

## **ORDINANCE 413-A**

### **AN ORDINANCE PROVIDING CHANGES TO SECTION 21, ET SEQ., OF ORDINANCE 413 OF THE CITY OF STILWELL**

**WHEREAS**, Rules governing the placement, size, surface type, to ensure the safe movement of traffic and to ensure that nuisances of the traffic areas can be abated properly within the City of Stilwell are vital to the health and safety of the residents of the City of Stilwell

**WHEREAS**, it is the opinion of this Council that adequate guidelines are essential for the placement, size, surface type of traffic areas within the City limits of Stilwell.

### **NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STILWELL, OKLAHOMA:**

**Sections 21 through 23** shall now be **Sections 21 through 24** and shall read as follows:

#### **SECTION 21. Sidewalks**

Standard sidewalks shall be 4' wide and 4" thick, except in driveway areas where said sidewalk shall be 6" in depth. The slope is to be toward the curb of ¼ inch for each 1' of width. They must be in compliance with current ADA requirements, where applicable, and be reinforced with either rebar, minimum number 3, and/or welded wire mesh and expansion joints every eight to ten feet, either sawed or troweled, or as modified to suit a special condition by the Municipal Works Director.

#### **SECTION 22. New Annexed Land to Conform to Specifications**

No territory annexed to the City, which has been platted into lots and blocks and has designated thereon the streets and alleys shall be annexed to the City unless the construction of the drives, streets, curbing and gutters are in compliance with the requirements of this ordinance, the IBC and any State requirements. However, in cases of extreme emergency the requirements of this Section may be waived by the City Council.

#### **SECTION 23. Enforcement**

- A. Violations of this ordinance will be handled through the Community Development Department, Municipal Work Department or a designee approved by the Mayor's Office.
- B. Persons, firms or corporations in violation of this ordinance can be fined and/or subject to abatement.
- C. Penalties for violating this ordinance can be a fine equal to the amount of the permit fee plus administrative costs, correction of the violations, or removal of the work completed or any combination of same.

- D. Appeal of the penalty can be brought before the City Council, provided a written request is made within 10 days of notice of the penalty to the City Clerk. The appeal will then be held at the next available Council meeting.

**SECTION 24. Repeal and Severability**

- A. Any and all existing ordinances or portions thereof in conflict herewith be and the same are hereby repealed.
- B. The provisions of this ordinance shall be severable and, if any of the provisions shall be held in contravention of the Constitution and laws of the State of Oklahoma, the decisions of the court shall not affect the validity of the remaining portions.
- C. It is the intent of this ordinance that the same would have been adopted had such unconstitutional or unlawful provisions, if any, not been included herein.

PASSED by the City Council this 2<sup>nd</sup> day of September, 2021.

APPROVED by the Mayor this 2<sup>nd</sup> day of September, 2021.

ATTEST:

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Jean Ann Wright, Mayor

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Larry A, Nettles, City Clerk-Treasurer