

**CHAPTER 4**  
**BUILDING AND CONSTRUCTION**

**Article 1. Codes and Code Administration**

**Section 4-1. Codes Adopted.**

The particular model Construction Codes listed below (with revisions as may be hereinafter set forth) are hereby adopted and incorporated in this Code of ordinances, as fully as if set out at length herein, for the purposes of establishing rules and regulations for the following activities carried on within the corporate limits of the City of Tuttle, Oklahoma:

1. (Building Code) The construction, alteration, removal, demolition, equipment, use, occupancy, location and maintenance of buildings and structures:

Standard Building Code (recommended by Building Officials and Code Administrators International- BOCA), Current Edition;

2. (Plumbing Code) The installation or alteration of plumbing and drainage systems for buildings and structures:

Basic Plumbing Code (recommended by Building officials and Code Administrators International-BOCA, Current Edition;

3. (Electrical Code) The installation or alteration of electrical equipment buildings or structures

National Electrical Code (recommended by the American Insurance Association), Current Edition;

4. (Housing Code) The provisions of basic, minimum housing standards for the preservation of the health, safety and welfare of occupants:

Standard Housing Code (recommended by the Southern Building Code Congress) , Current Edition;

5. (Fire Prevention Code) The provision of basic safeguards to life property from the hazards of fire and explosion:

Standard Fire Prevention Code (recommended by Building Officials and Code Administrators International- BOCA), Current condition;

6. (Gas Codes) The installation or alteration of gas systems for buildings or structures:

Rules and Regulations Relating to the Liquefied Petroleum Gas Industry of the State of Oklahoma (prepared through The State Liquefied Petroleum Gas Board), Current Edition (NFPA Pamphlets Number 51 and 54);

**Section 4-2. Modifications of Adopted Codes.**

1. Wherever the words "City," "Town" or "Municipality" are used in those model Construction Codes adopted, it shall mean the City of Tuttle, Oklahoma.

2. Wherever the words "Inspector," "Building Inspector" or "Administrative official" are used in those Model Construction Codes adopted, it shall mean the municipal official currently assuming the duties and responsibilities of Municipal Building Inspector for the City of Tuttle, Oklahoma.

3. All official titles used in those Model Construction Codes adopted shall be interpreted as defined in this Code of ordinances.

4. Maximum penalties for violation of provisions of those Model Construction Codes adopted shall be provided in the "Penalty" Section of this Chapter.

5. Notwithstanding any provisions of any of those Model Construction Codes adopted by this Chapter, wood shingles may be used for roofing.

6. All limits, except "fire limits," referred to in any of those Model Construction Codes adopted by this Chapter are hereby established as the corporate limits of the City of Tuttle, Oklahoma.

7. Section 310-5 of the National Electrical Code (of the National Fire Protection Association), current Edition, shall be amended as follows:

310-5 MINIMUM SIZE OF CONDUCTORS. Whether solid or stranded, conductors shall not be smaller than No. 12 copper.

8. The Fee schedule contained in P-114.2 of the BOCA Basic Plumbing Code is hereby amended to provide that the fees for all plumbing work shall be as set forth in Chapter 4, Article 2, Section 4-24 of the Code of the City of Tuttle, Oklahoma, as set out in the Code of the City of Tuttle.

9. P-303.1, General: page 32 of the BOCA BASIC PLUMBING CODE is hereby amended to read as follows:

P-303.1. General: The water distribution and drainage system of any building in which plumbing fixtures are installed shall be connected to a public water supply and sewer system respectively, if available. where either a public water supply or sewer system or both are not available or when the Municipal Inspector determines that the water supply system and/or public sewer system is capable of handling such connections, an individual water supply or individual sewage disposal system or both shall be provided."

10. P-303.2, Public systems available on page 32 of THE BOCA BASIC PLUMBING CODE, is hereby amended to read as follows:

P-303.2. Public systems available: A public water supply system or public sewer system shall be deemed available to premises used for human occupancy if such premises are within 300 feet, -measured along a street, alley, or easement, of the public water supply or sewer system, and a connection conforming with the standards set forth in this code may be made thereto, provided that the Municipal Inspector determines that the water supply system and/or public sewer system is capable of handling such connections."

11. P-308.3, Freezing: on page 33 of the BOCA BASIC PLUMBING CODE, is hereby amended to read as follows:

P-308.3. Freezing: Water service piping and sewers shall be installed below recorded frost penetration but not less than 2 feet below grade for water piping and 1 foot below grade for sewers. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be adequately protected against freezing by insulation or heat, or both."

12. Bituminized fiber pipe shall be omitted from Article 4, Material, Section P-404.0, page 38 of THE BOCA BASIC PLUMBING CODE, and is an unacceptable material for use in the City of Tuttle, Oklahoma.

13. Copper tubing -Type M. shall be omitted from the -water Distribution System section of Materials in P-404.13 of THE BOCA BASIC PLUMBING CODE, and is an unacceptable material for use in a water distribution system in the City of Tuttle, Oklahoma.

14. P-1504.1.7, Individual fixture valves: on page 119 of THE BOCA BASIC PLUMBING CODE, is hereby amended to read as follows:

P-1504.1.7. Individual fixture valves: In occupied buildings other than dwellings, the water service line to each fixture or other piece of equipment shall be provided with a valve or fixture stop to shut off the water to the fixture, or to the room in which it is located."

15. P-1506.5.2, Shutdown: A plug and receptacle shall be provided to terminate the energy supplied to electric hot water supply systems. A separate valve shall be provided to turn off the energy supplied to the main burner of all other types of hot water supply systems."

16. P-1702.5.1, Drainage and vent systems; pages 134 and 135 of THE BOCA BASIC PLUMBING CODE, are hereby amended to read as follows:

P-1702.5.1. Drainage and vent systems: Drainage and vent systems shall pass the inspection performed by the Municipal Inspector."

17. P-1702.5.2, Building sewer: of THE BOCA BASIC PLUMBING CODE, is hereby amended to read as follows:

P-1702.5.2 Building Sewer: The building sewer shall pass the inspections performed by the municipal Inspector."

18. P-1702.5.3, page 135 of the BOCA BASIC PLUMBING CODE, is hereby amended to read as follows:

P-1702.5.3, Water supply system: Upon completion of a section of the entire water supply system, it shall be tested by the Municipal Inspector and the same shall pass such inspection.

#### **Section 4-3. Adopted Codes on File.**

Three (3) copies of the Model Construction Codes adopted by the City of Tuttle, Oklahoma, are on file in the office of the City Clerk.

#### **Section 4-4. Codes in Effect**

From the date on which this Chapter shall take effect , the provisions of said Codes, as herein modified, shall be controlling in those areas set forth hereinabove, within the corporate limits of the City of Tuttle, Oklahoma.

#### **Section 4-5. Conflicts With Code of Ordinances**

Whenever any provision of any of those Model Construction Codes adopted by this Chapter. conflict with the Code of Ordinances of the City of Tuttle, Oklahoma, the latter provisions shall govern.

#### **Section 4-6. Building inspector to Enforce Codes.**

Any certified municipal official, or other certified employee designated by the City Manager, shall be responsible for enforcing the Model Construction Codes adopted by this Code of Ordinances. Said persons may bear such titles as "Building Inspector," "Gas Inspector," "Plumbing Inspector," "Electrical Inspector," etc., as may be deemed appropriate to indicate their respective areas of concern, and shall be appointed or designated by the City Manager.

#### **Section 4-7. Maintenance of Historic Sites; Building Code; Dangerous Conditions.**

1. Every person in charge of an improvement on an historic site or in an historic district shall keep in good repair all of the exterior portions of such improvement and all interior portions which, if not so maintained, may cause, or tend to cause, the exterior portions of such improvement to fall into a state of disrepair. This Section shall be in addition to all other provisions of Law or local Ordinance or Code requiring buildings or structures to be well maintained.

2. Insofar as they are applicable to a landmark, historic site or improvement in an historic district, any provision of the Building code may be varied or waived, on application, by the Municipal Building Inspector, provided such variance or waiver does not endanger public health or safety.

3. Nothing contained in this Chapter shall prohibit the construction, reconstruction, alteration, demolition or any improvement on an historic site or in an historic district pursuant to written order of any Federal or State agency or pursuant to any court judgment to remedy conditions determined to be dangerous to life or health. in such case, no approval from the municipal Preservation Commission shall be required.

#### **Sec. 4-08. PROPERTY MAINTENANCE CODE**

*This Section Updated/Added on November 10, 2008 by Ordinance #2008-7*

##### **1. ADOPTED.**

That certain document, one (1) copy of which is on file with the office of the city clerk, being marked and designated as the *International Property Maintenance Code, 2006 Edition* and subsequent versions thereof, as published by the International Code Council, Inc., is hereby adopted as the existing structures code of the city to the same extent as if set out herein at length, with the amendments prescribed in Paragraph 2 of this section.

##### **2. AMENDMENTS.**

The existing structures code adopted in Paragraph 1 is hereby amended as set forth in the following paragraphs:

- a. Subsection 101.1 is amended by inserting the phrase, "The City of Tuttle, Oklahoma" in lieu of the phrase, "[name of jurisdiction]".
- b. Section 103 is amended by inserting the phrase, "Community Development Department" in lieu of the phrase, "department of Property Maintenance Inspections".
- c. Subsection 103.2 shall be deleted.
- d. Subsection 103.3 shall be deleted.
- e. Subsection 103.5 shall be deleted in its entirety and shall be amended to state the following: Any person or firm who shall fail to meet the provisions of this Code shall be subject to the penalties and remedies provided for in Section 4-200, Article 6, Chapter 4 of the Tuttle Code of Ordinances
- f. Subsections 105.3, 105.3.1 and 105.3.2 shall be deleted.
- g. Subsection 107.1 shall be amended to state: The Code Official shall serve Notice of Violation or Order in accordance with Oklahoma Statute, Title 11, Article XXII.
- h. Sections 107.2, 107.3, 107.4 shall be deleted.
- i. Subsection 108.3 shall be amended to state: The Code Official shall serve Notice of Violation or Order in accordance with Oklahoma Statute, Title 11, Article XXII.
- j. Subsection 111.1 shall be amended by inserting the phrase, "Hearing Officer" in lieu of the phrase, "Board of Appeal" and by inserting the phrase, "ten (10) days" in lieu of the phrase, "20 days".
- k. Subsections 111.2, 111.2.1, 111.2.2, 111.2.3, 111.2.4, 111.3, 111.4, 111.4.1, 111.5, 111.6, 111.6.1, 111.6.2 and 111.7 shall be deleted.
- l. Subsection 302.4 shall be amended by deleting "(jurisdiction to insert height in inches)" and inserting twelve inches (12").
- m. Subsection 304.14 shall be amended to state: Insect screens: Insect screens are required on every door, window and other outside openings utilized or required for ventilation.

**Sections 4-9 through 4-19.** (Reserved for future use)

**Article 2. Permits and Certificates**

**Section 4-20. Building Permits.**

*Updated 1-10-00/Ordinance 2000-1*

1. No person shall erect, enlarge, construct, relocate, substantially improve, repair, place, alter, move or demolish any building, structure, mobile, modular or manufactured home, storm shelter, greenhouse, or initiate any other construction without first obtaining a separate Building Permit for each such building or structure from the office of the City Clerk. Said Permit shall be in addition to, and separate from, all other requirements for Zoning Clearance Permits, Occupancy Certificates or Certificates of Appropriateness.

2. No man-made change to improved or unimproved real estate located within a designated "Flood Hazard Area," including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be initiated until a separate Building Permit has been obtained for each such operation from the office of the City Clerk.

3. No mobile, manufactured or modular home shall be placed on improved or unimproved real estate without first obtaining a separate Building Permit for each such home from the office of the City Clerk.

4. Minor repairs of buildings or structures, the cost of which shall not exceed five hundred dollars (\$500.00), may be made without obtaining a Building Permit; provided, that, all plumbing, electrical or mechanical work covered by adopted Model Construction Codes, shall require an appropriate Permit.

5. All applications for Building Permits shall be signed and in writing, upon an official blank form supplied by the Office of the City Clerk or the municipal Building Inspector, and shall be submitted to either of said officials, along with the required fee.

6. Building Permit fees shall be as determined by the City Council, and shall be based primarily upon the Municipal costs incurred in the administration of the Municipal Building Permit System.

- a. Plot Plan Check: A fee of five dollars (\$5.00) per acre or fraction of an acre.
- b. New Residential Dwelling Construction: a fee of seven cents (\$0.07) per square foot to include plan examination, zoning examination and inspections
- c. New Commercial Construction: A fee of eight cents (\$0.08) per square foot to include zoning examination and inspection plus the following fees for plan examination:

0 to 100 square feet	\$20.00
1001 to 5000 square feet	\$25.00
5001 square feet and larger	\$45.00

- d. New Residential Storage Building/Shop: The following fee amounts:

Small Structure Built on Skids	\$25.00
Shop or Garage	\$40.00
Agricultural Use	\$35.00

- e. Building Alteration or Remodel: the following fee amounts:  
Residential- \$3.00 per \$1000.00 of cost or portion thereof with a minimum fee of \$40.00  
Commercial- \$4.00 per \$1000.00 of cost or portion thereof with a minimum fee of \$55.00.

- f. Storm Shelters, Non-Commercial Greenhouses and Other Similar Structures: \$20.00

*Updated 1-10-00 /Ordinance 2000-2 (section f.)*

7. The office of the City Clerk shall be responsible for the administration of the Building Permit process within City of Tuttle, Oklahoma. *Updated on November 13, 2007 by Ordinance #2007-11*

8. Applications for Building Permits shall contain all applicable information required on the Building Permit form, and shall be accompanied by drawings of the proposed work (drawn to scale), showing floor plans, structural details, computations and such additional information as may be required of the applicant by the office of the City Clerk, the Municipal Building Inspector, the City Manager this Code of ordinances or, the City Council. *Updated 9-8-03/Ordinance #2003-15 (paragraph 9)*

9. Upon receipt of a complete Building Permit application and the required fee, the City Clerk shall immediately submit the application to the Municipal Building Inspector, who shall review the application to ensure that:

- a. The involved land is properly Zoned for the proposed use;
- b. Applicable Zoning District provisions (including Floodway and Floodway Fringe District provisions), and any applicable historic preservation provisions, have been met;
- c. Legally-dedicated roadway access is available, and proof of such dedication has been provided;
- d. Adequate and sanitary provisions have been made for utilities, and fire protection is also adequate;
- e. All easements and street right-of-way areas provided in the recorded plat, if any, are not encroached upon;
- f. All other floodplain regulations, if applicable, have been met and the required information provided;
- g. Applicable historic preservation provisions have been met (Article 4 of Chapter 4 and appropriate provisions of Chapter 15, this Code of Ordinances);
- h. All other required municipal Permits and/or Licenses have been obtained

Updated Paragraph 9 a-h on November 13, 2007 by Ordinance #2007-11

Provided however, the Municipal Building Inspector shall not deny a residential building permit solely on the basis that the applicable zoning classification of the property upon which the proposed structure is to be situated is not proper if the application for a building permit is for the construction of a residence or a structure appurtenant to a residence on property that was properly platted and recorded in good faith as a residential subdivision prior to the date of the annexation of said property.

10. Building Permit applications for development, location, demolition or alteration within delineated "Flood Hazard Areas" (as shown on the community's Official Flood Hazard Boundary Map (FHBM) and Flood Insurance Rate map (FIRM) Numbered 4004430001B through 4004430013B, inclusive, and dated to be effective on the 19<sup>th</sup> day of April, 2005, which are hereby adopted by reference as if set out fully herein), shall be reviewed by the Municipal Building Inspector to ensure that all of the following requirements are met:

- a. All building sites shall be reasonably safe from flooding: If a proposed building site is in a flood-prone area, all new construction and substantial improvement (including the placement of prefabricated buildings and mobile homes) shall:
  - (1) Be designed, modified and/or adequately anchored to prevent flotation, collapse or lateral movement of the structure; all manufactured housing to be placed within zone A on a community's Flood Hazard Boundary map (FHBM) shall be anchored by providing over-the-top and frame ties to ground anchors; over-the-top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate points, and manufactured homes less than fifty (50) feet long requiring one (1) additional tie per side; frame ties shall be provided at each corner of the home, with five (5) additional ties per side at intermediate points, and manufactured homes less than fifty (50) feet long requiring four (4) additional ties per side; all components of the anchoring system shall be capable of carrying a force of four thousand, eight hundred (4,800) pounds; and additions to the manufactured home shall be similarly-anchored;
  - (2) Be constructed with materials and utility equipment resistant to flood damage;
  - (3) Be constructed by methods and practices that minimize flood damages; and
  - (4) Be constructed with electrical, heating, plumbing, ventilation and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding.
- b. All new and replacement water supply systems within flood-prone areas shall be designed to minimize or eliminate infiltration of flood -waters into the systems.
- c. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood -waters into the systems and discharges from the systems into flood waters.
- d. On-site waste disposal systems within flood-prone areas shall be located to avoid impairment to them, or contamination from them, during flooding.

e. The municipal Building Inspector shall utilize all available one hundred (100) year flood elevation data to review Building Permit applications, and shall require that all applications for development within a flood-prone area be accompanied by (1) the elevation of the lowest habitable floor (including basement) of all new or substantially improved structures; and (2) a certificate signed by a registered professional engineer or architect, stating that the flood-proofing methods to be utilized are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the one hundred (100) year flood, and indicating the specific elevation to which the structure will be flood-proofed. New construction and substantial improvements, with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

- (1) A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided;
- (2) The bottom of all openings shall be no higher than one (1) foot above grade; and
- (3) Openings may be equipped with screens, louvers, valves or other coverings or devices; provided, that, they permit the automatic entry and exit of floodwaters.

f. All new construction or substantial improvement of residential structures within Zones AI-30 on the Municipality's Flood Insurance Rate Map (FIRM) shall have the lowest floor, including basement, elevated one (1) foot above the level of the one hundred (100) year flood.

g. Within zones AI-30 on the Municipality's Flood Insurance Rate Map (FIRM), all manufactured housing not in a park or subdivision, all new manufactured housing parks and subdivisions, all expansions to existing manufactured housing parks and subdivisions, and all repairs, reconstruction or improvement of streets, utilities and/or pads in existing manufactured housing parks or subdivisions, shall be located, developed, expanded or improved according to the following criteria:

- (1) All manufactured housing shall be placed, or be capable of being placed, on compacted fill or on pilings so that the lowest floor of the home will be one (1) foot above the level of the one hundred (100) year flood;
- (2) All lots shall have adequate provisions for surface drainage and access; and
- (3) All manufactured housing to be elevated on pilings shall (a) be placed on lots large enough to permit steps, (b) provide for piling foundations to be placed in stable or stabilized soils, no more than ten (10) feet apart, and (c) provide for reinforcement of piers more than six (6) feet above ground level.

h. All new construction or substantial improvement of residential structures located within any AO (Area of Shallow Flooding) Zone, as shown on the Municipality's Flood Insurance Rate Map (FIRM), shall have the lowest floor, including basement, elevated above the highest adjacent grade or the crown of the nearest street, one (1) foot above the depth number specified for the area on the Municipality's Flood Insurance Rate Map (FIRM) . Within Zone AH or AO, adequate drainage paths around structures on slopes shall be required.

i. All new construction or substantial improvement of non-residential structures within Zones AI-30 on the Municipality's Flood Insurance Rate Map (FIRM) shall:

- (1) Have the lowest floor, including basement, elevated one (1) foot above the level of the one hundred (100) year flood; or
- (2) Be designed, together with attendant utility and sanitary facilities, so that, below the level of the one hundred (100) year flood, the structure is watertight, with walls substantially impermeable to the passage of water, and contains structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.

j. All new construction or substantial improvement of non-residential structures within any AO (Area of Shallow Flooding) Zone on the community's Flood Insurance Rate Map (FIRM) shall:

- (1) Have the lowest floor, including basement, elevated above the highest adjacent grade or the crown of the nearest street, one (1) foot above the depth number specified on the Municipality's Flood Insurance Rate Map (FIRM).

(2) Be completely flood-proofed, along with attendant utility and sanitary facilities, to one (1) foot above the depth number specified on the Municipality's Flood Insurance Rate Map (FIRM), so that any space below that level is watertight, with walls substantially impermeable to the passage of water, and contains structural components capable of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy; or

(3) Be required to include, within zones AH or AO, adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

k. The requirements of this Chapter shall also be in effect for Building Permit applications for development located within any A99 zones on the Municipality's Flood Insurance Rate Map (FIRM).

1. Floodways, as designated on the Municipality's Official Flood Hazard Boundary Map (FHBM), are hazardous areas due to (a) the velocity of flood waters which carry debris and potentially damaging projectiles, and (b) the creation of severe erosion problems; the following provisions apply within designated Floodway areas:

(1) Encroachments are prohibited, including fill, new construction, substantial improvements and other developments, unless certification by a professional registered engineer or architect is provided, demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.

(2) If the provisions of Subsection (1) (above) are satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this Code of Ordinances. Paragraph (10) updated by Ordinance #2005-10

11. The municipal Building Inspector shall have the following additional responsibilities in the review of Building Permit applications for development, location, demolition or alteration within a delineated "Flood Hazard Area."

a. Building Permit applications shall be reviewed to ensure that all necessary governmental agency permits required by State or Federal Law have been obtained.

b. In the case of Building Permit applications for alteration or relocation of a watercourse, the Municipal Building Inspector shall:

(1) Notify adjacent communities and the State Flood Insurance Coordinating Office prior to such work (and submit copies of such notification to the Federal Flood Insurance Administrator); and

(2) Obtain written assurances from the Building Permit applicant that the flood-carrying capacity within the altered or relocated portion of the watercourse will be maintained.

c. For the purpose of determining flood insurance risk premium rates, the Municipal Building Inspector shall maintain records of:

(1) The elevation of the lowest habitable floor of all new or substantially-improved structures; and

(2) Flood-proofing certificates (including the specific elevation to which the structures are flood-proofed).

d. When a regulatory Floodway has not been designated, the municipal Building Inspector must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones AI-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

e. The Municipal Building Inspector shall utilize the full range of the community's Floodplain Management Regulations in his review, including the City's Zoning ordinance, Subdivision Regulations, and all other Floodplain management Policy Resolutions, Plans and Data References available for his use.

12. Issuance of a Building Permit for development within an identified "Flood Hazard Area" shall not create liability on the part of any Municipal official for any flood damages resulting from reliance upon the provisions of this Section, or any administrative decision lawfully made thereunder.



13. a. Non-Commercial Structure Applications. If the Municipal Building Inspector is satisfied that the proposed work described in the application and attached materials conform to the requirements of the adopted Zoning Ordinance, Building Code and other regulations and requirements of the City of Tuttle, he shall authorize the issuance of the Building Permit by signing the application and forwarding it to the City Clerk, who shall issue said Building Permit and return a copy to the Applicant.
- b. Commercial Structure Applications. If the Municipal Building Inspector is satisfied that the proposed work described in the application and attached materials conform to the requirements of the adopted Zoning Ordinance, Building Code and other regulations and requirements of the City of Tuttle, he shall endorse his approval upon the Permit and immediately forward the Application to the Planning Commission for consideration and approval. Upon approval by the Planning Commission, the Secretary of the Planning Commission shall sign the Application and forward it to the City Clerk, who shall issue said Building Permit and return a copy to the Applicant.

Updated Paragraph 13 on November 13, 2007 by Ordinance #2007-11

14. a. Non-Conforming Non-Commercial Structure Applications. If the Application or attached materials do not conform to pertinent municipal regulations, the municipal Building Inspector shall not approve said application, but shall return the application to the City Clerk, along with written reason(s) for disapproval. The City Clerk shall return the application, with written reason(s) attached, to the applicant. The applicant may subsequently amend his application, if possible, and re-submit it, or initiate other action to correct the deficiencies. However, if the Application is for the construction of a residence or a structure appurtenant to a residence and the sole reason for the disapproval of the Application is that the applicable zoning classification of the property upon which the proposed structure is to be situated is not proper, the Application shall not be denied if the property was properly platted and recorded in good faith as a residential subdivision prior to the date of the annexation of said property by the City of Tuttle.

b. Non-Conforming Commercial Structure Applications. If the Application or attached materials do not conform to pertinent municipal regulations, the municipal Building Inspector shall prepare a written list of the reason(s) for disapproval and shall return the application to the City Clerk, along with written reason(s) for disapproval. The City Clerk shall return the application, with written reason(s) attached, to the applicant. The applicant may subsequently amend his application, if possible, and re-submit it, or initiate other action to correct the deficiencies.

Updated Paragraph 14 on November 13, 2007 by Ordinance #2007-11

15. a. The City Clerk and the Municipal Building Inspector shall complete all required review processes in an efficient and effective manner, without unreasonable or unnecessary delay.
- b. The City of Tuttle and its staff will attempt to accommodate all Applicants in a timely manner. To avoid delays, it is imperative that Applications be complete and accurate. Commercial Building Permit Applications must be submitted to the Planning Commission for review and approval and that process may take thirty (30) calendar days or longer. The Planning Commission of the City of Tuttle is a public body subject to the Oklahoma Open Meeting Act and therefore additional delays are possible in the event of deficiencies, errors or non-compliant or incomplete applications.

c. Prior to the issuance of a building permit for a primary structure, the applicant shall pay to the City Clerk a Street Impact Fee in the amount of \$250.00, provided however that no Street Impact Fee shall be collected by the City Clerk if a Street Impact Fee was collected from the sub-divider at the time the plat was approved or if the primary structure is a replacement structure for a previous structure, on which a Street Impact Fee had been paid, located on located on the site of the new structure.. Paragraph (15) updated by Ordinance #2005-4 &

Updated Paragraph 13 on November 13, 2007 by Ordinance #2007-11

16. A Building Permit, once approved and issued, shall be construed as a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any Municipal regulations, nor shall such issuance prevent the Municipal Building Inspector from thereafter requiring a correction of errors in plans, construction or a violation of this Code of ordinances.

17. If the work allowed under an issued Building Permit has not been initiated within six (6) months from the issuance date of said Permit, such Permit shall become null and void, unless a request for an extension is submitted to, and approved by, the City Council. If said Permit becomes null and void, a new Permit must be obtained and the regular fee incident thereto collected, in order for the work to be initiated or resumed.

18. The municipal Building Inspector shall keep a permanent and accurate accounting of all Building Permits, and shall transmit copies of each Permit issued to the Chairman of the Municipal Planning Commission, for information purposes. The City Clerk shall keep a permanent and accurate record of all Building Permit fee payments.

19. The City Clerk may revoke a Building Permit in case there has been any false statement or misrepresentation as to a material fact in the application or attached materials on which the Building Permit approval was based.

20. Building Permits shall be conspicuously displayed on the project or site, in a manner visible from the street.

21. The City Clerk and the Municipal Building Inspector shall monitor Municipal utility hook-up requests and shall not allow Municipal utilities to be turned on to any unit, structure or project for which a Building Permit has not been issued.

22. Appeals from any aggrieved person concerning a decision of the City Clerk relative to the granting of Building Permits, shall be taken to the City Council, who shall act as the Permit Board of Appeals for the City of Tuttle, Oklahoma.

23. In the event of any conflict between these Building Permit provisions delineated herein and any provision(s) of the Building Code adopted by the City Council, the provisions of this Chapter shall prevail.

**Section 4-21 Pavement Cutting Permits.**

1. It shall be unlawful for any person to cut any pavement on any street or alley within the City of Tuttle, Oklahoma, without a Pavement Cutting Permit from the office of the City Clerk; said Permit shall first be approved by the City manager.

2. An estimate of the cost of repairing such pavement cut shall be made by the City Manager, and a deposit equal to the amount of the estimate shall be made by the applicant, in addition to a Permit fee of one hundred dollars (\$100.00).

3. The City may, at its option, make repairs of the pavement which has been cut under the provisions of this Section and charge the costs of such repairs to the deposit herein provided, or require that the person cutting the pavement make the repairs; in the latter case, the person's deposit shall be returned, upon satisfactory repair of the pavement. Any balance remaining after all such costs are paid shall be returned to the person making said deposit.

4. Any person cutting such pavement shall maintain proper safeguards, with suitable lights during the night hours, and sufficient in number to give warning of danger to all persons.

**Section 4-22. Permits for Pipes Across Streets**

1. Oil and gas companies, and other persons, firms and corporations not operating pursuant to a franchise granted by the Municipality or not operating pursuant to a license or permit granted by the State Corporation Commission, shall secure a Permit from the Office of the City Clerk before placing, installing, laying, constructing, operating or maintaining any pipe, cable, wire, conduit or line across, over, under, along, through or upon any street, alley, public way or public place within the corporate limits of the City of Tuttle, Oklahoma; said Permit shall first be approved by the City Manager.

2. The application for the Permit shall specify:

- a. The location of the pipe, cable, wire conduit or line; and
- b. The privileges and proposed terms which the applicant desires to secure from the City and to exercise.

3. The City Manager, if the Permit is granted, will grant it on written terms which are mutually agreeable. The City Manager may revoke said Permit after adequate opportunity for a public hearing, for any of the following reasons:

- a. Failure to abide by the terms on which the Permit was granted;
- b. Violation of State Law or Municipal Ordinances; or
- c. Protection of the public peace, health, safety or welfare

4. The applicant shall pay a fee of five hundred dollars (\$500.00) for such Permit and for its periodic renewal.

**Section 4-23. Liquefied Petroleum Gas State Permits.**

It shall be unlawful for any person, firm or corporation to manufacture, fabricate, assemble, install or repair any system, container, apparatus or appliance to be used for the transportation, storage, dispensing or utilization of liquefied petroleum gas, or to transport, handle or store such gas, unless such person has complied and complies with, all provisions of the State Law and local ordinances relating thereto, and has any Permit which may be required by State Law. No storage of liquefied petroleum gas, except by retail customers, in reasonable amounts, strictly intended for their own use, shall be permitted within the corporate limits of the City of Tuttle, Oklahoma.

**Section 4-24. Plumbing Permits**

1. No plumbing work shall be undertaken within the City of Tuttle, Oklahoma, without a Permit therefor from the Plumbing Inspector or City Clerk.
2. The fees to be paid for a Plumbing Permit for New Residential Construction shall be according to the following schedule:
  - a. Base fee including all fixtures integral to the structure up to one bathroom: \$45.00
  - b. Each bathroom in excess of one including ¾ baths: \$10.00
  - c. Each ½ bathroom: \$7.00
  - d. New Water Service: \$10.00
  - e. New Sewer Service: \$10.00
3. The fees to be paid for a Plumbing Permit for New Commercial Construction shall be according to the following schedule:
  - a. Base fee to include all fixtures integral to the structure up to one bathroom: \$65.00
  - b. Each bathroom in excess of one: \$9.00
  - c. New Water Service: \$10.00
  - d. New Sewer Service: \$10.00
4. The fees to be paid for a Plumbing Permit for Alterations or Remodel of Residential Construction shall be according to the following schedule:
  - a. Base fee-- \$20.00
  - b. Add or replace water or sanitary sewer or septic system-- \$15.00 for each
  - c. Fees for Plumbing Permits for individual appliances when utilized in the remodel or alteration of residential construction shall be according to the schedule set forth in paragraph 6 of this Section provided however that the cost of permits will be discounted by ten percent (10%) when two or more items are issued permits simultaneously for remodel or alteration on the same residential structure.
5. The fees to be paid for a Plumbing Permit for Alterations or Remodel of Commercial Construction shall be according to the following schedule:
  - a. Base fee-- \$35.00
  - b. Add or replace water or sanitary sewer or septic system-- \$15.00 for each
  - c. Fees for Plumbing Permits for individual appliances when utilized in the remodel or alteration of commercial construction shall be according to the schedule set forth in paragraph 6 of this Section provided however that the cost of permits will be discounted by ten percent (10%) when two or more items are issued permits simultaneously for remodel or alteration on the same commercial structure.
6. The per appliance Plumbing Permit fee in Residential and Commercial Structure remodel or alteration work shall be according to the following schedule:

Sewer Connection	\$ 20.00
Sinks	6.00
Domestic Dishwasher	6.00
Commercial Dishwasher	10.00
Domestic Disposal	6.00

Commercial Disposal	10.00
Water Closet	6.00
Lavatories	6.00
Bathtubs	6.00
Showers	6.00
Urinals	6.00
Water Heaters	6.00
Domestic Washing Machines	6.00
Clothes Dryer	6.00
Water Softener	6.00
Baptistery	6.00
Drinking Fountain	3.00
Floor Drain	3.00
Condensation Pump	3.00
Sump Pump	3.00
Automatic Car Wash	20.00
Fire Sprinkler Yard Line	15.00
Fire Sprinkler System	75.00
Fire Sprinkler Alteration	55.00
Yard Sprinkler System	15.00
Swimming Pool	25.00
Grit or Grease Interceptor	15.00
Commercial Washing Machines	
- One	10.00
- Two to Six	15.00
- Seven to Fifteen	70.00
Extensions in excess of 10 feet	10.00
Special Waste	15.00
Reinspections per visit	25.00

**Section 4-25. Electrical Permits.**

1. No electrical work shall be initiated within the City of Tuttle, Oklahoma without a Permit therefor from the Electrical Inspector or the City Clerk, unless excepted by ordinance.

2. The fee for an Electrical Permit for New Residential Construction shall be as follows:

Service up to 200 amps	\$ 45.00
Each additional 100 amps	15.00
Temporary Pole	10.00

3. The fee for an Electrical Permit for New Commercial Construction up to 500 square feet shall be as follows:

Service up to 200 amps	\$ 55.00
Each additional 100 amps	15.00
Temporary Pole	10.00

4. The fee for an Electrical Permit for New Commercial Construction in excess of 500 square feet shall be as follows:

Base fee	\$ 75.00
Each 100 amps over 200 amps	15.00
Partial Rough-in Inspection	15.00
Final Inspection	15.00
Temporary Pole	10.00

5. The fee for an Electrical Permit for minor residential electrical work where no Building Permit is necessary and where there is no change in service shall be as follows:

- a. 5 outlets or less shall be \$11.00 plus a \$15.00 inspection fee.

- b. 6 outlets or more shall be \$15.00 plus a \$15.00 inspection fee.
6. The fee for an Electrical Permit for minor commercial electrical work where no Building Permit is necessary and where therein no change in service shall be as follows:
- a. 5 outlets or less shall be \$20.00 plus a \$15.00 inspection fee.
  - b. 6 outlets or more shall be \$25.00 plus a \$15.00 inspection fee.
7. The fee for all reinspections of electrical work shall be \$25.00 per reinspection.
8. The fee for and Electrical Permit for Residential add-on service (cut-over) change in service (120v 2 wire to 240v 3 wire) shall be as follows:
- a. Residential add on, remodel and minor electrical work with no change in service shall be \$40.00.
  - b. Residential service change up to 200 additional amps shall be \$35.00 with \$10.00 per additional 100 amps over first 200 additional amps.
  - c. Temporary construction poles at \$10.00 per pole.
  - d. Meter base inspection with no electrical done shall be \$25.00.
9. The fee for an Electrical Permit for commercial add-on service (cut-over) change in service shall be as follows:
- a. Add-on or remodel with no change in service shall be \$65.00 on structures of 5000 square feet or less.
  - b. Add-on or remodel with no change in service shall be \$75.00 on structures of 5001 square feet or more.
10. The fee for an Electrical Permit involving a Service Change shall be as follows:
- a. A fee of \$65.00 for a 240 volt single phase service to a 480 volt 3 phase service with no increase in amperage plus an inspection fee of \$15.00.
  - b. A fee of \$75.00 per 100 amps or portion thereof for additional amperage plus an inspection fee of \$15.00.
  - c. In the event a single service change involves both voltage changes and amperage changes and only a single inspection, the inspection fee shall no be imposed for both types of service change.
11. The fee for an Electrical Permit for Swimming Pools shall be \$50.00.
12. The fee for an Electrical Permit for service for temporary heat for total electric construction shall be \$20.00
13. The fee for an Electrical Permit for electrical service to signs shall be \$25.00.
14. The fee for an Electrical Permit for the installation of and Electrical Welder shall be \$10.00 plus twenty-five cents (\$0.25) per amp with a maximum permit fee of 50.00.
15. The fee for an Electrical Permit for the installation for an Air Conditioner, Electric Heating, Electric Hot Water Tank, and all other permanently connected electrical appliances and equipment shall be \$25.00 per item.

**Section 4-26 Requirement for Permit to Drill Water Wells.**

No water well shall be drilled within the municipal limits of the City of Tuttle, without first obtaining a permit from the City Clerk. The permit will be issued only upon the applicant’s ability to furnish proof of compliance with all federal, state and local rules and regulations and payment of \$55.00 to the City Clerk of the City of Tuttle as a fee for said permit. Updated 6-12-00/Ordinance 2000-7 & 9-12-05/Ordinance #2005-28

**Section 4-27. Mechanical Service Permits.**

- 1. No work shall be initiated on items contemplated by this section without first obtaining a permit therefor from the City Clerk.
- 2. The Mechanical Permit fee for New Residential Construction shall be \$45.00.
- 3. The Mechanical Permit fee for New Commercial Construction shall be \$55.00.

4. The Mechanical Permit fee for Residential Alteration, Remodel or Replacement shall include a base fee of \$20.00 to include the cost of inspection plus the individual fees for the various items of appliances and fixtures set forth in paragraph 6 of this section, provided that when permits for two or more items are issued simultaneously for the same structure, the total Permit fee shall be the \$20.00 base fee plus \$5.00 per item.

5. The Mechanical Permit fee for Commercial Alteration, Remodel or Replacement shall include a base fee of \$25.00 to include the cost of inspection plus the individual fees for the various items of appliances and fixtures set forth in paragraph 6 of this section, provided that when permits for two or more items are issued simultaneously for the same structure, the total Permit fee shall be the \$25.00 base fee plus \$5.00 per item.

6. The Mechanical Permit fee for the following appliances and fixtures shall be:

Bathroom Heater	\$6.00
Floor Furnace	6.00
Appliance over 40 BTU	6.00
Wall Heater Unit	6.00
Water Heater	6.00
Clothes Dryer	6.00
Range Hood	6.00
Air Distribution Systems	6.00
Kitchen Exhaust Systems (Commercial)	20.00

7. The Mechanical Permit fee for a combination Forced Air Heating and Refrigeration System with forced air heating units whether package units or split units shall be \$20.00 whether gas or electric when replaced or changed out and the inspection fee shall be \$15.00. All reinspection fees shall be \$25.00.

**Section 4-28 Gas Service Permits**

1. No gas service work shall be initiated within the City of Tuttle, Oklahoma without a Permit therefor from the Gas Service Inspector or the City Clerk, unless excepted by ordinance.

2. The Gas Service Permit Fee shall be according to the following schedule:

Base Fee	\$20.00
Gas Line Extension	12.00
Gas Line Replacement	12.00
Gas Service, Meter to Structure	12.00
Gas Service, During Construction	12.00

3. When a Permit for at least two of the following services, Gas Line Extension, a Gas Line Replacement, Gas Service from the meter to a structure or Gas Service during construction, is purchased simultaneously for service to the same structure, the Permit fee will be \$10.00 for each item that is Permitted.

**Sections 4-29 through 4-39.** (Reserved for future use.)

**Article 3. Sign Regulations**

*Article 3 Updated/added by Ordinance #2005-24*

**Section 4-40. Purpose and intent.**

- (A) These regulations are designed to promote the health, safety, morals and general welfare of the community by establishing standards for the construction, maintenance and usage of signs within the corporate limits of the City of Tuttle.
- (B) The provisions of this article are specifically designed in order to lessen the distraction hazard signs can create for motorists; reduce potential fire hazards; encourage proper construction of signs; reduce possible injury to person or property; and, preserve property values and aesthetic integrity of property in the City of Tuttle.

**Sec. 4-41. Title.**

This ordinance shall be known as the "City of Tuttle Sign Ordinance".

**Sec. 4-42. Jurisdiction.**

This ordinance shall govern the erection and maintenance of signs within the corporate limits of the City of Tuttle, Oklahoma.

**Sec. 4-43. Definitions.**

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

- (A) "Area of sign, or display surface area": The area of the largest single face of the sign within a perimeter which forms the outside shape including any frame, forms an integral part of the display, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section or module, all areas will be totaled.
- (B) "Awning": An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or nonrigid materials and/or fabric on a supporting framework that may be either permanent or retractable, including such structures that are internally illuminated by fluorescent or other light sources.
- (C) "Awning Sign": A sign displayed on or attached flat against the surface or surfaces of an awning. See also "Wall or fascia sign".
- (D) "Backlit Awning": An awning with a translucent covering material and a source of illumination contained within its framework.
- (E) "Banner": A flexible substrate on which copy or graphics may be displayed.
- (F) "Banner Sign": A sign utilizing a banner as its display surface.
- (G) "Canopy Sign": A roofed structure constructed of fabric or other material supported by the building or by support extending to the ground directly under the canopy placed so as to extend outward from the building providing a protective shield for doors, windows and other openings
- (H) "Changeable copy sign": A sign on which a copy is changed manually with changeable letters or changeable pictorial panels.
- (I) "Erect": To build, construct, attach, hang, place, suspend or affix, and shall also include the painting of wall signs.
- (J) "Facing or surface": The surface of the sign upon, against or through which the message is displayed or illustrated on the sign.
- (K) "Future location signs": Signs identifying the future occupancy of an appropriately zoned tract of land.
- (L) "Ground sign": A free-standing accessory sign of limited height which is secured to a fixed base, usually at ground level or a slight elevation above ground rather than being pole mounted.
- (M) "Illuminated sign": Any sign which has characters, letters, figures, designs or the outline illuminated by electric lights or luminous tubes as a part of the sign proper.
- (N) "Incombustible material": Any material, which will not ignite at or below a temperature of one thousand two hundred (1,200) degrees Fahrenheit and will not continue to burn or flow at the temperature.
- (O) "Ingress/egress sign": A sign for directional purposes located at points of entering and existing from alleys or driveways;
- (P) "Landscaping": The area beneath and around a Sign shall be landscaped with plants, ground cover and materials so as to complement the site and integrate the Sign with buildings, parking areas, surrounding vegetation and natural features of the landscape.
- (Q) "Monument Sign": A visually prominent, nonmoving, nonmovable sign not attached to a building, which identifies a single or multiple building development.
- (R) "Nonilluminated sign": Any sign which has characters, letters, figures, designs or the outline which is not illuminated by electric lights or luminous tubes as a part of the sign proper.
- (S) "Other advertising structure": Any marquee, canopy, awning or street clock as further defined herein.
- (T) "Off-premise sign": Any sign, including a billboard or general outdoor advertising device, which advertises or directs attention to a business, commodity, service or activity conducted, sold, or offered elsewhere than on the same lot or within the same building upon which such sign is located.
- (U) "Pole sign": An accessory sign, which is attached to or part of a completely self-supporting structure. The supporting structure is not attached to any building or any other structure and is anchored firmly to or below the ground surface.
- (V) "Portable sign": A transportable sign designed for temporary or permanent use in compliance with the structural and electrical code of the City of Tuttle.
- (W) "Primary highway": Any highway at any time officially designated a part of the federal-aid primary system by the State Department of Transportation and approved by the appropriate authority of the federal government.

- (X) "Project sign": A sign located upon the property under development for purposes of identifying construction site or future occupant.
  - (Y) "Real estate sign": A sign indicating the availability for sale, rent or lease of the lot or parcel of land, building or portion of a building upon which the sign is erected or displayed.
  - (Z) "Rear entrance signs": Wall mounted signs identifying entrances or parking located in the rear of the subject occupancy.
  - (AA) "Roof sign": A sign painted on the roof of a building; supported by poles, uprights or braces extending from the roof of a building; or projecting above the roof line of a building, but not including a sign projecting from or attached to a wall as permitted by this code.
  - (BB) "Setback line": The line or lines described as coincidental to the property line.
  - (CC) "Sight-triangle": An area which is clear of all structures or other sight impediments formed by measuring back equal distances along two intersecting lines of street right-of-way, curb lines, or driveway lines then connecting the points to form a triangle adequate to provide safe ingress and egress for vehicular traffic, as determined by the City of Tuttle.
  - (DD) "Sign contractor": Any person engaged in the business of manufacturing, installing, erecting, repairing, altering, servicing or removing signs.  
"Sign": Any structure or part thereof or any device, permanently or temporarily attached to, painted on, supported by, or represented on a building, fence, post or other structure which is used or intended to be used to attract attention.
  - (EE) "Special event directory sign": A sign, which directs the public to a special event, located at a place other than where the sign is located.
  - (FF) "Special event": One sign, which carries a message, regarding a special event or function, which is of general interest to the community.
  - (GG) "Wall sign": An attached accessory sign painted on or attached to the wall or surface of a building or display surface which is parallel to the supporting surface.
  - (HH) "Window sign": Any accessory sign painted on the surface of, located on the interior of, or flashing through a display window.
- Updated/Added paragraphs B-G, P & O on May 25, 2007, by Ordinance #2007-4*

**Sec. 4-44.**      Signs constituting an obstruction or hazard.

- (A) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape.
- (B) No sign of any kind shall be attached to a standpipe or fire escape.
- (C) No sign or other advertising structure as regulated by this article shall be erected at the intersection of any streets or at any location in such a manner as to obstruct free and clear vision.
- (D) No sign or advertising structure shall be erected at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words, "STOP", "LOOK", "DRIVE-IN", "DANGER", or any other word, phrase, symbol or character tending to interfere with, mislead or confuse traffic.
- (E) No sign, including the message area and supports, shall be permitted to extend beyond the setback line as defined herein; unless a revocable permit has been issued by the city council.
- (F) No sign shall be placed or maintained within the sight triangle, except where the bottom of the sign is not less than ten (10) feet in height above the ground line, and the supports, including ornamental work, shall not exceed one foot in diameter.

**Sec. 4-45.**      Illuminated signs.

All illuminated signs shall be subject to the provisions of the City's Electrical Code.

**Sec. 4-46.**      Gooseneck lights.

Gooseneck lights shall be permitted on ground signs, roof signs and wall signs; provided the lights shall be used in such a manner as to concentrate the illumination on the face of the sign and prevent glare upon the street or adjacent property.

**Sec. 4-47.**      Special signs.

The following special signs are permitted subject to provisions found elsewhere in this article:

- (A) "Special event" - One sign providing that sign does not exceed thirty-two (32) square feet per sign face, does not exceed seven (7) feet in height or be erected for a period longer than thirty (30) days;



- (B) "Special event directory sign" - Provided that such sign not exceed nine (9) square feet per sign face, four (4) feet in height, or be erected for a period longer than thirty (30) days;
- (C) "Rear entrance signs" - Providing that such sign be wall mounted and not to exceed an aggregate display surface area equal to two (2) square feet per linear foot of street frontage;
- (D) "Ingress/egress signs" - Limited to one sign at each point of ingress and egress, not exceeding four (4) square feet per sign face;
- (E) "Window signs" - Not to exceed an area equaling twenty percent (20%) of the window and/or glass area such sign is painted on or displayed in;
- (F) "Project sign" - One sign not exceeding thirty-two (32) square feet per sign face, located on the premises being developed, which shall be removed within fifteen (15) days of the issuance of the occupancy permit for the subject property;
- (G) "Future location signs" - One sign not exceeding thirty-two (32) square feet per sign face and seven (7) feet in height; and
- (H) "Changeable copy sign" - One sign not to exceed one hundred (100) square feet per sign face.

**Sec. 4-48. Temporary and portable signs.**

- (A) A "temporary sign" includes any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a short period of time only. Such signs are permitted in the Commercial and Industrial Zoning Districts provided that:
  - (1) No temporary sign of combustible material shall exceed four (4) feet in one of its dimensions or one hundred (100) square feet in area; such signs in excess of sixty (60) square feet shall be made of rigid materials, that is, of wall board or other light materials with frames;
  - (2) Every temporary sign weighing in excess of fifty (50) pounds must be approved by the building inspector as conforming to the safety requirements of the building code of the city;
  - (3) Temporary signs of flashing or intermittently lighted types shall be prohibited;
  - (4) No temporary sign shall extend over or into any street, alley, sidewalk or other public thoroughfare. Temporary wall signs shall not extend a distance greater than four (4) inches from the wall upon which it is erected, and such sign shall not be placed or projected over any wall opening;
  - (5) Every temporary wall sign shall be attached to the wall with wire or steel cables and no strings, ropes or wood slats for anchorage or support purposes shall be permitted;
  - (6) Permits for portable signs shall authorize erection of signs and their maintenance for a period not exceeding thirty (30) days. Only two (2) permits annually shall be authorized for portable signs. *Updated sub-paragraph 6, May 25, 2007 by Ordinance #2007-4*
  - (7) The advertisement contained on any temporary sign shall pertain only to the business, industry, or pursuit conducted on or within the premises on which such sign is erected or maintained. This provision shall not apply to signs of a civic, political or religious nature.
- (B) A "portable sign" includes any sign or rollaway, portable, or mobile advertising display:
  - (1) No portable sign shall exceed six (6) feet in height as measured from ground level. Portable signs in excess of thirty-two (32) square feet in single face area shall be prohibited;
  - (2) Portable signs of flashing or intermittently lighted types shall be prohibited;
  - (3) All such signs shall be constructed of noncombustible material and all wiring and conduit running to, in, or around the sign shall meet all requirements of this code. Electrical cord from sign body to an appropriate outlet shall not exceed six (6) feet in length;
  - (4) No portion of a portable sign shall be placed upon, extend over, or extend into any street, alley, sidewalk, driveway, or public thoroughfare;
  - (5) Portable signs shall be anchored with chains or steel cables attached to bolts embedded in pavement, a standard auger type of flex-type trailer anchor or approved equal;
  - (6) Permits for portable signs shall authorize erection of signs and their maintenance for a period not exceeding thirty (30) days.

**Sec. 4-49. Obscene matter prohibited.**

No sign or advertising structure shall display any obscene, indecent or immoral matter or language.

**Sec. 4-50. Provisions apply to several or all zoning district.**

The following provisions shall apply to all signs in all zoning districts unless otherwise noted:

- (A) Pole mounted signs shall maintain a minimum clearance of nine (9) feet between the sign panel base and average ground level.

- (B) All hanging signs shall overhang at a height not less than nine (9) feet, and shall not have a projection of greater than seventy-two (72) inches.
- (C) No portion of a roof sign shall exceed the structural height limitations of the zoning district it is located within.
- (D) Ground and pole mounted signs shall not exceed the maximum height of 15 feet Updated paragraph D, May 25, 2007 by Ordinance #2007-4
- (E) No signs shall be permitted upon lots not containing one business establishment, except as provided elsewhere in this article.
- (F) Signs may be lighted, provided that the lighting is from within the sign or by spotlights illuminating the face of the sign. No flashing or intermittent lighting shall be permitted on the sign nor shall exposed bulbs be permitted; except that electronic message signs may be permitted where all other requirements have been satisfied. Sign illumination shall be incorporated into the lighting design of the structure to which the sign is related.
- (G) Sign design shall incorporate color schemes that contribute to the legibility and integrity of the message portrayed and shall utilize contrasting colors and colors that compliment surrounding colors.
- (H) All codes concerning wiring and construction standards shall be met prior to the issuance of a sign permit.
- (I) Every sign shall be constructed of durable materials and maintained in good structural condition at all times.
- (J) Off-premise signs are prohibited.
- (K) Signs located on buildings shall be of good proportion and scale for the buildings on which they are placed; shall be designed so that they are incorporated into building design by mimicking façade rhythm, scale and proportions.
- (L) Signs shall be designed as to limit their impact with surrounding residential neighborhoods and should integrate landscaping to enhance visual appeal with plants, shrubs and hedges.

**Sec. 4-51. Agricultural zoning district "A-1".**

Signs constructed in "A-1", shall be required to meet the following criteria. Any change of existing signs shall comply with these standards:

- (A) Agricultural related business signs:
  - (1) Shall not exceed fifteen (15) feet in height, or fifty (50) square feet in surface display area;
  - (2) Only one sign per street frontage;
  - (3) Shall only advertise goods, services or activities conducted on the premises;
  - (4) Shall not apply to identification or advertisements when placed upon grain storage silos.
- (B) Real estate signs:
  - (1) One sign per street frontage, not exceeding twelve (12) square feet in surface display area may be erected; and
  - (2) All portions of the sign must be a minimum of ten (10) feet from the curb line. No sign, on a corner lot shall be allowed within the sight-triangle of the street intersection.
- (C) Signs advertising lots within subdivisions:
  - (1) Shall only advertise the sale or lease of property within the development upon which the sign is placed;
  - (2) Permits are valid for a two (2) year period from date of issuance;
  - (3) Shall be removed by developer upon sale of all lots and/or residences within the addition;
  - (4) Shall not exceed fifteen (15) feet in height or fifty (50) square feet in surface display area; and
  - (5) Only one sign per street frontage.
- (D) Subdivision entrance signs:
  - (1) A subdivision entrance sign is permitted, provided that it is approved by the Tuttle City Council in conjunction with final plat approval of the subdivision it is located within; and
  - (2) Proposed subdivision entrance signs; for existing subdivisions or subdivisions for which the final plat has been previously approved, shall require approval by the Tuttle City Council.
  - (3) Offsite informational signs may be erected on private property, with the consent of the property owner, to provide direction to specific residential subdivisions.
- (E) Home occupation signs:

One non-illuminated name plat or sign attached to the main building two (2) square feet in display surface area is permitted.
- (F) Educational, religious, institutional or similar uses:
  - (1) Sign shall not exceed fifteen (15) feet in height or fifty (50) square feet in surface display area;
  - (2) One sign or bulletin board not exceeding fifteen (15) feet in height and fifty (50) square feet in surface display area announcing special activities for a period not exceeding forty-five (45) days; and

- (3) One sign per street frontage.  
*Updated paragraph A-F, May 25, 2007 by Ordinance #2007-4*

**Sec. 4-52. Residential zoning districts.**

Signs constructed in Residential Zoning districts shall be required to meet the following criteria. Any change of existing signs shall comply with these standards.

- (A) **Real estate signs:**  
Real estate signs shall follow the provisions of Section 4-51(B) of this article.
- (B) **Signs advertising lots within subdivisions:**
- (1) Shall only advertise the sale or lease of property within the development upon which the sign is placed;
  - (2) Permit is valid for a two (2) year period from date of issuance;
  - (3) Shall be removed by developer upon sale of all lots and/or residences within the addition;
  - (4) Shall not exceed fifteen (15) feet in height or eighty (80) square feet in surface display area; and
  - (5) Only one sign per street frontage.
- (C) **Subdivision entrance signs:**
- (1) A subdivision entrance sign is permitted, provided that it is approved by the Tuttle City Council in conjunction with final plat approval, of the subdivision it is located within. Proposed subdivision entrance signs for existing subdivisions or subdivisions for which the final plat has been previously approved shall require approval by the Tuttle City Council.
  - (2) Offsite informational signs may be erected on private property, with the consent of the property owner, to provide direction to specific residential subdivisions.
- (D) **Home occupation signs:**  
One non-illuminated name plate, or sign attached to the main building, not exceeding two (2) square feet in display surface area.
- (E) **Educational, religious, institutional or similar uses:**  
Educational, religious, institutional or similar use signs shall follow the provisions of Section 4-51(F) of this article.

**Sec. 4-53. Commercial zoning districts.**

Signs constructed in commercial zoning districts shall be required to meet the following criteria. Any change of existing signs shall comply with these standards:

- (A) Wall or canopy signs may be erected, not exceeding an aggregate surface display area of three (3) square feet per each linear foot of building wall to which the sign or signs are affixed.
- (B) A lot containing a business establishment may erect a pole, ground or monument sign of a height of fifteen (15) feet and a display area of fifty (50) square feet. In determining display area size, only one side of a sign shall be considered in making such determination.
- (C) Ground or pole signs shall not exceed the maximum height of fifteen (15) feet.  
*Updated paragraph B & C, May 25, 2007 by Ordinance #2007-4*
- (D) For the Downtown area, signs outside of businesses shall be pedestrian oriented and easily readable while standing adjacent to businesses.
- (E) For signs in shopping malls and multi-tenant commercial areas, individual tenant sign panes shall be uniform. Major or anchor tenant signs may be slightly larger and signs shall be architecturally designed and incorporate materials and colors of the associated building(s).
- (F) Off-premises advertising on developed and undeveloped lots is prohibited.
- (G) Real estate signs shall follow the provisions of Section 4-51(B) of this article.
- (H) Educational, religious, institutional or similar use signs shall follow the provisions of Section 4-51(F) of this article.
- (I) Off premises signs are prohibited.
- (J) Multiple location advertisement in Commercial Districts is permitted where the sign is placed on the location of an operating business under the same ownership.

**Sec. 4-54. Industrial zoning districts.**

Signs constructed in "I-1" and "I-2" districts shall be required to meet the following criteria. Any change of existing signs shall also comply with these standards:

- (A) Wall or canopy signs may be erected, not exceeding an aggregate surface display area of three (3) square feet per linear foot of building wall to which sign or signs are affixed. In addition to the wall or canopy signs permitted hereinabove, a lot containing one business establishment or vacant lot may utilize for business sign or outdoor

advertising one projecting or ground sign of two (2) square feet of display area per linear foot of street frontage. In determining display area size, only one side of a sign shall be considered in making such determination.

- (B) Ground or pole signs shall not exceed the maximum height of fifteen (15) feet. Updated paragraph B, May 25, 2007 by Ordinance #2007-4
- (C) Real estate signs shall follow the provisions of Sec. 4-51(B) of this article.
- (D) Off premises signs are prohibited.

**Sec. 4-55. Application and permits.**

This Section Updated on May 25, 2007 by Ordinance #2007-4

- (A) No temporary or permanent sign shall be erected, constructed, relocated, altered or repaired except as provided in this Ordinance until a permit for such has been issued and the fee paid, except for signs that are exempt from permitting as provided in this Ordinance. A permit is required to change the face or lettering of an existing sign.
- (B) All applications for permits shall include a drawing to scale of the proposed sign, type of material, height dimensions, lighting, all existing signs maintained on the premise and visible from the rights-of-ways, a drawing of the lot plan and building façade and dimensions indicating the proposed location of the sign, and sign specifications and landscaping.
- (C) Applications shall be made to the Building Inspector. Upon review by city staff the application will be forwarded to the Planning Commission for approval. This approval process can take Thirty (30) calendar days from the time the application is made.
- (D) All signs erected, altered, changed, or replaced after the effective date of this Ordinance shall comply with the requirements of this Ordinance at the time of sign permit.
- (E) Fees for a permit to erect, construct, alter, replace or relocate a sign shall be as so provided by the most current fee schedule adopted by the City and may be changed without amending this Ordinance.

**Sec. 4-56. Inspection required.**

- (A) The building inspection officer shall inspect at such times as he deems necessary each sign or other advertising structure regulated by this article for the purpose of ascertaining whether the sign or structure is secure or insecure, and whether it is in need of removal or repair.
- (B) If the building inspection officer or other enforcement officer charged with enforcement of this article finds that any signs or other advertising structure regulated herein is unsafe or creates an immediate hazard to life and property, or the sign is located in any designated right-of-way, the officer or employee may cause such advertising sign to be removed summarily and without notice.

**Sec. 4-57. Removal of obsolete signs.**

Any sign now or hereafter existing, for a period of more than six (6) months, which no longer advertises a bona fide business conducted or a product sold shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which such sign may be found, within ten (10) days after written notification from the building inspection officer or other enforcement officer. Upon failure to comply with such notice within the time specified, the building inspector or other enforcement officer is hereby authorized to cause removal of such sign; and any expense incident thereto shall be paid by the owner of the building or structure to which such sign is attached.

**Sec. 4-58. Abatement of nuisance signs.**

Any sign which has been constructed or maintained in such a manner as to endanger public health and safety, or any sign which may hereafter be erected which is constructed or maintained in such a manner as to endanger public health and safety, may be declared by the council by resolution to be a nuisance and then such sign may be abated.

**Sec. 4-59. Nonconforming preexisting signs.**

The use of any sign or advertising structure in prior existence upon approval of this article which violates or does not conform to the provisions hereof may be continued so long as such sign or structure is safe and secure; provided that such sign or structure is not existing on the street right-of-way or extending over the street right-of-way, creating a nuisance, or constituting a hazard; and such sign or structure may not be enlarged or replaced except so as to conform with the provisions of this article.

**Sec. 4-60. Maintenance**

This Section Updated/Added on May 25, 2007 by Ordinance #2007-4

The owner of any sign requiring a permit shall be required to maintain an exterior which is properly painted, galvanized or otherwise treated to prevent rust and deterioration of all parts, including lighting and supports. All signs, and landscaping around the sign base,

shall be required to be adequately maintained and shall not become tattered, torn, frayed, ragged, shredded, unkempt or the like. The sign shall be repaired within sixty (60) days following notice from the City of a violation.

#### **Article 4. Historic Preservation**

**Sections 4-100 through 4-129.** (Reserved for future use.)

#### **Article 5. Miscellaneous Provisions**

##### **Section 4-130. Flood-Prone Areas.**

1. The Planning Commission and the City Council shall review subdivision and other development proposals to determine whether such proposals will be safe from flooding.

2. If a subdivision or other development proposal is in a flood-prone area, the Planning Commission and the City Council shall ensure that:

- a. Such proposals are consistent with the community's adopted Comprehensive Plan and the need to minimize flood damage;
- b. All public utilities and facilities are located and constructed to avoid, minimize or eliminate flood damage;
- c. Adequate drainage provisions are made; and
- d. Proposals of more than fifty (50) lots or five (5) acres shall include one hundred (100) year flood elevation data.

3. Unless specifically defined below, words or phrases used in this Chapter shall be interpreted to give them the meaning they have in common usage and to give this Chapter its most reasonable application; these words and terms shall also be consistent with the similarly-used words and terms in the Zoning Ordinance and Subdivision Regulations Ordinance.

- a. Area of Shallow Flooding. The term "area of shallow flooding" means a designated AO, AH or VO zone on the community's Flood Insurance Rate map (FIRM) with a one percent (1%) chance or greater annual chance of flooding to an average depth of one (1) to three (3) feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- b. Area of Special Flood Hazard. The term "area of special flood hazard" is the land in the floodplain within the community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, AI-99, VO, V1-30, VE or V.
- c. Base Flood. The term "base flood" means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.
- d. Critical Feature. The term "critical feature" means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.
- e. Elevated Building. The term "elevated building" means a non-basement building (a) built, in the case of a building in Zones AI-30, AE, A, A99, AO, AH, B, C, X and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers) , or shear walls parallel to the floor or the water and (b) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones AI-30, AE, A, A99, AO, AH, B, C, X and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building", even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program (NFIP) Regulations.

- f. Existing Construction. The term "existing construction" means, for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. "Existing construction" may also be referred to as "existing structures".
- g. Flood or Flooding. The term "flood or flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal water, or the unusual and rapid accumulation or runoff of surface water from any source.
- h. Flood Insurance Rate Map (FIRM). The term "Flood Insurance Rate Map (FIRM)" means an official map of the City of Tuttle, Oklahoma, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to said community.
- i. Flood Insurance Study. The term Flood Insurance Study is the official report provided by the Federal Emergency management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Hazard Boundary-Floodway Maps.
- j. Floodplain or Flood-Prone Area. The term "floodplain or flood-prone area" means any land area susceptible to being inundated by water from any source (see definition of flooding).
- k. Flood Protection System. The term "flood protection system" means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.
- l. Floodway (Regulatory Floodway). The term "Floodway (regulatory 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 a designated height.
- m. Functionally Dependent Use. The term "functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.
- n. Habitable Floor. The term "habitable floor" means any floor usable for the following purposes, including working sleeping, eating, cooking or recreation areas or a combination thereof. A floor used for storage purposes only is not a "habitable floor."
- o. Highest Adjacent Grade. The term "highest adjacent grade" means the highest natural elevation of the ground surface prior to construction, next to the proposed walls of a structure.
- p. Lowest Floor. The term "lowest floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that, such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program (NFIP) Regulations.
- q. Manufactured Home. The term "manufactured home" shall be as defined in Chapter 10 of this Code of ordinances.
- r. Mean Sea Level. The term "mean sea level" means, for purposes of the National Flood Insurance Program (NFIP) the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.
- s. New Construction. The term "new construction" means, for Floodplain management Purposes, structures for which the "start of construction" commenced on -or after the effective date of the Floodplain Management Regulations adopted by the City of Tuttle, Oklahoma.

- t. Start of Construction. The term "start of construction" (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348), includes substantial improvement and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred and eighty (180) days of the Permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation of basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.
- u. Structure. The word "structure" means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.
- v. Substantial Improvement The term "substantial improvement" means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (a) any project for improvement of a structure to comply with existing State or local Health, Sanitary, or Safety Code specifications which are solely necessary to assure safe living conditions, or (b) any alteration of a structure listed on the National Register of Historic Places or the State Register of Historic Places.
- w. Variance. The word "variance" is a grant of relief to a person from the requirements of this Ordinance, when specific enforcement would result in unnecessary hardship. A Variance, therefore, permits construction or development in a manner otherwise prohibited by this Chapter. (For full requirements see section 60.6 of the National Flood Insurance Program Regulations.)
- x. Water Surface Elevation. The term "water surface elevation" means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

**Section 4-131. Fire Limits.**

1. The following area within the corporate limits of the City of Tuttle, Oklahoma, shall embrace and constitute the "Fire Limits" of said Municipality:
  - a. The following described boundary shall constitute the fire limits of the City of Tuttle, Grady County, Oklahoma, to wit: Beginning where Eleventh Street intersects the north side of Holly Street, thence west along said street to where said street intersects the east boundary line of the St. Louis & San Francisco Railroad Right-of-Way, thence southwest along said east boundary line of the St. Louis & San Francisco Railroad Right-of -Way to where said boundary line intersects the south side of Bond Street, thence east along the south side of Bond Street to where said street intersects Eleventh Street, thence north along said Eleventh Street to the point of beginning.
2. It shall hereafter be unlawful for any person, firm or corporation to build, erect, construct or cause to be built, erected or constructed, or place or move within the area described in Subsection 1 (above) , any building or addition thereto, unless the walls of such building or addition shall be built or constructed of stone, brick or other non-combustible material; it shall also be unlawful to rebuild any building which has been more than fifty percent (50%) destroyed by fire, except as herein stated.

**Section 4-132. Movement of Frame Buildings.**

No frame building shall be moved from without to within the corporate limits of the City of Tuttle, Oklahoma, which by reason of its age, state of repair, condition of wiring or which, for any other reason, is unfit for human habitation or which might endanger the public peace, safety, health or welfare.

**Section 4-133. Plumbers', Electricians' and Mechanical Contractors, Registration; Revocation.**

1. Any person desiring to engage in the business or activity of Plumbing or Plumbing Contracting in the City of Tuttle, Oklahoma, shall first register with the City Clerk. All registrants shall be State-licensed. No person shall do any plumbing, gas fitting, extensions, connection of fixtures or repairs to any gas fitting, except a State-Licensed and locally-registered plumber, as provided in this Code of Ordinances. The fee for plumbing registration shall be \$100.00 for first time registrants and for re-registration after the lapse of registration for a period of more than one year. RE-registration in consecutive years following first time registration shall be \$30.00 if registration occurs before July 1 and \$35.00 if registration occurs after July 1. Registration fees in a current year are for the period January 1 to December 31 of the year in which registration occurs.

2. All persons, firms, partnerships, corporations or individuals, engaged, or hereafter engaging, in the installation of electrical fixtures, wiring or apparatus in or on any building or other structure or Any person desiring to engage in the business or activity of Electrician or Electrical Contracting in the City of Tuttle, Oklahoma, shall first register with the City Clerk. All registrants shall be State-licensed. No person shall do any electrical work, except a State-Licensed and locally-registered electrician, as provided in this Code of Ordinances. The fee for electrician registration shall be \$100.00 for first time registrants and for re-registration after the lapse of registration for a period of more than one year. Re-registration in consecutive years following first time registration shall be \$30.00 if registration occurs before July 1 and \$35.00 if registration occurs after July 1. Registration fees in a current year are for the period January 1 to December 31 of the year in which registration occurs.

3. All persons designing, assembling, erecting, constructing, installing, altering, servicing, repairing or maintaining refrigeration, air conditioning, heating and/or ventilation systems in the City of Tuttle, Oklahoma, shall first register with the City Clerk. All registrants shall be State-licensed. No person shall do any work of said nature except a State-licensed and locally-registered craftsman, as provided in this Code of Ordinances. The fee for registration shall be \$100.00 for first time registrants and for re-registration after the lapse of registration for a period of more than one year. Re-registration in consecutive years following first time registration shall be \$30.00 if registration occurs before July 1 and \$35.00 if registration occurs after July 1. Registration fees in a current year are for the period January 1 to December 31 of the year in which registration occurs.

#### **Section 4-134. Grease, oil and Sand Interceptors.**

1. A grease interceptor shall be installed in the waste line leading from sinks, drains or other fixtures in restaurants, hotel kitchens, cafeterias and food processing establishments, and in any bar, lounge, private club or fountain where food is prepared or served, or where dishes, glasses, pots, pans or other kitchenwares are washed, or any other establishment where grease or broken glass can be introduced into the drainage system in quantities that can effect line stoppage or hinder sewage disposal. Grease, oil and sand interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other ingredients harmful to the building's drainage system, the public sewer or sewage treatment plant process.

2. Interceptors shall not be required for private living quarters or residential dwelling units.

3. All interceptors shall be of a type and capacity as defined in the City's current adopted Plumbing Code and shall be approved by the Municipal Building Inspector. All interceptors shall be located so as to be readily and easily accessible for cleaning and inspection. Such interceptors shall be properly inspected following construction, by the municipal Building Inspector, and shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

4. An oil separator shall be installed in the drainage system of any establishment where, in the judgement of the Municipal Building Inspector, a hazard exists or where oils or other flammables can be introduced or admitted into the public sewer by accident or otherwise.

5. All garages, filling stations and car washes having car wash racks or facilities shall install combination grit and grease interceptors.

6. All commercial laundries shall be equipped with an interceptor having a removable wire basket or similar device that will prevent strings, rags, buttons or other materials detrimental to the public sewage system from passing into the drainage system.

7. Bottling plants shall discharge all process wastes into an interceptor which will provide for the separation of broken glass or other solids, before discharging liquid wastes into the drainage system.

8. Slaughterhouses shall equip all slaughtering room drains with a separator which shall prevent the discharge of feathers, entrails and other material likely to clog the drainage system.

9. All existing establishments listed in Subsection 1 (above) shall have ninety (90) days from the effective date of this Code of ordinances to install an improved interceptor or separator. Establishments covered under Subsection 4 (above) will be handled on a



case-by-case basis to determine whether an oil separator is required. All establishments covered under Subsection 1 (above) , constructed henceforth, shall include an approved interceptor.

10. The municipal Building Inspector, Utilities Superintendent or City Manager shall have the right of entry during usual business hours, to conduct an inspection of an interceptor or separator.

11. Any person found to be in violation of this Section shall be served with written notice stating the violation and providing seventy-two (72) hours for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. In the event an establishment is cited with a second violation within six (6) months of the first, the time allowed for correction shall be reduced to forty-eight (48) hours. A third citation within six (6) months from the first violation will be cause for the City to immediately discontinue water service to the establishment' for a period of not less than ten (10) days during which time the offender shall correct the violation.

12. Any person who shall continue any violation beyond the time limit provided for in Subsection 11 (above) and upon conviction thereof, shall be fined in an amount not exceeding the limits established in Section 11-50, Article 3, Chapter 11 of this Code of ordinances for each violation. Each day in which any such violation shall continue shall be deemed a separate offense,

#### **Section 4-135. Off-Street Parking.**

All off-street parking shall be designed, constructed and utilized in accordance with the provisions and requirements contained in the community's adopted Zoning Ordinance and Subdivision Regulations Ordinance.

#### **Section 4-136. Wind Energy Conversion Systems.**

1. The following definitions are used in this section, and shall have the meanings shown below.
  - a. Overspeed Control: A mechanism used to limit the speed of blade rotation to below the design limits of the Wind Energy Conversion System.
  - b. Site: The plot of land where the Wind Energy Conversion System is to be placed. The site could be publicly or privately owned by an individual or a group of individuals controlling single or adjacent properties.
  - c. Swept Area: The largest area of the Wind Energy Conversion System which extracts energy from the wind stream. In a conventional propeller-type wind Energy Conversion System there is a direct relationship between swept area and the rotor diameter.
  - d. Total Height: The height of the tower and the farthest vertical extension of the Wind Energy Conversion System.
  - e. Wind Energy Conversion System (WECS): A machine that converts the kinetic energy in the wind into a usable form (commonly known as a wind turbine or windmill). The Wind Energy Conversion System includes all parts of the System, except the tower and the transmission equipment.
2. Building Permit applications (see Section 4-20, this Chapter) for a Wind Energy Conversion System shall be accompanied by a plot plan drawn in sufficient detail to clearly describe the following:
  - a. Property lines and physical dimensions of the site;
  - b. Location, approximate dimensions, and types of major existing structures and uses on site;
  - c. Location and elevation of the proposed wind Energy Conversion System;
  - d. Location of all above-ground utility lines on-site or within one (1) radius of the total height of the wind Energy Conversion System;
  - e. Location and size of structures and trees over thirty-five (35) feet in height, which are within a five hundred (500) foot radius of the proposed wind Energy Conversion System; for purposes of this requirement, electrical transmission and distribution lines, antennas, and slender or open lattice towers are not considered structures; and
  - f. The Zoning designation of immediate and adjacent sites.

3. Before a Building Permit may be issued, all requirements of this Section must be met. This Section covers those Wind Energy Conversion Systems whose swept area is one thousand (1,000) square feet or less; for conventional propeller Wind Energy Conversion Systems, this would be approximately thirty-five (35) feet or less in diameter. (Non-electrical windmills used for pumping water may be exempted from the remaining provisions of this Section.)

4. Building Permit applications shall be accompanied by standard drawings of the structural components of the Wind Energy Conversion System, including support structure, tower, base and footings. Drawings and any necessary calculations shall be certified in writing by a registered professional engineer to show that the System complies with the adopted Building Code. (This certification would normally be supplied by the manufacturer.) Where the structural components or installation vary from the standard design or specification, the proposed modifications shall be certified by a registered professional engineer for compliance with the structural design provisions of the adopted Building Code.

5. Building Permit applications shall be accompanied by a line drawing identifying the electrical components of the System to be installed, in sufficient detail to allow for a determination that the manner of installation conforms to the adopted Electrical Code. The application shall include a statement from a registered professional engineer indicating that the electrical system conforms with good engineering practices and complies with said Electrical Code. (This certification would normally be supplied by the manufacturer.) All equipment and materials shall be used or installed in accordance with such drawings and diagrams. Where the electrical components of an installation vary from the standard design or specifications, the proposed modifications shall be reviewed and certified by a registered professional engineer for compliance with the requirements of said Electrical Code and good engineering practices.

6. Each Wind Energy Conversion System must be equipped with both manual and automatic controls to limit the rotational speed of the blade below the design limits of the rotor. The application must include a statement by a registered professional engineer certifying that the rotor and overspeed controls have been designed and fabricated for the proposed use in accordance with good engineering practices. The engineer should also certify the structural compatibility of possible towers with available rotors. (This certification would normally be supplied by the manufacturer.)

7. Anchor points for guy wires for the Wind Energy Conversion System tower shall be located within property lines and not on or across any above-ground electric transmission or distribution line. The point of ground attachment for the guy wires shall be enclosed by a fence six (6) feet high, or the Wind Energy Conversion System shall be set back from the property line or site parameters the total height of the Wind Energy Conversion System.

8. Towers should have either a tower-climbing apparatus located no closer than twelve (12) feet from the ground, a locked anti-climb device installed on the tower, or the tower shall be completely enclosed by a locked, protective fence at least six (6) feet high.

9. The Wind Energy Conversion System shall meet the requirements of any existing municipal noise regulations.

10. The Wind Energy Conversion System shall be operated such that no disruptive electromagnetic interference is caused. If it has been demonstrated to the Municipal Building Inspector that a Wind Energy Conversion System is causing harmful interference, the operator shall be required to promptly mitigate the harmful interference.

11. At least one (1) sign shall be posted at the base of the tower warning of electrical shock or high voltage.

12. The minimum height -of the lowest part of the Wind Energy Conversion System shall be thirty (30) feet above the highest existing major structure or any tree within a two hundred and fifty (250) foot radius. For purposes of this requirement, electrical transmission and distribution lines, antennas and slender or open-lattice towers are not considered structures.

13. The Wind Energy Conversion System shall be located such that the farthest extension of the apparatus does not cross any site lines.

14. For Wind Energy Conversion Systems which will be interconnected to a utility grid, no wind turbine shall be installed until evidence has been given that the utility company has been notified in writing.

15. If a Wind Energy Conversion System is not maintained in operational condition for a period of one (1) year and poses a potential safety hazard, the owner or operator shall take expeditious action to remedy the situation. The City of Tuttle, Oklahoma, reserves the authority to abate any hazardous situation and to pass the cost of such abatement on to the owner or operator of the

System. If the City of Tuttle, Oklahoma, determines that the Wind Energy Conversion System has been abandoned and poses a safety hazard, the System shall be removed within forty-five (45) days of written notice to the owner or operator of the System.

16. The applicant, owner, leasee or assignee shall maintain a current insurance policy which will cover installation and operation of the Wind Energy Conversion System at all times. Said policy shall provide a minimum of one hundred thousand (\$100,000) property and personal liability coverage.

**Section 4-137. Officers and Employees Not Liable.**

1. Any officer or employee of the City of Tuttle, Oklahoma, charged with the enforcement of this Chapter and acting in good faith and without malice, for the City of Tuttle, Oklahoma, in the discharge of his duties, shall not thereby render himself liable personally and be is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act or omission required or permitted in the discharge of such duties.

2. Any suit brought against any officer or employee because of such act or omission performed by him in the enforcement of any provisions of such Codes may be defended by the City Attorney until the final termination of the proceedings.

**Section 4-138. Exterior Walls**

*(Section 4-138 added by Ordinance #2005-11)*

If metal or concrete materials are utilized for walls of the any structure on a lot in a C-1 through C-6 zoning district, or on any lot which is adjacent to Highway 37 or Highway 4 or within Six hundred-sixty (660) feet of the centerline of either Highway 37 or Highway 4, Seventy-five percent (75%) of the exterior walls of the structure (excluding windows and doorways) must be covered with brick or rock veneer, or a material approved by the City Manager with the advice and consent of the Municipal Building Inspector satisfying the intent of this ordinance. No occupancy permit shall be granted until this section is complied with. This section shall not apply to structures constructed for agricultural use or structures that are constructed for private personal use and are accessory to a primary residential use within the City of Tuttle.

**Section 4-139. House Numbering System; Clear Display of Number.**

*(Section 4-139 added by Ordinance #2005-14)*

1. All buildings and houses in the City of Tuttle, Oklahoma, shall be numbered. The City Manager, or his designee, shall be responsible for designating the proper numbers for houses and buildings. The City Clerk shall maintain records disclosing the proper street number of every lot within the City of Tuttle.
2. The north and south base line shall be Cimarron Avenue, and its logical straight-line extensions; all buildings east of the base line shall be known and numbered as east, and all buildings west of the base line shall be known and numbered as west.
3. The east and west base line shall be Main Street/State Highway 37, and its logical straight-line extensions; all buildings north of this line shall be known and numbered as north, all buildings south of this base line shall be known and numbered as south.
4. There shall be one hundred (100) numbers applicable to each block, beginning with “one” (1) on the odd side and “two” (2) on the even side of the street.
5. Each twenty-five (25) feet of frontage on each block shall be entitled to a separate number.
6. The First Block from the base line in either direction shall be given numbers from one (1) to ninety-nine (99), and the 2<sup>nd</sup> block shall be given numbers from one hundred (100) to one hundred ninety-nine (199), and so on in consecutive order by one hundred’s (100’s) to each block in succession.
7. The even numbers shall be on the east side of the streets extending north to south, and on the south side of the streets extending east and west; the odd numbers shall be on the opposite side of such streets.
8. The affix “one-half” (1/2) shall be added to the last number in designating stairway or garage apartments.
9. It shall be the duty of the owner and the occupant of every house, building or structure within the City of Tuttle, to have placed thereon, in a place visible from the street, figures at least two and one-half inches high, showing the number of the house.

10. Any person, firm or corporation failing to so number any house, building or other structure owned or occupied by said person, firm or corporation, within forty-five (45) days after being notified to do so shall be fined the sum of Thirty Five Dollars. Each day that the failure to so number said structure continues, shall be considered a separate offence.

**Section 4-140. Landscape Regulations.**

*( Section 4-140 added by Ordinance #2005-15 )*

**1. PURPOSES AND INTENT OF LANDSCAPING REQUIREMENTS.**

The purpose of this section is to establish standards for installation of landscaping in all new development and redevelopment areas in order to enhance the aesthetic appearance of properties within the City, ensure the quality, quantity, and appropriateness of landscape materials, effect a functional and attractive design, improve compatibility between land uses, conserve water, control soil erosion, and preserve the character of existing neighborhoods.

**2. LANDSCAPING REQUIRED.**

Landscaping, as required herein, shall be provided for all new multi-family, civic, office, commercial, and industrial construction in the city. Landscaping shall also be provided for any addition to an existing multi-family, civic, office, commercial, or industrial use if the proposed addition increases the size of the existing structure by at least fifty (50) percent.

**3. DEFINITIONS.**

As used in this article:

- A. "Caliper" means the diameter of a tree measured six (6) inches above the ground.
- B. "Shrub" means a woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground; may be deciduous or evergreen.
- C. "Tree" means a large, woody plant having one or several self-supporting stems or trunks and numerous branches, which normally grows to a minimum height of fifteen (15) feet in Grady County. May be classified as deciduous or evergreen.

**4. LANDSCAPING STANDARDS.**

The requirements of this section shall apply to all land uses other than a single-family or two-family residence on a single lot.

- A. No less than five (5) percent of the total land area of the site (excluding the street right-of-way) shall be landscaped. At least seventy-five (75) percent of the landscaped area shall be in the front or side yards;
- B. There shall be one (1) live tree having a minimum height of five (5) feet, and two (2) shrubs provided for every four hundred (400) square feet of area to be landscaped, including the street right-of-way;
- C. Trees shall have a minimum caliper of at least two (2) inches;
- D. Credit for existing or newly planted larger trees (outside of the street right-of-way) that are larger than the minimum required size shall be given as follows:
  - i. A healthy tree of at least three (3) inch caliper and less than eight (8) inch caliper shall count for two (2) trees;
  - ii. A healthy tree of at least eight (8) inch caliper shall count for three (3) trees;
- E. Artificial grass or any form of synthetic plant shall not be permitted as part of the minimum requirements for landscaped areas;
- F. The use of gravel as ground cover shall not be considered as meeting the minimum requirements of this section;
- G. The property owner shall be responsible for landscaping the unpaved street right-of-way. This area shall not be hard surfaced other than a permitted drive way or sidewalk;
- H. The area within the boundaries of a given lot which is devoted to and consists of plant material, vines and other groundcovers, planters, brick, stone, natural forms, water forms, aggregate or other inorganic features, but not including the use of smooth concrete or asphalt; provided however, that the use of brick, stone, aggregate or other inorganic materials shall not predominate over the use of the organic plant materials;
- I. Trees shall not be planted in the street right-of-way except by special approval from the Municipal Building Inspector;
- J. Trees and shrubs planted within the City of Tuttle should be selected due to their ability to respond to the environmental conditions within Tuttle. The factors to be considered in tree selection are soil conditions in relation to growth, the tree's ability to cope with the climate, and its survival rate as an urban tree. Low maintenance, a moderate growth rate, and aesthetic quality should also be considered. Contact the Municipal Building Inspector for a list of suitable trees.

**5. LANDSCAPING PLANS.**

The requirements of this section shall apply to all land uses other than a single-family or two-family residence on a single lot.

- A. A landscaping plan is required and submitted as part of the site plan as submitted for a building permit. This plan shall show detailed landscaped treatment of any area to be landscaped, including the street right-of-way. If landscaping

is to be used as sight-proof screening, the entire plan may be contained in one submission. The plan shall meet the following requirements:

- i. The type of plant shall be designated with plant lists or schedules showing the required and proposed landscaping;
  - ii. Existing vegetation to be saved shall be identified;
  - iii. The plan shall especially respect sight triangles and sight distances at all intersections;
  - iv. Landscaping should be evenly spaced throughout the site so as to balance the effect of the landscaping;
- B. No building permit shall be issued until the landscaping plan is approved;
- C. A certificate of occupancy for any use shall not be issued until the landscaping has been installed in accordance with the plan; and it shall be illegal for any person, firm, or corporation to occupy or operate a business in any new structure for which landscaping, as shown by the plans, is not provided; except that if a structure and all site improvements are complete except for these landscaping requirements and the season of the year will not permit the planting and growing of plants, temporary occupancy permit may be permitted by the Municipal Building Inspector until a date certain in the growing season. If the landscaping has not been completed by said date, the property owner shall be in violation of this code or a temporary extension may be obtained as approved by the Municipal Building Inspector for a period not to exceed one (1), thirty (30) day period.

#### 6. OTHER REQUIREMENTS FOR LANDSCAPED AREAS.

The following requirements shall apply to all landscaped areas:

- A. The property owner in all zoning districts shall be responsible for landscaping the area within the street right-of-way line and the curb line. This area shall not be hard surface other than a permitted driveway or sidewalk;
- B. Plants shall be grouped according to similar water needs;
- C. Plants shall not interfere with safe sight distances or otherwise block vehicular, bicycle or pedestrian traffic, or conflict with the installation, maintenance, or repair on any public utility;
- D. A planting area a minimum of eighteen (18) inches in width shall separate a building from a driveway or parking area as feasible;
- E. A minimum of ten (10) foot wide landscape strip shall be provided between any parking lot designed or intended to accommodate seven (7) cars or more and any Lot Frontage of the property on which the parking lot is located, unless the parking area is otherwise screened from the street by a building or other means;
- F. A minimum of ten (10) foot wide landscape strip shall be provided between any vehicular loading area and any Lot Frontage of the property on which the loading area is located, unless the parking area is otherwise screened from the street by a building or other means.

#### 7. PARKING LOT LANDSCAPING.

Landscaping in all commercial and residential parking lots shall be as follows:

- A. Parking lots shall be separated from street frontages and from abutting uses by planting areas;
- B. A minimum of ten (10) foot wide landscape strip shall be provided between any parking lot designed or intended to accommodate seven (7) cars or more and any Lot Frontage of the property on which the parking lot is located, unless the parking area is otherwise screened from the street by a building or other means;
- C. A minimum of ten (10) foot wide landscape strip shall be provided between any vehicular loading area and any Lot Frontage of the property on which the loading area is located, unless the vehicular loading area is otherwise screened from the street by a building or other means;
- D. One deciduous shade tree shall be provided within the parking lot for every seven (7) parking spaces, or portion thereof. Each tree shall be located within the parking lot in reasonable proximity to the spaces for which the tree was required. Trees provided to meet the minimum requirements of any landscape strip or Buffer may not be counted toward this requirement;
- E. Tree planting areas shall be no less than eight (8) feet in width and shall provide at least 100 square feet of planting area per tree. No tree shall be less than two and one-half (2 1/2) feet from the edge of pavement or back of curb; if curbing is not provided around the tree planting area, curb stops shall be placed such that vehicles will not overhang the tree planting area;
- F. A landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall be no less than eight (8) feet wide for at least one-half the length of the adjacent parking space. The island shall be planted in trees, shrubs, grass or ground cover except for those areas that are mulched;
- G. Landscaping islands and tree planting areas shall be well drained and contain suitable soil and natural irrigation characteristics for the planting materials they contain.

#### 8. MAINTENANCE OF LANDSCAPE.

A. It shall be the responsibility of the property owner to maintain in good condition all the improvements required by this section. Any required fence or screening that are damaged shall be repaired, and any vegetation that dies shall be replaced no later than the following planting season (spring or fall).

B. When it is determined by the Municipal Building Inspector, or his designee, that improvements required by this section are not being maintained, it shall be his duty to give notice in writing to the property owner. Such notice shall specify in what manner the improvements are in need of maintenance and a date for compliance. The property owner shall have not less than thirty (30) days to comply with the notice; provided, however, that any person aggrieved by any such order or disagreeing with any of the requirements of the notice, may file an appeal within the thirty (30) day period to the Board of Adjustment.

C. Failure to provide the improvements required by this code or failure to maintain required improvements in the manner prescribed by this code shall constitute an offense and violation of this code.

## 9. COMPLETION REQUIREMENTS

A certificate of occupancy for any use wherein landscaping is required by this chapter, shall not be used until the landscaping has been installed in accordance with the landscaping plan; except that if a structure and all site improvements are complete except for the landscaping, and the season of the year or some other constraint will not permit the planting or growing of plants, temporary occupancy may be permitted by the Municipal Building Inspector until a date certain. If the landscaping has not been completed by said date, the property owner shall be in violation of the occupancy permit provisions of this chapter and shall be subject to the penalties as provided in Section 11-50 of the city code.

### **Section 4-141 Street Access**

*(This section added February 9, 2009 by Ordinance #2009-7 ?numbering says 4-138, changed due to existing number)*

1. No building permit shall hereafter be constructed on a lot which does not abut a public dedicated street, an approved private street, or other access easement as approved by the Planning Commission.
2. Anyone requesting a building permit where the existing lots or unplatted property abuts a dedicated city street shall grant sufficient right-of-way to the city for future street and utility expansion.
3. The right-of-way easement and utility easement granted must be sufficient to meet the requirements of City's Subdivision Regulations and by the street classification or thoroughfare plan as adopted by the Planning Commission and approved by the City Council.

**Sections 4-142 through 4-199.** (Reserved for future use.)

## **Article 6. Penalty**

### **Section 4-200. Penalty.**

Any person, firm or corporation who shall fail to do any thing required by this Chapter or by any Code adopted by this Chapter, who shall otherwise violate any provision of this Chapter or of any Code adopted by this Chapter, or who shall violate any lawful regulation or order made by any of the officers provided for in this Chapter, shall be guilty of an offense and, upon conviction thereof, shall be fined in any sum not to exceed the limits established in Section 11-50, Article 3, Chapter 11 of this Code of ordinances. Each day upon which a violation continues, shall be deemed a separate offense.

**CHAPTER 5  
BUSINESSES AND OCCUPATIONS**

**Article 1. Peddlers and Itinerant Occupations**

**Section 5-1. Definitions.**

1. Itinerant Occupation. The term "itinerant occupation shall mean those occupations, trades, businesses and solicitations having no permanent warehouse, building, structure, residence or place of business within the City of Tuttle, Oklahoma, at which a permanent business is carried on throughout the year or usual production season in good faith (and not for the purpose of evading the provisions of this Chapter), and shall include occupations, trades, businesses and solicitations housed in temporary stands or quarters (including permanent quarters occupied pursuant to any temporary arrangement), or carried on by means of house-to-house solicitation or upon the streets and sidewalks of the City of Tuttle, Oklahoma; provided, however, that no occupation, trade or business engaged in by a charitable, educational or religious organization, association or club, having a membership duly enrolled in accordance with the rules, regulations, and by-laws of said organization, association or club and the majority of said members being residents of the Town of Tuttle, or of Grady County, Oklahoma, shall be considered an "itinerant occupation, trade, business or solicitation."

2. Peddler. The word "peddler" shall include the words "hawker" and "huckster" and shall mean any person, who travels by foot or by any type of conveyance from place to place, from house to house, or from street to street, carrying, conveying or transporting goods, wares or merchandise or whatsoever nature, offering and exposing the same for sale, or who, without traveling from place to place, shall sell or offer the same for sale from any vehicle or conveyance or on any public street or thoroughfare.

3. Solicitor and Canvasser. The words "solicitor and canvasser" shall mean a person who travels by foot or by any type of conveyance from place to place, from house to house, or from street to street, taking or attempting to take orders for the same of goods, wares, merchandise or personal property of whatsoever nature for future delivery, or for services to be furnished or performed in the future.

4. Person. The word "person", for the purpose of this Article, shall mean any individual, and shall not extend and be applied to firms, corporations or any other organizations.

**Section 5-2. License Required; Exclusions.**

1. It shall be unlawful for any person to engage in the business of peddler, solicitor, canvasser or any other itinerant occupation within the corporate limits of the City of Tuttle, Oklahoma, without first obtaining a License therefor, as provided in this Article, and paying the prescribed fees to cover the reasonable costs of investigation and processing of the application. The fee shall be paid to the City Clerk when the application is filed and shall not be returnable under any circumstances. The City Council, from time to time, may change such fee by ordinance, to an amount not to exceed the reasonable costs of Licensing and enforcement under this Article.

2. The following persons are hereby specifically excluded from the application of the provisions of this Article:

- a. Persons engaged in selling personal property at wholesale to dealers in such property;
- b. Merchants having regular places of business in the City of Tuttle, Oklahoma, and their employees in taking orders at the houses of their customers for goods held in stock at said places of business, and in delivering the goods so ordered; such exclusion shall not apply to a person who, for himself or for another person, firm or corporation, hires, leases, uses or occupies any building, structure, tent, railroad box car, boat, hotel room, lodging house, apartment, shop or any other place within said City, for the purpose of exhibiting samples and taking orders for future delivery; and
- c. Persons selling newspapers or flowers

**Section 5-3. Application For License.**

1. Applicants for a License hereunder shall file with the City Clerk, in duplicate, a sworn application in writing, on a form to be furnished by the City Clerk.

2. The application shall give the following information: