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SECTION 1-101 HOW CODE DESIGNATED AND CITED

The provisions embraced in the following chapters and sections shall constitute and be designated the "Code of Ordinances, City of Shidler, Oklahoma," and may be so cited.

State Law Reference: Adoption and revision of codes of ordinances, 11 O.S. Sections 14-108 and 14-109.

SECTION 1-102 RULES OF CONSTRUCTION

In the construction of this Code and of all Ordinances, the following rules are observed unless the construction would be inconsistent with the manifest intent of the City Council.

1. "City" means the City of Shidler and "City Council" means the City Council of the City of Shidler, Oklahoma;
2. "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 date on which the notice is given or the act is done shall be counted in computing the time, but the day on which the proceeding is to be had shall not be counted;
3. "County" or "this County" means the County of Osage County;
4. "Gender". A word importing one gender only shall extend and be applied to other genders and to firms, partnerships, and corporations as well;
5. "Joint Authority". All words giving "joint authority" to three (3) or more persons or officers shall be construed as giving such authority to a majority of such persons or officers;

6. "Law" includes applicable federal law, provisions of the Constitution and statutes of the State of Oklahoma, the Ordinances of the City and, when appropriate, any and all rules and regulations promulgated thereunder;
7. "Mayor" means the mayor of the City;
8. "Month" means a calendar month;
9. "Nontechnical and technical words". Words and phrases which are not specifically defined shall be construed according to the common and accepted usage of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning;
10. "Number". A word importing the singular number only may extend and be applied to several persons and things as well as to one person and thing. Words used in the plural number may also include the singular unless a contrary intention plainly appears;
11. "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";
12. "or, and". "Or" may be read "and," and "and" may be read "or," if the sense requires it;
13. "Other officials or officers, etc." Whenever reference is made to officers, agencies or departments by title only, i.e., "clerk", "city clerk", "city attorney", "fire chief", "chief of police", etc., they shall mean the officers, agencies or departments of the City;
14. "Person" shall extend and be applied to an actual person, any persons and to associations, clubs, societies, firms, partnerships, and bodies politic and corporate, or the manager, lessee, agent, servant, officer or employee of any of them, unless a contrary intention plainly appears;
15. "Preceding, following" means next before and next after, respectively;
16. "Property" shall include real and personal property;
17. "Signature or subscription" includes a mark when a person cannot write;
18. "State" or "this State" shall be construed to mean the State of Oklahoma;
19. "Statutory references" means references to statutes of the State of Oklahoma as they now are or as they may be amended to be;

20. "Street" shall be construed to embrace streets, avenues, boulevards, roads, alleys, lanes, viaducts, highways, courts, places, squares, curbs and all other public ways in the City which are dedicated and open to public use;
21. "Tense". Words used in the past or present tense include the future as well as the past and present;
22. "Week" means seven (7) days; and
23. "Year" means a calendar year.

SECTION 1-103 CATCHLINES OF SECTIONS; CITATIONS

The catchlines of Sections in this Code are printed in **CAPITAL LETTERS** and citations included at the end of Sections are intended to indicate the contents of the Section and original historical source respectively, and shall not be deemed or taken to be titles and official sources of such Sections; nor as any part of the Section, nor, unless expressly so provided, shall they be so deemed when any of the Sections, including the catchlines, or citations, are amended or re-enacted.

SECTION 1-104 EFFECT OF REPEAL OF ORDINANCES

- A. The repeal of an ordinance shall not revive any ordinances in force before or at the time the ordinance repealed took effect.
- B. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect, nor any suit, prosecution or proceeding pending at the time of the repeal, for an offense committed under the ordinance repealed.

SECTION 1-105 SEVERABILITY OF PARTS OF THE CODE

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, or section of this Code or of any ordinance in the Code shall be declared unconstitutional, illegal or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code of Ordinances.

SECTION 1-106 AMENDMENT TO CODE; EFFECT OF NEW ORDINANCES; AMENDATORY LANGUAGE

- A. All ordinances passed subsequent to this Code or ordinances which amend, repeal or in any way affect this Code of Ordinances 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, the repealed portions may be excluded from this Code by omission from reprinted pages.

- B. Amendments to any of the provisions of this Code may be made by amending the provisions by specific reference to the section of this Code in substantially the following language: "Be it ordained by the City Council of the City of Shidler, Oklahoma that Section ____ of the Code of Ordinances of the City of Shidler, Oklahoma, is hereby amended to read as follows:" (Set out new provisions in full.)
- C. When the City Council desires to enact an Ordinance of a general and permanent nature on a subject not heretofore existing in the Code, which the City desires to incorporate into the Code, a section in substantially the following language may be made part of the Ordinance.

"Section ____ Be it ordained by the City Council of the City of Shidler, Oklahoma, that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Shidler, Oklahoma, and the Sections of this Ordinance may be renumbered accomplish this intention."
- D. All Sections, articles, chapters, or provisions of this Code desired to be repealed may be specifically repealed by section or chapter number, as the case may be.

State Law Reference: Enactment of Ordinances, 11 O.S. Sections 14-103 et seq.

SECTION 1-107 ALTERING CODE

It is unlawful for any person to change or amend by additions or deletions any part or portion of this Code, or to insert or delete pages or portions thereof, or to alter or tamper with this Code in any manner whatsoever which will cause the law of the City to be misrepresented thereby. Any person violating this Section shall be punished as provided in Section 1-108 of this Code.

SECTION 1-108 GENERAL AND SPECIFIC PENALTIES

- A. Except as otherwise provided by State law, whenever in this Code or in any Ordinance of the City an act is prohibited or is made or declared to be unlawful or an offense or a misdemeanor, or whenever in the Code or Ordinance the doing of any act is required or the failure to do any act is declared to be unlawful, when no specified penalty is provided therefor, the violation of any provision of this Code or of any Ordinance, upon conviction, shall be punished by a fine not exceeding Five Hundred Dollars (\$500.00). Each day or any portion of a day during which any violation of this Code or of any Ordinance shall continue shall constitute a separate offense. (Ord. No. 2008-02-02 02/11/2008)
- B. Specific penalties for violations of specific provisions of this Code may be adopted by the City Council from time to time by Motion or Resolution. Such specific penalties as adopted or amended are adopted and incorporated herein by reference.
- C. Any persons who shall aid, abet or assist in the violation of any provision of this Code or any other Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished as provided in this Section.

SECTION 1-109 FINES RECOVERABLE BY CIVIL ACTION

All fines shall be recoverable by civil action before any Court of competent jurisdiction in addition to any other method provided by law.

SECTION 1-110 ORDINANCES IN EFFECT IN OUTLYING TERRITORY OF CITY

All Ordinances of the City now in effect within the City are hereby extended to all real property belonging to, or under the control of, the City outside the corporate limits of the City, and shall be in full effect therein, insofar as they are applicable. All Ordinances of the City which shall go into effect in the future, shall also apply to, and be in full effect within the boundaries of all outlying real property, insofar as they may be applicable. Any words in any Ordinance indicating that the effect of an Ordinance's provisions is limited to the corporate limits of the City shall be deemed to mean and include also the outlying real property belonging to, or under the control of, the City, unless the context clearly indicates otherwise.

**CHAPTER 2
CORPORATE AND WARD LIMITS**

Section 1-201	Map of City Designated as Official Map
Section 1-202	Ward Boundaries
Section 1-203	Annexation Procedures; Deposits Required

SECTION 1-201 MAP OF CITY DESIGNATED AS OFFICAL MAP

The map of the City showing its territorial limits is hereby designated as the official map of the City, and the corporate limits as shown thereon are declared to be the true and correct corporate limits of the City, including all annexations made to the City through and including the date of January 1, 1990.

Cross Reference: See also Special Ordinance listing for ordinances annexing and de-annexing territory.

SECTION 1-202 WARD BOUNDARIES

The City is divided into four (4) wards as follows:

- A. Ward One boundaries are as follows: The Northern, Eastern and Western boundaries shall be the municipal boundaries of the City of Shidler, Osage County, Oklahoma. The Southern boundary shall be Fourth Street from the Eastern municipal boundary of the City West to Cosden Avenue, thence North one block to Fifth Street and continuing West on Fifth Street to the Western municipal boundary of the City;

- B. Ward Two boundaries are as follows: The Eastern and Western boundaries shall be the municipal boundaries of the City of Shidler, Osage County, Oklahoma. The Northern boundary shall be Fourth Street from the Eastern municipal boundary of the City West to Cosden Avenue, thence North one block to Fifth Street and continuing West on Fifth Street to Western boundary of the City. The Southern boundary shall be First Street beginning at the Eastern boundary of the City, thence West to Cosden Avenue, thence North one block to Second Street and continuing West on Second Street to the Western municipal boundary of the City;

- C. Ward Three boundaries are as follows: The Eastern and Western boundaries shall be the municipal boundaries of the City of Shidler, Osage County, Oklahoma. The Northern boundary shall be First Street beginning at the Eastern boundary of the City, thence West to Cosden Avenue, thence North one block to Second Street and continuing West on Second Street to the Western municipal boundary of the City. The Southern boundary shall be Barber Street beginning at the Eastern boundary of the City, thence West to Cosden Avenue, thence North one block to Grand Street and continuing West on Grand Street to the Western municipal boundary of the City; and

- D. Ward Four boundaries are as follows: The Eastern, Southern and Western boundaries shall be the municipal boundaries of the City of Shidler, Osage County, Oklahoma. The Northern boundary shall be Barber Street beginning at the eastern boundary of the City, thence West on Barber Street to Cosden Avenue, thence North one block to Grand Street and continuing West on Grand Street to the western municipal boundary of the City. (Amended 1992)

State Law Reference: Requirements for establishing wards, 11 O.S. Sections 2-105, 20-101; Review after each federal census, 11 O.S. Section 20-101.

SECTION 1-203 ANNEXATION PROCEDURES, DEPOSITS REQUIRED

- A. In all cases where individuals initiate annexation by the filing of a petition therefore, the Clerk shall require before accepting the petition for filing a cost deposit in accordance with Subsection B of this Section.
- B. There shall be deposited by any petitioner for annexation the sum as set by the Council made payable to the City Clerk which sum shall be used for publication costs, filing fee and all other costs incident thereto, if any. Should there be any unused amount, then and in that event, same should be refunded to the petitioner regardless of the outcome and decision of the City Council. If there is additional cost or expense, then and in that event, the clerk should forthwith bill the petitioner therefore.