

CHAPTER 4

BUILDING, PLUMBING, AND ELECTRICAL INSTALLATIONS

Article 1. Building: Code and Regulations

Sec. 4-1. General Provisions.

1. To establish a set of minimum building code standards that would be enforced throughout the municipality that meets the requirements as set forth by the Oklahoma Uniform Building Code Commission.
2. Pursuant to State Statute 59 O.S. SS 1000.23 and 1000.25 also known as the Uniform Building Code Commission Act; and in accordance to the Emergency Rules Title 748 of the Uniform Building Code Commission (UBCC) signed into effect by Governor Brad Henry on January 12, 2010, ordinance provides the municipality to collect and remit a \$4.00 (four dollar) fee to the UBCC revolving fund for each construction or building permit issued by the City.

Sec. 4-2. Definitions.

Unless the context specifically indicates otherwise, the meaning of terms used in this Ordinance shall be as follows:

1. Authority Having Jurisdiction – An organization, office, or individual responsible for enforcing the requirements of the State Adopted Building Codes, including the prior authorization or approval of any equipment, materials, installations or procedures used in all or part of the construction of a new, or the alteration or renovation of an existing, building or structure, including integral finishes, fixtures and building systems therein.
2. Building Code – A collection of required standards and practices intended to apply to all or part of the construction of new, or the alteration or renovation of existing, buildings or structures, including integral finishes, fixtures and building systems therein.
3. Building Permit – Any written authorization or approval issued by an authority having jurisdiction, which allows the holder or other persons to commence the construction, alteration or renovation of all or part of a residential or commercial building or structure subject to the requirements of the State Adopted Building Codes.

4. City – “Municipality,” Shall be held to mean the City of Wilburton, Oklahoma.
5. Construction Code and Construction Permit – Shall have the same meaning as, and be respectively interchangeable and synonymous with, the terms “Building Code” and “Building Permit” as defined herein, respectively.
6. Corporate Counsel – Whenever used in an adopted Code, it shall be held to mean the City Attorney for the City of Wilburton, Oklahoma.
7. Multi-Segment Permitting – Is the administrative process of consolidating multiple building permit work authorizations, approvals and/or registrations and the payment of required permit fees for a multi-segment construction project into a single administrative process.
8. Oklahoma Uniform Building Code Commission – “UBCC”, commission created to review and adopt all building codes for residential and commercial construction in the State of Oklahoma.
9. State Adopted Building Codes – Means any legally applicable building code currently in force and effect within the State and all building codes adopted by the Oklahoma Uniform Building Code Commission.

Sec. 4-3. Adoption of the Oklahoma Uniform Building Codes.

The City of Wilburton establishes and adopts a set of minimum regulations governing the design, construction, alteration, enlargement, repair, demolition, removal, maintenance and use of all buildings and structures; providing for the issuance of permits, collections of fees, making of inspections, providing penalties for violation thereof; to be known as the building code, and repealing existing ordinances.

10. The following national codes, standards, and appendices are incorporated by reference:
 - a. Building/Dwelling Code IBC 2006
 - b. Structural Code IBC 2006
 - c. Plumbing Code IPC 2006
 - d. Mechanical Code IMC 2006
 - e. Electrical Code NEC 2005

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| f. Fire/Life Safety Code | IFPC 2006 |
| g. Energy Code | ASHRAE 90.1
applies to state-owned and leased facilities |
| h. Gas Code | IFGC 2006 |

Sec. 4-4 Building Official - Inspectors.

The building official of this city shall have the powers, duties and functions prescribed for the "building official" by said National Building Code and other codes adopted by this chapter; provided that the said powers, duties and functions may be performed by authorized representatives of the building official and under his supervision and control. 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 when any ordinance provision or provision of any code adopted by this chapter prescribes any power, duty or function for any said authorized representatives of the building official, the building official himself shall also have such power, duty or function in the absence of the designated representative of the building official.

Sec. 4-5. Building Permits: Required, Application, Insurance.

1. Any type of structure built or moved onto property inside the City Limits will require a building permit and fee.
 - a. Any construction or building for habitation will require a set of plans and specifications.
2. Before a permit will be issued the plans will be reviewed by the building committee or the City Building Inspector or both one week from application.
3. At minimum, inspection will be required at five intervals or as required on new construction. Inspections will be the responsibility of the contractor. Anyone not getting the proper inspections before going to the next level may cause utilities to not be hooked up and/or administrative fine imposed.
 - a. Inspection after rebar is set and before concrete is poured for footings.
 - b. Inspection after all under floor utilities have been roughed in, and/or before concrete floor is poured.

- c. Inspection for Rough-In-Electrical.
 - d. Inspection for Rough-In-Mechanical.
 - e. Final Inspection.
4. Permit fees for new construction, additions, alterations and repairs are based on the constructed area or dollar valuation amount.
 5. Fee schedule shall be set by City Council with a complete fee listing found in the City Clerk's office.
 6. Pursuant to 748:5-1-1 of the Uniform Building Code, \$4.50 shall be added to all permits issued.

Sec. 4-6 Violation – Penalty.

Add new wording into paragraph 113.4:

"Any person who shall violate a provision of the code or fails to comply with any of the requirements thereof, or shall erect, construct, alter, repair, or remove, a building or structure in violation of an approved plan or directive of the code official, or of a permit issued under the provisions of this code, shall be subject to an administrative fine. The first violation or failure to provide a plan of correction, a person may be subject to a fine of \$100.00. Second violation notice \$150.00, third violation notice \$200.00. Each day that a violation continues after due notice has been served shall be deemed a separate offense."

Inconsistent Ordinances Repealed. Ordinances of the municipality of the City of Wilburton and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Article 2. Gas Piping

Sec. 4-8. Gas Piping; NFPA Pamphlet No. 54.

Whereas the State Fire Marshal Commission has adopted the pamphlet entitled Gas Appliances and Gas Piping 1969, published by the National Fire Protection Association, to govern the installation of gas appliances and gas piping in the state, therefore, the city council hereby also confirms the adoption for the city to govern said matters. Any violation of the provisions of this pamphlet (Pamphlet No. 54 of the NFPA) shall be deemed a violation of the ordinances of the city, and shall be punished accordingly.

Note: Copies of this pamphlet may be ordered from the:
National Fire Protection Association
60 Batterymarch Street
Boston, Massachusetts, 02110.

Sec. 4-9. Penalty.

Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than two hundred fifteen dollars (\$215.00) and costs.

O K L A H O M A 1 9 1 0



Article 3. Plumbing Code

Sec. 4-10.

1. That certain documents, three (3) copies of which are on file in the office of the Wilburton City Clerk and the City of Wilburton, and the Latimer County Library being marked and designated as International Plumbing Code, including Appendix Chapters, as published by the International Code Council be and is hereby adopted as the code of the City of Wilburton for regulating the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems in the City of Wilburton and providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, conditions and terms of such International Plumbing Code, 1997 edition, published by the International Code Council on file in the office of the Clerk of the City of Wilburton are hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

2. The following sections are hereby revised:

Section 101.1	City of Wilburton
Section 106.5.2	Section 4-7 of the City Code Book
Section 108.4	Two hundred fifteen dollars (\$215.00) each day a violation is considered a new offense.
Section 108.5	Two hundred fifteen dollars (\$215.00) each day a violation is considered a new offense.

3.. That Ordinances of the City of Wilburton and all other parts of ordinance in conflict herewith are hereby repealed.

4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Wilburton hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

5. That the Clerk of the City of Wilburton is hereby ordered and directed to cause this ordinance to be published.

6. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect on the day of its final passage and adoption.

Sec. 4-11. Waste Oil Not to be Drained Into Sanitary Sewers.

It shall be unlawful and an offense for any person, firm or corporation to empty or drain any waste oil into the sanitary sewer system of the city.

Sec. 4-12. Car Washing: Plan and Specifications.

1. It shall be unlawful and an offense for any person, firm or corporation to empty car washing into the sanitary sewer system of the city until they have complied with the plan and specifications provided by the city council.
2. A copy of said plan and specifications shall at all times be kept in the permanent files of the City Clerk. It shall be the duty of the plumbing inspector to inspect the disposal facilities for such oil and car washing, and if any person, firm or corporation has not complied with the plans and specifications of the city council, then such person, firm or corporation shall be guilty of an offense, and upon conviction thereof, shall be subject to the penalty provided for.

Sec. 4-13. Plumbers: Registration, Permits and Fees, Etc.

1. 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 city, shall have the meanings respectively prescribed for them by Section 1 of the Plumbing License Law of 1971 (SB 168 of 1971; 59 O.S. Supp. #1001-1021) unless the context clearly indicates a different meaning.
2. It shall be 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 city unless he is registered with the plumbing inspector and has a current and valid certificate of registration issued by the plumbing inspector.
3. 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 Plumbing License Law of 1955, may register as such with the plumbing inspector; and only persons who have current and valid certificates of registration as plumber's apprentices issued by the State Commissioner of Health as provided by Section 13 of said law, may register as such with the plumbing inspector.
4. Upon application to the plumbing inspector, the plumbing inspector shall register such applicants and issue to them certificates of registration; provided that an

applicant for registration as a plumbing contractor shall also furnish a bond as prescribed below. Such city certificates shall not be valid after the termination or expiration of the state licenses or certificates. Registration certificates of plumbing contractors and journeyman plumbers issued as provided herein shall expire on 12/30 each year; and the city certificates of plumber's apprentices shall expire when their state certificates expire (which is five years after date of issue).

5. An applicant for a plumbing contractor's certificate of registration, after complying with the laws of the State of Oklahoma and with the established city code, and after payment of the fee hereinafter specified, shall be registered by the City Clerk. The registration shall expire at the end of the fiscal year, but may be one hundred dollars (\$100.00) and the annual renewal fee shall be twenty five dollars (\$ 25.00). 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 city code.
6. 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.
7. All plumbing contractors registrations not renewed within ninety (90) days after the date of expiration thereof shall be canceled, and a new application for registration must be made and the fee for a new registration paid.
8. There is no fee for registration as a journeyman plumber or a plumber's apprentice, but annual registration is required and evidence of bonding will be presented to clerk upon registration.
9. The city council, upon at least ten (10) days notice and adequate opportunity for a public hearing, may revoke the city registration of any plumbing contractor or journeyman plumber for violating any provision of the ordinances or regulations of the city relating to the installation of plumbing or for any other cause specified in Section 10 of the Plumbing License Law of 1955 (59 O.S. Supp. 31010).

Sec. 4-14. Plumbing: Permits and Inspections.

1. No plumbing work shall be undertaken without a permit from the plumbing inspector.
2. The application for such work must follow the adopted city code, Section 104-105.
3. The schedule of permit fees are set forth in the city code, Section 106, such payment will be made upon application.

4. Inspection of such work must conform to the guidelines set forth in the city code, Section 107.



Article 4. Liquefied Petroleum Gas

Sec. 4-15. Persons, etc., Must Comply with State Law and Possess any State License or Permit Required by Law.

It is 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 with and complies with all license or permit which may be required by law. The Rules, Regulations and Standards for the Storage and Handling of Liquefied Petroleum Gases for the State of Oklahoma, dated November 1, 1969, adopted by the Oklahoma Liquefied Petroleum Gas Board, shall have full force and effect within this city; and any violation of these rules and regulations shall be deemed a violation of the ordinances of the city and shall be punished accordingly.

Lot 2 block 48 is allowed to have propane within the city limits for the purpose of having a backup fuel source in case of an emergency for Latimer County Emergency Management Office.

Note: Copies of the Rules, Regulations and Standards for the Storage and Handling of Liquefied Petroleum Gases for the State of Oklahoma may be obtained from the Oklahoma Gas Board. For present law providing for state permits see 52 O.S. Sec. 420.4.

Article 5. Electrical Installations: Code and Regulations

Sec. 4-16. "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.

Sec. 4-17. National Electrical Code, Etc.

1. All installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the State of Oklahoma and any orders, rules, and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property.
2. 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 1996 edition of the National Electrical Code as approved by the American Standards Association, shall be prima facie evidence of conformity with approved standards for safety to persons or to property.

Sec. 4-18. Underwriters' Laboratories, Inc., Etc.

1. All electrical equipment installed or used shall be in conformity with the provisions of this chapter, the statutes of the State of Oklahoma and any orders, rules and regulations issued by authority thereof, and with approved electrical standards for safety to persons or to property.
2. Unless by this chapter, by a statute of the State of Oklahoma or any orders, rules, or regulations issued by authority thereof, a specific type of 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.

Sec. 4-19. Inspector May Make Special Rulings.

The electrical inspector shall have the authority to make special rulings, when circumstances warrant, for the safeguarding of life and property and the improvement of

electrical installations, but in all cases persons engaged in the installing of electrical equipment and holding an electrical license must be notified by letter of these decisions.

Sec. 4-20. Wiring in Fire Zone.

All wiring hereafter installed in the fire limits must be placed in metallic raceways. Armored cable or flexible conduits to be used only when in the judgment of the electrical inspector it is impractical to install other metallic raceways. Exception to the requirements of this section are specified in the section immediately following.

Sec. 4-21. Extensions of Certain Installations.

Wiring installations, consisting of concealed knob and tube, cleat, armored cable or flexible conduit that was installed previously to the adoption of this code, when in the judgment of the electrical inspector is in a safe condition, may have extension of the same kind of work made to these installations.

Sec. 4-22. Overhead Service Conductors, Etc.

Overhead service conductors shall be installed in approved metallic raceways, unless approved service entrance cable is used; and raceway shall be continuous to, and securely attached to service equipment. Installations of four circuits or more shall have three wire service. No service conductor to be less than No. 6 B. & S. gauge.

Sec. 4-23. 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.

Sec. 4-24. Rigid Conduits, Etc.

For mechanical security and continuity to ground, rigid conduit shall be provided with two lock nuts, one inside and one outside the equipment to which it is attached. Metallic service equipment rigid conduit, electrical metallic tubing, flexible conduit, metallic switch, outlet receptacle and junction boxes shall have a conductive coating or finish. Water tight couplings shall be employed for joining electrical metallic tubing.

Sec. 4-25. Branch Circuits.

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

Sec. 4-26. Refrigeration -- Basement Installations -- Etc.

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.

Sec. 4-27. Electricians: License Required.

It is unlawful for any person to engage in the business, trade or vocation of electrical contractor, journeyman, electrician or appliance electrician without a license as such secured from the electrical inspector. The registration shall expire at the end of the fiscal year, but may be one hundred dollars (\$100.00) and the fee for renewal is twenty dollars (\$25.00_) and must be renewed within ninety (90) days following expiration of the license. After the expiration, an application for a new license must be requested and the initial fee paid again. Except in case of renewal, said applicant must have passed an examination given by the electrical inspector and demonstrated the qualifications of the applicant for the license applied for. All such licenses shall expire 12/31. This license is not transferrable to any other individual or company.

Sec. 4-28. Bond for Electrical Contractors and Appliance Electricians.

Every person receiving a license as an electrical contractor or appliance electrician shall file with the City Clerk a bond in the amount that is required by the state and executed with a surety company authorized to do business in the state; and conditioned that the principal will install all electrical wiring, fixtures, appliance, and equipment in accordance with the law and the ordinances and other regulations of the city 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 city 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).

Said bond must be approved by the building inspector. No license shall be issued to any such person until the said bond shall have been filed and approved; and any such license issued shall be valid only while said bond is in effect.

Sec. 4-29. License or Bond not Required When.

For the installing of bell, telephone or signal systems not using over 12 volts, no license or bond will be required; but the installation of same must comply with all other requirements of the ordinances of the city.

Sec. 4-30. Revocation of License.

After adequate opportunity for a hearing, the council may revoke the license of an electrical contractor, an appliance electrician, or a journeyman electrician for any of the following causes:

1. Serious or repeated violations of the laws, ordinances or other regulations relating to electrical installations;
2. Grossly unethical conduct in connection with the electrical trade or business;
3. Poor workmanship or service; or
4. Installing inferior or sub-standard materials, fixtures or equipment.

A request that the license be revoked may be presented to the council by the electrical inspector.

Sec. 4-31. Electrical Inspector to Inspect All Electrical Installations.

It shall be the duty of the electrical inspector to inspect all electrical equipment installed within the city.

Sec. 4-32. Installation Not to be Concealed Until Approved.

It shall be unlawful for any person, firm, partnership, corporation or individual to conceal or cause to be concealed, any electrical equipment, used for electric light, heat or power, until they know the installation has been approved by the electrical inspector; and a tag in the switch cabinet, or attached to the service equipment properly signed and dated, so stating, will be sufficient notice.

Sec. 4-33. Work "Roughed In".

New or old work "roughed in" shall include all electrical equipment to make the installation complete, be free from unintentional grounds, with joints properly made up, ready for attachment of fixtures, drop lights and appliance.

Sec. 4-34. Inspection of New Work "Roughed In".

After making inspection of new work "roughed in", the electrical inspector shall leave a tag or notice in the switch cabinet or attached to the service equipment, plainly indicating whether the work has been approved and is ready to conceal, or that the installation is not standard and must not be covered until approved by the electrical inspector.

Sec. 4-35. Premises Not to be Connected Until Installation is Approved.

It shall be unlawful for any public service corporation, individual, light, heat or power company to connect, or cause to be connected any service or building, for the supply of electrical current for light, heat or power, until they have been notified by the electrical inspector that electric work has been inspected and approved and is ready for electric service.

Sec. 4-36. Annual Inspection in Fire Zone -- Corrections

1. The electrical inspector shall make an annual inspection of all electrical equipment in the fire zone of the city; and when any electrical installations are found to be in an unsafe or hazardous condition, the electrical inspector shall notify the person, firm or corporation where such electrical conditions exist to correct same and place in a safe condition.
2. Any person, firm or corporation failing or refusing to make correction of hazardous or unsafe electrical installations, after having been notified by the electrical inspector, within a designated time to be determined by the electrical inspector, shall be fined according to the provisions of this ordinance; and each day after the expiration of the time designated to make corrections shall constitute a separate offense.
3. When hazardous or unsafe electrical conditions exist and any person, firm or corporation fails to make corrections after having been notified, the electrical inspector shall have the authority to discontinue the electric service.

Sec. 4-37. Inspector May Enter Buildings.

The electrical inspector, while in the discharge of his official duty, shall have the authority to enter any building or premise at any reasonable hour, for the purpose of making any electrical inspection, re-inspection, or test of the electrical equipment contained therein or its installation; and any person interfering with the electrical inspector shall be fined as provided for in this ordinance.

Sec. 4-38. Responsibility for Damages, Etc.

This ordinance shall not be construed to affect the responsibility or liability of any party owning, operating, controlling, or installing any electrical equipment for damages to persons or to property caused by any defect therein, nor shall the city or any officer or employee of such city, be held as assuming such liability by reason of the inspection or re-inspection as herein provided by reason of the approval or disapproval of any equipment authorized therein.



Article 7. Repealed



ARTICLE 8. Repealed



Article 9. Penalty -- Judicial Relief

Sec. 4-39. Penalty.

1. Any person, firm or corporation who shall engage in any business, trade or vocation for which a license, permit, certificate or registration is required by this chapter, without having a valid license, permit, certificate or certificate of registration as required, or who shall fail to do anything required by this chapter or by any code adopted by this chapter, or who shall otherwise violate any provision of this chapter or of any code adopted by this chapter, or who shall violate any lawful regulation or order made by any of the officers provided for in this chapter, shall be guilty of an offense, and upon conviction thereof, shall be fined in any sum not to exceed two hundred fifteen dollars (\$ 215.00) including costs.
2. Each day upon which a violation continues shall be deemed a separate offense.

Sec. 4-40. Relief in Courts.

No penalty imposed by and pursuant to this chapter shall interfere with the right of the city also to apply to the proper courts of the state for a mandamus, an injunction or other appropriate action against such person, firm or corporation.