

**CITY OF MOORE
ORDINANCE NO. 1043.23**

AN ORDINANCE AMENDING PART 8, CHAPTER 11, ARTICLE A, SECTION 8-1105 AND ARTICLE B, SECTIONS 8-1111 THROUGH 8-1114; ADOPTING THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE AND ADOPTING LOCAL AMENDMENTS TO SAID CODE; ESTABLISHING MINIMUM REGULATIONS GOVERNING THE ENFORCEMENT, EVALUATION, PROCEDURE AND CONSTRUCTION OF PROPERTY MAINTENANCE WITHIN MOORE, OKLAHOMA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOORE, OKLAHOMA THAT PART 8, CHAPTER 11, ARTICLE A, SECTION 8-1105 AND ARTICLE B, SECTIONS 8-1111 THROUGH 8-1114 ARE HEREBY AMENDED TO READ AS FOLLOWS:

CHAPTER 8-11 ~~EXTERIOR~~ PROPERTY MAINTENANCE CODE

ARTICLE 8-11A GENERAL

ARTICLE 8-11B ~~EXTERIOR~~ PROPERTY MAINTENANCE ~~VIOLATIONS DEFINED~~ CODE

ARTICLE 8-11C NOTICE AND ENFORCEMENT

ARTICLE 8-11A GENERAL

Sec 8-1101 Scope

Sec 8-1102 Responsibility

Sec 8-1103 Vacant Structures And Land

Sec 8-1104 Violations And Penalty

Sec 8-1105 Definitions

Sec 8-1105 Definitions

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Approved* means approved by the code official.~~

~~*Basement* means that portion of a building which is partly or completely below grade.~~

~~*Code official* means the city official who is charged with the administration and enforcement of this chapter, or any duly authorized representative.~~

~~*Exterior property* means the open space on the premises and on adjoining property under the control of the owner or occupant of such premises.~~

~~*Major violation* means a combination of two or more minor violations occurring at the same time, or one or more violations that are determined by the code official to pose a serious threat to the~~

health and safety of the owner or occupant of the structure in question.

Minor violation means a singular violation of any one of the various provisions of this chapter, either through lack of maintenance or act of nature, which in and of itself does not cause a blighting problem or adversely affect the public health or safety.

Occupant means any person legally living or sleeping in a building, or having legal possession of a space within a building.

Owner means any person, firm or corporation having a legal or equitable interest in the property, including the guardian, executor or administrator of the estate of such person.

Premises means a lot, plot, tract or parcel of land, including the buildings and structures thereon.
Structure means that which is built or constructed.

ARTICLE 8-11B EXTERIOR PROPERTY MAINTENANCE VIOLATIONS DEFINED CODE

Sec 8-1111 Exterior Property Areas International Property Maintenance Code Adoption

Sec 8-1112 Exterior Structure General Maintenance Additions, Insertions And Changes

Sec 8-1113 Appearance

Sec 8-1114 Signage Reserved

Sec 8-1115 Enforcement

Sec 8-1111 Exterior Property Areas International Property Maintenance Code Adoption

- ~~A. *Grading and drainage.* All premises shall be graded and maintained to prevent the accumulation of stagnant water thereon, or within any structure located thereon, except for water detention or retention areas approved by the city.~~
- ~~B. *Rat harborage.* All structures and exterior property shall be kept free from rat infestation. Where rats are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.~~
- ~~C. *Accessory structures.* All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair. Each separate accessory structure shall be deemed a separate violation.~~

- (a) Pursuant to section 2-15 of the Charter, the council may by ordinance adopt, by reference, codes which shall be considered to have the same effect as if set out in full in the City Code. Pursuant to this authority, the council hereby ordains that a certain document, at least one copy of which is on file in the office of the city clerk, being marked and designated as the "2018 International Property Maintenance Code," is hereby adopted as the property maintenance code of the city, known as the "property maintenance code" or "IPMC"; for addressing property maintenance as herein provided. Each and all of the regulations,

provisions, penalties, conditions and terms of the International Property Maintenance Code as hereby referred to, adopted and made a part hereof, as if fully set out in this Code, with the additions, insertions, and changes, if any, as prescribed and set out herein.

Sec 8-1112 ~~Exterior Structure General Maintenance~~ Additions, Insertions And Changes

The owner, lessee, occupant, or person or entity having charge of the property shall keep all parts of the exterior property in a clean and sanitary condition. No premises shall be in a condition that constitutes a health hazard, safety hazard, or general nuisance.

(a) The following sections of the "International Property Maintenance Code 2018" are hereby revised, deleted, or amended as set out below. Items in [] are phrases that shall be deemed inserted into the appropriate section of the International Code:

- A. ~~Street numbers.~~ Each building to which a street number has been assigned shall have such number displayed in a position easily observed and readable from the public right-of-way. All numbers shall be at least three inches high and one-half inch stroke.
- B. ~~Structural members.~~ Any structural member of a structure which has become deteriorated or damaged to the extent that it does not serve the purpose as originally intended shall be renewed, restored, repaired, or replaced as is necessary to serve the purpose as originally intended. All structural members shall be maintained free of deterioration, and capable of safely bearing the imposed dead and live loads.
- C. ~~Exterior walls and surfaces.~~ Exterior walls and other exterior surface materials shall be free of holes, cracks, loose or rotting boards and timbers or any other condition as to prevent rodents, rain, or dampness to the interior of the dwelling. All canopies, marquees, signs, awnings, exterior stairways, fire escapes, standpipes, exhaust ducts, porches, balconies, and similar overhanging extensions, and their supporting structures where exposed to public view, shall be maintained in good condition and shall not show evidence of ripping, tearing, or deterioration. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
- D. ~~Roofs and drainage.~~ The roof and flashing shall be sound, tight and not have defects which admit rain. Rain gutters, downspouts, leaders, or other means of water diversion shall be provided to collect/conduct and discharge all water from the roof and maintained so as not to leak or cause dampness in the walls, ceiling, or basements or adversely affect adjacent properties. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions.

- E. ~~*Overhang extensions.* All canopies, marquees, awnings, stairways, fire escapes, standpipes, exhaust ducts, gutters and similar overhang extensions shall be maintained in good repair and be properly anchored so as to be kept in a safe and sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay by periodic application of weather coating materials, such as paint or similar surface treatment.~~
- F. ~~*Chimneys and towers.* All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe, sound, and in good repair. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay by periodic application of weather coating materials, such as paint or similar surface treatment.~~
- G. ~~*Handrails and guardrails.* Every handrail and guardrail shall be firmly fastened and capable of bearing normally imposed loads and shall be maintained in sound condition and good repair.~~
- H. ~~*Windows, skylights, doors and frames.* Windows shall be fully supplied with window glass or an approved substitute which is glazed and is without open cracks or holes, shall have sashes in good condition which fit within frames, be capable of being easily opened and held in position by hardware, and maintained so as to exclude adverse weather elements from entering the structure. Skylights, doors, and frames shall be kept in sound condition, good repair and weather tight.~~
- I. ~~*Insect screens.* All insect screens shall be tightly fitting and maintained in sound condition and good repair, free from holes, cuts, or rips.~~
- J. ~~*Exterior doors and frames.* All exterior doors, frames and hardware, including garage doors, shall be maintained in sound condition, good repair and weather tight.~~
- K. ~~*Basement, foundation, vents, and windows.* Every basement/foundation hatchway, vent or window shall be maintained in sound condition, good repair and weather tight. Foundations shall support the building at all points and shall be free of all holes and cracks as to prevent rodents, water or dampness to the interior of the building or any conditions tending to reduce the capability of the foundation to support the building.~~
- L. ~~*Porches, decks, and docks.* Every porch, deck, or dock shall be constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, including steps, and kept in sound condition and in good repair.~~
- M. ~~*Decorative features.* All cornices, entablatures, bell courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.~~
- N. ~~*Sidewalks and driveways.* All sidewalks, walkways, stairs, driveways, parking spaces, parking lots and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions.~~

- (1) Section 101.1 Title, insert to read: [City of Moore, Oklahoma.]
- (2) Section 101.1.1, amend to read: [101.1.1 Appendices, amend the provisions of Appendix A of the 2018 International Property Maintenance Code.]
- (3) Section 103.1, delete: “Department of property maintenance inspections” and replace it to read: [City of Moore’s Community Development Department].
- (4) Section 103.5, insert to read: [As provided in the City’s adopted fee schedule]
- (5) Section 106.4, delete and amend to read: [106.4 Violation penalties. Any Person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state and local laws. One type of prosecution is listed in the city municipal code section 1-108. Each day that a violation continues after due notice has been served shall be deemed a separate offense.]
- (6) Section 107.2, delete and amend to read: [107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with Part 8, Chapter 8-11C of the Municipal Code for the City of Moore, Oklahoma.]
- (7) Section 108.3, delete the words: “Section 107.3” and replace to read: [Part 8, Chapter 8-3 of the City of Moore’s Municipal Code.]
- (8) Section 112.4, add to the sentence to read: [listed in the city municipal code section 1-108. Each day or occurrence that a violation continues after due notice has been served, shall be deemed a separate offense.]
- (9) Section 302.2, add sentences to section to read: [All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except where such pooling or retention of water is part of a plan approved by the city engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.
Drainage swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty or place any material fill or waste in any swale so as to impede or divert drainage flow.]
- (10) Section 302.2.1, amend to read: [302.2.1 Gound cover erosion control. All areas shall be graded and seeded with an all-season, well maintained vegetation ground cover. Erosion controls shall be compliant with the City of Moore’s and Oklahoma Department of Environmental Quality standards.]
- (11) Section 302.3, delete section and amend to read: [302.3 Sidewalks, ~~and~~ driveways and parking lots. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair of the permanently hard surface, dust-free surface of sound construction and maintained free from hazardous conditions.

- (12) Section 302.4, delete and amend to read: [302.4 Weeds, Grass and Trash. Refer to Part 8 Health and nuisance and under Chapter 8-2 within the Municipal Code.]
- (13) Section 302.10 amend section to read: [302.10 Traffic markings. All traffic markings such as directional arrows, lane division lines, parking spaces, stop signs, fire lane, no parking, etc. shall be maintained so as to be clearly visible and easily recognized.]
- (14) Section 302.11 amend section to read: [302.11 Exterior light fixtures. Exterior lighting fixtures over stops, paths, walkways courts, drives and parking lots shall be neatly maintained in operable condition and light for sufficient period of time before and after business hours to prove for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties. Refer to Municipal Code Part 5; Chapter 5-8.]
- (15) Section 302.12 amend section to read: [302.12 Mosquito infestation. All structures and exterior property shall be kept free of the accumulation of stagnant water by any means, which may yield the potential for serving as a breeding ground for mosquitoes.]
- (16) Section 302.13 amend section to read: [302.13 Bollards/vehicle protection. All bollards or collision protection structure shall be free of damage, protected against rust and kept in good condition and remain effective in protecting people and property.]
- (17) Section 304.14, insert the dates to read: [February 15] and [November 15].
- (18) Section 304.15, amend to read: [304.15 Doors. Exterior doors, door assemblies, operator system, if provided, garage doors and hardware shall be maintained in good, sound and weather tight condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3]
- (19) Section 304.17, in the first sentence delete: “that is openable” and add at the end of the sentence to read: [rain and surface drainage water. If an openable window is in place, it shall be supplied with insect screens.]
- (20) Section 304.20, amend to read: [304.20 Porches, decks, docks. Every porch, deck or dock shall be constructed and maintained so as to be free of missing, defective, rotting or deteriorated foundations, supports, floors, other members, including steps and kept in sound condition and in good repair.]
- (21) Section 310, amend fences and walls section to read:

[SECTION 310 FENCES AND WALLS

- a. Section 310.1 General. All fences, masonry walls or similar structures shall be maintained in an appropriate manner that complies with the City’s Land Development Code, International Building Code, International Residential

Code and International Property Maintenance Code.

b. Section 310.2 Maintenance. All fences, masonry walls or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, masonry walls, or similar structures shall always be in the state of good structural repair. If any fence, masonry wall or similar structure is found not to be in the state of good structural repair, it shall be removed, replace or repaired. The following items, being found singularly or collectively, shall be used in determining a fence that is in violation of this section:

1. Missing or broken panels;
2. Lean posts being used to keep the fence erect;
3. Patches made to the fence that are not made of the same original fence materials;
4. Three or more broken or missing slats within a panel;
5. Broken fence post(s);
6. Upright fence post(s) when no fence panel(s) or other horizontal fence material is erected;
7. Leaning panel(s), fence material or fence post; or
8. Comply with Chapter 6 of the City of Moore's Land Development Code

c. Section 310.3 Materials. Fences and/or walls and shall be constructed of treated wood, iron, decorative aluminum, stone , brick or decorative block. When construction materials are designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration.

d. Section 310.4 Hardware. Exterior components, assemblies, brackets, anchoring, poles, braces, operator systems shall be maintained in good condition, proper workmanlike manner, and installed in accordance with any adopted code or manufacture's instructions.]

(22) Section 311, amend signage section to read:

[SECTION 311 SIGNAGE

a. Section 311 General. All signs, billboards, ground sign, wall sign, roof sign,

illuminated sign, projection sign, and temporary sign that include any announcement, declaration, demonstration, display illustration or insignia used to advertise or to promote the interest of any person when the same is placed out of doors in view of the general public shall be properly anchored, capable of safely supporting the imposed dead and live loads, be kept in a proper state of repair and maintained free from hazardous conditions.

b. Section 311.1 Sign maintenance. All signage and incidental landscaping and/or lighting shall be maintained in good condition and shall not show evidence of deterioration. Neither lighting nor signage shall be permitted to be posted on trees, public information or traffic signs or utility poles.

c. Section 311.2 Placement. No sign or other advertising structure shall be erected on public property or at the intersection of any streets in such a manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view or be confused with any authorized traffic sign, signal or device.

d. Section 311.3 Visibility triangle. All signage shall be located outside of all visibility triangles at intersections and ingress/egress points and shall not be located in such a manner as to constitute a traffic hazard, pedestrian hazard or safety hazard.

e. Section 311.3.1 Obstructing view at intersection. No sign or incidental landscaping, fencing, lighting, plant, etc. having a height in excess of 3 feet above the elevation of the curb or crown of the adjacent roadway, whichever is lower, shall be maintained upon any corner lot adjacent to a street intersection within the city. The triangle area is to be measured from the intersection of the roadside lot lines of a corner lot. The measurement shall follow along the two common property lines and roadside lot lines of the intersection, that measures 25 feet in length. The visibility triangle shall interconnect the two property/roadside lot lines and connect to form a right triangle. The enclosed right triangle area shall establish the visibility triangle.]

(23) Section 506.4, amend sewage backflow to read: [506.4 Sewage backflow. There shall be two directional cleanouts with a backwater valve in between the two directional cleanouts near the junction of the building drainage and building sewer. The two directional cleanouts and backwater valve shall be outside the building wall, provided that it is brought up to finish grade. Backwater valves shall be subject to the following specifications:

a. The installation of backwater devices shall be in accordance with lawful requirements of the administrative authority.

b. Shall be installed in the building drain branch which receives only the discharge from fixtures connected to branches which are located below ground level.

c. All bearing parts of corrosion-resistant materials.

d. Working parts shall be readily accessible for service and repairs; and

e. Constructed so a mechanical seal against backflow will be provided.]

(24) Section 605.5, amend to read: [Section 605.5 Panel. Any existing or proposed use of a Federal Pacific equipment is prohibited and must be replaced to meet the adopted and applicable codes.]

Sec 8-1113 Appearance

All buildings and the exterior of all premises shall be properly maintained to achieve a presentable appearance and to avoid blighting effects and hazardous conditions.

(a) ~~A. Exterior space.~~ The exterior open space around each structure shall be maintained or improved so as to provide for:

(1) ~~1.~~ The immediate diversion of water away from buildings and proper drainage of the lot;

(2) ~~2.~~ Grass, plantings, or other suitable ground cover to prevent soil erosion which is or may become detrimental to the structures, lot use or adjacent lots and structures; and

(3) ~~3.~~ Sidewalks, walkways, parking areas, driveways and exterior steps which are of a permanently hard, dust-free surface of sound construction, and properly maintained.

(b) ~~B. Buffer and screening requirements.~~ When commercial or industrial property is being developed, and it abuts property zoned or used for residential purposes, a six-foot tall buffer shall be constructed of an appropriate mounding, fencing, or vegetative material, along the entire length of any abutting side or rear yard. Screen plantings shall have a minimum height of five feet and should be of such size, species, and spacing as can reasonably be expected to produce an opaque six-foot screen within three years.

(c) ~~C. Vegetative ground cover required.~~ All green areas shall be graded and seeded with an all- season, well maintained vegetative ground cover.

~~A. Fences and walls.~~ All fences, retaining walls, or similar structures shall be anchored firmly in the ground, shall be constructed in a workmanlike manner and maintained in that same manner so that such approved fences, retaining walls, or similar structures shall always be in the state of good structural repair. If any fence, retaining wall, or similar structure is found not to be in the state of good structural repair, it shall be removed, replaced, or repaired, as required. Except when constructed of materials that have been designed or manufactured to remain untreated, all fences shall be treated periodically with paint or chemicals so as to retard deterioration. Fences and/or walls shall be constructed of wood, iron, decorative aluminum, stone, brick, or

decorative block. Retaining walls shall be constructed of stone, decorative wall systems, brick, or wood. The following items, being found singularly or collectively, shall be used in determining a fence that is in violation of this section:

1. — Missing or broken panels;
 2. — Lean posts being used to keep the fence erect;
 3. — Patches made to the fence that are not made of the same original fence material;
 4. — Three or more broken or missing slats within a panel;
 5. — Broken fence posts;
 6. — Upright fence posts when no fence panels or other horizontal fence material is erected;
 7. — Leaning panels, fence material or fence posts.
- B. ~~*Yards.* All yards, courts, and lots shall be kept free of noxious weeds, overgrown grasses, debris, and other materials which may cause a fire, health or safety hazard, or general unsightliness.~~
- C. ~~*Hazards.* Hazards and unsanitary conditions shall be eliminated.~~
- D. ~~*Grading.* All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of water thereon, or within any structure located thereon. *Drainage.* All portions of all premises shall be so graded that there is no pooling of water or recurrent entrance of water into any part of any building except where such pooling or retention of water is part of a plan approved by the city engineer. All condensate and waste cooling water shall be appropriately discharged into an approved drainage system.~~
- E. ~~*Drainage swales.* Swales are to be maintained by the owners of the parcels on which they are located, and at no time will anyone plant trees and/or shrubs or discharge, empty, or place any material fill or waste into any swale so as to impede or divert drainage flow.~~
- F. ~~*Traffic markings.* All traffic markings such as directional arrows, lane division lines, parking space lines, stop signs, etc., shall be maintained so as to be clearly visible and easily recognized.~~
- G. ~~*Exterior light fixtures.* Exterior lighting fixtures over steps, paths, walkways, courts, drives and parking lots shall be neatly maintained in operable condition and lighted for sufficient periods of time before and after business hours to provide for pedestrian and employee safety and properly aimed so as not to shine on adjacent properties (per local zoning regulation).~~
- H. ~~*Driveways and walkways.* All driveways, walkways, stairs, parking spaces, parking lots and similar areas shall be kept in a proper state of repair, and maintained free from hazardous~~

conditions.

- I. ~~Rodent harborage.~~ All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation
- J. ~~Mosquito infestation.~~ All structures and exterior property shall be kept free of the accumulation of stagnant water by any means, which may yield the potential for serving as a breeding ground for mosquitoes.

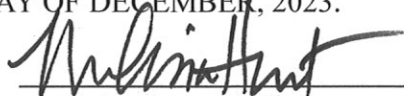
Sec 8-1114 Signage Reserved.

- A. ~~Sign maintenance.~~ All signage and incidental landscaping and/or lighting shall be maintained in good condition and shall not show evidence of deterioration. Neither lighting nor signage shall be permitted to be posted on trees or utility poles.
- B. ~~Visibility triangles.~~ All signage shall be located outside of all visibility triangles at intersections and ingress/egress points, and shall not be located in such a manner as to constitute a traffic or safety hazard.

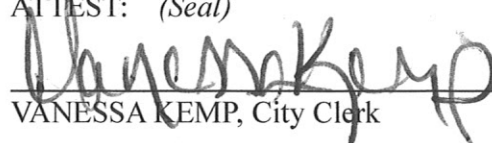
Severability. If any of the provisions of this ordinance are determined to be unconstitutional or unlawful by any court of competent jurisdiction, the remainder shall be severable and unaffected.

Repealer. Any ordinance or parts thereof in conflict with this section are hereby repealed.

PASSED AND APPROVED THIS 18TH DAY OF DECEMBER, 2023.



MELISSA HUNT, Vice-Mayor

ATTEST: (Seal)


VANESSA KEMP, City Clerk



APPROVED AS TO FORM AND LEGALITY:


Brian K. Miller, City Attorney