

Ordinance

PW0120450

Version 3.5 released on 2/29/24

Use for all Ordinances including: TRO, Budget, Zoning, Declarations, Trust Indentures, etc.



CITY COUNCIL USE ONLY

Date Received: _____
Committee Date: _____
1st Agenda Date: _____

Tracking #: _____
Committee: _____
Hearing Date: _____
2nd Agenda Date: _____

CITY CLERK USE ONLY

☐ Scanned

Date: 04.17.2024

☐ Posted

Item #: 2404.00922

All department items requiring Council approval must be submitted through the Mayor's Office.

Primary Details

Dept. Tracking No.

Board Approval

Other Board Name

City Council Approval

☒ Yes ☐ No

Department
Public Works

Contact Name
Gary McColpin *Gm*

Email
GMcColpin@cityoftulsa.org

Phone
9185765514

Subject (Description)
Title 11, Section 1208; Deleting charges that appear in Title 49 also;

Ordinance Type
Amending Tulsa Revised Ordinances

Section

Township

Range

Lot

Block

Address

BA / CT Number

Amending Ord. No.

TRO Title No.
11
e.g. 43

TRO Subtitle

e.g. G

Property/Non-Property

Council District

Zoning No.

PUD No.

Planning District

Budget

Funding Source(s)

TOTAL:

Enter the funding source(s) using the appropriate Munis funding format: Org (Allocation Code)-Object-Amount (1001211-531401-\$10.00) or Project String-Amount (144104.AbstrTitle5413102.6001-4043122-541102-\$30,000.01)

Approvals

Department:

Legal:

Board:

Mayor:

Other:

T. Swiney (SWINEY)
[Signature]

Date:

Date: April 11 XXIV

Date:

Date: APR 17 2024

Date:

Policy Statement

Background Information

Attached is an amendment to Section 1208 of Title 11 TRO, "Public Works" in the Right-of-Way Occupancy Permit chapter. Deleting the exact dollar-amounts of various charges, as those dollar amounts appear in Title 49 TRO, "Administrative, Permit and License Fees". In this way, we maintain consistent fee charges and avoid confusion of one dollar-amount being named in one title and a different amount found in another title.

Provide background information on the requested action.

Summation of the Requested Action

Summarize the pertinent details of the requested action.

Emergency Clause?

☒ Yes

☐ No

Reason for Emergency Clause

This ordinance regulates the fees paid by Citizens for permits.

Explain why you are requesting that the City Council approve this action with an emergency clause.

Processing Information for City Clerk's Office

Post Execution Processing

- ☐ Mail vendor copy (addtl signature copies attached)
- ☐ Must be filed with other governmental entity
- ☐ Addtl governmental entity approval(s) required

Additional Routing and Processing Details

(Published in the Tulsa World,

_____, 2024.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 11 TULSA REVISED ORDINANCES (TRO), "PUBLIC WORKS DEPARTMENT", CHAPTER 12, "RIGHTS-OF-WAY OCCUPANCY MANAGEMENT", SECTION 1208, "RIGHTS-OF-WAY CONSTRUCTION PERMITS", SUBSECTION B, "APPLICATION AND PERMIT FEES", PARAGRAPH 4, "PERMIT AND LICENSING SYSTEM MAINTENANCE FEE", PARAGRAPH 5, "RECORD RETENTION FEE", AND PARAGRAPH 6, "INSPECTION FEE"; DELETING SPECIFIC DOLLAR AMOUNTS FROM THOSE PARAGRAPHS; REFERRING THE READER TO THE APPROPRIATE SECTION OF TITLE 49 TRO, "ADMINISTRATIVE, PERMIT, AND LICENSE FEES"; REPEALING ANY ORDINANCE IN CONFLICT HERewith; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. Sub-section B of Section 1208 of Title 11 TRO, and paragraphs 4, 5 and 6 of Sub-section B, are hereby amended to read as follows:

B. Application and Permit Fees. Rights-of-way occupants shall be required to pay both application and/or permit fees, as applicable, unless otherwise exempted. Upon submission of a permit application, an application fee as specified in Title 49 TRO, Chapter 9, Section 906.A shall be paid to the Public Works Director. This fee is nonrefundable and must be collected before review of the application begins. Upon approval of the rights-of-way construction permit, the applicant shall remit to the Public Works Director a permit fee. This fee shall be calculated based on the following components:

4. Permit and Licensing System Maintenance Fee. A surcharge as specified in Title 49 TRO Section 103 shall be charged for each permit to maintain the permit and licensing system; and

5. Record Retention Fee. A surcharge per page as specified in Title 49 TRO, Section 111 shall be charged for each permit for retention of permits and associated data by microfilming, computer imaging or other method of storage of records; and

6. Inspection Fee. A charge as specified in Title 49 TRO, Section 108 shall be charged as an inspection fee; and

Section 2. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 3. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 4. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: _____
Date

Chair of the Council

ADOPTED as an emergency measure: _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

G. T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____
Date

at _____
Time

Mayor

(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney

OK-MOS

(Published in the Tulsa World,

_____, 2024.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 11 TULSA REVISED ORDINANCES (TRO), "PUBLIC WORKS DEPARTMENT", CHAPTER 12, "RIGHTS-OF-WAY OCCUPANCY MANAGEMENT", SECTION 1208, "RIGHTS-OF-WAY CONSTRUCTION PERMITS", SUBSECTION B, "APPLICATION AND PERMIT FEES", PARAGRAPH 4, "PERMIT AND LICENSING SYSTEM MAINTENANCE FEE", PARAGRAPH 5, "RECORD RETENTION FEE", AND PARAGRAPH 6, "INSPECTION FEE"; DELETING SPECIFIC DOLLAR AMOUNTS FROM THOSE PARAGRAPHS; REFERRING THE READER TO THE APPROPRIATE SECTION OF TITLE 49 TRO, "ADMINISTRATIVE, PERMIT, AND LICENSE FEES"; REPEALING ANY ORDINANCE IN CONFLICT HERewith; PROVIDING SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. Sub-section B of Section 1208 of Title 11 TRO, and paragraphs 4, 5 and 6 of Sub-section B, are hereby amended to read as follows:

B. Application and Permit Fees. Rights-of-way occupants shall be required to pay both application and/or permit fees, as applicable, unless otherwise exempted. Upon submission of a permit application, an application fee of ~~of One Hundred Fifty Dollars (\$150.00)~~ as specified in Title 49 TRO, Chapter 9, Section 906.A shall be paid to the Public Works Director. This fee is nonrefundable and must be collected before review of the application begins. Upon approval of the rights-of-way construction permit, the applicant shall remit to the Public Works Director a permit fee. This fee shall be calculated based on the following components:

4. Permit and Licensing System Maintenance Fee. A surcharge ~~of Two Dollars (\$2.00)~~ as specified in Title 49 TRO Section 103 shall be charged for each permit to maintain the permit and licensing system; and

5. Record Retention Fee. A surcharge ~~of One Dollar (\$1.00)~~ per page as specified in Title 49 TRO, Section 111 shall be charged for each permit for retention of permits and associated data by microfilming, computer imaging or other method of storage of records; and

6. Inspection Fee. A charge ~~of Nine and 50/100 Dollars (\$9.50) per one hundred (100) feet of project area as defined in the application~~ as specified in Title 49 TRO, Section 108 shall be charged as an inspection fee; and

Section 2. *REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.*

Section 3. *SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.*

Section 4. *EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.*

ADOPTED by the Council: _____
Date

Chair of the Council

ADOPTED as an emergency measure: _____
Date

Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

G. T. Bynum, Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: _____
Date

at _____
Time

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

City Attorney