

# THE VILLAGE CITY CODE

## CHAPTER 6

### BUILDINGS AND BUILDING REGULATIONS

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#### ARTICLE I. IN GENERAL

Secs. 6-1--6-15. Reserved.

#### ARTICLE II. BUILDING CODE

Sec. 6-16. International Residential Code-Adopted.

That a certain document, a copy of which is on file in the office of the City Clerk of the City of The Village, being marked and designated as the *International Residential Code*, 2009 edition, including Appendix Chapters A, B, C, G, H, J, M & N. (see *International Residential Code* Section R102.5, 2009 Edition), as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of The Village, in the State of Oklahoma for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the City Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 6-17 of this Chapter.

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(Ord. No. 660, §1, 09-06-2011)

### Sec. 6-17. Same-Amendment.

The International Building Code, 2009 Edition, is amended in the following respects:

- 1) Section R101.1. Insert: City of The Village
- 2) Section R106.1 Insert: [or licensed] after Registered so as to read, Registered or Licensed design professional. In all locations.
- 3) Section R106.3.1 Remove: "Reviewed For Code Compliance" Insert: "APPROVED".
- 4) Table R301.2 (I) Insert: [Ground Snow Load-10, Wind Speed-90 mph, Topographic Effects-No, Seismic Design-C, Weathering-Moderate, Frost Depth-18", Termite-Moderate to Heavy, Winter Design Temp-13, Ice Barrier Required- No, Mean Annual Temp-60 ]
- 5) Section P2603.6.1 Insert: [18 inches]
- 6) All chapters and provisions within chapters, including exceptions of the IRC 2009 not specifically addressed within this Chapter as being modified, deleted, moved or removed are hereby adopted without modification as the minimum standards for residential construction within the City of The Village, Oklahoma for one and two family dwellings and townhouses pursuant to 59 O.S. § 1000.23. Chapters and provisions within chapters, including exceptions adopted with modifications are specifically addressed in this Chapter.
- 7) IRC 2009 Chapter 1 Scope and Administration.
  - a. All provisions of the adopted IRC 2009, including Chapter I, as amended and revised by the Oklahoma Uniform Building Commission, are hereby established and adopted as the minimum standards for residential building construction for one and two family dwellings and townhouses in the City of The Village, Oklahoma pursuant to 59 O.S. § 1000.23, which may only be amended or altered pursuant to Oklahoma law and the administrative rules of the Oklahoma Uniform Building Code Commission as set forth in Title 748, Chapter 15 of the Oklahoma Administrative Code. However, the provisions of Chapter 1

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adopted herein are only intended to be in force and effect to the extent that the respective provisions do not conflict with State law or the lawful exercise of code administration and enforcement jurisdiction by entities empowered to do so pursuant to applicable law.

- 8) **IRC 2009 Chapter 3 Building Plan.** Chapter 3 is adopted with modifications as follows:
- a. Section R302.1 Table R302.1. Exterior Walls has been modified for minimum fire separation distance for walls and projections. Walls have been changed from 5 feet to 3 feet. Projections have been changed from greater than or equal to 2 feet to 5 feet to greater than or equal to 2 feet to 3 feet.
  - b. Section R311.7.4.I Riser Heights. This section has been modified and now requires initial measurements to take place at rough-in and allows for a top and bottom riser height variance at the final inspection. This section shall read: The maximum riser height shall be 7 <sup>3</sup>/<sub>4</sub> inches (196 mm), The riser shall be measured vertically between leading edges of the adjacent treads, The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm) at rough-in. Top and bottom riser may vary by 3/4 inch at final inspection, not to exceed 7-3/4 of an inch (196mm).
  - c. Section R313.2 One and two-family dwellings automatic fire systems. This section has been moved to Appendix R, Automatic Fire Systems of the IRC 2009 and is not adopted as a minimum standard for residential construction within the City of The Village.
  - d. Section R313.2.1 Design and installation. This section has been moved to Appendix R, Automatic Fire Systems of the IRC 2009 and is not adopted as a minimum standard for residential construction within the City of The Village.
  - e. Section R315.1 Carbon monoxide alarms. This section has been modified to include the following exception: If a residence with an attached garage has a sealed door between the residence and the garage; and no fuel burning appliances in the residence, then carbon monoxide detection is not required within the residence.

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- f. Section R323.1 General. This section has been modified to provide for more than one standard to be utilized to build a storm shelter. This section has been modified to read: This section applies to the construction of storm shelters when constructed as separate detached buildings or when constructed as safe rooms within buildings for the purpose of providing safe refuge from storms that produce high winds, such as tornados and hurricanes. In addition to other applicable requirements in this code, storm shelters shall be constructed in accordance with one of the following: ICC/NSSA 500 or FEMA 320 or other equivalent engineered system.
- 9) **IRC 2009 Chapter 4 Foundations.** Chapter 4 is adopted with modifications as follows:
- a. Section R402.2 Concrete. This section has been modified to include the following exception: Interior concrete slabs on grade and enclosed garage slabs are not required to be air entrained.
  - b. Section R403.1.6 Foundation anchorage. This section has been modified to include the following exception: Wood sole plates of braced wall panels at building interiors on monolithic slabs may be anchored using connector(s) with a shear capacity of 2300 pounds and a tensile capacity of 800 pounds over a maximum span of 6 feet.
  - c. Section R406.2 Concrete and masonry foundation waterproofing. This section has been modified to include an additional option for waterproofing: Bentonite.
- 10) **IRC 2009 Chapter 5 Floors.**
- a. Chapter 5 is adopted with modifications as follows: Section R506.2.3 Vapor retarder. This section has been modified to allow for other industry accepted vapor retarders installed according to the manufacture's specifications. This section has been modified to read: A 6 mil (0.006 inch; 152 micrometers) polyethylene sheeting, other industry accepted vapor retarder products installed per manufacturer specifications or approved vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists. The

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remainder of this section, including exceptions, is adopted without modification.

11) **IRC 2009 Chapter 6 Wall Construction.** Chapter 6 is adopted with modifications as follows:

- a. Section R602.4 Interior load-bearing walls. This section has been modified to clarify that the section is limited to stud spacing and heights per tables R602.3 (5) and R602.3.1. This section has been modified to read: Interior load-bearing walls shall be constructed, framed and fire blocked as specified for exterior walls. Table R602.3(5) shall be used to establish stud spacing of walls up to 10 feet (3048 mm) high, and Table R602.3.1 shall apply to walls over 10 feet (3048 mm) high.
- b. Section R602.10.6 Braced wall panel connections. This section has been modified to include the following addition: Wood sole plates of braced wall panels at building interiors on monolithic slabs may be anchored using connector(s) with a shear capacity of 2300 pounds and a tensile capacity of 800 pounds over a maximum span of 6 feet.

12) **IRC 2009 Chapter 7 Wall Covering.** Chapter 7 is adopted with modifications as follows:

- a. Section 703.8 Flashing. This section has been modified to clarify that 6-mil polyethylene sheeting is an approved corrosion-resistant flashing in certain circumstances. The first paragraph of this section has been modified to read:

*“Approved corrosion-resistant flashing shall be applied shingle-fashion in a manner to prevent entry of water into the wall cavity or penetration of water to the building structural framing components. 6-mil polyethylene sheeting is an approved corrosion-resistant flashing when not exposed to UV rays. Self-adhered membranes used as flashing shall comply with AAMA 711. The flashing shall extend to the surface of the exterior wall finish. Approved corrosion-resistant flashings shall be installed at all of the locations listed in IRC 2009”.*

- b. Section 703.8 Flashing. The remainder of this section is adopted without modification.

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13) **IRC 2009 Chapter 8 Roof-Ceiling Construction.** Chapter 8 is adopted with modifications as follows:

- a. Section 801.3 Roof drainage. This section has been stricken from the code.
- b. Section 802.3 Framing details. This section has been modified to provide a definition of a brace and provide an exception to the section. It has been modified to read: Rafters shall be framed to ridge board or to each other with a gusset plate as a tie. Ridge board shall be at least 1 inch (25 mm) nominal thickness and not less in depth than the cut end of the rafter. At all valleys and hips there shall be a valley or hip rafter not less than 2-inch (51 mm) nominal thickness and not less in depth than the cut end of the rafter. Hip and valley rafters shall be supported at the ridge by a brace to a bearing partition or be designed to carry and distribute the specific load at that point. Definition of brace includes: 1. a triangular configuration of framing members with a horizontal tie and rafter members, 2. king post or similar, where the roof pitch is less than three units vertical in 12 units horizontal (as-percent slope), structural members that support rafters and ceiling joists, such as ridge beams, hips and valleys, shall be designed as beams, Exception: This exception helps address many situations where due to the design, building bracing is not achievable. This exception shall read: The use of a "Blind Valley", also known as a "Farmers Valley" or "California Valley" will be allowed. In this type of valley the main roof is framed as usual, it may or may not be sheathed, and the intersecting roof is framed on top of the main roof. The two valley plates or sleeps lie on top of the main roof rafters or sheathing and provide a nailing base for the jack rafters and ridge board of the intersecting roof.
- c. Section 802.5.1 Purlins. This section has been modified to include the following exception: Braces may be spaced not more than 6 feet (1829 mm) on center if: 1. the purlin brace is 2-inch by 6-inch (51 mm by 153 mm) 2. Purlins shall be sized one nominal size larger than the rafter they support, and 3. Unbraced length of braces shall not exceed 8 feet (2438 mm).

14) **IRC 2009 Chapter 11 Energy Efficiency.** Chapter 11 is adopted with modifications as follows:

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- a. Section N1101.9 Certificate. This section has been moved to the Appendix S of the IRC 2009 and is not adopted as a minimum standard of residential construction within the City of The Village.
  - b. Section N1102.4.3. Fireplaces. This section has been modified to remove the requirement of gasketed doors and will now read: New wood-burning fireplaces shall have outdoor combustion air.
  - c. Section N1103.1.1 Programmable thermostat. This section has been stricken from the code.
  - d. Section N1103.2.2 Sealing. This section has been modified to include the following exception: Visual inspection may be used instead of the rough-in test and post construction test.
  - e. Section N1103.8.3 Pool covers. This section has been modified to remove the requirement for heated pools to have a vapor retardant pool cover on or at the water surface. This section will now read: Pools heated to more than 90 degrees Fahrenheit (32 degrees Celsius) shall have a pool cover with a minimum insulation value of R-12.
  - f. Section N1104.1 Lighting equipment. This section has been modified to include the following exception: Can or recessed lights are exempt from this section of the code.
- 13) **IRC 2009 Chapter 15 Exhaust Systems.** Chapter 15 is adopted with modifications as follows:
- a. Section M1502.3 Duct termination. This section has been modified and a requirement that exhaust ducts not terminate within 3 feet of condensing units has been added. This section has been modified to read: Exhaust ducts shall terminate on the outside of the building. Exhaust duct terminations shall be in accordance with the dryer manufacturer's installation instructions. If the manufacturer's instructions do not specify a termination location, the exhaust duct shall terminate not less than 3 feet (914 mm) in any direction from the openings into buildings. Exhaust duct terminations shall be equipped with a back draft damper. Additionally, exhaust shall not terminate within 3 feet (914 mm) of condensing units. Screens shall not be installed at the duct termination.

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15) **IRC 2009 Chapter 24 Fuel Gas.** Chapter 24 is adopted with modifications as follows:

- a. Section G2406.3 (303.6) Outdoor locations. This section has been modified to require protection for outdoor appliances be approved. This section has been modified to read: Appliances installed in outdoor locations shall be either listed for outdoor installation or provided with approved protection from outdoor environmental factors that influence the operability, durability and safety of the appliance.
- b. Tables G2413.4 (3), G2413.4 (4). These tables have been stricken from the code.
- c. Section G2414.5.2 Copper tubing. This section has been modified to read: Copper tubing shall be prohibited for natural gas installations, but shall be allowed for liquefied petroleum gas installations.
- d. The International Code Council Emergency Amendment dated September 27, 2010 has been adopted. This amendment replaces in their entirety Sections 406.7 of the IFGC and G2417.7 of the IRC 2009.

16) **IRC 2009 Chapter 25 Plumbing Administration.** Chapter 25 is adopted with modifications as follows:

- a. P2503.4 Building sewer test. This section has been modified to note that the building sewer test is only necessary when the local authority having jurisdiction requires the testing to be done. This section has been modified to read: When required by local authority having jurisdiction, the building sewer shall be tested by insertion of a test plug at the point of connection with the public sewer and filling the building sewer with water, testing with not less than 10-foot (3048 mm) head of water and be able to maintain such pressure for 15 minutes.
- b. P2503.6 Shower liner test. This section has been modified to require this test at plumbing final. This section has been modified to read: Where shower floors and receptors are made water tight by the application of materials required by Section P2709.2, the completed liner installation shall be tested at plumbing final. The pipe from the shower drain shall be plugged water tight for the



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test. The floor and receptor area shall be filled with potable water to a depth of not less than 2 inches (51 mm) measured at the threshold. Where a threshold of at least 2 inches high does not exist. A temporary threshold shall be constructed to retain the test water in the lined floor or receptor area to a level not less than 2 inches deep measured at the threshold. The water shall be retained for a test period of not less than 15 minutes and there shall be no evidence of leakage.

- c. P2503.7 Water-supply system testing. This section has been modified to delete the word "plastic" and replace it with the terms "PVC" and "CPVC" This section shall read: Upon completion of the water-supply system or a section of it, the system or portion completed shall be tested and proved tight under a water pressure of not less than the working pressure of the system or, for piping systems other than PVC or CPVC, by an air test of not less than 50 psi (345kPa). This pressure shall be held for not less than 15 minutes. The water used for tests shall be obtained from a potable water source.

### 17) IRC 2009 Chapter 26 General Plumbing Requirements. Chapter 26 is adopted with modifications as follows:

- a. Section P2603.6.1 Sewer depth. This section has been modified to include a depth for the septic tank connection unless otherwise approved by the authority having jurisdiction. This section has been modified to read: Building sewers that connect to private sewage disposal systems shall be a minimum of 12 inches (305 mm) or as approved by the authority having jurisdiction below finished grade at the point of septic tank connection. Building sewers shall be a minimum 002 inches (305 mm) below grade.

### 16) IRC 2009 Chapter 27 Plumbing Fixtures. Chapter 27 is adopted with modifications as follows:

- a. Section P2704.1 General. This section has been modified to allow installation of slip joints anywhere between the fixture and trap outlet. It has been modified to read: Slip joints shall be made with an approved elastomeric gasket and shall be installed from fixture to trap outlet. Fixtures with concealed slip-joint connections shall be provided with an access panel or utility space at least 12 inches (305 mm) in its smallest dimension or other

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approved arrangement so as to provide access to the slip connections for inspection and repair.

- b. Section P2709.2 Lining required. This section has been modified and it has been noted that it is only effective where required. The first paragraph of this section has been modified to read: Where required the adjoining walls and floor framing enclosed on-site built-up shower receptors shall be lined with one of the materials listed in IRC 2009. Section P2709.2 Lining required. The remainder of this section is adopted without modification.
  - c. Section P2715.1 Laundry tray waste outlet. This section has been modified and the word tub has been replaced with the word tray. This section has been modified to read: Each compartment of a laundry tray shall be provided with a waste outlet not less than 1 1/2 inches (38 mm) in diameter and a strainer or crossbar to restrict the clear opening of the waste outlet.
- 18) **IRC 2009 Chapter 28 Water Heaters.** Chapter 28 is adopted with modifications as follows:
- a. Section P2801.5 Required pan. This section has been modified to specify that a pan is required for tank type water heaters or hot water storage tanks only. This section has been modified to read: Where tank type water heaters or hot water storage tanks are installed in locations where leakage of the tanks or connections will cause damage, the tank or water heater shall be installed in a galvanized steel pan having a material thickness of not less than 0.0236 inch (0.6010 mm) (No. 24 gauge), or other pans approved for such use. Listed pans shall comply with CSA LC3.
  - b. Section P2803.1 Relief valves required. This section has been modified to specify the relief valve requirements and specifications in this section are for tank type appliances and equipment only. The first paragraph of this section has been modified to read: Tank type appliances and equipment used for heating water or storing hot water shall be protected utilizing the options listed in IRC 2009. Section P2803.1. The remainder of this section is adopted without modification.
- 19) **IRC 2009 Chapter 29 Water Supply and Distribution.** Chapter 29 is adopted with modifications as follows:

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- a. Section P2902.5.3 Lawn irrigation systems. This section has been modified to add a spill resistant backflow preventer as an option for protection. This section has been modified to read: The potable water supply to lawn irrigation systems shall be protected against backflow by an atmospheric-type vacuum breaker, a pressure-type vacuum breaker or a spill resistant backflow preventer. A valve shall not be installed down-stream from an atmospheric vacuum breaker. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.
- b. Section P2903.8.6 Hose Bibb bleed. This section has been modified to specify it is only pertinent when the authority having jurisdiction requires it. This section has been modified to read: Where authority having jurisdiction requires a readily accessible air bleed shall be installed in hose Bibb supplies at the manifold or at the hose Bibb exit point.
- c. Section P2903.9.1 Service valve. This section has been modified to strike the provision for drainage such as a bleed orifice or installation of a separate drain valve. This section shall now read: Each dwelling unit shall be provided with an accessible main shutoff valve near the entrance of the water service. The valve shall be of a full-open type having nominal restriction to flow. Additionally, the water service shall be valved at the curb or property line in accordance with local requirements.
- d. Section P2903.10 Hose Bibb. This section has been modified to strike the requirement of a stop and waste type valve and the exception. This section has been modified to read: Hose bibs subject to freezing, including the "frost-proof" type, shall be equipped with an accessible valve inside the building so that they can be controlled and/or drained during cold periods.
- e. Section P2904.1 General. This section has been modified to read: Where installed, residential fire sprinkler systems, or portions thereof, shall be in accordance with NFPA 13D.
- f. Sections P2904.1.1 - Section P2904.8.2 Dwelling Unit Fire Sprinkler System Provisions and Certain Tables Stricken. Sections P2904.1.1 through Section P2904.8.2 and tables P2904.6.2 (1) through P2904.6.2 (9) have been stricken from the code.

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- g. Section P2905, 4 Water service pipe. This section has been modified to require piping materials not third-party certified for water distribution to terminate at least 30 inches outside of the exterior wall. It has also been modified to strike the requirement of the termination to be before the full open valve located at the entrance to the structure. This section has been modified to read: Water service pipe shall conform to NSF 61 and shall conform to one of the standards listed in Table P2905.4. Water service pipe or tubing, installed underground and outside of the structure shall have a minimum working pressure rating of 160 pounds per square inch at 73 degrees Fahrenheit (1103 kPa at 23 degrees Celsius). Where the water pressure exceeds 160 pounds per square inch, (1103 kPa), piping material shall have a rated working pressure equal to or greater than the highest available pressure. Water service piping materials not third-party certified for water distribution shall terminate at least 30 inches outside the exterior wall. Ductile iron water service piping shall be cement mortar lined in accordance with AWWA C104.
  - h. Table P2905, 4 Water service pipe. This table has been modified. Asbestos-cement pipe has been stricken from the code.
- 20) IRC 2009 Chapter 30 Sanitary Drainage. Chapter 30 is adopted with modifications as follows:
- a. Section P3003.2 Prohibited joints. This section has been modified to include the following exception: Saddle-type fittings may be used to connect the building sewer to a public sewer.
  - b. Section P3008.1 Sewage backflow. This section has been modified by striking the requirements of plumbing fixtures having flood level rims above the elevation of the next upstream manhole cover in the public sewer system. It has been modified to read: Where the flood level rims of plumbing fixtures are below the elevation of the manhole cover of the next upstream manhole in the public sewer, the fixtures shall be protected by a backwater valve installed in the building drain, branch of the building drain or horizontal branch servicing such fixtures.
- 21) IRC 2009 Chapter 31 Vents. Chapter 31 is adopted with modifications as follows:

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- a. Section P3103.4 Prohibited used. This section has been modified and the exception has been deleted. It has been modified to read: Vent terminals shall not be used as a flag pole or to support flag poles, TV aerials, or similar items.

### 22) IRC 2009 Chapter 34 General Requirements (Electrical). Chapter 34 is adopted with modifications as follows:

- a. Section E3402.2 Penetrations of fire-resistance-rated assemblies. This section has been modified to correct the reference section cited from R317.3 to R302.4.I. It has been modified to read: Electrical installations in hollow spaces, vertical shafts and ventilation 01' air handling ducts shall be made so that the possible spread of fire products of combustion will not be substantially increased. Electrical penetrations through fire-resistance rated walls, partitions, floors or ceilings shall be protected by approved methods to maintain the fire-resistance-rating of the element penetrated. Penetrations of fire-resistance-rated walls shall be limited as specified in Section R302.4.I.
- b. Section 3403.3 Listing and labeling. This section has been modified to comply with NFPA 70. It has been modified to read: Electrical materials, components, devices, fixtures and equipment shall be listed for the application, in accordance with NFPA 70, shall bear the label of an approved agency and shall be installed, and used, or both, in accordance with the manufacturer's installation instructions.

### 23) IRC 2009 Chapter 40 Devices and Luminaries. Chapter 40 is adopted with modifications as follows:

- a. Section E4002.14 Tamper-resistant receptacles. This section has been modified to include the following exceptions: Receptacles in the following locations shall not be required to be tamper-resistant:
  - 1.0 Receptacles located more than 5 1/2 feet (1.7m) above the floor.
  - 2.0 Receptacles that are part of a luminaire or appliance.
  - 3.0 A single receptacle or a duplex receptacle for two appliances located within dedicated space for each

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appliance that, in normal use, is not easily moved from one place to another and that is cord-and-plug connected.

### 4.0 Non-grounding receptacles used for replacement.

(Ord. No. 437, § 1, 3-6-90; Ord. No. 490, § 1, 9-7-93; Ord. No. 531, § 2, 9-17-96; 2002 City Code; 2004 City Code; 2006 City Code; 2010 City Code; Ord. No. 660, § 1, 09-06-2011; Ord. No. 667, §1 §2, 10-18-2011)

Cross-references--Drainage and flood control, Ch. 9; fire prevention and protection. Ch. 10; cement contractors, § 11-31 et seq.; construction equipment on residential streets, § 13-217; signs, Ch. 20; zoning, Ch. 24.

State law reference--General authority to regulate buildings, 11 O.S. §§ 22-113, 43-102.

### Sec. 6-18. Variances or appeals.

Appeals from decisions of city officials or for variances from the strict application of this article shall be handled in the same manner as provided in section 24-44 for appeals under the zoning ordinance.

(Ord. No. 333, § 9, 10-18-83)

### Sec. 6-19. Fees.

(a) No permit as required by the building code shall be issued until the requisite fee has been paid, nor shall an amendment to a permit be approved until the additional fee, based on the size of the building or structure, shall have been paid.

(b) In case of abandonment or discontinuance, the cost of work performed under a permit may be estimated, an adjustment of the fee made, and the portion of the fee for uncompleted work returned to the permit holder, provided that no refund of a prescribed minimum fee shall be made. If such discontinuance is due to revocation of permit, a similar adjustment and return may be made; provided that no refund shall be made until all penalties incurred or imposed by due authority have been collected. After such a refund has been made no work shall be resumed until a new application has been made and a new permit has been issued.

(Ord. No. 301, § 5, 9-21-82)

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Sec. 6-20. Smoke detectors.

(a) As used in this section, the following terms have the definitions indicated:

(1) Apartment means any rental dwelling unit in a structure containing more than two (2) dwelling units.

(2) Residential Dwelling Unit means a space for human habitation providing complete independent living facilities for one (1) or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

(b) Smoke detector means a smoke sensitive warning device, which is

(1) Designed to detect visible or invisible products of combustion;

(2) Designed with an alarm audible to the rooms it serves;

(3) Powered by either battery, alternating current, or other power source;

(4) Tested and listed for use as a smoke detector by a recognized testing laboratory.

(c) All existing apartment dwelling units constructed prior to February 2, 1982, shall be retrofitted to provide a minimum of one (1) approved smoke detector installed in a manner and location approved by the fire chief or his representative. All apartment dwelling units constructed after February 2, 1982, shall provide a minimum of one (1) approved smoke detector installed in a manner and location approved by the fire chief or his representative.

(d) Beginning November 21, 2006, all new construction or remodeling of residential dwellings, which require a building permit, shall include the installation of smoke detectors in all bedrooms and paths of egress. Such smoke detectors shall be hard-wired and have battery back-up.

(e) The smoke detector shall be provided, installed, and maintained in good working order by the owner or occupant of the dwelling unit.

(Ord. No. 295, §§ 2--4, 2-2-82; Ord. No. 537, §1, 10-21-97)

\*Cross reference--Ord. No. 491, § 10-1.

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### Sec. 6-21. Adoption of International Building Code.

That a certain document, a copy of which is on file in the office of the City Clerk of the City of The Village, being marked and designated as the *International Building Code*, 2009 edition, including Appendix Chapters H & J (see *International Building Code* Section 101.2.1, 2009 edition), as published by the International Code Council, be and is hereby adopted as the Building Code of the City of The Village in the State of Oklahoma for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the City of The Village are hereby referred to, adopted, and made a part hereof, as if fully set out.

(Ord. No. 661, §1, 09-06-2011)

### Sec. 6-22. Amendments to the International Building Code, 2009 Edition.

The following sections of the International Building Code, 2009 Edition are hereby revised:

Section 101.1. Insert: City of The Village, Oklahoma.

Section 107.1: General. Submittal documents consisting of *construction documents*, statement of *special inspections*, geotechnical report and other data shall be submitted in two or more sets with each *permit* application. The *construction documents* shall be prepared by a registered design professional as defined by the State Architectural and Registered Interior Designers Act. O.S. Title 59, Section 46.1 et seq. Where special conditions exist, the *building official* is authorized to require additional *construction documents* to be prepared by a *registered design professional*. Exception: The *building official* is authorized to waive the submission of *construction documents* and other data not required to be prepared by a *registered design professional* if it is found that the nature of the work applied for is such that review of *construction documents* is not necessary to obtain compliance with this code.

Section 1612.3. Insert: City of The Village, Oklahoma.



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Section 1612.3. Insert: [December 18, 2009]

Section 3412.2. Insert: [November, 2010]

Section 423.1 of the International Building Code, 2009 Edition is amended to read as follows:

“General. In addition to other applicable requirements in this code, storm shelters shall be constructed in accordance with ICC-500, FEMA 320, FEMA 361 or other equivalent approved engineered system.”

Section 423.2 of the International Building Code, 2009 Edition is revised by modifying the definition of Storm Shelter to read as follows:

“**STORM SHELTER.** A building, structure, or portion(s) thereof, constructed in accordance with the standards listed in Section 423.1 and designated for use during a severe wind storm event, such as a hurricane or tornado. ”

Section 423 of the International Building Code, 2009 Edition is amended by adding a new subsection 423.3 as follows:

“Section 423.3 Educational Group E Occupancies. All new buildings or structures incorporating an Educational Group E occupancy use, shall have a safe room(s) with an occupancy load equivalent to or greater than the number of students and faculty the building or structure is designed for. For the purpose of this section, a new building or structure shall include any building addition that is more than 50% the size of the building or structure to be enlarged. Exception: The Building Official is authorized to waive this requirement for new buildings or structures that are part of a school campus having safe rooms with an occupancy load equivalent to or greater than the total number of students, faculty and staff of the school.”

Section 903.2.7 (4) of the International Building Code, 2009 Edition is amended to read as follows:

- (4) A Group M occupancy is used for the display and sale of upholstered furniture unless the area used for such display and sale is less than fifteen percent (15%) of the total area used for the Group M occupancy.

(Ord. No. 661, §1, 09-06-2011; Ord. No. 677, §1, 10-16-2012; 2014 City Code)

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### **Sec. 6-23. International Existing Building Code, 2009 Edition Adopted.**

That a certain document, a copy of which is on file in the office of the City Clerk of the City of The Village, Oklahoma being marked and designated as the *International Existing Building Code, 2009 edition*, including Appendix Chapters (see *International Existing Building Code Section 101.7, 2009 edition*), as published by the International Code Council, be and is hereby adopted as the Existing Building Code of the City of The Village in the State of Oklahoma for regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings, as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the City of The Village are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 6-24.

(Ord. No. 661, §1, 09-06-2011)

### **Sec. 6-24. International Existing Building Code, 2009 Edition, Amendments.**

The following sections of the International Existing Building Code, 2009 Edition are hereby revised:

Section 101.1 Insert: City of The Village, Oklahoma.

Section 1301.2 Insert: [November, 2010]

Secs. 6-25--6-35. Reserved.

(Ord. No. 661, §1, 09-06-2011)

## **ARTICLE III. ELECTRICITY**

### **DIVISION 1. GENERALLY**

#### **Sec. 6-36. 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:

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Electrical apprentice means any person sixteen (16) years of age or older whose principal occupation is the learning of and assisting in the installation of electrical work under the direct supervision of a licensed journeyman electrician or electrical contractor.

Electrical contractor means any person skilled in the planning, superintending and practical installation of electrical facilities who is familiar with the laws, rules and regulations governing such work. "Electrical contractor" also means any person performing skills of an electrical contractor or an electrician or the business of contracting, or furnishing labor or labor and materials for the installation, repair, maintenance or renovation of electrical facilities according to the provisions of the Electrical License Act.

Electrical facilities means all wiring, fixtures, appurtenances, and appliances for, and in connection with, a supply of electricity within or adjacent to any building, structure or conveyance on the premises but not including the connection with a power supply meter or other power supply source.

State law reference--Authority to regulate electrical work, 59 O.S. § 1693.

Electrical inspector means the building inspector of the city or any of his duly authorized assistants.

Electric wiring means the installation of electrical raceways, conductors or apparatus of any kind used, or to be used, in or on any building for the transmission and distribution of electric current for electric light, heat or power, or non-portable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided however, that the words "electric wiring," "electrical equipment," and "apparatus" shall not be deemed to include or refer to service lines, apparatus, and equipment for the sale, distribution, and regulation of electricity and remaining the property of the electric service company, or for telephone, telegraph, or other communication purposes, or in connection therewith.

Journeyman electrician means any person other than an electrical contractor who engages in the actual installation, alteration, repair or renovation of electrical facilities unless specifically exempted by the provisions of the Electrical License Act.

(Code 1976, § 3-2-1)

State law reference--Electrical License Act, 59 O.S. § 1680 et seq.

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### Sec. 6-37. Exemptions.

The provisions of sections 6-51, 6-52 and 6-53 shall not be construed as affecting or applying to any work done by or for any telephone, telegraph, or other communication company in the installation, repair, or maintenance of wiring or other electrical apparatus, equipment or device to be used exclusively in connection with its business, or as applying to any work done by or for any public utility electric service company operating under a franchise from the city or any central station powerhouse, substation, shop, underground or overhead distribution system, or any other electrical apparatus, wiring, equipment or devices belonging to such service company and used exclusively in the operation of its business.

(Code 1976, § 3-2-26)

### Sec. 6-38. Enforcement, correction of dangerous conditions, etc.

(a) The electrical inspector shall be charged with the duty of enforcing all the provisions of this article relating to electric wiring and the construction, installation, repair, alteration, and maintenance of electric wiring, apparatus and fixtures, and with the inspection of the same. The electrical inspector shall inspect, or re-inspect all overhead, underground, and interior wires and apparatus conducting electrical current for any of the purposes set forth in this article. When such conductors or apparatus are found to be unsafe to life or property, he shall notify the person owning, using or operating the same, to place them in a safe condition within forty-eight (48) hours and it shall be such person's duty to do so. If the owner, user or operator of such defective wiring or equipment shall refuse or fail to comply with the requirements of the electrical inspector and correct all defects as directed within the specified time, it shall be the duty of the electrical inspector to notify, in writing, the person furnishing the electric current to such defective wiring or equipment, to cease to supply electric current to same. Upon receipt of such notice, the service company, firm or individual furnishing electric current to such defective wiring or equipment shall, within twenty-four (24) hours disconnect the service or feed wires and cease to supply current to the defective installation until the defects have been corrected. When it has been determined by the electrical inspection that the public safety, health or welfare may be unduly jeopardized by allowing time to comply with the requirements of the electrical inspector, it shall be the duty of the inspector to take steps to immediately terminate electrical service to the unsafe facility.

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- (b) When any portion or all of the wiring in or on any building or premises is ordered changed for any reason, the electrical inspector shall leave attached to the main switch or service equipment a tag or label showing the date of the order and a memorandum of the correction to be made, and the signature of the authority making the order.
- (c) The electrical inspector shall institute, by and with the advice of the city attorney, such prosecutions as may be necessary against any violators of any ordinance, with the enforcement of which he is charged.

(Code 1976, § 3-2-3)

### **Sec. 6-39. Variances or appeals.**

Appeals from decisions of city officials or for variances from the strict application of this article shall be handled in the same manner as provided in section 24-44 for appeals under the zoning ordinance.

(Code 1976, § 3-2-4)

### **Sec. 6-40. Civil liability.**

This article shall not be construed to relieve from or lessen the responsibility of any person, partnership or corporation owning, operating or installing electric wires, appliances, apparatus, construction or equipment, for the damage to property or persons injured by any defect therein, nor shall the city or any agent thereof be deemed to assume any such liability by reason of the inspection authorized herein or a certificate of inspection issued by the electrical inspector.

(Code 1976, § 3-2-25)

### **Sec. 6-41. Disconnection of power.**

- (a) All persons supplying electricity shall, upon written notice by the electrical inspector, disconnect from any such circuit, including main service wires, branch feeder wires or distribution, as designated by the notice, and shall not reconnect to the installation except upon written notice from the electrical inspector.
- (b) Every person owning or controlling electrical wires and apparatus for the transmission of light, heat or power, shall in time of fire or in case of severe storm or any other emergency wherein lives or property of the

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citizens of the city may be endangered by the operation of such wires and apparatus, upon notice by the electrical inspector, the mayor, the city clerk, the chief of the fire department or chief of police, disconnect such dangerous wires from current or service as are designated by said official.

(Code 1976, §§ 3-2-20, 3-2-22)

### **Sec. 6-42. Relocated buildings.**

When a building or portion of a building, containing electric wiring is moved from its foundation, the owner shall have the electric wiring and equipment in the building inspected and repaired where necessary, providing proper grounding wires, etc. The electrical contractor shall obtain a wiring permit and request inspection.

(Code 1976, § 3-2-24)

Secs. 6-43--6-51. Reserved.

## DIVISION 2. ELECTRICIANS

### **Sec. 6-52. Registration of electrical contractors and journeymen electricians.**

No electrical contractor or journeyman electrician shall operate in the city without registering with the city clerk. Registration shall be valid until June 30 of each year and must be renewed. A fee in the amount established by resolution shall be paid to the city clerk prior to the issuance of a registration certificate.

(Code 1976, §§ 3-2-8--3-2-10) State law reference--Registration of electricians, 59 O.S. § 1696.

### **Sec. 6-53. Bond.**

Before obtaining a license under this division a person shall file with the city clerk proof that he or she has complied with the bonding and insurance requirements of the Oklahoma Electrical Licensing Act.

(Code 1976, § 3-2-12; Ord. No. 404, § 1, 2-2-88)

Secs. 6-54--6-60. Reserved.

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### DIVISION 3. PERMITS AND INSPECTIONS

#### Sec. 6-61. Permits generally.

- (a) No electric wiring shall be installed, altered, or changes made in existing wiring in or on any building without a permit being issued by the city clerk. No permit shall be issued except to a registered electrical contractor, or to a certified maintenance electrician in the employ of the owner of the building or buildings on which such electric wiring work is to be performed. Permits shall not be necessary for maintenance work or for repair work if wiring is not altered or rearranged.
- (b) The electrical inspector may, if he deems it necessary, require or demand from the electrical contractor a set of plans and specifications of any job, in order that the electrical inspector may check same to determine if the plans and specifications comply with this article. The electrical inspector must render a decision on such plans and specification within twenty-four (24) hours after receiving same.
- (c) The electrical inspector may refuse to issue a permit if, in his judgment, the wiring done or proposed to be done is unsafe or not in accordance with the provisions of this article.
- (d) In order to obtain a permit for the installation of electric wiring, the fee established by resolution shall be paid to the city clerk.
- (e) Any person engaged in the business of electrical construction and the installation of wiring and apparatus for electric light, heat, or power, who shall fail to correct promptly any work done by him contrary to this article, after having been notified thereof by the electrical inspector, shall not be issued any further permits until such defect has been corrected.

#### Sec. 6-62. Inspections generally.

- (a) The electrical inspector must inspect promptly, all work for which electrical permits have been issued. After inspecting any electric wiring the electrical inspector shall leave notice in the form of a tag or label attached to the service entrance switch or branch cabinet. The notice shall clearly state whether the wiring is approved or is to be kept open for correction, and no person shall seal or in any manner conceal any electric wiring until such wiring has been approved. It shall be the duty of the electrical inspector to make such partial inspection as is required to permit the continuous construction of the building. If, in any case, the wiring is in such a position

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as to interfere with the completion of the building as called for by the plans, the electrical contractor must be notified to change the same. Proper conveniences such as ladders must be provided inspectors on work to be inspected by the person desiring the inspection. On all cases, on completion of the "rough-in" job, a final "rough-in" inspection must be called for.

- (b) The rough in of each job shall include the installation of all equipment in main and branch cabinets, and the installation of all switches, receptacles, finish plates, bells, push buttons and transformers. All rough-in wiring shall be tested, circuits made up, splices soldered and taped, and wiring completed. From each active outlet box, one pair of wires not less than eight (8) inches long shall be left for the fixture connection.
- (c) A "finish" permit indicates that, upon inspection, the work will be found in condition for a service connection or a final approval. The person who does the last work on the job shall assure himself that such condition exists by testing each circuit, socket and receptacle.
- (d) It shall be the duty of the electrical contractor to call in, or have called in, or otherwise advise the city clerk, of the date of the completion of the work involved subject to inspection under the terms of this section and that such work is ready for inspection. Such information must be given to the city clerk within five (5) days after the completion of the work to be inspected.

(Code 1976, § 3-2-16)

### **Sec. 6-63. Covering or concealing switches or outlets.**

It shall be unlawful and an offense for any plasterer, carpenter or other workman to cover or conceal with plaster, building board, or any other materials, any switch or other electrical outlet.

(Code 1976, § 3-2-38)

### **Sec. 6-64. Certificate of inspection--Generally.**

- (a) On the completion of the work covered by an electrical permit in accordance with all ordinances and laws, and after inspection and approval by the electrical inspector, the electrical inspector shall issue a certificate of inspection. In this certificate, the electrical inspector shall certify that the work is in accordance with this article. This certificate shall be issued



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to the electric service company and shall be their authority to supply electric service to the premises.

- (b) It shall be unlawful for any electric light or Power Company, or any supplier of electricity for light, heat or power, to make any electrical connection to any building or electric wiring or apparatus until a certificate, stating that the electric wiring has been approved, or written permit authorizing connection has been issued by the electrical inspector.

(Code 1976, §§ 3-2-17, 3-2-20)

### **Sec. 6-65. Same--Temporary certificate.**

When, for good and sufficient cause, it is necessary to have the electricity on any installation before final certificate can be issued, the electrical inspector may, if the parts to which the current is applied are in a safe and satisfactory condition, issue a temporary certificate. Whenever a temporary service is installed satisfactory to the electrical inspector, the electric service company will not be permitted to make a connection to permanent service until after a final permanent certificate has been issued. Before a temporary certificate is issued, the person requesting the same shall pay to the city the fee established by resolution. A temporary certificate shall be in force for thirty (30) days from its issue, and if, at the end of thirty (30) days, the installation is still incomplete, another temporary certificate shall be taken out for the next thirty (30) days, and each succeeding thirty (30) days thereafter, and for each term so requested, the required fee shall be paid.

(Code 1976, § 3-2-18)

### **Sec. 6-66. Same--Denial.**

The electrical inspector shall refuse to issue a certificate of inspection for any addition or extension to any electric wiring in or on any building wherein the existing wiring is in an unsafe condition.

(Code 1976, § 3-2-19)

### **Sec. 6-76. National Electric Code, ICC Electrical Administrative Provisions - Adopted.**

The National Electric Code, 2008 Edition and the International Code Council Electrical Administrative Provisions 2008 Edition, are adopted by reference as if set out at length in this article.

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(Code 1976, § 3-2-36; Ord. No. 472, § 1, 7-7-92; Ord. No. 490, § 2, 9-7-93; Ord. No. 531, §3, 9-17-96; 2002 City Code; 2004 City Code; 2006 City Code; 2010 City Code; 2012 City Code; 2014 City Code)

Secs. 6-77--6-100. Reserved.

### DIVISION 4. TECHNICAL STANDARDS

#### ARTICLE IV. MECHANICAL SYSTEMS

##### DIVISION 1. GENERALLY

Sec. 6-101. International Mechanical Code - Adopted.

That a certain document, a copy of which is on file in the office of the City Clerk of the City of The Village, being marked and designated as the *International Mechanical Code*, 2009 edition, including Appendix A, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the City of The Village, in the State of Oklahoma regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the City of The Village are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

(Ord. No. 663, §1, 09-06-2011)

Sec. 6-102. International Mechanical Code, Amendments.

The following sections of the International Mechanical Code, 2009 Edition are hereby revised as follows:

Section 101.1. Insert: City of The Village, Oklahoma.

Section 106.5.2. Insert: [The fees for all mechanical work shall be as established by resolution of the City Council]

Section 106.5.3. Insert: [As per City Code section 6-19 (a)]

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Section 108.4. Insert: [Class B, \$200.00. Each day that a violation continues shall be deemed a separate offence]

Section 108.5. Insert: [\$200.00]

(Ord. No. 442, 5-1-90; Ord. No. 490, § 3, 9-7-93; Ord. No. 531, §5, 9-17-96; 2002 City Code; Ord. 663, §1, 09-06-2011)

### **Sec. 6-103. Variances or appeals.**

Appeals from decisions of city officials or for variances from the strict application of this article shall be handled in the same manner as provided in section 24-44 for appeals under the zoning ordinance.

(Ord. No. 333, § 9, 10-18-83)

Secs. 6-104--6-115. Reserved.

## **DIVISION 2. CONTRACTORS**

### **Sec. 6-116. Definition.**

In this division "contractor" means a person who engages in the business of installing, maintaining or repairing heating or cooling devices regulated by the provisions of this article.

### **Sec. 6-117. Registration.**

No person shall engage in business or work in the city as a contractor or Journeyman or Apprentice as provided herein without registering with the city. Prior to the issuance of the license, a fee in the amount established by resolution shall be paid to the city clerk. Registration shall expire on June 30 of each year, unless sooner suspended or revoked by the City Council for cause.

(Ord. No. 517, §2, 6-20-95; 2004 City Code)

### **Sec. 6-118. Bond.**

Before obtaining a license under this division a person shall file with the city clerk proof that he or she has complied with the bonding and insurance requirements of the Oklahoma Mechanical Licensing Act.

(Ord. No. 403, § 1, 2-2-88)

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Secs. 6-119--6-130. Reserved.

### ARTICLE V. PLUMBING

#### DIVISION 1. GENERALLY

##### Sec. 6-131. International Plumbing Code - Adopted.

That a certain document, a copy of which is on file in the office of the City Clerk of the City of The Village, being marked and designated as the *International Plumbing Code*, 2009 edition, including Appendix E, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the City of The Village in the State of Oklahoma regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the City of The Village are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in this chapter.

(Ord. 664, §1, 09-06-2011)

##### Sec. 6-132. International Plumbing Code - Amendments.

The following sections of the International Plumbing Code, 2009 Editions are hereby revised as follows:

Section 101.1. Insert: City of The Village, Oklahoma.

Section 106.6.2. Insert: [Permit fees for all plumbing work shall be established by resolution of the city council]

Section 106.6.3. Insert: [As per City Code section 6-19 (a)]

Section 108.4. Insert: [Class B, \$200.00. Each day that a violation continues shall be deemed a separate offence]

Section 108.5. Insert: [\$200.00]

Section 305.6.1. Insert: [18 inches]

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Section 904.1. Insert: [12 inches].

(Ord. 664, §1, 09-06-2011)

### **Sec. 6-133. Variances or appeals.**

Appeals from decision of city officials or for variances from the strict application of this article shall be handled in the same manner as provided in section 24-44 for appeals under the zoning ordinance.

Secs. 6-134--6-145. Reserved.

## **DIVISION 2. PLUMBERS**

### **Sec. 6-146. 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:

Journeyman plumber means any person, other than a plumbing contractor who engages in or works at the actual installation, alteration, repair and/or renovation of plumbing.

Master plumber means a plumbing contractor.

Plumber's apprentice means any person sixteen (16) years of age or over who, as his principal occupation, is engaged in learning and assisting in the installation of plumbing under the direct supervision of a journeyman plumber or plumbing contractor.

Plumbing means:

- (1) All piping, fixtures, appurtenances and appliances for, and in connection with a supply of water within or adjacent to any building, structure, or conveyance, on the premises and to the connection with a water main or other source of supply;
- (2) All piping, fixtures, appurtenances and appliances for sanitary drainage or storm drainage facilities including venting systems for such facilities, within or adjacent to any building, structure, or

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conveyance, on the premises and to the connection with a public disposal system or other acceptable terminal;

- (3) The installation, repair, maintenance and renovation of all piping, fixtures, appurtenances and appliances for a supply of water, or for the disposal of waste water, liquid waste, or sewage within or adjacent to any building, structure, or conveyance, on the premises and to the source of supply of water or point of disposal of wastes.

Plumbing contractor means any person skilled in the planning, superintending and practical installation of plumbing and who is familiar with the laws, ordinances, rules and regulations governing the same. This definition may be construed to mean any person who has qualified and is licensed under state law as a plumbing contractor, who may engage in the business of plumbing, or the business of contracting to do, or furnish labor and/or labor and materials for the installation, repair, maintenance or renovation of plumbing.

Registrant means any person holding a journeyman plumber's or plumbing contractor's license issued by the state commissioner of health and who is registered as such with the city.

(Code 1976, § 3-6-1)

Sec. 6-147 Reserved.

### **Sec. 6-148. License and registration.**

- (a) No person shall work at the trade of journeyman plumber, plumber's apprentice, or engage in the business of plumbing contractor in this city, unless he holds a valid, un-revoked and un-expired license as a journeyman plumber or plumbing contractor issued by the state commissioner of health, and until he shall have been registered with the city. No person shall be allowed to register unless he presents a valid state license and pays a fee in the amount established by resolution.
- (b) Registration shall expire on June 30 of each year and such registration may be renewed upon application and payment of fees within thirty (30) days preceding or following June 30 of each year.
- (c) Licenses purchased between July 1 and December 31 shall be for the full amount of the annual license as established by resolution of the Council.

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Licenses purchased between January 1 and June 30 shall be prorated according to the following table:

Renewal Month	Fraction of Annual License Fee
January	6/12 or .5000
February	5/12 or .4166
March	4/12 or .3333
April	3/12 or .2500
May	2/12 or .1666
June	1/12 or .0833

(Code 1976, §§ 3-6-3, 3-6-4; Ord. No. 517, §3, 6-20-95; Code 2008)

State law reference--Registration of plumbers, 59 O.S. § 1020.

**Sec. 6-149. Bond.**

- (a) Each person registered as journeyman plumber or plumbing contractor as required herein shall, after registration, but before engaging in the practice of plumbing, file with the city a bond in the sum of five thousand dollars (\$5,000.00), executed by a surety company authorized to transact business in the state. The bond shall be payable to this city, and shall be conditioned that the principal will restore with the same material and in the same manner all streets, alleys, sidewalks and other public places in any way disturbed by him, his agents, subcontractors or employees.
  
- (b) The bond shall be conditioned further that the principal shall indemnify and save harmless the city from any and all loss, expense, cost, damage, action or liability of any kind whatever, including reasonable attorney's fees which the city may suffer or be required to pay or which may accrue against it or be recovered from the city by reason of any loss, damage, injury sustained, suffered or incurred by any person on account of or by reason of the doing of any plumbing, as defined herein, by the principal, his agents, subcontractors or employees, in the use of the streets, alleys and public property of the city or in making any connections, alterations, repairs, extensions or renovations to any pipe or pipes, or mains or connections belonging to the water or sewer system of the city, or by reason of the neglect, failure or refusal of said principal, his agents, subcontractors or employees, to erect, place and maintain proper and adequate safety devices, warning signals, lights and barricades about such work until such time as the city is notified that the work is fully

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completed. The bond shall be conditioned further that the principal will comply with the rules, regulations and ordinances relating to the turning on or off of the city water supply. Such bond shall be conditioned further that the principal shall do all plumbing, as defined herein, in strict accordance with this Code and state laws, and in a good and workmanlike manner.

- (c) The bond must be approved by the City manager and shall expire one (1) year after its approval, and shall be renewed at its expiration. No permit shall be issued to any journeyman plumber or plumbing contractor until the bond has been filed and approved.

(Code 1976, § 3-6-5)

Secs. 6-150--6-160. Reserved.

### ARTICLE VI. MISCELLANEOUS BUILDING REGULATIONS

#### DIVISION 1. ADMINISTRATION

**Sec. 6-161. 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:

Accessory building means a building customarily incidental and appropriate and subordinate to the principal use of land or buildings located upon the same premises. Accessory buildings include, but are not limited to, carports, storage buildings, temporary or portable buildings, detached garages, cabanas, gazebos, detached covered patios, and tornado shelters.

Accessory structure means anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, but shall not include any accessory building as defined herein which is subordinate to the principal use of the property upon which it is located. Accessory structures include, but are not limited to, wind generation towers or structures, alternative energy devices, radio or television transmission or reception towers, satellite reception antennas, swimming pools, flagpoles, basketball goals, and retaining walls.

Brick means a solid masonry unit, not less than seventy-five (75) percent solid. The word "brick" without qualification indicates its composition is primarily clay, shale or a mixture thereof and that these ingredients have been fixed together as a result of exposure to heat.



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Carport means a permanent, roofed building, which is permanently open on at least two (2) sides and is designed for or occupied by private passenger vehicles.

Exposed aggregate means masonry-like material composed of roughly shaped stones, well bonded without regularity to panels or walls of a concrete-like material.

Front building line means a line extending from side property line to side property line and being the minimum horizontal distance between the front property line and the front of the main building or any projections thereof other than steps, unenclosed balconies or unenclosed porches.

Masonry means stucco, Exterior Insulation and Finish Systems (EIFS), clay brick, concrete brick, concrete block, tile, or stone material laid up unit-by-unit and set in mortar or other bonding material and shall not include Masonite or similar material.

Permittee means any person to whom an accessory structure permit or building permit has been duly issued, or the successor in title to the property on which a duly permitted accessory structure or building is located.

Temporary or portable building means a building not permanently attached to a concrete slab or foundation and not intended for residential occupancy but which is for accessory or incidental purposes.

Tile means a ceramic surface unit, made of clay or mixture of clay and other ceramic materials, having either glazed or unglazed surface.

Total land area of the lot means the land area sought to be improved or developed which is the subject of the building permit application.

(Code 1976, §4-2-1(b); Ord. No. 333, §1, 10-18-83; Ord. No. 506 § 2, 9-20-94)

### **Sec. 6-162. Scope.**

- (a) The provisions of this article shall apply to the emplacement or maintenance of any nonexempt building, accessory structure or accessory building in the city; provided that this article shall not be deemed to allow uses in any zoning district where the provisions of any such zoning district do not expressly allow such use.

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- (b) No building permit or accessory structure or accessory building permit shall be issued for any building, accessory structure or accessory building the use or placement of which is contrary to the purposes or regulations of the zoning district in which is it to be located.
- (c) The provisions of this article shall not be deemed to alter or waive any other applicable building regulation, standard, requirement or code.

(Ord. No. 333, §1, 10-18-83; Ord. No. 506 § 2, 9-20-94)

### **Sec. 6-163. Review and approval of plans by planning and zoning commission and city council.**

All plans for the new construction of, or addition to buildings classified with respect to use or occupancy as assembly, business, educational, institutional, mercantile or mixed-use as provided by the International Building Code adopted by the City shall be submitted to the Planning and Zoning Commission for review and recommendation. All such recommendations must be submitted to the City Council for final approval. All other building permit requests must be submitted to the building inspector for approval.

### **Sec. 6-164. Building permit.**

- (a) It shall be unlawful for any person to change or permit the change in the use of land or buildings or to erect, alter, move or improve any building or accessory building until a building permit has been obtained from the building inspector.
- (b) An application for a building permit shall be made upon a form furnished by the city. An application fee in the amount established by resolution shall be submitted along with the application. The following information shall accompany the application:
  - 1) A plot plan, drawn to scale of one (1) inch equals twenty (20) feet, showing the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the building proposed to be repaired, altered, erected, or moved, and the size, arrangements, number of parking stalls, movement of vehicles and ingress and egress drives for all off-street parking and loading facilities.

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- 2) A declaration of the existing and intended use of each existing and proposed building on the lot and the number of families and housekeeping units which each existing building accommodates and which each existing and proposed building is designed to accommodate;
- 3) A survey prepared by a licensed surveyor registered in the state of the boundaries of the lot on which the improvement is proposed to be located;
- 4) Additional information relating to the proposed improvement needed to determine compliance with this chapter.
- 5) Before beginning construction pursuant to an approved building permit:
  - (a) The applicant or applicant's designee shall provide on forms provided by the City a list of contractors and subcontractors for the construction project and a list of suppliers of all building materials and equipment to be delivered to the construction site.
  - (b) The applicant or applicant's designee shall notify contractors, subcontractors and building material suppliers for the construction project that the project is located in The Village and shall provide the same with The Village Sales Tax Reporting Code. The notification form used to notify contractors, subcontractors and suppliers pursuant to this subsection shall be provided by the City and shall be signed as received by each contractor, subcontractor and building material supplier for the project and returned to the City.
- 6) If a complete list of contractors, subcontractors, or suppliers pursuant to subsection (5) above, cannot be provided before construction begins, the applicant or applicant's designee shall provide the forms required by subsections (5) (a) and (5) (b) to the City as soon as practicable thereafter.
- 7) The Building Inspector shall be authorized to issue stop work orders, suspend inspections and/or withhold the issuance of a Certificate of Occupancy and Compliance for the construction project until the forms required pursuant to subsections (5)(a) and (5)(b) above have

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been provided to the City as required herein. (Ord. No. 640 §1, 03-03-2009)

- 8) No permit shall be issued unless the proposed work complies with all applicable ordinances.

(Code 1976, §12-2-1; Ord. No. 257, §§ 1, 2, 6-5-79; Ord. No. 314, §§ 1, 2, 11-18-82; Ord. No. 453, § 1, 3-19-91; Ord. No. 506, § 2, 9-20-94; Code 2008; Ord. No. 640 §1, 03-03-2009)

### **Sec. 6-165. Permit for accessory structures.**

- (a) No person shall place, erect or construct any accessory structure on any property in the city without having first obtained an accessory structure permit therefore. Such permit shall be issued by the city only upon satisfaction of the provisions hereof, including evidence of compliance with the standards in this chapter sufficient to obtain the permits required there under.
- (b) An application shall be submitted on a form prescribed by the city, providing such information as is required, which shall include, in the minimum:
  - (1) The name of property owner, the name of applicant, and the address or location of proposed structure.
  - (2) A description of the proposed structure, providing details of construction, components and proposed attachments to the ground or other basis;
  - (3) A plot plan, in a scale of one (1) inch equals twenty (20) feet, showing the boundaries of the property on which emplacement is proposed, the precise location of the structure to all buildings and other structures on the property, and to the property lines;
  - (4) For structures, which contain or involve electrical wiring, a plan in the form prescribed by the National Electric Code as adopted by the city, giving all information required.
- (c) An application fee in the amount established by resolution shall be submitted along with the application.

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- (d) Whenever, in the opinion of the city, any structure permitted under this division is found to be in a condition which indicates noncompliance with the provisions of this chapter or any other chapter of this code, then in that event the city shall notify the permittee in writing of such defect, giving permittee fifteen (15) days from the date of notification to correct the noted deficiencies. If, at the expiration of said fifteen (15) days, noncompliance still exists, then the city may seek revocation of the permit by action of the city council at a regularly scheduled city council meeting, the date and time of which shall be provided the permittee by certified or registered mail. If the city council finds, based upon the city's and permittee's evidence, that any noncompliance exists, then the council may order any corrective action deemed appropriate under the circumstances. Should the permittee fail to comply with the directive of the city council, or if the council should find the condition to be a hazard to life or property, then the council may declare same a public nuisance and order abatement as in the manner of law provided for the abatement of public nuisances. For purposes of this section, any successor in title to the accessory structure permitted or to the property upon which such accessory structure is located shall be deemed to be the permittee.

(Ord. No. 333, §§ 4, 5, 8, 10-18-83; Ord. No. 506, § 2, 9-20-94)

### **Sec. 6-166. Certificate of occupancy and compliance.**

- (a) No land shall be occupied or used, and no building erected or structurally altered shall be occupied or used, in whole or in part, for any purpose whatsoever, until a certificate of occupancy and compliance is issued by the building inspector, stating that the building use complies with the provisions of the building permit and all applicable building, housing, health, fire protection and zoning ordinances of the city. No change of use shall be made in any building.
- (b) A certificate of occupancy and compliance shall be applied for after the completion of the building and prior to the occupancy thereof. No such building shall be occupied until the certificate has been secured. The certificate shall state that the building, or proposed use of a building or land, complies with all applicable laws and ordinances and with the provisions of the regulations. A record of all certificates shall be kept in the office of the building inspector, and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building affected.

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- (c) Prior to the issuance of a certificate a fee in the amount established by resolution shall be paid to the city.
- (d) Nothing in this article shall prevent the continuance of a nonconformance as authorized in Chapter 24 unless a discontinuance is necessary for the safety of life and property.

(Code 1976, §12-2-1; Ord. No. 506, § 2, 9-20-94)

### **Sec. 6-167. Penalty.**

- (a) Any person who violates any of the provisions of this article or fails to comply with any of the requirements hereof shall be guilty of a Class B offense.
- (b) In addition to other remedies, the city may institute any proper action to prevent, restrain, correct or abate any violations of this article.

Secs. 6-168--6-174 Reserved.

## **DIVISION 2. ACCESSORY BUILDINGS AND STRUCTURES**

### **Sec. 6-175. Location/setback of accessory structures.**

- (1) This section shall apply to all accessory structures except as follows:
  - (a) Accessory structures regulated by Chapter 7, Article I of this code.
  - (b) Signs and other advertising structures regulated under other provisions of the City of The Village Code
  - (c) Flag poles
  - (d) Oil and gas facilities
  - (e) Public Utility Structures
  - (f) Telecommunication facilities located or co-located on property owned or leased by the City and designated by the City as a site suitable for location of a telecommunications facility.
- (2) Accessory structures not exempted herein shall not be constructed, placed, or maintained any closer to any front, side, or back property line of the lot,

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upon which the accessory structure is located than the distance measured from the highest point of the accessory structure from the ground.

(Ord. No. 333, § 3, 10-18-83 Ord. No. 334, § 7, 10-18-83; Ord. No. 481. § 1, 12-15-92 Ord. No. 506 § 2, 9-20-94; Ord. No. 566 §1, 3-6-01)

### **Sec. 6-176. Time for accessory building construction.**

No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced and no accessory building shall be used unless the main building on the lot is also being used.

(Code 1976, §12-6-2(7); Ord. No. 506, § 2, 9-20-94)

### **Sec. 6-177. Architectural design of accessory buildings and fences.**

The architectural design and materials used for the construction of accessory buildings and fences shall harmonize with the main building to which said building or fence is accessory.

(Code 1976, §12-6-8)

### **Sec. 6-178. Tornado shelters required for new school construction.**

(1) Every new public school building or public school building addition constructed shall provide a tornado shelter or safe room constructed in accordance with ICC/NSSA 500 or FEMA 320 or other equivalent engineered system. Said shelter shall be designed to accommodate the maximum occupancy of the new building.

Cross References--§24-1, Chapter 8.

(Code 1976, § 4-2-3(a), (e)--(g); Ord. No. 468, §1, 3-30-92; Ord. No. 506, § 2, 9-20-94)

### **Sec. 6-179. Private wind energy conversion towers.**

It shall be unlawful for any person to construct, erect, or maintain a private wind energy conversion tower or similar type structure upon any real property within the boundaries of the city limits.

(Ord. No. 321, §1(12-6-17), 7-19-83; Ord. No. 506, § 2, 9-20-94)

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**Sec. 6-180. Swimming pools.**

Private swimming pools shall be completely enclosed by a permanent wall or fence not less than six (6) feet in height, and shall meet the requirements of the health department.

(Code 1976, §12-6-6; Ord. No. 506, § 2, 9-20-94)

**Sec. 6-181. Carports.**

Carports enclosed or partially enclosed on any side by a wall shall conform to the exterior wall building material provisions of Section 6-202 of this chapter.

**Sec. 6-182. Temporary or portable buildings.**

- (a) No temporary or portable building shall be placed or erected on any property without first having secured a permit from the building inspector and having paid the permit fee established by resolution.
- (b) One (1) temporary or portable building shall be permitted on any residential lot.
- (c) Temporary or portable buildings permitted by this section shall not exceed the sizes provided by the following table:

Lot Size in Sq. Ft.		Maximum Bldg	Maximum Bldg
<i>From</i>	<i>To</i>	Size in Sq. Ft.	Height
0	21780	160	12 Feet
21781	22216	180	12 Feet
22217	22651	200	12 Feet
22652	23087	220	12 Feet
23088	23522	240	12 Feet
23523	23958	260	12 Feet
23959	24394	280	12 Feet
24395	24829	300	12 Feet



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24830	25265	320	12 Feet
25266	25700	340	12 Feet
25701	26136	360	12 Feet

(Code 1976, §12-6-9; Ord. No. 335, §§1, 2, 10-18-83; Ord. No. 395, §1, 10-6-87; Ord. No. 440, §1, 4-17-90; Ord. No. 496, §1, 2-15-94; Ord. No. 504, §1, 6-21-94; Ord. No. 506, §2, 9-20-94; Ord. 536, §1, 6-3-97)

Secs. 6-183--6-199 Reserved.

**DIVISION 3. MISCELLANEOUS BUILDING PROVISIONS**

**Sec. 6-200. Moving buildings.**

(a) It shall be unlawful to move any building into the city except as follows:

- (1) Temporary or portable buildings that are moved onto property within the city and which are in compliance with other applicable city codes and building regulations;
- (2) Buildings that are moved onto property within the city for use by a tax-supported institution and provided that such buildings comply with all other applicable city codes and building regulations;
- (3) Commercial buildings that comply with all applicable city codes and building regulations and which have been expressly authorized for relocation in the city by the city council by the issuance of a special permit.

(Code 1976, § 12-7-2; Ord. No. 450, § 1, 8-7-90; Ord. No. 506, § 2, 9-20-94)

**Sec. 6-201. Mobile homes prohibited.**

(a) Mobile homes are forbidden and under no circumstances will mobile homes be authorized in the city or permits issued for the same except for those placed on a construction site for use as a construction office while construction is in progress.

(Ord. No. 281, §1(11A-7-1), 7-1-80; Ord. No. 506, § 2, 9-20-94)

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### Sec. 6-202. Building material requirements for exterior walls.

- (a) No person shall build or construct any building or an addition thereto unless at least sixty-five (65) percent of the exterior walls thereof be of brick, brick veneer, concrete brick, concrete block, stone or stone veneer, masonry, tile, stucco, exterior insulation and finish systems (EIFS), or exposed aggregate or other similar material as approved by the building inspector; provided however, that all windows or doors located in said exterior walls shall be excluded in the determination of the area of one hundred (100) percent of the exterior walls, and further provided that where a gable-type roof is constructed and part of the exterior wall is extended above the interior ceiling line due to the construction of gable-type roof, then that portion of said wall extending above the interior room ceiling height may be constructed of wood material and likewise excluded from the square foot area in determining what constitutes one hundred (100) percent of the exterior walls of said buildings. Masonite siding or similar material shall not be considered masonry for the purposes of this section.
- (b) Stucco or EIFS (exterior insulation and finish systems) used as exterior finish on buildings classified for use as assembly, business, educational, institutional or mercantile as provided herein, shall not exceed 35% of any exterior wall, which faces a public or private street. Any variance from this standard shall be approved by the City Council.
- (c) No permit shall be issued for an addition to be made to any building or accessory building unless the exterior wall building material shall be equal or similar to the exterior wall building material of the main building, as determined by the building inspector.
- (d) Requirements for the application of brick, brick veneer, concrete brick, concrete block, stone or stone veneer, masonry, tile, stucco or exposed aggregate or other similar type material to exterior walls of buildings in this section shall not apply to:
  - (1) Temporary or portable buildings that are permitted in accordance with the provisions of Section 6-182; or
  - (2) Temporary classroom buildings that are moved onto public property within the city for use by a public school. The city council may require screening of temporary classroom buildings as may be deemed necessary in order to provide a buffer between temporary classroom buildings and adjacent property.

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- (3) Temporary classroom or school accessory buildings that are moved onto private property within the city for use by a private school, provided that such temporary buildings are removed within twenty four (24) months. The city council may require screening of temporary classroom or school accessory buildings as may be deemed necessary in order to provide a buffer between temporary buildings and adjacent property. (2008 Code)
- (4) Publicly owned and operated buildings subject to conditions and design approved by the City Council. (Ord. No. 632, §1, 05-20-2008)

(Ord. No. 315, §§1--4, 12-21-82; Ord. No. 334, §1, 10-18-83; Ord. No. 467, §1, 2-18-92; Ord. No. 506, § 2, 9-20-94; Ord. No. 632, §1, 05-27-2008, 2008 Code)

### Sec. 6-203. Landscape requirements.

- a) Buildings classified with respect to use or occupancy as assembly, business, educational, institutional or mercantile as provided by the International Building Code as adopted by the city shall be landscaped with living plants, trees, bushes, grass or similar vegetation according to the following standards and requirements:

- (1) **Required Area.** The public right-of-way between the property line and the curb and not less than five (5) percent of the total land area of the lot shall be landscaped. To the extent practical, at least seventy-five (75) percent of the landscaped lot area shall be in the front or side yards and visible from a public or private streets providing access to the property. Inner courts that are not visible from the public street shall not be calculated for purposes of meeting this requirement.

- a) **Exception:** When both minimum parking and minimum landscape area requirements cannot be met, the required landscaped area may be reduced, as approved by the City Council.

- (2) **Landscaped Materials and Plan.** Application for a building permit shall be accompanied by a detailed landscaping plan for both the required lot area and the area within the public street right-of-way between the property line and the curb. The plan shall conform to the following requirements:

- a) The location and types of all plants shall be designated;

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- (b) There shall be one (1) live tree, having a minimum trunk caliper thickness of two and one half (2 1/2") inch and not less than seven (7) feet in height, for every five hundred (500) square feet of area to be landscaped.
  - (c) There shall be one (1) live shrub of not less than three gallons in size for the minimum number of trees required herein. Live shrubs may be in planters or pots.
  - (d) Artificial grass or any form of synthetic plant shall not be permitted as part of the requirements for landscaping;
  - (e) Rock gardens or sculpture may be approved; however, use of gravel or chat as ground cover shall not be considered as meeting the requirements of this section; and
  - (f) The landscaping plan shall respect sight triangles at intersections and all other elements relating to traffic control.
- (3) The landscaping plan shall be reviewed and approved as part of the building permit review process.
- (4) A certificate of occupancy for a structure shall not be issued until the landscaping has been installed in accordance with the plan; provided, however, that if a structure and all its site improvements are complete except for the landscaping requirement and the season of the year will not permit planting, temporary occupancy may be permitted until a date certain in the growing season. In this case an inspection date in the growing season shall be set by the building inspector to determine if the landscaping has been installed.
- (5) All landscaping shall be maintained in a live and healthy condition. Failure to install or maintain landscaping as required and approved shall constitute a violation of this section.
- (b) Exception: For public and private schools located on a campus containing three or more acres, the City Council may waive or modify the requirements of subsection (a)(2)(b) and (a)(2)(c) above.
- (c) Buildings classified with respect to use or occupancy as residential as provided by the International Building Code as adopted by the city shall be landscaped according to the following regulations:

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- (1) A minimum of fifty (50) percent of the total land area situated in front of the front building line of any residential lot shall be landscaped with grass, shrubs and other ground cover or vegetation. The area of the right-of-way, although required to be landscaped, shall not be inclusive of the said required minimum area described herein.

(Code 1976, §12-4-2(C); Ord. No. 366, § 1, 6-17-86; Ord. No. 367, § 1, 6-17-86; Ord. No. 462, § 2, 11-19-91; Ord. No. 371, § 1, 8-19-86; Ord. No. 506, § 2, 9-20-94; Ord. No. 581 §1, 12-17-02; 2004 Code, 2008 Code)

### **Sec. 6-204. Distance of building from oil and gas wells.**

No building permit shall be issued for the construction of any building, which is to be located nearer than one hundred (100) feet to any existing well. In this section "well" means any hole or bore to any depth for the purpose of producing and recovering any oil, gas, or liquefied petroleum matter or deleterious substances, or used for the injection or disposal of any of the foregoing.

(Ord. No. 506, §2, 9-20-94)

### **Sec, 6-205. Display of building/house numbers.**

Numbers showing the street address of every residence and business establishment in the City must be displayed in a location that is clearly visible from the street at all times. The numbers must be a minimum of three (3) inches high and must be in clear contrast to the background on which they are placed.

(Ord. No. 285, §§ 1, 2, 8-19-80; Ord. No. 393, § 1, 9-15-87; Ord. No. 631, 01-15-2008)

### **Secs. 6-206--6-224 Reserved.**