

MINUTES

Special Meeting of the
Nichols Hills Building Code Committee
Wednesday, March 28, 2018 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original Agenda Filed in the Office of the City Clerk at 4:45 PM
on the 26th day of March, 2018.**

1. Call to Order

2. Roll Call

Attendee Name	Title	Status	Arrived
Larry Herzel		Present	
Sam Gresham		Present	
Tom Krone		Present	
Corbyn Roberts		Present	
Larry Hinton		Present	
Tom King		Absent	
Kelly Hurley		Present	

3. Citizens Desiring to be Heard

4. Minutes

5. Items for Separate Vote

Discussion, consideration and possible action regarding the following:

- a. International Residential Code, 2015 Edition, and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

b. International Building Code, 2015 Edition, and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

c. International Existing Building code, 2015 Edition, and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

d. International Fire Code, 2015 Edition, and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building code Committee or public.

Members discussed a Public Comment Form submitted by Nichols

Hills Fire Chief Kevin Boydston (See Attachment A). The form suggested revisions to the 2015 International Fire Code, Section 507 and the table on 507.5.1.

MOTION: Gresham moved to approve the Public Comment Form proposed by Fire Chief Kevin Boydston amending the 2015 International Fire Code related to hydrant for standpipe and approved automatic sprinkler systems; Section 507 and the table on 507.5.1. Herzel seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Gresham
SECONDER:	Larry Herzel
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

Members discussed Public Comment Form submitted by Nichols Hills Fire Chief Kevin Boydston (See Attachment B). This form updates the International Fire Code Section 912 and table 912.2 was withdrawn.

Members discussed Public Comment Form submitted by legal counsel Carla Sharpe (See Attachment C). This form references Division 2 and 3 of the Electrical Code. Attached was a proposed ordinance to present to City Council.

MOTION: Krone moved to recommend to City Council the approval of Mrs. Sharpe's Public Comment Form as presented. Gresham seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tom Krone
SECONDER:	Sam Gresham
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

MOTION: Gresham moved to recommend to City Council the approval of the 2015 International Fire Code as modified by the

State of Oklahoma and the amendments of this committee. Herzel seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Gresham
SECONDER:	Larry Herzel
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

e. Comment Forms

f. International Mechanical Code, 2015 Edition, and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

g. International Plumbing Code, 2015 Edition, and possible amendments thereto:

MOTION: Hinton moved to recommend to City Council the approval of the 2015 International Plumbing Code as modified by the State of Oklahoma and the amendments of this committee. Gresham seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Hinton
SECONDER:	Sam Gresham
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

h. National Electrical Code, 2014 Edition (or alternatively, the 2015 Edition), and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

i. International Fuel Gas Code, 2015 Edition, and possible amendments thereto;

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

j. International Energy Conservation Code, and possible amendments thereto:

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

k. Exterior building material standards.

No action taken.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

i. Discussion, consideration, and possible acceptance of formal written comments submitted by members of the Building Code Committee or public.

None.

l. Discussion, consideration and possible actions regarding possible amendments to Chapter 8, Buildings and Building Regulations and Chapter 50, Zoning, of the Nichols Hills City Code.

Members discussed Public Comment Form submitted by legal counsel Carla Sharpe (See Attachment D). This form references Section 8-9 in Chapter 8 of the Nichols Hills City Code, regarding general provisions. Attached was a proposed ordinance to present to City Council.

MOTION: Hinton moved to recommend to City Council the approval of Mrs. Sharpe's Public Comment Form as presented. Gresham seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Hinton
SECONDER:	Sam Gresham
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

Members discussed Committee Comment Form submitted by Larry Herzel (See Attachment E). This form references Section 8-69 in Chapter 8 of the Nichols Hills City Code, regarding exterior building materials.

MOTION: Herzel moved to recommend to City Council the approval of Mr. Herzel's Committee Comment Form regarding exterior building materials as modified during the meeting. Hinton seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Herzel
SECONDER:	Larry Hinton
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

m. Discussion, consideration, and possible acceptance of formal written comment concerning an ordinance amending the Nichols Hills City Code, clarifying the definitions and use of "Addition" and "Alteration" and removing the word "Remodel" related to construction of buildings in various contexts.

Members discussed Public Comment Form submitted by legal counsel Carla Sharpe (See Attachment F). This form references numerous sections within all codes adopted by the State of Oklahoma and previously discussed by this board. Attached was a proposed ordinance to present to City Council.

MOTION: Hinton moved to recommend to City Council the approval of Mrs. Sharpe's Public Comment Form as presented. Gresham seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Larry Hinton
SECONDER:	Sam Gresham
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King

6. Adjournment

MOTION: Gresham moved to adjourn the meeting. Krone seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Sam Gresham
SECONDER:	Tom Krone
AYES:	Herzel, Gresham, Krone, Roberts, Hinton, Hurley
ABSENT:	King



Chairman
Building Code Committee
City of Nichols Hills, Oklahoma



City Manager
City of Nichols Hills, Oklahoma



City Clerk
City of Nichols Hills, Oklahoma



City of Nichols Hills Building Code Committee

PUBLIC COMMENT FORM

INSTRUCTIONS: Please type or print clearly. Form must be signed. Any form not signed or filled out completely, may not be considered. Each requested change must be on a separate form.

Submitters Contact Information:

Name: Kevin Boydston (Fire chief) Date: 3-20-2018

Company: Nichols Hills Fire Department

Address: 6407 Abundale Dr.

City: Nichols Hills State: Oklahoma Zip: 73116

Phone: (405) 843-8526 Extension: 130 Fax: 842-8409

Email: Kboydston@nicholshills.net

To which building code does this comment pertain? International Fire code (IFC)

Which area of the code needs revision?

Section: 507 Table: 507.5.1 Figure: ~~507.5.1~~ Page Number: 65

Please check the action to be taken for this proposed change:

Revise as follows Delete as follows Add new text as follows Delete with substitute

Show the proposed NEW, REVISED, OR DELETED TEXT in legislative format. Line through text to be deleted and underline text to be added or revised.

shall be determined by the fire code official.

Supporting information: State purpose and reason for the change and provide substantiation to support proposed change.

This will notify General Contractors early in the Planning process that a fire hydrant would be required within 100 feet of any FDC's. This is a quick access point for hooking up to a fire hydrant to support the FDC of a sprinklered building. This will minimize laying numerous sections of supply line from a fire hydrant that could block access for other arriving units to the scene.

Signature: Kevin Boydston

Send completed "Public Comment Form" to:

used to identify the structure. Address numbers shall be maintained.

505.2 Street or road signs. Streets and roads shall be identified with *approved* signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an *approved* size, weather resistant and be maintained until replaced by permanent signs.

**SECTION 506
KEY BOXES**

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

506.1.1 Locks. An *approved* lock shall be installed on gates or similar barriers when required by the *fire code official*.

506.1.2 Key boxes for nonstandardized fire service elevator keys. Key boxes provided for nonstandardized fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official*.
2. The front cover shall be permanently labeled with the words "Fire Department Use Only—Elevator Keys."
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted when authorized by the *fire code official*.
6. In buildings with two or more elevator banks, a single key box shall be permitted to be used when such elevator banks are separated by not more than 30 feet (9144 mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).

Exception: A single key box shall be permitted to be located adjacent to a *fire command center* or the non-standard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

506.2 Key box maintenance. The operator of the building shall immediately notify the *fire code official* and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

**SECTION 507
FIRE PROTECTION WATER SUPPLIES**

507.1 Required water supply. An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an *approved* method.

507.4 Water supply test. The *fire code official* shall be notified prior to the water supply test. Water supply tests shall be witnessed by the *fire code official* or *approved* documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system.

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet (30 m) of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet (30 m) where approved by the *fire code official*.

Determined by Fire Code Official.

Communication: Attachment A ()

FIRE SERVICE FEATURES

used to identify the structure. Address numbers shall be maintained.

505.2 Street or road signs. Streets and roads shall be identified with *approved* signs. Temporary signs shall be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs shall be of an *approved* size, weather resistant and be maintained until replaced by permanent signs.

SECTION 506 KEY BOXES

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

506.1.1 Locks. An *approved* lock shall be installed on gates or similar barriers when required by the *fire code official*.

506.1.2 Key boxes for nonstandardized fire service elevator keys. Key boxes provided for nonstandardized fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official*.
2. The front cover shall be permanently labeled with the words "Fire Department Use Only—Elevator Keys."
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted when authorized by the *fire code official*.
6. In buildings with two or more elevator banks, a single key box shall be permitted to be used when such elevator banks are separated by not more than 30 feet (9144 mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).

Exception: A single key box shall be permitted to be located adjacent to a *fire command center* or the non-standard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

506.2 Key box maintenance. The operator of the building shall immediately notify the *fire code official* and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

507.1 Required water supply. An *approved* water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

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507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.6.

507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m). *Determined by fire code official*

507.5.1.1 Hydrant for standpipe systems. Building equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 100 feet (30 m) of the fire department connections.

Exception: The distance shall be permitted to exceed 100 feet (30 m) where approved by the *fire code official*.



City of Nichols Hills Building Code Committee

PUBLIC COMMENT FORM

INSTRUCTIONS: Please type or print clearly. Form must be signed. Any form not signed or filled out completely, may not be considered. Each requested change must be on a separate form.

Submitters Contact Information:

Name: Kevin Boydston (Fire Chief) Date: 3-20-2018

Company: Nichols Hills Fire Department

Address: 6407 Avondale Dr.

City: Nichols Hills State: Oklahoma Zip: 73116

Phone: (405) 843-8526 Extension: 130 Fax: 842-8409

Email: Kboydston@nichols.hills.net

To which building code does this comment pertain? international fire code

Which area of the code needs revision?

Section: 912 Table: 912.2 Figure: _____ Page Number: 133

Please check the action to be taken for this proposed change:

Revise as follows Delete as follows Add new text as follows Delete with substitute

Show the proposed NEW, REVISED, OR DELETED TEXT in legislative format. Line through text to be deleted and underline text to be added or revised.

And within 100 FT of a fire hydrant.

Supporting information: State purpose and reason for the change and provide substantiation to support proposed change.

This will notify General Contractors early in the planning process that a fire hydrant may be required on-site. Any FDC's installed will need to be within 100 Feet from a fire hydrant. This is a quick access point for hooking to a fire hydrant & FDC for a sprinklered building. This will minimize laying numerous sections of supply line from a fire hydrant that could block access from other arriving fire units.

Signature: Kevin Boydston

Send completed "Public Comment Form" to:

FIRE PROTECTION SYSTEMS

911.4 Barricades. *Barricades* shall be designed and installed in accordance with NFPA 495.

SECTION 912 FIRE DEPARTMENT CONNECTIONS

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6.

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved by the fire chief and within 100 feet of a fire hydrant

912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the fire chief.

912.2.2 Existing buildings. On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" at least 6 inches (152 mm) high and words in letters at least 2 inches (51 mm) high or an arrow to indicate the location. All such signs shall be subject to the approval of the *fire code official*.

912.3 Access. Immediate access to fire department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or moveable object. Access to fire department connections shall be *approved* by the fire chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.4 and a means of emergency operation. The gate and the means of emergency operation shall be *approved* by the fire chief and maintained operational at all times.

912.3.1 Locking fire department connection caps. The *fire code official* is authorized to require locking caps on fire department connections for water-based *fire protection systems* where the responding fire department carries appropriate key wrenches for removal.

912.3.2 Clear space around connections. A working space of not less than 36 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections, except as otherwise required or *approved* by the fire chief.

912.3.3 Physical protection. Where fire department connections are subject to impact by a motor vehicle, vehicle

impact protection shall be provided in accordance with Section 312.

912.4 Signs. A metal sign with raised letters at least 1 inch (25 mm) in size shall be mounted on all fire department connections serving automatic sprinklers, standpipes or fire pump connections. Such signs shall read: AUTOMATIC SPRINKLERS or STANDPIPES or TEST CONNECTION or a combination thereof as applicable. Where the fire department connection does not serve the entire building, a sign shall be provided indicating the portions of the building served.

912.5 Backflow protection. The potable water supply to automatic sprinkler and standpipe systems shall be protected against backflow as required by the *International Plumbing Code*.

912.6 Inspection, testing and maintenance. All fire department connections shall be periodically inspected, tested and maintained in accordance with NFPA 25.

SECTION 913 FIRE PUMPS

913.1 General. Where provided, fire pumps shall be installed in accordance with this section and NFPA 20.

913.2 Protection against interruption of service. The fire pump, driver, and controller shall be protected in accordance with NFPA 20 against possible interruption of service through damage caused by explosion, fire, flood, earthquake, rodents, insects, windstorm, freezing, vandalism and other adverse conditions.

913.2.1 Protection of fire pump rooms. Rooms where fire pumps are located shall be separated from all other areas of the building in accordance with Section 913.2.1 of the *International Building Code*.

913.3 Temperature of pump room. Suitable means shall be provided for maintaining the temperature of a pump room or pump house, where required, above 40°F (5°C).

913.3.1 Engine manufacturer's recommendation. Temperature of the pump room, pump house or area where engines are installed shall never be less than the minimum recommended by the engine manufacturer. The engine manufacturer's recommendations for oil heaters shall be followed.

913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.
3. Locking valves open.
4. Sealing of valves and *approved* weekly recorded inspection where valves are located within fenced enclosures under the control of the *owner*.

FIRE PROTECTION SYSTEMS

911.4 Barricades. Barricades shall be designed and installed in accordance with NFPA 495.

SECTION 912 FIRE DEPARTMENT CONNECTIONS

912.1 Installation. Fire department connections shall be installed in accordance with the NFPA standard applicable to the system design and shall comply with Sections 912.2 through 912.6.

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of fire department connections shall be approved by the fire chief. with hydrant within 100 feet.

912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise approved by the fire chief.

912.2.2 Existing buildings. On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" at least 6 inches (152 mm) high and words in letters at least 2 inches (51 mm) high or an arrow to indicate the location. All such signs shall be subject to the approval of the fire code official.

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912.3.2 Clear space around connections. A working space of not less than 36 inches (762 mm) in width, 36 inches (914 mm) in depth and 78 inches (1981 mm) in height shall be provided and maintained in front of and to the sides of wall-mounted fire department connections and around the circumference of free-standing fire department connections, except as otherwise required or approved by the fire chief.

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SECTION 913 FIRE PUMPS

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913.2 Protection against interruption of service. The fire pump, driver, and controller shall be protected in accordance with NFPA 20 against possible interruption of service through damage caused by explosion, fire, flood, earthquake, rodents, insects, windstorm, freezing, vandalism and other adverse conditions.

913.2.1 Protection of fire pump rooms. Rooms where fire pumps are located shall be separated from all other areas of the building in accordance with Section 913.2.1 of the *International Building Code*.

913.3 Temperature of pump room. Suitable means shall be provided for maintaining the temperature of a pump room or pump house, where required, above 40°F (5°C).

913.3.1 Engine manufacturer's recommendation. Temperature of the pump room, pump house or area where engines are installed shall never be less than the minimum recommended by the engine manufacturer. The engine manufacturer's recommendations for oil heaters shall be followed.

913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and the isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.
3. Locking valves open.
4. Sealing of valves and approved weekly recorded inspection where valves are located within fenced enclosures under the control of the owner.



City of Nichols Hills Building Code Committee

PUBLIC COMMENT FORM

INSTRUCTIONS: Please type or print clearly. Form must be signed. Any form not signed or filled out completely, may not be considered. Each requested change must be on a separate form.

Submitters Contact Information:

Name: Carla Sharpe Date: March 23, 2018
Company: Williams, Box, Forshee & Bullard – municipal counsel
Address: 522 Colcord Drive
City: Oklahoma City State: _____ Zip: 73102
Phone: 512-6926 Extension: _____ Fax: _____
Email: csharpe@wbfbllaw.com

To which building code does this comment pertain? Electrical Code

Which area of the code needs revision?

Section Division 2 & 3 Table: _____ Figure: _____ Page Number: _____

Please check the action to be taken for this proposed change:


Revise as follows Delete as follows Add new text as follows Delete with substitute

Show the proposed NEW, REVISED, OR DELETED TEXT in legislative format. Line through text to be deleted and underline text to be added or revised.

See attached proposed ordinance.

Supporting information: State purpose and reason for the change and provide substantiation to support proposed change.

The changes proposed on the attached ordinance make the changes adopted by the Building Code Committee as to electrical inspections and additional clean-up revisions needed. I have inserted comments explaining some of my proposed additional changes.

Signature: 

Published in _____ on _____, 2018

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8 OF THE NICHOLS HILLS CITY CODE REGARDING THE ADDITIONAL LOCAL REGULATIONS OF THE ELECTRICAL CODE; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 8-150 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through, to wit:

Sec. 8-150. Definitions.

The following words, terms and phrases, when used in this Article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Electric wiring means the installation of electrical raceways, conductors or apparatus of any kind used, or to be used, in or on any building for the transmission and distribution of electric current for electric light, heat or power, or nonportable electrical fixtures and apparatus of any nature to be connected to light, heat or power service; provided, however, that the terms "electric wiring," "electrical equipment" and "apparatus" shall not be deemed to include or refer to service lines, apparatus and equipment for the sale, distribution and regulation of electricity and remaining the property of the electric service company, or for telephone, telegraph or other communication purposes, or in connection therewith.

~~*Electrical apprentice* means any person 16 years of age or older whose principal occupation is the learning of and assisting in the installation of electrical work under the direct supervision of a licensed journeyman electrician or electrical contractor.~~

Commented [CS1]: This definition is not used anywhere.

Electrical contractor means any person skilled in the planning, superintending and practical installation of electrical facilities who is familiar with the laws, rules and regulations governing such work. The term "electrical contractor" also means any person performing skills of an electrical contractor or an electrician or the business of contracting, or furnishing labor or labor and materials for the installation, repair, maintenance or renovation of electrical facilities according to the provisions of the Electrical License Act, 59 O.S. § 1680 et seq.

Electrical facilities means all wiring, fixtures, appurtenances and appliances for, and in connection with, a supply of electricity within or adjacent to any building, structure or conveyance on the premises but not including the connection with a power supply meter or other power supply source.

~~Electrical inspector means the chief electrical inspector of the City or any of his duly authorized assistants.~~

Commented [CS2]: I used Code Official throughout

Journeyman electrician means any person other than an electrical contractor who engages in the actual installation, alteration, repair or renovation of electrical facilities unless specifically exempted by the provisions of the Electrical License Act, 59 O.S. § 1680 et seq.

~~Maintenance electrician means any person engaged only in the work of operating, caring for and maintaining the electrical installations of any building or factory.~~

Commented [CS3]: This definition is not used anywhere.

Section 2. Section 8-151 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-151. Poles, wires and cables.

The placing, stringing or attaching of telegraph, telephone, electric light or other wires and cables, and the placing of all poles and appliances shall be done in accordance with the provisions of the National Electrical Safety Code, the National Electrical Code, and the Oklahoma Corporation Commission's orders, so as to prevent fires, accident or injury to persons or property. The ~~electrical inspector~~ Code Official shall notify the telephone, telegraph or electric service companies of any such poles, wires, cables or apparatus so placed as not to meet such requirements, and all such wires, lights, cables, poles or electrical apparatus shall be maintained to meet the same requirements. The telephone, telegraph or electric service company shall have a reasonable time in which to correct such conditions after being so notified by the ~~electrical inspector~~ Code Official.

Section 3. ~~Section 8-153 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:~~

Commented [CS4]: Note: Section 8-152 on remodeling is being repealed, revised, and moved to the "general" section with the "remodeling" ordinance.

Sec. 8-153. Disconnection of power upon request by City.

(a) All persons supplying electricity shall, upon written notice by the ~~electrical inspector~~ Code Official, disconnect from any such circuit, including main service wires, branch feeder wires or distribution, as designated by the notice, and shall not reconnect to the installation except upon written notice from the ~~electrical inspector~~ Code Official.

(b) Every person owning or controlling electrical wires and apparatus for the transmission of light, heat or power, shall, in time of fire or in case of severe storm or any other emergency wherein lives or property of the citizens of the City may be endangered by the operation of such wires and apparatus, upon notice by the ~~electrical inspector~~ Code Official, the mayor, the City Clerk, the chief of the fire department or chief of police, disconnect such dangerous wires from current or service as are designated by the official.

Section 4. Section 8-176 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-176. Inspections; notice to correct unsafe conditions, remedial action.

(a) The ~~electrical inspector~~ Code Official shall be charged with the duty of enforcing all the provisions of this Article relating to electric wiring and the construction, installation, repair, alteration and maintenance of electric wiring, apparatus and fixtures, and with the inspection of the same. The ~~electrical inspector~~ Code Official shall inspect or reinspect all overhead, underground and interior wires and apparatus conducting electrical current for any of the purposes set forth in this Article. When such conductors or apparatus are found to be unsafe to life or property, he shall notify the person owning, using or operating the same, to place them in a safe condition within 48 hours and it shall be such person's duty to do so. If the owner, user or operator of such defective wiring or equipment shall refuse or fail to comply with the requirements of the ~~electrical inspector~~ Code Official and correct all defects as directed within the specified time, it shall be the duty of the ~~electrical inspector~~ Code Official to notify, in writing, the person furnishing the electric current to such defective wiring or equipment, to cease to supply electric current to same. Upon receipt of such notice, the service company, firm or individual furnishing electric current to such defective wiring or equipment shall within 24 hours disconnect the service or feed wires and cease to supply current to the defective installation until the defects have been corrected. When it has been determined by the electrical inspection that the public safety, health or welfare may be unduly jeopardized by allowing time to comply with the requirements of the ~~electrical inspector~~ Code Official, it shall be the duty of the ~~inspector~~ Code Official to take steps to immediately terminate electrical service to the unsafe facility.

(b) ~~The electrical inspector shall institute, by and with the advice of the City attorney, such prosecutions as may be necessary against any violators of any ordinance with the enforcement of which he is charged.~~

Commented [CS5]: Moved to Article I, In General.

Section 5. Section 8-179 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-179. Permit requirements.

(a) No electric facilities shall be installed, altered or changes made in existing wiring in or on any building without a permit being issued by the City Clerk. No permit shall be issued except to a registered electrical contractor. Permits shall not be necessary for maintenance work or for repair work if wiring is not altered or rearranged.

(b) The ~~electrical inspector~~ Code Official may, if he deems it necessary, require or demand from the electrical contractor a set of plans and specifications of any job, in order that the ~~electrical inspector~~ Code Official may check same to determine if the plans and specifications comply with this article. The ~~electrical inspector~~ Code Official must render a decision on such plans and specifications within 24 hours after receiving same. Two sets of electrical prints shall be supplied to the City for approval prior to commencement of the work.

(c) ~~Any person engaged in the business of electrical construction and the installation of wiring and apparatus for electric light, heat, or power, who shall fail to correct promptly any work done by him contrary to this article, after having been notified thereof by the electrical inspector, shall not be issued any further permits until such defect has been corrected.~~

Commented [CS6]: This can come out because it's already covered in the "General" section at 8-

~~(c)~~(d) Permits may not be added to after 180 days and a permit under which no work has been done for a period of 12 months shall expire.

~~(d)~~(e) The ~~electrical inspector~~ Code Official shall list any and all violations he sees and violations not required to be repaired will be in writing to residents as to nature of problems and recommended corrections that are needed to rectify such problems.

~~(e)~~(f) All companies doing work in the City shall have permits posted on the job until final is approved.

~~(f)~~(g) A copy of the ~~2008~~ National Electrical Code adopted by the City and this Article shall be kept on each jobsite while electrical work is being performed by an electrical contractor ~~worker~~.

Commented [CS7]: This is the defined term.

Section 6. Section 8-180 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-180. Inspections.

(a) The ~~electrical inspector~~ Code Official must inspect promptly all work for which electrical permits have been issued. After inspecting any electric wiring the ~~electrical inspector~~ Code Official shall leave notice in the form of a tag or label attached to the service entrance switch or branch cabinet. The notice shall clearly state whether the wiring is approved or is to be kept open for correction, and no person shall seal or in any manner conceal any electric wiring until such wiring has been approved. It shall be the duty of the ~~electrical inspector~~ Code Official to make such partial inspection as is required to permit the continuous construction of the building. If, in any case, the wiring is in such a position as to interfere with the completion of the building as called for by the plans, the electrical contractor must be notified to change the same. Proper conveniences such as ladders, must be provided inspectors on work to be inspected by the person desiring the inspection. On all cases, on completion of the rough-in job, a final rough-in inspection must be called for.

(b) The rough-in of each job shall include the installation of all equipment in main and branch cabinets, and the installation of all wiring. All rough-in wiring ~~shall be tested, circuits made up, and wiring must be completed.~~ Splices shall be made with wire nuts or wire connectors suitable for material being spliced. ~~From each active outlet box, one pair of wires not less than eight inches long shall be left for the fixture connection.~~

(c) A finish permit indicates that the installation of all switches, receptacles, bells, push buttons and transformers, upon inspection, will be found in condition for a service connection or a final approval. The person who does the last work on the job shall assure himself that such condition exists by testing each circuit, socket and receptacle.

(d) It shall be the duty of the electrical contractor to call in, or have called in, or otherwise advise the City Clerk, of the date of the completion of the work involved subject to inspection under the terms of this Section and that such work is ready for inspection. Such information

must be given to the City Clerk within five days after the completion of the work to be inspected.

(e) All panels shall have accurate panel schedules in place prior to final inspection.

(f) For rough-in and final inspections, the following shall be prepared for the ~~inspector~~ Code Official:

- (1) *Rough-in inspection.* All wires must be pigtailed and ~~wires in the panel to be terminated at the breaker. All boxes used as junction will be left open.~~
- (2) *Final inspection.* All devices in place with plates and covers on junction boxes will must be closed, ~~covers on devices will be left off, equipment cover plates will be left open.~~ It will be the contractor's responsibility to ensure that the device plates and equipment covers are in place after at the time of final inspection ~~is made.~~

Section 7. Article I of Chapter 8 of the Nichols Hills City Code is hereby amended by adding new Section 8-10 as follows, with new language underlined, to wit:

Sec. 8-10 Code Official authority.

The Code Official shall institute, by and with the advice of the City attorney, such prosecutions as may be necessary against any violators of any ordinance with the enforcement of which he is charged.

Sec. 8-11—8-26. Reserved.

Section 8. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 10. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the ___ day of _____, 2018.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the ___ day of _____, 2018.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney



PCC #6

City of Nichols Hills Building Code Committee

PUBLIC COMMENT FORM

INSTRUCTIONS: Please type or print clearly. Form must be signed. Any form not signed or filled out completely, may not be considered. Each requested change must be on a separate form.

Submitters Contact Information:

Name: Carla Sharpe Date: March 23, 2018
 Company: Williams, Box, Forshee & Bullard – municipal counsel
 Address: 522 Colcord Drive
 City: Oklahoma City State: _____ Zip: 73102
 Phone: 512-6926 Extension: _____ Fax: _____
 Email: csharpe@wbflaw.com

To which building code does this comment pertain? Chapter 8, general provisions.

Which area of the code needs revision?

Section: Section 8-9 Table: _____ Figure: _____ Page Number: _____

Please check the action to be taken for this proposed change:

Revise as follows Delete as follows Add new text as follows Delete with substitute

Show the proposed NEW, REVISED, OR DELETED TEXT in legislative format. Line through text to be deleted and underline text to be added or revised.

See attached proposed ordinance.

Supporting information: State purpose and reason for the change and provide substantiation to support proposed change.

Section 8-9 required vehicles owned or operated by contractors required to be licensed by state law to display the letters "NH" on their vehicles. The attached proposed ordinance removes that requirement as requested by the Building Code Committee but includes additional language for your view to make the section completely in line with state law. (See additional language added to the section.)

Signature: *Carla Sharpe*

Communication: Attachment D ()

Published in _____ on _____, 2018

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 8 OF THE NICHOLS HILLS CITY CODE REGARDING CONTRACTORS REQUIRED TO BE LICENSED BY STATE LAW AND THE LETTERS REQUIRED TO BE DISPLAYED ON THEIR VEHICLES; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 8-9 is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-9. Vehicles owned by contractors required to have State licenses.

Vehicles owned or operated by contractors who are required to be licensed by the State shall ~~have the letters "N.H." displayed below the contractor's firm name and~~ their state license number, bearing the initials "OK" preceding that number. Such letters and numbers must be a minimum of two inches in height and shall be located in conspicuous places on both sides of the vehicles in contrasting color.

Section 2. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 4. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the ____ day of _____, 2018.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the ____ day of _____, 2018.

ATTEST: _____

Communication: Attachment D ()

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney

Communication: Attachment D ()



City of Nichols Hills Building Code Committee

Technical Committee Comment Form

Committee Contact Information:

Submitter's Name: Larry Herzel Date: March 26, 2018

Email: larry@hsearchitects.com

To which building code does this comment pertain? Nichols Hills Municipal Code, Chapter 8

Which area of the code needs revision?

Section: 8-69. Table: _____ Figure: _____ Page Number: _____

Please check the action to be taken for this proposed change:

Revise as follows Delete as follows Add new text as follows Delete with substitute

Show the proposed NEW, REVISED, OR DELETED TEXT in legislative format. Line through text to be deleted and underline text to be added or revised.

See attached.

Supporting information: State purpose and reason for the change and provide substantiation to support proposed change.

The purpose for these prohibited and allowed exterior building materials is to maintain and/or improve the quality of residential construction in the City.

Signature: _____

NICHOLS HILLS CODE COMMITTEE

March 26, 2018

RESIDENTIAL EXTERIOR BUILDING MATERIALS

Exposed Wall Materials Prohibited

1. Exposed standard smooth face concrete masonry units (CMU)
2. Vinyl siding
3. Plastic siding or panels
4. Corrugated metal and metal "R-panel"
5. Fiberglass panels
6. Exterior insulated finishing system (EIFS) without foam board backing over plywood
7. Exposed standard smooth face plywood (except as soffit and trim)
8. Cement fiber board panels
9. Vehicle tires
10. Rammed earth
11. Straw bale

Exposed Wall Materials Allowed

1. Brick masonry
2. Natural stone masonry
3. Cast stone masonry
4. Wood siding
5. Wood shingle siding
6. Cement fiber board lap siding
7. Real cement stucco
8. Exterior insulated finishing system (EIFS) with foam board backing over plywood or exterior sheathing
9. Exterior insulated finishing system (EIFS) with or without foam board backing over CMU
10. Glass

Exposed Roof Materials Prohibited

1. Thatch roofing
2. Mineral surfaced roll roofing on roofs of greater than 3/12 slope
3. Standard 3 tab asphalt composite shingles
4. Metal roofing with exposed fasteners

Exposed Roof Materials Allowed

1. Laminated, 340 lb.(per 100 square ft.), or better asphalt composite shingles
2. Concrete shingles
3. Clay tile shingles or "Spanish barrel" or "S" tile
4. Natural stone shingles
5. Synthetic "stone look" or "wood shingle look" shingles
6. Standing seam metal roofing
7. Fire retardant treated wood shakes
8. Fire retardant treated No. 1 cedar shingles
9. Built-up or single ply roofing on less than 2/12 slope



PCC #5

City of Nichols Hills Building Code Committee

PUBLIC COMMENT FORM

INSTRUCTIONS: Please type or print clearly. Form must be signed. Any form not signed or filled out completely, may not be considered. Each requested change must be on a separate form.

Submitters Contact Information:

Name: Carla Sharpe Date: March 23, 2018

Company: Williams, Box, Forshee & Bullard – municipal counsel

Address: 522 Colcord Drive

City: Oklahoma City State: _____ Zip: 73102

Phone: 512-6926 Extension: _____ Fax: _____

Email: csharpe@wbfbllaw.com

To which building code does this comment pertain? All

Which area of the code needs revision?

Section: Numerous Table: _____ Figure: _____ Page Number: _____

Please check the action to be taken for this proposed change:

Revise as follows Delete as follows Add new text as follows Delete with substitute

Show the proposed NEW, REVISED, OR DELETED TEXT in legislative format. Line through text to be deleted and underline text to be added or revised.

See attached proposed ordinance.

Supporting information: State purpose and reason for the change and provide substantiation to support proposed change.

The Nichols Hills Code uses the word “remodel” related to construction of buildings in various contexts and sections. This ordinance removes “remodel” and replaces it with the more precise words “addition,” “alteration,” and “repair,” using the same definitions for each as found in the International Building Code and International Residential Code, providing clarity as to the intent of each provision.

Signature: 

Communication: Attachment F 0

Published in _____ on _____, 2018

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE NICHOLS HILLS CITY CODE CLARIFYING THE DEFINITIONS AND USE OF “ADDITION” AND “ALTERATION” AND REMOVING THE WORD “REMODEL” RELATED TO CONSTRUCTION OF BUILDINGS IN VARIOUS CONTEXTS; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Section 50-3 of the Nichols Hills City Code is hereby amended by adding the following definitions, to be added to such section in alphabetical order as follows, with new language underlined, to wit:

Addition (when used in this Code in reference to buildings and construction) means an extension or increase in floor area or height of an existing building.

Alteration (when used in this Code in reference to buildings and construction) means any construction or renovation to an existing building other than repair or addition.

Repair (when used in this Code in reference to buildings and construction) means the reconstruction or renewal of any part of an existing building for the purpose of its maintenance or to correct damage.

Section 2. Article I of Chapter 8 of the Nichols Hills City Code is hereby amended by adding Section 8-10, with new language underlined, to wit:

Sec. 8-10. Alterations or and additions to existing building.

The following rules apply to alterations of and additions to existing buildings:

- (1) If as much as 30 percent of the square footage in a building is being altered or added onto by an addition, the building must be brought up to meet all current codes, as modified and adopted by the City in this Chapter, if deemed necessary by the Code Official.
- (2) When any part of electrical, mechanical, and/or plumbing service is changed, moved or rearranged, each such service in its entirety shall be upgraded to meet the requirements of this Chapter.

Section 3. Section 8-152 of the Nichols Hills City Code is repealed.

Communication: Attachment F 0

Section 4. Section 8-62 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-62. Maintenance and disposal of construction materials and waste.

No lumber, bricks, stone, sand or other building materials which are not an integral part of a building or other structure shall be kept or stored on any premises within the City within sight from a public street except such materials as shall be necessary and incident to any construction, repair, addition or alteration ~~remodeling~~ work that shall be in progress on such premises. All construction sites will be required to place construction waste in a commercial type dumpster. Failure to comply with the requirements of this Section shall constitute an offense, and, upon conviction thereof, shall be punishable by a fine not exceeding \$200.00 and costs.

Section 5. Section 8-93 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-93. Expiration of permits upon delay or ceasing of construction.

Any permit issued for or in conjunction with a new building, an addition to an existing building or ~~remodeling~~ alteration of an existing building shall remain valid as long as work is in progress. If work ceases for more than 30 days, the permit shall expire and become null and void and a new permit shall be obtained before work can be resumed.

Section 6. Subsection (b) of Section 8-487 as to *International Property Maintenance Code Section 104.3* of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 8-487. Adoption of International Property Maintenance Code, 2012, as amended.

(b) The International Property Maintenance Code adopted in this Article is amended and changed in the following respect:

Section 104.3 Right of entry. Change to Read: “Whenever the Code Official deems it desirable to make an inspection of premises in the City, in order to determine the existence of violations of any provision of this Code pertaining to the health, welfare, or safety of the public, he shall be allowed entrance to the premises for these purposes if any of the following conditions exist:

- (1) Entry is by permission or at the request of the occupant of the premises or of the person in apparent charge; or
- (2) Where an imminent danger to health, welfare, or safety exists; or
- (3) Following an accident where an immediate inspection is required to determine if an imminent danger to health, welfare, or safety exists.

If entry is refused or delayed by the occupant or person in apparent charge of the premises, or if the conditions stated in this Section do not exist, then the Code Official may apply to a proper magistrate for a search warrant to authorize entry into the designated premises for the purpose of making an inspection to determine the existence of a violation of any provisions of this Code pertaining to the health, welfare or safety of the public. Probable cause for the purpose of a search warrant issued pursuant this Section shall be:

- (1) *Routine inspection.* That the inspection of the designated premises is part of a routine area inspection being conducted;
- (2) *Knowledge of violation.* That the applicant for the warrant has knowledge of a violation or knowledge of facts which would indicate a violation of any provision of this Code pertaining to the health, safety or welfare of the public, and such applicant has stated the facts upon which his knowledge is based;
- (3) *Inspection after alteration, ~~remodeling~~ addition or improvement.* That the inspection is for the purpose of inspecting, during the course, or upon completion of, alteration, ~~remodeling~~ addition or improvements in the premises;
- (4) *Checking conditions after accident.* That the inspection is for the purpose of checking the conditions existing in the premises following an accident or casualty therein where an inspection is required to determine if an imminent danger to health and safety exists;
- (5) *Licensing of buildings and structures.* That the inspection is for the purpose of checking the conditions existing in any building or structure requiring a license before occupancy upon application for or renewal of such license.”

Section 7. Subsections (e) and (g) of Section 50-106 of the Nichols Hills City Code are hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 50-106. TC Town Center Overlay District.

(e) *Applicability.* Effective with the date of this Section the following activities within the overlay district shall require formal City review under the provisions of this Section:

- (1) Application for zoning change.
- (2) Application for subdivision plat or re-plat approval.
- (3) Application to dedicate or vacate a street, alley, or right-of-way easement.
- (4) Application to expand, decrease, or relocate any parking facilities located within the portion of the overlay district north of Avondale Drive.
- (5) Application for demolition of a structure, provided that an emergency declaration and permit may be issued by the (fire chief, City manager, or City council).
- (6) Application for ~~remodel~~ addition to, alteration or reconstruction of a structure that increases the gross square footage of the structure by ten

percent or more or when the proposed improvements exceed 30 percent of the existing structures appraisal value.

(7) Application for permit for a new building.

(g) *Planned unit development (PUD) guidelines for the town center overlay district.* Listed below are specific requirements and general guidelines for development in the district.

(1) *Exterior boundaries.* A PUD shall show detailed treatment of all exterior boundaries of the district, including, but not limited to:

- a. There shall be a landscape buffer or visual separation along the Grand Boulevard frontage.
- b. Western Avenue and Northwest 63rd Street frontages shall show, at a minimum:
 1. Commitments for specific improvements, including sidewalks or pedestrian ways, along the entirety of both frontages, and commitment to appropriate landscaping, to be installed by the developer at time of new construction, addition, or alteration remodeling;
 2. Access points to the district, including streets and driveways;
 3. Proposed building sites with a relationship to these arterial streets.
- c. Buildings and activities should be designed to be scaled down in intensity of use, building height, and traffic impacts as the development approaches the residential area bordering the overlay district.

(2) *Interior considerations.*

- a. General landscape concepts for the development area shall be submitted at time of initial consideration of the PUD, and specific landscape plans shall be submitted for approval with site development plans at the building permit stage. The planned unit development ordinance establishes these review procedures.
- b. The PUD shall provide improvements for pedestrian movement, including sidewalks along all streets and adjacent to buildings that are separated from a street by a parking lot or structure.
- c. Adjustment of front yard setback from the standard 25 feet will be considered to encourage creative parking solutions and increase the pedestrian scale of the area.
- d. The PUD may provide for an increase in building heights from the C-2 maximum height of 40 feet, based on a design that provides for added setback for that part of the structure exceeding 40 feet, when the parcel on which the structure is located is abutting or separated by a public street, alley, right-of-way or easement from any R-1 or R-2 residential districts.
- e. Interior traffic circulation. The PUD master development plan shall establish a basic traffic circulation system including access points by

street and driveway from the exterior. The plan must minimize the potential for nonresidential traffic to use local residential streets to enter or leave the overlay district. When individual areas are submitted for development after adoption of a PUD, the required site development plans may have to be expanded to reflect relationship to off-site streets.

Section 8. Subsection (a) of Section 50-129 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 50-129. Demolition or removal of dwellings.

(a) *General.* It is the intent of this Section to prohibit or limit the removal of sound residential structures for speculative purposes. Except as provided herein, no building shall be removed, ~~remodeled~~ altered, added onto, demolished, or altered structurally without an appropriate permit from the City.

Section 9. Subsection (a) of Section 50-130 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 50-130. Accessory sign regulations.

(a) *Accessory sign regulations for E-Estate and R-Residential districts.*

- (1) No billboard, signboard, or advertising signs shall be permitted, except:
 - a. Signs advertising, endorsing, or opposing a candidate for public office or a public question to be voted on at an election to be held pursuant to the election laws of the State or the City charter.
 - b. Signs expressing a view or opinion on a public issue.
 - c. A maximum of two signs per property from the following categories:
 1. One “for sale” or “for rent” sign.
 2. One sign identifying a general contractor who is engaged in the construction, repair, or ~~remodeling~~ alteration of or addition to a building.
 - d. Sign recognizing a significant family event such as a birth, homecoming, graduation, or wedding, said sign to be removed after 48 hours.
 - e. Temporary school spirit signs.
- (2) Maximum display area. Five square feet.
- (3) Maximum height. 44 inches.
- (4) Location. All such signs shall be set back at least ten feet from the curblin or the nearest edge of the street paving if there is no curb, provided that no such sign shall be placed within the public street right-of-way.
- (5) Removal.

- a. Any “for sale” or “for rent” sign shall be removed within three days after the execution of a contract for the sale or lease of the property.
- b. Any contractor’s sign shall be removed immediately upon completion of the construction, repair, addition or ~~remodeling~~ alteration work being performed by the contractor.
- c. Removal of such signs shall be the responsibility of both the owner of the premises on which such sign has been placed and the owner of the sign.

Section 10. Subsections (b) and (c) of Section 50-190 of the Nichols Hills City Code are hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 50-190. Certificate of occupancy.

(b) In all zoning districts, whenever a building permit has been issued for new construction, ~~remodeling~~ addition, or ~~add-on~~ alteration work related to existing structures, and codes permit continued occupancy of the existing improvements, no occupancy of the new project area shall take place until the building Code Official has issued a certificate of occupancy. If occupancy of a property occurs without the issuance of a certificate of occupancy, no new building permit will be issued to the general contractor at any location within the City until all final inspections have been successfully obtained and the certificate of occupancy has been issued for such property.

(c) The building Code Official may issue a certificate of occupancy on a temporary basis when he has determined that:

- (1) The construction project has been substantially completed except for non-code finishing details which can be completed within 30 days; and
- (2) Occupancy does not constitute a danger to the health, safety, and welfare of the community.

Section 11. Section 22-48 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 22-48. Adoption of Life Safety Code.

The NFPA 101 Life Safety Code, 1994 edition, is hereby adopted by reference and copies thereof shall be filed and kept in the office of the City Clerk. The City Clerk shall keep copies of such code for distribution or sale to the public at approximate cost. All buildings and structures hereafter constructed, ~~remodeled~~ or materially altered or as to which an addition is made, shall conform to the requirements of such code. A copy of the code adopted in this Article is available for review in the office of the City Clerk.

Section 12. Subsection (b) (7) of Section 30-2 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 30-2. Unlawful to maintain or commit any public nuisance; enumeration.

(b) The term “public nuisance” shall include, without limitation, the following:

- (7) All loud noises which may annoy or prevent others’ enjoyment of the use of their property or of the parks, streets and public ways within the City. For the purpose of this Section, the term “loud noise” means not less than 55 decibels as measured on a sound level meter of type 2 or better as specified in American National Standards Institute, using the A-weighted network scale, measured at the property line of the property from which the noise emanates. It shall be the responsibility of the owner, or person in control, of the property to maintain noise levels within these prescribed limits. The following sources of potentially excessive sound shall be exempt from the requirements of this subsection:
 - a. Safety signals and alarm devices, storm warning sirens or horns and the authorized testing of such equipment, emergency vehicle sirens or horns when responding to an emergency.
 - b. Church bells or chimes.
 - c. Performance of construction, demolition, and/or repair work on any public project or public utility project.
 - d. Performance of construction, repair, addition or remodeling alteration work provided that a permit has been issued by the City Clerk for continuance or performance over such time periods as may be so stated in the permit.

Section 13. Section 3-3 of the Nichols Hills City Code is hereby amended as follows, with deleted language dashed through and new language underlined, to wit:

Sec. 3-3 City Fee Schedule.

Chapter 50. Zoning.

Building permits and inspections.

~~Remodeling~~ Alterations and additions, per \$1,000 of estimated ~~remodeling~~ cost
 ...\$4.50
 Plus plan examination fees..... See below

Section 14. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 15. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 16. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the ____ day of _____, 2018.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the ____ day of _____, 2018.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney