

# RANDLETT, OKLAHOMA

## CODE OF ORDINANCES JANUARY 2024

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## **CHAPTER 1 – TOWN GOVERNMENT**

### **Article 1. Incorporation; Form of Government; Powers**

#### **Section 1-1. Incorporation.**

The Town of Randlett, Oklahoma, within the corporate limits as now established or as hereafter may be established, shall continue to be a municipal body politic and corporate in perpetuity under the name of the "Town of Randlett, Oklahoma." It shall succeed to and possess all the property, rights, privileges, franchises, powers and immunities now belonging to the corporation known as the Town of Randlett, Oklahoma, and shall be liable for all debts and other obligations for which the corporation is now legally bound.

#### **Section 1-2. Form of Government.**

The municipal government provided by this Code shall be known as the "Town Board of Trustees Government." All powers of the town shall be exercised in the manner prescribed by this Code, or, if the manner is not thus prescribed, then in such manner as the Town Board may prescribe by ordinance; provided that this Code and other ordinances which may be enacted are not repugnant to the Constitution and Laws of the State of Oklahoma.

#### **Section 1-3. General Powers of the Town.**

- A. The town shall have all powers, functions, rights, privileges, franchises and immunities granted to towns by the State Constitution and Laws, and all the implied powers necessary to carry into execution the powers granted. Except as prohibited by the State Constitution and Laws, the town shall have all municipal powers, functions, rights, privileges, franchises and immunities of every name and nature whatsoever.
- B. The town shall have power to adopt a corporate seal and to alter it at pleasure, to sue and to be sued, and to make contracts. It shall have power to acquire property within or without its corporate limits for any town purpose (including public utilities, works and ways) in fee simple; or any lesser interest or estate, by purchase, gift, devise, lease, condemnation or other legal means; and to hold, maintain, improve, enlarge, manage, control, operate, lease, sell, convey or otherwise dispose of such property as its interests may require (including public utilities, works and ways). It shall have power to issue bonds in the manner and within the limitations prescribed by State Constitution and Laws. It shall have power, within the limits prescribed by the State Constitution and Laws. It shall have power, within the limits prescribed by the State Constitution and Laws, to accept and administer federal and state grants-in-aid and to do everything necessary to accomplish the purpose or purposes for which such grants may be made. It shall have power to ordain and to enforce local legislation, consistent with the State Constitution and Laws, for the proper organization and functioning of the town government, for the preservation and enforcement of good government and order, for the protection of health, life, morals and property, for the preservation, summary abatement

and removal of nuisances, and otherwise for the promotion of the common welfare. It shall have power to grant, extend and renew franchises in accordance with the State Constitution and Laws.

- C. The enumeration of particular powers by this Code shall not be deemed to be exclusive or limiting; in addition to the powers enumerated herein or implied hereby, the town shall have all powers which, under the State Constitution and Laws, it would be competent for this Code specifically to enumerate. (11 O.S. 1971, §§ 1002, 1004.)

### **Article 2. Town Board of Trustees**

#### **Section 1-4. Trustees: Number; Election; Officers; Terms.**

The Board of Trustees of the Town of Randlett, Oklahoma, shall be composed of three (3) trustees; said trustees to be elected by the town at large, but each trustee must reside in the ward for which he is chosen. General elections shall be held on the first Tuesday in April, 1977, and each two (2) years thereafter. Commencing on the first Tuesday in April, 1977, the trustee of Ward 2 and the town treasurer shall be elected for terms of four (4) years at the general election the first Tuesday in April, 1979, trustees of Wards 1 and 3 and the town clerk shall be elected for terms of four (4) years. All officers shall be elected for terms of four (4) years. The terms of officials elected under this section shall begin on the second Monday following election, and they shall serve until their successors are elected and qualified. (11 O.S. 1973 Supplement, § 23c.)

#### **Section 1-5. Town Board: Powers.**

Except as otherwise provided in this Code, all powers of the town, including the determination of all matters of policy, shall be vested in the Town Board of Trustees. Without limitation of the foregoing, said board shall have, among the powers granted State Constitution and Laws (11 O.S. 1971, § 1004), the following specific powers:

- A. To have a common seal and alter the same;
- B. To purchase, hold or convey any estate, real or personal, for the use of the corporation (town), so far as such purchase may be necessary to carry out the objects contemplated;
- C. To organize fire companies and govern their activities;
- D. To declare what constitutes a nuisance and to take whatever measures are necessary to remove, abate and prevent the same, and such other measures as they deem necessary for the preservation of public health;
- E. To restrain any animals from running at large;
- F. To restrain and prohibit gambling and other disorderly conduct; to suppress and prohibit the keeping of houses of ill fame;
- G. To establish and regulate markets and build market houses; to direct the location of slaughterhouses;
- H. To lay out, open, grade and otherwise improve the streets, alleys, sewers, sidewalks and crossings, and to keep them in repair;

- I. To appoint street commissioners and fire wardens;
- J. To prohibit encumbrance of the sidewalks;
- K. To provide means for keeping and preserving the peace by appointment of a town marshal and/or other means;
- L. To insure the public property of the town;
- M. To purchase, lay out and regulate cemeteries;
- N. To plant trees upon public grounds and along the streets, provide for their culture and preservation, and to enclose any public square or public ground within said town;
- O. To provide for annual taxes;
- P. To levy and collect annually a tax on each dog owned and kept within the town;
- Q. To make and establish such by-laws, ordinances and regulations not repugnant to the Laws of this State as may be necessary to carry into effect the provisions of this Code, and to repeal, alter or amend the same as they shall seem to the Board of Trustees to require; but every by-law, ordinance or regulation, unless in case of emergency, shall be published in a newspaper of the town, if one be printed therein, or posted in ten (10) public places, at least ten (10) days before the same shall take effect;
- R. To enact fines, penalties and forfeitures for violation of this Code, or of any by-law or ordinance by them established, which fine may be recovered by action in the name of the town; but such board may remit the whole or any part of the fine, penalty or forfeiture;
- S. To authorize the construction and maintenance of streets, water mains and pipes, gas mains and pipes, electric lights and telephone wires along or through the streets and alleys within the corporate limits, and to grant rights and franchises to persons, associations or corporations for such purpose, under the provisions of sections 5a and 5b of Article 18 of the State Constitution; but no exclusive right shall be granted on the terms to all desiring to compete with each other in the business of furnishing gas, electricity, telephone accommodations, electric lights or water, and all shall be subject to reasonable regulations by ordinance.

#### **Section 1-6. Town Board: Other Powers.**

- A. A The Board of Trustees may levy and collect a license tax on all permanent or itinerant businesses or occupations located or carried out within the corporate limits of the Town of Randlett, Oklahoma, as well as vehicles used for pay; provided, however, that all scientific or literary lecturers and entertainments shall be exempt from taxation and also all concerts and musical or other entertainments given exclusively by citizens of the town. The tax so levied and collected therefrom shall be applied for the use and benefit of the town as may be directed by the Board of Trustees thereof. (11 O.S. 1971, § 1005.)
- B. B The Board of Trustees may establish or adopt a pension, retirement and/or social security system or

systems for any or all groups of the officers and employees in the service of the town, either alone or in cooperation with the state or federal government, or both.

#### **Section 1-7. Town Board: Appropriation of Monies.**

All monies, however derived, belonging to the town, shall only be appropriated for such objects and defraying such expenses as accrue or necessarily arise in the exercises of powers granted the trustees by this Code. (11 O.S. 1971, § 1015.)

#### **Section 1-8. Town Board: Induction into Office; Open Meetings.**

- A. On the second Monday following their election, the trustees shall initiate their terms of office by taking and subscribing, before a person of authority to administer same, the usual oath or affirmation for the faithful performance of their offices (11 O.S. 1972 Supplement, § 23c; 11 O.S. 1971, § 1001; 51 O.S. 1971, § 36.2A.)
- B. All meetings of the Town Board, except those at which personnel matters are to be discussed, shall be open to the public; a record of all final votes, including those involving personnel matters, shall be recorded in the journal of proceedings, and said journal shall be available for public inspection. (11 O.S. 1971, § 1003; 15 O.S. 1971, § 201; 25 O.S. 1971, §§ 201 et seq.)

#### **Section 1-9. Town Board: Removal of Trustees.**

The President or any other trustee may be removed from office for any cause specified by applicable state law for the removal of officers and by the method or methods prescribed thereby. (22 O.S. 1971, § 1181, et seq.)

#### **Section 1-10. Town Board: Vacancies.**

The Town Board, by majority vote of its remaining members, shall fill vacancies in its own membership for the unexpired term. (11 O.S. 1971, § 24.)

#### **Section 1-11. Ordinances: Quorum; Rules; "Yeas" and "Nays."**

A majority of all of the members of the board shall constitute a quorum. The board shall determine its own rules. The vote on any question shall be by "yeas" and "nays" and shall be entered in the journal.

#### **Section 1-12. Ordinances: Enacting Clause.**

The enacting clause of all ordinances passed by the board shall be: "Be it ordained by the Board of Trustees of the Town of Randlett, Oklahoma," and of all ordinances proposed by the voters under their power of initiative, "Be it ordained by the People of the Town of Randlett, Oklahoma." (11 O.S. 1971, § 579.)

#### **Section 1-13. Ordinances: Passage; When in Effect.**

Every proposed ordinance shall be read and a vote of a majority of all the trustees shall be required for the final passage of an ordinance. The vote on final passage of every ordinance shall be by "yeas" and "nays" and shall be entered in the journal. The President shall have no power to veto. Every ordinance, except an emergency ordinance,

shall be published by title or in full, within ten (10) days after its passage, in a newspaper of general circulation within the town or county, or posted in ten (10) public places within the town. Every ordinance except an emergency ordinance shall become effective thirty (30) days after its final passage unless it specifies a later time. (11 O.S. 1971, § 580.)

#### **Section 1-14. Ordinances: Emergency.**

An emergency ordinance is an ordinance which in the judgment of the Town Board is necessary for the immediate preservation of peace, health or safety, and which should become effective prior to the time when an ordinary ordinance would become effective. Every such ordinance shall contain, as a part of its title, the words, "and declaring an emergency;" and in a separate section, herein called the emergency section, shall declare the emergency. The board shall vote on the emergency section separately and must adopt the section by a vote of at least two-thirds (2/3) of all the members of the board, which vote shall be by "yeas" and "nays" and be entered in the journal. An emergency ordinance shall take effect upon passage unless it specifies a later time. (11 O.S. 1971, § 579.)

#### **Section 1-15. Ordinances: Adoption by Reference.**

The board, by ordinance, may adopt by reference codes, ordinances and standards relating to building, plumbing, electrical installations and other matter which it has power to regulate. Such a code, ordinance or standard so adopted need not be enrolled in the book of ordinances; three (3) copies shall be filed and kept in the office of the town clerk. (11 O.S. 1971, § 579.1.)

#### **Section 1-16. Ordinances: Compilation.**

- A. Every ten (10) years, the town shall compile and publish in a permanent form, either printed or typed, its effective penal ordinances.
- B. One (1) copy of the compilation of ordinances shall be deposited by the town in the Cotton County Law Library and two (2) copies shall be filed with the Clerk of the State Supreme Court.
- C. Every two (2) years, the town shall publish supplements to its compiled ordinances and no ordinance shall be enforced if it is not reflected in such compilation or supplement, if such ordinance was adopted more than one (1) year prior to the latest compilation or supplement.
- D. When the town has compiled and published its ordinances, the Town Board shall adopt a resolution notifying the public of such compliance and cause certified copies of the resolution to be filed in the offices of the Cotton County Clerk and in the offices of the Clerk of the State Supreme Court. (11 O.S. 1973 Supplement, § 672.1.)

#### **Section 1-17. Amendments or Additions to the Code of Ordinances.**

- A. The Board of Trustees, as may be necessary, shall have the power to repeal, alter or amend this Code by ordinance. (11 O.S. 1971, § 1004.)

- B. All ordinances passed subsequent to this Code which amend, repeal, or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion therein. When subsequent ordinances repeal any chapter, section or subsection, or any portion thereof, such repealed portions may be excluded from this Code by omission thereof from reprinted pages. Such inclusion of ordinances passed subsequent to this Code which amend or add to this Code (except in the case of repeal) shall be prima facie evidence of such subsequent ordinances until such time that this Code and subsequent ordinances numbered or omitted are readopted as a new Code by the Town Board.
- C. Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code in the following language: "That section \_\_\_\_\_ of the Code of Ordinances, Town of Randlett, Oklahoma, is hereby amended to read as follows: '\_\_\_\_\_'." The new provisions shall then be set out in full as desired.
- D. In the event a new section not heretofore existing in the Code is to be added, the following language shall be used: "That the Code of Ordinances, Town of Randlett, Oklahoma, is hereby amended by adding a section, to be numbered \_\_\_\_\_, which said section reads as follows: '\_\_\_\_\_'." The new section shall then be set out in full as desired.

### **Article 3. Officers and Employees**

#### **Section 1-18. Town Board President.**

- A. The Board of Trustees shall elect one (1) of its members as President and such member shall serve until the end of his term, unless such member dies, resigns or is removed from office. (11 O.S. 1971, § 1001.)
- B. The President shall preside over meetings of the board, and may call special meetings thereof. He shall sign all warrants properly and legally drawn upon the town treasurer and all written obligations of the town as the board may require. The President may vote on any matter requiring a vote of the Town Board; in the event of a tie vote, the President may also vote to break the tie.
- C. The President shall certify to the correct enrollment of all ordinances and resolutions passed by the board. He shall be recognized as the head of the town government for all ceremonial purposes and by the governor for the purposes of military law.
- D. The President shall, within five (5) days after his election, take and subscribe before some person authorized to administer the same, the usual oath or affirmation for the faithful performance of his duties. (11 O.S. 1971, § 1001.)
- E. The President, as a member of the Town Board, shall receive for his services such compensation as the Town Board may decide. (11 O.S. 1971, § 1033.)
- F. The President shall perform all other duties prescribed by law or ordinance.

#### **Section 1-19. Town Clerk.**

- A. The town clerk shall have custody of the records, books and papers of the Board of Trustees and shall attend all meetings and record the proceedings of said board. (11 O.S. 1971, § 1028.)
- B. The town clerk shall be custodian of the seal of the town; shall attest, and affix the seal to documents when required in accordance with applicable law or ordinance; and shall perform such other duties as this Code or the Town Board may prescribe or direct. The clerk shall not collect revenue and other money for the town, except as may be incidental to his duties as town clerk or as directed to do so by the Town Board.
- C. A condensed summary of all ordinances passed must be filed in triplicate in the office of the town clerk and there kept for public use, inspection and examination. (11 O.S. 1971, § 579.1.)
- D. It shall be the mandatory duty of the town clerk to furnish the tentative minutes of any regular or special meeting of town governing bodies to legal newspapers requesting the same in writing, provided that any such newspaper must be located in the same county or municipality to which such request is made. Such minutes shall be furnished within five (5) days of such regular or special meeting. (25 O.S. 1971, § 115.)
- E. The town clerk is authorized and empowered to issue a second or duplicate warrant or voucher in lieu of any warrant or voucher that has been lost or destroyed; but not until after an affidavit setting forth the facts as to the loss or destruction of said original warrant or voucher has been filed with the clerk, together with an indemnifying bond (running to the treasurer of the town) in double the amount of such lost or destroyed warrant or voucher. (62 O.S. 1971, § 555.)
- F. The town clerk shall perform all other duties prescribed by law or ordinance. (11 O.S. 1971, § 1028.)

#### **Section 1-20. Town Treasurer.**

- A. The town treasurer shall so keep his accounts as to show where and from what sources all monies paid him have been derived, and to whom and when such monies or any part thereof have been paid. His books, accounts and vouchers shall at all times be subject to the examination of the Board of Trustees, and it is hereby made their duty to examine the same a regular meeting of such board on some day between the first and last Mondays of April in each year, and have settlement with the said treasurer. (11 O.S. 1971, § 1926.)
- B. The town treasurer shall collect or receive revenue and other money for the town and shall deposit the same in such depositories as the Town Board may designate. The treasurer shall maintain a general accounting system for the town government.
- C. The town treasurer shall have such further powers and duties as may be prescribed by this Code, by applicable law or by the Town Board of Trustees. (11 O.S. 1971, § 1026.)

#### **Section 1-21. Town Attorney.**

- A. The town attorney may be appointed by the Town Board on a contractual basis, when needed.
- B. It shall be the duty of the town attorney to give legal advice on questions submitted to him by the Board of Trustees (or other town officials) when the subject matter concerns their powers or the performance of their duties. Additionally, he shall draw such ordinances, resolutions, notices, forms, leases, deeds, papers or other documents as may be required of him by the Town Board.
- C. The town attorney shall hear, prosecute and defend all actions wherein the Town of Randlett, Oklahoma is a party and he shall institute proceedings courts of law upon order of the Town Board. (11 O.S. 1971, § 958.8.)
- D. The town attorney shall be allowed his actual and necessary traveling and hotel expenses while outside the Town of Randlett, Oklahoma and on business for said town, provided his business has been approved and directed by the Town Board. Such expense shall be in addition to his regular compensation as fixed by said board.

#### **Section 1-22. Town Marshal.**

- A. The town marshal shall be appointed by the Board of Trustees. His term of office shall be two (2) years, running concurrent with Board of Trustee elections, or until his services are terminated by death, resignation, removal by the board or other legal manner. One (1) or more deputy marshals may be appointed and removed by the board. (11 O.S. 1971, § 1029, 1030; 1973 Supplement, § 23c.)
- B. The town marshal and deputy marshals are police officers and shall possess the powers and be subject to the liabilities possessed and conferred by law upon sheriffs in executing the orders of the trustees or enforcing the Code of Ordinances of the Town of Randlett, Oklahoma. (11 O.S. 1971, § 1029.)
- C. It shall be the duty of the town marsh and/or deputy marshals to bring to justice all violators of town ordinances and federal and state laws and to turn such violators over to the proper authorities. The marshal shall serve all warrants writs, executions and other process properly directed and delivered to him.
- D. The town marshal and each deputy marshal shall be paid such compensation as the Board of Trustees may prescribe by ordinance. (11 O.S. 1971, § 1033.)
- E. The town marshal shall perform all other duties prescribed by law or ordinance.

#### **Section 1-23. Town Board of Health.**

- A. The Board of Trustees of the Town of Randlett, Oklahoma, shall constitute a Board of Health and shall perform all the duties provided or required by law or this Code of Ordinances.
- B. The Board of Health shall be under the supervision of the Cotton County Department of Health and the Oklahoma State Department of Health.

- C. It shall be the general duty of the Board of Health to examine and consider all measures necessary for the preservation of the public health of the Town of Randlett, Oklahoma, and to see that all ordinances and regulations in relation thereto are observed.
- D. To assist in carrying out the provisions of this section, the Board of Health may appoint a health officer to serve the Town of Randlett, Oklahoma.

**Section 1-24. Utilities Superintendent.**

- A. The Utilities Superintendent may be appointed by the Board of Trustees for an indefinite period of time.
- B. Said superintendent shall be a person of some practical experience in the utilities field and shall maintain an office in the Town Hall, which shall be kept open for the transaction of public business at such times as the Town Board may determine.
- C. It shall be the duty of the utilities superintendent to:
  - 1. Read all meters within the limits of the town's water service system at least once a month and make a record of said meter readings in a book to be kept for that purpose;
  - 2. Immediately cause the premises of any delinquent water consumer to be shut off from water; and
  - 3. Perform such other duties as the Town Board may prescribe.

**Section 1-25. Municipal Judge and Alternate and Acting Judges.**

- A. There shall be one (1) judge of the court and he shall be appointed by the Town Board. A proposed appointment shall be submitted in writing to the Town Board at the next to the last regularly scheduled meeting prior to the day upon which the appointment is to take effect and shall be acted upon at the next regularly scheduled meeting. The Town Board may decide upon a proposed appointment by a majority vote at a quorum present and acting. Failure of decision upon a proposed appointment shall not prevent acting thereon at a later, regularly scheduled meeting of the board unless the proposed appointment is withdrawn by the board. The President of the Town Board may be designated as judge upon approval of the Town Board. (11 O.S. 1971, §§ 958.7a, 958.7b.)
- B. The judge shall be at least twenty-one (21) years of age, a resident of the town (if he is not a licensed attorney) and of good moral character. A judge who is a licensed attorney may engage in the practice of law in other courts, but he shall not accept employment inconsistent with his duties as a judge or arising out of facts which give rise to, or are connected with, cases within the jurisdiction of the court pending therein or which might become the subject of proceedings therein. (11 O.S. 1971, §§ 958.7a, 958.7b.)
- C. If the Judge of the Municipal Court is not a licensed attorney, the trial shall be to the court, and the court

may not impose a fine and costs which, taken together, exceed twenty dollars (\$20.00) and may not order the defendant imprisoned, except for the nonpayment of fines or costs. (11 O.S. 1971, § 958.7d.)

- D. The official term of the judge shall be two (2) years, expiring on the last day of June in each odd-numbered year. The judge, unless sooner removed for proper cause, shall serve until his successor is appointed and qualified. (11 O.S. 1971, § 958.7a).
- E. The judge of the court shall receive a salary as prescribed by the Town Board, paid in the same manner as the salaries of other officials of the town. (11 O.S. 1971, § 958.7a).
- F. The judge may prescribe rules, consistent with the laws of the state and with the ordinances of the town, for the proper conduct of the business of the court. (11 O.S. 1971, § 958.24).
- G. There may be appointed an alternate judge of the Court, possessed of the same qualifications as the judge. He shall sit as acting judge of the court in any case if the judge is absent from the court, unable to act as judge or disqualified from acting as judge in a case.
- H. If, at any time, there is no judge or alternate judge, duly appointed and qualified available to sit as judge, the town board shall appoint some person possessing and qualifications required by this chapter for the judge, who shall preside as acting judge over the court in the disposition of pending matters until such time as a judge or alternate judge shall be available
- I. An alternate judge or an acting judge shall be paid as prescribed by the Town Board for each day devoted to the performance of his duties, except that, for any month, the total payments so calculated shall not exceed the salary of the judge in whose stead he sits. An alternate or acting judge who sits for an entire month shall receive the amount specified in this chapter as the salary of the judge in whose stead he sits.
- J. Judges shall be subject to removal from office by the Town Board, for the causes prescribed by the Constitution and Laws of this State for the removal of public officers. Proceedings for removal shall be instituted by the filing of a verified written petition, setting forth facts sufficient to constitute one (1) or more legal grounds for removal. Petitions may be signed and filed by the board or by twenty-five (25) or more qualified electors of the town. In the latter event, verification may be executed by one (1) or more of the petitioners. The Town Board shall set a date for hearing the matter and shall cause notice thereof, together with a copy of the petition, to be served personally upon the judge at least ten (10) days before the hearing. At the hearing the judge shall be entitled to representation by counsel, to present testimony and to cross-examine the witnesses against him, and to have all evidence against him presented in open hearing. So far as they can be made applicable, the provisions of the Oklahoma Administrative Procedure Act governing individual proceedings (Title 75, Oklahoma Statutes, section 309-317, and any amendments or additions thereto in effect at the time

of the hearing) shall govern removal proceedings hereunder. Judgment of removal shall be entered only upon individual votes by a majority of all members of the Town Board in favor of such removal. (11 O.S. 1971, § 958.7a.)

- K. A vacancy in the office of judge shall occur if the incumbent dies, resigns, ceases to possess the qualifications for the office or is removed, and the removal proceedings have been affirmed finally in judicial proceedings or are no longer subject to judicial review. Upon the occurrence of a vacancy in the office of judge, the Town Board shall appoint a successor to complete the unexpired term, upon the same procedure as an original appointment is made. (11 O.S. 1971, § 958.23.)

#### **Section 1-26. Fire Chief.**

- A. There is hereby created the office of Chief of the Fire Department, who shall be appointed by the Town Board. His term of office shall be two (2) years running concurrent with the Board of Trustee elections, or until his services are terminated by death, resignation, removal by the board or other legal manner. (11 O.S. 1971, § 350, Article 1a.)
- B. Duties (11 O.S. 1971, § 350, Article 1):
1. The chief shall be at the head of the fire department, subject to the laws of the state and the provisions of this Article and other ordinances of the town. He shall diligently perform the duties imposed upon him by law and ordinance.
  2. The chief shall be held responsible for the general condition and efficient operation of the department and the training of members.
  3. The chief shall inspect, or cause to be inspected by members of the department, the fire hydrants, cisterns and other sources of water supply at least once each year.
  4. The chief should maintain a library or file of publications on fire prevention and fire protection and make use of it to the best advantage of all members.
  5. The chief shall make every effort to attend all fires and direct the officers and members in the performance of their duties.
  6. The chief shall see that the citizens are kept informed on fire hazards in the community and the activities of the department.
  7. The chief shall see that each fire is carefully investigated to determine its cause and, in the case of suspicion of incendiarism, shall notify proper authorities and secure and preserve all possible evidence for future use in the case.

#### **Section 1-27. Assistant Fire Chief.**

The assistant chief of the fire department shall be appointed by the Town Board. In the absence of the chief,

the assistant chief shall command the department and be held responsible therefor in all respects, with the full powers and responsibilities of the chief. (11 O.S. 1971, § 350, Article 2.)

#### **Section 1-28. Fire Department: Company Officers.**

The officers of the fire department companies shall be selected upon their ability to lead men and their knowledge of fire-fighting and fire-fighting equipment. (11 O.S. 1971, § 350, Article 3.)

#### **Section 1-29. Fire Department: Secretary-Treasurer.**

One (1) member elected by the fire department shall be secretary-treasurer. His duties shall consist of calling the roll at each meeting, keeping the minutes of each meeting and collecting any money due the department by the members. (11 O.S. 1971, § 350, Article 4.)

#### **Section 1-30. City Planning Commission: Creation; Membership.**

- A. There is hereby created a City Planning Commission of the Town of Randlett, Oklahoma, to be composed of five (5) members. The President of the Town Board and the town engineer shall serve as ex-officio members of such commission. (11 O.S. 1971, §§ 421, 422.) (See Chapter 16.)
- B. Upon the passage and adoption of this Code, the President of the Town Board shall nominate and designate one (1) member of said planning commission to serve for a period of one (1) year, two (2) members of said commission to serve for a period of two (2) years, and two (2) members of said commission to serve for a period of three (3) years. Such nominees shall be confirmed by a majority of the Board of Trustees. (11 O.S. 1971, § 422.)
- C. The members of the City Planning Commission shall be appointed from residents of the Town of Randlett, Oklahoma, and an effort is to be made to secure the services of those persons best qualified to consider and plan for the future development, improvement and best interests of the community. (11 O.S. 1971, §§ 422, 423.)
- D. The members of the City Planning Commission shall serve without salary. (11 O.S. 1971, § 423.)
- E. Members may be removed by the Town Board only for inefficiency, neglect of duty or malefaction in office; vacancies occurring otherwise than through the expiration of a term shall be filled only for the unexpired term by the Town Board. (11 O.S. 1971, § 422.)
- F. Within five (5) days of the appointment and qualification of the members of the City Planning Commission, said commission shall meet and elect one (1) of their number as chairman, one (1) as vice-chairman and one (1) as secretary; in addition, the commission may create and fill such other offices as it may deem necessary. The term of all such offices shall be one (1) year, with eligibility for re-election.

#### **Section 1-31. Civil Defense Director.**

- A. A Director of Civil Defense shall be appointed by the President of the Board of Trustees.
- B. The Director of Civil Defense shall be the executive head of the Department of Civil Defense and shall be responsible for carrying out the civil defense program of the Town of Randlett, Oklahoma.
- C. The Director of Civil Defense shall have the authority, duty and responsibility to:
  - 1. Perfect an organization to carry out the purposes set forth in this Code of Ordinances relating to civil defense;
  - 2. Form committees or other bodies as may be necessary to perfect such an organization;
  - 3. Appoint or designate the chairman or chief officer of such bodies;
  - 4. Cooperate with all civil defense agencies of other governmental units, including the State of Oklahoma and the federal government; and
  - 5. Formulate written plans, gather information and keep written record thereof to govern the functions of the Civil Defense organization.
- D. The Director of Civil Defense may be reimbursed for expenses incurred in the performance of his duties.
- E. In the event of an enemy-caused emergency or emergency resulting from natural causes, the Director of Civil Defense, after due authorization from the President of the Board of Trustees, shall have the power and authority to enforce all rules and regulations relating to civil defense for the purpose of protecting the civilian population.

#### **Article 4. Miscellaneous Provisions**

##### **Section 1-32. Primary Election: Filing.**

Any qualified person may have his name placed on the ballot for the primary election as a candidate for trustee by filing, no earlier than 8:00 o'clock a.m. on the last Monday in February, and no later than 5:00 o'clock p.m. on the next succeeding Wednesday prior to the primary election, with the secretary of the Cotton County Election Board, a Declaration of Candidacy. (11 O.S. 1971, § 41a.)

##### **Section 1-33. Political Activity of Officers and Employees; Violation.**

No officer or employee of the town, except the trustees, may attempt to influence the nomination, election or defeat any candidate for trustee except by the proper exercise of his right to vote. Violation of this section shall be cause for removal from office or employment.

##### **Section 1-34. Qualifications of Officers and Employees.**

Officers and employees of the town shall have the qualifications prescribed by this Code and such additional qualifications as the Town Board may prescribe by

ordinance; the board shall not prescribe additional qualifications for trustees.

##### **Section 1-35. Nepotism; Compatibility of Offices.**

- A. No member of the Town Board of Trustees nor any other authority of the town government may appoint, or vote for the appointment of, any person related to himself by affinity or consanguinity within the third degree, to any office or position of profit in the town government. (21 O.S. 1971, §§ 481, 487.)
- B. Except as may be otherwise provided by ordinance, the same person may hold more than one office or position in the town government.

##### **Section 1-36. Officers to Give Bonds.**

The clerk, treasurer, marshal and judge of the town shall each give bonds, payable to the town within ten (10) days after their election or appointment, in the following amounts (11 O.S. 1971, § 1018):

- A. Town Clerk -----\$1,000
- B. Town Treasurer -----\$1,000
- C. Town Marshal -----\$1,000
- D. Municipal Court Judge -----\$1,000

##### **Section 1-37. Compensation.**

The compensation of the following elected town officers shall be as indicated below:

- A. Each Trustee -----\$0-
- B. Town Clerk -----\$ 5.00 per mo.
- C. Town Treasurer --\$ 5.00 per mo.

##### **Section 1-38. Change of Salaries.**

- A. The salary or compensation of elected officers shall not be changed after their appointment or election or during their term of office. (State Constitution, Article 23, § 10.)
- B. The Town Board may, from time to time, determine or regulate the number and class of officers and employees and determine or change their compensation by motion or resolution. (11 O.S. 1971, § 1033.)

##### **Section 1-39. Public Inspection of Records.**

All records and accounts of every office, department or agency of the town government, except records and documents the disclosure of which would tend to defeat the lawful purpose which they are intended to accomplish, shall be open to public inspection. (11 O.S. 1971, § 1039.)

##### **Section 1-40. Succession in Government.**

- A. All ordinances, insofar as they are not inconsistent with this Code, shall continue in effect until they are repealed or until they expire by their own limitations.

- B. All officers and employees of the town under any and all previous ordinances shall continue in the offices and employments which they respectively hold after this Code goes into effect, until their services may be terminated in accordance with the provisions of this Code.
- C. All books, vouchers, monies or other property belonging to the town and in charge or possession of any officer of the town shall be delivered to his successor when qualified. (11 O.S. 1971, § 1019.)



## **CHAPTER 2 – TOWN MANAGEMENT**

### **Article 1. General Provisions**

#### **Section 2-1. Town Policy and Business.**

The Board of Trustees of the Town of Randlett, Oklahoma shall conduct all business of the town, shall set policy for the efficient administration of town government, shall administratively supervise all activities of employees of the town and shall carry out the responsibilities, powers and duties as officers and as a corporate and politic body within the limits prescribed by the State Constitution and Law and the Code of Ordinances of the Town of Randlett, Oklahoma. It shall be the policy of the town that no person shall be discriminated against on the grounds of race, creed, color, sex, religion, national origin or age in employment or other activities sponsored directly or indirectly by the town.

#### **Section 2-2. Town Board Meetings.**

- A. Town business shall be conducted at regularly scheduled public meetings held in the Town Hall (or another agreed upon place which is open to the public) on the first Thursday of each month, or the next following day in the event of a conflict with a holiday, beginning at 7:00 o'clock p.m.
- B. Special meetings of the Town Board may be called by the President of the Board of Trustees or by a majority of the trustees, upon the serving of notice to all trustees.

### **Article 2. Town Finance and Business Procedures.**

#### **Section 2-3. Budgets; Budget Reports.**

- A. Before the beginning of each fiscal year, the town treasurer shall prepare an estimated budget for the operation of the town, showing anticipated revenues and expenditures. This budget shall be adopted by the Town Board following their review and approval or modification.
- B. The town treasurer shall prepare a monthly report for each month of the fiscal year, showing the monthly expenditures and revenues by department and showing the aggregate expenditures to the date of report compared with the amount budgeted for the year's operation.
- C. After an annual settlement with the town treasurer, the Board of Trustees shall publish or post an exhibit of the annual receipts and expenditures specifying the sources of such receipts, what appropriations were made, for what objects, and the specific amount of each. (11 O.S. 1971, § 1027.)

#### **Section 2-4. Statement of Condition and Needs.**

The Board of Trustees shall meet on the first Monday in July of every year and make a written financial statement showing the true fiscal conditions of the town as of the close of the fiscal year on June 30th, and an itemized statement of estimated needs and probable income from sources other than ad valorem tax for the current fiscal year (as provided by the Oklahoma Statutes, 1971, Title 68,

Section 2483 and any other applicable provisions of law). This statement shall be filed with the Cotton County Excise Board on or before July 10th. Said statements shall be published as required by law.

#### **Section 2-5. Deposit and Investment of Funds.**

- A. The funds of the town shall be deposited as required by law.
- B. With approval of the Town Board of Trustees, the town treasurer or town clerk shall have authority to deposit surplus funds of the town in his custody in banks on a time deposit basis at the highest rate of interest obtainable for such time deposit. (62 O.S. 1971, § 87.)
- C. The deposits of the town shall be secured by the Unit Collateral System provided by Oklahoma Statutes and the provisions of the Statutes are hereby adopted insofar as they are applicable to the town. (62 O.S. 1971, §§ 516.1 – 516.8.)
- D. Money deposited with the town as water meter deposits may be invested as provided by Oklahoma Statutes. (11 O.S. 1971, §§ 10-12.)

#### **Section 2-6. Audits of Books and Accounts.**

- A. The books of the town treasurer shall be subject to examination by the Board of Trustees at all times. Likewise, the records of the town clerk and of all other officers and employees of the town shall be subject to inspection by the Board of Trustees at all times. (11 O.S. 1971, § 1026.)
- B. The Board of Trustees shall designate a qualified public accountant to audit the financial records and transactions of the town treasurer, the town clerk and all other personnel of the town who keep financial records and make financial transactions, as of the end of every fiscal year at least; such accountant shall make such audit and shall report to the Board of Trustees. Certified copies shall be filed with the Cotton County Clerk and the state auditor within nine (9) months after the close of the fiscal year. The expense of the audit shall be paid from the general fund. (11 O.S. 1971, § 20.2; 68 O.S. 1971, § 24, 102.)
- C. Upon petition of a number of voters of the town equal at least to one-fourth (1/4) of the number of people voting at the last general town election for the town office receiving the highest number of votes, the financial books and records of the town will be audited by the state examiner and inspector, as provided by Oklahoma Statutes. (74 O.S. 1971, §§ 212,215.)

#### **Section 2-7. Claims.**

- A. Claims against the town shall be made and processed as provided by Oklahoma Statutes, 1971, Title 62, Sections 201-304.2 (and any other applicable provisions of law).
- B. No account or claim against the Town of Randlett, Oklahoma shall be audited or allowed by the Board of Trustees unless it be made out fully and itemized. Every such account audited shall be numbered from one (1) upwards in the order they were presented and a memorandum of the same entered upon a book to

be kept exclusively for that purpose. (11 O.S. 1971, § 1016.)

- C. No account or claim shall be paid unless audited and allowed by the Town Board as aforesaid and no monies shall be drawn from the treasury except upon a warrant from the town treasurer, signed by the President of the Town Board of Trustees and attested by the town clerk thereof. (11 O.S. 1971, § 1017.)

#### **Section 2-8. Bonds.**

Bonds of the town shall be issued, sold, paid and handled in all respects as provided by Oklahoma Statutes, 1971, Title 62, Sections 351, et seq. (and other applicable provisions of law).

#### **Section 2-9. Warrants; Disbursement of Funds.**

Warrants shall be issued and processed, and funds of the town disbursed only for legal purposes and in accordance with Oklahoma Statutes. (62 O.S. 1971, §§ 372, 471-485, 551-555.)

#### **Section 2-10. Purchasing and Sales Procedures.**

- A. The Town Board shall contract for and purchase, or issue purchase authorizations for, all supplies, materials and equipment for the operation of the town government. Before the purchase of, or contract for, any supplies, materials or equipment, ample opportunity for competitive bidding, under such regulations and with such exceptions as the Town Board may prescribe, shall be given; but the board shall not except a particular contract, purchase or sale from the requirement of competitive bidding.
- B. "Contractual Services," for the purposes of this Chapter, shall mean services performed for the town by persons not in the employment of the town and may include the use of equipment or the furnishing of commodities in connection with such services under express or implied contract. "Contractual services: shall include travel, freight, express, parcel post, postage, telephone, telegraph, utilities, rents, printing and binding, repairs, alterations and maintenance of buildings, equipment streets, bridges and other physical facilities of the town by persons not in the employment of the town.
- C. No member of the Board of Trustees may sell or furnish for a consideration, any materials or supplies for use by the town. Any member of the Town Board voting for, consenting to, or being a party to such contract or purchase is personally liable as provided by Oklahoma Statutes. (21 O.S. 1971, §§ 355-357.)
- D. The Board of Trustees shall not make any contract with any of its members, or in which any of its members shall be directly or indirectly interested.
- E. No officer of the town may become directly or indirectly interested individually in any sale, lease or contract which he is authorized to make. (21 O.S. 1971, § 344.)
- F. Subject to the provisions of this section, surplus or obsolete supplies, materials or equipment belonging to the town may be sold by the Board of Trustees.

- G. No sale shall be made under this section until said Town Board has declared the supplies, materials or equipment involved to be surplus or obsolete.

- H. Except as otherwise provided in subsection I (below), the Town Board shall advertise any sale under this section in a newspaper of general circulation in the town or county or in such other manner as deemed necessary to adequately reach prospective buyers to give them an opportunity to make bids. All bids shall be sealed and opened in public at a designated time and place, except when the sale is by auction. The Town Board may repeatedly reject all bids and advertise again. The Town Board shall sell such supplies, materials or equipment to the highest responsible bidder and, if necessary, shall cast lots in case of a tie to determine whom to sell.

- I. The Town Board may sell surplus or obsolete supplies, materials or equipment, the total value of which does not exceed five hundred dollars (\$500.00) in a single transaction, without giving an opportunity for competitive bidding.

#### **Section 2-11. Competitive Bidding.**

- A. Except as otherwise provided in subsection B (below), before the Town Board makes any purchase of, or contract for, supplies, materials, equipment or contractual services, they shall submit to at least three (3) persons, firms or corporations dealing in and able to supply the same (or to a smaller number if there are not three (3) dealing in and able to supply the same), a request for quotation or invitation to bid and specifications, to give them opportunity to bid. As an alternative, the board may publish notice of the proposed purchase in newspaper of general circulation within the town or county. The board shall favor a person, firm or corporation in the town when this can be done without additional cost to the town, but they shall submit requests for quotation to those outside the town when necessary to secure bids or to create competitive conditions, or when they think that, by so doing, they can make a saving for the town. All bids shall be sealed and opened in public at a designated time and place. The board may repeatedly reject all bids and may against submit to the same or other persons, firms or corporations, the request for quotations or invitation to bid, or again publish notice of the proposed purchase. The board shall purchase from the bidder whose bid is most advantageous case of tie, the board may cast lots to determine from whom to make a purchase, or may divide the purchase among those trying, always accepting the bid or bids most advantageous to the town.
- B. The Town Board may purchase the following without giving an opportunity for competitive bidding (61 O.S. 1974 Supplement, §§ 101 et seq.):
  - 1. Supplies, materials, equipment or contractual services the cost of which does not exceed two thousand, five hundred dollars (\$2,500.00) in a single transaction.
  - 2. Supplies, materials, equipment or contractual services which can be furnished only by a single dealer, or which has a uniform price wherever bought;

3. Supplies, materials, equipment or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers (including war surplus);
4. Contractual services (gas, electricity, telephone service, etc., purchased from a public utility corporation at a price or rate determined by the State Corporation Commission or other government authority; and
5. Contractual services of a professional nature, such as engineering, architectural, medical and legal services.

#### **Section 2-12. Public Improvements.**

Public improvements may be made by the Board of Trustees itself or by contract. The Town Board shall award all contracts of such improvements. Every contract for public improvements of more than two thousand, five hundred dollars (\$2,500.00) shall be awarded to the lowest and best responsible bidder after such notice and opportunity for competitive bidding as the Town Board may prescribe. All bids may be rejected and further notice and opportunity for competitive bidding may be given. Such contracts may be altered by mutual consent of the parties. (61 O.S. 1974 Supplement, §§ 101 et seq.)

#### **Section 2-13. Property and Vehicle Insurance.**

- A. The Board of Trustees may insure property of the town as authorized by Oklahoma Statutes. Any money received as a result of destruction, damages or less of such insured property shall be accounted for and used as provided by said Statutes. (11 O.S. 1971, § 1004; 19 O.S. 1971, § 627.)
- B. The Board of Trustees may purchase insurance to pay damages to persons sustaining injuries or damages to property as a result of negligent operation of motor vehicles or motorized equipment of the town. (36 O.S. 1971, § 130.1.)

#### **Article 3. Social Security for Town Officers and Employees**

**Sections 2-14 through 2-19. (Reserved for Future Use.)**

#### **Article 4. Firemen's Pensions**

**Section 2-20. (Reserved for Future Use.)**

#### **Article 5. Sales Tax**

**Sections 2-21 through 2-43. (Reserved for Future Use.)**



## CHAPTER 3 – GENERAL AND MISCELLANEOUS PROVISIONS

### Article 1. Rules of Construction

#### Section 3-1. Rules of Construction.

In the construction of this Code, and of all ordinances and resolutions passed by the Town Board of Trustees, the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the Town Board.

- A. Clerk. Clerk of the Municipality or Town Clerk. References to the “clerk,” the “town clerk” or the “clerk of the municipality” shall mean the clerk of the Town of Randlett, Oklahoma.
- B. Code. Reference to “this Code” or “the Code” shall mean the Code of Ordinances of the Town of Randlett, Oklahoma.
- C. Computation of Time. Whenever a notice is required to be given or an act to be done a certain length of time before any proceeding shall be had, the day on which such notice is given or such act is done shall be excluded in computing the time, but the day on which such proceeding is to be had shall be included.
- D. County. The term “county,” “the county” or “this county” shall mean Cotton County, Oklahoma.
- E. Gender. A word importing the masculine gender only shall extend and be applied to females and to firms, partnerships and corporations as well as to males.
- F. Health Officer or Health Department. Wherever reference is made to the “health officer” or “Health Department” it shall be construed as meaning the county sanitarian or county health department unless specific reference is made to the appointed health officer of the town.
- G. Highway. The term “highway” shall include any street, alley, highway, avenue or public place or square, bridge, viaduct, tunnel, underpass or overpass in the town dedicated or devoted to public use.
- H. Joint Authority. Words purporting to give authority to three (3) or more officers or other persons shall be construed as giving such authority to a majority of such officers or other persons, unless it is otherwise declared.
- I. May. The word “may” is permissive (the word “shall” is mandatory).
- J. Month. The word “month” shall mean a calendar month.
- K. Number. Any word importing the singular number shall include the plural and any word importing the plural shall include the singular, except where a contrary intention plainly appears.
- L. Oath. The word “oath” shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words “swear” and “sworn” shall be equivalent to the words “affirm” and “affirmed.”
- M. Officers, Departments, etc. Whenever any officer, department, board, commission or other agency is referred to by title alone, such reference shall be construed as if followed by the words “of the Town of Randlett, Oklahoma.”
- N. Or, And. “Or” may be read “and,” and “and” may be read “or,” if the sense requires it.
- O. Owner. The word “owner,” applied to a building or land, shall include any part owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.
- P. Person. The word “person” shall extend and be applied to associations, corporations, firms, partnerships and bodies politic and corporate, as well as to individuals. Whenever used with respect to any penalty, the word “person,” as applied to partnerships or associations, shall mean the partners or members thereof, and as applied to corporations, the officers thereof.
- Q. Police Chief, Chief of Police. Whenever reference is made to the “police chief” or the “chief of police” it shall mean the town marshal of the Town of Randlett, Oklahoma.
- R. Policeman. Reference to a “policeman” shall mean the town marshal or any deputy marshal of the Town of Randlett, Oklahoma.
- S. Preceding, Following. The words “preceding” and “following” mean next before and next after, respectively.
- T. President of the Town Board, Chief Executive Officer or Mayor. Whenever reference is made to the “President of the Town Board,” the “Chief Executive Officer” or the “Mayor,” it shall mean the President of the Board of Trustees of the Town of Randlett, Oklahoma.
- U. Roadway. The word “roadway” shall mean that portion of a street improved, designed or ordinarily used for vehicular traffic.
- V. Sidewalk. The word “sidewalk” shall mean any portion of the street between the curb, or the lateral line of the roadway and the adjacent property line, intended for the use of pedestrians.
- W. Signature or Subscription. The word “signature” or “subscription” shall include a mark when a person cannot write.
- X. State. The words “the state” or “this state” shall be construed to mean the State of Oklahoma.
- Y. Statutory References. Reference to the statutes of the State of Oklahoma means the statutes as they now are or as they may be amended to be; a reference to the 1971 statutes also means the comparable provision when included in future codifications or supplements of the statutes.
- Z. Street. The term “street” shall include any highway, alley, street, avenue or public place, square, bridge,

viaduct, underpass or overpass in the town, dedicated or devoted to public use.

- AA. Tense. Words used in the past or present tense include the future as well as the past and present.
- BB. Town, City or Municipality. The words “the town,” “this town,” “the city” or “the municipality” shall mean the Town of Randlett, in Cotton County, Oklahoma.
- CC. Town Attorney or Corporation Counsel. Reference to the “town attorney” or the “corporation counsel” shall mean the town attorney of the Town of Randlett, Oklahoma.
- DD. Town Board. The words “Town Board” or “the board” shall mean the Board of Trustees of the Town of Randlett, Oklahoma.
- EE. Town Treasurer. Whenever reference is made to the “town treasurer,” it shall mean the town treasurer of the Town of Randlett, Oklahoma.
- FF. Written or In Writing. The term “written” or “in writing” shall be construed to include any representation of words, letters or figures, whether by printing or otherwise.
- GG. Year. Unless otherwise designated, the word “year” shall mean a calendar year.

## **Article 2. Miscellaneous Provisions**

### **Section 3-2. Certain Ordinances Not Affected by Code.**

Nothing in this Code or the ordinance adopting this Code shall be construed to repeal or otherwise affect the validity of any of the following; and all such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length herein:

- A. Any ordinance promising or guaranteeing the payment of money for the town, or authorizing the issuance of any bonds of the town, or any evidence of the town’s indebtedness;
- B. Any appropriation ordinance or ordinance providing for the levy of taxes, for an annual budget or prescribing salaries for town officers and employees;
- C. Any ordinance annexing territory to the town or excluding territory as a part of the town;
- D. Any ordinance approving, authorizing or otherwise relating to any contract, agreement, lease, deed or other instrument or granting and franchise;
- E. Any ordinance authorizing or otherwise relating to any specific public improvement; and
- F. Any temporary or special ordinance.

### **Section 3-3. Code Does Not Affect Prior Offenses, Rights, Etc.**

Nothing in this Code or the ordinance adopting this Code shall 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 Code.

### **Section 3-4. Code and Ordinances Effective Outside Town on Property Owned or Controlled by Town.**

All provisions of this Code and other ordinances of the town now in effect or adopted in the future are hereby extended to all real property belonging to, or under the control of the town, outside the corporate limits of the town, and shall be in full force and effect thereon, insofar as they are applicable. Any words in such provision indicating that its effect is limited to the corporate limits of the town shall be deemed to mean and include also such outlying real property belonging to, or under the control of the town, unless the context clearly indicates otherwise.

### **Section 3-5. Enumeration of Provisions.**

- A. Provisions of State Law which affect the Town of Randlett, Oklahoma, because of its general relationship to the state may not be enumerated herein but may be adopted by reference as inseparable parts of this Code.
- B. Provisions of State Law which prescribe specific actions or laws for the town and its citizens may be included in this Code for purposes of clarity. Provisions of State Law in matters of wide public concern which are not enumerated herein but which affect the town and its citizens in a general way may not be enumerated herein but may nevertheless be made a part of this Code through adoption by reference.
- C. All provisions of the Town Code shall be specifically enumerated herein which are of purely local concern. Only the regulations, rules, prohibitions, nuisances, offenses and other provisions which are of purely local concern to the town as provided by state law and are specifically enumerated herein in detail, shall be enforced by the town. The town and its duly authorized officers and agents shall have all power, duties and responsibilities necessary to enforce same.

### **Section 3-6. How Code Designated and Cited.**

The ordinances embraced in this and all other chapters and sections shall constitute and be designated the “Code of Ordinances, Town of Randlett, Oklahoma,” and may be so cited. Such Code may also be cited as the “Randlett Town Code.” (11 O.S. 1971, §§ 579, 580, 583; 1973 Supplement, § 672.1; 11 O.S. 1971, §§ 958.32.)

### **Section 3-7. Catchlines of Sections.**

The catchlines of the several sections of this Code which are underlined are intended as mere catchwords to indicate the contents of the section and shall not be deemed or taken to be titles of such sections, nor as any part of the section, nor, unless expressly so provided, shall they be so deemed when any of such sections, including the catchlines, are amended or re-enacted.

### **Section 3-8. Separability of Parts of Code.**

- A. It is hereby declared to be the intention of the Town Board that the sections, paragraphs, sentences, clauses and phrases of this Code are separable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared invalid by the judgment

or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code, since the same would have been enacted by the Town Board without the incorporation of this Code of any such invalid phrase, clause, sentence, paragraph or section.

- B. Further, if any word, phrase, clause, sentence, paragraph or section of this Code shall seem invalid through printing or typographical error, such error or misprint shall not serve to misconstrue or invalidate the intent thereof, nor affect in any way the intent or validity of any or all other words, phrases, clauses, sentences, paragraphs or sections of this Code.

### **Article 3. Penalty**

#### **Section 3-9. General Penalty for Violations of Code and Ordinances; Continuing Violations.**

Whenever in this Code or in any ordinance of the town an act is prohibited or is made or declared to be unlawful or an offense or misdemeanor, or wherever in such Code or ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefor, the violation of any such provision of this Code or any such ordinance shall be punishable by a fine in an amount not exceeding thirty-five dollars (\$35.00), including costs. Each day on which any violation of this Code or of any ordinance shall continue shall constitute a separate offense and shall be punishable as such. (11 O.S. 1971, § 1004.)





## **CHAPTER 4 – ALCOHOLIC BEVERAGES**

### **Article 1. Oklahoma Alcoholic Beverage Control Act**

#### **Section 4-1. Oklahoma Alcoholic Beverage Control Act Adopted.**

The Oklahoma Alcoholic Beverage Control Act is hereby adopted and incorporated in the Code of Ordinances of the Town of Randlett, Oklahoma; applicable provisions of the Act are hereby declared to be in force as if they were written herein in complete detail. (37 O.S. 1971, §§ 501-566.)

#### **Section 4-2. Definitions and Interpretations.**

- A. All words, phrases and terms used in this Chapter and not defined herein shall be interpreted and construed in conformity with the definitions of the same set forth in the Oklahoma Alcoholic Beverage Control Act, with the same force and effect as if set forth in fully herein, and such definitions are made a part hereof by reference. (37 O.S. 1971 § 506.)
- B. Beverages containing more than three and two-tenths percent (3.2%) alcohol by weight are hereby declared to be "intoxicating beverages." (37 O.S. 1971, § 163.1.)
- C. Beverages containing more than one-half of one percent (1/2 of 1%) alcohol by volume and not more than three and two-tenths percent (3.2%) alcohol by weight are hereby declared to be "non-intoxicating beverages." (37 O.S. 1971, § 163.2)

### **Article 2. Alcoholic or Intoxicating Beverages**

#### **Section 4-3. Occupation Tax Levied; Licensed to be Issued.**

- A. An animal occupation tax is hereby levied on persons engaged in the business of operating a retail package store within the town, in the amount of two hundred dollars (\$200.00).
- B. All licenses issued pursuant to this Article shall expire on June 30th of the year for which issued. The cost of a license of any type of class applied for during the fiscal year shall be a pro-rata part of the cost of said yearly license, provided that the cost of said license shall be computed on a monthly basis. Licenses issued on or before the 15th day of any month shall be charged for on the basis of the first day of said month, and licenses issued after the 15th day of any month shall be charged for on the basis of the first day of the next month. (37 O.S. 1971, § 520.)
- C. A person desiring to engage in the above business within the town shall make application for a license therefor to the town clerk, and pay to the town clerk the above required occupation tax. If the applicant holds a valid state license to engage in the business within the town issued by the Director of the Oklahoma Alcoholic Beverage Control Act, if the applicant is in accordance with this Article, and if the applicant has paid the required town occupation tax, then the town clerk shall issue the license applied for. (37 O.S. 1971, § 518.)

#### **Section 4-4. Payment of tax; License Required.**

It is unlawful for any person to engage in the business upon which this Article levies an occupation tax without having paid the town occupation tax levied by this Article and without having a valid license from the town clerk as provided herein. (37 O.S. 1971, § 518.)

#### **Section 4-5. Town Clerk to Make Annual Report.**

The town clerk shall make and transmit to the Oklahoma Alcoholic Beverage Control Board an annual report showing the number of licenses upon which occupation taxes were levied under this Chapter, and the amount of money collected from such taxes. (37 O.S. 1971, § 518.)

#### **Section 4-6. Retail Package Stores.**

- A. The location of a retail package store is specifically prohibited within three hundred (300) feet from any church property primarily and regularly used for worship services and religious activities, or a public school; provided that, if any such church or school shall be established within three hundred (300) feet of any licensed retail premises after such premises have been licensed, this shall not be a bar to the renewal of such license so long as it has been in continuous force and effect. The distance indicated in this section shall be measured from the nearest property line of such church or school to the nearest public entrance door of the premises of such package store along the street right-of-way line providing the nearest direct route usually traveled by pedestrians between such points. For the purpose of determining measuring distance, property situated on the opposite side of the street from such church or school shall be considered as if it were located on the same side of the street with such church or school; provided that a license shall not be issued for a location on any block where a school or church is located. (37 O.S. 1971, § 534c.)
- B. The premises of a retail package store shall be separated from the premises on which any other goods, wares, or merchandise are sold or services are rendered, by nontransparent walls which may be broken by a passageway to which the public is not admitted. It is unlawful for any person to operate or maintain, or to assist in operation or maintenance of, any such store when the premises are not so separated. It is unlawful for any person to take any alcoholic beverage from such store through said passageway to which the public is not admitted for the purpose of selling, reselling, or delivering in connection with the sale of, said alcoholic beverages. (37 O.S. 1971, § 534a.)
- C. It is unlawful for any person holding a license for a retail package store or any employee or agent thereof to keep the premises of the retail package store open for the purpose of selling, or to sell, any alcoholic beverages at any hour other than between the hours of 10:00 o'clock a.m. and 10:00 o'clock p.m. Monday through Saturday; or on the day of any general, primary, runoff primary, or special election; or on New Year's Day, Memorial Day, the Fourth of July, Labor Day, Veterans' Day, Thanksgiving Day, or Christmas Day. (37 O.S. 1971, § 537c-3.)
- D. Retail package stores may sell alcoholic beverages only in retail containers in the original package for

consumption off the premises. Alcoholic beverages may be sold only at ordinary room temperature. (37 O.S. 1971, § 534b.)

- E. It is unlawful for any person holding a license for a retail package store or any employee or agent thereof to:
1. Knowingly sell, deliver or furnish any alcoholic beverages to any person under twenty-one (21) years of age, an intoxicated person or any person who has been adjudged insane or mentally deficient. (37 O.S. 1971, §§ 537a-1, 537a-2.)
  2. Employ any person under twenty-one (21) years of age in selling or handling of alcoholic beverages. (37 O.S. 1971, § 537b-2.)
  3. Permit any person under twenty-one (21) years of age to enter into, remain within, or loiter about a licensed premises. (37 O.S. 1971, § 537c-7.)
  4. Permit any person to open a retail container or consume alcoholic beverages on the premises of a retail package store. (37 O.S. 1971, § 537c-2.)

### **Article 3. Nonintoxicating Beverages**

#### **Section 4-7. Definitions.**

"Retail Dealer," as used in this Article, means any person, firm, corporation, association, or concessionaire who sells, distributes or dispenses at retail, any nonintoxicating beverage within the corporate limits of the Town of Randlett, Oklahoma, without regard as to any place where such beverages may be consumed or used. (37 O.S. 1971, § 163.2e.)

#### **Section 4-8. Retail Dealers in Nonintoxicating Beverages.**

It is unlawful for any person, firm or corporation operating or maintaining a place of business where nonintoxicating beverages are sold for consumption on the premises, or any person in charge thereof, to:

- A. Sell, offer for sale, give away, procure for, or otherwise dispense to any minor, any nonintoxicating beverage. (37 O.S. 1971, § 241.)
- B. Permit any minor to loiter or remain in or around such place of business, except where such business is an eating place where the service of such beverages is incidental to the main business of serving food.
- C. Employ a minor to work in such a place, except where said place is an eating place where the service of such beverages is incidental to the main business of serving food. (37 O.S. 1971, § 243.)
- D. Permit dancing therein. (37 O.S. 1971, § 211.)
- E. Sell, deliver or knowingly furnish nonintoxicating beverages to an intoxicated person or to any person who has been adjudged insane or mentally deficient. (37 O.S. 1971, § 537a-2.)

- F. Permit therein gambling, betting or operation of a lottery.
- G. Permit sale, furnishing or drinking of intoxicating liquor.
- H. Permit disorderly conduct, loud or disturbing language, or any other violation of the laws of the State or of the ordinances of the town.

#### **Section 4-9. Hours of Sale.**

It is unlawful for any person, firm or corporation to sell nonintoxicating beverages for consumption on the premises between the hours of 1:00 o'clock a.m. and 7:00 o'clock a.m. on any day.

#### **Section 4-10. Unobstructed Windows.**

All business establishments selling beer for consumption on the premises shall maintain unobstructed windows during all hours that the establishment is open for business or at any time that beer is being consumed upon the premises.

### **Article 4. Penalty**

#### **Section 4-11. Penalty.**

Any person violating any provision of this Chapter shall be guilty of an offense, and upon conviction, shall be fined in an amount not to exceed thirty-five dollars (\$35.00) including costs. Each day upon which a violation continues shall constitute a separate offense.

## **CHAPTER 5 – ANIMALS**

### **Article 1. Definitions**

#### **Section 5-1. Definitions.**

The following words and phrases, when used in this Chapter, shall have the meanings prescribed in this section, except in those cases where the context clearly indicates a different meaning:

- A. Animal. Any horse, mule, donkey, pony, cow, sheep, goat, hog, pig, dog, cat, rat, chicken, goose, duck, turkey or any other animal, fowl or bird, domestic or wild.
- B. Animal Shelter or Municipal Pound. Any premises designated by the Town Board of Trustees for the purpose of impounding and caring for animals held under the authority of this Chapter.
- C. At Large. Not securely confined by a fence or other means on premises under the control of, or occupied by, the owner, and not under the control of the owner, a member of his immediate family over twelve (12) years of age, or an agent of the owner, by leash or otherwise, whether on the owner's premises or not.
- D. Livestock. Any animal other than dogs, cats, small caged birds or small aquatic or amphibian animals (kept in small numbers solely as pets).
- E. Owner. Any person, firm or corporation owning, harboring or keeping an animal; occupants of any premises to which a domesticated or tamed animal customarily returns, for a period of ten (10) days or more, shall be deemed to be harboring or keeping the animal.
- F. Restraint. An animal shall be deemed to be under "restraint" if confined on the premises of its owner, if on a leash, or if accompanied by its owner.
- G. Vicious Dog. Any dog which has bitten or attempted to bite any person without undue provocation, or which attacks, barks or growls at and acts as if it intended to attack or bite any person or persons when not unduly provoked.

### **Article 2. General Provisions.**

#### **Section 5-2. Animals Not to be at Large.**

It shall be unlawful and an offense for the owner of any domestic animal to permit the same to be or run at large or trespass upon the premises of another person or be at large at any time within the corporate limits of the Town of Randlett, Oklahoma. (11 O.S. 1971, § 1004.)

#### **Section 5-3. Turning Confined Animals at Large Unlawful.**

It shall be unlawful for any person to open any enclosure in which an animal is confined as required by ordinance so as to run such animal at large, or in any manner to turn such animal at large.

#### **Section 5-4. Pasturing in Public Areas Unlawful.**

It shall be unlawful for any person to stake, confine or pasture any animal on any public property, federal, state, town or other, or on any railroad right-of-way, without the consent of the person owning or controlling such property.

#### **Section 5-5. Livestock Not Permitted Within the Town.**

It shall be a nuisance for any person to keep any livestock within the corporate limits of the Town of Randlett, Oklahoma, except under those sanitary conditions as are hereinafter provided.

#### **Section 5-6. Disturbances by Animals.**

It shall be a nuisance for any person to keep any dog or other animal which, by barking, howling or otherwise, disturbs the peace and quiet or creates a nuisance for any person or persons. (11 O.S. 1971, § 1004.)

#### **Section 5-7. Keeping Animals for Breeding Purposes.**

- A. It shall be a nuisance for any person to keep any animal for breeding purposes within the corporate limits of the Town of Randlett, Oklahoma, except in private, enclosed locations, entirely out of the public view.
- B. This section shall not be construed as permitting the keeping of any animals otherwise prohibited by this Chapter.

#### **Section 5-8. Additional Responsibilities of Owners.**

In addition to those duties previously expressed, the owner of any animal(s) shall have the following additional responsibilities:

- A. Owners shall exercise proper care and control of their animal(s) to prevent them from becoming a public nuisance.
- B. Owners shall provide proper care and treatment for their animals.
- C. Owners shall not abandon their animals.

#### **Section 5-9. Premises Where Animals are Kept.**

- A. Every structure wherein any animal is kept within the corporate limits of the Town of Randlett, Oklahoma, shall be constructed of such material and in such manner that it can be kept clean and sanitary at all times, and it shall be maintained in said condition, devoid of rodents and vermin, and free from objectionable odors, in order to avert the creation of a nuisance to the public health. (11 O.S. 1971, § 1004.)
- B. Every such structure, if located within two hundred (200) feet of any tenement, apartment house, hotel, restaurant, boarding house, retail food store, building used for educational, religious or hospital purposes or residence, other than that occupied by the owner or occupant of the premises upon which such animal is kept, shall be provided with a watertight and fly-tight receptacle for manure of such size as to hold all accumulations of manure. Such receptacle shall be emptied sufficiently often and in such manner as to

prevent it from being or becoming a nuisance, and shall be kept covered at all times, except when open during the deposit or removal of manure or refuse. No manure shall be allowed to accumulate on such premises except in such receptacle. (11 O.S. 1971, § 1004.)

- C. It shall be a nuisance for a commercially-operated kennel or any such establishment wherein animals are kept to be maintained closer than forty (40) feet to any tenement or apartment house, hotel, restaurant, boarding house, retail food store, building used for educational, religious or hospital purposes, or residence, other than that occupied by the owner or occupant of the premises upon which such animals are kept. (11 O.S. 1971, § 1004.)

#### **Section 5-10. Disposition of Manure.**

Manure shall be hauled outside the town in a manner which does not jeopardize the public health, or spread upon cultivated plots of ground used for garden or plants and covered with soil immediately.

#### **Section 5-11. Rabies Control.**

- A. It shall be unlawful for any person to keep or harbor any dog or cat within the town without first having such dog or cat vaccinated against rabies by a licensed veterinarian.
- B. All dogs and cats must be vaccinated each year, not later than the last day of May, and must bear a current tag showing such vaccinations.
- C. It shall be unlawful for any person to remove any vaccination tag from the collar of any dog or cat, except where it is necessary for a police officer to examine such tag.
- D. Any dog, cat or other animal suspected of being rabid or having been bitten by a rabid animal may be confined by order of the town health officer or town marshal and in the manner and for the time ordered by him, to determine whether the animal is rabid. (63 O.S. 1971, § 1-508.)
- E. Any animal which bites a person shall be quarantined for ten (10) days, if so ordered by a town official; the owner of the animal shall be required to bear the cost of such quarantine.
- F. If a person has been bitten, or if there is good reason to believe that a person has been otherwise infected by a rabid animal, or an animal suspected of being rabid, the town health officer or town marshal may have the animal put to death in a humane manner, and have it examined by a medical authority to determine whether it has rabies.
- G. In the event of an outbreak of rabies within the town, the President of the Town Board of Trustees may declare a state of emergency and all dogs and cats shall be confined to the premises of the owners for a period of thirty (30) days. During such time, it shall be unlawful for any person to permit any dog or cat owned or kept by him to run at large within the town.

#### **Section 5-12. Female Dogs and Cats in Heat; Confinement.**

Every female dog or cat in heat shall be confined, in a building or secure enclosure, in such a manner that such animal cannot come into contact with another animal except for planned breeding.

#### **Section 5-13. Inspections to Enforce Chapter.**

- A. The town or county health officer, upon complaint of any person or on his own initiative, shall inspect any structure or place where an animal is kept.
- B. He may issue any such reasonable order as he may deem necessary to the owner of such animal to cause such animal to be kept as provided in this Chapter or in a manner so as not to constitute a nuisance.
- C. The town or county health officer may make a complaint before the police judge against any person for violation of any provision of this Chapter or for any such reasonable order, but this shall not abridge the right of others to make such complaint.

#### **Article 3. Municipal Pound.**

#### **Section 5-14. Municipal Pound Established.**

The Town Board of Trustees may establish a municipal pound under the jurisdiction of the town marshal. The person in charge of the pound shall provide proper sustenance for all animals impounded and shall treat them in a humane manner. (11 O.S. 1971, § 1004.)

#### **Section 5-15. Impoundment of Animals.**

- A. It shall be the duty of town marshal or any such officer or employee of the town as the Board of Trustees may authorize, to take into custody and impound any animal running at large in violation of the provisions of this Chapter, or any dog or cat without a current rabies vaccination tag.
- B. The town marshal, or any authorized town employee, may enter upon the premises of the owner or other private premises to take such animal into custody.
- C. If, with reasonable effort, a dog illegally at large cannot be caught, the town marshal or authorized town employee may kill it, either on or off private property.
- D. Any other person may take such animal into custody and present it to the authority in charge of the municipal pound for impounding.
- E. Animals which are of no apparent value, taken into custody as provided in this Chapter, shall be destroyed in a humane manner by the officer or employee of the town in charge of the municipal pound, provided that no animal taken into custody shall be destroyed until such animal shall have been impounded at least five (5) days; during such time, the owner may reclaim the animal or a proper home may be established for such animal by any person desiring the animal as a pet and willing to pay applicable license fees and reasonable expenses incurred in the dog's detention.

- F. Should any licensed institution request of the pound supervisor that animals be delivered to it for scientific or educational research, such animals may be released to said institution, provided that no animal taken into custody shall be delivered to such institution until such animal shall have been impounded for at least five (5) days and remain unclaimed and unredeemed by their owners or any other person desiring such animal as a pet. (4 O.S. 1971, §§ 391-402.)
- G. The supervisor of the municipal pound shall render monthly statements to the Town Board of Trustees of his activities concerning the pound.
- H. It shall be unlawful for any person to, in any manner, obstruct the duties and activities of the town official or employee responsible for impounding animals, in such a way as to prevent him from carrying out his duties.

#### **Section 5-16. Fees for Impounding and Keeping.**

- A. The fees for impounding and keeping an animal, to be paid upon redemption, are as follows:
  - 1. Any horse, mule, donkey, pony, cow or similar large animal, ten dollars (\$10.00) for impounding, and five dollars (\$5.00) per day for keeping.
  - 2. For any dog, cat, sheep, goat or other similar small animal, and for fowl, two dollars (\$2.00) for impounding, and one dollar (\$1.00) per day for keeping.
- B. In computing the fee, a fraction of a day during which the animal has been fed, shall be deemed a full day.
- C. All fees shall be paid to the town clerk. Receipt for payment of fees on an impounded animal shall be presented to the person in charge of the pound before the animal shall be released.

#### **Section 5-17. Claiming of Impounded Animals.**

- A. An owner of an impounded animal, or his agent, may claim or redeem the animal prior to its sale, destruction or delivery to an institution, by paying the required fees against the animal and meeting any other requirements prescribed in this Chapter.
- B. Any person claiming a dog not licensed shall pay the required license tax to the town clerk, secure a tag and present the receipt therefor and a tag to the person in charge of the pound before the latter releases the dog. If a dog is licensed, but not wearing the tag, the person in charge of the pound shall require adequate evidence of proper licensing before the animal's release.

#### **Section 5-18. Sale of Impounded Animals of Value.**

- A. As soon as practicable after any animal of apparent value has been impounded, the employee in charge of the pound shall inform the town marshal, who shall there upon post a conspicuously visible notice thereof at the office of said marshal. Such notice shall describe the animal, notify the owner to pay the charges thereon and remove said charges prior to the

time fixed for the sale thereof; said notice shall also state that, unless the animal is claimed, the animal will be sold at public auction at the time and place named in the notice. The time of holding such sale of dogs and fowl shall not be before the 3rd day after posting of the notice and the time of holding such sale for all other animals shall not be before the 10th day after the posting of the notice.

- B. Sales herein provided for shall be for cash to the highest bidder, provided that the minimum bid shall cover fees for impounding and keeping the animal until the date of sale, plus a five dollar (\$5.00) fee to reimburse the town for sale expense, and shall be conducted by, or under, the direction of the town marshal. If there is no bid, the town marshal shall provide for and conduct another sale for the sale of such animal by posting notice thereof at the town marshal's office if he believes that a bid would be made at a later time; otherwise, after any offering of an impounded animal at a sale without a bidder, the animal shall be disposed of as provided in this Chapter.
- C. A purchaser of an animal at a sale held as provided herein shall acquire absolute title to the animal purchased.
- D. The town marshal shall pay to the town clerk all money received from the sale of impounded animals on the day it is received or on the next day upon which the office of the town clerk is open for business.
- E. The owner of an impounded animal sold as provided herein, may claim the excess of the sale price of the animal above the fees for impounding and keeping the animal, and a fee of five dollars (\$5.00) to reimburse the town for the expense it has incurred in making the sale. Such claim may be made at any time within ninety (90) days after the sale. If a claim is so made and approved by the Board of Trustees, the town clerk shall pay the claimant the excess; if a claim is not so made, the excess shall belong to the town.

#### **Article 4. Licensing of Dogs**

#### **Section 5-19 and 5-20. (Reserved for Future Use.)**

#### **Article 5. Cruelty to Animals**

#### **Section 5-21. Cruelty to Animals.**

It shall be unlawful for any person knowingly, willfully or maliciously to:

- A. Pour on or apply to an animal, any drug or other thing which inflicts pain;
- B. Treat an animal in a cruel or inhumane manner;
- C. Neglect an animal belonging to him or in his custody in a cruel or inhumane manner; or
- D. Poison or expose to poison any dog or other animal, except a noxious, non-domesticated animal.

**Section 5-22. Encouraging Animals to Fight.**

It shall be unlawful for any person to instigate or encourage a fight between animals, or to keep a house, pit or other place used for fights between animals.

**Article 6. Penalty**

**Section 5-23. Penalty**

Any person, firm or corporation who violates any provisions of this Chapter, or who violates or refuses or neglects to carry out any reasonable order made by the health officer or town marshal pursuant to this Chapter, shall be guilty of an offense and, upon conviction thereof, be fined in any sum not to exceed thirty-five dollars (\$35.00), including costs. Every day's violation of any provision of this Chapter or of such order of the health officer or marshal, shall constitute a separate offense.

## CHAPTER 6 – BUILDING AND CONSTRUCTION

### Article 1. Codes and Code Enforcement

#### Section 6-1. Definitions.

- A. Wherever the words “city” or “municipality” are used in those Code adopted, it shall mean the Town of Randlett, Oklahoma.
- B. Wherever the words “inspector” or “administrative official” are used in those Codes adopted, it shall mean the building official of the Town of Randlett, Oklahoma, or the employee designated by the Town Board of Trustees to perform the duties of the building official.
- C. Wherever the words “corporation counsel” are used in those Codes adopted, it shall mean the town attorney of the Town of Randlett, Oklahoma.
- D. Wherever the words “health officer” are used in those Codes adopted, it shall mean the Cotton County Health Department Director or his authorized representative.

#### Section 6-2. Codes Adopted.

The particular Codes listed below (with revisions as hereinafter set forth) are hereby adopted and incorporated as fully as if set out at length herein, for the purposes of establishing rules and regulations for (11 O.S. 1971, § 1004):

- A. The construction, alteration, removal, demolition, equipment use and occupancy, location and maintenance of buildings and structures:  
  
The National Building Code (recommended by the American Insurance Association), Current Edition.
- B. The provision of basic safeguards, to life and property, from the hazards of fire and explosion:  
  
The Fire Prevention Code (recommended by the American Insurance Association), Current Edition.

#### Section 6-3. Modifications of Adopted Codes.

- A. Wherever the word “municipality” is used in the National Building Code, it shall mean the Town of Randlett, Oklahoma.
- B. Wherever the term “corporation counsel” is used in the National Building Code, it shall mean the town attorney of the Town of Randlett, Oklahoma.
- C. The building official of this town shall have all powers, duties and functions described for said official in the National Building Code and other codes adopted by this Code of Ordinances, provided that the said powers, duties and functions may be performed by authorized representatives of the building official.
- D. Section 106 of the National Building Code is hereby amended to read as follows:

“A person who shall violate a provision of the code or fails to comply therewith or with any of the requirements thereof, or who shall erect, construct, alter, repair or remove, or has erected, constructed, altered, repaired or removed a building or structure in violation thereof shall be guilty of an offense, and, upon conviction, shall be fined in any sum not to exceed thirty-five dollars (\$35.00), including costs. Each day upon which a violation continues shall be deemed a separate offense.”

- E. Notwithstanding Section 802.2 of the National Building Code, wood shingles may be used for roofing on dwellings and on building accessory to dwellings.

#### Section 6-4. Adopted Codes on File.

Three (3) copies of those Codes adopted by the Town of Randlett, Oklahoma, are on file in the office of the town clerk.

#### Section 6-5. Codes in Effect.

From the date on which this Chapter shall take effect, the provisions of said Codes, as herein modified, shall be controlling in those areas set forth hereinabove in Section 6-2, within the corporate limits of the Town of Randlett, Oklahoma.

#### Section 6-6. Conflicts With Code of Ordinances.

Whenever any provision of any of those Codes adopted by this Chapter conflict with the Code of Ordinances of the Town of Randlett, Oklahoma, the latter provisions shall govern.

#### Section 6-7. Building Official to Enforce Codes.

- A. The building official, or other employee designated by the Town Board of Trustees, shall be responsible for enforcing the Codes adopted by these ordinances.
- B. When, in the opinion of the building official, any building, wall or other structure upon, adjoining or near any street, avenue, alley or public ground within the Town of Randlett, Oklahoma, becomes dangerous, insecure or liable to collapse from inherent structural weakness or decay; or which from fire damage or other cause, becomes a menace to life or property, the same is hereby declared to be a nuisance.
  - 1. Any such building shall be reported by the building official to the Town Board of Trustees, together with the lot and block number, the owner or his agent, and the cause of the condition set forth.
  - 2. Upon receipt of such report, the Board of Trustees shall, by resolution, declare such building or structure to be a nuisance and shall serve legal written notice on the owner or his agent two wreck or remove the same.
  - 3. Said resolution shall fix a time and a place at which the owner or his agent may appear and show cause by which such building shall not be condemned.

4. Upon the aforesaid date, the Board of Trustees shall hear all objections and evidence in relation thereto and, unless the owner can show good and sufficient reason why the building should not be condemned, the original order of the Town Board shall be executed, by resolution.
  5. Said resolution shall fix a reasonable time for the owner to comply with the order. At the expiration of such time, if the owner or agent has not complied with the order, the building official shall cause such building or structure to be torn down.
  6. The materials salvaged in wrecking such building or structure shall be sold at public or private sale and the proceeds therefrom used to defray the town's expenses in wrecking said building; any unexpended balance shall be returned to the owner; if such proceeds be insufficient therefor, the balance shall be provided, by resolution, from whatever town fund available, and the amount thereof shall be levied against the lot or tract of land upon which said building was located, in the manner provided by law for assessment and levy of other special taxes.
- C. The building official shall have the right to stop the construction of any building or structure, or the alteration, repair or wrecking of the same, if the same is being done in a careless or reckless manner, or in violation of the provisions of this Chapter.

#### **Article 2. Building Permits.**

##### **Section 6-8. Building Permits.**

- A. No building or structure within the Town of Randlett, Oklahoma, shall be constructed, demolished, relocated, altered or substantial improvements made thereof, unless a building permit has first been acquired from the town.
- B. All applications for building permits shall be in writing upon an official blank form supplied by the town clerk.
- C. The building permit fee shall be one dollar (\$1.00) per thousand for each one thousand dollars (\$1,000.00) of estimated construction cost, with a one dollar (\$1.00) minimum fee.
- D. Applications for permits shall be accompanied by drawing of the proposed work, drawn to scale, showing floor plans, sections, elevations, structural details, computations and stress diagrams, and such information as the town clerk, Town Board or the building official may require.
- E. If the operation allowed under such permit has not begun within six (6) months thereafter, such permit shall become null and void; if such work is resumed, a new permit must be obtained and the regular fee incident thereto shall be collected.
- F. Ordinary repairs, the cost of which shall not exceed one thousand dollars (\$1,000.00), may be made without obtaining a building permit.

- G. The town clerk or the building official may revoke a permit in case there has been any false statement or misrepresentation as to a material facts in the application or plans on which the permit or approval was based.
- H. Appeals from any aggrieved person concerning a decision of the town clerk or the building official relative to the granting of permits as provided by this Chapter, shall be taken to the Town Board of Trustees, who shall act as the Board of Appeals for the Town of Randlett, Oklahoma.

#### **Article 3. Special Provisions**

##### **Section 6-9. Mobile Homes.**

- A. All mobile homes within the corporate limits of the Town of Randlett, Oklahoma, shall be anchored with tie-downs or anchoring devices.
- B. Mobile home park owners shall require that anchoring devices or tie-downs shall be used on all mobile homes in their respective parks; if a mobile home park owner fails to comply with the provisions of this section, he shall be guilty of an offense. Non-conformance of mobile home park residents shall be reported by the park owner to the town building official or Town Board.
- C. All mobile homes with factory-installed anchor systems must use these systems if they meet the American National Standards Institute proposed standard A 119.1.
- D. Other mobile homes, not equipped with factory-installed anchoring devices, must utilize frame ties and over-the-top tie-down systems (with a continuous metal strap or cable) able to withstand at least a 4,750 pound pull test without failure; helical screw or ange-type anchors (with at least a 6-inch diameter helix) may be used, as may "concrete deadman," expanding, or any other type anchor device which can withstand a pull-out load of 4,750 pounds.
- E. The number of tie-downs required shall be as follows:

	Number of Frame Ties	No. of Over-the- Top ties
1. Ten (10) and Twelve (12) Foot Wide Homes:		
(1) 30-50 feet long	4	3
(2) 50-60 feet long	5	3
2. Twelve (12) and Fourteen (14) Foot Wide Homes:		
(1) 30-50 feet long	5	3



3. Double-wide mobile homes must utilize ties for each half, plus over-the-top ties for the entire unit.
- F. If any owner of a mobile home fails to comply with this section, he shall be fined thirty-five dollars (\$35.00) per day until such nonconformance is ended.

**Section 6-10. Movement of Frame Buildings.**

No frame building or structure shall be moved from without to within the corporate limits of the Town of Randlett, Oklahoma, which by reason of its age, state or repair, condition of wiring or which, for any other reason, is unfit for human habitation or which might endanger the public peace, safety, health or welfare.

**Section 6-11. Officer and Employees Not Liable.**

- A. Any officer or employee of the Town of Randlett, Oklahoma, charged with the enforcement of the Codes adopted by this Chapter, and acting in good faith and without malice for the town in the discharge of his duties, shall not thereby render himself liable personally and he is hereby relived from all personal liability for any damage that may accrue to persons or property as a result of any act or omission required or permitted in the discharge of such duties.
- B. Any suit brought against any officer or employee because of such act or omission performed by him in the enforcement of any provisions of such Codes shall be defended by the town attorney until the final termination of the proceedings.

**Article 4. Penalty; Judicial Relief**

**Section 6-12. Penalty.**

Any person, firm or corporation who shall fail to do anything required by this Chapter or by any Code by this Chapter, 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 thirty-five dollars (\$35.00), including costs. Each day upon which a violation continues, shall be deemed a separate offense.

**Section 6-13. Relief in the Courts.**

No penalty imposed by and pursuant to this Chapter shall interfere with the right of the town 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.



## **CHAPTER 7 – BUSINESSES AND OCCUPATIONS**

### **Article 1. License Taxes on Itinerant Occupations**

#### **Section 7-1. Definitions.**

"Itinerant occupations, trades, businesses or solicitations" shall mean those occupations, trades, businesses and solicitations having no permanent warehouse, building, structure, residence or place of business within the Town of Randlett, Oklahoma, at which a permanent business is carried on throughout the year or usual production season in good faith, and not for the purpose of evading the provisions of this Chapter, and shall include occupations, trades, businesses and solicitations housed in temporary stands or quarters or in permanent quarters occupied pursuant to any temporary arrangement, or carried on by means of house-to-house solicitation, or upon the streets and sidewalks of the Town of Randlett, Oklahoma; provided, however, that no occupation, trade or business engaged in by charitable organizations, or drives and solicitations for funds or donations carried on and sponsored by any permanent civic, charitable, educational or religious organization, association or club, having a membership duly enrolled in accordance with the rules, regulations and by-laws of said organization, association, or club and the majority of said members being residents of the Town of Randlett or of Cotton County, Oklahoma, shall be considered an itinerant occupation, trade, business or solicitation.

#### **Section 7-2. Itinerant Occupation License Certificates.**

- A. It shall be an offense for any person to engage in any kind of "itinerant occupation" in the Town of Randlett, Oklahoma, without first having obtained an itinerant occupation license certificate from the town clerk. (11 O.S. 1971, § 1005.)
- B. There is hereby levied an itinerant occupation tax in the amount of twenty-five dollars (\$25.00) per day, per person, against persons, firms associations and corporations, engaged in itinerant occupations, trades, businesses or solicitations within the Town of Randlett, Oklahoma.

### **Article 2. General Provisions.**

#### **Section 7-3. Occupation Licenses.**

- A. Every person, firm, association or corporation who engages in, exercises or pursues a business, profession, trade, occupation or privilege for which a license is required, or who engages in, exercises, or pursues more than one such business, profession, trade, occupation or privilege, shall pay the fee, and secure a separate license for each such business, profession, trade, occupation or privilege.
- B. Every holder of a license to engage in, exercise or pursue a business, profession, trade, occupation or privilege, shall carry the license and shall display it to any person who requests to see it.
- C. Assignment or transfer of licenses shall not be permitted.
- D. Whenever any license to engage in, exercise or pursue a business, profession, trade, occupation or privilege, has been lost or destroyed without any

wrongful act or connivance by the holder, the town clerk, on application, shall issue a duplication license for the unexpired time. Before the duplicate is issued, the holder shall make and file with said clerk and affidavit that the license has not been transferred, that it has been lost or destroyed without any wrongful act or connivance by the holder, and that, if believed lost, he has made diligent search for it and has not been able to find it. The fee for every duplicate license issued, payable to said clerk, shall be one dollar (\$1.00).

- E. Any license issued to any person, firm, association or corporation to engage in, exercise or pursue any business, profession, trade, occupation or privilege may be revoked by the Board of Trustees after adequate opportunity for a hearing for any one of the following reasons:
  - 1. That the license is engaging in, exercising, or pursuing the business, profession, trade, occupation or privilege in such a manner that he has created or is creating a public nuisance; or
  - 2. Serious or repeated violation of the law or ordinances.

#### **Section 7-4. Fortune Telling.**

It is unlawful for any person pretending or professing to tell fortunes by the use of any subtle craft, means or device whatsoever, either by palmistry, clairvoyance, or otherwise plying his or her trade, art or profession, to make any charge therefor either directly or indirectly, or to receive any gift, donation or subscription by any means whatsoever for the same. (21 O.S. 1971, § 931.)

#### **Section 7-5. Shooting Galleries.**

Every shooting gallery constructed, established, set up or operated hereafter shall be constructed, established, set up and operated in accordance with the standards, specifications and requirements of 63 O.S. 1971, sections 701-708, and comply with all the requirements thereof. No shooting gallery shall be operated until a license has been secured therefor in accordance with this Chapter. Any violation of any provision of this section or of any provision of 63 O.S. 1971, sections 701-708, shall be deemed an offense against the town, and shall be punishable as such.

#### **Section 7-6. Short Weights and Measures Prohibited.**

It is unlawful for any person, firm or corporation to sell or offer for sale, any food, fuel, clothing or any other commodity which does not weigh or measure fully as much, according to standard weights or measures of the State of Oklahoma, as the weight or measure for which it is sold or offered for sale. (21 O.S. 1971, § 1551.)

### **Article 3. Penalty**

#### **Section 7-7. Penalty.**

Any person who violates any provision of this Chapter is guilty of an offense, and, upon conviction thereof, shall be fined in an amount not to exceed thirty-five dollars (\$35.00) including costs, and is subject to revocation of his license. Each day upon which a violation continues shall constitute a separate offense.



**CHAPTER 8 – CEMETERIES**

**Section 8-1 et seq. (Reserved for Future Use.)**



**CHAPTER 9 – CIVIL DEFENSE**

**Section 9-1. Civil Defense Department Created; Purpose.**

- A. There is hereby established under the executive branch of the town government, a Department of Civil Defense.
- B. The purpose of said Department shall be to be prepared for, and function in the event of, emergencies endangering the lives and property of the people of the Town Randlett, Oklahoma, and to perform all functions necessary and incident to the protection of the lives, health and property of the citizens of the town.





## **CHAPTER 10 – FIRE PREVENTION**

### **Article 1. Fire Prevention**

#### **Section 10-1. Volunteer Fire Department.**

- A. There is hereby established for the Town of Randlett, Oklahoma, a volunteer fire department under the provisions of the Oklahoma Volunteer Firemen's Act. (11 O.S. 1971, § 346-352.)
- B. The volunteer fire department shall consist of not less than twelve (12) and not more than twenty (20) members. The department shall not employ more than two (2) full-time salaried firemen. Members of the Randlett Volunteer Fire Department may continue as members of the volunteer fire department established under this Code of Ordinances without probation, but shall be subject to the by-laws authorized under this Ordinance. All new members shall be on probation for one (1) year after their appointment to the department, and shall not become regular members of the department upon completion of their probation period until their approval by the majority of the regular members of the volunteer fire department.
- C. The volunteer fire department shall adopt by-laws, a copy of which shall be deposited with the town clerk, and shall include the following:
  - 1. All volunteer fire fighters are required, when notified, to respond to alarms of fire and other emergencies.
  - 2. All volunteer fire fighters are required to be present at all regular meetings, call meetings and schools presented for the benefit of the fire fighters.
  - 3. There shall be at least one (1) regular business meeting each month.
  - 4. Any volunteer fire fighter having two (2) unexcused absences in succession, or three (3) unexcused absences in a period of three (3) months, will be dropped from the fire department rolls.
  - 5. Volunteer fire fighters leaving town for an extended period of time will be required to notify the fire chief.
  - 6. Any volunteer fire fighter refusing to attend training classes provided for him will be dropped.
  - 7. Any volunteer member of the fire department shall be dropped from the rolls for the following offenses: (1) conduct unbecoming a fire fighter; (2) any act of insubordination; (3) neglect of duty; (4) any violation of rules and regulations governing the fire department; or (5) conviction of a felony.

#### **Section 10-2. Fire Department to Enforce Code.**

- A. The Fire Prevention Code adopted by the Town Board of Trustees shall be enforced by the fire department of the town, under the supervision of the fire chief.

- B. The fire chief may detail such members of the fire department as inspectors as shall be necessary.

#### **Section 10-3. Restrictive or Prohibitive Limits.**

- A. The limits referred to in section 16.22a of the Fire Prevention Code, in which storage of flammable liquids in outside aboveground tanks is prohibited, are hereby established as corporate limits of the town.
- B. The limits referred to in section 16.61 of the Fire Prevention Code, in which new bulk plants for flammable liquids are prohibited, are hereby established as the corporate limits of the town.
- C. The limits referred to in section 21.6a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gases is prohibited are hereby established as the corporate limits of the town.
- D. The limits referred to in section 12.6b of the Fire Prevention Code, in which storage of explosives and blasting agents if prohibited, are hereby established as the corporate limits of the town.
- E. Provided that this section shall not prohibit any such installations in existence at the time this Code of Ordinances is adopted.

#### **Section 10-4. Fire Prevention Code Variances.**

- A. The chief of the fire department, with approval of the Board of Trustees, shall have power to grant a variance to any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in carrying out the strict letter of the Code, provided that the spirit of the Code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the chief of the fire department thereof shall be entered upon the records of the department and a signed copy shall be furnished the applicant.
- B. The chief of the fire department and two (2) persons appointed by the Board of Trustees, shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes, or occupancies which shall require permits, in addition to those now enumerated in said Code.

### **Article 2. Fireworks and Explosives.**

#### **Section 10-5. Sale or Possession of Fireworks Prohibited.**

It shall be unlawful and an offense for any person, firm or corporation to sell or have in his or its possession or to discharge, ignite or in any manner aid, assist or abet in the discharging or igniting of any firecrackers of any size, type or description, skyrockets, pistols, torpedos, roman candles, flash salutes, flash crackers, balloons or other fireworks or substances designed and intended for pyrotechnic display, also small display ground pieces, canes, cap pistols, cannons or other appliances using caps containing chlorate or potash mixture within the corporate limits of the Town of Randlett, Oklahoma, except on the 3rd

and 4th days of July, and the above and foregoing section shall be in effect at all times within the business district of the Town of Randlett, Oklahoma.

**Section 10-6. Explosives.**

- A. It shall be unlawful for any person or persons to store, keep, to have on their premises or in their possession any explosive articles in the nature of dynamite, blasting power or other explosive materials of any kind or nature without first having complied with the laws of the State of Oklahoma for the purpose of selling, storing or keeping such articles.
- B. It shall be unlawful for any person to keep or store any explosive on any premises which are occupied as a dwelling, school, theatre or other places of public amusement and any person storing explosives for sale to the general public must comply with the general statutes of the State of Oklahoma in the sale and storage of said explosives.

**Article 3. Miscellaneous Provisions**

**Section 10-7. Storage of Hay.**

It shall be an offense for any person being the occupant, owner or lessee of any dwelling house, storehouse, warehouse or cellar located within the corporate limits of the Town of Randlett, Oklahoma, to keep or permit to be kept therein any straw, hay, shavings or other combustible materials, other than is actually necessary for the operation of his or their business.

**Article 4. Penalty**

**Section 10-8. Penalty.**

Any person, firm or corporation who violates any provision of this Chapter, including any code adopted by the Town of Randlett, Oklahoma, shall be guilty of an offense, and, upon conviction, shall be fined in any sum not to exceed thirty-five dollars (\$35.00), including costs. Each day upon which a violation continues shall be deemed a separate offense.

## **CHAPTER 11 – HEALTH AND SAFETY**

### **Article 1. Contagious Diseases**

#### **Section 11-1. Introducing Diseases.**

- A. It shall be unlawful for any person affected with or exposed to any contagious or infection disease to appear upon any street or in any public place in the Town of Randlett, Oklahoma, so as to expose other persons to such disease.
- B. It shall be unlawful for any parent, guardian or person having charge of any child or children to allow, permit or suffer such child or children to attend any classes, school, or any gathering of people, or to appear upon any street or in any public place in the Town of Randlett, Oklahoma, while infected with or exposed to any contagious or infectious disease, or in any manner so as to expose other persons to such disease. (63 O.S. 1971, § 1-507.)
- C. No person suffering from, or infected with, the communicable form of a venereal disease, shall engage in any occupation involve intimate contact with children, or in the occupation of nurse, domestic servant, barber, hairdresser, chiroprapist, manicurist, bath attendant, masseur or food handler.

#### **Section 11-2. Report of Contagious Diseases.**

- A. Every practicing physician in the Town of Randlett, Oklahoma shall report to the Cotton County public health official within six (6) hours after the diagnosis of the same the appearance of any of the following diseases: diphtheria (including membranous croup), scarlet fever, smallpox, yellow fever, typhoid fever, typhus fever, Asiatic cholera, chicken pox, tuberculosis, undulant fever, acute anterior, poliomyelitis (infantile paralysis), epidemic cerebrospinal meningitis, whooping cough, and mumps and any other pestilential infectious or contagious disease. (63 O.S. 1971, § 1-503.)
- B. Syphilis, gonococcus infection and chancroid, are hereby and hereinafter recognized and declared to be contagious and infectious, communicable and dangerous to the public health. The term venereal disease as used in this Chapter shall include all such diseases. (63 O.S. 1971, § 1-527.)

#### **Section 11-3. Quarantine.**

- A. It shall be unlawful for any person to enter or go upon any ground or premises under quarantine without first having obtained permission of the public health official to do so.
- B. It shall be unlawful for any person whom the public health official of the town shall have ordered to be detained in quarantine to neglect or refuse to be so detained, or willfully violate any quarantine regulation thereof; every day of such neglect or refusal shall constitute a separate offense. (63 O.S. 1971, § 1-504.)
- C. It shall be unlawful for any person to tear down, remove, deface, mutilate or destroy any order, notice

or flag that may be posted or displayed by the public health official of the town.

- D. It shall be unlawful for any person to willfully violate or refuse to comply with any lawful order, direction, prohibition, rule or regulation of the public health official or any officer charged with enforcement of such order, direction, prohibition, rule or regulation.

### **Article 2. Toilet Facilities**

#### **Section 11-4. Definitions.**

- A. The term "human excrement" is used herein to mean the bowel and kidney discharge of human beings.
- B. The term "sanitary water closet" is used herein to mean the flush-type toilet which is connected with a sanitary sewer line of such capacity and construction as to carry away the contents at all times.
- C. The term "sanitary pit privy" is used herein to mean a privy which is built, rebuilt, or constructed so as to conform to the specifications approved by the State Health Department.

#### **Section 11-5. Owner to Provide Proper Toilet Facilities.**

- A. Every owner of a residence or other building in which humans reside, are employed, or congregate, shall install, equip, and maintain adequate sanitary facilities for the disposal of human excrement; namely a sanitary water closet or closets, a water closet or closets connected to an approved septic tank, or a sanitary pit privy or privies.
- B. The closets and toilets hereby required shall be of the sanitary water closet type when located within three hundred (300) feet of any sanitary sewer line and accessible thereto. It shall be the duty of every owner of property so located to connect, or cause to be connected his toilet or toilets with a sanitary sewer of the town and to make every proper connection to the end that each toilet is properly connected with such sewer system in such manner that the refuse therefrom will be delivered to the sanitary sewer.
- C. When not so located, the closet or toilet shall be of (a) the sanitary water closet type so connected to a sanitary sewer (notwithstanding the distance from it); (b) the water closet type connected to a septic tank approved by the health officer; or (c) the sanitary pit privy type approved by the county health officer.

#### **Section 11-6. Proper Disposal of Human Excrement Required.**

All human excrement shall be disposed of by depositing it in closets and privies of the type hereinabove provided for. It is unlawful for any owner of property to permit the disposal of human excrement thereon in any other manner, and for any person to dispose of human excrement in any other manner.

#### **Section 11-7. Unauthorized Facilities Declared Public Nuisances.**

All facilities for the disposal of human excrement in a manner different from that required by ordinance, and all privies and closets so constructed, situated, or maintained

as to endanger the public health, are hereby declared to be public nuisances, and may be dealt with and abated as such.

**Article 3. Miscellaneous Provisions**

**Section 11-8. Abandoned Ice Boxes, Refrigerators, Etc.**

It is unlawful for any person, firm or corporation to leave in a place accessible to children any abandoned or discarded ice box, refrigerator or other container which has an air-tight door with a lock or other fastening device which cannot be easily released for opening from the inside of the ice box, refrigerator, or container, without first removing the door, lock or fastener.

**Article 4. Penalty**

**Section 11-9. Penalty.**

Any person who violates any provision of this Chapter or of any ordinance, Code, or standard adopted by reference by this Chapter, or maintains or permits to continue any public nuisance as defined by this Chapter, shall be guilty of an offense, and upon conviction thereof, shall be fined in any sum not to exceed thirty-five dollars (\$35.00), including costs. Every day upon which a violation continues shall be deemed a separate offense.

## **CHAPTER 12 – MUNICIPAL COURT**

### **Article 1. Application of Chapter; Jurisdiction of Court**

#### **Section 12-1. Application of Chapter.**

- A. This Chapter shall govern the organization and operation of the municipal court of the Town of Randlett, Oklahoma, as put into operation by resolution, duly passed and filed in accordance with State Law, on and after the 4th day of November, 1976. (11 O.S. 1971, §§ 958.1, 958.2, 958.3a.)
- B. To the extent of conflict between any provisions of this Chapter and the provisions of any other ordinance of the town, the provisions of this Chapter shall control.

#### **Section 12-2. Jurisdiction of Court.**

The court shall exercise original jurisdiction to hear and determine all prosecutions wherein a violation of any provision of this Code or of any other ordinance of the town is charged, including any such prosecutions transferred to the court in accordance with applicable laws. (11 O.S. 1971, § 958.3.)

### **Article 2. Definitions**

#### **Section 12-3. Definitions.**

As used in this Chapter, unless the context requires a different meaning, the following words shall have the meanings ascribed to them in this section:

- A. Chief of Police. The town marshal or the police officer in charge of the police force of the Town of Randlett, Oklahoma.
- B. Clerk. The town clerk, including any deputy or member of the office staff of the town clerk performing duties of the clerk's office.
- C. Court. The municipal court of the Town of Randlett, Oklahoma.
- D. Judge. The judge of the municipal court of the Town of Randlett, Oklahoma, including the acting judge or alternate judge thereof, as provided for by Oklahoma Statutes and this Chapter.
- E. Judicial District. The judicial district of the State of Oklahoma, wherein the government of the Town of Randlett, Oklahoma, is situated.

### **Article 3. Organization and Procedure**

#### **Section 12-4. Judge; Alternate Judge; Acting Judge.**

(See Chapter 1, Section 1-23.)

#### **Section 12-5. Compensation of Judges.**

The compensation of the judge of the Municipal Court of Town of Randlett, Oklahoma, shall be as determined by motion of the Board of Trustees of said town.

#### **Section 12-6. No Change of Venue; Disqualification of Judge.**

- A. In prosecutions before the court, no change of venue shall be allowed, but the judge before whom the case is pending may certify his disqualification or he may be disqualified from sitting under the terms, conditions and procedures provided by law for courts of record.
- B. If the judge is disqualified, the matter shall be heard by an alternate or acting judge, appointed as provided in this Chapter. (11 O.S. 1971, § 958.4.)

#### **Section 12-7. Town Marshal.**

All writs or process of the court shall be directed, in his official title, to the town marshal of the Town of Randlett, Oklahoma, who shall be the principal officer of the court. (11 O.S. 1971, § 958.9.)

#### **Section 12-8. Clerk of Court.**

- A. The town clerk, or deputy designated by him, shall be the clerk of the court. Duties of the clerk shall include the following (11 O.S. 1971, § 958.11):
  - 1. He shall assist the judge in recording the proceedings of the court and in preparing writs, processes and other papers.
  - 2. He shall administer oaths required in proceedings before the court.
  - 3. He shall enter all pleadings, processes and proceedings in the dockets of the court.
  - 4. He shall perform such other clerical duties relating to the proceedings of the court as the judge shall direct.
  - 5. He shall receive and receipt for forfeitures, fees, deposits and sums of money payable to the court.
  - 6. He shall pay to the treasurer of this municipality, on the first and fifteenth day of each month, all money so received by him, except such special deposits or fees as shall be received to be disbursed by him for special purposes. All money paid to the treasurer shall be placed in the general fund of the municipality, or in such other fund as the Town Board may direct, and it shall be used in the operation of the municipal government in accordance with budgetary arrangements governing the fund in which it is placed. (11 O.S. 1971, § 958.20.)

- B. The clerk of the court shall give bond to the town, in the form prescribed by State Law, in the sum of one thousand dollars (\$1,000.00). When executed, the bond shall be submitted to the Town Board for approval and, when approved, it shall be filed with the town clerk and retained in the municipal archives. (11 O.S. 1971, § 958.18.)

#### **Section 12-9. Attorney.**

The town attorney, or his duly designated assistant, shall be the prosecuting officer of the court. He shall prosecute

all alleged violations of the ordinances of the town and shall be authorized, at his discretion, to prosecute and resist appeals and proceedings in error and review from the court to any other courts of the state, and to represent the town in all proceedings arising out of matters of the court. (11 O.S. 1971, § 958.8.)

#### **Section 12-10. Contempt.**

Obedience to the orders, rules and judgments made by the judge or by the court may be enforced by the judge, who may fine or imprison for contempt committed as to him while holding court, or committed against process issued by him, in the same manner and to the same extent as the district court of this state. (11 O.S. 1971, § 958.19.)

#### **Section 12-11. Traffic Violations.**

- A. If a police officer observes facts which he believes constitute a violation of the traffic ordinances of the Town of Randlett, Oklahoma, committed by a resident thereof, in lieu of arresting such person, he may take his name, address, operator's license number, the registered license number of the motor vehicle involved and any other pertinent and necessary information, and may issue to him, in writing in a form prescribed by the President of the Board of Trustees or his duly designated delegate, a traffic citation embracing the above information and further stating the traffic violation alleged to have occurred, and notifying him to answer to the charge against him in the court at a time, not later than five (5) days thereafter or the next court date, specified in the citation. The officer, upon receiving the written promise of the alleged violator, endorsed on the citation, to answer as specified, shall release said person from custody. If the person to whom a citation is issued fails to answer as prescribed in the citation, a complaint shall be filed and the case shall be prosecuted as otherwise provided in this Article.
- B. If the alleged traffic violation is committed by a nonresident of the Town of Randlett, Oklahoma, the police officer shall take him into custody under arrest. The arrested person either (a) shall be taken immediately before the judge for further proceedings according to law, or (b) shall have bail fixed for his release in accordance with provisions of this Chapter. Upon providing the bail as fixed, and upon giving his written promise to appear upon a day certain, as provided in the preceding subsection of this Article, he shall be released from custody.
- C. If the alleged offense be a violation of an ordinance restricting or regulating the parking of vehicles, including any regulations issued under such an ordinance, and the operator be not present, the police officer shall place on the vehicle, at a place reasonably likely to come to the notice of the operator, a citation conforming substantially to that prescribed in subsection (A) of this section, with such variation as the circumstances require. The operator of the vehicle shall be under the same obligation to respond to the citation as if it had been issued to him personally under subsection (A).

#### **Section 12-12. Traffic Violations Bureau.**

- A. A traffic violations bureau hereby is established as a division of the office of the clerk of the court, to be

administered by the clerk, or by subordinates designated by him for that purpose.

- B. Persons who are cited for violation of one of the traffic regulatory ordinances of this municipality other than (a) a second traffic offense within a twelve (12) month period, or (b) a driver's license offense or (c) an offense punishable by a fine of more than thirty-five dollars (\$35.00) or by imprisonment, may elect to pay a fine in the Traffic Violations Bureau according to the following schedule:
1. School zone violations - (see Section 12-27)
  2. Speeding, \$1.00 per mile in excess of the speed limit, with a maximum of -----  
----- (See Section 12-27)
  3. Traffic violation resulting in injury or property damage ----- (See Section 12-27)
  4. Anti-noise ordinances - \$20.00
  5. Improper equipment --- \$20.00
  6. Parking violations ----- \$1.00
  7. All other violations ----- \$20.00
- C. The court may adopt rules to carry into effect this section. Payment of a fine under this section shall constitute a final determination of the cause against the defendant. If a defendant who has elected to pay a fine under this section fails so to do, prosecution shall proceed under the provisions of this Article.

#### **Section 12-13. Style of Prosecutions.**

All prosecutions for violation of this Code or other ordinances of the town shall be styled "The Town of Randlett, Oklahoma, Plaintiff, vs. \_\_\_\_\_ (naming defendant or defendants)." Except as otherwise provided with respect to traffic violations, prosecutions shall be initiated by the filing of a written complaint, subscribed and verified by the person making complaint and setting forth concisely the offense charged. (11 O.S. 1971, § 958.12.)

#### **Section 12-14. Summons.**

- A. Upon the filing of a complaint charging a violation of this Code or other ordinance of the town, the judge, unless he determines to issue a warrant of arrest, or unless the defendant previously has been issued a citation or has been arrested and has given bond for his appearance, shall issue a summons, naming the person charged, specifying his address or place of residence (if known), stating the offense with which he is charged and giving him notice to answer the charge in the court on a day certain, five (5) days (Sundays and holidays excepted), or the next court date after the summons is served upon him, containing a provision for the official return of the summons, and including such other pertinent information as may be necessary.
- B. The summons shall be served by delivering a copy to the defendant personally. If he fails to appear and to answer the summons within the prescribed period, a

warrant shall be issued for his arrest, as provided by this Chapter.

#### **Section 12-15. Complaints Against a Corporation.**

- A. Upon complaint against a corporation being filed with the judge of the Town of Randlett, Oklahoma, such judge shall issue a summons, signed by him with his title of office, requiring the corporation to appear before him at a specific time and place to answer the complaint.
- B. The form of the summons shall be as outlined hereinbefore in this Chapter.
- C. The summons must be served at least two (2) days before the day of appearance fixed therein by delivering a copy thereof and showing the original to the president or head of the corporation, or to the secretary, cashier or managing agent thereof.
- D. At the time appointed in the summons, the municipal judge shall try the complaint in the same manner as in the case of any other person brought before him.
- E. When a fine is imposed upon a corporation upon conviction, it may be collected by the municipal judge making a transcript of his proceedings thereof, together with the judgment of the court duly certified and filed with the Clerk of the District Court of Cotton County, Oklahoma, and execution shall be issued thereon and served by the Sheriff of the County as in cases of execution generally.

#### **Section 12-16. Warrant of Arrest.**

- A. Except as otherwise provided in this Code, upon the filing of a complaint, approved by endorsement by the town attorney or by the judge, there shall be issued a warrant of arrest in substantially the following form:

The Town of Randlett, Oklahoma, to the Marshal of the Municipal Court of Randlett, Oklahoma:

Complaint upon oath having this day been made by \_\_\_\_\_ that the offense of \_\_\_\_\_ has been committed and accusing \_\_\_\_\_ thereof, you are commanded therefore forthwith to arrest the above named (Defendant or Defendants) and bring (him, her, them) before me at my office at the Randlett, Oklahoma, Town Court Room.

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Judge of the Municipal Court  
of the Town of Randlett, Oklahoma.

- B. It shall be the duty of the town marshal, personally or through a duly constituted member of the police force of this town or through any other persons lawfully authorized to act, to execute such warrant as promptly as possible. (11 O.S. 1971, § 958.12.)

#### **Section 12-17. Bail; Temporary Cash Bond.**

- A. Upon arrest, or upon appearance without arrest in response to citation or summons, or at any other time before trial, before or after arraignment, the defendant shall be eligible to be released upon giving bail for his

appearance in an amount and upon conditions fixed by the judge, who shall prescribe appropriate rules of court for the receipt of bail. (11 O.S. 1971, § 958.22.)

- B. In case of arrests made at night or under other conditions of emergency or when the judge is not available, the rules shall authorize the chief of police, or his designated representative, to accept a temporary cash bond of not less than ten dollars (\$10.00) nor more than the maximum monetary penalty provided by ordinance for such offense charged. (11 O.S. 1971, § 958.22.)

#### **Section 12-18. Arraignment.**

Upon making his appearance before the court, the defendant shall be arraigned. The judge or the town attorney shall read the complaint to the defendant, inform him of his legal rights, of the consequences of conviction and ask him whether he pleads guilty or not guilty. If the defendant pleads guilty, the court may proceed to judgment and sentence or may continue the matter for subsequent disposition. If the plea is not guilty, the court may proceed to try the case, or may set it for hearing at a later date. (11 O.S. 1971, § 958.26.)

#### **Section 12-19. Postponement of Trial.**

Before a trial commences in the municipal court either party, upon good cause shown, may obtain a reasonable postponement thereof.

#### **Section 12-20. Defendant to be Present at Trial; Failure to Appear.**

- A. The defendant must be present in person at the trial of his case in the municipal court.
- B. If, without sufficient excuse, a defendant fails to appear according to the terms or conditions of his bond, either for hearing, arraignment, trial or judgment, or upon any other occasion when his presence in court or before the magistrate may be lawfully required, the judge may direct that fact to be entered upon the court minutes, thereby declaring the bond to be forfeited. Without advancing court costs, the judge shall then cause the forfeiture to be certified to the district court of the county where situs of government is situated, where it shall be entered upon the judgment docket and shall have the full force and effect of a district court judgment. At such time as the forfeiture is entered upon the district court docket, the district court clerk shall proceed in accordance with the applicable provisions of State Statutes. (11 O.S. 1971, § 958.25.)

#### **Section 12-21. Trial Procedure.**

In all trials in the municipal court, as to matters not covered in this Chapter by the statutes relating to municipal criminal courts or by rules duly promulgated by the Supreme Court of Oklahoma, the procedure applicable in trials of misdemeanors in the district courts shall apply to the extent that they can be made effective. (11 O.S. 1971, § 958.5.)

#### **Section 12-22. Judgment.**

- A. At the close of a trial in the municipal court, judgment must be rendered immediately by the judge, who shall cause it to be entered in his docket.

- B. If judgment of the municipal court is of acquittal, and the defendant is not to be detained for any other legal cause, he must be discharged at once.
- C. If the defendant pleads guilty or is convicted after trial, the court must render judgment thereon, fixing the penalty within the limits prescribed by this Code or other applicable ordinance and imposing sentence accordingly.

#### **Section 12-23. Costs Upon Judgment of Conviction.**

If judgment of conviction is entered, the clerk of the court shall tax the costs to the defendant in a sum not exceeding thirty-five dollars (\$35.00), including the fees and mileage of witnesses. (11 O.S. 1971, § 958.27.)

#### **Section 12-24. Enforcement of Payment of Fines or Costs by Imprisonment; Persons Unable to Pay.**

- A. If a defendant who is financially able, refuses or neglects to pay a fine or costs, or both, payment may be enforced by imprisonment, until the same shall be satisfied at the rate of two dollars (\$2.00) per day. (11 O.S. 1974 Supplement, § 958.28.)
- B. If the defendant is without means to pay the fine or costs, the municipal judge may direct the total amount due to be entered upon the court minutes and to be certified to the district court of the county wherein the situs of government is situated, where it shall be entered upon the district court judgment docket and shall have the full force and effect of a district court judgment. Thereupon, the same remedies shall be available for the enforcement of said judgment as are available to any other judgment creditor. (11 O.S. 1974 Supplement, § 958.28.)

#### **Section 12-25. Suspension of Sentence.**

After conviction and sentence of a defendant in the municipal court, the judge may suspend sentence in accordance with the provisions of, and subject to the conditions and procedures imposed by sections 958.15 and 958.16 of Title 11, Oklahoma Statutes 1971, and amendments thereto.

#### **Section 12-26. Witness Fees.**

- A. Witnesses in any proceedings in the court, other than police officers or peace officers, shall be entitled to two dollars (\$2.00) for each day of attendance, plus ten (10) cents for each mile actually and necessarily traveled in going to and returning from the place of attendance, if their residence is more than one (1) mile outside the corporate limits of the town. No witness shall receive fees or mileage in more than one (1) case for the same period of time or the same travel.
- B. A defendant seeking to subpoena witnesses must deposit, with the clerk of the court, a sum sufficient to cover fees and mileage for one (1) day of attendance for each witness to be summoned, but such deposit shall not be required from an indigent defendant who files an affidavit setting out:

- 1. The names of no more than three (3) witnesses;

- 2. That the defendant, by reason of his poverty, is unable to provide the fees and mileage allowed by law;
  - 3. That the testimony of such witnesses is material; and
  - 4. That their attendance at the trial is necessary for his proper defense.

- C. The fees of such witnesses (subsection B, above) shall be paid by the town.

#### **Article 4. Penalty**

#### **Section 12-27. Penalty.**

- A. If the Judge of the Municipal Court of Town of Randlett, Oklahoma, is a licensed attorney, the court may impose a fine and costs not to exceed thirty-five dollars (\$35.00). (11 O.S. 1971, § 958.7d.)
- B. If the judge is not a licensed attorney, the court may impose a fine and costs not to exceed twenty dollars (\$20.00).



## **CHAPTER 13 – NUISANCES**

### **Article 1. General Provisions**

#### **Section 13-1. Nuisance Unlawful.**

It is unlawful for any person (owner, lessee or other) to create or maintain a nuisance within the town, or to permit a nuisance to remain on premises under his control within the town.

#### **Section 13-2. Town Board May Define Nuisance.**

The Town Board has the power to determine what is and what shall constitute a nuisance within the corporate limits of the Town of Randlett, Oklahoma, and, for the protection of the public health, public parks and the public water supply, outside of the town's corporate limits. (50 O.S. 1971, § 16.)

#### **Section 13-3. Nuisance Defined.**

A nuisance consists in unlawfully doing an act, or omitting to perform a duty, or is any thing or condition which (50 O.S. 1971, § 1):

- A. Annoys, injures or endangers the comfort, repose, health or safety of others;
- B. Offends public decency;
- C. Unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake or navigable river, stream, canal, or basin, or any public park, square, street or other public property; or
- D. In any way renders other person insecure in life or in the use of property.

#### **Section 13-4. Public Nuisances; Remedies.**

- A. A public nuisance is one which affects, at the same time, an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal. (50 O.S. 1971, § 2.)
- B. The remedies against a public nuisance are (50 O.S. 1971, § 8):
  - 1. Prosecution on complaint before the municipal court;
  - 2. Prosecution of information or indictment before another appropriate court (50 O.S. 1971, § 9);
  - 3. Civil Action (50 O.S. 1971, § 10); and
  - 4. Abatement:
    - a. By person injured (50 O.S. 1971, § 12); or
    - b. By the town in accordance with law or ordinance. (50 O.S. 1971, § 11.)

- C. No lapse in time can legalize a public nuisance amounting to an actual obstruction of public right. (50 O.S. 1971, § 7.)

#### **Section 13-5. Private Nuisances; Remedies.**

- A. Every nuisance not included in section 13-4 (above) is a private nuisance. (50 O.S. 1971, § 3.)
- B. The remedies against a private nuisance are (50 O.S. 1971, § 13):
  - 1. Civil action; and
  - 2. Abatement:
    - a. By person injured (50 O.S. 1971, § 14); or
    - b. By the town in accordance with law or ordinance.

#### **Section 13-6. Person Liable.**

Every successive owner of property who neglects to abate a continuing nuisance upon or in the use of such property created by a former owner, is liable therefor in the same manner as the one who first created it. (50 O.S. 1971, § 5.)

#### **Section 13-7. Procedure Cumulative.**

The various procedures for abating nuisances prescribed by this Chapter and by other provisions of law and ordinances shall be cumulative one to the other; the town may elect to follow any such procedure which is applicable in abating any particular nuisance.

### **Article 2. Abatement of Nuisances**

#### **Section 13-8. Summary Abatement of Nuisances.**

- A. Whenever it is practical to do so, the town has power summarily to abate any such nuisance after notice to the owner and an opportunity for him to be heard, if this can be done. (50 O.S. 1971, § 16.)
- B. Some nuisances are of such nature as to constitute a grave and immediate danger to the peace, health, safety, morals or welfare of one (1) or more persons of the public generally. It is recognized that circumstances may be such as to justify, and even to require, the President of the Board of Trustees or other appropriate officer or agency of the town government to take immediate and proper action summarily to abate such nuisances, or to reduce or suspend the danger until more deliberate action can be taken toward such abatement.
- C. The chief of the fire department, the town marshal, the town attorney or any other officer subordinate to the Board of Trustees, may submit to the Board of Trustees a statement as to the existence of a nuisance as defined by the ordinances of the town or law, and a request or recommendation that it be abated. The health officer, any town trustee or any resident or residents of the town may submit such a statement and request or recommendation the Board of Trustees.
- D. The Board of Trustees shall determine whether or not the alleged nuisance is a nuisance in fact. For the

purpose of gathering evidence on the subject, the board shall have power to subpoena and examine witnesses, books, papers and other effects. Before proceeding to abate the nuisance or to have it abated, the board shall give notice of a hearing on the proposed abatement to the owner of any property concerned and to any other person alleged or deemed responsible for or to be causing the nuisance, and an adequate opportunity to be heard, if such notice and opportunity for a hearing can be given. Such notice to the owner and other persons concerned shall be given in writing by mail or by service by a police officer if their names and addresses are known; if the names and addresses are not known, and the peace, health, safety, morals or welfare of the person or persons or public adversely affected would not be unduly jeopardized by the necessary delay, a notice of the hearing shall be published in a paper of general circulation within the town.

- E. If the Town Board finds that a nuisance does in fact exist, it shall direct the owner and/or other persons responsible for, or causing the nuisance, to abate it within a specified time if the peace, health, safety, morals or welfare of the person, persons or public adversely affected would not be unduly jeopardized by the consequent delay. If such peace, health, safety, morals or welfare would be unduly jeopardized by the consequent delay, or if the owner or other persons responsible for or causing the nuisance do not abate it within the specified time, the board shall direct the President of the Town Board to abate the nuisance or to have it abated, if summary abatement is practical. The town clerk shall send a statement of the cost of such summary abatement to the owner and/or other persons responsible for or causing the nuisance, as may be just under the circumstances, if their names and addresses are known. Until paid, such cost shall constitute a debt to the town collectable as other debts of the town may be collected. (50 O.S. 1971, § 16.)

#### **Section 13-9. Abatement of Public Health Nuisances.**

- A. The health officer shall have authority to order the owner or occupant of any private premises in the town to remove from such premises, at his own expense, any source of filth, cause of sickness, condition conducive to the breeding of insects or rodents that might contribute to the transmission of disease, or any other condition adversely affecting the public health, within twenty-four (24) hours or within such other time as may be reasonable; a failure to do so shall constitute an offense. Such order shall be in writing and may be served personally on the owner or occupant of the premises, or authorized agent thereof, by the health officer or by a policeman, or a copy thereof may be left at the last usual place of abode of the owner, occupant, or agent, if known and within the state. If the premises are unoccupied and the residence of the owner, occupant or agent is unknown, or is without the state, the order may be served by posting a copy thereof on the premises, or by publication in at least one (1) issue of a newspaper having a general circulation in the town. (63 O.S. 1971, § 1-1011.)
- B. If the order is not complied with, the health officer may cause the order to be executed and complied with, and the cost thereof shall be certified to the town clerk; the cost of removing or abating such nuisance shall be added to the water bill or other town utility bill of the

owner or occupant if he is a user of water from the town water system or such other utility service. The cost shall be treated as a part of such utility bill to which it is added, and shall become due and payable and be subject to the same regulations relating to the delinquency in payment as the utility bill itself. If such owner or occupant is not a user of any town utility service, such costs, after certification to the town clerk, may be collected in any manner in which any other debt due the town may be collected. (63 O.S. 1971, § 1-1011.)

#### **Section 13-10. Abatement by Suit in District Court.**

In cases where it is deemed impractical summarily to abate a nuisance, the town may bring suit in the district court of the county where the nuisance is located. (50 O.S. 1971, § 17.)

#### **Section 13-11. Elimination of Detrimental or Hazardous Accumulations of Weeds and Trash.**

- A. As used in this Chapter, the word "trash" extends to the widest sense of that term, and includes, but without limitation upon any other meaning, refuse, litter, ashes, leaves, debris, paper, combustible materials, offal, rubbish, waste and useless, unused or uncared for matter of all kinds, whether solid or liquid in form.
- B. It shall be unlawful for the owner, tenant or person in charge of a lot, tract or parcel of land, whether vacant or not, to permit an accumulation of weeds, grass, other vegetation or trash thereon.
- C. Upon receiving a report from any officer or employee of the town who discovers an accumulation of trash or weeds upon any premises within the limits of the town which appears to him to be a public nuisance, or upon receipt of equivalent information from any reliable source, the President of the Town Board shall place upon the agenda of the Board of Trustees for hearing and consideration at an appropriate date of meeting thereof, such as will permit giving notices prescribed by statutory law, the question whether such premises, by reason of the conditions specified, are detrimental to the health, benefit and welfare of the public and community, or a hazard to traffic, or fire hazard to the danger of property.
- D. At least fifteen (15) days prior to the hearing, the town marshal shall give written notice of such hearing by posting upon the premises and by forwarding a copy therefor by certified mail with return receipt requested to the owner of such property at the address shown by the current year's tax rolls in the office of the treasurer of the county in which such property is located. (11 O.S. 1971, § 20.)
- E. Upon the date specified in such notice, the Board of Trustees shall hear the matter and shall receive information thereon, including anything which may be presented by the owner of the premises, personally or by agent or attorney. If it determines that the conditions specified hereinabove exist upon such premises, it shall order the property to be cleaned of trash or the weeds and grass cut or mowed or both cleaning and cutting and mowing if necessary to abate the conditions found to exist. (11 O.S. 1971, § 20.)

- F. The work ordered to be performed hereinabove may be done by the employees of the town under supervision of the President of the Board of Trustees, or it may be let by contract to the lowest and best bidder, after appropriate notice, in the manner of letting other contracts by public bid. (11 O.S. 1971, § 20.)
- G. Upon the completion of the work ordered to be performed hereinabove, the President of the Town Board shall report the cost thereof to the Board of Trustees. Such report shall be itemized, as to each tract, as follows: labor, machinery rental or depreciation, fuel and supplies, cost of notice and other costs. The Board of Trustees shall examine the report, and after receiving appropriate information, shall determine the total actual costs of the work, and shall direct the town clerk to forward a statement and demand payment thereof by certified mail with return receipt requested to the owner of the property at the address shown by the current tax rolls in the office of the treasurer of the county in which the property lies. (11 O.S. 1971, § 20.)
- H. The service of all notices prescribed by this Article shall be evidenced by the return of the officer making such service, certified in his official capacity, and filed in the office of the town clerk. (11 O.S. 1971, § 20.)
- I. If the costs of the work performed under this Article are not paid within six (6) months from the date of mailing the notice prescribed hereinabove, the town clerk shall forward a certified statement of the amount of such costs to the county treasurer of the county in which the property upon which the work was done is located, to be levied upon the property and to be collected by the county treasurer in the manner prescribed by the laws of the State of Oklahoma. (11 O.S. 1971, § 20.)

### **Article 3. Penalty**

#### **Section 13-12. Penalty.**

Any person who violates any provision of this Chapter, by doing any act prohibited or declared to be unlawful thereby, or declared to be a nuisance, an offense, a misdemeanor thereby, or who fails to do any act required by any such provision, or who fails to do any act when such provision declares such failure to be unlawful or to be an offense or misdemeanor, or who violates any legal order or regulation made pursuant to this Chapter, or who maintains any nuisance as defined in this Chapter, is guilty of an offense and upon conviction thereof, shall be punished by a fine not exceeding thirty-five dollars (\$35.00), including costs. Each day upon which such violation continues, shall constitute a separate offense.



## CHAPTER 14 – OFFENSES

### Article 1. Offenses in General

#### **Section 14-1. Offenses Defined.**

An offense is hereby defined as the doing of any act or thing which, by this Chapter or any ordinance of the Town of Randlett, Oklahoma is prohibited, forbidden or declared to be unlawful; or the failure or refusal to do any act or to perform any duty which, by any provision of this Chapter or by any ordinance of the Town of Randlett, Oklahoma is commanded or required to be done.

#### **Section 14-2. Attempts to Commit an Offense.**

Every person who attempts to commit an offense against the ordinances of the town, and in such attempt does not act toward the commission of such offense, but fails or is prevented to intercepted in the perpetration thereof, is guilty of an offense, and shall be punished in the manner prescribed for the offense itself. (21 O.S. 1971, §§ 41-44.)

#### **Section 14-3. Aiding in an Offense.**

When no punishment for counseling or aiding in the commission of a particular offense is expressly prescribed by ordinance, every person who counsels or aid another in the commission of such is guilty of an offense and punishable in the same manner as the principal offender. (21 O.S. 1971, § 28.)

### Article 2. Offenses Against Public Decency, Morality and Policy

#### **Section 14-4. Gambling Prohibited.**

No person, firm or corporation, or agent or employee thereof, shall play, open or cause to be opened, operate, carry on or conduct, any game of faro, monte, poker, roulette, craps, any banking, percentage or other game played with dice, cards or any device, for money, checks, chips, credit or any other things of value; or shall set up, operate or permit to be operated, any slot machine or other device whatsoever where money, checks, chips, credit or any other things of value are played, when the act of playing the same might result in a gain or loss to the party playing; or shall gamble knowingly in any other manner; or knowingly shall permit his or its premises, housing, lot of other property to be used in connection with, or for, any act declared unlawful in this section. (11 O.S. 1971, § 1004; 21 O.S. 1971, §§ 941 et seq.)

#### **Section 14-5. Loitering.**

- A. It shall be unlawful for any person, without lawful reason, between the hours of 12:00 o'clock midnight and 5:00 o'clock a.m., to loiter or wander aimlessly within the Town of Randlett, Oklahoma, on the streets, in other public places, or on property of other persons; or during such time to sleep upon any street or in any other public place, or on any property of another person without the express or tacit consent of the owner of person in charge of such place. (11 O.S. 1971, § 1004.)
- B. It shall be unlawful for any person to loiter in or about any public building, in or about the station or depot of a public carrier or on or about the premises of a public or private school.

- C. It shall be unlawful for any person under the age of eighteen (18) years to remain idle, wander, stroll, play, loaf or loiter in any public place, either on foot or in a vehicle, between the hours of 12:00 o'clock midnight and 5:00 o'clock a.m., unless accompanied by a parent, guardian, custodian, or other adult person having custody or control of such person or unless the person is on an emergency errand or specific business or activity directed or permitted by his parent, guardian or other adult person having the care and custody of such person, or where the presence of such person is connected with or required by some legitimate employment, trade, profession or occupation; it shall also be unlawful for any parent, guardian or other adult person having the care and custody of such person to permit such a person to remain idle, loaf, loiter, etc. in a public place at such times as are specified hereinabove, except for those reasons listed above.
- D. No person shall loiter in the immediate vicinity where a person or persons are gambling by the use of any means or device. (11 O.S. 1971, § 1004.)
- E. It shall be unlawful for any person to loiter, loaf, wander, stand or remain idle, either alone or in consort with others, in a public place in such a manner as to (11 O.S. 1971, § 1004):
1. Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering, impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians; or
  2. Commit in or upon any public street, highway, sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in, upon, facing or fronting on any such public street, highway, sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress and regress therein, thereon and thereto.

#### **Section 14-6 Vagrancy.**

- A. The following persons are vagrants within the meaning of this section:
1. An idle person who has visible means of support and makes no exertion to obtain a livelihood by honest employment;
  2. Any person who strolls about to tell fortunes;
  3. Any common prostitute, any manager or controller of a house of prostitution or ill fame, or anyone employed therein;
  4. Any professional gambler or gambler commonly known as a tinhorn gambler, card player or card shark; and
  5. Any habitual drunkard.

- B. It shall be unlawful for any person to be a vagrant in the town. (11 O.S. 1971, § 1004; 21 O.S. 1971, §§ 1141-1142.)

#### **Section 14-7. Offenses Relating to Narcotics.**

It shall be unlawful for any person under the influence of any narcotic to appear or be upon or in any street, alley, place of business or other public place within the Town of Randlett, Oklahoma; or for any person to use any narcotic upon or in any street, alley, place of business or other public place within the town except as legally prescribed by a physician licensed to practice in the state; or for any person to loiter about a place where any narcotic is sold or furnished illegally; or for any person to sell or furnish illegally to another person any narcotic.

#### **Section 14-8. Harmful Deception.**

It shall be unlawful for any person knowingly to deceive another, whether by impersonation, misrepresentation or otherwise, when such deception results in or contributes to the loss, damage, harm or injury of the person deceived or of a third party, or results in or contributes to the benefit of the deceiver. (21 O.S. 1971, § 1541.1.)

#### **Section 14-9. Shows, Exhibitions and Entertainments.**

It is unlawful to show vile, obscene or immoral moving pictures at any time or to have or give any kind of a show, exhibition, or entertainment which is vile, obscene or immoral at any time.

#### **Section 14-10. Lewd or Indecent Conduct.**

It shall be unlawful for any person to conduct himself in a lewd or indecent manner in any public place within the Town of Randlett, Oklahoma.

#### **Section 14-11. Prostitution; Illicit Sexual Relations.**

- A. For the purposes of this section, "illicit sexual relations" shall mean sexual relations with any other person than one's lawful husband or wife.
- B. It shall be unlawful for any person to offer submit or give himself or herself to a lewd or immoral use, such as illicit sexual relations, or to engage in any lewd or immoral act for money or any other thing of value. (21 O.S. 1971, §§ 1025-1031.)
- C. It shall be unlawful for any person to engage in illicit sexual relations or any other immoral act, or knowingly to consort with a prostitute or other person of immoral vacation, or to consort with another for an immoral purpose, in a public place in the town, or to loiter about a house or place of prostitution or a house or place devoted to lewd or immoral acts. (21 O.S. 1971, §§ 1025-1031.)
- D. It shall be unlawful for any person, or any agent or employee thereof, to keep or assist in keeping a house of prostitution or a house or place in the town where persons meet or assemble for illicit sexual relations or for any other lewd or immoral purpose, or knowingly to permit a prostitute or other person of an immoral vocation to become or remain a guest in a hotel or rooming house. (11 O.S. 1971, § 654.)

- E. It shall be unlawful for any person to be an inmate or resident of a house of prostitution or of a house or place devoted to lewd or immoral acts. (21 O.S. 1971, §§ 1025-1031.)

#### **Section 14-12. Certain Conduct and Acts Prohibited On or Near School Grounds.**

- A. No person shall engage in any conduct or commit any of the acts enumerated herein around or on the grounds of any school in the Town of Randlett, Oklahoma, or in any street or alley adjacent to a school (11 O.S. 1971, § 1004.)
- B. Loitering by any person not having lawful business in connection with the school or an employee thereof or student therein;
- C. Any conduct that disturbs the orderly conduct of the school;
- D. Annoying or molesting any student or employee of the school;
- E. Lewd or wanton conduct; or
- F. Moving or parking any vehicle in the vicinity of any school or in any street or alley adjacent thereto in such a manner as to annoy or molest any student or employee of the school.

#### **Section 14-13. Alcoholic or Intoxicating Beverages.**

- A. It shall be unlawful for any person under twenty-one (21) years of age to misrepresent his age in writing or by presenting false documentation of age for the purpose of inducing any person to sell him alcoholic beverages. (37 O.S. 1971, § 5383.)
- B. It shall be unlawful for any person under twenty-one (21) years of age to have in his or her possession any intoxicating liquor or any alcoholic beverages, within the Town of Randlett, Oklahoma. (37 O.S. 1971, § 537a-8.)
- C. It shall be unlawful for any person to open a retail container or consume alcoholic beverages on the premises of a retail package store. (37 O.S. 1971, § 537c-2.)
- D. No person drunk or in a state of intoxication shall appear or be upon or in any street, alley, place of business or other public place, nor shall any person drink any intoxicating liquor or beverage upon or in any street, alley, place of business or other public place within the Town of Randlett, Oklahoma. (37 O.S. 1971, § 537a-8.)
- E. It shall be unlawful for any person to transport in any vehicle upon any street, alley, or other public way within the town any alcoholic beverage except in the original container, which shall not have been opened and the seal of which shall not have been broken, and from which the original cap or cork shall not have been removed, unless the opened container be in the trunk or any closed compartment or other container out of public view and out of reach of the driver or any occupant of the vehicle. (37 O.S. 1971, § 537a-7.)

- F. It shall be unlawful for any person, firm or corporation to buy any alcoholic beverages, either at retail or wholesale, from any person other than a dealer licensed under the laws of the State of Oklahoma, or to receive, possess, sell, barter, give away, manufacture or use any alcoholic beverages in violation of the constitution and statutes of the state or the ordinances of the town. (37 O.S. 1971, § 537.)

#### **Section 14-14. Non-Intoxicating Beverages.**

- A. It shall be unlawful for any minor to loiter or loaf, or to be or remain in or around a place of business where non-intoxicating beverages are sold for consumption on the premises. (11 O.S. 1971, § 1004.)
- B. It shall be unlawful for any minor to purchase, receive or procure any non-intoxicating beverage. (21 O.S. 1971, § 1215.)
- C. It shall be unlawful for any minor to work in a place where non-intoxicating beverages are sold for consumption on the premises, except an eating place where the service of such beverages is incidental to the main business of serving food. (37 O.S. 1971, § 243.)
- D. It shall be unlawful for any person, whether a minor or of age, to be in possession of, or to drink, any non-intoxicating beverage while such person is upon any public street, alley, or other public highway, or in any public building or other public place, within the town; provided this shall not prohibit a person who is of age from drinking such beverage in a place licensed to sell it for consumption on the premises. (37 O.S. 1971, § 537a-8.)
- E. It shall be unlawful for any person to knowingly transport in any moving vehicle, upon any public highway, street, alley or roadway within the corporate limits of the Town of Randlett, Oklahoma, or in or upon any property owned by the town outside of its corporate limits, any non-intoxicating beverage, except in the original container which shall not have been opened and from which the original cap or seal shall not have been removed, unless the opened container is in the rear trunk or rear compartment, which shall include the spare tire compartment in a station wagon or panel truck, or any outside compartment which is not accessible to the driver or any other person in the vehicle while it is in motion. (21 O.S. 1971, § 1220.)

#### **Article 3. Offenses Against the Peace**

##### **Section 14-15. Carrying Concealed Weapons.**

It shall be unlawful for any person to carry concealed upon or about his person any pistol, revolver, knife, dagger, metal knuckle or other dangerous or deadly weapon or instrument, except doing so in the line of duty or as may be permitted by law. (11 O.S. 1971, § 667; 21 O.S. 1971, § 1272.)

##### **Section 14-16. Discharging Firearms.**

It shall be unlawful for any person to discharge a firearm in the town, except when doing so in the line of duty, when lawfully doing so in defense of oneself or another person or of property, or when otherwise authorized by law or

ordinance; it shall be unlawful to discharge an air rifle or BB gun in the town. (11 O.S. 1971, §§ 655; 1004; 21 O.S. 1971, § 1364.)

##### **Section 14-17. Unlawful Assembly.**

It shall be unlawful for two (2) or more persons to assemble together to act in concert to do any unlawful act against the peace, or to the terror of the others, or to make any movement thereto or any preparation therefor, or otherwise to assemble together unlawfully or riotously. (11 O.S. 1971, § 1004; 21 O.S. 1971, § 1311, et seq.)

##### **Section 14-18. Disturbing Lawful Assemblies.**

It shall be unlawful for any person to disturb any lawful public gathering, including any congregation or assembly of persons meeting for religious worship, by making noise, by rude, indecent or improper behavior, by profane, improper or loud language, or in any other manner, either within the place of assembly or within hearing distance thereof. (21 O.S. 1971, §§ 1361, 915-916.)

##### **Section 14-19. Disturbing the Peace.**

It shall be unlawful for any person to disturb the peace of another or others by violent, obstreperous or improper conduct or carriage, by loud or unusual noise, or by unseemly, obscene, offense or abusive language; or to insult another or others by such conduct or language; or to conduct himself in a disorderly manner. (11 O.S. 1971, § 1004; 21 O.S. 1971, § 1362.)

#### **Article 4. Offenses Against Persons**

##### **Section 14-20. Assault and Battery.**

- A. An assault is any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another. (21 O.S. 1971, § 641.)
- B. A battery is any willful and unlawful attempt or offer with force or violence upon the person of another. (21 O.S. 1971, § 642.)
- C. It shall be unlawful to commit an assault or an assault and battery within the Town of Randlett, Oklahoma, and any person committing an assault and battery within the town shall be guilty of an offense. (11 O.S. 1971, § 1004.)

#### **Article 5. Offenses Against Property**

##### **Section 14-21. Petty Larceny.**

- A. Petty larceny is taking of personal property, of value of not to exceed twenty dollars (\$20.00), accomplished by fraud or stealth and with intent to deprive another thereof, when the property is not taken from the person of another. (21 O.S. 1971, § 1701.)
- B. Petty larceny is unlawful, and any person who commits petty larceny shall be guilty of an offense. (11 O.S. 1971, § 1004.)

#### **Section 14-22. Receiving Stolen Property.**

It shall be unlawful for any person to buy, receive or bring into the town any property which he knows has been stolen. (21 O.S. 1971, § 1713.)

#### **Section 14-23. Damaging or Destroying Property.**

It shall be unlawful for any person to destroy, injure, deface, besmear or molest any structure, building, outbuilding, fence or any other property, real or personal, public or private, belonging to another, including automobiles or other vehicles, or to use any such property wrongfully to the detriment of the owner or other person entitled to its use, or to interfere wrongfully with the use of any such property by its owner or any other person entitled to its use. (21 O.S. 1971, §§ 1760, et seq.; § 1787.)

#### **Section 14-24. Unlawful Entry.**

It shall be unlawful for any person to enter upon the property of another or into an area or structure on such property (whether such property, are or structure is public or private), when such entrance is plainly forbidden by signs or otherwise, or when the property, area or structure is enclosed, except when such entrance is in line of duty, or with the expressed or tacit consent of the owner or person in charge, or otherwise by authority of law or ordinance. (21 O.S. 1971, §§ 1431, 1435-1441.)

#### **Section 14-25. Unlawful Intrusion Upon Land.**

Every person who intrudes or squats upon any lot or piece of land within the Town of Randlett, Oklahoma, without license or authority from the owner thereof, or who erects or occupies thereon any hut, hovel, shanty or other structure without such license or authority, and every person who places, erects or occupies within the bounds of any street, alley or avenue of the town, any hut, hovel, shanty or other structure whatever, is guilty of an offense. (21 O.S. 1971, § 1353.)

#### **Section 14-26. Posting Advertising Matter on Property of Another.**

It shall be unlawful for any person to place, stick, tack, paste, post, paint, mark, write or print any sign, poster, picture, announcement, advertisement, bill, placard, device or inscription upon any public or private building, fence, sidewalk, bridge, viaduct, post, automobile, other vehicle or other property of another without the consent of the owner or person in charge thereof.

#### **Section 14-27. Unlawful Throwing or Shooting of Stones or Other Objects.**

It shall be unlawful for any person to throw or shoot any stone, shot or other object into or across any street or alley, or in any place where he is likely to hit another person wrongfully or to injure property, or to throw or shoot any stone, shot or other object at any person, vehicle, structure, electric light or other property of another, whether public or private, except in the case where such is done in defense of oneself, of another person or of property. (11 O.S. 1971, § 1004.)

#### **Section 14-28. Littering.**

A. For the purpose of this section, "litter" is defined to be any garbage, refuse, rubbish, ashes, street cleanings,

dead animals, abandoned automobiles, paper, wrappings, cigarette butts, cardboard, tin cans, yard clippings, leaves, wood, grass, bedding or crockery and similar materials commonly referred to as rubbish.

B. No person shall throw or deposit litter in and upon any street, alley, sidewalk or other public place within the Town of Randlett, Oklahoma, except in public receptacles or in authorized private receptacles for collection or in official town dumps.

### **Article 6. Offenses Against Public Authority**

#### **Section 14-29. Refusing to Assist Town Officer.**

An officer of the Town of Randlett, Oklahoma, making or about to make an arrest, or executing or about to execute a warrant or other process, in accordance with the ordinances of the town or with state or federal law, or suppressing or about to suppress a riot, affray or unlawful assembly, may call upon any person to assist him in making such arrest, executing such process or suppressing such riot, affray or unlawful assembly. It shall be unlawful for any person lawfully called upon thus to assist an officer of the town to refuse or fail to do so. (21 O.S. 1971, § 537.)

#### **Section 14-30 Resisting Arrest.**

It shall be unlawful for any person knowingly or willfully to resist, oppose or obstruct the town marshal, any other policeman, the municipal judge or other officer or employee of the town in the discharge of his official duties; or, by threats or otherwise, to intimidate or attempt to intimidate any such officer or employee from the discharge of his official duties; or to assault or beat, or revile, abuse, be disrespectful to, use abusive or indecent language toward or about, any such officer or employee while such officer or employee is in the discharge of his official duties. (21 O.S. 1971, § 540.)

#### **Section 14-31. Impersonating Town Officer or Employee.**

It shall be unlawful for any person to impersonate any officer or employee of the town, or exercise or attempt to exercise any of the duties, functions or powers of an officer or employee of the town without being duly authorized to do so. (21 O.S. 1971, § 1533.)

#### **Section 14-32. False Representations to Town Officers or Employees.**

It shall be unlawful for any person knowingly to make any material misrepresentation to any officer, employee or agency of the town government in any official application to, or official dealing or negotiation with, such officer or agency, or to commit perjury before any tribunal or officer of the town.

#### **Section 14-33. Escape of Prisoners.**

It shall be unlawful for any person confined in the town jail or other place of confinement by the town, or working upon the streets or other public places of the town in pursuance of any judgment, or otherwise held in legal custody by authority of the town, to escape or attempt to escape from any such jail, prison or custody. (21 O.S. 1971, §§ 431 et seq.)



**Section 14-34. Assisting Prisoners to Escape.**

It shall be unlawful for any person, in any lawful manner, to set at liberty, rescue or attempt to set at liberty or rescue, any prisoner from any officer or employee of the Town of Randlett, Oklahoma having legal custody of such prisoner, or from the town jail or other place of confinement by the town, or to assist such prisoner in any manner to escape from such prison or custody, or to give such prisoner any weapon or object which might be used as a weapon or instrument to assist him in escape, or to give such prisoner any alcoholic beverage or narcotics. (21 O.S. 1971, §§ 437, 441, 521.)

**Section 14-35. Removal of Barricades.**

No person, unless authorized by proper authority, shall remove any barricade or obstruction placed by the authority of the Town of Randlett, Oklahoma, to keep traffic off any pavement, street, curb, sidewalk or other area. (11 O.S. 1971, § 1004.)

**Section 14-36. False Fire Alarms.**

No person shall turn in a false fire alarm, or in any manner shall deceive or attempt to deceive the fire department or any officer or employee with reference to any fire alarm or reported fire, or knowingly shall cause the fire department or its officers or employees to make a useless run. (21 O.S. 1971, § 1851.)

**Article 7. Penalty**

**Section 14-37. Penalty.**

Any person, firm or corporation who shall violate any provision of this Chapter shall be guilty of an offense, and upon conviction be fined in any sum not to exceed thirty-five dollars (\$35.00), including costs. Each day's continuation of any such violation shall be a separate offense.



**CHAPTER 15 – PARKS AND RECREATION  
(RESERVED)**

**Section 15-1, et seq. Reserved for Future Use.**



## **CHAPTER 16 – PLANNING AND LAND USE CONTROLS**

### **Article 1. Planning Commission**

#### **Section 16-1. City Planning Commission Created.**

(See Chapter 1, section 1-28.)

#### **Section 16-2. Jurisdiction.**

The City Planning Commission shall have jurisdiction over any land within the corporate limits of the Town of Randlett, Oklahoma. (11 O.S. 1971, § 423.)

#### **Section 16-3. Rules and Regulations.**

- A. The planning commission shall prescribe rules and regulations governing and controlling the transaction of business before it and shall keep a public record of its regulations, transactions and findings.
- B. Regular meetings shall be held at least once a month.
- C. Special meeting may be called at any time by the chairman of the planning commission.

#### **Section 16-4. Employees; Expenditures.**

- A. The planning commission shall have the power and authority to employ planners, engineers, attorneys, clerks and other help deemed necessary, within the limits of the appropriation fixed by the Town Board. The salary and compensation for such services shall be fixed by the board and shall be paid out of the town treasury. (11 O.S. 1971, § 423.)
- B. The planning commission may incur necessary expenses within the limits of its appropriation to carry out its purposes and responsibilities. (11 O.S. 1971, § 423.)

#### **Section 16-5. Procedures.**

All projects or matters that fall within the purview of the duties of the planning commission, as herein specified, that may come before the Board of Trustees of the Town of Randlett, Oklahoma, shall be referred to said planning commission for investigation and report before any final action shall be taken thereon; provided, however, that is said planning commission shall fail to make an investigation and report on any matter or subject referred to it for a period of sixty (60) days, the Board of Trustees may thereupon act upon such proposal, plan or project as though such matter had not been referred to the said planning commission.

#### **Section 16-6. Duties and Powers.**

The planning commission shall have the following duties and powers:

- A. To prepare and recommend to the Town Board of Trustees, for adoption, a Comprehensive Plan for the development of the Town of Randlett, Oklahoma.
- B. To make continual investigations and recommendations concerning the town's growth, improvement and beautification.

- C. To investigate all matters relating to the location and development of parks, recreation areas, streets, public grounds and public structures, and to make report of their findings on any proposed project relative to any of the above matters to the Board of Trustees of the Town of Randlett, Oklahoma.
- D. To investigate, prepare and recommend to the Board of Trustees, for adoption, a suitable zoning ordinance for the town; and to assist the Board of Trustees in administering said zoning ordinance.
- E. To investigate, prepare and recommend to the Board of Trustees, for adoption, rules and standards for use in regulating the subdivision of land within the planning commission's jurisdictional area, and to assist the Board of Trustees in administering said land subdivision regulations.
- F. To investigate, prepare and recommend to the Board of Trustees, for adoption, such other rules, regulations or standards as may be necessary to implement the town's Comprehensive Plan.

### **Article 2. Zoning**

#### **Section 16-7. Town's Power to Zone.**

- A. For the purpose of promoting the health, safety, morals or general welfare of the citizens of the community, the Board of Trustees is empowered to regulate and restrict the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes. (11 O.S. 1971, § 401.)
- B. For any or all of the above purposes, the Town Board may divide the municipality into districts of such number, shape and area as may be deemed most beneficial to the community. (11 O.S. 1971, § 402.)
- C. Within such districts, the Town Board may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures or land. (11 O.S. 1971, § 402.)
- D. All such regulations shall be uniform for each class or kind of building throughout each district, but the regulations in one (1) district may differ from those in other districts. (11 O.S. 1971, § 402.)

#### **Section 16-8. Relationship of Zoning to the Comprehensive Plan.**

The zoning regulations prepared and adopted by the Board of Trustees shall be made in accordance with the community's Comprehensive Plan. (11 O.S. 1971, § 403.)

#### **Section 16-9. Planning Commission to be Zoning Commission.**

To avail itself of the powers of State Law, the planning commission is hereby designated as the zoning commission of the Town of Randlett, Oklahoma. (11 O.S. 1971, § 406.)

**Article 3. Zoning Ordinance**

**Section 16-10. Reserved for Future Use.**

**Article 4. Regulation of Land Subdivision**

**Section 16-11. Planning Commission to Review Plats and Replats.**

- A. All subdivision plats, or replats of land laid out in plats or lots, and the streets, alleys or other portions of the same, intended to be dedicated to public or private use, within the jurisdictional area of the planning commission, shall first be submitted to said planning commission for its approval or rejection. (11 O.S. 1971, § 423.)
- B. In reviewing such plats or replats, the planning commission shall utilize the standards and rules adopted by the Town Board of Trustees in the "Subdivision Regulations" for the Town of Randlett, Oklahoma.

**Section 16-12. Town Board Approval Required.**

Final approval for all subdivision plats or replats shall be obtained from the Board of Trustees of the Town of Randlett, Oklahoma, in accordance with the provisions of the adopted "Subdivision Regulations" for the town.

**Article 5. Subdivision Regulations**

**Section 16-13. Reserved for Future Use.**

**Article 6. Miscellaneous Provisions**

**Sections 16-14 through 16-20. Reserved for Future Use.**

**Article 7. Penalty**

**Section 16-21. Penalty.**

Any person, firm or corporation who violates any provision of this Chapter shall be guilty of an offense and, upon conviction thereof, shall be fined in any amount not exceeding thirty-five dollars (\$35.00), including costs. Each day upon which a violation continues shall be deemed a separate offense.

## **CHAPTER 17 – PUBLIC UTILITIES**

### **Article 1. General Provisions**

#### **Section 17-1. Utility Systems.**

- A. Water and sewer services for the town are provided by Rural Water District No. 2 (Cotton County).
- B. Garbage disposal services are provided by the Town of Randlett, Oklahoma.

#### **Section 17-2. Turning on Utilities.**

It is unlawful for any person to turn a utility on to any premises, except by permission. Utilities shall not be turned on until the plumbing has been instructed and approved and until any and all deposits and charges have been paid.

#### **Section 17-3. Utilities May be Cut Off.**

- A. Utilities may be cut off and service discontinued for any of the following reasons:
  - 1. Violation of any ordinance provision relating to the utility or service system, or violation of any ordinance provision or any provision of a Code adopted by reference relating to utility systems; or
  - 2. Failure to pay a utility bill or other proper charge made in connection with the utility system by the time specified.
- B. A particular service may be cut off for any act or omission in regard to the abuse of another system or service, which jeopardizes the public health or safety, creates a public nuisance or interferes with the rights of others.

#### **Section 17-4. Damage of Utility Systems.**

- A. It shall be unlawful for any person, except one duly authorized by the proper authority, to turn on or off, open, interfere with or connect anything with, any fire hydrant in the water system.
- B. It shall be unlawful for any person to obstruct access to any fire hydrant by placing around or thereon brick, lumber, dirt or other thing.
- C. It shall be unlawful for any person to damage, destroy or tamper with any pipes, lines, meters or other equipment or property which is a part of a utility system.

### **Article 2. Water and Sewage Systems**

#### **Section 17-5. "Water System" Defined.**

As used in this Article, the term "water system," "waterworks," "water-distribution system," shall mean the waterworks utility system serving the Town of Randlett, Oklahoma.

#### **Section 17-6. Utility Customer to Install and Maintain Service Line.**

Each customer of water shall lay his own pipeline from the premises to the property line for the purpose of conveying water to such point on his premises as he may desire and shall thereafter be required to keep the same in good repair and sanitary condition.

#### **Section 17-7. Tampering With or Injuring Waterworks Property.**

It shall be unlawful for any person to injure to deface, or in any way tamper with any hydrant, stopcock, corporation cock, meter, valve, pipeline or any part of the waterworks system, or to turn the water off or on from any main at any time or place, unless he is duly authorized to do so.

#### **Section 17-8. Mandatory Sewer Connections.**

- A. The owners of all houses, building or property used for human occupancy, employment, recreation or other purposes, situated within the town and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer of the town, are hereby required, at their expense, to install suitable toilet facilities therein, and to have such facilities connected directly with the proper public sewer, within sixty (60) days after the date of official notice to do so, provided that such public sewer is within three hundred (300) feet of the property line.
- B. Any person who shall fail, neglect or refuse to comply with the terms of this section after having been notified so to do as provided herein shall be guilty of an offense, and each twenty-four (24) hour period thereafter shall constitute a separate offense. In the event of a continuous violation of this section by any property owner, the furnishing of water shall be discontinued to such property owner until such time as a proper sewer connection has been made.

#### **Section 17-9. Private Sewage Disposal Facilities.**

- A. Except as hereinafter provided in this section, it shall be unlawful for any person to construct or maintain any privy, privy vault, septic tank, cesspool or other facilities intended to be used for the disposal of sewage within the corporate limits of the Town of Randlett, Oklahoma.
- B. Where a connection to a public sanitary sewer line is not required under the provisions of section 17-8, a private septic tank or cesspool facility for sewage disposal may be constructed and maintained, provided it is constructed and maintained under the rules and regulations of the town health officer and in compliance with the recommendations and requirements of the State Department of Public Health. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet.
- C. The owner of private septic tanks or cesspools shall operate and maintain the same in a sanitary manner at all times and no statement contained in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the health officer of the town, county or state.

- D. At such times as a public sewer becomes available to a property served by a septic tank or cesspool, a direct connection shall be made to such public sewer in compliance with section 17-8, and the septic tank or cesspool shall immediately be abandoned and filled with suitable material.

### **Article 3. Solid Waste Disposal**

#### **Section 17-10. Disposal Declared to be a Municipal Function.**

The disposal of garbage, trash and refuse is hereby declared to be a municipal function of the town as a protection of the public health; the police powers of the town shall be invoked when necessary for the enforcement of this Chapter. In addition, the town may collect and dispose of refuse, as it deems necessary, provided that such disposal shall be by an approved method of incineration (not open burning) or by landfill and daily cover.

#### **Section 17-11. Purpose.**

It is the purpose of this Article and it is hereby declared to be policy of the town, pursuant to the authority of the Oklahoma Solid Waste Management Act (Title 63 O.S. 1971, sections 2251-2265, inclusive), to regulate the disposal of solid wastes in a manner that will protect the public health and welfare, prevent air and water pollution, prevent the spread of disease and the creation of nuisances, conserve the natural resources and enhance and preserve the beauty and quality of the town's environment.

#### **Section 17-12. Definitions.**

- A. Person. Any individual, corporation, company, firm partnership, association, trust or other legal entity, however constituted or organized.
- B. Refuse. Tree trimmings, junked building materials and roofing materials, manufacturing waste, rocks, dirt and other waste material not defined as "solid waste" or "trash."
- C. Trash. Paper, rags, containers of paper, tin cans, yard and house sweepings and all other household waste; but not tree trimmings, building and manufacturing waste, sewage and rocks, raw dirt, rainwater and other liquid refuse properly disposable through the sanitary sewers of the town.
- D. Solid Waste. All putrescible and nonputrescible refuse in solid or semi-solid form, including but not limited to, garbage, refuse, rubbish, ashes or incinerator residue, street refuse, dead animals, demolition wastes, construction wastes, solid or semi-solid commercial and industrial wastes and hazardous wastes, including explosives, pathological wastes, chemical wastes, herbicide and pesticide wastes.
- E. Solid Waste Management System. The process of disposing of solid wastes at or in a site approved by the Oklahoma State Department of Health.

#### **Section 17-13. Accumulation a Nuisance.**

- A. It is unlawful for any person in charge of any lot or place of ground to allow solid waste to accumulate

thereon, so as to cause an offensive odor to be emitted therefrom or to become injurious or dangerous to the health of the neighborhood or any inhabitant thereof. Any such condition is hereby declared a violation of this Article and punishable as such, and, in addition, is declared to be a nuisance and may be abated as such. (11 O.S. 1971, § 1004.)

- B. Any person constructing any structure within said town shall, prior to construction on any premises in said town, furnish and place on said premises a container of suitable size and design to contain all solid waste which might, by the winds or elements be distributed and blown from the premises; said container shall be used by the person concerned at all time to keep the premises from becoming unsightly with solid waste.
- C. Any person who fails to keep the premises on which any structure is being built or installed free from solid waste and which allows said waste to blow or be carried from the premises to adjoining or other property or into the town streets, shall be deemed guilty of causing a nuisance, and shall be subject to the penalties in this Code of Ordinances prescribed therefor.

#### **Section 17-14. Burning of Solid Waste.**

- A. It shall be unlawful for any person to start or maintain any fire or cause any fire to be started or maintained for the purpose of burning or incinerating any solid waste.
- B. It shall be unlawful for construct or install, within any building in the town any incinerator designed to burn solid wastes.
- C. Notwithstanding subsection A (above), the President of the Town Board may authorize the burning of vacant lots if he determines that the circumstances are such as not to create a hazard to adjacent properties or will create a nuisance.

#### **Section 17-15. Solid Waste Disposal Rates.**

For the purposes of paying the costs of operating and maintain the solid waste management system of the Town of Randlett, Oklahoma, the following fees for "dumping permits" are hereby assessed and levied:

- A. General Permit ----- \$5.00 per year (per person or household unit.)
- B. School Permit ----- \$10.00 per year
- C. Commercial Permit ----- \$5.00 per year plus \$5.00 per year per person or household unit for which trash is collected.

### **Article 4. Penalty**

#### **Section 17-16. Penalty.**

Any person who violates any provisions of this Chapter or of any ordinance, Code or standard adopted by this Chapter, or maintains or permits to continue any public nuisance as defined by this Chapter, shall be guilty of an offense, and upon conviction thereof, shall be fined in any sum not exceeding thirty-five dollars (\$35.00), including



costs. Every day upon which a violation continues shall be deemed a separate offense.



## **CHAPTER 18 – STREETS, SIDEWALKS AND OTHER PUBLIC AREAS**

### **Article 1. General Provisions**

#### **Section 18-1. Certain Ordinances Not Affected by This Chapter.**

- A. Nothing in this Code or the ordinance adopting this Code shall affect any ordinance:
1. Vacating, opening or dedicating specific streets and alleys;
  2. Relating to specific street improvements and assessments therefor;
  3. Relating to the grade or alignment of specific streets;
  4. Naming or renaming specific streets; or
  5. Granting railroads the right to use specific streets and alleys.
- B. All such ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length in this Code.

### **Article 2. Use and Obstruction**

#### **Section 18-2. Trees and Shrubbery.**

- A. The owner of any premises abutting on any street shall trim all trees and shrubbery growing in the parking area and between the sidewalks and the roadway of any such street, and all trees and shrubbery growing on any part of the premises adjacent to the sidewalks or any street or alley, in such manner that the boughs or limbs thereof shall not obstruct free and convenient passage and travel along the streets, sidewalks and alleys. When such premises are occupied by some person other than the owner, such occupant shall trim the trees and shrubbery in the same manner as hereinbefore required of the owner. (11 O.S. 1971, § 7.)
- B. It is unlawful for any person to injure any tree or shrubbery in a street or alley; provided that this shall not prohibit the lawful and proper care and removal of such trees and shrubbery. (11 O.S. 1971, § 7.)

#### **Section 18-3. Rights of Way and Easements.**

- A. It shall be unlawful for any person, firm or corporation to obstruct or otherwise prevent access to a street, alley or other town-owned property; provided that the town may prevent or provide access to streets, alleys and town-owned property from time to time in the public interest. (11 O.S. 1971, § 1004.)
- B. The town may permit certain streets, alleys and town property which is dedicated but not required for traffic or other public access, or use, to be fenced or otherwise made inaccessible to the public, as in the case of land being farmed or grazed as a part of a larger field or pasture; provided that the town or any of its officers or employees shall have right of ingress, egress and easement for the purpose of installing or

maintaining utilities, cleaning, grading, moving, or any other activity which is in the public interest.

- C. Persons, companies, corporations or individuals who have fenced in, or are farming or grazing dedicated but unopened streets, alleys or town property as permitted above shall:

1. Not construct any building, structure, earthworks or ponds, nor in any other way disturb the general grade and slope of the land;
2. Maintain the property so that no nuisance is created;
3. Immediately relinquish any rights presumed to be held concerning the property upon notice by the town; or
4. Permit access to the property at any time when requested to do so by a town officer or employee.

#### **Section 18-4. Drainage of Polluting Substance.**

It shall be unlawful for any residence, business or industry to allow drainage of a polluting substance (as defined by 82 O.S. 1971, § 926.1) into any street, alley or sidewalk.

#### **Section 18-5 Obstructions.**

- A. It shall be unlawful for any person to use or obstruct the sidewalks of the town in any manner so as to interfere unduly with pedestrian traffic thereon, or to use or obstruct the streets and alleys of the town in any manner so as to interfere with lawful traffic and parking thereon. (11 O.S. 1971, § 1004.)
- B. It shall be unlawful for any person, firm or corporation to deposit, throw or sweep into or upon streets, alleys, parking areas or sidewalks any paper, rubbish, grass, weeds, tree trimmings, dirt, trash, crates, boxes or other refuse of any kind. (11 O.S. 1971, § 1004.)
- C. It shall be unlawful for the owner or occupant of property abutting upon a sidewalk or sidewalk area to permit the sidewalk or sidewalk area adjacent to the property to become a hazard to persons using the sidewalk or sidewalk area. Such area shall be cleaned upon notification by town authorities. (11 O.S. 1971, § 1004.)
- D. It shall be unlawful and an offense for any person to permit to be open or leave open any cellar door, manhole or grating of any kind in or upon any street, sidewalk or alley of the town. (11 O.S. 1971, § 1004.)
- E. It shall be unlawful for any person to make any excavation or cutting in any street, sidewalk, alley or public grounds or to remove any earth or construction material therefrom, except when authorized to do so by the Town of Randlett, Oklahoma; excavations so authorized shall be properly guarded or protected to prevent said excavations from being or becoming dangerous to life or limb. (11 O.S. 1971, § 1004.)
- F. It shall be unlawful for any person, firm or corporation to obstruct any street, sidewalk, or alley, by placing any approach driveway, or other obstruction or

substance whatever, that will obstruct or prevent the natural flow of water into the storm sewers or drains, or dam the same so as to back any water upon the streets alleys, sidewalks or gutter. (11 O.S. 1971, § 1004.)

**Article 3. Penalty**

**Section 18-6. Penalty.**

- A. Any owner or occupant who fails, refuses, or neglects to trim trees and shrubbery as provided in Section 18-2, after receiving five (5) days' notice from the town marshal to do so, shall be guilty of an offense. Every day that the owner or occupant fails, refuses or neglects to trim such trees or shrubbery, after the expiration of the five (5) days' notice, shall be a separate offense.
- B. Any violation of this Chapter shall be deemed an offense and upon conviction thereof, shall be punished by a fine not to exceed thirty-five dollars (\$35.00), including costs. Each day upon which a violation continues shall be deemed a separate offense.

## **CHAPTER 19 – TRAFFIC**

### **Article 1. Title 37 of Oklahoma Statutes Adopted.**

#### **Section 19-1. Title 47 of Oklahoma Statutes Adopted.**

- A. Title 47 of the 1971 Oklahoma Statutes (as amended) is hereby adopted and incorporated in the Code of Ordinances of the Town of Randlett, Oklahoma, as if set out at length herein, for the purposes of establishing rules and regulations for the control of traffic within said town. (11 O.S. 1971, § 1004; 47 O.S. 1971, § 1-101-960.)
- B. The definitions of words used in this Chapter shall be the same as those definitions in Title 47, Oklahoma Statutes, 1971, sections 1-101 through 1-186.

### **Article 2. Traffic Regulations and Administration.**

#### **Section 19-2. Duty of Town Marshal and Firemen.**

- A. It shall be the duty of the town marshal and any deputy marshals to enforce the street traffic regulations of the Town of Randlett, Oklahoma, and all of the state vehicles laws applicable to street traffic in said town, to make arrests for traffic violations, to investigate accidents, to cooperate with other officers of the town in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and to carry those duties specifically imposed upon said officers by this Chapter and any other traffic ordinances of said town.
- B. The town marshal and his assistants are hereby authorized to direct all traffic by voice, hand or signal in conformance with traffic laws and ordinances; provided that, in the event of a fire or other emergency, or to expedite traffic or safeguard pedestrians, such officers may direct traffic as conditions may require, notwithstanding the provisions of the traffic laws and ordinances. (47 O.S. 1971, § 15-102.)
- C. Firemen, when at the scene of a fire, may direct or assist the police in directing traffic thereat or in the immediate vicinity.

#### **Section 19-3. Authority of Town Board to Promulgate Traffic Regulations.**

- A. The Town Board of Trustees is hereby empowered to make regulations necessary to make effective the provisions of this Chapter and other traffic ordinances of the town, and to make and enforce temporary or experimental regulations to cover emergencies or special conditions.
- B. No person shall willfully fail or refuse to comply with any lawful order or direction of the town marshal, any deputy marshal, firemen or any other designated employee of the town. (47 O.S. 1971, § 11-103.)

#### **Section 19-4. Public Officials and Employees.**

The provisions of this Chapter shall apply to the driver of any vehicle owned by or used in the service of the United States government, any state, county, town, or other

governmental unit or agency, as well as to other vehicles; it shall be unlawful for any said driver to violate any of the provisions of this Chapter, except as otherwise permitted in this Chapter or by state statute. (47 O.S. 1971, § 11-107.)

#### **Section 19-5. Persons Working on Streets.**

- A. Unless specifically made applicable, the provisions of this Chapter, except those relating to reckless driving and driving while intoxicated, shall not apply to persons, teams, motor vehicles, and other equipment, while actually engaged in work upon the surface of a street, or to persons, motor vehicles, and other equipment while actually engaged in construction, maintenance, or repair of public utilities; provided that all highway and public utility operations shall be protected by adequate warning signs, signals, devices or flagmen. (47 O.S. 1971, § 11-105.)
- B. However, the provisions of this Chapter shall apply to such persons and vehicles when traveling to or from such work.

#### **Section 19-6. Construction Zones.**

- A. Town personnel, contractors or utility companies, while repairing or improving the streets of the town, or when installing, improving or repairing lines or other utility facilities in the streets, are hereby authorized, as necessary, subject to control by the Town Board, to close any street or section thereof to traffic during such repair, maintenance or construction and, in exercising such authority, shall erect or cause to be erected proper control devices and barricades to warn and notify the public that such street has been closed to traffic.
- B. When any street has been closed to traffic under the provisions of subsection A (above), and traffic-control devices or barricades have been erected, it shall be unlawful for any person to drive any vehicle through, under, over or around such traffic-control devices or barricades, or otherwise to enter the closed area, except that the provisions of this subsection shall not apply to persons while engaged in such construction, maintenance and repair, or to persons entering therein for the protection of lives or property; provided that persons having their places of residence or business within such closed area, may travel, when possible to do so, through such area at their own risk.
- C. Whenever construction, repair or maintenance of any street or utility line or facility is being performed and the street is not closed to traffic in accord with this section, the town personnel, contractor or utility company concerned shall erect, or cause to be erected, traffic-control devices to warn and guide the public; every person using such street shall obey all signs, signals, marking, flagmen or other traffic-control devices which are placed to regulate, control and guide traffic through the construction or maintenance area.

#### **Section 19-7. Speed Regulations.**

- A. No person shall drive a vehicle on any street at a speed greater or less than is reasonable or prudent under the conditions then existing, considering among other things, the condition of the vehicle, roadway,

weather, visibility, amount of traffic, presence of pedestrians and any obstruction of view.

- B. No person shall drive any vehicle upon a street at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.
- C. No person shall drive any vehicle, except an authorized emergency vehicle as provided in this Chapter, at a speed greater than the following (47 O.S. 1971, §§ 11-801 et seq.):
  - 1. Twenty (20) miles per hour on any street adjacent to any school between 7:30 o'clock a.m. and 4:00 o'clock p.m. on days when school is in session;
  - 2. Twenty-five (25) miles per hour on other streets and on streets adjacent to schools at other times than that specified immediately above; provided that, the Board of Trustees, by motion or resolution, may reduce or increase this speed limit, and when it does so, appropriate signs shall be placed on such streets or parts of streets indicating the lower or higher speed limit.

#### **Section 19-8. Authorized Emergency Vehicles.**

- A. The driver of an authorized emergency vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected violator of a law or ordinance, or when responding to but not upon returning from a fire alarm, may exercise the following privileges (47 O.S. 1971, § 11-106):
  - 1. Park or stand, irrespective of the provisions of this Chapter;
  - 2. Proceed past a red or stop signal or sign, but only after slowing down as may be necessary for safe operation;
  - 3. Exceed the maximum speed limits so long as he does not endanger life or property; or
  - 4. Disregard regulations governing direction of movement or turning in specific directions.
- B. The exemptions herein granted to an authorized emergency vehicle shall apply only when the driver of any such vehicle is making use of audible and visual signals (47 O.S. 1971, § 12-218), except that an authorized emergency vehicle operated as a police vehicle need not be equipped with, or display, a red light visible from the front of the vehicle.
- C. The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others.

#### **Section 19-9. Operation of Vehicles on Approach of Emergency Vehicles.**

- A. Upon the immediate approach of any authorized emergency vehicle making required use of audible and/or visual signals, or of a police vehicle properly

and lawfully making use of an audible signal only, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to, and as close as possible to, the right-hand edge or curb of the roadway clear of any intersection, and shall stop and remain in such position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. (47 O.S. 1971, § 11-405.)

- B. This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway.

#### **Section 19-10. Accident Reports.**

The driver of a vehicle which is in any manner involved in an accident resulting in bodily injury to or death of any person or damage to any vehicle or other property to an apparent extent of more than fifty dollars (\$50.00) shall, as soon as practicable, report such accident to the town marshal or to the police department. Making out a written report of the accident in the office of the police department, as soon as practicable after the accident, to be forwarded to the State Department of Public Safety, in accordance with the law, shall also be deemed compliance with this section. (47 O.S. 1971, §§ 10-101 et seq., 10-117).

#### **Section 19-11 Citation Tags.**

- A. Police officers are hereby authorized to give notice to persons violating provisions of this Chapter by delivering citation tags to violators or, in cases where vehicles without drivers are parked or stopped in violation of this Chapter, by affixing such tags to the vehicles by means of which the violation occurred. Such citation tags, among other things, shall indicate briefly the charge, shall bear the registration number of the vehicle, and shall direct the violator to present the tag at the police station or other designated place within five (5) days or such other reasonable time as may be specified thereon. Nothing in this section shall abridge the power to arrest any violator and to take him into custody, or to file a complaint against him, at any time.
- B. The Board of Trustees may require that police officers use serially-numbered citation tags furnished by the town clerk and may regulate the use and handling of citation tags.

#### **Section 19-12. Failure to Comply with Citation Tags.**

- A. If a violator of any provision of this Chapter who has been given a citation tag as provided above, fails to appear in accordance with the instructions on such tag, the town marshal or his authorized agent shall send to the owner of the vehicle involved, a letter or other written notice informing him of the violation and warning him to appear as directed and that, in the event such letter or notice is disregarded for a period of five (5) days, a complaint will be filed and a warrant of arrest issued; provided that nothing in this section shall abridge the power to file a complaint against him prior to the expiration of such time.
- B. In the event any person fails to comply with a citation tag given to such person or attached to a vehicle, the town marshal shall have a complaint entered against

such person before the municipal judge; and the municipal judge shall issue a warrant for his arrest.

**Section 19-13. Presumption in Reference to Illegal Parking.**

- A. In any prosecution charging a violation of any law or regulation governing the standing or parking of a vehicle, proof that the particular vehicle described in the complaint was parked in violation of any such law or regulation, together with proof that the defendant named in the complaint was at the time of such parking the registered owner of the such vehicle, shall constitute in evidence a prima facie presumption that the registered owner of such vehicle was the person who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.
- B. The foregoing stated presumption shall apply only when the procedure of giving a citation tag has been followed.

**Section 19-14. Authority to Impound Vehicles; Release of Vehicles.**

- A. The town marshal is hereby authorized to remove a vehicle from a street to a garage or other place of safety under any of the circumstances hereinafter enumerated (47 O.S. 1971, § 11-1002):
  - 1. When a vehicle upon a street is so disabled as to constitute an obstruction to traffic and the person or persons in charge of the vehicle are by reason of physical injury or otherwise incapacitated to such an extent as to be unable to provide for its custody or removal; or
  - 2. When any vehicle is left unattended upon a street and is so parked illegally as to constitute a definite hazard or obstruction to the normal movement of traffic.
- B. A vehicle impounded as provided herein, shall be delivered back to the owner or other person to whom it may properly be delivered, only after such fine or fines and costs as may be properly assessed by the municipal judge for the violation or violations for which such vehicle was impounded, and any reasonable costs or charges for impounding and storage shall have been paid.

**Article 3. Vehicle and Equipment Prohibitions.**

**Section 19-15. Vehicles or Objects Injurious to Streets.**

No vehicle or object which injures or is likely to injure the surface of a street shall be driven or moved on any street.

**Section 19-16. Dangerous or Obstructive Vehicles.**

No person shall drive any vehicle which is in such condition, so constructed, or so loaded as to cause or be likely to cause, delay in traffic, or constitute a hazard to persons or property, except by permit issued by the town marshal, and in accordance with the terms of such permit.

**Section 19-17. Size and Weight of Vehicles; Truck Routes.**

- A. No person shall drive or convey through any street any vehicle, the width, height, length, weight or load of which exceed that authorized by state law, except in accordance with a permit issued by state authority, or by the town marshal. (47 O.S. 1971, §§ 14-101 et seq.)
- B. The Town Board may prescribe routes through the town for the use of trucks in general or trucks of particular kinds and/or other vehicles which are not ordinary private passenger vehicles passing through the town.
- C. The Town Board shall see that appropriate and adequate signs are placed along such routes so that drivers of such vehicles may follow the routes. When such signs are erected and in place, the driver of a truck or other vehicle for which a route has been so prescribed, while passing through the town, shall keep on such route and shall not deviate therefrom, except in case of emergency.

**Article 4. Traffic Control Devices.**

**Section 19-18. Installation of Traffic Control Devices.**

The Town Board shall have placed and maintained traffic-control signs, signals and devices, when and as required under the traffic ordinances of the Town of Randlett, Oklahoma, to make effective the provisions of such ordinances, and may have placed and maintained such additional traffic-control signs, signals and devices as it may deem necessary to regulate traffic under the traffic ordinances of this town or under state law or to guide or warn traffic. (47 O.S. 1971, §§ 15-102a-2, 15-106 et seq.)

**Section 19-19. Classification, Designation and Marking of Streets.**

- A. The Town Board, by motion or resolution, may adopt a Street Classification System for the town. Whenever the board adopted such a system, it shall be the duty of the board to have placed and maintained stop signs, or if deemed more appropriate at any intersection, yield signs on each and every street involved in the implementation of the classification system, unless traffic at any intersection is controlled at all times by traffic-control signals. (47 O.S. 1971, §§ 15-102a-6, 15-108.)
- B. The Town Board is hereby authorized to determine and designate intersections where a particular hazard exists and to determine:
  - 1. Whether vehicles shall stop at one or more entrances to any such intersection, in which event it shall cause to be erected a stop sign at every such place where a stop is required; or
  - 2. Whether vehicles shall yield the right-of-way to vehicles on a different street at such intersection, in which event it shall cause to be erected a yield sign at every place where obedience thereto is required.
- C. Every stop sign and every yield sign shall be erected as near as practicable to the nearest line of the crosswalk on the near side of the intersection or, if there is no crosswalk, then as near as practicable to

the nearest line of the intersecting roadway. (47 O.S. 1971, § 11-703b.)

#### **Section 19-20. Turn Signs and Indicators.**

- A. The Town Board is hereby authorized to determine those intersections at which drivers of vehicles shall not make a right, left or U-turn, and shall have placed proper signs at such intersections. The making of such turns may be prohibited between certain hours of any day and permitted at other hours, in which event the same shall be plainly indicated on the signs, or they may be removed when such turns are permitted. (47 O.S. 1971, § 15-102a-9.)
- B. Whenever authorized signs are erected indicating that no right, left or U-turn is permitted, no driver of a vehicle shall disobey the directs of any such sign.
- C. Unless otherwise indicated by such signs (above), a right turn on red or stop shall be permitted after the vehicle has come to a complete stop.
- D. The Town Board is authorized to have placed markers, buttons or signs, within or adjacent to intersections, indicating the course to be traveled by vehicles turning at such intersections, and such course to be traveled, as so indicated, may conform to or be other than as prescribed by law or ordinance. When authorized markers, buttons or other indications are placed within an intersection indicating the course to be traveled by vehicles turning thereat, no driver of a vehicle shall disobey the directions of such indications. (47 O.S. 1971, §§ 11-601, 15-102a-9.)

#### **Section 19-21. Designation and Marking of Safety Zones.**

- A. The Board of Trustees, by motion or resolution, shall have authority to:
  - 1. Designate and maintain, by appropriate devices, or lines upon the surface of the roadway, crosswalks at intersections where in its opinion there is particular danger to pedestrians crossing the roadway, and at such other places as it may deem necessary; and
  - 2. Establish safety zones or islands of such kind and character and at such places as it may deem necessary for the protection of pedestrians.
- B. No vehicle shall at any time be driven through or within a designated safety zone or island.

#### **Section 19-22. Designation and Marking of Play Streets.**

- A. The Town Board shall have authority to declare any street or part thereof a play street and to have placed appropriate signs or devices in the roadway indicating and helping to protect the same.
- B. Whenever authorized signs are erected, indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof, except drivers of vehicles having business or

whose residences are within such closed area, and then any such driver shall exercise the greatest care in driving upon any such street or portion thereof.

#### **Section 19-23. Designation and Marking of One-Way Streets.**

Whenever the Town Board, by motion or resolution, designates any street or alley or part thereof as a one-way street or alley, the board shall have placed and maintained signs giving notice thereof, and no such regulation shall be effective unless such signs are in place. Signs indicating the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited. (47 O.S. 1971, §§ 15-1-2a-4, 11-308.)

#### **Section 19-24. Marking Traffic Lanes.**

- A. The Town Board is hereby authorized to have traffic lanes marked upon the roadway of any street where a regular alignment of traffic is necessary. (47 O.S. 1971, § 11-309.)
- B. Where traffic lanes have been marked, it shall be unlawful for the operator of any vehicle to fail or refuse to keep such vehicle within the boundaries of any such lanes, except when lawfully passing another vehicle, preparatory to making a lawful turning movement or as otherwise authorized by ordinance.

#### **Section 19-25. Unauthorized Signs.**

- A. No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be, is an imitation of, or resembles an official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which projects any flashing or revolving beams of light, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal. (47 O.S. 1971, § 11-206.)
- B. No person shall place or maintain, nor shall any public authority permit upon any highway, any traffic sign, signal or device bearing thereon any commercial advertising.
- C. This section shall not be deemed to prohibit the erection, upon private property adjacent to highways, of signs giving useful directional information and of a type that cannot be mistaken for official signs.
- D. Every such prohibited sign, signal, marking or device is hereby declared to be a public nuisance, and the Town Board is hereby empowered to remove the same or cause it to be removed.

#### **Section 19-26. Necessity of Signs.**

No provisions of this Chapter for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that signs are required, such section shall be effective even though no signs are erected or in place. (47 O.S. 1971, §§ 11-201b, 15-102c.)



**Article 5. Parking, Stopping and Loading.**

**Section 19-27. Prohibited in Specified Places.**

- A. No person shall stop, stand or park a vehicle, except when necessary to avoid a conflict with other traffic or in compliance with law, ordinance, the directions of a police officer or traffic-control device, or in an emergency situation, in any of the following places (47 O.S. 1971, §§ 15-102a-1, 11-1003):
1. On a sidewalk;
  2. In front of a public or private driveway;
  3. Within an intersection
  4. Within fifteen (15) feet of a fire hydrant, except in a parking space officially marked;
  5. On a crosswalk or safety zone;
  6. Within twenty (20) feet of the driveway entrance to any fire station;
  7. Alongside or opposite any street excavation or obstruction, when stopping, standing or parking would obstruct traffic;
  8. On the roadway side of any vehicle stopped or parked at the edge or curb of a street; or
  9. At any place where official signs prohibit stopping.
- B. No person shall move a vehicle not lawfully under his control into any such prohibited area or away from a curb such distance as is unlawful.
- C. No person shall park a vehicle upon any roadway for the principal purpose of:
1. Displaying such vehicle for sale; or
  2. Washing, greasing, or repairing such vehicle except repairs necessitated by an emergency.
- D. The Town Board is hereby authorized to establish parking time limits, or to prohibit parking, on designated streets and parts of streets, by having appropriate signs placed thereon. When such signs are in place, it shall be unlawful for any person to park a vehicle in violation thereof.

**Section 19-28. Parking More than Forty-eight (48) Hours Prohibited.**

No person shall park a vehicle on any street for a period of time longer than forty-eight (48) hours. This section shall not affect parking limits established for shorter periods.

**Section 19-29. Angle Parking.**

- A. The Board of Trustees, by motion or resolution, shall determine upon what streets and parts of streets angle parking shall be permitted and shall have such streets marked or signed.

- B. On those streets which have been so signed or marked for angle parking, no person shall park or stand a vehicle other than at the angle to the curb or edge of the roadway indicated by such signs or markings or outside of the area enclosed by said markings.

**Section 19-30. Standing or Parking Close to Curb.**

Except as otherwise provided in this Article, every vehicle stopped or parked upon a roadway where there are adjacent curbs shall be so stopped or parked with the right hand wheels of such vehicle parallel to and within eighteen (18) inches of the right hand curb; provided that every vehicle stopped or parked upon the left hand side of a one-way street where there are adjacent curbs shall be parked or stopped with the left hand wheels parallel to and within eighteen (18) inches of the left hand curb. Vehicles may also be parked in the center of a wide street in an area marked off for parking in the center of the street by direction of a motion or resolution adopted by the Board of Trustees; provided that the Board of Trustees shall keep such center parking at a minimum consistent with public need.

**Section 19-31. Brakes; Motor Not to be Left Running; Animals.**

Adequate brakes shall be set on all parked vehicles. No driver of a motor vehicle shall leave the vehicle with the motor running while parked. Animals left or parked on the streets shall be securely hitched.

**Section 19-32. Designation, Marking and Use of Loading Zones.**

- A. The Town Board is hereby authorized to determine the location of passenger and freight curb loading zones, and shall have placed and maintained appropriate signs indicating the same and stating the hours during which the provisions of this section are applicable. By the same authority, such loading zones may be changed or discontinued.
- B. When such a loading zone is established on request of any person, the Town Board shall not have signs placed until the applicant has paid to the town an amount of money estimated by the board to be adequate to reimburse the town for all costs of establishing and signing the same.

**Article 6. Bicycles.**

**Section 19-33. Traffic Laws Applicable to Persons Riding Bicycles.**

Every person riding a bicycle upon a roadway shall be granted all of the rights, and shall be subject to all of the duties applicable to the driver of vehicle by the laws of this state declaring rules of the road applicable to vehicles, or by the traffic ordinances of this town applicable to the driver of a vehicle, except as to special regulations in this Article and except as to those provisions of laws and ordinances which by their nature can have no application. (47 O.S. 1971, § 11-1207.)

**Section 19-34. Obedience to Traffic Control Devices.**

- A. Any person operating a bicycle shall obey the instructions of official traffic control signals, signs, and

other control devices applicable to vehicles, unless otherwise directed by a police officer.

- B. Whenever authorized signs are erected indicating that no right, left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

#### **Section 19-35. Riding on Bicycles.**

- A. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.
- B. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

#### **Section 19-36. Riding on Roadways and Bicycle Paths.**

- A. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction. (47 O.S. 1971, § 11-1205.)
- B. Persons riding bicycles upon a roadway shall not ride more than two (2) abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.
- C. Wherever a usable path or bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. (47 O.S. 1971, § 11-1205.)

#### **Section 19-37. Speed.**

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the circumstances then existing.

#### **Section 19-38. Lamps and Other Equipment on Bicycles.**

- A. Every bicycle in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front, and with a red reflector on the rear, of a type which shall be visible from all distances up to three hundred (300) feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. (47 O.S. 1971, § 11-1207.)
- B. Every Bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (47 O.S. 1971, § 11-1207.)

#### **Section 19-39. Emerging from Alley, Driveway or Building.**

The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk or sidewalk area, and upon entering the roadway shall yield

the right-of-way to all vehicles approaching on such roadway.

#### **Section 19-40. Riding on Sidewalks Generally.**

- A. No person shall ride a bicycle upon a sidewalk within the business district.
- B. Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian.

### **Article 7. Pedestrians.**

#### **Section 19-41. Application of Article.**

Pedestrians shall be subject to traffic-control signals as provided in this Chapter, but, at all other places, pedestrians shall be granted those rights and be subject to the restrictions stated in this Article. (47 O.S. 1971, § 11-501.)

#### **Section 19-42. Pedestrians.**

- A. When traffic control signals are not in place or in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is upon the half of the roadway upon which the vehicle is traveling, or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger. (47 O.S. 1971, § 11-502.)
- B. No pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. (47 O.S. 1971, § 11-503.)
- C. No pedestrian shall cross a roadway at any place other than by a route at right angles to the curb or by the shortest route to the opposite curb except in a crosswalk.
- D. Whenever any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching the rear shall not overtake and pass such stopped vehicle.

#### **Section 19-43. Drivers to Exercise Due Care.**

Notwithstanding the foregoing provisions of this Article, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway. (47 O.S. 1971, § 11-504.)

### **Article 8. Miscellaneous Provisions.**

#### **Section 19-44. Obedience to Chapter.**

- A. It shall be unlawful for any person, firm or corporation to do any act forbidden, or to fail to perform any act required, in this Chapter.

- B. It shall be unlawful for any person, firm or corporation to authorize or knowingly to permit any vehicle registered in his or its name, to be driven or to stand or to be parked in violation of any provision of this Chapter. (47 O.S. 1971, § 6-305.)
- C. The parent or guardian of any child or ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Chapter. (47 O.S. 1971, § 6-304.)

**Section 19-45. Vehicles: Equipment; License; Inspection.**

- A. It shall be unlawful to operate a vehicle upon a street of the town which is not equipped as required by law. It shall also be unlawful to fail to use such equipment in the manner required by law, use it in a manner prohibited by law, or to operate a vehicle which has equipment prohibited by law upon a street of the town. (47 O.S. 1971, § 12-101, 12-402.)
- B. It shall be unlawful to operate a vehicle of any kind upon a street of the town unless such vehicle is licensed as required by state law and unless a valid license plate is displayed thereon as required by state law. (47 O.S. 1971, Chapter 51.)
- C. It shall be unlawful to operate a motor vehicle, or any combination of such vehicles licensed by the Oklahoma Tax Commission, unless said vehicle bears a valid official inspection sticker issued by an official inspection station licensed by the Oklahoma Department of Public Safety.

**Section 19-46. Motorcycles.**

- A. In no event, nor at any time may an operator under the age of sixteen (16) years operate a motorcycle at a speed greater than thirty-five (35) miles per hours. (47 O.S. 1971, § 40-103.)
- B. A person operating a motorcycle, motorscooter, or motorbicycle shall ride only upon the permanent and regular seat attached thereto, and such operator shall not carry any other person or shall any other person ride on the vehicle unless it is designed to carry more than one (1) person, in which event a passenger may ride only upon the permanent and regular seat if designed for two (2) persons, or upon another seat firmly attached to the rear or side of the operator. (47 O.S. 1971, §§ 11-1103, 40-103.)

**Section 19-47. Eluding a Police Officer.**

Any operator of a motor vehicle who has received a visual and/or audible signal (red light and/or a siren) from a police officer driving a motor vehicle, with insignia showing the same to be an official police, sheriff, or highway patrol car, directing the operator to bring his vehicle to a stop and who willfully increases his speed or extinguishes his lights in an attempt to elude such police officer, or willfully attempts in any other manner to elude the police officer, or who does elude such police officer within the town, is guilty of a misdemeanor.

**Section 19-48. Inspection of Vehicles.**

Police officers shall have authority to inspect and test any vehicle upon the streets of the town at any time to

determine whether it is safe, properly equipped, and whether its equipment is in proper adjustment and repair.

**Section 19-49. Driving While Under the Influence of Intoxicating Liquor or Drugs.**

It shall be unlawful for any person who is under the influence of intoxicating liquor or drugs to drive to be in actual physical control of any vehicle within the Town of Randlett, Oklahoma.

**Section 19-50. Riding, Clinging or Alighting from Vehicles.**

- A. No person shall ride on any vehicle or upon any portion thereof not designed or intended for the use of passengers. This provision shall not apply to an employee engaged in the necessary discharge of a duty, or persons riding within truck bodies in space intended for merchandise.
- B. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon a roadway. (47 O.S. 1971, § 11-1204.)
- C. No person shall alight from or board any vehicle while such vehicle is in motion.

**Section 19-51. Backing.**

- A. The driver of a vehicle shall not back the same unless such movement can be made with reasonable safety and without interfering with other traffic. (47 O.S. 1971, § 11-1102.)
- B. The driver of a vehicle shall not back the same a greater distance than is necessary to permit it to enter the immediately available proper driving lane; no extended backing shall be permitted.

**Section 19-52. Dangerous Objects in Streets.**

It is unlawful for any person to place, cause to be placed, or let fall and remain, in or upon any street, any scrap iron, nail, tack, glass, stick, or other thing which is likely to injure persons or damage property, or to render a street unsafe for traffic. (47 O.S. 1971, § 11-1110.)

**Section 19-53. Obstruction to Driver's View of Driving Mechanism**

- A. No person shall drive a vehicle when it is so loaded, or when there are in the front seat a number of persons exceeding three (3), as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle. (47 O.S. 1971, § 11-1104.)
- B. No passenger in a vehicle shall ride in such position as to interfere with the driver's view ahead or to the sides or to interfere with his control over the driving mechanism of the vehicle.

**Section 19-54. Funerals.**

- A. A funeral composed of a procession of vehicles shall be identified as such by the display of headlights.

- B. No driver of a vehicle shall drive between the vehicles comprising a funeral or other authorized procession while they are in motion and when such vehicles are conspicuously designated as required hereinabove. This provision shall not apply at intersections where traffic is controlled by traffic-control signals or police officers.

**Section 19-55. Following Fire Apparatus Prohibited.**

The driver of any vehicle, other than one on official business, shall not follow any fire apparatus traveling in response to a fire alarm closer than five hundred (500) feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm. (47 O.S. 1971, § 11-1108.)

**Section 19-56. Crossing Fire Hose.**

No vehicle shall be driven over any unprotected hose of the fire department when laid down on any street or private driveway to be used at any fire or alarm of fire, without the consent of the fire department official in command. (47 O.S. 1971, § 11-1109.)

**Article 9. Penalty.**

**Section 19-57. Penalty.**

Any person, firm or corporation who violates any provision of this Chapter, or performs any unlawful act as defined in this Chapter, or fails to perform any act required in this Chapter, shall be guilty of an offense, and upon conviction thereof, shall be fined in a sum not to exceed thirty-five dollars (\$35.00), including costs. Each day upon which a violation continues shall be deemed a separate offense.

## **CHAPTER 20 – WARDS AND BOUNDARIES**

### **Article 1. Wards**

#### **Section 20-1. Wards Defined.**

The Town of Randlett, Cotton County, State of Oklahoma, is made up and comprised of the following described real property:

- A. Ward 1: That part of said town south of the centerline of "E" Avenue.
- B. Ward 2: That part of said town lying between the centerlines of "E" Avenue and "C" Avenue.
- C. Ward 3: That part of said town north of the centerline of "C" Avenue.

### **Article 2. Annexation**

#### **Section 20-2. Town's Power to Annex.**

The Town Board of Trustees of Randlett, Oklahoma, may annex land to the town in any of the following ways:

- A. Platted Lots: Platted lots adjoining the corporate limits of said town may be annexed by resolution of the Town Board of Trustees. A copy of the resolution and a map of the survey shall be filed with the county. (11 O.S. 1971, § 1042.)
- B. Owner's Petition: Two-thirds (2/3) of the property owners of an area adjoining a town may petition the Town Board of Trustees to annex their lands. The Town Board shall record such petition, annex said lands by ordinance and record such actions with the county. (11 O.S. 1971, § 1042.)
- C. Town's Petition to County: The Town Board of Trustees may annex unplatted property adjoining the corporate limits of the town by sending a petition, listing reasons for annexation and accompanied by a map of the property (metes and bounds descriptions) to the Cotton County Board of Commissions, who shall hear testimony regarding the petition and decide on the annexation. The Randlett Town Board of Trustees shall give thirty (30) days notice of the such hearing by newspaper publication, with a copy of said notice also sent to each known resident landowner. (11 O.S. 1971 § 1043.)

#### **Section 20-3. Miscellaneous Provisions.**

- A. Notice of a petition must be published once each week for two (2) weeks in a newspaper of general circulation in the town or in a nearby town or city. (11 O.S. 1971, § 484.)
- B. In the case of inaction or rejection by the Town Board on an annexation, petitioners may appeal to the district court. (11 O.S. 1971 §§ 485-487.)

