# CHAPTER 5:
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# CHAPTER 5: BUILDING REGULATIONS AND CODES

## ARTICLE 1

## BUILDING CODE AND REGULATIONS

### SECTION 5-101 INTERNATIONAL BUILDING CODE ADOPTED

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Building Code, 2012 Edition, its appendices and annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Building Code for the Town of Lamont, State of Oklahoma, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the office of the Town Clerk of the Town of Lamont, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 5-102 of this Article.

*State Law Reference:* Building codes, adoption by cities, 11 O.S. § 14-107; 74 O.S. § 324.8.

### SECTION 5-102 ADDITIONS AND CHANGES TO INTERNATIONAL BUILDING CODE.

The following section of the International Building Code, 2012 Edition are hereby revised:

1. §100.1, insert the Town of Lamont, State of Oklahoma.
2. §1612.3, insert the Town of Lamont, State of Oklahoma.
3. §1612.3, insert September 7, 2014.
4. §3410.2, insert September 7, 2014.

### SECTION 5-103 PENALTY

A person who violates a provision of this code or fails to comply therewith or with any of the requirements thereof, or who erects, constructs, alters, repairs or removes, or has erected, constructed, altered, repaired, or removed a building or structure in violation of a detailed statement of plan submitted and approved there under or of a permit or certificate issued there under, shall be guilty of a misdemeanor, and upon conviction shall be fined any sum as provided in Section 1-108 of this code including costs. Each day upon which a violation continues shall be deemed a separate offense.

SECTION 5-104 BUILDING OFFICIALS.

The building official of this town shall have the powers and duties prescribed from the "building official" by the town's building code; provided that his powers and duties may be exercised by his authorized representatives under his supervision and control. The term "building inspector," whenever used in the ordinances of the town, means the building official. The terms "electrical inspector" and "plumbing inspector," wherever used in the ordinances of the town, also each refer to and mean the building official, unless a separate electrical inspector or plumbing inspector is appointed by the mayor and town board of trustees.

SECTION 5-105 FIRE DISTRICTS DEFINED.

The fire districts of the town shall be composed of all of the town limits of the town of Lamont, Oklahoma.

SECTION 5-106 BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY REQUIRED; FEE

A. Except as may be exempt by law or rule, no person shall build, construct, erect, enlarge, move, demolish, or extend a building or structure's roof line, without first obtaining a building permit from the Lamont Planning Commission or its designee. Except as may be exempt by law or rule, no person shall change or permit the change in the use of any land or building or structure in violation of the Zoning Ordinance or to build, construct, erect, enlarge, move, demolish, or extend a building or structure's roof line, without first obtaining a building permit from the Lamont Planning Commission or its designee. A building permit shall be obtained under the following conditions:

1.Building Permit. The applicant for a Building Permit may be required to furnish the following information:

a. A plot plan, drawn to scale, showing the exact size, shape, and dimensions of the lot to be built upon, the exact size and location on the lot of all existing buildings and structures, and the exact size and location on the lot of the structure or building proposed to be built, constructed, erected, enlarged, moved, demolished, or to have an extension of a building or structure's roof, together with a statement of the materials to be used, and the size arrangement, number of parking stalls, movement of vehicles and ingress and egress drives for all off-street parking and loading.

b. A declaration of the existing and intended use of each existing and proposed buildings or structure on the lot and the number of families and housekeeping units which each existing building accommodates and each existing and proposed building is designed to accommodate.

c. Additional information relating to the proposed improvement needed to determine compliance with these regulations.

d. A survey prepared by a land surveyor registered in the State of Oklahoma of the boundaries of the lot on which the improvement is proposed to be located.

B. If the application is in accordance with the requirements of the ordinances and laws, the clerk shall issue the permit upon the payment by the applicant of a building permit which may be

set by motion or resolution of the town board of trustees. A current copy of the fee schedule shall be kept in the office of the town clerk.

Permits shall not be required for the following:

1. Repair of or re-roofing an existing roof provided the building or structure's roof line is not extended.

2. Demolition of an accessory building or structure.

3. Repair or replacement of an existing fence, provided the location of the fence is not altered or extended.

D. A building permit covers the initial plumbing and electrical installations to be made in connection with the building.

E. If construction or work authorized under a permit is not begun within sixty (60) days after issuance of the permit, the permit is automatically canceled.

SECTION 5-107 NUMBERING OF BUILDINGS.

(Reserved for future use.)

SECTION 5-108 PERMIT REQUIRED FOR MOVING BUILDING, BUILDING WITH TRAILER OR MOBILE HOME.

A. No person shall move any building or structure from one location in the town to another location within the town, or from outside the town into the town, without first obtaining a written permit from the building official. The fee for such permit shall be as set by the town board of trustees in addition to any other costs incurred by the town.

B. No person, firm, or corporation shall move any mobile home from one location in the town to another location within the town, or from outside the town into the town, to be placed upon a lot, without first obtaining a written permit from the building official. The fee for such permit shall be as set by the town board of trustees in addition to any other cost incurred by the town.

SECTION 5-109 INTERNATIONAL PROPERTY MAINTENANCE CODE 2012 ADOPTED.

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Property Maintenance Code, 2012 Edition, its appendices and annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Code for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Town Clerk of the Town of Lamont, Oklahoma, are hereby referred to, adopted,

and made a part hereof, as if fully set out in this ordinance, with the following additions, insertions, deletions and changes:

Section 101.1; insert the Town of Lamont, Oklahoma

Section 103.5, insert a schedule of fees on file in the office of the Town Clerk or contained in the Lamont Municipal Code, 2004.

Section 304.14, insert from April 1 to September 30

Section 602.3, insert from November 1 through March 31
Section 602.4, insert from November 1 through March 31

SECTION 5-110 INTERNATIONAL EXISTING BUILDING CODE 2012 ADOPTED.

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Existing Building Code, 2003 Edition, but not to include the Appendix Chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Code for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Existing Building Code on file in the office of the Town Clerk of the Town of Lamont, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the following additions, insertions, deletions and changes:

Section 101.1; insert the Town of Lamont, Oklahoma

Section 1201.2, insert August 10, 2014

SECTION 5-111 OUTDOOR PRIVATE SWIMMING POOLS

A. An outdoor private swimming pool, including an in-ground, above ground or on-ground pool, 18 inches or taller, shall comply with the following:

1. The top of the fence shall be at least 48 inches above the finished ground level.

2. Fences must be composed of acceptable fencing material.

3. Enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than four (4) inches in diameter through any opening or under the fence.

4. All fences must be approved by the code enforcement officer.

5. Spas and/or hot tubs shall be enclosed or equipped with an approved safety cover.

ARTICLE 2

PLUMBING CODE

Section 5-201 INTERNATIONAL PLUMBING CODE 2012 ADOPTED.

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Plumbing Code, 2012 Edition, including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Plumbing Code of the Town of Lamont, State of Oklahoma, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of plumbing systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code on file in the office of the Town Clerk of the Town of Lamont, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the additions, insertions, deletions and changes as set out in Section 5-202.

Section 5-202 ADDITIONS, INSERTIONS AND CHANGES TO THE INTERNATIONAL PLUMBING CODE, 2012

The following sections contained in the International Plumbing Code, 2012, are hereby revised:

Section 101.1; insert the Town of Lamont, Oklahoma

Section 106.6.2, insert as provided by resolution of the Town or as provided in the Lamont Municipal Code, 2014.

Section 106.6.3, insert in first blank 75% and second blank 50%

Section 108.4, insert as provided by Section 1-108 of the Lamont Municipal Code, 2014

Section 108.5, insert as provided by Section 1-108 of the Lamont Municipal Code, 2014

Section 305.6.1, insert 18"

Section 904.1, insert 12"

*State Law Reference:* Town powers to supervise plumbing, 59 O.S. §§ 1001 et seq.

SECTION 5-203 PLUMBERS; REGISTRATION.

A. 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 Sections 1001 et seq. of Title 59 of the Oklahoma Statutes, the state plumbing license law, and the town's plumbing code, unless the context clearly indicates a different meaning.

B. No person shall work at the occupation or engage in the business of installing, altering, replacing or repairing any plumbing equipment, fixtures or apparatus within the town without registering with the town clerk and securing a plumbing contractors' registration. The town clerk shall issue such registration upon presentation of a valid license or registration issued by the state department of health and upon payment of the required fees.

C. Applicants for certificates of registration, after complying with the laws of the state and with the town code, and after payment of the fee hereinafter specified, shall be registered with the town. The registration shall expire annually, on June 30, but may be renewed from year to year. Plumbing contractors desiring to renew their registration shall furnish the same evidence of compliance with the state licensing laws and the same bond is required as set forth by town code.

D. An applicant for plumbing contractor's registration shall also furnish bond in such sum and such conditions as set by the mayor and town board of trustees.

E. All plumbing registrations not renewed within ninety (90) days after the date of expiration thereof shall be canceled, and a new application for registration must be made and the fee for a new registration paid.

F. The fee for registration shall be as set forth in the fee schedule.

G. The town board of trustees, upon 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 the state plumbing license law.

H. All services performed by utility companies operating under a franchise agreement, and the employees of such utility companies are hereby exempt from Subsection B for work done under the supervision and direction of the utility companies.

*State Law Reference:* State plumbing licenses, requirements, 59 O.S. §§ 1001 et seq.

SECTION 5-204 PLUMBING, PERMITS AND INSPECTIONS.

A. No plumbing work shall be undertaken without a permit from the town as provided in the town's plumbing code.

B. The application for such work shall be as required by the town.

C. The permit inspection fee for plumbing shall be as set forth in Chapter 18. Such payment will be made upon application. No work may be commenced prior to payment of the fee. The permit fee shall also cover the cost of inspection.

D. Inspection of such work shall conform to the guidelines set forth in the town code.

SECTION 5-205 PLUMBING INSPECTOR; APPOINTMENT; POWERS AND DUTIES.

A. The plumbing inspector shall be appointed by the mayor with approval of the board of trustees, and may hold another position in the town government.

B. The plumbing inspector shall have the powers and duties prescribed for him by the town's plumbing codes.

C. All taps to main sewer or water lines shall be made only under the supervision of a Town official and employee.

## ARTICLE 3

## ELECTRICAL CODE

### SECTION 5-301 DEFINITIONS.

Words and phrases in this chapter shall be as defined in the state law, Sections 1680 et seq. of Title 59 of the Oklahoma Statutes and the town's electrical code.

*State Law Reference:* State electrical requirements, licensing by state, 59 O.S. §§ 1680 to 1696.

### SECTION 5-302 NATIONAL ELECTRICAL CODE.

All installations of electrical equipment shall be in conformity with the provisions of this chapter, with the statutes of the state 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 National Electrical Code 2011 as approved by the National Board of Fire Underwriters shall be prima facia evidence of conformity with approved standards for safety to persons or to property.

### SECTION 5-303 UNDERWRITERS LABORATORIES, INC.

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

### SECTION 5-304 TOWN BOARD OF TRUSTEES MAY MAKE SPECIAL RULINGS

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

### SECTION 5-305 PERMIT REQUIRED FOR ELECTRICAL INSTALLATIONS; ISSUANCE.

A. It is unlawful for any person to commence any work on electrical installations for light, heat or power or make extensions to any existing electrical installations without first securing a permit from the town.

B. Applications for electrical permits shall be made to the town; and the applicant shall provide such plans, specifications, and other data as may be reasonably required.

C. The fee for an electrical permit shall be as prescribed in the fee schedule.

*Cross Reference*: See also Sections 17-101 et seq. for electrical utility fees.

SECTION 5-306 INSPECTION FEE.

The permit fee shall cover the cost of inspection. If the electrical inspector is called in to inspect and upon arrival the job is not ready for inspection, a fee as set by the board of trustees shall be charged for the call, over and above any permit fee.

SECTION 5-307 ELECTRICIAN'S REGISTRATION REQUIRED, BOND.

A. It is unlawful for any person to engage in the business, trade or vocation of electrical contractor, journeyman electrician or apprentice electrician or do any electrical work for which an electrical permit is required without a certificate of registration as such secured from the town.

B. The fee for a registration certificate, and any renewal, to be paid to the town clerk, shall be as set by the town board of trustees.

C. The town clerk shall issue such registration upon presentation of a valid license issued by the state and upon payment of the required fee. All registrations shall expire annually on June 30. After the expiration, an application for a new certificate must be requested and the initial fee paid again.

D. The certificate is not transferable to any other individual or company.

E. Every person receiving a certificate as an electrical contractor shall file with the town clerk a bond in such sum as set by the town board of trustees, executed with a surety company authorized to do business in the state, in the sum as set by the board of trustees. The bond shall be conditioned that the principal will install all electrical wiring, fixtures, appliances, 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 apprentice electrician, as the case may be.

F. All services performed by the town or utility companies operating under franchise agreements, and the employees of such utility company or town, are hereby exempt from Subsection A for work done under the supervision and direction of the utility company or town.

G. After adequate opportunity for a hearing, the town board of trustees may revoke the certificate of an electrical contractor, apprentice electrician, or a journeyman electrician.

SECTION 5-308 COMPLIANCE WITH REGULATIONS.

All electrical construction and all materials, appliances, motors, heating devices and apparatus used in connection with electrical work and the operation of all electrical apparatus within the town limits shall conform to the rules and requirements of the code adopted by this chapter. The electrical inspector shall have the responsibility and authority for making interpretations of the provisions of such code, for deciding upon the approval of equipment, materials and construction and for granting the special permission contemplated in a number of provision of such code, and the electrical inspector, where necessary, shall follow the code procedure for securing official interpretations of such code. In cases of necessity, the electrical inspector may require larger size wire, more branch circuits and better types of equipment than the minimum specified in the National Electrical Code.

SECTION 5-309 INSPECTION OF WORK; REMOVAL OF DEFECTIVE INSTALLATIONS.

A. Upon the completion of any work for which a permit has been issued under Section 5-305, it shall be the duty of the permit holder to notify the electrical inspector who shall, as early as possible, inspect the wiring, installation, appliances and apparatus and execute a certificate of satisfactory inspection, which shall contain the date of such inspection and the result of his examination. No such certificate shall be issued unless such wiring, motors, heating devices, appliances and apparatus are in strict accord with the rules, requirements and spirit of this chapter. No current shall be turned on until such certificate is issued.

B. The amount of fee or charge to be made for such inspections and certificates shall be fixed and determined by the town board of trustees.

C. Whenever electric wiring, appliances or apparatus are found to be defective or hazardous through improper manufacture or improper or insufficient installation or for any other reason, the electrical inspector shall at once cause the removal of such defect, at the expense of the owner of such wiring, appliance or apparatus.

SECTION 5-310 DISCONTINUING CURRENT FOR FAILURE TO COMPLY WITH CHAPTER.

Upon failure to comply with this chapter, the electrical inspector shall have authority, after due notice, to cut off electric current. In an emergency the electrical inspector shall have such authority without notice.

SECTION 5-311 OFFICE OF ELECTRICAL INSPECTOR.

A. There is created the office of town electrical inspector. Such inspector shall be appointed by the mayor, subject to confirmation by the town board of trustees.

B. It is the duty of the electrical inspector to enforce all provisions of this chapter. He is hereby granted the authority to enter all buildings in the town, in the performance of his duties.

## ARTICLE 4

## MECHANICAL CODE

SECTION 5-401 INTERNATIONAL MECHANICAL CODE 2012 ADOPTED.

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Mechanical Code, 2012 Edition, including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Mechanical Code of the Town of Lamont, State of Oklahoma, for regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of mechanical systems as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code on file in the office of the Town Clerk of the Town of Lamont, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the following additions, insertions, deletions and changes:

Section 101.1; insert the Town of Lamont, Oklahoma

Section 106.6.2, insert as provided by resolution of the Town or as provided in the Lamont Municipal Code, 2014.

Section 106.5.3, insert in first blank 75% and second blank 50%

Section 108.4, insert as provided by Section 1-108 of the Lamont Municipal Code, 2014

Section 108.5, insert as provided by Section 1-108 of the Lamont Municipal Code, 2014

SECTION 5-402 DEFINITIONS.

Words and phrases in this chapter shall be as defined in the State Mechanical Licensing Act, Section 1850.1 et seq. of Title 59 of the Oklahoma Statutes, or as such sections may be hereinafter amended.

SECTION 5-403 REGISTRATION REQUIRED

A. No person shall work at the occupation or engage in the business of installing, altering, replacing or repairing any mechanical equipment, fixtures or apparatus within the town without registering with the town clerk and securing a mechanical contractor's registration. The town clerk shall issue such registration upon presentation of a valid license or registration issued by the state department of health and upon payment of the required fee.

B. Applicants for certificates of registration, after complying with the laws of the state and with the town code, and after payment of the fee hereinafter specified, shall be registered by the town. The registration shall expire annually, on June 30, but may be renewed from year to year. Mechanical 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.

C. An applicant for mechanical contractor's registration shall also furnish bond in such sum and such conditions as set by the mayor and town board of trustees.

D. All mechanical registrations not renewed within ninety (90) days after the date of expiration thereof shall be canceled, and a new application for registration must be made and the fee for a new registration must be paid.

E. The fee for registration shall be as set forth by the town board of trustees by motion or resolution.

F. The town board of trustees, upon notice and adequate opportunity for a public hearing, may revoke the town registration of any mechanical contractor or journeyman mechanical contractor for violating any provisions of the ordinances or regulations of the town relating to the installation of mechanical or for any other reason specified in the state mechanical license law.

G. All services performed by utility companies operating under a franchise agreement, and the employees of such utility companies or town are hereby exempt from Subsection A for work done under the supervision and direction of the utility companies or town.

SECTION 5-404 MECHANICAL PERMITS AND INSPECTIONS.

A. No mechanical work shall be undertaken without a permit from the town as provided in the town's mechanical code.

B. The application for such work shall be as required by the town.

C. All persons making mechanical installations shall be charged a permit inspection fee as set forth in the fee schedule. Such payment will be made upon application. No work may be commenced prior to payment of the fee. The permit fee shall also cover the cost of inspection.

D. Inspection of such work shall conform to the guidelines set forth in town code.

SECTION 5-405 OFFICE OF MECHANICAL INSPECTOR.

A. There is created the office of town mechanical inspector. Such inspector shall be appointed by the mayor, subject to confirmation by the town board of trustees.

B. It is the duty of the mechanical inspector to enforce all provisions of this chapter. He is hereby granted the authority to enter all buildings in the town, in the performance of his duties.

## ARTICLE 5

## LIQUEFIED PETROLEUM GAS

SECTION 5-501 CODE ADOPTED.

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 provisions of the law and ordinances relating thereto, and has any license or permit which may be required by state law. The pamphlet, Storage and Handling of Liquefied Petroleum Gasses, as contained in Pamphlet No. 58 issued by the National Fire Protection Association, the latest edition thereof, adopted by the

Oklahoma Liquefied Petroleum Gas Board, and shall have full force and effect within this town. Any violation of these rules and regulations shall be deemed a violation of the ordinances of the town and shall be punished accordingly.

*State Law Reference:* State rules, LPG, 52 O.S. § 420.1 et seq.

*Cross Reference:* See also Sec. 13-101 et seq. on fire prevention code.

SECTION 5-502 STANDARDS FOR USE AND INSTALLATION OF LIQUEFIED PETROLEUM GAS EQUIPMENT.

The use and installation of liquefied petroleum gas equipment shall be in conformity with the provision of this chapter, with the statutes of the State of Oklahoma, and with any orders, rules or regulations issued by authority thereof, and with generally recognized standards for safety to persons and property. Where no specific standards are prescribed by this chapter or by state statutes, or by any orders, rules or regulations issued by authority thereof, conformity with the standards of the National Fire Protection Association for the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases, as amended, shall be prima facia evidence of conformity with generally recognized standards for safety to persons and property.

SECTION 5-503 LPG TANKS, PERMIT REQUIRED TO HAVE VEHICLE REPAIRED.

A. Before the owner or operator of any vehicle on which is mounted a tank used in the transportation of any liquefied petroleum gas shall deliver such vehicle, or cause the same to be delivered, to any garage or other establishment for repair, he shall first submit the liquefied petroleum gas tank for inspection by the fire marshal of the town, who shall require that such tank be virtually depleted of its contents, and the pressure therein reduced to the satisfaction of the fire marshal; and upon compliance with such orders of the fire marshal, the latter shall issue a permit to the owner or operator of such vehicle authorizing the delivery of such vehicle to a garage or other institution for repair.

B. No person engaged in the repair of vehicle shall receive into his or its place of business any vehicle on which a liquefied petroleum gas transport tank is mounted unless the owner or operator of such a vehicle shall then and there exhibit the permit from the fire marshal referred to in Subsection A of this section.

C. During the hours when any repair shop or garage having possession of any vehicle on which a liquefied petroleum gas transport tank is mounted is not open for business, no such vehicle shall be kept within the garage or repair shop building.

SECTION 5-504 PARKING OF LPG TRUCKS PROHIBITED; EXCEPTIONS.

No person shall park, or cause to be parked, any liquefied petroleum gas transport truck or vehicle on any public street or alley, or on any public private property or driveway, within the corporate limits of the town whether or not any such transport truck or vehicle is carrying any liquefied petroleum gas on board, except when any such transport truck or vehicle is actually engaged in dispensing liquefied petroleum products into any tank or tanks then being serviced and under conditions meeting the minimum safety standards provided for by ordinance of the town and by the laws of the state.

*Cross Reference:* See also Sec. 15-721 on hazardous trucks, parking.

ARTICLE 6

GAS PIPING CODE

Section 5-601 INTERNATIONAL FUEL GAS CODE 2012 ADOPTED.

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Fuel Gas Code, 2012 Edition, including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Fuel Gas Code of the Town of Lamont, State of Oklahoma, for regulating and governing fuel gas systems and gas-fired appliances as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fuel Gas Code on file in the office of the Town Clerk of the Town of Lamont, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the following additions, insertions, deletions and changes:

Section 101.1; insert the Town of Lamont, Oklahoma

Section 106.5.2, insert as provided by resolution of the Town or as provided in the Lamont Municipal Code, 2014.

Section 106.5.3, insert in first blank 75% and second blank 50%

Section 108.4, insert as provided by Section 1-108 of the Lamont Municipal Code, 2014

Section 108.5, insert as provided by Section 1-108 of the Lamont Municipal Code, 2014

ARTICLE 7

HOUSING CODE

SECTION 5-701 INTERNATIONAL RESIDENTIAL CODE 2012 ADOPTED.

That a certain document is on file in the Office of the Town Clerk of the Town of Lamont, Oklahoma, being marked and designated as the International Residential Code, 2012 Edition, including all appendix chapters, together with any annual amendments thereof, as published by the International Code Council, be and is hereby adopted as the Residential Code of the Town of Lamont, State of Oklahoma, for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code on file in the office of the Town Clerk of the Town of

Lamont, Oklahoma, are hereby referred to, adopted, and made a part hereof, as if fully set out in this section, with the following additions, insertions, deletions and changes:

Section R101.1; insert the Town of Lamont, Oklahoma

Section P2603.6.1, insert 18"

Section P3103.1, insert 12"

*Cross Reference:* Permits, fees, see Article 1 of this Code.

## ARTICLE 8

## FAIR HOUSING

### SECTION 5-801 PURPOSES

The general purposes of this article are:

1. To secure for all people equal access to housing in all neighborhoods; and

2. To preserve the public safety, health and welfare.

### SECTION 5-802 ACTS PROHIBITED.

It is unlawful for any person, commercial lending institution, real estate broker, real estate salesman or agent to:

1. Refuse to sell, lease, rent, assign or otherwise transfer the title or other interest in any housing, or real property upon which residential housing is to be constructed to any person, or to discriminate in the terms or conditions of the sale, rental or leasing of any residential housing unit, because of race, color, sex, religion or national origin;

2. Refuse to negotiate with any person for the sale, rental, or leasing of any residential property, or to represent that such property is not available for inspection, sale, rental or lease when in fact it is so available, because of such person's race, color, sex, religion or national origin;

3. Solicit or induce, or attempt to solicit or induce, any person owning any interest in any residential housing to sell, rent or lease, or not to sell, rent or lease such housing to any person on the ground of loss of value due to the present or prospective entry into the neighborhood of a person or persons of another race, color, sex, religion, or national origin, either by direct solicitation or inducement or by the purchase of other property in the neighborhood for the purpose of such inducement, or to distribute, or cause to be distributed, or making statements designed to induce a residential property owner to sell or lease his property due to such change in the neighborhood;

4. Deny or make different terms or conditions for home loans by a commercial lender, such as a bank, savings and loan association, mortgage institution or insurance company; or

5. File a complaint alleging a violation of this chapter, with knowledge that such complaint is false in any material respect, or to file such complaint for the sole purpose of harassment.

SECTION 5-803 EXEMPTIONS.

The following shall not apply:

1. Any religious nonprofit organization, association, or society operated, supervised or controlled by or in conjunction with a religious organization, association, or society from limiting the sale or rental of dwellings units owned or operated for other than a commercial purpose;

2. Any single-family house sold or rented by an owner, provided that such private individual owner does not own more than three (3) such single-family houses at any one time, and provided further that only one such sale may be made within any twenty-four (24) month period; or

3. Any dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independent of each other and the owner actually occupies one such living quarter as his residence.

SECTION 5-804 FAIR HOUSING BOARD CREATED.

There is hereby created a fair housing board of the town, hereinafter referred to as "board," composed of five (5) members, to be appointed by the mayor and town board of trustees of the town, for terms of three (3) years, except that of the members first appointed under this article, two (2) shall be appointed for a term of one year, and two (2) shall be appointed for a term of two (2) years, and one shall be appointed for a term of three (3) years.

SECTION 5-805 PROCEDURE.

A. Any person aggrieved by discriminatory practice prohibited by this article, may file with the fair housing board, a complaint in writing, under oath. The complaint shall be signed by the person claiming to be aggrieved, and shall state the name and address of the person alleged to have violated the provisions of this article, and shall further set forth the particulars of the violation, and may include such other information as may be required by the board. Complaints filed under this section must be filed within thirty (30) days after the alleged violation, and failure to file within that time, shall be considered a waiver of the application of this article. The board may issue a complaint on its own initiative; at any time it is within the knowledge of the board that a person has violated any of the provisions of this article.

B. The board shall investigate each complaint filed with the board, and shall attempt an adjustment of the complaint by means of conference and conciliation. Sixty (60) days shall be allowed for the purpose of investigation, conference and conciliation. Upon determination that a complaint is not well founded, the board shall dismiss the complaint and notify the complainant and respondent in writing of the dismissal. If it appears that the complaint might have merit, the complainants shall be advised of their rights under existing state and federal laws.

C. If conference or conciliation does not result in compliance with this article, the board shall cause to be issued and served in the name of the town, a written notice, together with a copy of the complaint, requiring the person named in the complaint, hereinafter referred to as

respondent, to answer charges of the complaint at a hearing before the board at a time and place to be specified in the notice.

D. At the hearing, provided for in Subsection C above, the complaint shall be heard by the board. At the hearing, the complainant or person aggrieved may appear in person or by counsel, and the respondent may file a written answer to the complaint and may appear in person or by legal counsel. The board, when conducting any hearing, pursuant to this section, may permit amendments to any complaint or answer, and the testimony taken at the hearing shall be under oath, and shall be transcribed at the request of either party, or at the direction of the board, the party requesting the transcription to be responsible for the costs thereof. If the board finds at the hearing, that the respondent has engaged in any discriminatory practice or practices, prohibited by this article, it shall state its findings of fact, and shall so certify the matter to the town attorney for appropriate action. No prosecution shall be brought under this article except upon such certification. If the board, upon hearing, finds that respondent has not engaged in any discriminatory practice, it shall state its findings of fact, and shall issue and file an order, dismissing the complaint. The board shall establish rules and regulations to govern and expedite and effectuate the foregoing procedure, and shall maintain the files provided for herein.

SECTION 5-806 NOTICES.

Any and all notices required under the provisions of this article to be served upon any person, may be served personally on such person, or by mailing a copy thereof by certified or registered mail, with return receipt requested, to the most current business or residence address of such person.

## ARTICLE 9

## MOBILE HOME REGULATIONS

SECTION 5-901- PURPOSE.

The purpose of this article is to provide for specific regulations related to mobile, manufactured and modular homes, pursuant to the Town Board Approved Mobile and/or Manufactured Home Permit Procedure Process, in order that such homes may be located in any residential or other district. The reason for this article is to permit mobile and/or manufactured homes to be located in residential or other districts, in order to permit a less expensive alternative for housing locations, provided the public health, safety and welfare of the Town is not adversely effected and that location of such mobile and/or manufactured home substantially complies with this Code. A further purpose and intent of these regulations is to establish and provide minimum acceptable standards, requirements, and regulations for the planned use and maintenance of mobile, manufactured and modular homes within the corporate limits of the Town, in the interest of health, safety, and general welfare of the public. The standards, requirements and regulations as herein provided are intended to encourage the use and maintenance of mobile, manufactured and modular homes in a manner providing for safe and sanitary living conditions and convenience for its occupants and neighbors. It is further intended to discourage any use which would create additional requirements and costs for public services which would be in excess of such requirements and costs required by conventional single family residential use. It is further a purpose of this Article to permit Mobile Home and Travel Trailer and Free-Standing Travel Trailers under certain specific conditions.

SECTION 5-902 – DEFINITIONS.

"Free-Standing travel Trailer" means any travel trailer not located in a mobile home park travel trailer park on in an approved mobile home subdivision.

"Mobile Home" means a manufactured, detached structure not meeting the one- and two-family structure requirements of the building code, but which is originally designed, constructed, and used for long-term occupancy as a complete single-family dwelling, is mounted on a permanent chassis with wheels attached thereto which is transportable in one or more components or two or more units separately towable but designed to be joined into one integral unit, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on piers or permanent foundations, skirting, connection to utilities and similar operations. Mobile homes shall have a steel frame and are tied down with straps and rest on blocks or similar foundation, footing or stem wall. Motor Homes, Travel Trailers and Camping Trailers are not deemed Mobile Homes for purpose of this Section.

"Mobile home park" means any plot of ground having more than two (2) mobile homes, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations;

"Mobile Home Space" means a plot of ground within a mobile home park designed for the accommodation of one (1) mobile home, and not located on a mobile home sales lot;

"Manufactured Home" means a manufactured structure bearing a seal verifying it is built in compliance with the federal manufactured housing construction and safety standards, current edition (also known as the HUD building codes), is originally designed, constructed, and used for long term occupancy as a complete single-family dwelling, built off-site using the same materials and components as a conventional house, containing one or more sections, and set on a perimeter foundation or on a poured footing and bolted to the foundation or footing.

"Modular Home" means a manufactured structured fabricated off-site, meeting the one-and two-family structure requirements of the International Building Code, designed, constructed and used for long term occupancy as a complete dwelling unit(s), containing two (2) or more sections, built in pre-finished modules or pieces off-site and assembled and finished on site and attached to a slab or other foundation properly anchored.

"Travel Trailer" or "Trailer" means all vehicles and portable structures built on a chassis, designed as a temporary or permanent dwelling for travel, recreations, and vacation use not include in the definition of independent mobile homes. For purposes of regulation under this chapter, a dependent mobile home shall be considered to be the same as a travel trailer, unless otherwise specified;

"Trailer Park" or "Travel Trailer Park" means any plot of ground having more than two (2) travel trailers, occupied for dwelling or sleeping purposes, are located, regardless of whether or not a charge is made for such accommodations of one (1) travel trailer.

SECTION 5-903 - MOBILE AND MANUFACTURED HOMES LOCATION PROHIBITED IN THE CORPORATE LIMITS; EXCEPTIONS.

No mobile and/or manufactured home shall be permitted to be located in the corporate limits of the Town unless such use is permitted as provided by this article; provided however, travel trailers, recreational vehicles, 3-wheel, boats with trailers, and similar recreational vehicles "hereafter vehicles and/or trailers" shall be permitted to be stored in any residential district "provided no human or other occupancy of the trailer and/or vehicle shall be permitted except as otherwise permitted in this Article. Except as otherwise permitted in this municipal code, commercial vehicles and trailers of all types, including travel, camping and hauling, and mobile homes shall not be parked or stored on any lot occupied by a dwelling or on any residential district except in accordance with the terms of this Article. All vehicles and/or trailers permitted to be stored pursuant to this section shall be placed on an all-weather surface in the side or rear yard of such residential district lot, in compliance with all side and rear yard set-back requirements applicable to structures. No such vehicles and/or trailers shall be permitted to be stored on any city street or alley in any residential district or shall be placed or stored in the front yard of any residential district or shall impede ingress and egress to or from adjacent properties or create a site triangle traffic hazard, except as provided in the Article.

SECTION 5-904 – INSTALLATION OF MANUFACTURED HOMES, OR MOBILE HOMES WITHIN THE CITY.

Manufactured homes shall henceforth be subject to the following regulations concerning their placement within the Town of Lamont, Oklahoma.

A. The home shall have been constructed within the ten (10) years immediately preceding its placement within the city. The home's appraised value shall be at least one-half (1/2) its original value.

B. The home shall have outside dimensions of at least fourteen (14) feet in width by fifty-six (56) feet in length.

C. The home shall be installed in accordance with the recommended installation procedures of the manufacturer. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation.

D. The home shall be equipped with skirting on all sides. Skirting to be of material harmonious to the mobile structure. Skirting shall comply with requirements within thirty (30) days after placement of the home.

E. The owner of the home must be the owner of the real estate upon which it is placed.

F. The owner of the property must apply for and receive a building permit prior to the placement of the home on the property and pay all fees therefore and comply with all city codes,

G. The owner must pay all fees to hook up to the City's utilities prior to placing the home on the property.

H. The home may not be placed on a lot, which contains any other dwelling place.

I. The home must have at least two (2) functional smoke alarms.

J. The home must be tied down in conformance with the manufacturer's specifications, provided, no part of the components or equipment used to tie the home down shall be visible from outside the masonry curtain wall after installation.

K. The home may not be occupied unless inspected by the City Inspector and/or Code Enforcement Officer to verify compliance with all requirements.

L. The installation must comply with all city ordinances as to building permits, and utility connections.

M. The home shall be placed upon a well-drained area and the lot shall be properly graded so as to prevent the accumulation of storm water under the home or on the lot.

N. Electrical service shall be installed per the latest edition of the National Electric Code and local power company serving the city.

O. The gas line shall rise above the ground on the outside of the home before entry through the skirting.

SECTION 5-905 – INSTALLATION OF RESIDENTIAL DESIGNED MANUFACTURED HOMES AND MODULAR HOMES WITHIN THE CITY.

Residential design manufactured homes and modular homes, as defined in this code, shall be permitted in the Town of Lamont, Oklahoma, when in compliance with the following architectural and aesthetic standards:

A. The home shall have a minimum of 1000 square feet of main floor living area, excluding any attached garage or porch.

B. The roof shall be double pitched and have a minimum vertical rise of three (3) inches for each twelve (12) of horizontal run, and shall be covered with material that is residential in appearance, including but not limited to wood, asphalt, composition of fiberglass shingles, but excluding corrugated aluminum, corrugated fiberglass, or corrugated metal roofing material. The roof shall have a minimum eave projection of overhang of ten (10) inches on a least two (2) sides, which may include a four (4) inch gutter.

C. The exterior siding shall be made of non-reflective material customarily used on side built dwellings, such as wood, composition, or simulated wood, clapboards, conventional vinyl, or metal lap siding, brick, stucco or similar material, but excluding smooth, ribbed or corrugated metal or plastic panels. Siding material shall extend below the top of the exterior foundation or curtain wall and the joint shall be flashed.

D. The home shall be installed in accordance with the recommended installation procedures of the manufacturer. The running gear, tongue, axles, and wheels shall be removed from the unit at the time of installation.

E. Any site built addition to the home or detached accessory building shall comply with all applicable city code.

F. The home must be oriented on the lot so that its long axis is parallel with the street. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so that the narrow dimensions of the home, as so modified and facing the street, is no less than fifty (50) percent of the unit's long dimension.

G. Nothing in this section shall be construed to preempt or supersede valid restrictive covenants running with the land.

H. The lot must be landscaped to ensure compatibility with the surrounding properties.

I. The installation must comply with all city codes as to set backs, building permits, and utility connections.

J. The home may not be occupied unless inspected by the city inspector to verify compliance with all requirements.

SECTION 5-906 LICENSE AND TEMPORARY PERMIT.

It is unlawful for any person to construct, maintain or operate any mobile home park or travel trailer park within the city limits unless such person holds a valid license issued annually by the City Clerk with the approval of the Board of Trustees or designee of the city, in the name of such person for the specific mobile home or travel trailer park, except that the maintenance or operation of a mobile home, park or travel trailer park in existence on the effect date of this Article may be continued under a temporary permit for such period of time and under such conditions as are hereinafter described.

The Board of Trustees approved mobile home park or travel trailer park; application. An application for a Town approved Mobile Home Park or Travel Trailer Park shall be filled with the City Clerk, and accompanied by an affidavit of the applicant as to the truth of the application and contain the following information: (refer to the Building permit application).

A. An application fee of Thirty Dollars ($30).

Review, Notice; Hearing. The Board of Trustees or designee shall review the application and if complete, a written notice shall be posted on the subject property, which notice shall contain the following information:

1. Legal description of the property and the street address or approximate location in the Town;
2. Present use of the property and the use by review sought by the applicant;
3. Date, time and place of the hearing.

In addition, the written notice shall be mailed by first class mail, postage pre-paid, to all owners of real
Property listed on the abstractor's certificate. The hearing shall not be held sooner than ten (10) days from the date of posting and mailing the written notice.

Authorization. The Board of Trustees or designee shall conduct the hearing on the date, time and place provided in the written notice. All persons desiring to participate shall be given the opportunity to speak and present evidence. The decision shall be based on the following criteria:

1. Surrounding neighborhood: That the value and qualities of the neighborhood surrounding the Mobile Home Park or Travel Trailer Park will not be substantially injured.
2. Intend of General Description: That the location of the Mobile Home Park or Travel Trailer Park is consistent with the intent and purpose of the particular location to promote public health, safety and general welfare.
3. That the granting of the use is in substantial compliance with this code.

The board may approve or disapprove the use or provide for additional conditions upon which the use
may be permitted, including but limited to providing for screening. All decision shall be reduced to writing. Any aggrieved person has the right to file a written appeal of the decision of the Board to the City Clerk provided such written appeal shall be filed within five days from the date of the Board's decision. Such written appeal shall be filed with the City Clerk, who shall place the item on a scheduled meeting of the Appeals Board. The Appeals Board decision shall be final.

If approved, an annual license permitting the Mobile Home Park or Travel Trailer Park shall be issued to the applicant. Application for annual renewals of such license shall be made in writing by the holder of the license and shall contain the following:

1. Any change in the information submitted since the time the original license was issued or the latest renewal granted; and
2. Other information requested by the Board or designee.

Whenever the Code Enforcement Officer or designee finds conditions existing in violation of this
Article, or of any regulation adopted pursuant thereto, s/he shall give notice in writing to the person to whom the license was issued that, unless such conditions or actions be corrected within a reasonable period of time specified in the notice, the license will be suspended. At the end of such period, not to exceed ninety (90) days, the Code Enforcement Officer or designee shall re-inspect such park and if such conditions or practices have not been corrected, s/he shall suspend the license and give notice in writing of such suspension to the person to whom the license was issued. Upon receipt of notice of suspension such person shall cease operation of such park.

Any person who's license has been denied, suspended or who received notice from the Code Enforcement Officer or designee that his/her permit will be suspended unless certain conditions or practices at the park are corrected may request and shall be granted a hearing on the matter before the Board or designee provided that when no petition for such hearing shall have been filed within ten (10) days following the day on which notice of suspension was served, such license shall be deemed to have been automatically revoked at the expiration of such ten (10)day period.

At all times that a Mobile Home Park and Travel Trailer Park is occupied pursuant to the Article and is a part of the initial and subsequent licensing process, the owner or person in lawful control of the real property shall ensure that there is maintained a general liability policy of insurance in the minimum aggregate amount of

$1, 000, 000. 00 protecting the general public from any liability that may be occasioned through the operation of the Mobile home or travel trailer park, including property damage and injury to persons including death. A certificate showing that such coverage is in full force and effect shall be on file at all times in the office of the City Clerk and any termination, amendment, cancellation of such insurance coverage must be processed with at least ten (10)day written notice to the City Clerk.

SECTION 5-907 LICENSE FEES AND TEMPORARY PERMITS, POSTING.

The City Clerk shall charge and collect for each Mobile Home Park or travel trailer park an initial license or temporary permit of in such sum as set by the city council by motion or resolution per park. The initial license or temporary permit shall expire one (1) year from the date of issue unless renewed upon such conditions as the Board may direct from time to time.

The license certificate or temporary permit shall be conspicuously posted in the office of or on the premises of the mobile home park or the travel trailer pare at all times.

SECTION 5-908 INSPECTION OF MOBILE HOME AND TRAVEL TRAILER PARKS.

The Code Enforcement Officer or designee is hereby authorized and directed to make inspection as to determine the condition of mobile home and travel trailer parks located within the town in order to perform their duty of safeguarding the health and safety of occupants of mobile home parks and of the general public.

The Code Enforcement Officer or designee shall have the power to inspect the outside premises of private or public property for the purposes of inspecting and investigating conditions in relation to the enforcement of the Article or of regulations promulgated there under.

The Code Enforcement Officer of designee shall have the power to inspect any register containing a record of all mobile homes and occupants using the park.

It is the duty of every occupant of a park to give the owner thereof or his/her agent or employee access to any part of the mobile home park or travel trailer park or their premises at reasonable time for the purposes of making such repairs or alterations as are necessary to affect compliance with this Article or with any lawful regulations adopted there under, or with any lawful order issued pursuant to the provision s of this Article.

SECTION 5-909 NOTICE, HEARINS AND ORDERS.

Whenever the Code Enforcement Officer or designee determines violations of this Article or pertinent laws or ordinances exist, s/he shall notify the owner of his/her agent of the alleged violation in writing and be served upon the owner of his/her agent as the case may require. The notice or order shall be deemed as property served upon the owner or agent when a copy thereof has been sent by certified mail to his/her last known address and will contain an outline of remedial action which, if taken, will effect compliance with provisions of this Article and other pertinent regulations.

SECTION 5-910 FREE-STANDING TRAVEL TRAILERS

Purpose. As of the effective date of this section, there exists in the Town of Lamont a need for dwelling units for new resident's location to the Town, many of whom are working for oil and gas companies and related industries. Many of these businesses and industries could choose the Town of Lamont to locate their business operations and/or personnel. In order to help induce the location of these businesses and industries and their employees to the Town and thereby realize increases in taxes and revenues, it is deemed necessary to provide a procedure whereby individual lots located within the Town can be made available for location of travel trailers to be residentially occupied. The purpose of this section is to permit such location under certain circumstance and to balance the interest of the owners of those lots with that of the surrounding property owners. This section shall not apply to travel trailers placed in mobile home parks or travel trailer parks.

Penal Provision. It is unlawful for any person, firm, or entity to permit or allow the location of a residentially occupied travel trailer (for living or sleeping purposes) upon any city lot or other location or to residentially occupy any travel trailer except as specifically approved by this Article.

Minimum Lot Size Requirement; Setbacks. The minimum lot size of one (1) travel trailer to be located and residentially occupied shall be 2500 square feet. At least 2500 square feet of lot area shall be provided for each travel trailer to be located on any Town lot. No travel trailer shall be located closer than twenty-five (25) feet to another travel trailer. The setback requirements shall be as follows: front yard 25'; rear yard 10'; side yard 5".

Type and Nature of Travel Trailers. All travel trailers to be residentially occupied shall contain toilet, shower or bath and kitchen facilities which are fully operable and capable of being connected to the municipal water and sewer systems. No travel trailer in disrepair or materially damage or having been burned or flooded and still showing such condition shall be permitted to be residentially occupied. All travel trailers to be residentially occupied shall be inspected by the Code Enforcement Officer or designee prior to their residential occupancy, which travel trailer shall bear a sticker showing the date of each such annual inspection and signed they the inspector. Travel trailers may contain propane tanks for cooking purposes only; provided however such propane tanks may not exceed 100 lbs. of liquefied petroleum gases.

Board Approved Travel Trailer Permit; Application. An application for a Board approved Travel trailer permit shall be filed with the City Clerk containing all the pertinent information as listed in the building permit application. The City Clerk shall charge and collect for each Travel trailer to be placed on Town lots in the amount of Thirty Dollars ($30).

Review; Notice: Hearing. The Board of Trustees or designee shall conduct the hearing on the date, time and place provided in the written notice. All persons desiring to participate shall be given the opportunity to speak and present evidence. The decision shall be based on the following criteria:

1. Surrounding neighborhood: That the value and qualities of the neighborhood surrounding the Mobile Home Park or Travel Trailer Park will not be substantially injured.
2. Intend of General Description: That the location of the Mobile Home Park or Travel Trailer Park is consistent with the intent and purpose of the particular location to promote public health, safety and general welfare.

That the granting of the use is in substantial compliance with this code.

The board may approve or disapprove the use or provide for additional conditions upon which the use
may be permitted, including but limited to providing for screening. All decision shall be reduced to writing. Any aggrieved person has the right to file a written appeal of the decision of the Board to the City Clerk provided such written appeal shall be filed within five days from the date of the Board's decision. Such written appeal shall be filed with the City Clerk, who shall place the item on a scheduled meeting of the Appeals Board. The Appeals Board decision shall be final.

Other Regulations. All connections to the municipal water and sewer services and electrical services shall be made prior to any such travel trailer being occupied. No travel trailer shall be occupied unless connected to the municipal water and server serves and electrical services. All travel trailers shall be placed on a permanent surface and meeting the same standards is provided in previously mentioned sections. Each trailer shall have at least one (1) permanently surfaced off-street parking space no less than two hundred square feet in area. If natural gas is connected it shall be designed such that the connection between the travel trailer and gas service line will not occur underneath the travel trailer.

Permits, Fees and Inspections. Prior to the location of any travel trailer onto any real property permitted under the foregoing process in the corporate city limits, a permit shall be secured and a fee paid.

Permit. The owner, occupant or mover shall apply for a travel trailer hookup permit from the City Clerk or designee whenever locating a travel trailer onto a property permitted pursuant to the use by review process.

Fees. The applicant shall submit a fee of Thirty Dollars ($30) annual fee (initial and subsequent) for a travel trailer hookup permit. This fee shall cover all required inspections.

Inspections. The permit holder shall notify the Code Enforcement Officer or designee who thereafter shall cause to be made an inspection, upon completion of the following items:

a. Water, sewer and gas hookups (if any), according to the municipal or any other applicable code. Each travel trailer space shall be provided with at least four inches sewer connection at leave four inches above the surface of the ground. The sewer connection should be protected by a concrete collared of at least four inches thick an have a minimum outside diameter of twenty-four above the surface of the ground. The sewer connection shall be fitted with a standard ferrule and close nipple and provided with a screw cap. Connection between the mobile home's drain and the sewer must be water tight and self-draining. Mobile homes with fixtures from which back siphon age may occur shall not be connected to the city water system until defect has been corrected. The water system of the travel trailer shall be connected to the municipal water system. The travel trailer shall be provided with a cold water tap at least four inches above the ground. An adequate supply of hot water shall be provided at all times for all bathing, washing, cleansing and laundry facilities. All water piping shall be constructed and maintained in accordance with state and local law. The water piping system shall not be connected with non-portable or questionable water supplies and

shall be protected against the hazards of backflow or back siphon age. All water connection shall be weather tight.

b. Electrical hookup, according to the municipal or any other applicable code.

At all times that a Mobile home park and travel trailer park is occupied pursuant to the Article and is a part of the initial and subsequent licensing process, the owner or person in lawful control of the real property shall ensure that there is maintained a general liability policy of insurance in the minimum aggregate amount of
$1, 000, 000. 00 protecting the general public from any liability that may be occasioned through the operation of the Mobile home or travel trailer park, including property damage and injury to persons including death. A certificate showing that such coverage is in full force and effect shall be on file at all times in the office of the City Clerk and any termination, amendment, cancellation of such insurance coverage must be processed with at least ten day written notice to the City Clerk.

Expiration. The travel trailer permit shall expire upon the removal of the travel trailer or upon each annual expiration.

No permanent structure or addition shall be permitted to be constructed or place on any real property or lot permitted for travel trailers pursuant to this Article

Violations of this section may be enforced pursuant to the same regulations as provided in Section 5-908.1 for violations.

SECTION 5-911 LOCATION, SPACE AND GENERAL LAYOUT OF MOBILE HOME PARKS AND TRAVEL TRAILER PARKS.

It is unlawful to locate a mobile home or travel trailer less than twenty-five (25) feet from any public street or highway, or so that any part of such mobile home or travel trailer will obstruct any roadway or walkway in a mobile home park.

Every mobile home space and travel trailer space shall be clearly defined. Mobile homes and travel trailers shall be parked in such spaces that at the nearest point they shall be at least ten (10) feet from any other mobile home or travel trailer.

All mobile home parks or travel trailer parks existing at the effective date of this Article parking on or adjacent to the street within the park is permissible so long as it does not obstruct free movement of travel. Whether or not a safety hazard exists is a question to be determined by the Code Enforcement Officer with final appeal to the Town Board. If, upon final appeal before the Board, it is determined by the Board that a safety hazard does in fact exist, the mobile home park or travel trailer park concerned will be required to comply with the last sentence of this section. In new mobile home parks at least two (2) clearly defined parking spaces will be provided for each mobile home space whether or not adjacent to the mobile home space. In new travel trailer parks at least one parking space shall be provided for each space either on or adjacent to the space.

All driveways and walkways within a park shall have at least 4 inches of concrete or rock with roadway having curbing for proper drainage.

It is unlawful to permit a mobile home to occupy a travel trailer space, a travel trailer to occupy a mobile home space and for any mobile home or travel trailer to be located in a park unless in a designate mobile home or travel trailer space.

Section II. REPEALER. All ordinances or parts thereof which are inconsistent with this ordinance are hereby repealed.

Section III. SAVINGS CLAUSE. Nothing in this ordinance 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 cases 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.

Section IV. CODIFICATION. This ordinance shall be codified as herein provided.

Section V. SEVERABLIITY. If any one or more of the sections, sentences, clauses or parts of the ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability on validity of any other provision of this ordinance. It is hereby declared to be the intention of the Mayor and the Board of Trustees of the Town of Lamont that this section of the Lamont Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

Section VI. PENALITY. Any person who shall violate the provisions of this ordinance shall be deemed guilty of an offence against the Town and upon conviction shall be punished with the fine of Two Hundred Forty Nine dollars ($249) and court costs and statutory penalty assessments.

Section VII. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of the peace, health, safety and public good of the Town and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect in order to establish regulations regarding mobile home and travel trailer parks and free-standing travel trailer; By reason whereof, this Ordnance shall take effect and be in full force and effect after its passage, as provided by law.

## ARTICLE 10

## PENALTY

SECTION 5-1001 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 officers provided for in this chapter, shall be guilty of an offense, and upon conviction thereof, shall be punished as provided in Section 1-108 of this code. Each day such violation is committed or continues to exist shall constitute a separate offense and is punishable as such.

SECTION 5-1002 RELIEF IN COURTS.

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

SECTION 5-1003 SUSPENSION OR REVOCATION OF REGISTRATIONS ISSUED BY TOWN.

A. The mayor and board of trustees may suspend or revoke any plumbing, electrical, mechanical or other registration issued pursuant to this Chapter, if it finds that the holder has:

1. Made a material misstatement in the application for any registration or renewal thereof;

2. Loaned or illegally used his registration;

3. Violated any provision of this code; or

4. Committed any act specified in this code as grounds for suspension or revocation of any registration.

B. Complaints against any person registered pursuant to this chapter shall be filed with the town clerk and thereafter investigated by the appropriate town department head, or his designee. All complaints shall be in writing, signed and duly verified; provided however, this procedure shall not be exclusive and shall not preclude the filing of a complaint in the municipal court.

C. The person against whom the complaint is signed shall be entitled to a public hearing before the mayor and board of trustees. Within ten (10) days after the filing of a written complaint, the appropriate town department head shall serve written notice of the complaint upon the registered person. The notice shall be served personally or by certified mail (return receipt requested). If the notice is served personally it must be served at least ten (10) days prior to the scheduled hearing. If the notice is served by mail it must be postmarked at least ten (10) days prior to any scheduled hearing. The notice shall include:

1. A statement of the time, place and nature of the hearing;

2. A statement of the legal authority and jurisdiction under which the hearing is to be held;

3. A reference to the particular sections of this code and rules involved;

4. A copy of the complaint;

5. A statement that the accused has a right to a public hearing in his defense at which time he may respond to the allegation in the complaint by his testimony, the testimony of witnesses or other admissible evidence;

6. A statement that the individual has a right to be represented by legal counsel and a right to confront his accusers; and

7. A statement that based upon the evidence presented at the hearing, the mayor and board of trustees shall decide to either dismiss the complaint or recommend the suspension or revocation of the registration.

D. All writings or documents admitted into evidence shall become a part of the record of the proceedings. A party or members of the board may conduct direct and cross examinations required for a full and true disclosure of the facts. After all evidence has been submitted, the mayor and board of trustees shall vote to either dismiss the complaint or suspend or revoke the registration. A suspension shall include a recommendation for a time period during which the registration is to be suspended; provided however, that a registration cannot be suspended for a period of time exceeding six (6) months.