CITY OF COMMERCE

CODE OF ORDINANCES

Containing all of the ordinances of the
City of Commerce, Oklahoma
of a general and permanent nature passed prior to
January 1, 1997 and still in effect on that date

ORDAINED AND PUBLISHED
BY AUTHORITY OF THE
MAYOR AND CITY COUNCIL
CITY OF COMMERCE

City of Commerce
P. O. Box 130
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Compiled and codified by:
Oklahoma Municipal League Municipal Code Service
P. O. Box 60367
Oklahoma City, Oklahoma 73146
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With assistance and advice of the
city officials of the City of Commerce

CITY OFFICIALS

CITY OF COMMERCE

January 1, 1997

Mayor: Mr. Jack Young

Councilmembers

Mr. Danny Knight

Mr. Doyle Robinson

Mr. Danny Smith

Mr. Donnie Williams

City Clerk-Treasurer: Ms. Jana Logan

City Attorney: Mr. Merle K. Garrette

FOREWORD

This code of ordinances is provided by the Oklahoma Municipal League as a part of its service program for cities and towns in Oklahoma. Technical staff assistance has been provided by Kennedy and Associates of Oklahoma City, which was responsible for the organization, codification, and indexing of this code.

This codification provides a complete revision and codification of all ordinances of a general and permanent nature of the City of Commerce. All obsolete, illegal or superseded ordinances have been repealed as a part of the codification.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. The reader may consult the alphabetical index at the end of the volume. At the beginning of each chapter and article there is a section-by-section analysis of the articles and sections within the chapter.

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 ordinance" 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. The Oklahoma Municipal League has available a periodic updating service. Such service can be secured through an agreement between the municipality and the League under which the city clerk would send new ordinances, and amendments to ordinances, and the League would provide new and replacement pages for the code.

We gratefully acknowledge the cooperation and assistance rendered by the city officials in the preparation of this code.

William A. Moyer
Executive Director
Oklahoma Municipal League

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ORDINANCE NO. 97-4

AN ORDINANCE ADOPTING AND ENACTING A CODE OF ORDINANCES OF THE CITY OF COMMERCE, OKLAHOMA: PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, EXCEPT AS HEREAFTER PROVIDED; PROVIDING FOR NEW OR REVISED AND CONTINUING PROVISIONS AND REGULATIONS ON

1. GENERAL PROVISIONS
2. ADMINISTRATION AND GOVERNMENT
3. ALCOHOLIC BEVERAGES
4. ANIMALS
5. BUILDINGS REGULATIONS AND CODES
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17. UTILITIES

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 PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COMMERCE, OKLAHOMA, THAT:

SECTION 1 TITLE.

A code and revision of the ordinances of the City of Commerce, is hereby adopted as the "City Code of Commerce, 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 January 1, 1997, 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 January 1, 1997, 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 ordinance adopted after January 1, 1997, and before the effective date of this code; nor shall the repeal 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 resolutions 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 zoning ordinances, or amendments to the land use plan; 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 or resolution 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 or resolution. The continuance in effect of temporary and/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 as of January 1, 1997, shall be considered as continuations thereof and not as new enactments.

SECTION 6 INCLUDES NEW OR REVISED PROVISIONS.

The provisions in this code, in addition to those identified in Section 5 hereof, include, but are not limited to, revised and new provisions or regulations on:

1. GENERAL PROVISIONS
2. ADMINISTRATION AND GOVERNMENT
3. ALCOHOLIC BEVERAGES

4. ANIMALS
5. BUILDINGS REGULATIONS AND CODES
6. COURT
7. FINANCE AND TAXATION
8. HEALTH AND NUISANCES
9. LICENSING AND BUSINESS REGULATIONS
10. OFFENSES AND CRIMES
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13. PUBLIC SAFETY
14. STREETS AND SIDEWALKS
15. TRAFFIC AND VEHICLES
16. TRANSPORTATION
17. UTILITIES

SECTION 7 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 resolution or ordinance of the council, as provided hereinafter.

SECTION 8 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. 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 9 SALE OF COPIES OF THE CODE.

The city clerk is hereby authorized and directed to sell copies of the code to the public at

a price determined from time to time by resolution of the city council.

SECTION 10 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 certified by the city clerk as may be required.

SECTION 11 PREPARATION OF CODE.

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

ADOPTED and APPROVED by the Mayor and City Council of the City of Commerce, Oklahoma, this 14 day of July, 1997.

/s/ Jack Young
Mayor

ATTEST:

/s/ Jana Logan
City Clerk

APPROVED as to form this 14 day of July, 1997.

/s/ Merle K. Garrette
City Attorney

RESOLUTION NO. 97-4

A RESOLUTION DIRECTING FILING AND NOTIFICATION OF THE PUBLICATION OF THE COMMERCE CITY CODE, AND ESTABLISHING A FEE FOR THE SALE OF THE COMMERCE CITY CODE.

WHEREAS, the City of Commerce has compiled the City's Code of Ordinances, containing all ordinances adopted by the City prior to January 1, 1997; 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 title and a condensed gist or summary thereof of the Code; and

WHEREAS, the City Council of the City of Commerce, Oklahoma, desires to set a fee for the sale of the Commerce City Code, to the public.

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF COMMERCE, OKLAHOMA:

THAT 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 (17) parts whose titles are 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 Nuisances

9. Licensing and Business Regulations

10. Offenses and Crimes

11. Parks, Recreation and Cemetery

12. Planning, Zoning and Development

13. Public Safety

14. Streets and Sidewalks

15. Traffic and Vehicles

16. Transportation

17. Utilities

THAT the City Clerk shall cause to be filed one copy of this resolution with the Office of the County Clerk of Ottawa 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 Ottawa County; and

THAT the City Clerk shall keep at least one copy of the Commerce Code of Ordinances in the office of the City Clerk for public use, inspection and examination; and.

THAT the City Clerk shall charge a sum as set by the city for each copy of the City Code sold to the public.

ADOPTED and APPROVED by the Mayor and City Council of the City of Commerce, Oklahoma, this 14 day of July, 1997.

/s/ Jack Young
Mayor

ATTEST: (Seal)

/s/ Jana Logan
City Clerk

Approved as to form this 14 day of July, 1997.

/s/ Merle K. Garrette
City Attorney