

CHAPTER 4

BUILDING AND CONSTRUCTION

- Article 1. Codes and Code Administration.
- Article 2. Permits.
- Article 3. Miscellaneous Provisions.
- Article 4. Penalty.

Article 1. Codes and Code Administration

Section 4-1. Codes Adopted.

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

1. (Building Code) The construction, alteration, removal, demolition, equipment, use, occupancy, location and maintenance of buildings and structures:

Southern Standard Building Code (recommended by the Southern Building Code Congress), Current Edition;

2. (Plumbing Code) The installation or alteration of plumbing and drainage systems for buildings and structures:

Southern Standard Plumbing Code (also known as the Oklahoma Standard Plumbing Code), Current Edition;

3. (Electrical Code) The installation or alteration of electrical equipment for buildings or structures:

National Electrical Code (recommended by the American Insurance Association), Current Edition;

4. (Housing Code) The provisions of basic, minimum housing standards for the preservation of the health, safety and welfare of occupants:

Southern Standard Housing Code (recommended by the Southern Building Code Congress), Current Edition;

5. (Fire Prevention Code) The provision of basic safeguards to life and property from the hazards of fire and explosion:

National Fire Prevention. Code (recommended by the American Insurance Association Edition;

6. (Gas Code) The installation or alteration of gas systems for buildings or structures:

Gas appliances and Gas Piping recommended by the National Fire Protection Association, Current Edition; and

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

BUILDING AND CONSTRUCTION

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

Section 4-2. Modifications of Adopted Codes.

1. Wherever the words “city” or “municipality” are used in those Codes adopted, it shall mean the City of Hollis, Oklahoma.
2. Wherever the words “inspector” or “administrative official” are used in those Codes adopted, it shall mean the municipal official currently assuming the duties and responsibilities of Building Inspector for the City of Hollis, Oklahoma.
3. All official titles, used in those Codes adopted shall be interpreted as defined in this Code of Ordinances.
4. Maximum penalties for violation of provisions of those Codes adopted shall be as provided in the appropriate Section of this Chapter.
5. Notwithstanding any provisions of any of those Codes adopted by this Chapter, wood shingles may be used for roofing.
6. All limits referred to in any of those Codes adopted by this Chapter are hereby established as the corporate limits of the City of Hollis, Oklahoma.

Section 4-3. Adopted Codes on File.

Three (3) copies of those Codes adopted by the City of Hollis, Oklahoma, are on file in the Office of the City Clerk.

Section 4-4. Codes in Effect.

From the date on which this Chapter shall take effect, the provisions of said codes, as herein modified, shall be controlling in those areas set forth hereinabove in Section 4-1, within the corporate limits of the City of Hollis, Oklahoma.

Section 4-5. Conflicts with Code of Ordinances.

Whenever any provision of any of those Codes adopted by this Chapter conflict with the Code of Ordinances of the City of Hollis, Oklahoma, the latter provisions shall govern.

Section 4-6. Building Inspector to Enforce Codes.

The Building Inspector or other designated employees or authorized representatives of the Building Inspector shall be responsible for enforcing the Codes adopted by these ordinances. Said authorized representatives may bear such titles as “Building Inspector”, “Gas Inspector”, “Plumbing Inspector”, “Electrical Inspector”, etc., as may be deemed appropriate to indicate their respective areas of concern, and shall be appointed by the Mayor, with the consent of the City Council.

Sections 4-7 through 4-14. (Reserved for future use.)

Article 2. Permits

Section 4-15. Building Permits.

1. No person shall erect, enlarge, construct, relocate, substantially improve or repair, place, alter, move or

BUILDING AND CONSTRUCTION

demolish any building, structure, mobile or modular home, or other construction without first obtaining a separate Building Permit for each such building or structure from the Office of the City Clerk.

2. No man-made change to improved or unimproved real estate located within a designated "Flood Hazard Area", including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, shall be initiated until a separate Building Permit has been obtained for each such operation from the Office of the City Clerk.

3. No mobile or modular home shall be placed on improved or unimproved real estate without first obtaining a separate Building Permit for each mobile home from the Office of the City Clerk.

4. Ordinary repairs of building or structures, the cost of which shall not exceed five hundred dollars (\$500.00), may be made without obtaining a Building Permit.

5. All applications for Building Permits shall be signed and in writing, upon an official blank form supplied by the Office of the City Clerk or the Building Inspector, and shall be submitted to either of said officials, along with the required fee.

6. Building Permit fees shall be two cents (\$.02) per square foot, based on the total square footage of the proposed work; if the Building Permit is not for construction, the fee shall be calculated on the basis of one dollar (\$1.00) per thousand (1,000) square feet of the structure involved. Minimum fee shall be one dollar (\$1.00).

7. The Office of the City Clerk shall be responsible for the administration of the Building Permit process within said community; provided that, Building Permit application forms may be obtained from, and submitted to, the Building Inspector.

8. Applications for Building Permits shall contain all applicable information required on the Building Permit form, and shall be accompanied by drawings of the proposed work (drawn to scale), showing floor plans, structural details, computations and such additional information as may be required of the applicant by the Office of the City Clerk, the Building Inspector, the City Manager, the adopted Code of Ordinances or the City Council.

9. Upon receipt of a complete Building Permit application and the required fee, the City Clerk shall immediately turn the application over to the Building Inspector, who shall review the application to ensure that:

- a. The involved land is properly Zoned for the proposed use;
- b. Applicable Zoning District provisions (including Floodway and Floodway Fringe District provisions) have been met;
- c. Roadway access is available;
- d. Adequate and sanitary provisions have been made for utilities;
- e. All easements provided in the recorded plat, if any, are not encroached upon;
- f. All other floodplain regulations, if applicable, have been met and the required information provided; and
- g. All other required permits have been obtained.

10. Building Permit applications for development, location, demolition or alteration within a delineated "Flood Hazard Area" (as shown on the community's Official Flood Hazard Boundary Map, which is hereby adopted by reference as if set out fully herein), shall be reviewed by the Building Inspector to ensure that all of the following requirements are met:

- a. All building sites shall be reasonably safe from flooding; if a proposed building site is in a

BUILDING AND CONSTRUCTION

flood-prone area, all sites is in a flood-prone area, all new construction and substantial improvement (including the placement of prefabricated buildings and mobile homes) shall:

- (1) Be designed, modified and/or-adequately anchored to prevent flotation, collapse or lateral movement of the structure; all mobile homes to be placed within Zone A on a community's Flood Hazard Boundary Map shall be anchored by providing over the top and frame ties to ground anchors; over-the-top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate points and mobile homes less than fifty (50) feet long requiring one (1) additional tie per side; frame ties shall be provided at each corner of the home, with five (5) additional-ties per side at intermediate points and mobile homes less than fifty (50) feet long requiring four (4) additional ties per side; all components of the anchoring system shall be capable of carrying a force of four thousand, eight hundred (4,800) pounds; and additions to the mobile home shall be similarly anchored.
 - (2) Be constructed with materials and utility equipment resistant to flood damage; and
 - (3) Be constructed by methods and practices that minimize flood damages.
- b. All new and replacement water supply systems within flood-prone areas shall be designed to minimize or eliminate infiltration of flood waters into the systems.
 - c. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
 - d. On-site waste disposal systems within flood-prone areas shall be located to avoid impairment to them, or contamination from them, during flooding.
 - e. The Building Inspector shall utilize all available 100-year flood elevation data to review Building Permit applications, and shall require that all applications for development within a flood-prone area be accompanied by (1) the elevation of the lowest habitable floor (including basement) of all new or substantially improved structures; and (2) a certificate signed by a registered professional engineer or architect, stating that the flood-proofing methods to be utilized are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the 100-year flood, and indicating the specific elevation to which the structure will be flood-proofed.
 - f. All new construction or substantial improvement of residential structures within Zones AI-30 (on the community's Flood Insurance Rate Map) shall have the lowest floor, including basement, elevated to or above the level of the 100-year flood.
 - g. Within Zones AI-30 (on the community's Flood Insurance Rate Map), all mobile homes not in a mobile home park or mobile home subdivision, all new mobile home parks and mobile home subdivisions, all expansions to existing mobile home parks and mobile home subdivisions, and all repairs, reconstruction or improvement of streets, utilities and/or pads in existing mobile home parks or mobile home subdivisions, shall be located, developed, expanded or improved according to the following criteria:
 - (1) All mobile homes shall be placed, or be capable of being placed, on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the level of the 100-year flood;
 - (2) All lots shall have adequate provisions for surface drainage and access; and

BUILDING AND CONSTRUCTION

- (3) All mobile homes to be elevated on pilings shall (a) be placed on lots large enough to permit steps, (b) provide for piling foundations to be placed in stable or stabilized soils, no more than ten (10) feet apart, and (c) provide for reinforcement of piers more than six (6) feet above ground level.
- h. All new construction or substantial improvement of residential structures located within any AO (Area of Shallow Flooding) Zone (on the community's Flood Insurance Rate Map) shall have the lowest floor, including basement, elevated above the crown of the nearest street, to or above the depth number specified for the area on the community's Flood Insurance Rate Map.
- i. All new construction or substantial improvement of non-residential structures within Zones AI-30 (on the community's Flood Insurance Rate Map) shall:
 - (1) Have the lowest floor, including basement, elevated to or above the level of the 100-year flood; or
 - (2) Be designed, together with attendant utility and sanitary facilities, so that, below the level of the 100-year flood, the structure is watertight, with walls substantially impermeable to the passage of water, and contains structural components capable of resisting hydrodynamic loads and the effects of buoyancy.
- k. The requirements of the Chapter shall also be in effect for Building Permit applications located within any A99 Zones on the community's Flood Insurance Rate Map.

11. The Building Inspector shall have the following additional responsibilities in the review of Building Permit applications for development, location, demolition or alteration within a delineated "Flood Hazard Area".

- a. Building Permit applications shall be reviewed to ensure that all necessary governmental agency permits required by State or Federal Law have been obtained.
- b. In the case of Building Permit applications for alteration or relocation of a water course, the Building Inspector shall:
 - (1) Notify adjacent communities and the State Flood Insurance Coordinating Office prior to such work (and submit copies of such notification to the Federal Flood Insurance Administrator); and
 - (2) Obtain written assurances from the Permit applicant that the flood-carrying capacity within the altered or relocated portion of the watercourse will be maintained.

12. Issuance of a Building permit for development within an identified "Flood Hazard Area" shall not create liability on the part of any municipal official for any flood damages resulting from reliance upon the provisions of the Section, or any administrative decision lawfully made thereunder.

13. If the Building Inspector is satisfied that the proposed work described in the application and attached materials conform to the requirements of the adopted Zoning Ordinance, Building Code and other requirements and regulations, he shall authorize the issuance of the Building Permit by signing the application and forwarding it to the City Clerk, who shall return a copy to the applicant.

14. If the application or attached materials do not conform to pertinent municipal regulations, the Building Inspector shall not approve said application, but shall return the application to the City Clerk, along with the written reason(s) for disapproval. The City Clerk shall return the application, with written reason(s) attached, to the applicant. The applicant may subsequently amend his application, if possible, and re-submit it, or initiate other action to correct the deficiencies.

BUILDING AND CONSTRUCTION

15. The Building Inspector and the Office of the City Clerk shall complete all required review processes in an efficient and effective manner, without unreasonable or unnecessary delay.

16. A Building Permit, once approved and issued, shall be construed as a license to proceed with the work and shall not be construed as authority to violate, cancel, alter or set aside any municipal regulations, nor shall such issuance prevent the Building Inspector from thereafter requiring a correction of errors in plans, construction or a violation of this Ordinance.

17. If the work allowed under an issued Building Permit has not been initiated within six (6) months from the issuance date of said Permit, such Permit shall become null and void, unless a request for an extension is submitted to, and approved by, the City Manager. If said Permit becomes null and void, a new Permit must be obtained and the regular fee incident thereto collected, in order for the work to be initiated or resumed.

18. The Building Inspector shall keep a permanent and accurate accounting of all Building Permits, and shall transmit copies of each permit issued to the Chairman of the Municipal Planning Commission, for information purposes. The City Treasurer shall keep a permanent and accurate record of all Building Permit fee payments.

19. The City Clerk may revoke a Building Permit in case there has been any false statement or misrepresentation as to a material fact in the application or attached materials on which the Building Permit approval was based.

20. Appeals from any aggrieved person concerning a decision of the City Clerk relative to the granting of Building Permits, shall be taken to the City Council, who shall act as the Board of Appeals for the City of Hollis, Oklahoma.

21. In the event of any conflict between these Building Permit provisions delineated herein and any provision(s) of the Building Code adopted by the City Council, the provisions of this Chapter shall prevail.

Section 4-16. Liquefied Petroleum Gas State Permits.

It shall be unlawful for any person, firm or corporation to manufacture, fabricate, assemble, install or repair any system, container, apparatus or appliance to be used for the transportation, storage, dispensing or utilization of liquefied petroleum gas, or to transport, handle or store such gas, unless such person has complied and complies with, all provisions of the State Law and local ordinances relating thereto, and has any permit which may be required by State Law. No storage of liquefied petroleum gas, except by retail customers in reasonable amounts for their own use, shall be permitted within the corporate limits of the City of Hollis, Oklahoma.

Section 4-17. House Moving Permit.

1. Before any person shall move any house, building or heavy structure on or over any street, it shall first be necessary to obtain a permit from the City Manager.

2. The fee for a permit to move such house or structure shall be twenty dollars (\$20.00). In the event it is necessary to move utility lines, poles, signs or other structures to facilitate the move, the cost therefore will be paid by the applicant, in addition to the normal fee.

3. No permit shall be issued to any person to move a house or structure unless the person has in effect a bond in the sum of one thousand dollars (\$1,000.00), conditioned that the mover will indemnify the owners of any property (public or private, including pavement, curbs, etc.) for any damage thereto resulting from the moving of any house or structure by him or by his agents or employees, and holding the City of Hollis, Oklahoma, harmless from liability for any such damages.

4. It shall be the duty of the City Manager to determine what streets or alleys may be used, the length of time necessary and the injury, if any, to the adjoining property which may arise. He shall prescribe such rules and regulations as are necessary to promote the speedy moving or removal of such house or structure and the protection of persons and property. The mover shall erect all necessary danger signals during the operation of moving and sufficient danger signals at night-time to apprise any ordinarily-observant person of impending danger.

BUILDING AND CONSTRUCTION

5. Any person moving any house or any other structure on or over any street or alley, shall be liable personally and upon his bond for any damage to trees, public property, persons or any matter whatsoever resulting from such moving. This shall not be construed to authorize any person to cut or trim any trees, or commit any injury to any public or private property which cannot be immediately restored to its former condition, and no permit shall authorize any moving under any conditions which will result in such injury.

Section 4-18. Pavement Cutting Permits.

1. It shall be unlawful for any person to cut any pavement on any street or alley within the City of Hollis, Oklahoma, without a permit issued by authority of the City Manager.

2. An estimate of the cost of cutting such pavement shall be made by the City Manager, and a deposit equal to the amount of the estimate shall be made by the applicant.

3. The City may make repairs of the pavement which has been cut under the provisions of this Section, and charge the costs of such repairs to the deposit herein provided. Any balance remaining after all such costs are paid shall be returned to the person making said deposit.

4. Any person cutting such pavement shall maintain proper safeguards, with suitable lights, during the night hours and sufficient in number to give warning of danger to all persons.

Sections 4-19 through 4-24. (Reserved for future use.)

Article 3. Miscellaneous Provisions

Section 4-25. Flood-Prone Areas.

1. The Municipal Planning Commission and the City Council shall review subdivision and other development proposals to determine whether such proposals will be safe from flooding.

2. If a subdivision or other development proposal is in a flood-prone are, that Municipal Planning Commission and the City Council shall ensure that:

- a. Such proposals are consistent with the community's adopted Comprehensive Plan and the need to minimize flood damage;
- b. All public utilities and facilities are located and constructed to avoid, minimize or eliminate flood damage;
- c. Adequate drainage provisions are made; and
- d. Proposals of more than fifty (50) lots or five (5) acres shall include base flood elevation data.

Section 4-26. Movement of Frame Buildings.

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

Section 4-27. Fire Limits.

1. The following territory within the corporate limits of the City of Hollis, Oklahoma, shall embrace and constitute the "fire limits" of said community;

BUILDING AND CONSTRUCTION

Beginning at Sixth Street and Broadway Street, thence west to First Street, thence north to Jones Street, thence east to Sixth Street, thence south to the point of beginning.

2. It shall hereafter be unlawful for any person, firm or corporation to build, erect, construct or cause to be built, erected or constructed, or place or move within the territory described in Subsection 1 (above) any building or addition thereto, unless the walls of such building or addition shall be built or constructed of stone, brick or other noncombustible material; it shall also be unlawful to rebuild any building which has been more than fifty percent (50%) destroyed by fire, except as herein stated.

Section 4-28. Parking of Mobile Homes.

1. "Mobile Home", as used in this Section, shall mean any vehicle used, or so constructed as to permit it being used, as a conveyance upon the public streets or highways and duly licensable as such, and constructed in such a manner as will permit occupancy thereof as a dwelling or sleeping place for one (1) or more persons.

2. It shall be unlawful for any person, firm, corporation, partnership or other entity to park or place a mobile home for more than one (1) night on any tract of land that does not have direct access thereto by a street or highway.

3. It shall also be unlawful for any mobile home to be parked on any tract of land on which the only access thereto is an alley.

Section 4-29. Registration of Plumbers; Fees.

1. No person shall practice or engage in the business, trade or occupation of a journeyman plumber, a plumbing contractor or a plumber's apprentice unless he is registered as such with the municipal plumbing inspector as required by the Oklahoma Standard Plumbing Code.

2. The registration fees to be paid to the City Treasurer are as follow:

- a. For the initial year's registration as a plumbing contractor, twenty-five dollars (\$25.00), and fifteen dollars (&15.00) for each succeeding year;
- b. For annual registration as a journeyman plumber, five dollars (\$5.00); and
- c. For annual registration as a plumber's apprentice, no charge.

Section 4-30. Licensing of Electricians.

1. It shall be unlawful for any person to engage in the business, trade or vocation of electrical contractor or journeyman electrician without a license as such, secured from the City Treasurer. The fees for such license shall be:

- a. Electrical contractor: \$25.00 for the first year and \$15.00 per year thereafter;
- b. Journeyman electrician: \$5.00 per year.

2. Except in case of renewal, said applicant must have passed an examination given by the City and demonstrating the qualifications of the applicant for the license applied for. The fee for an examination shall be two dollars (\$2.00). All such licenses shall expire June 30th.

3. For the installation of bell, telephone, or signal systems not using over twelve (12) volts, no license will be required; the installation of same must comply with all other requirements of the ordinances of the City.

4. After adequate opportunity for a hearing, the City Council may revoke the license of an electrical contractor or of a journeyman electrician for any of the following causes:

- a. Serious or repeated violations of the laws, ordinances, or other regulations relating to electrical installations;

BUILDING AND CONSTRUCTION

- b. Grossly unethical conduct in connection with the electrical trade or business;
- c. Poor workmanship or service; or
- d. Installing inferior or substandard materials, fixtures, or equipment.

Section 4-31. Removal of Unsafe Structures.

1. When, in the opinion of the Building Inspector, any building, wall or other structure upon, adjoining or near any street, avenue, alley or public ground within the City of Hollis, Oklahoma, becomes dangerous, insecure or liable to collapse from inherent structural weakness or decay, or which from fire damage or other cause, becomes a menace to life or property, the same is hereby declared to be a nuisance. (See also the procedures for abatement of nuisances in Chapter 14 of this Code of Ordinances.)

- a. Any such building shall be reported by the Building Inspector to the City Council, together with the lot and block number, the owner or his agent and a description of the condition.
- b. Upon receipt of such report, the City Council shall, by resolution, declare such building or structure to be a nuisance and shall serve legal written notice on the owner or his agent to wreck or remove the same.
- c. Said resolution shall fix a time and a place at which the owner or his agent may appear and show cause why such building shall not be condemned.
- d. Upon the aforesaid date, the City Council shall hear all objections and evidence in relation thereto and, unless the owner can show good and sufficient reason why the building should not be condemned, the original order of said City Council shall be executed, by resolution.
- e. Said resolution shall fix a reasonable time for the owner to comply with the order. At the expiration of such time, if the owner or agent has not complied with the order, the City Council shall cause such building or structure to be torn down.
- f. The materials salvaged in wrecking such building or structure shall be sold at public or private sale and the proceeds therefrom used to defray the City's expenses in wrecking said building; any unexpended balance shall be returned to the owner. If such proceeds be insufficient therefore, the balance shall be provided, by resolution, from whatever municipal fund available, and the amount thereof shall be levied against the lot or tract of land upon which said building was located (in the manner provided by law for assessment and levy of other special taxes).

2. The Building Inspector shall have the right to stop the construction of any building or structure, or the alteration, repair or wrecking of the same, if the same is being done in a careless or reckless manner, or in violation of the provisions of this Chapter or the Codes adopted by this Chapter.

Section 4-32. Officers and Employees Not Liable.

1. Any officer or employee of the City of Hollis, Oklahoma, charged with the enforcement of this Chapter and acting in good faith and without malice, for the City of Hollis, Oklahoma, in the discharge of his duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act or omission required or permitted in the discharge of such duties.

2. Any suit brought against any officer or employee because of such act or omission performed by him in the enforcement of any provisions of such Codes may be defended by the City Attorney until the final termination of the proceedings.

Sections 4-33 through 4-44. (Reserved for future use.)

BUILDING AND CONSTRUCTION

Article 4. Penalty

Section 4-45. Penalty.

Any person, firm or corporation who violates any provisions of this Chapter shall be guilty of an offense and, upon conviction thereof, shall be punished by fine and costs as provided for in Section 9-34 of this Code. Each day upon which a violation continues shall be deemed a separate offense.