

ORDINANCE NO. 911 (19)

AN ORDINANCE AMENDING PART 8, CHAPTER 11, ARTICLE B, SECTIONS 8-1111, 8-1112, 8-1113, 8-1114, AND 8-1115, ESTABLISHING REGULATIONS AND PROVISIONS FOR DETERMINING FENCE MAINTANANCE REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEALER.

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOORE, OKLAHOMA THAT PART 8, CHAPTER 11, ARTICLE B, SECTIONS 8-1111 THROUGH 8-1114 ARE HEREBY AMENDED TO READ AS FOLLOWS:

Sec. 8-1111. - Exterior property areas.

- (a) *Grading and drainage.* All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon, except for water detention or retention areas approved by the city.
- (b) *Rat harborage.* All structures and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.
- (c) *Accessory structures.* All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. Each separate accessory structure shall be deemed a separate violation.

Sec. 8-1112. - Exterior structure general maintenance.

The owner, lessee, occupant, or person or entity having charge of the property shall keep all parts of the exterior property in a clean and sanitary condition. No premises shall be in a condition that constitutes a health hazard, safety hazard, or general nuisance.

- (1) *Street numbers.* Each building to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be at least three inches high and one-half inch stroke.
- (2) *Structural members.* Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended. All structural members shall be maintained free of deterioration, and capable of safely bearing the imposed dead and live loads.
- (3) *Exterior walls and surfaces.* Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition as to prevent rodents, rain, or dampness to the interior of the dwelling. All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, and their supporting structures where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing,

or deterioration. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

- (4) *Roofs and drainage.* The roof and flashing shall be sound, tight and not have defects which admit rain. Rain gutters, downspouts, leaders, or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions.
- (5) *Overhang extensions.* All canopies, marquees, awnings, stairways, fire escapes, standpipes, exhaust ducts, gutters and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (6) *Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe, sound, and in good repair. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay by periodic application of weather-coating materials, such as paint or similar surface treatment.
- (7) *Handrails and guardrails.* Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in sound condition and good repair.
- (8) *Windows, skylights, doors and frames.* Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, be capable of being easily opened and held in position by hardware, and maintained so as to exclude adverse weather elements from entering the structure. Skylights, doors, and frames shall be kept in sound condition, good repair and weather-tight.
- (9) *Insect screens.* All insect screens shall be tightly fitting and maintained in sound condition and good repair, free from holes, cuts, or rips.
- (10) *Exterior doors and frames.* All exterior doors, frames and hardware, including garage doors, shall be maintained in sound condition, good repair and weather-tight.
- (11) *Basement, foundation, vents, and windows.* Every basement/foundation hatchway, vent or window shall be maintained in sound condition, good repair and weather-tight. Foundations shall support the building at all points and shall be free of all holes and cracks as to prevent rodents, water or dampness to the interior of the building or any conditions tending to reduce the capability of the foundation to support the building.
- (12) *Porches, decks, and docks.* Every porch, deck, or dock shall be constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, including steps, and kept in sound condition and in good repair.

- (13) *Decorative features.* All cornices, entablatures, bell courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (14) *Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking spaces, parking lots and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.

Sec. 8-1113. - Appearance.

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

- (1) *Exterior space.* The exterior open space around each structure shall be maintained or improved so as to provide for:
 - a. The immediate diversion of water away from buildings and proper drainage of the lot;
 - b. Grass, plantings, or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures; and
 - c. Sidewalks, walkways, parking areas, driveways and exterior steps which are of a permanently hard, dust-free surface of sound construction, and properly maintained.
- (2) *Buffer and screening requirements.* When commercial or industrial property is being developed, and it abuts property zoned or used for residential purposes, a six-foot tall buffer shall be constructed of an appropriate mounding, fencing, or vegetative material, along the entire length of any abutting side or rear yard. Screen plantings shall have a minimum height of five feet and should be of such size, species, and spacing as can reasonably be expected to produce an opaque six-foot screen within three years.
- (3) *Vegetative ground cover required.* All green areas shall be graded and seeded with an all-season, well maintained vegetative ground cover.
- (4) *Fences and walls.* All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired, as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration. Fences and/or walls shall be constructed of wood, iron, decorative aluminum, stone, brick, or decorative block. Retaining walls shall be constructed of stone, decorative wall systems, brick, or wood. The following items, being found singularly or collectively, shall be used in determining a fence that is in violation of this section:
 - a) Missing or broken panels;
 - b) Lean posts being used to keep the fence erect;
 - c) Patches made to the fence that are not made of the same original fence material;

- d) Three or more broken or missing slats within a panel;
 - e) Broken fence posts;
 - f) Upright fence posts when no fence panels or other horizontal fence material is erected;
 - g) Leaning panels, fence material or fence posts.
- (5) *Yards.* All yards, courts, and lots shall be kept free of noxious weeds, overgrown grasses, debris, and other materials which may cause a fire, health or safety hazard, or general unsightliness.
 - (6) *Hazards.* Hazards and unsanitary conditions shall be eliminated.
 - (7) *Grading.* All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of water thereon, or within any structure located thereon.
 - (8) *Drainage.* All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except where such pooling or retention of water is part of a plan approved by the city engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
 - (9) *Drainage swales.* Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow.
 - (10) *Traffic markings.* All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.
 - (11) *Exterior light fixtures.* Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after business hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties (per local zoning regulation).
 - (12) *Driveways and walkways.* All driveways, walkways, stairs, parking spaces, parking lots and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.
 - (13) *Rodent harborage.* All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.
 - (14) *Mosquito infestation.* All structures and exterior property shall be kept free of the accumulation of stagnant water by any means, which may yield the potential for serving as a breeding ground for mosquitoes.

Sec. 8-1114. - Signage.

- (a) *Sign maintenance.* All signage and incidental landscaping and/or lighting shall be maintained in good condition and shall not show evidence of deterioration. Neither lighting nor signage shall be permitted to be posted on trees or utility poles.

- (b) *Visibility triangles.* All signage shall be located outside of all visibility triangles at intersections and ingress/egress points, and shall not be located in such a manner as to constitute a traffic or safety hazard.

Sec. 8-1115. - Enforcement.

An annual inspection of all commercial and industrial property shall be made by the building official or his designee to determine compliance with the exterior property maintenance code.


Severability. If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

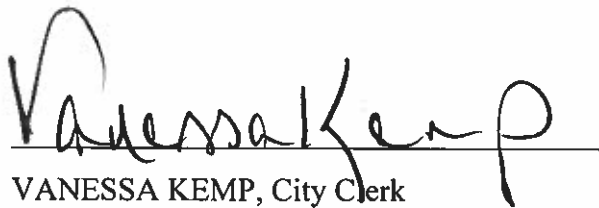
Repealer. Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 21st DAY OF MAY, 2019.



ATTEST:


GLENN LEWIS, Mayor


VANESSA KEMP, City Clerk

APPROVED AS TO FORM AND LEGALITY:


RANDY C. BRINK, City Attorney

(Published in The Norman Transcript May 25, 2019, 1t)

911(19)

AN ORDINANCE AMENDING PART 8, CHAPTER 11, ARTICLE B, SECTIONS 8-1111, 8-1112, 8-1113, 8-1114, AND 8-1115, ESTABLISHING REGULATIONS AND PROVISIONS FOR DETERMINING FENCE MAINTANANCE REQUIREMENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEALER, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOORE.

Glenn Lewis, Mayor

Vanessa Kemp, City Clerk

Proof of Publication

~~In the District Court of Cleveland County, State of Oklahoma~~

Case No: ORD. 911(19)

Affidavit of Publication

State of Oklahoma, County of Cleveland, ss:


I, the undersigned publisher, editor or Authorized Agent of the Norman Transcript, do solemnly swear that the attached advertisement was published in said paper as follows:

1st Publication

May 25, 2019

That said newspaper is Daily, in the city of Norman, Cleveland County, Oklahoma, a Daily newspaper qualified to publish legal notices, advertisements and publications as provided in Section 106 of Title 25, Oklahoma Statutes 1971, as amended, and complies with all other requirements of the laws of Oklahoma with reference to legal publications.

That said Notice, a true copy of which is attached hereto, was published in the regular edition of said newspaper during the period and time of publications and not in a supplement, on the above noted dates.



Signature

Subscribed and sworn before me on this 28th day of May 2019.



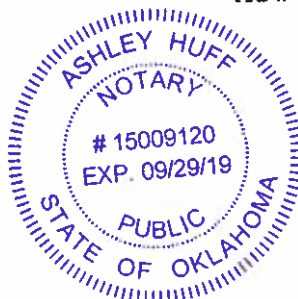
My commission expires 09-29-19 Notary Public
Commission # 15009120

Cost of Publication \$ 9.15

Ad # 00482035

Acct # 05100469

Copies: 1



PAY TO

The Norman Transcript
P.O. Drawer 1058
Norman, OK 73070

A copy of this affidavit of publication was delivered to the Office of the Cleveland County Court Clerk on May 28, 2019.

Please include the case number on your check.