





General Provisions

PART I

GENERAL PROVISIONS

CHAPTER 1

DEFINITIONS, INTERPRETATION, APPLICABILITY, FINES

Section 1-101	Designation and citation of code.
Section 1-102	Rules of code construction, definitions,
Section 1-103	Authority of code.
Section 1-104	Conflicting provisions.
Section 1-105	References include amendments; construction.
Section 1-106	Catchlines and headings; construction.
Section 1-107	Code provisions as continuance of existing ordinances.
Section 1-108	Penalty.
Section 1-109	Each day of violation of code a separate offense.
Section 1-110	Prohibited acts include causing, permitting, concealing.
Section 1-111	Civil relief from violations of code of ordinances.
Section 1-112	Territorial applicability.
Section 1-113	Ordinances in effect in outlying territory of City.
Section 1-114	Code severability.

CHAPTER 2

STANDARD RULES: NOTICES, WARRANTS, INSPECTIONS, FEES, BONDS

Section 1-201	Acts of deputy or designee
Section 1-202	Notices; service and proof.
Section 1-203	Inspections and right of entry.
Section 1-204	Search warrant or access warrant.
Section 1-205	Schedule of fees and charges created.

CHAPTER 3

CORPORATE AND WARD LIMITS

Section 1-301	Maps of the City
Section 1-302	Ward boundaries.

(This page intentionally left blank)

CHAPTER 1

DEFINITIONS, INTERPRETATION, APPLICABILITY, FINES

Section 1-101	Designation and citation of code.
Section 1-102	Rules of code construction; definitions.
Section 1-103	Authority of code.
Section 1-104	Conflicting provisions.
Section 1-105	References include amendments; construction.
Section 1-106	Catchlines and headings; construction.
Section 1-107	Code provisions as continuance of existing ordinances.
Section 1-108	General penalty.
Section 1-109	Each day of violation of code a separate offense.
Section 1-110	Prohibited acts include causing, permitting, concealing.
Section 1-111	Civil relief from violations of code of ordinances.
Section 1-112	Territorial applicability.
Section 1-113	Ordinances in effect in outlying territory of City.
Section 1-114	Code severability.

SECTION 1-101 DESIGNATION AND CITATION OF CODE.

The ordinances embraced in this and the following chapters and sections shall constitute and be designated as "The City Code of Piedmont, Oklahoma," and may be so cited. The Code may also be cited as the City Code or in the provisions which following, as the "Code".

Charter Reference: Ordinances, codification, Sec. 2-17 of the Charter.

State Law Reference: Adoption and revision of codes and codes of ordinances, 11 O.S. Secs. 14-108, 14-109.

SECTION 1-102 RULES OF CODE CONSTRUCTION; DEFINITIONS.

A. In the construction of this code and all ordinances, the following rules of construction and definitions shall be observed unless inconsistent with the manifest intent of the City Council or the context clearly requires otherwise:

1. "Administrative regulations" means written orders which are issued by approval of the Mayor or City Manager of the City.
2. "Administrator" means the City Manager of the City.
3. "And/or" means "or", and "or" may read "and" if the same requires it.
4. "Bond" means an obligation in writing, binding the signatory to pay a sum certain upon the happening or failure of an event.
5. "Building" means any structure intended to have walls and a roof.
6. "Building official" means the person appointed by the City Manager and designated as the City's building official.

General Provisions

7. "Business" means any profession, trade, occupation and any other commercial enterprise conducted for monetary reward;
8. "Charter" means the Charter of the City of Piedmont;
9. "City" means the City of Piedmont, in the County of Canadian and State of Oklahoma;
10. "City limits" means within the city and includes not only the corporate limits of the city but also any property which it owns or which is under its jurisdiction;
11. "Clerk" means the city clerk;
12. "Council" means the governing body of the city, the city council;
13. "County" means Canadian County, Oklahoma;
14. "Definitions" given within a chapter or article apply only to words or phrases used in such chapter or article unless otherwise provided;
15. "Designee," following an official of the city, means the authorized agent, employee or representative of such official;
16. "Gender" Words importing the masculine gender include the feminine and neuter as well as the masculine;
17. "Health officer" means administrator of the cooperative department of the county and the city;
18. "Keeper" means one in possession of or who has the care, custody or superintendence of a thing, place or business whether or not the owner or proprietor, and includes any person, firm, association, corporation, club and copartnership whether acting by themselves or by a servant, agent or employee;
19. "Law" means applicable federal law and court decisions, court decisions and provisions of the constitution and statutes of the state, ordinances and charter of the city, and, when appropriate, any and all rules and regulations promulgated thereunder;
20. "Manager" see "Administrator";
21. "May" is permissive and discretionary;
22. "Mayor" means the mayor of the city;
23. "Month" means a calendar month;
24. "Number" Words used in the singular include the plural and the plural includes the singular;
25. "Oath" means any form of attestation by which a person signifies that he is bound

General Provisions

in conscience to perform an act or to speak faithfully and truthfully, and includes an affirmation or declaration in cases where by law an affirmation may be substituted for an oath;

26. "Occupant" means tenant or person in actual possession;
27. "Operate" means carry on, keep, conduct, maintain, manage, direct or superintend;
28. "Ordinances" mean the ordinances of the city and all amendments and supplements thereto;
29. "Owner" means one who has complete dominion over particular property and who is the one in whom legal or equitable title rests; when applied to a building or land, "owner" means any part owner, joint owner, owner of a community or partnership interest, life tenant, tenant in common, or joint tenant, of the whole or part of such building or land;
30. "Person" means any individual, natural person, joint stock company, partnership, voluntary association, club, firm, company, corporation, business trust, organization, or any other bodies corporate or politic or group acting as a unit, or the manager, lessee, agent, servant, partner, member, director, officer or employee of any of them including an executor, administrator, trustee, receiver, or other representative appointed according to law;
31. "Personal property" means any money, goods, movable chattels, things in action, evidence of debt, all objects and rights which are capable of ownership, and every other species of property except real property;
32. "Preceding" and "following" means next before and next after, respectively;
33. "Proprietor" means an owner of the property or premises, including any person, firm, association, corporation, club, partnership or other group acting as a unit, whether acting by themselves or by a servant, agent or employee;
34. "Public place" means and includes any public street, road or highway, alley, lane, sidewalk, crosswalk, or other public way, or any public resort, place of amusement, stadium, athletic field, park, playground, public building or grounds appurtenant thereto, school building or school grounds, public parking lot or any vacant lot, the elevator, lobby, halls, corridors and areas open to the public of any store, office, or apartment building, or any other place commonly open to the public;
35. "Real property" means land together with all things attached to the land so as to become a part thereof;
36. "Shall". The word "shall" is mandatory;
37. "Sidewalk" means that portion of a street between the curblin and the adjacent property along the margin of a street or other highway, designed, constructed and intended for the use of pedestrians to the exclusion of vehicles;
38. "Signature and subscription" means the name of a person, mark or symbol appended by him to a writing with intent to authenticate the instrument as one made or put into effect by him;

General Provisions

39. "State" means the State of Oklahoma;
40. "Statutes" means the Oklahoma Statutes as they are now or as they may be amended to be;
41. "Street" means all streets, highways, avenues, boulevards, parkways, roads, lanes, viaducts, bridges and the approaches thereto, docks built on the public street, alleys, courts, places, squares, curbs, sidewalks, recreation and park lands used for vehicular traffic, or other public ways or thoroughfares in this city, over which it has jurisdiction, which have been or may hereafter be dedicated and open to public use, or such other public property so designated in any law of this state;
42. "Tenant" means any person occupying the premises, building or land of another in subordination to such other person's title and with his express or implied assent, whether he occupies the whole or a part of those premises, building or land, whether alone or with others;
43. "Tense" Words used in the past or present tense include the future, past and present where applicable unless the context clearly indicates otherwise;
44. "Time" means the hour of the day according to the official time of the day;
45. "Time of performance" means the time within which an act is to be done as provided in any section or any order issued pursuant to any section, when expressed in days, and is computed by excluding the first and including the last day. If the last day is a Sunday or legal holiday, that day shall not be counted in the computation. When the time is expressed in hours, the whole of Sunday or a legal holiday from midnight to midnight is excluded;
46. "Treasurer" means the city treasurer;
47. "Watercourse" means any drain, ditch and stream, flowing in a definite direction or course in a bed with banks;
48. "Week" means seven (7) days;
49. "Writing" and "written" means any representation of words, letters or figures, whether by printing or otherwise, capable of comprehension by ordinary visual means; and
50. "Year" means a calendar year.

B. Words and phrases are construed according to the common and approved usage of the language, but technical words and phrases and others that have acquired a peculiar and appropriate meaning in the law are construed and understood according to such meaning. (Prior Code, Sec. 10-1 - 10-3, as amended)

SECTION 1-103 AUTHORITY OF CODE

This code is a revision and codification of the general ordinances of the city which have been enacted and published in accordance with the authority granted in Sections 14-108 and 14-109 of Title 11 of the Oklahoma Statutes.

General Provisions

SECTION 1-104 CONFLICTING PROVISIONS.

A. If the provisions of different parts, chapters, articles, or sections of this Code conflict with or contravene each other, the provisions of each part, chapter, article, or section shall prevail as to all matters and questions growing out of the subject matter of this part, chapter, article, or section.

B. If clearly conflicting provisions are found in different sections of the same chapter, the provisions of this section last enacted shall prevail unless the construction is inconsistent with the meaning of that section.

C. Where any conflict exists between a part, chapter, article, or section of this code and any chapter or section of the Chapter, the latter shall prevail.

SECTION 1-105 REFERENCES INCLUDE AMENDMENTS; CONSTRUCTION.

Any reference in this code to an ordinance or provision of this code means such ordinance or provision as may now exist or is hereafter amended.

SECTION 106 CATCHLINES AND HEADINGS; CONSTRUCTION.

All designations and headings of parts, chapters, articles, and sections are intended only for convenience in arrangement and as mere catchwords to indicate the content of such parts, chapters, articles, or sections whether printed in capital letters or bold face type. They shall not be deemed or taken to be any part or title of such parts, chapters, articles, or sections; nor, unless expressly so provided, shall they be so deemed upon amendment or reenactment; nor shall they be construed to govern, limit, modify, or in any other manner affect the scope, meaning, or intent of any of the provisions of this code.

SECTION 1-107 CODE PROVISIONS AS CONTINUANCE OF EXISTING ORDINANCES.

The provisions appearing in this code, insofar as they relate to the same subject matter and are substantially the same as those ordinance provisions previously adopted by the City and existing at the effective date of this code, shall be considered as restatement and continuations thereof and not as new enactments.

SECTION 1-108 PENALTY.

(A) Except as otherwise provided by state law, and except as provided in divisions (B) and (C) of this section, whenever in this code or in any ordinance of the City an act is prohibited or is made or declared to be unlawful, an offense or a misdemeanor, or whenever in the Code of Ordinances the doing of any act is required or

General Provisions

the failure to do any act is declared to be unlawful, where no specific penalty is provided therefore, the violation of any provision of this code or of any ordinance, upon conviction, shall be punished by a fine not exceeding \$500.00, plus court costs. Each day or any portion of a day during which any violation of this code or of any ordinance shall continue shall constitute a separate offense.

(B) The following offenses under this code shall be punishable by a maximum fine of \$750.00, imprisonment for a period not to exceed 60 days or both plus court costs:

OFFENSE

Assault and battery on a police officer

Prostitution

Pointing weapon at another

Assault and Battery

Contempt of court

Bogus checks

Minor in possession of low-point beer or alcohol (first offense \$300.00,
Second offense \$600.00, and third offense \$800.00) (NO IMPRISONMENT)

(C) The following offenses under this code shall be punishable by a fine of \$800.00 and imprisonment for a period not to exceed 60 days or both plus court costs:

OFFENSE

Driving and actual physical control of a motor vehicle while under influence of Alcohol or drugs and driving while impaired.

Possession of controlled dangerous drugs and possession of drug paraphernalia

(D) \$50.00 of each alcohol fine or deferral fee shall be transferred to a fund to be used to defray costs of enforcement of laws relating to juvenile access to alcohol, and alcohol and drug related offenses.

(E) The maximum fine or deferral fee for offenses relating to parking or speeding shall not exceed \$200.00, plus court costs.

General Provisions

SECTION 1-109 EACH DAY OF VIOLATION OF CODE A SEPARATE OFFENSE.

Each day any person is in violation of any provision of this Code, and each day any such violation occurs or continues to exist, shall be a separate offense.

SECTION 1-110 PROHIBITED ACTS INCLUDE CAUSING, PERMITTING, CONCEALING.

Whenever in this Code any act or omission is made unlawful or prohibited, it shall include causing, allowing, permitting, aiding, abetting, or concealing the fact of such act or omission.

SECTION 1-111 CIVIL RELIEF FROM VIOLATIONS OF CODE OR ORDINANCES.

No penalty imposed by or pursuant to Section 1-108, or any other section of this Code, or other ordinance of the City shall interfere with the right of the City to apply to the proper courts of the State for a writ of mandamus, an injunction or other appropriate relief in the case of violations of this Code or other ordinances.

SECTION 1-112 TERRITORIAL APPLICABILITY.

Except as provided otherwise, this Code refers only to the commission or omission of acts within the territorial limits of the City and to that territory outside this City over which the City has jurisdiction, ownership, or control by virtue of any constitutional or Carter provision, or any law.

SECTION 1-113 ORDINANCES IN EFFECT IN OUTLYING TERRITORY OF CITY.

All ordinances of the City now in effect within the City are hereby extended to all real property belonging to, or under the control of the City outside the corporate limits of the City, and is in full effect therein, insofar as they are applicable. All ordinances of the City which shall go into effect in the future shall also apply to, and be in full effect within the boundaries of all outlying real property, insofar as they may be applicable. Any words in any ordinances indicating that the effect of an ordinance provision is limited to the corporate limits of the City shall be deemed to mean and include also the outlying real property belonging to, or under the control of the City, unless the context clearly indicates otherwise.

SECTION 1-114 CODE SEVERABILITY.

It is declared to be the intention of the Council that the sections, subsections, paragraphs, sentences, clauses, and words of this Code are severable. If any section, subsection, paragraph, sentence, clause, or word is declared unconstitutional or otherwise invalid by the judgment or decree of any court of competent jurisdiction, its unconstitutionality or invalidity shall not affect the validity of any of the remaining sections, subsections, paragraphs, sentences, clauses, and

General Provisions

words of this Code since the sections or parts of sections would have been enacted by the Council without and irrespective of any unconstitutional or otherwise invalid section, subsection, paragraph, sentence, clause, or word being incorporated into this Code. (Prior Code, Sec. 1-13)

General Provisions

CHAPTER 2

STANDARD RULES: NOTICES, WARRANTS,
INSPECTIONS, FEES, BONDS

Section 1-201	Acts by deputy or designee.
Section 1-202	Notices; service and proof.
Section 1-203	Inspections and right of entry.
Section 1-204	Search warrant or access warrant.
Section 1-205	Schedule of fees and charges created.

SECTION 1-201 ACTS BY DEPUTY OR DESIGNEE.

Whenever a power is granted to or a duty is imposed upon a public officer or employee, the power may be performed by an authorized deputy or designee or by any person authorized pursuant to law or ordinances, unless this code expressly provides otherwise.

SECTION 1-202 NOTICES; SERVICE AND PROOF.

A. Unless otherwise specifically provided in this code or applicable law, whenever a notice is required to be given pursuant to any section of this code, such notice shall be given either by personal delivery to the person to be notified or by deposit in the United States mail in a sealed envelope, postage prepaid, addressed to the person to be notified at his last-known business or residence address as the same appears in applicable city records or other records pertaining to the matter for which such notice is served, or by any other method of delivery approved by law. Service by mail shall be deemed to have been completed at the time of deposit in the post office or any United States mailbox.

B. Unless otherwise specifically provided, proof of giving any notice may be made by the certificate of any officer or employee of this city or by affidavit of any person over the age of eighteen (18) years who actually accomplished personal service in conformity with this code or other provisions of law applicable to the subject matter concerned, or by a return receipt signed by the recipient notified by United States mail.

SECTION 1-203 INSPECTIONS AND RIGHT OF ENTRY.

A. To enforce the provisions of this code, the city administrator or his designee or any other person designated by this code or otherwise shall have a right of entry on premises for inspection purposes in the manner and to the extent as may be authorized by applicable law. This right of entry shall be a condition of any permit, license, grant or any utility service with or provided by the city. For the purpose of this section, inspection includes records and papers on the premises or of the permittee, licensee, grantee or customer relating to the permit, license, grant or service.

B. Emergency inspections may be authorized if the city administrator or his designated representative has reason to believe that a condition exists which poses an immediate threat to life, health or safety. Such procedure shall take place in accordance with applicable law.

C. Where the city administrator or other designated representative is otherwise impeded or prevented by the owner, occupant or operator from conducting an inspection of the premises,

General Provisions

such person shall be in violation of this section.

SECTION 1-204 SEARCH WARRANT OR ACCESS WARRANT.

A. Any officer designated by the city to inspect a premises may, upon affidavit, apply to the judge of competent jurisdiction for a search warrant setting forth factually the actual conditions and circumstances that provide a reasonable basis for believing that a nuisance or violation of this code may exist, including one or more of the following:

1. That the premises or records require inspection according to the cycle established by the inspecting officer for periodic inspections of records, buildings or premises of the type involved; or

2. That observation of external conditions of the premises and its public areas has resulted in the belief that violations of this code exist.

B. If the judge of competent jurisdiction is satisfied as to the matters set forth in the affidavit, he shall authorize the issuance of a search warrant permitting access to and inspection of that part of the premises on which the nuisance or violation may exist.

SECTION 1-205 SCHEDULE OF FEES AND CHARGES CREATED.

A. There is hereby created a schedule of fees and charges, which shall contain those fees and charges for the various licenses, permits and other fees and charges as designated by the council. Where a fee or charge is authorized to be collected by the city in any ordinance the amount of the fee or charge shall be set by resolution or motion and entered into the schedule of fees and charges. The schedule shall be kept on file in the office of the clerk, to whom all fees and charges shall be paid unless otherwise provided. A copy may be obtained upon payment of a fee as set forth in the schedule of fees and charges.

B. The schedule of fees and charges hereby created shall also be known and may be cited as the fee schedule.

Cross Reference: See fee schedule, Appendix 1 of this code.

General Provisions

CHAPTER 3

CORPORATE AND WARD LIMITS

Section 1-301 Maps of the City

Section 1-302 Ward boundaries.

SECTION 1-301 MAP OF THE CITY.

The map of the city showing its territorial limits, as maintained in the office of the city clerk, is hereby designated as the official map of the city, and the corporate limits as shown thereon, and as amended, are declared to be true and correct corporate limits of the city, including all annexations made to the city through and including the date of October 1, 1993.

SECTION 1-302 WARD BOUNDARIES.

The five wards of the City as established by Section 6-3 of the Charter of The City of Piedmont are hereby amended and established as shown on the map attached hereto as Exhibit "A" and a written description attached hereto as Exhibit "B". The map and written description shall be included in the Piedmont Code of Ordinances. The City Clerk is hereby directed to forthwith deliver a copy of the ward map and written description to the Election Boards of Canadian and Kingfisher Counties.

State Law Reference: Review of wards after each federal census, 11 O.S. 20-101; changing wards, 11 O.S. 20-102 to 20-105.

Charter Reference: Division into wards, number, etc., Sec.6-3 of the charter.

Ed.Note: See page 1-15 for copy of the Ward Map of the City.

General Provisions

(This page intentionally left blank)

General Provisions

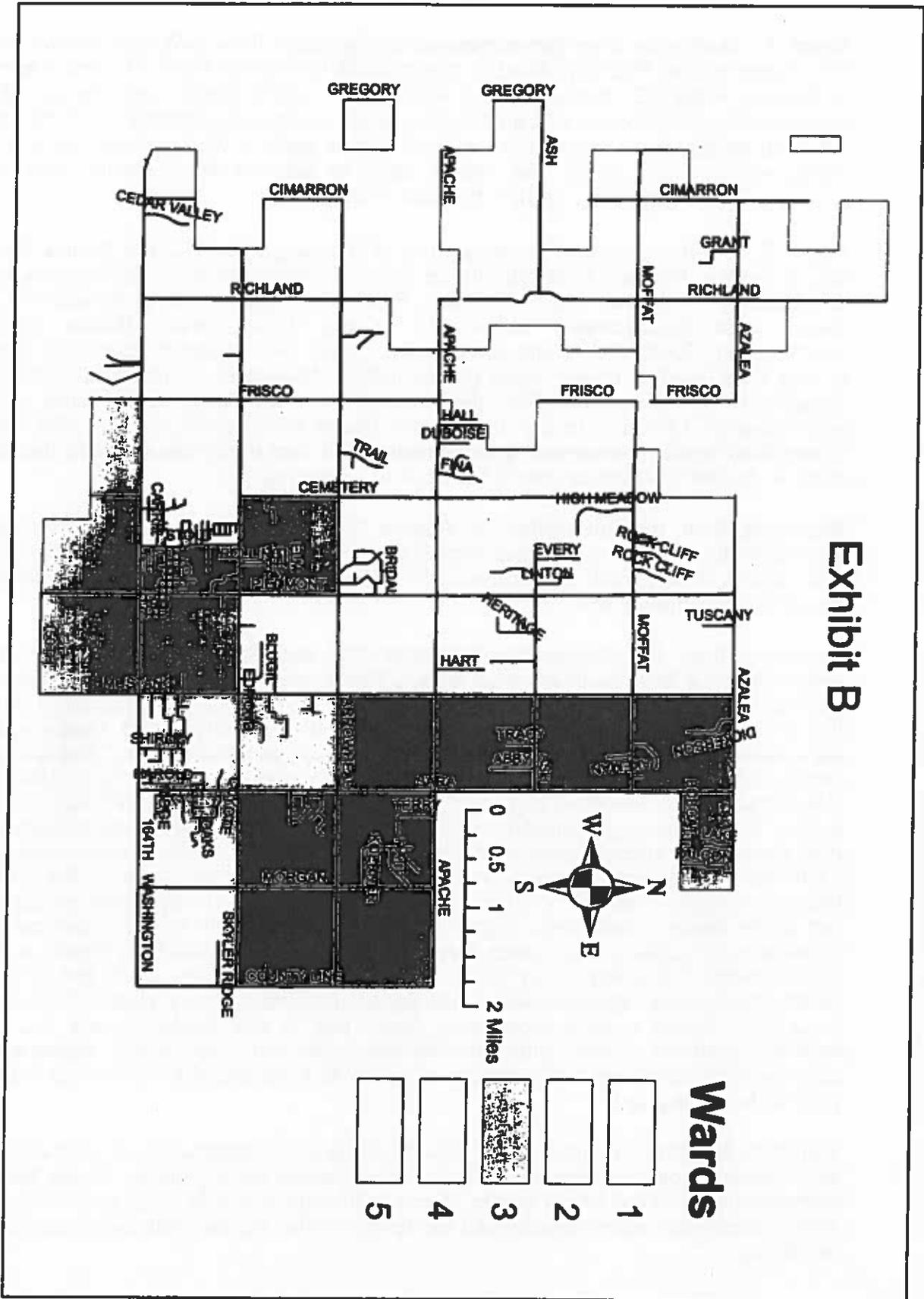


Exhibit B

General Provisions

EXHIBIT A

Ward 1 - Beginning from the intersection of Cemetery Road NW and Arrowhead NW, thence east to Piedmont Road N, thence south to Edmond Road NE, thence east to Mustang Road NE, thence south to Arkansas (or 150th), thence west one mile & approximately 3,956 feet to city limit border, thence north approximately 2,513 feet to city limit border, thence west to Frisco Road, thence north to Washington Avenue W, thence east to Stout Drive NW, thence north to Edmond Road, thence west to Cemetery Road NW, thence north to the point of beginning.

Ward 2 - Beginning from the intersection of Mustang Road NE and Azalea NE, thence south to Edmond Road NE, thence west to Piedmont Road N, thence north to Arrowhead NW, thence west to Cemetery Road NW, thence north to Apache NW, thence west approximately 3,960 feet to city limit border, thence north approximately 2,640 feet to city limit border, thence east approximately 1,320 feet to city limit border, thence north approximately 2,640 feet to city limit border, thence west to Frisco Road NW, thence north to Moffat Road NW, thence east approximately 2,640 feet to city limit border, thence north approximately 1,320 feet to city limit border, thence east approximately 2,640 feet to city limit border, thence north to Azalea NW, thence east to the point of beginning; and

Beginning from the intersection of Apache NW and Frisco NW, thence north approximately 641 feet to city limit border, thence east approximately 992 feet to city limit border, thence south approximately 649 feet to city limit border, thence west to the point of beginning; and

Beginning from the intersection of Azalea NW and Frisco NW, thence south approximately 4,290 feet to city limit border, thence west approximately 1,320 feet to city limit border, thence south to Moffat Road NW, thence west approximately 1,320 feet to city border, thence south approximately 3,960 feet to city border, thence west approximately 1,320 feet to city border, thence south approximately 3,967 feet to city border, thence east approximately 1,312 feet to city border, thence south to Apache NW, thence west to Richland Road NW, thence north approximately 1,325 feet to city border, thence west approximately 2,640 feet to city border, thence south to Apache NW, thence west approximately 5,280 feet to city border, thence north approximately 2,640 feet to city border, thence west to Gregory Road, thence North to Ash NW, thence east approximately 7,920 feet to city border, thence north approximately 2,640 feet to city border, thence west approximately 5,280 feet to city border, thence north approximately 5,280 to city border, thence east to Cimarron Road NW, thence north approximately 5,280 feet to city border, thence east approximately 2,640 feet to city border, thence north approximately 2,640 feet to city border, thence west to Cimarron Road NW, thence north approximately 2,640 feet to city border, thence east to Richland Road NW, thence south approximately 5,280 feet to city border, thence east approximately 2,640 feet to city border, thence south to Azalea NW, thence east to the point of beginning; and

Beginning at a point approximately 5,280 feet north of the intersection of Azalea NW and Cimarron Road and approximately 2,640 feet west to the city border, thence west approximately 980 feet to city border, thence south approximately 2,640 feet to city border, thence east approximately 980 feet to city border, thence north to the point of beginning.

General Provisions

Ward 3 - Beginning from the intersection of Mustang Road NE and Azalea NE, thence east approximately two miles to city limit border, thence south approximately 2,640 feet to city limit border, thence west to Sara Road NE, thence south to Apache NE, thence east to County Line Road, thence south to Edmond Road NE, thence west to Sara Road NE, thence north to Arrowhead NE, thence west to Mustang Road, thence north to the point of beginning.

Ward 4 — Beginning from the intersection of Arrowhead NE and Mustang Road NE, thence east to Sara Road NE, thence south to Edmond Road NE, thence east to County Line Road, thence south to Washington Avenue E., thence west to Mustang Road NE, thence north to the point of beginning.

Ward 5 — Beginning from the intersection of Apache Road NW and Cemetery Road NW, thence south to Edmond Road NW, thence east to Stout Drive NW, thence south to Washington Avenue W, thence west three miles and approximately 5,395 feet to city limit border, thence north approximately 2,264 feet to city limit border, thence east approximately 5,280 feet to city limit border, thence north approximately 3,697 feet to city limit border, thence west to Cimarron Road NW, thence north to Arrowhead NW, thence east to Richland Road NW, thence north approximately 2,640 feet to city limit border, thence east approximately 2,640 feet to city limit border, thence north to Apache Road NW, thence east to the point of beginning; and

The southwest quarter of Section 22, Township 14 North, Range 6 West. Generally located on the northeast corner of the intersection of Gregory Road NW and Arrowhead.

