

ORDINANCE NO. 24,439

AN ORDINANCE RELATING TO BUILDING AND BUILDING REGULATIONS REPEALING SECTIONS 12-1 THROUGH 12-199, ARTICLES I THROUGH VII OF CHAPTER 12, OF THE OKLAHOMA CITY MUNICIPAL CODE, 2010 IN ITS ENTIRETY; ENACTING A NEW CHAPTER 12, BUILDING CODE, SECTIONS 12-1 THROUGH 12-288, ARTICLES I THROUGH XII PROVIDING FOR THE ADOPTION OF THE INTERNATIONAL BUILDING CODE, 2003 EDITION, THE INTERNATIONAL EXISTING BUILDING CODE, 2003 EDITION, AND THE INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS, 2009 EDITION, AS AMENDED BY RESOLUTION OF COUNCIL; PROVIDING FOR PUBLICATION BY SUMMARY; PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT OF THE CODES; PROVIDING FOR THE APPOINTMENT AND DUTIES OF THE CHIEF BUILDING INSPECTOR AND ASSISTANTS; PROVIDING FOR THE ISSUANCE OF NOTICES, SETTING FORTH PENALTY PROVISION; PROVIDING FOR INFRACTIONS; SETTING FORTH REQUIREMENTS FOR PERMITS; ESTABLISHING FEES; CREATING THE BUILDING CODE COMMISSION AND THE RESIDENTIAL BUILDING CODE COMMISSION; SETTING FORTH THE PROCEDURES, POWERS AND DUTIES OF THE BUILDING CODE COMMISSION AND THE RESIDENTIAL BUILDING CODE COMMISSION; CREATING THE BUILDING APPEALS BOARD; SETTING FORTH THE MEMBERSHIP, POWERS AND DUTIES OF THE BUILDING APPEALS BOARD; SETTING FORTH THE APPEALS PROCEDURE; SETTING FORTH THE ENVIRONS ZONE SOUND ATTENUATION CONSTRUCTION METHODS; PROVIDING REQUIREMENTS FOR FALLOUT OR TORNADO SHELTERS; PROVIDING FOR SMOKE DETECTORS; PROVIDING FOR REGULATIONS FOR INSULATION CONTRACTORS; PROVIDING FOR AN EFFECTIVE DATE; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OKLAHOMA CITY:

SECTION I. That Sections 12-1 through 12-199, Article I through Article VII of Chapter 12 of the Oklahoma City Municipal Code 2010, ARE hereby repealed in their entirety.

SECTION II. That Chapter 12 of the Oklahoma Municipal Code 2010, is hereby amended by enacting a new title Building Code, Sections 12-1 through 12-288, Article I through Article XII, to read as follows:

CHAPTER 12

BUILDING CODE

ARTICLE I. IN GENERAL\*

§ 12-1. Rules and regulations for administration of special permits.

The Director of the Development Services Department or designated representative shall prescribe rules and regulations for the administration of any special permit granted hereunder by the Council.

§ 12-2. Standard Specifications adopted.

The Standard Specifications for Construction of Public Improvements, being more particularly the 2009 Edition thereof, three copies of which have been and now are filed in the office of the City Clerk, are hereby adopted and incorporated and considered as a part of this Code. The City Engineer is hereby authorized to amend and revise these Standard Specifications and upon publication to the City Council and the delivery of three copies to the City

Clerk, any such amendment or revision to these Standard Specifications shall become effective.

ARTICLE II. BUILDING CODE\*

DIVISION I. 2003 INTERNATIONAL BUILDING CODE\*

§ 12-15. Title.

Provisions of this chapter shall be known and may be cited as the "Oklahoma City Building Code", "Building Code" or "this Code".

§ 12-16. Intent.

International Building Code adopted. For the purpose of providing for basic minimum provisions considered necessary to protect health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, and safety to life and property from fire and other hazards attributed to the built environment of the citizens of the City and to provide safety to fire fighters and emergency responders during emergency operations, of Oklahoma City a building Code known as the International Building Code, being more specifically the 2003 Edition thereof, as amended by Resolution of the Council of the City, duly adopted and signed by the Mayor on April 3, 2012, three copies of which, each together with said resolution, having been and now filed in the office of the City Clerk, and the same as so amended and changed is hereby adopted and incorporated and considered as a part of this Code.

§ 12-17. Summary.

Pursuant to the authority granted by Section 26, Article II of the Charter of the City of Oklahoma City, the title and a brief gist or summary of the provisions of the International Building Code as amended are hereby ordered published in conformance with the provisions of said Section 26, Article II of the Charter, and for the purpose of such publication a summary of the provisions of said Code is hereby given as follows:

TABLE INSET:

Chapter 1.	Administration (as amended).
Chapter 2.	Definitions. (as amended).
Chapter 3.	Use and Occupancy Classifications.
Chapter 4.	Special Detailed Requirements Based On Use and Occupancy (as amended).
Chapter 5.	General Building Heights and Areas.
Chapter 6.	Types of Construction.
Chapter 7.	Fire-Resistance-Rated Construction (as amended).
Chapter 8.	Interior Finishes.
Chapter 9.	Fire Protection Systems (as amended).
Chapter 10.	Means of Egress (as amended).
Chapter 11.	Accessibility (as amended).
Chapter 12.	Interior Environment
Chapter 13.	Energy Efficiency.

Chapter 14.	Exterior Walls.
Chapter 15.	Roof Assemblies and Rooftop Structures. (as amended).
Chapter 16.	Structural Design (as amended).
Chapter 17.	Structural Tests and Special Inspections (as amended).
Chapter 18.	Soil and Foundations (as amended).
Chapter 19.	Concrete.
Chapter 20.	Aluminum.
Chapter 21.	Masonry.
Chapter 22.	Steel.
Chapter 23.	Wood.
Chapter 24.	Glass and Glazing.
Chapter 25.	Gypsum Board and Plaster.
Chapter 26.	Plastic.
Chapter 27.	Electrical (as amended).
Chapter 28.	Mechanical Systems (as amended).
Chapter 29.	Plumbing Systems (as amended).
Chapter 30.	Elevators and Conveying Systems.
Chapter 31.	Special Construction (as amended).
Chapter 32.	Encroachments into the Public Right-of-Way (as amended).
Chapter 33.	Safeguards During Construction.
Chapter 34.	Existing Structures (as amended).
Chapter 35.	Referenced Standards.
Chapter 36.	Removal of Houses, Buildings, and Other Structures. (as amended).

**DIVISION II. 2003 INTERNATIONAL EXISTING BUILDING CODE**

**§ 12-30. Title.**

Provisions of this chapter shall be known and may be cited as the "Oklahoma City Existing Building Code", "Existing Building Code" or "this Code".

**§ 12-31. Intent.**

For the purpose of providing for basic minimum provisions considered necessary to protect life or limb, health, safety, property and general welfare of the citizens of the City insofar as they are affected by repair, alteration, change of occupancy, addition, and relocation of existing buildings, a building Code known as the International Existing Building Code, being more specifically the 2003 Edition thereof, as previously amended by Resolution of the Council of the City, three copies of which, each together with said resolution, having been and now filed in the office of the City Clerk, and the same as so amended and changed is hereby adopted and incorporated and considered as a part this Code.

**§ 12-32. Summary.**

Pursuant to the authority granted by Section 26, Article II of the Charter of the City of Oklahoma City, the title and a brief gist or summary of the provisions of this Code as amended are hereby ordered published in conformance with the provisions of said Section 26, Article II of the Charter, and for the purpose of such publication a summary of the provisions of said Code is hereby given as follows:

TABLE INSET:

Chapter 1.	Administration (as amended).
Chapter 2.	Definitions.
Chapter 3.	Classification of Work (as amended).
Chapter 4.	Repairs.
Chapter 5.	Alterations Level 1 (as amended).
Chapter 6.	Alterations Level 2 (as amended).
Chapter 7.	Alterations Level 3 (as amended).
Chapter 8.	Change of Occupancy.
Chapter 9.	Additions (as amended).
Chapter 10.	Historic Buildings.
Chapter 11.	Relocated or Moved Buildings.
Chapter 12.	Performance Compliance Methods (as amended).
Chapter 13.	Construction Safeguards.
Chapter 14.	Referenced Standards.

ARTICLE III. ADMINISTRATION AND ENFORCEMENT

DIVISION I. ADMINISTRATION

§ 12-53. Generally.

The administration and enforcement of this Code shall be the responsibility of the Chief Building Inspector, who is supervised by the Development Services Director, or designated representative. The Inspection Services Supervisor is designated as the representative within the scope of this Code.

§ 12-54. Appointments; Chief Building Inspector and assistants.

- (a) There is hereby created the title of Chief Building Inspector.
- (b) The Chief Building Inspector shall be a resident of the State of Oklahoma and shall have at least five years experience in general building construction, in a municipality of 20,000 or larger population or have at least five years experience as a building inspector in a municipality of 20,000 or larger population, prior to his appointment. The Chief Building Inspector shall possess a current State building inspector license. The Chief Building Inspector shall give his/her entire time to the duties of said office, and shall not be interested directly or indirectly in any way with any construction related business engaged in the construction business within the City. The Chief Building Inspector shall not perform any construction work within the City.
- (c) Assistant Building Inspectors, as may be necessary to carry out the duties of this office maybe assigned. Assistant Building Inspectors

shall have at least five years experience in general building construction, in a municipality of 20,000 or larger population or have at least five years experience as a building inspector in a municipality of 20,000 or larger population. Assistant Building Inspectors shall possess a current State building inspector license. Assistant Building Inspectors shall not be interested directly or indirectly in any way with any construction related business engaged in the construction business within the City. Assistant Building Inspectors shall not perform any construction work within the City.

- (d) The Chief Building Inspector and assistants shall be reimbursed all monies expended to obtain, renew or maintain their State building inspector license and national certification in building. In addition, the Chief Building Inspector and assistants shall be issued all required City licenses and license registrations or renewals thereof, without charge by the Supervisor of Licenses.

**§ 12-55. Duties of Chief Building Inspector.**

- (a) The Chief Building Inspector shall be charged with the duty of enforcing all sections of this Code relating to building construction, installation, alteration, movement, enlargement, replacement, repair, conversion, removal and demolition of buildings or structures and maintenance, including inspections. The Chief Building Inspector or assistants shall inspect, or reinspect as authorized in this Code, all buildings, structures and other work within the City or outside the City that is regulated by this Code, either new or existing buildings, to ensure that the terms and provisions of this Code, and any amendments are complied with in full.
- (b) The Chief Building Inspector shall institute by and with the advice of the Municipal Counselor, or delegated assistants, such prosecution as may be necessary against any violators of any ordinance with the enforcement for which he is charged. In the event the violation pertains to a defective building installation or structures for which a permit may or may not have been obtained by the building contractor or property owner and the contractor or owner fails to commence proper corrections within 48 hours and/or complete the necessary corrections within a timely manner after receiving notice from the Chief Building Inspector or assistant, the Chief Building Inspector shall take remedial action. The Chief Building Inspector shall maintain files on building contractors violating any provisions of this Code.
- (c) The Chief Building Inspector shall inspect for unsafe or hazardous conditions as may be necessary for public safety relative to any building or structure used for public, educational, religious, entertainment, and commercial purposes. Said categories of buildings are described as auditorium buildings, schools, churches, theaters, private clubs and nightclubs, motels, hotels, apartment buildings, hospitals, assisted living centers, rest homes, office buildings, stores and shops, garages and service stations, restaurants and cafeterias, factories and processing or fabricating plants, warehouses and storage buildings or a building having a combination of two or more of said categories. At least one assistant Building Inspector shall be assigned full-time to perform the duties of this subsection.
- (1) When any portion or all of any building, structure or premises is ordered changed for any reason, the Building Inspector shall leave attached to the building a tag or label showing the date of the order and a memorandum of the correction to be made, and the signature of the inspector making the order.
- (2) The Building Inspector, in the discharge of his duties, may enter any building or premises as provided for in Chapter 2 of this Code.
- (d) The Chief Building Inspector or assistant shall check the workers performing electrical, mechanical, gas, boiler and plumbing work to

assure that each worker possesses a valid license and/or registration.

- (e) Copies of notices of violations, refusals of permits or refusals of certificates of inspections shall be filed in the office of the Chief Building Inspector.

**§ 12-56. Notices and orders.**

The Chief Building Inspector shall issue all necessary notices or orders to remove illegal or unsafe conditions, to require necessary safeguards during construction, and to ensure compliance with all Code requirements for the safety, health, and general welfare of the public.

**§ 12-57. Penalties.**

- (a) Any person who shall violate any of the provisions of this chapter shall severally, for each and every such violation, be deemed guilty of a Class "a" offense. Each day that a violation continues shall be deemed a separate offense. The imposition of a penalty for any violation shall not excuse the violation nor permit it to continue. The application of such penalty shall not be held to prevent the removal of prohibited conditions. For any second or subsequent offense and upon proof of prior conviction, said person shall be guilty of a Class "b" offense against the City. Any person who is required by any provision of this chapter or by any other law to obtain a license or to register with a City department or official prior to engaging in conduct that is regulated by this chapter, and who fails to obtain such a license or registration, or who fails to exhibit such a license or registration upon request by a City official, shall be guilty of a Class "b" offense against the City.
- (b) Failure of owner to correct defects; violations; penalty. Any owner of any premises who shall fail to promptly cause any defective building, structure, or building component to be corrected after having been notified of such defect shall be deemed guilty of a violation of this chapter, and shall be subject to the penalty specified in Section 12-57(a) of this chapter.

**§ 12-58. Inspections.**

The Chief Building Inspector or assistants shall make all required inspections, or may accept reports of inspections by authorized and recognized services or individuals; and all reports of such inspections shall be in writing and certified by a responsible officer of such authoritative service or by the responsible individual; or may engage such expert opinion as deemed necessary to report upon unusual technical issues that may arise, subject to the approval of the Director of Development Services, or designated representative. After inspecting any construction work, the building inspector shall leave notice in the form of a sticker, tag or label attached to the building. It shall be unlawful for any person other than an Oklahoma City inspector to remove, alter or damage any sticker, tag, label or notice left by the building inspector. The notice shall state whether the building is approved or what corrections need to be made. No person shall in any manner conceal any portion of a building until such work has been approved. Proper conveniences such as ladders shall be provided for inspectors on work to be inspected for the firm, corporation, LLC, or individual desiring inspection. The Chief Building Inspector and assistants shall be responsible to ensure that all inspections are made as needed including, but not limited to, foundation, framing and final inspections. The building contractor or authorized representative shall call for final inspection within ten days after completion of building work performed under any building permit. No structure shall be occupied prior to the final building inspection without approval by the authority having jurisdiction.

- (1) Address listed on the permit must be posted on all building sites for location purposes.

**§ 12-59. Inspection or Plan review, no relief from responsibility.**

Inspections and/or Plan review shall not be construed to relieve or lessen the responsibility of any person, partnership, LLC, or corporation owning, operating or erecting buildings, from the minimum requirements of the Code, damage to property or injury to persons by any defect in design, materials, or workmanship therein. Nor shall the City or any agent thereof be deemed to assume any such liability by reason of the inspection and/or plan review made by the Chief, assistants and/or plan reviewer.

**§ 12-60. Credentials.**

The Chief Building Inspector and assistants shall carry proper credentials, City ID, City commission card, current State inspector license of the office for the purpose of inspecting any and all buildings, structures and premises in the performance of their duties.

**§ 12-61. Records.**

The Development Services Director, or designated representative, shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued under this Code. Such records shall be retained as the official records as required by State law.

**DIVISION II. PERMIT**

**§ 12-67. Applications and permits.**

The Development Services Department shall receive applications, review construction documents, and issue permits for the erection, alterations, demolition, and moving of buildings and/or structures. The Chief Building Inspector or assistants shall inspect the premises for which such permits have been issued and enforce compliance with the provisions of this Code.

**§ 12-68. Permits required in advance.**

Prior to commencement of any work on a building or structure, the authorized person shall secure a permit and pay the City Treasurer the inspection fee in full. Any person who commences any work on a building or structure that requires a permit before obtaining the necessary permits shall be subject to a penalty as established in sec. 12-57.

**§ 12-69. Signature on permit.**

The signature of the Chief Building Inspector or an authorized representative shall be attached to every permit issued under this division.

**§ 12-70. Revocation of permit.**

The Chief Building Inspector, Development Services Director, or designated representative shall revoke a permit or approval issued under the provisions of this chapter in case of any false statement or misrepresentation of fact in the application or plans on which the permit or approval was based. Any person aggrieved by said decision may appeal pursuant with sec. 12-132.

**§ 12-71. Unlawful continuance of work.**

No person shall continue any building work in or about a structure after having been served with a stop work order, except such work as that person shall be directed to perform by the Chief Building Inspector or assistant in order to correct a violation or unsafe condition.

**DIVISION III. FEES\***

**§ 12-91. Fee required.**

No permit to begin work for new construction or alteration shall be issued under this article until the application and permit fees prescribed have been paid. Nor shall any amendment to a permit necessitating an additional fee

because of the additional work involved be issued until the additional fee has been paid.

**§ 12-92. Fee schedule.**

The schedule of fees for the permits and inspections required herein shall be as established in Chapter 60, the General Schedule of Fees.

**ARTICLE IV. BUILDING CODE COMMISSION\***

**DIVISION I. MEMBERSHIP, POWERS AND DUTIES, ETC.**

**§ 12-101. Created.**

There is hereby created within and for the City a Building Code Commission, with the powers and duties as hereinafter set forth.

**§ 12-102. Membership.**

The Building Code Commission shall consist of nine members, appointed by the Mayor with the consent and approval of the City Council. All members shall be residents of the State of Oklahoma and shall serve without compensation, and shall hold no other municipal office. Each member shall have a minimum of ten or more years experience in the building industry, and shall be familiar with this Code, as well as the State Building Code. Such commission shall consist of a structural engineer, duly licensed by the state, two architects, duly licensed by the state, a mechanical engineer, duly licensed by the state, a commercial building contractor, a residential building contractor, one civil engineer, duly licensed by the state, and two residents of the City who have no direct or indirect financial interest in any industry regulated by the City's building Code. Nothing contained herein shall affect the present appointments or terms of appointment.

**§ 12-103. Term of office.**

The term of office for each commissioner of the Building Code Commission shall be for three years or until a successor is appointed.

**§ 12-104. Vacancies.**

Vacancies on the Building Code Commission shall be filled for the remainder of the unexpired terms in the manner in which the original appointments were made.

**§ 12-105. Consecutive absences.**

A member of the Building Code Commission shall be considered to have resigned if he/she fails to attend three consecutive meetings unless the other members of the Commission notify the Mayor in writing that they believe the member to have been absent for a good cause and recommend the appointment be continued.

**§ 12-106. Removal from office.**

Members of the Building Code Commission may be removed by the Mayor with the consent of the Council after notice to the member and a public hearing.

**§ 12-107. Alternate members.**

The Mayor may appoint two alternate members to the Building Code Commission with the approval of the Council, who shall be called by the Commission chairperson to review the Building Code and all resolutions and ordinances pertaining thereto during the absence of a member. Alternate members shall be residents of the State who have no direct or indirect financial interest in any industry regulated by the City's building Code, and shall be appointed for three years or until a successor has been appointed.

**§ 12-108. Meetings.**

The Building Code Commission shall adopt rules in accordance with the provisions of this Code. The Commission shall have meetings at the call of the Chairperson and at such other times as the Commission may determine. At the

first meeting and annually thereafter the Commission shall elect a Chairperson and a vice-chairperson to serve for a period of one year or until their successor is elected. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its meetings showing the vote of each member upon each question or, if a member is absent or fails to vote, indicating such act, and shall keep records of its official actions, all of which shall be immediately filed in the office of the Development Services Director, or designated representative and shall be a public record.

**§ 12-109. Five votes required.**

A concurring vote of five members of the Commission shall be necessary on any decision or determination of the Commission.

**§ 12-110. Powers and duties.**

(a) The Building Code Commission shall, from time to time, review the Building Code and all resolutions and ordinances pertaining thereto and consider any changes which may be required due to the introduction of new materials, equipment or technology or which may be requested by the Building Official, Chief Building Inspector, Chief Plans Examiner, members of technical trades, contractors or the general public. Such changes as the Commission deems appropriate shall be recommended to the Council in writing.

(b) Other duties. The Commission shall have such other powers and duties as are provided by ordinance.

**ARTICLE V. BUILDING CODE OF APPEALS BOARD\***

**DIVISION 1. MEMBERSHIP, POWERS AND DUTIES, ETC.**

**§ 12-111. Created.**

There is hereby created within and for the city a Building Code Appeals Board, with the powers and duties as hereinafter set forth.

**§ 12-112. Membership.**

The Building Code Appeals Board shall consist of seven members, appointed by the Mayor with the consent and approval of the City Council. All members shall be residents of the State of Oklahoma and shall serve without compensation, and shall hold no other municipal office. Such board shall consist of one professional engineer, duly licensed by the state, one architect, duly licensed by the state, three citizen members who are qualified by occupation, experience and training to pass upon matters pertaining to building and construction, and two citizen members who have no direct or indirect financial interest in any industry regulated by the City's building Code.

**§ 12-113. Term of office.**

The term of office for each member of the Building Code Appeals Board shall be for three years or until a successor is appointed.

**§ 12-114. Vacancies.**

Vacancies on the Building Code Appeals Board shall be filled for the remainder of the unexpired terms in the manner in which the original appointments were made.

**§ 12-115. Consecutive absences.**

A member of the Building Code Appeals Board shall be considered to have resigned if he/she fails to attend three consecutive meetings unless the other members of the Board notify the Mayor in writing that they believe the member to have been absent for a good cause and recommend the appointment be continued.

**§ 12-116. Removal from office.**

Members of the Building Code Appeals Board may be removed by the Mayor with the consent of the Council after notice to the member and a public hearing.

**§ 12-117. Alternate members.**

The Mayor may appoint two alternate members to the Building Code Appeals Board with the approval of the Council, who shall be called by the Board chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall be residents of the State who have no direct or indirect financial interest in any industry regulated by the City's building Code, and shall be appointed for three years or until a successor has been appointed.

**§ 12-118. Meetings.**

The Building Code Appeals Board shall adopt rules in accordance with the provisions of this Code. The Board shall have at least one meeting monthly at the call of the Chairperson and at such other times as the Board may determine. At the first meeting and annually thereafter the Board shall elect a Chairperson and a vice-chairperson to serve for a period of one year or until their successors is elected. All meetings of the Board shall be open to the public. The board shall keep minutes of its meetings showing the vote of each member upon each question or, if a member is absent or failing to vote, indicating such act, and shall keep records of its official actions, all of which shall be immediately filed in the office of the Development Services Director, or designated representative and shall be a public record.

**§ 12-119. Four votes required.**

A concurring vote of four members of the Board shall be necessary on any decision or determination of the Board.

**§ 12-120. Exemption of members from voting.**

A member of the Board shall abstain on any question in which that member is engaged as contractor or material dealer, or in the preparation of plans or specifications, or in which that member has personal interest.

**§ 12-121. Powers and duties.**

(a) Appeal of application of the Building Code. Any person aggrieved may appeal to the Board a decision of the Chief Plans Examiner or the Chief Building Inspectors interpreting any of the provisions of this Code covering the manner of construction or materials to be used in the erection, alteration, or repair of a building or structure. Application for appeal may be made when it is claimed that the true intent of this Code or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this Code do not fully apply, or that an equally good or better form of construction can be used.

(b) Other duties. The Board shall have such other powers and duties as are provided by ordinance.

**DIVISION II. APPEALS PROCEDURE\***

**§ 12-132. Time, notice and effect.**

(a) Deadline for filing. An appeal to the Building Code Appeals Board shall be filed no later than 15 days after receipt of notice by the appellant of the action of which he/she is aggrieved or no later than 15 days after the date of the decision or interpretation of the Chief Plans Examiner or Chief Building Inspector which the appellant wishes to appeal.

(b) Notice of appeal; filing fee. Written notice of an appeal must be given to the Building Official or designated representative. Such notice shall specify the grounds for the appeal and shall be accompanied by a filing fee. The amount of such fee shall be one hundred (\$100.00) dollars.

(c) Records to be furnished. The Building Official or designated representative shall forward to the Board all the papers constituting the record of the action from which the appeal was taken, including the report

substantiating the position the Building Official or designated representative has taken in the matter.

(d) Effect of appeal. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Chief Plans Examiner or the Chief Building Inspector certifies to the Board after a notice of appeal has been filed, that by reason of the facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life or property. The proceedings then shall not be stayed otherwise than by a restraining order issued by a court of record of competent jurisdiction or a restraining order granted by the Board.

(e) Notice and date of appeals; who may appear. On application and notice to the Building Official or designated representative and upon good cause shown, the Board shall fix a reasonable time for the hearing of the appeal, giving public notice thereof, and shall decide the matter within a reasonable time. The appellant, his/her representative, and any other person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard.

#### § 12-133. Action of Board.

The Board, when appealed to and after a public hearing, has the following powers:

(1) **Modification; reversal.** The Board may modify or reverse any decision or order of the Chief Plans Examiner or assistants, Chief Building Inspector or assistants in the interpretation or enforcement of this Code in any particular case, when and only when, in its opinion strict application and enforcement would result in peculiar and exceptional practical difficulties to, or exceptional undue hardships upon, or manifest injustice to, an appellant, and would be contrary to the spirit and purpose of this Code, or the public interest, or when it is determined that the true intent has been incorrectly interpreted. Mere economical hardship or a hardship which is self-created shall not be considered a valid or sufficient basis for granting a reversal or modification of the decision or order.

(2) **Rulings to be accompanied by findings of fact; decision to be filed.** Every ruling upon any appeal to the Board shall be accompanied by a written finding of fact based upon the evidence and testimony received at the hearing by the Board. The ruling shall specify the reason for granting, denying, or modifying the appeal and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Official or designated representative and shall be open to public inspection.

#### § 12-134. Chief Plans Examiner or Chief Building Inspector to enforce decisions.

The Chief Plans Examiner or the Chief Building Inspector shall take immediate action in accordance with the decision of the Board.

#### § 12-135. Appeal to District Court.

Any person aggrieved by a decision of the Board, whether or not a previous party to the decision, or any officer or official board of the jurisdiction, may appeal to the District Court as provided by State statute.

### ARTICLE VI. AIRPORT ENVIRONS ZONE SOUND ATTENUATION CONSTRUCTION METHODS

#### § 12-151. Scope.

This division shall specify sound attenuation construction methods in the Airport Environs Zone.

#### § 12-152. Interpretation.

The definitions and rules of construction in the ICC International Building Code, as now or hereafter adopted by the City, as well as the provisions of Chapter 1 of this Code, shall be applicable to this division. Where the construction requirements of this division conflict with provisions of such building Code this division shall control.

#### § 12-153. Building requirements for a minimum noise level reduction of 25 decibels (dB).

The following are building requirements for a minimum noise level reduction of 25 decibels (dB):

- (1) the following shall apply to exterior walls:
  - a. masonry walls shall be equivalent in weight to six-inch minimum lightweight concrete block. At least one surface shall be painted or plastered. A furred interior wall is not required on the inside of masonry walls.
  - b. siding-on-sheathing, stucco or brick veneer shall be installed on the outside of minimum four-inch nominal deep studs.
  - c. interior wall surface of exterior wall shall be minimum 1/2-inch gypsum board or plaster installed on the inside of the wall studs.
  - d. continuous sheathing shall cover the exterior side of the wall studs behind wood, asphalt or aluminum siding. The sheathing shall be minimum 1/2-inch thick.
  - e. sheathing boards or panels shall be butted tightly and covered on the exterior with overlapping and airtight building paper when wood sheathing is used.
  - f. a minimum thermal resistance (R) factor of 11 shall be provided in the cavity space behind the exterior sheathing and between wall studs with glass fiber or mineral wool.
  - g. brick veneer, masonry blocks, or stucco walls shall be constructed airtight except as otherwise required by the Code. All surface joints shall be grouted or caulked airtight.
  - h. penetration of wall by pipes or ducts shall be caulked or filled with mortar.
- (2) the following shall apply to windows:
  - a. glass of single-glazed windows shall be minimum 3/16-inch thick.
  - b. glass of double-glazed windows shall be of standard manufacturers' width and separation.
  - c. all operable windows in these dwellings shall contain hinged-type sash or double-hung sash. The sash shall be rigid and weather stripped with an efficiently airtight, flexible nonmetallic material that is compressed airtight when the window is closed.
  - d. horizontally sliding sash windows may be used only if the sash is weather stripped with an efficiently airtight gasket and if the window has a laboratory sound transmission rating of STC-28 or greater.
  - e. glass for fixed-sash windows shall be set and sealed in an airtight nonhardening glazing compound or in an elastomer gasket.
  - f. the perimeter of window frames shall be sealed airtight to the exterior wall construction.
- (3) the following shall apply to doors:
  - a. all exterior doors shall be 1 3/4-inch solid core wood or metal-clad doors and shall be fully weather stripped in an airtight manner.
  - b. sliding doors may be used if the operable sash is weather stripped with an efficient airtight gasket and if the door has a laboratory sound transmission rating of STC-28 or greater. Glass of sliding doors shall be minimum 3/16-inch thick.
  - c. the perimeter of door frames shall be sealed airtight to the exterior wall construction.
- (4) the following shall apply to ceilings:
  - a. minimum 1/2-inch thick gypsum board or plaster ceilings shall be provided below attic space or roof rafters or roof construction less than eight psf.
  - b. a minimum thermal resistance (R) factor of 19 shall be provided above the ceiling between the joists. Insulation

in attic space shall have no paper or foil covering on the face exposed to the attic.

- (5) the following provisions shall apply to ventilation:
- a. mechanical ventilation shall be provided of a type and design to provide adequate environmental comfort with all doors and windows closed during all seasons.
  - b. window and through-the-wall ventilation units shall not be used.
  - c. vent openings in attic or crawl spaces shall be minimum in number and size to provide proper ventilation. A "vent" shall mean a conduit or passageway, vertical or nearly so, for conveying products of combustion to the outside atmosphere.
  - d. return air duct lining shall be one-inch minimum coated glass fiber duct liner.
  - e. fireplaces shall be provided with well-fitted dampers.

**§ 12-154. Building requirements for a minimum noise level reduction of 30 decibels (dB).**

The following are building requirements for a minimum noise level reduction of 30 decibels (dB):

- (1) the following provisions shall apply to exterior walls:
- a. masonry block units shall be equivalent in weight to minimum six-inch dense concrete block. At least one surface shall be painted or plastered. A furred interior wall is not required on the inside of masonry walls.
  - b. siding-on-sheathing, stucco or brick veneer shall be installed on the outside of minimum four-inch nominal deep studs.
  - c. interior wall surface of exterior walls shall be minimum 5/8-inch gypsum board or plaster installed on the inside of the wall studs.
  - d. continuous sheathing as required by the Code shall cover the exterior side of the wall studs behind wood, asphalt or aluminum siding. The sheathing shall be minimum 1/2-inch thick. The weight of the sheathing and facing shall be at least four psf.
  - e. sheathing boards or panels shall be butted tightly and covered on the exterior with overlapping and airtight building paper. The top and bottom edges of the sheathing shall be sealed airtight.
  - f. minimum two-inch insulation material shall be provided in the cavity space behind the exterior sheathing and between wall studs. Insulation may be glass fiber or mineral wool.
  - g. brick veneer, masonry blocks or stucco walls shall be constructed airtight except as otherwise required by the Code. All surface joints shall be grouted or caulked airtight.
  - h. penetration of wall by pipes or ducts shall be caulked or filled with mortar.
- (2) the following provisions shall apply to windows:
- a. single-glazed windows may be used if the window is fixed and if the glazing is acoustical glass with a laboratory sound transmission rating of minimum STC-35.
  - b. glass of double-glazed windows shall be minimum 1/8-inch thickness. Panes of glass shall be separated by a minimum three-inch air space and shall not be equal in thickness.
  - c. glass of triple-glazed windows shall be of standard manufacturers' width and separation.
  - d. double- and triple-glazed windows shall contain fixed sash or efficiently weather stripped operable sash. The sash shall be rigid and weather stripped with an

- efficiently airtight material that is compressed airtight when the window is closed.
- e. glass of fixed-sash windows shall be set and sealed in an airtight nonhardening glazing compound or in a elastomer gasket.
  - f. the perimeter of window frames shall be sealed airtight to the exterior wall construction.
  - g. total area of glass of both windows and doors in sleeping spaces shall not exceed 20 percent of the net floor area.
- (3) the following provisions shall apply to doors:
- a. double-door construction is required for all door openings to the exterior. If doors are separated by a vestibule of three-foot minimum depth, each door shall be 1 1/2-inch minimum solid core wood or metal-clad door. One door shall be weather stripped in an airtight manner. The other door shall be tightly fitted to the door frame or shall be weather stripped.
  - b. if no vestibule is used, a 1 3/4-inch minimum solid core wood door may be used in series with a storm door. Both doors shall be weather stripped in an airtight manner.
  - c. single-frame sliding glass doors shall not be used. The glass of double sliding doors shall be separated by a minimum four-inch airspace. Each sliding frame shall be provided with an efficiently airtight weather stripping material.
  - d. glass of storm and sliding doors shall be minimum 3/16-inch. Glass of double sliding doors shall not be equal in thickness.
  - e. the perimeter of door frames shall be sealed airtight to the exterior wall construction.
- (4) the following provisions shall apply to roofs:
- a. roof sheathing shall be minimum 3/4-inch thick continuous plywood. Spaced board-sheathing shall not be used.
  - b. roof sheathing joints shall be sealed airtight and shall be covered with overlapping, airtight building paper.
  - c. exposed roof decks shall be minimum two-inch thick wood or concrete, and the total weight of the roof construction shall be a minimum of 12 psf.
- (5) the following provisions shall apply to ceilings:
- a. a minimum 1/2-inch thick gypsum board or plaster ceiling shall be provided below attic spaces or below the roof rafters or roof decks less than two inches thick and weighing less than 12 psf.
  - b. the ceiling shall be a minimum of 12 inches below the roof sheathing.
  - c. minimum two-inch thick glass fiber or mineral wool insulation shall be provided above the ceiling between joists. Insulation in attic spaces shall have no paper or foil covering on the face exposed to the attic.
- (6) the following ventilation requirements shall apply:
- a. mechanical ventilation shall be provided of a type and design to provide adequate environmental comfort with all doors and windows closed during all seasons.
  - b. window and through-the-wall ventilation units shall not be used.
  - c. vent openings in attic or crawl spaces shall be minimum in number and size. The openings shall be provided with five-foot-long transfer ducts containing at least one 90-degree elbow and internal acoustical lining.
  - d. ventilation ducts connecting the interior space to the outdoor or attic space shall contain at least ten-foot-long internal duct lining plus one lined 90-degree elbow.

- e. duct lining shall be coated glass fiber duct liner of one-inch minimum thickness.
  - f. operational vented fireplaces shall not be used.
  - g. building heating units with flues or combustion air vents shall be located in a closet or room closed off from the occupied space by doors.
  - h. doors to mechanical equipment areas shall be 1 3/4-inch minimum solid core wood or 20-gauge steel hollow metal and shall be fully weather stripped.
- (7) the following additional requirements shall apply:
- a. all sleeping spaces shall be provided with either carpeting or an acoustical ceiling.
  - b. through-the-wall/door mailboxes shall not be used.

**ARTICLE VII. RESIDENTIAL CONSTRUCTION\***

**DIVISION 1. 2009 INTERNATIONAL RESIDENTIAL CODE FOR ONE AND TWO FAMILY DWELLINGS\***

§ 12-171. **Title.** Provisions of this chapter shall be known and may be cited as the "Oklahoma City Residential Code", "Residential Code" or "this Code".

§ 12-172. **Intent.** International Residential Code For One and Two Family Dwellings adopted. For the purpose of prescribing rules and regulations governing the fabrication, erection, construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location and demolition of detached one- and two-family dwellings, townhouses not more than three stories above-grade in height with a separate means of egress, their appurtenances and accessory structures and providing for basic minimum provisions considered necessary to protect the health, safety, and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation and safety to life and property from fire and other hazards attributed to the built environment of the citizens of the City of Oklahoma City, a residential code known as the International Residential Code for one and two family dwellings, being more specifically the 2009 Edition thereof, as amended by Resolution of the Council of the City, duly adopted and signed by the Mayor on April 3, 2012, three copies of which, each together with said resolution, having been and now filed in the office of the City Clerk, and the same as so amended and changed is hereby adopted and incorporated and considered as a part of the code.

§ 12-173. **Summary.** Pursuant to the authority granted by Section 26, Article II of the Charter of the City of Oklahoma City, the title and a brief gist or summary of the provisions of this Code as amended are hereby ordered published in conformity with the provisions of said Section 26, Article II of the Charter, and for the purpose of such publication a summary of the provisions of said Code is hereby given as follows:

TABLE INSET:

Chapter 1.	Scope and Administration (as amended)
Chapter 2.	Definitions
Chapter 3.	Building Planning (as amended)
Chapter 4.	Foundations (as amended)
Chapter 5.	Floors (as amended)
Chapter 6.	Wall Construction (as amended)
Chapter 7.	Wall Covering (as amended)
Chapter 8.	Roof-Ceiling Construction (as amended)

Chapter 9.	Roof Assemblies (as amended)
Chapter 10.	Chimneys and Fireplaces
Chapter 11.	Energy Efficiency (as amended)
Chapter 12.	Mechanical Administration (as amended)
Chapter 13.	General Mechanical System Requirements (as amended)
Chapter 14.	Heating and Cooling Equipment (as amended)
Chapter 15.	Exhaust Systems (as amended)
Chapter 16.	Duct Systems (as amended)
Chapter 17.	Combustion Air
Chapter 18.	Chimneys and Vents
Chapter 19.	Special Fuel-Burning Equipment
Chapter 20.	Boilers and Water Heaters
Chapter 21.	Hydronic Piping
Chapter 22.	Special Piping and Storage Systems
Chapter 23.	Solar Systems
Chapter 24.	Fuel Gas (as amended)
Chapter 25.	Plumbing Administration (as amended)
Chapter 26.	General Plumbing Requirements (as amended)
Chapter 27.	Plumbing Fixtures (as amended)
Chapter 28.	Water Heaters (as amended)
Chapter 29.	Water Supply and Distribution (as amended)
Chapter 30.	Sanitary Drainage (as amended)
Chapter 31.	Vents (as amended)
Chapter 32.	Traps
Chapter 33.	Storm Drainage
Chapters 34--43	Electrical (deleted in favor of the Oklahoma City Electrical Code)
Chapter 44.	Referenced Standards
Appendix A.	Sizing and Capacities of Gas Piping. (not adopted)
Appendix B.	Sizing of Venting Systems Serving Appliances Equipped with Draft Hoods, Category I Appliances, and Appliances Listed for Use with Type B Vents. (not adopted)
Appendix C.	Exit Terminals of Mechanical Draft and Direct-vent Venting Systems. (not adopted)
Appendix D.	Recommended Procedure for Safety Inspections of Existing Appliance Installation. (not adopted)
Appendix E.	Manufactured Housing Used as Dwellings. (as amended)
Appendix F.	Radon Control Methods (not adopted)
Appendix G.	Swimming Pools, Spas and Hot Tubs. (as amended)
Appendix H.	Patio Covers.
Appendix I.	Private Sewage Disposal. (not adopted)
Appendix J.	Existing Buildings and Structures. (not adopted)
Appendix K.	Sound Transmission. (not adopted)
Appendix L.	Permit Fees. (not adopted)
Appendix M.	Home Day Care-R3 Occupancy. (not adopted)

Appendix N.	Venting Methods. (not adopted)
Appendix O.	Gray Water Recycling Systems.
Appendix P.	Sizing of Water Piping System. (not adopted)
Appendix Q.	ICC International Residential Code Electrical Provisions/National Electrical Code Cross-reference. (not adopted)
Appendix R.	Automatic Fire Systems (not adopted)
Appendix S.	Energy Efficiency. (not adopted)
Appendix T.	Subterranean Dwellings. (added)

§ 12-174. **Penalty.**

As set forth in section 12-57 of this Chapter.

§ 12-175. **Building permit fees for charitable organizations.** No building permit fee shall be required for the construction or remodeling of any one- or two-family dwelling by a nonprofit charitable organization, as defined in Chapter 13 of the Oklahoma Municipal Code 2010, for the purpose of providing housing assistance to a low-income person or household as defined in 24 CFR 570.3.

**ARTICLE VIII. ADMINISTRATION AND ENFORCEMENT\***

**DIVISION 1. ADMINISTRATION\***

§ 12-197. **General.**

As set forth in sections 12-53 thru 12-61 of this Chapter.

**DIVISION 2. PERMIT\***

§ 12-198. **Permits required.**

As set forth in sections 12-67 thru 12-71 of this Chapter.

§12-199. **Insurance Certificates Required.**

- (a) Prior to the issuance of a residential building permit as defined in 11 O.S. § 43-109.2, applicant must submit a certificate of insurance indicating the contractor has general liability insurance in an amount required by other construction trade contractors licensed by the Construction Industries Board, and that the contractor has workers compensation insurance in an amount required by state law or a workers compensation exemption verification document.
- (b) **Exemptions.** The insurance requirements of this section shall not apply to a person or persons performing the construction or remodeling to his, her or their own existing single family or duplex structure on their own property, unless such modifications are being performed by or the permit was acquired by a general contractor or subcontractor, in which case the general contractor or subcontractor must meet the requirements set forth in this section.
- (c) **Registration.** Each contractor required by this section to submit a certificate of insurance must annually register with the City's Public Works Director or his/her designee for the purpose of monitoring the insurance requirements of this section. Each contractor shall be required to register each calendar year.
- (d) **Fee.** The registration fee shall be as established in Chapter 60 General Schedule of Fees.

**DIVISION 3. FEES\***

§ 12-200. Fees.

As set forth in sections 12-91 thru 12-92 of this Chapter.

**ARTICLE IX. RESIDENTIAL BUILDING CODE COMMISSION\***

**DIVISION 1. MEMBERSHIP, POWERS AND DUTIES, ETC.**

§ 12-201. **Created.** There is hereby created within and for the City a Residential Building Code Commission, with the powers and duties as hereinafter set forth.

§ 12-202. **Membership.** The Residential Building Code Commission for detached one- and two-family dwellings shall consist of seven members appointed by the Mayor with the consent and approval of the City Council. All members shall be residents of the State of Oklahoma and shall serve without compensation, and shall hold no other municipal office. Each member shall be familiar with this Code. One member shall be an architect or engineer, duly licensed by the state, two residential designers, two residential building contractors, and two residents of the City who have no direct or indirect financial interest in any industry regulated by the building codes. Nothing contained herein shall affect the present appointments or terms of appointment.

§ 12-203. **Term of office.** The term of office for each commissioner of the Residential Building Code Commission shall be for three years or until a successor is appointed.

§ 12-204. **Vacancies.** Vacancies on the Residential Building Code Commission shall be filled for the remainder of the unexpired terms in the manner in which the original appointments were made.

§ 12-205. **Consecutive absences.** A member of the Residential Building Commission shall be considered to have resigned if he/she fails to attend three consecutive meetings unless the other members of the Commission notify the Mayor in writing that they believe the member to have been absent for a good cause and recommend the appointment be continued.

§ 12-206. **Removal from office.** Members of the Residential Building Code Commission may be removed by the Mayor with the consent of the Council after notice to the member and a public hearing.

§ 12-207. **Alternate members.** The Mayor may appoint two alternate members to the Residential Building Code Commission with the approval of the Council, who shall be called by the Commission chairperson to hear appeals during the absence or disqualification of a member. Alternate members shall be residents of the State who have no direct or indirect financial interest in any industry regulated by the City's building Code, and shall be appointed for three years or until a successor has been appointed.

§ 12-208. **Meetings.** The Residential Building Code Commission for detached one- and two-family dwellings shall adopt rules in accordance with the provisions of this Code. The Commission shall have meetings at the call of the Chairperson and at such other times as the Commission may determine. At the first meeting and annually thereafter the Commission shall elect a Chairperson and a vice-chairperson to serve for a period of one year or until their successors are elected. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its meetings showing the vote of each member upon each question or, if a member is absent or failing to vote, indicating such act, and shall keep records of its official actions, all of which shall be immediately filed in the office of the Development Services Director, or designated representative and shall be a public record.

§ 12-209. Four votes required. A concurring vote of four members of the Commission shall be necessary on any decision or determination of the Commission.

§ 12-210. Powers and duties.

(a) Review of Residential Building Code. The Commission shall, from time to time, review the Residential Building Code and all resolutions and ordinances pertaining thereto and consider any changes which may be required due to the introduction of new materials, equipment or technology or which may be requested by the Chief Plans Examiner, Chief Building Inspector, members of technical trades, contractors or the general public. Such changes as the Commission deems appropriate shall be recommended to the Council in writing.

(b) Other duties. The Commission shall have such other powers and duties as are provided by ordinance.

**DIVISION 2. RESIDENTIAL BUILDING CODE APPEALS BOARD\***

§ 12-211. Appeal Board.

As set forth in sections 12-111 thru 12-121 of this Chapter.

§ 12-212. Appeal Procedures.

As set forth in section 12-132 thru 12-135 of this Chapter.

**ARTICLE X. FALLOUT OR TORNADO SHELTERS\***

§ 12-231. Building permit.

(a) No fallout or tornado shelter shall be constructed within the City unless a building permit has been issued by the Development Services Director or designated representative.

(b) No building permit for the construction of a fallout or tornado shelter shall be issued until plans and specifications for each type shelter have been approved by a registered professional engineer or architect, and/or the Development Services Director, or designated representative, as conforming to the standards and specifications as set forth in this article.

(c) A fee for the permit required for the building, erection or installation of a fallout shelter shall be paid to the City. The amount of such fee shall be as established in Chapter 60, the General Schedule of Fees.

§ 12-232. Flotation. No preshaped fallout or tornado shelter such as metal, plastic, wood, Plexiglas, etc., shall be approved unless the design is sufficient to prevent flotation when the shelter is empty and flotation force is considered to be 100 percent. Weight of earthen fill shall not be considered in reducing this flotation factor.

§ 12-233. Shelters in front yard.

(a) All fallout or tornado shelters constructed in front yards shall be completely below established grade with the exception of one air intake pipe and hood which may extend three feet above grade, and one exhaust pipe and hood which may extend four feet above established grade. Entranceways may extend not more than one foot above established grade and shall be provided with a metal or metal-clad door.

(b) All underground fallout or tornado shelters constructed in front yards shall be provided with a locking device.

(c) No underground shelters constructed in front yards shall be used for any type of occupancy other than as an underground fallout or tornado shelter.

§ 12-234. Concrete compression ratio. All concrete used in construction of underground fallout and tornado shelters shall have a compressive strength of not less than 3,500 pounds per square inch.

§ 12-235. **Waterproofing.** All fallout or tornado shelters shall be adequately waterproofed to prevent seepage.

§ 12-236. **Inside dimensions of fallout shelters.** All fallout shelters shall contain a minimum of 50 square feet of floor area, with an inside height of not less than six feet, three inches.

§ 12-237. **Protection factor for fallout shelters.** All fallout shelters shall have a protection factor, which is obtained by not less than 12 inches solid concrete or not less than 18 inches of compacted earth, or equivalent combination thereof.

§ 12-238. **Other provisions applicable to underground fallout shelters.**

(a) All underground fallout shelters shall be provided with a baffle wall affording at least one right angle turn into the living area.

(b) All underground fallout shelters shall be constructed of sufficient mass for the shelter's designed category rating.

(c) All underground fallout shelters shall be equipped with a ventilation system producing not less than five cubic feet per minute, per person, of fresh air.

#### ARTICLE XI. SMOKE DETECTORS\*

§ 12-251. **Definitions.** The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Hotel/motel* means any building containing six or more guestrooms intended or designed to be used, or which are used, rented or hired out to be occupied or which are occupied for sleeping purposes by guests.

(2) *Residential structure* means any building used or intended for supporting or sheltering any residential use except those existing structures used as a single-family dwelling.

(3) *Single-family dwelling* means a freestanding and structurally separated building that is used exclusively as a single-family residence.

(4) *Smoke detector* means a smoke-sensitive warning device complying with the new construction smoke detector reference of Section 907 of the International Building Code in force in the City.

§ 12-252. **Required in certain buildings.**

(a) All occupied structures, except those classified as detached single-family dwelling residential, temporary, and miscellaneous by the International Building Code, in force in the City, and not equipped with smoke detection, fire alarm, and/or fire suppression systems as required by the International Building Code, shall be fitted or retrofitted with smoke detectors installed in conformance with the manufacturer's specifications, which, when activated, give an audible alarm. The smoke detectors shall be installed in sufficient numbers and locations so as to insure the alarm is audible in all portions of the structure.

(b) The smoke detector shall be provided and installed in good working order by the owner of the structure.

(c) The smoke detector shall be maintained in good working order by the occupant of the structure.

§ 12-253. **Hotels/motels and residential structures.** All hotels/motels and residential structures constructed prior to the building code new construction requirement for smoke detector inclusion shall have a minimum of one approved smoke detector installed in a manner and location which would qualify it for a building permit under current procedures for smoke detector approval in new construction. When actuated, such detector shall be suitable to warn the occupants of said structures of the presence of smoke and the possibility of fire danger.

§ 12-254. **Responsibility for installation and maintenance.** A smoke detector

shall be provided and installed in good working order by the owner of the hotel/motel, residential structure, or single-family dwelling. The smoke detector shall be maintained in good working order by the owner(s) of the hotel/motel and by the owners or occupants of the residential structure or single-family dwelling.

§ 12-255. **Violation.** Failure to install or maintain smoke detectors in a hotel/motel, residential structure, or single-family dwelling shall deem the structure or noncomplying portion of said structures uninhabitable.

## ARTICLE XII. INSULATION CONTRACTORS\*

### DIVISION 1. GENERALLY\*

§ 12-270. **Purpose.** The purpose of this article is to license, bond, and regulate insulation contractors.

§ 12-271. **Compliance with certain standards.** All insulation contractors shall comply with all City energy codes and practices and changes thereof.

§ 12-272. **Furnishing City technical data; placement of such data on attic access.** Insulation contractors shall provide the Department of Development Services with a signed copy of installed materials, trade names, engineering specifications, and R-factors for each job completed. One copy of all aforementioned information shall be installed at the attic access on approved attic cards at each job address.

§ 12-273. **Place of business; telephone number; signs; identification on vehicles.** Every person engaged in the insulation and contracting business or operating under a license and registration as a contractor within the City shall maintain a regular place of business and shall maintain a telephone in the Oklahoma City telephone exchange or a toll free number listed with the telephone company as a business phone.

§ 12-274. **Signs and license number on vehicles.** All persons operating a insulation business shall display the firm name and the City registration number with the initials "O.C." preceding that number on all vehicles used in the operation of the business. The signs and license numbers shall be printed on both sides or in other conspicuous places on the vehicle in letters of not less than two inches in height.

§ 12-275. **Exemption.** The provisions of this article shall not apply to an owner of any building who desires to install insulation in such building.

§ 12-276. **Violations.** Any person who violates any provision of this article or other section of this Code, which is applicable to the insulation business, in addition to any applicable penalty, may have his licenses suspended, revoked or not renewed.

### DIVISION 2. LICENSE\*

§ 12-285. **Required.**

(a) No person shall engage in the business of installing any poured, bat or blown insulation without a license issued by the Supervisor of Licenses.

(b) Employees of duly licensed insulation contractors shall not be required to obtain a license or pay a fee in order to engage in the work of installing insulation during the regular course of their employment.

§ 12-286. **Fee.** In order to obtain the license required by the provisions of this division, a person must pay to the City Treasurer the annual fee established in Chapter 60, the General Schedule of Fees.

§ 12-287. **Term.** A license issued pursuant to the provisions of this division shall expire as provided in Section 26-11, unless sooner suspended or revoked.

§ 12-288. **Bond.**

(a) No insulation contractor's license shall be issued until the applicant shall have deposited with the City Clerk a surety bond in the sum of \$5,000.00 to be known as "insulation-contractor bond." The bond shall be executed by the insulation contractor and the surety thereon shall be a corporate surety company, authorized to do business in this state.

(b) The bond shall be in the favor of the City and conditioned on the licensee faithfully and properly conducting his business in compliance with the laws and ordinances of the City relating to insulation and insulation contractors and for the payment of all fines and penalties imposed for the violation of such laws and for the protection and indemnification of the City against all damages, resulting directly or indirectly from any injury to persons or property on account of the negligence or unskilled work of the licensee.

(c) The bond shall be renewed annually and no person shall engage in the business of an insulation contractor unless the bond as provided in this section is on file with the City Clerk.

SECTION III. EFFECTIVE DATE. This ordinance shall take effect on  
May 3, 2012.

SECTION IV. EMERGENCY. WHEREAS, it being immediately necessary for the preservation of peace, health, safety, and public good of The City of Oklahoma City and the inhabitants thereof that the provisions of this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall take effect, and be in full force from and after the effective date provided herein, as provided by law.

INTRODUCED and CONSIDERED in open meeting of the Council of The City of Oklahoma City on the 13th day of March, 2012.

PASSED by the Council of The City of Oklahoma City on this 3rd day of April, 2012.

SIGNED by the Mayor of The City of Oklahoma City this 3rd day of April, 2012.

*Phil Curtis*

MAYOR

ATTEST:

*Dorance Kersey*  
City Clerk



REVIEWED for form.

*Susan D. Gondall*  
Assistant Municipal Counselor