

**PART 5**

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## CHAPTER 1

### BUILDING CODE AND REGULATIONS

- § 5-101 **International building code adopted.**
- § 5-102 **Additions and changes to international building code.**
- § 5-103 **Penalty.**
- § 5-104 **Building official.**
- § 5-105 **Fire limits defined.**
- § 5-106 **Building permit required; fee.**
- § 5-107 **Fence permit required; fee.**
- § 5-108 **House address numbers required on all residences and businesses; size.**

#### **§ 5-101 INTERNATIONAL BUILDING CODE ADOPTED.**

That a certain document, three copies of which are on file in the office of the city clerk of the City of Geary, being marked and designated as the "International Building Code, 2009 Edition," including all appendix chapters (see International Building Code Section 101.2.1, 2009 edition), as published by the International Code Council, be and is hereby adopted as the building code of the City of Geary, in the State of Oklahoma, for regulating and governing the conditions and maintenance of all property, buildings and structures: by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said building code on file in the office of the city clerk of the City of Geary are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 5-102 of this chapter. (Amended 1990; 6-23-2008 by Ord. No. 2008-03; Amended 4-09-2014 by Ord. No. 2014-02)

**State Law Reference:** Building codes, adoption by cities, 11 O.S. § 14-107; 74 O.S. § 324.8.

#### **§ 5-102 ADDITIONS AND CHANGES TO INTERNATIONAL BUILDING CODE.**

The following sections are hereby revised:

- A. § 101.1: insert "City of Geary."
- B. § 1612.3: insert "City of Geary."
- C. § 1612.3: insert "Current."
- D. § 3410.2: insert "Effective date of this ordinance." (Amended 6-23-2008 by Ord. No. 2008-03; Amended 4-09-2014 by Ord. No. 2014-02)

**§ 5-103      PENALTY.**

A person who violates a provision of this building code or fails to comply therewith or with any of the requirements thereof, or who erects, constructs alters, repairs or removes, or has erected, constructed, altered, repaired or removed, a building or structure in violation of a detailed statement or plan submitted and approved thereunder or of a permit or certificate issued thereunder, shall be guilty of a misdemeanor and, upon conviction, shall be fined any sum as provided in § 1-108 of this code, including costs. Each day upon which a violation continues shall be deemed a separate offense.

**§ 5-104      BUILDING OFFICIAL.**

The building official of this city shall be appointed by the mayor and confirmed by the city council and shall have the powers and duties prescribed for the "building official" by the city's building code; provided that his powers and duties may be exercised by his authorized representatives under his supervision and control. The term "building inspector," whenever used in the ordinances of the city, means the building official. The terms "electrical inspector," "plumbing inspector," and "gas inspector," wherever used in the ordinances of the city, also each refer to and mean the building official, unless a separate electrical inspector, plumbing inspector, or gas inspector is appointed by the mayor with confirmation by the city council.

**§ 5-105      FIRE LIMITS DEFINED.**

The fire limits are that part of the city bounded as follows:

Beginning at the center of the intersection of Canadian Street and Sixth Street thence west to the intersection of Sixth Street and Blaine Avenue, thence south to the intersection of Blaine Avenue and Fourth Street thence east to the middle of the alley between Blaine Avenue and Broadway, thence south along center line of the alley to the mid-point of its intersection with Third Street thence east along the center of Third Street to the mid-point of its intersection with the alley between Broadway and Canadian Streets, thence north along the center of the alley to the mid-point of its intersection with Fourth Street, thence east along the center of Fourth Street to the mid-point of its intersection with Canadian Street, thence along the center of Canadian Street north to the place of beginning.

**§ 5-106      BUILDING PERMIT REQUIRED; FEE.**

A. No building or other structure shall be built, enlarged, altered or moved without a building permit issued by the city clerk and signed by the building inspector as follows:

1. Whenever changes to a building or other structure alter the outside appearance;
2. Whenever a building permit is required; or
3. Whenever a building or structure is to be moved from without the city to a location within the city or from one location in the city to another location within the city. This provision shall include the movement of a mobile home into the city limits.

B. A person desiring a building permit shall submit an application therefore to the city clerk. The applicant shall submit with the application such reasonable Information as the clerk may require to enable him to determine whether granting the permit would be in accordance with the requirements of the ordinances of the city.

C. If the application is in accordance with the requirements of the ordinances and laws, and is certified to be in compliance by the building official by his signature upon the application for permit, the clerk shall issue the permit upon the payment by the applicant of a building permit fee which may be set by motion or resolution of the city council. A current copy of the fee schedule shall be kept in the office of the city clerk.

D. A building permit covers the initial plumbing and electrical installations to be made in connection with the building.

E. Any violation of this section is punishable as provided in § 1-108 of this code. (Amended 1987; 1991)

**§ 5-107      FENCE PERMIT REQUIRED; FEE.**

A. No fence shall be erected within the city limits without a fence permit issued by the city clerk and signed by the building inspector as follows:

1. A survey shall be submitted to the city clerk establishing the property lines and the applicant must submit an affidavit that the fence will be erected on the property line;

2. A person applying for a fence permit shall submit any reasonable additional information as the clerk may require to enable him to determine whether the granting of the permit would be in accordance with the requirements of the ordinances of the city; and

3. No fence permit shall be issued unless the property is in compliance with all zoning ordinances.

B. If the application is in accordance with the ordinances and the laws, the clerk shall issue the permit upon the payment by the applicant of a fence permit fee which may be set by motion or resolution of the city council. Initially, there shall be no charge for a fence permit, and there shall be no charge until the city council at its discretion, sets the fee. A current copy of the fee schedule, if any, shall be kept in the office of the city clerk. (Added 1987; amended 1991)

**§ 5-108**

**HOUSE ADDRESS NUMBERS REQUIRED ON ALL RESIDENCES AND BUSINESSES; SIZE.**

Every residence and place of business within the city limits shall have the address number signifying the address on the house or place of residence in numbers a minimum of five inches tall, of a reflective color, and readily visible from the street. It shall be the responsibility of every homeowner, business owner, renter, leasor, or occupant to install the address numbers. (Added 1989)

## CHAPTER 2

### PLUMBING CODE

- § 5-201 Adoption of International Plumbing Code.
- § 5-202 Additions, insertions and changes to International Plumbing Code.
- § 5-203 Plumbers; registration, permits and fees.
- § 5-204 Plumbing; permits and inspections.
- § 5-205 Water, natural gas and sewer tap permits.

#### § 5-201 ADOPTION OF INTERNATIONAL PLUMBING CODE.

A certain document, three copies of which are on file in the office of the city clerk of City of Geary, being marked and designated as the "International Plumbing Code, 2006 Edition," including appendix chapters Appendix A through G, as published by the International Code Council, be and is hereby adopted as the plumbing code of the City of Geary, in the State of Oklahoma, regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said plumbing code on file in the office of the city clerk of the City of Geary are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 5-202 of this chapter. (Amended 6-23-2008 by Ord. No. 2008-04)

***State Law Reference:*** City powers to supervise plumbing, 59 O.S. §§ 1001 et seq.

#### § 5-202 ADDITIONS, INSERTIONS AND CHANGES TO INTERNATIONAL PLUMBING CODE.

The following sections of the International Plumbing Code are hereby revised:

- A. § 101.1: insert "City of Geary."
- B. § 106.6.2: insert "\$50 or \$25."
- C. § 106.6.3: insert "0%" (in two locations).
- D. § 108.4: insert "Misdemeanor" (offense); and "maximum \$200" and "zero days."
- E. § 108.5: insert "\$10 minimum and \$200 maximum."
- F. § 305.6.1: insert "18 inches" (in two locations).
- G. § 904.1: insert "24 inches." (Amended 6-23-2008 by Ord. No. 2008-04)

**§ 5-203**

**PLUMBERS; REGISTRATION, PERMITS AND FEES.**

A. The phrases and words “journeyman plumber,” “plumber’s apprentice,” “plumbing contractor,” and “plumbing,” when used in the ordinances, regulations and other official acts and communications of this city, shall have the meanings respectively prescribed for them by § 1001 et seq. of Title 59 of the Oklahoma Statutes, the State Plumbing License Law, unless the context clearly indicates a different meaning.

B. It is unlawful for any person to engage in the business, trade, or occupation of a plumbing contractor (otherwise known as a master plumber), or of a journeyman plumber, or of a plumber’s apprentice, in this city unless he is registered with the city and has a current and valid certificate of registration issued by the plumbing inspector.

C. Only persons who have current and valid licenses as plumbing contractors or as journeyman plumbers issued by the State Commissioner of Health as provided by the State Plumbing License Law may register as such with the city. Only persons who have current and valid certificates of registration as plumber’s apprentices issued by the State Commissioner of Health, as provided by the law, may register as such with the city.

D. Applicants for certificates of registration, after complying with the laws of the state and with the city code, and after payment of the fee hereinafter specified, shall be registered by the city clerk. The registration shall expire annually but may be renewed from year to year. Plumbing contractors desiring to renew their registration shall furnish the same evidence of compliance with state licensing laws and the same bond is required as set forth by city code.

E. An applicant for plumbing contractor’s registration shall also furnish a bond in such sum and such conditions as set by the city council.

F. All plumbing contractors registrations not renewed within 90 days after the date of expiration thereof shall be canceled, and a new application for registration must be made and the fee for a new registration paid.

G. The fee for registration shall be as set by the city council by motion or resolution.

H. The city council, upon at least ten (10) days’ notice and adequate opportunity for a public hearing, may revoke the city registration of any plumbing contractor or journeyman plumber for violating any provisions of the ordinances or regulations of the city relating to the installation of plumbing or for any other cause specified in the State Plumbing License Law.

**State Law Reference:** State plumbing licenses, requirements, 59 O.S. § 1001 et seq.

**Ed. Note:** Prior code set registration fee at \$10 for plumbing contractor and \$1,000 bond.

**§ 5-204      PLUMBING; PERMITS AND INSPECTIONS.**

- A. No plumbing work shall be undertaken without a permit from the plumbing inspector.
- B. The application for such work must follow the adopted city code.
- C. The schedule of permit fees may be set forth by resolution or motion of the city council. Such payment will be made upon application.
- D. Inspection of such work must conform to the guidelines set forth in the city code.

**§ 5-205      WATER, NATURAL GAS AND SEWER TAP PERMITS.**

- A. No tap into the municipal water lines, municipal gas lines or the municipal sewer lines of the City shall be made without a permit issued by the plumbing inspector.
- B. A plumbing contractor desiring to tap into the municipal water, gas or sewer lines shall make application for a permit to the plumbing inspector. If the application follows all of the adopted city codes, the plumbing inspector shall issue a permit upon payment by the applicant of the permit fee which may be set by motion or resolution of the city council. Initially, there shall be no charge for a water, natural gas or sewer tap permit; however, the city council or utilities authority at any time by motion or resolution shall have the authority to set a permanent fee. A current copy of the fee schedule, if any, shall be kept in the office of the city clerk. (Added 1988)

**§ 5-206      SEWER POP-OFF VALVES REQUIRED.**

All new residential and commercial construction which attaches to the City sewer system a sewer overflow valve “pop-off valve” shall be installed. Whenever an existing sewer line is replaced a sewer overflow valve shall be installed.

**Cross Reference:** See rules and regulations of the Geary Utilities Authority for water/sewer tap requirements.

**CHAPTER 3**

**ELECTRICAL CODE**

- § 5-301      “Electrical equipment” defined.**
- § 5-302      National Electrical Code.**
- § 5-303      Underwriter’s Laboratories, Inc.**
- § 5-304      City council may make special rulings.**
- § 5-305      Permit required for electrical installations; issuance.**
- § 5-306      Inspection fee.**
- § 5-307      Electrician’s certificate required, bond.**
- § 5-308      Electric extension cords prohibited from house to house.**

**§ 5-301      “ELECTRICAL EQUIPMENT” DEFINED.**

The term "electrical equipment" used in this chapter refers to electrical conductors, metallic raceways, fittings, devices, fixtures, appliances, apparatus, and any electrical material of any nature, kind, or description, to be installed within or on any building or structure.

*State Law Reference:* State electrical requirements, licensing by state, 59 O.S. § 5-301 1680 to 1696.

**§ 5-302      NATIONAL ELECTRICAL CODE.**

The 2008 Edition of the National Electric Code and the 2012 Edition of the National Electric Safety Code are adopted. All installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the state and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property.

**§ 5-303      UNDER WRITER'S LABORATORIES, INC.**

All electrical equipment installed or used shall be in conformity with the provisions of this chapter, the statutes of the state and the provisions of this chapter, the statutes of the state and any orders, rules and regulations issued by the authority thereof, and with approved electrical standards for safety to persons or to property. Unless by this chapter, by a statute of the state or any orders, rules, or regulations issued by authority thereof, a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriter's Laboratories, Inc., shall be prima facie evidence of conformity with approved standards for safety to persons or to property.

**§ 5-304**      **CITY COUNCIL MAY MAKE SPECIAL RULINGS.**

The city council of the city, by motion or resolution, shall have the authority to make special rulings, when circumstances warrant, for the safeguarding of life and property and the improvement of electrical installations. In all cases persons engaged in the installing of electrical equipment and holding an electrical license must be notified by letter of these decisions.

**§ 5-305**      **PERMIT REQUIRED FOR ELECTRICAL INSTALLATIONS;  
ISSUANCE.**

A.      It is unlawful for any person to install any electrical wiring, fixtures, or apparatus in or on any building or structure in the corporate limits of this city or make extensions to any existing electrical installations without first securing a permit from the city clerk.

B.      Applications for electrical permits shall be made to the city, clerk; and the applicant shall provide such plans, specifications, and other data as may be reasonably required.

C.      The fee for an electrical permit shall be as prescribed by motion or resolution passed by the city council.

**§ 5-306**      **INSPECTION FEE.**

The city council by motion or resolution may prescribe an inspection fee to be paid to the city when electrical installations are inspected by the electrical inspector.

**§ 5-307**      **ELECTRICIAN'S REGISTRATION REQUIRED, BOND.**

A.      It is unlawful for any person to engage in the business, trade or vocation of electrical contractor, journeyman electrician or apprentice electrician without a certificate of registration as such secured from the city. The initial fee for a registration certificate, and any renewal, to be paid to the city clerk, shall be as set by the city council. A registration certificate must be renewed within ninety (90) days following expiration of the certificate. After the expiration, an application for a new certificate must be requested and the initial fee paid again. No person may be registered with the city as contractor, journeyman or apprentice unless he possesses a valid and current state license issued by the state and pays the registration fee in such sum as set by the city council by motion or resolution. This certificate is not transferable to any other individual or company.

B.      Every person receiving a certificate as an electrical contractor shall file with the city clerk a bond in such sum as set by the city council, executed with a surety company authorized to do business in the state. The bond shall be conditioned that the principal will install all electrical wiring, fixtures, appliances, and equipment in accordance with the law and the ordinances and other regulations of the city relating to electrical installations and in a workmanlike manner; that the principal shall, without further cost to the person for whom the work was done, remedy any defective or faulty work caused by poor workmanship or inferior or non-standard material; and that the city may be fully indemnified and held harmless from any

and all costs, expenses or damage resulting from the performance of his work as an electrical contractor or apprentice electrician, as the case may be.

C. For the installing of bell, telephone or signal systems not using over twelve (12) volts, no registration or bond will be required. The installation of same must comply with all other requirements of the ordinances at the city.

D. After adequate opportunity for a hearing, the city council may revoke the certificate of an electrical contractor an apprentice electrician, or a journeyman electrician.

*Ed. Note:* Prior code provisions on licensing changed to reflect new state law. Prior code set electrical contractors at \$10.00 and bond at \$1,000.00.

**§ 5-308**      **ELECTRIC EXTENSION CORDS PROHIBITED FROM HOUSE TO HOUSE.**

No person shall attach, or allow to be attached, an electric extension cord from one house to another house or recreation vehicle to provide electricity to the other house or recreation vehicle. (Ord. No. 2011-06, 2011)

## CHAPTER 4

### LIQUEFIED PETROLEUM GAS

- § 5-401 Adoption of International Fuel Gas Code; revisions.
- § 5-402 Definition.
- § 5-403 Transporting LPG restricted in city.
- § 5-404 Tanks, trucks and systems subject to laws; summary removal.
- § 5-405 Parking restricted.
- § 5-406 Breakdowns and repairs.
- § 5-407 Notice to city of breakdowns; inspections.
- § 5-408 State approval required for storage, handling and sale.
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- § 5-410 State certificate filed with clerk.
- § 5-411 Other rules.
- § 5-412 Rules in addition.
- § 5-413 Trucks, general regulations.
- § 5-414 License required for butane and propane installers.
- § 5-415 Connections required to be tested.
- § 5-416 Penalty.

#### § 5-401 ADOPTION OF THE INTERNATIONAL FUEL GAS CODE; REVISIONS.

A. A certain document, three copies of which are on file in the office of the city clerk of the City of Geary, being marked and designated as the "International Fuel Gas Code, 2006 Edition," including Appendix chapters Appendix A through D (see International Fuel Gas Code Section 101.3, 2006 Edition), as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the City of Geary, in the State of Oklahoma, for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the city clerk of the City of Geary are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in Subsection B of this section.

B. The following sections are hereby revised:

1. § 101.1: insert "City of Geary."
2. § 106.5.2: insert "\$50."
3. § 106.5.3: insert "0%" (in two locations).
4. § 108.4: insert "misdemeanor" (offense); and "maximum \$200" and "zero days in jail."

5. § 108.5: insert "not less than \$10 and not more than \$200." (Amended 6-23-2008 by Ord. No. 2008-05)

**State Law Reference:** State rules, LPG, 52 O.S. § 420.1 et seq.

**Cross Reference:** See also Fire Code, §§ 13-101 et seq.

**§ 5-402**      **DEFINITION.**

The terms "liquefied petroleum gases," "LPG," or "LP gas" when used in §§ 5-402 through 5-416 shall mean and include any material which is composed predominantly of any of the following hydrocarbons or mixtures of the same: propane, propylene, butanes (normal butane and isobutene), and butylenes. (Amended 1988)

**§ 5-403**      **TRANSPORTING LPG RESTRICTED IN CITY.**

No tank, truck or trailer used for or containing LPG shall be driven through the city or make any delivery within the city unless the same shall be properly labeled with the name of the contents and inspected and approved by the Oklahoma Liquefied Petroleum Gas Administrator. (Amended 1988)

**§ 5-404**      **TANKS, TRUCKS AND SYSTEMS SUBJECT TO LAWS: SUMMARY REMOVAL.**

All tanks, trucks, and trailers containing or used for LPG and all liquefied petroleum gas systems used or operated within this city or passing through this city shall be at all times subject to the laws of the state applicable thereto, and the rules and regulations of the Oklahoma Liquefied Petroleum Gas Administrator now or hereafter in force and effect. A violation of any such laws, rules, or regulations shall be deemed a violation of this chapter. All such tanks, trucks, trailers and systems shall be subject to inspection at all reasonable times by the fire chief of this city. In the event of discovery of a violation of any such laws, rules, regulations or the provisions of this chapter which the fire chief deems to constitute a hazard to life or property, he shall have the power to immediately order the removal or abatement of such hazard; it shall thereupon be the duty of the person having control thereof to comply with such order. Such person shall have the right to appeal the order of the fire chief to the city council, but this shall not excuse his compliance with the order of the fire chief pending a hearing by the city council. (Amended 1988)

**§ 5-405**      **PARKING, RESTRICTED.**

No such tank, truck or trailer, whether loaded or empty, shall be at any time parked within the city except on making deliveries of LPG to any user thereof, in which event the same may be stopped long enough to make such delivery or if stopped temporarily in accordance with the rules and regulations contained in NFPA-54 or NFPA-58. (Amended 1988)

**§ 5-406**      **BREAKDOWNS AND REPAIRS.**

In the event of a breakdown or other unavoidable stop of any tank, truck or trailer used for transporting LPG within the city, the driver of the truck or trailer and the same shall not remain parked longer than is necessary to make the mechanical repairs necessary for its removal from the city. (Amended 1988)

**§ 5-407**      **NOTICE TO CITY OF BREAKDOWNS; INSPECTIONS.**

In the event it becomes necessary to make any mechanical repairs to any such truck, tank, or trailer within the city, before such mechanical repairs shall be made it shall be the duty of the person having control thereof to notify the fire chief who shall inspect the same, and if he should find that the same is in a safe condition for the contemplated repairs, he shall issue a permit therefore, which shall expire five days after its issuance. If the fire chief shall find upon such inspection that the same is not in a safe condition for the contemplated repairs, no such repairs shall be made until the tank, truck or trailer shall be made safe as required by the fire chief, and he may require that the same be removed from the city until his requirements are complied with. (Amended 1988)

**§ 5-408**      **STATE APPROVAL REQUIRED FOR STORAGE, HANDLING AND SALE.**

No person, firm, or corporation shall hereafter set up or establish within the city any tanks or receptacles of any nature, temporary or permanent, for the storage, handling, transfer, or sale of any LP gas without having submitted plans and having obtained approval from the State of Oklahoma Liquefied Petroleum Gas Administrator as well as the local fire department. (Amended 1988)

**§ 5-409**      **DISPENSER VALVE REQUIREMENTS.**

Any dispensing device (dispenser) shall have an internal valve which has adequate means of actuation and which is constructed in such a manner that its seat is inside the container and that damage to parts exterior to the container or mating flange will not prevent effective seating of the valve. (Amended 1988)

**§ 5-410**      **STATE CERTIFICATE FILED WITH CLERK.**

Any person, firm, or corporation hereinafter installing an LP gas system for domestic, commercial or other use within this city shall, prior to its use, furnish the city clerk with a certificate of the Oklahoma State Liquefied Petroleum Gas Administration showing that such installation or system has been duly inspected and found satisfactory to the administrator. (Amended 1988)

**§ 5-411      OTHER RULES.**

Any rule or law not covered herein shall be covered by NFPA-54 or NFPA-58 and Oklahoma Rules and Regulations pertaining to liquefied petroleum gas. (Amended 1988)

**§ 5-412      RULES IN ADDITION.**

The provisions and requirements of this chapter shall be in addition to the provisions and requirements of the Fire Prevention Code enacted by the city which are applicable to the subject matter of this chapter and the provisions of the Fire Prevention Code by implication or otherwise except where absolutely necessary in order to give effect to the provisions of this chapter. (Amended 1988)

**§ 5-413      TRUCKS, GENERAL REGULATIONS.**

A. All butane and propane trucks must be equipped with tanks bearing proper markings certifying them to be A.S.M.E. Code tanks.

B. All butane and propane trucks and tanks shall have conspicuous six-inch letters "FLAMMABLE GAS," and "PROPANE" three inches high, one-half-inch stroke. (Amended 1988)

**§ 5-414      LICENSE REQUIRED FOR BUTANE AND PROPANE INSTALLERS.**

Any person, firm, or corporation installing butane or propane containers, appliances, equipment, systems or such gas, or exchanging such gas containers, shall first obtain an installer's license from the Liquefied Petroleum Gas Administration of the State of Oklahoma and exhibit the same to the city clerk, and to any other official of the city on demand, showing that all the rules, regulations and requirements of the Liquefied Petroleum Gas Administration are being complied with. (Amended 1988)

**§ 5-415      CONNECTIONS REQUIRED TO BE TESTED.**

In delivering and connecting so-called propane bottles, the person or persons making such delivery shall test all connections with soap or some other approved solution to insure proper and tight connection, before leaving the premises where such delivery is made. (Amended 1988)

**§ 5-416      PENALTY.**

Any person, firm or corporation who violates any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in § 1-108 of this code, and each day of such violation shall constitute a separate offense. (Amended 1988)

## CHAPTER 5

### GAS PIPING CODE

- § 5-501 Pamphlet adopted.  
§ 5-502 Gas line pipe specifications.

**§ 5-501 PAMPHLET ADOPTED.**

Pamphlet No. 54 published by the National Fire Protection Association, entitled National Fuel Gas Code, the latest edition thereof, is hereby adopted and incorporated in this code by reference. The pamphlet shall be in full force and effect in the city and shall govern the installation of gas piping and gas appliances in the city, any violation of the provisions of the pamphlet shall be deemed a violation of the ordinances of the city.

***Cross Reference:*** See also § 5-205 on gas line tap permits, and Geary Utilities Authority rules and regulations on gas service.

**§ 5-502 GAS LINE PIPE SPECIFICATIONS.**

Every natural gas line that is installed in the city for a new structure or the replacement of a natural gas line for an existing structure must be constructed with polyethylene pipe for the line installed underground and the line installed above ground must be scotch coated steel pipe and the pipe installed underground must be packed in sand with a tracer wire on tracer tape. (Added 1989)

## CHAPTER 6

### HOUSING CODE

- § 5-601      **Adoption of International Residential Code.**  
§ 5-602      **Additions and changes.**

**§ 5-601      ADOPTION OF INTERNATIONAL RESIDENTIAL CODE.**

A certain document, three copies of which are on file in the office of the city clerk of the City of Geary, being marked and designated as the "International Residential Code, 2006 Edition," including all Appendix chapters (see International Residential Code Section R102.5, 2006 Edition), as published by the International Code Council, be and is hereby adopted as the Residential Code of the City of Geary, in the State of Oklahoma, for regulating and governing the construction, alteration, movement, enlargement replacement, repair, equipment, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than threes stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the City of Geary are hereby referred to, adopted, and made a part hereof, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 5-602 of this chapter. (Amended 6-23-2008 by Ord. No. 2008-01)

**Cross Reference:** Permits, fees, see Chapter 1 of this part.

**§ 5-602      ADDITIONS AND CHANGES.**

The following sections are hereby revised:

- A.      § R101.1: insert "City of Geary."
- B.      Table R301.2(1): insert "American Forest and Paper Association Wood Frame Construction Manual for One- and Two-Family Dwellings."
- C.      § P2603.6.1: insert "18 inches" (in two locations). (Added 6-23-2008 by Ord. No. 2008-01)

**CHAPTER 7**  
**FAIR HOUSING**

- § 5-701 Policy.**
- § 5-702 Definitions.**
- § 5-703 Unlawful practice.**
- § 5-704 Discrimination in the sale or rental of housing.**
- § 5-705 Discrimination in the financing of housing.**
- § 5-706 Discrimination in the provision of brokerage services.**
- § 5-707 Exemption.**
- § 5-708 Administration.**
- § 5-709 Education and conciliation.**
- § 5-710 Enforcement.**
- § 5-711 Investigations; subpoenas; giving of evidence.**
- § 5-712 Enforcement by private persons.**
- § 5-713 Interference, coercion or intimidation.**
- § 5-714 Prevention of intimidation in fair housing cases.**

**§ 5-701      POLICY.**

It is the policy of the City of Geary to provide, within constitutional limitations, for fair housing throughout the city. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-702      DEFINITIONS.**

As used in this chapter, the following terms shall have the meanings indicated:

1. "Dwelling" means any building, structure or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one (1) or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure or portion thereof.

2. "Family" includes a single individual.

3. "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers and fiduciaries.

4. "To rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises owned by the occupant.

5. "Discriminatory housing practice" means an act that is unlawful under §§ 5-704, 5-705 and 5-706. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-703**      **UNLAWFUL PRACTICE.**

Subject to the provisions of Subsection Band § 5-707, the prohibitions against discrimination in the sale or rental of housing set forth in § 5-703 shall apply to:

A. All dwellings except as exempted by Subsection B.

B. Nothing in § 5-704 shall apply to:

1. Any single-family house sold or rented by an owner; provided that such private individual owner does not own more than three such single-family houses at any one time; provided, further, that in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period; provided, further that such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three (3) such single-family houses at any one time; provided, further, that the sale or rental of any such single-family house shall be excepted from the application of this chapter only if such house is sold or rented:

a. Without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent or salesman, or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent salesman, or person; and

b. Without the publication, posting or mailing, after notice of any advertisement or written notice in violation of § 5-704(C) of this chapter, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies and other such professional assistance as necessary to perfect or transfer the title.

2. Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

C. For the purposes of Subsection B, a person shall be deemed to be in the business of selling or renting dwellings if:

(1) He has, within the preceding twelve (12) months, participated as principal in three (3) or more transactions involving the sale or rental of any dwelling or any interest therein;

(2) He has, within the preceding twelve (12) months, participated as principal in the sale or rental of any dwelling or any interest therein;

facilities or sales or rental services in two (2) or more transactions involving the sale or rental of any dwelling or any interest therein; or

- (3) He is the owner of any dwelling designed or intended for occupancy by, or occupied by, five (5) or more families. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-704**      **DISCRIMINATION IN THE SALE OR RENTAL OF HOUSING.**

As made applicable by § 5-703 and except as exempted by §§ 5-703(B) and 5-707, it shall be unlawful:

A. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, national origin, disability, familial status, sexual orientation or gender identity.

B. To discriminate against any person in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, national origin, disability, familial status, sexual orientation or gender identity.

C. To make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on race, sex, color, religion, national origin, disability, familial status, sexual orientation or gender identity, or an intention to make any such preference, limitation or discrimination.

D. To represent to any person because of race, sex, color, religion or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.

E. For profit, to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, sex, color, religion or national origin, disability, familial status, sexual orientation or gender identity.

**§ 5-705**      **DISCRIMINATION IN THE FINANCING OF HOUSING.**

It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part in the making of commercial real estate loans to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling or to discriminate against him in the fixing of the amount, interest rate, duration or other terms or conditions of such loan or other financial assistance, because of the race, sex, color, religion, national origin, disability, familial status, sexual orientation or gender identity of such person or of any person associated with him in connection with such loan or other financial

assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given; provided that nothing contained in this section shall impair the scope or effectiveness of the exception contained in § 5-703(B).

**§ 5-706**      **DISCRIMINATION IN THE PROVISION OF BROKERAGE SERVICES.**

It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, rental or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership or participation, on account of race, sex, color, religion, national origin, disability, familial status, sexual orientation or gender identity.

**§ 5-707**      **EXEMPTION.**

Nothing in this chapter shall prohibit a religious organization, association or society, or any nonprofit, institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, sex, color, national origin, disability, familial status, sexual orientation or gender identity. Nor shall anything in this chapter prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

**§ 5-708**      **ADMINISTRATION.**

A. The authority and responsibility for administering the act shall be in the chief executive officer of the City of Geary.

B. The chief executive officer may delegate any of these functions, duties and powers to employees of the city or to boards of such employees, including functions, duties and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business or matter under this chapter. The chief executive officer shall by rule prescribe such rights of appeal from the decisions of his hearing examiners to other hearing examiners or to other officers in the city, to boards of officers or to himself, as shall be appropriate and in accordance with law.

C. All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this chapter and shall cooperate with the chief executive officer to further such purposes. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-709**            **EDUCATION AND CONCILIATION.**

Immediately after the enactment of this chapter, the chief executive officer shall commence such educational and conciliatory activities as will further the purposes of this chapter. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this chapter and his suggested means of implementing it and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-710**            **ENFORCEMENT.**

A.        Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the chief executive officer. Complaints shall be in writing and shall contain such information and be in such form as the chief executive officer requires. Upon receipt of such a complaint, the chief executive officer shall furnish a copy of the same to the person or persons who allegedly committed or are about to commit the alleged discriminatory housing practice. Within thirty (3) days after receiving a complaint, or within thirty (30) days after the expiration of any period of reference under Subsection C, the chief executive officer shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the chief executive officer decides to resolve the complaints, he shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation and persuasion. Nothing said or done in the course of such informal endeavors may be made public or used as evidence in a subsequent proceeding under this chapter without the written consent of the persons concerned. Any employee of the chief executive officer who shall make public any information in violation of this provision shall be (upon conviction) fined not more than one hundred dollars (\$100.00) or imprisoned not more thirty (30) days (see Attachment 9).

B.        A complaint under Subsection A shall be filed within one hundred eighty (180) days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him and with the leave of the chief executive officer, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.

C.        If, within thirty (30) days after a complaint is filed with the chief executive officer, the chief executive officer has been unable to obtain voluntary compliance with this chapter, the person aggrieved may, within thirty (30) days thereafter, file a complaint with the Secretary of the Department of Housing and Urban Development. The chief executive officer will assist in this filing.

D.        If the chief executive officer has been unable to obtain voluntary compliance within thirty (30) days of the complaint, the person aggrieved may, within thirty (30) days hereafter, commence a civil action in any appropriate court, against the respondent names in the

complaint, to enforce the rights granted or protected by this chapter, insofar as such rights relate to the subject of the complaint. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.

E. In any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.

F. Whenever an action filed by an individual shall come to trial, the chief executive officer shall immediately terminate all efforts to obtain voluntary compliance. (Amended 5-19-1994 by Ord. No. 94-2)

### **§ 5-711      INVESTIGATIONS; SUBPOENAS; GIVING OF EVIDENCE.**

A. In conducting an investigation, the chief executive officer shall have access at all reasonable times to premises, records, documents, individuals and other evidence or possible sources of evidence and may examine, record and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation; provided, however, that the chief executive officer first complies with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. The chief executive officer may issue subpoena to compel access to or the production of such materials, or the appearance of such persons, and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the United States District Court for the district in which the investigation is taking place. The chief executive officer may administer oaths.

B. Upon written application to the chief executive officer, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the chief executive officer to the same extent and subject to the same limitations as subpoenas issued by the chief executive officer himself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

C. Witnesses summoned by subpoena of the chief executive officer shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United States District Courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.

D. Within five (5) days after service of a subpoena upon any person, such person may petition the chief executive officer to revoke or modify the subpoena. The chief executive officer shall grant the petition if he finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous or for other good reason.

E. In case of contumacy or refusal to obey a subpoena, the chief executive officer or other person at whose request it was issued may petition for its enforcement in the municipal or

state court for the district in which the person to whom the subpoena was addressed resides, was served or transacts business.

F. Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the chief executive officer shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty (30) days, or both (Attachment 9). Any person who, with intent thereby to mislead the chief executive officer, shall make or cause to be made by false entry or statement of fact in any report, account, record or other document submitted to the chief executive officer pursuant to his subpoena or other order, or shall willfully neglect or fail to make or cause to be made full, true and correct entries in such reports, accounts, records or other documents, or shall willfully mutilate, alter or by any other means falsify any documentary evidence, shall be "fined" not more than one hundred dollars (\$100.00) or imprisoned not more than thirty (30) days or both. (Attachment 9).

G. The city attorney shall conduct all litigation in which the chief executive officer participates as a party or as amicus pursuant to this chapter. (Amended 5-19-1994 by Ord. No. 94-2)

#### **§ 5-712 ENFORCEMENT BY PRIVATE PERSONS.**

A. The rights granted by §§ 5-703, 5-704, 5-705 and 5-706 may be enforced by civil actions in state or local courts of general jurisdiction. A civil action shall be commenced within one hundred eighty (180) days after the alleged discriminatory housing practice occurred; provided however, that the court shall continue such civil case brought pursuant to this section or § 5-710 from time to time before bringing it to trial if the court believes that the conciliation efforts of the chief executive officer are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the chief executive officer and which practice forms the basis for the action in court; and provided, however, that any sale, encumbrance or rental consummated prior to the issuance of any court order issued under the authority of this chapter, and involving a bona fide purchaser, encumbrancer or tenant without actual notice of the existence of the "filing" of a complaint or civil action under the provisions of this chapter shall not be affected.

B. The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order or other order, and may award to the plaintiff actual damages and not more than one thousand dollars (\$1,000.00) punitive damages, together with court costs and reasonable attorneys fees in the case of a prevailing plaintiff, provided that the said plaintiff in the opinion of the court is not "financially" able to assume said attorney's fees. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-713**      **INTERFERENCE, COERCION OR INTIMIDATION.**

It shall be unlawful to coerce, intimidate, threaten or interfere with any person in the exercise or enjoyment of or on account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by §§ 5-703, 5-704, 5-705 or 5-706. This section may be enforced by appropriate civil action. (Amended 5-19-1994 by Ord. No. 94-2)

**§ 5-714**      **PREVENTION OF INTIMIDATION IN FAIR HOUSING CASES.**

Whoever, whether or not acting under color of law, by force or threat of force, willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

A. Any person because of his race, color, religion, national origin, handicap or familial status and because he is or has been selling, purchasing, renting, financing, occupying or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization or facility relating to the business of selling or renting dwellings; or

B. Any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from:

1. Participating, without discrimination on account of race, sex, color, religion, national origin, handicap, familial status, in any of the activities, services, organizations or facilities described in Subsection A; or

2. Affording another person or class of persons opportunity or protection so to participate; or

C. Any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, sex, color, religion, national origin, handicap, familial status, in any of the activities, services, organizations or facilities described in Subsection A or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate:

Shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than thirty (30) days, or both; and if bodily injury results shall be fined not more than one hundred dollars (\$100.00) or imprisoned not more than 30 days, or both; and if death results shall be subject to imprisonment for any term of years or for life. (Amended 5-19-1994 by Ord. No. 94-2)

## CHAPTER 8

### BILLBOARDS AND SIGNS

- § 5-801 License required.
- § 5-802 Fees.
- § 5-803 Bond.
- § 5-804 License charges paid to City Clerk.
- § 5-805 Construction requirements.
- § 5-806 Conditions.
- § 5-807 Report.
- § 5-808 Existing now.
- § 5-809 Posters, signs.
- § 5-810 Not to apply.
- § 5-811 Penalty.

#### § 5-801      LICENSE REQUIRED.

For the purpose of protecting life, and property, it is hereby made unlawful to construct or maintain or cause to be constructed or maintained any billboard without first securing a license therefore from the city clerk and strictly complying with the provisions of this chapter.

*Cross Reference:* See also zoning regulations, §§ 2-20 1 et seq.

#### § 5-802      FEES.

The license charges for each and every billboard shall be an annual fee as set by the council for each space of twenty-four (24) inches by thirty-eight (38) inches or major fraction. A person operating more than one board may pay in lieu thereof a sum per annum, or fraction thereof, to cover all boards operated by the party under the provisions of this chapter if so provided by the council. All licenses shall be due and payable before any billboard is erected or used.

#### § 5-803      BOND.

Every person engaged in the business of constructing and maintaining billboards shall file with the clerk a bond with sufficient surety to be approved by the mayor, in the sum of five hundred dollars (\$500.00) conditional that such person shall hold the municipality free from all damages, loss, expenses or decrees which may be secured against the municipality on account of the construction or maintenance of any billboard.

#### § 5-804      LICENSE CHARGES PAID TO CITY CLERK.

All license charges must be paid in advance to the city clerk who will issue his receipt therefore. Upon payment of the required fees, the city clerk shall issue the proper license permitting and sanctioning the contract for construction or maintenance or both of such billboards as such receipt will show payment for and the clerk will keep all such receipts in his files together with duplicate of all licenses issued. No free licenses shall be granted or rebates

allowed for the occupation or business covered by this ordinance, for any cause, nor any sum accepted less than the amount herein specified, nor for a shorter period than herein stated.

**§ 5-805**            **CONSTRUCTION REQUIREMENTS.**

No billboard or billboards shall be erected in an unsafe manner or in any sense dangerous to life or property nor shall such billboard be used to display any obscene or immoral pictures or language. Each billboard shall have printed thereon, in clear view, the name of its owner. For breach of any of the provisions of this section, the license shall be revoked and no further license shall be issued to the party, except upon satisfactory proof to the mayor that the party's intent and ability to meet the provisions of this section has been established.

**§ 5-806**            **CONDITIONS.**

It is unlawful to construct or maintain or cause to be constructed or maintained, any billboard in such a manner as to:

1.        Obstruct the free use of the street, alleys or sidewalks;
2.        Be dangerous to the public by falling or blowing down;
3.        Exceed five hundred (500) square feet in area;
4.        Obstruct the view of railroad crossings or street crossings;
5.        Increase the danger of loss by fire or increase the rate for fire insurance;
6.        Be less than three (3) feet above the level of the ground on which it is in cases where the ground slopes not less than two (2) feet at the closest located, or point;
7.        Exceed sixteen (16) feet in height above the ground;
8.        Approach nearer than six (6) feet to any building or to the side line of any lot, or nearer than two (2) feet to any other billboard; and
9.        To construct or maintain any billboard on any location in which one-half (½) of the buildings on both sides of the street are used exclusively for residence purposes without first obtaining the consent in writing of the owners or duly authorized agents of the owner, owning a majority of the frontage of the property on both sides of the street in the block in which such billboard is to be constructed or maintained. Such written consent shall be filed with the clerk before a license shall be granted for such location. The word "block" used in this section means that part of a street which lies between the two (2) nearest intersecting streets, one on either side thereof.

**§ 5-807      REPORT.**

Every person maintaining a billboard for the purpose of displaying advertising shall file with the mayor, within thirty (30) days after the passage and publication of this chapter a full and complete report of the location, size and construction of all existing billboards.

**§ 5-808      EXISTING NOW.**

This chapter shall apply to billboards already existing and all such billboards must conform to the provisions of this chapter within sixty (60) days after its initial passage and publication.

**§ 5-809      POSTERS, SIGNS.**

It is unlawful to attach any form of advertising matter to any utility pole within the city limits.

**§ 5-810      NOT TO APPLY.**

This chapter shall not apply to billboards or sign-boards attached to the surface of a permanent building and designed to give publicity to any business carried on in such building or to billboards used to advertise the sale or lease of the property upon which they shall be erected and not exceeding thirty-six (6) square feet in area.

**§ 5-811      PENALTY.**

It is unlawful and an offense for any person to violate any of the provisions of this chapter. Any person found guilty of violating any provisions shall be deemed guilty of an offense, and is subject, upon conviction, to punishment as provided in § 1-108 of this code.

## CHAPTER 9

### PENALTY

- § 5-901      **Penalty.**  
§ 5-902      **Relief in courts.**

**§ 5-901**      **PENALTY.**

Any person, firm or corporation who shall engage in any business, trade or vocation for which a license, permit, certificate or registration is required by this part, without having a valid license, permit, certificate, or certificate of registration as required, or who shall fail to do anything required by this part or by any code adopted by this part, or who shall otherwise violate any provision of the chapters in this part or of any code adopted by this part, or who shall violate any lawful regulation or order made by any of the officers provided for in this part, shall be guilty of an offense, and upon conviction thereof, shall be punished as provided in § 1-108 of this code.

**§ 5-902**      **RELIEF IN COURTS.**

No penalty imposed by and pursuant to this part shall interfere with the right of the city also to apply to the proper courts of the state for a mandamus, an injunction or other appropriate action against such person, firm or corporation.

## CHAPTER 10

### PROPERTY MAINTENANCE CODE

- § 5-1001      **International Property Maintenance Code adopted.**  
§ 5-1002      **Additions and changes.**

**§ 5-1001**      **INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTED.**

That a certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Geary, being marked and designated as the *International Property Maintenance Code*, 2012 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Geary, in the State of Oklahoma. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

**§ 5-1002**      **ADDITIONS AND CHANGES.**

The following sections are hereby revised:

Section A101.1. Insert: City of Geary.