

**CHAPTER 4  
BUILDING AND CONSTRUCTION**

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**Article 1. Codes and Code Administration.**

**Section 4-1. Model Construction Codes Adopted.**

The particular Model Construction Codes listed below (with revisions as may be hereinafter set forth) are hereby adopted and incorporated in this Code of Ordinances, as fully as if set out at length herein, for the purposes of establishing rules and regulations for the following activities carried on within the corporate limits of the Town of Mountain Park, Oklahoma:

1. (Building Code) The construction, alteration, removal , demolition, equipment, use, occupancy, location and maintenance of buildings and structures:  
  
International Residential Building Code, 2009 Edition;
2. (Plumbing Code) The installation or alteration of plumbing and drainage systems for buildings and structures:  
  
Basic Plumbing Code (recommended by Building Officials and Code Administrators International-BOCA) 2009 Edition;
3. (Electrical Code) The installation or alteration of electrical equipment for buildings or structures:  
  
National Electrical Code (recommended by the American Insurance Association) 2009 Edition;
4. (Housing Code) The provision of basic, minimum housing standards for the preservation of the health, safety and welfare of occupants:  
  
Standard Housing Code (recommended by the Southern Building Code Congress), 2007 Edition;
5. (Fire Prevention Code) The provision of basic safeguards to life and property from the hazards of fire and explosion:

National Fire Prevention Code (Recommended by the American Insurance Association), 2009 Edition;

6. (Gas Codes) he installation or alteration of gas systems for buildings or structures:

Rules, Regulations and Standards for the Storage and Handling of Liquefied Petroleum Gases for the State of Oklahoma (adopted by the State of Oklahoma), 2009 Edition;

7. (Energy Conservation Code) The provision of basic standards for energy conservation in building and structures:

Basic Energy Conservation Code (recommended by Building Officials and Code Administrators International-BOCA), 2009 Edition;

8. (Mechanical Code) The provision of basic standards for mechanical installations in buildings and structures:

Basic Mechanical Code (recommended by Building Officials and Code Administrators International-BOCA) 2009 Edition;

**Section 4-2. Adopted Codes; Modifications.**

1. Wherever the words “City,” “Town” or “Municipality” are used in these Model Construction Codes adopted, it shall mean the Town of Mountain Park, Oklahoma.
2. Wherever the words “Inspector,” “Building Inspector,” “Zoning Administration Officer” or “Administrative Official” are used in these Model Construction Codes adopted, it shall mean the Municipal official currently assuming the duties and responsibilities of Municipal Building Inspector for the Town of Mountain Park, Oklahoma.
3. All official titles used in those Model Construction Codes adopted shall be interpreted as defined in this Code of Ordinances.
4. Maximum penalties for violation of provisions of those Model Construction Codes adopted shall be as provided in the “Penalty” Section of this Chapter.
5. Notwithstanding any provisions of any of those Model Construction Codes adopted by this Chapter, wood shingles may be used for roofing.
6. All limits, except “Fire Limits,” referred to in any of those Model Construction Codes adopted by this Chapter are hereby established as the corporate limits of the Town of Mountain Park, Oklahoma.

**Section 4-3. Adopted Codes; On File; In Effect; Conflicts.**

1. At least one (1) copy of each of the Model Construction Codes adopted by the Town of Mountain Park, Oklahoma, shall be placed on file in the Office of the Town Clerk-Treasurer.
2. From the date on which this Chapter shall take effect, the provisions of said Codes, as herein modified, shall be controlling in those areas set forth hereinabove, within the corporate limits of the Town of Mountain Park, Oklahoma.
3. Whenever any provision of any of those Model Construction Codes adopted by this Chapter conflicts with the Code of Ordinances of the Town of Mountain Park, Oklahoma, the latter provisions shall govern.

**Section 4-4. Building Inspector to Enforce Codes.**

Any certified Municipal official, or other certified employee designated by the Town Board of Trustees, shall be responsible for enforcing the Model Construction Codes adopted by this Code of Ordinances. *Such* persons may bear titles *such* as “Building Inspector,” “Gas Inspector,” “Plumbing Inspector,” “Electrical Inspector,” “Zoning Administration Officer,” as may be deemed appropriate to indicate their respective areas of concern, and shall be appointed or designated by the Town Board of Trustees.

**Sections 4-5 through 4-9. (Reserved for future use.)**

**Article 2. Permits and Certificates.**

**Section 4-10. Building Permits.**

1. No person shall erect, enlarge, construct, relocate, substantially improve, repair, place, alter, move or demolish any building, structure, mobile, modular or manufactured home, or initiate any other construction, without first obtaining a separate Building Permit for each such building or structure from the Office of the Town Clerk-Treasurer. *Such* permit shall be in addition to, and separate from, all other requirements for Zoning Clearance Permits, Occupancy Certificates or Certificates of Appropriateness.
  - a. An applicant for a Building Permit related to the construction, replacement or major repair (more than 50%) of any type of fence in the Town of Mountain Park, Oklahoma, shall comply with the following requirements:
    - (1) The fence shall be in full compliance with the Town’s adopted Zoning Ordinance, including specific references, if any, to setback limitations;
    - (2) Any fencing located in front of the main structure shall be no higher than three (3) feet;
    - (3) Fencing shall not cause any obstruction to any public right-of-way or drainage easement, excluding utility easements (where fencing shall be placed on either the

easement line or the property line, depending on the remaining fence placements in the adjacent lots);

- (4) No fencing shall be allowed to obstruct the sight triangle at intersections or corners.
  - b. Non-compliance shall be grounds for non-issuance or revocation of the Permit by the Town Clerk-Treasurer.
2. No man-made change to improved or unimproved real estate located within a designated "Flood Hazard Area," including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be initiated until a separate Building Permit has been obtained for each such operation from the Office of the Town Clerk-Treasurer.
3. No mobile, manufactured or modular home shall be placed on improved or unimproved real estate without first obtaining a separate Building Permit for each such home from the Office of the Town Clerk-Treasurer.
4. Minor repairs of buildings or structures, the cost of which shall not exceed one thousand dollars (\$1,000.00), may be made without obtaining a Building Permit; provided, that, all plumbing, electrical or mechanical work covered by adopted Model Construction Codes, shall require an appropriate Permit. Construction of accessory buildings under one hundred and fifty (150) square feet in area may also occur without a Building Permit; provided, that, the structure cannot have any water, sewer or electrical hook-ups, and the structure is not to be constructed within any dedicated road or alley right-of-way, or in violation of the Zoning Ordinance.
5. All applications for Building Permits shall be signed and in writing, upon an official blank form supplied by the Office of the Town Clerk-Treasurer or the Municipal Building Inspector, and shall be submitted to either of said officials, along with the required fee.
6. Building Permit fees shall be as determined by the Town Board of Trustees and shall be based primarily upon the Municipal costs incurred in the administration of the Municipal Building Permit System.
7. The Office of the Town Clerk-Treasurer shall be responsible for the administration of the Building Permit process; provided, that, Building Permit application forms may be obtained from, and submitted to, the Municipal Building Inspector.
8. Applications for Building Permits shall contain all applicable information required on the Building Permit form and shall be accompanied by drawings of the proposed work (drawn to scale), showing floor plans, structural details, computations and such additional information as may be required of the applicant by the Office of the Town Clerk—Treasurer, the Municipal Building Inspector, this Code of Ordinances or the Town Board of Trustees.

9. Upon receipt of a complete Building Permit application and the required fee, the Town Clerk-Treasurer shall immediately turn the application over to the Municipal Building Inspector, who shall review the application to ensure that:
  - a. The involved land is properly Zoned for the proposed use;
  - b. Applicable Zoning District provisions (including Floodway and Floodway Fringe District provisions), and any applicable historic preservation provisions, have been met;
  - c. Legally-dedicated roadway access is available, and proof of such dedication has been provided;
  - d. Adequate and sanitary provisions have been made for utilities, and fire protection is also adequate;
  - e. All easements and street right-of-way areas provided in the recorded plat, if any, are not encroached upon; to this end, the builder of any structure located in the Town of Mountain Park, Oklahoma, shall, by receipt of the Building Permit, agree to furnish the purchaser(s) of the structure(s) with a survey of the lot(s) and structure(s) thereon, upon completion of construction, indicating compliance with this requirement; said survey shall be signed by a surveyor licensed in the State of Oklahoma;
  - f. All other Floodplain Regulations, if applicable, have been met and the required information provided;
  - g. Applicable Historic Preservation Regulations have been met (Article 4 of this Chapter and any appropriate provisions of Chapter 15, this Code of Ordinances); and
  - h. All other required Municipal Permits and/or Licenses have been obtained.
10. Building Permit applications for development, location, demolition or alteration within delineated "Flood Hazard Areas" (as shown on the Community's Official Flood Insurance Rate Map (FIRM), which is hereby adopted by reference as if set out fully herein), shall be reviewed by the Municipal Building Inspector to ensure that all NFIP requirements are met.
11. The Municipal Building Inspector shall have the following additional responsibilities in the review of Building Permit applications for development, location, demolition or alteration within a delineated "Flood Hazard Area."
  - a. Building Permit applications shall be reviewed to ensure that all necessary governmental agency permits required by State or Federal Law have been obtained.

- b. In the case of Building Permit applications for alteration or relocation of a watercourse, the Municipal Building Inspector shall:
  - (1) Notify adjacent communities and the State Flood Insurance Coordinating Office prior to such work (and submit copies of such notification to the Federal Flood Insurance Administrator); and
  - (2) Obtain written assurances from the Building Permit applicant that the flood-carrying capacity within the altered or relocated portion of the watercourse will be maintained.
- 12. Issuance of a Building Permit for development within an identified "Flood Hazard Area" shall not create liability on the part of any Municipal official for any flood damages resulting from reliance upon the provisions of this Section, or any administrative decision lawfully made thereunder.
- 13. If the Municipal Building Inspector is satisfied that the proposed work described in the application and attached materials conform to the requirements of the adopted Zoning Ordinance, Building Code and other regulations and requirements, the issuance of the Building Permit shall be authorized by signing the application and forwarding it to the Office of the Town Clerk-Treasurer, who shall return a copy to the applicant.
- 14. If the application or attached materials do not conform to pertinent Municipal regulations, the Municipal Building Inspector shall not approve said application, but shall return the application to the Town Clerk-Treasurer, along with written reason(s) for disapproval. The Town Clerk-Treasurer shall return the application, with written reason(s) attached, to the applicant. The applicant may subsequently amend the application, if possible, and re-submit it, or initiate other action to correct the deficiencies.
- 15. The Municipal Building Inspector and the Office of the Town Clerk-Treasurer shall complete all required review processes in an efficient and effective manner, without unreasonable or unnecessary delay.
- 16. A Building Permit, once approved and issued, shall be construed as authorization to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any Municipal regulations, nor shall such issuance prevent the Municipal Building Inspector from thereafter requiring a correction of errors in plans, construction or a violation of this Code of Ordinances.
- 17. If the work allowed under an issued Building Permit has not been initiated within six (6) months from the issuance date of said Permit, such Permit shall become null and void, unless a request for an extension is submitted to, and approved by, the Town Board of Trustees; such extension request must be submitted to the Town Board prior to the end of said six (6) month period. If said Permit becomes null and void, a new Permit must be

obtained and the regular fee incident thereto collected, in order for the work to be initiated or resumed.

18. The Town Clerk-Treasurer shall keep a permanent and accurate accounting of all Building Permits and shall transmit copies of each Permit issued to the Municipal Building Inspector, for information purposes. The Town Clerk-Treasurer shall keep a permanent and accurate record of all Building Permit fee payments.
19. The Town Clerk-Treasurer may revoke a Building Permit in case there has been any false statement or misrepresentation as to a material fact in the application or attached materials on which the Building Permit approval was based.
20. Building Permits shall be conspicuously displayed on the project or site, in a manner visible from the street.
21. The Town Clerk-Treasurer and the Municipal Building Inspector shall monitor Municipal utility hook-up requests and shall not allow Municipal utilities to be turned on to any unit, structure or project for which a Building Permit has not been issued.
22. Appeals from any aggrieved person concerning a decision of the Town Clerk-Treasurer relative to the granting of Building Permits, shall be taken to the Town Board of Trustees, who shall act as the Permit Board of Appeals for the Town of Mountain Park, Oklahoma.
23. In the event of any conflict between the Building Permit provisions delineated herein and any provision(s) of the Building Code adopted by the Town Board of Trustees, the provisions of this Chapter shall prevail.
24. The fees for said inspections shall be as determined by Motion of the Town Board of Trustees.

**Section 4-11. House Moving Permit.**

1. Before any person shall move any house, building or heavy structure (but not including a mobile or manufactured home) on or over any non-Federal or non-State roadway within or through the Town of Mountain Park, Oklahoma, it shall first be necessary to obtain a House Moving Permit to do so from the Office of the Town Clerk-Treasurer; *such* Permit shall first be approved by the Mayor or Acting Mayor.
2. The fee for a Permit to move such house or structure shall be ***one hundred dollars (\$100.00)***. In the event it is necessary to move utility lines, poles, signs or other structures to facilitate the move, the cost therefore will be paid by the applicant, in addition to the normal fee.
3. No Permit shall be issued to any person to move a house or structure unless the person has in effect a bond or a cash deposit with the Town Clerk-Treasurer in the sum of one thousand dollars (\$1,000.00), conditioned that the mover will indemnify the owners of any property (public or private, including pavement, curbs, etc.) for any damage thereto

resulting from the moving of any house or structure, and holding the Town of Mountain Park, Oklahoma, harmless from liability for any such damages.

4. It shall be the duty of the Mayor or Acting Mayor to approve or determine the route that may be used and the potential for damages, if any, to any property; such rules and regulations as are necessary to promote an effective move and the protection of persons and property may also be prescribed by the Mayor or Acting Mayor. The mover shall erect all necessary danger signals during the operation of moving.
5. Any person moving any house or any other structure on or over any street or alley, shall be liable (personally and upon bond) for any damage to trees, public property, persons or any matter whatsoever resulting from such moving. This shall not be construed to authorize any person to cut or trim any trees or commit any injury to any public or private property which cannot be immediately restored to its former condition; no Permit shall authorize any moving under any conditions which will promote such damage.

**Section 4-12. Ditching Permits.**

1. It shall be unlawful for any person, firm or corporation to initiate any ditching operation involving any public easement, right-of-way, place, area or building within the Town of Mountain Park, Oklahoma, without first obtaining a Ditching Permit from the Office of the Town Clerk-Treasurer; ***such*** Permit shall first be approved by the Mayor or Acting Mayor.
2. Such Permit shall be issued only if the applicant meets the following conditions:
  - a. The applicant shall provide a map of the proposed project to the Mayor prior to initiating work; said map shall show, or have placed upon it, all Municipal utility line locations in the project area, and all areas of public easement, right-of-way or places, areas or buildings potentially affected by the proposed project.
  - b. The applicant shall provide written proof that there is full coordination with all other applicable utility companies (telephone, electric, gas and CATV) and complete awareness of the locations of all such lines.
  - c. The applicant shall provide a surety bond (or cash deposit), suitable to the Town of Mountain Park, Oklahoma, as to dollar amount and form, to ensure that any damages will be repaired; upon completion of the project, the Town of Mountain Park, Oklahoma, will review any damage claims and make appropriate arrangements.
  - d. The applicant shall agree, in writing, to maintain proper safeguards, particularly at night.
3. Violation of any of these provisions shall be grounds for revocation of the applicant's Permit at any time ***and may also result in other or additional penalties and/or liability.***



4. The fee for such Permit shall be *fifty dollars (\$50.00)*.

**Section 4-13. Demolition Permits.**

1. A Demolition Permit shall be required, in addition to the regular Building Permit, prior to the demolition of any building or part thereof.
2. Application for Permits to wreck or demolish any building or part thereof, shall be accompanied by a statement in writing by the owner or agent, giving the full name and residence of each of the owners of the building to be demolished, the name and address of the person who is to do the work and any other information which may be required, including certification that the building does not include friable asbestos.
3. In no case shall any wall be taken down more than one (1) story in advance of any other wall.
4. All material and debris shall be immediately lowered to the ground and shall not be placed on the floors of the building.
5. The fees for a Permit to wreck a building within the Fire Limits shall be *twenty dollars (\$20.00)* for a one (1) story building and *ten dollars (\$10.00)* for each additional story.

**Section 4-14. Liquefied Petroleum Gas State Permits.**

It shall be unlawful for any person, firm or corporation to manufacture, fabricate, assemble, install or repair any system, container, apparatus or appliance to be used for the transportation, storage, dispensation or utilization of liquefied petroleum gas, or to transport, handle or store such gas, unless such person has complied and complies with, all provisions of the State Law and local Ordinances relating thereto, and has any Permit which may be required by State Law.

**Sections 4-15 through 4-19.** (Reserved for future use.)

**Article 3. Signs.**

**Sections 4-20 through 4-39.** (Reserved for future use.)

**Article 4. Historic Preservation.**

**Sections 4-40 through 4-59.** (Reserved for future use.)

**Article 5. Miscellaneous Provisions.**

**Section 4-60. Fire Limits.**

1. All area within the corporate limits of the Town of Mountain Park, Oklahoma, shall embrace and constitute the "Fire Limits" of said Municipality.
2. It shall hereafter be unlawful for any person, firm or corporation to build, erect, construct or cause to be built, erected or constructed, or place or move within the area described in Subsection 1 (above) , any building or addition thereto, unless the walls of such building or addition shall be built or constructed of stone, brick or other non-combustible material; it shall also be unlawful to rebuild any building which has been more than fifty percent (50%) destroyed by fire, except as herein stated.

**Section 4-61. Movement of Frame Buildings.**

No frame building shall be moved from without to within the corporate limits of the Town of Mountain Park, Oklahoma, which by reason of its age, state of repair, condition of wiring or which, for any other reason, is unfit for human habitation or which might endanger the public peace, safety, health or welfare.

**Section 4-62. Grease, Oil and Sand Interceptors.**

1. A grease interceptor shall be installed in the waste line leading from sinks, drains or other fixtures in restaurants, hotel kitchens, cafeterias and food processing establishments, and in any bar, lounge, private club or fountain where food is prepared or served, or where dishes, glasses, pots, pans or other kitchen wares are washed, or any other establishment where grease or broken glass can be introduced into the drainage system in quantities that can effect line stoppage or hinder sewage disposal. Grease, oil and sand interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other ingredients harmful to the building's drainage system, the public sewer or the Municipal Sewage Treatment Facilities.
2. Interceptors shall not be required for private living quarters or residential dwelling units.
3. All interceptors shall be of a type and capacity as defined in the Town's current adopted Plumbing Code and shall be approved by the Town.

**Section 4-63. Flood-Prone Areas.**

1. The Planning Commission and the Town Board of Trustees shall review subdivision and other development proposals to determine whether such proposals will be safe from flooding.
2. If a subdivision or other development proposal is in a flood-prone area, the Planning Commission and the Town Board of Trustees shall ensure that:
  - a. Such proposals are consistent with the Community's adopted Comprehensive Plan and the need to minimize flood damage;

- b. All public utilities and facilities are located and constructed to avoid, minimize or eliminate flood damage;
- c. Adequate drainage provisions are made; and
- d. Proposals of more than five (5) lots or five (5) acres shall include one hundred (100) year flood elevation data.

**Section 4-64. Flood Damage Prevention. (Incorporates Ordinance 2012-01)**

1. **Definitions.** Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

**“Accessory structure”** means a structure which is on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Examples of accessory structures include but are not limited to garages and storage sheds.

**“Area of special flood hazard”** is the land in the floodplain within the Town of Mountain Park subject to a one percent or greater chance of flooding in any given year.

**“Base flood”** means the flood having a one percent chance of being equaled or exceeded in any given year.

**“Base flood elevation”** means the elevation in feet above mean sea level of the base flood or one percent (1%) chance flood.

**“Basement”** means any area of the building having its floor sub-grade (below ground level) on all sides.

**“BFE”** means base flood elevation.

**“CFR”** means Code of Federal Regulations.

**“Critical feature”** means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

**“Development”** means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

**“Development Permit”** means a permit issued by the Town of Mountain Park Board of Trustees which authorizes development in a special flood hazard area in accordance with this ordinance section.

**“Elevated building”** means a non-basement building built, in the case of a building in Zones AE, A, and X, to have the top of the elevated floor adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In the case of Zones AE, A, and X, “elevated building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

**“Existing construction”** means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. “Existing construction” may also be referred to as “existing structures.”

**“Existing manufactured home park or subdivision”** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before August 4, 1972.

**“Expansion to an existing manufactured home park or subdivision”** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**“FEMA”** means the Federal Emergency Management Agency.

**“FIRM”** means Flood Insurance Rate Map.

**“Flood” or “flooding”** - means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

**“Flood Insurance Rate Map”** means an official map of the Town of Mountain Park on which FEMA has delineated both the areas of special flood hazards and the risk premium zones applicable to the Town of Mountain Park.

**“Flood insurance study”** is the official report provided by FEMA for Town of Mountain Park which contains flood profiles, water surface elevation of the base flood, as well as the floodway width, section area and mean velocity.

**“Floodplain Administrator”** means a person accredited by the OWRB and designated by the Board of Trustees of the Town of Mountain Park to administer and implement laws, ordinances and regulations relating to the management of floodplains.

**“Floodplain or flood-prone area”** means any land area susceptible to being inundated by water from any source (see definition of flood).

**“Floodplain management”** means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

**“Floodplain management regulations”** means zoning codes and ordinances, subdivision regulations, building codes, health regulations, special purpose regulations and ordinances (such as floodplain, grading and erosion control regulations and ordinances) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**“Flood protection system”** means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within Town of Mountain Park subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

**“Floodway”** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. A floodway is located within areas of special flood hazard established in this ordinance section A floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles.

**“Functionally dependent use”** means a use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**“Highest adjacent grade”** means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

**“Historic structure”** means any structure that is:

- a. **Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;**
- b. **Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;**
- c. **Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or**
- d. **Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.**

**“Levee” means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.**

**“Levee system” means a flood protection system which consists of a levee or levees and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.**

**“Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of Title 44 CFR.**

**“Manufactured home” means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”**

**“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.**

**“Mean sea level” means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base**

**flood elevations shown on the Town of Mountain Park's Flood Insurance Rate Map are referenced.**

**“New construction” means, for the purpose of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by the Board of Trustees of the Town of Mountain Park and includes any subsequent improvements to such structures.**

**“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the Town of Mountain Park.**

**“OWRB” means the Oklahoma Water Resources Board.**

**“Recreational vehicle” means a vehicle which is:**

- a. Built on a single chassis;**
- b. 400 square feet or less when measured at the largest horizontal projections;**
- c. Designed to be self-propelled or permanently towable by a light duty truck and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.**

**“Start of construction” (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Public Law 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a**

building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before “start of construction” of the improvement. This includes structures that have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary conditions, or
- b. Any alteration of a “historic structure” provided that the alteration would not preclude the structure's continued designation as a “historic structure.”

“Variance” is a grant of relief by the Board of Trustees of the Town of Mountain Park to a person from the terms of the ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (For full requirements see Section 60.6 of Title 44 CFR.)

“Violation” means the failure of a structure or other development to be fully compliant with this Town of Mountain Park flood damage prevention ordinance.

“Water surface elevation” means the height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

2. Applicability. This flood damage prevention ordinance shall apply to all areas of special flood hazard within the jurisdiction of the Town of Mountain Park, Oklahoma.
3. Adoption by Reference. The areas of special flood hazard identified by FEMA in a scientific and engineering report entitled, “The Flood Insurance Study for Kiowa County, Oklahoma and Incorporated Areas” dated January 2, 2013, with the



accompanying Flood Insurance Rate Map (FIRM) are hereby adopted by reference and declared to be a part of this ordinance.

4. **Development Permit.** A Development Permit shall be required to ensure conformance with the provisions of this floodplain management ordinance.
5. **Compliance.** No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.
6. **Abrogation and Greater Restrictions.** This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and any other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
7. **Interpretation.** In the interpretation and application of this ordinance, all provisions shall be (a) considered as minimum requirements and liberally construed in favor of the governing body and deemed neither to limit nor repeal any other powers granted under State statutes.
8. **Warning and Disclaimer of Liability.** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Town of Mountain Park, Oklahoma or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.
9. **Designation of Floodplain Administrator.** The Board of Trustees of the Town of Mountain Park designates the Public Works Director of Mountain Park, Oklahoma as the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of National Flood Insurance Program regulations in Title 44 CFR pertaining to floodplain management.
10. **Duties and Responsibilities of the Floodplain Administrator.** The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:
  - a. **Become accredited by the OWRB in accordance with Title 82 O.S. §§ 1601-1618, as amended.**

- b. Review permit applications to determine whether the proposed building sites, including the placement of manufactured homes, will be reasonably safe from flooding.**
- c. Review all applications for Development Permits required by this ordinance.**
- d. Review proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval are required.**
- e. Make the necessary interpretation where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).**
- f. Notify, in riverine situations, adjacent communities and the OWRB prior to any alteration or relocation of a watercourse and submit evidence of such notification to the FEMA.**
- g. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.**
- h. Shall require the developer/applicant to determine and provide the base flood elevation on a FEMA Elevation Certificate as well as other data as required in order to administer the applicable provisions of this ordinance.**
- i. When a floodway has not been designated the Floodplain Administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE as delineated on the Kiowa County FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the Town of Mountain Park.**
- j. After a disaster or other type of damage occurrence to structures in the Town of Mountain Park, determine if the residential and non-residential structures and manufactured homes have been substantially damaged, and enforce the substantial improvement requirement.**
- k. Maintain a record of all actions involving an appeal from a decision of the Board of Trustees.**
- l. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.**

11. **Permit Procedures.** An Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information shall be required:
  - a. Elevation in relation to mean sea level of the lowest floor (including basement) of all new and substantially improved structures; and
  - b. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
  
12. **Approval or Denial of a Development Permit.** Approval or denial of a development permit by the Board of Trustees of the Town of Mountain Park shall be based on all of the provisions of this ordinance and the following relevant factors:
  - a. The danger to life and property due to flooding or erosion damage;
  - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - c. The danger that materials may be swept onto other lands to the injury of others;
  - d. The compatibility of the proposed use with existing and anticipated development;
  - e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
  - g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
  - h. The necessity to the facility of a waterfront location, where applicable;
  - i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - j. The relationship of the proposed use to the comprehensive plan for that area.
  
13. **Approval or Denial of Certain Development in Zone A or Zone AE.** The Floodplain Administrator or Board of Trustees, as applicable, may approve certain development in Zones A or AE delineated on the Kiowa County FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the applicant for the Development Permit in that case first complies with 44 CFR Section 65.12.
  
14. **Variances – General Provisions.**

- A. The Board of Trustees of the Town of Mountain Park may grant variances for uses which do not satisfy the requirements of the Oklahoma Floodplain Management Act or this ordinance, if the applicant for the variance presents adequate proof that (i) compliance with this ordinance will result in an arbitrary and unreasonable taking of property without sufficient benefit or advantage to the people and (ii) satisfies the pertinent provisions of this ordinance section. However, no variance shall be granted where the effect of the variance will be to permit the continuance of a condition which unreasonably creates flooding hazards.**
- B. Any variance so granted shall not be construed as to relieve any person who receives it from any liability imposed by the Oklahoma Floodplain Management Act or by other laws of the state.**
- C. In no case shall variances be effective for a period longer than twenty (20) years.**
- D. Any person seeking a variance shall file a petition with the Board of Trustees, accompanied by a filing fee of fifty dollars (\$50.00).**
- E. Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in this ordinance have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.**
- F. Any person seeking a variance to build a structure below the base flood elevation will be issued a notice signed by the Mayor which states that (i) the cost of flood insurance will be commensurate with the increased risk resulting from permitting the structure to be built lower than the base flood elevation, and (ii) such construction below the base flood level increases risks to life and property.**
- G. At such time as the Board of Trustees deems the petition ready for notification to the public, the Board of Trustees shall schedule a hearing and direct the applicant to publish notice thereof in a newspaper of general circulation in Kiowa County at least thirty (30) days prior to the hearing.**
- H. The Board of Trustees shall conduct the hearing and make determinations in accordance with the applicable provisions of this ordinance. The Board of Trustees shall exercise wide discretion in weighing the equities involved and the advantages and disadvantages to the applicant and to the public at large when determining whether the variance shall be granted.**

**I. Variances shall only be issued upon:**

- 1) A Showing of good and sufficient cause;**
- 2) A determination that failure to grant the variance would result in exceptional hardship to the applicant;**
- 3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws, regulations or ordinances; and**
- 4) A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.**

**J. Upon consideration of the factors stated in this ordinance and the intent of this ordinance, the Board of Trustees may attach such conditions to the granting of a variance as it deems necessary to further the purposes and objectives of this ordinance.**

**K. The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance; and a copy of any variance issued by the Floodplain Board shall be sent by the Floodplain Administrator to the OWRB and FEMA within fifteen (15) days after issuance of the variance.**

**15. Variances - Special provisions.**

- A. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this ordinance.**
- B. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.**
- C. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.**
- D. Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of §4-64, ¶¶ (14)(E) and (14)(I) and ¶(15)(B) and (15)(C) are met and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.**

**16. Provisions for Flood Hazard Reduction – General Standards.**

- A. In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
- B. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- C. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- D. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- E. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- F. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
- H. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

17. **Provisions for Flood Hazard Reduction – Specific Standards.** In all areas of special flood hazards the following provisions are required:

- A. **Residential Construction.** New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated at least one (1) foot above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification of elevation to the Floodplain Administrator that the standard of this subsection is satisfied.
- B. **Nonresidential Construction.** New construction and substantial improvements of any commercial, industrial or other nonresidential structure shall have the lowest floor (including basement) elevated at least one (1) foot above the base flood elevation or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review

structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator registered professional engineer, architect, or land surveyor shall submit a certification of elevation to the Floodplain Administrator that the standard of this subsection is satisfied.

- C. **Enclosures.** New construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;
  2. The bottom of all openings shall be no higher than one foot above grade; and
  3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- D. **Manufactured Homes.** All manufactured homes to be placed anywhere within the community in Flood Zones A and/or AE on the Kiowa FIRM shall be installed using methods and practices that minimize flood damage and have the bottom of the I-beam elevated at least one (1) foot above the base flood elevation. For the purposes of this requirement, manufactured homes must be elevated and anchored to a permanent foundation to resist flotation, collapse, or lateral movement. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. The home shall be installed by a licensed installer according to Oklahoma state law and compliance herewith shall be certified in writing to the Floodplain Administrator by the installer prior to habitation of the manufactured home.
- E. **Recreational Vehicles.** All recreational vehicles placed on sites within Zones A and AE on the Kiowa County FIRM either shall:
1. Be on the site for fewer than 180 consecutive days;
  2. Be fully licensed and ready for highway use; or
  3. Meet the permit requirements of § 4-64(11) and the elevation and anchoring requirements for “manufactured homes” in paragraph (D) of this section. A

recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

**F. Accessory Structures. Accessory structures to be placed on sites within Zones A and AE on the Kiowa County FIRM shall comply with the following:**

- 1. The structure shall be unfinished on the interior;**
- 2. The structure shall be used only for parking and limited storage;**
- 3. The structure shall not be used for human habitation. Prohibited activities or uses include but are not limited to working, sleeping, living, cooking, or restroom use;**
- 4. Service facilities such as electrical and heating equipment must be elevated to or above the BFE;**
- 5. The structure shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;**
- 6. The structure shall be designed to have low flood damage potential and constructed with flood resistance materials;**
- 7. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement;**
- 8. Floodway requirements must be met in the construction of the structure;**
- 9. Openings to relieve hydrostatic pressure during a flood shall be provided below the BFE; and**
- 10. The structure shall be located so as not to cause damage to adjacent and nearby structures.**

**18. Standards for Subdivisions.**

- A. The applicant for a Development Permit for any subdivision located in Zones A and AE which is 51 or more lots or greater than 5 acres shall generate the base flood elevation data for that subdivision.**
- B. All subdivisions including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.**



C. All subdivisions including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

19. **Standards for Areas of Shallow Flooding (AO/AH Zones).** Located within the areas of special flood hazard established in in this ordinance are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions shall apply:

A. All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified).

B. All new construction and substantial improvements of non-residential structures;

1. Shall have the lowest floor (including basement) elevated to or above the base flood elevation or the highest adjacent at least as high as the depth number specified in feet on the community's FIRM (at least 2 feet if no depth number is specified), or

2. together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO Zone, or below the Base Flood Elevation in an AH Zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.

C. A registered professional engineer or architect shall submit a certification to the Floodplain Administrator that the standards as proposed in §4-64(11) are satisfied.

D. Require within Zones AH or AO adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures.

20. **Floodways.** The following provisions shall apply to floodways:

A. Encroachments, including but not limited to fill, new construction, substantial improvements and other development are prohibited within the adopted floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the Town of Mountain Park during the occurrence of the base flood discharge.

- B. If § 4-64(14) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of § 4-64(16) and (17).
- C. The Town of Mountain Park may permit encroachments within the adopted floodway that would result in an increase in base flood elevations, provided that the applicant for the Development Permit complies with all of 44 CFR Section 65.12.

21. **Floodplain Management Fee Schedule.** The Board of Trustees of the Town of Mountain Park establishes the following fee schedule for floodplain management service:

Notice of Intent Fee .....	\$50.00
Floodplain Development Permit Application Review .....	\$200.00
Floodplain Development Permit Fee .....	\$50.00
Inspection Fee - per inspection .....	\$50.00.
Variance Request Filing Fee .....	\$50.00

22. **Penalties for None-Compliance.** No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. A structure or other development without the elevation certificate or other certifications required in this ordinance is presumed to be in violation until such time as that documentation is provided. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Board of Trustees of the Town of Mountain Park or its City Attorney from taking such other lawful action as is necessary to prevent or remedy any violation.

**Section 4-65. Structure Numbering System.**

- 1. All buildings, structure and houses in the Town of Mountain Park, Oklahoma shall be numbered. The Mayor shall be responsible for designating the proper numbers for houses and buildings.
- 2. The north-south base line road shall be East Boundary Road. All buildings East of the base line shall be known and numbered as east. All buildings west of the base line shall be known as west.
- 3. The east-west base line road shall be 1<sup>st</sup> Street. All buildings north of the base line shall be known and numbered as north. All buildings south of the base line shall be known and numbered as south.

4. There shall be one hundred (100) numbers applicable to each block, beginning with "one hundred and one" ("101") on the odd side of the street and "one hundred and two" ("102") on the even side of the street.
5. Each twenty-five (25) feet of frontage road on each block shall be entitled to a separate number.
6. The first (1<sup>st</sup>) block from the base line in either direction shall be given numbers from one (1) to ninety-nine (99) and the second (2<sup>nd</sup>) block shall be given numbers from one hundred and one (101) to one hundred and ninety-nine (199) and so on in consecutive order by one hundreds (100s) to each block in succession.
7. The even numbers shall be on the east side of the streets extending north and south and on the south side of the streets extending east and west. The odd numbers shall be on the opposite sides of such streets.
8. The affix "one-half" (" $\frac{1}{2}$ ") shall be added to the last number in designating stairway or garage apartments.
9. It shall be the duty of the owner of any house, building or structure in the Town of Mountain Park, Oklahoma, to have such house, building or structure numbered in accordance with this ordinance section.
10. In situations where the plat or pattern of the area does not fit this numbering system, the Planning Commission shall study the area and recommend to the Town Board of Trustees, for adoption by ordinance, an appropriate amendment to this ordinance section.

**Section 4-66. Fire Limits.**

1. All areas within the corporate limits of the Town of Mountain Park, Oklahoma shall embrace and constitute the "Fire Limits" of the Town of Mountain Park, Oklahoma.
2. It shall be unlawful for any person, firm or corporation to build, erect construct or cause to be built, erected or constructed, or place or move within the area described within subsection (1) immediately above, and building or addition thereto, unless the walls of such building or addition shall be built or constructed of stone, brick or other non-combustible material. It shall also be unlawful to rebuild any building which has been more than fifty percent (50%) destroyed by fire except as herein stated.

**Section 4-67. Movement of Frame Building.**

No frame building shall be moved from without or within the corporate limits of the Town of Mountain Park, Oklahoma, which by reason of its age, state of repair, condition of wiring or which, for any other reason, is unfit for human habitation or which might endanger the public peace, safety, health or welfare.

**Section 4-68. Grease, Oil and Sand Interceptors.**

1. A grease interceptor shall be installed in the waste line leading from sinks, drains or other fixtures in restaurants, hotel kitchens, cafeterias and food processing establishments, and in any bar, lounge, private club or fountain where food is prepared or served or where dishes, glasses, pots, pans or other kitchen wares are washed, or any other establishment where grease or broken glass can be introduced into the drainage system in quantities that may affect line stoppage or hinder sewage disposal. Grease, oil and sand interceptors are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand or other ingredients harmful to the building's drainage system, the public sewer or the municipal sewage treatment facilities.
2. Interceptors shall not be required for private living quarters or residential dwelling units. All interceptors shall be of the type and capacity as defined in the Town's current adopted Plumbing Code and shall be approved by the Municipal Building Inspector. All interceptors shall be located so as to be readily and easily accessible for cleaning and inspection. Such interceptors shall be properly inspected by the Municipal Building Inspector following construction and shall be privately maintained, at the owner's expense, in continuously efficient operation at all times.
3. An oil separator shall be installed in the drainage system of any establishment where, in the judgment of the Municipal Building Inspector, a hazard exists, or where oils or other flammables can be introduced or admitted into the public sewer by accident or otherwise.
4. All garages, filling stations and car wash racks or facilities shall install combination grit and grease interceptors.
5. All commercial laundries shall be equipped with an interceptor having a removable wire basket or similar device that will prevent strings, rags, buttons or other materials detrimental to the Municipal Sewer System from passing into the drainage system.
6. Bottling plants shall discharge all processed wastes into an interceptor which shall provide for the separation of broken glass or other solids before discharging liquid wastes into the Municipal Sewer or Storm Drainage Systems.
7. Slaughterhouses shall equip all slaughtering room drains with a separator which shall prevent the discharge of feathers, entrails and other material likely to clog the drainage system.
8. All existing establishments listed in paragraph (1) above shall have ninety (90) days from the effective date of this Code of Ordinances to install an approved interceptor or separator. Establishments covered under paragraph (3) above will be handled on a case-by-case basis to determine whether an oil separator is required. All

establishments covered under paragraph (1) above shall henceforth include and approved interceptor.

9. The Municipal Building Inspector, the Utilities Superintendent or the Mayor shall have the right of entry during usual business hours, to conduct and inspection of an interceptor or separator.
10. Any person found to be in violation of this ordinance section shall be served with a written notice stating the violation and providing seventy-two (72) hours for the satisfactory correction thereof. The offender shall, within the time period stated in such notice, permanently cease all violations. In the event an establishment is cited with a second violation within six (6) months of the first violation, the time allowed for correction shall be forty-eight (48) hours. A third citation within six (6) months from the first violation shall be cause for the Town to immediately discontinue water service to the establishment, during which time the offender shall correct the violation.
11. Any person who shall continue any violation beyond the time limit provided for in paragraph (10) above, and upon conviction thereof. Shall be fined an amount not exceeding the limits established in § 11-40, Article 3, Chapter 11 of this Code of Ordinances for each violation. Each day in which any such violation continues shall be deemed a separate offense.

**Section 4-69. Officers and Employees Not Liable.**

1. Any officer or employee of the Town of Mountain Park, Oklahoma, charged with the enforcement of this Chapter and acting in good faith and without malice for the Town in the discharge of official duties shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act or omission required or permitted in the discharge of such duties.
2. Any suit brought against any officer or employee of the Town of Mountain Park, Oklahoma because of such act or omission performed in the enforcement of any provisions of such Codes may be defended by Municipal Attorney until the final termination of the proceedings.

**Section 4-70. Penalty.**

Any person, firm or corporation who shall fail to do or perform any act, omission or conduct required by this Chapter, or by any Code adopted by this Chapter or who shall otherwise violate any provisions of this Chapter or of any Code adopted by this Chapter, or who shall violate any lawful regulation or order made by any of the officers provided for in this Chapter, shall, upon conviction, be guilty of an offense and shall be fined in a sum not to exceed the limits established in § 11-40, Article 3, Chapter 11 of this Code of Ordinances. Each day in which a violation continues shall be deemed a separate offense.