

## **RESOLUTION**

### **RESOLUTION AUTHORIZING THE MUNICIPAL COUNSELOR TO INITIATE AN ACTION IN THE DISTRICT COURT OF OKLAHOMA COUNTY FOR DECLARATORY JUDGMENT THAT THE ACTIVITIES AT 1220 NORTH SOONER ROAD VIOLATE SPUD-1385; AND TO SEEK AN INJUNCTION TO TEMPORARILY AND PERMANENTLY ENJOIN THE UNLAWFUL USE OF THE PROPERTY.**

**WHEREAS**, SPUD-1385 was approved by the Oklahoma City Planning Commission on February 10, 2022, which allowed splitting, storage, delivery and sale of firewood from the site, and was approved by the City Council on March 29, 2022; and

**WHEREAS**, numerous complaints were received from nearby residents, who ultimately submitted emails to City staff to express their concerns related to items other than firewood on the site, including discarded household materials, broken down vehicles, motor homes, boats and rolls of carpet and turf; and

**WHEREAS**, City Code Enforcement has issued four (4) citations for Planning and Zoning Code Violations regarding the site, totaling \$742, according to Municipal Court records; and

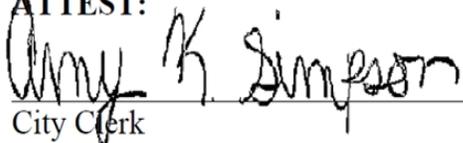
**WHEREAS**, the Municipal Counselor has requested authorization to initiate an action against the property pursuant to 12 O.S. §1651 in the District Court of Oklahoma County against the property owner and all who might claim an ownership interest and/or operational interest, for a declaratory judgment that the unlawful activities occurring at the Subject Property violate SPUD-1385, and for such other relief as may be appropriate; and

**WHEREAS**, the Municipal Counselor further seeks authorization to request that the Court temporarily and permanently enjoin the unlawful use of the property at 12400 Sooner Road, in accordance with 11 O.S. §43-107, 12 O.S. §1384.1 and 12 O.S. §1382, and such other laws as may be applicable; and

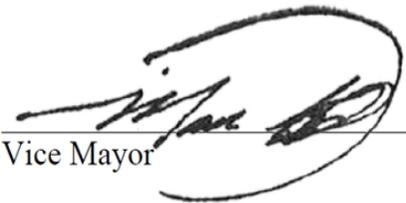
**WHEREAS**, Councilwoman Nikki Nice requested the initiation of an action in the District Court of Oklahoma County for a declaratory Judgment that the unlawful activities at 12440 N Sooner Road violate SPUD-1385, and to seek an Order of the Court temporarily and permanently enjoining the unlawful use of the Subject Property.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of The City of Oklahoma City that the Municipal Counselor is hereby authorized to initiate an action pursuant to 12 O.S. § 1651 in the District Court of Oklahoma County against the property owner and all who might claim an ownership interest and/or operational interest, for a declaratory judgment that the activities occurring at the Subject Property violate SPUD-1385, which authorizes sales, storage, distribution and display, all limited to the sale of firewood, and to temporarily and permanently enjoin the unlawful use of the property at 12400 N Sooner Road in accordance with 11 O.S. § 43-107, 12 O.S. § 1384.1 and 12 O.S. §1382 and/or for such other relief as may be appropriate.

**ADOPTED** by the Council and approved by the Mayor of The City of Oklahoma City this 5TH day of NOVEMBER, 2024.

**ATTEST:**  
  
City Clerk



  
Vice Mayor

**REVIEWED** for form and legality.

  
Assistant Municipal Counselor