

## CHAPTER 4

### BUILDING, PLUMBING, AND ELECTRICAL INSTALLATIONS

#### Article 1. Building: Code and Regulations

##### Sec. 4-1. National Building Code Adopted.

There is hereby adopted for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the National Building Code, recommended by the American Insurance Association of New York, and the whole thereof, and any future supplements, of which no less than three (3) copies have been and now are filed in the office of the Town clerk; and the same is hereby adopted and incorporated as fully as if set out at length herein. From the date on which this section shall take effect, the provisions of said code as herein modified shall be controlling in the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of all building and other structures within the corporate limits of the Town.

##### Sec. 4-2. Definitions.

(1) Wherever the word "municipality" is used in the National Building Code, it shall be held to mean the Town of Ft. Towson, Oklahoma.

(2) Wherever the term "corporation counsel" is used in the National Building Code, it shall be held to mean the Town attorney for the Town of Ft. Towson, Oklahoma.

##### Sec. 4-3. Building Official - Inspectors.

The building official of this Town shall have the powers, duties and functions prescribed for the "building official" by said National Building Code and other codes adopted by this chapter; provided that the said powers, duties and functions may be performed by authorized representatives of the building official and under his supervision and control. Said authorized representatives may bear such titles as "building inspector", "gas inspector", "plumbing inspector", "electrical inspector", etc., as may be deemed appropriate to indicate their respective areas of concern; and when any ordinance provision or provision of any code adopted by this chapter prescribes any power, duty or function for any said authorized representatives of the building official, the building official himself shall also have such power, duty or function in the

absence of the designated representative of the building official.

Sec. 4-4.                      Penalty.

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, remove, or has erected, constructed, altered, repaired, or removed a building or structure in violation thereof, shall be guilty of a misdemeanor, and upon conviction shall be fined in the sum not to exceed one hundred dollars (\$100.00) including costs. Each day upon which a violation continues, shall be deemed a separate offense."

Sec. 4-5.                      Wood Shingles Permitted on Dwellings and Accessory Building.

Notwithstanding Section 802.2 of the National Building Code, wood shingles may be used on roofing on dwellings and on building accessory to dwellings (such as private garages, barns, etc.).

Note: For state law requiring construction or alteration of schools, hospitals, churches, theaters, meeting halls, hotels, motels, apartment houses, rooming houses, rest homes, nurseries, orphanages, etc., to conform to the National Building Code of the National Board of Fire Underwriters or its successor, the American Insurance Association, see 74 O.S. 1967, Sec. 324.11.

This section of the law also requires that a building permit be secured before beginning construction of such a building. The permit is to be secured from the Town, town or county where located if permits are issued by such Town, town or county; and if not, the permit must be secured from the state fire marshal.

Sec. 4-6.                      Fire Limits.

The Town council may hereinafter establish such fire limits as it deems appropriate and necessary for the proper enforcement and application of this article.

Sec. 4-7.                      Building Permits: Required; Application; Issuance.

No building or other structure shall be built, enlarged, altered or moved without a permit from the building official therefor, as provided in Section 102 of the National Building Code.

Application for building permits (including permits for moving buildings) shall be made to the building official; and the applicant shall provide such plans, specifications and other data as may be necessary for said building official to determine whether the permit shall be issued.

Fees for building permits shall be based on the number of square feet that the new structure, addition, or physical facility contains after the evaluation of the plans, specifications and other data as necessary by said building inspector.

The fees shall be accordingly:

~~For the first 500 square feet-----\$40.00~~  
~~For each additional 500 square feet~~  
~~or additional fraction thereof-----\$0.00~~

See Zoning Permit  
request Form  
for current  
schedule of fees

The Town council may make exceptions to the above fees if the structures are for agricultural, educational, religious or charitable purposes.

## **Article 2. Gas Piping**

### **Sec. 4-8. Gas Piping: NFPA Pamphlet No. 54.**

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

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

### **Sec. 4-9. Penalty.**

Every person convicted of a violation of any provision of this article shall be punished by a fine of not more than one hundred dollars (\$100.00) and costs.

### Article 3. Plumbing: Water and Drainage

#### Sec. 4-10. Plumbing: Southern Standard Plumbing Code Adopted.

Except as may be otherwise specifically provided by law or ordinance or rules duly promulgated by the building official, the plumbing and drainage system of a building or structure shall be installed in conformity with the Southern Standard Plumbing Code, 1971 Edition, and any amendments thereto.

(1) The words "plumbing inspector" shall be used the same as the words "administrative authority".

(2) Any person, firm or corporation who engages in the plumbing business must meet the requirements for licensing and bonding as set forth in Section 109.

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

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

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

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

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

(1) The phrases and words "journeyman plumber", "plumber's apprentice", "plumbing contractor", and "plumbing", when used in the ordinances, regulations and other official acts and communications of this Town, shall have the meanings respectively prescribed for them by Section 1 of the Plumbing License Law of 1971 (SB 168 of 1971; 59 O.S. Supp. 1971 ##1001-1021) unless the context clearly indicates a different meaning.

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

(3) Only persons who have current and valid licenses as plumbing contractors or as journeyman plumbers issued by the State Commissioner of Health as provided by the Plumbing License Law of 1955, may register as such with the plumbing inspector; and only persons who have current and valid certificates of registration as plumber's apprentices issued by the State Commissioner of Health as provided by Section 13 of said law, may register as such with the plumbing inspector.

(4) Upon application to the plumbing inspector, the plumbing inspector shall register such applicants and issue to them certificates of registration; provided that an applicant for registration as a plumbing contractor shall also furnish a bond as prescribed below. Such Town certificates shall not be valid after the termination or expiration of the state licenses or certificates. Registration certificates of plumbing contractors and journeyman plumbers issued as provided herein shall expire on December 31st each year; and the Town certificates of plumber's apprentices shall expire when their state certificates expire (which is five years after date of issue).

(5) An applicant for a plumbing contractor's certificate of registration, after complying with the laws of the State of Oklahoma and with the established Town code, and after payment of the fee hereinafter specified, shall be registered by the Town clerk. The registration shall expire at the end of the fiscal year, but may be annual year and the annual renewal fee shall be ten dollars (\$10.00). Plumbing contractors desiring to renew their registration shall furnish the same evidence of compliance with state licensing laws and the same bond is required as set forth by Town code.

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

(7) All plumbing contractors registrations not renewed within ten (10) days after the date of expiration thereof shall be canceled, and a new application for registration must be made and the fee for a new registration paid.

(8) There is no fee for registration as a journeyman plumber or a plumber's apprentice, but annual registration is required and evidence of bonding will be presented to clerk upon registration.

(9) The Town council, upon at least fifteen (15) days notice and adequate opportunity for a public hearing, may revoke the Town registration of any plumbing contractor or journeyman plumber for violating any provision of the ordinances or regulations of the Town relating to the

installation of plumbing or for any other cause specified in Section 10 of the Plumbing License Law of 1955 (59 O.S. Supp. 1971 31010).

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

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

The application for such work must follow the adopted Town code, Section 104-105.

The schedule of permit fees are set forth in the Town code, Section 106, such payment will be made upon application.

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

**Article 4. Liquefied Petroleum Gas**

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

It is unlawful for any person, firm or corporation to manufacture, fabricate, assemble, install, or repair any system, container, apparatus or appliance to be used for the transportation, storage, dispensing or utilization of liquefied petroleum gas, or to transport, handle or store such gas, unless such person has complied with and complies with all license or permit which may be required by law. The Rules, Regulations and Standards for the Storage and Handling of Liquefied Petroleum Gases for the State of Oklahoma, dated November 1, 1969, adopted by the Oklahoma Liquefied Petroleum Gas Board, shall have full force and effect within this Town; and any violation of these rules and regulations shall be deemed a violation of the ordinances of the Town and shall be punished accordingly.

Note: Copies of the Rules, Regulations and Standards for the Storage and Handling of Liquefied Petroleum Gases for the State of Oklahoma may be obtained from the Oklahoma Gas Board.

For present law providing for state permits see 52 O.S. 1971, Sec. 420.4.

**Article 5. Electrical Installations: Code and Regulations**



Sec. 4-16.                    "Electrical Equipment" Defined.

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

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

All installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the State of Oklahoma and any orders, rules, and regulations issued by authority thereof, and with approved electrical standards for safety to persons and property. Where no specific standards are prescribed by this chapter or by the statutes of the State of Oklahoma or by any orders, rules, or regulations issued by authority thereof, conformity with the regulations set forth in the 1971 edition of the National Electrical Code as approved by the American Standards Association, shall be prima facie evidence of conformity with approved standards for safety to persons or to property.

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

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

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

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

Sec. 4-20.                    Wiring in Fire Zone.

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

section are specified in the section immediately following.

Sec. 4-21.                    Extensions of Certain Installations.

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

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

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

Sec. 4-23.                    Pilot Light Required for Iron in Mercantile Occupancies.

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

Sec. 4-24.                    Rigid Conduits, Etc.

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

Sec. 4-25.                    Branch Circuits.

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



Sec. 4-26.

Refrigeration -- Basement Installations -- Etc.

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

Sec. 4-27.

Electricians: License Required.

It is unlawful for any person to engage in the business, trade or vocation of electrical contractor, journeyman, electrician or appliance electrician without a license as such secured from the electrical inspector. The initial fee for an electrical contractor's license, to be paid to the Town clerk, shall be ten dollars (\$10.00). The fee for renewal is ten dollars (\$10.00) and must be renewed within ten (10) days following expiration of the license. After the expiration, an application for a new license must be requested and the initial fee paid again. Except in case of renewal, said applicant must have passed an examination given by the electrical inspector and demonstrated the qualifications of the applicant for the license applied for. All such licenses shall expire December 31st. This license is not transferrable to any other individual or company.

Sec. 4-28.

Bond for Electrical Contractors and Appliance Electricians.

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

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

Sec. 4-29.

License or Bond not Required When.

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

Sec. 4-30.                    Revocation of License.

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

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

A request that the license be revoked may be presented to the council by the electrical inspector or by any aggrieved person.

Sec. 4-31.                    Permit Required for Electrical Installations -- Issuance -- Permit Fee.

It shall be unlawful for any person to install any electrical wiring, fixtures, or apparatus in or on any building or structure in the corporate limits of this Town or make extension to any existing electrical installations without first securing a permit from the electrical inspector.

Applications for electrical permits shall be made to the electrical inspector; and the applicant shall provide such plans, specifications, and other data as may be necessary to determine whether the permit shall be issued.

No permit shall be issued until the applicant shall have paid a permit fee computed as follows:

"Roughing In" for first ten (10) Outlets	\$__
Each additional outlet, switch outlets included	\$__
First ten (10) fixtures, fans or drop lights	\$__
Each additional fixture, fan, or drop light	\$__
Signs with less than five (5) lights	\$__
Signs with six (6) to ten (10) lights	\$__
Signs with eleven (11) to twenty (20) lights	\$__
Signs with twenty-one (21) to fifty (50) lights	\$__
All signs containing more than fifty (50) lights	\$__
Motors, less than 1 H.P:	\$__

Motors, over 1 H.P. and less than 3 H.P.	\$__
Motors, three (3) to five (5) H.P. inclusive	\$__
All motors above five (5) H.P.	\$__

When an extension is made to old work, or when new work is finished complete with fixtures or drop light or switch, necessitating but one inspection, charge for outlet only.

No inspection fee is required.

Sec. 4-32.                    Electrical Inspector to Inspect All Electrical Installations.

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

Sec. 4-33.                    Installation Not to be Concealed Until Approved.

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

Sec. 4-34.                    Work "Roughed In".

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

Sec. 4-35.                    Inspection of New Work "Roughed In".

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

Sec. 4-36.                    Premises Not to be Connected Until Installation is Approved.

It shall be unlawful for any public service corporation, individual, light, heat or power

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

Sec. 4-37.                    Annual Inspection in Fire Zone -- Corrections

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

Sec. 4-38.                    Inspector May Enter Buildings.

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

Sec. 4-39.                    Responsibility for Damages, Etc.

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

**Article 6. Housing Code**

Sec. 4-40.                    Adoption of Minimum Housing Code.

There is hereby adopted by the Town Council of Ft. Towson, Oklahoma, that certain

health and housing standards known as the Uniform Housing Code, of which not less than three (3) copies have been and are now in the office of the clerk of the Town of Ft. Towson, Oklahoma, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling on all dwellings and premises within the corporate limits of Ft. Towson, Oklahoma.

Sec. 4-41.                    Establishment of the Office of Housing Enforcing Official.

- (1)     The Office of Housing Enforcing Official is hereby created.
- (2)     The Building Inspector shall be responsible for the enforcement of this ordinance.
- (3)     The Building Inspector shall be appointed by the Mayor subject to confirmation of the Town Council. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.

Sec. 4-42.                    Establishment of a Housing Board of Appeals.

- (1)     There is hereby created a Board of Housing Appeals which shall consist of five (5) members appointed by the Mayor subject to confirmation of the Town Council. One member shall be appointed to serve one (1) year, two members to serve two (2) years, and two members to serve three (3) years.
- (2)     This Board shall act by majority vote of the members present.
- (3)     Said Board shall have the power and be required to hold public hearings in deciding appeals where it is alleged there is an error in law or fact in any order or decision of the Housing Enforcing Official in the enforcement of the Ordinance.

Sec. 4-43.                    Duties of the Housing Enforcing Official.

It shall be the duty of the Housing Enforcing Official to enforce all laws and provisions specified in the 1967 Edition of the Uniform Housing Code.

Sec. 4-44.                    Right of Entry.

The Building Inspector, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure, or premises at any reasonable

hour.

Sec. 4-45.                    Saving Clause.

Nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Sec. 4-46.                    Validity.

The invalidity of any section or provision of this ordinance or of the code hereby adopted shall not invalidate other sections or provisions thereof.

**Article 7. Penalty -- Judicial Relief**

Sec. 4-47.                    Penalty.

Any person, firm or corporation who shall engage in any business, trade or vocation for which a license, permit, certificate or registration is required by this chapter, without having a valid license, permit, certificate or certificate of registration as required, or who shall fail to do anything required by this chapter or by any code adopted by this chapter, or who shall otherwise violate any provision of this chapter or of any code adopted by this chapter, or who shall violate any lawful regulation or order made by any of the officers provided for in this chapter, shall be guilty of an offense, and upon conviction thereof, shall be fined in any sum not to exceed one hundred dollars (\$100.00) including costs. Each day upon which a violation continues shall be deemed a separate offense.

Sec. 4-48.                    Relief in 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.