

BUILDING REGULATIONS AND CODES

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BUILDING CODE AND REGULATIONS

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Section 5-105	Fire limits defined.
Section 5-106	Building permit required; fee.
Section 5-107	Conditions for building permits, subdivisions; flood plain requirements.
Section 5-108	Dwellings restricted to one per 6,000 square feet.
Section 5-109	Storm shelters and safe room permit fee.

SECTION 5-101 BUILDING CODE ADOPTED.

The BOCA Basic Building Code, the latest edition thereof, as published by the Building Officials and Code Administrators Internationals, Inc., is hereby adopted as the building code of the town for the control of buildings, and structures as therein provided, Each and all of the regulations, provisions, penalties, conditions and terms of the BOCA Basic Building Code are hereby referred to, adopted, incorporated and made a part hereof as if fully set out in this code with the additions, insertions, deletions and changes if any prescribed in this chapter.

State Law Reference: Building codes, adoption by cities, 11 O.S. Section 14-107; 74 O.S. Section 324.8.

SECTION 5-102 ADDITIONS AND CHANGES TO BUILDING CODE.

The following sections of the BOCA Basic Building Code are hereby revised:

1. Section 100.1, insert Town of Porter;
2. Section 114.3.1, insert; "The fee schedule shall be in accordance with Sections 5-108 of the town code, or as may be set or amended by ordinance or resolution";
3. Section 117.4, insert "Offense, punishable by fine and imprisonment as provided in Section 1-108 of the town of ordinances";
4. Section 118.2, insert; "fine as provided in Section 1-108 of the town code of ordinances";

5. Section 123.3, insert: "as set by the town board of trustees";
6. Section 501.2, insert: "the boundaries of the fire limits as provided in of the town code of ordinances";
7. Section 1807.2.1, and 1807.22, insert: "a number of feet to be determined by the town board of trustees by motion or resolution" in both locations; and
8. Section 1906.1, insert: "Amounts as set by the town board of trustees by motion or resolution".

SECTION 5-103 PENALTY

A person who violates a provision of this code or fails to comply therewith or with any of the requirements thereof, or who erects, constructs, alters, repairs or removes, or has erected, constructed, altered, repaired, or removed a building or structure in violation of a detailed statement or plan submitted and approved there under or of a permit or certificate issued there under, shall be guilty of a misdemeanor, and upon conviction shall be fined any sum as provided in Section 1-108 of this code, including costs. Each day upon which a violation continues shall be deemed a separate offense.

SECTION 5-104 BUILDING OFFICIAL.

The building official of this town shall be appointed by the town board of trustees and shall have the powers and duties prescribed for the "building official" by the town's building code; provided that his powers and duties may be exercised by his authorized representatives under his supervision and control. The term "building inspector", whenever used in the ordinances of the town, means the building official. The terms "electrical inspector", "plumbing inspector", and "gas inspector", wherever used in the ordinances of the town, also each refer to and mean the building official, unless a separate electrical inspector, plumbing inspector, and/or gas inspector is appointed by the town board of trustees.

SECTION 5-105 FIRE LIMITS DEFINED.

The fire limits are that part of the town bounded as provided by the board of trustees.

SECTION 5-106 BUILDING PERMIT REQUIRED, FEE.

A. No building or other structure shall be built, enlarged, altered or moved without a building permit issued by the town clerk as follows:

1. Whenever changes to a building or other structure alter the outside appearance;
2. Whenever changes will amount to more than One Thousand Dollars (\$1000.00) in cost; or
3. Whenever a building or structure is to be moved from without the town to a location within the town or from one location in the town to another location within the town.

B. A person desiring a building permit shall submit an application therefore to the town clerk. The applicant shall submit with the application such reasonable information as the clerk may require enabling him to determine whether granting the permit would be in accordance with the requirements of the ordinances of the town.

C. If the application is in accordance with the requirements of the ordinances and laws, the clerk shall issue the permit only upon the Mayor or Vice-Mayor, whichever the case may be, approving same, such approval to be evidenced by signature contained on said permit and the payment by the applicant of a building permit fee which may be set by motion or resolution of the town board of trustees.

A current copy of the fee schedule shall be kept in the office of the town clerk.

D. A building permit covers the initial plumbing and electrical installations to be made in connection with the building.

SECTION 5-107 CONDITIONS FOR BUILDING PERMITS, SUBDIVISIONS;
FLOOD PLAIN REQUIREMENT.

A. A building permit shall be issued by the town clerk only after the building official has determined that the proposed building site is reasonably safe from flooding; or if a flood hazard exists, any proposed new construction or substantial improvement, including prefabricated and mobile homes must:

1. Be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure;
2. Use construction materials and utility equipment that are resistant to flood damage; and
3. Use construction methods and practices that will minimize flood damage.

B. No person, firm, corporation, partnership, association of any other legal entity shall construct or cause to be constructed any structure or substantial improvement to any structure, residential, industrial, commercial or otherwise, without first obtaining a permit to construct same from the town.

C. Proposed subdivisions and land use areas shall be reviewed to assure that:

1. All proposal for construction provide for methods to minimize flood damage;

2. All public utilities and facilities such as sewerage, gas, electrical service and water systems are located and constructed to minimize or eliminate flood damage;

3. Adequate drainage is provided for so as to reduce exposure to flood hazards.

D. All new or replacement water supply systems or sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood water.

SECTION 5-108 DWELLING RESTRICTED TO ONE PER 6,000 SQUARE FEET.

A. No person or other entity may establish more than one single dwelling per thousand (6,000) square feet within the town limits.

B. A temporary exception to this section may be requested of the board of trustees by petitioning the board of trustees requesting that another dwelling be placed on the six thousand (6,000) square feet.

C. A temporary exception to this section may be granted if sufficient proof of need be furnished to the board of trustees. A signed affidavit is required stating the need for this second dwelling and that no fee; e.g., rent, be imposed for the use of the second dwelling.

D. Any person or entity who violates the provisions of this section shall be notified to abate such violation within ten (10) days. Failure to abate shall constitute a misdemeanor and upon conviction is punishable as provided in Section 1-108 of this code.

E. In addition to proceeding under authority of this section, the town is entitled to pursue all other civil remedies to which it is entitled in order to enjoin a violation hereof against a person or entity so violating same, (Ord. No. 84-1, 3/2/84).

SECTION 5-109 STORM SHELTERS AND SAFE ROOMS PERMIT FEE.

No storm shelter or safe room, as such is defined within the then current rules and regulations of the Federal Emergency Management Agency of the United States of American, FEMA Publication 320, shall be installed in or upon any commercial or residential property within the Town of Porter, Oklahoma without there first being made application for a permit therefore on the Storm Shelter/Safe Room Registration form attached hereto and secondly, the issuance of a permit for such Storm/Safe Room from the Town Clerk of the Town of Porter, Oklahoma. Prior to the issuance of the permit the Town Clerk shall charge and receive of a permit fee in an amount, which may be set by motion or resolution of the Town Board of trustees.

CHAPTER 2

PLUMBING CODE

Section 5-201	Adoption of plumbing code.
Section 5-202	Additions, insertions and changes to plumbing code.
Section 5-203	Plumbers: registration, permits and fees.
Section 5-204	Plumbing: permits and inspections.
Section 5-205	Plumbing inspector; office created; duties.

SECTION 5-201 ADOPTION OF PLUMBING CODE.

A certain document, at least three (3) copies of which are on file in the office of the town clerk, being marked and designated as "The BOCA Basic Plumbing Code", the latest edition thereof, and any revisions or amendments thereto, as published by The Building Officials' and Code Administrators International, Inc., is hereby adopted as the plumbing code of the town for the control of buildings and structures as therein provided. Each and all of the regulations, provisions, penalties, conditions and terms of the BOCA Basic Plumbing Code are hereby referred to, adopted and made a part hereof, as if fully set out in this. code, with additions, insertions and changes, if any, prescribed in this chapter.

State Law Reference: Town powers to supervise plumbing, 59 O.S. Sections 1001 et seq.

SECTION 5-202 ADDITIONS, INSERTIONS AND CHANGES TO PLUMBING CODE.

The following sections are hereby revised as follows:

1. Section P-100.0 (page 5, second line). Insert the Town of Porter;
2. Section P-1004.1 (page 6, second line). Insert effective date of the town's code of ordinances;
3. Section P-114.2 (page 12, third line). Insert " as provided in Section 5-204 of the town's code of ordinances";
4. Section P-117.4 (page 13, fifth, sixth and seventh lines). Insert "offense and punished as provided in Section 1-108 of the town's code of ordinances";
5. Section P-118.2 (page 14, fifth line). Insert "fine as provided in Section 1-108 of ordinances";

6. Section P-303.2 (page 32, third line). Insert "a distance in feet as determined by the town board of trustees"; and

7. Section P-308.3 (page 33, second and third lines). Insert "a depth in feet as determined by the town board of trustees."

SECTION 5-203 PLUMBERS: REGISTRATION, PERMITS AND FEES.

A. The phrases and words "journeyman plumber," "plumber's apprentice," "plumbing contractor," and "plumbing," when used in the ordinances, regulations and other official acts and communications of this town, shall have the meanings respectively prescribed for them by Sections 1001 et seq. of Title 59 of the Oklahoma Statutes, the state plumbing license law unless the context clearly indicates a different meaning.

B. It is unlawful for any person to engage in the business, trade, or occupation of a plumbing contractor (otherwise known as a master plumber), or of a journeyman plumber, or of a plumber's apprentice, in this town unless he is registered with the plumbing inspector and has a current and valid certificate of registration issued by the plumbing inspector.

C. Only persons who have current and valid licenses as plumbing contractors or as journeyman plumbers issued by the State Commissioner of Health as provided by the state plumbing license law may register as such with the plumbing inspector. Only persons who have current and valid certificates of registration as plumber's apprentices issued by the State Commissioner of Health as provided by the law, may register as such with the plumbing inspector.

D. Applicants for certificates of registration, after complying with the laws of the state and with the town code, and after payment of the fee hereinafter 'specified, shall be registered by the town clerk. The registration shall expire at the end of the fiscal year, and the annual renewal fee, but may be renewed from year to year. The registration fee shall be as set by the town board. Plumbing contractors desiring to renew their registration shall furnish the same evidence of compliance with state licensing laws and the same bond is required as set forth by town code. An applicant for plumbing contractor's registration shall also furnish bond in such sum and such conditions as set by the town board.

E. A qualified person may re-register as a plumbing contractor, a journeyman plumber or a plumber's apprentice, in the same manner as in the original instance, and upon the same conditions.

F. All plumbing contractors registrations not renewed within ninety (90) days after the date of expiration thereof shall be cancelled, and a new application for registration must be made and the fee for a new registration paid.

G. The fee for registration shall be as set by the town board by motion or resolution.

H. The town board, upon at least ten (10) days notice and adequate opportunity for a public hearing, may revoke the town registration of any plumbing contractor or journeyman plumber for violating any provisions of the ordinances or regulations of the town relating to the installation of plumbing or for any other cause specified in the state plumbing license law.

State Law Reference: State plumbing licenses, requirements, 59 0.5. Sections 1001 et seq.

SECTION 5-204 PLUMBING: PERMITS AND INSPECTIONS.

A. No plumbing work shall be undertaken without a permit from the plumbing inspector.

B. The application for such work must follow the adopted town code.

C. The schedule of permit fees may be set forth by resolution or motion of the town board. Such payment will be made upon application.

D. Inspection of such work must conform to the guidelines set forth in the town code.

SECTION 5-205 PLUMBING INSPECTOR; OFFICE CREATED; DUTIES.

The office of inspector of plumbing is hereby created and shall be filled and the duties of the office performed by some person appointed by the town board of trustees. Such inspector shall make inspection and testing of all plumbing and sewer connections done within the town and shall have the right to deputize any person equally qualified to make the actual inspections and report. He may and shall carry out the performance of this chapter. The testing of plumbing shall be done by filling all drains with water to the roof, and such other tests as the inspector shall deem necessary.

State Law Reference: Cities and towns to create office of plumbing inspector, 59 0.5. Section 1016.

CHAPTER 3

ELECTRICAL CODE

Section 5-301	"Electrical equipment" defined.
Section 5-302	National electrical code.
Section 5-303	Underwriters Laboratories, Inc.
Section 5-304	Town board of trustees may make special rulings.
Section 5-305	Pilot light required for iron in mercantile occupancies.
Section 5-306	Branch circuits.
Section 5-307	Basement installations.
Section 5-308	Permit required for electrical installations; issuance.
Section 5-309	Inspection fee.
Section 5-310	Electricians' registration required, bond.

SECTION 5-301 "ELECTRICAL EQUIPMENT" DEFINED.

The term "electrical equipment" used in this chapter refers to electrical conductors, metallic raceways, fittings, devices, fixtures, appliances, apparatus, and any electrical material of any nature, kind, or description, to be installed within or on any building or structure.

State Law Reference: State electrical requirements, licensing by state, 59 O.S. Sections 1680 to 1696.

SECTION 5-302 NATIONAL ELECTRICAL CODE.

All installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the state and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property. Where no specific standards are prescribed by this chapter or by the statutes of the State of Oklahoma or by any orders, rules, or regulations issued by authority thereof, conformity with the regulations set forth in the current issue of the National Electrical Code as approved by the American Insurance Association, shall be prima facie evidence of conformity with approved standards for safety to persons or to property.

SECTION 5-303 UNDERWRITERS LABORATORIES, INC.

All electrical equipment installed or used shall be in conformity with the provisions of this chapter, the statutes of the state and the provisions of this chapter, the statutes of the state and any orders, rules and regulations issued by the authority thereof, and with approved "electrical standards for safety to persons or to property. Unless by this chapter, by a statute of the state or any orders, rules, or regulations issued by authority thereof, a specific type or class of electrical equipment is disapproved for installation and use, conformity with the standards of Underwriters' Laboratories, Inc., shall be prima facie evidence of conformity with approved standards for safety to persons or to property.

SECTION 5-304 TOWN BOARD OF TRUSTEES MAY MAKE SPECIAL RULINGS.

The board of trustees of the town, by motion or resolution, shall have the authority to make special rulings, when circumstances warrant, for the safeguarding of life and property and the improvement of electrical installations. In all cases persons engaged in the installing of electrical equipment and holding an electrical license must be notified by letter of these decisions.

SECTION 5-305 PILOT LIGHT REQUIRED FOR IRON IN MERCANTILE OCCUPANCIES.

In all mercantile occupancies where electric irons are used, they must be installed with approved pilot light. If pilot light is in an enclosure such as an alteration room, an additional light must be installed in a visible position outside the enclosure.

SECTION 5-306 BRANCH CIRCUITS.

In residential and mercantile occupancies, lighting branch circuits shall be confined to one thousand (1,000) watts, and not more than eight (8) outlets per circuit will be allowed in the fire limits. Branch circuit conductors shall be smaller than No. 12 Type C lamp cord will not be permitted in the kitchen or restaurants or like places where grease accumulates, nor in part of a building where live poultry is confined.

SECTION 5-307 BASEMENT INSTALLATIONS.

A circuit of not less than No. 12 wire shall be installed in basements in any area subject to floods. Ground connections shall not be made in toilets, adjacent to salt storage, acid vapors, or in any location where the grounding conductor and fitting is likely to become corroded.

SECTION 5-308

PERMIT REQUIRED FOR ELECTRICAL INSTALLATIONS;
ISSUANCE.

A. It is unlawful for any person to install any electrical wiring, fixtures, or apparatus in or on any building or structure in the corporate limits of this town or make extensions to any existing electrical installations without first securing a permit from the town clerk.

B. Applications for electrical permits shall be made to the town clerk; and the applicant shall provide such plans, specifications, and other data as may be reasonably required.

C. The fee for an electrical permit shall be as prescribed by motion or resolution passed by the town board of trustees.

SECTION 5-309

INSPECTION FEE.

The town board of trustees by motion or resolution may prescribe an inspection fee to be paid to the town when electrical installations are inspected by the electrical inspector.

SECTION 5-310

ELECTRICIANS' REGISTRATION REQUIRED, BOND.

A. It is unlawful for any person to engage in the business, trade or vocation of electrical contractor, journeyman electrician or apprentice electrician without a certificate of registration as such secured from the town. The initial fee for a registration certificate, and any renewal, to be paid to the town clerk, shall be as set by the town board. A registration certificate must be renewed within ninety (90) days following expiration of the certificate. After the expiration, an application for a new certificate must be requested and the initial fee paid again. Except in case of renewal, the applicant must have passed an examination given by the electrical inspector and demonstrated the qualifications of the applicant for the certificate applied for. All such certificates shall expire June 30. This certificate is not transferable to any other individual or company.

B. Every person receiving a certificate as an electrical contractor shall file with the town clerk a bond in such sum as set by the town board, executed with a surety company authorized to do business in the state. The bond shall be conditioned that the principal will install all electrical wiring, fixtures, appliances, and equipment in accordance with the law and the ordinances and other regulations of the town relating to electrical installations and in a workmanlike manner; that the principal shall, without further cost to the person for whom the work was done, remedy any defective or faulty work caused by poor workmanship or inferior or non-standard material; and that the town may be fully Indemnified and held harmless from any and all costs, expenses or damage resulting from the performance of his work as an electrical contractor or appliance electrician, as the case may be.

C. The bond must be approved by the building inspector. No certificate shall be issued to any such person until the bond shall have been filed and approved. Any such certificate issued shall be valid only while the bond is in effect.

D. For the installing of bell, telephone or signal systems not using over twelve (12) volts, no registration or bond will be required. The installation of same must comply with all other requirements of the ordinances of the town.

E. After adequate opportunity for a hearing, the town board may revoke the certificate of an electrical contractor an apprentice electrician, or a journeyman electrician.