

CITY OFFICIALS

CITY OF DEWEY, OKLAHOMA

COUNCIL/MANAGER WITH CHARTER

CITY COUNCIL MEMBERS:

MAYOR: RON REVARD

WARD ONE: WAYNE SELL

WARD TWO: UNFILLED POSITION

WARD THREE: TOM HAYS

WARD FOUR: KAY BALES

CITY MANAGER--KEVIN TREASE

CITY ATTORNEY--BO ESTES

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FOREWORD

This codification provides a complete revision and codification of all ordinances of a general and permanent nature of the City of Dewey. All obsolete, illegal or superseded ordinances have been repealed as a part of the codification. All amended ordinances are brought up to date. The code also includes certain new ordinances that were prepared to fill in gaps not covered by existing ordinances.

The code includes several features that will facilitate its use. The various chapters and articles of the code follow one another in a natural, logical order. The table of contents with a complete outline of this order will often provide sufficient reference points for the reader. In addition, the reader may consult the alphabetical index at the end of the volume. At the beginning of each part and chapter there is a section-by-section analysis of the articles and sections within the chapter and part.

Non-textual provisions such as severability clauses, repeals, and enacting clauses are omitted from the text but are covered in Part One of the code that applies to the entire code. In most instances, references to "this ordinances" in the text of an ordinance have been changed to "this chapter" or "article" as deemed appropriate. Various editorial notes, state law references, and amendment notes have been included throughout the code to clarify its provisions.

The citations included at the end of sections apply to the original source and approval date of ordinances. Sections of the code which do not have a citation represent new ordinances that have been added to fill in gaps or to replace ordinances which have become outdated.

The new code is published in loose leaf form so that all new ordinances may be printed for inclusion therein on a regular basis.

ADOPTING ORDINANCE NO. 86-1323

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ORDINANCES OF THE CITY OF DEWEY, OKLAHOMA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREAFTER PROVIDED; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE; PROVIDING FOR SALE AND COPIES IN THE CLERK'S OFFICE; PROVIDING FOR SUPPLEMENTS OR CHANGES TO CODE; AND DECLARING AN EMERGENCY:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEWEY, OKLAHOMA:

SECTION 1 TITLE.

A code and revision of the ordinances of the City of Dewey is hereby adopted as the "Code of Ordinances, City of Dewey, Oklahoma," or by any other properly identifying designation.

SECTION 2 CODE SUPERSEDES OTHER ORDINANCES.

This code shall be treated and considered as a new and comprehensive ordinance of the city which shall supersede all other general and permanent ordinances enacted by the council prior to July 1, 1986, except such as by reference thereto are expressly saved from repeal or continued in force and effect for any purpose.

SECTION 3 EFFECTIVE DATE OF CODE, REPEAL.

All provisions of this code shall be in full force and effect from the date this ordinance becomes law. All ordinances of a general and permanent nature of the city in effect on or before July 1, 1986, and not in the code or recognized and continued in force by reference herein and which are in conflict herewith, are hereby repealed from and after the effective date of this ordinance, except as hereinafter provided.

SECTION 4 ORDINANCES NOT REPEALED.

The repeal provided for in Section 3 hereof shall not affect any offense or act committed or done or any penalty or forfeiture incurred or any contract or right established or accruing before the effective date of this ordinance; nor shall the repeal affect any ordinance or resolution promising or guaranteeing the payment of money for the city or authorizing the issuance of any bonds of the city or any evidence of the city's indebtedness, or any contract or obligation assumed by the city; nor shall the repeal affect the administrative regulations or resolution of the city council not in conflict or inconsistent with the provisions of the code; nor shall the repeal affect any right or franchise granted by any ordinance or resolution of the city council to any person, firm or corporation; nor shall the repeal affect any ordinance dedicating, naming, establishing, locating, relocating, opening, vacating, etc., any street or public way in the city; nor shall the repeal affect any annual budget or salary ordinance; nor shall the repeal affect any ordinance levying or imposing taxes; nor shall the repeal affect any ordinance establishing and prescribing the street grades of any street in the city; nor shall the repeal affect any ordinance providing for local improvements and assessing charges therefor; nor shall the repeal affect any ordinance extending the limits of the city; nor shall the repeal be construed to revive any ordinance or part

thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance; nor shall the repeal affect any ordinance establishing rates, fees or charges, except those specifically re-established in this code, until the council re-establishes such rates, fees or charges by ordinance, motion or resolution. The continuance in effect of temporary or special ordinances and parts of ordinances, although omitted from the code, shall not be affected by such omission therefrom; and the adoption of the code shall not repeal or amend any such ordinance or part of any such ordinance.

SECTION 5 CODE NOT NEW ENACTMENT.

The provisions appearing in this code, so far as they are the same as those ordinances existing at the time of the effective date of this code, shall be considered as continuations thereof and not as new enactments.

SECTION 6 ORDINANCES ADOPTED AFTER EFFECTIVE DATE OF CODE.

Ordinances and parts of ordinances of a permanent and general nature passed or adopted on and after the effective date of this code may be passed or adopted either:

1. In the form of amendments to the code of ordinances adopted by this ordinance; or
2. Without specific reference to the code.

In either case, all such ordinances and parts of ordinances shall be deemed amendments to the code. All of the substantive permanent and general parts of such ordinances and changes made thereby in the code, shall be inserted and made in the code whenever authorized or directed by motion, resolution or ordinance of the council, as provided hereinafter.

SECTION 7 SUPPLEMENTS TO CODE.

By contract or by city personnel, a change, or supplement, to the code of ordinances adopted by this ordinance shall be prepared and printed whenever authorized or directed by the city council. A change to the code shall include all substantive permanent and general parts of ordinances passed by the council or adopted by initiative and referendum during the period covered by the change and all changes made thereby in the code. The pages of a change shall be so numbered that they will fit properly into the code and, where necessary, replace pages which have become obsolete or partially obsolete, and new pages shall be so prepared that, when they have been inserted, the code will be up to date to the date to which the code is being brought up to date. Each change shall include a new title page for the code; and the title page shall include a notation below the title indicating that the code contains all permanent and general ordinances and parts of ordinances passed prior to the date to which the code is brought up to date and still in effect. The words "as amended" and the date, may be added to the title after the year. After every change has been prepared and printed, a number of copies of the change equal at least to the number of copies of the code still in existence, shall be deposited in the office of the city clerk. The city clerk, if possible, shall notify each holder of a copy of the original code about the availability of the change or supplement.

SECTION 8 SALE OF COPIES OF THE CODE.

The city clerk is hereby authorized and directed to sell copies of the code of ordinances to the public at a price determined from time to time by motion or resolution of the city council.

SECTION 9

COPY OF CODE IN CLERK'S OFFICE.

A copy of the current code as amended or supplemented from time to time shall be kept on file in the office of the city clerk. This copy of the code shall be available for all persons desiring to examine it; it shall be considered by the city clerk as may be required.

SECTION 10

PREPARATION OF CODE.

The code of ordinances hereby adopted was prepared by the Oklahoma Municipal League and consists of Seventeen (17) Parts, all of which have been examined, considered and approved by the council of the City of Dewey and adopted by compliance with Sections 14-109 et seq. of Title 11 of the Oklahoma Statutes.

SECTION 11

EMERGENCY.

Reference being made to "Section 3" hereinbefore set out, it is immediately necessary for the preservation of the peace, health and safety of the city and the inhabitants thereof, that the provisions of this code not heretofore enacted be put into full force and effect, 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.

YEAS: Carl Chew, Charlie Warren, Larry Smith, Jess House, Mayor Taylor

NAYS: None

ABSENT: None

Passed and approved this 7th day of July, 1986, with the emergency clause separately voted upon.

/s/ Gary Taylor

Mayor

ATTEST: (Seal)

/s/ Judy McMurtrey

Clerk

RESOLUTION NO. 86-7-1

A RESOLUTION DIRECTING FILING AND NOTIFICATION OF THE PUBLICATION OF THE DEWEY CITY CODE.

WHEREAS, the City of Dewey has contracted with the Oklahoma Municipal League municipal code service to prepare the city's Code of Ordinances containing all ordinances adopted by the city to July 1, 1986; and

WHEREAS, the city is required to publish its code of compiled penal ordinances and to deposit a copy of the code with the county law library pursuant to Sections 14-109 and 14-110 of Title 11 of the Oklahoma Statutes; and

WHEREAS, the city is required to adopt a resolution notifying the public of the publication of its code pursuant to Section 14-110 of Title 11 of the Oklahoma Statutes and to file a copy of the resolution in the office of the county clerk, and

WHEREAS, the city is required, pursuant to Sections 14-107 (A) and 14-108 of Title 11 of the Oklahoma Statutes, to make legal publication by publishing the titles and a condensed gist or summary thereof of the code;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DEWEY:

The public is hereby notified of the publication of the Code of Ordinances and that copies of the code are available for review in the office of the city clerk; and

THAT the code consists of seventeen titles, listed hereinafter:

1. General Provisions;
2. Administration and Government;
3. Alcoholic Beverages;
4. Animals;
5. Building Regulations and Codes;
6. Court;
7. Finance and Taxation;
8. Health and Sanitation;
9. Licensing and Business Regulations;
10. Offenses and Crimes;
11. Parks, Recreation and Cemetery;

12. Planning, Zoning and Development;
13. Public Safety;
14. Streets, Sidewalks and Public Works;
15. Traffic and Vehicles;
16. Transportation; and
17. Utilities.

THAT the city clerk shall cause to be filed one copy of this resolution with the office of the county clerk of Washington County; and

THAT the city clerk shall cause one copy of this resolution and one copy of the code to be filed with the Law Library of Washington County; and

THAT the clerk shall keep at least one copy of the Dewey Code of Ordinances in the office of the city clerk for public use, inspection and examination.

ADOPTED this 7th day of July, 1986 by the City Council of the City of Dewey.

/s/ Gary Taylor
Mayor

ATTEST: (Seal)

/s/ Judy McMurtrey
Clerk

OFFICE OF THE SECRETARY OF STATE



CERTIFICATE

I THE UNDERSIGNED, Secretary of State, of the State of Oklahoma do hereby certify that, to the date of this certificate, the attached is a true and correct copy of the document on file as described below of:

NAME OF ENTITY
DEWEY

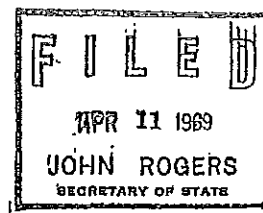
DOCUMENT TYPE
Charter Amendment

DOCUMENT FILING DATE
April 11, 1969



IN TESTIMONY WHEREOF, I hereunto set my hand and affixed the Great Seal of the State of Oklahoma, done at the City of Oklahoma City, this 1st, day of September, 2005.

Secretary Of State



A P P R O V A L

Pursuant to the authority vested in me as Governor under the provisions of Article 18, Section 3a of the Oklahoma Constitution, I hereby approve the attached amendments to the City Charter of the City of Dewey, Oklahoma, and find that the same is not in conflict with the Constitution and laws of this State.

WITNESS my hand this 9th day of April, 1969.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

Dewey F. Bartlett

ATTEST:

John Rogers
Secretary of State

803203

CERTIFIED COPY OF AMENDMENT TO THE CITY CHARTER
OF THE CITY OF DEWEY, STATE OF OKLAHOMA

The undersigned, being the chief executive officer, the Mayor of the City of Dewey, in Washington County, Oklahoma, does hereby certify that the following amendment to the Charter of the City of Dewey was submitted to the qualified electors of the City of Dewey for adoption by referendum election at a municipal election of the City of Dewey, on the 27th day of August, 1968, to-wit:

"Shall the following amendment to the Charter of the City of Dewey, Oklahoma, be approved and adopted?

Article VI, Section 33, of the City Charter of the City of Dewey, Oklahoma, is hereby amended to read as follows:

Terms of Three Years---Elected at Large---Councilman
Elected at Large shall be Mayor---Nonpartisan Elections:


Section 33. The terms for all councilmen shall be three years. Five councilmen shall be elected, one each from Wards 1, 2, 3 and 4, and one councilman-at-large. The terms for each of said councilmen shall begin at 7:30 P. M. on the first Monday in May, 1969, and they shall serve until their successors may be elected and qualified.

There shall be no primary election, but only a general election, herein called "election".


All councilmen shall be voted upon at large by the qualified electors of the entire City; but candidates for councilmen from the respective wards must be qualified electors of their respective wards.

The election shall be nonpartisan and no party designation or emblem shall be placed on the ballots."

And the undersigned does further certify that the said amendment so proposed and submitted was adopted at said regular municipal election by the qualified electors of the City of Dewey by a majority of such qualified electors voting thereat, and in favor thereof, by a vote of 692 for approval, and a vote of 350 against approval.


Leon O. Briggs, Mayor and Chief
Executive Office of the City of
Dewey, Oklahoma

(Seal)
ATTEST:


Betty Paterson
City Clerk

CERTIFIED COPY OF AMENDMENT TO THE CITY CHARTER
OF THE CITY OF DEWEY, STATE OF OKLAHOMA

The undersigned, being the chief executive officer, the Mayor of the City of Dewey, in Washington County, Oklahoma, does hereby certify that the following amendment to the Charter of the City of Dewey was submitted to the qualified electors of the City of Dewey for adoption by referendum election at a municipal election of the City of Dewey, on the 27th day of August, 1968, to-wit:

"Shall the following amendment to the Charter of the City of Dewey, Oklahoma, be approved and adopted?

Article II, Section 5, of the City Charter of the City of Dewey, Oklahoma, is hereby amended to read as follows:

Mayor and Vice-Mayor:

Section 5. The councilman-at-large shall, upon taking office, become and be Mayor of the City. At the first meeting after the time prescribed for the beginning of the term of a newly elected councilman or councilmen, or as soon thereafter as practicable, the council shall elect from its members a Vice-Mayor, who shall act until the time prescribed for the beginning of the newly elected councilmen and until their respective successors have been elected and qualify.

The Mayor shall preside at meetings of the council, and shall certify to the correct enrollment of all ordinances and resolutions passed by it. He shall be recognized as the head of the City government for all ceremonial purposes and by the governor for purposes of military law. He shall have no regular administrative duties except that he shall sign such written obligations of the City as the council may require. He shall have all powers, rights, privileges, duties and responsibilities of a councilman, including the right to vote on all questions.

The Vice-Mayor shall act as Mayor during the absence or disability of the Mayor. If a vacancy occurs in the office of Mayor, the council shall, as soon thereafter as practicable, call a special election for councilman at large to elect such person to be Mayor. During the period of such vacancy and until such other Mayor shall be elected, the Vice-Mayor shall act as Mayor. In event of vacancy in the office of Vice-Mayor the council shall elect another Vice-Mayor."

And the undersigned does further certify that the said amendment so proposed and submitted was adopted at said regular

municipal election by the qualified electors of the City of Dewey
by a majority of such qualified electors voting thereat, and in
favor thereof, by a vote of 7/5 for approval, and a vote of 3/2/
against approval.

Leon O. Briggs
Leon O. Briggs, Mayor and
Chief Executive Officer
of the City of Dewey, Oklahoma

(Seal):

ATTEST:

Betty Catron
City Clerk