



ORDINANCE 718

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE OF THE CITY OF THE VILLAGE, OKLAHOMA PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN PROVIDING A PENALTY FOR THE VIOLATION THEREOF PROVIDING FOR THE MANNER OF AMENDING SUCH CODE AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF THE VILLAGE

Section 1. The Code entitled "Code of Ordinances, City of The Village," published by the City of The Village consisting of Chapters 1 through 25, each inclusive, is hereby adopted.

Section 2. All penal ordinances of a general and permanent nature enacted on or before December 19, 2016, and not included in the Code or recognized and continued in force by reference therein are repealed.

Section 3. The repeal provided for in Section 2 hereof shall not be construed to revive any ordinance or part thereof that has been repealed by a subsequent ordinance that is repealed by this ordinance.

Section 4. Whenever in such Code or in any other ordinance of the city, or in any rule, regulation or order promulgated by any officer or agency of the city under authority duly vested in him, or it, any act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or the doing of any act is required, or the failure to do any act is declared to be unlawful, or an offense or a misdemeanor, where no specific penalty is provided therefore, the violation of any such provisions of such code or any other ordinance of the city of such rule, regulation or order shall be punished as indicated below:

(1) If the violation is a Class A offense, it shall be punished by a fine not exceeding seven hundred and fifty dollars (\$750.00), or by imprisonment not exceeding sixty (60) days, or by both such fine and imprisonment

(2) If the violation is a Class B offense, it shall be punished by a fine not exceeding two hundred dollars (\$200.00).

If any act or omission is declared to be a Class A or Class B offense, it shall be punishable as provided in subsection 4 (1) or (2). In the absence of any penalty or classification being specified, an offense shall be a Class B offense.



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The provisions above notwithstanding, no penalty shall be greater than that established by state statute for the same offense. Except as otherwise provided, every day any violation of this Code or any other ordinance of the city or any rule regulation or order shall continue, shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the city may pursue other remedies such as abatement of nuisances, injunctive relief, and revocation of licenses or permits.

Section 5. Additions or amendments to the Code, when passed in the form as to indicate the intention of the city to make the same a part of the Code, shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments.

Section 6. Ordinances adopted after December 19, 2016, that amend or refer to ordinances that have been codified in the Code, shall be construed as if they amend or refer to like provisions of the Code.

Section 7. The continuance in effect of non-penal, temporary and/or special ordinances and parts of ordinances, although omitted from the Code, shall not be affected by such omission there from and the adoption of the Code shall not repeal or amend any such ordinance or part of any such ordinance. Among, but not limited to, the non-penal, temporary and/or special ordinances not repealed or amended by the adoption of the code, are the following: Ordinances creating, opening, dedicating, vacating, or closing specific streets, alleys and other public ways naming or changing the names of specific streets and other public ways establishing grades of specific streets and other public ways authorizing or relating to specific issues of bonds creating or relating to specific sewer and paving districts and other specific local improvement districts making special assessments for local improvements annexing territory to or excluding territory from the city calling or providing for special election approving or authorizing specific contracts with the state or with others authorizing lease, sale or purchase of property granting rights-of-way or other rights and privileges to specific railroad companies or others granting a specific public utility or any other person, firm or corporation the right or privilege of constructing lines in the streets and alleys or of otherwise using the streets and alleys, granting a franchise to a specific public utility, or regulating a specific public utility or amending the zoning map, or including specific property within or deleting specific property from any zoning district or classification or affecting the city budget or relating to salaries of city officers or employees.



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Section 8. Whereas, it being necessary for the preservation of the public health, peace and safety of the City of The Village, Oklahoma, an emergency is declared to exist and by reason thereof this ordinance shall take full force from and after its adoption.

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF THE VILLAGE, OKLAHOMA, this 19th day of December, 2016, after compliance with notice requirements of the Open Meeting Law (Title 25, O.S. § 301, et seq).

HUTCH HIBBARD, MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM AND LEGALITY this 19th day of December, 2016.

ASSISTANT CITY ATTORNEY