

**CITY OF NORMAN
ORDINANCE O-2223-41**

**AN ORDINANCE OF THE CITY OF NORMAN, OKLAHOMA AMENDING
SECTION 16-601 OF ARTICLE 16-VI OF THE CODE OF THE CITY OF NORMAN
SO AS TO ADOPT AND AMEND THE 2018 INTERNATIONAL PROPERTY
MAINTENANCE CODE; AND PROVIDING FOR THE SEVERABILITY
THEREOF.**

NOW THEREFORE, be it ordained by the City Council of the City of Norman, in the State of Oklahoma, as follows:

SECTION 1: **AMENDMENT** "16-601 Adoption Of The Property Maintenance Code" of the City of Norman Municipal Code is hereby *amended* as follows:

BEFORE AMENDMENT

16-601 Adoption Of The Property Maintenance Code

- (a) The International Property Maintenance Code, 2015 edition, as published by the International Code Council, Inc., hereinafter referred to as "IPMC," is hereby adopted as the property maintenance code of the City with the same force and effect as if fully set out in this subsection with amendments thereto as prescribed in this section.
- (b) The property maintenance code shall not become effective until at least three copies, including modifications prescribed in this section, have been filed in the office of the City Clerk.
- (c) The following sections of the IPMC are hereby amended, added, deleted, or substituted as noted:
 - (1) 101.1 Title [Amended]. These regulations shall be known as the property maintenance code of the City, hereinafter referred to as "this code."
 - (2) Section 103 Code Compliance [Substitute].
 - (3) 103.1 General [Amended]. Code Compliance is hereby created and the official in charge thereof shall be known as the code official.
 - (4) 103.5 Fees [Deleted]. IPMC section 103.5 is hereby deleted without substitution.
 - (5) 107.3 Method of service [Amended]. Such notice prescribed in section 107.1 shall be deemed properly served if the notice is delivered personally or mailed to either the property owner, owner's authorized agent, or mortgage holder. If the notice is mailed, the City shall obtain a receipt of mailing from the postal service indicating the date of mailing and the name and address of the recipient. Additionally, the code official shall post a code violation notice on the affected property.
 - (6) Section 111 Means of Appeal [Deleted]. IPMC section III is hereby deleted in

favor of the provisions of NCC 2-203.

- (7) 112.4 Failure to comply [Amended]. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.
- (8) 302.3.1 Legal nonconforming gravel driveways and parking areas [Added]. Gravel driveways and parking areas have been prohibited by the zoning ordinance (chapter 22) of the City since 1966. It is presumed by the City that all gravel driveways and parking areas are of an illegal, nonconforming status. Any such parking area or driveway must have been in existence prior to March 1973. In order for such parking areas to maintain their legal nonconforming status, the following procedures shall be followed:
- a. Gravel surfaces must be kept substantially free of any grass or weeds.
 - b. Gravel surfaces may not be expanded beyond established borders. The property owner shall ensure that a clear line of demarcation exists at the edges of the gravel drive that is obvious and can be visually verified from the street or sidewalk.
 - c. In order to comply with the requirement that parking areas be substantially mud- and dust-free, gravel shall be maintained so that at least three inches of material covers the entire parking and driveway area.

If an owner is violating any provision of this section, a notice of violation will be sent. Failure to correct the violation within the prescribed time frame will result in the filing of charges. Upon conviction or a plea of nolo contendere, the property will lose its nonconforming status as a gravel parking surface. If the owner fails to file a complete application for a special exception for gravel surfacing from the Board of Adjustment within ten days of that court decision, the loss of that nonconforming status is considered final. If a special exception is not granted by the Board of Adjustment, the gravel parking area and driveway must be removed or brought into compliance with the current ordinance within 180 days.

- (9) 302.4 Weeds [Amended]. Premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches. Noxious weeds shall be prohibited. The term "weeds" means all grasses, annual plants and vegetation, other than trees or shrubs provided; however, the term "weeds" shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

- (10) 303.2 Enclosures [Amended]. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier not less than 48 inches (1,219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception:

- a. A swimming pool with a power safety cover or a spa or hot tub with a safety cover that complies with ASTM F 1346 shall be exempt from the provisions of this section.
 - b. Swimming pools, spas and hot tubs on lots in excess of two acres shall be exempt from the provisions of this section.
- (11) 304.14 Insect screens [Amended]. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

- (12) 602.3 Heat supply [Amended]. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a minimum temperature of 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

Exception: When the outdoor temperature is below the winter outdoor design temperature of 13 degrees Fahrenheit (-10.56 degrees Celsius), maintenance of the minimum room temperature shall not be required, provided that the heating system is operating at its full design capacity.

- (13) 602.4 Occupiable work spaces [Amended]. Indoor occupiable work spaces shall be supplied with heat to maintain a minimum temperature of 68 degrees Fahrenheit (20 degrees Celsius) during the period the spaces are occupied.

Exceptions:

- a. Processing, storage and operation areas that require cooling or special temperature conditions.

- b. Areas in which persons are primarily engaged in vigorous physical activities.

(Code 1976, § 10-601; Ord. No. O-1718-18, § 1)

AFTER AMENDMENT

16-601 Adoption Of The Property Maintenance Code

- (a) The International Property Maintenance Code, 201~~5~~⁸ edition, as published by the International Code Council, Inc., hereinafter referred to as "IPMC," is hereby adopted as the property maintenance code of the City with the same force and effect as if fully set out in this subsection with amendments thereto as prescribed in this section.
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Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

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(Code 1976, § 10-601; Ord. No. O-1718-18, § 1)

SECTION 2: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

PASSED AND ADOPTED BY THE CITY OF NORMAN CITY COUNCIL

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AYE

NAY

ABSENT

ABSTAIN

Presiding Officer

Attest

Larry Heikkila, Mayor, City of
Norman

Brenda Hall, City Clerk, City of
Norman