

Repeated 1/7/08

See #343

ORDINANCE NO. 216

AN ORDINANCE ESTABLISHING MINIMUM REGULATIONS GOVERNING THE DESIGN, CONSTRUCTION, ALTERATION, ENLARGEMENT, REPAIR, DEMOLITION, REMOVAL, MAINTENANCE AND USE OF ALL BUILDINGS AND STRUCTURES; PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES, MAKING OF INSPECTIONS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; KNOWN AS THE BUILDING CODE; AND REPEALING EXISTING ORDINANCE NUMBER THIRTY SEVEN (NO. 37) OF THE CITY OF STILWELL, ADAIR COUNTY, OKLAHOMA.

BE IT ORDAINED BY THE CITY COUNCIL OF STILWELL, OKLAHOMA:

SECTION 1. ADOPTION OF BUILDING CODE.

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Stilwell, Oklahoma, being marked and designated as "The BOCA National Building Code, Eleventh Edition, 1990," as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the Building Code of the City of Stilwell in the State of Oklahoma, for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said BOCA National Building Code are hereby referred to, adopted and made a part hereof as if fully set out in this Ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.

SECTION 2. INCONSISTENT ORDINANCES REPEALED.

That Ordinance Number 37 of the City of Stilwell entitled "Building Code" and all other ordinances or parts or ordinances in conflict herewith are hereby repealed.

SECTION 3. ADDITIONS, INSERTIONS AND CHANGES.

That the following Sections are hereby revised as follows:

Section 100.1 Title: These regulations shall be known as the Building Code of City of Stilwell hereinafter referred to as "this code."

Section 103.4 Rehabilitation: Buildings existing prior to July 2, 1990, in which there is work involving repairs, alterations, additions or changes of use, shall be made to conform to the Code by applying the requirements of Article 32 or the provisions of Articles 2 through 31.

Section 114.3.1 Fee Schedule: A fee for each plan examination, building permit and inspection shall be paid in accordance with the following schedule:

New Residence.....	\$ 0.03 per sq. ft.
Residential Addition.....	\$ 0.03 per sq. ft. with \$25.00 minimum
Accessory Buildings.....	\$10.00
Residential Remodeling.....	\$ 3.00 per \$1,000 estimated cost with \$25.00 minimum, plus
Capital Improvement Fee.....	\$13.00 per \$10,000 estimated cost
Residential Driveway.....	\$ 7.50
New Commercial.....	\$ 0.04 per sq. ft. for first 10,000 sq. ft. \$ 0.02 per sq. ft. over 10,000 sq. ft.
New Warehouse.....	\$ 0.03 per sq. ft. for first 10,000 sq. ft. \$ 0.01 per sq. ft. over 10,000 sq. ft.
New Agriculture Building.....	\$ 0.03 per sq. ft. for first 10,000 sq. ft. \$ 0.01 per sq. ft. over 10,000 sq. ft.

Commercial Remodeling.....	\$ 4.00 per \$1,000 estimated cost with \$50.00 minimum, plus
Capital Improvement Fee.....	\$13.00 per \$10,000 estimated cost
Conversion from Residential to Commercial.....	\$ 4.00 per \$10,000 estimated cost with \$50.00 minimum, plus
Capital Improvement Fee.....	\$13.00 per \$10,000 estimated cost
Commercial Parking.....	\$ 0.005 per sq. ft.
Re-inspections.....	\$10.00 per visit

Section 117.4 Violation Penalties: Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the Code official, or of a permit or certificate issued under the provisions of this Code, shall be guilty of a misdemeanor, punishable by a fine of not more than Seventy-five Dollars (\$75.00), including costs or by imprisonment not exceeding ten (10) days, or both such fine and imprisonment. Each day that a violation continues shall be deemed a separate offense.

Section 118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be liable to a fine of not less than Fifty Dollars (\$50.00) nor more than Seventy-Five dollars (\$75.00).

Section 123.3 Compensation of Board of Survey: the third member of the Board shall receive for services a fee of One Hundred Twenty-five Dollars (\$125.00) to be paid by the appellant.

Section 2096.1 Filing: A person shall not erect, install, remove, rehang or maintain over public property any sign for which a permit is required under the provisions of this Code until an approved bond shall have been filed in the sum of Five Thousand Dollars (\$5,000.00) as herein required or until an insurance policy shall have been filed for public liability in the amount of One Hundred Thousand Dollars (\$100,000.00) per accident and for property damage in the amount of Twenty-five Thousand Dollars (\$25,000.00) as herein required.

SECTION 4. SAVING CLAUSE

That nothing in this Ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5.

For the immediate preservation of the public peace, health and safety, an emergency is hereby declared to exist by reason whereof this Ordinance shall take effect and be in force from and after its passage and approval.

PASSED and APPROVED this 6th day of July, 1990.

(Seal)

H. E. ZIMMERMAN, JR.
Mayor

ATTEST: SUE CATRON
City Clerk

(Published in the Stilwell Democrat-Journal, July 12, 1990)

[Amends No. 38, No. 157 and No. 210. Related Ordinances, No. 100 and NO. 208]