

OKLAHOMA CITY
MUNICIPAL CODE
2020

VOLUME II

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2020—2023 CUMULATIVE ANNUAL SUPPLEMENT
(Through December 2023)

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§ 38-93. Animals generally.

(a) No individual, except employees authorized by the Director or individuals authorized by revocable permit or special event permit, shall ride, drive, or allow a horse in any park, except upon those trails or facilities specifically designated for equestrian use. At no time shall any horse be left unattended or be fastened to anything other than a post or rail specifically provided and designated for such use.

(b) No individual shall permit any dog owned, possessed, or harbored by him/her to swim, bathe, or wade in any of the waters of any park pond or City-operated reservation, except when such activity is:

- (1) incidental to the retrieval of waterfowl pursuant to a City-issued hunting permit, or
- (2) permissible in a designated City-approved dog park in accordance with Section 38-107 of this Code, or
- (3) authorized by revocable permit or special event permit.

(c) No individual shall intentionally harass or disturb any animal in any park or public zoo. No person shall give or attempt to give any noxious article, or anything that may endanger any animal, or chase, tease, or intentionally alarm any animal, or set any snares for trapping or catching any animal, except as authorized by revocable permit or special event permit.

(d) No individual shall conduct field trials for dogs in any park, except as authorized by revocable permit or special event permit. For the purposes of this Chapter, field trials shall mean a test or competition involving one or more dogs to evaluate their skill in hunting activities, including, but not limited to, pointing and retrieving; or training a dog to engage in hunting activities, including, but not limited to, pointing and retrieving.

(e) No individual shall bring any pet or domesticated animal, regardless of whether the pet or domesticated animal is leashed or otherwise restrained, into or upon any portion of Martin Park Nature Center, except as authorized by revocable permit or special event permit. This provision shall not apply to service animals as authorized by the Americans with Disabilities Act.

(f) No individual shall release any animal into or upon any park, except as permissible in a designated City-approved dog park in accordance with Section 38-107 of this Code or as authorized by revocable permit or special event permit.

(g) No individual shall feed, bait, or otherwise provide access to food for feral animals, wildlife, or fowl within any park, except as specifically authorized in this Code or as authorized by revocable permit or special event permit. It shall be an affirmative defense to any prosecution under this subsection that an individual was feeding feral cats pursuant to the Community Cats Project.

(Ord. No. 20098, § 2, 1-18-94; Ord. No. 22206, § 2, 4-29-03; Ord. No. 24997, § 1, 10-7-14; Ord. No. 26424, § 1, 4-14-20)

§ 38-147. Animals.

(a) No person shall permit any animal owned, possessed, or harbored by him/her to swim, bathe, or wade in any of the waters of any City-operated reservation; provided, however, that dogs may be in the water for the retrieval of waterfowl if such activity is incidental to a City-issued hunting permit or as permissible in a designated, City-approved dog park in accordance with Section 38-107 of this Code.

(b) No person shall permit any animal owned, possessed or harbored by him/her to run at large or without lead or leash except when the animal is engaged in hunting, field trials, or other permitted activities as provided in this chapter.

(c) No person shall bring or allow horses, cattle or other livestock into a campground, picnic area, or any area not designated for use by livestock.

(d) No person shall feed, bait, or otherwise provide access to food for feral animals, wildlife, or fowl within any City-operated reservation, except as specifically authorized in this Code or as authorized by revocable permit or special event permit. It shall be an affirmative defense to any prosecution under this subsection that an individual was feeding feral cats pursuant to the Community Cats Project.

(Code 1970, § 23-8(h); Code 1980, § 38-147; Ord. No. 20531, § 1, 2-13-96; Ord. No. 22206, § 3, 4-29-03; Ord. No. 26424, § 2, 4-14-20)

Cross reference—Animals, Ch. 8.

§ 38-186. Restrictions on game fish.

(a) The following are classified as Oklahoma City game fish: largemouth bass, smallmouth bass, spotted bass, striped bass hybrid, black and white crappie, rainbow trout, sauger, saugeye and walleye, striped bass, white bass, and blue and channel catfish.

(b) No Oklahoma City game fish shall be used as bait.

(c) No person shall take any Oklahoma City game fish by any means other than by hook-and-line.

§ 38-186

OKLAHOMA CITY MUNICIPAL CODE, 2020

(d) Anglers may take game fish according to the limits set forth in Subsection (e) of this section in any one day from midnight to midnight, and licensed nonresident fishermen shall not have in their possession on leaving the State more than a legal two-day catch of any species of Oklahoma City game fish.

(e) *Specific limitations.* No person shall take, catch, or kill any fish in violation of the limits and restrictions set forth below:

LAKES HEFNER, DRAPER AND OVERHOLSER
 (including tailwaters and downstream to N.W. 10th Street bridge)
 and the **STINCHCOMB WILDLIFE REFUGE**

Species	Minimum Size*	Daily Possession Limit
Largemouth bass and/or smallmouth bass	None	6 (combined), with only one over 16" and only one of which may be a smallmouth bass
Spotted bass	None	None
Channel and/or blue catfish	None	15 (combined), with only one blue catfish over 30"
Crappie	None	37
Walleye	14"	6
Flathead catfish	None	5
Striped bass hybrid	None	20, with only five over 20"
Other	None	None

*Note: Minimum size means fish caught which measures less than the minimum size length for that species must be returned to the water immediately. When measuring fish, length is measured from the tip of the snout to the end of the tail, with the fish laid flat on a ruler, mouth closed and tail lobes pressed together.

Provided, however, in no event shall any person take, catch, or kill any fish in violation of the method of taking, length limits, and bag limits as set by the Wildlife Conservation Commission of the State of Oklahoma or in violation of the restrictions in this section.

(Code 1970, § 23-30; Code 1980, § 38-186; Ord. No. 18966, § 1, 4-19-88; Ord. No. 19710, § 1, 2-11-92; Ord. No. 21192, § 1, 1-5-99; Ord. No. 21842, § 5, 10-30-01; Ord. No. 23206, § 1, 11-28-06; Ord. No. 23760, § 1, 12-9-08; Ord. No. 24979, § 4, 9-23-14; Ord. No. 25145, § 1, 5-5-15; Ord. No. 25236, § 5, 9-29-15; Ord. No. 27316, § 1, 4-11-23)

State law reference—Game and fish defined, 29 O.S. §§ 2-113, 2-114, 2-115.

§ 38-610. Definitions.

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

- (1) *Bricktown Entertainment Area* means the area within the City that is bounded by the East side of Lincoln Boulevard and by the East side of Byers Avenue on the East; by the North boundary of the North Canadian River and by the South side of S.E. 15th Street on the South; by the West side of E. K. Gaylord Boulevard and by the West side of Shields Boulevard on the West; and by the North side of N.E. 2nd Street to the East side of Walnut Avenue to the North side of N.E. 1st Street to the East side of Lincoln Boulevard on the North.

- (2) *Curfew hours* means after 9:00 p.m. and until 6:00 a.m., the next day.
- (3) *Emergency* means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- (4) *Establishment* means any privately-owned place of business operated for a profit to which the public is invited, including but not limited to any place of amusement or entertainment.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 38-754

- (5) *Guardian* means:
 - a. a person who, under court order, is the guardian of the person of a juvenile; or
 - b. a public or private agency with whom a juvenile has been placed by a court.
- (6) *Juvenile* means any person under 18 years of age.
- (7) *Parent* means a person who is a natural parent, adoptive parent, or step-parent of another person.
- (8) *Public place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and retail establishments.
- (9) *Remain* means to:
 - a. linger or stay; or
 - b. fail to leave premises when requested to do so by a police officer or the owner, operator, or other person in control of the premises.
- (10) *Operator* means any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment. The term includes the members or partners of an association or partnership and the officers of a corporation.
- (11) *Responsible adult* means any person having, assuming or charged with permanent and/or temporary care and/or custody of a juvenile, including, but not limited to:
 - a. any legal guardian or adult exercising legal guardianship over a juvenile;
 - b. an adult who stands in loco parentis to a juvenile;
 - c. any person to whom legal custody of a juvenile has been given by order of a court;
 - d. any adult who has, assumes or is charged with the care and/or custody of a juvenile at the request of or on behalf of a parent, guardian, loco parentis or person to whom legal custody has been given by order of a court.
- (12) *Knowingly permit* means the parent, other responsible adult and/or operator as defined herein is aware of the fact the juvenile is in violation of the curfew hours or that said

person by exercise of reasonable care would have known that the juvenile is in violation of the curfew hours.

(Ord. No. 23100, § 1, 8-29-06; Ord. No. 27290, § 1, 2-28-23)

§ 38-728. **Animals generally.**

(a) No individual shall ride or drive any animal upon the NCRCA, except in designated areas or as authorized by revocable permit or special event permit.

(b) No person shall permit any animal owned, possessed, or harbored by him/her to run at large or without lead or leash, except in designated areas or as authorized by revocable permit or special event permit.

(c) No person shall permit any animal owned, possessed, or harbored by him/her to swim, bathe, or wade in any waters of the NCRCA, except in designated areas or as authorized by revocable permit or special event permit.

(d) No person shall hunt, shoot, take, trap, capture, or kill any animal in or upon the NCRCA except as specifically provided in this article or as authorized by revocable permit or special event permit.

(e) No person shall feed, bait, or otherwise provide access to food for feral animals, wildlife, or fowl within the NCRCA, except as specifically authorized in this Code or as authorized by revocable permit or special event permit. It shall be an affirmative defense to any prosecution under this subsection that an individual was feeding feral cats pursuant to the Community Cats Project.

(Ord. No. 22702, § 1, 4-5-05; Ord. No. 25263, § 1, 10-27-15; Ord. No. 26424, § 3, 4-14-20)

§ 38-754. **Restrictions on game fish.**

(a) No game fish, as defined in this chapter, shall be used as bait.

(b) No person shall take any game fish, as defined in this chapter, by any means other than by hook-and-line.

(c) Anglers may take game fish, as defined in this chapter, according to the limits set forth in Subsection (d) of this section in any one day from midnight to midnight, and licensed nonresident anglers shall not have in their possession on leaving the State more than a legal two-day catch of any species of said game fish.

(d) Specific limitations. No person shall take, catch, or kill any fish in violation of the limits and restrictions set forth below:

§ 38-754

OKLAHOMA CITY MUNICIPAL CODE, 2020

**SIZE AND DAILY POSSESSION
 LIMITS FOR WATERS
 WITHIN THE NCRCA**

Species	Minimum Size*	Daily Possession Limit
Largemouth bass and/or smallmouth bass	None	6 (combined), with only one over 16" and only one of which may be a smallmouth bass
Spotted bass	None	None
Channel and/or blue catfish	None	15 (combined), with only one blue catfish over 30"
Crappie	None	37
Walleye	14"	6
Flathead catfish	None	5

Species	Minimum Size*	Daily Possession Limit
Striped bass hybrid	None	20, with only five over 20"
Other	None	None

*Note: Minimum size means fish caught which measures less than the minimum size length for that species must be returned to the water immediately. When measuring fish, length is measured from the tip of the snout to the end of the tail, with the fish laid flat on a ruler, mouth closed and tail lobes pressed together.

Provided, however, in no event shall any person take, catch, or kill any fish in violation of the method of taking, length limits, and bag limits as set by the Oklahoma Wildlife Conservation Commission of the State of Oklahoma or in violation of the restrictions in this section.

(Ord. No. 22702, § 1, 4-5-05; Ord. No. 25145, § 2, 5-5-15; Ord. No. 25236, § 8, 9-29-15; Ord. No. 27316, § 2, 4-11-23)

Chapter 39.

PEDDLERS, OUTDOOR SELLERS, ETC.

Article II. Peddlers

§ 39-19. Peddlers; invitation required to enter posted premises.

Division 2. Reserved

§§ 39-100—39-110. Reserved.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 39-21

Chapter 39

PEDDLERS, OUTDOOR SELLERS, ETC.*

ARTICLE II. PEDDLERS

DIVISION 1. GENERALLY

§ 39-16. Definitions.

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

- (1) *Peddler* means any person who travels on foot or by any type of conveyance from place to place, from house to house, or from street to street, carrying, conveying or transporting foodstuffs, beverages, goods, products, wares, merchandise or other personal property of any type, and offering or exposing the same for retail sale, or making retail sales of such articles to purchasers for future delivery or for services to be furnished or performed in the future; provided, peddler shall not include a person selling food or beverages from a vehicle pursuant to a valid license granted under the terms of article VIII of Chapter 21 of this Code.
- (2) *Public right-of-way* means any street or highway and property adjacent to streets and highways which is dedicated to public use and over which the Federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion; or any bridge, alley, sidewalk, canal, plaza, pedestrian bridge, pedestrian way, stairs or elevator which is dedicated to public use and over which the Federal, State or municipal government, or any agency, department or subdivision thereof, exercises control and dominion.
- (3) *Retail sale* or *sales* means any sale or sales transactions of foodstuffs, beverages, goods, products, wares, merchandise or other personal property, except as made by a

***Editor's note**—Ord. No. 26,755, § 5, adopted May 25, 2021, amended the title of Ch. 39 to read as herein set out. Formerly said chapter was entitled Peddlers.

Cross references—Definitions and rules of construction generally, § 1-2; distribution of handbills on private premises, § 3-67; pedestrians soliciting rides, donations, etc., or business in streets, § 32-458; peddling gasoline on street, § 50-4.

person engaged in selling such personal property at wholesale to dealers in such property.

(Code 1980, § 39-16; Ord. No. 18839, § 1, 9-8-87; Ord. No. 19971, § 1, 6-15-93; Ord. No. 21277, § 1, 6-29-99; Ord. No. 26755, § 5, 5-25-21)

Cross reference—Definitions and rules of construction generally, § 1-2.

§ 39-17. Use of public right-of-way; prohibition; exception.

No peddler shall engage in business within any portion of any public right-of-way; provided, the provisions of this section shall not apply to a landowner who has expressly reserved in a written easement agreement with the City the right to use defined portions of any public right-of-way for his or her business purposes or to the lawful successor(s) or assign(s) of any such landowner.

(Code 1980, § 39-17; Ord. No. 18839, § 1, 9-8-87; Ord. No. 19971, § 1, 6-15-93; Ord. No. 21277, § 1, 6-29-99; Ord. No. 26755, § 5, 5-25-21)

§ 39-18. Hours of business.

No peddler shall conduct business within any residential zoning districts, except between the hours of 9:00 a.m. and 9:00 p.m. each day; provided, however, that solicitations may be made where the person solicited has agreed by previously arranged appointment for a time other than the prescribed hours. The purpose of this restriction is to protect residents in the peaceable possession of their homes and properties between the hours of 9:00 p.m. and 9:00 a.m. each day.

(Code 1980, § 39-20; Ord. No. 18839, § 1, 9-8-87; Ord. No. 20948, § 2, 12-9-97; Ord. No. 26755, § 5, 5-25-21)

§ 39-19. Peddlers; invitation required to enter posted premises.

No peddler shall enter any premises or attempt to sell, peddle or solicit where the owner or occupant of such premises has indicated his/her desire not to be contacted for sales or solicitations by the placing of a "No Peddlers" "No Trespassers," or "No Trespassing" sign on those premises, and any such entrance or attempt to sell or peddle shall constitute a trespass upon private property.

(Code 1980, § 39-21; Ord. No. 18839, § 1, 9-8-87; Ord. No. 19971, § 1, 6-15-93; Ord. No. 26755, § 5, 5-25-21)

§ 39-20. Exception.

The provisions of this article shall not apply to any person holding or operating pursuant to a valid permit to conduct charitable solicitations under the provisions of Article II of Chapter 13 of this Code.

(Code 1980, § 39-22; Ord. No. 18839, § 1, 9-8-87; Ord. No. 26755, § 5, 5-25-21)

§ 39-21. Penalty.

Any person violating any provision of this article shall be guilty of a Class "b" offense and upon conviction, subject to a fine in an amount not to

§ 39-21

OKLAHOMA CITY MUNICIPAL CODE, 2020

exceed \$750.00 plus costs. Every act of peddling without a license or otherwise in violation of this article shall constitute a separate offense.

(Code 1980, § 39-23; Ord. No. 18839, § 1, 9-8-87; Ord. No. 19971, § 1, 6-15-93; Ord. No. 20465, § 1, 10-24-95; Ord. No. 26755, § 5, 5-25-21)

State law reference—Penalty for ordinance violations, 11 O.S. § 14-111.

DIVISION 2. RESERVED*

§§ 39-100—39-110. Reserved.

§ 39-31. Required.

It shall be unlawful for any person to engage in the business of peddler within the corporate limits of the City without first obtaining a license from the Supervisor of Licenses.

(Code 1980, § 39-31; Ord. No. 18839, § 1, 9-8-87; Ord. No. 19971, § 1, 6-15-93; Ord. No. 26755, § 5, 5-25-21)

***Editor's note**—Ord. No. 26755, § 6, adopted May 25, 2021, repealed §§ 39-100—39-110, which pertained to licenses and derived from Ord. No. 21288, § 1, adopted July 13, 1999; Ord. No. 21689, § 4, adopted March 27, 2001.

§ 40-1.	Human Resources Department.
§ 40-88.	Payment of qualified health insurance premiums.
§ 40-133.	Deferred compensation board created.

§ 40-1. Human Resources Department.

(a) Pursuant to Article III of the Charter, the Personnel Service Department therein created is hereby confirmed and established under the supervision of the Personnel Director. The Personnel Service Department shall operate under the name of the Human Resources Department, and the function of the Personnel Director shall be performed by the Chief Human Resources Officer.

(b) The term "Personnel Service Department," wherever used in the Oklahoma City Municipal Code, 2020, prior to the effective date of this Ordinance, shall be revised by the City Clerk to read "Human Resources Department"; and the term "Personnel Director," wherever used in the Oklahoma City Municipal Code, 2020, prior to the effective date of this Ordinance, shall be revised by the City Clerk to read "Chief Human Resources Officer".

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 26626, § 1, 12-22-20)

§ 40-2. Job training and education division.

(a) The job training and education division is established within the Human Resources Department.

(b) The job training and education division shall be responsible for preparing applications for administering programs, and monitoring and reporting on grant funds which are awarded to the City and which provide education and training programs for low-income and unemployed persons.

(Ord. No. 21916, § 2, 2-12-02)

§ 40-51. Definitions.

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

- (1) *Actuarial (or Actuarially) Equivalent*: Equality in value of the aggregate amounts expected to be received under different manners of payment based on interest rate and mortality assumptions as defined below unless otherwise specifically provided by the System:
 - a. *Interest rate assumption*. Effective for benefits commencing on or after October 1, 2020, the interest rate used for purposes of computing single lump sum payments shall be six and three-quarters percent per annum. Said interest rate shall be used until changed by amendment. Effective for benefits commencing on or after October 1, 2020, the interest rate used for computing alternative periodic forms of benefits shall be six and three-quarters percent per annum. Said interest rate shall be used until changed by amendment.
 - b. *Mortality assumption*. Effective for benefits commencing on or after October 1, 2020, shall be a fixed blend of 60 percent of the RP-2014 Blue Collar Healthy Annuitant Male rates scaled by 95 percent and 40 percent of the RP-2014 Blue Collar Healthy Annuitant Female rates

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 40-51

scaled by 90 percent, with future mortality improvements projected to 2025 using MP-2016. Said mortality assumption shall be used until changed by amendment.

- c. *Applicable Mortality Table.* Notwithstanding any other provisions of this division to the contrary, for distributions with annuity starting dates prior to December 31, 2002, the applicable mortality table used for purposes of adjusting any benefit or limitation under Code Sections 415(b)(2)(B), (C), or (D) shall be the applicable mortality table cited in Revenue Ruling 98-1. For distributions with annuity starting dates on or after December 31, 2002 through December 31, 2007, the applicable mortality table used for purposes of adjusting the related benefit or limitation under Code Sections 415(b)(2)(B), (C), or (D) shall be the table described in Revenue Ruling 2001-62. The applicable mortality table used for purposes of adjusting the related benefit or limitation under Code Sections 415(b)(2)(B), (C), or (D) for plan years beginning after December 31, 2007, means the applicable Code Section 417(e)(3) mortality table for the plan year (as published for such plan year by the Internal Revenue Service in accordance with Code Section 417(e)(3)(B)).
- (2) *Average Final Compensation:* The average earned Compensation of the Participant, effective February 6, 2001, in the highest consecutive 36 months of his/her last 60 consecutive months of service as an Employee, or if he/she has had less than 36 months of service then the average earned Compensation of his/her entire period of service. The considered period shall be determined by disregarding any break in service such as any period of absence without Compensation, including a furlough.
- (3) *Board of Trustees:* The managing body of the System, which shall be known as the Board of Trustees of the Oklahoma City Employee Retirement System.
- (4) *City:* Either The City of Oklahoma City, a Participating Public Trust, or System as the text of the individual sections requires; provided, however, in no event is it to be given a meaning which would accord

Employees of a Participating Public Trust or the System greater or less benefits than those granted to Employees of the City.

- (5) *Code:* The Internal Revenue Code of 1986, as amended from time to time.
- (6) *Compensation:* The amount of compensation paid to an Employee in accordance with the Board's Policy and Procedure No. 17.1, including any amounts picked up by the City pursuant to Section 414(h) of the Code, or any amounts the Participant has elected to defer under Section 457 of the Code and excluding any amounts the Participant has elected to defer under Section 125 of the Code. Effective on and after January 1, 2001, Compensation shall include elective deferrals that are not includable in the gross income of the employee by reason of Code Section 132(f)(4).

In addition to other applicable limitations, and notwithstanding any other provision to the contrary, for years beginning on or after January 1, 2002, the annual compensation of each "Noneligible Participant" shall not exceed the Economic Growth and Tax Relief Reconciliation Act of 2001 ("EGTRRA") annual compensation limit. The EGTRRA annual compensation limit is \$200,000.00, as adjusted by the Commissioner of the Internal Revenue Service for increases in the cost of living in accordance with Code Section 401(a)(17)(B). The cost-of-living adjustment in effect for a calendar year applies to any period, not exceeding 12 months, over which compensation is determined (determination period) beginning in such calendar year. If a determination period consists of fewer than 12 months, the EGTRRA annual compensation limit will be multiplied by a fraction, the numerator of which is the number of months in the determination period, and the denominator of which is 12. A "noneligible participant" is any participant who first became a participant during a year beginning on or after January 1, 1996.

Effective January 1, 2008, Compensation shall also include Compensation paid by the later of two and one-half months after an employee's severance from employment with the City maintaining the System or the end of the plan year that includes the date of the employee's severance from employment with the City maintaining the System, if the payment is regular compensation for services that, absent a severance from employment, the payments would

§ 40-51

OKLAHOMA CITY MUNICIPAL CODE, 2020

have been paid to the employee while the employee continued in employment with the City.

Any payments not described above shall not be considered Compensation if paid after severance from employment, even if they are paid by the later of two and one-half months after the date of severance from employment or the end of the plan year that includes the date of severance from employment, except payments to an individual who does not currently perform services for the City by reason of qualified military service (within the meaning of Code Section 414(u)(5)) to the extent these payments do not exceed the amounts the individual would have received if the individual had continued to perform services for the City rather than entering qualified military service.

Back pay, within the meaning of Section 1.415(c)—2(g)(8) of the Income Tax Regulations, shall be treated as Compensation for the plan year to which the back pay relates to the extent the back pay represents wages and compensation that would otherwise be included in this definition.

Effective January 1, 2009, Compensation shall also include differential wage payments under Code Section 414(u)(12).

- (7) *Consecutive Year(s) of Vesting Service:* Period or periods of employment with the City as described in Section 40-51(34) which is uninterrupted by a Termination of Employment.
- (8) *Credited Interest:* Interest credited to Participant contributions pursuant to Section 40-123.
- (9) *Credited Service:* Period or periods of employment as an Employee with the City as described in Section 40-75.
- (10) *Deferred Vested Participant:* A Participant who terminates service with the City as provided for in Section 40-70, but before his/her Normal Retirement Age and who has elected to leave his/her Employee Contribution Account on deposit with the System, or has failed to elect within 90 days of his/her Termination of Employment to leave his/her Employee Contributions on deposit with the System or receive a refund of his/her Employee Contribution Account.
- (11) *Disability:* An Employee's physical inability to perform his/her assigned job or a comparable job with the City considering

his/her educational qualifications and physical limitations or physical ability to perform such a job.

- (12) *Elected Official:* Any officer duly elected by the citizens of the City.
- (13) *Eligible Spouse:* The husband or wife of a Participant to whom he/she is married on the date the Participant's Retirement Benefits under the System commence.
- (14) *Employee:* A permanent and full-time classified or unclassified person employed by the City or the Oklahoma City Employee Retirement System. Included as Employees are "leased employees" as defined in this Section 40-51(14). The term "leased employee" means any person:
 - a. who is not an Employee of the City, and
 - b. who pursuant to an agreement between the City and any other person (a "leasing organization") has performed services for the City on a substantially full-time basis for a period of at least one year, as such services are performed under primary direction or control by the City. Notwithstanding the foregoing, if "leased employees" constitute less than 20 percent of the City's non-highly compensated workforce within the meaning of Code Section 414(n)(5), a person who is covered by a money purchase pension plan maintained by the leasing organization which provides a non-integrated employer contribution rate of at least ten percent of compensation, immediate participation, and full vesting shall not be considered a "leased employee."
- (15) *Employee Contributions:* The contributions made by the Participant pursuant to Section 40-121.
- (16) *Employee Contribution Account:* The total accumulated Employee Contributions and Credited Interest, if any, as provided in this division, which shall not be required to be held in a separate account.
- (17) *Joint Annuitant:* The surviving spouse of a Participant who has selected an option under Section 40-71 or Section 40-112.
- (18) *Leave of Absence:* A period of absence from employment without pay, not to exceed one year, authorized and approved by the City Manager or the Mayor and Council and acknowledged to the Board of Trustees.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 40-51

- (19) *Military Service:* Leave taken during employment with the City to serve in the Armed Forces of the United States, which service is immediately preceded by a period of employment with the City and is followed by return to employment as specified in Subsection 40-75(c).
- (20) *Money Purchase Plan and Trust #8751:* The defined contribution pension plan under § 401(a) of the Code, approved by the Council August 25, 1987. This plan is available to eligible Employees, as determined by Section 40-61, participating in the plan on or before August 31, 2001.
- (21) *Money Purchase Plan and Trust #7697:* The defined contribution pension plan under § 401(a) of the Code, approved by the Council July 31, 2001.
- (22) *Normal Retirement Age:* The 60th birthday of those Employees serving prior to March 1, 1967, and shall mean the 65th birthday of those Employees beginning their service on or after that date. However, for each Employee hired or rehired by the City on or after January 1, 2008, Normal Retirement Age shall mean the later of the 65th birthday of the Employee or the attainment of five years of Vesting Service.
- (23) *Normal Retirement Date:*
- (a) Effective March 1, 2001, through December 31, 2007, the first day of a Participant's Retirement after attainment of:
- (1) age 65 with five years of service, or
- (2) 25 years of service regardless of the Participant's age.
- (b) Effective January 1, 2008, the first day of a Participant's Retirement after attainment of:
- (1) age 65 with five years of service (for each Employee hired by the City on or after March 1, 1967 through December 31, 2007), or
- (2) his or her Normal Retirement Age (for each Employee hired by the City on or after January 1, 2008), or
- (3) 25 years of Vesting Service (regardless of the Participant's age).
- (24) *Participant:* An Employee who has met all the requirements for eligibility to participate in the System, has become included in the System, as provided in Division 1 herein, and who continues to have rights or contingent rights to benefits payable under the System.
- (25) *Participating Public Trust:* Any public trust in which the City holds the beneficial interest and which by resolution of its Board of Trustees has requested that its Employees be permitted to join the System, and whose request has been approved by the City Council.
- (26) *Price Index:* The Consumer Price Index (all items—United States City Average) published monthly by the Bureau of Labor Statistics, U.S. Department of Labor or its successor in function.
- (27) *Prior Service Credit:* The length of prior service to which an Employee is entitled subject to the limitations contained in Section 40-51(18) and Section 40-75 upon re-depositing the required sum as governed by Section 40-75(b). Length of prior service is determined by the number of years served and not the time period in which it is served.
- (28) *Retirement:* Termination of Employment for reason other than death after a Participant has fulfilled all requirements for a normal or early Retirement Benefits. Retirement shall be considered as commencing on the day immediately following a Participant's last day of employment (or authorized Leave of Absence, if later).
- (29) *Retirement Benefits:* A monthly income with benefits accruing from the first day of Retirement and ending on the last day of the month in which death occurs. The monthly income shall commence payment on the last day of the month following the month when the Participant submits his or her completed application to retire. The Participant shall receive a retroactive payment (without interest), if due, with his or her first monthly check. Such retroactive payment shall include a payment for the pro rata portion of the first month of the Participant's Retirement.
- (30) *Retired Participant:* A former Employee who is receiving benefits due to Retirement or Disability.
- (31) *Retirement Program:* The trusts and System defined in Paragraphs (20), (21) and (32) of this section.
- (32) *System:* The Oklahoma City Employee Retirement System, codified in Chapter

§ 40-51

OKLAHOMA CITY MUNICIPAL CODE, 2020

40, Article III, §§ 40-46 through 40-130 of the Oklahoma City Municipal Code, 2020, as amended.

- (33) *Termination of Employment:* The Retirement, resignation or other voluntary or involuntary cessation of an Employee's employment with the City.
- (34) *Vesting Service:* Period or periods of employment with the City as an Employee, as described in Section 40-75, but including a leave of absence pursuant to the Family and Medical Leave Act of 1993.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 22103, § 1, 12-17-02; Ord. No. 23056, § 1, 8-1-06; Ord. No. 23079, § 1, 8-15-06; Ord. No. 23463, § 1, 10-9-07; Ord. No. 23758, § 1, 12-9-08; Ord. No. 24002, § 1, 1-5-10; Ord. No. 24056, § 1, 4-27-10; Ord. No. 24145, § 1, 10-12-10; Ord. No. 24926, § 1, 7-29-14; Ord. No. 26525, § 1, 9-1-20, eff. 10-1-20)

§ 40-61. Employees eligible to withdraw from System.

(a) The following employees may elect to participate in a money purchase plan and trust as defined in § 40-51:

- (1) all City Council appointees; and
- (2) personnel covered by the Executive Employee Pay Plan, effective December 16, 1986, and subsequent amendments thereto; and
- (3) all Employees in the City Auditor's pay plan in range 701 and above (auditor and above); and
- (4) department heads and assistant department heads in the management pay plan; and
- (5) all Employees in the Municipal Counselor's pay plan in range 611 and above (assistant municipal counselor I's and the law office administrator and above); and
- (6) Effective January 1, 2024, all Employees on the Oklahoma City Zoological Trust Pay Plan in the classifications of Executive Director, and persons occupying chief officer positions reporting directly to the Executive Director; and
- (7) all employees in the Management Pay Plan in Range 513 and above.

(b) Employees now or in the future occupying any of the positions set forth in Subsection (a) above may elect to:

- (1) remain in the System; or
- (2) withdraw as a contributing member from the System and participate in the Money Purchase Plan and Trust approved by the City Council. Any Employee who elects to

withdraw from the System and participate in the Money Purchase Plan and Trust may make his or her election to withdraw from the System and participate in the Money Purchase Plan and Trust at any time while the Employee meets the eligibility requirements for participation in the Money Purchase Plan and Trust. The election as provided for above shall be made in writing with the City, and shall be irrevocable.

(c) Employees withdrawing from the system shall be entitled to the return of their Employee Contribution Accounts.

(d) A participant having a vested right in the System may elect to leave his or her Employee Contribution Account with said System and no provisions in this article shall be construed as requiring one with vested rights to withdraw his/her Employee Contribution Account from the System.

(e) Employees participating in the Money Purchase Plan and Trust and not the System shall contribute to the Money Purchase Plan and Trust an amount not less than that amount required of any employee participating only in the System.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 22264, § 1, 7-1-03; Ord. No. 23463, § 2, 10-9-07; Ord. No. 23758, § 2, 12-9-08, eff. 1-1-09; Ord. No. 27456, § 1, 11-7-23)

§ 40-65. Retirement Benefits to Employees generally.

(a) Prior to July 1, 1980, there shall be paid monthly to a Participant who is eligible to retire basic Retirement Benefits equal to 40 percent of his/her Average Final Compensation, plus any supplemental payment for which the Participant might be eligible under Section 40-65(c). In no event shall this basic retirement benefit exceed \$500.00 per month nor shall the supplement exceed the amount of \$125.00 per month for Participants retiring on or before June 30, 1980; however, on July 1, 1980, and thereafter there shall not be a maximum limit on basic or supplemental Retirement Benefits.

(b) On or after July 1, 1980, but prior to December 1, 1997, a Participant who has served ten or more years but less than 20 years shall be entitled to receive annual Retirement Benefits payable monthly calculated based on two percent of his/her Average Final Compensation, as defined in Section 40-51(2), for each full year of service, which amount shall be subject to a reduction of four percent of the Retirement Benefits for each full year or a portion of a year in which payments are begun prior to his/her Normal Retirement Age.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 40-86

(c) Supplemental benefit. There shall be added as a supplement to the Retirement Benefits of each Participant an amount equal to one percent of his/her Average Final Compensation for each complete year in excess of 20 years served with the City, up to a maximum of 20 percent of his/her Average Final Compensation. This supplemental benefit shall be prospective and apply only to those individuals applying for Retirement Benefits on or after June 18, 1991 but before December 1, 1997.

(d) On or after December 1, 1997, but prior to March 1, 2001, any Participant who has served ten and up to and including 20 years shall be entitled to receive annual Retirement Benefits, payable monthly, with calculations based on two percent of his/her Average Final Compensation, as defined in Section 40-51(2), for each year of service (treating each whole month of service as one-twelfth of two percent), which amount shall be subject to a reduction of four percent of the Retirement Benefits for each full year or a portion of a year in which payments are begun prior to his/her Normal Retirement Age.

(e) On or after December 1, 1997, but prior to March 1, 2001, any Participant who has served more than 20 years shall be credited with a supplement to his/her Retirement Benefits in an amount equal to one percent for each whole year of service in excess of 20 (treating each whole month of service as one-twelfth of one percent) of his/her Average Final Compensation, as defined in Section 40-51(2), up to a maximum of 20 percent of his/her Average Final Compensation. The supplemental benefit, along with the amount calculated under Section 40-65(d), which amount shall be subject to a reduction of four percent of the Retirement Benefits for each full year or a portion of a year in which payments are begun prior to his/her Normal Retirement Age.

(f) On or after March 1, 2001, any Participant who has served five and up to and including 50 years shall be entitled to receive annual Retirement Benefits, payable monthly, with calculations based on two percent of his/her Average Final Compensation, for each year of service up to 100 percent of his/her Average Final Compensation, treating each whole month of service as one-twelfth of two percent as defined in section 40-51(2), with said amount then subject to a reduction of four percent of the Retirement Benefits for each full year or a portion of a year in which payments are begun prior to his/her Normal Retirement Age.

(g) If the requirements of Section 40-88 are satisfied, a Participant who, by reason of Retirement, is separated from service as a public safety officer with the City, may elect to have payment made directly to the provider for qualified health

insurance premiums by deduction from his or her monthly Retirement Benefits, after December 31, 2006, in accordance with Code Section 402(l). For distributions made after December 29, 2022, the election provided for under Code Section 402(l) may be made whether payment of the premiums is made directly to the provider of the accident or health plan or qualified long-term care insurance contract by deduction from a distribution from the System or is made to the Participant.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 23463, § 2, 10-9-07; Ord. No. 27456, § 2, 11-7-23)

§ 40-79. Cost of living adjustments.

(a) Subject to the limitations set forth in this section, all persons receiving benefits pursuant to the provisions of this division may have their benefits adjusted by the amount of the change in the Consumer Price Index over the previous year ended December 31, provided such adjustment shall not exceed two percent of the current benefits. Eligibility for cost-of-living adjustments shall not begin until the first day of the month following the month in which four years of benefits have been received from the effective date of benefit commencement, unless the Participant has attained his/her Normal Retirement Age as defined in Section 40-51 at his/her retirement date or is granted a Disability allowance. In the case of the latter, one year of benefits must have been received from the effective date of benefit commencement before the cost-of-living adjustments begin. The application of this section shall be prospective for the date of enactment and will be paid beginning the first day of the month following the month of enactment.

(b) The Board can authorize a stipend be paid to all pension benefit recipients currently receiving a cost-of-living adjustment. Prior to payment of a stipend, an actuary must evaluate the impact of the stipend on the ability of the fund to meet its financial obligations to retirees. A stipend can be granted once per calendar year.

(c) Nothing in this section shall be construed as requiring a cost-of-living adjustments or stipend be granted.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 23463, § 2, 10-9-07; Ord. No. 24652, § 1, 4-23-13; Ord. No. 27216, § 1, 11-22-22)

§ 40-86. Latest date for commencement of payment of benefits.

Distribution of a Participant's Retirement Benefit must be made or must commence no later than April 1 of the calendar year following the later of the calendar year in which the Participant (a) attains age 70½ for a Participant who attains age 70½ before January 1, 2020, or effective for distributions required to be made after December 31, 2019, but before January 1, 2023, the calendar year in

§ 40-86

OKLAHOMA CITY MUNICIPAL CODE, 2020

which the Participant reaches 72 years of age for a Participant who attains age 70½ after December 31, 2019, or effective for distributions required to be made after December 31, 2022, the calendar year in which the Participant reaches 73 years of age for an individual who attains age 72 after December 31, 2022, or "the applicable age", as defined in Code Section 401(a)(9)(C)(v), if later; or (b) retires.

With respect to distributions from the System made for calendar years beginning on or after January 1, 2002 through December 31, 2004, the System shall apply the minimum distribution requirements and incidental benefit requirements of Code Section 401(a)(9) in accordance with the regulations under Code Section 401(a)(9) that were proposed on January 17, 2001, notwithstanding any provision in this Division to the contrary.

With respect to distributions made for calendar years beginning on or after January 1, 2005, the System shall apply the minimum distribution requirements, incidental benefit requirements, and minimum distribution requirements of Code Section 401(a)(9) in accordance with the final regulations under Code Section 401(a)(9), including Treasury Regulations Sections 1.401(a)(9)-1 through 1.401(a)(9)-9; provided, however, that for distributions required to be made after December 31, 2019, for individuals who attain 70½ years of age after December 31, 2019, but before January 1, 2023, such distributions shall take into account that age 70½ was stricken and age 72 was inserted in Code Section 401(a)(9)(B)(iv)(I), Code Section 401(a)(9)(C)(i)(I) and Code Section 401(a)(9)(C)(ii)(I), and, provided further, that for individuals who attain 72 years of age after December 31, 2022, such distributions shall take into account that "age 72" was stricken and "the applicable age", as defined in Code Section 401(a)(9)(C)(v), was inserted in Code Section 401(a)(9)(B)(iv)(I) (applicable to calendar year 2023), Code Section 401(a)(9)(C)(i)(I) and Code Section 401(a)(9)(C)(ii)(I) and that the further revision of Code Section 401(a)(9)(B)(iv) effective for calendar years after 2023 with respect to certain distributions shall be taken into account, in all cases notwithstanding any provision in this Division to the contrary.

All required distributions on or after January 1, 2005, shall be determined and made in accordance with the final regulations under Code Section 401(a)(9), including the minimum distribution requirements of the final regulations; provided, however, that for distributions required to be made after December 31, 2019, for individuals who attain 70½ years of age after December 31, 2019, but before January 1, 2023, such distributions shall take into account that age

70½ was stricken and age 72 was inserted in Code Section 401(a)(9)(B)(iv)(I), Code Section 401(a)(9)(C)(i)(I) and Code Section 401(a)(9)(C)(ii)(I) and, provided further, that for individuals who attain 72 years of age after December 31, 2022, such distributions shall take into account that "age 72" was stricken and "the applicable age", as defined in Code Section 401(a)(9)(C)(v), was inserted in Code Section 401(a)(9)(B)(iv)(I) (applicable to calendar year 2023), Code Section 401(a)(9)(C)(i)(I) and Code Section 401(a)(9)(C)(ii)(I) and that the further revision of Code Section 401(a)(9)(B)(iv) effective for calendar years after 2023 with respect to certain distributions shall be taken into account, in all cases notwithstanding any provision in this Division to the contrary.

Effective September 8, 2009, notwithstanding anything herein to the contrary, the System, which is a governmental plan (within the meaning of Code Section 414(d)) is treated as having complied with Code Section 401(a)(9) for all years to which Code Section 401(a)(9) applies to the System if the System complies with a reasonable and good faith interpretation of Code Section 401(a)(9).

(Ord. No. 22103, § 3, 12-17-02; Ord. No. 22890, § 1, 12-13-05; Ord. No. 24145, § 2, 10-12-10; Ord. No. 27206, § 1, 10-25-22; Ord. No. 27456, § 3, 11-7-23)

§ 40-88. Payment of qualified health insurance premiums.

(a) A Participant who is an eligible retired public safety officer and who wishes to have direct payments made toward the Participant's qualified health insurance premiums from the Participant's monthly Disability allowance or monthly Retirement Benefits must make a written election in accordance with Code Section 402(l), on the form provided by the System, as follows:

- (1) the election must be made after the Participant separates from service as a public safety officer with the City;
- (2) the election shall only apply to distributions from the System after December 31, 2006, and to amounts not yet distributed to the eligible retired public safety officer;
- (3) direct payments for an eligible retired public safety officer's qualified health insurance premiums can only be made from the Participant's monthly Disability allowance or monthly Retirement Benefits from the System and cannot be made from a partial lump-sum payment pursuant to Section 40-81; and
- (4) the aggregate amount of the exclusion from an eligible retired public safety officer's gross income is \$3,000.00 per calendar year.

(b) For purposes of this section, the following definitions shall apply:

- (1) a "public safety officer" is a Participant serving a public agency in an official capacity, with or without compensation, as a law enforcement officer, firefighter, chaplain, or as a member of a rescue squad or ambulance crew.
- (2) an "eligible retired public safety officer" is a Participant who, by reason of Disability, or attainment of his or her Normal Retirement Date or Age, is separated from service as a public safety officer with the City.
- (3) "qualified health insurance premiums" effective for distributions in taxable years beginning after December 31, 2006, are for coverage for the eligible retired public safety officer, the eligible retired public safety officer's spouse, and dependents (as defined in Code Section 152) by an accident or health plan or a qualified long-term care insurance contract (as defined in Code Section 7702B(b)). The health plan does not have to be sponsored by the City.

(c) For distributions made after December 29, 2022, the election provided for under Code Section 402(l) for an eligible retired public safety officer, may be made whether payment of the premiums is made directly to the provider of the accident or health plan or qualified long-term care insurance contract by deduction from a distribution from the System or is made to the Participant.

(d) The Board of Trustees may promulgate such rules or procedures as are necessary to implement the provisions of this section or to facilitate a Participant's election under Code Section 402(l).

(Ord. No. 23463, § 3, 10-9-07; Ord. No. 24604, § 1, 1-29-13; Ord. No. 27456, § 4, 11-7-23)

§ 40-95. General powers.

The Board of Trustees, in addition to other powers contained in this division, shall have the power to:

- (a) compel the attendance of witnesses and administer oaths.
- (b) provide for payment of all necessary expenses, including actuarial and necessary services.
- (c) formulate rules and regulations needed for its guidance in conformity with this division.
- (d) invest and reinvest any funds of the System in any property, real, personal, or mixed, in which an individual may invest his/her own funds, exercising the judgment and

care under the circumstances then prevailing that men of prudence, discretion and intelligence exercise in the management of their own affairs. The trustees are authorized to invest System assets in a common/collective trust, or in a group trust that satisfies the requirements of IRS Revenue Ruling 81-100, as further amended by IRS Revenue Ruling 2004-67, IRS Revenue Ruling 2008-40, and by IRS Revenue Ruling 2011-1, and as subsequently amended by future guidance. Each such common/collective trust or group trust, is adopted, with respect to monies invested therein, as part of the System and its trust upon approval by the Board of Trustees, and each declaration of trust or trust agreement and related adoption, participation or other agreements, as amended from time to time are incorporated by reference into the System and its trust, including as of January 10, 2011, or as of the stated date if later, the following trusts and the respective declarations of trust or trust agreements and related adoption, participation or other agreements, as amended from time to time, including with respect to any monies invested therein (i) the State Street Bank and Trust Company Investment Funds for Tax Exempt Retirement Plans, as established pursuant to a Declaration of Trust dated February 21, 1991, and its Declaration of Trust dated February 21, 1991, as subsequently amended by the First Amendment to Declaration of Trust dated as of July 19, 1991, the Second Amended and Restated Declaration of Trust dated as of March 13, 1997, the Third Amended and Restated Declaration of Trust dated as of December 22, 2003, the Fourth Amended and Restated Declaration of Trust dated as of August 15, 2005, the Fifth Amended and Restated Declaration of Trust dated as of September 30, 2011, the Sixth Amended and Restated Declaration of Trust dated as of April 1, 2017, the Seventh Amended and Restated Declaration of Trust dated as of January 1, 2019, and as may be subsequently amended and/or restated, including the January 1, 2019 Amended and Restated Fund Declaration of the State Street S&P 500® Flagship Non-Lending Fund, and as may be subsequently amended and/or restated, and the January 1, 2019 Amended and Restated Fund Declaration of the State Street U.S. Aggregate Bond Index Non-Lending Fund, and as may be subsequently amended and/or restated, (ii) the Artio Group Trust and its

§ 40-95

OKLAHOMA CITY MUNICIPAL CODE, 2020

Agreement of Trust establishing the Artio Group Trust as of April 4, 2006, and as subsequently amended August 1, 2007, March 3, 2008, June 15, 2008 and November 30, 2009, and as may be subsequently amended and/or restated, (iii) the GMO Foreign Equity Pooled Trust and its Agreement of Trust establishing the GMO ERISA Pool, as of September 1, 1985 and Amended and Restated Agreement of Trust establishing the GMO ERISA Pool, as of January 31, 2003 and as subsequently amended by the First Amendment to Amended and Restated Agreement of Trust establishing the GMO ERISA Pool, effective February 28, 2005, and as may be subsequently amended and/or restated, and (iv) the Premier Advisor CIF SeriesSM Funds of Comerica Bank & Trust, National Association, as established pursuant to a Declaration of Trust dated June 20, 2008, and its Declaration of Trust dated June 20, 2008, as subsequently amended and/or restated, and the Fifth Amendment to Declaration of Trust Premier Advisor CIF SeriesSM Comerica Bank & Trust, National Association dated December 1, 2011, and as may be subsequently amended and/or restated. The trustees shall have the power to purchase and sell all securities and investments and the power to delegate that authority within the limitations to be established by the Board to a qualified investment manager, who shall be a national or state-chartered bank and trust company authorized to do trust business in the State of Oklahoma, and/or an investment advisor registered with the Securities and Exchange Commission under the Investment Advisors Act of 1940, 15 USC § 80 et seq., and/or registered under the Oklahoma Securities Act of 1959, 71 O.S. § 1 et seq., and/or a broker-dealer who is a member of a recognized securities exchange and is registered under the Oklahoma Securities Act of 1959, provided that the proceeds are used for the purpose of meeting disbursements for Retirement pay and other payments authorized by this division or for the purpose of reinvesting the funds in a more desirable manner. There shall be kept available cash sufficient to pay necessary operating and payroll expenses of the System.

- (e) receive and administer in accordance with the provisions of this division any gifts or donations to the System.

- (f) appoint and employ an administrator and staff necessary to carry out the administration of the System.

- (g) develop such procedures and require such information from the distributing plan as it deems necessary to reasonably conclude that a potential rollover contribution is a valid rollover contribution under Section 1.401(a)(31)-1, Q&A-14(b)(2), of the Income Tax Regulations.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 24375, § 3, 11-22-11, eff. 12-31-11; Ord. No. 25292, § 3, 12-22-15; Ord. No. 26063, § 6, 12-18-18; Ord. No. 26349, § 1, 12-3-19)

§ 40-106. Generally.

(a) The Board of Trustees is hereby authorized to pay out of the funds of the System a Disability allowance to an Employee who is injured in the line of duty with the City and who is a member of the System. The Disability allowance shall equal 40 percent of the Average Final Compensation of the Employee, subject to limitations in Sections 40-107 and 40-108.

(b) If the requirements of Section 40-88 are satisfied, a Participant who, by reason of Disability, is separated from service as a public safety officer with the City, may elect to have payment made directly to the provider for qualified health insurance premiums by deduction from his or her monthly Disability allowance, after December 31, 2006, in accordance with Code Section 402(l). For distributions made after December 29, 2022, the election provided for under Code Section 402(l) for an eligible retired public safety officer, may be made whether payment of the premiums is made directly to the provider of the accident or health plan or qualified long-term care insurance contract by deduction from a distribution from the System or is made to the Participant.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 23463, § 4, 10-9-07; Ord. No. 27456, § 5, 11-7-23)

§ 40-107. Disability payments to Employees whose injuries do not arise in the line of duty.

(a) Regardless of his/her age an Employee who has served the City for 15 years or more is eligible to receive Disability payments for an injury not arising in the line of duty with the City. The Board of Trustees is authorized to pay a Disability allowance to the Employee out of the funds of the System in an amount equal to 40 percent of the Average Final Compensation of the Employee, but these benefits shall be subject to the limitations in Sections 40-65, 40-108 and Subsection (b) of this section.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 40-133

(b) Payments for Disability under Subsection (a) shall not total more than $\frac{1}{2}$ of the Retirement pay to which the Employee would otherwise be entitled for each whole year and whole months in service to the City.

(c) If the requirements of Section 40-88 are satisfied, a Participant who, by reason of Disability, is separated from service as a public safety officer with the City, may elect to have payment made directly to the provider for qualified health insurance premiums by deduction from his or her monthly Disability allowance, after December 31, 2006, in accordance with Code Section 402(l). For distributions made after December 29, 2022, the election provided for under Code Section 402(l) for an eligible retired public safety officer, may be made whether payment of the premiums is made directly to the provider of the accident or health plan or qualified long-term care insurance contract by deduction from a distribution from the System or is made to the Participant.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 23463, § 4, 10-9-07; Ord. No. 27456, § 6, 11-7-23)

§ 40-131. Deferred compensation plans.

Plans mean any deferred compensation plan (including any defined contribution plan) under § 457(b) or § 401(a) of the Internal Revenue Code, as approved and sponsored by the Council.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 22196, § 1, 4-22-03; Ord. No. 23463, § 5, 10-9-07; Ord. No. 27206, § 2, 10-25-22)

§ 40-132. Employee participation.

To the extent allowed by the Internal Revenue Code, but without an employer contribution by the City, all full-time employees of the City may voluntarily participate in the § 457 deferred compensation plan(s) sponsored by the City including, Elected Officials as defined in Section 40-51(12), "regular policing personnel" as defined in Section 40-26, and full-time, uniformed fire department employees. However, only those employees eligible under Section 40-61 may participate in the § 401(a) Money Purchase Plan(s) sponsored by the City.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 22196, § 1, 4-22-03; Ord. No. 27206, § 2, 10-25-22)

§ 40-133. Deferred Compensation Board created.

For the purposes of oversight and administration of the Deferred Compensation Program, which includes both the § 457 Deferred Compensation Plan(s) and the 401(a) governmental Money Purchase Plan(s) described in Section 40-51(20) and (21), there is hereby created a Board of the Deferred Compensation Program. The purposes of the Board include, but are not limited to, monitoring and overseeing the Deferred Compensation Program,

the development and monitoring of a slate of investment options available to Program participants in terms of variety of investment options, past performance of the options, the amount of fees and costs associated with the investment options, and to monitor and inform employees of the fees and costs associated with the available and selected investment options. The Board shall, subject to available funding, hire and retain such administrators, vendors, agents, consultants, experts and attorneys as needed to allow them to carry out their mission. Funding for administration and oversight shall be provided by the City subject to annual appropriations by the City Council and no funds of the Oklahoma City Employee Retirement System shall be used however plan expenses may be paid from the respective City deferred compensation plan.

(a) *Membership of the Board.*

(1) The Board of the Deferred Compensation Program (Board) shall be composed of nine (9) voting members, all selected and appointed by the City Manager as set forth herein. One member shall be either the Finance Director or an Assistant Finance Director. One shall be the City Treasurer or an Assistant City Treasurer. One shall be the City Auditor, or Assistant City Auditor. One shall be the Chief Human Resources Officer or the Assistant Human Resources Director, or the Total Rewards Manager. Four shall be employees and participants in a deferred compensation plan with one from each of the three recognized collective bargaining units selected by the City Manager from a list of three (3) names provided by each of the Presidents of the local collective bargaining units and one non-represented selection. One shall be an employee participant in one of the Money Purchase Plans. The City Clerk shall act as ex-officio, non-voting member of the Board and shall act as clerk and secretary of the Board.

(2) The Board members selected by the City Manager and serving by virtue of their position shall serve as long as they hold that position unless removed at the sole discretion of the City Manager. The City Auditor, while serving by virtue of such position shall serve as long as they hold that position unless removed at the sole

§ 40-133

OKLAHOMA CITY MUNICIPAL CODE, 2020

discretion of the Mayor or Council. The Board members selected by the City Manager from the deferred compensation plan participants shall serve for terms of three (3) years. The Board member selected by the City Manager as the Money Purchase Plan participant shall serve for a term of four (4) years. All Board members may be removed with or without cause, at any time by the City Manager, excluding the City Auditor or Assistant City Auditor.

- (3) No person shall receive compensation for his/her service on the Board.
 - (4) If at any time a vacancy occurs in the Board, the vacancy may be filled for the unexpired term, and if it is filled, it shall be filled in the same manner that the position was previously filled.
- (b) *Chair and Vice Chair.* The Board shall elect a Chair and Vice Chair from its members. The Chair and Vice Chair shall serve until a successor is elected. In the event the Chair and/or Vice Chair ceases to be a member of the Board, the Board shall elect from its members a successor to serve the unexpired term. The Board may adopt a policy or procedure for terms of the Chair and Vice Chair.
- (c) *Meetings.*
- (1) The Board shall hold at least quarterly meetings pursuant to a regular schedule set by the Secretary as determined by the Board. The Board may meet upon the call of its Chair, and at such other times as the Chair deems necessary. Except as may otherwise be provided herein, Robert's Rules of Order Newly Revised shall govern the conduct of all meetings of the Board.
 - (2) The Board shall keep a public record in summary form of its proceedings.
 - (3) The majority of all members of the Board shall constitute a quorum and the quorum shall have the power to transact business. No modifications to any of the deferred compensation plans shall ever be made except upon a vote of a majority of all the members of the Board. No actions related to the Plans shall be made except upon a vote of a majority of all the members of the Board. The vote on such changes shall be taken by "yeas" and

"nays" and the vote of each member shall be entered upon the proceedings.

- (d) *General duties and powers of the Board.* The Board, in addition to other powers contained in this division, shall have the power to administer the City's deferred compensation plans including the power and duties to:
- (1) Monitor the overall success of the investment program.
 - (2) Develop, review, and revise the Investment Policy Statement.
 - (3) Review the reasonableness of investment and other plan-related costs.
 - (4) Select, monitor and evaluate the investment fund line-up.
 - (5) Monitor the performance and management of the investment options on a regular basis.
 - (6) Review investment performance with each plan's investment consultant at least quarterly.
 - (7) Establish and follow a prudent process in the selection of investment professionals.
 - (8) Appoint and remove investment professionals who assist in administering the investment program.
 - (9) Communicate regularly with the investment related parties to ensure proper functioning and oversight of the investment program.
 - (10) Provide for payment of all necessary expenses, as needed or required.
 - (11) Formulate procedures, rules and regulations needed for its guidance in conformity with this Division.
 - (12) Subject to funding by the City, work with the administrator and staff of the Oklahoma City Employee Retirement System to carry out the administration of the Deferred Compensation Program and enter into any contracts necessary to administer the Deferred Compensation Program.
 - (13) Develop such procedures and require such information as it deems necessary to reasonably conclude that a potential rollover contribution is a valid rollover contribution under Section 1.401(a)(31)-1, Q&A-14(b)(2), of the Income Tax Regulations, as may be subsequently amended.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 40-203

- (14) Select vendor(s) to assist in the administration of the City's deferred compensation plans.
- (15) Authorize and direct disbursements from the City's deferred compensation plans, including payment of plan expenses.
- (16) Construe, interpret and enforce the terms of the City's deferred compensation plans.
- (17) Appoint and retain for each of the City's deferred compensation plans any agents as it may deem necessary or appropriate and authorize an agent or designee to execute or deliver any instrument, receive any notice, process and approve benefits applications, or make any payment on its behalf.
- (18) Delegate to one or more of the members of the Board the right to act on its behalf in all matters connected with the administration of each of the City's deferred compensation plans and trusts.

(g) *Liability Limited.* In administering the Deferred Compensation Program, neither the Board or any member thereof, nor the City or any official or Employee thereof, shall be liable for any acts of omission or commission, except for his/her or its own individual willful and intentional malfeasance, misfeasance or nonfeasance. The employer and its officials and Employees, and each member of the Board shall be entitled to rely conclusively on all tables, valuations, certifications, opinions and reports which shall be furnished by the Municipal Counselor or by an accountant, attorney, investment consultant, insurance company or any other consultant or expert who shall be appointed, employed or otherwise engaged by the Board.

(Ord. No. 27206, § 3, 10-25-22)

§ 40-203. Election to participate and payment of premiums required.

To the extent any of the City's deferred compensation plans provide that the employer or City take certain actions that Section 40-133 authorizes the Board to take, then the City hereby delegates the authority to take such action to the Board.

- (e) *Secretary's report.* The System Administrator, if retained, or the Secretary of the Board, with assistance from the City Treasurer or System Administrator shall report annually the condition of the Deferred Compensation Program, in such terms as requested and available to the Board.
- (f) *Legal services.* The Municipal Counselor or the Municipal Counselor's designee shall be the legal advisor of the Board and shall appear on behalf of the Board in all suits brought by or against the Board.

To participate in City sponsored group healthcare, dental insurance and life insurance plans, the retired/disabled Employee, Elected Official, survivor or contract Employees to whom the City has by contract extended benefits, must affirmatively elect to participate within 60 days from the first month following the termination date of employment, or within 30 days after approval of retirement benefits by the System or Retirement Program, whichever is later. Coverage will be retroactive back to the first day of the month following the termination date. Coverage elections will be dependent changes based on applicable contract language regarding allowable retroactive changes within the selected plan. Eligibility to participate as a retired Employee or a qualified survivor in City sponsored group health care, dental insurance and life insurance plans is dependent upon the payment of premiums for such coverage as established by the City Council.

(Ord. No. 21916, § 2, 2-12-02; Ord. No. 27206, § 4, 10-25-22)

Division I. Title

Division II. International Plumbing Code

Division III. International Fuel Gas Code

§ 42-4.	Title.
§ 42-5.	Intent.
§ 42-6.	Summary.
§ 42-27.	Inspection or plan review no relief from responsibility.

§ 42-4

OKLAHOMA CITY MUNICIPAL CODE, 2020

Division I. Permits

§ 42-44. Cutoff procedures for prepaid account.

Division II. Fees

§ 42-76. Journeyman plumber.
 § 42-87. No work to be performed during suspension of a license and/or registration.

Division I Membership, Powers, and Duties, Etc.

Division II. Appeals Procedure

DIVISION I. TITLE*

DIVISION II. INTERNATIONAL PLUMBING CODE†

§ 42-4. Title.

Provisions of this chapter shall be known and may be cited as the "Oklahoma City Fuel Gas Code", "Fuel Gas Code" or "this Code".
 (Ord. No. 26394, § 2, 3-3-20, eff. 4-3-20)

§ 42-5. Intent.

International Fuel Gas Code adopted. For the purpose of providing for basic minimum provisions considered necessary to protect health, safety, and general welfare of the citizens of The City of Oklahoma City, a code known as the International Fuel Gas Code, being more specifically the 2015 Edition thereof, as amended by Resolution of the Council of the City duly adopted and signed by the Mayor on March 3, 2020, three copies of which, each together with said resolution, having been and now filed in the office of the City Clerk, and the same as so amended and changed is hereby adopted and incorporated and considered as a part of this Code.
 (Ord. No. 26394, § 2, 3-3-20, eff. 4-3-20)

§ 42-6. Summary.

Pursuant to the authority granted by Section 26, Article II of the Charter of The City of Oklahoma City, the title and a brief gist or summary of the provisions of this Code as amended are hereby ordered published in conformity with the provisions of said Section 26, Article II of the Charter, and for the purpose of such publication a summary of the provisions of said Code is hereby given as follows:

*Editor's note—Ord. No. 26394, § 1, adopted March 3, 2020, renumbered Art. I, Div. 1 as Art. I, Div. I.

†Editor's note—Ord. No. 26394, § 1, adopted March 3, 2020, renumbered Art. I, Div. 2 as Art. I, Div. II.

Chapter 1.	Scope and Administration (as amended).
Chapter 2.	Definitions.
Chapter 3.	General Regulations.
Chapter 4.	Gas Piping Installations (as amended).
Chapter 5.	Chimneys and Vents.
Chapter 6.	Specific Appliances.
Chapter 7.	Gaseous Hydrogen Systems.
Chapter 8.	Referenced Standards.
Appendix A.	Sizing and Capacities of Gas Piping.
Appendix B.	Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for use with Type B Vents.
Appendix C.	Exit Terminals of Mechanical Draft and Direct-Vent Venting Systems.
Appendix D.	Recommended Procedure for Safety Inspection of an Existing Appliance Installation.

(Ord. No. 26394, § 2, 3-3-20, eff. 4-3-20)

DIVISION I. ADMINISTRATION‡

§ 42-21. Generally.

The administration and enforcement of this chapter shall be the responsibility of the Chief

‡Editor's note—Ord. No. 26394, § 3, adopted March 3, 2020, renumbered Art. II, Div. 1 as Art. II, Div. I.

Plumbing Inspector, who is supervised by the Development Services Director, or designated representative.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

§ 42-22. Appointments; Chief Plumbing Inspector and assistants.

(a) There is hereby created the office of Chief Plumbing Inspector.

(b) The Chief Plumbing Inspector shall be a resident of the State of Oklahoma and shall have at least five years experience as a licensed Plumbing contractor in a municipality of 20,000 or larger population or have at least five years experience as a Plumbing inspector in a municipality of 20,000 or larger population. The Chief Plumbing Inspector shall hold a current State of Oklahoma Plumbing contractor license or must obtain a State of Oklahoma plumbing contractor license within one year of the date of hire. The holding of such State plumbing license shall not be construed as authorization to perform plumbing work within The City of Oklahoma City. The Chief Plumbing Inspector shall possess a current State of Oklahoma plumbing inspector license and possess a current national certification in plumbing plan review or obtain a State plumbing inspector license and national certification in plumbing plan review within one year of the date of hire. The Chief Plumbing Inspector shall give his/her entire time to the duties of said office and shall not be interested directly or indirectly in any way with any contractor engaged in the plumbing business within the City.

(c) Assistant Plumbing Inspectors, as may be necessary to carry out the duties of this office, may be assigned. Assistant Plumbing Inspectors shall have at least five years experience as a licensed journeymen plumber, a licensed plumbing contractor, or have at least five years experience as a plumbing inspector in a municipality of 20,000 or larger population. Assistant Plumbing Inspectors shall hold a current State of Oklahoma plumbing journeyman license, a journeyman gas piping certificate of registration, and possess a current State Plumbing Inspector license or must obtain a State of Oklahoma plumbing inspector license within one year of the date of hire. Assistant Plumbing Inspectors shall not be interested directly or indirectly in any plumbing business within the City.

(d) With prior approval of the Development Services Director or the Development Center Manager, the Chief Plumbing Inspector and

assistants shall be reimbursed all monies expended to obtain, renew or maintain their State inspector licenses and related national certifications.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

§ 42-23. Duties of the Chief Plumbing Inspector.

(a) The Chief Plumbing Inspector shall be charged with the duty of enforcing all sections of this Code relating to any installation of plumbing or gas system including alterations, repairs, replacement, equipment, appliances, gas work, fixtures, fittings, appurtenances and maintenance of plumbing or gas systems including inspections. The Chief Plumbing Inspector or assistants shall inspect, or reinspect as authorized in this Code, all plumbing or gas-fitting and other installations within the City or outside the City that is regulated by this Code in either new or existing buildings, to ensure that the terms and provisions of this Code, and any amendments are complied with in full.

(b) The Chief Plumbing Inspector shall institute by and with the advice of the Municipal Counselor, or delegated assistants, such prosecution as may be necessary against any violators of any ordinance with the enforcement for which he is charged. In the event the violation pertains to a defective installation of plumbing, gas-fitting or piping on which a permit may or may not have been obtained by the responsible party and the same fails to commence proper corrections within 48 hours and/or complete the necessary corrections within a timely manner after receiving notice from the Chief Plumbing Inspector, the Chief Plumbing Inspector shall take necessary action. The Chief Plumbing Inspector shall maintain files on violations of any provisions of this Code.

(c) The Chief Plumbing Inspector or assistants shall inspect for unsafe or hazardous conditions as may be necessary for public safety relative to any plumbing system in or on any building or structure used for public, educational, religious, entertainment, residential and commercial purposes.

(1) When any portion or all of the plumbing or fuel gas system in or on any building, structure or premises is ordered changed for any reason, the Plumbing Inspector shall leave a notice showing the date of the order, a memorandum of the correction to be made and the signature of the inspector making the order.

(2) The Plumbing Inspector in the discharge of his duties may enter any building or premises as provided for in Chapter 2 of this Code.

§ 42-23

OKLAHOMA CITY MUNICIPAL CODE, 2020

(d) The Chief Plumbing Inspector or assistant may check the workers performing electrical, mechanical, gas, boiler, and plumbing work to assure that each worker possess a valid license and/or registration.

(e) Copies of notices of violations, and citations shall be filed in the office of the Chief Plumbing Inspector.

(f) The Chief Plumbing Inspector shall notify, in writing the service company, firm or individual furnishing the water or fuel gas to disconnect when such plumbing or piping systems are found to be unsafe or hazardous to life or property. Upon receipt of such notice, the service company, firm or individual furnishing water or fuel gas to such defective plumbing or piping systems shall, within 24 hours disconnect the utility services to cease supply of the water or fuel gas to the defective installation until the Chief Plumbing Inspector shall give notice that the defects have been corrected. The Chief Plumbing Inspector shall notify in writing, the person, firm or corporation owning, using or operating the same to place them in a safe condition before utilities will be restored.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

§ 42-26. Inspections.

The Chief Plumbing Inspector or assistants shall make all required inspections, or may accept reports of inspections by authorized and recognized services or individuals; and all reports of such inspections shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual; or may engage such expert opinion as deemed necessary to report upon unusual technical issues that may arise, subject to the approval of the Director of Development Services, or designated representative. All medical gas systems and medical-surgical vacuum system installations shall be inspected and certified as compliant with the current state adopted edition of NFPA 99 prior to being placed in operation. The medical gas system certifier shall submit a copy of each individual system certification report to the City's Development Center within ten days of such certifications. After inspecting any plumbing or gas work, the plumbing inspector shall leave notice of the result of the inspection. It shall be unlawful for any person other than an Oklahoma City inspector to remove, alter or damage any notice left by the plumbing inspector. No person shall in any manner conceal any plumbing work until such work has been approved. Proper conveniences such as ladders shall be provided for inspectors on work to be inspected. The Chief Plumbing Inspector or assistants shall be responsible to ensure that all inspections are made as needed. The plumbing

contractor or authorized representative shall call for the final inspection within ten days after completion of plumbing work performed under any plumbing permit. No structure shall be occupied prior to the final plumbing inspection without approval by the authority having jurisdiction.

(1) The address listed on the permit shall be posted at all building sites

(2) A medical gas system certifier must be approved prior to certifying any systems within the municipal limits of The City of Oklahoma City. All medical gas system certifier applicants must first submit credentials and proof of medical gas system certification qualifications in accordance with the current State adopted NFPA 99 standard, to The City of Oklahoma City Development Center.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

§ 42-27. Inspection or plan review no relief from responsibility.

Inspections and/or plan review shall not be construed to relieve or lessen the responsibility of any person, partnership, LLC or corporation owning, operating or installing, designing or constructing plumbing appliances, apparatus, or equipment, from the minimum requirements of the Code, damage to property or injury to persons by any defect in design, materials or workmanship therein. Nor shall the City or any agent thereof be deemed to assume any such liability by reason of the inspection and/or plan review made by the Chief Plumbing Inspector, assistants and/or any plan reviewer.

(Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

§ 42-29. Credentials.

The Chief Plumbing Inspector and assistants shall carry proper credentials, City ID, City commission card, current State inspector and trade licenses of office for the purpose of inspecting any and all buildings, structures and premises in the performance of their duties.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

§ 42-30. Records.

The Development Services Director or designated representative, shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued under this Code. Such records shall be retained as the official records as required by State law.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 3, 3-3-20, eff. 4-3-20)

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 42-48

DIVISION I. PERMITS*

§ 42-35. Applications and permits.

The Development Services Department shall receive applications and issue permits for plumbing and fuel gas piping installations and/or alterations. The Chief Plumbing Inspector or his assistants shall inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20)

§ 42-36. Permits required.

No permit shall be issued under this article except in the name of the building/property owner through a State licensed, City registered plumbing contractor by whom such plumbing work is to be performed. Permits shall be required for maintenance work or for repair work where plumbing or gas systems are altered, replaced or rearranged. Prior to commencement of any plumbing installation the plumbing contractor shall contact the Development Services Department and obtain a permit. The permit shall be numbered, listing the name of the contractor, job address, building permit number, and scope of the plumbing installation proposed. The permit covers only that work listed thereon. Any additions or changes shall be reported to the Development Services Department and additional inspection fees may be assessed prior to requesting final inspection. Plumbing permits are transferable upon approval by the Development Services Department.

- (a) Permits shall be required for all plumbing or gas work, including, but not limited to, the alteration or installation of both new and used equipment and appliances regardless of size or type, which are listed in the International Plumbing Code or International Fuel Gas Code.
- (b) A permit shall be required for all gas services or gas piping systems including medical gas and medical-surgical vacuum systems. Where fuel gas pressure in systems exceed the normal utility delivery pressure, the contractor shall indicate piping installation is for an elevated pressure system.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20, eff. 4-3-20)

*Editor's note—Ord. No. 26394, § 4, adopted March 3, 2020, renumbered Art. III, Div. 1 as Art. III, Div. I.

§ 42-37. Permit not required for certain work.

Permits shall not be required under this article for maintenance work or repair work if the work performed does not require alteration or rearrangement of the plumbing installation.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20)

§ 42-38. Form of application.

Prior to any plumbing or gas installation, alteration, addition to existing plumbing or gas, plumbing fixtures, or appliances, except as specifically exempt in this Code, an authorized contractor shall apply for a permit with the Development Services Department either in person, or (if he/she has qualified for contractor's option), electronically, and provide the following information: street address of the premises where plumbing work is to be done; building permit number; name of plumbing contractor; kind of building; etc.; list of work to be done; and any other information specified by the Director of Development Services or designated representative.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20)

§ 42-42. Prepaid account.

Contractors shall have the option of establishing a prepaid account for permits required by this division or applying for permits on an individual basis with the Development Services Department.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20)

§ 42-44. Cutoff procedures for prepaid account.

Normal cutoff procedures shall be observed on prepaid accounts under this division. In that the City Treasurer will advise the Director of Development Services or designated representative, of the last receipt number and the date of cutoff. The contractor shall keep accurate records on his prepaid account balance. The prepaid account shall not allow work to be started prior to a request for a permit.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20)

§ 42-48. Refusal to issue permit.

The Chief Plumbing Inspector may refuse to issue a permit for the installation of plumbing or gas, as herein provided, or for any additions or extensions to any plumbing or gas in or on any building where, in his/her judgment, the plumbing or gas work done or proposed to be done is unsafe or

§ 42-48

OKLAHOMA CITY MUNICIPAL CODE, 2020

not in accordance with the provisions of this Code. Any person aggrieved by said decision may appeal pursuant to Section 42-121 of this chapter.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20, eff. 4-3-20)

§ 42-49. Unlawful continuance of work.

No person shall continue any plumbing or gas work in or about a structure after having been served with a stop work order, except such work as that person shall be directed to perform by the Chief Plumbing Inspector or assistant in order to correct a violation or unsafe condition.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 4, 3-3-20)

DIVISION II. FEES*

§ 42-75. Apprentice plumbers.

An apprentice plumber shall mean any person who is learning and working at the plumbing trade and who is competent to assist, under the supervision of a journeyman plumber, in the work of installing or repairing plumbing systems. Apprentice plumbers shall be registered with the Construction Industries Board of the State. An apprentice, at all times while working, shall be under the direct supervision of an appropriately licensed plumbing journeyman or plumbing contractor and shall, at all times while working, have on his/her person a valid State license in the appropriate categories. No more than three apprentices shall work under the direction of a journeyman or contractor at any time.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-76. Journeyman plumber.

An Oklahoma State licensed journeyman plumber shall, at all times while working, have on his/her person a valid State license in the appropriate categories, and be in the employment of a person who is licensed and registered under the terms of this Code as a plumbing contractor.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-77. Prerequisites for engaging in plumbing work.

(a) No person shall engage in the business of plumbing contractor, or advertise any title or description tending to convey the impression that he/she is in said business within the City, unless that person possesses a State license as a plumbing contractor as required by State law. Plumbing contractors

*Editor's note—Ord. No. 26394, § 4, adopted March 3, 2020, renumbered Art. III, Div. 2 as Art. III, Div. II.

shall register the license with the Supervisor of Licenses and obtain the appropriate City certificate of registration.

(b) Anyone holding a plumbing journeyman license in the categories listed on their license who is a full-time employee of anyone owning any plumbing equipment shall be permitted to maintain and repair such equipment without a plumbing contractor's license; provided that any installation, alteration or changes made by the journeyman are such that permits and inspections would not be required under the terms of this Code.

(c) Only licensed plumbing contractors shall be issued permits and receive inspections.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-78. Plumbing contractor defined.

A plumbing contractor shall mean any person who is skilled in the planning, superintending and practical installation of plumbing systems, and who is licensed and otherwise qualified under the requirements of State laws and this Code, to engage in the plumbing business or act as a plumbing contractor. A plumbing contractor may operate as an individual, a firm, partnership, LLC or corporation and the term "plumbing contractor" may apply jointly or separately to the plumbing contractor and/or such firm, partnership, LLC or corporation engaged in the plumbing business under the terms of this Code.

(a) Contractors shall have on his/her person a valid State plumbing license and City certificate of registration, while performing plumbing work within The City of Oklahoma City.

(b) A City certificate of registration issued to a contractor shall be issued only in the same category as the State license possessed by the plumbing contractor. It shall further be subject to all limitations, conditions, or restrictions imposed on the State license possessed by the plumbing contractor. The categories of the City certificate of registration shall be indicated on the face of the certificate.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-79. Partnerships, firms, or corporations.

A partnership, firm, corporation, LLC or business trust may only engage in the plumbing business within the City through one bona fide member of the partnership or firm, LLC or an officer of the corporation or business trust, who has legal authority to act for such partnership, firm, LLC, corporation or business trust and who carries and holds a license under State law as a plumbing contractor

and who has registered said license as required by this Code. If the person or member holding the license and registration should leave or sever connection with, or lose his/her status as a member or officer of the partnership, firm, LLC, corporation or business trust which is operating under the license and registration, the authority of the firm, partnership, corporation, LLC or business trust, of the plumbing business shall immediately cease and it must again fully qualify under and comply with the terms of this Code before any further business is conducted. If the holder of the license and registration dies or is serving in the armed forces of the United States, the firm, partnership, corporation, LLC or business trust may continue to engage in the plumbing business within the City for a period not to exceed six months from such death or call to service, provided that all fees required by this chapter shall be paid and kept in full force and provided that a duly registered plumbing contractor assumes in writing the supervision of such work.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-84. Eligibility for contractor's certificate; changes to certificate.

A plumbing contractor's registration shall be issued by the Supervisor of Licenses, only to an individual who holds a State plumbing contractor's license issued and in effect under State law, and who has paid the required fees and otherwise complied with this Code. The registration shall show on it the individual's business address, firm name and the connection with the firm. If the licensee or person holding the registration changes his/her address, telephone number or his/her business connection, association or employment, he/she shall, within five days after the change, notify the Chief Plumbing Inspector of the change and present his certificate to the Chief Plumbing Inspector who shall write into the certificate any such change together with the date and note the changes in the records of the City.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-85. Transfer, assignment, loaning of certificate prohibited.

No certificate of registration issued under this chapter shall be transferred or assigned. No holder of a license or registration shall loan the license or registration or shall obtain permits for any other persons or entity to do plumbing work.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-86. Suspension or revocation of registration.

A registration issued pursuant to this Code may be suspended or revoked for cause.

- (1) *Action by Chief Plumbing Inspector.* The Chief Plumbing Inspector may suspend or

revoke any certificate of registration authorized by this Code if he/she finds that the certificate holder has failed to perform his/her work in accordance with the requirements of the Plumbing Code and such violation or violations are such that property and the public health, safety and welfare are in imminent peril. Notice of such action shall be given to the certificate holder by certified mail, return receipt requested. The notice will contain information on how such action may be appealed. The certificate of registration shall remain suspended until a hearing is held before the Plumbing Code Review and Appeals Commission. Such hearing shall be held in conformance with the provisions of this Code.

- (2) *Recommendation of the Chief Plumbing Inspector.* If the Chief Plumbing Inspector finds that a certificate holder persistently fails to perform his/her work in accordance with the requirements of this Code, but such violations do not pose an imminent peril to property or the public health, safety and welfare, he/she may recommend to the Plumbing Code Review and Appeals Commission that said certificate of registration be suspended or revoked. The Chief Plumbing Inspector shall give notice of such action to the certificate holder by certified mail, return receipt requested. The certificate of registration shall remain in effect until a hearing before said Commission as provided in this Code.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

§ 42-87. No work to be performed during suspension of a license and/or registration.

No person whose license and/ or registration has been suspended or revoked under this Code shall, for the duration of the suspension, attempt to install, alter, or repair any plumbing system except as specifically authorized by the Chief Plumbing Inspector.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 5, 3-3-20)

DIVISION I. MEMBERSHIP, POWERS, AND DUTIES, ETC.*

§ 42-100. Consecutive absences.

A member of the Commission shall be considered to have resigned if he/she fails to attend three

***Editor's note**—Ord. No. 26394, § 6, adopted March 3, 2020, renumbered Art. V, Div. 1 as Art. V, Div. I.

§ 42-100

OKLAHOMA CITY MUNICIPAL CODE, 2020

consecutive meetings unless the other members of the commission notify the Mayor in writing that they believe the member to have been absent for a good cause and recommend that his/her appointment be continued.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 6, 3-3-20)

§ 42-104. **Four votes required.**

A concurring vote of four members of the Commission shall be necessary to modify or reverse any order or interpretation of the Chief Plumbing Inspector or assistants, or to decide any matter upon which it may pass.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 6, 3-3-20)

§ 42-106. **Powers and duties.**

(a) *Review of Plumbing Code.* The Commission shall, from time to time, review the Plumbing Code and all resolutions and ordinances pertaining thereto and consider any changes which may be required due to the introduction of new materials, equipment or technology or which may be requested by the Chief Plumbing Inspector, members of technical trades, contractors or the general public. Such changes as the Commission deems appropriate shall be recommended to the Council in writing.

(b) *Appeal of application of the Plumbing Code.* Any person aggrieved may appeal to the Commission a decision of the Chief Plumbing Inspector interpreting any of the provisions of this Code covering the manner of construction or materials to be used in the erection, alteration or repair of a plumbing or gas system. Application for appeal may be made when it is claimed that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this Code do not fully apply, or that an equally good or better form of construction or materials can be used.

(c) *Appeal of denial of registration.* The Commission shall hear appeals from any person whose application for registration was denied under the authority of this Code.

(d) *Appeal of revocation or suspension of registration.* The Commission shall hear appeals from persons whose registration has been suspended or revoked or recommended for suspension or revocation by the Chief Plumbing Inspector or his assistants.

(e) *Other duties.* The Commission shall have such other powers and duties as are provided by ordinance.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 6, 3-3-20, eff. 4-3-20)

DIVISION II. APPEALS PROCEDURE*

§ 42-121. **Time, notice, and effect.**

(a) *Deadline for filing.* An appeal to the Plumbing Code Review and Appeals Commission shall be filed no later than 15 days after notice of any order or interpretation of the Chief Plumbing Inspector or assistants of which he/she is aggrieved.

(b) *Notice of appeal; filing fee.* Written notice of an appeal must be given to the Inspection Services Superintendent or designated representative. Such notice shall specify the grounds for the appeal and shall be accompanied by a filing fee. The amount of such fee shall be as established in Chapter 60, the General Schedule of Fees.

(c) *Records to be furnished.* The Chief Plumbing Inspector shall forward to the Commission all the papers constituting the record of the action from which the appeal was taken, including the reports substantiating the position the Chief Plumbing Inspector has taken in the matter.

(d) *Effect of appeal.* An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Chief Plumbing Inspector certifies to the Commission after a notice of appeal has been filed, that by reason of the facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life or property. The proceedings then shall not be stayed otherwise than by a restraining order issued by a court of record of competent jurisdiction or a restraining order granted by the Commission.

(e) *Notice and date of appeals; who may appear.* On application and notice to the Chief Plumbing Inspector and upon good cause shown, the Commission shall fix a reasonable time for the hearing of the appeal, giving public notice thereof, and shall decide the matter within a reasonable time. The appellant, his/her representative, and any other person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 6, 3-3-20, eff. 4-3-20)

§ 42-122. **Action of Commission.**

The Commission, when appealed to and after a public hearing, has the following powers:

- (1) *Modification, reversal.* The Commission may modify or reverse any decision or order of the Chief Plumbing Inspector or his assistants in the interpretation or enforcement of this chapter in any particular

***Editor's note**—Ord. No. 26394, § 6, adopted March 3, 2020, renumbered Art. V, Div. 2 as Art. V, Div. II.

- case, when, and only when, in its opinion strict application and enforcement would result in peculiar and exceptional practical difficulties to, or exceptional undue hardships upon, or manifest injustice to, an appellant, and would be contrary to the spirit and purpose of this chapter, or the public interest, or when it is determined that the true intent has been incorrectly interpreted. Mere economic hardship or a hardship which is self-created shall not be considered a valid or sufficient basis for granting a reversal or modification of the decision or order.
- (2) *Affirm.* The Commission may affirm any decision or order of the Chief Plumbing Inspector or assistants in the interpretation or enforcement of this Code.
- (3) *Suspension or revocation of registration; hearing.* The Commission is empowered to suspend or revoke a registration. A registration holder against whom a complaint has been filed or whose registration has been suspended or revoked by the Chief Plumbing Inspector shall be given not less than ten days notice of the date, time and place of the hearing and shall have the right to be present and represented by counsel. The Commission shall have available the services of the Municipal Counselor or his designated representative at the hearing and shall have the authority to swear witnesses, administer oaths and conduct a hearing as deemed proper.
- (4) *Grounds for suspension and/or revocation of Registration.* The following grounds shall be sufficient reason to justify suspension or revocation of a registration by the Commission:
- a. Making a material misstatement in the application for such registration or renewal;
 - b. Loaning or illegally using a license or registration;
 - c. Demonstrating incompetency to act as a journeyman plumber or plumbing contractor as the case may be;
 - d. Failing to properly correct plumbing which is found to be defective or inadequate due to acts of the certificate holder.
 - e. Willfully violating a second time any provision of the plumbing code;
 - f. Willfully or unreasonably failing to perform normal business obligations for which he is licensed and registered without justifiable cause;
 - g. Having ten or more complaints within a 12-month period, provided any alleged violations overruled by the Commission shall not be counted.
 - h. The grounds listed above shall not be considered to be an exclusive or exhaustive list and other grounds may be considered sufficient for suspension or revocation.
- (5) *Re-instatement of registration.* No registration which has been revoked under the provision of this division shall be reinstated for a period of six months after such revocation. The Commission may reinstate the registration which has been revoked only after a hearing. The rules and conditions of this hearing shall be the same as those for the hearing on the revocation of the registration.
- (6) Rulings to be accompanied by findings of fact; decision to be filed. Every ruling upon any appeal to the Commission shall be accompanied by a written finding of fact based upon the evidence and testimony received at the hearing by the Commission. The ruling shall specify the reason for granting, denying, or modifying the appeal and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Chief Plumbing Inspector and shall be open to public inspection.

(Ord. No. 25054, § 2, 12-16-14, eff. 3-16-15; Ord. No. 26394, § 6, 3-3-20, eff. 4-3-20)

§ 43-14.3

OKLAHOMA CITY MUNICIPAL CODE, 2020

§ 43-14.3. Motor vehicle collision reports; limitations on inspection of traffic collision reports; Class "a" offense for unlawful use; affidavit required.

(a) Every Police Officer or duly authorized member of the Police Department who, in the regular course of duty, investigates or receives a report of a motor vehicle collision resulting in injury to or death of a person or total property damage to an apparent extent of \$500.00 or more shall prepare a written report of the collision on the standard collision report form supplied by the Department of Public Safety. Such reports shall be forwarded by the Police Department to the Department of Public Safety within 30 days of the collision or, if the collision results in the death of any person, then within 20 days of the death of the person, whichever time period is lesser.

(b) Reports of collisions shall be kept confidential for a period of at least 60 days after the date of the collision; provided, the reports shall be made available as soon as practicable upon request to any:

- (i) party involved in the collision;
- (ii) legal representatives of a party involved in the collision;
- (iii) State, County or City Law Enforcement Agency;
- (iv) the Oklahoma Department of Transportation or any county or city transportation or road and highway maintenance agency;
- (v) licensed insurance agents of a party involved in the collision;
- (vi) insurer of a party involved in the collision;
- (vii) insurer to which a party has applied for coverage;
- (viii) person under contract with an insurer, as described in subparagraph v, vi or vii of this paragraph, to provide claims or underwriting information;
- (ix) prosecutorial authority;
- (x) newspaper as defined in 25 O.S. § 106;
- (xi) radio or television broadcaster;
- (xii) licensed private investigators employed by a party involved in the collision;
- (xiii) provider of health services to a party involved in the collision; or;
- (xiv) any other person entitled to receive a copy of the report by authority of 47 O.S. § 40-102.

(c) It shall be unlawful and constitute a Class "a" offense for any person to obtain motor vehicle collision reports when said person knows or believes or has reason to know or believe that the ultimate purpose of obtaining said reports is for the use of personal information contained therein for commercial solicitation of persons involved in motor vehicle collisions and/or their family members by any persons and/or entities, including, but not limited to legal or medical professionals or representatives or agents of said professionals.

(d) For purposes of this section, publication in a legal newspaper or broadcast by the news media for news purposes shall not constitute a use of data for commercial solicitation.

(e) No motor vehicle collision report shall be released without the execution of an affidavit, which shall be in a form approved by the Chief of Police. Except as provided in paragraphs (g) and (h) of this section, any person requesting a collision report may be required to state, in writing, under penalty of perjury, that the report will not be examined, reproduced or otherwise used for commercial solicitation purposes.

(f) The Chief of Police is hereby authorized to establish all necessary or appropriate procedures to implement the provisions of this division.

(g) Publication in a newspaper, as defined in 25 O.S. § 106, or broadcast by news media for news purposes shall not constitute a resale or use of data for trade or commercial solicitation purposes. Because publication by a newspaper, broadcast by news media for news purposes, or obtaining information for verification or settlement of claims by insurance companies is not a resale or use of data for commercial solicitation purposes, an affidavit shall not be required as a condition for allowing a member of a newspaper or licensed broadcast news media, or allowing an agent, or business serving as an agent, to insurance companies, to examine or obtain a copy of a collision report.

(h) Any agent or business obtaining information for verification or settlement of claims involving persons named in a report shall secure an affidavit annually from each client stating the information provided to the client shall not be used for commercial solicitation purposes under penalty of law.

(i) The Police Department shall include the following or a similar notice upon any copy of a collision report furnished to others: "Warning - State Law. Use of contents for commercial solicitation is unlawful."

(Ord. No. 21897, § 2, 1-2-02; Ord. No. 24204, § 1, 12-14-10; Ord. No. 27047, § 1, 4-26-22)

§ 43-41. Notice of stolen property.

(a) When property alleged to have been stolen comes into the custody of the Oklahoma City Police Department, it shall be held subject to the order of the court of competent jurisdiction as provided by 22 O.S. § 1321.

(b) Within 15 days of the date the Oklahoma City Police Department, by the exercise of due diligence, knows of any persons asserting ownership of or an interest in said property or receives notification of said interest, the Oklahoma City Police Department shall send a letter to such persons stating that the property is in custody and describing procedures for return to the rightful owner.

(c) If the property remains unclaimed and has been in the possession of the Chief of Police for at least 90 days after any required notice, the Chief of Police may make application with the District Court to dispose of the unclaimed property pursuant to 11 O.S. § 34-104.

(Ord. No. 26869, § 3, 9-28-21)

§ 43-82. Definitions.

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

- (1) *Alarm business* means any person or firm engaged in the business of installing, assisting in the installation, servicing, maintaining, repairing, replacing, moving, or removing alarm systems in the City.
- (2) *Alarm Coordinator* means a person selected by the Chief of Police to administer, control and review alarm applications, issue and revoke permits, and issue false alarm notifications and fee assessments. The Alarm Coordinator is fully authorized to act on behalf of the Police or Fire Departments in the administration and enforcement of ordinances related to security or fire alarm systems.
- (3) *Alarm Review Board* shall consist of one representative each of the Police Department and the Fire Department (to be appointed by the respective chief of each department), and one representative from the professional alarm industry, as well as two members of the public at-large (appointed by and for a term as desired by the Mayor).
- (4) *Alarm site* means a single premise or location served by an alarm system or systems.

(5) *Alarm system* means one or more devices designed either to detect and signal an unauthorized intrusion or entry or to signal a fire or other emergency condition, which signals are responded to by law enforcement officers, Fire Department personnel, or both. The following devices shall not constitute alarm systems within the meaning of this article:

- a. devices which do not activate alarms that are audible, visible, or perceptible outside the protected premises;
- b. devices which are not installed, operated or used for the purpose of reporting an emergency, either directly or by third party, to the Police or Fire Department;
- c. alarm devices affixed to motor vehicles;
- d. alarm devices installed on a temporary basis by the Police or Fire Department; and
- e. alarm devices installed in or on premises owned or leased by the City.

(6) *Answering service* means a telephone answering service providing, among its services, the receiving, on a continuous basis through trained employees, of emergency signals from alarm systems and the subsequent relaying of said messages to the Police or Fire Department on a person-to-person basis.

(7) *Applicant* means any person who has requested or is requesting an owner or user permit to install, operate or maintain an alarm system at a particular location.

(8) *Automatic dialing device* means an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, any type of communication or message indicating the existence of an emergency situation that the alarm system is designed to detect.

(9) *Central station* means an office to which alarm systems are connected, where operators supervise the circuits, and where guards or service personnel are maintained continuously to investigate alarm signals. For purposes of fire alarms, informational relay systems shall be in compliance with National Fire Prevention Association (NFPA) 72, National Fire Alarm and Signaling Code.

§ 43-82

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (10) *Direct line* means a telephone line leading directly from a central station to the Police or Fire Department, where such line is used only to report emergency signals on a person-to-person basis.
- (11) *Emergency* means the existence of a fire, medical episode, the commission or attempted commission of a robbery/holdup, burglary, panic, or other criminal action.
- (12) *False alarm* means the activation of an alarm system through mechanical failure, malfunction, the negligence of the alarm business operator or his employees or agents, or the negligence of the owner, user or lessee of an alarm or his employees or agents, or which otherwise elicits a response by a law enforcement agency or the Fire Department when a situation requiring such response does not in fact exist. A false alarm shall also mean the activation of an alarm, the purpose of which is to communicate or indicate a specific emergency situation, when in fact that specific emergency situation does not exist. Such terminology does not include, for example, alarms activated by utility line mishaps, tornados, earthquakes, or other violent conditions of nature, or other conditions clearly beyond the control of the alarm manufacturer, installer, owner or user.
- (13) *False Alarm Management Company (FAMC)* means a private entity contracted through the City for the purpose of processing alarm permit registrations and renewals, cancellations, payments, alarm dispositions, false alarms administrative fees and notices, unpermitted alarm notifications, appeal requests and overall management of the Oklahoma City Police Department's alarm program. Such services may also be available on-line as well as at the Permit and ID Office.
- (14) *Permittee* means any person or designated persons to whom an alarm system owner or user permit is issued.
- (15) *Restricted Response* means a police response is denied for any intrusion/burglary or loud alarm that lacks a valid alarm permit. Restricted Response does not include robbery/holdup, panic, fire or any other verified emergency alarms.
- (16) *Verified Response* means a police response is granted, whether the premises is permitted or not, when the alarm is verified by the alarm answering service (monitored

alarm), the responsible party, or anyone else who can verify the alarm is valid. Robbery/holdup, panic, fire or any other human activated alarms are subject to verified response, whether the premises are permitted or not.

(Code 1980, § 43-82; Ord. No. 18214, § 1, 8-6-85; Ord. No. 22094, § 1, 12-10-02; Ord. No. 26140, § 1, 5-7-19; Ord. No. 26701, § 1, 3-30-21)

Cross reference—Definitions and rules of construction generally, § 1-2.

§ 43-85. Revocation, denial of permit or assessment of fees; appeals.

(a) *Revocation.* In addition to any penalties which may be imposed for the violation of certain provisions of this article, the City by and through the Alarm Coordinator may, pursuant to the provisions of this section, revoke an alarm system owner or user permit on any of the following grounds:

- (1) fraud or willful and knowing misrepresentation or false statement made in an application for a permit.
- (2) failure to correct any deficiencies in equipment or operation within 14 days after mailing of notice from the Alarm Coordinator.
- (3) failure to comply with any order or notice issued by the Alarm Coordinator after the permittee's rights to hearing and appeal have been exhausted, or failure to comply with the standards imposed by this article within 14 days after mailing of notice or order from the Chief of Police or Fire Chief.
- (4) tendering a false or bogus check which shall include any check, draft or any other order including but not limited to any electronic transaction which is not honored because of insufficient funds or was drawn upon a closed or nonexistent account or subject of a stop payment request to obtain an alarm system permit.
- (5) failure to comply with the regulations and requirements of this article or as otherwise established in this Code.
- (6) failure to take corrective action to remedy false alarms.
- (7) six false alarms within the 365 days of the permit year.

(b) *Appeal.* Any appeal from a denial of a permit, revocation of a permit or the assessment of administrative fees for false alarms shall substantially comply with the following process:

- (1) if the Alarm Coordinator denies the issuance or renewal of a permit, revokes a permit or assesses an administrative fee

for false alarms, the Alarm Coordinator shall send written notice of the action and a statement of the right to an appeal, by mail, to the applicant or permit holder.

- a. the applicant or permit holder may appeal the decision of the Alarm Coordinator, by submitting to the Alarm Coordinator a written request for a review, setting forth the reasons for the appeal, within 14 days after mailing of the order.
 - b. a timely request for appeal shall stay the order. If a request for appeal is not made within the 14-day period, the order is final.
- (2) permit holders or persons assessed an administrative fee for false alarms shall be entitled to a de novo hearing, if a timely appeal is filed within 14 days of mailing of notice of denial, revocation of permit or assessment of a fee by the Alarm Coordinator. The hearing shall be conducted by the Alarm Review Board.
- (3) the Alarm Review Board shall conduct a hearing and consider the evidence presented by any interested person. The Board shall make its decision on the basis of a preponderance of the evidence presented at the hearing. The burden of proof is on the City. The Board must render a decision to affirm, reverse, or modify the action of the Alarm Coordinator within ten days after the hearing is conducted. The decision of the Board shall be in writing and mailed to the applicant or permittee. The applicant or permittee shall be notified that the decision of the board is final and may be appealed to the Oklahoma County District Court pursuant to 12 O.S. § 951.

(Code 1980, § 43-85; Ord. No. 18214, § 1, 8-6-85; Ord. No. 21188, § 1, 12-22-98; Ord. No. 22094, § 1, 12-10-02; Ord. No. 26140, § 1, 5-7-19; Ord. No. 26701, § 1, 3-30-21)

§ 43-86. False alarms prohibited; revocation of permit for excessive false alarms; corrective action; appeals; reinstatement fee; administrative fees for excessive false alarms; and collection of City's costs.

(a) *False alarms.* An excessive number of false alarms shall be deemed to be six false alarms within any 365-day period of the permit year (from the date the permit was obtained to the date it expires). The first three false alarms will not incur an administrative fee, but each subsequent false alarm will generate false alarm administrative

fees. If and when a sixth false alarm occurs during a permit year, the alarm permit will be revoked and police response will be restricted.

(b) *Violation.* Any permittee who allows, continues, or causes false alarms, as defined in Section 43-82, to be made shall be subject to an administrative fee for the fourth and subsequent false alarm. Police Restricted Response will be administered on the sixth false alarm in a permit year and the permit will be revoked.

(c) *Notice.* If a false alarm occurs at any alarm location, the Alarm Coordinator shall give written notice to the alarm system permittee to take corrective action within 14 days to prevent future false alarms.

(d) *Revocation after notice.* If the corrective action is not accomplished and communicated in writing to the Alarm Coordinator within 14 days after mailing of the notice to take corrective action to the permittee, written notice of revocation of the alarm system permit shall be served by first-class mail upon the permittee by the Alarm Coordinator.

(e) *Reinstatement.* After an alarm permit has been revoked, the permit shall not be reinstated until the permittee submits a written request to the Alarm Coordinator, accompanied by a statement demonstrating that effective corrective action has taken place. Once all outstanding administrative fees are paid, the Alarm Coordinator acting hereunder shall charge the permittee a permit reinstatement fee as established in Chapter 60, the General Schedule of Fees.

(f) After renewal of the permit, a total of three false alarms during the new permit year are allowed, with administrative fees incurring on the fourth and subsequent false alarms. Revocation will again be ordered after the sixth false alarm. If the same permit is revoked a second time, the permittee shall not be entitled to seek reinstatement or renewal of the permit for a period of six months after the date of revocation.

(g) *Appeals.* Any person aggrieved by the action of the Alarm Coordinator in ordering the revocation of a permit under this section, may appeal such to the Alarm Review Board as provided in Section 43-85(b).

(h) In addition to being subject to revocation of the City alarm permit, there shall be an administrative fee assessed to the permittee for fourth and subsequent false alarms as established in Chapter 60 of the General Schedule of Fees.

§ 43-86

OKLAHOMA CITY MUNICIPAL CODE, 2020

(i) Any powers and duties of the Alarm Coordinator may be delegated to a False Alarm Management Company (FAMC) under contract with the City.

(Code 1980, § 43-86; Ord. No. 18214, § 1, 8-6-85; Ord. No. 21188, § 1, 12-22-98; Ord. No. 22094, § 1, 12-10-02; Ord. No. 26140, § 1, 5-7-19; Ord. No. 26701, § 1, 3-30-21)

Cross reference—Fee for alarm permit reinstatement, § 60-43-12.

§ 43-86.1. Collection of City's costs for excessive false alarms.

(a) The permittee shall be assessed an administrative fee as set forth in Chapter 60, the General Schedule of Fees, to reimburse the City for the costs and expenses incurred for responding to false alarms to any one alarm site.

(b) The permittee shall be notified of the administrative fee assessed, and if payment is not made within 30 days from the date of mailing, the City is hereby authorized to seek collection of any assessed fees as allowed by law.

(Ord. No. 22094, § 2, 12-10-02; Ord. No. 26140, § 1, 5-7-19; Ord. No. 26701, § 1, 3-30-21)

§ 43-96. Notification of change of information; change of ownership; replacement or alteration of existing system; confidentiality.

(a) Whenever a change occurs relating to the written information required on the permit application, listing requirements, or other documents filed with the City pursuant to this article, the applicant or permittee shall give written notice of said change to the Alarm Coordinator within ten days thereof.

(b) Any changes of ownership at a location formerly or currently utilizing an alarm system shall be construed as a new installation and shall require the necessary permit and fees.

(c) The replacing, modifying or altering of an existing permitted system shall not constitute a new installation. Such replacement shall be subject to the existing permit. However, any change of permit or license information caused by such action shall be given in writing to the Alarm Coordinator within ten days.

(d) The information required by this article shall be maintained as confidential to the extent permitted by the Open Records Act, and shall only be used for law enforcement purposes, and statistical studies in which information on individuals could not be discovered.

(Code 1980, § 43-96; Ord. No. 18214, § 1, 8-6-85; Ord. No. 26701, § 1, 3-30-21)

§ 43-97. Notice requirements.

Whenever a written notice is required of the City under this article, service shall be deemed complete upon deposit in the United States mail.

(Code 1980, § 43-97; Ord. No. 18214, § 1, 8-6-85; Ord. No. 26701, § 1, 3-30-21)

§ 43-100. Violations and penalties.

(a) *Violations.* Any person failing to comply with the provisions of this article shall be deemed in violation hereof and shall be subject to the penalty provided herein.

(b) *Penalty.* Any violation of this article shall be a class "a" offense. Every day that a violation exists shall constitute a separate violation and shall be subject to the full penalties contained herein.

(Code 1980, § 43-100; Ord. No. 18214, § 1, 8-6-85; Ord. No. 26140, § 1, 5-7-19; Ord. No. 26701, § 1, 3-30-21)

State law reference—Penalty for ordinance violations, 11 O.S. § 14-111.

§ 47-14	Disposal.
§ 47-15	Petroleum product tanks
§ 47-39	Inspections and employee identification tags
§ 47-311.	Non-violation permit termination.
§ 47-411.	Publication of list of users in significant noncompliance.

Division 2. Reserved

§§ 47-651—47-680.	Reserved.
§ 47-800.	Prohibited discharges.
§ 47-801.	Permitting.
§ 47-803.	Reserved.
§ 47-807.	Cleaning of a pretreatment system.

Division 2. Record Keeping

§ 47-811.	Record keeping.
§§ 47-812—47-819.	Reserved.
§ 47-830	Administrative action.
§ 47-831.	Enforcement of other laws, rules, or regulations not limited.
§ 47-832.	Public nuisances.

§ 47-1. Definitions.

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

- (A.1) *Act* or *the Act* means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 USC 1251 et seq.
- (A.2) *Approval authority* means the director in a national pollutant discharge elimination system (NPDES) State with an approved State pretreatment program and the appropriate Regional Administrator of the EPA in a non-NPDES State or NPDES State without an approved State pretreatment program. Currently, Oklahoma does have a NPDES State-approved pretreatment program.
- (A.3) *Authorized representative of the user*.
- a. if the user is a corporation, authorized representative means:
1. the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation;
 2. the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25,000,000.00 (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures;
- b. if the user is a partnership, or sole proprietorship, an authorized representative means a general partner or proprietor, respectively;
- c. if the user is a Federal, State or local governmental facility, an authorized representative means a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or his/her designee;
- d. the individuals described in Paragraphs (a) through (c) above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the entity, and the written authorization is submitted to the City.
- (A.4) *Authorized site* or *authorized disposal site* means a wastewater disposal site authorized by the POTW.
- (B.1) *Best Management Practices* means physical, structural, or managerial practices that decreases the potential for facilities to harm or pollute Publicly Owned Treatment Works (POTW).
- (B.2) *Biochemical oxygen demand 5 (BOD₅ or BOD5)* means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five days at 20 degrees centigrade expressed in terms of weight and concentration (milligrams per liter (mg/l)).
- (B.3) *Building sewer* means a sewer conveying wastewater from the premises of a user to the municipal sewage treatment facility.
- (B.4) *Bypass* means the intentional diversion of waste streams from any portion of the user's treatment facility.
- (C.1) *Categorical user* means a user subject to categorical pretreatment or categorical standards.
- (C.2) *Categorical pretreatment* or *categorical standard* means any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with § 307(b) and (c) of the Act (33 USC 1317), as amended, which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405 through 471, as amended.
- (C.3) *City* means The City of Oklahoma City or any authorized person acting in its behalf.

§ 47-1

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (C.4) *Color* means the optical density at the visual wavelength of maximum absorption, relative to distilled water. One hundred percent transmittance is equivalent to zero optical density.
- (C.5) *Composite sample* means the sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.
- (C.6) *Consistent removal* means reduction in the amount of pollutant or alteration of the nature of the pollutant by the wastewater treatment system to a less toxic or harmless state in the effluent which is achieved by the system in 95 percent of the samples taken when measured according to the procedures set forth in § 403.7(c)(2) of Title 40 of the Code of Federal Regulations, Part 403, "General Pretreatment Regulations for Existing and New Sources of Pollution," promulgated pursuant to the Act.
- (C.7) *Control authority* means the "approval authority," defined hereinabove, or the office of the Utilities Director.
- (C.8) *Cooling water* means the water discharged from any use such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat.
- (C.9) *Customer Service Superintendent* means the authorized representative of the Director who is designated by the Director as the Customer Service Superintendent of the Customer Service Division of Utilities Department or the Customer Service Superintendent's designated representative.
- (D.1) *DEQ* means the Oklahoma State Department of Environmental Quality, its successors, designees and assigns.
- (D.2) *Department*, as used or referenced in this article, means the Utilities Department of The City of Oklahoma City and its designated representatives.
- (D.3) *Direct discharge* means the discharge of treated or untreated wastewater directly to the municipal wastewater collection and treatment system.
- (D.4) *Director* or *Director of Utilities* means the person designated by the City to supervise the operation of the municipal wastewater collection and treatment system works and the water systems, and who is charged with certain duties and responsibilities by this chapter, or her/his duly authorized representative.
- (D.5) *Disposal, disposing or dispose*, as used or referenced in this article, means the receiving, depositing, disposing, storing, discharging, or otherwise putting wastewater from a pretreatment facility in a receptacle, vehicle, or place other than the pretreatment facility of origin or the initial transporting container or vehicle.
- (E.1) *Environmental Protection Agency* or *EPA* means the United States Environmental Protection Agency or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.
- (E.2) *Existing source* means any source of discharge, the construction or operation of which commenced prior to the publication of proposed categorical pretreatment standards which will be applicable to such source if the standard is thereafter promulgated in accordance with § 307 of the Act.
- (F.1) Reserved.
- (G.1) *Grab sample* means an individual sample collected over a period of time not exceeding 15 minutes.
- (G.2) *Grease*, as used or referenced in this article, means wastewater which includes petroleum oil, fats, oils or greases of animal or vegetable origin and wastewater from a pretreatment facility designed for grease removal.
- (H.1) Reserved.
- (I.1) *Indirect discharge* or *discharge* means the introduction of pollutants into a POTW from any nondomestic source regulated under § 307(b) or (c) or (d) of the Act (33 USC 1317), as amended.
- (I.2) *Industrial discharge* means the introduction of pollutants into a POTW from any nondomestic source regulated under § 307(b) or (c) or (d) of the Act (33 USC 1317), as amended.
- (I.3) *Industrial user* or *user* means a source of direct or indirect discharge of nonresidential waste.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-1

- (I.4) *Interference* means a discharge which alone or in conjunction with a discharge or discharges from other sources:
- a. inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and
 - b. which causes a violation of the City's NPDES permit or prevents sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permit issued thereunder (or more stringent State or local regulations): § 405 of the Clean Water Act; the Solid Waste Disposal Act (SWDA), including Title II, commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in the sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research Sanctuaries Act.
- (J.1) Reserved.
- (K.1) Reserved.
- (L.1) *License* (unless otherwise specifically qualified) refers to an annual pretreatment facility service and/or ODEQ wastewater transporting license.
- (L.2) *Licensee* shall mean a person holding a valid current license issued in his name.
- (M.1) *Maximum allowable discharge limit* means the maximum concentration (or loading) of a pollutant allowed to be discharged at any time, determined from the analysis of a discrete or composite sample collected, independent of the flow rate and the duration of the sampling event.
- (M.2) *Medical waste* means isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.
- (M.3) *Monthly average limit* means the numerical value by which a pollutant is limited to be discharged over any calendar month. Compliance with the monthly average limit shall be determined from the numerical value of all samples taken during any calendar month.
- (M.4) *Municipal systems* means sanitary sewage collection systems constructed, operated or maintained by a municipality or trust for the benefit of such a municipality.
- (N.1) *National Categorical Pretreatment Standard* or *pretreatment standard* means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with § 307(B) and (C) of the Act (33 USC 1346), as amended, which applies to users. This term includes, but is not limited to, prohibitive discharge limits established pursuant to 40 CFR 403.5.
- (N.2) *National pollution discharge elimination system permit* or *NPDES permit* means a permit issued pursuant to § 402 of the Act and 40 CFR 403.5 (33 USC 1342).
- (N.3) *National prohibitive discharge standard* or *prohibitive discharge standard* means any regulation developed under the authority of § 307(b) of the Act and 40 CFR 403.5, as amended.
- (N.4) *New source* means:
- a. any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under § 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:
 1. the building, structure, facility or installation is constructed at a site at which no other source is located; or
 2. the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 3. the production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility

§ 47-1

OKLAHOMA CITY MUNICIPAL CODE, 2020

- is engaged in the same general type of activity as the existing source, should be considered.
- b. construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of Subsection a.2 or a.3 above but otherwise alters, replaces, or adds to existing process or production equipment.
- c. construction of a new source as defined under the paragraph has commenced if the owner or operator has:
1. begun, or caused to begin as part of a continuous on-site construction program:
 - (i) any placement, assembly, or installation of facilities or equipment; or
 - (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 2. entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- (N.5) *Noncontact cooling water* means water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (N.6) *Non-significant industrial user or non-significant user* means a user not classified as a categorical industrial user or a significant industrial user.
- (N.7) *Normal production day* means a production day that conforms to information regarding the quantity and quality by which the discharge is permitted.
- (O.1) *Oklahoma City-County Health Department*, as used or referenced in this article, means the legal entity by that name established, pursuant to Title 63 of the Oklahoma Statutes, and its designated representatives.
- (P.1) *Pass-through* means a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, are a cause of a violation of any requirement of the City's NPDES permit (including but not limited to an increase in the magnitude or duration of a violation).
- (P.2) *Permittee* means the user or entity to which an Industrial Wastewater Discharge Permit has been issued.
- (P.3) *Person* means any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all Federal, State or local governmental entities.
- (P.4) *Petroleum Product Tank* means a fixed tank for storing petroleum product including but not limited to underground and aboveground storage tanks.
- (P.5) *PH* means a measure of the acidity or alkalinity of a substance, expressed in standard units.
- (P.6) *Pollutant* means any dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and other wastes, and the characteristics of the wastewater (i.e., pH, temperature, TSS, turbidity, color, BOD, chemical oxygen demand (COD), toxicity, odor).
- (P.7) *Pollution* means the manmade or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- (P.8) *Pretreatment or treatment* means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the

nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. This reduction or alteration can be obtained by physical, chemical or biological processes, or process changes, or other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

- (P.9) *Pretreatment requirements* means any substantive or procedural requirement related to pretreatment, other than a national pretreatment standard, imposed on a user.
- (P.10) *Pretreatment standards* or *standards* means all prohibitive discharge standards, categorical pretreatment standards, and local limits.
- (P.11) *Pretreatment system* refers to any apparatus deemed necessary by the Director to protect the collections system and POTW.
- (P.12) *Prohibited discharge standards* or *prohibitive discharges* means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 47-211 of this chapter.
- (P.13) *Publicly owned treatment works (POTW)* or *municipal wastewater collection and treatment system* means a "treatment work" as defined by § 212 of the Act (33 USC 1292) which is owned in this instance by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling and reclamation of sewage or wastes and any conveyances which convey wastewater to a treatment plant. The term also means the municipal entity having jurisdiction over the users and responsibility for the operation and maintenance of the treatment works. For the purposes of this chapter, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the City who are, by contract or agreements with the City, users of the City's POTW.
- (P.14) *POTW treatment plant* means that portion of the POTW designed to provide treatment of wastewater.
- (P.15) *Peak day limit* means the concentration of a pollutant not to be exceeded when measured by an instantaneous grab sample taken at any time during a normal produc-

tion day. If only one sample is taken during a calendar month, the peak day limit is not applicable to determine compliance; the 30-Day average limit will be used to determine user compliance.

- (P.16) *Pretreatment facility* or *pretreatment facilities*, as used or referenced in this article, means any facility or receptacle which is required by any provision of this Code to collect, filter, or pretreat nondomestic wastewater.
- (Q.1) Reserved.
- (R.1) *Residential discharge* shall mean any discharge which does not include any industrial discharge.
- (R.2) *Residential user* or *domestic user* shall mean any contributor to or user of the Oklahoma City sanitary sewer and wastewater system whose discharge is, determined by the Director to be, primarily of a character discharged into the sanitary sewer system of a residential or housekeeping unit. Any user discharging industrial waste as a part or portion of its regular discharge shall not be deemed a residential user.
- (R.3) *Residential or housekeeping unit* shall mean a unit or units which are maintained and operated solely for the use and benefit of the occupants dwelling in said unit or units as their primary place of residence, including, but not limited to, residential houses, multifamily residential houses, duplexes, triplexes, apartments, apartment complexes, condominiums, condominium complexes, mobile homes, and mobile home parks.
- (R.4) *Responsible party* means the entity who, at the discretion of the Director, is deemed to have caused the violation(s).
- (S.1) *Sample port* means the last discharge point of the pretreatment system prior to commingling with sanitary waste.
- (S.2) *Septic tank waste* means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (S.3) *Service* means the inspecting, cleaning, constructing, installing, operating or maintaining of a pretreatment facility, or any portion thereof. Provided, however, service as defined in this subsection shall not include installation or maintenance of pretreatment facilities by licensed plumbers under the BOCA Code.

§ 47-1

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (S.4) *Sewage* means human excrement and gray water (household showers, dishwashing operations, etc.).
- (S.5) *Significant industrial user* or *significant user* means: (a) users subject to categorical pretreatment standards; and (b) any other user that (i) discharges an average of 25,000 gpd or more of process wastewater, (ii) contributes a process waste stream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the treatment plant, or, (iii) is designated as significant by the City on the basis that the user has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (S.6) *Slug load* means any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 47-211 of this chapter or any discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or non-customary batch discharge.
- (S.7) *Standard analysis methods* shall mean the examination and analytical procedures set forth in the latest edition at the time of analysis of "Methods for Chemical Analysis of Water and Wastes" as approved by the Environmental Protection Agency's Water Quality Control Laboratory, Cincinnati, Ohio, or other procedures set forth in the Federal Regulations, 40 CFR 136, Guidelines Establishing Test Procedures for the Analysis of Pollutants.
- (S.8) *Standard industrial classification (SIC)* means a classification pursuant to the Standard Industrial Classification Manual issued by U.S. Office of Management and Budget.
- (S.9) *Stormwater* means any flow occurring during or following any form of natural precipitation and resulting therefrom, including but not limited to rain, snow, sleet, hail and snow melt.
- (S.10) *Sewage collection systems* includes gravity sewage collection lines not larger than 12 inches in diameter and except systems constructed in whole or in part with funds from EPA and/or administered by DEQ.
- (S.11) *Small commercial sewage treatment system* means a sewage treatment system which serves a public or commercial establishment which exhibits a flow of not greater than 5,000 gallons per day. This includes such establishments as small restaurants, retail stores, and commercial office buildings, but does not include residential systems, alternative systems, lift stations, discharging systems, or land treatment systems.
- (S.12) *Storage tank waste* shall mean the wastewater from storage, loading and unloading, transportation or conveyance of any raw material, immediate product, finished product, by-product, or waste product.
- (T.1) *Thirty-day average limit* means the numerical value by which a pollutant is limited to be discharged over any 30-day period. Compliance with the 30-Day average limit shall be determined from the numerical value of all samples taken during any 30-day period.
- (T.2) *Total suspended solids* or *suspended solids* means the total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.
- (T.3) *Toxic pollutant* means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under The provisions of § 307 of the Clean Water Act (33 USC 1317), as amended, or other acts or regulations promulgated by the United States or the State of Oklahoma.
- (T.4) *Transport, transporting* or *transportation, as used or referenced in this article*, means the transporting, hauling, moving or otherwise removal of wastewater from a pretreatment facility.
- (T.5) *Treatment plant effluent* means any discharge of pollutants from the POTW into waters of the State.
- (U.1) *User* means any person who contributes, causes or permits the contribution of wastewater into the City's municipal wastewater collection and treatment system.
- (U.2) *Utilities Department* means the City's Utilities Department.
- (V.1) Reserved.
- (W.1) *Wastewater* or *sewage* means the liquid and water-carried industrial or domestic wastes, including but not limited to grease, from all sources, including, but not limited to, dwellings, commercial buildings, industrial facilities, manufacturing facilities, and institutions, together with any

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-121

groundwater, surface water, and stormwater that may be present, whether treated or untreated, and which flows into or is permitted to enter the municipal wastewater collection treatment system.

(W.2) *Wastewater discharge permit* has the meaning as set forth in Article VII, Division 3 of this chapter and referenced in 40 CFR 403.8(f)(1)(iii).

(W.3) *Waters of the State* means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

(X.1) Reserved.

(Y.1) Reserved.

(Z.1) Reserved.

(Code 1980, § 41-1.3; Ord. No. 19830, § 1, 9-29-92; Ord. No. 20277, § 1, 1-24-95; Ord. No. 20916, § 1, 10-21-97; Ord. No. 20934, § 1, 11-12-97; Ord. No. 22053, § 1, 10-8-02; Ord. No. 23451, § 8, 9-25-07; Ord. No. 24155, § 1, 10-19-10; Ord. No. 24966, § 1, 9-9-14; Ord. No. 25109, § 1, 3-3-15; Ord. No. 27272, § 1, 1-31-23)

Cross reference—Definitions and rules of construction generally, § 1-2.

§ 47-14 Disposal.

Wastewater produced or collected in Oklahoma City, or by a permitted extra jurisdictional user, must be disposed of at a disposal site authorized by the Director. A list of authorized disposal sites shall be kept at the Wastewater Quality Division of the Utilities Department.

(Ord. No. 27272, § 2, 1-31-23)

§ 47-15 Petroleum Product Tanks.

Petroleum Product Tanks shall not be installed within 50 horizontal feet of a sanitary sewer line.

(Ord. No. 27272, § 2, 1-31-23)

§§ 47-16—47-30. Reserved.

§ 47-39 Inspections and employee identification tags

(a) Any authorized employee of the Department, upon presentation of his badge or other credentials as provided in this section, shall have the authority to inspect any premises supplied with City wastewater services or connected to the City wastewater system for the purpose of determining compliance with this Chapter and issuing notices and citation pursuant to this Chapter.

(b) All employees of the Department assigned to duties requiring the making of authorized inspections or issuing notices or citations pursuant to this Chapter shall be provided with a badge or other credentials to identify them as employees of the Department. No person who is not an authorized officer or employee of the Department shall possess, wear, exhibit or use any such badge or credentials.

(Ord. No. 27272, § 2, 1-31-23)

§§ 47-40—47-60. Reserved.

§ 47-121. Upset.

(a) For the purposes of this section, "upset" means an exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards and/or local pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or intentional, careless or improper operation.

(b) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards and/or local pretreatment standards if the requirements of Paragraph (c) are met.

(c) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

- (1) an upset occurred and the user can identify the cause(s) of the upset.
- (2) the facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures.
- (3) the industrial user has submitted the following information to the City within 24 hours of becoming aware of the upset (if this information is provided orally, a written submission must be provided within five days):
 - a. a description of the indirect discharge and cause of noncompliance.
 - b. the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue.
 - c. steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.

§ 47-121

OKLAHOMA CITY MUNICIPAL CODE, 2020

(d) In an enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.

(e) The user will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards and/or local pretreatment standards.

(f) The user shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards and/or local pretreatment standards upon reduction, loss or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost or fails.

(Code 1980, § 41-13.1; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 2, 10-8-02; Ord. No. 27272, § 3, 1-31-23)

§ 47-122. **General/specific prohibitions.**

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general and specific prohibitions of this chapter if it can prove that it did not know or have reason to know that its discharge, alone or in conjunction with discharges from other sources, would cause pass-through or interference and that either: (a) a local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass-through or interference, or (b) no local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the City was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

(Code 1980, § 41-13.2; Ord. No. 19830, § 1, 9-29-92; Ord. No. 27272, § 3, 1-31-23)

§ 47-123. **Bypass.**

(a) For purposes of this section:

- (1) *Bypass* means the intentional diversion of waste streams from any portion of an industrial user's treatment facility.
- (2) *Severe property damage* means substantial physical damage to property, damage to the treatment facilities which causes the facilities to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Paragraphs (c) and (d) of this section.

(c) (1) if a user knows in advance of the need for a bypass, it shall submit prior notice to the City, at least ten days before the date of the bypass if possible.

(2) a user shall submit oral notice of an unanticipated bypass that exceeds applicable pretreatment standards to the City within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent reoccurrence of the bypass. The City may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

(d) (1) bypass is prohibited, and the City may take enforcement action against a user for a bypass, unless:

- a. bypass was unavoidable to prevent loss of life, personal injury or severe property damage.
- b. there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
- c. the user submitted notices as required under Paragraph (c) of this section.

(2) the Director may approve an anticipated bypass, after considering its adverse effects, if the Director determines that the

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-211

industrial user will meet the three conditions listed in Paragraph (d)(1) of this section.

(Code 1980, § 41-13.3; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 2, 10-8-02; Ord. No. 27272, § 3, 1-31-23)

§ 47-211. Prohibited discharge standards.

(a) No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes pass-through or interference. These general prohibitions apply to all users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State or local pretreatment standards or requirements. Furthermore, no user may contribute the following substances to the POTW:

- (1) pollutants which create a fire or explosive hazard in the municipal wastewater collection and POTW, including, but not limited to, waste streams with a closed-cup flash-point of less than 140 degrees (60 degrees Celsius) using the test methods specified in 40 CFR 261.21, as amended.
- (2) any wastewater having a pH less than 5.0 or more than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment, or endangering City personnel.
- (3) solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference, but in no case solids greater than 1/2 inch in any dimension.
- (4) any wastewater containing pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with either the POTW, or any wastewater treatment or sludge process, or which will constitute a hazard to humans or animals.
- (5) any wastewater having a temperature greater than 104 degrees Fahrenheit (40 degrees Celsius), or which will inhibit biological activity in the treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees (40 degrees Celsius).
- (6) any discharge of nonpolar or saturated oil, nonbiodegradable cutting oil, or products of mineral oil origin which is greater than 100 mg/l or in amounts that will cause interference or pass-through.
- (7) any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
- (8) any trucked or hauled pollutants, except at discharge points designated by the City in accordance with 40 CFR 403.5(b)(8).
- (9) any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other substances, to injure or interfere with any wastewater treatment process or to create a toxic effect in the receiving waters of the municipal wastewater collection and/or treatment system.
- (10) any noxious or malodorous liquids, gases, solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance, a hazard to life, or to prevent entry into the sewers for maintenance and repair.
- (11) any wastewater which imparts color which cannot be removed by the treatment process such as, but not limited to, dye wastes and vegetable tanning solutions.
- (12) any wastewater containing any radioactive wastes or isotopes except as specifically approved by the Director, in compliance with applicable State or Federal regulations.
- (13) stormwater, surface water, groundwater, artesian well water, roof runoff, subsurface drainage, condensate, deionized water, non-contact cooling water, and unpolluted industrial wastewater, unless specifically authorized by the Director, or as defined in 47-1(W.1).
- (14) any sludges, screenings, or other residues from the pretreatment of industrial wastes.
- (15) any medical wastes, except as specifically authorized by the Director in a wastewater discharge permit.
- (16) any wastewater causing the treatment plant's effluent to fail a toxicity test.
- (17) any wastes containing detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW.
- (18) any discharge of polar or nonsaturated fats, oils or greases which is greater than 200 mg/l, or in amounts that will cause interference or obstruction of the POTW. Signs with proper grease disposal messages are required near 3-compartment sinks.

§ 47-211

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (19) any substance which causes a hazard to human life or creates a public nuisance.
- (20) any garbage from categorical or non-categorical users that has not been properly shredded. The installation and operation of any garbage grinder or garbage disposal equipped with a motor of three-fourths horsepower or greater shall be subject to review and approval of the Director.

(b) At no time shall two readings on an explosion hazard meter at any point of discharge into the POTW, or at any point in the POTW, be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter.

(c) When the Director determines that a user is contributing to the municipal wastewater collection and treatment system any of the above enumerated substances in such amounts as to interfere with the operation of the municipal wastewater collection and treatment system, the Director shall:

- (1) advise the user of the impact of the contribution on the municipal wastewater collection and treatment system; and
- (2) inform said user that the user has two days to correct the interference with the municipal wastewater collection and treatment system.

(d) Wastes prohibited by this article shall not be processed or stored in such a manner that the wastes could be discharged to the POTW. All floor drains located in process or materials storage areas must discharge to the user's pretreatment facility before connecting with the POTW or have spill control measures approved by the Director installed and operational.

(Code 1980, § 41-2.1; Ord. No. 19830, § 1, 9-29-92; Ord. No. 20916, § 5, 10-21-97; Ord. No. 22053, § 3, 10-8-02; Ord. No. 25828, § 1, 1-2-18, eff. 2-1-18; Ord. No. 27272, § 4, 1-31-23)

§ 47-218. **Waivers and variances.**

(a) A user may submit to the Director a written request for a waiver or variance of specific pollutant limitations. All requests will be evaluated by the Director on a case-by-case basis, a determination will be made within 60 days of receipt of the request. All limits shall be met until the User receives written approval from the Director granting the request. The Director may deny any request for a waiver. The following conditions shall apply to all waivers granted:

- (1) waiver of applicable Federal Categorical Pretreatment Standards or the pollutants outlined in Paragraph 47-214 (a) is prohibited.

- (2) capacity at the Wastewater Treatment Facility must be available for the requested pollutant(s).
- (3) the duration of the waiver will be specified and shall in no event exceed five years. Application for renewal of the waiver must be made at least 60 days before expiration.
- (4) any violation of the Industrial Waste Discharge Permit or Special Use Authorization conditions may result in the immediate revocation of the waiver.
- (5) the waiver will be issued to a specific user for a specific operation. A waiver shall not be reassigned, transferred, or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Director.
- (6) notwithstanding the language in any individual permit or any individual waiver, all permit waivers are subject to revocation or modification by the Director subsequent to any periodic review of the technically based local limits.
- (7) the User will bear the cost of any testing or evaluation deemed necessary by the Director in evaluating any waiver or the impact of any waiver or class of waivers upon the POTW.

(b) Upon the request of any permitted commercial laundry, the Director may grant a variance in the discharge requirements to permit discharge up to a pH of 11.0. Notwithstanding the language in any individual permit or any individual variance, all permit variances are subject to revocation or modification by the Director subsequent to any period review of the technically based local limits.

(Ord. No. 22686, § 1, 3-22-05; Ord. No. 27272, § 4, 1-31-23)

§ 47-245. **Hauled wastewater.**

(a) Septic tank waste may be accepted into the POTW at a designated receiving structure at such times as are established by the Director, provided such wastes do not violate the provisions of this chapter or any other requirements established or adopted by the City. Wastewater discharge permits for individual vehicles to use such facilities shall be issued by the Director.

(b) Users shall be required to utilize permitted wastewater haulers for the servicing of pretreatment systems.

(c) The discharge of hauled industrial wastes as "industrial septage" requires prior approval and a wastewater discharge permit from the City. The Director shall have authority to prohibit the disposal

of such wastes, if such disposal would interfere with the treatment plant operation. Waste haulers are subject to all other sections of this chapter.

(d) Fees for dumping septage will be established as part of the user fee system as established in Chapter 60, the General Schedule of Fees.

(Code 1980, § 41-3.5; Ord. No. 19830, § 1, 9-29-92; Ord. No. 24155, § 4, 10-19-10; Ord. No. 27272, § 4, 1-31-23)

Cross reference—Fee for discharge of septic tankers, § 60-47-43.

§ 47-272. Wastewater discharge permit requirement.

(a) It shall be unlawful for any user to discharge wastewater into the City's POTW without first obtaining a wastewater discharge permit from the Director. Any violation of the terms and conditions of a wastewater discharge permit shall be deemed a violation of this chapter and subjects the wastewater discharge permittee to the fines, imprisonment and sanctions set forth herein. Obtaining a wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal, State and local pretreatment standards or requirements or with any other requirements of Federal, State and local law.

(b) The Director may require other users, including liquid waste haulers, to obtain wastewater discharge permits as necessary to carry out the purposes of this chapter.

(Code 1980, § 41-4.2; Ord. No. 19830, § 1, 9-29-92; Ord. No. 27272, § 4, 1-31-23)

§ 47-278. Wastewater discharge permit decisions.

The Director will evaluate the data furnished by the user and may require additional information. Within 90 days of receipt of a complete wastewater discharge permit application, the Director will determine whether to issue a wastewater discharge permit. If no determination is made within this time period, the application will be deemed denied. The Director may deny any application for a wastewater discharge permit.

(Code 1980, § 41-4.8; Ord. No. 19830, § 1, 9-29-92; Ord. No. 27272, § 4, 1-31-23)

§ 47-302. Wastewater discharge permit content.

(a) Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Director to prevent pass-through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the POTW.

(b) Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable chapters, ordinances, user charges and fees established by the City. Wastewater discharge permits shall contain the following conditions:

- (1) A reference to relevant sections of Chapter 60, the General Schedule of Fees, and specific charges when applicable.
- (2) A reference to Article VII of this Chapter, and specific pollutant limitations where more stringent.
- (3) requirements for installation and maintenance of inspection and sampling facilities.
- (4) specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule.
- (5) compliance schedules.
- (6) requirements for submission of technical reports or discharge reports.
- (7) requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the City, and affording City access thereto.
- (8) requirements for notification to the City of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the municipal wastewater collection and treatment system.
- (9) requirements for Slug Control Plans and notification of slug discharges as provided in this chapter.
- (10) upon changes or increases in discharge, as determined by the water and wastewater utilities Director, the Director may require the user to reapply or amend its permit.
- (11) a notice that any permittee who is found to have violated an order of the Director, or who violated or failed to comply with any permit provision, any provisions of Chapter 47 of this Code, or the orders, rules, regulations and permits issued pursuant to Chapter 47 of the Code shall be guilty of an offense against the City and may be prosecuted in Municipal Court.

§ 47-302

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (12) other conditions as deemed appropriate by the Director or the City to ensure compliance with this chapter.

(Code 1980, § 41-5.2; Ord. No. 19830, § 1, 9-29-92; Ord. No. 20466, § 1, 10-24-95; Ord. No. 22775, § 1, 7-19-05; Ord. No. 24155, § 4, 10-19-10; Ord. No. 27272, § 4, 1-31-23)

State law reference—Penalty for ordinance violations, 11 O.S. § 14-111.

§ 47-303. Wastewater discharge permit appeals.

Any person, including users, may petition the Director, or his designated representative, to reconsider the terms of a wastewater discharge permit within 30 days of its issuance.

- (1) failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
- (2) in its petition, the appealing party must indicate the wastewater discharge permit provisions objected to, the reasons for this objection and the alternative conditions, if any, it seeks to place in the wastewater discharge permit.
- (3) the effectiveness of the wastewater discharge permit shall not be stayed pending the appeal.
- (4) if the Director, or his designated representative, fails to act within 90 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider a wastewater discharge permit, not to issue a wastewater discharge permit, or not to modify a wastewater discharge permit, shall be considered final administrative action for purposes of judicial review.
- (5) aggrieved parties who have exhausted their administrative remedies may seek judicial review of the final administrative wastewater discharge permit decision by filing a complaint with the district court for Oklahoma County within appropriate State statute of limitations.

(Code 1980, § 41-5.3; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 3, 10-8-02; Ord. No. 27272, § 4, 1-31-23)

§ 47-308. Wastewater discharge permit notification.

The terms and conditions of the wastewater discharge permit may be subject to modification by the Director during the term of the permit as limitations or requirements as identified in this chapter are modified or if other just cause exists. The user shall be informed by certified mail of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a

reasonable time schedule for compliance. Upon determination by the Director that a user's contribution to the POTW has changed or increased, the Director may require the user to reapply for a permit or amend the user's existing permit.

(Code 1980, § 41-5.8; Ord. No. 19830, § 1, 9-29-92; Ord. No. 27272, § 4, 1-31-23)

§ 47-311. Non-violation permit termination.

If a user is to vacate a premise or end tenancy, the City must be notified with a written permit termination request. The permittee is required to maintain compliance with this chapter to the date of termination and cease discharge upon the termination of the permit. The termination request must include the owner of the property and/or the operation or ownership of the premises or facilities have been transferred. The permittee may be held accountable following termination if violations of the chapter occur.

(Ord. No. 27272, § 5, 1-31-23)

§§ 47-312—47-330. Reserved.

§ 47-331. Baseline monitoring reports.

(a) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), as amended, whichever is later, existing significant users subject to such categorical pretreatment standards, and currently discharging to or scheduled to discharge to the POTW, shall be required to submit to the City a report which contains the information listed in this division. At least 90 days prior to commencement of their discharge, new sources, and sources that become users subsequent to the promulgation of an applicable categorical standard, shall be required to submit to the City a report which contains the information listed in this division. A new source shall also be required to report the method of pretreatment it intends to use to meet applicable pretreatment standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants discharged.

(b) The user shall submit the information required by this section, including:

- (1) Identifying information. The name and address of the facility, including the name of the operator and owners.
- (2) Wastewater discharge permits. A list of any environmental control wastewater discharge permits held by or for the facility.
- (3) Description of operations. A brief description of the nature, average rate of produc-

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-335

tion, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.

- (4) Flow measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e), as amended.
- (5) Measurement of pollutants.
 - a. identify the categorical pretreatment standards applicable to each regulated process.
 - b. submit the results of sampling and analysis identifying the nature and concentration (and/or mass, where required by the standard or by the City) of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum and long-term average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in this division.
 - c. sampling must be performed in accordance with procedures set out in this division.
 - d. at the discretion of the Director, the User may be granted a waiver if the user can demonstrate to the Director's satisfaction that a particular pollutant is not present in its process waste stream or is only present in background levels in the intake water.
- (6) Certification. A statement reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) Compliance schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date

established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in 40 CFR 403.12(B)(7) and (C), as amended.

- (8) Baseline monitoring reports. All baseline monitoring reports must be signed and certified in accordance with Division 3 of this article.

(Code 1980, § 41-6.1; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 3, 10-8-02; Ord. No. 24155, § 4, 10-19-10; Ord. No. 27272, § 4, 1-31-23)

§ 47-334. Periodic compliance reports.

(a) Any user subject to a pretreatment standard shall, at a frequency determined by the Director, but in no case less than twice per year (in June and December), submit a report indicating the nature and concentration of pollutants in the discharge which are limited by such pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports must be signed and certified in accordance with EPA signatory requirements for users.

(b) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.

(c) If a user subject to the reporting requirement in this article monitors any pollutant more frequently than required by the City, using the procedures prescribed in 40 CFR 403.12(g)(5), as amended, the results of this monitoring shall be included in the report.

(Code 1980, § 41-6.4; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 3, 10-8-02; Ord. No. 27272, § 4, 1-31-23)

§ 47-335. Report of changed conditions.

Each user shall notify the Director promptly of any planned significant changes to the user's operations or system which might alter the nature, quality or volume of its wastewater at least 30 days before the change.

- (a) the Director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application.
- (b) the Director may issue a wastewater discharge permit or modify an existing wastewater discharge permit.

§ 47-335

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (c) no user shall implement the planned changed condition(s) until and unless the Director has responded to the user's notice in writing.
- (d) for purposes of this requirement, flow increases of ten percent or greater, and the discharge of any previously unreported pollutants, shall be deemed significant.

(Code 1980, § 41-6.5; Ord. No. 19830, § 1, 9-29-92; Ord. No. 27272, § 4, 1-31-23)

§ 47-336. Reports of potential problems.

(a) In the case of any discharge including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load which may cause potential problems for the POTW (including a violation of the prohibited discharge standards in this chapter), it is the responsibility of the user to immediately telephone and notify the City of the incident. This notification shall include the location of discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.

(b) Within five days following such discharge, the user shall submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, civil penalties, or other liability which may be imposed by this chapter.

(c) Failure to notify the City of potential problem discharges shall be deemed a separate violation of this chapter.

(d) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees whom to call in the event of a discharge described in Paragraph (a) above. Employers shall ensure that all employees, who may cause or suffer such a discharge to occur, are advised of the emergency notification procedure.

(Code 1980, § 41-6.6; Ord. No. 19830, § 1, 9-29-92; Ord. No. 27272, § 4, 1-31-23)

§ 47-337. Reports from significant non-categorical users and nonsignificant users.

(a) The control authority shall require appropriate reporting from those users with discharges that are not subject to categorical pretreatment standards. Significant non-categorical users shall submit to the control authority at least once every six months

(on dates specified by the control authority) a description of the nature, concentration, and flow of the pollutants required to be reported by the control authority. These reports shall be based on sampling and analysis performed in the period covered by the report, and performed in accordance with the techniques described in 40 CFR 136, and amendments thereto. Where 40 CFR 136, does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the City or other persons, approved by the Administrator. This sampling and analysis may be performed by the control authority in lieu of the significant non-categorical user. Where the City itself collects all the information required for the report, the non-categorical significant user will not be required to submit the report.

(b) All users not subject to categorical pretreatment standards and not required to obtain a wastewater discharge permit shall provide appropriate reports to the City as the Director may require.

(Code 1980, § 41-6.7; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 3, 10-8-02; Ord. No. 27272, § 4, 1-31-23)

§ 47-339. Notification of discharge of hazardous waste.

(a) Any user who commences the discharge of hazardous waste shall notify the City, the EPA Regional Waste Management Division Director and state hazardous waste authorities (ODEQ) in writing of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR 261, as amended. Such notification must include the name of the hazardous waste as set forth in 40 CFR 261, as amended, the EPA hazardous waste number, and the type of discharge (continuous, batch or other). If the user discharges more than ten kilograms of such waste per calendar month to the City, the notification shall also contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submit-

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-411

ted to the Director. The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of this chapter.

(b) Dischargers are exempt from the requirements of this article during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), as amended. Discharge of more than 15 kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification.

Subsequent months during which the industrial user discharges more than such quantities of any hazardous waste do not require additional notification.

(c) In the case of any new regulations under § 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the City, the EPA Regional Waste Management Waste Division Director and state hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.

(d) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

(Code 1980, § 41-6.9; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 3, 10-8-02; Ord. No. 27272, § 4, 1-31-23)

§ 47-371. Inspection and sampling.

The City shall have the right to enter the facilities of any user to ascertain whether the purpose of this article, and any permit or order issued hereunder, is being met and whether the user is complying with all requirements thereof. Users shall allow the Director or his representatives ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- (a) where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, personnel from the City, State and EPA will be permitted to enter without delay for the purposes of performing their specific responsibilities.

(b) the City, State and EPA shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.

(c) the City may require the user to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated annually to ensure their accuracy. Proof of Calibration shall be forwarded to the City during the month of December.

(d) any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the Director and shall not be replaced. The costs of clearing such access shall be borne by the user.

(e) unreasonable delays in allowing City personnel access to the user's premises shall be a violation of this chapter.

(Code 1980, § 41-7.1; Ord. No. 19830, § 1, 9-29-92; Ord. No. 24155, § 4, 10-19-10; Ord. No. 27272, § 4, 1-31-23)

§ 47-411. Publication of list of users in significant noncompliance.

The City shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW, a list of the users which, during the previous 12 months, were in significant noncompliance with applicable pretreatment standards and requirements. Any user found to be in SNC will be subjected to an administrative fee of \$500.00. The term "significant noncompliance" shall mean:

(a) chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of wastewater measurements taken during a six-month period exceed the daily maximum limit or the 30-day average limit for the same pollutant parameter (by any magnitude) a numeric Pretreatment Standard or requirement, including instantaneous limits, as defined by 40 CFR 403.3(1).

(b) technical review criteria (TRC) violations, defined here as those in which 33 percent or more of wastewater measurements taken for each pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement, including

§ 47-411

OKLAHOMA CITY MUNICIPAL CODE, 2020

instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH).

- (c) any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) the City believes has caused, alone or in combination with other discharges, interference or pass-through (including endangering the health of City personnel or the general public).
- (d) any discharge of pollutants that has caused imminent endangerment to the public or to the environment, or has resulted in the City's exercise of its emergency authority to halt or prevent such a discharge.
- (e) failure to meet, within 90 days of the scheduled date, a compliance schedule milestone contained in a wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance.
- (f) failure to provide, within 30 days after the due date, any required reports, including baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.
- (g) failure to accurately report noncompliance.
- (h) any other violation(s), which may include a violation of Best Management Practices, the City determines will adversely affect the operation or implementation of the local pretreatment program.

(Code 1980, § 41-9.1; Ord. No. 19830, § 1, 9-29-92; Ord. No. 22053, § 3, 10-8-02; Ord. No. 24155, § 4, 10-19-10; Ord. No. 25828, § 1, 1-2-18, eff. 2-1-18; Ord. No. 27272, § 4, 1-31-23)

§ 47-501. Generally.

(a) *Sanitary sewer charges; formula.* For the purpose of providing funds for the operation and maintenance of the wastewater system of the City and for other purposes, each respective user shall pay monthly sanitary sewer customer service charge(s) plus a sanitary sewer user charge based on the formula:

$$Cd = (WWm) (Kd) + (BODSC) + (TSSC)$$

Where:

- Cd = sanitary sewer user charge for each period (monthly unless otherwise determined by the Director) in dollars.
- WWm = volume of sanitary sewage discharge in thousands of gallons as measured or estimated or established in accordance with this section.
- Kd = unit rate for treatment of wastewater per 1,000 gallons in dollars for the accountholder's customer classification.
- BODSC = BOD surcharge in accordance with Section 60-47-30(a), as applicable.
- TSSSC = suspended solids surcharge in accordance with Section 60-47-30(b), as applicable.

There are additional charges and surcharge established for certain discharges as provided in this chapter. Provided further, this chapter prohibits certain discharges. The amount of such charges and surcharge shall be as established in Chapter 60, the General Schedule of Fees.

(b) *Sanitary sewer customer classifications.*

- (1) *Residential (Single, duplex, and triplex housekeeping unit) customers*—Customers with an account for wastewater services to a single, duplex, and triplex residence that discharges wastewater from domestic uses only, and which discharge from is separately measured or established, as provided in this section.
- (2) *Multiple housekeeping units customers*—Customers with an account for wastewater services to more than three housekeeping units that discharge wastewater from domestic uses only, and for which discharge is not separately measured or established, as provided in this section, for each housekeeping unit. Multiple housekeeping unit customers include, but are not limited to, residential multiplexes, residential apartment complexes, residential mobile home parks, and other similarly-situated multiple unit residential customers.
- (3) *Industrial user customers*—Customers who are classified as industrial users.
- (4) *Commercial customers*—Accounts that do not have housekeeping unit(s) or industrial sanitary sewer discharges shall be considered commercial. A mixed-use unit consisting of one or more housekeeping units and one or more commercial businesses discharging combined sanitary sewer shall be considered commercial.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-501

(c) *Sanitary sewer discharge volume calculation measured, estimated and established.*

- (1) Sanitary sewer discharge by residential (single, duplex, triplex), and multiple housekeeping units account users will be calculated and charged for the volume of wastewater discharge based upon the lower of the volume of:
 - a. wastewater discharge as measured by an accurate City owned and approved wastewater meter, or
 - b. water usage as metered during the period as measured by an accurate water meter owned or approved by the Director, or
 - c. the volume established as the winter period average as defined in Section 47-502, or as estimated by the Director in accordance with this Code.
- (2) Sanitary sewer discharge by all account users, other than residential (single, duplex, triplex), and multiple housekeeping units customers, will be calculated and charged for the volume of wastewater discharge based upon the lower of the volume of:
 - a. wastewater discharge as measured by an accurate City owned and approved wastewater meter, or
 - b. water usage, less volumes used in products and therefore not discharged into the sewer system, each as metered during the period as measured by an accurate water meter approved by the Director, or as estimated by the Director in accordance with this Code.

(d) *Sewer service to customers on water from non-City sources (including wells or wholesale).* Sanitary sewer customers receiving water, directly or indirectly, from non-City sources, which in whole or in part ultimately enters the wastewater system must be metered in accordance with the standards of the Director to enable sanitary sewer service to be calculated and billed accordingly. Provided, however, the Director may require as a condition of new or continued sanitary sewer service that the customer purchase and install a City water meter or wastewater meter at the customer's sole cost within 30 days of notice from the Director and provide safe access at times requested by the Director for inspection and meter readings. If, in the opinion of the Director, the installation of a meter would be impractical, the Director may estimate water usage using such other methods as determined by the Director.

(e) *Sanitary sewer service is a contract for utility service and not a right of any person or entity.* Sanitary sewer service may be suspended or terminated for non-payment or non-compliance with this Code. This Code, and any amendment or addition thereto, shall be the terms of the utility service contract. Connection to the City wastewater system is the agreement of the customer, property owner, user and customer to the terms of the sanitary sewer utility service contract as set forth in the Code, and any amendment or addition thereto. Continued connection to the City wastewater system is re-affirmation of the terms of the sanitary sewer utility service contract as set forth in the Code, and any amendment or addition thereto.

(f) *Treated wastewater supply service—Outside City Unincorporated (North Canadian source) for electrical generation purposes.* These customers receiving treated wastewater supply directly from North Canadian wastewater facility, into their privately-owned supply system for electric generation purposes, will be charged and must pay monthly water customer service charge(s), plus the treated wastewater user charge(s) (volume used is measured or estimated or established in accordance with this Code times the applicable treated wastewater service rate in Chapter 60, the General Schedule of Fees), plus all other applicable charges and fees, including financing costs, as set forth in this Code.

(g) *Sanitary sewer service—Outside City Unincorporated (Treatment only) North Canadian source for electrical generation purposes.* These customers that own and operate wastewater lines that discharge wastewater directly to North Canadian wastewater facility from electrical generation purposes, will be charged and must pay monthly sanitary sewer customer service charge(s), plus sanitary sewer user charge(s) (volume discharged in thousands of gallons as measured or estimated or established in accordance with this Code times the applicable sanitary sewer service rate (treatment only) in Chapter 60, the General Schedule of Fees), plus all other applicable charges and fees, including financing costs, set forth in this Code.

(h) *Treated wastewater supply service related to Private Business Use—Outside City Unincorporated (South Canadian source) for electrical generation purposes.* These customers contracting for treated wastewater supply directly from South Canadian wastewater facility and receiving treated wastewater supply into their privately-owned supply system for electric generation purposes pursuant to a contract with a term of more than three years, will be charged and must pay the standard industrial customer service charge(s), plus the treated wastewater user charge(s) (recycled water rate) for consumption used as measured or estimated as established in accordance with this Code times the

§ 47-501

OKLAHOMA CITY MUNICIPAL CODE, 2020

applicable treated wastewater service rate in Chapter 60, the General Schedule of Fees, plus all other applicable charges and fees, including taxable financing costs, as set forth in this Code.

(i) *Treated wastewater supply service unrelated to Private Business Use—Outside City Unincorporated (South Canadian source) for electrical generation purposes.* These customers contracting for treated wastewater supply directly from South Canadian wastewater facility and receiving treated wastewater supply into their privately-owned supply system for electric generation purposes pursuant to a contract with a term not longer than three years, will be charged and must pay the standard industrial customer service charge(s), plus the treated wastewater user charge(s) (recycled water rate) for consumption used as measured or estimated as established in accordance with this Code times the applicable treated wastewater service rate in Chapter 60, the General Schedule of Fees, plus all other applicable charges and fees, including financing costs, set forth in this Code.

(j) *Treated wastewater supply service (Inside or Outside City) for irrigation purposes.* These customers receiving treated wastewater supply directly from a City wastewater treatment facility, into their privately-owned supply system for irrigation purposes, will be charged and must pay monthly treated wastewater customer service charge(s), plus the treated wastewater user charge(s) (volume used is measured or estimated or established in accordance with this Code times the applicable treated wastewater service rate in Chapter 60, the General Schedule of Fees), plus all other applicable charges and fees, including financing costs, as set forth in this Code.

(k) *Treated wastewater supply and delivery service (Inside or Outside City) for irrigation purposes.* These customers receiving treated wastewater supply directly from a City treated wastewater transmission pipeline facility, into their privately-owned irrigation system for irrigation purposes, will be charged and must pay monthly treated wastewater customer service charge(s), plus the treated wastewater user charge(s) (volume used is measured or estimated or established in accordance with this Code times the applicable treated wastewater service rate in Chapter 60, the General Schedule of Fees), plus all other applicable charges and fees, including financing costs, as set forth in this Code.

(l) *Outside City Unincorporated combined sanitary wastewater and storm water service (Oklahoma National Stockyards Company).* This customer will be charged and must pay monthly sanitary sewer customer service charge(s), plus sanitary sewer user charge(s) (volume discharged in thousands of gallons as measured or estimated

or established in accordance with this Code times the applicable sanitary sewer service rate in Chapter 60, the General Schedule of Fees), plus all other applicable charges and fees, including financing costs, as set forth in this Code.

(m) *Sanitary sewer service—Outside City Unincorporated (sewer only).* Customers connected to the Oklahoma City sanitary sewer system but not receiving drinking water service from Oklahoma City shall be charged and must pay a monthly sanitary sewer flat rate service charge(s), as established in Chapter 60, the General Schedule of Fees, plus all other applicable charges and fees set forth in this Code. The flat rate fee recovers all service costs including the established monthly sewer volumetric amount per customer account.

(n) *Specially Requested and Agreed to Operations and Maintenance services provided per contract with the City or Trust for which the City is a beneficiary.* Any specially written requests and agreed to operations and maintenance expenditures incurred by the City, Trust, or contractor of the City or Trust, to satisfy special requests for which cost recovery has not been previously accounted for in the then established Chapter 60, General Schedule of Fees, shall be determined by the Utilities Director, or designee, and billed monthly to the contracted customer. All specially requested services shall only be considered by the Utilities Director, or designee, if previously received in writing.

(Code 1970, § 31-36(a); Ord. No. 16221, § 1, 6-9-81; Ord. No. 16734, § 1, 6-29-82; Ord. No. 17116, § 1, 4-12-83; Code 1980, § 47-101; Ord. No. 18156, § 1, 6-25-85; Ord. No. 18558, § 1, 8-12-86; Ord. No. 18857, §§ 1-4, 10-20-87; Ord. No. 20437, § 2, 10-17-95; Ord. No. 21517, § 8, 7-5-00; Ord. No. 22053, § 4, 10-8-02; Ord. No. 23451, § 8, 9-25-07; Ord. No. 24966, § 2, 9-9-14; Ord. No. 25793, §§ 1, 2, 2-21-17, eff. 12-31-17; Ord. No. 26291, § 1, 11-5-19; Ord. No. 27048, § 1, 4-26-22, eff. 6-1-22; Ord. No. 27272, § 6, 1-31-23)

§ 47-556. Lump sum payments.

Any user who so desires may fulfill its cost recovery obligation by making a lump sum payment for its entire share of the cost of construction of the treatment works at any time. Such payments shall relieve the user of further cost recovery payments, except that if the industrial wastewater flow or load of the user shall increase, such user shall be obligated to additional future payments for the increased flow or load.

(Code 1970, § 31-44(g); Code 1980, § 47-141; Ord. No. 27272, § 6, 1-31-23)

§ 47-557. Termination.

If a user discontinues use of the treatment works, the cost recovery for such user shall cease, and no further payments for such user shall be due. The cost recovery allocation for any user that discontinues use of the treatment works shall not be reallocated to other users of the system.

(Code 1970, § 31-44(g); Code 1980, § 47-142; Ord. No. 27272, § 6, 1-31-23)

DIVISION 2. RESERVED*

§§ 47-651—47-680. Reserved.

§ 47-800. Prohibited discharges.

All wastewater haulers shall comply with Article VII and Article XII of this chapter. Wastes violating any part of this chapter shall not be accepted at any City structure, said wastes may only be accepted at authorized private disposal sites for treatment prior to discharge.

(Ord. No. 27272, § 7, 1-31-23)

§ 47-801. Permitting.

(a) All wastewater haulers planning to perform wastewater transporting services for pretreatment facilities, including but not limited to Grease Interceptors, Oil/Water Separators, grit traps, collection tanks, DAF units, etc., must apply for and receive a Wastewater Discharge Permit from the City of Oklahoma City Pretreatment personnel in the Wastewater Quality Division, prior to hauling in Oklahoma City.

- (1) Wastewater Discharge permit fees will be established to recover any costs incurred by the City. The fees are listed in Chapter 60, the General Schedule of Fees, 60-47-21 Industrial pretreatment fee structure, Oklahoma City Municipal Code.
- (2) Follow up inspections will be charged a re-inspection fee each time the Director or his designee is required re inspect a facility. Reference Chapter 60 of the OKC Municipal Code.

(b) Wastewater Discharge Permit Content:

- (1) Wastewater discharge permits shall include such conditions as are reasonably deemed necessary by the Director to prevent pass-through or interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect ambient air quality, and protect against damage to the POTW.
- (2) Wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other applicable chapters, ordinances, user charges and fees

*Editor's note—Ord. No. 26755, § 7, adopted May 25, 2021, repealed §§ 47-651—47-655, which pertained to licensing and certification of contractors and derived from Code 1970, §§ 18-9—18-12; Code 1980, §§ 47-201—47-205.

established by the City. Wastewater discharge permits shall contain the following conditions:

- (3) A reference to Chapter 60, the General Schedule of Fees, the applicable sections for unit charges and fees.
- (4) Disposal requirements.
- (5) A reference to Article VII of this chapter, prohibited discharge with specific pollutant limitations and descriptions when necessary.
- (6) Restrictions on the hauling of multiple waste types
- (7) Servicing requirements
- (8) Manifesting and logging requirements
- (9) A prohibition against reassigning, transferring, or selling wastewater discharge permits to a new owner.
- (10) Compliance schedules
- (11) Permit termination clauses
- (12) Inspection requirements and guidelines
- (13) A notice that compliance with the conditions of an issued permit does not relieve the permittee from his/her obligations regarding compliance with any and all applicable Local, State and Federal laws, standards and requirements, including any such requirements and standards that may become effective during the term of the permit.
- (14) Permit modification
- (15) A notice that any permittee who is found to have violated an order of the Director, or who violated or failed to comply with any permit provision, any provisions of Chapter 47 of this Code, or the orders, rules, regulations and permits issued pursuant to Chapter 47 of the Code shall be guilty of an offense against the City and may be prosecuted in Municipal Court.
- (16) Other conditions as deemed appropriate by the Director or the City to ensure compliance with this chapter or any Local, State, or Federal regulations.
- (17) Conditions outlined in 47-301 and sections 47-303—47-330 apply to wastewater haulers.

(Ord. No. 27272, § 7, 1-31-23)

§ 47-802

OKLAHOMA CITY MUNICIPAL CODE, 2020

§ 47-802. Identification.

(a) All persons who drive vehicles for the purpose of transporting or disposing of wastewater must obtain any appropriate State driver's license.

(b) Any person engaging in the cleaning or servicing of pretreatment facilities must display their license and/or plumbing license, and a current government issued picture identification upon request from the Director.

(c) All waste hauling vehicles must have City issued identification stickers, provided on approval of wastewater discharge permit, on both the driver and passenger sides of the tank, in a clearly visible area.

(Ord. No. 20086, § 1(47-302), 1-4-94; Ord. No. 27272, § 8, 1-31-23)

§ 47-803. Reserved.

Editor's note—Ord. No. 27272, § 9, adopted Jan. 31, 2023, repealed § 47-803, which pertained to license fee and derived from Ord. No. 20086, § 1(47-303), 1-4-94.

§ 47-804. Equipment, vehicles and receptacles.

(a) All equipment and vehicles operated by or utilized to transport or dispose of wastewater must meet the applicable State equipment and vehicle standards. All equipment and vehicles utilized to transport or dispose of wastewater must annually be inspected and approved by the Director and registered with the City. Provided, however, that on request, the wastewater hauler must allow the Director to inspect any vehicle or receptacle used to transport wastewater or grease.

(b) No person shall transport: hazardous wastewater; nonhazardous wastewater from pretreatment facilities; wastewater from a septic tank in the same receptacle at the same time. All persons must provide separate receptacles or provide for separate compartments within a receptacle to prevent commingling of hazardous wastewater; nonhazardous wastewater from pretreatment facilities; and/or wastewater from a septic tank, or must transport hazardous wastewater, nonhazardous wastewater and wastewater from septic tanks as separate loads.

(c) The Director may inspect any vehicle owned or utilized by a permittee at any time to determine whether the vehicle meets the requirements of this article.

(d) Only a permitted wastewater hauler may operate or drive a vehicle for the purpose of transporting wastewater from a pretreatment facility.

(e) No person shall store wastewater in a vehicle for more than a maximum of 72 hours.

(f) A licensed plumber or a permitted wastewater hauler may pump nonhazardous wastewater from a pretreatment facility into a metal drum during maintenance of said facility. However such temporary storage for said purpose may not exceed 24 hours. All wastewater removed from the pretreatment facility for this purpose must, be returned to the facility or disposed of in accordance with the provisions of this article.

(g) No person shall transport wastewater from a pretreatment facility in a vehicle or equipment unless the vehicle or equipment has been inspected and approved by the Director and registered with the City, as provided in this article.

(h) Identification Stickers must be displayed in accordance with 47-802.

(i) All equipment and vehicles utilized to transport wastewater from a pretreatment facility to be inspected by the Director must annually meet City and State standards for transporting sanitary septic material and the provisions of this article. Notwithstanding any other provision of this article, an inspection and registration of a vehicle or equipment any time in January shall be retroactively effective to January 1st of that year. Upon presentation to the City in January of a current valid registration as required by this article, citations issued pursuant to this article during said same January for use of an unregistered vehicle or equipment shall be dismissed. However, vehicles and equipment inspected and registered after January 31st shall not be retroactive in effect and shall not affect any citations issued hereunder.

(j) Equipment and vehicles inspected and registered pursuant to this chapter for the purpose of transporting wastewater from septic tanks are also required to be inspected and registered pursuant to this article. If presented for both inspections at the same time, the permittee shall pay both the standard fee for inspection and registration of vehicles and equipment transporting sanitary septic material, as required in this chapter, and the fee set forth in Section 60-47-805 for inspection and registration pursuant to this article. If equipment or vehicle transporting wastewater is required to be inspected and registered pursuant to this article, but is presented separately from the inspection and registration required for equipment and vehicles transporting sanitary septic material, then the owner shall pay both the fee set forth in Section 60-47-805 and the applicable standard fee for inspection and registration of vehicles and equipment transporting sanitary septic materials set forth in this chapter upon presentation for same.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 47-830

(k) No equipment or vehicle which fails the inspection required by this article shall be registered or utilized until the equipment or vehicle is inspected and has passed same.

(1) Hoses, pumps, and other equipment on transport vehicles which come into contact with wastes must be dedicated to a specific type of waste to avoid the contamination of pretreatment systems and the surrounding area.

(Ord. No. 20086, § 1(47-304), 1-4-94; Ord. No. 27272, § 8, 1-31-23)

§ 47-806. Disposal of wastewater.

(a) The disposal of wastewater must be by a permittee:

- (1) into a sanitary landfill and/or a land application site as authorized and approved by the Director; or
- (2) into a private waste reclamation facility as authorized and approved by the Director; or
- (3) into the City wastewater system as authorized and approved by the Director.

(b) The Director is hereby authorized to designate authorized and approved landfills, private waste reclamation facilities and other authorized disposition of wastewater. The Director may withdraw such designation should the owner or operator of the disposal site violate any provision of this article. A list of the authorized disposal sites shall be on file with the Wastewater Quality Division of the Department.

(c) The disposal of wastewater from a pretreatment facility other than as provided in the Code, is expressly prohibited and shall be a violation by both the user and/or its permittee.

(d) Any wastewater unacceptable for discharge into the City's sanitary sewer system must meet applicable State requirements for transportation and disposal.

(e) The decanting of wastewater into the collections system, including any pretreatment system, is an unauthorized discharge and a violation of this chapter.

(f) Commingled waste must not be accepted at any City structure or any City approved disposal site.

(Ord. No. 20086, § 1(47-306), 1-4-94; Ord. No. 23451, § 8, 9-25-07; Ord. No. 27272, § 8, 1-31-23)

§ 47-807. Cleaning of a pretreatment system

(a) The hauler must abide by the 100% pump out rule, in which all waste and water must be removed from the grease trap, oil/water separator, or grit trap at the time of service.

(b) The decanting of wastewater into the collections system, including any pretreatment system, is unauthorized discharge and a violation of this chapter.

(1) Relevant manifest sections must be completed in their entirety at the time of service.

(2) A user must ensure servicing occurs before the 25% rule is met, where the floatable grease and settled solids combine to displace one fourth of the capacity of the grease interceptor or oil/water separator.

(3) Both the user and hauler may be held responsible for compliance with this section.

(Ord. No. 27272, § 7, 1-31-23)

§§ 47-808—47-810. Reserved.

DIVISION 2. RECORD KEEPING

§ 47-811. Record keeping.

All users involved in the discharging, generating, transporting or disposal of non-domestic wastewater shall cooperate and participate in the logging and tracking of grease from the user. Record keeping requirements will be specified in the Wastewater Discharge Permit.

(Ord. No. 27272, § 7, 1-31-23)

§§ 47-812—47-819. Reserved.

§ 47-830. Administrative action.

(a) To protect public health, the devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage and industrial wastes of a liquid nature and all sewers, pipes and conveyances to the wastewater treatment plants, users must apply for, obtain, and comply with all provisions of this chapter.

(b) Any person violating any of the provisions of this chapter or causing damage to, or otherwise inhibiting Oklahoma City's wastewater collection system and/or the POTW shall be liable to the City for any expense, loss or damage caused by such violation or discharge. The cost incurred by the City for any cleaning, repair or replacement work caused by the violation will be added to the responsible party's monthly water bill for payment. Failure or refusal to pay the assessed costs may result in escalated enforcement actions and penalty fees including, but not limited to:

(c) If, in the opinion of the Director, a user or hauler has violated, or continues to violate any provision of this chapter, a wastewater discharge

§ 47-830

OKLAHOMA CITY MUNICIPAL CODE, 2020

permit, or any pretreatment standard or requirement, the Director may issue escalating enforcement measures under the Pretreatment Enforcement Response Guide.

(Ord. No. 27272, § 7, 1-31-23)

§ 47-831. Enforcement of other laws, rules, or regulations not limited.

Nothing in this chapter limits the authority of any Oklahoma City personnel or any Local, State, or Federal entity to enforce any other laws, rules, regulations, or ordinances relating to water or wastewater.

(Ord. No. 27272, § 7, 1-31-23)

§ 47-832. Public nuisances.

A violation of any provision of this chapter, a wastewater discharge permit, wastewater hauler permit or any other permit, or order issued hereunder, or any other pretreatment standard or requirement is hereby declared a public nuisance

and must be corrected or abated as directed by the Director. Any person(s) creating a public nuisance is subject to the provisions of chapter 47 of the Oklahoma City Municipal Code governing such nuisances, including reimbursing the City for any costs incurred in removing, abating, or remedying said nuisance.

(Ord. No. 27272, § 7, 1-31-23)

§§ 47-833—47-841. Reserved.

§ 47-842. Permit, denial, revocation or suspension.

A permit may be denied, revoked or suspended, or renewal denied, as provided in this chapter.

(Ord. No. 20086, § 1(47-324), 1-4-94; Ord. No. 27272, § 8, 1-31-23)

§ 47-843. Enforcement authority.

The Director is hereby authorized to issue citations for the enforcement of any provision of this chapter.

(Ord. No. 20086, § 1(47-325), 1-4-94; Ord. No. 27272, § 8, 1-31-23)

Division 2. Carts

- § 49-44. Superintendent may designate location of carts.
- § 49-45. Placement of carts for residential refuse service.

Division 2. Reserved

§§ 49-71—49-85. Reserved.

§ 49-21. Definitions.

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

- (1) *Ashes* includes all ashes of wood, coal and coke and the residue resulting from the combustion of any material or substance, soot, cinders, slag or charcoal.
- (2) *Business, commercial establishment or institution* includes any building or structure or premises not defined as a residence.
- (3) *Bulky waste* includes but is not limited to discarded large and small household appliances, furniture, carpets, mattresses, and similar small and large items produced as refuse, and small non-contracted remodeling wastes from single-unit or multi-unit dwellings.

- (4) *Cart* means City-issued cart for the disposal of municipal solid waste.
- (5) *Collectible solid waste* means all solid waste, including but not limited to garbage, rubbish, yard waste, bulky waste, recyclable materials(s) or trash, except non-collectible solid waste.
- (6) *Collection route* includes the term "refuse route" and means a prescribed line of travel by crews and equipment engaged and used at regular stated intervals in the collection, transportation and delivering of refuse for disposal.
- (7) *Commercial solid waste* means all solid waste, including garbage, rubbish and trash, except yard waste, bulky waste and non-collectible solid waste.
- (8) *Department* means the Utilities Department.
- (9) *Director* means the Director of Utilities Department.

- (10) *Disabled house-side service cart at a location to be determined by the Superintendent.* To be granted this service, the resident must submit an affidavit provided by the Department and must provide proof of disability in accordance with departmental rules and that no other occupant of the residence is capable of taking the cart to the designated pickup point near the street.
- (11) *Disposal* means placement of solid waste inside the landfill.
- (12) *Division* means the Solid Waste Management Division of the Utilities Department.
- (13) *Garbage* means all putrescible wastes from any place where meats, fish, fowls, fruits, or vegetables are prepared for food for immediate consumption and shall include all household waste containing organic matter that has been prepared for or was intended to be used as food or has resulted from the preparation of food.
- (14) *Hazardous waste* means materials or substances, which by reason of their composition or characteristics are:
- hazardous waste as defined in the Solid Waste Disposal Act, 42 USC 6901 et seq., or the regulations there under, or the Oklahoma Controlled Industrial Disposal Act, 63 O.S. § 1-2001 et seq., or the regulations there under, and any similar or substituted legislation or regulations or amendments to the foregoing;
 - any other materials, which any governmental agency or unit having appropriate jurisdiction shall determine from time to time are harmful, toxic or dangerous.
- (15) *Household hazardous waste* means wastes produced at residential premises as defined by the Federal Solid Waste Disposal Act (42 U.S.C. § 3251 et seq.), as amended, or the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §§ 6901 et seq.) and all future amendments thereto, or regulations promulgated there under.
- (16) *Municipal solid waste* means all collectible solid waste within the City.
- (17) *Multifamily dwelling units* mean apartments, condominiums, rooming houses, and boardinghouses.
- (18) *Non-collectible waste* includes: pathological and hospital waste; poisons, acids, caustics, explosives, body wastes, automobile frames, crankcases, transmissions, tires, and materials that may cause damage to collection equipment or personal injury to collectors; dirt, rocks, or debris resulting from construction, reconstruction or repairs of premises; animal excreta or any article or substance soiled by human or animal excreta that has not been wrapped and tightly sealed in moisture-proof paper or plastic prior to placement for collection; refuse which has been combined or mixed with any of the above-mentioned items; sewage; liquid waste and other highly diluted water-carried materials or substances; waste materials and substances in gaseous form; special nuclear material or byproducts materials, as defined in the Atomic Energy Act of 1954, as amended; household hazardous waste, hazardous waste, and untreated biomedical waste.
- (19) *Occupant of premises* means the individual and/or business who inhabits any premises within the City.
- (20) *Owner* means the owner of record as shown by the most current tax rolls of the county treasurer.
- (21) *Pickup point* means any premises regularly serviced by the division and any location on the premises designated by the Superintendent for placement of collectible solid waste.
- (22) *Premises* means the lot, plot, or parcel of land, buildings, or other structures or parts thereof upon or in which refuse is stored or accumulated plus the front or side parkway between the property line or sidewalk and curb or traveled way, and the rear or side parkway between the property line and the center line of an adjacent alley.
- (23) *Putrescible waste* means solid wastes which are capable of becoming decomposed by microorganisms with sufficient rapidity as to cause nuisances from odors or gases and capable of providing food for or attracting, birds and disease-carrying vectors.
- (24) *Recyclable material(s)* as designated by the Superintendent shall include but not be limited to:
- old newspaper—Newspapers containing less than five percent other than news (i.e., color printed slick advertisements and magazine sections).
 - used beverage cans (non ferrous)—All aluminum beverage containers.

§ 49-21

OKLAHOMA CITY MUNICIPAL CODE, 2020

- c. glass containers—Food and beverage glass in various colors (i.e., flint, or clear, green and amber) which have been rinsed and are reasonably clean.
 - d. plastic drink containers—Clear high density polyethylene (HDPE) and polyethylene terephthalate (PET).
 - e. steel (bi-metal ferrous) food and beverage containers covered with tin or other alloys.
- (25) *Refuse* means all putrescible and nonputrescible solid wastes including garbage, rubbish, and trash.
- (26) *Rental agent* means the agent, contractor, or employee in charge of the management and/or maintenance of any premises.
- (27) *Residence* means any building or structure used solely as a family domicile including single-family dwelling units, duplexes, triplexes, and trailer homes but shall not include hotels, tourist courts, motels, motor courts, motor hotels, apartment hotels or dwellings with more than three units, including but not limited to apartment complexes and trailer courts.
- (28) *Rubbish* means a normal accumulation by resident families or commercial establishments of worthless or offensive matter, the accumulation of which may create a nuisance or be deleterious to public health or offensive to sight or smell.
- (29) *Rural collection residence* means those residences designated by the Superintendent that are within the City but are not an urban collection residence.
- (30) *Superintendent* shall mean the Superintendent of the division who is designated as the administrative officer empowered to carry out the duties of the City Council under Section 49-32 of this article.
- (31) *Trash* means any refuse, litter, ashes, leaves, debris, paper, combustible materials, rubbish, offal, or waste, or matter of any kind or form, which is uncared for, discarded, or abandoned.
- (32) *Undue accumulation* means the accumulation of garbage, rubbish, or trash in amounts exceeding the capacity of the waste receptacle at the pickup point or at the point of disposal.
- (33) *Urban collection residence* shall mean those residences that are within the City.

- (34) *Yard waste* shall include but not be limited to all tree trimmings, grass cuttings, dead plants, weeds, leaves, branches and dead trees (not more than six inches in diameter) and similar materials produced at residential premises in the City.

(Code 1970, § 30-1; Ord. No. 16732, 1, 6-29-82; Code 1980, § 49-21; Ord. No. 18325, 1, 11-26-85; Ord. No. 21055, § 1, 5-26-98; Ord. No. 22533, §§ 1, 2, 8-31-04; Ord. No. 23451, § 9, 9-25-07; Ord. No. 26729, § 1, 4-13-21)

§ 49-25. Residential solid waste collection components.

(a) Municipal solid waste that has been securely contained in the City-issued cart(s) shall be collected on the regularly scheduled pickup day by the division or privately contracted personnel for both urban and rural collection residences.

(b) Cart(s) to be emptied must be placed within four feet of the curb line of the street from which the residence or property is serviced unless the Superintendent designates a different location. The cart(s) are not to be obstructed from the fully automated truck's ability to service cart (s), i.e. behind parked cars, behind hedges, within five feet of a mailbox or tree, etc. The cart (s) shall not be placed in the street or on the sidewalk, unless directed by the Superintendent, but must not in any manner placed where it will interfere with vehicular or pedestrian traffic. Collectible solid waste should be bagged before being placed in cart (s) to prevent trash from blowing out of the cart or truck on collection.

(c) Collectible solid waste, less and except bulky waste, must be deposited in the cart(s), unless directed to be separated by the Superintendent.

(d) Ashes shall be soaked with water, to extinguish all live embers, prior to placement in cart(s) for collection.

(e) Bulky waste must be generated by the owner, occupant or rental agent at that residence to be eligible for collection and must be placed at the curb line for collection or as otherwise designated by the Superintendent.

- (1) small items lying loose on the ground will not be picked up by the bulky waste crew. They will be left for the customer to place them in the cart.
- (2) tree trimmings and branches must be placed together in piles with individual branches not longer than eight feet and dead trees (not more than six inches in diameter) and similar materials placed at the curb line.
- (3) such bulky waste shall not be commingled with yard waste or other municipal solid waste or waste generated from a different residence.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 49-42

- (4) bulky waste shall be placed separately so as to allow ten feet of clearance from all obstacles, such as, power poles, guy wires, signs, fire hydrants and gas meters to allow mechanized pickup.
- (5) bulky waste shall not be placed out for collection earlier than three days preceding the regular scheduled bulky waste collection day.
- (6) by placing bulky waste out for collection, the customer relinquishes title to the bulky item picked up. The division may decline to accept such items that contain other municipal solid waste, contraband, commercial construction debris, or hazardous wastes.
- (7) doors on refrigerators and other bulky wastes with affixed doors or panels shall be removed before placement on curb line for collection. Occupants of premises must contact the division for the disposal of items containing freon, i.e. refrigerators, air conditioners, freezers, etc. during the bulky waste collection period noted on the water utility bill.
- (8) the customer will be charged an additional fee for each cubic yard of bulky waste collected in excess of four cubic yards in any single scheduled collection.

(f) Recyclable material(s) may only be set out for collection by urban collection residents. The recyclable material(s) may be commingled but separately placed at the curb line in the appropriate provided cart for collection, pursuant to Section 49-41(a) unless the Superintendent designates a different location. Such recyclable material(s) should not be commingled with municipal waste.

(Code 1970, § 30-9(a)—(c); Ord. No. 15910, § 1, 7-29-80; Ord. No. 16736, § 4, 6-29-82; Code 1980, § 49-25; Ord. No. 21055, § 1, 5-26-98; Ord. No. 22533, §§ 1, 2, 8-31-04; Ord. No. 26850, § 1, 9-14-21)

§ 49-28. Rates and charges—Established.

(a) The owner or occupant of any premises located on an established solid waste collection route within the City shall pay to the City for the removal of collectible solid waste the fees established in Chapter 60, the General Schedule of Fees.

(b) The fees prescribed in Subsection (a) of this section shall accrue monthly and shall be paid in accordance with billing procedures established by the City Utilities Department.

(Code 1970, § 30-11; Code 1980, § 49-28; Ord. No. 19811, § 1, 8-25-92; Ord. No. 19855, § 1, 11-10-92; Ord. No. 21055, § 1, 5-26-98; Ord. No. 25450, § 1, 9-13-16; Ord. No. 27048, § 2, 4-26-22, eff. 6-1-22)

Cross reference—Refuse rates and charges, § 60-49-6.

§ 49-30. Commercial and industrial service.

(a) A maximum of three 90-gallon refuse carts may be picked up per business, commercial establishment, or institution per pickup day. Any business, commercial establishment or institution that has refuse in excess of 270 gallons per pickup or falls outside the capability or desire of the division, as determined by the Superintendent, shall contract with an approved, licensed, commercial hauler to have said hauler remove and dispose of the refuse in an approved, accepted manner. Removal of such solid waste shall be in a timely manner as directed by the Superintendent.

(b) Refuse containers at commercial and industrial locations shall be placed in a suitable location outside the building, as approved by the Superintendent provided that access is provided to refuse collectors; and provided further, that said containers shall be located no less than 12 feet from any structure located on adjoining property, unless otherwise approved by the Superintendent, due to conditions peculiar to the premises which would cause the literal application of the provisions of this subsection to create an unnecessary hardship.

(c) All containers other than those carts provided by the City shall be identified by the owner's name and owner's telephone number. Identification shall include lettering and numbers painted on the container at least three inches in height and of a proportionate width. Collection times of these containers shall coincide with established hours in those areas falling within 500 feet of residential areas as approved by the Superintendent.

(Ord. No. 16736, § 3(30-6.5), 6-29-82; Code 1980, § 49-30; Ord. No. 21055, § 1, 5-26-98; Ord. No. 21056, § 1, 5-26-98; Ord. No. 26850, § 1, 9-14-21)

DIVISION 2. CARTS*

§ 49-41. Use required.

(a) Collection residents shall deposit any collectible solid waste for collection at any designated pickup point within the City by placing collectible solid waste in a City-issued cart(s). Bulky waste presented for collection must be in conformance with the provisions of Section 49-25(c).

(Code 1970, § 30-7; Code 1980, § 49-41; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26850, § 1, 9-14-21)

§ 49-42. Specifications; use.

(a) The City shall provide up to two trash carts for each urban and rural residence and one recycling cart for each urban residence. Additional cart(s) will be provided at an additional fee. The resident

***Editor's note—**Ord. No. 26850, § 1, adopted September 14, 2021, amended the title of Division 2 to read as herein set out. Former Division 2 was entitled containers.

§ 49-42

OKLAHOMA CITY MUNICIPAL CODE, 2020

shall be responsible for the safekeeping and cleaning of the cart(s) until such time as an inspection is made by the Division and/or service is terminated. Should any person change his or her residence they shall promptly notify the Division whose duty it shall be to transfer responsibility for the cart to the new resident. If the cart is lost, or stolen, prompt notification of the Division and the Police Department is required. If the Division determines that the cart was damaged, destroyed or stolen through abuse, neglect or improper usage by the resident then the cost of repair or replacement shall be charged to the resident at current repair or replacement cost. If a cart has deteriorated or become damaged from normal wear and tear to the extent that the lid will not fit, or wheels do not function properly, or any other defect that would hamper the collection process then the cart shall be replaced by the Division at no additional cost to the resident. All carts shall remain the property of the City even though the resident has been charged for a replacement cart. All carts are to remain at the residence to which they are assigned.

(b) It shall be unlawful and an offense for a person to be found in possession of a cart not assigned by the Division or for a person to be utilizing such cart for any purpose other than described herein.

(c) The cart(s) shall be kept clean and in good repair. The cart lid shall always be kept securely in place so that flies and other insects may not have access to the contents thereof.

(Ord. No. 16736, § 3(30-6.1), 6-29-82; Code 1980, § 49-42; Ord. No. 21055, § 1, 5-26-98; Ord. No. 22533, §§ 1, 2, 8-31-04; Ord. No. 26729, § 1, 4-13-21; Ord. No. 26850, § 1, 9-14-21)

§ 49-44. Superintendent may designate location of carts.

The Superintendent shall have the authority to designate the location from which the receptacle shall be serviced at single-family units, multifamily units, duplexes, triplexes, trailer homes, and all business, commercial establishments or institutions where the physical aspects of the premises make it impractical or impossible to conform with the regulations pertaining to placement of carts.

(Ord. No. 16736, § 3(30-6.3), 6-29-82; Code 1980, § 49-44; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26850, § 1, 9-14-21)

§ 49-45. Placement of carts for residential refuse service.

(a) *Disabled house-side service.* Cart(s) shall be placed no further from the street than at or within four feet of the rear corner of the house from the street from which the house is serviced and in conformance with the provisions of Section 49-43. Yard waste collected by a person or entity maintaining property for a disabled person qualifying for

house-side service must be bagged and placed in cart(s) in accordance with Section 49-25(c) or removed by the person or entity maintaining property. Any person who makes a fraudulent statement in an application for disabled service under this section is guilty of a Class "a" offense. An occupant is limited to one cart unless approved by the Superintendent. All other residential solid waste collection components must be in conformance with the provisions of Section 49-25.

(b) *Curbside service.* The various containers including trash cart(s) and recycling carts shall be placed at the curb line of the street from which the residence is serviced, unless the Superintendent designates a different location. The carts are not to be obstructed from the automated collection truck's ability to service the cart, including but not limited to the following: behind parked cars, behind hedges, or within four feet of either a mailbox or tree. The carts shall not be placed on the sidewalk. The Superintendent may direct a cart to be placed in the street against the curb line, if the move will assist in the stabilization of the cart when the terrain, wind, etc. hampers collection services, but the cart must not in any manner be placed where the carts will interfere with vehicular or pedestrian traffic. Carts should be placed at the curb no earlier than 7:00 p.m. or one hour before sunset, whichever is earlier, on the evening preceding the collection day and must be removed to a point at the side or rear of the structure not later than 8:00 p.m. on the day following collection.

(c) If there has been a special written and verified application to the Superintendent stating that all persons residing at the residence of the applicant are, by reason of age, infirmity, or other just causes, incapable of complying with the provisions of this Chapter dealing with the placement of cart(s), then the Superintendent, in his/her sound discretion, may waive the Chapter provisions dealing with their placement and allow the refuse to be removed from a location which is convenient for the applicant and reasonably convenient for the refuse collector.

(d) The Superintendent shall have the authority to determine the manner and time of service, days of service, and number of pickups, holidays and make up days per week that shall be made to all single-family, multifamily, commercial, and industrial units.

(Ord. No. 16736, § 3(30-6.4), 6-29-82; Code 1980, § 49-45; Ord. No. 21055, § 1, 5-26-98; Ord. No. 22533, §§ 1, 2, 8-31-04; Ord. No. 26850, § 1, 9-14-21)

DIVISION 2. RESERVED*

§§ 49-71—49-85. Reserved.

*Cross reference—

Editor's note—Ord. No. 26755, § 10, adopted May 25, 2021, repealed §§ 49-71—49-75, which pertained to trash hauler's

§ 49-193. Access roads.

The design and maintenance of the roads must ensure the material used for the roadway remains on the site and is not allowed to fall off onto public streets and highways. If the public streets and highways become dirty with mud, dirt, gravel and other such debris dropping off trucks leaving the landfill the cleanup must be done by the landfill at no expense to the City or its authorized public trust.

(Code 1970, § 9-299; Code 1980, § 49-153; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26850, § 1, 9-14-21)

§ 49-261. Municipal trust regulatory authority.

The collection, transportation, removal, storage and disposal of municipal solid waste shall be exclusively authorized, controlled and regulated by the City, under such rules and regulations as it shall from time to time adopt, subject to the approval of the Council of the City, and such collectible and non-collectible solid waste shall be collected, transported, removed and disposed of only by trash haulers licensed pursuant to this article. All other persons are hereby prohibited therefrom, except as may be provided for in the rules and regulations adopted by the City or its authorized public trust.

(Code 1980, § 49-200; Ord. No. 18325, § 3, 11-26-85; Ord. No. 19224, § 2, 6-20-89; Ord. No. 19240, § 2, 7-11-89; Ord. No. 26850, § 1, 9-14-21)

§ 49-262. Disposal of collectible solid waste.

The disposal by the City or by trash haulers licensed pursuant to this article of all collectible solid waste collected within the City shall be made only within the territorial limits of the City in landfills permitted by the State Department of Environmental Quality and the City; or any landfill located outside the corporate limits of the City which has entered into an agreement with the City to collect the commercial solid waste disposal fee with respect to commercial solid waste generated within the corporate limits of the City and which is operated under a permit for a sanitary landfill or operated as landfill for dirt, rock and construction or reconstruction debris.

(Code 1980, § 49-201; Ord. No. 18325, § 3, 11-26-85; Ord. No. 19224, § 2, 6-20-89; Ord. No. 19240, § 2, 7-11-89; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26729, § 1, 4-13-21)

§ 49-263. Refuse collection fees.

The refuse collection fees for the collection, removal, storage, transportation or disposal of collectible solid waste, garbage or trash as authorized

license and derived from Code 1970, §§ 9-429, 9-437, 9-438, 9-444; Code 1980, §, adopted 48-71—47-74; Ord. No. 21055, §§ 1, 1, 2, adopted May 26, 1998.

by Section 49-29 of this chapter shall at all times be sufficient to enable the City to pay in the following priority:

- (1) all direct and indirect costs of collection, removal, storage, transportation or disposal of collectible solid waste, garbage or trash; and
- (2) any other costs or fees as determined by the City Council of the City.

(Code 1980, § 49-202; Ord. No. 18325, § 3, 11-26-85; Ord. No. 19224, § 2, 6-20-89; Ord. No. 19240, § 2, 7-11-89; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26729, § 1, 4-13-21)

§ 49-282. Definitions.

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

- (1) *Commercial solid waste* means:
 - a. all collectible solid waste generated by or collected from any commercial, industrial, institutional, multifamily, or other site within the City which is deposited in any landfill, including residuals from recycling;
 - b. all dirt, rock, and debris resulting from construction, reconstruction or repair of premises within the City which is deposited in any landfill; and
 - c. any other solid wastes legally deposited in any commercial disposal site located within the corporate limits of the City.

"Commercial solid waste" will not include:

- d. solid waste collected by the City or through a residential collection agreement with the City or its authorized public trust; or
 - e. solid waste which is collected for the purpose of recycling or reuse or a purpose other than disposal and not ultimately deposited in any landfill; or
 - f. solid waste utilized to reclaim property only under permits issued by the Oklahoma State Department of Mines.
- (2) *Commercial disposal site* means any landfill located within the corporate limits of the City or any landfill located outside the corporate limits of the City which has entered into an agreement with the City or its authorized public trust to collect the commercial solid waste disposal fee pursuant to the terms of Section 49-285 for

§ 49-282

OKLAHOMA CITY MUNICIPAL CODE, 2020

commercial solid waste generated within the corporate limits of the City and which is operated under a permit for a sanitary landfill or operated as a landfill for dirt, rock and construction or reconstruction debris, excepting however, those sites operating under reclamation permits issued by the Oklahoma State Department of Mines.

- (3) *Commercial solid waste hauler and hauler for hire* means any person who collects commercial solid waste within the corporate limits of the City whether licensed as a trash hauler or is exempted and transports it across the public streets of the City.
- (4) *Commercial solid waste supervisor* means an employee or employees of the division with responsibility for monitoring the flow of commercial solid waste along and across the public rights-of-way within the City.
- (5) *Sludge* means the solid residue from the water and/or wastewater treatment process.
- (6) *Foreign solid waste* means any solid waste which is generated and collected outside the corporate limits of Oklahoma City but disposed of at a site located within the City.

(Code 1980, § 49-211; Ord. No. 19240, § 3, 7-11-89; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26729, § 1, 4-13-21)

Cross reference—Definitions and rules of construction generally, § 1-2.

§ 49-283. **Collection and disposal requirements.**

(a) No person other than a commercial solid waste hauler shall collect commercial solid waste from any site within the City.

(b) Solid waste containers at commercial and industrial locations within 500 feet of a residential housing unit shall not be serviced or emptied between the hours of 11:00 p.m. and 6:00 a.m.

(c) Every commercial solid waste hauler shall dispose of all collected commercial solid waste at commercial disposal sites approved by the City or its authorized public trust.

(d) Every commercial solid waste hauler shall pay to the City by the methods set forth in Section 49-285 a commercial solid waste disposal fee.

(Code 1980, § 49-212; Ord. No. 19240, § 3, 7-11-89; Ord. No. 20238, § 1, 10-18-94; Ord. No. 21055, § 1, 5-26-98; Ord. No. 22792, § 4, 8-2-05; Ord. No. 26729, § 1, 4-13-21)

§ 49-284. **Exemptions from license requirement.**

The following are hereby exempted from the licensing requirements of this chapter:

- (1) the United States, the State of Oklahoma, political subdivisions of the State, and the City, and any public trust created for the benefit of the City, including their respective employees while acting in their official governmental capacity.
- (2) A public trust created for the benefit of the City, including its employees while acting in their official capacity.
- (3) persons who collect, remove, transport and deliver solid waste to a bona fide recycling, reprocessing or reclamation facility recognized in accordance with the rules and regulations of solid waste management adopted by the City or its authorized public trust.
- (4) natural persons who, in an individual and private capacity, collect, remove, transport, or dispose of solid waste not for hire, profit, consideration, or advantage.

(Code 1980, § 49-213; Ord. No. 19240, § 3, 7-11-89; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26729, § 1, 4-13-21)

§ 49-286. **Exemptions.**

The following shall be exempt from the commercial solid waste disposal fee.

- (a) sludge generated by the City or its authorized public trust.
- (b) solid waste collected by the City or through a residential collection agreement with the City or its authorized public trust.
- (c) solid waste which is collected for the purpose of recycling or reuse or a purpose other than disposal and not ultimately deposited in any landfill.
- (d) solid waste which is utilized for reclamation projects only under permits issued only by the Oklahoma State Department of Mines.
- (e) foreign solid waste.

(Code 1980, § 49-215; Ord. No. 19224, § 3, 6-20-89; Ord. No. 19240, § 3, 7-11-89; Ord. No. 19455, § 1, 7-31-90; Ord. No. 21055, § 1, 5-26-98; Ord. No. 26850, § 1, 9-14-21)

§ 49-288. **Deposit of funds.**

The commercial solid waste disposal fees shall be deposited in an authorized public trust account to be utilized for solid waste management enterprise

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 50-14

activities involving the protection, maintenance, improvement and enhancement of the environment.

(Code 1980, § 49-217; Ord. No. 19224, § 3, 6-20-89; Ord. No. 19240, § 3, 7-11-89; Ord. No. 26729, § 1, 4-13-21)

§ 49-290. Commercial disposal site solid waste manifest required.

(a) Every owner or operator of a commercial solid waste disposal site shall develop and maintain a daily record which will then be used to compile data on each hauler for a monthly report which shall be a full, true, current and legible record of all commercial solid waste received at the disposal site and shall contain the following:

- (1) the month and year of the information in the monthly report and the name and location of the disposal site as listed on the site's permit or license. At the top of each page of the report, in large, bold type, the words "PROPRIETARY INFORMATION — DO NOT RELEASE" will be printed.
- (2) a list of all haulers who have disposed of commercial solid waste at the site during the month preferably in alphabetical order, with the number of loads, the amount of waste received from each hauler, in both tons and cubic yards, and the number of

flow fee loads, flow fee tons and flow fee cubic yards and the dollar amount of the flow fee to be paid.

(b) Each commercial solid waste disposal site owner or operator shall retain each report and supporting documents for a period of no less than three years from the date the report was completed. Reports shall be maintained in chronological order and shall be open and attainable a week after requested for inspection to the inspectors of the Solid Waste Management Division. Site owner or operator should be prepared to provide weight tickets and other records showing, the hauler reported the solid waste was from inside the City or not. Each owner or operator will add to his printed weight tickets a yes or no statement as to whether the load was from within the City limits or not and the following statement: "I understand that falsification of a daily commercial solid waste manifest is a criminal offense. Further, understanding this, I hereby affirm that the information contained in the foregoing manifest is full, true and correct to the best of my knowledge." The ticket must provide a place for the signature of the driver making the statement. If, in the course of investigation of a hauler's response, the owner or operator of the landfill will cooperate fully in determining if the solid waste was in fact from the City or from a foreign source and to assist the City or its authorized public trust in any action the City may decide to take against a hauler who has caused a false report to be prepared.

(Code 1980, § 49-219; Ord. No. 19240, § 3, 7-11-89; Ord. No. 21055, § 1, 5-26-98; Ord. No. 22792, § 4, 8-2-05; Ord. No. 26729, § 1, 4-13-21)

§ 50-136.	Sidewalk contractor prequalification required.
§ 50-137.	Examination—Sidewalk contractors.
§ 50-138.	Reserved.
§ 50-139.	Reserved.
§ 50-140.	Expiration and renewal of sidewalk contractor's prequalification.
§ 50-141.	Reserved.

Part B. Reserved

§§ 50-151—50-185. Reserved.

§ 50-14. Streets development fees.

(a) The City hereby adopts streets development fees. As used in this Section 50-14:

- (1) *Development fee* means any payment of money imposed, in whole or in part, as a condition of approval of any building permit, plat approval, or zoning change, to the extent the fee is to pay for public infrastructure systems that are attributable to new development or to expanded or modified development.
- (2) *Expanded or modified development* is one in which the expansion or modification

results in an increased demand or increased impact upon the public infrastructure system as compared to the demand or impact prior to the expansion or modifications.

- (3) *Public infrastructure system* includes any real property improvement, fixture, or accession that is included within the street systems, including roads, streets, boulevards, bridges, sidewalks, bicycle routes, drainage, traffic signals and systems, traffic control devices and signage, traffic calming devices, landscaping associated

§ 50-14

OKLAHOMA CITY MUNICIPAL CODE, 2020

with street rights-of-way, and any local components of county, state, or federal highways to the extent and to the proportionate cost that the local components are not funded by state or federal grants or other state or federal permanent funding sources.

- (4) *Public infrastructure system costs* means capital improvements that have a projected useful life of at least ten (10) years or more, and that result in an increase or expansion to the functional service capacity of that public infrastructure system.
- (5) *Development* means any improvement to real property to which square feet of development, as defined in this Section 50-14, is constructed or added.
- (6) *Square feet of development* means the cumulative number of square feet of additional gross building floor area of development (new, expanded or modified) as determined from the exterior of each floor of all roofed structures(s) in the development, except that parking structures, garages and other roofed accessory structures including sheds, patios, canopies and porches constructed as part of developments shall not be included in gross building floor area measurements.
 - a. The square feet of development shall be established by comparing the cumulative number of square feet of gross building floor area of the entire development existing at the time of the effective date of this Ordinance based upon existing building permits and the cumulative number of square feet of gross building floor area of the entire development to exist after completion of the work. The City may verify and correct any calculation of square feet of development after completion of the work and prior to the issuing a certificate of occupancy.
 - b. Should the owner of a development hereafter obtain a demolition permit and raze all or a portion of an existing development, then the number of square feet of development razed as indicated on the City demolition permit will not be included in the cumulative number of square feet of additional gross building floor areas subject to the streets development fees. Provided, however, no credit or refund will be issued if the new

development is smaller than the previous development that was demolished.

- c. The developer must present, at the time of obtaining a building permit, such official City documentation as prior building permit(s) or demolition permit(s), necessary to establish previously existing square feet of development. Should the developer not have such official City document, then the developer will have the obligation and burden of proof to provide such other documentation, as may be required by the Development Services Director, to provide clear and convincing evidence of the number of square feet of development constructed or razed in accordance with City ordinances, permits and procedures.
- (7) *Service area* means a geographic area defined by the City in which the streets public infrastructure system provides service to developments within that service areas. Streets service areas, also referred to as benefit areas, are established and set forth on the Streets Service Areas / Benefits Areas Map in Chapter 60, the General Schedule of Fees.
- (8) *Development Services Director* means the Director of the Oklahoma City Development Services Department or her/his designee.
- (9) *Customer-Oriented Low* means those developments containing one of the land uses or classes of land uses categorized as "customer-oriented low" in the Streets Development Fee Land Use Categories Table.
- (10) *Customer-Oriented Moderate* means those developments containing one of the land uses or classes of land uses categorized as "customer-oriented moderate" in the Streets Development Fee Land Use Categories Table.
- (11) *Customer-Oriented High* means those developments containing one of the land uses or classes of land uses categorized as "customer-oriented high" in the Streets Development Fee Land Use Categories Table and all customer-oriented land uses not specifically included in Customer-Oriented Low or Customer-Oriented Moderate.
- (12) *Office/Institutional/Lodging* means those developments containing one of the land

uses or classes of land uses categorized as "office/institutional/lodging" in the Streets Development Fee Land Use Categories Table.

- (13) *Industrial* means those developments containing one of the land uses or classes of land uses categorized as "industrial" in the Streets Development Fee Land Use Categories Table.
- (14) *Residential* means those developments containing one of the land uses or classes of land uses categorized as "residential" in the Streets Development Fee Land Use Categories Table.
- (15) *Planning Director* means the Director of the Oklahoma City Planning Department or her/his designee.
- (16) *Public Works Director* means the Director of the Oklahoma City Public Works Department or his/her designee.
- (17) *Developer* means a person or entity that constructs or contracts for the construction of a development.

(b) New developments and expanded or modified existing developments shall be charged a development fee for capital improvement costs for increases or expansion to the capacity of public infrastructure systems attributable to that development.

(c) Development fees may not be used to fund repairs, maintenance, restorations, or fixes to existing public infrastructure systems. Development fees may only be used to fund refurbishments, alterations, or improvements to existing public infrastructure systems if such refurbishments, alterations, or improvements, result in an increase or expansion in the functional service capacity of the streets system available to serve new or expanded existing growth in the applicable service area(s) or benefit area(s).

(d) Development fees are hereby imposed to recover or fund the streets public infrastructure system expansion costs, including, but not limited to, the cost of real property interest acquisitions, rights-of-ways, capital improvements, design, construction, inspection, and capital improvement construction administration. As used herein, design also includes preliminary design which can include preliminary engineering and other activities and analyses, including but not limited to: environmental assessments, topographic surveys, metes and bounds surveys, geotechnical investigations, hydrologic analysis, hydraulic analysis, utility engineering, traffic studies, financial plans, revenue estimates, hazardous materials assessments, and general

estimates of the types and quantities of materials, and other work needed to establish parameters for the final design of capital improvements for the streets public infrastructure system.

(e) A schedule specifying the streets development fee for various land uses per square feet of development is established in Chapter 60, the General Schedule of Fees. Should the primary land use of a development not fit within a general land use category set forth in the Street Development Fee Land Use Categories Table, then the Development Services Director is authorized to determine the appropriate land use category to which the primary land use of the development best fits, subject to the appeal process in Subsection (k) below.

(f) The City has established service areas for the collection and expenditure of streets development fees. Development fees collected in a service area or benefit area will be expended in the affected service area(s) or benefit area(s) to pay or reimburse all or a portion of the public infrastructure system costs to increase or expand the functional service capacity of the public infrastructure system in those service area(s) or benefit area(s) encompassing or affected by the development from which the funds were collected. If a development spans more than one service area or benefit area, then the development fees will be collected and expended proportionately in the respective service areas to pay all or a portion of the public infrastructure system costs to increase or expand the functional service capacity of the public infrastructure system in that service area or benefit area. The Public Works Director will determine how collected streets development fees will best be expended to expand the public infrastructure systems to increase the functional service capacity of the public infrastructure system in the service area / benefit area.

(g) The streets development fees will be held in an interest bearing account in accordance with City investment policies and practices. Interest earned in a streets development fund collected from a service area or benefit area shall only be spent for public infrastructure system costs that expand or increase the functional service capacity of the public infrastructure system in that service area or benefit area encompassing the development from which the funds were collected. If a development spans more than one service area or benefit area, then the interest earned on development fees will be expended proportionately in the respective service area or benefit area to pay all or a portion of the public infrastructure system costs to increase or expand the functional service capacity of the public infrastructure system in that service area or benefit area.

§ 50-14

OKLAHOMA CITY MUNICIPAL CODE, 2020

(h) Assessments of streets development fees shall be in writing and a copy shall be provided to the developer and property owner(s) affected, as such names and addresses of the property owner(s) are provided by the developer. The assessment will specify the purpose of the development fee, the service area or benefit area(s) for which the development fee is being collected, the basis for calculation of the development fee, and the amount of the development fee.

(i) A streets development fee collected for one purpose shall not be devoted to another purpose except as hereinafter provided. If the purpose, component capital improvement plan, or a service area or benefit area is changed or redrawn, or if a development spans more than one service area or benefit area, the development fees collected prior to the change shall be spent proportionately pursuant to the new purpose or within the new service area or benefit area(s) that encompass the development at the time of expenditure from which the fee was originally collected.

(j) If the City determines that the development fees as collected within a service area or benefit area are no longer needed or desired for the purpose for which they were collected, the City may either refund the collected fees to the current property owners of the development from which the fees were paid (or to the payor(s) of such fees to the extent allowable by State law, as amended from time to time), or proceed through the hearing process to adopt a new purpose for the fees. Should a refund be issued under this Subsection (j), then a single check will be issued in the names of all the current property owners as ownership is then shown in the records of the County Assessor (or to the payor(s) of such fees to the extent allowable by State law, as amended from time to time).

(k) The developer or building permit applicant must pay and the City will collect the streets development fees at the time of and as a precondition to issuing a building permit and any supplemental building permits. Development fees must be paid at the time of the issuance of a building permit or supplemental building permit for the development or the building permit or supplement will not be issued. No development may be constructed until a building permit is issued. The permit applicant may request and the Development Services Director may grant a deferral of the payment of the streets development fees until the time of the issuance of the certificate of occupancy, provided, however, the streets development fees must be paid prior to issuance of the certificate of occupancy at the then current rate. The development fees for each development will be determined and calculated based upon the square feet of development as defined in this Section

50-14, the streets development fee Assessment Area Classification as set forth on the Development Fee Assessment Areas Category Map in Chapter 60, the General Schedule of Fees, the rate per square foot of development as set forth in Chapter 60, General Schedule of Fees, and the land use(s) of the development in this Section 50-14. For a development with multiple land uses (as defined in this Section 50-14), the square feet of development will be determined for each land use and the development fees will be the cumulative total of all square feet of development for each land use within the development.

- (1) Should the building permit applicant dispute the determination of the City staff of the calculation of square feet of development, or the number of square feet of development designated in a Land Use Category, and/or the assessment area or service area/benefit area in which the development is situated, or any other basis for the City's calculation of the fee, then the building permit applicant must, within 30 days of such calculation, submit:
 - a. a copy of the building permit application and any previously issued building permits, demolition permits, and certificates of occupancy,
 - b. the determination by City staff,
 - c. a copy of the final approved development plan for that development, and
 - d. a written statement, not to exceed three pages, explaining the applicant's calculations and basis for the appeal.

Should the building permit applicant provide such written notice of the appeal with all required documents to the Development Services Director within 30 days, the Development Services Director will review the appeal and provide the building permit applicant an opportunity to be heard, within ten days of the appeal filing, in the form of a meeting or teleconference. Subsequent to the hearing, the Development Services Director will make a written determination, which determination will be final. Notice of the determination may be issued by electronic mail or by paper copy and will be sent to the building permit applicant. Failure of the building permit applicant to timely appeal within 30 days will be deemed a waiver of the right to appeal and agreement as to the determination of the streets development fees by City staff.

- (2) Should the building permit applicant dispute the determination of the Develop-

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 50-14

ment Services Director of the calculation of square feet of development, or the number of square feet of development designated in a Land Use Category, and/or the assessment area or service area/benefit area in which the development is situated, or any other basis for the City's calculation of the fee, then the developer must, within five business days of such calculation, submit formal written notice of appeal to the Board of Adjustment in accordance with Board of Adjustment policies also including:

- a. a copy of the building permit application and any previously issued building permits, demolition permits, and certificates of occupancy,
- b. the determination by Development Services Director,
- c. a copy of the final approved development plan for that development, and
- d. a written statement, not to exceed three pages, explaining the applicant's calculations and basis for the appeal.

Should the building permit applicant provide such written notice of the appeal of the determination of the Development Services Director with all required documents to the Development Services Director within 30 days, then the Development Services Director will use his/her best efforts to docket such appeal on the next available agenda of the Board of Adjustment in accordance with Open Meeting and City docketing procedures. The Board of Adjustment will review the appeal and provide the building permit applicant an opportunity to be heard at the public meeting of the Board of Adjustment. At the meeting or a subsequent meeting, the Board of Adjustment will make a determination by a majority vote of the members of the Board present at that meeting wherein a quorum is present. The Board of Adjustment may determine the number of square feet of development, or the number of square feet of development designated in each Land Use Category, and the assessment area or service area/benefit area in which the development is situated, or the correct development fee to be assessed based on the calculations herein. The Board of Adjustment may not waive development fees, issue refunds, or grant credits or exemptions. Notice of the determination of the Board of Adjustment will be sent by the Development Services Director to the

building permit applicant. This determination of the Board of Adjustment is the final decision of the City. Failure of the building permit applicant to timely appeal within 30 days of the Board of Adjustment decision will be deemed a waiver of the right to appeal and agreement as to the determination of the parks development fees by the Board of Adjustment.

- (3) Prior to issuing an occupancy permit, the City may compare the square feet of development as actually constructed and the square feet of development as authorized in the building permit. The City may verify and correct any calculation of square feet of development after completion of the work and any determination of use prior to the issuance of a certificate of occupancy. Should the square feet of development as constructed exceed the square feet of development as authorized in the building permit or should the use of the development be different than in the building permit application, then the developer or property owner must obtain a supplement to the building permit and any additional streets development fees must be paid prior to the issuance of the certificate of occupancy. For any streets development fee deferred until issuance and as a precondition of the certificate of occupancy and any additional streets development fee due for a supplemental building permit as provided herein, the developer or property owner must pay the streets development fees in effect at the time of the issuance of the certificate of occupancy or any supplemental permit, respectively. The building permit applicant will have the same right to appeal the additional development fees under the same time limitations, requirements and procedures as set forth in Subsection (k)(1) and (2) above.
- (4) No refund of streets development fees will be issued as a result of the failure of the building permit applicant to construct all of the square feet of development authorized in the building permit. Provided, however, the subject property will be credited for the development fee payment received.
- (l) Reserved.
- (m) Subject to the provisions and limitations of 62 O.S. § 895, and the requirement that development exactions by the City shall not exceed a clear, ascertainable, and reasonably determined proportionate share of the cost of capital improve-

§ 50-14

OKLAHOMA CITY MUNICIPAL CODE, 2020

ment to the public infrastructure system attributable to the expansion or increase in functional service capacity generated, or to be generated by, the development being charged the fee, nothing in this Section 50-14 will:

- (1) Preclude the City from requiring a developer, and the City reserves the right to require a developer to, donate or dedicate real property or capital improvements, or to install, construct, operate, maintain, or repair capital improvements, including, but not limited to, the following local, adjacent, and site-specific, development-related street and sidewalk improvements to the extent that such improvements are planned as part of the development approval process and as may be required by zoning, the subdivision regulations or other regulations or ordinances of the City:
 - a. right and left turn lanes that provide access into and out of the proposed development, and
 - b. City-required sidewalks along and/or around the development in accordance with ADA Standards or through reasonable accommodations acceptable under the ADA, and
 - c. traffic signals:
 1. if the traffic signal is required by zoning, the subdivision regulations or other regulations or ordinances of the City, or
 2. if the traffic signal is requested by the developer,

Any such improvement must be constructed in accordance with City policies, practices, and/or traffic studies or evaluations and in accordance with engineering design guidelines of the City. Determinations of the Traffic and Transportation Commission are subject to appeal as provided in Oklahoma City Municipal Code Section 2-751.

Provided, an improvement required under subsection 50-14(m)(1) does not entitle a developer a streets development fee exemption under 50-14(m)(3).

- (2) Require a credit against or an adjustment to a streets development fee for contribution of, or to the cost of, any real property or capital improvement provided by a developer.
- (3) A developer may request and the City may contract (with a developer for the developer

to make infrastructure improvements to arterial streets, at developers sole cost, and the City may grant the developer an exemption to streets development fees equal to the cost of such improvements approved by the City and up to, but not in excess of the amount of the streets development fees for the designated development. To be eligible for an exemption to the streets development fees, any such improvements to an arterial street must meet the following criteria:

- a. includes a new through-lane at least the length of the development and any needed merging distance beyond the development; or
- b. includes intersection improvements with engineered left and/or right turn lane(s); or
- c. includes a new traffic signal, if the traffic signal:
 1. meets a published Manual on Uniform Traffic Control Devices warrant standard; and
 2. includes intersection improvements with engineered left and/or right turn lane(s); and
 3. has been approved by the Traffic and Transportation Commission.

Additionally, construction plans for such public improvement(s) have been submitted, reviewed, and approved by the City Engineer prior to commencement of construction, and the developer must have tendered, with the approved plans, executed performance and maintenance bonds for the proposed public improvement to obtain a work order and to obtain the credit.

To finalize the credit, the developer must complete the public improvement in accordance with the approved plans and the public improvement must be accepted by formal action of the City Council.

- (4) Provided, should the eligible and approved improvements in subsection 3 above cost more than the applicable streets development fee for the designated development, no additional exemption, and no credit, adjustment or refund will be granted to the developer for the designated development or any other development as a result thereof. Provided, further, the improvements must be constructed in accordance with City standards and procedures. In conjunction with any such contract the

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 50-14

developer will provide a performance and maintenance bond in the amount of the estimated cost of the improvement in accordance with City policies and procedures. Nothing herein obligates the City to:

- a. enter such a contract, or
- b. contract for improvements that only partially address traffic needs, or
- c. prioritize improvements to that arterial street improvement, or
- d. finance improvements to that arterial street improvement.

(n) No credit or adjustment shall be carried over from one development to another development at a different location. No credit or adjustment will be carried over from one development to a subsequent development at the same location, unless the development fee collected previously is for the same purpose, making any subsequent collection a repeat charge for the same purpose.

(o) Development fees shall be deemed dedicated and restricted revenues and therefore shall require accounting for development proceeds as restricted funds. Interest earned on development fees shall be considered funds of the account on which it is earned and shall be subject to all restrictions placed on the use of development fees under the provisions of this Section 50-14. Development fees and the interest earned thereon will be deemed to have been expended within the service area / benefit area pursuant to a first in, first out process. The accounting records and details thereof shall be maintained as public records of the municipality, be accessible to the public through open records requests (to the extent required by and in accordance with the Oklahoma Open Records Act and applicable City ordinances), and include at least the following information, as relates both to each development capital project or service area or benefit area and each public infrastructure system for each development capital project or within each service area or benefit area:

- (1) The receipt of development fees;
- (2) The development capital project or service area or benefit area(s) from which the development fee was collected;
- (3) The accumulation of interest on the development fee funds;

(4) The type of public infrastructure system for which the funds were collected;

(5) The cost of the capital improvements to which the development fees were applied; and

(6) The dates when development fee funds were expended to fund, or applied to reimburse, the cost of capital improvements to public infrastructure systems.

(p) Reserved.

(q) The City may invest public resources in public infrastructure system costs in anticipation of development, recover those public resources through proportional reimbursement payments from development fees equal to the total cost of the public investment in those public infrastructure system costs, and subsequently expend the proceeds from those reimbursement payments for any purpose determined by the City.

(r) Streets system development fees will continue to be collected until the City Council declares by formal resolution that the public infrastructure system for the streets system has been fully funded and that expanded or modified development will have no additional impact on the streets public infrastructure system. The City may terminate collection of such development fees at any time by formal resolution.

(s) No refund or credit may accrue or be given for any existing or future development that reduces square feet of development or fails to construct square feet of development as authorized by a building permit or supplement.

(t) The land use categories applicable to developments for purposes of determining the streets development fees are established in the following Land Use Categories table. If a development has multiple land uses, then the Development Services Director shall determine which land use category more likely applies to the impact that development has on streets and will assign one or more land use categories to the development. If the Development Services Director determines that a development includes multiple clearly severable land uses, then the Development Services Director will designate different land use categories to certain square feet of development and will apportion the square feet of development to such land use categories.

§ 50-14

OKLAHOMA CITY MUNICIPAL CODE, 2020

<i>Land Use Categories</i>	
<i>Land Use Category</i>	<i>Institute of Transportation Engineers (ITE) Land Use Code</i>
Residential	
Single-Family Detached Housing	210
Apartment/Multifamily	220
Condominium/Townhouse	230
Mobile Home	240
Assisted Living	254
Nursing Home	620
Industrial	
General Light Industrial	110
General Heavy Industrial	120
Industrial Park	130
Manufacturing	140
Warehousing	150
Mini Warehouse (Self-Storage)	151
Furniture Store	890
Office/Institutional/Lodging	
Hotel	310
Motel/Other Lodging Facilities	320
Racquet/Tennis Club	491
Elementary School	520
Middle/Jr. High School	522
High School	530
Church	560
General Office	710
Corporate Headquarters	714
Single Tenant Office Building	715
Office Park	750
Research & Development Center	760
Business Park	770
Customer-Oriented Low	
Golf Course	430
Miniature Golf Course	431
Golf Driving Range	432
Bowling Alley	437
Ice Skating Rink	465
Health/Fitness Club	492
Athletic Club	493
Recreational Community Center	495
Junior/Community College	540
University/College	550
Library	590
Hospital	610
Clinic	630
Medical-Dental Office	720
Government Office Complex	733
Building Materials & Lumber Store	812

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 50-14

<i>Land Use Categories</i>	
<i>Land Use Category</i>	<i>Institute of Transportation Engineers (ITE) Land Use Code</i>
Free-Standing Discount Superstore (Includes Grocery)	813
Specialty Retail Center (Small Strip Shopping Center)	814
Free-Standing Discount Store	815
Hardware/Paint Store	816
Nursery (Garden Center)	817
Nursery (Wholesale)	818
Shopping Center	820
Factory Outlet Center	823
Car Sales	841
Automobile Parts Sales	843
Tire Store	848
Tire Superstore	849
Discount Club	861
Home Improvement Superstore	862
Electronics Superstore	863
Discount Home Furnishing Superstore	869
Arts & Crafts Store	879
Pharmacy/Drugstore without Drive-Through	880
Pharmacy/Drugstore with Drive-Through	881
Quality Restaurant	931
Quick Lubrication Vehicle Shop	941
Automobile Care Center	942
Self-Service Car Wash	947
Automated Car Wash	948
Customer-Oriented Moderate	
Movie Theater without Matinee	443
Movie Theater with Matinee	444
Multiplex Movie Theater	445
Daycare Center	565
Government Office Building	730
U.S. Post Office	732
Supermarket	850
Discount Supermarket	854
Apparel Store	870
Walk-in Bank	911
Drive-in Bank	912
High Turnover (Sit-Down) Restaurant	932
Customer-Oriented High	
State Motor Vehicles Department	731
Convenience Market (Open 24 Hours)	851
Convenience Market with Gasoline Pumps	853
Fast Food Restaurant without Drive-Through	933
Fast Food Restaurant with Drive-Through	934
Gasoline/Service Station	944

§ 50-14

OKLAHOMA CITY MUNICIPAL CODE, 2020

<i>Land Use Categories</i>	
<i>Land Use Category</i>	<i>Institute of Transportation Engineers (ITE) Land Use Code</i>
Gasoline/Service Station with Convenience Market	945
Gasoline/Service Station with Convenience Market & Car Wash	946

(Ord. No. 25374, § 2, 4-26-16; Ord. No. 27413, § 1, 8-29-23)

§ 50-127. Licensing of paving contractors.

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

(Code 1970, §§ 9-65, 9-71; Code 1980, § 50-127; Ord. No. 18073, 4-9-85; Ord. 25627, § 2, 4-25-17, eff. 7-1-17; Ord. No. 26614, § 3, 12-8-20)

Cross reference—Licenses and permits, Ch. 26.

§ 50-136. Sidewalk contractor prequalification required.

No person shall engage in business as a sidewalk contractor without a prequalification issued by the Prequalification Board. Any applicant for a sidewalk contractor's prequalification license must present proof of passing the sidewalk contractor's prequalification exam(s), present a current ADA certification, present proper picture identification, file of the required sidewalk contractor's bond and paying to the City Treasurer the sidewalk contractor's prequalification fee established in Chapter 60, the General Schedule of Fees. Any person not obtain-

ing a prequalification hereunder within 90 days of passing the field test must re-apply for a new sidewalk contractor's prequalification, re-take and pass the sidewalk contractor examines, and comply with the remaining provisions of this article. The ADA certification will be effective for three years from the last day of the ADA certification class. The prequalification holder must have a current ADA certification at time of application and any renewal of the sidewalk contractor's prequalification and whenever engaging in sidewalk construction work. Additionally, prequalification holder with a current ADA certification must be on site whenever sidewalk forms set, materials are poured or placed, and during City inspections.

(Code 1970, §§ 9-69, 32-43; Code 1980, § 50-136; Ord. No. 20815, § 6, 5-27-97; Ord. 25627, § 2, 4-25-17, eff. 7-1-17; Ord. No. 26614, § 3, 12-8-20)

§ 50-137. Examination—Sidewalk contractors.

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

(b) A person taking such an examination shall pay to the City Treasurer the examination fees established in Chapter 60, the General Schedule of Fees.

(Code 1970, §§ 2-237, 32-43; Code 1980, § 50-137; Ord. 25627, § 2, 4-25-17, eff. 7-1-17; Ord. No. 26614, § 3, 12-8-20)

§ 50-138. Reserved.

Editor's note—Ord. No. 26614, § 4, adopted Dec. 8, 2020, repealed § 50-138, which pertained to fees and derived from Code 1970, §§ 9-71, 32-43; Code 1980, § 50-138.

§ 50-139. Reserved.

Editor's note—Ord. No. 26614, § 4, adopted Dec. 8, 2020, repealed § 50-139, which pertained to bond and insurance and derived from Code 1970, §§ 9-70, 32-43; Code 1980, § 50-139; Ord. No. 18472, 1, 5-20-86; Ord. No. 18717, 1, 3-24-87; Ord. No. 20815, § 6, 5-27-97.

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

(a) A prequalification issued pursuant to the provisions of this division shall be for one year from issuance of the prequalification and shall then expire unless sooner suspended or revoked.

(b) Any prequalification person may renew a sidewalk contractor's prequalification prior to expiration of the current prequalification without examination by presenting a current ADA certification, presenting proper picture identification, filing of the required sidewalk contractor's bond and paying to the City Treasurer the sidewalk contractor's prequalification renewal fee established in Chapter 60, the General Schedule of Fees. Renewed prequalification will become effective on the day following the expiration of the prior prequalification and shall be effective for one year. The ADA certification must be current at the time of renewal.

(c) Any person may renew an expired sidewalk contractor's prequalification after expiration but within 90 days of the expiration date of the prequalification without examination by presenting a current ADA certification, presenting proper picture identification, filing of the required sidewalk

contractor's bond and paying to the City Treasurer the sidewalk contractor's prequalification late renewal fee established in Chapter 60, the General Schedule of Fees. Renewed prequalification will become effective on the day following the expiration of the prior prequalification and shall be effective for one year. The ADA Certificate must be current at the time of the renewal.

(d) Any person not renewing an expired sidewalk contractor's prequalification within 90 days after the expiration of the current prequalification must re-apply for a new sidewalk contractor's prequalification, re-take and pass the sidewalk contractor examinations, present a current ADA certification, present proper picture identification, file of the required sidewalk contractor's bond, and pay to the City Treasurer the examination fees and sidewalk contractor's prequalification fees established in Chapter 60, the General Schedule of Fees.

(Code 1980, § 50-140; Ord. 25627, § 2, 4-25-17, eff. 7-1-17; Ord. No. 26614, § 3, 12-8-20)

§ 50-141. Reserved.

Editor's note—Ord. No. 26614, § 4, adopted Dec. 8, 2020, repealed § 50-141, which pertained to Suspension or revocation and derived from Code 1970, § 2-235; Code 1980, § 50-141.

*Part B. Reserved**

§§ 50-151—50-185. Reserved.

***Editor's note**—Ord. No. 26614, § 4, adopted Dec. 8, 2020, repealed Pt. B, §§ 50-151—50-153, which pertained to Board of Examiners for Sidewalk Contractors and derived from Code 1970, §§ 2-230, 2-232, 2-233; Code 1980, §§ 50-151—50-153.

§ 52-23.8. Excise tax on gross receipts for funding an arena facility to be owned by the City.

§ 52-23.8. Excise tax on gross receipts for funding an arena facility to be owned by the City.

(a) A limited-term excise tax in the amount of one percent (1%) is hereby levied upon the gross proceeds or gross receipts derived from all sales taxable under the sales tax laws of this state, including but not limited to the specific taxable sales and service transactions enumerated in Paragraphs (1) through (11), inclusive, of Subsection (a) of Section 52-20 of this chapter.

(b) The limited-term excise tax levied pursuant to Subsection 52-23.8(a) above may be expended only for the limited purpose of funding all expenses related in any manner to constructing, establishing, providing, or maintaining an arena facility to be owned by The City of Oklahoma City.

(c) The term "City" as used in this section means The City of Oklahoma City, Oklahoma, a municipal corporation and/or any public trust with the City as its beneficiary.

(d) The term "expenses" as used in this section means all costs incurred by the City that are related in any manner to the limited purpose stated in Subsection (b) above. By way of illustration and not limitation, "expenses" as used in this section may include the funding of any and all real or personal property acquisition costs, real property interest acquisition costs, architectural costs, engineering costs, design costs, interior or exterior decoration costs, consulting costs, demolition costs, administrative costs, legal costs, costs for providing facilities related in any manner to the arena, costs of reimbursements or paybacks for expenditures made by a public trust with the City as a beneficiary,

§ 52-23.8

OKLAHOMA CITY MUNICIPAL CODE, 2020

payment of financing costs for obligations related to the stated limited purpose that are issued by a public trust having the City as its beneficiary, and costs for any or all other item(s), article(s), payment(s), or financial obligation(s) incidental or related in any manner to constructing, establishing, providing, or maintaining an arena facility to be owned by the City.

(e) Pursuant to authority of 68 O.S. § 2701(B), there is hereby created a limited-purpose fund to be known as the "Arena Facility Sales Tax Fund" (hereinafter the "Fund") into which all revenues collected pursuant to Subsection 52-23.8(a) above shall be deposited. Money in the Fund shall be accumulated from year-to-year. The Fund shall be placed in an insured interest-bearing account and the interest that accumulates on the Fund shall be retained in the Fund. The Fund shall be non-fiscal and shall not be considered in computing any levy when the City makes its estimate to the Excise Board for needed appropriations. Money in the Fund shall be expended only as accumulated and only for the limited purpose specified in Subsection 52-23.8(b) above.

(f) The excise tax levied by this section begins at the same time the excise tax levied by City Ordinance No. 26,255 ends. Once effective, the tax levied by this section lasts for a limited term of 72 months and then such tax ends.

(g) The tax levied by this section will be codified as Section 52-23.8 of Chapter 52 of the Oklahoma City Municipal Code, 2020, and once effective, will be cumulative of other unexpired taxes codified in said Chapter 52.

(Ord. No. 27420, § 1, 9-26-23)

§ 52-79. Operator's discount.

In order to remunerate an operator for maintaining tax records, filing reports, and remitting the tax when due a three percent discount shall be allowed upon hotel taxes paid prior to the time they become delinquent. In order to be eligible for the discount, the tax must be remitted through the online payment application on the City's website (okc.gov), and the report and any monthly exemptions forms must accompany payment.

(Code 1970, § 14-80; Code 1980, § 52-64; Ord. No. 22729, § 1, 5-24-05; Ord. No. 26993, § 1, 2-15-22)

Division 2. Reserved

§§ 53-46—53-65. Reserved.

DIVISION 2. RESERVED

Editor's note—Ord. No. 26755, § 11, adopted May 25, 2021, repealed § 53-46—53-54, which pertained to Licenses and derived from Code 1980, §§ 53-52—53-54.

§§ 53-46—53-65. Reserved.

Division 2. Reserved

§§ 54-86—54-91. Reserved.

DIVISION 2. RESERVED

Editor's note—Ord. No. 26755, § 12, adopted May 25, 2021, repealed §§ 54-86—54-91, which pertained to licenses and derived from Code 1970, §§ 9-151, 9-152, 9-154(a), 9-154(b), 9-155(b); Code 1980, §§ 54-86—54-91; Ord. No. 19256, § 2, adopted Aug. 8, 1989; Ord. No. 19276, § 1, adopted Sept. 5, 1989.

§§ 54-86—54-110. Reserved.

§ 54-221. Required; transfer.

(a) No person shall operate as a dealer thereof in secondhand or used precious metals or gems without a license issued by the Supervisor of Licenses.

(b) A separate license shall be required for each location, place or premises used for the conducting of a secondhand precious metals or gems business and each regulatory license shall designate the location or place or premises to which it applies. In

addition, such business shall not be carried on or conducted in any other place than that designated in or by such regulatory license; such license shall not be transferable.

(Ord. No. 16149, §§ 2, 4(c), 3-31-81; Code 1980, § 54-151; Ord. No. 26755, § 13, 5-25-21)

§ 55-56. Authorizing temporary suspension of certain charges during emergencies.

§ 55-16. Definitions.

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

- (A.1) *Accountholder* shall mean any person(s) or entity that makes application to the Utility Customer Service Division for utility services. As used in this Chapter, accountholder will include the spouse of an accountholder, which spouse will be equally and jointly responsible for payment of charges under this Code and for compliance with this Code.
- (B.1) *Reserved.*
- (C.1) *Curb stop lock* means a metal boot or coupling which attaches to a cutoff valve to which a lock is attached to deny access or use of the cutoff valve and water service.
- (C.2) *Customer* means the party or parties requesting, receiving, or using utility services provided or made available by the City. Utility customer shall also mean any person or entity requesting, receiving or using utility services provided or made available by the City.
- (C.3) *Customer Service Superintendent* means the authorized representative of the Director as the chief administrator of the Customer Service Division of the Utilities Department or the Customer Service Superintendent's designated representative.
- (D.1) *DEQ* means the Oklahoma State Department of Environmental Quality, its successors, designees and assigns.
- (D.2) *Director* means the Utilities Department Director or his/her designated representatives.
- (F.1) *Finance Department* means the Finance Department and shall include all authorized employees and deputies thereof, except as otherwise clearly shown by context.
- (F.2) *Finance Director* means the Finance Director or his designated representative.
- (G.1) *Reserved.*
- (H.1) *Reserved.*
- (I.1) *Irrigation only account* means an account for private water service to a separately metered, separate private irrigation water system with no connection to any non-irrigation water system. It shall be the obligation of the accountholder to demonstrate compliance and continued compliance with the requirements of this provision and the obligation of the accountholder to provide the City access to the property served and all water systems on the property served to test and verify compliance. Should it be determined that the system is not in compliance, it will be the responsibility of the customer to bring the system into compliance within 30 days of written notice.
- (J.1) *Reserved.*
- (K.1) *Reserved.*
- (L.1) *Latch* means the spring mechanism or gravity activated mechanism on the meter cover. The purpose of the latch is the protection of the integrity of the meter and associated facilities.
- (L.2) *Lock* means a combination or key style lock commonly used to deny access to a facility. "Lock" shall not mean the latch on the meter cover.
- (M.1) *Manufacturing customer* means non-residential retail customer with a history of treated water usage over the prior 12 months of at least five million gallons per month (excluding irrigation water, which irrigation water must be separately

- metered) and with a peak to average monthly treated water use ratio of 1.25 or less. Provided however, new customers, with anticipated usage meeting these requirements, will be billed at the manufacturing customer rate subject to recalculation after 12 months of billing history should the manufacturing customers fail to comply with these requirements.
- (M.2) *Meter tile cover* means the plate on the tile opening which provides access to the meter.
- (M.3) *Meter face* means the series of dials or digital registers with a glass cover which demonstrates the water flow through the meter.
- (M.4) *Meter setting* means the installation of a water meter connected to the service connection either at the curblin or at the beginning of extension service line.
- (M.5) *Meter tile* means the cast iron, concrete, plastic or other approved material structure which provides housing for the meter.
- (M.6) *Multifamily* means four or more housekeeping units within a building or structure, which include but are not limited to, residential multiplexes, residential apartment complexes, residential mobile home parks, and other similarly-situated multiple unit residential customers. Multifamily customers will be served off a master meter in a dedicated easement on a public street.
- (N.1) *Reserved.*
- (O.1) *Reserved.*
- (P.1) *Reserved.*
- (Q.1) *Reserved.*
- (R.1) *Reserved.*
- (S.1) *Service extension line* means the extension of the water service connection from the outlet of the meter at the point of meter setting.
- (T.1) *Tailpiece* means the copper line connecting the meter assembly to the private service extension line. The tailpiece shall be considered a part of the meter.
- (U.1) *Utility Customer Service Division* means the division of the Utilities Department responsible for billing customers of the City's water, sewer and refuse operations, and related functions including reading meters, responding to inquiries, replacement of dead and damaged meters, uncovering and raising meters, maintaining accounts for all customers, and enforcement of ordinances relating to provision of water, sewer, and refuse service through scheduled water service disconnections and the assessment of penalties and fees.
- (U.2) *Utilities Department or Department* means the Utilities Department of the City and shall include all authorized employees and deputies thereof, except as otherwise clearly shown by context. The Utilities Department was formerly referred to as the Water and Wastewater Utilities Department or Water Resources Department.
- (V.1) *Reserved.*
- (W.1) *Water distribution lines* means water mains smaller than 12 inches in diameter.
- (W.2) *Water municipal system* means a public water supply system constructed, operated and maintained by a municipality or trust for the benefit of such a municipality.
- (W.3) *Water service* includes the general municipal service of providing, maintaining and distributing water, and providing, maintaining and operating all facilities and procedures legally under the control of the Utilities Department for the purposes of said service.
- (W.4) *Water service connection* means the service pipe connected to a City water main and extending therefrom to the curblin or meter setting premises served or subject to be served by the water service.
- (W.5) *Water service installation* means the water service connection with the meter setting and meter box, but shall not include the turning on of water through said lines and meter connected thereto.
- (W.6) *Water system* means all of the property covered by a lease agreement between the trustees of the Oklahoma City Water Utilities Trust, formerly Oklahoma City Municipal Improvement Authority, and the City dated August 1, 1960, as amended, plus any additional facilities, extensions or improvements acquired by said trustees, the title to which shall become vested in the City in the future as provided in said lease agreement.
- (X.1) *Reserved.*
- (Y.1) *Reserved.*
- (Z.1) *Reserved.*

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 55-62

(Code 1970, § 35-1; Code 1980, § 55-16; Ord. No. 19761, § 1, 5-27-92; Ord. No. 20768, § 2, 2-18-97; Ord. No. 23451, § 10, 9-25-07; Ord. No. 24653, § 1, 4-23-13; Ord. No. 24966, § 3, 9-9-14; Ord. No. 25793, § 4, 2-21-17, eff. 12-31-17; Ord. No. 27272, § 10, 1-31-23)

Cross reference—Definitions and rules of construction generally, § 1-2.

§ 55-56. Authorizing temporary suspension of certain charges during emergencies.

If the Mayor or Council should proclaim a state of emergency pursuant to Chapter 15, Article II or III of this Code, then the City Manager or designee, in his or her discretion, is hereby authorized for the period that the state of emergency is in effect, or a portion thereof, to temporarily suspend the accrual of water service termination charges or disconnection charges, and/or water service reconnection charges or water service restart charges, and/or late fees to those current utility account holders affected by the state of emergency.

(Ord. No. 26673, § 1, 2-16-21)

§ 55-62. Usage charges inside and outside City.

(a) There is hereby established a schedule of charges for all water delivered monthly through the meters of the water system of the City for use within the corporate limits of the City. The schedule of such charges shall be as established in Chapter 60, the General Schedule of Fees. From time to time, certain customer classes, rates, rate schedules, charges, and fees may be amended, revised, phased out, or merged with other schedules of charges. Less and except when a customer class, rate, rate schedule, charge or fee is amended, revised, phased out, or merged as provided in this Code or by amendment of this Code, customers may not change customer classes, rates, rate schedules, charges and fees. Should a customer use or manipulate or attempt to use or manipulate the City water system to avoid being charged or to circumvent full cost recovery or reasonable cost allocation, then the Director may reassign a customer to a different customer class, rate, rate schedule, charge or fee to accomplish full cost recovery or reasonable cost allocation. In the event of force majeure as determined by the Director, the Director may, in the Director's sole discretion, adjust customer class, rates, rate schedules, charges or fees to accomplish full cost recovery or reasonable cost allocation. Force majeure as used herein shall mean a natural catastrophe or unavoidable event.

(b) For all water delivered through City meters for use within and without the corporate limits, the user shall pay a quantity charge(s) for water delivered plus a monthly water customer service charge(s) based on the size of the water meter, known as a monthly water customer service charge (per meter), which shall be charged regardless of water usage or non-usage. The quantity charge(s)

for water may include multiple components including, but not limited to, block rates, base rates, reservation rates, excess rates, peak-day rates, and peak-hour rates.

(c) In addition to the charges in Subsection (b) above, there shall be additional charge(s) as established in Chapter 60, the General Schedule of Fees for any housekeeping unit in:

- (1) a mobile home park,
- (2) apartments,
- (3) any other multiple housekeeping unit structures, complexes, properties with three or more housekeeping units (less and except for hotels, motels, and wholesale customers) which do not have a separate meter for each housekeeping unit, and
- (4) other existing multiple residential unit service areas that are master metered, provided nothing herein authorized any new or additional master metered multiple residential unit service areas.

(d) Housekeeping units charge. The City has established housekeeping unit charge(s) to recover certain costs, including but not limited to, the costs of notice, communication and administration of customer accounts with multiple (four or more) housekeeping units.

- (1) "housekeeping unit" charges are not levied for a single-family residential house, duplex or a triplex.
- (2) a "housekeeping unit," in the case of quadplexes or larger residential facilities such as apartments or any other multiple housekeeping unit structures (less and except for hotels, motels, and wholesale customers) each being a unit with kitchen facilities or privileges for family functions, each housekeeping unit structure with kitchen facilities or privileges for family functions shall be deemed a housekeeping unit.
- (3) a "housekeeping unit," in the case of mobile home parks, being each location or pad with a water hookup or where a water hookup is available or has in the past been made, whether said location or pad is occupied or unoccupied at the time of billing.

(e) As used in this chapter and Chapter 60, the General Schedule of Fees, to determine applicable water rates:

- (1) "Average Winter Water Consumption" (AWC) shall be defined as the arithmetic average monthly water volume computed

§ 55-62

OKLAHOMA CITY MUNICIPAL CODE, 2020

based upon the metered or estimated water usage on bills rendered during the months of December through February for a particular utility account. Provided, however, the Director at her/his discretion may use the March water usage bill as deemed necessary to establish the AWC. The AWC for each utility account will be recalculated each year and will be applicable to water usage charges in April and thereafter until a new AWC is established for that utility account. The AWC will be used to determine the applicable rate block per thousand-gallon water usage charge(s) for nonresidential utility accounts until the AWC is established for the customer as provided herein. In those instances when no or insufficient data for calculating the AWC for a particular utility account, the Customer Service Superintendent will determine the appropriate method of estimating the AWC for the utility account. In estimating the AWC, the Customer Service Superintendent may consider prior and subsequent volumes or usages, partial meter readings, pipe sizes, pumping capacities, water pressures, weather, number of water facilities, the number of occupants or water users, similar users and uses, and other relevant factors.

- (2) A "residential utility account" shall be defined as a utility account, as determined by the Customer Service Superintendent, to serve one or more housekeeping units.
- (3) A "nonresidential utility account" shall be defined as any utility account which is not a residential utility account.

(f) Private fire service charges - Monthly. Customers with dedicated private fire lines will be charged monthly private fire service charges for service and service availability based upon the diameter (in inches) of each connection to the City water system in accordance with the applicable rate in Chapter 60, the General Schedule of Fees.

(Code 1970, § 35-43(a); Ord. No. 15830, § 1, 6-10-80; Ord. No. 16286, § 1, 7-7-81; Ord. No. 16749, § 1, 6-29-82; Ord. No. 17777, 1, 8-14-84; Code 1980, § 55-62; Ord. No. 19435, § 1, 6-26-90; Ord. No. 20437, § 3, 10-17-95; Ord. No. 22502, § 3, 8-3-04; Ord. No. 24966, § 3, 9-9-14; Ord. No. 25793, § 6, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 3, 4-26-22, eff. 6-1-22; Ord. No. 27272, § 11, 1-31-23)

§ 55-63. Water usage charge(s).

There is hereby levied a schedule of rates, fees, and charges, and any amendment thereto, for all water and water services provided by the City. The schedule of such rates, fees and charges shall be as established in Chapter 60, the General Schedule of Fees.

(a) *Treated Water, Inside City, Oklahoma City water source.* Inside City water customers who are connected to the water system of the City shall be deemed to have contracted for water service in accordance with this Code.

- (1) *Treated Water, Inside City, Oklahoma City water source, retail residential service (Single Family, Duplex and Triplex).* These customers will be charged and must pay monthly water customer service charge(s), plus water usage charge(s) (volume delivered is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code.
- (2) *Treated Water, Inside City, Oklahoma City water source, retail residential service (Multifamily).* These customers will be charged and must pay monthly water customer service charge(s), plus water usage charge(s) (volume delivered is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code.
- (3) *Treated Water, Inside City, Oklahoma City water source, retail non-residential service (Commercial/Industrial).* These customers will be charged and must pay monthly water customer service charge(s), plus water usage charge(s) (volume delivered is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code.
- (4) *Treated Water, Inside City, Oklahoma City water source, retail service, (Manufacturing customer).* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.
- (5) *Treated Water, Inside City, Oklahoma City water source, retail service (Irrigation only).* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 55-63

rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.

- (6) *Treated Water, Inside City, Oklahoma City water source, retail service, (Flush meters).* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.
- (7) *Treated Water, Inside City, Oklahoma City water source, standby service (Tinker Air Force Base).* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.
- (8) *Treated Water, Inside City, Oklahoma City water source, continuous service (Tinker Air Force Base).* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class. The continuous service rates and charges include the cost of providing treated water service including treatment, delivery up to the meters, meter costs, and account administration. Infrastructure on Tinker Air Force Base including distribution and maintenance costs are excluded from these continuous service rates and charges.

(b) *Treated Water, Outside City, Oklahoma City water source.* Outside City water customers who request water for direct use (retail) or further delivery and resale (wholesale) through their own distribution systems and meters must make written request to the City and Trust for such purchase of water. If said request is approved by the Council of the City and trustees of the Trust, the outside City customer shall enter into a contract with the City and the Trust for the purchase of such water and water service. The City and/or Trust contracts directly with outside City customers and each customer commits to pay monthly water customer service charge(s) and to pay for the water and water service from the City throughout the term of the customer's account as provided in this Code.

This Code and any written agreement with the City and the Trust shall be deemed the contract between the City and customers receiving water or water services from the City water system. All inside City and outside City, retail and wholesale, water and water service customers must comply with water conservation directives and ordinances as provided in this Code. Any contract or renewal or extension of existing contracts for water or water service from the water system of the City shall include a provision requiring the customer to commit to one of the following water service levels, and any revision, amendment, or addition thereto:

- (1) *Treated Water, Outside City, Oklahoma City water source, retail residential service (Incorporated and Unincorporated) (Single Family, Duplex and Triplex).* (The unincorporated retail rate is lower than the incorporated retail rate, which also includes a 2% payment in lieu of taxes (PILOT) cost paid to the other city) and non-dedicated private fire service. These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.
- (2) *Treated Water, Outside City, Oklahoma City water source, retail non-residential service (Incorporated and Unincorporated) (Multifamily).* (The unincorporated retail rate is lower than the incorporated retail rate, which also includes a 2% payment in lieu of taxes (PILOT) cost paid to the other city) and non-dedicated private fire service. These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.
- (3) *Treated Water, Outside City, Oklahoma City water source, retail non-residential service (Incorporated and Unincorporated) (Commercial/Industrial).* (The unincorporated retail rate is lower than the incorporated retail rate, which also includes a 2% payment in lieu of taxes (PILOT) cost paid to the other city) and non-dedicated private fire service. These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is

measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.

- (4) *Treated Water, Outside City, Oklahoma City water source, retail service (Incorporated and Unincorporated) (Irrigation only)*. (The unincorporated retail rate is lower than the incorporated retail rate, which also includes a 2% payment in lieu of taxes (PILOT) cost paid to the other city) and non-dedicated private fire service. These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.
- (5) *Treated Water, Outside City, Oklahoma City water source, retail service (Incorporated and Unincorporated) (Flush Meter)*. (The unincorporated retail rate is lower than the incorporated retail rate, which also includes a 2% payment in lieu of taxes (PILOT) cost paid to the other city) and non-dedicated private fire service. These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code times the applicable rate in Chapter 60, the General Schedule of Fees) at the rates in accordance with the rate schedules for that customer class.

(c) *Treated Water, Outside City, Oklahoma City water source, wholesale, service availability*. These customers will be charged and must pay a monthly water customer service charge(s), plus the subscribed monthly (applied daily if agreed by the wholesale customer) capacity reservation charge(s), regardless of use or nonuse of water, plus the commodity usage charge(s) for the water quantities provided up to the subscribed monthly capacity reservation gallons at the subscribed monthly capacity reservation commodity charge rate, plus for additional water quantities beyond the subscribed monthly capacity reservation gallons at the excess rates in accordance with the rate schedules for that customer class at the applicable rates in Chapter 60, the General Schedule of Fees, plus all other charges and fees set forth in this Code. The subscribed monthly capacity reservation is the minimum monthly capacity reservation the customer has determined and agreed to be charged by contract; provided that to qualify for this rate the customer's

subscribed monthly capacity reservation must be at least 90% of the customer's maximum historic monthly usage in gallons. Maximum historic monthly usage as used in this section shall mean the maximum historic usage of Oklahoma City water in gallons for any month regardless the rate or customer class at the time of usage, less and except as re-calculated by the Director in accordance with subsection (h) of Section 60-55-16. The maximum historic monthly usage shall be calculated and/or re-calculated upon the date designated by contract for establishing or amending the subscribed monthly capacity reservation gallons, but in no case later than the first day of May in any year.

(d) *Treated Water, Outside City, Oklahoma City water source, wholesale, take-or-pay service*. These customers will be charged and must pay monthly water customer service charge(s) plus water charge(s) based on the sum of the subscribed monthly usage volume (which must be at least 20% of their historical maximum usage to qualify for this rate) times the applicable rate regardless of use or non-use plus the volume of water (established, measured or estimated) provided by the City in excess of the subscribed monthly usage at the applicable rate or rates times the applicable rate in Chapter 60, the General Schedule of Fees, plus all other charges and fees set forth in this Code. If the customer fails to provide the Director a subscribed monthly usage volume, then the Director will assign a subscribed monthly usage volume based upon the maximum monthly usage in the prior 12 months, measured or estimated, such that all water usage would have been equal to or less than two times the subscribed monthly usage.

(e) *Raw Water, Inside City, Oklahoma City Water Source (Draper, Overholser or Hefner) and other specially contracted raw water, retail and wholesale*.

- (1) *Raw Water, Inside City, Oklahoma City Water Source (Draper, Overholser or Hefner), Demand service*. These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code or a contract approved by the City times the applicable rate in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code. Raw water does not include recycled water from wastewater treatment plants.
- (2) *Raw Water, Inside City, Oklahoma City Water Source (Draper, Overholser or Hefner), Wholesale, Service Availability service*. These customers will be charged and must pay a monthly water customer service charge(s), plus the subscribed monthly

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 55-63

(applied daily if agreed by the wholesale customer) capacity reservation charge(s), regardless of use or nonuse of water, plus the commodity usage charge(s) for the water quantities provided up to the subscribed monthly capacity reservation gallons at the subscribed monthly capacity reservation commodity charge rate, plus for additional water quantities beyond the subscribed monthly capacity reservation gallons at the excess rates in accordance with the rate schedules for that customer class at the applicable rates in Chapter 60, the General Schedule of Fees, plus all other charges and fees set forth in this Code. The subscribed monthly capacity reservation is the minimum monthly capacity reservation the customer has determined and agreed to be charged by contract; provided that to qualify for this rate the customer's subscribed monthly capacity reservation must be at least 90% of the customer's maximum historic monthly usage in gallons. Maximum historic monthly usage as used in this section shall mean the maximum historic usage of Oklahoma City water in gallons for any month regardless the rate or customer class at the time of usage, less and except as re-calculated by the Director in accordance with subsection (h) of Section 60-55-16. The maximum historic monthly usage shall be calculated and/or re-calculated upon the date designated by contract for establishing or amending the subscribed monthly capacity reservation gallons, but in no case later than the first day of May in any year. Raw water does not include recycled water from wastewater treatment plants.

- (3) *Raw Water, Inside City, Oklahoma City Water Source (Draper, Overholser or Hefner), Wholesale, AWC Tiered service.* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code or a contract approved by the City times the applicable rates in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code. Raw water does not include recycled water from wastewater treatment plants.

(f) *Raw Water, Outside City, McGee Creek Source, Wholesale, Participant.* Participants are the participants listed in the McGee Creek Trust Indenture and persons or entities for whom a listed participant has provided a written assignment of its participant rights to the General Manager of the

Trust. Customers will be charged and must pay for water at a rate per thousand and any portion thereof.

- (1) *Raw Water, Outside City, McGee Creek Source, Demand service.* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code or a contract approved by the City times the applicable rate in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code. Raw water does not include recycled water from wastewater treatment plants.
- (2) *Raw Water, Outside City, McGee Creek Source, Wholesale, Service Availability service.* These customers will be charged and must pay a monthly water customer service charge(s), plus the subscribed monthly (applied daily if agreed by the wholesale customer) capacity reservation charge(s), regardless of use or nonuse of water, plus the commodity usage charge(s) for the water quantities provided up to the subscribed monthly capacity reservation gallons at the subscribed monthly capacity reservation commodity charge rate, plus for additional water quantities beyond the subscribed monthly capacity reservation gallons at the excess rates in accordance with the rate schedules for that customer class at the applicable rates in Chapter 60, the General Schedule of Fees, plus all other charges and fees set forth in this Code. The subscribed monthly capacity reservation is the minimum monthly capacity reservation the customer has determined and agreed to be charged by contract; provided that to qualify for this rate the customer's subscribed monthly capacity reservation must be at least 90% of the customer's maximum historic monthly usage in gallons. Maximum historic monthly usage as used in this section shall mean the maximum historic usage of Oklahoma City water in gallons for any month regardless the rate or customer class at the time of usage, less and except as re-calculated by the Director in accordance with subsection (h) of Section 60-55-16. The maximum historic monthly usage shall be calculated and/or re-calculated upon the date designated by contract for establishing or amending the subscribed monthly capacity reservation gallons, but in no case later

than the first day of May in any year. Raw water does not include recycled water from wastewater treatment plants.

(g) *Raw Water, Outside City, McGee Creek Source, Wholesale, Non-participant.* Non-participants are any person or entity other than: (1) the participants listed in the McGee Creek Trust Indenture or (2) persons or entities for whom a listed participant has provided a written assignment of its participant rights to the General Manager of the Trust. Customers will be charged and must pay for water at a rate per thousand gallons and any portion thereof.

- (1) *Raw Water, Outside City, McGee Creek Source, Non-participant Demand service.* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code or a contract approved by the City times the applicable rate in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code. Raw water does not include recycled water from wastewater treatment plants.
- (2) *Raw Water, Outside City, McGee Creek Source, Wholesale, Non-participant, Service Availability service.* These customers will be charged and must pay a monthly water customer service charge(s), plus the subscribed monthly (applied daily if agreed by the wholesale customer) capacity reservation charge(s), regardless of use or nonuse of water, plus the commodity usage charge(s) for the water quantities provided up to the subscribed monthly capacity reservation gallons at the subscribed monthly capacity reservation commodity charge rate, plus for additional water quantities beyond the subscribed monthly capacity reservation gallons at the excess rates in accordance with the rate schedules for that customer class at the applicable rates in Chapter 60, the General Schedule of Fees, plus all other charges and fees set forth in this Code. The subscribed monthly capacity reservation is the minimum monthly capacity reservation the customer has determined and agreed to be charged by contract; provided that to qualify for this rate the customer's subscribed monthly capacity reservation must be at least 90% of the customer's maximum historic monthly usage in gallons. Maximum historic monthly

usage as used in this section shall mean the maximum historic usage of Oklahoma City water in gallons for any month regardless the rate or customer class at the time of usage, less and except as re-calculated by the Director in accordance with subsection (h) of Section 60-55-16. The maximum historic monthly usage shall be calculated and/or re-calculated upon the date designated by contract for establishing or amending the subscribed monthly capacity reservation gallons, but in no case later than the first day of May in any year. Raw water does not include recycled water from wastewater treatment plants.

- (3) *Raw Water, Outside City, McGee Creek Source, Wholesale, Non-participant, AWC Tiered service.* These customers will be charged and must pay monthly water customer service charge(s) plus water usage charge(s) (volume used is measured or estimated pursuant to this Code or a contract approved by the City times the applicable rates in Chapter 60, the General Schedule of Fees), plus all other charges and fees set forth in this Code. Raw water does not include recycled water from wastewater treatment plants.

(h) *Authorization for utility service agreements and rates for customers receiving wholesale service from another entity and retail service from the City.* The City may enter into agreements with other entities for such entities to provide wholesale water service and/or to provide wholesale wastewater service to the City for the purpose of enabling the City to provide water and/or wastewater service to customers within the City limits and enabling the City to provide retail service to said customers in conjunction with the wholesale service provider. The Director is authorized to establish separate inside City retail water service classes, rates and charges and separate inside City retail wastewater service classes, rates, and charges for customers whose service is connected, directly or indirectly, to wholesale service from another entity. Such separate retail service charges and rates must include a monthly customer service charge and rates sufficient to recover all current and future costs and expenses of the wholesale service and all current and future costs and expenses of the retail service as determined by the Director.

(Code 1970, § 35-43(b); Ord. No. 15830, § 1, 6-10-80; Ord. No. 16286, § 1, 7-7-81; Ord. No. 16749, § 1, 6-29-82; Ord. No. 17777, § 1, 8-14-84; Code 1980, § 56-63; Ord. No. 18375, § 1, 1-28-86; Ord. No. 19435, § 2, 6-26-90; Ord. No. 20437, § 4, 10-17-95; Ord. No. 20625, § 2, 7-23-96; Ord. No. 22502, § 3, 8-3-04; Ord. No. 24966, § 3, 9-9-14; Ord. No. 25793, § 7, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 3, 4-24-22, eff. 6-1-22)

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 56-24

- § 56-43. Posting of rates; filing rates with police department's permits and IDs unit; receipts on request.
- § 56-48. Appeals from orders of Vehicle for Hire Inspector or Chief of Police or designee.
- § 56-68. Periodic compliance checks regarding refusals of service; notice to licensee; revocation/suspension of business license and/or administrative fees for unlawful refusal of taxicab service; appeal; hearing; suspension/revocation.

§ 56-20. Certificate/business license required.

It shall be unlawful for any person, company, firm, partnership, owner, association or corporation to engage in the business of operating any motor vehicle for hire which picks up any passengers within the City limits, without having first obtained from the Vehicle for Hire Inspector a certificate of public convenience and necessity/business license. (Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 1, 1-4-22)

§ 56-23. Application for certificate/business license.

Applicants for a certificate/business license shall file with the Police Department's Permits and IDs Unit a verified application setting forth the following which shall be presented to the Vehicle for Hire Inspector for consideration of granting a license:

- (a) Name, business address, business name, and any established place(s) of business of the applicant; including address and location of dispatcher (if applicable);
- (b) Names of all owners; officers, and managers of the applicant;
- (c) Number of motor vehicles for hire for which a certificate of public convenience and necessity/business license is desired and manufacturer's rated seating capacity of each vehicle;
- (d) Proof of insurance coverage as required by this article;
- (e) Description of the proposed color scheme, insignia or any other distinguishing characteristics of the motor vehicle for hire;
- (f) Schedule showing the passenger fares to be charged; and the meter rate (for taxis) per mile or fraction thereof;
- (g) Description of type and extent of service to be rendered (e.g., airport shuttle, medical service van, taxicab, limousine, party bus, etc.);
- (h) With the application, applicant shall attach a copy of applicant's drug and alcohol

testing policies. The policies shall include, but not be limited to, the following information:

- 1. A statement of the licensee's policy respecting drug and alcohol use by employees and independent contractors;
- 2. Which employees and independent contractors are subject to testing;
- 3. The circumstances under which testing may be requested or required;
- 4. Substances which may be tested;
- 5. Testing methods and collection procedures to be used;
- 6. Consequences of refusing to undergo testing;
- 7. Potential adverse personnel action which may be taken as a result of a positive test result;
- 8. The rights of the employee and/or independent contractor to explain, in confidence, the test results;
- 9. The rights of the employee and/or independent contractor to obtain all information and records related to that person's testing;
- 10. Confidentiality requirements; and
- 11. The available appeal procedures, remedies and sanctions.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 25002, § 3, 10-21-14; Ord. No. 26994, § 1, 1-4-22)

§ 56-24. Criteria for granting a certificate of convenience and necessity/business license.

The Vehicle for Hire Inspector shall investigate and consider whether the applicant has the ability to comply with the requirements of this article, including:

- (a) Whether the applicant has complied with the application requirements;
- (b) Whether applicant has available for operation at least five motor vehicles for hire (for taxi services only); and

§ 56-24

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (c) Whether applicant has a unique color scheme and/or trademark and/or name different from any other motor vehicle for hire licensee so that a reasonable person would not confuse the different licensees.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 25002, § 3, 10-21-14; Ord. No. 26994, § 1, 1-4-22)

§ 56-25. **Reserved.**

Editor's note—Ord. No. 26994, § 5, adopted Jan. 4, 2022, repealed § 56-25, which pertained to public hearing required and derived from Ord. No. 24120, § 3, 8-17-10.

§ 56-26. **Issuance of certificate of convenience and necessity/business license; vehicle inspections; vehicle for hire decals required; annual renewal required; outstanding administrative fees.**

(a) If the Police Department's Permits and IDs Unit shall find that an applicant has met the requirements of this article for a certificate of public convenience and necessity/business license, a certificate/license to that effect shall be issued to the applicant by the Vehicle for Hire Inspector, setting forth the number of vehicles for hire allowed under the certificate/business license. Before the Vehicle for Hire Inspector shall issue any certificate/license, the applicant shall pay the fees as set forth in Chapter 60, the General Schedule of Fees, for the certificate/license.

(b) Each vehicle to be operated under the authority of the licensee shall be inspected by the Vehicle for Hire Inspector before it can be used as a vehicle for hire. The vehicle title; tag; insurance verification; and Oklahoma Corporation Commission decal or USDOT/UCR number where applicable, shall be provided to the Vehicle for Hire Inspector at the time of inspection. If the vehicle meets the requirements as set forth in this article and the vehicle decal fee is paid to the Vehicle for Hire Inspector, as set forth in Chapter 60, the General Schedule of Fees, the Vehicle for Hire Inspector shall affix the vehicle decal to the lower driver's side of the windshield of said vehicle. Once the decal is affixed, the vehicle may be operated as a vehicle for hire.

(c) By June 30th of each year, every licensee shall renew its certificate/license to operate and pay fees, to the Police Department's Permits and ID Unit, in the amounts designated in Chapter 60, the General Schedule of Fees. All renewals not affecting the number of licensed vehicles may be handled administratively. Any renewals requesting an increased or decreased number of vehicles for hire shall require approval of the Vehicle for Hire Inspector. No license shall be renewed if any administrative fees assessed, pursuant to Section 56-68, against said licensee are due and unpaid.

(d) Upon application for renewal of the vehicle decals, the licensee shall submit the following information in writing to the Vehicle for Hire Inspector, along with a copy of the vehicle title; tag; insurance verification; and Oklahoma Corporation Commission decal or USDOT/UCR number where applicable, for each vehicle to be used in such business:

- (1) the licensee's name, the business owner's name (or names of officers if company is a corporation); and
- (2) the company address, and for taxis only, the location of dispatcher(s).

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 1, 1-4-22)

§ 56-28. **Transfer of certificate/business license prohibited.**

No certificate of public convenience/business license may be sold, assigned, mortgaged, or otherwise transferred by the person or company to whom issued except upon approval of the Police Department's Permits and IDs Unit.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 1, 1-4-22)

§ 56-29. **Revocation or suspension of certificate/business license and grounds therefore; notice; hearing; appeal to License Appeal Board.**

(a) The Chief of Police or designee may at any time, pursuant to the revocation or suspension proceedings as hereinafter described, revoke or suspend the certificate of convenience and necessity/business license granted under this article, if it makes any of the following determinations of violations by (1) any owners, operators, managers, partners, officers or employees of the licensee or (2) an independent contractor or agent operating under the authority of licensee if the licensee has knowledge of, reasonably should have had knowledge of or supported the violations committed by the independent contractor or agent:

- (1) If vehicles operated under the authority/endorsement of the licensee are not operated in accordance with the provisions of this article;
- (2) If a taxicab licensee suspends service for a period of ten days without permission obtained from the Police Department's Permits and IDs Unit;
- (3) If vehicles are operated within the corporate limits of the City at a rate or fare greater than that specified in the rate schedule then in effect and on file with the Police Department's Permits and IDs Unit;

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 56-43

- (4) If a motor vehicle for hire is operated but is not insured as required by this article;
- (5) If the certificate/business license was procured by fraudulent conduct or false statement of a material fact, or a fact concerning the applicant was not disclosed at the time of application and such fact would have constituted just cause for refusal to issue the certificate/license;
- (6) If those persons, owners, operators, managers, partners, officers, employees, independent contractors, and/or agents operating motor vehicles for hire pursuant to the licensee's authority have violated any provisions of the article, or have committed any other acts, which reflect unfavorably on the fitness of the licensee to offer public services;
- (7) If those persons, owners, operators, managers, partners, officers, employees, independent contractors and/or agents operating vehicles for hire pursuant to the authority of a licensee, have intercepted calls for service of other licensed motor vehicle for hire companies; and/or
- (8) If those persons, owners, operators, managers, partners, officers, employees, independent contractors or agents operating vehicles for hire pursuant to licensee's authority have failed to maintain adequate and properly operating equipment as required by this article.

(b) In determining whether to revoke or suspend the certificate of convenience and necessity/business license, the Chief of Police or designee may consider, as a mitigating factor, any independent action taken by the licensee to deter future violations by any of the owners, operators, managers, partners, officers, or employees of the licensee or independent contractor or agent operating under the authority of the licensee. The Chief of Police or designee may apply the mitigating factor to their decision regarding revocation versus suspension, the appropriate length of a suspension, or a waiver of suspension.

(c) In order to initiate revocation or suspension proceedings, the Vehicle for Hire Inspector shall cause written notice to be given to the licensee that a hearing will be held thereon by the Chief of Police or designee. Such notice shall be given at least five days prior to the date of such hearing and shall specify the grounds upon which revocation or suspension proceedings will be conducted. At such hearing the Chief of Police or designee shall consider all relevant testimony before making its determinations thereon. A licensee may appeal from an

adverse ruling by the Chief of Police or designee to the License Appeals Board, pursuant to the provisions of Sections 26-17 through 26-24 of the Code.

(d) Upon suspension or revocation of a motor vehicle for hire company's certificate/business license, all drivers' permits authorized under the motor vehicle for hire company's license shall be deemed invalid until such time as the drivers provide the Vehicle for Hire Inspector a letter of endorsement from a licensed Vehicle for Hire company. The drivers may move to a Vehicle for Hire company pursuant to Section 56-22.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 25002, § 3, 10-21-14; Ord. No. 25298, § 1, 1-5-16; Ord. No. 26994, § 1, 1-4-22)

§ 56-40. Record-keeping requirements of certificate/license holders.

Each licensee shall maintain all records of motor vehicle for hire service orders within the City for the previous 90-day period. These records shall be retained as directed by the Vehicle for Hire Inspector. These records shall be produced to the Vehicle for Hire Inspector during regular business hours. If the licensee shall refuse to provide such inspection, the Chief of Police or designee may initiate revocation or suspension proceedings. While failure to keep the required records is an offense, the refusal to provide such records for inspection shall not be prosecuted as a criminal offense. In any proceeding against the licensee for such refusal, the Chief of Police or designee shall consider the reasonableness of the request and the reasonableness of the refusal to permit such inspection.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 25002, § 4, 10-21-14; Ord. No. 25298, § 2, 1-5-16; Ord. No. 26994, § 2, 1-4-22)

§ 56-43. Posting of rates; filing rates with Police Department's Permits and IDs Unit; receipts on request.

(a) Rates and charges shall be posted in each motor vehicle for hire in a place visible to passengers.

(b) It shall be unlawful for the owner or driver of any vehicle for hire in the City to fix, charge or collect for service a rate more than that specified in the rate schedule then in effect and on file with the Police Department's Permits and IDs Unit and posted within the vehicle. At least 30 days prior to the effective date of any adjustments to rates or charges, the owner or operator shall file a notice of such adjustments with the Vehicle for Hire Inspector, setting forth the rates or charges then in effect, the proposed rates or charges and the dates upon which said proposed rates or charges are to become effective.

§ 56-43

OKLAHOMA CITY MUNICIPAL CODE, 2020

(c) If requested, every driver shall give a receipt upon payment of the correct fare or charge.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 2, 1-4-22)

§ 56-46. Advertising on vehicles for hire.

(a) No licensee, vehicle owner or driver or any other person shall permit any banner or other advertising matter to be affixed to or painted onto a motor vehicle for hire, except as otherwise provided herein.

(b) Any licensed person engaged in the business of advertising on motor vehicles for hire shall be permitted to place advertising on the rear trunk lid or panel, rear bumper, door panels, or rooftop of motor vehicles for hire, provided that the advertising shall be in compliance with the federal, state and local laws and regulations. Advertising on door panels shall be applied with a vinyl wrap and/or lettering, or similarly applied material approved by the Vehicle for Hire Inspector, to the body of the vehicle. Advertising shall be in such a manner the licensee's trade name, monogram, or insignia is still visible and recognizable. No advertising shall be applied to the vehicle windows or brake/tail lamps. All structural components of advertising shall be inspected on an annual basis by the Vehicle for Hire Inspector, who shall determine whether said advertising presents a safety hazard. A graphic design of the proposed advertising with vehicle layout and locations shall be submitted by electronic mail or submitted in person to the Vehicle for Hire Inspector, who shall determine whether the proposed advertising is in an authorized location. Upon review of advertising design, the Vehicle for Hire Inspector may require an inspection as necessary.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26368, § 1, 1-21-20)

§ 56-48. Appeals from orders of Vehicle for Hire Inspector or Chief of Police or designee.

Any licensee, owner, driver or applicant shall have the right to appeal any order of the Chief of Police or designee or Vehicle for Hire Inspector relating to the issuance, denial, revocation, or suspension of the certificate/license and/or driver's permit after a hearing to the License Appeals Board, pursuant to the provisions of Sections 26-17 through 26-24 of the Code. During the appeal before the License Appeals Board, the order being appealed shall be stayed until the License Appeals Board has reached a decision.

In considering an appeal of the revoked or suspended certificate of convenience and necessity/business license, the License Appeals Board may consider, as a mitigating factor, any independent action taken by the licensee to deter future violations by any of the owners, operators, managers,

partners, officers, or employees of the licensee or independent contractor or agent operating under the authority of the licensee. The License Appeals Board may apply the mitigating factor to their decision regarding the appeal of the revocation or suspension, the appropriate length of a suspension, or a waiver of suspension. At such appeal's hearing the License Appeals Board shall consider all relevant testimony before making its determinations thereon.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 2, 1-4-22)

§ 56-61. Overall taxicab service required; definition for "available for service;" duties of the dispatcher and driver; unlawful refusals of service.

(a) All licensees; and licensee's employees, managers, drivers, owners, operators, dispatchers, independent contractors and agents shall render an overall service to the public desiring to use taxicabs. Licensees shall maintain a central place of business which is kept open 24 hours a day, for the purpose of receiving calls and dispatching taxis.

(b) Licensee's dispatcher shall know when a taxicab driver has picked up a passenger and when a driver has unloaded a passenger, so that the dispatcher knows which taxicabs are "available for service" at any given time. "Available for service" shall mean that the taxicab is not on personal time and does not have a passenger for hire.

(c) All drivers shall notify the licensee's dispatcher of the following: (1) when the driver is working and ready to accept passengers for hire; and (2) when the driver is available for service; thus enabling the licensee's dispatcher to know at all times which taxicabs are "available for service."

(d) All taxis shall be equipped with operable transmitters and receivers to provide reliable contact, from all locations within the City, with the licensee's dispatcher. The licensee shall answer all calls received for service inside the City as soon as it can do so, and if the requested service cannot be rendered within a reasonable time, the licensee shall then notify the prospective passengers how long it will be before the call can be answered.

(e) Calls for taxicab service shall be made through the dispatcher at the licensee's central place of business. Additionally, calls for service may be received by the individual driver, but the driver shall notify dispatch if the driver is accepting said passenger for service. No other calls for taxicab service shall be answered except as provided in this manner. Notice of change of business or dispatch address or of telephone number shall be provided to the Vehicle for Hire Inspector at least 72 hours before said change is affected.

(f) No person working pursuant to the authority of a licensee, who has a vehicle "available for service" shall refuse service to any person requesting taxicab service, when said person is acting in a sober, orderly and nonthreatening manner and for a lawful purpose. Additionally, all taxis shall comply with Section 56-49 of this chapter.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 3, 1-4-22)

§ 56-68. Periodic compliance checks regarding refusals of service; notice to licensee; revocation/suspension of business license and/or administrative fees for unlawful refusal of taxicab service; appeal; hearing; suspension/revocation.

(a) The City Council has determined that unlawful refusals for taxicab service are a threat to the public health, safety and/or welfare. Additionally, complaints regarding unlawful refusals of service cause added demands upon the City's resources, especially those of the Chief of Police or designee, which is charged with the responsibility of investigating the complaints.

(b) The Vehicle for Hire Inspector shall conduct periodic investigations to determine if all taxicab licensees are complying with Sections 56-49 and 56-61 of this chapter. The Vehicle for Hire Inspector shall cause an investigation to be made of all complaints alleging violations of Sections 56-49 and Section 56-61 of this chapter.

(c) Should the Vehicle for Hire Inspector receive a complaint of a violation of Section 56-49 and/or 56-61, which is determined to be not unfounded, or finds a violation of Section 56-49 and/or Section 56-61, the Vehicle for Hire Inspector shall make a report of such findings and shall request an initiation of a revocation or suspension and assess the appropriate administrative fee set forth in Chapter 60, General Schedule of Fees. The Vehicle for Hire Inspector shall cause the provision of written notice to the licensee via certified mail, return receipt requested, to the licensee regarding the alleged violation. The written notice shall contain the following information, if known: (1) date and time of alleged violation; (2) name of individual violator; (3) date and time of hearing on the matter; and (4) description of the alleged violation.

(d) The Chief of Police or designee shall conduct a hearing regarding the report to determine whether such a violation did occur. At the hearing, the Chief of Police or designee shall consider all relevant evidence presented. Should the Chief of Police or designee make a finding against the licensee, in addition to the suspensions established below, an administrative fee as set forth in Chapter 60, General Schedule of Fees shall be assessed.

(e) Should the Chief of Police or designee find that a violation has occurred within any one license year, the Chief of Police or designee shall issue a written warning.

(f) Should the Chief of Police or designee determine that a second violation has occurred within any same license year, the Chief of Police or designee shall suspend the licensee's business license for no more than five days.

(g) Should the Chief of Police or designee determine that a third violation has occurred within one license year, the Chief of Police or designee shall suspend the licensee's business license for no more than ten days.

(h) Should the Chief of Police or designee determine that a fourth violation has occurred within one license year, the Chief of Police or designee shall suspend the licensee's business license for no more than one year.

(i) The licensee may appeal a suspension and/or fee assessment by filing a written appeal with the License Appeals Board pursuant to the provisions of Sections 26-17 through 26-24 of this Code. The suspension and/or fee assessment shall be stayed upon appeal, until the License Appeals Board has reached a decision. However, should licensee pay any assessed fee prior to a hearing on licensee's appeal and decision by the License Appeals Board, the fee shall be refunded to licensee should the License Appeals Board grant licensee's appeal.

(j) Unlawful refusals of service by permittees operating under licensee's license, will be prosecuted according to the criminal penalties as set forth in this chapter. The licensee will not be assessed administrative fees or be subject to suspension or revocation for violations of Section 56-49 and/or Section 56-61 committed by individual permittees.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 25002, § 6, 10-21-14; Ord. No. 26994, § 3, 1-4-22)

§ 56-199. Compliance with this article; and state and/or federal law.

No person shall drive or operate a carriage, solicit passengers for transportation in such a carriage, collect fares or anything of value from any person or entity, whether through direct payment or through any electronic means, for transportation in such a carriage, hold himself out to the public as ready and willing to furnish transportation in such a carriage, or either directly or indirectly offer to engage in transportation in such a carriage; includ-

§ 56-199

OKLAHOMA CITY MUNICIPAL CODE, 2020

ing but not limited to the use of online-enabled applications (apps) or services to connect passengers with permittees:

- (a) unless there is in force and effect for such vehicle a business license from the Vehicle for Hire Inspector; and
- (b) without having first complied with all applicable provisions of the Oklahoma State law and these municipal ordinances and any applicable federal laws and regulations.

(Ord. No. 25002, § 8, 10-21-14; Ord. No. 26994, § 4, 1-4-22)

§ 56-202. Application for carriage business license.

Carriage business license applicants shall file with the Police Department's Permits and IDs Unit a verified application which shall set forth:

- (a) the name, address, business name, and any established place of business of the applicant;
- (b) the number of carriages for which a license is desired;
- (c) a description of the proposed color scheme, insignia or any other distinguishing characteristics of the carriage;
- (d) a description of type and extent of service to be rendered;
- (e) the type, make or model of each carriage to be used.
- (f) with said application, applicant shall attach a copy of applicant's drug and alcohol testing policies. Said policies shall include, but not be limited to, the following information:
 1. A statement of the licensee's policy respecting drug and alcohol use by employees and independent contractors;
 2. Which employees and independent contractors are subject to testing;
 3. The circumstances under which testing may be requested or required;
 4. Substances which may be tested;
 5. Testing methods and collection procedures to be used;
 6. Consequences of refusing to undergo testing;
 7. Potential adverse personnel action which may be taken as a result of a positive test result;

8. The rights of the employee and/or independent contractor to explain, in confidence, the test results;
9. The rights of the employee and/or independent contractor to obtain all information and records related to that person's testing;
10. Confidentiality requirements; and
11. The available appeal procedures, remedies and sanctions.

Upon filing an application, applicants shall also provide proof of the insurance coverage required by this article and a photograph of each carriage to be licensed.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 4, 1-4-22)

§ 56-203. Issuance of business license; carriage decals required; annual renewal and inspection; appeals.

(a) Before beginning operations, every carriage company shall obtain a business license from the Vehicle for Hire Inspector and pay the nonrefundable, non-prorated business license fee as established in Chapter 60, the General Schedule of Fees. Business licenses shall be renewed annually by May 30th. Upon renewal, business owners shall update any information in their applications that is no longer accurate.

(b) The Vehicle for Hire Inspector will inspect each carriage the applicant intends to use in operation of his business. If the carriage passes inspection, a carriage decal will be issued designating a unique carriage number for each carriage to be used. The Vehicle for Hire Inspector shall permanently affix the carriage decal to the right side of the rear of each carriage. The decal shall state capacity of each carriage, which capacity will include the driver and anyone else in the carriage or on the driver's seat. Removal and/or tampering with the carriage decal by any person other than the Oklahoma City Chief of Police or his designee shall be deemed a violation of this article.

(c) Appeals from any decision to deny issuance of a business license or revoke or suspend a business license, shall be handled in accordance with Sections 26-17 through 26-24 of this Code.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 4, 1-4-22)

§ 56-204. Operating requirements, suspension or revocation of a carriage business license.

(a) Every carriage operating under this article may be randomly inspected by the Chief of Police or his designee to insure the continued maintenance of safe operating conditions. Upon inspection, if it

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 56-204

is found that a carriage poses a risk to the public, the Chief of Police or his designee may cause the carriage to be removed from operation and shall immediately institute revocation or suspension proceedings in accordance with Subsection (g) herein. Record of any carriage removed from service shall be made by the Chief of Police or his designee and kept on file with the Police Department Permits and IDs Unit and shall detail reasons for removal.

(b) When any carriage has been involved in an accident and taken out of service, such carriage shall not be put back into service until repaired and inspected by the Vehicle for Hire Inspector.

(c) Every carriage licensed under this article shall be kept clean and the upholstery in good repair.

(d) All carriages shall be illuminated at any time from one-half hour after sunset to one-half hour before sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the roadways are not clearly discernible at a distance of 1,000 feet or less.

(1) in accordance with State law, animal-drawn carriages operating during the times described in Subsection (d) above, shall be equipped with:

- (i) at least one lamp emitting a white light visible from a distance of not less than 1,000 feet to the front of the vehicle, and
- (ii) two lamps displaying red light visible from a distance of not less than 1,000 feet to the rear of the carriage, or as an alternative, one lamp displaying a red light visible from a distance of not less than 1,000 feet to the rear and two red reflectors visible for distances of 600 feet to 100 feet to the rear when illuminated by the lower beams of headlamps.

(2) in accordance with State law, every pedicab or bicycle carriage, operating during the times described in Subsection (d) above, shall be equipped with:

- (i) a lighted lamp visible from both sides from a distance of at least 1,000 feet if operated on a street with a speed limit of more than 25 miles per hour;
- (ii) a red reflector which shall be visible for 600 feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle;
- (iii) a lamp on the front emitting a white light visible from a distance of at

least 1,000 feet to the front if operated on a street with a speed limit of more than 25 miles per hour; and

- (iv) with a lamp on the rear emitting a red light visible from a distance of at least 1,000 feet to the rear if operated on a street with a speed limit of more than 25 miles per hour.

(e) Upon inspection, the Vehicle for Hire Inspector shall verify passenger capacity of each carriage.

(f) No animal may be used to draw a carriage licensed under this article unless all of the following requirements are met:

- (1) the animal may not have any open sore or wound, nor may such animal be lame or have any other ailment.
- (2) the hooves of the animal must be properly trimmed and shod. The animal shall be shod with a type of shoe which aids in traction and the prevention of slipping, including but not limited to a rubber compound type horseshoe or a steel shoe with borium tips.
- (3) the animal must be groomed before working and may not have fungus, dandruff, or a poor or dirty coat.
- (4) the animal must be examined, not less than every 12 months, by a veterinarian, who shall certify the fitness of the animal to perform such work. A copy of such certificate shall be filed with the Superintendent of Animal Welfare or his designee.
- (5) no animal may be utilized to pull a carriage carrying more passengers than such carriage is designed to carry by the manufacturer, nor shall a carriage be pulled by fewer animals than provided for by such design.
- (6) no stallion may draw a carriage.
- (7) while on any public way, all animals shall be equipped with a waste-catching device, in good working order, approved by the Superintendent of Animal Welfare or designee. Once removed from the waste-catching device, all waste shall be bagged in plastic and properly disposed. Waste shall not be disposed into storm drains.

(g) The Vehicle for Hire Inspector may initiate revocation or suspension of a business license for any violation of this article, including these operating requirements. In order to initiate revocation or suspension proceedings, the Vehicle for Hire Inspector shall cause written notice to be given to the

§ 56-204

OKLAHOMA CITY MUNICIPAL CODE, 2020

licensee that a hearing will be held thereon by the Chief of Police or designee. Such notice shall be given at least five days prior to the date of such hearing and shall specify the grounds upon which revocation or suspension proceedings will be conducted. At such hearing the Chief of Police or designee shall consider all relevant testimony before making its determinations thereon. A licensee may appeal from an adverse ruling by the Chief of Police or designee to the License Appeals Board, pursuant to the provisions of Sections 26-17 through 26-24 of the Code.

(h) Upon suspension or revocation of the carriage company's business license, all drivers' permits under the carriage company's authority shall be suspended or revoked.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 24319, § 1, 8-30-11; Ord. No. 25002, § 8, 10-21-14; Ord. No. 26994, § 4, 1-4-22)

§ 56-205. Transfer of license prohibited.

No license may be sold, assigned, or otherwise transferred by the person to whom issued unless first approved by the Vehicle for Hire Inspector.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 4, 1-4-22)

§ 56-216. Insurance requirements.

(a) It shall be unlawful to operate a carriage business in the City unless there is on file, with the Police Department's Permits and IDs Unit, proof of financial responsibility as defined by the laws of the State of Oklahoma certifying that there is in effect a policy of liability insurance insuring the carriage business, its agents and employees, while in the performance of their duties, against loss from any liability imposed by law for damages

including damages for care and loss of services because of bodily injury to or death of any person arising out of the ownership, use or operation of such carriage or carriages, subject to minimum limits, exclusive of interest and cost, with respect to each such carriage driver as follows:

(1) *General liability.*

- (a) \$1,000,000.00 each occurrence;
- (b) \$100,000.00 fire damage;
- (c) \$1,000,000.00 personal and advertising injury;
- (d) \$2,000,000.00 general aggregate;
- (e) \$1,000,000.00 products-comp/op agg.

(b) The carriage company must provide proof of insurance to the Police Department's Permits and IDs Unit each January for the coming year. The carriage company shall immediately notify the Vehicle for Hire Inspector of any additions or deletions from the coverage.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 4, 1-4-22)

§ 56-217. License to be revoked if insurance lapses.

If at any time the policy of insurance required by Section 56-272 is canceled by the company issuing the same, or the authority of the company to do business in the State is revoked, the Vehicle for Hire Inspector shall require the owner to replace such policy with another policy and in default thereof revocation or suspension proceedings shall be instituted by the Vehicle for Hire Inspector in accordance with Sections 26-17 through 26-24 of the Code.

(Ord. No. 24120, § 3, 8-17-10; Ord. No. 26994, § 4, 1-4-22)

Division 3. Reserved

§§ 57-86—57-100. Reserved.

DIVISION 3. RESERVED*

§§ 57-86—57-100. Reserved.

§ 57-130. Purpose.

It is the purpose of this article to address the mandates of the Federal Government and establish a stormwater drainage utility to promote public

health, safety and welfare by providing for studying, designing, operating, construction, equipping, maintaining, acquiring and owning within the City a stormwater drainage system. A stormwater drainage system would:

- (1) meet the requirements and regulations of local, State and Federal governments, including but not limited to the NPDES permit;
- (2) reduce flood and storm losses and inconveniences from uncontrolled stormwater runoff in the City;

*Cross reference—Licenses and permits, Ch. 26.

Editor's note—Ord. No. 26755, § 14, adopted May 25, 2021, repealed §§ 57-86—57-90, which pertained to well driller's licenses and derived from Code 1970, §§ 9-463, 9-463(a), (b), 9-466(b), 9-477; Code 1980, §§ 57-86—57-90.

- (3) improve that the movement of emergency vehicles is not prohibited nor inhibited during storm or flood periods; and
- (4) preserve the City's watercourses, improve and preserve water quality, minimize water quality degradation, and otherwise facilitate urban water resource management techniques, including both the reduction of pollution and the enhancement of the urban environment, including but not limited to the NPDES permit requirements and such other requirements of the City, State and Federal Governments.

(Ord. No. 20364, § 1, 6-13-95; Ord. No. 26913, § 1, 11-9-21)

§ 57-131. Definitions.

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

- (1) *Commercial property* means all land and real property other than residential real property and undeveloped real property.
- (2) *Department* means the Department of Public Works of The City of Oklahoma City.
- (3) *Detention facilities* means facilities designed to hold stormwater for a short period and then to release it to the natural watercourse.
- (4) *Developed real property* means all land and real property altered from its natural state by the addition to or construction of any impervious surface such that the hydrology of the property is affected or the alteration of land or real property affecting the quality, quantity, or direction of stormwater flow.
- (5) *Director* means the Director of the Department and/or the designated representative.
- (6) *Drainage basin plan* means a plan adopted by the City for managing surface and stormwater facilities and features within an individual drainage basin.
- (7) *Impervious surface* means any hard surfaced area which prevents or retards the entry of water into the soil in the manner and to the extent that such water entered the soil under natural conditions, causing water to run off the surface in greater quantities or at an increased rate of flow than was present under natural conditions, such as, but not limited to, roof tops, asphalt or concrete sidewalks, paving, driveways and parking lots, walkways, patio areas, stor-

age areas, and gravel, bituminous substances or other surfaces which similarly affect the natural infiltration or runoff patterns of real property in its natural state.

- (8) *NPDES permit* means the National Pollutant Discharge Elimination System permit issued to the City by the United States Environmental Protection Agency and any addition or amendment thereto.
- (9) *Residential property* means any land, tract, lot or parcel designed and used principally for the purpose of one residential single-family house or one duplex, developed according to and meeting the bulk and area requirements for residential single-family or duplex zoned property as set forth in the Oklahoma City Municipal Code at the time of the development of such property. However, multiple residential single-family housing or multiple duplexes or any combination thereof on one tract, lot or parcel shall not be deemed residential property.
- (10) *Retention facilities* means facilities designed to hold stormwater for a sufficient length of time to provide for it to be consumed by evaporation, infiltration into the immediate soil or other natural means.
- (11) *Stormwater charge* means the fees levied within the boundaries of the City for the use or benefit of the City's stormwater drainage system, and may include a stormwater base fee and stormwater utility fee. The stormwater fees are to meet the requirements and regulations of local, State and Federal Governments, including but not limited to the NPDES permit, to develop a stormwater utility, and to maintain a stormwater drainage system.
- (12) *Stormwater drainage system* means any facility, structure, improvement, development, equipment, property or interest therein, or other structural or nonstructural element made, constructed, used or acquired for the purpose of collecting, containing, storing, conveying and controlling stormwater wherever located, including, but not limited to, storm sewers, curbs, street drains, conduits, natural and man-made channels, pipes, culverts and detention ponds whether public or private.
- (13) *Stormwater drainage utility* means the system of providing certain stormwater and/or drainage services, as each is defined by the City as service provider, for which a

§ 57-131

OKLAHOMA CITY MUNICIPAL CODE, 2020

fee is charged to users and those benefiting therefrom and to those to which such services are made available.

- (14) *Stormwater management program or program* means an overall strategy and framework for the stormwater management activities of the City.
- (15) *Stormwater runoff* means that portion of the rainfall that is drained into the stormwater drainage system.
- (16) *Undeveloped real property* means land or real property unaltered by the construction or addition of any impervious surface which would change or affect the hydrology of the property from its natural state.
- (17) *User* means the occupant, the owner of the land or real property, the owner of any impervious surface or improvement and/or other person or entity benefiting from the stormwater drainage system.

(Ord. No. 20364, § 1, 6-13-95; Ord. No. 26913, § 1, 11-9-21)

§ 57-133. Stormwater drainage fund.

(a) A special fund or funds shall be maintained for the purpose of identifying and controlling all revenues and expenses attributable to stormwater charges. All stormwater charges and all loans, grants or funds received for the administration, operation, construction and improvement of the stormwater drainage system shall be deposited in such fund or funds. Disbursements for costs of data collection, planning, designing, engineering, policing, constructing, maintaining, operating, and improving drainage services and any other activity provided for by this ordinance shall be made from the appropriate fund or funds.

(b) A special Stormwater Management Enterprise Fund shall be established to receive all stormwater charges for the use of the City's stormwater drainage system and to meet applicable local, State and Federal regulations, including but not limited to the NPDES permit.

(c) Expenditures and disbursements from the Stormwater Management Enterprise Fund shall be at the direction and discretion of the City Council.

(Ord. No. 20364, § 1, 6-13-95; Ord. No. 26913, § 1, 11-9-21)

§ 57-134. Stormwater charge and exemptions.

(a) There is hereby established stormwater charges for the use and benefit of the City's stormwater drainage system and to meet applicable local, State and Federal regulations, including but not limited to the NPDES permit at schedule of charges hereinafter established in Chapter 60, the General Schedule of Fees and for operations, maintenance, and capital plans and improvements; provided, however, the stormwater charges shall not be imposed on the following types of property: (1) City, State and Federal roads, bridges, highways, streets, rights-of-way; (2) City parks, City buildings, City facilities and open spaces owned or operated by the City; or (3) undeveloped parcels of land.

(b) All proceeds from the stormwater charges established herein shall be deposited to the Stormwater Management Enterprise Fund established in Section [57-133] of this Chapter.

(Ord. No. 20364, § 1, 6-13-95; Ord. No. 26913, § 1, 11-9-21)

§ 57-136. Collection of stormwater charge.

(a) The stormwater charges herein established for the use of the City's stormwater drainage system shall be billed monthly to each user. The stormwater charges may be billed along with a bill for water or other utility services. The deposit requirement, late charges and penalties as are now or may hereinafter be established for water service bills shall also apply to stormwater charges. In the event that any person, firm or corporation shall tender as payment of water service, sewer service, collection of solid waste service and/or service charge for the use of the City's stormwater drainage system an amount insufficient to pay in full all of the charges so billed, payment shall be credited proportionately among all charges.

(b) The provision for collection provided herein shall be in addition to any rights or remedies which the City may have under the laws of the State of Oklahoma.

(Ord. No. 20364, § 1, 6-13-95; Ord. No. 26913, § 1, 11-9-21)

§ 58-2.

Requests for proposals; Police Department review of proposals; recommendation to Council and hearing.

§ 58-1. Definitions.

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

- (1) *Contractor* means a wrecker service proposer with whom the City has entered into a wrecker service contract.
- (2) *Vehicle* means any device in, upon or by which any person or property may be transported upon a street or highway, and also includes any vessel by which any person or property may be transported upon the water.
- (3) *Wrecker* means any vehicle, other than a transport as defined in 47 O.S. § 1-181, equipped with a winch, cable or other device designed to lift, pull or move a disabled vehicle incapable of self-propulsion. Wrecker does not include a vehicle with a push bumper only.
- (4) *Wrecker service* means the business of offering the service of a wrecker to tow or otherwise remove a vehicle from the place where it was disabled or impounded to a safe protected storage area in response to official calls from the City.
- (5) *Wrecker service proposer* means any person who has filed a proposal pursuant to the provisions of this chapter for a contract to provide wrecker service to the City.
- (6) *Wrecker service contract* means a contract with a wrecker service proposer approved by City Council in its sole discretion pursuant to the provisions of this chapter.

(Code 1970, § 9-490; Ord. No. 16150, § 2(9-503.1), 4-7-81; Ord. No. 16826, § 2, 8-10-82; Ord. No. 17811, § 1(9-490), 8-28-84; Code 1980, § 58-1; Ord. No. 19142, § 1, 1-10-89; Ord. No. 20789, § 1, 3-25-97; Ord. No. 23296, § 1, 3-6-07; Ord. No. 26923, § 1, 11-22-21)

Cross reference—Definitions and rules of construction generally, § 1-2.

§ 58-2. Requests for proposals; Police Department review of proposals; recommendation to Council and hearing.

(a) City Council may approve a request for proposals for wrecker service and solicit proposals. The Police Department shall review all proposals timely and properly submitted and make recommendations to the City Council, based upon pertinent factors, which may include but are not limited to the following:

- (1) experience of wrecker service including whether or not the proposer has a current wrecker license issued by the Oklahoma Department of Public Safety;

- (2) whether or not the proposer has a properly zoned storage facility which meets the requirements of the request for proposals;
- (3) financial responsibility as determined by a set of financial statements less than a year old and reviewed by a certified public accountant;
- (4) availability, ownership and quality of required number of wreckers, including evidence that vehicles will be available on a bona fide lease agreement covering the period of the subject contract;
- (5) the adequacy of the in-house training for all drivers;
- (6) whether proposer has large-vehicle-towing and boat-towing capacity;
- (7) whether the proposer otherwise complies with the provisions of this chapter and the request for proposals;
- (8) whether the proposer has a security system adequate to protect stored vehicles;
- (9) whether the proposer has a written drug testing policy;
- (10) whether the proposer has indoor storage facilities; and
- (11) proposer's past performance for the City and other entities.

(b) The Police Department shall establish a selection committee to discuss all proposals and may consider any relevant factors regarding the proposers, including but not limited to the factors identified in Paragraph (a) above. The Police Department shall make recommendations to the City Council regarding which proposers will provide the best overall wrecker services to the public and the City.

(c) The City Council shall review the recommendations of the Police Department and it shall be within the sole discretion of the City Council to determine which applicants will be awarded contracts with the City. The City Council, in its sole discretion, may reject any or all proposals with or without cause.

(Ord. No. 17811, § 1(9-495), 8-28-84; Code 1980, § 58-2; Ord. No. 20789, § 1, 3-25-97; Ord. No. 23296, § 1, 3-6-07; Ord. No. 26923, § 1, 11-22-21)

§ 58-5. Preparation of request and specifications for wrecker service applicants.

As requested by Council or as deemed necessary by Chief of Police, or designee, the Police Department shall cause to be prepared and submitted to the Council for its consideration and possible

§ 58-5

OKLAHOMA CITY MUNICIPAL CODE, 2020

approval by Council appropriate requests for wrecker service applications, specifications for such applications and contract forms.

(Ord. No. 17811, § 1(9-492), 8-28-84; Code 1980, § 58-5; Ord. No. 20789, § 1, 3-25-97; Ord. No. 26923, § 1, 11-22-21)

§ 58-8. Vehicle condition and equipment requirements.

Every wrecker service contractor shall adopt and, upon approval of the Police Department, use a distinctive, uniform color scheme which shall not infringe upon a color scheme already in use by another licensed wrecker service. At least eight wreckers shall be painted with the contractor's approved color scheme and each shall bear the name of the wrecker service on each side of the vehicle in letters not less than two inches in height and one-half inch in width. The color of such lettering shall contrast with the body color of the vehicle so as to be easily readable. All wreckers shall be maintained in compliance with applicable Department of Public Safety regulations.

(Code 1970, § 9-499; Ord. No. 17811, § 1(9-496), 8-28-84; Code 1980, § 58-8; Ord. No. 20789, § 1, 3-25-97; Ord. No. 23296, § 1, 3-6-07; Ord. No. 26923, § 1, 11-22-21)

Cross reference—Vehicle equipment and condition generally, § 32-506 et seq.

§ 58-12. Written reports.

(a) Each wrecker service contractor shall keep records in which he will log each police call received, the time such call was received, the time the

wrecker reached the scene, and the time the wrecker returned. Such records shall be kept on a daily basis and shall be open to inspection by the Police Department on request. A written report shall be made to the police wrecker inspector:

- (1) upon refusal to accept a call because of equipment failure, lack of available driver or lack of wrecker of adequate size to tow the subject vehicle.
- (2) unusual delay in arriving at the scene of a police call.
- (3) damage or alleged damage to the towed vehicle caused by the wrecker or driver.
- (4) loss or alleged loss of personal property and/or equipment from the towed vehicle during the time it was in possession of the wrecker company or its employees.

(b) These reports shall be made within five working days of the event and shall contain all pertinent information.

(Code 1970, § 9-502; Ord. No. 16155, § 2, 4-14-81; Ord. No. 17811, § 1(9-500), 8-28-84; Code 1980, § 58-12; Ord. No. 23296, § 1, 3-6-07; Ord. No. 26923, § 1, 11-22-21)

Article II. Reserved

§ 60-9-6. Reserved.

Article V. Reserved

§§ 60-13-18—60-13-21. Reserved.

§ 60-20-14.1. Carbon dioxide systems used in beverage dispensing.
§ 60-20-22.2. Emergency responder radio coverage.
§ 60-20-28.7. Motor fuel dispensing facilities.
§ 60-20-31.1. Open flames, torches, and candles.
§ 60-20-31.4. Private fire hydrants.
§ 60-28-7. Reserved.
§ 60-28-8. Reserved.

Article VI. Boiler Contractors

§ 60-29-35. Contractors license.
§ 60-32-11. Fees for towing of motor vehicles.
§ 60-33-26. Notice and publication fees.
§ 60-33-27. Reserved.
§ 60-38-1.1. Parks development fees adjustment temporary moratorium.
§ 60-38-1.2. Parks development fees adjustment temporary moratorium.

TITLE 39. Peddlers, Outdoor Sellers, Etc.

§ 60-39-1. Peddler's licenses and permits.
§ 60-39-2. Reserved.
§ 60-43-11. Alarm system owner or user permit, reinstatement, and annual renewal fee.
§ 60-43-12. Reserved.
§ 60-43-13. False alarm, administrative fees.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-8-4

- § 60-47-42. Reserved.
- § 60-47-60. Reserved.

Article III. Reserved

- §§ 60-49-10—60-49-16. Reserved.
- § 60-50-1.1. Streets development fees adjustment temporary moratorium.
- § 60-50-1.2. Streets development fees adjustment temporary moratorium.

Article IV. Reserved

- §§ 60-54-16—60-54-21. Reserved.
- § 60-55-17. Meter multiplier for water system development charges.
- § 60-56-2. Motor vehicle for hire inspections by Chief of Police or designee.
- § 60-57-20. Stormwater charge.

§ 60-8-1. Animal registration fee.

At large or unconfined dog	\$12.00
Menacing or dangerous animal initial registration	10.00
Menacing or dangerous animal recurring annual registration	10.00

(Ord. No. 25674, § 7, 7-5-17; Ord. No. 26483, § 6, 6-16-20)

- (c) feline leukemia-positive cats (only adoptable into homes without other cats or with only other Feline leukemia positive cats, as per adoption agreement).
- (d) pets needing medical care expected to cost \$100.00 or more

§ 60-8-4. Animal fees.

One-half of each regular or special adoption fee shall be placed into the Special Purpose Fund within the Development Services Department for the purpose of funding the sterilizations of dogs and cats owned by residents of Oklahoma City and dogs and cats in the animal shelter.

- (a) adoption fee for dogs and cats, unless otherwise established by the Superintendent at least 24 hours prior to a special promotional event \$60.00
- (b) special adoption fees for dogs or cats, per category, as set forth below 30.00
 - (1) pets that have been in adoption for 14 or more days
 - (2) two or more pets, adopted together 30.00 each
 - (3) pets four years of age or older
 - (4) pets with serious medical conditions, such as those listed below:
 - (a) heartworm positive and not treated
 - (b) needing orthopedic or other major surgery as determined by the shelter veterinarian or Superintendent

- (5) adoption fees for cats and dogs may be waived for special events as determined by the Superintendent
- (c) microchipping:
 - (1) pets belonging to the public 30.00
 - (2) law enforcement animals and specially trained service animals for persons with disabilities free
- (d) adoption fees for herptiles and animals other than cats, horses and dogs—one-half of the current market price
- (e) adoption fee for horses—current market price or \$300.00, whichever is greater
- (f) pets sent to community veterinarians for spaying or neutering prior to final release to the adopter, with the adopter paying the cost of sterilization directly to the veterinarian providing the service. If an animal is sent to a veterinary clinic for sterilization but is not picked up by the adopter within five days following the pet's sterilization, the \$30.00 adoption fee paid to the shelter shall be retained by the City.

(Code 1980, § 60-8-4; Ord. No. 18789, 7-7-87; Ord. No. 19298, § 2, 10-3-89; Ord. No. 19682, § 1, 12-17-91; Ord. No. 20378, § 1, 7-18-95; Ord. No. 22205, § 1, 4-29-03; Ord. No. 23314, § 1, 3-20-07; Ord. No. 23994, § 1, 12-8-09; Ord. No. 24314, § 1, 8-16-11; Ord. No. 24685, § 1, 6-18-13; Ord. No. 26523, § 1, 8-18-20)

§ 60-13-18

OKLAHOMA CITY MUNICIPAL CODE, 2020

*Article II. Reserved**

§ 60-9-6. **Reserved.**

Article V. Reserved†

§§ 60-13-18—60-13-21. **Reserved.**

§ 60-13-61. **Prequalification fee.**

(a) Prequalification fee for prequalification classes identified in the Prequalification Classification Categories, as established or revised by the Prequalification Review Board:

- | | |
|---|-------------|
| (1) Person with a business address and yard within a 40 mile radius of the office of the City Engineer, 420 West Main Street, Oklahoma City, Oklahoma, fee. | \$360.00. |
| (2) Person with a business address and a yard within the State of Oklahoma but a business address or a yard outside the 40 mile radius listed in Subsection 60-13-60(a) above, fee. | \$470.00. |
| (3) Person applying for with a business address or yard outside the State of Oklahoma, fee. | \$1,480.00. |
| (4) Paving Class "D" fees: | |
| (a) Prequalification, annual | \$ 75.00. |
| (b) Renewal, before expiration of current license | \$75.00. |
| (c) Renewal, after expiration, but within 90-days of expiration | \$150.00. |
| (d) Written test fee. | \$ 50.00. |

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

***Editor's note**—Ord. No. 26755, § 15, adopted May 25, 2021, repealed § 60-9-6, which pertained to licenses and derived from Code 1970, § 20-20; Ord. No. 16606, 3-23-82; Code 1980, § 60-9-6; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19225, 6-20-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 19525, § 2, 2-26-91; Ord. No. 20829, § 1, 6-10-97.

†**Editor's note**—Ord. No. 26755, § 16, adopted May 25, 2021, repealed § 60-13-18, which pertained to fire extinguisher repairmen or servicemen and derived from Code 1970, § 20-50; Ord. No. 16223, 6-9-81; Code 1980, § 60-13-18; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19225, 6-20-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 20829, § 1, 6-10-97.

(b) Provided, however, the prequalification fee identified above in subsections (a)(1—3) will be adjusted annually and effective each July 1 for payments received that day or thereafter. The annual fee adjustment schedule will be published by the Public Works Director, or designee and be calculated to the nearest full cent in accordance with the below formula:

$$\text{Fee} = (R) (Y / Z)$$

Where:

R = the current year's applicable prequalification fee in the table published by the Public Works Director or designee.

Y = "Consumer Price Index-U": Consumer Price Index-U- All Items (Seasonally Adjusted) as published for May of the most current year.

Z = "June 2018 Consumer Price Index-U": Consumer Price Index-U- All Items (Seasonally Adjusted) as published for May of the previous year.

Public Works Director will present to the Prequalification Review Board at a public meeting an annual report on prequalification fee funds and an annual report on the prequalification fee rate adjustment.

(c) Definitions. As relates to 60-13-61 the following terms and phrases have the meaning below:

- (1) A "business address" as the term is used herein shall mean a place of business staffed with competent personnel from which all work for which prequalification is required shall be administrated, managed and coordinated. A post office box shall not be considered a business address.
- (2) A "yard" as the term is used herein shall mean the place furthest from the City Engineer's office: where any equipment referenced in the prequalification application is located for from which any off-site work and any off site materials shall be stored, for work for which prequalification is required.
- (3) The "business address" and the "yard" must be in existence and use at the time the application is made.

(d) Should an applicant apply to be prequalified in more than one class or subclass on a single application form, then a single fee shall be paid which fee shall be the highest fee of all classes and subclasses on said subject application.

(Ord. No. 20815, § 4, 5-27-97; Ord. No. 26061, § 2, 12-18-18, eff. 2-1-19; Ord. No. 26614, § 5, 12-8-20)

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-33-26

§ 60-13-80. Certificates of compliance.

(a) *Generally.* The fee for obtaining certificates of compliance for medical marijuana related businesses shall be as indicated:

(1) Dispensary	\$615.00
(2) Grow facility	\$750.00
(3) Processing facility	\$750.00
(4) Research facility	\$750.00
(5) Transporter	\$100.00
(6) Education facility	\$750.00
(7) Testing Laboratory	\$750.00

(Ord. No. 26235, § 2, 8-27-19; Ord. No. 26588, § 1, 11-10-20)

§ 60-20-14.1. Carbon dioxide systems used in beverage dispensing.

Applications, per location	\$85.00
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(Ord. No. 26871, § 1, 10-12-21)

§ 60-20-22.2. Emergency responder radio coverage.

Permit, per location	\$85.00
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(Ord. No. 26871, § 1, 10-12-21)

§ 60-20-28.7. Motor fuel dispensing facilities.

Permit, per location	\$85.00
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(Ord. No. 26871, § 1, 10-12-21)

§ 60-20-31.1. Open flames, torches, and candles.

Per event/per location	\$25.00
Annual/per location	\$125.00

(Ord. No. 24829, § 9, 2-25-14, eff 5-1-14; Ord. No. 26871, § 2, 10-12-21)

§ 60-20-31.4. Private fire hydrants.

Annual, per location	\$85.00
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(Ord. No. 26871, § 1, 10-12-21)

§ 60-21-26. Special events.

Sale of food and food products, certificate of registration, per event	\$30.00
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(Code 1980, § 60-21-26; Ord. No. 19375, 3-13-90; Ord. No. 20829, § 1, 6-10-97; Ord. No. 24950, § 3, 8-26-14; Ord. No. 27218, § 2, 11-22-22)
Cross reference—Fee for special events license, § 21-92.

§ 60-21-56. Food sale, vehicle.

(a) vehicle license, annual with no special events	\$100.00
vehicle license, annual with six special events	150.00
vehicle license, annual with unlimited special events	250.00

(b) individual license, annual vehicle frozen dessert operator	17.00
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(Code 1970, § 20-46; Ord. No. 16606, 3-23-82; Code 1980, § 60-21-56; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19298, § 2, 10-3-89; Ord. No. 19968, § 3, 6-8-93; Ord. No. 20829, § 1, 6-10-97; Ord. No. 24950, § 4, 8-26-14; Ord. No. 27218, § 2, 11-22-22)
Cross reference—License fee for food sale from vehicle, § 21-419.

§ 60-28-6. Massage establishment.

license, annual	\$30.00
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(Code 1970, § 20-76; Ord. No. 16606, 3-23-82; Code 1980, § 60-28-6; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19225, 6-20-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 20829, § 1, 6-10-97; Ord. No. 23531, § 8, 1-29-08)
Cross reference—License fee for massage establishment owner, operator or manager, § 28-31.

§ 60-28-7. Reserved.

Editor's note—Ord. No. 26755, § 17, adopted May 25, 2021, repealed § 60-28-7, which pertained to massage therapists and derived from Code 1970, § 20-76; Ord. No. 16606, 3-23-82; Code 1980, § 60-28-7; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19225, 6-20-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 20829, § 1, 6-10-97; Ord. No. 23531, § 8, 1-29-08.

*Article VI. Boiler Contractors**

§ 60-29-35. Contractors license.

boiler contractors license:	
(a) first year	\$115.00
(b) renewal, annual	57.00
(c) renewal after expiration or 90-day grace period	80.00

(Ord. No. 26755, § 18, 5-25-21)

§ 60-32-11. Fees for towing of motor vehicles.

Fee for towing by Public Transportation and Parking Department (32-92)	\$130.00
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(Ord. No. 26947, § 1, 1-4-22)

§ 60-33-26. Notice and publication fees.

notice fee	\$ 10.00
Publication fee	30.00

(Code 1980, § 60-33-26; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19178, 4-11-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 26869, § 4, 9-28-21)
Cross reference—Notice fee for return of property hearings, § 33-102.

***Editor's note**—Ord. No. 26755, § 18, adopted May 25, 2021, amended Article VI in its entirety to read as herein set out. Former Article VI, §§ 60-29-35, 60-29-36, pertained to boiler and steam operators and contractors, and derived from Ord. No. 20829, § 1, 6-10-97; Ord. No. 21976, § 1, 6-4-02.

§ 60-33-27

OKLAHOMA CITY MUNICIPAL CODE, 2020

§ 60-33-27. Reserved.

Editor's note—Ord. No. 26869, § 5, adopted Sept. 28, 2021, repealed § 60-33-27, which pertained to rescheduling fee and derived from Code 1980, § 60-33-27; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19178, 4-11-89; Ord. No. 19298, § 2, 10-3-89.

Cross reference—Rescheduling fee for return of property hearing, § 33-102.

§ 60-38-1.1. Parks development fees adjustment temporary moratorium.

(a) A temporary moratorium is hereby created on the parks development fees adjustment portion of the parks development fee in 60-38-1, which adjustment became effective July 5, 2022, and as such the adjustment portion shall not be included in the parks development fee charged to new applications received between July 5, 2022, and December 31, 2022, inclusive, however the parks development fees for new applications received between July 5, 2022, and December 31, 2022, inclusive, will be charged the parks development fees that was in effect on June 30, 2022.

(b) On January 1, 2023, the parks development fee with the July 1, 2022, adjustment will be the parks development fee for all new applications received January 1, 2023, and thereafter, and each July 1 thereafter the parks development fee will be adjusted as set forth in 60-38-1 as if the temporary moratorium had not occurred.

(Ord. No. 27097, § 1, 7-5-22)

§ 60-38-1.2. Parks development fees adjustment temporary moratorium.

(a) A temporary moratorium is hereby extended from January 1, 2023 to June 30, 2023, on the parks development fees adjustment portion of the parks development fee in 60-38-1 for applications received between January 1, 2023 and June 30, 2023 to be charged the parks development fees that were in effect on June 30, 2022.

(b) On July 1, 2023, the parks development fee with the July 1, 2022 and July 1, 2023, adjustments will be the parks development fee for all new applications received July 1, 2023, and thereafter, and each July 1 thereafter the parks development fee will be adjusted as set forth in 60-38-1 as if this temporary moratorium had not occurred.

(Ord. No. 27342, § 1, 5-9-23)

§ 60-47-29. Sanitary sewer user charges and treated wastewater user charges.

The sanitary sewer users and treated wastewater users shall be charged and shall pay sanitary sewer user charges consisting of sanitary sewer volume charge(s) for sanitary sewer services and, wherever applicable, such surcharges, and monthly sanitary sewer customer service charges, and deduct meter charges as set forth in this Code. The sanitary sewer volume charge(s) shall be the volume of discharge into the Oklahoma City sanitary sewer system times the applicable sanitary sewer volume rate per

TITLE 39. PEDDLERS, OUTDOOR SELLERS, ETC.

§ 60-39-1. Peddler's licenses and permits.

- (a) peddler's permit application fee \$30.00
- (b) Outdoor seller's permit application fee \$50.00
- (c) amended site plan, administrative review fee . . . \$13.00

(Code 1970, §§ 20-91, 22-118; Ord. No. 16737, 6-29-82; Code 1980, § 60-39-1; Ord. No. 18239, § 2, 8-27-85; Ord. No. 18840, 9-8-87; Ord. No. 19225, 6-20-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 19971, § 4, 6-15-93; Ord. No. 20829, § 1, 6-10-97; Ord. No. 24054, § 2, 4-20-10; Ord. No. 24109, § 2, 8-3-10; Ord. No. 26755, § 19, 5-25-21)

Cross reference—Application and investigation fee for outdoor sellers, peddlers, or solicitors, § 39-33.

§ 60-39-2. Reserved.

Editor's note—Ord. No. 26755, § 20, adopted May 25, 2021, repealed § 60-39-2, which pertained to barterer's licenses and derived from Ord. No. 21288, § 2, 7-13-99.

§ 60-43-11. Alarm system owner or user permit, reinstatement, and annual renewal fee.

- Initial permit \$27.00
- Renewal permit 17.00
- Permit reinstatement 50.00

(Code 1970, § 9-651; Code 1980, § 60-43-11; Ord. No. 18061, 4-2-85; Ord. No. 18214, 8-6-85; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19298, § 2, 10-3-89; Ord. No. 22094, § 3, 12-10-02; Ord. No. 23363, § 2, 5-8-07; Ord. No. 26140, § 2, 5-7-19; Ord. No. 26701, § 2, 3-30-21)

Cross reference—Alarm system owner or user permit, § 43-84.

§ 60-43-12. Reserved.

Editor's note—Ord. No. 26701, § 2, adopted March 30, 2021, repealed § 60-43-12, which pertained to alarm permit reinstatement and derived from Code 1980, § 60-43-12; Ord. No. 18239, § 2, 8-27-85; Ord. No. 18915, 1-12-88; Ord. No. 19298, § 2, 10-3-89.

§ 60-43-13. False alarm, administrative fees.

- (a) Fee for every fourth and subsequent false security alarm call \$82.00
- (b) Fee for every fourth and subsequent false fire alarm call 135.00

(Ord. No. 22094, § 4, 12-10-02; Ord. No. 23363, § 2, 5-8-07; Ord. No. 26140, § 2, 5-7-19; Ord. No. 26701, § 2, 3-30-21)

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-47-29

thousand gallons for the user's customer class. Any sewer user whose discharge exceeds certain quality or composition standards shall be charged and shall pay surcharges as established in this Code. The sanitary sewer volume charges are based upon the following rates for each customer class:

- (a) **Sanitary sewer volume charges—Inside City, Retail Rate.** Customers will be charged and must pay for wastewater at a rate per thousand gallons of:

- (1) **Residential (single-family, duplex and triplexes), Commercial, and Industrial Users.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.79	\$4.88	\$4.97	\$5.07	\$5.17	\$5.27

- (2) **Multiple Residential (quadplexes and larger) Housekeeping Units.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.79	\$5.00	\$5.22	\$5.45	\$5.69	\$5.92

- (b) **Sanitary sewer volume charges—Outside City, Unincorporated, Retail Rate.** Service provided to a retail customer outside the City for which a fee in lieu of franchise is not paid. Customers will be charged and must pay for wastewater at a rate per thousand gallons of:

- (1) **Residential (single-family, duplex and triplexes), Commercial, and Industrial Users.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.38	\$4.44	\$4.50	\$4.57	\$4.63	\$4.69

- (2) **Multiple Residential (quadplexes and larger) Housekeeping Units.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.38	\$4.56	\$4.74	\$4.93	\$5.13	\$5.33

- (c) **Sanitary sewer volume charges—Outside City, Incorporated, Retail Rate.** Service provided to a retail customer outside the City for which a fee in lieu of franchise is paid. Customers will be charged and must pay for wastewater at a rate per thousand gallons of:

- (1) **Residential (single-family, duplex and triplexes), Commercial, and Industrial Users.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.47	\$4.53	\$4.59	\$4.66	\$4.72	\$ 4.79

- (2) **Multiple Residential (quadplexes and larger) Housekeeping Units.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.47	\$4.65	\$4.84	\$ 5.03	\$5.23	\$ 5.44

§ 60-47-29

OKLAHOMA CITY MUNICIPAL CODE, 2020

- (d) **Sanitary sewer volume charges—Tinker Air Force Base Rate.** Customers will be charged and must pay for wastewater at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$3.41	\$3.51	\$3.62	\$3.73	\$3.84	\$3.95

- (e) **Sanitary sewer volume charges—Outside City, Wholesale Rate.** Customers will be charged and must pay for wastewater at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.34	\$4.39	\$4.44	\$4.49	\$4.55	\$4.60

- (f) **Treated wastewater volume charges—Outside City Unincorporated (North Canadian source) for electrical generation purposes.** Customers will be charged and must pay for the volume of treated wastewater as measured, estimated or established at the North Canadian Wastewater Treatment Plant at a rate of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.50	\$0.51	\$0.53	\$0.54	\$0.56	\$0.57

- (g) **Sanitary sewer volume charges—Outside City Unincorporated (Treatment only) North Canadian source for electrical generation purposes.** Customers will be charged and must pay for volume of sanitary sewage discharged as measured, estimated or established at the North Canadian Wastewater Treatment Plant at a rate of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$1.51	\$1.56	\$1.62	\$1.67	\$1.73	\$1.79

- (h) **Treated wastewater supply service related to Private Business Use volume charges—Outside City Unincorporated (South Canadian source) for electrical generation purposes.** Customers will be charged and must pay for the volume of treated wastewater used as measured or estimated as established at the South Canadian Wastewater Treatment Plant at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.07	\$0.07	\$0.07	\$0.07	\$0.08	\$0.08

Or by another adjustment methodology as expressly provided for in an approved service agreement from time to time.

- (i) **Treated wastewater supply service unrelated to Private Business Use volume charges—Outside City Unincorporated (South Canadian source) for electrical generation purposes.** Customers will be charged and must pay for the volume of treated wastewater used as measured or estimated as established at the South Canadian Wastewater Treatment Plant at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.07	\$0.10	\$0.14	\$0.20	\$0.29	\$0.41

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-47-30

- (j) **Treated wastewater supply volume charges—Inside or Outside City for irrigation purposes.** Customers will be charged and must pay for the volume of treated wastewater as measured, estimated or established at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	N/A	\$1.15	\$1.18	\$1.21	\$1.24	\$1.28

- (k) **Treated wastewater supply and delivery service volume charges—Inside or Outside City for irrigation purposes.** Customers will be charged and must pay for the volume of treated wastewater as measured, estimated or established at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	N/A	\$1.30	\$1.37	\$1.45	\$1.53	\$1.63

- (l) **Combined sanitary sewer and storm water volume charges—Outside City Unincorporated.** Customers will be charged and must pay for the volume of treated wastewater as measured, estimated or established at a rate per thousand gallons of:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.38	\$5.08	\$5.89	\$6.83	\$7.92	\$9.20

- (m) **Sanitary Sewer only Flat Rate—Outside City Unincorporated.** Customers will be charged and must pay a flat rate fee established at:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	N/A	\$49.34	\$50.63	\$52.06	\$53.47	\$54.94

(Code 1980, § 60-47-19.5; Ord. No. 19436, 6-26-90; Ord. No. 20625, § 1, 7-23-96; Ord. No. 21517, § 1, 7-5-00; Ord. No. 22304, §§ 1, 2, 9-9-03; Ord. No. 22502, § 2, 8-3-04; Ord. No. 22964, §§ 1, 2, 4-4-06; Ord. No. 23695, §§ 1, 2, 9-23-08; Ord. No. 24137, §§ 1, 2, 9-28-10; Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 26291, § 2, 11-5-19; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22; Ord. No. 27272, § 12, 1-31-23)

Cross reference—Sewer user charge, formulas, § 47-501 et seq.

§ 60-47-30. Additional surcharge for industrial users with assessable concentrations.

Users whose discharge quality or composition exceeds the standards set forth below shall pay an industrial surcharge in addition to the sanitary sewer volume charge and the sanitary sewer utility charge. The Industrial surcharges will apply to Tinker Air Force Base whenever its discharge exceeds the limits in this section. The industrial surcharges are as follows:

- (a) **Milligrams per liter of BOD in excess of 250 milligrams per liter (250 mg/l).** Users whose discharge exceeds 250 milligrams of BOD per liter shall pay an industrial surcharge equal to the product of the BOD surcharge rate times the total volume of discharge times the sum of the number of milligrams of BOD per liter minus 250 milligrams per liter. The BOD surcharge rates are as follows:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$4.81	\$4.93	\$5.05	\$5.17	\$5.29	\$5.42

- (b) **Milligrams per liter of suspended solids (TSS) in excess of 300 milligrams per liter (300 mg/l).** Users whose discharge exceeds 300 milligrams of TSS per liter shall pay an industrial

§ 60-47-30

OKLAHOMA CITY MUNICIPAL CODE, 2020

surcharge equal to the product of the TSS surcharge rate times the total volume of discharge times the sum of the number of milligrams of TSS per liter minus 300 milligrams per liter. The TSS surcharge rates are as follows:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$3.05	\$3.14	\$3.23	\$3.33	\$3.42	\$3.52

(Ord. No. 22502, § 2, 8-3-04; Ord. No. 22964, §§ 1, 2, 4-4-06; Ord. No. 23451, § 12, 9-25-07; Ord. No. 23695, §§ 1, 2, 9-23-08; Ord. No. 24137, §§ 1, 2, 9-28-10; Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

§ 60-47-31. Monthly sanitary sewer customer service charge.

Customers shall also pay the monthly sanitary sewer customer service charge(s) for each sewer connection based on the size of each sanitary sewer meter(s), if any; and, if none, based on the size of each water supply meter(s), if any; or, if none, based on the size of each water service line; or, if none, based on the size(s) of each sewer connection; provided customers without water meters or whose water meter or service line size has not been established to the satisfaction of the Director shall be determined by the Director based on either water service meter and/or service line size or the sanitary sewer service connection size, whichever the Director determines to reasonably represent the volume of sewage discharges by the customer at the point(s) of connection to the City sewer system.

(a) **Inside City—Retail (for each meter or connection) (Also including Tinker Air Force Base).**

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
5/8	\$7.14	\$7.71	\$8.32	\$8.98	\$9.69	\$10.46
3/4	\$7.14	\$8.05	\$9.08	\$10.24	\$11.54	\$13.01
1	\$10.57	\$12.18	\$14.04	\$16.18	18.65	\$21.50
1.5	\$19.00	\$21.57	\$24.48	\$27.79	\$31.55	\$35.82
2	\$29.21	\$32.31	\$35.74	\$39.53	\$43.73	\$48.37
3	\$61.55	\$71.28	\$82.55	\$95.60	\$110.72	\$128.22
4	\$109.03	\$129.66	\$154.19	\$183.36	\$218.05	\$259.30
6	\$239.84	\$277.92	\$322.04	\$373.16	\$432.41	\$501.05
8	\$307.67	\$343.73	\$384.02	\$429.03	\$479.32	\$535.50
9	\$367.14	\$414.81	\$468.67	\$529.53	\$598.28	\$675.97
10	\$418.12	\$470.08	\$528.50	\$594.18	\$668.02	\$751.04
12	\$477.46	\$559.99	\$656.79	\$770.33	\$903.48	\$1,059.66
15	\$732.14	\$845.38	\$976.13	\$1,127.10	\$1,301.42	\$1,502.71
18	\$1,165.90	\$1,321.00	\$1,496.74	\$1,695.86	\$1,921.47	\$2,177.09
24	\$2,128.94	\$2,432.46	\$2,779.24	\$3,175.47	\$3,628.18	\$4,145.44

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

(b) **Outside City—Incorporated and Unincorporated, Retail (for each meter or connection).**

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
5/8	\$7.51	\$8.11	\$8.75	\$9.45	\$10.19	\$11.00
3/4	\$7.51	\$8.47	\$9.55	\$10.78	\$12.14	\$13.68
1	\$11.12	\$12.81	\$14.77	\$17.03	\$19.61	\$22.61
1.5	\$19.98	\$22.69	\$25.75	\$29.24	\$33.18	\$37.67
2	\$30.72	\$33.99	\$37.59	\$41.60	\$45.99	\$50.87
3	\$64.74	\$74.98	\$86.82	\$100.60	\$116.43	\$134.84

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-47-31

Per Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
4	\$114.68	\$136.39	\$162.16	\$192.96	\$229.30	\$272.69
6	\$252.27	\$292.34	\$338.68	\$392.69	\$454.72	\$526.92
8	\$323.61	\$361.56	\$403.87	\$451.48	\$504.05	\$563.15
9	\$386.17	\$436.33	\$492.89	\$557.24	\$629.15	\$710.87
10	\$439.79	\$494.47	\$555.81	\$625.28	\$702.49	\$789.81
12	\$502.20	\$589.04	\$690.73	\$810.65	\$950.10	\$1,114.37
15	\$770.08	\$889.24	\$1,026.58	\$1,186.09	\$1,368.57	\$1,580.29
18	\$1,226.31	\$1,389.53	\$1,574.10	\$1,784.62	\$2,020.62	\$2,289.48
24	\$2,239.26	\$2,558.66	\$2,922.88	\$3,341.67	\$3,815.39	\$4,359.45

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

(c) **Outside City—Wholesale (for each meter or connection).**

Per Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
¾	\$34.53	\$34.53	\$34.53	\$34.53	\$34.53	\$34.53
¾	\$34.53	\$36.07	\$37.68	\$39.36	\$41.12	\$42.97
1	\$51.11	\$54.58	\$58.28	\$62.23	\$66.45	\$70.97
1.5	\$91.85	\$96.61	\$101.62	\$106.89	\$112.43	\$118.25
2	\$141.23	\$144.74	\$148.34	\$152.03	\$155.81	\$159.69
3	\$297.65	\$319.37	\$342.68	\$367.69	\$394.52	\$423.31
4	\$527.28	\$580.94	\$640.06	\$705.20	\$776.97	\$856.04
6	\$1,159.87	\$1,245.21	\$1,336.83	\$1,435.19	\$1,540.79	\$1,654.17
8	\$1,487.90	\$1,540.10	\$1,594.13	\$1,650.06	\$1,707.95	\$1,767.87
9	\$1,775.54	\$1,858.61	\$1,945.57	\$2,036.60	\$2,131.89	\$2,231.63
10	\$2,022.08	\$2,106.25	\$2,193.93	\$2,285.26	\$2,380.39	\$2,479.47
12	\$2,309.03	\$2,509.09	\$2,726.48	\$2,962.71	\$3,219.40	\$3,498.33
15	\$3,540.71	\$3,787.79	\$4,052.11	\$4,334.88	\$4,637.38	\$4,961.00
18	\$5,638.41	\$5,918.88	\$6,213.30	\$6,522.37	\$6,846.81	\$7,187.40
24	\$10,295.82	\$10,898.88	\$11,537.26	\$12,213.03	\$12,928.39	\$13,685.65

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

(d) **Inside City—Treated wastewater supply (for each meter or connection).**

Per Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
¾	\$18.38	\$18.83	\$19.29	\$19.76	\$20.24	\$20.72
¾	\$18.38	\$19.96	\$21.68	\$23.54	\$25.56	\$27.76
1	\$28.86	\$32.46	\$36.50	\$41.05	\$46.16	\$51.91
1.5	\$55.14	\$60.67	\$66.75	\$73.44	\$80.80	\$88.91
2	\$86.57	\$93.01	\$99.92	\$107.35	\$115.33	\$123.90
3	\$186.38	\$209.03	\$234.44	\$262.93	\$294.89	\$330.73
4	\$333.23	\$387.39	\$450.36	\$523.56	\$608.66	\$707.60
6	\$737.41	\$837.90	\$952.08	\$1,081.82	\$1,229.24	\$1,396.73
8	\$947.31	\$1,033.03	\$1,126.51	\$1,228.45	\$1,339.61	\$1,460.83
10	\$1,288.63	\$1,434.09	\$1,595.97	\$1,776.13	\$1,976.62	\$2,199.75
12	\$1,472.24	\$1,696.20	\$1,954.23	\$2,251.51	\$2,594.01	\$2,988.59
14	\$1,970.89	\$2,254.17	\$2,578.17	\$2,948.74	\$3,372.57	\$3,857.33
16	\$2,495.64	\$2,834.51	\$3,219.39	\$3,656.53	\$4,153.02	\$4,716.92

§ 60-47-31

OKLAHOMA CITY MUNICIPAL CODE, 2020

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
18	\$3,053.38	\$3,518.09	\$4,054.09	\$4,672.41	\$5,385.77	\$6,208.90
20	\$3,611.12	\$4,201.67	\$4,888.79	\$5,688.28	\$6,618.51	\$7,700.87
24	\$5,743.30	\$6,632.50	\$7,659.58	\$8,845.93	\$10,216.30	\$11,799.27

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

(e) **Outside City—Incorporated, Treated wastewater supply (for each meter or connection).**

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
%	\$18.81	\$18.85	\$19.31	\$19.78	\$20.26	\$20.74
¾	\$18.81	\$19.98	\$21.70	\$23.56	\$25.58	\$27.78
1	\$29.54	\$32.48	\$36.52	\$41.07	\$46.18	\$51.93
1.5	\$56.43	\$60.69	\$66.77	\$73.46	\$80.82	\$88.93
2	\$88.60	\$93.03	\$99.94	\$107.37	\$115.35	\$123.92
3	\$190.74	\$209.05	\$234.46	\$262.95	\$294.91	\$330.75
4	\$341.03	\$387.41	\$450.38	\$523.58	\$608.68	\$707.62
6	\$754.66	\$837.92	\$952.10	\$1,081.84	\$1,229.26	\$1,396.75
8	\$969.47	\$1,033.05	\$1,126.53	\$1,228.47	\$1,339.63	\$1,460.85
10	\$1,318.78	\$1,434.11	\$1,595.99	\$1,776.15	\$1,976.64	\$2,199.77
12	\$1,506.68	\$1,696.22	\$1,954.25	\$2,251.53	\$2,594.03	\$2,988.61
14	\$2,017.00	\$2,254.19	\$2,578.19	\$2,948.76	\$3,372.59	\$3,857.35
16	\$2,554.03	\$2,834.53	\$3,219.41	\$3,656.55	\$4,153.04	\$4,716.94
18	\$3,124.82	\$3,518.11	\$4,054.11	\$4,672.43	\$5,385.79	\$6,208.92
20	\$3,695.60	\$4,201.69	\$4,888.81	\$5,688.30	\$6,618.53	\$7,700.89
24	\$5,877.66	\$6,632.52	\$7,659.60	\$8,845.95	\$10,216.32	\$11,799.29

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

(f) **Outside City—Unincorporated, Treated Wastewater Supply (for each meter or connection).**

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
%	\$18.75	\$18.79	\$19.25	\$19.72	\$20.20	\$20.67
¾	\$18.75	\$19.92	\$21.63	\$23.48	\$25.50	\$27.69
1	\$29.44	\$32.38	\$36.40	\$40.94	\$46.03	\$51.76
1.5	\$56.25	\$60.50	\$66.56	\$73.23	\$80.56	\$88.65
2	\$88.31	\$92.73	\$99.62	\$107.03	\$114.98	\$123.52
3	\$190.13	\$208.38	\$233.71	\$262.11	\$293.97	\$329.69
4	\$339.94	\$386.17	\$448.94	\$521.91	\$606.74	\$705.36
6	\$752.25	\$835.25	\$949.06	\$1,078.39	\$1,225.34	\$1,392.29
8	\$966.38	\$1,029.75	\$1,122.94	\$1,224.55	\$1,335.36	\$1,456.19
10	\$1,314.57	\$1,429.54	\$1,590.90	\$1,770.48	\$1,970.33	\$2,192.75
12	\$1,501.88	\$1,690.81	\$1,948.02	\$2,244.35	\$2,585.76	\$2,979.08
14	\$2,010.57	\$2,247.00	\$2,569.97	\$2,939.35	\$3,361.83	\$3,845.05
16	\$2,545.88	\$2,825.49	\$3,209.14	\$3,644.89	\$4,139.79	\$4,701.89
18	\$3,061.69	\$3,506.89	\$4,041.18	\$4,657.53	\$5,368.61	\$6,189.11
20	\$3,683.81	\$4,188.29	\$4,873.22	\$5,670.16	\$6,597.42	\$7,676.33
24	\$5,297.07	\$6,611.36	\$7,635.17	\$8,817.73	\$10,183.73	\$11,761.65

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-49-6

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

- (g) **Treated wastewater supply related to Private Business Use—Outside City Unincorporated (South Canadian source) for electrical generating purposes** - standard industrial customer service charge (for each connection).

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$19,931.69	\$21,123.29	\$22,778.66	\$25,078.29	\$28,272.93	\$32,710.90

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

- (h) **Treated wastewater supply unrelated to Private Business Use—Outside City Unincorporated (South Canadian source) for electrical generating purposes** - standard industrial customer service charge (for each connection).

<i>Per Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$3,061.69	\$3,506.89	\$4,041.18	\$4,657.53	\$5,368.61	\$6,189.11

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.

(Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22; Ord. No. 27272, § 12, 1-31-23)

§ 60-47-42. Reserved.

Editor's note—Ord. No. 26755, § 21, adopted May 25, 2021, repealed § 60-47-42, which pertained to septic tanks and derived from Code 1970, § 20-116; Ord. No. 16606, 3-23-82; Code 1980, § 60-47-32; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19298, § 2, 10-3-89; Ord. No. 20829, § 1, 6-10-97.

§ 60-47-60. Reserved.

Editor's note—Ord. No. 26755, § 22, adopted May 25, 2021, repealed § 60-47-60, which pertained to pretreatment facility service and wastewater transporting license fee and derived from Ord. No. 20086, § 3, 1-4-94.

§ 60-49-6. Refuse rates and charges.

- (a) *Residences and multi-family complexes, each unit, monthly:*

- (1) curbside garbage and trash collection, up to two City-provided carts, one weekly pickup:

<i>Rate effective through May 31, 2022</i>	<i>Rate effective June 1, 2022 through December 31, 2022</i>	<i>Rate effective January 1, 2023 through December 31, 2023</i>	<i>Rate effective January 1, 2024 through December 31, 2024</i>	<i>Rate effective January 1, 2025 through December 31, 2025</i>	<i>Rate effective January 1, 2026 and thereafter</i>
\$23.45	\$24.15	\$24.87	\$25.62	\$26.39	\$27.18

- (2) disabled house-side service, one weekly pickup. Requirements set forth in § 49-21(9) shall be met to qualify.

<i>Rate effective through May 31, 2022</i>	<i>Rate effective June 1, 2022 through December 31, 2022</i>	<i>Rate effective January 1, 2023 through December 31, 2023</i>	<i>Rate effective January 1, 2024 through December 31, 2024</i>	<i>Rate effective January 1, 2025 through December 31, 2025</i>	<i>Rate effective January 1, 2026 and thereafter</i>
\$23.45	\$24.15	\$24.87	\$25.62	\$26.39	\$27.18

- (3) exemption, curbside service only, for occupant responsible for payment for service who executes an appropriate affidavit setting forth his inability to pay the full service charge (single families, duplex, triplex or garage apartment residents only):

minimum fee, monthly

§ 60-49-6

OKLAHOMA CITY MUNICIPAL CODE, 2020

<i>Rate effective October 1, 2019 and thereafter</i>
\$13.48

(4) extra roll-out cart, after two carts, monthly (each):

<i>Rate effective through May 31, 2022</i>	<i>Rate effective June 1, 2022 through December 31, 2022</i>	<i>Rate effective January 1, 2023 through December 31, 2023</i>	<i>Rate effective January 1, 2024 through December 31, 2024</i>	<i>Rate effective January 1, 2025 through December 31, 2025</i>	<i>Rate effective January 1, 2026 and thereafter</i>
\$2.25	\$2.25	\$2.41	\$2.57	\$2.73	\$2.89

Fee imposed if occupant requests cancellation of additional cart within three months \$15.00

- (5) occupant may request a change of cart size from the originally provided cart at no charge, fee imposed if occupant requests an additional change within three months \$15.00
- (6) fee for each additional cubic yard of bulky material, per collection above the four cubic yards allowed:

<i>Rate effective through May 31, 2022</i>	<i>Rate effective June 1, 2022 through December 31, 2022</i>	<i>Rate effective January 1, 2023 through December 31, 2023</i>	<i>Rate effective January 1, 2024 through December 31, 2024</i>	<i>Rate effective January 1, 2025 through December 31, 2025</i>	<i>Rate effective January 1, 2026 and thereafter</i>
\$12.02	\$12.38	\$12.75	\$13.13	\$13.52	\$13.93

(b) *Business or commercial establishment or institution, monthly:*

	<i>Rate effective through May 31, 2022</i>	<i>Rate effective June 1, 2022 through December 31, 2022</i>	<i>Rate effective January 1, 2023 through December 31, 2023</i>	<i>Rate effective January 1, 2024 through December 31, 2024</i>	<i>Rate effective January 1, 2025 through December 31, 2025</i>	<i>Rate effective January 1, 2026 and thereafter</i>
One cart	\$26.29	\$27.08	\$27.89	\$28.73	\$29.59	\$30.48
Twocarts	\$28.81	\$29.67	\$30.56	\$31.48	\$32.42	\$33.39
Threecarts	\$51.06	\$52.59	\$54.17	\$55.80	\$57.47	\$59.19

(Code 1970, § 20-104; Code 1980, § 60-49-6; Ord. No. 18154, 6-18-85; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19298, § 2, 10-3-89; Ord. No. 19775, § 1, 6-16-92; Ord. No. 19884, § 1, 1-12-93; Ord. No. 20149, § 1, 5-10-94; Ord. No. 20224, § 1, 9-7-94; Ord. No. 20227, § 1, 9-20-94; Ord. No. 20831, § 1, 6-10-97; Ord. No. 21055, § 4, 5-26-98; Ord. No. 22000, § 1, 7-23-02; Ord. No. 22810, § 1, 8-30-05; Ord. No. 23408, §§ 1, 2, 7-31-07; Ord. No. 24326, §§ 1, 2, 9-13-11; Ord. No. 25450, § 3, 9-13-16; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

Editor's note—Section 4 of Ord. No. 23408, provides for an effective date on and after September 30, 2007.

Cross reference—Rates and charges for municipal solid waste collection service, § 49-28.

*Article III. Reserved**

§§ 60-49-10—60-49-16. **Reserved.**

§ 60-50-1. **Streets development fees.**

(a) The streets development fees will be assessed and collected for square feet of development at the rate in dollars per square foot of development in dollars as set forth below:

	<i>Rate for Square Feet of Development by Assessment Area Category (\$/square foot)</i>			
<i>Land Category Use</i>	<i>Rural</i>	<i>New Growth</i>	<i>Infill</i>	<i>Core</i>
Residential	\$0.33	\$0.33	\$0.28	\$0.24

	<i>Rate for Square Feet of Development by Assessment Area Category (\$/square foot)</i>			
<i>Land Category Use</i>	<i>Rural</i>	<i>New Growth</i>	<i>Infill</i>	<i>Core</i>
Industrial	\$0.54	\$0.36	\$0.30	\$0.26
Office/Institutional/Lodging	\$1.10	\$1.03	\$0.87	\$0.76
Customer-Oriented Low	\$0.92	\$0.92	\$0.78	\$0.68
Customer-Oriented Moderate	\$1.28	\$1.28	\$1.08	\$0.94
Customer-Oriented High	\$2.20	\$2.20	\$1.86	\$1.62

Provided, however, streets development fees:

- (1) Paid between January 1, 2017 and June 30, 2018, inclusive, fees shall be assessed and collected at 100% of the rate shown in the above Streets Development Fees schedule.
- (2) Paid thereafter (on or after July 1, 2018), street development fees will be assessed

***Editor's note**—Ord. No. 26755, § 23, adopted May 25, 2021, repealed §§ 60-49-10—60-49-12, which pertained to trash hauling and derived from Code 1970, § 20-128; Code 1980, § 60-49-11, 60-49-12; Ord. No. 16606, adopted March 23, 1982; Ord. No. 18239, § 2, adopted Aug. 27, 1985; Ord. No. 18789, adopted July 7, 1987; Ord. No. 19298, § 2, adopted Oct. 3, 1989; Ord. No. 20829, § 1, adopted June 10, 1997; Ord. No. 21055, §§ 4, 5, adopted May 26, 1998.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-50-1

and collected based upon the streets development fees rate as will be adjusted on July 1, 2018, and annually on July 1 of each year thereafter, in accordance with the following formula rounded up to the nearest full cent:

$$\text{Fee} = (R) (X) (Y / Z)$$

Where:

R = the rate per square feet of development in the table above.

X = the number of square feet of development.

Y = "Engineering News Record": Twenty City Average Construction Cost Index as published the last week of June of the most current year.

Z = "Engineering News Record": Twenty City Average Construction Cost Index as published the last week of June of 2015 being 10039.

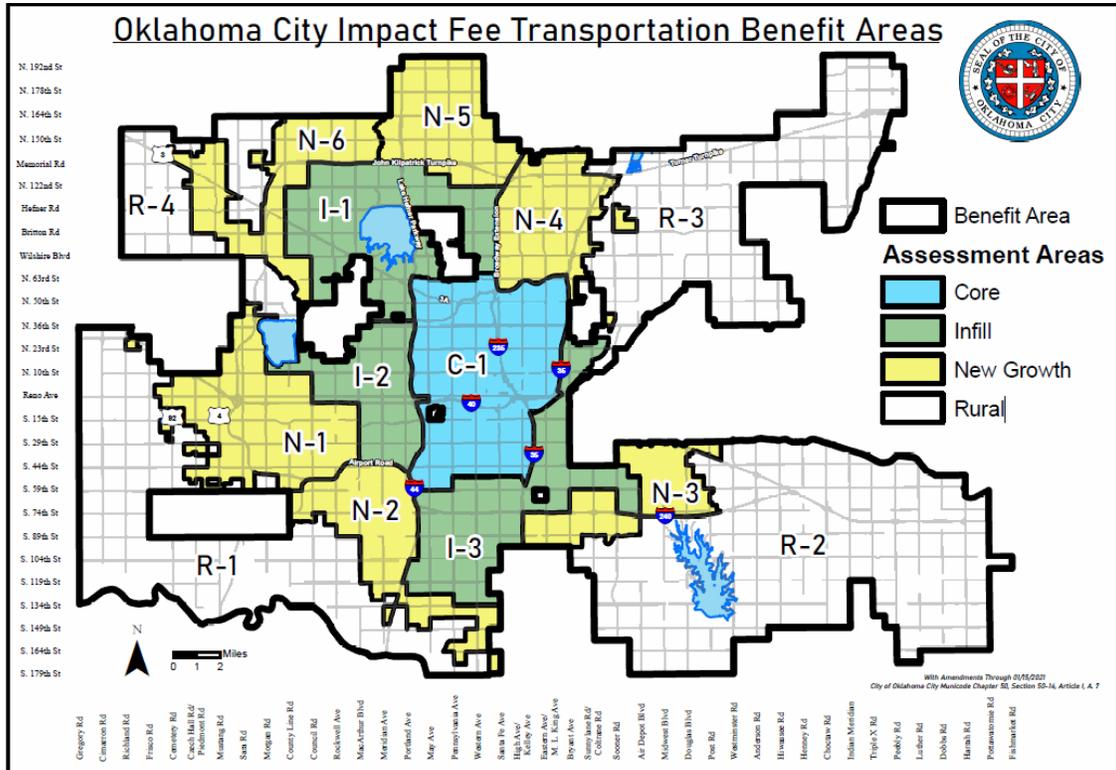
- (3) Staff will present to Council at a public meeting an annual report on development fee funds, revenues and improvements. Staff will present to Council at a public meeting an annual report on the development fee rate adjustment.

(b) The streets development fees for each development will be assessed, collected, allocated and expended among the service areas or benefit areas. Each development will be designated an assessment area category and a service area / benefit area as established on the Streets Development Fee Map.

§ 60-50-1

OKLAHOMA CITY MUNICIPAL CODE, 2020

Streets Development Fee Map



A copy of the Streets Development Fee Map is on file in the Office of the City Clerk, which map is controlling.

- (1) If a development is within more than one assessment area category then the Development Services Director will apportion the square feet of development among the assessment area categories based upon the location of the severable areas of the development.
- (2) Any expansion to the Comprehensive Plan's Urban-Low Intensity land use typology area shall be automatically and immediately reflected in the Streets Development Fee Map by: 1) expanding the boundaries of the New Growth assessment area to include the expansion area, and 2) altering the boundaries of the benefit areas such that the expansion area is included in the nearest benefit district that is covered by the New Growth assessment area. The Streets Development Fee Map will be deemed revised by virtue of the approval of the revised Comprehensive Plan by City Council. A revised Streets Development

Fee Map will be provided by the Planning Director to the City Clerk and the Development Services Director.

(Ord. No. 25,374, § 1, 4-26-16; Amend. of 1-15-21)

§ 60-50-1.1. Streets development fees adjustment temporary moratorium.

(a) A temporary moratorium is hereby created on the streets development fees adjustment portion of the streets development fee in 60-50-1, which adjustment became effective July 5, 2022, and as such the adjustment portion shall not be included in the streets development fee charged to new applications received between July 5, 2022, and December 31, 2022, inclusive, however the streets development fees for new applications received between July 5, 2022, and December 31, 2022, inclusive, will be charged the streets development fees that was in effect on June 30, 2022.

(b) On January 1, 2023, the streets development fee with the July 1, 2022, adjustment will be the streets development fee for all new applications

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-55-16

received January 1, 2023, and thereafter, and each July 1 thereafter the streets development fee will be adjusted as set forth in 60-50-1 as if the temporary moratorium had not occurred.
 (Ord. No. 27097, § 2, 7-5-22)

*Article IV. Reserved**

§§ 60-54-16—60-54-21. **Reserved.**

§ 60-50-1.2. **Streets development fees adjustment temporary moratorium.**

§ 60-54-26. **Dealers in used precious metals or gems.**

(a) A temporary moratorium is hereby extended from January 1, 2023 to June 30, 2023 on the streets development fees adjustment portion of the streets development fee in 60-50-1 for applications received between January 1, 2023 and June 30, 2023, to be charged the streets development fees that were in effect on June 30, 2022.

(a) dealer's license, annual . . . \$ 58.00
 (Code 1970, § 9-609; Ord. No. 16149, 3-31-81; Code 1980, § 60-54-26; Ord. No. 18239, § 2, 8-27-85; Ord. No. 20829, § 1, 6-10-97; Ord. No. 26755, § 25, 5-25-21)

§ 60-55-15. **Monthly housekeeping unit charges.**

The monthly housekeeping unit charge, per unit regardless of occupancy, is:

<i>Per Housekeeping Unit</i>
\$1.69

(Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

(b) On July 1, 2023, the streets development fee with the July 1, 2022 and July 1, 2023 adjustments will be the streets development fee for all new applications received July 1, 2023, and thereafter, and each July 1 thereafter the streets development fee will be adjusted as set forth in 60-50-1 as if the temporary moratorium had not occurred.
 (Ord. No. 27342, § 2, 5-9-23)

***Editor's note**—Ord. No. 26755, § 24, adopted May 25, 2021, repealed § 60-54-16, which pertained to junk dealers, recyclers, and secondhand dealers and derived from Code 1970, §§ 20-74, 20-130; Code 1980, § 60-54-16; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19225, 6-20-89; Ord. No. 19257, 8-8-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 20829, § 1, 6-10-97; Ord. No. 21976, § 1, 6-4-02.

§ 60-55-16. **Water user and water service charges.**

The water user charges shall be the sum of the monthly water customer service charge per meter (the monthly base rate as established by section 60-55-18) plus the water usage charge (volume established, measured or estimated pursuant to this Code or a contract approved by the City) times the applicable water rate or water rates for the customer's usage and class. The water usage charges for each customer class are:

(a) **Treated Water User charges—Inside City, Oklahoma City Treated Water Source, Retail.** Customers will be charged and must pay for water at a rate per thousand gallons of:

(1) **Inside City—Residential Rates (Single Family, Duplexes and Triplexes):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to 2	\$3.11	\$3.19	\$3.28	\$3.37	\$3.46	\$3.55 plus
Next 8	\$3.61	\$3.97	\$4.36	\$4.79	\$5.27	\$5.80 plus
Next 15	\$4.92	\$5.45	\$6.04	\$6.69	\$7.41	\$8.21 plus
Over 25	\$6.79	\$7.44	\$8.15	\$8.93	\$9.78	\$10.71

(2) **Inside City—Non-Residential Rates (Multifamily):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$3.35	\$3.52	\$3.70	\$3.89	\$4.09	\$4.28 plus
Over 100% AWC through 250% AWC	\$4.15	\$4.26	\$4.38	\$4.50	\$4.62	\$4.75 plus
Over 250% AWC	\$5.51	\$5.68	\$5.86	\$6.04	\$6.23	\$6.42

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code.

§ 60-55-16

OKLAHOMA CITY MUNICIPAL CODE, 2020

(3) Inside City—Non-Residential Rates (Commercial/Industrial):

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$3.35	\$3.56	\$3.79	\$4.03	\$4.29	\$4.55 plus
Over 100% AWC through 250% AWC	\$4.15	\$4.42	\$4.71	\$5.02	\$5.35	\$5.69 plus
Over 250% AWC	\$5.51	\$5.90	\$6.33	\$6.79	\$7.29	\$7.81

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code.

(4) Inside City—Manufacturing Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Water	\$3.48	\$3.65	\$3.83	\$4.02	\$4.22	\$4.41

To qualify for the manufacturing rate, customer must comply with Section 55-63.

(5) Inside City—Irrigation Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Water	See above	\$5.45	\$6.04	\$6.69	\$7.41	\$8.21

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code. To qualify for the irrigation rate, customer must comply with Section 55-16 (I.1).

(6) Inside City—Flush Meter Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued from January 1, 2021 and thereafter</i>
All Water	\$5.23

(7) Inside City—Tinker Air Force Base Standby Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$3.63	\$3.85	\$4.08	\$4.33	\$4.59	\$4.87 plus
Over 100% AWC To 250% AWC	\$4.32	\$4.58	\$4.86	\$5.15	\$5.46	\$5.79 plus
Over 250% AWC	\$5.68	\$6.02	\$6.38	\$6.76	\$7.17	\$7.61

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code

(8) Inside City—Tinker Air Force Base Continuous-Service Rate:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Water	N/A	\$3.66	\$3.85	\$4.05	\$4.27	\$4.49

Currently Tinker receives standby service, using the City water system to supplement its well water system. Should Tinker Air Force Base, notify the City that it has stopped using its wells and converted to continuous service use of the Oklahoma City Water System to satisfy water supply needs, then the Director shall begin billing Tinker Air Force Base at the continuous service rates.

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-55-16

- (b) **Treated Water User—Outside City, Oklahoma City Treated Water Source, Retail.** Customers will be charged and must pay for water at a rate per thousand gallons and any portion thereof.

(1) **Outside City—Residential Rates (Single Family, Duplexes and Triplexes):**

a. **Incorporated Rates:**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to 2	\$3.65	\$3.75	\$3.85	\$3.96	\$4.07	\$4.19 plus
Next 8	\$4.38	\$4.82	\$5.31	\$5.85	\$6.44	\$7.08 plus
Next 15	\$6.04	\$6.69	\$7.41	\$8.21	\$9.10	\$10.10 plus
Over 25	\$8.19	\$8.98	\$9.84	\$10.79	\$11.83	\$12.96

b. **Unincorporated Rates:**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to 2	\$3.57	\$3.68	\$3.77	\$3.88	\$3.99	\$4.11 plus
Next 8	\$4.29	\$4.72	\$5.20	\$5.73	\$6.31	\$6.94 plus
Next 15	\$5.89	\$6.56	\$7.26	\$8.05	\$8.92	\$9.90 plus
Over 25	\$8.00	\$8.80	\$9.64	\$10.57	\$11.59	\$12.70

(2) **Outside City—Non-Residential Rates (Multifamily):**

a. **Incorporated Rates:**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$3.94	\$4.09	\$4.25	\$4.41	\$4.58	\$4.73 plus
Over 100% AWC to 250% AWC	\$4.93	\$5.31	\$5.72	\$6.16	\$6.63	\$7.09 plus
Over 250% AWC	\$6.77	\$7.57	\$8.47	\$9.47	\$10.59	\$11.82

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code.

b. **Unincorporated Rates:**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	3.86	\$4.01	\$4.17	\$4.32	\$4.49	\$4.64 plus
Over 100% AWC through 250% AWC	\$4.83	\$5.20	\$5.61	\$6.04	\$6.50	\$6.95 plus
Over 250% AWC	\$6.54	\$7.42	\$8.30	\$9.28	\$10.38	\$11.58

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code.

(3) **Outside City—Non-residential (Commercial, Industrial, and Mixed Residential and Commercial or Industrial Rates):**

a. **Incorporated Rates:**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$3.94	\$4.33	\$4.76	\$5.23	\$5.75	\$6.28 plus

§ 60-55-16

OKLAHOMA CITY MUNICIPAL CODE, 2020

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Over 100% AWC through 250% AWC	\$4.93	\$5.42	\$5.95	\$6.54	\$7.18	\$7.85 plus
Over 250% AWC	\$6.77	\$7.44	\$8.17	\$8.97	\$9.85	\$10.78

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code.

b. Unincorporated Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$3.86	\$4.24	\$4.66	\$5.13	\$5.64	\$6.15 plus
Over 100% AWC through 250% AWC	\$4.83	\$5.31	\$5.83	\$6.41	\$7.04	\$7.69 plus
Over 250% AWC	\$6.54	\$7.29	\$8.01	\$8.79	\$9.65	\$10.56

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code.

(4) Outside City—Irrigation Rates:

a. Incorporated Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Irrigation	See above	\$6.69	\$7.41	\$8.21	\$9.10	\$10.10

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code. To qualify for the irrigation rate, customer must comply with Section 55-16 (I.1).

b. Unincorporated Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Irrigation	See above	\$6.56	\$7.26	\$8.05	\$8.92	\$9.90

AWC means the Average Winter Water Consumption as defined in Section 55-62 of this Code. To qualify for the irrigation rate, customer must comply with Section 55-16 (I.1).

(5) Outside City—Flush Meter Rates:

a. Incorporated Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued from January 1, 2021 and thereafter</i>
All Water	\$6.15

b. Unincorporated Rates:

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued from January 1, 2021 and thereafter</i>
All Water	\$6.03

(c) Treated Water User charges—Outside City, Oklahoma City Water Source, Wholesale, Service Availability Rates. Customers will be charged and must pay for water at a rate per thousand gallons and any portion thereof.

(1) Service Availability, Reservation Rate (per thousand gallons reserved):

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-55-16

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$1.91	\$2.01	\$2.11	\$2.21	\$2.32	\$2.44 plus

(2) **Service Availability Commodity Rate (per thousand gallons up to volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.53	\$0.54	\$0.56	\$0.57	\$0.59	\$0.60 plus

(3) **Service Availability Excess Rate (per thousand gallons in excess of volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to 20% Above Reservation	\$6.78	\$7.12	\$7.48	\$7.85	\$8.25	\$8.66 plus
Greater than 20% Above Reservation	\$8.17	\$8.64	\$9.15	\$9.68	\$10.24	\$10.83

(d) **Treated Water Usage—Outside, Wholesale, Take or Pay Rates.** Customers will be charged and must pay for water at a rate per thousand gallons and any portion thereof.

<i>Effective for utility bills issued from January 1, 2021 and thereafter</i>	
	\$5.73 plus
	\$5.73 plus
	\$12.72

Where SMU means subscribed monthly usage (volume established pursuant to Section 55-63 of this Code or a contract approved by the City).

(e) **Raw Water User—Inside City, Oklahoma City Water Source (Draper, Overholser or Hefner) and other specially contracted raw water, Retail and Wholesale.** Customers will be charged and must pay for water at a rate per thousand gallons and any portion thereof.

(1) **Inside City, Raw Water, Demand Account.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Water	\$2.35	\$2.41	\$2.48	\$2.54	\$2.61	\$2.68

(2) **Inside City, Raw Water, Service Availability Account.**

a. **Service Availability, Reservation Rate (per thousand gallons reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$1.05	\$1.08	\$1.12	\$1.15	\$1.19	\$1.23 plus

b. **Service Availability, Commodity Rate (per thousand gallons up to volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.96	\$0.96	\$0.96	\$0.96	\$0.96	\$0.96 plus

§ 60-55-16

OKLAHOMA CITY MUNICIPAL CODE, 2020

c. **Service Availability, Excess Rate (per thousand gallons in excess of volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$2.35	\$2.41	\$2.48	\$2.54	\$2.61	\$2.68

(3) **Inside City, Raw Water, AWC Tiered Rate Account (per thousand gallons):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$2.27	\$2.33	\$2.38	\$2.44	\$2.50	\$2.56 plus
Over AWC	\$2.75	\$2.84	\$2.93	\$3.03	\$3.13	\$3.23

(f) **Raw Water User—Outside City, McGee Creek Source, Wholesale, Participant.**

(1) **McGee Creek Participant, Raw Water, Wholesale, Demand Account.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Water	\$1.57	\$1.64	\$1.71	\$1.78	\$1.86	\$1.93

(2) **McGee Creek Participant, Raw Water, Wholesale, Service Availability Account.**

a. **Service Availability, Reservation Rate (per thousand gallons reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.71	\$0.76	\$0.81	\$0.86	\$0.92	\$0.97 plus

b. **Service Availability, Commodity Rate (per thousand gallons up to volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.51	\$0.53	\$0.55	\$0.57	\$0.58	\$0.59 plus

c. **Service Availability, Excess Rate (per thousand gallons in excess of volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$1.57	\$1.64	\$1.71	\$1.78	\$1.86	\$1.93

(g) **Raw Water User—Outside City, McGee Creek Source, Wholesale, Non-Participants.**

(1) **McGee Creek Non-Participant, Raw Water, Wholesale, Demand Account.**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
All Water	\$2.47	\$2.53	\$2.60	\$2.66	\$2.73	\$2.80

(2) **McGee Creek Non-Participant, Raw Water, Wholesale, Service Availability Account.**

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-55-17

a. **Service Availability, Reservation Rate (per thousand gallons reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$1.57	\$1.62	\$1.68	\$1.73	\$1.79	\$1.85 plus

b. **Service Availability, Commodity Rate (per thousand gallons up to volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$0.57	\$0.60	\$0.63	\$0.66	\$0.69	\$0.73 plus

c. **Service Availability, Excess Rate (per thousand gallons in excess of volume reserved):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
	\$2.47	\$2.53	\$2.60	\$2.66	\$2.73	\$2.80

(3) **McGee Creek Non-Participant, Raw Water, Wholesale, AWC Tiered Rate Account (per thousand gallons):**

<i>Per Thousand Gallons (and any portion thereof)</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
Up to AWC	\$2.41	\$2.47	\$2.52	\$2.58	\$2.64	\$2.70 plus
Over AWC	\$2.90	\$2.99	\$3.08	\$3.18	\$3.28	\$3.38

(h) In the event a treated or raw water wholesale customer receiving service under subsection (1) (Outside City, Wholesale, Take-or-Pay) or (e) (Outside City, Wholesale, Service Availability) loses an outside City wholesale or retail customer, the Director may, subsequent to the receipt and review of adequate appropriate supporting documentation, prospectively re-calculate and reduce the maximum historic monthly usage based upon the contribution of the lost outside City customer to the maximum historic monthly usage.

(i) The Director is authorized to negotiate written contracts and amendments for water service under each established customer class and rate schedule subject to approval of the final written contracts by the Trust and the City. The Director may also negotiate contracts and amendments that phase a customer into a service availability customer class or rate schedule subject to approval of the final written contracts by the Trust and the City; provided such phase-in period may not exceed three contract years.

(Ord. No. 21517, § 2, 7-5-00; Ord. No. 22304, §§ 1, 2, 9-9-03; Ord. No. 22502, § 2, 8-3-04; Ord. No. 22964, §§ 1, 2, 4-4-06; Ord. No. 23451, § 12, 9-25-07; Ord. No. 23695, §§ 1, 2, 9-23-08; Ord. No. 24137, §§ 1, 2, 9-28-10; Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

§ 60-55-17. Meter multiplier for water system development charges.

The meter multiplier is a factor used in calculating certain charges, which are the product of a base charge multiplied by the applicable meter multiplier. The meter multiplier for various size meter(s) and connection(s) is:

<i>Meter and Connection Sizes in inches</i>	<i>Meter Multiplier for Water System Development Charges</i>
5/8	1.00
3/4	1.00
1	1.67
1.5	3.33

§ 60-55-17

OKLAHOMA CITY MUNICIPAL CODE, 2020

<i>Meter and Connection Sizes in inches</i>	<i>Meter Multiplier for Water System Development Charges</i>
2	5.33
3	11.67
4	21.00
6	46.67
8	60.00
10	81.67
12	93.33
14	125.00
16	158.33
20	229.17
30	500.00

For unlisted meter and connection sizes, the meter multiplier will be computed in geometric equivalency as determined and approved by the Director.
 (Ord. No. 27272, § 13, 1-31-23)

§ 60-55-18. Monthly water customer service charge(s).

(a) Treated Water—Inside City Retail Residential (for each meter or connection).

<i>Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
½	\$18.38	\$18.38	\$18.38	\$18.38	\$18.38	\$18.38
¾	\$18.38	\$19.50	\$20.68	\$21.94	\$23.27	\$24.69
1	\$28.86	\$31.73	\$34.88	\$38.34	\$42.15	\$46.33
1.5	\$55.14	\$59.31	\$63.79	\$68.61	\$73.79	\$79.36
2	\$86.57	\$90.93	\$95.52	\$100.33	\$105.39	\$110.70
3	\$186.38	\$204.36	\$224.07	\$245.68	\$269.37	\$295.35
4	\$333.23	\$378.89	\$430.82	\$489.85	\$556.98	\$633.31
6	\$737.41	\$819.64	\$911.04	\$1,012.63	\$1,125.55	\$1,251.06
8	\$947.31	\$1,010.34	\$1,077.56	\$1,149.26	\$1,225.73	\$1,307.28
10	\$1,288.63	\$1,402.71	\$1,526.90	\$1,662.08	\$1,809.22	\$1,969.40
12	\$1,472.24	\$1,659.69	\$1,871.00	\$2,109.22	\$2,377.77	\$2,680.51
14	\$1,970.89	\$2,205.55	\$2,468.15	\$2,762.02	\$3,090.87	\$3,458.88
16	\$2,495.64	\$2,773.35	\$3,081.96	\$3,424.91	\$3,806.02	\$4,229.54
20	\$3,611.12	\$4,111.12	\$4,680.36	\$5,328.41	\$6,066.20	\$6,906.14
30	\$7,875.47	\$8,868.15	\$9,985.95	\$11,244.64	\$12,661.99	\$14,257.99

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(b) Treated Water—Inside City Retail Non-Residential (for each meter or connection).

<i>Meter or Connection Size in Inches</i>	<i>Effective for utility bills issued through May 31, 2022</i>	<i>Effective for utility bills issued from June 1, 2022 to December 31, 2022</i>	<i>Effective for utility bills issued from January 1, 2023 to December 31, 2023</i>	<i>Effective for utility bills issued from January 1, 2024 to December 31, 2024</i>	<i>Effective for utility bills issued from January 1, 2025 to December 31, 2025</i>	<i>Effective for utility bills issued from January 1, 2026 and thereafter</i>
½	\$18.38	\$19.02	\$19.69	\$20.38	\$21.10	\$21.83
¾	\$18.38	\$20.18	\$22.16	\$24.33	\$26.71	\$29.33
1	\$28.86	\$32.84	\$37.36	\$42.51	\$48.37	\$55.04
1.5	\$55.14	\$61.38	\$68.34	\$76.08	\$84.69	\$94.28
2	\$86.57	\$94.12	\$102.33	\$111.25	\$120.96	\$131.51
3	\$186.38	\$211.52	\$240.05	\$272.43	\$309.17	\$350.87
4	\$333.23	\$392.17	\$461.55	\$543.19	\$639.27	\$752.35
6	\$947.31	\$848.37	\$976.02	\$1,122.89	\$1,291.85	\$1,486.23
8	\$947.31	\$1,045.75	\$1,154.42	\$1,274.39	\$1,406.82	\$1,553.02
10	\$1,288.63	\$1,451.88	\$1,635.81	\$1,843.04	\$2,076.53	\$2,339.59
12	\$1,472.24	\$1,717.86	\$2,004.46	\$2,338.87	\$2,729.07	\$3,184.37

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-55-18

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
14	\$1,970.89	\$2,282.85	\$2,644.20	\$3,062.74	\$3,547.53	\$4,109.05
16	\$2,495.64	\$2,870.55	\$3,301.79	\$3,797.81	\$4,368.34	\$5,024.58
20	\$3,611.12	\$4,255.22	\$5,014.20	\$5,908.57	\$6,962.45	\$8,204.31
30	\$7,875.47	\$9,178.98	\$10,698.23	\$12,468.94	\$14,532.73	\$16,938.11

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(c) **Raw Water—Inside and Outside (for each meter or connection).**

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
½	\$21.93	\$21.93	\$21.93	\$21.93	\$21.93	\$21.93
¾	\$21.93	\$23.66	\$24.68	\$26.18	\$27.77	\$29.46
1	\$34.44	\$37.86	\$41.62	\$45.75	\$50.29	\$55.28
1.5	\$65.79	\$70.76	\$76.11	\$81.86	\$88.05	\$94.70
2	\$103.30	\$108.50	\$113.97	\$119.71	\$125.74	\$132.08
3	\$222.38	\$243.83	\$267.34	\$293.13	\$321.40	\$352.40
4	\$397.60	\$452.08	\$514.03	\$584.47	\$664.56	\$755.63
6	\$879.84	\$977.95	\$1,087.01	\$1,208.22	\$1,342.95	\$1,492.71
8	\$1,130.28	\$1,205.48	\$1,285.69	\$1,371.24	\$1,462.47	\$1,559.78
10	\$1,537.52	\$1,673.64	\$1,821.81	\$1,983.10	\$2,158.67	\$2,349.78
12	\$1,756.60	\$1,980.25	\$2,232.38	\$2,516.61	\$2,837.03	\$3,198.24
14	\$2,351.56	\$2,631.54	\$2,944.86	\$3,295.49	\$3,687.86	\$4,126.95
16	\$2,977.66	\$3,309.01	\$3,677.22	\$4,086.41	\$4,541.14	\$5,046.46
20	\$4,308.59	\$4,905.17	\$5,584.35	\$6,357.57	\$7,237.86	\$8,240.03
30	\$9,396.57	\$10,580.98	\$11,914.68	\$13,416.48	\$15,107.59	\$17,011.85

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(d) **Treated Water—Inside City, Irrigation (for each meter or connection).**

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
½	\$18.38	\$19.02	\$19.69	\$20.38	\$21.10	\$21.83
¾	\$18.38	\$20.18	\$22.16	\$24.33	\$26.71	\$29.33
1	\$28.86	\$32.84	\$37.36	\$42.51	\$48.37	\$55.04
1.5	\$55.14	\$61.38	\$68.34	\$76.08	\$84.69	\$94.28
2	\$86.57	\$94.12	\$102.33	\$111.25	\$120.96	\$131.51
3	\$186.38	\$211.52	\$240.05	\$272.43	\$309.17	\$350.87
4	\$333.23	\$392.17	\$461.55	\$543.19	\$639.27	\$752.35
6	\$737.41	\$848.37	\$976.02	\$1,122.89	\$1,291.85	\$1,486.23
8	\$947.31	\$1,045.75	\$1,154.42	\$1,274.39	\$1,406.82	\$1,553.02
10	\$1,288.63	\$1,451.88	\$1,635.81	\$1,843.04	\$2,076.53	\$2,339.59
12	\$1,472.24	\$1,717.86	\$2,004.46	\$2,338.87	\$2,729.07	\$3,184.37
14	\$1,970.89	\$2,282.85	\$2,644.20	\$3,062.74	\$3,547.53	\$4,109.05
16	\$2,495.64	\$2,870.55	\$3,301.79	\$3,797.81	\$4,368.34	\$5,024.58
20	\$3,611.12	\$4,255.22	\$5,014.20	\$5,908.57	\$6,962.45	\$8,204.31
30	\$7,875.47	\$9,178.98	\$10,698.23	\$12,468.94	\$14,532.73	\$16,938.11

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

§ 60-55-18

OKLAHOMA CITY MUNICIPAL CODE, 2020

(e) Treated Water—Inside City, Tinker Air Force Base Standby Service (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
¾	\$23.20	\$24.01	\$24.85	\$25.73	\$26.63	\$27.56
1	\$36.43	\$41.45	\$47.16	\$53.66	\$61.06	\$69.07
1.5	\$69.60	\$77.48	\$86.26	\$96.03	\$106.90	\$119.01
2	\$109.28	\$118.80	\$129.16	\$140.43	\$152.68	\$165.99
3	\$235.25	\$266.99	\$303.00	\$343.87	\$390.25	\$442.88
4	\$420.62	\$495.02	\$582.58	\$685.63	\$806.91	\$949.65
6	\$930.79	\$1,070.85	\$1,231.98	\$1,417.35	\$1,630.62	\$1,875.98
8	\$1,195.73	\$1,319.99	\$1,457.16	\$1,608.59	\$1,775.75	\$1,960.28
10	\$1,626.56	\$1,832.62	\$2,064.79	\$2,326.36	\$2,621.08	\$2,953.13
12	\$1,858.32	\$2,168.35	\$2,530.11	\$2,952.22	\$3,444.75	\$4,019.45
14	\$2,487.74	\$2,881.51	\$3,337.62	\$3,865.92	\$4,477.84	\$5,186.62
16	\$3,150.10	\$3,623.33	\$4,167.65	\$4,793.75	\$5,513.90	\$6,342.24
20	\$4,558.11	\$5,371.11	\$6,329.14	\$7,458.04	\$8,788.29	\$10,355.82
30	\$9,940.74	\$11,586.08	\$13,503.75	\$15,738.82	\$18,343.82	\$21,379.99

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(f) Treated Water—Inside City, Tinker Air Force Base continuous-service (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
¾	N/A	\$10.66	\$11.22	\$11.81	\$12.43	\$13.08
1	N/A	\$24.87	\$26.18	\$27.56	\$29.01	\$30.54
1.5	N/A	\$42.58	\$44.82	\$47.18	\$49.66	\$52.28
2	N/A	\$58.64	\$61.73	\$64.98	\$68.40	\$72.00
3	N/A	\$157.48	\$165.77	\$174.50	\$183.68	\$193.35
4	N/A	\$327.68	\$344.92	\$363.08	\$382.19	\$402.30
6	N/A	\$640.31	\$674.01	\$709.48	\$746.82	\$786.13
8	N/A	\$677.60	\$713.26	\$750.80	\$790.32	\$831.91
10	N/A	\$1,014.62	\$1,068.02	\$1,124.23	\$1,183.40	\$1,245.68
12	N/A	\$1,346.30	\$1,417.16	\$1,491.74	\$1,570.25	\$1,652.90
14	N/A	\$1,743.06	\$1,834.80	\$1,931.37	\$2,033.02	\$2,140.02
16	N/A	\$2,132.36	\$2,244.59	\$2,362.73	\$2,487.08	\$2,617.98
20	N/A	\$3,474.88	\$3,657.77	\$3,850.28	\$4,052.93	\$4,266.24
30	N/A	\$7,167.19	\$7,544.41	\$7,941.49	\$8,359.46	\$8,799.43

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(g) Treated Water—Outside City Retail Residential, Incorporated (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
¾	\$18.81	\$18.81	\$18.81	\$18.81	\$18.81	\$18.81
1	\$29.54	\$32.47	\$35.70	\$39.24	\$43.14	\$47.41

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-55-18

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
1.5	\$56.43	\$60.70	\$65.28	\$70.22	\$75.52	\$81.22
2	\$88.60	\$93.06	\$97.75	\$102.68	\$107.86	\$113.29
3	\$190.74	\$209.14	\$229.31	\$251.43	\$275.67	\$302.26
4	\$341.03	\$387.75	\$440.90	\$501.31	\$570.01	\$648.13
6	\$754.66	\$838.82	\$932.35	\$1,036.32	\$1,151.88	\$1,280.33
8	\$969.47	\$1,033.98	\$1,102.77	\$1,176.15	\$1,254.41	\$1,337.86
10	\$1,318.78	\$1,435.53	\$1,562.62	\$1,700.96	\$1,851.55	\$2,015.47
12	\$1,506.68	\$1,698.52	\$1,914.77	\$2,158.57	\$2,433.40	\$2,743.22
14	\$2,017.00	\$2,257.15	\$2,525.89	\$2,826.64	\$3,163.18	\$3,539.80
16	\$2,554.03	\$2,838.23	\$3,154.06	\$3,505.04	\$3,895.06	\$4,328.49
20	\$3,695.60	\$4,207.30	\$4,789.86	\$5,453.07	\$6,208.12	\$7,067.71
30	\$8,059.72	\$9,075.62	\$10,219.57	\$11,507.71	\$12,958.22	\$14,591.56

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(h) Treated Water—Outside City Retail Non-Residential, Incorporated (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
½	\$18.81	\$19.46	\$20.15	\$20.86	\$21.59	\$22.34
¾	\$18.81	\$20.65	\$22.68	\$24.90	\$27.33	\$30.02
1	\$29.54	\$33.61	\$38.23	\$43.50	\$49.50	\$56.33
1.5	\$56.43	\$62.82	\$69.94	\$77.86	\$86.67	\$96.49
2	\$88.60	\$96.32	\$104.72	\$113.85	\$123.79	\$134.59
3	\$190.74	\$216.47	\$245.67	\$278.80	\$316.40	\$359.08
4	\$341.03	\$401.34	\$472.35	\$555.90	\$654.23	\$769.95
6	\$754.66	\$868.22	\$998.85	\$1,149.16	\$1,322.07	\$1,521.00
8	\$969.47	\$1,070.22	\$1,181.43	\$1,304.20	\$1,439.73	\$1,589.35
10	\$1,318.78	\$1,485.85	\$1,674.08	\$1,886.16	\$2,125.11	\$2,394.32
12	\$1,506.68	\$1,758.05	\$2,051.35	\$2,393.59	\$2,792.92	\$3,258.87
14	\$2,017.00	\$2,336.26	\$2,706.06	\$3,134.39	\$3,630.52	\$4,205.18
16	\$2,554.03	\$2,937.71	\$3,379.04	\$3,886.66	\$4,470.54	\$5,142.13
20	\$3,695.60	\$4,354.77	\$5,131.51	\$6,046.80	\$7,125.34	\$8,396.25
30	\$8,059.72	\$9,393.72	\$10,948.52	\$12,760.65	\$14,872.72	\$17,334.38

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(i) Treated Water—Outside City Retail, Residential Unincorporated (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
½	\$18.75	\$18.75	\$18.75	\$18.75	\$18.75	\$18.75
¾	\$18.75	\$19.89	\$21.10	\$22.38	\$23.74	\$25.19
1	\$29.44	\$32.37	\$35.58	\$39.11	\$43.00	\$47.26
1.5	\$56.25	\$60.50	\$65.07	\$69.99	\$75.28	\$80.96
2	\$88.31	\$92.76	\$97.44	\$102.35	\$107.51	\$112.93
3	\$190.13	\$208.47	\$228.58	\$250.63	\$274.79	\$301.30
4	\$339.94	\$386.52	\$439.49	\$499.71	\$568.19	\$646.06
6	\$752.25	\$836.14	\$929.38	\$1,033.01	\$1,148.21	\$1,276.24

§ 60-55-18

OKLAHOMA CITY MUNICIPAL CODE, 2020

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
8	\$966.38	\$1,030.68	\$1,099.25	\$1,172.40	\$1,250.40	\$1,333.60
10	\$1,314.57	\$1,430.95	\$1,557.64	\$1,695.54	\$1,845.64	\$2,009.05
12	\$1,501.88	\$1,693.10	\$1,908.66	\$2,151.68	\$2,425.64	\$2,734.47
14	\$2,010.57	\$2,249.95	\$2,517.84	\$2,817.62	\$3,153.09	\$3,528.51
16	\$2,545.88	\$2,829.18	\$3,144.00	\$3,493.86	\$3,882.64	\$4,314.68
20	\$3,683.81	\$4,193.88	\$4,774.58	\$5,435.67	\$6,188.32	\$7,045.16
30	\$8,034.01	\$9,046.67	\$10,186.97	\$11,471.00	\$12,916.88	\$14,545.01

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(j) Treated Water—Outside City Retail, Non-Residential Unincorporated (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
5/8	\$18.75	\$19.40	\$20.09	\$20.79	\$21.52	\$22.27
3/4	\$18.75	\$20.59	\$22.61	\$24.82	\$27.25	\$29.92
1	\$29.44	\$33.50	\$38.11	\$43.37	\$49.34	\$56.15
1.5	\$56.25	\$62.62	\$69.72	\$77.61	\$86.39	\$96.18
2	\$88.31	\$96.01	\$104.39	\$113.49	\$123.39	\$134.16
3	\$190.13	\$215.78	\$244.88	\$277.91	\$315.39	\$357.93
4	\$339.94	\$400.06	\$470.84	\$554.12	\$652.14	\$767.50
6	\$752.25	\$865.45	\$995.67	\$1,145.49	\$1,317.86	\$1,516.15
8	\$966.38	\$1,066.80	\$1,177.66	\$1,300.04	\$1,435.14	\$1,584.28
10	\$1,314.57	\$1,481.11	\$1,668.74	\$1,880.14	\$2,118.33	\$2,386.69
12	\$1,501.88	\$1,752.44	\$2,044.81	\$2,385.95	\$2,784.01	\$3,248.47
14	\$2,010.57	\$2,328.81	\$2,697.43	\$3,124.39	\$3,618.94	\$4,191.77
16	\$2,545.88	\$2,928.34	\$3,368.26	\$3,874.26	\$4,456.28	\$5,125.73
20	\$3,683.81	\$4,340.88	\$5,115.14	\$6,027.51	\$7,102.61	\$8,369.47
30	\$8,034.01	\$9,363.76	\$10,913.59	\$12,719.95	\$14,825.28	\$17,279.08

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(k) Treated Water—Outside City Wholesale (for each meter or connection).

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
5/8	\$119.92	\$119.92	\$119.92	\$119.92	\$119.92	\$119.92
3/4	\$119.92	\$127.21	\$134.95	\$143.15	\$151.86	\$161.09
1	\$188.28	\$206.98	\$227.54	\$250.14	\$274.98	\$302.29
1.5	\$359.76	\$386.94	\$416.18	\$447.62	\$481.44	\$517.82
2	\$564.83	\$593.30	\$623.20	\$654.61	\$687.60	\$722.25
3	\$1,215.99	\$1,333.28	\$1,461.89	\$1,602.90	\$1,757.51	\$1,927.03
4	\$2,174.15	\$2,472.09	\$2,810.85	\$3,196.04	\$3,634.01	\$4,132.00
6	\$4,811.20	\$5,347.71	\$5,944.05	\$6,606.89	\$7,343.64	\$8,162.55
8	\$6,180.68	\$6,591.92	\$7,030.53	\$7,498.32	\$7,997.23	\$8,529.34
10	\$8,407.60	\$9,151.95	\$9,962.19	\$10,844.17	\$11,804.24	\$12,849.30
12	\$9,605.60	\$10,828.60	\$12,207.31	\$13,761.57	\$15,513.71	\$17,488.94
14	\$12,859.03	\$14,390.07	\$16,103.40	\$18,020.72	\$20,166.33	\$22,567.40
16	\$16,282.74	\$18,094.64	\$20,108.16	\$22,345.73	\$24,832.30	\$27,595.57
20	\$23,560.69	\$26,822.96	\$30,536.93	\$34,765.15	\$39,578.82	\$45,059.00

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

§ 60-56-1

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
30	51,383.33	\$57,860.04	\$65,153.11	\$73,365.45	\$82,612.93	\$93,026.03

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(1) **Treated Water—Hydrant Meters and Flush Meters (for each meter or connection).**

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
3	\$172.08	\$195.29	\$221.63	\$251.53	\$285.45	\$323.95

For unlisted meter and connection sizes, the monthly water customer service charge will be computed in geometric equivalency as determined and approved by the Director.

(Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

§ 60-55-26. **Fire service charges—Monthly (for each connection).**

Meter or Connection Size in Inches	Effective for utility bills issued through May 31, 2022	Effective for utility bills issued from June 1, 2022 to December 31, 2022	Effective for utility bills issued from January 1, 2023 to December 31, 2023	Effective for utility bills issued from January 1, 2024 to December 31, 2024	Effective for utility bills issued from January 1, 2025 to December 31, 2025	Effective for utility bills issued from January 1, 2026 and thereafter
%	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10
¾	\$1.10	\$1.18	\$1.26	\$1.35	\$1.44	\$1.54
1	\$1.73	\$1.94	\$2.18	\$2.45	\$2.74	\$3.08
1.5	\$3.30	\$3.63	\$3.98	\$4.38	\$4.81	\$5.28
2	\$5.19	\$5.58	\$6.01	\$6.46	\$6.95	\$7.48
3	\$11.16	\$12.52	\$14.04	\$15.74	\$17.65	\$19.80
4	\$19.95	\$23.37	\$27.37	\$32.07	\$37.56	\$44.00
6	\$44.14	\$50.67	\$58.17	\$66.78	\$76.66	\$88.00
8	\$56.70	\$62.28	\$68.40	\$75.13	\$82.52	\$90.64
10	\$77.13	\$86.58	\$97.20	\$109.11	\$122.49	\$137.50
12	\$88.11	\$103.02	\$120.44	\$140.82	\$164.65	\$192.50

For unlisted meter and connection sizes, the monthly private fire service charges will be computed in geometric equivalency as determined and approved by the Director.

(Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

§ 60-55-28. **Additional City meter and private monthly meter charges.**

Effective for utility bills issued from January 1, 2021 and thereafter
\$5.54

The monthly meter charge(s) for each additional City meter or private meter (Director approved well water meters, production meters, cooling meters, and submeters) for establishing water usage or sanitary sewer discharge shall be paid by the customer and shall be equal to the following:

(Ord. No. 21517, § 5, 7-5-00; Ord. No. 21597, § 1, 11-14-00; Ord. No. 22304, §§ 1, 2, 9-9-03; Ord. No. 22502, § 2, 8-3-04; Ord. No. 22964, §§ 1, 2, 4-4-06; Ord. No. 23695, §§ 1, 2, 9-23-08; Ord. No. 24137, §§ 1, 2, 9-28-10; Ord. No. 24966, §§ 5, 6, 9-9-14; Ord. No. 25793, §§ 8, 9, 2-21-17, eff. 12-31-17; Ord. No. 27048, § 4, 4-26-22, eff. 6-1-22)

Editor's note—Ord. No. 22304, § 1, adopted Sept. 9, 2003, repealed former § 60-55-28, which pertained to additional and private monthly meter charge. Section 2 of said ordinance enacted provisions designated as a new § 60-55-28 to read as herein set out. See also the Code Comparative Table. Subsequently, Ord. No. 22502, § 1, adopted Aug. 3, 2004, repealed § 60-55-28. Section 2 of said ordinance enacted provisions designated as a new § 60-55-28 to read as herein set out. See also the Code Comparative Table.

(a) **Inside City customers: (dollars per meter per month)**

Effective for utility bills issued from January 1, 2021 and thereafter
\$4.31

§ 60-56-1. **Motor vehicles for hire; certificates/business licenses, vehicle decals, drivers' permits, and fees.**

(b) **Outside City Customers: (dollars per meter per month)**

(a) business license/certificate,

§ 60-56-1 OKLAHOMA CITY MUNICIPAL CODE, 2020

per year	\$302.00
(b) vehicle inspection decal, per vehicle	30.00
(c) driver's permit (initial fee)	30.00
(d) driver's permit (renewal annual)	30.00
(e) business license or vehicle decal transfer	13.00
(f) driver's permit (replacement, card)	6.00

(Ord. No. 24120, § 4, 8-17-10; Ord. No. 25002, § 11, 10-21-14; Ord. No. 26994, § 6, 1-4-22)

§ 60-56-2. Motor vehicle for hire inspections by Chief of Police or designee.

(a) First or second inspection during license period	No charge
(b) Third or subsequent inspection during license period, each	\$33.00

(Ord. No. 24120, § 4, 8-17-10; Ord. No. 26994, § 6, 1-4-22)

§ 60-57-13. Well driller's license.

contractor, annual	\$ 61.00
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(Code 1970, § 20-136; Code 1980, § 60-57-13; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19225, 6-20-89; Ord. No. 19298, § 2, 10-3-89; Ord. No. 20829, § 1, 6-10-97; Ord. No. 26755, § 26, 5-25-21)
Cross reference—Fee for well driller's license, § 57-88.

§ 60-57-20. Stormwater charge.

	<i>Effective July 1, 2014 and thereafter</i>
each residential property, per month	\$5.69
each commercial property per month for each:	
meter ¾" or less	5.69
one" meter	6.48
for each 1½" meter	20.43
for each two" meter	27.73
for each three" meter	52.60
for each four" meter	86.19
for each six" meter	167.21
for each eight" meter	277.49

	<i>Effective July 1, 2014 and thereafter</i>
for each ten" meter	423.56
for each meter 16" and larger	658.92

(Ord. No. 20364, § 2, 6-13-95; Ord. No. 22477, § 1, 6-15-04; Ord. No. 24077, §§ 1, 2, 6-15-10; Ord. No. 26913, § 2, 11-9-21)

§ 60-59-19. Fees for Historical Preservation Commission matters.

(a) request for historic designation review	\$125.00
(b) certificate of appropriateness	
1. Administrative Review	75.00
2. Committee Review (no new construction)	150.00
3. Committee Review (new construction)	200.00

(Code 1970, § 20-145; Ord. No. 17792, 8-21-84; Code 1980, § 60-59-19; Ord. No. 18239, § 2, 8-27-85; Ord. No. 19298, § 2, 10-3-89; Ord. No. 22222, § 11, 5-28-03; Ord. No. 23365, § 1, 5-22-07; Ord. No. 26484, § 1, 6-16-20)

§ 60-59-26. Fees for Certificates of Approval.

(a) Bricktown certificate of approval	
1. Administrative	\$200.00
2. Committee required	750.00
(b) Urban Design certificate of approval	
1. Administrative	200.00
2. Commission required	750.00
(c) Stockyards City certificate of approval	
1. Administrative	200.00
2. Committee required	750.00
(d) Downtown Design certificate of approval	
1. Administrative	200.00
2. Committee required	750.00
(e) Scenic River Overlay Design certificate of approval	
1. Administrative	200.00
2. Committee required	750.00

(Ord. No. 20010, § 1(60-59-26), 8-10-93; Ord. No. 20715, § 1, 11-19-96; Ord. No. 22222, § 11, 5-28-03; Ord. No. 23294, § 12, 3-6-07, eff. 5-1-07; Ord. No. 23365, § 1, 5-22-07; Ord. No. 23418, § 2, 8-14-07; Ord. No. 24009, § 12, 2-2-10; Ord. No. 26484, § 2, 6-16-20)

Ordinance Number	Date	Section	Section this Code
26348	1- 7-20	1	59-2150.2
		2	Added 59-13800

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

Ordinance Number	Date	Section	Section this Code
		3	Added App. A, § 11
26349	1- 7-20	1	40-95
26368	1-21-20	1	56-46
26369	1-21-20	1	32-33
26370	1-21-20	1	32-237
26371	2- 4-20	1	30-301
			30-306
26390	2-18-20	1	Ch. 30, Art. XVIII(tit.) 30-470—30-474 30-476
26393	3- 3-20	1	29-2, 29-3
		2	Rnbd Ch. 29, Art. I, Div. 3 as Ch. 29, Art. I, Div. III
			29-5
		3	Rnbd Ch. 29, Art. II, Div. 1 as Ch. 29, Art. II, Div. I
			29-21—29-23 29-26
		4	Rnbd Ch. 29, Art. III, Div. 1 as Ch. 29, Art. III, Div. I
			29-36, 29-37
			Rpld 29-44
			Rnbd Ch. 29, Art. III, Div. 2 as Ch. 29, Art. III, Div. II
		5	29-75, 29-76
		6	Rnbd Ch. 29, Art. V, Divs. 1, 2
			as Ch. 29, Art. V, Divs. I, II
			Rnbd Ch. 29, Art. VI, Divs. 1—5
			as Ch. 29, Art. VI, Divs. I—V
26394	3- 3-20	1	Rnbd Ch. 42, Art. I, Divs. 1, 2
			as Ch. 42, Art. I, Divs. I, II
			Added 42-4—42-6
		3	Rnbd Ch. 42, Art. II, Div. 1 as Ch. 42, Art. II, Div. I
			42-21—42-23 42-26
			Added 42-27 42-29, 42-30
		4	Rnbd Ch. 42, Art. III, Divs. 1, 2
			as Ch. 42, Art. III, Divs. I, II
			42-35—42-38 42-42 42-44

OKLAHOMA CITY MUNICIPAL CODE, 2020

Ordinance Number	Date	Section		Section this Code
		5		42-48, 42-49 42-75—42-79 42-84—42-87
		6	Rnbd	Ch. 42, Art. V, Divs. 1, 2
			as	Ch. 42, Art. V, Divs. I, II 42-100 42-104 42-106 42-121, 42-122
26424	4-14-20	1		38-93
		2		38-147
		3		38-728
26434	4-28-20	1		59-8300.30
		2		59-9350.19
26463	6- 9-20	1		2-801
26482	6-16-20	1		2-30
26483	6-16-20	1		8-5
		2		8-15
		3		8-38
		4		8-58, 8-59
		5		8-146
				8-149
		6		60-8-1
26484	6-16-20	1		60-59-19
		2		60-59-26
26514	7-17-20	1	Added	23-23—23-32
26523	8-18-20	1		60-8-4
26525	9- 1-20	1		40-51
26526	9- 1-20	1	Added	23-23—23-32
26539	9-15-20	1		16-18
26550	9- 1-20	1—7		adopting ord., pg. vii
26570	10-13-20	1		23-29
26579	10-27-20	1	Added	32-96(b)
		2	Added	32-314(b)
		3		33-64
26588	11-10-20	1		60-13-80
26604	11-24-20	1		23-29
26614	12- 8-20	1		13-401
		2	Rpld	13-402—13-417
		3		50-127 50-136 50-137 50-140
		4	Rpld	50-138, 50-139, 50-141, 50-151—50-153
		5		60-13-61
26626	12-22-20	1		40-1
26627	12-22-20	1		20-53
Amend. of	1-15-21			60-50-1
26647	1-19-21	1		8-57

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

Ordinance Number	Date	Section	Section this Code
			8-58
26648	1-19-21	1	8-62
26672	2-16-21	1	23-29
			30-450(2)
			30-451
			30-452
			30-453
			30-455(a)
26673	2-16-21	1	Added 55-56
26674	3- 2-21	1	Added 32-93(4)
			32-314
			32-484
26679	3- 2-21	1	23-29
26701	3-30-21	1	43-82
			43-85
			43-86
			43-86.1
			43-96
			43-97
		2	43-100(b)
			60-43-11
			Added 60-43-12
			60-43-13
26729	4-13-21	1	49-21
			49-42(a)
			49-262
			49-263
			49-282
			49-283(c)
			49-284(2), (3)
			49-288
			49-290(b)
26746	5-11-21	1	35-190
26755	5-25-21	1	Rpld 9-26—9-35
		2	Rpld 13-108, 13-109,
			Rpld 13-123—13-128
		3	Rpld 28-46—28-51,
			Rpld 28-52—28-53
		4	Rpld 29-186—29-188
		5	39-16—39-21,
			39-31
		6	Rpld 39-100—39-110
		7	Rpld 47-651—47-655
		8	Rpld 47-801
		9	Rpld 47-811—47-815
		10	Rpld 49-71—49-75
		11	Rpld 53-46—53-54
		12	Rpld 54-86—54-91
		13	Rpld 54-221
		14	Rpld 57-86—57-90
		15	Rpld 60-9-6
		16	Rpld 60-13-18
		17	Rpld 60-28-6, 60-28-7

OKLAHOMA CITY MUNICIPAL CODE, 2020

Ordinance Number	Date	Section		Section this Code
		18	Rpld	60-29-35
			Rnbd	60-29-36
			as	60-29-35
		19		60-39-1
		20	Rpld	60-39-2
		21	Rpld	60-47-42
		22	Rpld	60-47-60
		23	Rpld	60-49-10—60-49-12
		24	Rpld	60-54-16
		25		60-54-26
		26		60-57-13
26790	7- 6-21	1		59-2150.2
26832	8-31-21	1		59-8150
		2		59-9350
26833	8-31-21	1		32-1
		2	Added	32-493
26850	9-14-21	1		49-25
				49-30
				Ch. 49, Art. 2, Div. 2(tit.)
				49-41
				49-42
				49-44
				49-45
				49-193
				49-261
				49-286
26869	9-28-21	1	Rpld	33-100
		2		33-101, 33-102
		3	Added	43-41
		4		60-33-26
		5	Rpld	60-33-27
26871	10-12-21	1	Added	60-20-14.1
			Added	60-20-22.2
			Added	60-20-28.7
			Added	60-20-31.4
		2		60-20-31.1
26906	10-26-21	1		30-58
26913	11- 9-21	1		57-130
				57-131
				57-133
				57-134
				57-136
		2		60-57-20
26922	11-23-21	1		6-11
26923	11-22-21	1		58-1
				58-2
				58-5
				58-8
				58-12
26946	1- 4-22	1		32-92
				32-96
26947	1- 4-22	1	Added	60-32-11

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

Ordinance Number	Date	Section		Section this Code
26967	2- 1-22	1		59-6100.2 59-6200.2 59-6250.2
		2	Added	59-8150.2.1
		3	Added	59-9350.7.1
26968	2- 1-22	1		8-18 8-19 8-20
			Rpld	52-79
26993	2-15-22	1		56-20
26994	2-15-22	1		56-23 56-24 56-26 56-28 56-29
		2		56-40 56-43 56-48
		3		56-61 56-68
		4		56-199 56-202—56-205 56-216 56-217
		5	Rpld	56-25
		6		60-56-1 60-56-2
26995	2-15-22	1		8-96(e)—(h)
27030	3-29-22	1	Rpld	17-16—17-24
		2	Added	17-16—17-24
27046	4-26-22	1		28-1(11)
		2		28-30
27047	4-26-22	1		43-14.3(a)
27048	4-26-22	1		47-501
		2		49-28
		3		55-62, 55-63
		4		60-47-29, 60-47-30 60-49-6 60-55-15 60-55-16
			Rpld	60-55-17 60-55-18 60-55-26 60-55-28
27065	5-10-22	1		32-478
27097	7- 5-22	1	Added	60-38-1.1
		2	Added	60-50-1.1
27108	7-19-22	1		2-37
27109	7-19-22	1	Added	25-1, 25-2
		2	Added	25-3—25-10
27170	9-13-22	1		35-175
		2		35-189, 35-190
27206	10-25-22	1		40-86

OKLAHOMA CITY MUNICIPAL CODE, 2020

Ordinance Number	Date	Section	Section this Code
		2	40-131, 40-132
		3	40-133
		4	40-203
27211	11- 8-22	1	6-1—6-5
			Added 6-5.1
			6-6—6-17
27216	11-22-22	1	40-79
27218	11-22-22	1	21-91—21-93
			60-21-26
			60-21-56
27272	1-31-23	1	47-1
		2	Added 47-14
			Added 47-15
			Added 47-39
			47-211
			47-218
			47-245
			47-272
			47-278
			47-302
			47-303
			47-308
			47-331
			47-334—47-337
			47-339
			47-371
			47-411
		5	Added 47-311
		6	47-501
			47-556
			47-557
		7	Added 47-800
			Added 47-801
			Added 47-807
			Added 47-811
			Added 47-830—47-832
		8	47-802
			47-804
			47-806
			47-842
			47-843
		9	Rpld 47-803
		10	55-16
		11	55-62(c)
		12	60-47-29
		13	Added 60-55-17
27276	2-14-23	1	2-351
			2-383
			2-411
			2-441
			2-471

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

Ordinance Number	Date	Section	Section this Code
			2-871—2-873
		2	2-902
		3	Added 2-903
		4	Added 13-402
27290	2-28-23	1	38-610
27301	3-28-23	1	8-57
27302	3-28-23	1	8-131
			8-132
		2	Added 8-133
		3	8-135
		4	8-148
			8-150
			8-154
27316	4-11-23	1	38-186
		2	38-756
27342	5- 9-23	1	Added 60-38-1.2
		2	Added 60-50-1.2
27390	8- 1-23	1	14-1—14-6
		2	14-21—14-25
			Rpld 14-36—14-40
		3	14-51
			Rpld 14-52—14-56
			14-57—14-59
		4	14-70, 14-71
			Rpld 14-72
			14-73
			Rpld 14-74—14-79
27391	8-15-23	1	59-3150.3
27413	8-29-23	1	50-14(m)
27440	9-26-23	1	2-30
27441	9-26-23	1	6-101, 6-102
			6-104, 6-105

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

STATE LAW REFERENCE TABLE

This table shows the location within this Charter and Code, either in the text or notes following the text, of references to the Oklahoma Statutes.

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
2	6-181 et seq.	Ch. 21, Art. IV			29-9, 29-10
	6-251 et seq.	Ch. 21, Art. IV			42-2, 42-3
				14-108	51-16, 51-17
3	61	Ch. 10, Art. II		14-111	1-1
	61 et seq.	Ch. 10			1-6
	65.2	Ch. 10, Art. II			4-12
	65.8	Ch. 10, Art. II			6-17
4	31 et seq.	Ch. 8			7-132
	44 et seq.	Ch. 8, Art. III			10-21
7	8 et seq.	Ch. 30, Art. XI			12-174
	11—13	30-341—30-343			14-6
8	31	33-44			15-40
10		30-427			25-46
		38-614			25-56
	401 et seq.	Ch. 14			30-152
	7303-1.2(E)	30-426			30-228
		38-613			30-310
10A	2-8-224	30-452			30-343
11		11-4			30-432
		40-300—40-303			30-451—30-454
	1-102	35-64			32-9
		35-104			32-11
	1-102(8)	35-177			32-13
		35-240			32-49
	8-113	Char.			32-146
		Char., § 11			32-149
	8-113	Char., § 11			32-516
	1-102(8)	35-177(b)(5)			32-534
	14-105	2-5			32-613
	14-106	11-101			33-5
		12-17			35-146
		12-31			35-216
		12-84			35-219
		18-3			38-299
		18-6			38-308
		20-22			38-325
		29-10			39-21
		42-3			39-93
		51-17			43-100
	14-107	11-100, 11-101			47-302
		12-16, 12-17			52-34
		12-30, 12-31			52-230
		12-83, 12-84			54-111
		18-3			54-196
		18-6			55-36
		21-4		14-111	32-319
		21-321		17-102	2-801(a)
		24-11		17-109,	52-23.1
				17-110	

OKLAHOMA CITY MUNICIPAL CODE, 2020

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
	17-201	40-304		28-105	33-24
	17-201, et seq.	40-62		28-114	35-250
	17-209(A)	40-62		28-114	32-129
	20-101 et seq.	Ch. 17, Art. II		28-121	8-19
	22-106	Ch. 7		28-123	33-42
		Ch. 52, Art. IV		28-125	33-44
	22-107	Ch. 26		28-127	33-44
		26-6		33-205	Ch. 38, Art. III
		26-11		34-101 et seq.	Ch. 43
		26-13		34-102	43-4
	22-107.1	Ch. 11, Art. II		34-104	33-100, 33-101
	22-107.2	11-61			Ch. 43, Art. II
	22-110	Ch. 7		34-104(A)	43-42
	22-111	35-64		34-104(B)—(D)	43-44
	22-121	35-177(c)		34-104(E)	43-48
		35-104		34-104(F)	43-47
		59-9350.21.1.B.		35-101	55-18
	22-111 et seq.	Ch. 35, Art. III, Ch. 35, Art. IV		35-101 et seq.	Ch. 55
	22-111(A)(1)	35-64		35-107	55-52
11	22-112	35-262		36-101	Ch. 50
11	22-112.1	35-262		36-106,	Ch. 53
	22-112.2	Ch. 35, Art. V		36-107	
	22-113	12-1		36-107	Ch. 53, Art. II
		Ch. 20			53-2—53-4
	22-115	Ch. 8		36-116 et seq.	Ch. 50, Art. II, Div. 4
	22-117	Ch. 7		36-203	60-2-18
		32-71		37-101 et seq.	Ch. 47
		32-171			
	22-117.1	Ch. 32, Art. XVIII			Ch. 55, Art. II
	22-118	56-1			57-2
	22-119	Ch. 45		37-110 et seq.	Ch. 57, Art. II
	22-120	Ch. 21		37-119	55-18
	22-121	4-2			55-24
		4-28		37-120	55-18
		Ch. 35		37-123	55-18
		35-142	11		59-13200.5.D.(3)(a)
		35-172		43	12-87
		35-177		43-101 et seq.	Ch. 12
		35-184			
		35-211			Ch. 18
	22-132	2-5			Ch. 29
	22-133	37-39			Ch. 42
		37-41		43-105	59-14250.2
		37-44		43-106	59-14250.2
	23-108	40-202		43-109.2	12-199(a)
	27-101 et seq.	Ch. 33		43-111 C.	59-14250.2
	28	33-44		48-101 et seq.	Ch. 40, Art. III, Div. 1
	28-101 et seq.	Ch. 33			40-202
		33-1		48-103	40-80
	28-102	1-6		49-100.1 et seq.	40-136
	28-103	33-21, 33-22			40-138
		33-25			

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
		40-202		956, 957	30-128
	50-101 et seq.	40-202		964 et seq.	30-133
	51-101	40-300		982, 983	30-127, 30-128
	51-101 et seq.	Ch. 43		985	30-132
	51-101—51-113	40-303		1021	30-158
		40-305		1021 et seq.	Ch. 30, Art. VII
	51-113	30-56		1241	30-451
	51-215(A)	40-300		1025—1028	30-153
	62	2-801	21	1026, 1027	30-97, 30-98
	68	52-23.1			35-173(a)(6)
	2701(B)	52-23.1		1028	35-175
12	951	2-29, 43-85		1028	35-175(19), (23)
12A	2-328	9-10		1029	30-152
15	614	3-4		1030	30-151
	653—655	3-4		1102 et seq.	7-66
17	3-52	Ch. 37		1166	30-84
18	552.1 et seq.	Ch. 13, Art. II		1208	30-377
	552.3	13-37		1214	30-375
19	681	51-3		1217	20-85
20	1313.2			1272	30-18
		60-33-28		1277	30-302
	1313.3			1311 et seq.	15-39
		60-33-29		1362	30-82
	1313.4			1503	30-41
		33-66		1506	9-7
		60-33-31		1507	9-6
21		Ch. 30		1680 et seq.	Ch. 8, Art. II
	28	30-2			Ch. 8, Art. II, Div. 2
	349	30-37		1701 et seq.	30-38
	437	30-64		1702	30-44
	438	30-62		1713	54-74
		30-64		1731	30-39
	537	30-57		1737	11-87
		30-59		1738	35-191
	540	30-57, 30-58		1751 et seq.	30-37
	540A	32-11		1754	30-374
		35-173		1835 et seq.	30-32—30-35
		35-173(a)(3)		1851	30-65
		35-175		142.18(E)	
		35-175(9)			60-33-30
	545	30-58		649.1 et seq.	30-61
	641	30-16		1040.11 et seq.	Ch. 30, Art. VIII
	641 et seq.	30-17, 30-18		1040.75 et seq.	30-183
	642	30-16		1271.1 et seq.	Ch. 30, Art. X
	652(B)	35-173		1289.1 et seq.	30-305
		35-173(a)(2)		1289.7	30-306
		35-175		1289.8	30-304
		35-175(6)		1289.13	30-308
	850	Ch. 25, Art. IV		1290.22	30-35.1
	915, 916	30-83		1321.1 et seq.	Ch. 15, Art. III
	941 et seq.	Ch. 30, Art. VI		1321.9	Ch. 15, Art. III
	942	30-127			
	943	30-134			
	945	30-128			

OKLAHOMA CITY MUNICIPAL CODE, 2020

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
	1753.3	Ch. 27 27-3		2-10-901	49-281 Ch. 49, Art. II
22	1761.1	Ch. 27			Ch. 49, Art. IV, Div. 4
	1222	2-68		2-10-901 et seq.	Ch. 49
	1226	2-69		2-113—	38-186
	1231	2-69	29	2-115	
	1321	33-100		2-115	38-371
		43-42			Char., § 10
		43-48	34,		35-173(a)(5)
25	21	25-1	37A	6-109	Ch. 13, Art. IV
		25-2	40	52 et seq.	Ch. 7, Art. V
	23—26	1-2		460 et seq.	7-119
	28	1-2		467	Ch. 7, Art. V
	30 et seq.	2-29		468	48-31
	31	1-2	45	721 et seq.	30-85
		43-14.2, 43-14.3	43A	3-428	32-1
	301 et seq.	2-681	47	1-103	32-221
		2-704			32-1
		11-104(c)		1-104	32-1
		12-56		1-106	32-1
		12-112		1-110	32-1
		14-39			32-585
		29-180		1-111	32-1
		29-317		1-114	32-1
		32-344		1-122	32-1
		38-69		1-126	32-1
		56-25		1-134—	32-1
	301, et seq.	2-27		1-136	
		18-103		1-140	32-1
	304(5)	2-27		1-142, 1-143	32-1
	305	2-681		1-147—	32-1
	307	2-681		1-149	
	311(A)(11)	2-27		1-151	32-1
	313, 314	2-681		1-154	32-1
	1101 et seq.	Ch. 25, Art. III		1-156	32-1
		25-7		1-158(a),	32-1
	1301 et seq.	11-73		1-158(b)	
		25-40		1-159	32-1
	1401(1)(i)	25-38		1-163	32-1
	1402	25-37		1-167	32-1
	1451 et seq.	25-39		1-169—	32-1
	1702	25-1		1-171	
		Ch. 25, Art. III		1-175	32-1
	82.1 et seq.	1-2		1-177, 1-178	32-1
27	2-201 et seq.	57-142		1-181	58-1
				1-186	32-1
27A	1-1-101, et seq.	57-141		6-101	32-12
	2-5-101 et seq.	Ch. 4		6-112, 6-113	32-12
	2-5-103	Ch. 4		6-301	32-12
	2-6-801	Ch. 47, Art. X, Div. 3		6-303	32-13
	2-7-101 et seq.	Ch. 49		6-305	32-16
	2-10-101 et seq.	Ch. 49		7-204	32-610(1)(d)
		Ch. 49, Art. III			32-610(3)(a)
					32-610(3)(b)
					32-610(3)(c)
				7-204	32-610
				7-503	32-610(3)(c)

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
7-600		32-610	11-404,		32-220, 32-221
7-600 et seq.		Ch. 32, Art. XVIII	11-405		
		32-610	11-501		32-451
		32-601(4)	11-501 et seq.		Ch. 32, Art. XIII
7-602		32-611	11-502		32-452
7-602.1		32-612	11-503		32-455
8-103		32-15	11-504		32-459
10-101 et seq.		Ch. 32, Art. III	11-505		32-453
10-103		32-146	11-506,		32-457, 32-458
10-104		32-149	11-507		
10-105,		32-147, 32-148	11-601		32-236
10-106			11-601 et seq.		Ch. 32, Art. VII
10-107,		32-150	11-601(3)		32-238
10-108			11-603		32-222
11-101		32-2	11-604		32-191
11-103—11-106		32-3—32-6	11-604,		32-240, 32-241
			11-605		
11-107		32-5	11-605		32-517
11-201		32-169	11-606		32-242
		32-262	11-701		32-280
11-201 et seq.		Ch. 32, Art. II, Div. 3	11-703		32-278
11-201(a),		32-61, 32-62	(b), (c)		
11-201(b)			11-703(d)		32-281
11-202		32-64	11-704		32-282
11-203,		32-66, 32-67	11-705		32-202
11-204			11-705.1		32-203
11-204.1		32-65	11-801 et seq.		Ch. 32, Art. IV
		32-262	11-801(A)		32-172
11-205		32-71	11-803		32-167
11-206		Ch. 3, Art. III	11-804		32-173
		3-83	11-901		32-9, 32-10
11-206,		32-77, 32-78	11-902		32-7
11-207			11-1001 et seq.		Ch. 32, Art. X
11-301		32-191, 32-192	11-1002		32-94
11-302		32-193			32-96
11-303		32-198	11-1003		32-304
11-304		32-200	11-1003		32-306
11-305,		32-199	(A)12		
11-306			11-1004		32-312
11-307		32-196	11-1004(a)		32-314
11-308		32-195	11-1007		32-319
		32-261			32-380
11-309		32-191	11-1102,		32-581, 32-582
11-310		32-197	11-1103		
11-311		32-194	11-1104		32-576
11-312		32-585	11-1105		32-309
11-314		32-221.1	11-1108		30-68
11-401		32-216			32-586
11-401 et seq.		Ch. 32, Art. VI	11-1109		20-85
11-402		32-217			32-587
11-403		32-276	11-1112		32-533, 32-534
11-403(B),		32-219	11-1201 et seq.		Ch. 32, Art. XIV
(D)					
11-403(C)		32-218			

OKLAHOMA CITY MUNICIPAL CODE, 2020

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
	11-1201 (C)	32-476		15-106	Ch. 32, Art. II, Div. 3 32-63
	11-1202	32-477			32-70, 32-71
	11-1203	32-480		15-107	Ch. 32, Art. II, Div. 3 32-70
	11-1204	32-486			32-319
		32-584		15-112	Ch. 32, Art. II, Div. 5
	11-1205	32-479		16-101 et seq.	
	11-1206	32-488		16-109.1	32-129
	12-201	32-506		18-101	33-68
	12-203	32-506		40-102	43-14.1 43-14.3
		32-508			Ch. 54, Art. II
	12-203.2,	32-508		581 et seq.	32-7
	12-203.3			756	Ch. 32, Art. II, Div. 4
	12-204	32-506		901 et seq.	Ch. 35, Art. II
	12-206	32-506			32-111
	12-206.1	32-506		907 et seq.	Ch. 58
	12-213	32-521		951 et seq.	Ch. 35, Art. II
	12-214	32-327		954A	Ch. 32, Art. II, Div. 4
	12-218	32-221		954A et seq.	32-532(b)
	12-227	32-518		1102	
	12-228	32-523		32-532(b)	32-319
	12-301 et seq.	32-509	1134	1136	32-519
	12-401	32-513		1151	54-21
		32-516		591.6	6-1
	12-402	32-515	49	1-103	35-172
	12-403	32-512	50	1, 2	35-172
	12-404	32-511		8	Ch. 35
	12-405	32-514		16	35-172
	12-405.1	32-522			35-177
	12-406	32-511			35-184
	12-417	32-532			35-211
	12-609	32-524, 32-525		16, 17	35-177(c)
		32-582		17	35-172
	12-701 et seq.	32-490			35-177
	14-103(B)	32-528			15-177(c)(5)f.
	14-105	32-530			35-184
		49-90—49-92			35-190
	15-101	Ch. 32, Art. II, Div. 3			35-190(e)(3)
	15-102 (A)1	Ch. 32, Art. X			35-211
	15-102 (A)2	32-70	51	24A.5	35-240
	15-102 (A)3	32-588		24A.8(A)	2-2—2-4
	15-102 (A)4	32-261, 32-262		151 et seq.	43-14.1
	15-102 (A)6	32-277			2-801(a)
	15-102 (A)8	Ch. 32, Art. XIV			6-8
	15-102 (A)9	Ch. 32, Art. VII	52	151—200	50-264(k)
	15-102 (a)1	Ch. 32, Art. XI, Ch. 32, Art. XII	57	162	2-321
	15-102 (a)6	32-276	59	318 et seq.	Ch. 2, Art. IV, Div. 4
				1 et seq.	2-323
				563.4	Ch. 2, Art. II, Div. 2
				571	Ch. 37
				46.1 et seq.	9350.28 D.
				46.28	35-175(19)
				981 et seq.	38-1
					38-1
					Ch. 9

2020—2023 CUMULATIVE ANNUAL SUPPLEMENT

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
	991	Ch. 9		304.1	2-801(a)(3)
	1000.20 et seq.	Ch. 12		310.1	2-801
		Ch. 12, Art. II			2-801(a)
	1001 et seq.	Ch. 42, Art. III			2-902(d)
	1020	Ch. 42, Art. III		361—365.6	2-903
	1031 et seq.	18-21 et seq.		601 et seq.	2-802
		29-38			2-174
		42-22		850 et seq.	2-821
	1501 et seq.	Ch. 54, Art. V		304.1	52-261
	1506(D)	54-163		310.1	2-801
	1511(C)(1)	54-143			2-883
	1514	Ch. 54, Art. V		310.9	2-902
	1515	54-145		895	2-801
	1521 et seq.	Ch. 54, Art. VI	63	1-101 et seq.	50-14
	1523 et seq.	Ch. 54, Art. VI, Div. 2		1-206.1	Ch. 23
	1527	Ch. 54, Art. VI		1-210	51-3
	1530	54-192		1-210 et seq.	23-1
		54-194		1-212	23-18
	1531	54-193		1-214	23-1
	1680 et seq.	18-35 et seq.		1-214 et seq.	1-2
	1696	18-35 et seq.		1-215	23-16
	1000.20 et seq.	Ch. 12		1-229.1 et seq.	23-18
		Ch. 12, Art. II,			Ch. 23, Art. II
		Ch. 12, Art. III			
		Ch. 18			23-18
		Ch. 29			Ch. 30, Art. XVI
		Ch. 29, Art. II			30-450
		Ch. 42			30-451
		42-2			30-453
	1000.25	60-12-1			30-454
		60-13-44			43-14.2
		60-18-27			
		60-20-46			Ch. 51, Art. II
		60-29-25			
		60-42-11			Ch. 21
	1750.2	30-381			
	1800.1 et seq.	Ch. 20, Art. III, Div. 2			3-4
		20-161			21-91
		Ch. 43, Art. III			Ch. 21, Art. VI
		43-83			
	1820.1 et seq.	Ch. 13, Art. V			21-219
	1850.1 et seq.	Ch. 29, Art. V			3-4
		29-111, 29-112			Ch. 30, Art. XVIII
	1850.12	Ch. 43, Art. III			49-21
60	5	35-175			Ch. 6
		35-175(26)			
	176 et seq.	6-1			6-5
	176—180	49-21			7-52
61	101 et seq.	Ch. 2, Art. V			30-222
	123	2-801(a)(4)			
	130	Ch. 2, Art. X			32-7
62	74	2-801			35-175

OKLAHOMA CITY MUNICIPAL CODE, 2020

O.S. Title	Section	Section this Code	O.S. Title	Section	Section this Code
		35-175(4)		1358	52-24
	2-405	Ch. 30, Art. IX, Div. 3		1360	52-28
	2-407.1(A), (B)	30-241		1361	52-19
	2-407.1(C)	30-242		1362	52-27
	427.14(H)	13-600			52-29
	465.20	30-196		1363	52-25
	683.1 et seq.	Ch. 15, Art. II		1364	52-18
	683.11	Ch. 15, Art. II		1365	52-29
		15-17		1401	52-212
		15-22		1401 et seq.	Ch. 52, Art. VI
	683.3	15-16			52-214
	2604, 2605	52-184, 52-185			52-219, 52-220
	2811 et seq.	Ch. 15, Art. IV			52-224—52-226
	2812—2815	15-72—15-75		1404	52-219
	2843.1 et seq.	15-74		1406	52-220
	2851 et seq.	Ch. 15, Art. IV		1406—1408	52-222—52-224
	2870	15-77		1411	52-215
	4030	38-223		1501 et seq.	Ch. 13, Art. XI
		38-408		1511	13-383
	4200 et seq.	38-221			60-13-51
		38-778		2601	52-181
	4201 et seq.	38-241		2601 et seq.	Ch. 52, Art. V
		38-311		2602, 2603	52-182, 52-183
		38-425		2701	52-20
	4206	38-222			52-78
		38-407		2701 et seq.	Ch. 52
	4207	38-224		2701(B)	52-23.2—52-23.5
		38-409		2703	52-78
	4207(B)	38-226		2704	52-26
		38-411			52-78
	4207(D)	38-222	69	2705	52-36
	4207(E)	38-225	70		52-84
		38-410		1301 et seq.	50-3
	4208	38-228		1-101, et seq.	52-23.2
		38-413		1-106	52-23.2
	4212	Ch. 38, Art. V, Div. 6		1-108	52-23.2
		Ch. 38, Art. VI, Div. 5		1-113	52-23.2
	4212(B)	38-456		1-114	14-2
	4210.8	38-239		3-132(B)	52-23.2
		38-423		8-104	52-23.2
66	1 et seq.	Ch. 45		8-106	52-23.2
68	205	52-35		3311	43-7
		52-80	71	3311 et seq.	43-6
		52-231	74	1 et seq.	40-95
	217	52-30		1001 et seq.	6-1
		52-227		85.7	2-351(58)
	220	52-32			2-351(59)
		52-228			Char., § 4
	227	52-31		324.11a. et seq.	Ch. 12, Art. V
		52-229	82	1020.1 et seq.	Ch. 57, Art. III
	1350 et seq.	Ch. 52, Art. II		1020.16	Ch. 57, Art. III, Div. 3
		52-24, 52-25		1020.21	Ch. 57, Art. III
		52-28, 52-29		1101 et seq.	Ch. 2, Art. VII, Div. 3
	1352	52-17		1601-1618	16-17
	1355 et seq.	52-24			