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Ordinance No. 23396

AN ORDINANCE AMENDING TITLE 51 TULSA REVISED ORDINANCES, THE BUILDING CODE OF THE CITY OF TULSA, OKLAHOMA, CHAPTER FOUR, ENTITLED THE INTERNATIONAL CODE COUNCIL (ICC) INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION; AMENDING, ADDING OR DELETING PROVISIONS AS PROVIDED HEREIN; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 51, Tulsa Revised Ordinances, Chapter 4 be and the same is hereby amended to read as follows:

“CHAPTER 4. ICC INTERNATIONAL EXISTING BUILDING CODE, 2015 EDITION, ADOPTED

Section 400. Adoption of the ICC International Existing Building Code, 2015 Edition.

Section 401. Amendments to the ICC International Existing Building Code, 2015 Edition.

Section 400. Adoption of the ICC International Existing Building Code, 2015 Edition.

That certain document, three (3) copies of which are on file in the office of the City Clerk of the City of Tulsa, Oklahoma, being marked and designated as the *ICC International Existing Building Code*, 2015 Edition, as published by the International Code Council, Inc. (ICC), hereinafter the "Existing Building Code" is hereby adopted as an optional code for the control of buildings and structures other than detached one- and two-family dwellings, as herein provided. Each and all of the regulations, provisions, penalties, terms and conditions of the *ICC International Existing Building Code*, 2015 Edition, are hereby referred to, adopted and made a part hereof as if fully set out in this chapter with the amendments thereto, prescribed in Section 401 of this chapter.

Section 401. Amendments to the ICC International Existing Building Code, 2015 Edition.

The following sections of the *ICC International Existing Building Code*, 2015 Edition, are hereby added, deleted or amended to read as follows:

101.1 Title-Amendatory. These regulations shall be known as the "Existing Building Code of the City of Tulsa, Oklahoma," hereinafter referred to as "this code."

101.2.1 Optional Use of this Code-Added. Buildings and structures located inside the corporate limits of the City and all City owned buildings and structures located inside or outside the corporate limits of the City shall have the option to comply with this code or the Building Code of the City of Tulsa, Title 51, Tulsa Revised Ordinances, Chapter 1.

102.1.1 Applicability-Added. The provisions of this code shall only apply to and govern buildings for which the initial building permit was issued prior to January 1, 1994.

Exceptions:

1. This code shall not apply to buildings and structures regulated by the *International Residential Code for One- and Two-Family Dwellings* of the City of Tulsa, Oklahoma, Title 51, Tulsa Revised Ordinances, Chapter 2. One- and two-family dwellings or townhouses relocated or moved inside the corporate limits of the City shall comply with the provisions of the Existing Building Code of the City of Tulsa Title 51, Tulsa Revised Ordinance, Chapter 4, Section 1301.
2. Chapters 1, 2, 4, 5, 6, 7, 13, 15 and 16 of the *ICC International Existing Building Code*, 2015 Edition shall be optional for any building for which the initial building permit was issued subsequent to January 1, 1994.

103.1 Enforcement Agency-Amendatory. The term "Department of Building Safety," as used within the *ICC International Existing Building Code*, 2015 Edition shall mean the Development Services Division of the Planning and Development Department of the City of Tulsa or other department, division or section of the City of Tulsa authorized and directed to enforce the provisions of this code.

103.4 Code of Ethics-Added. Staff members of the Development Services Division of the Planning and Development Department of the City of Tulsa shall ascribe to and be guided in professional conduct as code officials and department representatives, as provided within Title 12, Chapter 6, Tulsa Revised Ordinances, entitled "Ethics Code".

103.5 Qualification of Code Officials-Added. The building official and deputies, otherwise known as "code officials," shall be licensed as may be prescribed by statutes of the state of Oklahoma, possess experience in commercial or residential building work, as determined by their job descriptions and responsibilities and possess certification by the International Code Council, Inc., or other testing agencies, as approved by the Director of the Planning and Development Department, or the Director's designated representative.

104.2.1 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas-Amendatory. For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine where the proposed work constitutes substantial improvement or repair of substantial damage. Where the building official determines that the proposed work constitutes

affidavit of the owner or the qualified applicant or a signed statement of the qualified applicant witnessed by the code official or his designee, informing that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. The full names and addresses of the owner, lessee, applicant and the responsible officers, if the owner or lessee is not a natural person, shall be stated on the application. The owner of the building or structure shall at all times retain ownership rights and authority for use and control of such application and any related subsequent permits issued pursuant to this code.

105.2 Work Exempt from Permit-Amendatory. Exemptions from permit requirements of this code shall comply with the Building Code of the City, Title 51, Tulsa Revised Ordinances, Section 105.2.

105.3.3 Payment of Permit Fees-Added. Upon acceptance of application for a permit, an application fee shall be paid. The permit and associated documents shall then be reviewed and, upon approval, the applicant shall be notified the permit is ready and advised of what remaining fees are due. In order for the permit to be valid, all fees shall have been paid in full and the permit posted at the job site prior to beginning construction. Payments for permits shall be due upon notification to applicant that the permit has been approved and is ready to be issued. Any permit not paid within thirty (30) days after notification may be deemed void by the code official and the application fee shall then be forfeited.

105.3.4 Eating or Drinking Establishments-Added. Each applicant for a permit for a structure to be used as an eating or drinking establishment shall provide two (2) additional copies of the plans and specifications for the proposed structure. The Tulsa City-County Health Department shall determine whether the proposed construction for the eating or drinking establishment meets current health requirements as provided in the Tulsa Revised Ordinances.

105.3.5 Zoning Clearance Permit Required-Added. The code official shall not issue a building permit for any building or other structure until and unless the code official is furnished a zoning clearance permit issued by the zoning official stating that the use or occupancy of such building or structure complies with or, upon completion, will comply with the applicable zoning ordinances of the City of Tulsa.

105.3.6 Alarm Industry Act Adopted and Incorporated by Reference-Added. Alarm Industry Act, Title 59 O.S. Section 1800.1 *et seq.* as amended is hereby adopted by reference and incorporated into this code as if set out at-length here, save and except any portions which may be added, deleted or amended in this title.

105.3.6.1 Fire Extinguisher Industry Act Adopted and Incorporated by Reference-Added. Fire Extinguisher Industry Act, Title 59 O.S. Supp. 2007, Section 1820.1 *et seq.* as amended is hereby adopted by reference and incorporated into this code as if set out at-length here, save and except any portions which may be added, deleted or amended in this title.

substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of the Building Code of the City of Tulsa Title 51, Tulsa Revised Ordinance, Chapter 1, Section 1612. The cost used in the substantial improvement determination shall be the cumulative costs of all previous improvements for a specific building or structure occurring during the immediate past 10-year period.

104.10.1 Flood Hazard Areas, Areas Prone to Flooding-Amendatory. The code official shall not grant modifications to any provision related to flood hazard areas and areas prone to flooding, as established by the current City of Tulsa Regulatory Floodplain Map Atlas, without the grant of a variance by the Stormwater Drainage and Hazard Mitigation Advisory Board, as provided in Title 11-A, Tulsa Revised Ordinances.

104.10.2 Modifications Affecting Life and Fire Safety-Added. Modifications affecting life and safety shall be approved by the fire code official and code official. The details of action granting modifications shall be recorded and entered in the files of the Development Services Division of the Planning and Development Department.

105.1 Permits Required-Amendatory. Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, substantially improve or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

105.1.1 Annual permit-Amendatory. An annual permit is a yearly permit which represents a group of individual permits for each alteration to an already approved electrical, gas, mechanical or plumbing installation. The building official is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.

105.1.2 Annual Permit Records-Amendatory. The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit, in accordance with Title 50, Tulsa Revised Ordinances, entitled "Annual Permits." The code official shall have access to such detailed records of alterations at all times or such records shall be filed with the code official as designated. At the completion of the entity's annual permit term, the applicant shall file such detailed records of alterations with the building official. Pursuant to the authority of 59 O.S. § 1000.25, the building official shall collect fees for each individual permit which is part of the annual permit once the detailed records are submitted and remit such fees to the OUBCC.

105.1.3 By Whom an Application is Made-Added. An application for a permit shall be made by the owner or lessee of the building or structure, or the agent of either, or by the licensed architect or engineer employed in connection with the proposed work. If an application is made by a person other than the owner in fee, it shall be accompanied by an

105.3.6.2 Fire Sprinkler Permits-Added. The code official shall not issue a permit for the installation, alteration or repair, of fire sprinkler systems, and related equipment, including standpipes, and hose connections to fire sprinkler systems, air line systems used in connection with fire sprinkler systems, and connect tanks and pumps, until the person, firm, corporation or limited liability company installing the same shall have on file with the City of Tulsa a surety bond in the amount of Two Thousand Five Hundred Dollars (\$2,500.00). Such bond shall be on a form satisfactory to the City, guaranteeing payment of all obligations and guaranteeing the work to be installed in accordance with the provisions of this code. No person, firm, corporation or limited liability company shall install automatic fire sprinkler systems unless licensed as provided in Title 59 O.S. Section 1800.1 *et seq.*, as amended, and related rules and regulations.

105.3.6.3 Licensing-Added. All fire alarm and fire sprinkler systems governed by this code shall be installed, inspected and repaired by licensed firms and technicians in compliance with occupational licensing laws and regulations promulgated by the Oklahoma Department of Labor, and published in the Oklahoma Administrative Code (OAC), Section 380:75. All fire extinguisher systems governed by this code shall be installed, inspected and repaired by licensed firms and technicians in compliance with occupational licensing laws and regulations promulgated by the Oklahoma State Fire Marshal Commission, and published in the Oklahoma Administrative Code (OAC), Section 265:50.

106.2.2 Fire Protection System(s) Shop Drawings-Amendatory. Shop drawings for fire protection systems shall be submitted to indicate conformance with this code and construction documents. An application for a permit shall be submitted prior to the start of system installation. Any applicant for a permit that begins construction activities prior to an approved permit being issued shall be proceeding at their own risk. Regardless, a permit shall be issued before a rough-in inspection may be requested for the system(s) and prior to the system(s) being concealed. Shop drawings shall contain all information required by the installation standards referenced in Chapter 9 of the *International Building Code*.

***106.2.5 Construction Documents Site plan-Amendatory.** The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, property boundaries, distances from lot lines, the established grades and the proposed finished grades, easements, rights-of-way, utilities and, as applicable, flood hazard areas, floodways, design flood elevations and finished floor elevations; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

106.3.1.1 Approval of Water and Sewer Plans-Added. If the property is not served by an adequate public water supply or public sanitary sewer system, each applicant for a permit for

a structure requiring a water supply and sewage disposal shall develop the site in accordance with adopted City ordinances.

107.3 Temporary Power-Amendatory. The building official is authorized to give permission to temporarily supply and use power in part of an electrical installation before such installation has been fully completed and the final inspection has been approved. The part covered by the temporary permit shall comply with the requirements specified for temporary lighting, heat or power in the Electrical Code of the City of Tulsa, Title 52, Tulsa Revised Ordinances.

108.2 Schedule of Permit Fees-Amendatory. All permit and inspection fees for work encompassed in this chapter shall be paid in accordance with the schedule established in Title 49, Tulsa Revised Ordinances, Chapter 3.

108.3 Building Permit Valuations-Amendatory. The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the code official, the valuation is underestimated on the application, the permit shall be (1) denied, or (2) approved using an adjusted valuation substituted by the code official or (3) approved using a valuation submitted by the applicant based upon detailed estimates meeting the approval of the code official. Final building permit valuation shall be set by the code official.

109.3.3 Lowest Floor Floodplain Elevation Certificate-Amendatory. For additions and substantial improvements to existing buildings in flood hazard areas, upon placement of the lowest floor, including basement, and prior to further vertical construction, the elevation documentation required in the Building Code of the City of Tulsa Title 51, Tulsa Revised Ordinance, Chapter 1, Section 110.3.3 shall be submitted to the code official.

109.3.3.1 Final Floodplain Elevation Certificate-Added. Prior to the final inspection, a final elevation certificate shall be required for additions and substantial improvements to existing buildings in flood hazard areas, as established by the current City of Tulsa Regulatory Floodplain Map Atlas. The final elevation certificate shall be prepared by a land surveyor or engineer licensed by the State of Oklahoma, using an appropriate form provided by the code official.

109.3.3.2 Flood-proofing Certificate-Added. In lieu of elevating an existing non-residential structure to a certified minimum finished floor elevation as provided in Sections 109.3.3 and 109.3.3.1 of this code, an existing non-residential structure located in an area prone to flooding, as established by the current City of Tulsa Regulatory Floodplain Map Atlas, undergoing substantial improvement, may be flood-proofed in accordance with Building Code of the City of Tulsa Title 51, Tulsa Revised Ordinance, Chapter 1, Section 110.3.3.2.

109.6 Approval Required-Amendatory. No work shall be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. Upon notification, the code official shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder where it fails to comply with this code. Any part that does not comply shall be corrected and such portion shall not be covered, concealed or occupied until authorized by the code official. Work that is covered or concealed, or occupied without approval of the code official shall be in violation of this code and shall be penalized by the imposition of a civil fine as provided in Title 49, Tulsa Revised Ordinances, Chapter 1, for each occurrence and may result in a hearing before the Board of Appeals as established by Title 51, Chapter 1, Tulsa Revised Ordinances. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense. The assessment or payment of this penalty shall not relieve any person from fully complying with all requirements of this code nor shall such payment exempt the person from further penalty provided by law.

110.1.1 Bond Required-Added. The code official, or designated representative, shall not issue a permit for the demolition or destruction of a building or structure until a suitable bond has been provided, protecting the adjacent property from damages. Such bond shall be in the minimum amount as provided in Title 49, Tulsa Revised Ordinances, Chapter 3, and may be increased if in the opinion of the code official the location of the building to be demolished or destroyed requires a larger bond. The code official, or designated representative, may waive the requirement of bond if the official is satisfied that the particular building or structure can be demolished or destroyed without damage to adjoining buildings or properties.

112.1 Appeals-Amendatory. Any person aggrieved by a decision of the code official may appeal the decision to the Board of Appeals as established by Title 51, Chapter 1, Tulsa Revised Ordinances.

113.4 Violation Penalties-Amendatory. It shall be unlawful and a misdemeanor offense for any person or limited liability company to violate any of the provisions of this code, fail to comply with any of the requirements thereof, or erect, construct, repair, alter or change the occupancy of a building or structure in violation of approved construction documents, a directive of the code official, or of a permit or certificate issued under the provisions of this code. Any person or limited liability company convicted of a violation of this code shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than One Thousand Two Hundred Dollars (\$1,200.00), excluding costs, fees and assessments, or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense.

113.5 Abatement of Violation-Added. The imposition of civil or criminal penalties prescribed in this code shall not preclude the City Attorney from instituting appropriate action to restrain or enjoin unlawful construction, the illegal occupancy of a building, or to stop an illegal act, conduct, business, or operation of systems or to abate any such violation.

114.3 Unlawful continuance-Amendatory. It shall be unlawful and a misdemeanor offense for any person or limited liability company to continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition. Any person or limited liability company convicted of a violation of this code shall be guilty of a misdemeanor offense and shall be punished by a fine of not more than One Thousand Two Hundred Dollars (\$1,200.00), excluding costs, fees and assessments, or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. Each day, or portion thereof, during which a violation is committed, continued or permitted shall be deemed a separate offense.

117. Demolition-Deleted. Section 117, including Sections 117.1, 117.2, 117.3 and 117.4 of the *ICC International Existing Building Code*, 2015 Edition are intentionally deleted from this code. (See Title 24, Tulsa Revised Ordinances, entitled "Nuisances," Chapters 1, 2 and 4, for related abatement and demolition activities relevant to existing buildings classified as nuisance, dilapidated or unsecured.)

202.0 General Definitions-Amendatory. Section 202.0 of the *ICC International Existing Building Code*, 2015 Edition is adopted as published, provided that the following definitions in Section 202.0 are amended to read as follows:

Existing Building or Existing Structure-Amendatory. A building or structure for which a legal building permit has been issued. For application of provisions in flood hazard areas, an existing structure is any building or structure for which the start of construction commenced before the effective date of the community's first floodplain management code, ordinance or standard.

Flood Hazard Area-Amendatory. For all buildings or structures located inside the city's corporate limits, the flood hazard area shall be as designated on the City of Tulsa Regulatory Floodplain Map Atlas.

Substantial Improvement-Amendatory. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure, either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred. For purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. This term shall not, include:

1. Any project(s) for improvement of a structure to comply with existing health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or
2. Any alterations of a structure listed on the National Register of Historic Places or State Inventory of Historic Places.

The cost used in the substantial improvement determination shall be the cumulative costs of all previous improvements for a specific building or structure occurring during the immediate past 10-year period.

[FG] 702.6.1 International Fuel Gas Code-Amendatory. The following sections of the *International Fuel Gas Code* shall constitute the fuel gas materials and methods requirements for Level 1 alterations.

1. All of Chapter 3, entitled General Regulations, except Sections 303.7 and 306.
2. All of Chapter 4, entitled Gas Piping Installations, except Sections 401.8 and 402.3.
 - 2.1 Sections 401.8 and 402.3 shall apply when the work being performed increases the load on the system such that the existing pipe does not meet the size required by code. Existing systems that are modified shall not require resizing as long as the load on the system is not increased and the system length is not increased, even if the altered system does not meet code minimums.
3. All of Chapter 5, entitled Chimneys and Vents.
4. All of Chapter 6, entitled Specific Appliances.
5. All appliances shall be installed according to the manufacturer's installation instructions for service, repair or maintenance.

804.2.1 High-rise Buildings-Amendatory. In high-rise buildings, work areas shall be provided with automatic sprinkler protection.

804.2.1.1 Supplemental Automatic Sprinkler System Requirements-Amendatory. High-rise building owners shall produce a copy of, or enter into an agreement with the City of Tulsa providing that the owner shall install an automatic fire sprinkler system throughout the building by a specific date, approved by the code official. The code official shall provide the form of agreement to be used by the owner. Once this agreement is fully executed, it shall be filed in land records maintained by the appropriate County Clerk prior to the issuance of any associated permit.

Exception: Buildings that comply with Title 14, Tulsa Revised Ordinances, Chapter 1, ICC International Fire Code 2015 Edition Section 1103.5.7, as amended.

804.2.2 Groups A, B, E, F-1, H, I, M, R-1, R-4, S-1, and S-2-Amendatory. In buildings with occupancies in Groups A, B, E, F-1, H, I, M, R-1, R-4, S-1, and S-2, work areas that include exits or corridors shared by more than one tenant or that have exits or corridors serving an occupant load greater than thirty (30) shall be provided with automatic sprinkler protection, where the work area is required to be provided with automatic sprinkler protection in accordance with the *International Building Code* applicable to new construction.

804.2.2.2 Group R-2-Added. Work areas within R-2 occupancies shall be provided with automatic sprinkler protection.

804.2.3 Stories without openings -Amendatory. Work located in stories without openings, as determined in accordance with the *International Building Code*, shall be sprinklered where the work area is required to be sprinklered under the provisions of the International Building Code for newly constructed buildings.

804.2.4 Other Required Suppression Systems-Amendatory. In buildings and areas listed in Table 903.2.11.6 of the *International Building Code*, work areas that have exits or corridors shared by more than one (1) tenant or that have exits or corridors serving an occupant load greater than thirty (30) shall be provided with automatic sprinkler protection where the work area is required to be provided with automatic sprinkler protection in accordance with the *International Building Code* applicable to new construction.

805.2 General-Amendatory. The means of egress shall comply with the requirements of this section.

Exception: Means of egress conforming to the requirements of the building code under which the building was constructed shall be considered compliant means of egress if, in the opinion of the code official and the fire code official, they do not constitute a distinct hazard to life.

904.1.1 High-rise Buildings -Amendatory. In high-rise buildings, automatic fire sprinkler protection shall be provided in compliance with the requirements of Sections 804.2.1 and 804.2.1.1 of this code.

1203.2 Fire Safety-General-Amendatory. Every historic building that does not conform to the construction requirements specified in this code for the occupancy or use and that constitutes a distinct fire hazard as defined herein shall be provided with an approved automatic fire-extinguishing system as determined appropriate in the written joint opinion of the code official and the fire code official. However, an automatic fire-extinguishing system

shall not be used to substitute for, or act as an alternative to, the required number of exits from any facility.

1203.12 Automatic Fire-Extinguishing Systems-General-Amendatory. Every historical building that cannot be made to conform to the construction requirements specified in the *International Building Code* for the occupancy or use, and that constitutes a distinct fire hazard shall be deemed to be in compliance if provided with an approved automatic fire extinguishing system.

Exception: When an alternative life-safety system is approved in the written joint opinion of the code official and the fire code official.

1303 House Mover License-Added.

1303.1 License Required-Added. Every person who shall engage in the business of moving buildings or structures which require moving permits within the City of Tulsa shall obtain a license from the City of Tulsa Permit & Licensing Center. This license shall be granted upon the terms and conditions specified in this code, and shall be subject to denial, suspension, revocation or cancellation for any violation of this code, pursuant to the procedures specified in Title 21, Section 111, Tulsa Revised Ordinances.

1303.1.1 Application for License-Added. Any applicant seeking a house mover license shall, at the time of application, pay all required fees and deposits, as provided in Title 49, Tulsa Revised Ordinances, Chapter 3; present evidence of public liability insurance coverage; and post all required bonds. In addition the applicant shall file with the code official an affidavit of ownership, containing the business name to be used by the applicant, the names and addresses of all principals or officers in the business, and the names of all agents or employees having a proprietary interest in the business.

1303.1.2 Licensee Responsibility-Added. Every person licensed to engage in the business of house moving shall ensure that the licensee's agents and employees comply with all requirements imposed by this code. For purposes of denial, suspension, revocation or cancellation of a license issued under authority of this code, the license holder shall have the same responsibility for all acts of the licensee's agents and employees as though such acts were performed by the licensee.

1303.2 Equipment Identification-Added. All prime movers, tractors, trucks and other motorized vehicles owned, leased, rented, borrowed or otherwise under the control of a licensed house mover and being used for the preparation of, or moving of a building or structure shall be plainly identified by the name and municipal license number of the house mover displayed on the door panels of such vehicle at all times. Identification markings shall consist of numbers and letters not less than two (2) inches in height and of a

contrasting color. All moving beams and moving dollies shall be marked with the owner's name which shall be painted, stenciled, branded or bead welded on each item in letters not less than two (2) inches in height.

1303.3 Bond Required-Added. The bond to be given by a licensed house mover shall be executed to the City of Tulsa as provided in Title 49, Tulsa Revised Ordinances, Chapter 3, with a surety company authorized to do business in the state of Oklahoma. The bond shall be for the benefit of the City and any private person or corporation sustaining damages under the conditions of the bond. Any private person, corporation or limited liability company shall be entitled to sue for payment on the bond, in their own name. The bond shall be conditioned, among other things, that if such license shall be granted, the licensee shall in all respects comply with the ordinances of the City of Tulsa relating to the moving of buildings or structures and to the use or obstruction of the streets, highways and other places of the City, and that the licensee will save, indemnify and protect the City from all liability which may arise or be occasioned either directly or indirectly from the moving of any building or structure by such licensee, licensee's agents, servants, employees, workers, contractors or subcontractors. The bond shall be further conditioned that the licensee shall pay all damages which may be caused to any person or to any property, either public or private, within the City of Tulsa by the licensee or the licensee's agents, servants, employees, workmen, contractors or subcontractors and that the licensee shall pay for all damages to property of others caused by a moving operation while engaged in any work in connection with the moving of any building or structure, including any loss or damages which may be sustained because of the stoppage of any business or industry located along the route over which such building or structure shall be moved, caused by the operation of moving such building or structure.

1303.4 Cash Deposits-Added. Prior to the issuance of a house mover license, the license applicant shall deposit with the City of Tulsa a sum of money as provided in Title 49, Tulsa Revised Ordinances, Chapter 3, for the purpose described in this Section 1303.4 of this code. This deposit, or any part of it, shall be used to reimburse the City of Tulsa for actual damages sustained by any public property owned by the City of Tulsa as a direct result of any moving operation under the supervision or control of the house mover. It shall be the duty of the Director of Planning and Development, or the Director's designated representative, to immediately repair damages to traffic control devices, which are necessary to operate properly for public safety. Any charges for such repairs will be taken from the cash deposit. Further, the Director of Planning and Development, or the Director's designated representative, will advise the licensee of any other damages to public property and, in the event that the licensee shall fail to repair or restore all damaged public property within two (2) working days after receipt of such notice, any portion or all of such deposit may be used to reimburse the City of Tulsa for damages to public property. In the event such deposit is insufficient to make such repairs, the City of Tulsa may proceed against the surety on the bond posted by the licensed house mover for any and all expenses incurred in

- 1.2 Schedule a hearing date before the City Council;
 - 1.3 Mail written notice to all owners of the real property included in the proposed route of travel from the lot of origin to the first arterial street and from the last arterial street to the final destination, if applicable, indicating that an application for a house moving permit has been requested and when a hearing will be held.
2. Upon filing an application for a permit with the Development Services Division of the Planning and Development Department of the City of Tulsa, the house moving contractor shall post the affected property at least five (5) days before the date of the hearing. The notice shall state the date, time, and place of the hearing; the proposed move date; the name of the house moving Company; and other such information as the code official may deem necessary to provide adequate and timely public notice.

1303.7 House Moving Permit-Added.

1303.7.1 Work Preparation Permit Required-Added. No person, firm, corporation or limited liability company shall prepare a building or structure to be moved or relocated within the corporate limits of the City of Tulsa without a work preparation permit issued by the code official when:

1. The building or structure, when loaded for transit, has a width of more than fourteen (14) feet at its widest point as measured at the point of greatest projection at a right angle to the direction of travel; or
2. The building or structure, when loaded for transit, is more than thirteen (13) feet, six (6) inches high as measured from the roadway to the highest point on the roof; or
3. The building or structure is more than thirty (30) feet long.

1303.7.1.1 Exclusions-Added. No moving permit under the provisions of this code shall be required for the movement of mobile homes, structures, vehicles or trailers, which are designed to utilize integral wheels for movement. Structures which are to be moved along the streets of the City of Tulsa, which are not expressly excluded from the terms of this code, shall be moved only after obtaining the approval of the code official.

1303.7.2 Application for Work Preparation Permit-Added. The licensed house mover, or his authorized agent, shall file with the code official a written application for a moving permit, stating:

1. The type or kind of building to be moved;

excess of the licensee's cash deposit. Such deposit shall also be a guarantee to cover delinquent or unpaid permit fees, zoning clearance fees, and all costs incurred in plugging sanitary sewer lines serving the house being moved and any such fees may be deducted from the cash deposit. Whenever any portion of such cash deposit is used under the direction of the code official, the Director of Planning and Development, or the Director's designated representative, shall notify the license holder in writing of the amount used in making such repairs, reimbursements or replacements specified in this Section 1303.4 and instruct the license holder to deposit a corresponding amount so as to keep the deposit at the required amount at all times. No work preparation permits or moving permits shall be issued by the code official until such additional deposit has been made. However, in the event it is necessary for the City to use all or any portion of such deposit as herein provided, then and in that event the license holder shall pay the sum of money as provided in Title 49, Tulsa Revised Ordinances, Chapter 3, which sum is declared to be the amount necessary to defray the reasonable cost and expense to the City in enforcing this provision, including bookkeeping and auditing expenses. Such sum of money as provided in Title 49, Tulsa Revised Ordinances, Chapter 3, shall be deducted from the deposit of the license holder and forthwith paid to the City of Tulsa upon the contingencies stated in this Section 1303.4.

1303.5 Insurance-Added. Every person who shall engage in the business of moving buildings and structures within the City of Tulsa shall maintain a current certificate of insurance on file in the office of the City Clerk of the City of Tulsa. Such insurance shall indemnify the City and the public for claims arising out of work to be performed under such license in amounts as provided in Title 49, Tulsa Revised Ordinances, Chapter 3.

1303.6 City Council Approval Required – Added. The City Council shall hold a hearing on each application transmitted from the City of Tulsa's Permit & License Center on any proposed house moving. The City Council shall approve the application as submitted or as amended, or deny the application.

1303.6.1 Notice of Public Hearing Required – Added. Notice shall be given of the public hearing before the City Council for the proposed move.

1. Upon acceptance of a permit application the Development Services Division of the Planning and Development Department of the City of Tulsa shall:
 - 1.1 Require the applicant to furnish the names and mailing addresses of all owners of the real property, as shown by the relevant county's tax records, included in the proposed route of travel from the lot of origin to the first arterial street, as identified in the City's Major Street and Highway Plan, and from the last arterial street as defined in the Major Street and Highway Plan, to the final destination, if applicable;

1303.7.5 Pre-Move Inspection Required-Added. No building or structure shall be moved to a new location within the corporate limits of Tulsa until such building has been inspected by the code official and found to be structurally sound.

1303.7.6 Building Code Application-Added. No building or structure shall be relocated within the City of Tulsa unless, in the opinion of the code official, such building can be made to comply with the requirements of this code which would govern the requirements for the erection of a new building at the proposed new location.

1303.7.7 Zoning Clearance Permit Required-Added. No building or structure shall be relocated within the corporate limits of the City of Tulsa without a zoning clearance permit as required by the Zoning Code of the City of Tulsa, Title 42, Tulsa Revised Ordinances.

1303.8 Moving Permit-Added.

1303.8.1 Permit Required-Added. Prior to moving any building or structure, or portion thereof, onto any City of Tulsa right-of-way and over or along such right-of-way, a moving permit for each building, structure, or portion thereof, authorizing each scheduled move, shall be obtained from the code official.

1303.8.2 Application for Moving Permit-Added. At least five (5) working days prior to the anticipated movement of any building or structure on any public right-of-way, the work preparation permit holder shall apply for a moving permit at the code official's office. An application for the permit shall contain the following information and attachments:

1. The work preparation permit number;
2. The street address of destination point within City or departure point from City;
3. The date and time requested for start and completion of the move.

1303.9 Duties of Code Official-Added. When a moving permit application is filed with the code official, it shall be the code official's duty to immediately notify the Fire Chief, the Chief of Police, and City of Tulsa Traffic Engineering.

X1303.10 Duties of the Permit Holder-Added. It shall be the duty of the permit holder to:

1. Ensure an approved final inspection for the sewer plug was conducted prior to the razing of the structure;
2. Request an inspection of the structure when in the loaded position prior to the move;

2. The extreme dimensions of the building when loaded for transit, to include height, length and widths at both the base of the building walls and the widest point of overhanging eaves;
3. The present location of the building;
4. The street address of destination point within City or departure point from City;
5. The detailed description of the proposed route of travel to destination or to departure from the City limits; and
6. The zoning clearance permit number, if applicable;
7. The building permit number for the destination point, if applicable;
8. The date and time requested for start and completion of the move.
9. The plumbing permit number for the sanitary sewer plug at the address of the building to be moved; and
10. Whether or not a single building is to be sectioned into parts for movement, and the dimensions of each section, if applicable.

Each application shall include a drawn diagram, clearly dimensioned, that states the widths at both the base of the building walls and at the widest point of overhanging eaves or other projection(s); the diagram shall show the roof ridgeline(s) and direction of travel during the move.

1303.7.3 Self-Certification of Route-Added. Every licensed house mover shall submit a written moving route certifying that the route is passable without obstructions such as but not limited to signs, trees, and high-line wires. If it is necessary to move any building or structure under an overpass, applicant shall certify that the height of the overpass is sufficient to accommodate the loaded height. The house mover is responsible for working with the utility companies to move lines or with the City of Tulsa to move/re-position signs or traffic lights, if necessary.

1303.7.4 Display of Work Preparation Permit-Added. Every work preparation permit shall be securely attached to the front of the building before preparations for movement or relocation have been initiated. The work preparation permit shall remain attached to the building until the building has been moved to its final destination.

3. Provide a 48-hour notice of the date and time of the move to the Permit Center; and
4. Give a 2-hour cancellation notice to the Permit Center in the event of cancellation of the move date.

1303.11 Display of Moving Permit-Added. The moving permit shall be placed at a conspicuously visible location and securely attached to the front of the building being moved, as determined by the direction of travel. The moving permit shall show the permit number, approved move date, scheduled time for the move and approved route for the move.

1303.12 Oversized Buildings and Structures-Added.

1303.12.1 Oversized Buildings and Structures Defined-Added. For purposes of this code, an oversized building or structure is defined as either;

1. A building or structure of a height of more than sixteen (16) feet from the ground to the highest point of the roof, as measured in the loaded condition;
2. A building or structure, when loaded for transit, having a width of more than thirty-two (32) feet at its widest point, as measured at the point of greatest projection at a right angle to the direction of travel or
3. A building or structure, when loaded for transit, has a length not including the towing vehicle of more than sixty-five (65) feet as measured along the greatest projection in the direction of travel.

1303.12.2 Movement of Oversized Buildings-Added. A moving permit for an oversized building or structure, as defined in this code, shall not be issued by the code official until the code official receives written acknowledgment of clearance from overhead wire and cable right-of-way users, Tulsa Fire Department, Tulsa Police Department and Traffic Engineer stating that satisfactory arrangements have been made to ensure that all overhead wires, signals, and other facilities will either clear the moving building or that arrangements have been made to move such obstructions.

1303.12.3 Routing Survey and Special Fee Required-Added. An application for a moving permit to move an oversized building or structure as defined in this code shall be accompanied by a fee as provided in Title 49, Tulsa Revised Ordinances, Chapter 3. Such fee shall be in addition to all other permit fees required by this code.

1303.13 Conduct of House Moving Operations-Added.

1303.13.1 Hours of Movement-Added. The movement of any building or structure shall be restricted to the hours of 9:30 a.m. to 11:30 a.m. and 1:30 p.m. to 3:30 p.m. Monday through Friday, excluding holidays.

1303.13.2 Lights Required-Added. In the event the move cannot be completed during the hours specified in Section 1303.13.1 of this code, every building or structure, which occupies or travels upon any portion of a public right-of-way within the one-half (1/2) hour after sundown or within the one-half (1/2) hour before sunrise shall be marked with at least six (6) continuously burning lights. One light shall be placed at each corner of the structure, and one light shall be placed in the middle of each side of the structure as determined by the direction of travel. Such lights shall be attached to indicate extreme width and length of the building. The color of the lights shall comply with the laws of the state of Oklahoma.

1303.13.3 Motor Escort and Police Escort Required-Added. Each building or structure requiring a permit to be moved shall be escorted by a Motor Escort service and Police Escort at all times while traveling on any public street or right-of-way within the City of Tulsa. The Police Escort is to be arranged through the Special Events Coordinator. Associated fees incurred with such service will be handled through the Special Events Office, separate from the moving permit fees. City of Tulsa personnel will provide escort on an "as needed" basis as determined by City of Tulsa Traffic Engineering. When this escort is required, an hourly fee plus mileage shall be collected to defray expenses incurred by the City, as provided in Title 49, Tulsa Revised Ordinances, Chapter 3.

1303.13.4 Time Limitations on Moving Permits; Right-of-Way Changes-Added. The work of preparing a building for moving and the actual moving of any building or structure on, over, along or across any street or highway shall be completed within three (3) months after the issuance of a work preparation permit. A moving permit shall be obtained in accordance with the requirements of this code prior to the moving of any building or structure on, over, along or across any street or highway. If a move is not performed as scheduled on the moving permit, a new moving permit shall be obtained from the code official without the payment of any additional fee; provided that if an approved right-of-way is found to be blocked in a manner which prevents its use at the time authorized on the right-of-way permit, an on-the-spot change in the scheduled right-of-way route may be obtained from the Tulsa Fire Chief. It shall be the duty of the Fire Chief to identify the alternate route authorized for use, and such alternate route shall be noted for record in the Fire Chief's watch log. The absence of any entry in the Fire Chief's watch log approving an alternative route shall constitute *prima facie* evidence that any departure from the route shown on the moving permit was unauthorized.

1303.14 Moving Buildings or Structures into the City of Tulsa from Points Outside Municipal Limits-Added. Moving buildings or structures into the City of Tulsa from points outside the municipal limits shall be approved by the code official. The code official shall collect an inspection fee as provided in Title 49, Tulsa Revised Ordinances, Chapter 3, for the round trip to and from the structure and 175 E 2nd St, Tulsa, Oklahoma. No building or structure which is destined to a point outside the corporate limits of the City of Tulsa shall be moved from a point outside the City of Tulsa on, over, along or across any street or highway in the City of Tulsa.

1303.15 Delays En route; Delay in Movement After Preparation-Added. When a structure has been prepared for movement, but the actual movement has not occurred within five (5) calendar days, all floor and first story openings into the building or structure shall be sealed with plywood or its equivalent in a manner sufficient to prevent the entry of children into the building or structure. When the movement of any building or structure is temporarily halted en route, and the building or structure is parked on private property for more than five (5) calendar days, such building or structure shall be similarly secured, or, in the alternative, a full-time guard shall be maintained at the location. A building or structure shall not be parked or stored on a public right-of-way, or any portion thereof, without the prior approval of the Mayor or the Mayor's authorized representative. A building or structure shall not be parked or stored on private property without the property owner's prior consent and knowledge and without a zoning clearance permit issued by the code official.

1303.16 Required Right-of-Way Passage Clearance; Obstructions in Right-of-Way-Added. Authorization obtained under this code for the use of public rights-of-way is conditioned upon observance of the following minimum requirements.

1. **Movement on Certain Streets Restricted.** A building or structure shall not be moved on, over, along or across any street or highway which is designated as either a primary or secondary arterial street on the City of Tulsa Major Street and Highway Plan, unless such building or structure shall be of a width so that there shall be an unobstructed passageway of at least ten (10) feet in width for vehicular traffic at all times during the movement of vehicular traffic in such street or highway.
2. **Poles and Wires.** Whenever it is necessary to raise or cut any overhead wire or cable to facilitate the moving of any structure, it shall be the duty of the house mover to give the overhead wire or cable right-of-way user owning, maintaining, or operating such poles, wires or cables at least twelve (12) hours written notice of when and where the removal of such poles or the raising or cutting of such wires or cables will be necessary. In cases where the wires or cables to be raised or cut contain either fire or police telephone or alarm systems, the Fire or Police Chief, as appropriate, shall be notified. After service of the required notice, it shall be the duty of the overhead wire and cable right-of-way user owning, operating or maintaining such poles, wires or

cables to furnish competent workers to remove such poles or to raise or cut such wires or cables. The licensed mover shall be responsible for paying all actual expenses incurred by any overhead wire and cable right-of-way user in removing, raising or cutting any poles, wires or cables.

3. **Trees and Fixtures.** No tree on any street shall be injured or removed nor the branches of any tree cut or trimmed without the prior consent of the affected property owner.
4. **Obstruction of Railway Tracks.** If it is necessary to move any building or structure across any railway tracks, it shall be done in such a manner and at such time as to eliminate any interference with the operation of trains.

1303.17 Additional Safety Requirements Authorized-Added. The requirements of this code are to be construed as minimum requirements. In individual cases, the code official shall have the power and authority to require the use of additional precautionary safety measures other than those specifically identified in this code.

1303.18 Required Inspection and Repairs-Added. The code official shall be authorized to inspect, or to require approved professionals to inspect at the expense of the owner, the various structural parts of a relocated building to verify that structural components and connections have not sustained structural damage. Any repairs required by the code official, as a result of such inspection, shall be made prior to the final approval. The code official shall be authorized to inspect the site of origin two (2) weeks after the move date to confirm that the lot has been cleared, cleaned, and safe from debris. In addition, the site must be properly vegetated to prevent soil erosion.

1303.19 Violations and Penalties-Added.

1303.20 Fines and Imprisonment Authorized-Added. Any person, firm, corporation or limited liability company convicted of a violation of any provision of Sections 1301 et seq of this code or failing to comply with any requirements or conditions imposed by Sections 1301 et seq of this code shall be guilty of a misdemeanor offense and shall be punished by a fine of not less than Three Hundred Dollars (\$300.00) nor more than Five Hundred Dollars (\$500.00), excluding costs, fees and assessments, or by imprisonment for a period not exceeding ninety (90) days, or by both such fine and imprisonment. For purposes of this section, such person, firm, corporation or limited liability company shall be deemed guilty of a separate offense for each day a violation is permitted to continue after receipt of a written notice of violation.

1303.21 Revocation or Suspension of License Authorized-Added. Notwithstanding the imposition of any fine or imprisonment authorized by this code, the code official shall have

the power and authority to deny, suspend, revoke or cancel the license of any person, firm, corporation or limited liability company which violates any provision of this code, or fails to comply with any requirements or conditions imposed by this code.

1401.2 Applicability-Amendatory. Existing buildings or existing structures, for which the initial building permit was issued prior to January 1, 1994, in which there is work involving additions, alterations or changes of occupancy shall be made to conform to the requirements of this chapter or the provisions of Chapters 5 through 13. The provisions of Sections 1401.2.1 through 1401.2.5 of this code shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R and S. For the purposes of this Chapter 14, all references to Group S-1 shall apply to Group U. These provisions shall not apply to buildings with occupancies in Group H or Group I-1, I-3, or I-4.

Chapter 16 Referenced Standards-Amendatory. The American Society of Mechanical Engineers (ASME) is amended to read as follows:

ASME		American Society of Mechanical Engineers 3 Park Avenue New York, NY 10016	
Standard reference number	Title	Referenced in code section number	
A17.3-11	Safety Code for Existing Elevators and Escalators.....	902.1.2	

- (1) Substitute "*International Building Code®*" with "*IBC®-15 International Building Code®*" as adopted and modified by the State of Oklahoma through the OUBCC".
- (2) Substitute "*International Energy Conservation Code®*" with "*IECC®-06 International Energy Conservation Code®*".
- (3) Substitute "*International Fire Code®*" with "*IFC®-15 International Fire Code®*" as adopted and modified by the State of Oklahoma through the OUBCC".
- (4) Substitute "*International Fuel Gas Code®*" with "*IFGC®-15 International Fuel Gas Code®*" as adopted and modified by the State of Oklahoma through the OUBCC".
- (5) Substitute "*International Mechanical Code®*" with "*IMC®-15 International Mechanical Code®*" as adopted and modified by the State of Oklahoma through the OUBCC".
- (6) Substitute "*International Plumbing Code®*" with "*IPC®-15 International Plumbing Code®*" as adopted and modified by the State of Oklahoma through the OUBCC".
- (7) Substitute "*International Residential Code®*" with "*IRC®-09- International Residential Code®*" as adopted and modified by the State of Oklahoma through the OUBCC".

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(8) Substitute "National Electrical Code®" with "70-14 National Electrical Code® as adopted and modified by the State of Oklahoma through the OUBCC".

Appendices A, B and C - Deleted. The following appendices of the *ICC International Existing Building Code*, 2015 Edition, are intentionally deleted from this code:

APPENDIX A GUIDELINES FOR THE SEISMIC RETROFIT OF EXISTING BUILDINGS

APPENDIX B SUPPLEMENTARY ACCESSIBILITY REQUIREMENTS FOR EXISTING BUILDINGS AND FACILITIES

APPENDIX C GABLE END RETROFIT FOR HIGH WIND AREAS

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

Section 3. SEVERABILITY. If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. EMERGENCY CLAUSE. That because the revisions enacted by this ordinance are essential to the regulation of building, electrical, mechanical, plumbing trades; and fire prevention, 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: OCT 29 2015
Date


Chair of the Council

ADOPTED as an emergency measure: NA
Date

NA
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

Dewey F. Bartlett, Jr., Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: **NOV 02 2015**,
Date

at _____
Time

Dewey F. Bartlett, Jr.
Mayor



Michael P. Keel
City Clerk

APPROVED:

Carol E. McIlhenny 11/3/15
City Attorney *vr*