

ORDINANCE NO. 3186 - CORRECTED

An ordinance amending Chapter 6, Article II, by adding Section 6-22 Local registration of general contractors; Chapter 6, Article III.5, Section 6-36 Adopted; conflict with other regulations; Chapter 6, Article XI, Section 6-301 Permit fees; and Chapter 6, Article XI, Section 6-302 Building permit applications fees (residential and commercial) of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency.

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

SECTION I. Broken Arrow Code Chapter 6, Article II, Section 6-22, is hereby added to read as follows:

Sec. 6-22. Local registration of general contractors.

(a) It shall be unlawful for any person to engage in the business, trade or occupation of construction, unless he holds a current and valid certificate of registration issued by the Development Services Department, City of Broken Arrow.

(b) The annual registration fee is set out in Article XI, section 6-300, et seq. Such fees shall be paid to the Development Services Department and the registration shall not be valid unless it has attached to it or written on it, a receipt or statement showing that the required fee has been paid.

(c) Upon application to the Development Services Department and payment of required fees, the Development Services Department shall register such applicants and issue to them certificates of registration; provided, that an applicant shall also post an escrow, the amount of which is set out in Article XI, section 6-300, et seq.

(d) Certificates of registration issued as provided herein shall expire on the birthday of the applicant each year. Upon expiration, a qualified person who registers as a contractor 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 applicant.

(e) After ten (10) days notice, and adequate opportunity for public hearing, the city council may revoke any contractor's registration for any of the following causes:

- (1) Serious or repeated violation of the laws, ordinances, or other regulations relating to construction.
- (2) Grossly unethical conduct in connection with trade or business.
- (3) Demonstrated poor workmanship or service, such as to demonstrate incompetence to act in the capacity of the registration.
- (4) Installation of inferior or substandard materials, fixtures or equipment.
- (5) Making a material misstatement in the application for a license or a registration, or the renewal of a license or registration.
- (6) Loaning or illegally using the registration.
- (7) Willfully failing to perform normal business obligations without justifiable cause.

(f) Any person whose registration has been revoked by the city council may apply for a new

registration one year after the effective date of the revocation.

Secs. 6-23-6-30. - Reserved.

SECTION II. Broken Arrow Code Chapter 6, Article III.5, Section 6-36, is hereby amended to read as follows:

Sec. 6-36. - Adopted; conflict with other regulations.

(a) That a certain document, one copy of which is on file in the office of the city clerk, being marked and designated as the 2009 International Residential Code as adopted and amended by the Oklahoma Uniform Building Code Commission on July 15, 2011, including Appendix A, Appendix B, Appendix C, Appendix D, Appendix E, Appendix G, Appendix H, Appendix I, Appendix J, Appendix K, , Appendix M, Appendix N, Appendix O, Appendix P, and Appendix Q are hereby adopted as the One- and Two-Family Residential Dwelling Code of the city to the same extent as if set out herein at length, with the amendments prescribed in section 6-37.

(b) In the event of any conflict between any provision of the dwelling code adopted by this section and any other provisions of the Code of Ordinances, the latter provision shall control. In the event of any conflict between any provision of the dwelling code adopted by this section and any other building code adopted by reference or other fire or life safety codes adopted by reference within the Code of Ordinances, the latter provision shall control.

SECTION III. Broken Arrow Code Chapter 6, Article III.5, Section 6-37, is hereby amended to read as follows:

Sec. 6-37. - Amendments.

The International Residential Code adopted in section 6-36 is hereby amended as set forth in the following paragraphs:

(a) Subsection R101.1 Title. "City of Broken Arrow, Oklahoma" in lieu of the phrase, "[name of jurisdiction]".

(b) Section R109 Inspections shall be amended by adding the following subsections:

(1) R109.1.1.1 Survey submittal inspection. The Chief Building Official may require a survey submittal inspection when the structure foundation (edge of ditch) is found to be less than six inches (6") from all easements, street rights-of-ways or required setbacks at the time of the foundation inspection. The submitted survey shall be prepared and signed by a registered professional engineer or land surveyor, registered in the State of Oklahoma, containing the location of the foundation, easements, street rights-of-ways, required setbacks and property lines. The survey shall be submitted to the Chief Building Inspector for review and approval.

(2) R109.1.1.2 Post tension cable and/or steel inspection. Inspection of the post tension cables and/or steel shall be made after the backfill has been properly placed over any plumbing piping, mechanical ducts or electrical conduit that is installed under the slab.

(c) Subsection R112.1 General. All persons shall have the right to appeal the Building

Official's decision to the City Council.

(d) *Subsection R113.4* Violation penalties is amended as to state: 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.

(e) *Table R301.2(1)* entitled, Climatic and Geographic Design Criteria is amended to read as follows:

Live Roof Load = 20 lbs. per square foot

Snow Roof Load = 10 lbs. per square foot

Wind pressure = 90 mph

Seismic design category B

Frost line depth is Eighteen inches (18")

Subject to damage from termites: Moderate to Heavy

Subject to damage from decay: Slight to Moderate

Radon test: Not required at this time

(f) *Subsection R302.2.2* is amended to state: Parapets. Parapets shall be provided for townhouses as an extension of the common wall in accordance with the following:

(1) Where roof surfaces adjacent to the wall are at the same elevation, the parapet shall extend not less than thirty inches (30") (762 mm) above the roof surfaces.

(2) Where roof surfaces adjacent to the wall are at different elevations and the higher roof is not more than thirty inches (30") (762 mm) above the lower roof, the parapet shall extend not less than thirty inches (30") (762 mm) above the lower roof surface.

(a) Exception: A parapet is not required in the two cases above when the roof is covered with a minimum C roof covering, and the roof decking or sheathing is of noncombustible materials or approved fire-retardant-treated wood for a distance of four feet (4') (1219 mm) on each side of the wall, or two (2) layers of five-eighths-inch (5/8") (15.9 mm) Type X gypsum board is installed directly beneath the roof decking or sheathing for a distance of four feet (4') (1219 mm) on each side of the wall.

(3) A parapet is not required where roof surfaces adjacent to the wall are at different elevations and the higher roof is more than thirty inches (30") (762 mm) above the lower roof. The wall construction from the lower roof to the underside of the higher roof deck shall not have less than a two-hour (2 hr) fire-resistive rating. The fire-resistive rating shall be rated from exposure from both sides.

(g) *Subsection R302.3 Two-family dwellings* is amended to state: Dwelling units in two-family dwellings shall be separated from each other by a wall and/or ceiling and floor assemblies of not

less than two-hour fire-resistance rating when tested in accordance with ASTM E 119. 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. Roof decking or sheathing shall be of noncombustible materials or approved fire-retardant-treated wood for a distance of four feet (4') (1219 mm) on each side of the fire rated wall assembly, or two (2) layers of five-eighths inch (5/8") (15.9 mm) Type X gypsum board is installed directly beneath the roof decking or sheathing for a distance of four feet (4') (1219 mm) on each side of the fire rated wall assembly.

(1)*Exception:* A fire resistance rating of one (1) hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.

(h) Section R314 Smoke Alarms shall be amended by adding the following subsection.

(1) Subsection R314.4.1 Dedicated circuit. Smoke alarms shall be on a dedicated circuit.

(i) Subsection R403.1.3 is amended to state: Reinforcing. Concrete footings shall have minimum reinforcement. Bottom reinforcement shall be located a minimum of three inches (3") clear from the bottom of the footing, have a standard hook and extend a minimum of fourteen inches (14") into the stem wall.

Where a construction joint is created between a concrete footing and a stem wall, a minimum of one (1) No. 4 bar shall be installed not more than four feet (4') on center. The vertical bar shall extend to three inches (3") clear from the bottom of the footing, have a standard hook and extend a minimum of fourteen inches (14") into the stem wall.

Where a grouted masonry stem wall is supported on a concrete footing and a stem wall, a minimum of one (1) No. 4 bar shall be installed not more than four feet (4') on center. The vertical bar shall extend to three inches (3") clear from the bottom of the footing and have a standard hook.

(j) Subsection R403.1.3.1 Foundations with stem walls. Foundations with stem walls shall have installed a minimum of two (2) No. 4 bars within twelve inches (12") of the top of the wall and two (2) No. 4 bars located three inches (3") to four inches (4") from the bottom of the footing.

(k) Subsection R404.1.6 is amended as follows: Height above finished grade. Concrete and masonry foundation walls shall extend above the finished grade adjacent to the foundation at all points a minimum of sixteen inches (16").

(l) Subsection R406.1.3.2 Slabs on ground with turned-down footings. Slab on ground with turned-down footings shall have a minimum of two (2) No. 4 bars at the top and bottom of the footing. Where the slab is not cast monolithically with the footing, No. 3 or larger vertical dowels with standard hooks on each end shall be provided in accordance with Figure R403.1.3.2. Standard hooks shall comply with R611.5.4.5.

(m) Subsection R506.1 General. Concrete slab-on-ground floors shall be a minimum of four inches (4") thick (for expansive soils, see Section R403.1.1) and have a thickened edge a minimum of sixteen inches (16") thick and eight inches (8") wide, thickened edge shall be in contact with the foundation. The specified compressive strength of concrete shall be as set forth in Section R402.2.

(n) Subsection R807.1 Attic access. Buildings with combustible ceiling or roof construction shall have an attic access opening to attic areas that exceed thirty (30) square feet and have a vertical height of thirty inches (30") or greater. The vertical height shall be measured from the top of the ceiling framing members to the underside of the roof framing members.

The rough framed opening shall not be less than twenty-two inches (22") by thirty inches (30") accessible by pull down ladder and located in the hallway or other readily accessible location. When located in a wall, the opening shall be a minimum of twenty-two inches (22") wide by thirty inches (30") high. When the access is located in the ceiling, minimum unobstructed headroom in the attic space shall be thirty inches (30") at some point above the access measured vertically from the bottom of ceiling framing members. Where mechanical equipment is located in attics; the size of the rough framed opening shall comply with Section M1305.1.3.

(o) Subsection G2415.10 Minimum burial depth. Underground piping systems shall be installed a minimum depth of eighteen inches (18") below grade.

(p) Section P2602 Individual Water Supply and Sewage Disposal shall be amended by adding the following subsection:

(1) Subsection P2602.1.1 Public sewer. Public sewer shall be considered available to a building when the building is located within three hundred feet (300') of the public sewer.

(q) Subsection P2603.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be a minimum of eighteen inches (18") below finished grade at the point of septic tank connection. Building sewers shall be a minimum of eighteen inches (18") below finished grade.

(r) Subsection P2603.6.1 Lawn irrigation systems. The potable water supply to lawn irrigation systems shall be protected against backflow by a pressure-type vacuum breaker or a reduced pressure principle backflow preventer. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.

(s) Section P2905 Materials, Joints and Connections shall be amended as follows:

(1) Subsection Table P2905.4 shall be amended by deleting "copper alloy tubing (type M)"

(2) Subsection P2905.5 shall be amended by adding the following subsection:

(a) Subsection P2905.5.1 Inaccessible water service piping. Inaccessible water service piping installed under concrete slabs shall be installed with no joints under slab. Any material subject to corrosion shall be protected when used in corrosive soils.

- (t) Section P3002 Materials shall be amended as follows:
 - (1) Subsection P3002.1. Piping within buildings. When ABS or PVC pipe is used for above ground, soil and waste pipe, it shall be schedule 40.
 - (2) Subsection P3002.1 Piping within buildings, shall be amended by adding the following subsection:
 - (a) Subsection P3002.1.1 Underground building sanitary drainage and vent pipe. Underground building sanitary drainage and vent pipe shall conform to one of the standards listed in Table 3002.1(2). When ABS or PVC pipe is used for underground building drainage and vent pipe, it shall be schedule 40.
 - (3) Subsection P3002.2 is amended to state: Building sewer. Building sewer pipe shall conform to one of the standards listed in Table P3002.2. When ABS or PVC pipe less than six inches (6") in diameter is used it shall be schedule 40. When PVC pipe six inches (6") or larger is used in an engineered system, designed, sealed and signed by an engineer registered in the State of Oklahoma, it may be schedule 35. Lines less than six inches (6") in diameter, shall not exceed three hundred feet (300') in length. Lines six inches (6") in diameter or larger shall have manholes installed and spaced no further apart than three hundred feet (300'). All sewers shall meet all requirements of Oklahoma Department of Health Engineering Bulletin 0587 and the requirements of the City of Broken Arrow.
- (u) Subsection E3406.3 is amended to state: Minimum size of conductors. The minimum size of conductors for feeders and branch circuits shall be 12 AWG copper. The minimum size of service conductors shall be as specified in Chapter 36. The minimum size of Class 2 remote control, signaling and power-limited circuit conductors shall be as specified in Chapter 43.
- (v) Section E3604 Overhead Service-Drop and Service Conductor Installation shall be amended by adding the following:
 - (1) Subsection E3604.7 Bracketing prohibited. There shall be no bracketing of wires to the exterior of buildings. Weather heads shall be so located that bracketing will not be necessary. "Bracketing" for the purpose of this section, is defined as the running of open wires along or across the exterior of buildings supported by metal or wood brackets. This provision shall not apply to wires belonging to public utility companies to provide service to buildings existing on the effective date of Ordinance No. 3186 - Corrected, from which this section is derived.
- (w) Section E3702 Branch Circuit Ratings shall be amended by adding the following subsection:
 - (1) Subsection E3702.14 Special circuits and independent fusing for applicants. The following electrical appliances or devices shall be on special circuits fused independently: Electric ranges, electric dryers, electric bathroom heaters, air conditioners and water heaters. Ovens and surface-mounted cooking units may be placed on the same circuit, but this circuit must be fused independently. Attic fans and furnaces may be placed on the same circuit, but this circuit shall also be fused independently. Disposals and dishwashers may be placed on the same circuit, but this circuit must be fused independently.

(x) Section E3703 Required Branch Circuits shall be amended by adding the following subsection:

(1) Subsection E3703.7 Receptacle and light fixture loading. Branch circuit distribution shall be limited to no more than ten (10) receptacles to a circuit placed not over twelve feet (12') apart, except in kitchens, utility rooms, breakfast rooms and garages, in which there shall be no more than two (2) receptacles to a circuit. There shall be no more than nine (9) light fixtures to a circuit.

SECTION IV. Broken Arrow Code Chapter 6, Article XI, Section 6-301, is hereby amended to read as follows:

Sec. 6-301. - Permit fees.

(a) *Building permit fees.* The applicant for a building permit required by the building code adopted by section 6-16 shall pay fees to the City of Broken Arrow through the city's Development Services Department, which shall be determined by the square footage of the building 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 aboveground, shall be computed in determining the total area.

(b) *Inspection permit fees.* The fees set out in article XI, section 6-300, et seq., shall be charged and collected for inspections at the time of permit issuance and inspections shall be made pursuant to the adopted code.

(c) *Oklahoma Uniform Building Code (OUBC) fees.* The fees set out in Oklahoma Uniform Building Commission Act at 59 O.S. §§ 1000.20-1000.29 (the "Act") (HB 1182) shall be charged and collected for permits at the time of permit issuance and shall be made pursuant to the adopted code. This includes a \$4.00 OUBC fee and a \$0.50 administration fee.

(d) *Payment of permit fees requiring review.* Upon acceptance of an application for a permit, permit-associated required documents and plans shall then be reviewed and upon approval, the applicant shall then be notified that the permit is approved and advised of what remaining fees are due. In order for any permit to be valid, it shall have been paid in full and posted at the job site prior to beginning construction. Payments for permits shall be due upon notification to an applicant that the permit has been approved and is ready for issuance. Any permit not paid for within 30 days after notification may be deemed void.

(e) *Escrow accounts for payment of fees.* Every general or trade contractor shall be issued an account number at the time of an initial application. This account shall be used to deposit with the city a sum of \$500.00 for trade contractors and \$250 for general contractors and maintain a minimum balance of \$100.00 for trade contractors and \$50 for general contractors to cover any anticipated costs for permits and inspections. Such escrow shall authorize the city to use the funds therein for the payment of any and all permit, inspection, or other fees as set forth in the Code of Ordinances. Such funds shall be held in trust on behalf of the general or trade contractor in a non-interest bearing account. A monthly statement showing all deposits, withdrawals and account balances shall be available to the general or trade contractor.

SECTION V. Broken Arrow Code Chapter 6, Article XI, Section 6-302, is hereby amended to read as follows:

Sec. 6-302. - Building permit application fees (residential and commercial).

Total Area	Permit Fees
Less than 200 square feet	\$57.00
200 square feet to 499 square feet	86.00
500 square feet to 999 square feet	129.00
1,000 square feet to 1,499 square feet	179.00
1,500 square feet to 1,999 square feet	229.00
2,000 square feet to 2,499 square feet	272.00
2,500 square feet to 2,999 square feet	429.00
3,000 square feet to 3,499 square feet	500.00
3,500 square feet to 3,999 square feet	572.00
4,000 square feet to 4,499 square feet	615.00
4,500 square feet to 4,999 square feet	679.00
5,000 square feet or more = the square footage × \$40.75 × 1/3 × 1% plus \$100.00	
(Square footage × \$40.75 × .33 × 0.01 + \$100.00 = Permit fees).	

Room additions and remodels: $\$3.30 \times \text{est. cost} \times .001 + \40.75 or a \$50.00 minimum

Swimming pools and spas: $\$3.30 \times \text{est. cost} \times .001 + \40.75

Storage buildings and storm shelters to follow above table (based on sq. ft)

Retaining wall (3' height or greater): \$50.00

Fuel tanks (in ground/above ground) installation or removal: \$2.15 per \$1,000 plus \$50

Canopy, patio covers, and decks: \$0.36 per square foot + \$50.00

Temporary buildings or tents: \$0.36 per square foot + \$50.00*

*Maximum fee per tent not to exceed \$143.00

Mobile/Manufactured Homes: \$72.00

Job Trailers: \$72.00

Demolition permit (residential/commercial) structure: \$72.00

Provisional certificate of occupancy: \$50.00

Work started without a permit: \$100.00 plus permit cost

Building inspection:

Re-inspection (recall) of any work that failed previous inspection \$50.00

Park and recreation fee, per residence, plus \$30.00 per bedroom \$100.00

Sewer tap fees (residential and commercial) \$25.00

Occupational registration fees:

General contractor \$75.00

Electrical contractor \$150.00

Plumbing contractor \$150.00

Mechanical contractor \$150.00

Irrigation contractor \$150.00

Sign contractor \$150.00

See section 6-301(e) for escrow account requirements.

Trade Permits for Residential Construction								
Square foot⇒	1000 — 1499	1500 — 1999	2000 — 2499	2500 — 2999	3000 — 3499	3500 — 3999	4000 — 4499	4500 or greater
Trade↓								
Electric*	186.00	186.00	206.00	215.00	238.00	274.00	369.00	500.00
Mechanical*	82.00	82.00	144.00	144.00	206.00	206.00	267.00	267.00
Plumbing*	214.00	275.00	290.00	353.00	370.00	421.00	455.00	571.00
Fuel Gas*								
Gas Pipe	34.00	34.00	37.00	37.00	45.00	45.00	45.00	45.00
Gas Meter	21.00	21.00	21.00	21.00	21.00	21.00	21.00	21.00
*Indicates permit fee includes all required inspections.								

Rejected inspection subject to recall fee as established within this chapter.
Structures over 5,000 square feet may require itemized inspection fees as listed below.

Backflow preventer (replacement or repair) \$50.00

Trade permit (replacement or repair):

Plumbing \$50.00

Electrical \$50.00

Mechanical \$50.00

Building (not specified elsewhere in chapter) \$50.00

Inspections to be billed using the following schedule of itemized inspections:

Electrical inspections:

First 100-amp capacity \$21.00

Each additional 100-amp capacity \$14.00

Roughing-in concealed or open work:

Rough-in inspection \$21.00

Plus each opening \$0.55

Circuits added to existing building or structures:

First added circuit \$21.00

Each additional circuit \$14.00

Any motor not included in the schedule of devices:

First horsepower or fraction thereof \$14.00

Each additional horsepower or fraction thereof \$2.75*

*Note: This fee shall apply to one or more motors at the same location, irrespective of the number of motors inspected.

Luminous tube signs, border lights or outline lighting, per transformer \$21.00

Elevators, in addition to fee for motors, each elevator \$21.00

Rectifiers:

First 600-watt capacity \$21.00

Each additional 100-watt capacity \$14.00
 Electrical work done in/on structures composed wholly/partially of canvas \$21.00
 Temporary power connections (saw poles, etc.) \$21.00
 All work, old or new, not covered elsewhere in this schedule \$21.00
 Final inspection \$21.00
 Re-inspection (recall) of work that failed previous inspections \$50.00
 Work started without a permit, plus cost of permit \$100.00

Plumbing inspections:
 Gas meter \$21.00
 Gas piping per meter \$21.00
 Additional per opening \$2.75
 Sewer connection to riser \$21.00
 Sewer tap \$21.00
 New water connection \$21.00
 Rough plumbing inspection \$21.00
 Top-out inspection \$21.00
 Each fixture after the first three \$2.75
 Backflow preventer \$21.00
 Control valve and head installation when required by inspection division \$21.00
 Final inspection \$21.00
 All work, old or new, not covered elsewhere in this schedule \$21.00
 Re-inspection (recall) of work that failed previous inspections \$50.00
 Work started without a permit, plus permit cost \$100.00

Mechanical inspections:
 Gas meter \$21.00
 Gas piping, per meter \$21.00
 Additional per opening \$2.75
Heating:
 Appliances \$21.00
 Ducts, per trip \$21.00
 Temporary gas service for construction purposes \$21.00
 Air compressors and tanks, per receiver \$21.00
 Pressure vessels \$21.00
 Refrigeration unit, 1½ horsepower to 24 horsepower \$21.00
 Refrigeration unit, 25 horsepower to 49 horsepower \$27.00
 Refrigeration unit, 50 horsepower to 99 horsepower \$34.00
 Refrigeration unit, 100 horsepower and over \$48.00
 Hot and/or chilled water piping, per coil \$2.75
 Replacement of any major part of a mechanical system \$21.00
 Inspections call on work to be concealed, per trip \$21.00
 Final inspection \$21.00
 All work, old or new, not covered elsewhere in this schedule \$21.00
 Re-inspection (recall) of any work that failed previous inspections \$50.00
 Work started without a permit, plus permit cost \$100.00

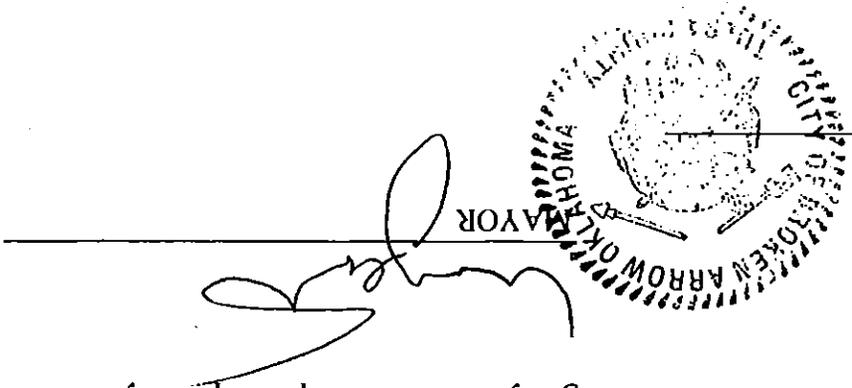
DATE: Sept. 14, 2012
 TITLE: CONTRACT
 BY: M. Long
 THE UNDERSIGNED CERTIFIES THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE ORIGINAL MAINTAINED IN OUR PERMANENT FILES.

Debi Myers
 DEPUTY CITY ATTORNEY

APPROVED:

M. Long
 (Seal) CITY CLERK

ATTEST:



[Signature]
 MAYOR

PASSED AND APPROVED and the emergency clause ruled upon separately this 17th day of January, 2012.

SECTION VII. 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.

SECTION VI. Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

- Balloon \$32.00
- Work started without a permit, plus permit cost \$100.00
- Miscellaneous permit fees:
- Recreational fire No fee
- Residential burn permits (less than 5 acres) \$50.00
- Burn permit (5 acres or greater) i.e., agricultural N/C Commercial burn permit \$79.00
- Commercial fireworks display \$79.00
- Fireworks discharge \$20.00
- Parking lot \$72.00
- Curb cut/street cut \$50.00
- Liquefied petroleum gas equipment \$36.00
- Blasting permit, per day \$36.00