

ORDINANCE NO. 1532

AN ORDINANCE AMENDING §§6-16 AND 6-17, ADOPTING THE NATIONAL BUILDING CODE OF 1987 WITH AMENDMENTS; AMENDING §§6-31 AND 6-32, ADOPTING THE NATIONAL EXISTING STRUCTURES CODE OF 1987 WITH AMENDMENTS; AMENDING §§6-36 AND 6-37, ADOPTING THE CABO ONE- AND TWO-FAMILY DWELLING CODE OF 1986 WITH AMENDMENTS; AMENDING §6-46 SUBSECTIONS (d) and (f), PROVIDING FOR THE REGISTRATION OF CERTIFICATES FOR ELECTRICAL CONTRACTORS, JOURNEYMEN ELECTRICIANS OR ELECTRICAL APPRENTICES AND THE POSTING OF A \$250.00 ESCROW; AMENDING §6-66, ADOPTING THE BOCA NATIONAL ELECTRICAL CODE OF 1987 WITH AMENDMENTS; AMENDING §6-95 ADOPTING THE BOCA NATIONAL PLUMBING CODE OF 1987, WITH AMENDMENTS; ADOPTING §6-128(a), §6-129, 6-130, AND 6-131, ADOPTING THE BOCA BASIC MECHANICAL CODE OF 1987, WITH AMENDMENTS; AMENDING §10-1(a), ADOPTING THE NFPA 101 LIFE SAFETY CODE OF 1988; AMENDING §10-51, ADOPTING THE BOCA BASIC NATIONAL FIRE PREVENTION CODE OF 1987, WITH AMENDMENTS; REPEALING §10-51.1 AND ALL ORDINANCES TO THE CONTRARY AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:

SECTION I. §6-16 of the Broken Arrow Code is hereby amended to read as follows:

That certain document, three copies of which are on file in the office of the City Clerk being marked and designated as the "BOCA Basic National Building Code, 10th Edition, 1987" as published by the Building Officials and Code Administrators International, Inc., be and is hereby adopted as the building code of Broken Arrow, Oklahoma, to the same extent as if set out herein at length with the amendments prescribed in §6-17.

SECTION II. §6-17 of the Broken Arrow Code is hereby amended to read as follows:

The building code adopted in §6-16 is hereby amended as set forth in the following paragraphs:

Subsection 100.1 is amended by inserting the words, "The City of Broken Arrow, Oklahoma" in lieu of the words, "(name of jurisdiction)".

Subsection 103.4 is amended by inserting the words, "January 19, 1973" in lieu of the words, "(date)".

Subsection 114.3.1 is amended by inserting the following fee schedule in lieu of the words, "(dollar amount)":

(a) The applicant for a building permit required by the building code adopted by Section 6-16 shall pay to Broken Arrow through the City Inspection Department a fee which shall be determined by the square footage of the interior area being directly involved in the construction, modification, or repair of the building for which the permit is issued. Each separate level of such area, whether subterranean, surface or above ground, shall be computed in determining the total area and the fee to be paid for such permit is as follows:

<u>TOTAL AREA</u>	<u>PERMIT FEE</u>
Less than 200 square feet.....	\$35.00
200 square feet or more, but less than 500 square feet.....	55.00
500 square feet or more, but less than 1,000 square feet.....	80.00
1,000 square feet or more, but less than 1,500 square feet.....	110.00
1,500 square feet or more, but less than 2,000 square feet.....	140.00
2,000 square feet or more, but less than 2,500 square feet.....	170.00
2,500 square feet or more, but less than 3,000 square feet.....	275.00
3,000 square feet or more, but less than 3,500 square feet.....	315.00
3,500 square feet or more, but less than 4,000 square feet.....	350.00
4,000 square feet or more, but less than 4,500 square feet.....	390.00
4,500 square feet or more, but less than 5,000 square feet.....	430.00

(b) The building permit fee charged for any building structure or work involving a total area of five thousand (5,000) square feet or more shall be computed by multiplying the total area to the nearest one hundred (100) square feet times twenty-five dollars (\$25.00) times one-third (1/3) of one percent (1%) and to that sum will be added an additional one hundred dollars (\$100.00).

(c) No building permit shall have any force or effect unless it has attached to it or written upon it a receipt or other statement from the City Inspection Office showing payment of any and all fees required by this section or by any other ordinance.

Subsection 117.4 is amended to read: Each person (A) who shall violate a provision of this code or shall fail to comply with any of the requirements thereof, or (B) who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Class B offense. Each day that a violation continues shall be deemed a separate offense.

Subsection 118.2 - Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be guilty of a Class A offense.

Subsections 123.0 through 123.5.1, inclusive, shall be amended by deleting those sections in their entirety.

Subsection 501.3 shall be amended to read as follows: Fire Protection and Suppression Systems and Building Heights.

No building or structure shall hereafter be erected or altered in any R, O, or C zoning district which shall exceed thirty-five (35) feet in vertical height above the mean lot elevation, without the installation of an approved fire protection and suppression system. No building shall hereafter be erected or altered in any I zoning district which shall exceed fifty (50) feet in vertical height above the mean lot elevation, without the installation of an approved fire protection and suppression system. Any system which meets or exceeds the standards established in the BOCA Building Code (as proposed nationally) shall be approved for purposes of this section. In those instances where the BOCA Building Code does not set forth standards for fire protection and suppression systems, the city officials shall make use of BOCA Building Code standards as guidelines to determine what type of fire protection and suppression system is necessary to meet the higher local standard needed for approval; and installation of the system shall conform to BOCA installation requirements.

501.5 - No building or structure shall hereafter be erected or altered which structure is in use groups A, B, F, H, M, S and U, unless the exterior wall of said structure shall be constructed with approved assembly to meet the following requirements: When the distance between the exterior wall of the structure and the nearest property line or other building is less than three (3) feet at any point, the exterior wall shall be a noncombustible fire wall having a fire-resistance rating of at least four (4) hours. When said exterior wall is more than three (3) feet but less than six (6) feet at any point from the nearest property line or other building, said exterior wall shall have a fire-resistance rating of at least three (3) hours. When said exterior wall is located in excess of six (6) feet but less than eleven (11) feet at any point from the nearest property line or other building, said wall shall have a fire-resistance rating of at least two (2) hours. When said exterior wall is located in excess of eleven (11) feet but less than thirty (30) feet at any point from the nearest property line or other building, said wall shall have a fire-resistance rating of at least one (1) hour. All openings in any of the above-rated walls shall have a fire-resistance rating compatible with the wall in which the opening is located.

Subsection 902.2, Table 902 is hereby amended by deleting therefrom use groups R-1, R-2 and R-3, and in lieu thereof the following amendment shall be inserted:

<u>Use Group</u>	<u>Fire Grading in Hours</u>
R Residential - All categories of fire grading	2

(c) The electrical code adopted in paragraph (a) is hereby amended as set forth:

Subsection 336-3 shall be amended to read as follows: Uses Permitted. (A) Type NM and type NMC cables shall be permitted to be used in one- and two-family dwellings, multifamily dwellings and other structures, provided that such dwellings or structures do not exceed three (3) floors above grade. However, the use of NM and NMC cables are not permitted in hotels, motels, commercial structures, office buildings, industrial buildings, or similar uses. For the purpose of this article, the first floor of a building shall be that floor which is designed for human habitation and which has fifty percent (50%) or more of its perimeter level with or above finished grade of the exterior line wall.

(B) Any residential structure which is converted to a commercial, office, or industrial use must be remodeled at the time of this conversion so that all wiring contained in the structure complied with this code.

SECTION IX. §6-128(a) of the Broken Arrow Code is amended to read as follows:

(a) That certain document, three (3) copies of which are on file in the office of the City Clerk, being marked a "BOCA Basic Mechanical Code/1987, 6th Edition," as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the mechanical code for the City, to the same extent as if set out herein at length with the amendments prescribed in Section 6-129.

SECTION X. §6-129 of the Broken Arrow Code is amended to read as follows:

The mechanical code adopted by Section 6-128 is hereby amended as set forth in the following paragraphs of this section:

Section M-114.2 shall be amended to read as follows:

Periodic Inspections: The fees for all periodic inspections shall be seven dollars and fifty cents (\$7.50) for each trip made by each inspector.

Section M-100.1 is amended by inserting the words, "The City of Broken Arrow, Oklahoma", in lieu of the words, "(name of jurisdiction)".

Section M-114.3 shall be amended to read as follows:

Fee Schedule: The fees for all mechanical work and permits issued by the City shall be as follows:

- (1) Gas piping, per meter.....\$7.50
 Additional per opening..... 1.00
- (2) Heating appliances..... 7.50
- (3) Temporary gas service for construction purposes..... 7.50

26.2104. The minimum pressure rating shall be 160 psi, at 73 degrees Fahrenheit, with permanent identification markings.

Section P-2104.2.1 is amended to read as follows: Aboveground. Materials for water distribution pipes and tubing shall be brass, copper water tube minimum Type L, galvanized steel, all to be installed with approved fittings. Minimum pressure rating for tubing shall be 100 psi at 180 degrees Fahrenheit.

Section P-2104.2.2 is amended to read: Underground. Inaccessible water distribution piping under slabs shall be copper water tube minimum Type K. No joints shall be allowed under the slab. Any material subject to corrosion shall be protected when used in corrosive soils.

Section P-2104.4 is amended to read as follows: Joints and Connections. Joints and connections located under slab floors are prohibited.

SECTION VII. §6-46 (d) and (f) of the Broken Arrow Code is hereby amended to read as follows:

(d) Upon application of the electrical inspector, and the payment of the required fee to the City Clerk's Office, the electrical inspector shall register such applicants and issue to them certificates of registration; provided that an applicant shall also post a \$250 escrow.

(f) Certificates of Registration issued, as provided herein, shall expire on June 30 of each year. Upon expiration, a qualified person who registers as an electrical contractor, journeyman electrician, or electrical apprentice, may reapply for the registration of the same type of license or any other license to which they are entitled, in the same manner and under the same conditions as a new application.

Section VIII. §6-66 of the Broken Arrow Code is hereby amended to read as follows:

(a) That certain document, three copies of which are on file with the office of the City Clerk, being marked and designated as the "BOCA National Electrical Code, 1987 Edition," as published by the National Fire Protection Association and is hereby adopted as the electrical code for the City Where specific or more stringent standards are prescribed by this article, they shall prevail over the minimum standards set forth in the National Electrical Code.

(b) Unless the rules and regulations of this article disapprove a procedure 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 and property.

SECTION VI. §6-37 of the Broken Arrow Code shall be amended to read as follows:

The dwelling code adopted in Section 6-36 is hereby amended as set forth in the following paragraphs:

Section R-36.3 - Any person, firm, or corporation violating any of the provisions of this code shall be guilty of a Class B offense. It shall be deemed a separate offense for each day or a portion thereof during which any violation of any of the provisions of this code is committed, continued, or permitted.

Section R-107 is amended to read as follows:

All persons shall have the right to appeal the building official's decision to the City Manager.

Section R-202 Table Number R-202 entitled climactic and geographic design criteria submitted to read as follows:

Live Roof Load = 20 lbs. per square foot;
Snow Roof Load = 10 lbs. per square foot;
Wind pressure, structures less than 30 feet = 25 lbs. per square foot;
Wind pressure, structure of 30 to 49 feet inclusive = 35 lbs. per square foot;
Seismic condition is Zone 1;
Frost line depth is 18 inches; there is a history in this jurisdiction of damage due to termite; there is a history in this jurisdiction of damage due to decay.

Section R-219 shall be amended to read as follows: Dwelling units in two-family dwellings shall be separated from each other by a wall and/or floor assemblies of not less than two-hour fire-resistance rating when tested in accordance with standard specified Chapter 26. Fire-resistance rated floors, ceilings, and wall assemblies shall extend to and be tied against the exterior wall, and wall assemblies shall extend to the underside of the roof sheathing.

Section R-304.4 shall be amended by adding a subparagraph 3.

3) Any such foundation walls shall be a minimum of sixteen (16) inches in height.

Section P-2104.1 Materials-Water Supply shall be amended to read as follows:

Materials for underground water supply systems, and water service pipe may be a minimum of Type K copper tube, brass, cast-iron pressure pipe, galvanized steel or PVC schedule 40. Any material subject to corrosion shall be protected when installed in corrosive soils. Approved fittings shall be used on the water supply system or water service piping.

Underground piping for water service and lawn sprinkler systems, when installed outside of the foundation walls of a building, may be pressure rated plastic as listed in Section

Subsection 1002.1 shall be amended to read as follows:

Where Required: Fire suppression systems shall be installed and maintained in full operating condition, as specified in this code, in the locations indicated in sections 1002.2 through 1002.21

Subsection 2906.1 shall be amended to read as follows: A person shall not erect, install, remove, re-hang any sign over public property, which property is under the control of the City, without the express written permission of the City.

SECTION III. §6-31 of the Broken Arrow Code is hereby amended to read as follows:

That certain document, three (3) copies of which are on file with the office of the City Clerk, being marked and designated as the BOCA Basic National Existing Structures Code/1987, Second Edition, as published by the Building Officials and Code Administration International, Inc., is hereby adopted as the existing structures code of the City, to the same extent as if set out herein at length, with the amendments prescribed in Section 6-32.

SECTION IV. §6-32 of the Broken Arrow Code shall be amended to read as follows:

The existing structures code adopted in Section 6-31 is hereby amended as set forth in the following sections.

ES-100.1 is amended by inserting the words, "The City of Broken Arrow, Oklahoma", in lieu of the words, "(name of jurisdiction)".

ES-110.2 of this code shall be amended to read as follows: Any person, firm, or corporation convicted of a violation of any of the provisions of this code shall be subject to the penalties provided for Class B offenses. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

ES-112.4 shall be amended to read: "within thirty (30) days," in lieu of the words "within (number) days."

SECTION V. §6-36(a) of the Broken Arrow Code shall be amended to read as follows:

(a) That certain document, three (3) copies of which are on file in the office of the City Clerk, being marked and designated as the "CABO One- and Two-Family Dwelling Code, 1986 edition," as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the one- and two-family dwelling code of the City, to the same extent as if set out here in at length with the amendment prescribed in Section 6-37.

- (4) Air compressors and tanks, per receiver..... 7.50
- (5) Pressure vessels over 400,000 Btu input.....10.00
- (6) Pressure vessels to 400,000 Btu input (including miniature, 1½-horsepower)..... 7.50
- (7) Refrigeration unit, 1½-horsepower to 24-horsepower..... 7.50
- (8) Refrigeration unit, 25-horsepower to 49-horsepower.....12.00
- (9) Refrigeration unit, 50-horsepower to 99-horsepower.....25.00
- (10) Refrigeration unit, 100-horsepower and over.....35.00
- (11) Hot and/or chilled water piping, per coil..... 2.00
- (12) Replacement of any major part of a mechanical system..... 7.50
- (13) Reinspection (per trip)..... 7.50
- (14) Heating and air conditioning ducts, per trip..... 7.50
- (15) Inspections called on work to be concealed, per trip..... 7.50

Section M-117.4

Any person who shall violate a provision of this code, or shall fail to comply with any of the requirements thereof, or who shall erect, construct, alter or repair mechanical equipment or systems in violation of an approved plan or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a Class B offense. Each day that a violation continues shall be deemed a separate offense.

Section M-118.2 Unlawful Continuance: Any person who shall continue any work in or about the structure, after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be guilty of a Class A offense. Every day that such a violation continues shall be deemed a separate offense.

SECTION XI. §6-130 of the Broken Arrow Code is hereby amended to read as follows:

(a) It shall be unlawful for any person to engage in the business, trade or occupation of a Mechanical contractor, Journeyman or Apprentice in the City, unless he is registered with the mechanical inspector and has a current and valid certificate of registration issued by the mechanical inspector.

(b) Only persons who have current and valid Oklahoma licenses as mechanical contractors, or as Journeymen, or as mechanical apprentices may register as such with the mechanical inspector.

(c) The annual registration fee shall be as follows:

Mechanical Contractor.....\$100.00
 Journeyman Mechanical..... 10.00

Mechanical Apprentice..... 5.00

(d) Mechanical contractors shall maintain an escrow account on deposit with the City of Broken Arrow in the amount of two hundred and fifty dollars (\$250.00).

(e) The City Council, upon at least ten (10) days notice and adequate opportunity for a public hearing, may revoke the City registration of any mechanical contractor or journeyman mechanical, for violating any provision of the ordinances or regulations of the City relating to the installation of mechanical or for any other cause specified in the Mechanical Licensing Act of 1987.

SECTION XII. There is hereby created a §6-131 which said section shall read as follows: Identification of Mechanical Contractors Service Vehicles.

Each mechanical contractor doing business in the City shall display, on each side of every service vehicle used in such business, his firm name and City registration number.

SECTION XIII. §10-1(a) of the Broken Arrow Code shall be amended to read:

The 1988 Edition of the NFPA 101 Life Safety Code, promulgated by the National Fire Protection Association, Inc., of which not less than three (3) copies have been filed in the office of the City Clerk, is hereby adopted as if set out herein. If any provision of such code is in conflict with any other provision, Chapter 10 of the Broken Arrow Code, the latter provision shall govern.

SECTION XIV. §10-51 of the Broken Arrow Code shall be amended to read:

(a) That certain document, three (3) copies of which are on file with the office of the City Clerk, being marked and designated as the BOCA Basic National Fire Prevention Code/1987 (Seventh Edition), as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the fire prevention code for the City. Each of the regulations, provisions, penalties, conditions, and terms of such document are hereby adopted as if fully set forth herein.

(b) In the event of any conflict between any provision of the Fire Prevention Code adopted by this Section and any other provision of this Code of Ordinances, the latter provision shall control.

(c) The Fire Prevention Code adopted in Section (a) is hereby amended as follows:

Section F-100.1 is amended by inserting the words, "The City of Broken Arrow, Oklahoma", in lieu of the words, "(name of jurisdiction)".


Section F-105.5.1 - Any person, firm, or corporation violating any provisions of this code or failing to comply with any order issued pursuant to any section thereof, shall be guilty of a Class B offense and each day that a violation continues after service of notice as provided for in this code, shall be deemed as a separate offense.

SECTION XV. §10-51.1 and any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION XVI. An emergency exists for the preservation of the public health, peace, and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

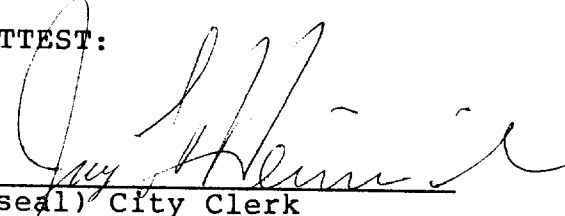
PASSED AND APPROVED and the emergency clause ruled upon separately this 3rd day of January, 1988?

DATED this 3rd day of January, 1988?



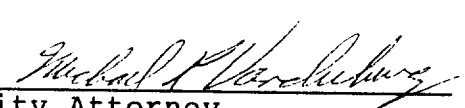
Mayor

ATTEST:



(seal) City Clerk

APPROVED:



City Attorney