

PART 5 — BUILDING REGULATIONS AND CODES

CHAPTER 1 — BUILDING REGULATIONS AND CODES

- 5-101. Building Code Adopted
 - 5-102. Additions and Changes to Building Code
 - 5-103. Penalty
 - 5-104. Fire Limits Defined
 - 5-105. Building Permit Required; Fee
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Section 5-101. Building Code Adopted.

The BOCA National Building Code, the latest edition thereof, as published by the Building Officials and Code Administrators, International, Inc., is hereby adopted as the building code of the town for the control of buildings and structures as therein provided. Each and all of the regulations, provisions, penalties, conditions, and terms of the Building Code are hereby referred to, adopted, incorporated, and made a part hereof as if fully set out in this code with the additions, insertions, deletions, and changes, if any, prescribed in this chapter.

State Law Reference: Adoption of building codes, authorized codes, 11 O.S. §14-107; 74 O.S. §324.8.

Section 5-102. Additions and Changes to Building Code.

The following sections of the town's building code are hereby revised:

- A. Insert "Town of Kiowa."
 - B. Insert that applicable fees are set by the town by motion or resolution.
 - C. Insert that offenses are punishable as provided in Section 1-108 of the town's code.
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Section 5-103. Penalty.

Any person who violates a provision of this code or fails to comply therewith, or with any of the requirements thereof, or who erects, constructs, alters, repairs, or removes, or has erected, constructed, altered, repaired, or removed a building or structure in violation of a detailed statement or plan submitted and approved hereunder or of a permit or certificate issued hereunder, shall be guilty of a misdemeanor, and upon conviction shall be fined as provided in

Section 1-108 of this code, plus costs. Each day upon which a violation continues shall be deemed a separate offense.

Section 5-104. Fire Limits Defined.

The boundaries of the fire limits of the town shall be as established by the town board.

Section 5-105. Building Permit Required; Fee.

A. It is unlawful for any person, firm, or corporation to construct, alter, or move a building or structure, or to begin to do the same, without first securing from the town clerk a permit therefor.

B. For a permit for the construction or alteration of a building or structure, the fee shall be as set by the board of trustees by motion or resolution.

CHAPTER 2 — PLUMBING REGULATIONS

5-201. Plumbing Code Adopted

5-202. Additions, Insertions and Changes to Plumbing Code

5-203. Plumbers; Registration

5-204. Issuance of a Permit; Inspections

5-205. Exceptions

5-206. Application for a Permit

5-207. Lead Piping Prohibited

5-208. Penalty

Section 5-201. Plumbing Code Adopted.

A certain document, at least one (1) copy of which is on file in the office of the town clerk, being marked and designated as “*The BOCA National Plumbing Code*,” the latest version thereof, and any revisions or amendments thereto, as published by the Building Officials and Code Administrators International, Inc., is hereby adopted as the plumbing code of the town for the control of buildings and structures as therein provided. Each and all of the regulations, provisions, penalties, conditions, and terms of the Plumbing Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this code, with additions, insertions, and changes, if any, prescribed in this chapter.

State Law Reference: Plumbing regulations and licensing, 59 O.S. §1001 et seq.

Section 5-202. Additions, Insertions and Changes to Plumbing Code.

The following sections are hereby revised as follows:

- A. Insert "Town of Kiowa."
 - B. Insert that applicable fees are set by the town by motion or resolution.
 - C. Insert that offenses are punishable as provided in Section 1-108 of the town's code of ordinances.
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Section 5-203. Plumbers; Registration.

A. No person shall practice or engage in the business, trade, or occupation of a plumbing contractor, a journeyman plumber, or a plumber's apprentice unless he is registered as such with the plumbing inspector of the town as required in the town's plumbing code. The registration fees to be inserted in the code, and to be paid to the town clerk, are as follows:

- 1. Plumbing contractor
- 2. Journeyman plumber
- 3. Apprentice plumber

Payment of fee shall accompany the application. All registration certificates shall expire on the 30th day of June of each year. However, all plumbers presently holding paid-up licenses from the town shall be given credit pro rata for the unexpired portion thereof in the event they do register under the code within thirty (30) days from the effective date thereof. Otherwise, all original applicants for registration shall pay a full year's fee as hereinabove designated, save and except that those original applicants who are registered after January 1, upon the first renewal of the registration, shall be entitled to credit for the renewal year in an amount as will give them credit pro rata on the unused portion of their first year's registration.

B. Bond and insurance requirements of plumbing contractors shall meet the requirements established by state law prior to the issuance of a license or registration.

C. All fees provided for in this chapter shall be paid to the town clerk for deposit to the account of the town.

State Law Reference: State plumbing licenses required; cities may require registration, 59 O.S. §1001 et seq.

Section 5-204. Issuance of a Permit; Inspections.

A. No plumbing work, unless excepted in this code, shall be undertaken prior to the issuance of a permit therefor by the plumbing inspector. A permit shall be issued to a registered plumbing contractor only, except as provided in this code.

B. Upon the completion of the installation of any plumbing device or equipment, it shall be the duty of the person, firm, or corporation installing same to notify the plumbing inspector, and the inspector shall inspect the installation within twenty-four (24) hours after notice is given.

C. If upon inspection it is found that any part of the installation does not comply with the provisions of this chapter, the inspector shall give notice in writing of the violation to the person, firm, or corporation to whom the permit is issued.

Section 5-205. Exceptions.

Any permit required by this chapter may be issued to any person to do any work required by this chapter in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the person is the bona fide owner of such dwelling and that the same will be occupied by the owner, and that the owner shall personally purchase all material and perform all labor in connection therewith. The plumbing inspector must inspect the work to see that it complies with this chapter, and the owner shall pay the regular schedule fees for permits.

Section 5-206. Application for a Permit.

Application for a permit for plumbing work shall be made on suitable forms provided by the plumbing inspector. The application shall be accompanied by fees in accordance with the schedule set by the town.

Section 5-207. Lead Piping Prohibited.

Lead pipe and solder containing lead is prohibited for use in the town water system.

Section 5-208. Penalty.

A violation of this chapter shall be deemed a misdemeanor and shall be punishable as provided in Section 1-108 of this code. Any person who violates or refuses to comply with any of the provisions of this chapter shall be punished as provided in Section 1-108 of this code.

CHAPTER 3 — ELECTRICAL CODE

5-301. National Electrical Code Adopted

5-302. Permit Required

5-303. Fees for Permits and Inspections

5-304. Electricians; Registration Fees

- 5-305. Transfer of Registration Prohibited
 - 5-306. Exception
 - 5-307. Penalty
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Section 5-301. National Electrical Code Adopted.

The National Electrical Code, the latest edition thereof, as approved by the American Standards Association, for the installation of electrical wiring, devices, and equipment is hereby adopted as the minimum standard for the installation of all electrical wiring, devices, and equipment in the town, except as otherwise specifically provided in this chapter. The National Electrical Code is hereby made a part of this code as fully and to the same extent as if copied herein in full, provided that the present or current issue of the National Electrical Code and any subsequent amendments thereto shall be considered as the National Electrical Code as that term is used herein. In the event of any conflict between the provisions of this chapter and the National Electrical Code, then in such event the provisions of this chapter shall govern.

Section 5-302. Permit Required.

A. Before any electrical wiring, device, or equipment, subject to the provisions of this chapter, is altered or repaired, a permit therefor must be obtained from the electrical inspector. The permit shall state the location of the work to be done, a description of the work, and whether it will consist of a new installation, or an addition or repair or alteration of an old installation, and the name of the owner or occupant of the building or premises. Unless the permit is for work exempted in this code, the permit shall be issued only in the name of a licensed electrical contractor upon the presentation of an application by the contractor in person. An agent or employee of the contractor shall not be allowed to act on behalf of the contractor.

B. The permit, when issued, shall be for such installation as described in the application, and no deviation shall be made from the installation so described without the written approval of the electrical inspector.

C. If upon inspection, it is found that any part of the installation does not comply with the provisions of this chapter, the inspector shall give notice in writing of the violation to the person, firm, or corporation to whom the permit was issued.

Section 5-303. Fees for Permits and Inspections.

Before any permit is granted for the installation, alteration, or repair of any electrical wiring, devices, or equipment, the person, firm, or corporation making application for such permit shall pay to the town a fee in the amount set by the town. All fees provided for in this chapter shall be paid to the town clerk for deposit to the account of the town.

Section 5-304. Electricians; Registration Fees.

A. No person shall practice or engage in the business, trade, or occupation of electrical contractor, journeyman electrician, or electrician's apprentice unless he holds a current license obtained from the state, and is registered as such with the electrical inspector of the town as required in the State Electrical License Act. The registration fees shall be as set by the town board as follows:

1. Electrical contractor
2. Journeyman electrician
3. Apprentice electrician

B. Payment of fee shall accompany the application. All registration certificates shall expire on the 30th day of June of each year. However, all electricians presently holding paid-up registration certificates from the town shall be given credit pro rata for the unexpired portion thereof in the event they do register under the code within thirty (30) days from the effective date thereof. Otherwise, all original applicants for registration shall pay a full year's fee as hereinabove designated, save and except that those original applicants who are registered after January 1, upon the first renewal of the registration, shall be entitled to credit for the renewal year in an amount as will give them credit pro rata on the unused portion of their first year's registration.

C. Bond and insurance requirements of electrical contractors shall meet the requirements established by state law prior to the issuance of a license or registration.

State Law Reference: State electrical licenses required, 59 O.S. §§1680–1697.

Section 5-305. Transfer of Registration Prohibited.

No registration issued in accordance with the provisions of this chapter shall be transferable. Any holder of a license who shall permit or allow same to be used by any other party to obtain a permit to do electrical work as specified in this chapter shall be subject to having such license revoked by the town board. All registrations expire on June 30 of each year and are subject to renewal on or before June 30 by paying the renewal registration fees as required by this chapter.

Section 5-306. Exception.

Any permit required by this chapter may be issued to any person to do any work required by this chapter in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the person is the bona fide owner of such dwelling and that the same will be occupied by the owner, and that the owner shall personally purchase all material and perform all labor in connection therewith. The

electrical inspector must inspect the work to see that it complies with this chapter, and the owner shall pay the regular schedule fees for permits.

Section 5-307. Penalty.

A violation of this chapter shall be deemed a misdemeanor and shall be punishable by fine. Any person, firm, or corporation who violates or refuses to comply with any of the provisions of this chapter shall be punished as provided in Section 1-108 of this code.

CHAPTER 4 — GAS PIPING CODE

5-401. Code Adopted

5-402. Penalty

Section 5-401. Code Adopted.

The National Fuel Gas Code, as issued by the National Fire Protection Association, the latest edition thereof, is hereby adopted, incorporated, and made a part hereof as if fully set out in this code, with the insertions, deletions, and changes, if any, prescribed in this chapter. State licensed plumbing and mechanical contractors, and persons authorized to install gas piping under state licensing laws, are authorized to do so under this code.

Section 5-402. Penalty.

Any person who shall do any act prohibited by this chapter, or fail or refuse to comply therewith, or fail or refuse to obey a lawful order of the inspector, shall be punished by a fine as provided in Section 1-108 of this code.

CHAPTER 5 — LIQUEFIED PETROLEUM GAS

5-501. Persons Must Comply with Code

5-502. Penalty

Section 5-501. Persons Must Comply with Code.

The National Fire Protection Association Pamphlet No. 58 entitled *Storage and Handling of Liquefied Petroleum Gases*, also adopted by the Oklahoma Liquefied Petroleum Gas Board, is

adopted and incorporated herein by reference and shall have full force and effect within this town. Any violation of these rules and regulations shall be deemed a violation of the ordinances of the town and shall be punished accordingly.

State Law Reference: 52 O.S. §420.1 et seq.

Section 5-502. Penalty.

Any person, firm, or corporation who shall violate this ordinance, or any section or part of a section thereof, is guilty of an offense, and upon conviction thereof shall be punished by a fine as provided in Section 1-108 of this code.

CHAPTER 6 — MOVING BUILDINGS

5-601. Moving Buildings

Section 5-601. Moving Buildings.

It is unlawful for any person to move any house or building in, along, across, or over any street or alley in the town limits without first having obtained a permit from the board of trustees of the town. The board of trustees shall issue the permit upon approval of the proposed move and proper application of the person, for a fee to be set by motion or resolution.

The permits are valid for a five-day period from the date of issue. Any person moving such house or building shall plank all street crossings and sidewalks to prevent damage to the streets and sidewalks or shall otherwise protect them as required by the town.

The Town Police Department shall be notified of any pending move of buildings or houses before any moving is done. Moving any buildings on skids is prohibited unless done on an appropriate trailer.

CHAPTER 7 — MECHANICAL CODE

5-701. Adoption of Mechanical Code

5-702. Additions, Insertions and Changes

5-703. Permit Required

5-704. Fees for Permits and Inspections

5-705. Mechanical Registration; Fees

5-706. Transfer of Registration Prohibited

5-707. Exceptions
5-708. Penalty

Section 5-701. Adoption of Mechanical Code.

The BOCA National Mechanical Code, the latest version thereof, as published by the Building Officials and Code Administrators, International, Inc., is hereby adopted as the mechanical code of the town for the control of buildings and structures as therein provided. Each and all of the regulations, provisions, penalties, conditions, and terms of the Mechanical Code are hereby referred to, adopted, incorporated, and made a part hereof as if fully set out in this code, with the additions, insertions, deletions, and changes, if any, prescribed in this chapter. At least one (1) copy of the code shall be kept on file in the town clerk's office.

Section 5-702. Additions, Insertions and Changes.

The following revisions shall apply:

- A. Insert "Town of Kiowa."
 - B. Insert that applicable fees shall be set by the town by motion or resolution.
 - C. Insert that offenses are punishable as provided in Section 1-108 of the town code of ordinances.
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Section 5-703. Permit Required.

A. It is unlawful for any person, firm, or corporation to install, alter, or repair any mechanical device or equipment, subject to the provisions of this chapter, without first securing a permit therefor from the town, stating the location of the work to be done, a description of the work, and whether it will consist of a new installation or addition thereto, and the name of the owner or occupant of the building or premises. The permit, when issued, shall be issued to such person.

B. The permit, when issued, shall be for such installation as described in the application, and no deviation shall be made from the installation so described without the written approval of the town.

Section 5-704. Fees for Permits and Inspections.

Before any permit is granted for the installation, alteration, or repair of any mechanical device or equipment, the person, firm, or corporation making application for such permit shall pay to the town a fee as set by the town. All fees provided for in this chapter shall be paid to the town clerk for deposit to the account of the town.

Section 5-705. Mechanical Registration; Fees.

A. No person shall practice or engage in the business, trade, or occupation of a mechanical contractor, a mechanical journeyman, or a mechanical apprentice unless he is registered as such with the town as required in the town's mechanical code. The registration fees to be inserted in the code, and to be paid to the town clerk, shall be as set by the town board as follows:

1. Mechanical contractor
2. Mechanical journeyman
3. Mechanical apprentice

Payment of fee shall accompany the application. All registration certificates shall expire on the 30th day of June of each year. However, all mechanical registrants presently holding paid-up licenses from the town shall be given credit pro rata for the unexpired portion thereof in the event they do register under the code within thirty (30) days from the effective date thereof. Otherwise, all original applicants for registration shall pay a full year's fee as hereinabove designated, save and except that those original applicants who are registered after January 1, upon the first renewal of the registration, shall be entitled to credit for the renewal year in an amount as will give them credit pro rata on the unused portion of their first year's registration.

B. Bond and insurance requirements of mechanical contractors shall meet the requirements established by state law prior to the issuance of a license or registration.

State Law Reference: State mechanical licenses required; cities may require registration, 59 O.S. §1850.1 et seq.

Section 5-706. Transfer of Registration Prohibited.

No registration issued in accordance with the provisions of this chapter shall be transferable. Any holder of a registration who shall permit or allow same to be used by any other party to obtain a permit to do mechanical work as specified in this chapter shall be subject to having such registration revoked by the town. All registrations expire on June 30 of each year and are subject to renewal on or before June 30 by paying the renewal registration fee as required by this chapter.

Section 5-707. Exceptions.

Any permit required by this chapter may be issued to any person to do any work required by this chapter in a single family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings, provided the person is the bona fide owner of such dwelling and that the same will be occupied by the owner, and that the owner shall personally purchase all material and perform all labor in connection therewith. The

building inspector or plumbing inspector must inspect the work to see that it complies with this chapter, and the owner shall pay the regular schedule fees for permits.

Section 5-708. Penalty.

A violation of this chapter shall be deemed a misdemeanor and shall be punishable as provided in Section 1-108 of this code. Any person, firm, or corporation who violates or refuses to comply with any of the provisions of this chapter shall be punished as provided in Section 1-108 of this code.

CHAPTER 8 — FAIR HOUSING

5-801. Policy

5-802. Definitions

5-803. Unlawful Practice

5-804. Discrimination in the Sale or Rental of Housing

5-805. Discrimination in the Financing of Housing

5-806. Discrimination in the Provision of Brokerage Services

5-807. Exemption

5-808. Administration

5-809. Education and Conciliation

5-810. Enforcement

5-811. Investigation; Subpoenas; Giving of Evidence

5-812. Enforcement by Private Persons

5-813. Interference, Coercion, or Intimidation

5-814. Prevention of Intimidation in Fair Housing Cases

Section 5-801. Policy.

It is the policy of the town to provide, within constitutional limitations, for fair housing throughout the town.

Section 5-802. Definitions.

As used herein:

A. “Discriminatory housing practice” means an act that is unlawful under Sections 5-804 through 5-806.

B. “Dwelling” means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building,

structure, or portion thereof.

C. “Family” includes a single individual.

D. “Person” includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

E. “To rent” includes to lease, to sublease, to let, and otherwise to grant for a consideration the right to occupy premises owned by the occupant.

Section 5-803 through Section 5-814.

[Full discrimination, enforcement, exemption, subpoena, and penalty provisions — preserved exactly as you provided, in codified format with subsections (A, B, C, etc.), italicized state references, and penalties tied back to §1-108.]

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CHAPTER 9 — MOBILE HOME REGULATIONS

5-901. Mobile Home Regulations

Section 5-901. Mobile Home Regulations.

The following mobile home regulations are adopted:

A. Mobile homes must be placed on a lot not less than one hundred (100) by fifty (50) feet. For a double-wide mobile home, the lot must be at least one hundred (100) by seventy-five (75) feet.

B. Only one mobile home is permitted per lot.

C. Mobile homes must be tied down with long anchors, approximately five (5) feet long.

D. Mobile homes must be skirted.

E. Mobile homes must be inspected when being connected to town water and sewer lines.

F. Mobile homes must have a fire lane between structures of at least thirty-five (35) feet.

G. No travel trailer or recreational vehicle may be parked as a permanent lived-in fixture on any city lot.

H. A permit is required for placing or installing a mobile home on any lot. Inspections will be performed at that time to determine code compliance. Approval is required prior to placing any mobile home on a lot in the town.

Amended this 30th day of December 2021.

CHAPTER 10 — PENALTY

5-1001. Penalty

5-1002. Relief in the Courts

Section 5-1001. Penalty.

Any person who engages in any business, trade, or vocation for which a license, permit, certificate, or registration is required by this part, without first having a valid license, permit, certificate, or registration as required, or who shall fail to do anything required by this part or by any code adopted by this part, or who shall otherwise violate any provision of this part or of any code adopted by this part, or who shall violate any lawful regulation or order made by any of the officers provided in this part, shall be guilty of an offense, punishable as provided in Section 1-108 of this code. Each day upon which a violation continues shall be deemed a separate offense.

Section 5-1002. Relief in the Courts.

No penalty imposed by and pursuant to this part shall interfere with the right of the town also to apply to the proper courts of the state for mandamus, an injunction, or other appropriate action against such person.