68	$397,136.52	$94.00	$285,666.00	$138.00	$419,382.00	$96.50	$293,263.50	$85.00	$258,315.00
10	504(F)	SLOPED FACE PARAPET	50	LF	$100.00	$5,000.00	$436.45	$21,822.50	$121.00	$6,050.00	$26.00	$1,250.00	$230.40	$11,520.00	$200.00	$10,000.00
11	609(B)	1'-6" COMBINED CURB AND GUTTER (6" Barrier)	1,352	LF	$45.00	$60,840.00	$48.21	$65,179.92	$41.00	$55,432.00	$27.00	$36,504.00	$27.00	$36,504.00	$85.00	$114,920.00
12	610(A)	4" CONCRETE SIDEWALK	341	SY	$75.00	$25,575.00	$125.61	$42,833.01	$50.00	$17,050.00	$138.00	$47,058.00	$110.00	$37,510.00	$78.00	$26,598.00
13	610(B)	ADA RAMPS	8	EA	$1,500.00	$12,000.00	$2,791.25	$22,330.00	$800.00	$6,400.00	$2,430.00	$19,440.00	$1,500.00	$12,000.00	$5,000.00	$40,000.00
14	610(B)	6" CONCRETE DRIVEWAY	352	SY	$130.00	$45,760.00	$97.06	$34,165.12	$60.00	$21,120.00	$138.00	$48,576.00	$105.00	$36,960.00	$115.00	$40,480.00
15	610(I)	TACTILE WARNING DEVICE	64	SF	$40.00	$2,560.00	$65.98	$4,222.72	$30.00	$1,920.00	$45.00	$2,880.00	$30.00	$1,920.00	$35.00	$2,240.00
16	611(A)	5' MANHOLE, COMPLETE IN PLACE (Storm)	1	EA	$8,000.00	$8,000.00	$7,612.50	$7,612.50	$4,886.00	$4,886.00	$3,240.00	$3,240.00	$6,800.00	$6,800.00	$8,500.00	$8,500.00
17	611(G)	INLET CICI DESIGN 2, COMPLETE IN-PLACE	4	EA	$6,000.00	$24,000.00	$3,489.06	$13,956.24	$5,401.00	$21,604.00	$3,240.00	$12,960.00	$6,500.00	$26,000.00	$7,500.00	$30,000.00
18	611(G)	INLET CICI DESIGN 3, COMPLETE IN-PLACE (No Curb Inlets)	1	EA	$10,000.00	$10,000.00	$13,428.45	$13,428.45	$7,329.00	$7,329.00	$3,240.00	$3,240.00	$5,500.00	$5,500.00	$8,500.00	$8,500.00
19	611(G)	INLET CICI DESIGN 6, COMPLETE IN-PLACE	1	EA	$10,000.00	$10,000.00	$12,814.38	$12,814.38	$8,101.00	$8,101.00	$3,240.00	$3,240.00	$6,500.00	$6,500.00	$9,800.00	$9,800.00
20	613(B)	24" CORRUGATED METAL SLOTTED DRAIN, (Incl. Concrete Encasement)	236	LF	$450.00	$106,200.00	$291.67	$68,834.12	$216.00	$50,976.00	$662.00	$156,232.00	$932.20	$220,000.00	$79.00	$18,644.00
21	613(EE)	24" HIGH PERFORMANCE POLYPROPYLENE (HPP)	82	LF	$200.00	$16,400.00	$148.13	$12,146.66	$90.00	$7,380.00	$51.00	$4,182.00	$165.00	$13,530.00	$89.00	$7,298.00
22	613(EE)	30" HIGH PERFORMANCE POLYPROPYLENE (HPP)	50	LF	$200.00	$10,000.00	$191.84	$9,592.00	$110.00	$5,500.00	$75.00	$3,750.00	$150.00	$7,500.00	$95.00	$4,750.00
23	619(A)	REMOVAL OF STRUCTURES AND OBSTRUCTIONS	1	LS	$15,000.00	$15,000.00	$3,171.88	$3,171.88	$3,086.00	$3,086.00	$16,200.00	$16,200.00	$14,000.00	$14,000.00	$95,000.00	$95,000.00
24	619(B)	REMOVAL OF PAVEMENT, INCLUDING CURBS	3,223	SY	$15.00	$48,345.00	$5.08	$16,372.84	$12.00	$38,676.00	$5.00	$16,115.00	$20.00	$64,460.00	$11.00	$35,453.00
25	619(B)	REMOVAL OF DRIVEWAY, INCLUDING CURBS	231	SY	$15.00	$3,465.00	$5.08	$1,173.48	$8.00	$1,848.00	$70.00	$16,170.00	$20.00	$4,620.00	$11.00	$2,541.00
26	619(B)	REMOVAL OF SIDEWALK	341	SY	$15.00	$5,115.00	$5.08	$1,732.28	$6.00	$2,046.00	$48.00	$16,368.00	$20.00	$6,820.00	$5.00	$1,705.00
27	641	MOBILIZATION	1	LS	$8,000.00	$8,000.00	$45,008.91	$45,008.91	$180,000.00	$180,000.00	$24,300.00	$24,300.00	$95,000.00	$95,000.00	$95,000.00	$95,000.00
28	642	CONSTRUCTION STAKING	1	LS	$5,000.00	$5,000.00	$12,687.50	$12,687.50	$7,500.00	$7,500.00	$16,200.00	$16,200.00	$16,000.00	$16,000.00	$40,000.00	$40,000.00
29	855(A)	TRAFFIC STRIPE(4") (THERMOPLASTIC)	1,229	LF	$2.00	$2,458.00	$19.03	$23,387.87	$3.00	$3,687.00	$2.00	$2,458.00	$5.53	$6,800.00	$7.50	$9,217.50
30	880	TRAFFIC CONTROL	1	LS	$25,000.00	$25,000.00	$12,687.50	$12,687.50	$12,500.00	$12,500.00	$12,150.00	$12,150.00	$14,800.00	$14,800.00	$25,000.00	$25,000.00
31	SPECIAL	TRENCH GRATE	20	LF	$0.00	$0.00	$625.39	$12,507.80	$458.00	$9,160.00	$291.00	$5,820.00	$100.00	$2,000.00	$150.00	$3,000.00
32	SPECIAL	TRENCH GRATE DISCHARGE PIPE	40	LF	$0.00	$0.00	$315.79	$12,631.60	$31.00	$1,240.00	$41.00	$1,640.00	$200.00	$8,000.00	$185.00	$7,400.00
33	SPECIAL	PAVED ISLAND REMVOAL AND REPLACEMENT	720	SY	$0.00	$0.00	$12.69	$9,136.80	$12.00	$8,640.00	$3.00	$2,160.00	$33.08	$23,820.00	$45.00	$32,400.00
					Roadway Subtotal	*$755,444.00*		*$818,619.09*		*$871,699.00*		*$845,791.00*		*$812,844.90*		*$1,063,976.70*
					Stormwater Subtotal	*$184,600.00*		*$138,384.35*		*$105,776.00*		*$186,844.00*		*$285,830.00*		*$87,492.00*
		TOTAL FOR SCHEDULE "A" ROADWAY				$940,044.00		$957,003.44		$977,475.00		$1,032,635.00		$1,098,674.90		$1,151,468.70
SCHEDULE B - Waterline																
34	SPECIAL	16" STEEL CASING (1/2")	75	LF	$0.00	$0.00	$308.05	$23,103.75	$114.00	$8,550.00	$110.00	$8,250.00	$140.00	$10,500.00	$350.00	$26,250.00
		TOTAL FOR SCHEDULE "B" SANITARY SEWER				$0.00		$23,103.75		$8,550.00		$8,250.00		$10,500.00		$26,250.00
SCHEDULE c - Sanitary Sewer Replacement																
35	315	CONNECTION TO EXISTING MANHOLE	1	EA	$5,000.00	$5,000.00	$1,408.31	$1,408.31	$5,000.00	$5,000.00	$4,050.00	$4,050.00	$5,200.00	$5,200.00	$5,000.00	$5,000.00
36	405	8" SANITARY SEWER LINE REPLACEMENT	100	LF	$75.00	$7,500.00	$100.75	$10,075.00	$37.00	$3,700.00	$162.00	$16,200.00	$200.00	$20,000.00	$300.00	$30,000.00
37	416	48" MANHOLE REPLACEMENT	1	EA	$10,000.00	$10,000.00	$8,130.53	$8,130.53	$5,000.00	$5,000.00	$3,240.00	$3,240.00	$5,600.00	$5,600.00	$10,000.00	$10,000.00
		TOTAL FOR SCHEDULE "B" SANITARY SEWER				$22,500.00		$19,613.84		$13,700.00		$23,490.00		$30,800.00		$45,000.00
		GRAND TOTAL FOR CONSTRUCTION				$962,544.00		$999,721.03		$999,725.00		$1,064,375.00		$1,139,974.90		$1,222,718.70

Items added by Addendum but not included in Original Estimate
Corrected Bid Extension
Largest single item differential between submitted Bid Extension and Corrected Bid Extension

NOTICE OF AWARD

TO:

Project Description: **6th Street Reconstruction – Phase 1 BID #2026-07**

The OWNER has considered the BID submitted by you for the above-described WORK in response to its ADVERTISEMENT for Bids dated _____ and information for Bidders.

You are hereby notified that your BID has been accepted for items/construction in the amount of: $ _____

You are required by the Information for Bidders to execute the Agreement and furnish the required CONTRACTOR'S PERFORMANCE BOND, STATUTORY BOND, MAINTENANCE BOND AND certificate of insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute said Agreement and to furnish said Bonds within ten (10) days from the date of this Notice, said OWNER will be entitled to consider all your rights arising out of the OWNER'S acceptance of your BID as abandoned and as a forfeiture of your BID BOND. The OWNER will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy pf the NOTICE OF AWARD to the OWNER.

Dated this ____ day of _____, 2026

City of McAlester
OWNER

By: _____

Title: Mayor

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE OF AWARD is hereby acknowledged by _____ _____ this ____ day of _____, 2026

By: _____ Title: _____

AGREEMENT

This Construction Agreement, hereinafter referred to as "Agreement," made on this _____ day of _____, 2026, by and among the City of McAlester, and _____ a _____ (state and type of business entity), hereinafter called "Contractor."

WITNESSETH:

That in consideration of the mutual promises, covenants, and conditions herein stated, and in consideration of the mutual benefits which will accrue to the parties, the sufficiency of which is hereby acknowledged by the parties, the parties agree as follows:

1. The Contractor will commence and complete the reconstruction of existing roadway and installation of storm sewer system.

2. Other than as specifically provided in the bidding documents, the Contractor, at its own cost and expense, will furnish all of the material, supplies, tools, equipment, labor and other services necessary for the construction and completion of the project described herein.

3. The Contractor will commence the work required by the Contract Documents within ten (10) calendar days after the date of the Notice to Proceed and will complete the reconstruction of existing roadway and installation of storm sewer system within one hundred and twenty (120) days unless the period for completion is extended in accordance with Section 108.07.B of the 2019 Oklahoma Department of Transportation Standard Specifications.

4. Within ten (10) calendar days after City's approval of this Agreement, the Contractor shall return two executed originals of the Agreement, a Business Relationship Affidavit, a Performance Bond, a Statutory Bond, a Maintenance Bond, Certificates of Insurance, all as required by the Invitation to Bid on **6th Street Reconstruction – Phase 1 BID #2026-07**

5. The Contractor agrees to perform all of the work described in the Contract Documents and comply with the terms herein for the sum of _____.

6. The City will pay the Contractor in monthly progress payments as set forth in the Contract documents.

7. The term "Contract Documents" means the **6th Street Reconstruction – Phase 1 BID #2026-07** and includes the following:

   A. Invitation to Bid, **6th Street Reconstruction – Phase 1 BID #2026-07**
   B. Instructions to Bidders

C. Work Summary
D. Conditions
E. Insurance
F. Hold Harmless
G. Scope of Work
H. Technical Specifications
I. Bid Bond
J. Business Relationships Affidavit
K. Non-Collusion Affidavit
L. Notice of Award
M. Agreement
N. Performance Bond
O. Statutory Bond
P. Maintenance Bond

8. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

9. Contractor assumes all risks incident to, or in connection with, their operations under this Agreement and shall be solely responsible for all claims arising from accidents or injuries to persons or property occurring as a result of its operations. Contractor shall defend, indemnify and hold harmless the City and any and all officers, agents and employees of the City, from and against any and all injury, death, loss, damage, liability, claim, suit, cost, expense, or penalty including reasonable attorney's fees and costs, arising out of or related to the activities of the Contractor, its employees, and agents under or in connection with this Agreement, whether or not any act or omission complained of is authorized, allowed, or prohibited by the Contractor.

10. The parties acknowledge that actual damages likely to result from a delay in completion of the project, for which the Contractor is solely responsible, would be extremely difficult to quantify. Therefore, the parties agree that the payment of Two Thousand Dollars ($2,000.00) per day in liquidated damages for each day that the Contractor fails to complete construction of the project shall be paid by the Contractor. This provision shall not be considered a penalty, but shall be deemed a genuine and reasonable pre-estimate of the damages likely to be incurred by the City due to a delay in completion of the project.

11. If a court of competent jurisdiction determines that any term of this Agreement is invalid or unenforceable to any extent under applicable law, the remainder of this Agreement (and the application of this Agreement to other circumstances) shall not be affected thereby, and each remaining term shall be valid and enforceable to the fullest extent permitted by law.

12. The parties hereto agree that no person shall be excluded from participation in, denied the benefit of, or otherwise subjected to discrimination in the performance of this Agreement on the grounds

of race, color, religion, age, sex, disability, national origin, pregnancy, citizenship, veteran status, genetic information, sexual orientation or familial status.

13. Contractor shall comply with all applicable federal, State and local laws, codes, ordinances, rules and regulations in performing its duties, responsibilities and obligations pursuant to this Agreement.

14. This Agreement shall be deemed to have been made in the State of Oklahoma and shall be construed and interpreted in accordance with the laws of the State of Oklahoma. Any action or proceeding seeking to enforce any provision of, or based on any right arising out of, this Agreement may be brought against any of the parties in the courts of the State of Oklahoma, County of Pittsburg or, if it has or can acquire jurisdiction, in the United States District Court for the Eastern District of Oklahoma. The parties consent to the jurisdiction of such courts, and of the appropriate appellate courts, in any such action or proceeding and waives any objection to venue laid therein.

15. City and Contractor acknowledge and agree that they are not joint venturers, partners, or joint owners with respect to the construction project, and nothing contained in this Agreement shall be construed as creating a partnership, joint venture or similar relationship between the parties. All persons working for the Contractor under this Agreement shall be employees of the Contractor and shall not be considered employees of the City for any reason. The hiring, discharge, supervision, and management of the employees of the Contractor who provide services under this Agreement and the establishment, revision, and administration of wage scales, rates of compensation, conditions of employment, and job position descriptions with respect to the Contractor shall be within the sole discretion of the Contractor.

16. Nothing in this Agreement, expressed or implied, is intended to confer upon any person, other than the parties hereto and their respective assigns, any rights or remedies under or by reason of this Agreement.

17. Neither party shall assign this Agreement or any interest herein without the express, written consent of the other party.

18. By entering into this Agreement, City and its "employees," as defined by the Governmental Tort Claims Act, 51 O.S. § 151 et seq., do not waive sovereign immunity, any defenses or any limitations of liability as may be provided for by law. No provision of this Agreement modifies and/or waives any provision of the Governmental Tort Claims Act.

19. The Contract Documents constitute the entire agreement between the parties and may not be amended, altered, modified or changed in any way except in a writing signed by all parties to this Agreement and which specifically references this Agreement. There are no other agreements, representations or warranties, whether oral or written, regarding the subject matter of this Agreement. No course of dealings involving the parties hereto and no usage of trade shall be

relevant or admissible to interpret, supplement, explain or in any way vary any of the terms of this Agreement. Any amendment to this Agreement shall be attached to this Agreement and all of the terms in this Agreement not addressed in the amendment shall remain in full force and effect.

20. The Contractor hereby represents and warrants to and for the benefit of the City that: notwithstanding any other provision of this Agreement, any failure to comply with this agreement ("State") or any of the Contract Documents by the Contractor shall permit the City or State of Oklahoma to recover as damages against the Contractor any loss, expense, or cost (including without limitation attorney's fees) incurred by the City or State resulting from any such failure (including without limitation any impairment or loss of funding, whether in whole or in part, from the State or any damages owed to the State by the City).

21. Invoices are to be turned in for approval no later than 9 AM on the 1st or 3rd Monday of the month in order for payment to be mailed or initiated with the bank by the 2nd or 4th Wednesday of the month

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed, by their duly authorized officials, this Agreement, in triplicate, each of which shall be deemed an original.

**** SEPARATE SIGNATURE PAGES FOLLOW ****

SIGNATURE PAGE OF "CITY"

Date Signed:_____

The City of McAlester, Oklahoma,
an Oklahoma Municipal Corporation

_____
Justin Few, Mayor

(SEAL)

ATTEST:

_____
Cora Middleton, City Clerk

Approved as to Form and Legality

_____
John T. Hammons, City Attorney

SIGNATURE PAGE OF "CONTRACTOR"

Date Signed: _____

_____,
an Oklahoma Municipal Corporation

_____
Signature

_____
Printed Name and Title

ACKNOWLEDGMENT

State of _____)
) ss.
County of _____)

Before me, the undersigned, a Notary Public in and for said County and State, on this _____ day of _____, 2026, personally appeared _____, to me known to be the identical person who executed the within and foregoing instrument on behalf of _____, as its _____, and acknowledged to me that (s)he executed the same as the free and voluntary act and deed of said company for the uses and purposes set forth therein.

Given under my hand and seal the day and year last above written.

_____
Notary Public

My Commission Number: _____
My Commission Expires: _____

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Fire Department
Prepared By: Debra Stewart, Administrative Assistant
Date Prepared: 08/27/2026

Account Code:
Budgeted Amount:

Subject:
2. Discussion and possible action to approve Muskogee Communication to install new radios in the new fire engine in the amount of $3,114.00 with funds to be used from the City of McAlester Fire Department's portion of the county quarter excise tax for fire services. *(Benny Brooks, Assistant Fire Chief)*

Recommendation:
Motion to approve Muskogee Communication to install new radios in the new engine cost not to exceed $3,114.00 with funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

Discussion:
Estimate- Muskogee Communications, INC

Approved By:	Inital	Date
Department Head:	Benny Brooks	8/27/2026
City Manager:	kjw	2 Sept 26

Exhibits:
Estimate Muskogee Communication, report_appropriation_ledger_multiple

Muskogee Communications, Inc.

P.O. Box 1613
Muskogee, OK 74402

Estimate

DATE	ESTIMATE NO.
8/27/2026	4783

NAME / ADDRESS
MCALESTER FIRE 1016 East South St. MCALESTER, OK 74501

DESCRIPTION	QTY	COST	TOTAL
AAM28JQN9WA1AN MOBILE RADIO XPR 5550E 136-174M 45W/GNSS/WIFI CD STDBKT0511AA STANDARD BRACKET (RLN6469) STDBLK0511AA STANDARD MODEL BOX STDCBL0511AA STANDARD CABLE (HKN4191) STDMIC0511AF STANDARD MICROPHONE (RMN5052) STDESS0511AA 5YR ESSENTIAL REPAIR STDSMA0771AH STANDARD 5 YEAR SMA AND SW FEATURES CAPABLE	2	1,036.00	2,072.00T
ITEM #: RKN4136A MOBILE ACCESSORIES IGNITION SWITCH CABLE for XPR 5550e	2	41.00	82.00T
Coax with Mini UHF Conn	2	40.00	80.00T
NMOWBQC Larson Wide Band 3BD Gain Chrome Antenna	2	65.00	130.00T
Installation @ McAlester Fire	6	125.00	750.00
Sales Tax		0.00	0.00

THIS QUOTE EXPIRES SEPTEMBER 1, 2026.

TOTAL $3,114.00

Remit purchase orders to: jeanetta@muskogeecomm.org

PITTSBURG County, COUNTY COMMISSIONERS
HOPE TRAMMELL

Printed At: 10:29am
on 8/27/2026

Appropriation Ledger

Date Range: 07/01/2026 to 08/26/2026

Account 1321-2-8221-2005 (FD-MCAL-2): MCALESTER FIRE DEPT M&O

Fiscal Year: 2026-2027

Dist	Date	Vendor	PO #	PO Amount	Adjustment Amount	Amount Approved	Paid	Warrant Number	Unexpended	Unliquidated Encumbrances	Unencumbered
	07/06/2026	Fiscal Year Transfer			$ 27,926.39	Transferred from 2025-2026 fiscal year.			$ 27,926.39	$ 0.00	$ 27,926.39
	07/29/2026	CASCO INDUSTRIES	000993	$ 1,540.00					$ 27,926.39	$ 1,540.00	$ 26,386.39
	08/03/2026	MONTHLY APPROPRIATION			$ 6,659.66		JULY 2026		$ 34,586.05	$ 1,540.00	$ 33,046.05
	08/12/2026	MUSKOGEE COMMUNICATIONS	001605	$ 8,910.00					$ 34,586.05	$ 10,450.00	$ 24,136.05
	08/12/2026	CASCO INDUSTRIES	001606	$ 665.00					$ 34,586.05	$ 11,115.00	$ 23,471.05
		Range Total:		**$ 11,115.00**	**$ 0.00**	**$ 0.00**					
		Year Total:		$ 11,115.00	$ 0.00	$ 0.00			$ 34,586.05	$ 11,115.00	$ 23,471.05

* Paid column reflects the date on which the warrant was cancelled or voided.

PITTSBURG County, COUNTY COMMISSIONERS
HOPE TRAMMELL

Printed At: 10:29am
on 8/27/2026

Appropriation Ledger

Date Range: 07/01/2026 to 08/26/2026

Account 1321-2-8221-4110 (FD-MCAL-3): MCALESTER FIRE DEPT CAP OUTLAY

Fiscal Year: 2026-2027

Dist	Date	Vendor	PO #	PO Amount	Adjustment Amount	Amount Approved	Paid	Warrant Number	Unexpended	Unliquidated Encumbrances	Unencumbered
	07/06/2026	Fiscal Year Transfer			$ 6,219.80	Transferred from 2025-2026 fiscal year.			$ 6,219.80	$ 0.00	$ 6,219.80
	07/29/2026	MCALESTER MECHANICAL, LLC	000992	$ 2,780.00					$ 6,219.80	$ 2,780.00	$ 3,439.80
		Range Total:		**$ 2,780.00**	**$ 0.00**	**$ 0.00**					
		Year Total:		$ 2,780.00	$ 0.00	$ 0.00			$ 6,219.80	$ 2,780.00	$ 3,439.80

* Paid column reflects the date on which the warrant was cancelled or voided.

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Fire Department
Prepared By: Debra Stewart, Administrative Assistant
Date Prepared: 08/27/2026

Account Code:
Budgeted Amount:

Subject:
3. Discussion and possible action to approve the purchase of firefighting bunker gear from Casco Industries, in the amount of $13,145.00 with the funds to be used from the City of McAlester Fire Department's portion of the county quarter excise tax for fire services. *(Benny Brooks, Assistant Fire Chief)*

Recommendation:
Motion to approve the purchase of firefighting bunker gear cost not to exceed $13,145.00 with funds to be used from the City of McAlester's Fire Department's portion of the county quarter cent excise tax for fire services.

Discussion:
Quote- Casco Industries - $13,145.00

Approved By:	Inital	Date
Department Head:	BB	08/27/2026
City Manager:	kjw	2 Sept 26

Exhibits:
Quote Casco, report_appropriation_ledger_multiple

607 W. 62nd Street (318) 865-5107 P.O. Box 8007

Casco INDUSTRIES, INC.

HEADQUARTERS: SHREVEPORT, LA 71148-8007 *SERVING OKLAHOMA*

SOLD TO:	MCALESTER FIRE DEPT. 1016 E. SOUTH STREET MCALESTER, OK 74501	ACCT# 19552	
SHIP TO:	MCALESTER FIRE DEPT. 1016 E. SOUTH STREET MCALESTER, OK 74501		
ATTN:		ATTN:	
PHONE:		PHONE:	
EMAIL:		EMAIL:	

CREDIT CARD:		DIST	CUST PO NUMBER		SALES REP	SALES REP REF #
NAME/EXP DATE					174	
NUMBER/CODE/ZIP			TERMS	FREIGHT	DATE	FORM TYPE
TRANSACTION ID#			30	ADD	8/25/2026	QUOTE

ITEM	LOC	DESCRIPTION		QTY	SHIPPED	PRICE	AMOUNT
		GLOBE, GX3 AGILITY GOLD BUNKER COAT	$ -	3		$ 2,205.00	$ 6,615.00
		McALESTER SPEC	$ -			$ -	$ -
		GLOBE, GPS AGILITY GOLD BUNKER PANT	$ -	3		$ 1,585.00	$ 4,755.00
		McALESTER SPEC	$ -			$ -	$ -
		GLOBE, 1201420 14" LEATHER BOOTS	$ -	3		$ 550.00	$ 1,650.00
		2- 10M , 11M	$ -			$ -	$ -
			$ -			$ -	$ -
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ADDITIONAL COMMENTS BELOW	DIST TOTAL: $ 13,145.00		Subtotal	$ 13,020.00
		ADD	Tax	$ -
			Freight	$ 125.00
			TOTAL	$ 13,145.00

"PROVIDING PROTECTION FOR THOSE WHO PROTECT US"

PITTSBURG County, COUNTY COMMISSIONERS
HOPE TRAMMELL

Printed At: 10:29am
on 8/27/2026

Appropriation Ledger

Date Range: 07/01/2026 to 08/26/2026

Account 1321-2-8221-2005 (FD-MCAL-2): MCALESTER FIRE DEPT M&O

Fiscal Year: 2026-2027

Dist	Date	Vendor	PO #	PO Amount	Adjustment Amount	Amount Approved	Paid	Warrant Number	Unexpended	Unliquidated Encumbrances	Unencumbered
	07/06/2026	Fiscal Year Transfer			$ 27,926.39	Transferred from 2025-2026 fiscal year.			$ 27,926.39	$ 0.00	$ 27,926.39
	07/29/2026	CASCO INDUSTRIES	000993	$ 1,540.00					$ 27,926.39	$ 1,540.00	$ 26,386.39
	08/03/2026	MONTHLY APPROPRIATION			$ 6,659.66		JULY 2026		$ 34,586.05	$ 1,540.00	$ 33,046.05
	08/12/2026	MUSKOGEE COMMUNICATIONS	001605	$ 8,910.00					$ 34,586.05	$ 10,450.00	$ 24,136.05
	08/12/2026	CASCO INDUSTRIES	001606	$ 665.00					$ 34,586.05	$ 11,115.00	$ 23,471.05
		Range Total:		**$ 11,115.00**	**$ 0.00**	**$ 0.00**					
		Year Total:		$ 11,115.00	$ 0.00	$ 0.00			$ 34,586.05	$ 11,115.00	$ 23,471.05

* Paid column reflects the date on which the warrant was cancelled or voided.

PITTSBURG County, COUNTY COMMISSIONERS
HOPE TRAMMELL

Printed At: 10:29am
on 8/27/2026

Appropriation Ledger

Date Range: 07/01/2026 to 08/26/2026

Account 1321-2-8221-4110 (FD-MCAL-3): MCALESTER FIRE DEPT CAP OUTLAY

Fiscal Year: 2026-2027

Dist	Date	Vendor	PO #	PO Amount	Adjustment Amount	Amount Approved	Paid	Warrant Number	Unexpended	Unliquidated Encumbrances	Unencumbered
	07/06/2026	Fiscal Year Transfer			$ 6,219.80	Transferred from 2025-2026 fiscal year.			$ 6,219.80	$ 0.00	$ 6,219.80
	07/29/2026	MCALESTER MECHANICAL, LLC	000992	$ 2,780.00					$ 6,219.80	$ 2,780.00	$ 3,439.80
		Range Total:		**$ 2,780.00**	**$ 0.00**	**$ 0.00**					
		Year Total:		$ 2,780.00	$ 0.00	$ 0.00			$ 6,219.80	$ 2,780.00	$ 3,439.80

* Paid column reflects the date on which the warrant was cancelled or voided.

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Utilities
Prepared By: Kyndall Young, Administrative Assistant
Date Prepared: 08/20/2026

Account Code: 02-5973302
Budgeted Amount: $140,800.00

Subject:
4. Discussion and possible action to approve and authorize the Mayor to sign Amendment 1 to Work Order Number 2502311 to Garver, LLC for the East Wastewater Treatment Plant Facility Plan. *(Jared Cottle, P.E., Interim Utilities Director)*

Recommendation:
Motion to approve and authorize the Mayor to sign Amendment 1 to Work Order Number 2502311 to Garver, LLC for the East Wastewater Treatment Plant Facility Plan.

Discussion:
This Amendment adds professional services to the McAlester East Wastewater Treatment Plant Facility Plan Project, which includes Data Analysis, combined WWTP Evaluation, and Facility Plan, and the associated costs.

Approved By:	Inital	Date
Department Head:	jwc	08.20.26
City Manager:	kjw	2 Sept 26

Exhibits:
McAlester East WWTP W02502311 Amendment 1

AMENDMENT TO WORK ORDER NO. 2502311
City of McAlester, Oklahoma
Project No. 2502311

WORK ORDER AMENDMENT NO. 1

This Work Order Amendment No. 1 ("Amendment"), effective on the date last written below, shall amend the original work order between the City of McAlester, Oklahoma ("Owner") and Garver, LLC ("Garver"), dated March 24, 2026, referred to in the following paragraphs as the "Work Order."

This Amendment adds professional services for the McAlester East Wastewater Treatment Plant project.

The Work Order is hereby modified as follows:

SECTION 2 – PAYMENT

1. The total fee of the Work Order is hereby increased by $140,800.00, from $14,300.00 to $155,100.00. Therefore, the language of Section 2 of the Work Order is amended to include the following:

For the Services set forth above, Owner will pay Garver as follows:

Tasks	***Estimated Fees***
TASK 3 – DATA ANALYSIS	*$ 52,000.00*
TASK 4 – COMBINED WWTP EVALUATION	*$ 30,200.00*
TASK 5 – FACILITY PLAN TM	*$ 58,600.00*
Total All Services	***$ 140,800.00***

The lump sum amount to be paid under this Work Order is hereby increased by $140,800.00, from $14,300.00 to $155,100.00*. Any unused portion of the fee, due to delays beyond Garver's control, will be increased six percent (6%) annually with the first increase effective on or about July 1, 2027.*

APPENDIX A – SCOPE OF SERVICES

2. The following Tasks 3, 4, and 5 are hereby added to Appendix A of the Work Order:

- *Task 3 – Data Analysis*
- *Task 4 – Combined WWTP Evaluation*
- *Task 5 – Facility Plan TM*

3. *TASK 3 – DATA ANALYSIS*

3.1 *Based on the kickoff meeting and site visit, Garver will develop a list of data needed to evaluate the major unit processes for the East WWTP. This list will include discharge monitoring data and other process control data collected on a regular basis. Additional data may need to be collected by Owner staff at Owner's cost to confirm operational*

parameters at specific points within the process. Garver will submit the list of data needs to Owner staff. All Owner provided information will be accepted as true and reliable. Upon receiving the data requested, Garver will begin analyzing the information to further identify trends, deficiencies, or anomalies.

3.2 *Based on the data analysis, Garver will develop a capacity analysis of the existing facilities noted in Section 2.2. Garver will also develop a 20-year demand projection to determine the future anticipated capacity requirements. The demand projections will be based on US Census data and the Oklahoma Water Resources Board's Water Plan. A basic, spreadsheet-based process flow diagram (PFD) will be included to diagram the current system's operation and bottlenecks. Garver will also develop a solids mass balance. In the absence of sufficient operational data, industry accepted standards for mass loadings will be assumed for a mass balance. These assumptions will be documented in the deliverables.*

3.3 *An alternatives evaluation for each of these facilities is not included. Additional alternatives will be evaluated in future work and engineering reports. However, Garver will identify one (1) planning level cost estimate for improvements to address either existing concerns or future capacity constraints to each of the existing unit processes in the Facility Plan TM:*

- *Influent Pumping*
- *Headworks (Including Bar Screens and Grit Handling)*
- *Aeration Basins*
- *Secondary Clarifiers*
- *Disinfection*
- *Digesters*
- *Drying Beds*

4. *TASK 4 – COMBINED WWTP EVALUATION*

An evaluation that considers decommissioning the East WWTP will be completed. In this scenario, the influent that is normally treated at the East WWTP would be conveyed and treated at the West WWTP.

4.1 *The improvements for this scenario are anticipated to include a lift station located on or near the East WWTP and sewer force main that connects the proposed lift station and West WWTP. Garver will identify one (1) planning level cost estimate for the new regional lift station and force main. One (1) conceptual route will be evaluated for the new force main.*

4.2 *This scenario will also require expansion upgrades at the West WWTP. Garver will develop one (1) planning level cost estimate for expanding the West WWTP to handle the future flow and loadings for the City's combined service area over the planning horizon. It is assumed that (1) Sandy Creek, the receiving stream for the West WWTP, can assimilate the future combined flow, and (2) the existing treatment technology or other conventional treatment technology will be sufficient to meet the discharge requirements of Sandy Creek. It is anticipated that future receiving stream water quality modeling and a wasteload allocation (WLA) modification will be required if this option is selected for implementation. This modeling and WLA modification is not included in this Work Order, but can be added by written amendment.*

4.3 *Garver will perform a monetary and non-monetary evaluation of combining the two*

WWTPs and constructing a new regional lift station and force main versus upgrading each WWTP. The non-monetary evaluation will detail the strengths and weaknesses of each alternative. The monetary evaluation will compare the life cycle costs for these two alternatives based on their estimated annual O&M costs and present worth effectiveness for a 20-year period. Based on the findings of the evaluation, Garver will identify a preferred alternative for recommendation to the City.

5. *TASK 5 – FACILITY PLAN TM*

5.1 *Draft Facility Plan TM*

Garver will produce a Draft Facility Plan TM that will summarize the findings from Tasks 3 and 4 and present the proposed improvements. The submittal will represent a conceptual planning (10%) effort. A rough order of magnitude (ROM) Class 5 Opinion of Probable Construction Cost (OPCC) for each of the proposed improvements will be developed. The expected range of accuracy for this type of estimate is -50% to +100% of the actual project estimate and is intended to be used for budget authorization and control. The Draft Facility Plan TM will be provided to the Owner to review and provide comment prior to the Facility Plan workshop.

5.2 *Facility Plan Workshop*

Garver will lead a workshop at Owner's office with up to three (3) Garver staff in person to review the efforts of the project, data collected, information derived from the data analysis, and recommendations on a path forward. Garver will prepare meeting minutes to capture additional comments and discussions that take place. Meeting minutes will be distributed to the Owner and others as requested.

5.3 *Final Facility Plan TM*

Following the Facility Plan Workshop, Owner input agreed to by Garver will be incorporated into the Final Facility Plan TM. The Final Facility Plan TM will be electronically delivered to the Owner.

3. The following Additional Services of Appendix A are hereby deleted:

3.1 Data Analysis for Facility Plan TM
3.2 Combined WWTP Evaluation
3.3 Facility Plan TM

4. The following items are added to the Project Deliverables of Appendix A of the Work Order:

- *Draft Facility Plan TM (electronic PDF)*
- *Final Facility Plan TM (electronic PDF)*

5. The following item is deleted, in its entirety, from Extra Work of Appendix A of the Work Order:

- *Technical Memoranda*

6. The Following Tasks 3, 4, and 5 are hereby added to the Schedule of Appendix A of the Work Order:

Milestone	*Calendar Days*
Task 3 – Data Analysis	*30 Days from Kickoff Meeting*
Task 4 – Combined WWTP Evaluation	*60 Days from completion of Task 3*
Task 5 – Draft Facility Plan TM	*60 Days from completion of Task 4*
Task 5 – Facility Plan Workshop	*14 Days from completion of Draft Facility Plan TM*
Task 5 – Final Facility Plan TM	*14 Days from acceptance of Draft Facility Plan TM*

Terms and conditions of the Work Order not modified herein remain unchanged and in full force and effect.

This Amendment may be executed in two (2) or more counterparts each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, Owner and Garver have executed this Amendment effective as of the date last written below.

CITY OF MCALESTER, OKLAHOMA

By: _____
Signature

Name: _____
Printed Name

Title: _____

Date: _____

Attest: _____

GARVER, LLC

By: Mary E. Mach
Signature

Name: Mary Elizabeth Mach
Printed Name

Title: Vice President

Date: 8-13-2026

Attest: JL Dicks

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Utilities
Prepared By: Kyndall Young, Administrative Assistant
Date Prepared: 08/24/2026

Account Code: 02-5974316
Budgeted Amount: $36,930.00

Subject:
5. Discussion and possible action to accept the Flocculator Replacement Project as complete and authorize final payment of $36,930.00 to Machining & Valve Automation Services, LLC. *(Luke Anderson, Water Treatment Plant Superintendant)*

Recommendation:
Motion to accept the Flocculator Replacement Project as complete and authorize final payment of $36,930.00 to Machining & Valve Automation Services, LLC.

Discussion:
Construction has been completed, and theWater Treatment Plant Superintendent has conducted a final inspection.

Approved By:	Inital	Date
Department Head:	jwc	8.25.26
City Manager:	kjw	2 Sept 26

Exhibits:
Inv_2026400393_from_Machining__Valve_Automation_Services_LLC_9480

INVOICE

MACHINING & VALVE
AUTOMATION SERVICES LLC
PO BOX 850
QUINLAN TX 75474

DATE	INVOICE #
8/24/2026	2026-400393

BILL TO

MCALESTER CITY OF
28 EAST WASHINGTON STREET
MCALESTER, OK 74501
KYNDALL.YOUNG@CITYOFMCALESTER.COM

SHIP TO

CITY OF MCALESTER
5200 WATERWORKS ROAD
MCALESTER, OK 74501

P.O. NO.	TERMS
25-01292	NET 30

QTY	BACKORDERED	DESCRIPTION	COST	AMOUNT
		FLOCCULATOR GEAR MOTOR DRIVE ASSEMBLY		
1		MVA SERVICE TECHNICIANS / MECHANICAL SPECIALISTS / ELECTRICAL SPECIALISTS TO REMOVE EXISTING FLOCCULATOR DRIVES AND INSTALL NEW SEW FLOCCULATOR DRIVES AND ADAPTING HARDWARE. (4 MAN CREW FOR 4 DAYS EXPECTED)	29,280.00	29,280.00
1		MVA 15 TON CRANE / EQUIPMENT CHARGE TO INSTALL (6) FLOCCULATOR DRIVES.	7,650.00	7,650.00

APPLICABLE SALES TAXES & TARIFF SURCHARGES ARE NOT INCLUDED, & ARE SUBJECT TO CHANGE WITHOUT NOTICE. SEPERATE LINE ITEM CHARGES FOR SALES TAX AND/OR TARIFF SURCHARGES WILL BE APPLIED TO INVOICES AT TIME OF SHIPMENT, AS APPLICABLE.

MVA SERVICES NEW REMIT TO ADDRESS
PO BOX 850
QUINLAN TX 75474

TOTAL	**$36,930.00**
PAYMENTS/CREDITS	**$0.00**
BALANCE DUE	**$36,930.00**

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Utilities
Prepared By: Kyndall Young, Administrative Assistant
Date Prepared: 08/26/2026

Account Code: 02-5267302
Budgeted Amount: $15,000.00

Subject:
6. Discussion and possible action to approve and authorize the Mayor to sign the Work Order for Professional Services to Infrastructure Solutions Group, LLC in the amount of $15,000.00 for the Wallace Development Hydraulic Analysis. *(Dale Burke, P.E., Infrastructure Solutions Group/Jared Cottle, P.E., Interim Utilities Director)*

Recommendation:
Motion to approve and authorize the Mayor to sign the Work Order for Professional Services to Infrastructure Solutions Group, LLC in the amount of $15,000.00 for the Wallace Development Hydraulic Analysis.

Discussion:
Infrastructure Solutions Group will update the City's existing water distribution system model to incorporate the anticipated full buildout of the Wallace Development, perform a detailed hydraulic analysis to evaluate pressure, flow, and fire-flow performance, identify potential water system improvements, develop planning cost estimates for the identified improvement options, and prepare a hydraulic analysis report.

Approved By:	Inital	Date
Department Head:	jwc	08.26.26
City Manager:	kjw	2 Sept 26

Exhibits:
MC-26-02 Work Order Wallace Development Hydraulic Analysis 08.15.26

INFRASTRUCTURE SOLUTIONS GROUP, LLC
Consulting Engineers

WORK ORDER FOR PROFESSIONAL SERVICES
City of McAlester
Work Order # MC-26-02

This will constitute authorization by the City of McAlester (Owner) for Infrastructure Solutions Group, LLC (Engineer) to proceed with the following described as "Project":

Project Name: Wallace Development Hydraulic Analysis

- Update the City's existing water distribution system model to incorporate the anticipated full buildout of the Wallace development, and surrounding areas using the best available mapping, development layouts, and estimated water-demand information. Where information is unavailable, apply reasonable engineering assumptions.
- Perform a detailed hydraulic analysis to evaluate system pressure, available flow, and fire-flow performance under projected full-buildout conditions.
- Identify potential water system improvements required to support the projected development without adversely affecting the existing City water system.
- Develop planning-level cost estimates for the identified improvement options and determine anticipated development triggers for implementing the recommended improvements.
- Prepare a hydraulic analysis report documenting the modeling assumptions, results, improvement options, cost estimates, and recommended development improvements triggers.
- Perform all work in accordance with the Standard Form of Agreement Between Owner and Engineer for Professional Services, as prepared by the Engineers Joint Contract Documents Committee (EJCDC).

For performing the services described, the Engineer is to be paid a Lump Sum Fee of $15,000.00 for the Hydraulic Analysis.

APPROVED:
City of McAlester

By: _____
Justin Few
Mayor

ATTEST:

_____

DATE: _____

ACCEPTED:
Infrastructure Solutions Group, LLC

By: _____
Dale Burke, P.E.
President

ATTEST:

_____
Robert Vaughan, P.E.
Branch Manager

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Utilities
Prepared By: Kyndall Young, Administrative Assistant
Date Prepared: 08/31/2026

Account Code: 02-5974302
Budgeted Amount: $149,207.00

Subject:
7. Discussion and possible action to approve and authorize the Mayor to sign the Professional Consulting Services Agreement with Jacobs Engineering Group, Inc for the McAlester Water Treatment Plant Facilities Plan in the amount of $149,207.00. *(Jared Cottle, P.E., Interim Utilities Director)*

Recommendation:
Motion to Discussion and possible action to approve and authorize the Mayor to sign the Professional Consulting Services Agreement with Jacobs Engineering Group, Inc for the McAlester Water Treatment Plant Facilities Plan in the amount of $149,207.00. *(Jared Cottle, P.E., Interim Utilities Director)*

Discussion:
Jacobs Engineering will provide engineering services to assist the City of McAlester with planning and evaluation of improvements to the McAlester Water Treatment Plant.

Approved By:	Inital	Date
Department Head:	jwc	09.01.26
City Manager:	kjw	2 Sept 26

Exhibits:
McAlester WTP Facilies Plan_Final Agreement_Jacobs

PROFESSIONAL CONSULTING SERVICES AGREEMENT
MCALESTER WATER TREATMENT PLANT FACILITIES PLAN

This Professional Services Agreement consists of this cover page, including the General Terms and Conditions, Special Terms and Conditions (if applicable), and any Exhibits referenced herein ("**Agreement**"), including written amendments to the Agreement as agreed to by the parties. This Agreement is entered into effective as of the date last executed below ("**Effective Date**") and shall be construed as authorization by Client for Consultant to proceed with the Scope of Services ("**Services**"), unless otherwise provided for in this Agreement.

1. **SCOPE OF SERVICES**. Consultant shall provide all labor, material, supplies, equipment, services, facilities, and supervision as necessary for the timely and efficient execution of the Services and production of Deliverables in accordance with the Standard of Care and as set forth in Exhibit A. SCOPE OF SERVICES. For full performance of the Agreement, the Services and associated Deliverables specified in Exhibit A, Client shall pay Consultant in accordance with the compensation methods or upon such other terms as set forth in Exhibit B COMPENSATION METHODS.
2. **TERM OF AGREEMENT**. The term of this agreement shall commence upon the Effective Date and shall terminate sixty (60) calendar days following the completion of the Services or June 30, 2028, whichever occurs first.
3. **ENTIRE AGREEMENT, MODIFICATIONS, AND PRECEDENCE**. This Agreement and all documents attached hereto or incorporated herein by reference, to the extent applicable directly or indirectly to Services, comprise the entire agreement between Client and Consultant with respect to the subject matter hereof. This Agreement supersedes all prior negotiations, agreements, proposals, understandings, and other writings not specifically incorporated herein, and supersedes prior or contemporaneous oral agreements or representations. This Agreement can be modified only in writing and signed by an authorized representative for each party. If a genuine and material inconsistency or conflict arises between any provision(s) in the Agreement, precedence is given to the General Terms and Conditions then the Special Terms and Conditions. This Agreement constitutes the entire Agreement between the parties with respect to the subject matter hereof and supersedes all prior negotiations and discussions concerning the subject matter hereof.

Client

City of McAlester

Address:
28 E. Washington Ave., McAlester, OK, 74501

By (signature):

_____

Printed Name: Justin Few

Title: Mayor

Date: _____

Local Address (if applicable):

28 E. Washington Ave., McAlester, OK, 74501

Primary Contact and Details:

Jared Cottle, P.E., jared.cottle@cityofmcalester.com, 918-423-9300

Consultant

Jacobs Engineering Group Inc.

Address:
1999 Bryan Street Suite 3500 Dallas TX 75201

By (signature):

Printed Name: Jennifer Kassa

Title: Manager of Projects

Date: August 27, 2026

Local Address (if applicable):

8801 S. Yale Ave., Suite 290, Tulsa, OK 74137

Primary Contact and Details:

Bea Aamodt, P.E., Beatriz.Aamodt@jacobs.com, 918-384-8832

1. **PROFESSIONAL STANDARDS**. Consultant shall perform the Services with reasonable care and will use that degree of care and skill ordinarily exercised by other similar professionals in the field under similar conditions in similar localities ("**Standard of Care**"). No warranty is made, express or implied.

2. **CHANGES IN SERVICES**. Client may, at any time, request changes in Services. If Client notifies Consultant of its desire to make a change in Services that may change the cost or time of performance, Consultant shall, within ten (10) business days after receiving such written notice, give Client written notification of any potential change in cost or time of performance. Equitable adjustments to cost or time of performance will be negotiated and upon mutual agreement by Client and Consultant, this Agreement will be modified by a written instrument, signed by both Parties to reflect the changes Services, cost or time of performance. For the avoidance of doubt, no additional Services will be performed until execution of the amendment.

3. **PAYMENT TO CONSULTANT / INTEREST ON PAST-DUE AMOUNTS**. Monthly invoices will be issued by Consultant for all Services performed under the terms of this Agreement. Client's payments of such invoices are due and payable net fifteen (15) calendar days. Client shall pay interest at the rate of 1½% per month on all past-due amounts, without limiting other remedies. In addition to any other sums or amounts required to be paid by Client to Consultant pursuant to this Agreement, Client must also pay to Consultant the amount of any applicable sales, use, excise or other tax with respect thereto (other than any general income tax payable by Consultant with respect thereto) as the same may be levied, imposed or assessed by any federal, state, county or municipal government entity or agency.

4. **LIABILITY**. Excluding Consultant's liability for bodily injury or damage to tangible property of third parties, the total aggregate liability of Consultant arising out of the performance or breach of this Agreement shall not exceed twenty-five percent (25%) of the compensation paid to Consultant under this Agreement. Notwithstanding any other provision of this Agreement, Consultant shall have no liability to the Client for contingent, consequential, or other indirect damages including, without limitation, damages for loss of use, revenue or profit; operating costs and facility downtime, however the same may be caused. The limitations and exclusions of liability set forth in this Article shall apply regardless of the fault, breach of contract, tort (including negligence), strict liability or otherwise of Consultant, its employees, or subconsultants. The specific remedies set forth in this Agreement, including but not limited to those remedies with respect to the quality of the Services performed by Consultant hereunder, are the exclusive remedies of the parties.

5. **INTELLECTUAL PROPERTY**. The parties acknowledge that during the course of performing its services Consultant may provide or otherwise make available to Client its proprietary data, concepts, methods, techniques, processes, protocols, ideas, inventions, know-how, trade secrets, algorithm, software, works of authorship, software and hardware architecture, databases, tools, other background technologies and standards of judgment that Consultant developed or licensed from third parties independent of the Services and prior to the Effective Date ("**Pre-Existing Consultant Material**"). Consultant shall retain all right, title and interest, including intellectual property rights, in the Pre-Existing Consultant Material. Subject to the terms and conditions of this Agreement, Consultant hereby grants to Client a non-exclusive, non-transferable, royalty-free license to utilize the Pre-Existing Consultant Material solely for the purpose of Client's project. Client agrees to defend, indemnify and hold harmless Consultant and its employees from and against claims resulting from re-use of the design data, drawings, estimates, calculations and specifications prepared by Consultant ("**instruments of service**") on extensions of the project or at a location other than that contemplated by this Agreement. Neither party will make any press release, news disclosure or other advertising related to the project that includes the name of the other party without first obtaining the written approval of the other party. Nothing herein shall limit Consultant's right to include information in statements of qualifications and proposals to others accurately describing its participation and participation of its employees in the project.

6. **RELATIONSHIP OF THE PARTIES**. The Consultant shall be and shall operate as an independent contractor with respect to the Services performed under this Agreement and shall not be nor operate as an agent, fiduciary or employee of Client. This Agreement is not intended to be one of hiring under the provisions of a Workers' Compensation statute or other law and shall not be so construed.

7. **FORCE MAJEURE**. Any delays in or failure of performance by Consultant shall not constitute breach hereunder if and to the extent such delays or failures of performance are caused by occurrences beyond the reasonable control of Consultant as the case may be, including but not limited to, acts of God or the public enemy; compliance with any order or request of any governmental authority; fires, floods, explosion, accidents; riots, strikes or other concerted acts of workmen, whether direct or indirect; or any causes, whether or not of the same class or kind as those specifically named above, which are not within the reasonable control of Client or Consultant respectively. If an event of force majeure as herein defined occurs, Consultant shall be entitled to a reasonable extension of time for performance of its Services under this Agreement.

8. **TERMINATION**. Without limiting any other remedy that may be available, Consultant may stop work, suspend its Services or terminate this Agreement if Client has not cured a payment default within seven (7) business days after receipt of written notice from Consultant. Any failure to make a payment within the time required in Article 4 above shall constitute a payment default. Notice by overnight courier, shall meet this notice requirement. Consultant's right to stop performing Services or terminate this Agreement shall not be waived by Consultant's continued performance during any period of investigation by Consultant to determine the reasons for Client's nonpayment. This Agreement may be terminated upon thirty (30) calendar days prior written notice by either party.

9. **NOTICES**. All notices and/or communications to be given under this Agreement shall be in writing and shall be address to the addresses in the signature block. Either Party may by written notice to the other change the representative or the address to which such notices are sent. Any notice required in writing hereunder shall be given by registered, certified or furst-class mail (postage required), address to the Party at its address set forth in the signature block. The postmark date of notices sent by mail shall be the date of the notice.

10. **NO THIRD PARTY BENEFICIARIES**. Except to the extent any claims alleging negligence are asserted directly against either party's employee wherein such party's employee shall be deemed a third party beneficiary to this Agreement, there are no third party beneficiaries to this Agreement.

11. **ASSIGNMENT TO RELATED ENTITY**. Notwithstanding anything in this Agreement to the contrary, in the event Consultant is not

qualified and licensed in the relevant jurisdiction to provide any Services required hereunder, Consultant may, without the consent of any other party, assign all or any part of its obligation to provide such Services to an entity related to Consultant which is qualified and licensed to provide such Services in the jurisdiction involved and which is contractually bound to Consultant to provide such Services.

12. **DISPUTE RESOLUTION**. All disputes arising out of this Agreement shall be mediated by the parties within a reasonable time after the first request for mediation, prior to either party filing a suit in a court of law, provided, however, that neither party shall be obligated to mediate prior to requesting injunctive relief. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas or the state in which the project resides. In the event legal action is brought by Consultant to enforce any of the obligations hereunder or arising out of any dispute concerning the terms and conditions hereby created, Client shall pay Consultant reasonable amounts for fees, costs and expenses as may be set by the court.

13. **WAIVER**. Waiver by either party of any breach or failure to enforce any of the terms and conditions of this Agreement at any time shall not in any way effect, limit, or waive such party's rights thereafter to enforce and compel strict compliance with all the terms and conditions of this Agreement.

14. **SEVERABILITY**. Any provision of this Agreement prohibited by law shall be ineffective to the extent of such prohibition without invalidating the remaining provisions of this Agreement.

EXHIBIT A
SCOPE OF SERVICES
MCALESTER WATER TREATMENT PLANT FACILITIES PLAN

PROJECT DESCRIPTION

Jacobs will provide engineering services to assist the City of McAlester with planning and evaluation of improvements to the McAlester Water Treatment Plant (WTP). The work will establish an operational and facility baseline, evaluate opportunities to optimize the existing chemical treatment process, develop a planning-level Facility Plan and Capital Improvement Program (CIP), and evaluate alternatives for long-term management of water treatment residuals.

The evaluations will be completed at a planning level using available City records, operating data, discussions with City staff, site observations, laboratory testing, and engineering analysis. The Facility Plan will identify major processes, capacity, reliability, and infrastructure needs and develop planning-level recommendations and costs for capital budgeting. The Facility Plan does not include a detailed asset condition assessment, destructive testing, or design of recommended improvements.

The work will be completed under the following six tasks:

Task 1 – Project Management and Quality Assurance

Jacobs will provide project management, coordination, quality assurance, and administrative services throughout the project.

- Conduct a project kickoff meeting with City staff to confirm project objectives, priorities, schedule, communication protocols, and available information.
- Prepare and maintain a project data request identifying information required to complete the evaluations.
- Coordinate activities among the City, Jacobs technical staff, laboratory personnel, and regulatory specialists.
- Conduct biweekly progress meetings with the City.
- Monitor project scope, schedule, budget, and progress throughout the work.
- Provide quality assurance and quality control reviews of technical work products.
- Provide project administration and project closeout.

Task 2 – Existing Data Review and Operational Baseline

Jacobs will review available plant information and establish the existing operational and facility baseline used for the Chemical Optimization Study, Facility Plan, and Residuals Management Plan.

- Collect and organize available record drawings, process flow diagrams, previous studies, operations and maintenance information, and other relevant documentation provided by the City.
- Review available plant flow, production, demand, and operating history.
- Review available raw- and finished-water-quality data.
- Review chemical usage, chemical feed practices, treatment performance, and available jar-testing information.
- Review available records related to residuals generation, lagoon operation, dredging, hauling, and disposal.
- Review available information describing major treatment units, process equipment, and plant infrastructure.
- Meet with WTP staff to document current operating practices, known capacity or process limitations, maintenance concerns, and planned improvements.
- Identify data gaps and establish the assumptions used to complete the planning-level evaluations.

Task 3 – Chemical Optimization and Treatability Testing

Jacobs will perform a focused treatability study to evaluate the City's current chemical treatment program and compare alternative treatment

approaches for the raw-water conditions experienced at the WTP.

- Review the City's current chemical types, dosages, feed locations, treatment practices, and available treatment-performance information.
- Develop a treatability testing protocol identifying testing procedures and water-quality parameters.
- Coordinate collection and shipment of representative raw-water samples to the Jacobs laboratory.
- Perform jar testing to evaluate three treatment conditions:
    - The City's current chemical application.
    - The treatment approach proposed by the City's local chemical supplier.
    - A treatment approach developed by Jacobs.
- Evaluate treatment performance using turbidity and the water-quality parameters established in the testing protocol.
- Evaluate coagulant, polymer, dosage, and pH adjustments associated with the treatment alternatives.
- Consider the effects of recommended chemical treatment changes on downstream treatment processes, including filtration and residuals generation.
- Compare the performance of the three treatment conditions and identify the recommended treatment approach.
- Develop recommended chemical dosing ranges and treatment strategies for WTP operations.
- Prepare operator guidance summarizing the recommended treatment approach and adjustments for changing raw-water conditions.
- Document testing procedures, results, findings, and recommendations in a technical memorandum.

Task 4 – Water Treatment Facility Plan and Capital Improvement Program

Jacobs will prepare a planning-level Facility Plan to evaluate the capacity and performance of the major WTP processes and facilities and establish a prioritized Capital Improvement Program for budgeting and future implementation.

- Prepare for and conduct a site visit to observe accessible WTP processes, facilities, and major equipment.
- Review the configuration, function, and planning-level capacity of major treatment processes using available records, operating information, staff input, and field observations.
- Evaluate the following major WTP systems:
    - Raw-water facilities.
    - Chemical storage, feed, and mixing systems.
    - Flocculation and sedimentation processes.
    - Clarifiers.
    - Filters and backwash systems.
    - Disinfection systems.
    - Finished-water storage and pumping.
    - Residuals collection and conveyance systems.
    - Electrical, instrumentation, controls, and standby power.
    - Buildings and supporting plant infrastructure.
- Compare process capacities with existing plant production requirements and available information regarding future treatment needs.
- Identify major process limitations, capacity constraints, operational concerns, reliability needs, and infrastructure improvements requiring capital investment.
- Perform a visual planning-level review of accessible structures to identify apparent issues that require repair, rehabilitation, or additional investigation.
- Coordinate the evaluation of filtration facilities with findings from the Chemical Optimization and Treatability Testing task.
- Identify projects required to address capacity, process performance, operational reliability, regulatory requirements, and long-term plant needs.
- Develop a planning-level description of each recommended capital improvement.
- Develop planning-level opinions of probable construction cost for recommended improvements.
- Prioritize capital improvements based on need, operational importance, regulatory considerations, coordination with other improvements, and implementation timing.
- Organize recommended improvements into near-term, intermediate-term, and long-term implementation periods.

- Develop a CIP identifying recommended projects, implementation priorities, and planning-level budget requirements.
- Identify facilities or systems requiring detailed investigation, testing, preliminary engineering, or design before implementation.

The Facility Plan is a planning-level evaluation intended to support CIP development and budgeting. The work does not include a comprehensive asset inventory, detailed equipment condition assessment, destructive or nondestructive testing, structural analysis, or design of recommended improvements.

Task 5 – Residuals Management Plan

Jacobs will evaluate the City's existing water treatment residuals handling practices and develop a planning-level strategy for long-term residuals management.

- Review the existing residuals collection, conveyance, lagoon storage, dredging, hauling, and disposal practices.
- Review available plant operating and chemical treatment data associated with residuals generation.
- Estimate residuals quantities using available operating data and established engineering assumptions.
- Review the existing flow-through lagoon configuration and its role in the City's current residuals management process.
- Identify operational and infrastructure limitations associated with the existing residuals management system.
- Identify applicable ODEQ requirements associated with residuals handling, disposal, and beneficial use.
- Identify sampling and analytical requirements necessary to characterize residuals for the evaluated management alternatives.
- Evaluate planning-level residuals management alternatives including:
    - Continued use of the existing lagoon and periodic dredging.
    - Improvements to the existing lagoon and residuals handling practices.
    - Residuals thickening and dewatering.
    - Storage and drying.
    - Hauling and off-site disposal.
    - Beneficial use or reuse of residuals.
- Compare alternatives based on regulatory requirements, operational requirements, reliability, site constraints, implementation considerations, and planning-level capital and operating costs.
- Coordinate with ODEQ to discuss the regulatory pathway applicable to the recommended residuals management approach.
- Develop recommended near-term and long-term residuals management actions.
- Prepare a Residuals Management technical memorandum documenting existing practices, alternatives evaluated, regulatory considerations, planning-level costs, and recommendations.

Task 6 – Final Report and Presentation

Jacobs will consolidate the findings and recommendations developed under Tasks 2 through 5 into a final planning document for use by the City in future budgeting and implementation decisions.

- Develop the report organization and recommendations framework.
- Prepare draft Facility Plan documentation summarizing the existing operational baseline, Chemical Optimization Study, WTP facility evaluation, CIP, and Residuals Management Plan.
- Incorporate the prioritized CIP and associated planning-level cost information developed under Task 4.
- Prepare figures, tables, photographs, and graphics necessary to communicate the evaluation findings and recommendations.
- Identify recommended follow-up investigations, regulatory actions, testing, engineering studies, or design activities required to advance individual improvements.
- Submit the draft report to the City for review.
- Conduct a review meeting with City staff to discuss findings and recommendations.
- Address one consolidated set of City review comments.
- Prepare and submit the final report.
- Prepare and conduct a final presentation summarizing project findings, recommendations, CIP priorities, and next steps.

EXHIBIT B

COMPENSATION METHODS

MCALESTER WATER TREATMENT PLANT FACILITIES PLAN

Under the terms of this Contract, the Engineer agrees to perform the work and services described in this Contract. The City agrees, in accordance with the limitations and conditions set forth in the Contract, to pay an amount not to exceed $149,207.00

Basic Work and Services

Task 1 – Project Management and Quality Assurance	$19,277
Task 2 – Existing Data Review and Operational Baseline	$8,879
Task 3 – Chemical Optimization and Treatability Testing	$21,801
Task 4 – Water Treatment Facility Plan and Capital Improvement Program	$53,971
Task 5 – Residuals Management Plan	$10,785
Task 6 – Final Report and Presentation	$34,494

1. **CONSTRUCTION SERVICES**. To the extent that Consultant is required to be present on a construction site as a part of Consultant's Services, Consultant shall not assume any responsibility or liability for performance of the construction services, or for the safety of persons and property during construction, or for compliance with federal, state and local statutes, rules, regulations and codes applicable to the conduct of the construction services.

2. **COST ESTIMATES**. In providing opinions of cost, financial analyses, economic feasibility projections, and schedules for the project, Consultant has no control over cost or price of labor and materials; unknown or latent conditions of existing equipment or structures that may affect operation or maintenance costs; competitive bidding procedures and market conditions; time or quality of performance by operating personnel or third parties; and other economic and operational factors that may materially affect the ultimate project cost or schedule. Therefore, Consultant makes no warranty that Client's actual project costs, financial aspects, economic feasibility, or schedules will not vary from Consultant's opinions, analyses, projections, or estimates. If the Client wishes greater assurance as to any element of project cost, feasibility, or schedule, the Client will employ an independent cost estimator, contractor, or other appropriate advisor.

3. **HAZARDOUS MATERIALS**. Client shall be responsible for all Hazardous Materials at the project site, which shall include any Hazardous Materials existing on the project site as of the Effective Date of the Agreement, whether or not detected by Consultant or otherwise, and any Hazardous Materials brought to the Project site by any party other than Consultant, anyone employed by them, or anyone for whose acts Consultant may be liable, including, at Client's sole cost and expense: (i) for the proper handling, storage, collection, containment, removal, transportation and disposal from the project site of all such Hazardous Materials, and (ii) for any environmental condition caused by such Hazardous Materials. Client's obligations shall include obligations with respect to a release or discovery of Hazardous Materials by Consultant or its subcontractors that have been or are brought to the foregoing areas by third parties other than the Consultant, a Subcontractor, anyone employed by them, or anyone for whose acts Consultant or any Subcontractor may be liable.

4. **OWNERSHIP DECLARATION**. Client represents that either it is the sole owner of the facilities which are the object of the Services or that it is authorized to bind and does bind all owners of such facilities to the releases and limitations of liability set forth in this Agreement. Client further agrees that any future recipient of any interest in the facilities and the Services will be bound by such releases and limitations of liability such that the total aggregate liability of Consultant to Client and such recipients shall not exceed the limits of liability set forth in this Agreement.

Time and Materials shall include labor costs multiplied by a multiplier of **2.95**, plus reimbursement of Consultant Direct Expenses and Outside Services. Labor costs shall be the amount calculated by the number of hours actually worked by each of Consultant's employees on Client's Project, multiplied by an amount charged for each such employee's work, which is calculated by dividing each

such employee's annualized, non-overtime compensation (whether salary or paid to such employee at an hourly rate, as the case may be) by 2,080 hours per year.

Lump Sum shall be the costs inclusive of all charges for professional services, which will be provided by Consultant based upon the original scope of Services offered in the Agreement.

Direct Expenses shall be those costs incurred on or directly for the Client's project, including but not limited to necessary transportation costs including mileage at Consultant's current rate when its automobiles are used, meals and lodging, laboratory test and analyses, computer services, word processing services, telephone, printing and binding charges. Reimbursement for these expenses shall be on the basis of actual charges when furnished by commercial sources and on the basis of usual commercial charges when furnished by Consultant.

Outside Services shall be those costs for technical or professional services that are furnished by an outside source and their reimbursable expenses multiplied by a multiplier of **1.10** which shall be added to the cost of the services for Consultant's administrative costs.

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Utilities
Prepared By: Kyndall Young, Administrative Assistant
Date Prepared: 08/27/2026

Account Code: 46-5871402
Budgeted Amount: $8,910.00

Subject:
8. Discussion and possible action to accept the TH Rogers Canal Repair project as complete and authorize final payment of $8,910.00 to Drake's Construction, LLC. *(Sophia West, Environmental Resources Manager)*

Recommendation:
Motion accept the TH Rogers Canal Repair project as complete and authorize final payment of $8,910.00 to Drake's Construction, LLC.

Discussion:
The TH Rogers Canal Repair construction has been completed and a final inspection has been conducted.

Approved By:	Inital	Date
Department Head:	jwc	08.28.26
City Manager:	kjw	2 Sept 26

Exhibits:
Final Invoice-TH Rogers Canal Repair

INVOICE

Drake Construction LLC
PO Box 88
Alderson, OK 74522-0088

drakerusty8226@yahoo.com
+1 (918) 429-2668
https://www.facebook.com/drakeconstructionmcalesterok/

Bill to
McAlester City of

Invoice details
Invoice no.: 1512
Terms: Net 30
Invoice date: 08/03/2026
Due date: 09/02/2026

Description	Qty	Rate	Amount
Rogers Canal Change Order #1 Additional 66 s.y. of line item #6	1	$8,910.00	$8,910.00

Ways to pay

VISA DISCOVER BANK

View and pay

McAlester City Council
AGENDA REPORT

Meeting Date: Tuesday, September 8, 2026
Department: Community Services
Prepared By: Shannon Webster, Executive Asst.
Date Prepared: 09/01/2026

Account Code:
Budgeted Amount:

Subject:
9. Discussion and possible action to approve amended Ordinance Chapter 26, Cemeteries, Article II. Municipal Cemeteries, Division 1. Generally; by adding Section 26-23, Fees for cemetery services, and amended Chapter 48, fees, charges, and service rates, by adding fees associated with Chapter 26, Section 26-23. *(Doug Basinger, Community Services Director)*

Recommendation:
Staff recommend the approval of amended Ordinance, Chapter 26, Cemeteries, Article II. Municipal Cemeteries, Division 1. By adding Section 26-23, fees for cemetery services and amended Chapter 48, Fees, Charges and Service rates.

Discussion:
The Cemetery Board has done research on surrounding cities that are comparable in size with McAlester. They have recommended that Council approve the increase to reflect what other cities our size are charging for services.

Approved By:	Inital	Date
Department Head:	DB	9/2/2026
City Manager:		

Exhibits:
Ord. No. , Cemetery Fees 2026

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING MCALESTER CITY CODE CHAPTER 26, CEMETERIES, ARTICLE II. MUNICIPAL CEMETERIES, DIVISION 1. GENERALLY; BY ADDING SECTION 26-23, FEES FOR CEMETERY SERVICES, AND AMENDING CHAPTER 48, FEES, CHARGES, AND SERVICE RATES, BY ADDING FEES ASSOCIATED WITH CHAPTER 26, SECTION 26-23; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MCALESTER, OKLAHOMA, AMENDING MCALESTER CITY CODE CHAPTER 26, CEMETERIES, ARTICLE II. MUNICIPAL CEMETERIES, DIVISION 1. GENERALLY; BY ADDING SECTION 26-23, FEES FOR CEMETERY SERVICES, AND AMENDING CHAPTER 48, FEES, CHARGES, AND SERVICE RATES, BY ADDING FEES ASSOCIATED WITH CHAPTER 26, SECTION 26-23; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

****

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MCALESTER, OKLAHOMA, that

SECTION 1. AMENDED; Chapter 26, Cemeteries, Section 26-23 of the McAlester City Code is hereby added to read as follows:

26-23. Fees for Cemetery Services.

The city hereby establishes Cemetery fees, as provided in Chapter 48.

SECTION 2. AMENDED. That Chapter 48, Fees, Charges and Service Rates, of the McAlester City Code is hereby amended as follows:

LOT FEES	Pittsburg Co. Residents (1 burial space)	$750.00
	Non-residents (1 burial space)	$1,000.00
LOT OPENING/CLOSING	Grave opening & closing (No set up)	$800.00
	Grave opening & closing (with set up) includes tent and/or chairs	$900.00
	Grave opening & closing-Cremation (No set up)	$400.00
	Grave opening & closing-Cremation (With set up)	$500.00
	Mausoleum opening & closing	$500.00
	Baby Land-5 years and younger (Lot, opening & closing, with set up	N/C
DISINTERMENT FEES	Disinterment-Adult (includes grave opening & closing)	$1,000.00
	Disinterment-Infant (5 yrs & younger)	$1,000.00

	Disinterment-Cremation	$550.00
OVERTIME FEES	Saturday-Adult funeral	$600.00
	Saturday-Cremation	$450.00
	Funerals after 3:30 p.m.	$1,000.00
OVETIME FEES	Baby funerals	$200.00
	Tent set up-without grave opening & Closing (includes chairs & covers)	$300.00

SECTION 3. CODIFICATION. The City Clerk is hereby directed to enter the appropriate changes to the appropriate place in the McAlester City Code of McAlester, Oklahoma, as authorized and approved by this Ordinance.

SECTION 4. SEVERABILITY. If any provision, paragraph, word, section of article of this Ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections and chapters shall not be affected and shall continue in full force and effect.

SECTION 5. REPEALER. All other Ordinances and parts of other Ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 6. EFFECTIVE DATE. This ordinance shall have an effective date of the _____ of _____, 2026.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF McALESTER, OKLAHOMA on THIS _____ DAY OF _____, 2026.

CITY OF McALESTER, OKLAHOMA
A Municipal Corporation

ATTEST:

By: _____
Justin Few, Mayor

_____
Cora Middleton, City Clerk

Approved as to form and legality this _____ day of _____, 2026.

By:_____
John T. Hammons, City Attorney

Council Chambers
Municipal Building
August 25, 2026

The McAlester Airport Authority met in a Regular meeting on Tuesday, August 25, 2026, at 6:00 P.M., after proper notice and agenda was posted August 7, at 3:32 P.M.

Attending: Levi Gilmore, Robin Woodley, Janet Wansick, Billy Jack Boatright, Kevin Beaty & Justin Few
Absent: Chris Stone
Presiding Justin Few, Chairperson

A motion was made by Trustee Gilmore and seconded by Trustee Boatright to approve the following:

- Approval of Minutes from the August 11, 2026, Regular Meeting of the McAlester Airport Authority. *(Cora Middleton, City Clerk)*

- Concur with action taken on City Council Consent Agenda Item B, regarding Claims August 5, 2026, through August 18, 2026. *(Sherri Swift, Chief Financial Officer)* In the amount of $4,694.27.

There was no discussion, and the vote was taken as follows:

AYE: Trustees Gilmore, Boatright, Wansick, Beaty, Woodley & Chairperson Few
NAY: None

Chairperson Few declared the motion carried.

There being no further business to come before the Authority, Trustee Gilmore moved for the meeting to be adjourned, seconded by Trustee Boatright.

There was no discussion, and the vote was taken as follows:

AYE: Trustees Gilmore, Boatright, Wansick, Beaty, Woodley & Chairperson Few
NAY: None

Chairperson Few declared the motion carried, and the meeting was adjourned at 7:07 P.M.

ATTEST: _____ Justin Few, Chairperson

_____
Cora Middleton, Secretary

Council Chambers
Municipal Building
August 25, 2026

The McAlester Public Works Authority met in a Regular meeting on Tuesday, August 25, 2026, at 6:00 P.M., after proper notice and agenda was posted August 24, 2026, at 3:32 P.M.

Attending: Levi Gilmore, Robin Woodley, Janet Wansick, Billy Jack Boatright, Kevin Beaty & Justin Few
Absent: Chris Stone
Presiding Justin Few, Chairperson

A motion was made by Trustee Boatright and seconded by Vice-Chair Beaty to approve the following:

- Approval of Minutes from the August 11, 2026, Regular Meeting of the McAlester Public Works Authority. *(Cora Middleton, City Clerk)*

- Concur with action taken on City Council Consent Agenda Item B, regarding Claims August 5, 2026 through August 18, 2026 *(Sherri Swift, Chief Financial Officer)* In the amount of $301,729.38.

- Concur with action taken on City Council Agenda Item No. 2, regarding acceptance of DWSRF Project #13, Kinkead Water System Improvements, as complete and authorization of the Mayor to sign the Owner's Statement of Project Completion, Certificate of Substantial Completion, Pay Application #5A in the amount of $26,908.75, and Final Pay Application #5 in the amount of $85,331.65 for Pinnacle Construction. *(Jared Cottle, P.E., Interim Utilities Director)*

- Concur with action taken on City Council Agenda Item No. 3, regarding the approval and authorization of the Mayor to sign Change Order #1 in the amount of $66,750.00 to Lone Hickory Cattle, LLC for DWSRF Project #20A Phase I, Choctaw Water System Improvements. *(Jared Cottle, P.E., Interim Utilities Director)*

There was no discussion, and the vote was taken as follows:

AYE: Trustees Boatright, Beaty, Gilmore, Woodley, Wansick & Chairperson Few
NAY: None

Chairperson Few declared the motion carried.

There being no further business to come before the Authority, Trustee Boatright moved for the meeting to be adjourned, seconded by Vice-Chair Beaty. There was no discussion, and the vote was taken as follows:

AYE: Trustees Boatright, Beaty, Gilmore, Woodley, Wansick & Chairperson Few
NAY: None

Chairperson Few declared the motion carried, and the meeting was adjourned at 7:07 P.M.

ATTEST:

_____
Justin Few, Chairperson

_____
Cora Middleton, Secretary

Council Chambers
Municipal Building
August 25, 2026

The McAlester Economic Development Authority met in a Regular meeting on Tuesday, August 25, 2026, at 6:00 P.M., after proper notice and agenda was posted August 24, 2026, at 3:32 P.M.

Attending: Levi Gilmore, Robin Woodley, Janet Wansick, Billy Jack Boatright, Kevin Beaty & Justin Few
Absent: Chris Stone
Presiding Justin Few, Chairperson

A motion was made by Trustee Wansick and seconded by Trustee Gilmore to approve the following:

- Approval of Minutes from the August 11, 2026, Regular Meeting of the McAlester Economic Development Authority. *(Cora Middleton, City Clerk)*

- Concur with action taken on City Council Consent Agenda Item B, regarding Claims August 5, 2026 through August 18, 2026 *(Sherri Swift, Chief Financial Officer)* In the amount of $4,255.89.

There was no discussion, and the vote was taken as follows:

AYE: Trustees Wansick, Gilmore, Woodley, Boatright, Beaty & Chairperson Few
NAY: None

Chairperson Few declared the motion carried.

There being no further business to come before the Authority, Trustee Wansick moved for the meeting to be adjourned, seconded by Trustee Gilmore.

There was no discussion, and the vote was taken as follows:

AYE: Trustees Wansick, Gilmore, Woodley, Boatright, Beaty & Chairperson Few
NAY: None

Chairperson Few declared the motion carried, and the meeting was adjourned at 7:07 P.M.

ATTEST: _____ Justin Few, Chairperson

_____
Cora Middleton, Secretary