

ZONING ORDINANCE
SLAUGHTERVILLE, OKLAHOMA

June 15, 2010

TOWN OF SLAUGHTERVILLE, OKLAHOMA

ORDINANCE NO. 55

AN ORDINANCE REPLACING ORDINANCE NO. 55 OF THE CODE OF ORDER OF THE TOWN OF SLAUGHTERVILLE, CLEVELAND COUNTY, OKLAHOMA.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA;

THE BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA HEREBY DELETES ALL OF ORDINANCE NO. 55 "ZONING ORDINANCE" OF THE CODE OF ORDINANCES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA AND REPLACES SAME IN ITS ENTIRETY BY ENACTING AND ADOPTING THE FOLLOWING ZONING ORDINANCE, TO WIT:

AN ORDINANCE OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA ADOPTING AND ENACTING THE ZONING ORDINANCE, COMPILED, REVISED, AND PUBLISHED BY THE AUTHORITY OF THE TOWN BOARD OF TRUSTEES OF THE TOWN OF SLAUGHTERVILLE, OKLAHOMA, CONTAINING PERMANENT, SPECIFIC, AND GENERAL ORDINANCES REGARDING ZONING; PROVIDING FOR DEFINED ZONING DISTRICTS, AND PROVIDING REGULATIONS FOR THE USE OF LAND AND BUILDINGS WITHIN EACH DISTRICT; DECLARING THE SEVERABILITY OF EACH PART HEREOF AND DECLARING AN EMERGENCY.

PASSED AND APPROVED this 15th day of June, 2010.

TOWN OF SLAUGHTERVILLE, OKLAHOMA

BY: _____
Mayor

ATTEST:

TOWN CLERK

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ARTICLE 1. ADMINISTRATIVE AND GENERAL PROVISIONS

Section 1. Citation and Authority.

The Zoning Standards contained herein, together with all amendments and the Comprehensive Plan and the Official Zoning Districts Map, shall officially constitute the Zoning Ordinance for the Town of Slaughterville, Oklahoma, and have been prepared, adopted and enacted pursuant to the authority granted the Town of Slaughterville, Oklahoma, by the Oklahoma State Legislature in Title 11, Oklahoma Statutes, 1991, Sections 43-101, et. seq., 44-101 et. seq., and 45-101 et. seq., as may be amended from time to time.

Section 2. Statement of Purpose.

The Zoning Regulations and the Zoning Districts herein established have been developed in accordance with the Town of Slaughterville's Comprehensive Plan, for the purpose of promoting the health, safety and general welfare of the residents of the Town and are being enacted with public hearings regarding the same. The regulations contained herein are necessary to encourage the most appropriate use of land and to maintain and stabilize the value of property.

The objectives of this Ordinance are to provide for the regulation of buildings, structures and land in accordance with the Comprehensive Plan. This Ordinance is designed to accomplish the following objectives:

1. To maintain a rural setting while promoting a community atmosphere.
2. To lessen congestion in the streets.
3. To reduce fire hazards and other dangers, and improve public safety.
4. To promote health and general welfare, including the peace and quality of life of the Town.
5. To provide adequate light and air.
6. To prevent the overcrowding of land.
7. To promote historical preservation.
8. To avoid undue concentration of population.
9. To facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements.
10. To create a comprehensive and stable pattern of land use throughout the Town, and promote neighborhood stability.

These regulations are made with reasonable consideration as to the character of districts within the Town of Slaughterville and the suitability of particular uses within the various districts; and with a view to conserving the value of property and encouraging the most appropriate use of land throughout the Town.

Section 3. Jurisdiction.

This Zoning Ordinance shall be in effect within the jurisdictional area of the Town of Slaughterville, Oklahoma. The Board of Trustees and their designated representatives have the right and the authority to go onto property located within the Town limits of Slaughterville for purposes of inspection of the premises and enforcement of the rules and regulations set forth in this Ordinance.

Section 4. Planning and Zoning Commission.

The Town of Slaughterville's Municipal Planning and Zoning Commission shall have authority as an advisory Board over all matters concerning this Zoning Ordinance and all matters relating to regulations and boundaries of all Zoning Districts. The Planning and Zoning Commission shall be appointed and have such duties and hold hearings as set forth in Title 11 O.S.§45-101 et.seq. This Commission makes recommendations to the Board of Trustees for final resolution.

Section 5. Zoning Districts Established.

The following Zoning Districts are hereby established for current and future use within the corporate limits of the Town of Slaughterville, Oklahoma. Zoning Districts currently in use shall be as shown on the Official Zoning Districts Map of the Town of Slaughterville, Oklahoma. The use, height and area regulations as set out herein shall be uniform within each District. Development in floodplains as defined by the Floodplain Management Program and the Flood Damage Prevention Ordinance for the Town of Slaughterville are governed by the terms and conditions set forth therein regardless of the Zoning District.

1. Sub-district classifications are defined as Area "A", Area "B" and Area "C" as follows:
 - a. Area "A" is that area which is essentially the main business area of Slaughterville or Sections 5, 6, 7, 8, 17, 18, 19, 20, 29 and 30, all in T-7-N, R-1-W. This area is easily accessible to the highway and has adequate roads to support growth. The minimum lot size requirements are 2½ acres for residential zoned areas and 5 acres for agricultural zoned areas.
 - b. Area "B" is identified as that area which is along Maguire Road and contains large pockets of population without adequate roads to support growth. This area consists of Sections 28, 27, 26, 25, 36, 35, 34, and 33 in T-8-N, R-1-W and Sections 30 and 31 in T-8-N, R-1-E. The minimum lot size requirements are 2½ for residential zoned areas and 5 acres for agricultural zoned areas.

c. Area “C” encompasses the rest and remainder of the Town which is mainly agricultural land use and has sparse population. Area “C” is increased to a minimum lot size of 5 acres for residential zoned areas and 10 acres for agricultural zoned areas.

2. The Zoning Districts established herein shall be:

Abbreviated Designation	Zoning District Name
AR-1 (Area C)	Agricultural / Residential District Low Density
AR-2 (Area A and B)	Agricultural / Residential District Higher Density
RL-1 (Area C)	Low Density Residential District
R-1 (Area A and B)	Single-Family Residential District
R-2 (Area A and B)	Multi-Family Residential District
R-3	Planned Residential Development District (See PUD’s in Article III)
C-1	Commercial District
C-2	Planned Commercial Development District (See PUD’s in Article III)
I-1	Industrial District
I-2	Planned Industrial Development District (See PUD’s in Article III)
IN-1	Planned Institutional Development District (See PUD's in Article III)
M-1	Planned Mixed Use Development District

3. While Public Use (P-1) is a recognized use of the land, it is essentially located within other districts and is not defined as a separate district for zoning purposes. It does, however, contain minimum requirements as set forth in this Ordinance.

Section 6. Use of Land, Buildings and Structures Regulated.

Land, buildings and structures within the Town of Slaughterville, Oklahoma, may be used for any of the purposes, functions or uses specifically permitted in the particular Zoning District in which said land, buildings or structures are located; no land shall hereafter be used, nor shall any building or structure hereafter be erected, altered or converted, which is designed or arranged for uses other than those specified for the Zoning District in which said land, building or structure is located, as set forth in the regulations for each Zoning District, which follow in Article 2 of this Zoning Ordinance.

All land, buildings, structures or appurtenances located thereon within the Town of Slaughterville, Oklahoma, which are hereafter used, erected, altered, removed, demolished, converted or occupied, shall be used, erected, altered, removed, demolished, converted or occupied in conformance with the provisions prescribed for the Zoning District in which such land, building, structure or appurtenance is located.

In event of any questions as to the appropriate use classification of any existing or proposed use or activity, the Town Administrator, or the duly appointed representative,

shall have the authority to determine the appropriate classification, subject to the right of appeal to the Board of Adjustment. In making such determinations, the Official shall consider the characteristics of the particular use in question, and shall consider any functional, product, service, or physical facility requirements common with or similar to uses cited as examples of use classification for each Zoning District. The Town Administrator shall maintain a list of all such determinations, and shall periodically recommend to the Planning and Zoning Commission additions, deletions, or revisions to the use clarifications to reflect contemporary usage and terminology. Uses specifically listed in the zoning classifications shall not by interpretation be included as a typical use within any other classification unless so listed.

A proposed use shall not be permitted if it will cause the destruction of an identified or designated historic site, structure, or element, or will substantially reduce, through incompatible modification, alteration or addition, the historic significance of the site, structure or element.

Section 7. Definitions.

For the purpose of these Zoning Regulations, certain numbers, abbreviations, terms and words used herein shall be used, interpreted and defined as hereinafter set forth. Unless the context already indicates to the contrary, words used in the present tense include the future tense; words used in plural number include the singular; the word “herein” means “in these Regulations”; a “person” includes a corporation, a partnership and an incorporated association of persons (such as a club); the word “shall” is always mandatory; the words “used” or “occupied”, as applied to any land or building, shall be construed to include the words “intended, arranged or designed to be used or occupied.”

Abutting. Having property or Zoning District lines in common; e.g., two (2) lots are abutting if they have part or all of the property lines in common.

Access. A place or means of entering and exiting property. See Ingress, Egress.

Accessory Building or Accessory Structure. A subordinate building or portion of the main building, the use of which is incidental to that of the dominant use of the building or premises.

Adjacent. Lying near or close to.

Agri-business. Business with a basis on agricultural areas such as those consisting of farmers, ranchers, cattle operations, horse training, horse riding facilities, vineyards, and other agricultural uses which utilize sizeable land area and require land preservation.

Amenity. Aesthetic or other characteristic of development that increases its desirability to a community or its marketability to the public.

Bar. A business wherein beer, wine, and/or alcohol is served, whether in conjunction with food or otherwise.

Bed and Breakfast Facility. A structure, normally occupied by its resident-owner, which also provides overnight, personalized, lodging for a fee, for a limited, small number of persons.

Boarding House or Rooming House. A building other than a hotel where, for compensation and by pre-arrangement for definite periods, lodging, or lodging and meals, are provided for three (3) or more persons. If the boarding house is used for housing by mentally, physically or otherwise challenged people, it shall be governed by the regulations established in an Institutional PUD herein.

Board of Adjustment. A local quasi-judicial body, created herein in Article 4, whose responsibility is to hear appeals concerning the interpretation of the adopted Zoning Ordinance, and to consider requests for Variances under the terms of State Law and the adopted Zoning Ordinance.

Bond. Any form of security, including a cash deposit, surety bond, collateral, property or instrument of credit, in an amount and form satisfactory to the Slaughterville, Oklahoma, Town Board of Trustees; all bonds shall be approved by said Town Board of Trustees whenever a bond is required by these or other related Regulations.

Buffer Zone. A strip of land established to protect one (1) type of land use from another with which it is incompatible; a buffer zone is comprised of buffer uses which may, in addition to the normal range of open space and landscaping uses, take the form of “transitional” uses, structures or yards.

Buildable Area. The space remaining on a parcel of land, after Floodplain Management and minimum open space requirements (coverage, yards and setbacks) have been met.

Building. Any structure built for the support, shelter or enclosure of persons, animals, chattel or movable property of any kind, including any other structure.

Building Code. The collection of regulations, setting forth standards for the construction of buildings and other structures, for the purpose of protecting the health, safety and welfare of the public. The Building Code recommended shall be the building code that is set forth by the Oklahoma Uniform Building Code Commission.

Building Coverage. The percentage of the lot area covered by the building; the building coverage shall include all overhanging roofs.

Building Height. The vertical distance from the grade to the highest point of coping of a flat roof, or the decline of a mansard roof, or to the highest gable of a pitch or hip roof.

Building Line. A line usually fixed and parallel to the lot limit, beyond which a building cannot extend under the terms of this Ordinance.

Zoning Compliance Permit. A Permit required before construction can be initiated; Zoning Compliance Permit provisions are contained herein in Article 1, Section 11.

Building Site. A single parcel of land under a legal ownership arrangement occupied or intended to be occupied by a building or structure.

Child Care Center or Day Care Center. Any place which receives children or adults not of common parentage, for care apart from their natural parents, legal guardians or custodians, for compensation, not including foster care.

Cluster Development. A development pattern in which the uses are grouped or bunched together, rather than spread evenly throughout a parcel as in conventional lot-by-lot development. Cluster development is used to preserve open space, create workable land use mixtures, shared parking and access, or other amenities, and/or to save money by building fewer streets and shorter utility lines.

Commercial Communication Tower. A structure erected, maintained and used for commercial purposes, not including HAM radio towers, television antenna, or private communication towers.

Compatibility. The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict.

Comprehensive Plan. The officially-adopted Comprehensive Plan for Slaughterville, Oklahoma, which provides long-range development policies, plans and programs for the Municipality and its developing areas.

Condominium. A form of home ownership wherein each unit (i.e. apartment or townhouse) of a multi-unit dwelling is individually owned and the common areas (hallways, recreational facilities, etc.) are jointly owned by all the unit owners.

Conversion. Changing the original purpose of a building or land to a different use.

Correctional Facility. A building or group of buildings used to house inmates, whether the residents are free to leave the facility or otherwise. All correctional facilities shall be governed by the regulations established for Institutional PUD's herein.

Covenant, Private Covenant, or Restrictive Covenant. A restriction on the use of land, normally among private participants contained in the deed to the property or otherwise formally recorded of record at the Office of the County Clerk.

Day Care Center. See Child Care Center.

Dedication. The transfer of property from private to public ownership and/or control.

Density. The number of persons, families or housing units on a parcel of land.

Department of Environmental Quality. The state regulatory agency that administers environmental laws. Also known as DEQ.

Development. Any man-made change in improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Dilapidated Building, Structure or Derelict Building/Structure A structure/building, including mobile homes and/or manufactured homes, which, through neglect or injury lack necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure/building is unfit for human occupancy, or is a hazard to the health, safety, or welfare of the general public.

District. A “Zoning District” as defined herein in Article 1, Section 5.

Duplex. See Dwelling, Multi-Family.

Dwelling. Any building, or portion thereof, which is used or designed for residential purposes.

Dwelling, Attached. A dwelling having any portion of each of one (1) or more walls in common with adjoining dwellings.

Dwelling, Detached. A dwelling having open space on all sides.

Dwelling, Multi-Family. A dwelling used or designed for occupancy by two (2) or more families living independently of each other, having a common wall, not including mobile homes, trailer parks, camps, hotels or motels.

Dwelling, Single-Family. A building used or designed for occupancy of one (1) family.

Easement. A grant by the property owner to the public, a corporation, or person of the use of a designated portion of land, for access, or other right for specific purposes.

Egress. A place or means of exit. See Access.

Enforcement Officer or Code Enforcement Officer or Inspector. The person or the Board who is responsible for the administration and enforcement of these regulations.

Floodplain Management Program. The full range of Codes, Ordinances and other regulations, projects and programs relating to the use of land and construction within the limits of the floodplain, regulated by Town’s Flood Damage Prevention Ordinance which is fully adopted and incorporated by reference in this Zoning Ordinance.

Frontage. The side(s) of a lot abutting on a Street and ordinarily regarded as the front of

the lot.

Gasoline, Service or Filling Station. Any area of land, including structures thereon, that is used for the retail sale of gasoline, compressed natural gas (CNG), oil fuels or other automobile accessories, and incidental services including facilities for lubricating, or other automobile services, but not including painting, major repair or automobile washing, or the sale of butane or propane fuels.

Garage Apartment. A single family dwelling erected above a garage.

Garage, Public. A building or portion thereof designed or used for servicing, repairing, equipping, hiring, selling, or storing motor-driven vehicles.

Grade. A reference plane representing the average of finished ground level adjoining the building at all exterior walls.

Height Regulations. Regulations that limit the height of buildings within particular Zoning Districts, whether minimum or maximum heights, and which is based on the relationship of a structure to the surrounding properties.

Historical Site. An individual structure, building, parcel, or monument which contributes to the historical, architectural or archeological heritage of the Town of Slaughterville.

Home Business, Home Based Business or Home Occupation. Any occupation carried on by the inhabitants of a residence, which is secondary to the residence itself, wherein non-residential consumers or customers are entering and departing the premises on a regular basis causing an increased flow of traffic in the neighborhood. This Ordinance is not intended to encompass or regulate those residents who carry on occupations from their homes who do not receive customers on a regular basis.

Homeowners' Association. A group of residents or an organization, operating under recorded land agreements.

Hotel or Motel. A building or group of buildings under one (1) ownership containing sleeping rooms, intended or designed to be occupied as temporary lodging for compensation with or without meals. This does not include a trailer court, camp, sanitarium, hospital, asylum, boarding house, rooming house, orphanage or building where persons are housed under restraint, or a Bed and Breakfast Facility (as defined hereinbefore).

Individual Sewage Disposal System. See Sewage Systems.

Ingress. A place or means of entrance or access. See Access.

Institutional Planned Unit Development (PUD). One building or a group of

buildings which are designed to house people in the form of a correctional facility, drug, alcohol, half-way houses, or any other similar rehabilitation centers, boarding houses, and other like facilities, including facilities for mentally or emotionally challenged individuals. The rules and regulations for Institutional PUD's are outlined in Article III.

Intensity. The degree to which land is used, in reference to levels of concentration or activity. Often used synonymously with "Density".

Kennel. Any commercial use of premises, whether for profit, compensation or non-profit, for the purposes of boarding, breeding or selling dogs, cats, or other pets, consisting of six (6) animals or more of the same species, but not including those which are offspring born on the premises which are twelve (12) weeks or younger in age.

Jurisdiction. The jurisdiction of the Slaughterville Municipal Planning and Zoning Commission and the Board of Trustees, for purposes of zoning, which shall include all lands within the corporate limits of the Town of Slaughterville, Oklahoma.

Loading Space, Off-Street. The space logically and conveniently located for bulk pick-ups and deliveries, scaled to the type of delivery vehicles expected to be used.

Lot. A measured parcel of land having fixed boundaries and designated on a plat or by a metes and bounds description and of at least sufficient size to meet minimum use regulations and development standards.

Lot, Mobile Home. A parcel or tract of land in a Mobile Home Park for the placement of a single manufactured home as defined in the Town's Ordinance adopting provisions for Mobile Home Parks.

Lot Depth. The average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

Lot Lines. A line dividing one lot from another or from a street or place.

Lot of Record. A lot which is a part of a subdivision, the map of which has been recorded in the office of the County Clerk.

Main Building. See Principle Building.

Manufactured Homes. A dwelling unit constructed to be towed on its own chassis and capable of connection to utilities for year-round occupancy fabricated on or after June 15, 1976, in an off-site manufacturing facility for installation or assembly at the building site as a permanent structure with transport features removed, bearing a seal certifying that it is built in compliance with the National Manufactured Housing Construction and Safety Standards Act, 42 USC Section 5401, et. seq.

Map, Zoning Districts. The official map on which the current Zoning status of all land

within the corporate limits of the Town of Slaughterville, Oklahoma, is depicted, and which, along with the Zoning text, comprises the Zoning Ordinance of the Town of Slaughterville, Oklahoma.

Master Plan. See Comprehensive Plan.

Medical Facilities. Convalescent, Rest or Nursing Homes; Dental and Medical Offices or Clinics; Hospitals; Public Health Centers; and Sanitariums.

Metes and Bounds. A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference.

Mobile Home. A structure of vehicular portable design, designed or manufactured for human occupancy, built on a chassis, designed to be moved from one site to another, and to be used with or without a permanent foundation, whether or not the wheels have been attached thereto or removed, and which was built prior to the enacting of the National Manufactured Housing Construction and Safety Standards Act, 42 USC Section 5401, et. seq.

Mobile Home Park. Any plot of ground used for the placement of mobile homes and manufactured homes, as defined in the Town's Ordinance adopting provisions for Mobile Home Parks.

Modular Home. A structure intended for residential use and manufactured off-site and assembled on-site in accordance with the local and/or state building code.

Non-Conforming Building, Lot or Structure. Any building, lot or structure, lawfully occupied or used at the time this Ordinance or subsequent amendments to this Ordinance become effective, which does not conform in part or wholly to any or all of these regulations of the Zoning District in which it is located.

Non-Conforming Use of Land. Any lawful use of land, existing at the time this Ordinance or subsequent amendments to this Ordinance become effective, which does not conform to the regulations of the Zoning District in which it is located.

Non-Conformities. Lots, structures, uses of land and structures, and characteristics of uses which are prohibited under the terms of these Zoning Regulations but were lawful at the date these regulations were enacted.

Parking Space. A permanently-surfaced area, enclosed or unenclosed, sufficient in size to store one (1) automobile together with a driveway connecting the parking space with a street or alley, and permitting ingress and egress.

Permanent Foundation. Any structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

Planning and Zoning Commission. The Municipal Commission appointed by the Board of Trustees as an advisory board to make recommendations over all matters concerning zoning, boundaries, zoning districts, planning for the Town, and all other matters concerning land use.

Planned Unit Development. A form of development characterized by a unified site design for a number of structures and incorporating such techniques as clustering structures, providing common open space, density increases and a mix of building types and land uses. This permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis. This is also known as a “PUD”.

Plat. A map, generally of a subdivision, or a Planned Unit Development, showing the location, boundaries and ownership of designated properties. Procedures and standards for plats are detailed by the Oklahoma State Statutes and by the Subdivision Regulations for the Town of Slaughterville.

Principle Building or Main Building. A building in which is conducted the principle use of the lot on which it is situated.

Private or Restrictive Covenants. A private legal restriction on the use of land contained or referenced in the deed to the property, or otherwise formally recorded, typically with a recorded plat.

Property Line. A line dividing one property from another.

Recreational Vehicle. A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Rehabilitation Facility or Center. A building or group of buildings established and used for drug, alcohol, correctional, or other types of reforms in an attempt to restore individuals to society. All rehabilitation facilities and rehabilitation centers shall be governed by the regulations established under Institutional PUD’s as provided herein.

Re-zoning or Amendment. An amendment to, or a change in, the Zoning Ordinance. Re-zonings may take any of three (3) forms:

1. A comprehensive revision or modification of the Zoning Ordinance text and map.
2. A text change in Zoning District requirements.

3. A text change in the Zoning District designation of a particular parcel or parcels, as shown on the Official Zoning Districts Map, either by petition of a private individual or by administrative action of the Municipal Planning and Zoning Commission and approved by the Board of Trustees.

Right-of-Way. A strip of land occupied or intended to be occupied, by a street, road, crosswalk, railroad, roadway, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or another special use.

Roadway. That portion of any street designated for vehicular traffic.

Rooming House. See Boarding House

Salvage Yard. A commercial operation of buying, selling, or trading parts of salvaged vehicles, wrecked or abandoned motor vehicles, or any recyclable or non-recyclable hulk or part of a motor vehicle, equipment, appliances, vessels, and other salvageable products or items.

Septic Tanks. See Sewage Systems.

Setback. The distance between the center of the roadway and the nearest Structure; or, when there is not a road, from the Lot Line or the Property Line and the nearest Structure.

Sewage. Wastewater that generally originates as human waste from certain activities including using toilet facilities, washing, bathing, preparing foods and washing laundry.

Sewage Disposal Systems, Individual. A method of disposal of sewage which is approved by the Department of Environmental Quality or other Federal, State or County Health Agency, which serves one individual residence or one multi-family dwelling, and which is not available for use by the general public. Sewage disposal systems shall not include outhouses, port-a-potties, or any other temporary sewage disposal device.

Sewage Disposal Systems, Public. A method of disposal of sewage which is approved by the Department of Environmental Quality or other Federal, State or County Health Agency, which serves residents of multiple buildings or for the use of the general public. Sewage disposal systems shall not include outhouses, port-a-potties, or any other temporary sewage disposal device.

Spot Zoning. A relatively small area different from the Zoning of the surrounding area; "Spot Zoning" can be appropriate or inappropriate, based upon whether or not the nature of the change is appropriate, or arbitrary and inappropriate.

Start of Construction. The first placement of permanent construction on a site, such as the pouring of footings or any work including excavation.

Story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

Structural Alteration. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or in the exterior walls.

Structure. Anything constructed or erected, the use of which requires permanent location on the ground or which is attached to something having a permanent location on the ground. This includes, but is not limited to, main and accessory buildings, propane tanks, advertising signs, poster panels, fences and other manmade objects.

Subdivision. The division or re-division of land (vacant or improved) or airspace, whether for single or multi-family residential, mobile home, manufactured home, or non-residential use.

Substantial Improvement. Any repair or change, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure.

Temporary Housing. An accessory housing unit, either attached to, or detached from, the primary housing unit, used on a temporary or short-to-medium term basis, as a separate living unit. See Art.1§19(5).

Town. The Town of Slaughterville, in Cleveland County, Oklahoma.

Town Board of Trustees. The governing body of the Town of Slaughterville, Oklahoma.

Townhouse. Two (2) or more dwellings attached at the side or sides, each unit of which has a separate outdoor entrance and each unit being designed to be occupied as a single family dwelling unit. See Dwelling, Multi-family.

Tract. An area of land with defined boundaries which are normally defined by deed.

Use Permitted on Review. A use deemed appropriate in a Zoning District, but only upon review of the proposed use by the Planning and Zoning Commission to determine whether or not specified conditions are met as fully detailed under each particular Zoning District in this Zoning Ordinance and in Article 1, Section 12; and subsequently approved by the Town Board of Trustees.

Variance. A device which grants a property owner relief from certain provisions of the Zoning Ordinance.

Vehicle Sales, Repairs and Storage. See Garage, Public.

Zoning Ordinance. The officially-adopted Zoning Ordinance of the Town of Slaughterville, Oklahoma.

Section 8. Official Zoning Districts Map.

The Town of Slaughterville, Oklahoma, is hereby divided into Zoning Districts, as established by this Ordinance and as currently shown on the Official Zoning Districts Map, which, together with all explanatory matters thereon, are hereby adopted by reference and declared to be a part of this Ordinance.

If, in accordance with the provisions of this Ordinance, changes are made in Zoning District boundaries or other matters which are depicted on the Official Zoning Districts Map, such changes shall be reflected on the Official Zoning Districts Map within twenty (20) days after the amendment has been approved by the Town Board of Trustees, by making the appropriate change on the Map.

No changes of any nature shall be made in the Official Zoning Districts Map or matter shown thereon, except in conformity with the procedures set forth in this Ordinance.

The Official Zoning Districts Map shall be maintained to show the current Zoning District status of land and water areas within the Town of Slaughterville, Oklahoma; however, the Town Clerk, the Municipal Code Enforcement Officer/Inspector and the Chairman of the Planning and Zoning Commission may also each maintain an individual Zoning Districts Map or Atlas, reflecting the current Zoning District status of all land within said Municipality, as shown on the Official Zoning Districts Map. The final authority for zoning shall be the Ordinances and Resolutions regarding the same.

In the event that the Official Zoning Districts Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Town Board of Trustees may, by Ordinance, adopt a new Official Zoning Districts Map which shall supersede the prior Official Zoning Districts Map. The new Official Zoning Districts Map shall include amendments and may correct drafting and other errors or omissions, but no such corrections shall have the effect of amending the original Zoning Ordinance or altering any subsequent amendments thereof. The prior Official Map shall be noted as being superseded on the replacement date, and placed in a Municipal file by the Town Clerk.

Section 9. Zoning District Boundaries.

The District boundary lines shown on the Official Zoning Districts Map are usually along streets, alleys, property lines or extensions thereof; where uncertainty exists as to the boundaries of Districts as shown on the Official Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center-lines of streets, highways or alleys, shall be construed to follow such center-lines.

2. Boundaries indicated as approximately following platted lot lines, shall be construed as following such lot lines.
3. Boundaries indicated as approximately following corporate boundary lines, shall be construed as following corporate boundary lines.
4. Boundaries indicated as following rights-of-way or railroad lines, shall be construed to be the centerline of the right-of-way, or, if the centerline is not established, the boundary shall be interpreted to be midway between the right-of-way lines.
5. Boundaries indicated as parallel to, or extensions of, features indicated in Subsections “1” or “2” (above), shall be so construed; distances not specifically indicated on the Official Zoning Districts Map shall be determined by the legal description according to the county real estate/property records.
6. Whenever any street, alley or other public way is vacated by official action, the Zoning District adjoining each side of such street, alley or other public way shall be automatically extended to the centerline of such vacated street, alley or way and all areas so involved shall then and henceforth be subject to all regulations of the extended Districts.
7. Where physical features on the ground are at variance with information shown on the Official Zoning Districts Map, or when there arises a question as to how or whether a parcel of property is Zoned, and such question cannot be resolved by the application of Subsections “1” through “6” (above), then the property shall be considered the Zoning District in accordance with the actual use of the property.
8. In the event there is a dispute regarding the zoning classification, a request to reclassify the property shall be made in writing by the property owner, who shall pay the appropriate fee in accordance with Resolution. A hearing shall then be held according to the provisions contained in Title 11 O.S. Section 43-106 with the Planning and Zoning Commission, who shall make a recommendation to the Town Board of Trustees.
9. In the event any of the property annexed into the Town is non-conforming, then the provisions contained in Section 14 shall apply.

Section 10. Zoning of Annexed Territory.

All territory hereinafter annexed to the Town of Slaughterville, Oklahoma shall be automatically classified in accordance with the actual use of the property at the time of annexation, except as provided below.

1. The owners or developers of land annexed to the Town of Slaughterville, Oklahoma, may make application to the Town for a Zoning District change by the procedures set forth in Article 1, Section 13. This process may be initiated at any time after the official annexation of the territory.

2. In the event there is a dispute regarding the zoning classification, a request to reclassify the property shall be made in writing by the property owner, who shall pay the appropriate fee in accordance with Resolution. A hearing shall then be held in accordance to the provisions contained in Title 11 O.S. Section 43-106 with the Planning and Zoning Commission, who shall make a recommendation to the Town Board of Trustees.

Section 11. Zoning Compliance Permits.

Any person or property owner desiring to establish a residence, move in a manufactured home, build new construction, remodel (where bedrooms are added or there is an increase in water flow usage), or substantially improve structures where sewage disposal systems are involved, or desiring to construct and/or erect any building for commercial use, industrial use, or PUD's, shall first make application, pay the necessary fees, and obtain a Zoning Compliance Permit prior to the start of construction. The Zoning Compliance Permit application shall be made as follows:

1. An application shall be filed at Town Hall with the Town Clerk containing the following information:
 - a. Name of the applicant, name of the property owner, if different, current mailing address(es) and telephone number(s), and a complete and accurate legal description of the land intended for development.
 - b. Project description and proposed use.
 - c. Whether the building site is located within a special flood hazard area as defined by the Flood Management Program and that restrictions pertaining to floodplain use have been met.
 - d. Site map, drawn to scale, for the proposed building including the size of the lot, the location of the driveway, proposed setback lines, proposed height if over 35 feet, all buildings located, and those that are proposed on the building site, the location or proposed location of the sewage disposal system and water well.
 - e. Sewage Disposal System requirements: All applicants must install a sewage disposal system and an adequate water supply prior to occupancy. The applicant must also disclose all sources, including the number or proposed number of bedrooms in each source flowing into the proposed or existing sewage disposal system. In addition, the following are required:
 1. In the event a sewage disposal system does not exist:
 - a. Copy of the soil analysis, soil profile, percolation test, or other test showing the composition of the soil; and

- b. Copies of all inspection reports from DEQ or any other appropriate agency verifying the system will be installed in accordance with DEQ or State regulations. In the event a final inspection has not been completed, a conditional Zoning Compliance Permit will be granted conditioned upon said documentation being provided prior to occupancy.
2. In the event a sewage disposal system already exists:
- a. All available documentation from DEQ or any other appropriate agency showing proper installation of the sewage system; or
 - b. In the event the documentation does not exist, then an on-site inspection may be conducted to ensure that there is no environmental contamination.
 - c. In the event the proposed system imposes an additional sewage load on the sewage disposal system, then information must be supplied that the existing sewage disposal system will adequately process the additional capacity proposed on the existing sewage system. In the event proof cannot be obtained, then the Town has the authority to make additional requirements to ensure that the sewage disposal system will handle the proposed load.
 - d. In the event that State laws or regulations will no longer allow the type of sewage disposal system, then the disposal system must be replaced, regardless of the opinion of any other Agency.
 - f. If the proposed use is a business or place of public assembly, a proposed parking layout, drainage plan, and all other information required by the Industrial Zoning, Commercial Zoning or Planned Unit Development Sections of this Ordinance, as appropriate.
 - g. If a wind energy conversion system is proposed, the same must be safe. No more than one (1) system per dwelling or business shall be allowed. The Planning and Zoning Commission shall have the authority to request such additional information it deems necessary to make a recommendation to the Board of Trustees concerning approval or disapproval of a wind energy system, specifically disallowing the use if it is determined unsafe.
 - h. Copy of the deed to the real estate where the structure is located.
 - i. Copy of the title or proof of ownership of the manufactured home.
 - j. Provide proof that the homeowner's association dues are paid, if any.
 - k. Any other information that the Town deems appropriate or relevant.

1. A verification and signature of the applicant and owner of the property verifying the truth and accuracy of the information contained in the application.
2. A person designated by the Board of Trustees shall review and approve all permits that meet the requirements of the Ordinance within fifteen (15) days from the receipt of the same.
3. If any permit is denied for non-compliance, the applicant shall have thirty (30) days to comply with the terms of this Ordinance. If the applicant fails to comply within the time specified, then the application is deemed denied, and a new application, including fee payment, will be required.
4. Any party who is denied a Zoning Compliance Permit shall have the right to appeal the decision to Town Board of Adjustment as provided in Section 179 of this Ordinance. The Town Board of Trustees may adopt the recommendation of the Planning and Zoning Commission, may return the matter to the Planning and Zoning Commission for further consideration, may change the recommendation of the Planning and Zoning Commission, may approve, or may deny the requested relief.
5. The issuance of any permits shall be in accordance with the form and fees as the Town Board may from time to time establish by Resolution.
6. It is unlawful for any person to obtain, have furnished, or receive any type of utility service without first obtaining the appropriate Zoning Compliance Permit, as required herein.
7. A Zoning Compliance Permit will remain valid so long as Start of Construction has commenced within six (6) months from the date of approval, and progressively continues.

Section 12. Uses and Structures Permitted on Review.

1. Certain uses and structures listed in each Zoning District under “Uses and Structures Permitted on Review” shall be considered by the Planning and Zoning Commission under the following procedures:
 - a. An application for a “Use Permitted on Review” shall be filed in the Office of the Town Clerk.
 - b. The fee for filing a “Use Permitted on Review” application, as established by Resolution, shall be paid.
 - c. This application shall contain the location and proposed use of the site, the names of all property owners and the types of existing land uses within a three hundred (300) foot radius of the site, and any other pertinent material required by the Planning and Zoning Commission on the application form.

- d. The Town Clerk shall provide such publications as set forth in Title 11 O.S. Section 43-106, or amendments thereof, and notice to property owners as required by law, and cause the application to be placed on the agenda for the Planning and Zoning Commission.
 - e. The Planning and Zoning Commission shall hold a public hearing thereon. Any public hearing may be continued as the Planning and Zoning Commission shall determine.
 - f. The Planning and Zoning Commission shall, within a reasonable amount of time, complete its report as to the affect such proposed structure or use has upon the character of the neighborhood, traffic conditions, public utilities and other matters pertaining to the general welfare, as well as approve or deny or provide contingencies as they deem appropriate for approval of the application. If the contingencies are not met within any time frame set, then the approval shall be withdrawn after notice and hearing is provided to the applicant.
 - g. The Planning and Zoning Commission shall provide a recommendation to the Board of Trustees, who will make a final determination. The Board of Trustees' decision may be appealed by the applicant or citizens involved within thirty (30) days to the District Court.
2. Approval by the Board of Trustees or a ruling on appeal shall not constitute issuance of a Zoning Compliance Permit; application for a Zoning Compliance Permit shall be a separate process, as fully set forth in Article 1, Section 11.
 3. Mixed Zoning Districts shall be handled on a case by case basis and only as a Use Permitted Upon Review as a PUD.

Section 13. Re-zoning and Amendment Applications.

1. Any property owner within the Town of Slaughterville, Oklahoma, may petition the Town Board of Trustees for a change or amendment to the provisions of the Zoning Ordinance or Official Zoning Districts Map, by obtaining, filling out and filing an application for Re-zoning or Zoning Ordinance Amendment with the Town Clerk. The Planning and Zoning Commission may also initiate "Administrative Re-zoning" (See Subsection 7, below).
2. The fee for filing such application shall include the notice and publication costs of such application, the review costs incurred by Municipal personnel, and other administrative costs; and shall be set pursuant to Resolution.
3. The Town Clerk shall notify the Code Enforcement Officer/Inspector and the Chairman of the Planning and Zoning Commission and cause said application to be placed on the agenda for the next scheduled meeting of the Planning and Zoning Commission and adequate legal notice shall be given.

4. The Planning and Zoning Commission shall consider any Re-zoning or Zoning Ordinance Amendment application at a public meeting, prior to making and submitting recommendations to the Town Board of Trustees.
5. No Re-zoning, amendment, change or supplement shall become effective until the proper hearings have been held in accordance with the law of the State of Oklahoma in Title 11 O.S. §43-104 et.seq., or amendments thereof.
6. In the event of a written protest against a Re-zoning or request for amendment, then the provisions of Title 11 O.S. §43-105 et.seq, or amendments thereof, shall apply.
7. The Planning and Zoning Commission may, from time to time, initiate studies or administrative proposals for Re-zoning, or changes or amendments to the Zoning Ordinance; provided that they are in the public interest, and provided also that before taking action on any such study or proposal, adequate and legal Public Hearing(s) shall have been held by the Town Board of Trustees, consistent with Subsection 5 above.
8. All amendments, changes, supplements or Re-zoning shall become final and effective upon passage and publication of an Ordinance reflecting and detailing said amendment change, supplement or Re-zoning.
9. Applications to change Zoning District boundaries heard and decided by the Town Board of Trustees will not be set for hearing again within six (6) months from the date of decision, and then only for applications wherein the applicant can show a material change in the surroundings or produce new evidence which might affect the decision, and then only upon a new application and payment of the required application fee as set forth by Resolution. Motions for re-hearings will not be entertained. An application that is heard by the Planning and Zoning Commission, but requested to be deferred prior to a decision by the Town Board of Trustees, may be re-scheduled and heard any time within twelve (12) months of the date of deferral without filing a new application or paying a new filing fee. Any request for hearing on a deferred application which is not re-scheduled within twelve (12) months from the date of deferral shall lapse and be heard only after the filing of a new application and the paying of the required application fee for Rezoning.

Section 14. Non-Conforming Lots, Structures and Uses.

1. Within the Zoning Districts established by this Ordinance, or within subsequent amendments thereto, there may exist lots, structures and uses of land and/or structures which are lawful prior to the adoption of this Zoning Ordinance, but which would be prohibited, regulated or restricted under the terms of this Zoning Ordinance, or any future amendments thereto. It is the intent of this Zoning Ordinance to:
 - a. Consider such non-conforming uses to be incompatible with permitted uses in the Zoning Districts involved.

- b. Permit these non-conforming uses to continue until they are removed, enlarged, or altered, but not to encourage their extended survival, subject to the provisions set forth in Subsection c.
 - c. Manage any non-conforming residential use of land that resulted from pre-established small lot size and changes in minimum lot size requirements from this or previously adopted Zoning Ordinances, in a manner which will improve the quality of the residential structure, while limiting the number of residences on the non-conforming lot size to one (1).
2. Non-Conforming Uses. Within the Zoning Districts established by these regulations or amendments that may later be adopted, there are uses, structures and tracts of land which were lawful before this Ordinance was adopted. Such nonconforming uses, structures and tracts of land are regulated by the following:
- a. If any non-conforming use ceases for any reason, for a period of more than six (6) months any subsequent use shall conform to the regulations specified by this Zoning Ordinance for the Zoning District in which the same is located, unless good cause is shown to permit a return to non-conforming use.
 - b. A non-conforming use shall not be expanded or moved in whole or in part to any other portion of the tract of land on which it is located.
 - c. A structure which does not conform to the requirements of these regulations shall not be erected in connection with said non-conforming use of land.
 - d. No such non-conforming use shall be enlarged, increased or extended, to occupy a greater area of land than was occupied at the effective date of the adoption or amendment of this Zoning Ordinance.
 - e. Any non-conforming use of a building or structure may be extended throughout any parts of said building or structure.
 - f. Improvements or remodeling which do not increase the size or intensity of the use shall be permitted.
 - g. Except residential non-conforming uses as outlined in Section 14(1)(c), no structure may be enlarged or altered in a way which increases its non-conformity.

Section 15. Height Regulations.

The following requirements provide exceptions to, or qualify and supplement, the specific Zoning District provisions set forth in Article 2, herein:

- 1. Chimneys, elevators, poles, spires and tanks, not used for human occupancy, may extend above the height limit.

2. Communications towers must comply with all other applicable State, Federal and local regulations.

Section 16. Mobile Homes, Manufactured Homes, Trailers, Recreational Vehicles, and Travel Trailers.

1. It has become apparent that older mobile homes and manufactured homes tend to result in blighting and rapid deterioration resulting in numerous code violations and an overall reduction of the quality of life and overall property values. Accordingly, it is deemed necessary to regulate such in a manner reasonably calculated to prevent these occurrences of such other deleterious effects upon surrounding properties. Therefore, minimum conditions and standards shall be met on each and every pre-owned modular home or pre-owned manufactured home prior to being issued a Zoning Compliance Permit.
 - a. Those conditions that are set forth in the Pre-Owned Manufactured Home Minimum Standards are hereby adopted as follows:
 1. Pre-owned Manufactured Home is defined as any manufactured home as defined in Title 47 O.S. §581 that has been previously utilized as a residential dwelling.
 2. Facilities Required:
 - a. Sanitary facilities: Every pre-owned manufactured home shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in working condition when properly connected to an approved water and sewer system. Every plumbing fixture and water and waste pipe shall be in sanitary working condition free from leaks, and obstructions.
 - b. Hot and cold water supply: Every kitchen sink, lavatory and tub or shower in a pre-owned manufactured home must be connected to a supply of both cold and hot water.
 - c. Water heating facilities: Every pre-owned manufactured home shall have water-heating facilities in safe, working condition.
 - d. Heating facilities: Every pre-owned manufactured home shall have heating facilities in safe, working condition.
 1. Un-vented fuel burning heaters shall be prohibited except for gas heaters listed for un-vented use and the total input rating of the un-vented heaters is less than 20 BTU per hour per cu. ft. of room content.
 2. Un-vented fuel burning heaters shall be prohibited in bedrooms and bathrooms.

3. In lieu of inspecting the heating facilities of a pre-owned manufactured home, the retailer may request a heating inspection by a qualified third party. Approval by such a person will be accepted as compliance with those portions of the safety standards established herein which pertain to heating systems.
- e. Smoke detector: Every pre-owned manufactured home shall be provided approved listed smoke detectors installed in accordance with the manufacturer's recommendations and listing.
- f. Windows: Every habitable room excluding bathrooms, kitchens, and hallways shall have at least one window that can be opened, facing directly to the outdoors.
- g. Ventilation: Every habitable room shall have at least one window which can be opened or such other device that will ventilate the room.
- h. Electrical: Every pre-owned manufactured home electrical components shall be in safe, working condition. Approval by a qualified third party will be accepted as compliance with those portions of the safety standards established herein which pertain to electrical systems.
 1. Distribution Panels: Distribution panels shall be in compliance with the approved listing, complete with required breakers or fuses, with all unused openings covered with blank covers approved and listed for that purpose. Connections shall be checked for tightness. Panels shall be accessible.
 2. Electrical System: The electrical system (switches, receptacles, fixtures, etc.) shall be properly installed, wired and shall be in working condition. The pre-owned manufactured home shall be subjected to an electrical continuity test(s) to assure that all metallic parts are properly bonded.
- i. Exterior Walls: The exterior of the home shall be free of loose or rotting boards or timbers and any other conditions that might admit rain or moisture to the interior portions of the walls or to the occupied spaces of the pre-owned manufactured home.
- j. Exterior Siding: The exterior siding of the pre-owned manufactured home shall be free of rot and rust and must be uniform in appearance.
- k. Roofs: roofs shall be structurally sound and have no obvious defects, which might admit rain or cause moisture to collect on the interior portion of the home.

1. Interior floors, walls, and ceiling: Every floor, interior wall and ceiling shall be in sound condition to prevent the admittance of rain or moisture;
 - b. Requirements regarding installation of all manufactured homes shall be according to standards set by the Oklahoma Statutes, Title 765 Used Motor Vehicle and Parts Commission, Chapter 37 - Manufactured Home Installers, which as may be amended from time to time.
 - c. All costs associated with inspections and installation shall be incurred by the homeowner.
2. No person shall join two manufactured homes, mobile homes, travel trailers, or a combination thereof with a structure, or any other like units or structures to make a single dwelling unit within the Town of Slaughterville, unless said structure is built with a common roof and enclosed by common exterior walls in a way that would make the abode to appear to be one (1) dwelling.
3. All manufactured homes shall be adequately tied down or properly secured to provide protection from high winds in accordance with Federal, State, County, and Local rules and regulations and in accordance with manufacturer's specifications.
4. Wrecked, damaged or dilapidated mobile homes or manufactured homes or travel trailers shall not be kept or stored within the Town, whether intended for use as a dwelling or otherwise. All such dilapidated structures are subject to the provisions in Sections 19 and 23.
5. Mobile homes and manufactured homes, occupied or unoccupied, are considered dwelling units; any other use must be permitted only upon proper application as a Use Permitted on Review within sixty (60) days. If application is not made, then the home must be removed within a reasonable amount of time. If the owner fails to do so, then the Town may elect to have them towed at the owner's expense.
6. In addition to the above, all of the regulations set forth in the Mobile Home Regulations and other Ordinances of the Town shall apply.
7. No person shall permanently reside in a travel trailer or recreational vehicle, except as allowed in travel trailer parks; appropriate sewage disposal shall be necessary for all recreational vehicles.

Section 17. Off-Street Parking.

It is the intent of these requirements that adequate parking and loading facilities be provided on private property outside of the street easement and/or right of way of each use of land within the Town of Slaughterville, Oklahoma. These requirements are intended to be based on the demand created by each use and shall apply to all uses in all Zoning Districts.

1. Off-street parking areas shall be laid out to provide systematic and orderly circulation and maneuvering.
2. Off-street parking spaces, aisles and access driveways shall not concentrate and drain surface water onto or across a public right-of-way, sidewalk or walkway, or onto any adjacent property and shall provide an acceptable method of drainage.
3. All lighting equipment used in illumination of off-street commercial or industrial parking areas shall not create a nuisance or hazard for traffic or adjoining property occupants.
4. All parking shall meet the requirements of the Americans with Disabilities Act and any other rules and/or regulations regarding handicapped parking facilities.
5. No vehicles or trailers of any type, including but not limited to commercial, travel, camping trailers, hauling trailers, recreational vehicles, manufactured homes, and mobile homes, shall be parked or stored in a manner which impedes, blocks the view, or hinders the flow of traffic. All vehicles parked in such a manner may be towed at the owner's expense.

Section 18. Special Setback Lines.

Notwithstanding the Setback standards within each of the Zoning Districts, the Special Setback provisions in this Section shall also apply.

1. Special building setback lines, to accommodate future development, street improvements and uniform setbacks, are hereby established along certain streets. No building or structure, whether temporary or permanent, shall be erected closer to the street than the distance specified in this Ordinance.
2. For County and private roads, the setback line shall be measured from the center-line of the road to the nearest point of the proposed structure closest to the road and shall be at least 75 feet from the center-line of the road for residential uses; 100 feet for commercial or industrial uses; and 100 feet for schools, churches or other public or institutional buildings.
3. For State Highways the setback line shall be measured from the center-line of the existing Highway to the nearest point of the proposed structure closest to the road. The front setback line shall be at least 150 feet from the center-line of the road for all Zoning Districts and uses.
4. The rear yard setback and side yard setback line shall be a minimum of 10 feet for all permanent structures.
5. When a tract borders a Federal, State or County roadway, then setbacks are in accordance with the greater of the requirements utilized by the Town or the designated governmental entity.

Section 19. Miscellaneous Provisions.

Abandoned or Wrecked Vehicles. No person, firm, partnership or corporation shall without valid business purpose, store, accumulate, allow to accumulate, or allow to remain stored or accumulated after receipt of notice as is hereinafter provided, any wrecked or abandoned motor vehicle, or any recyclable or non-recyclable hulk or part of a motor vehicle within view of any preexisting residence or adjoining property situated in the Town of Slaughterville. The Town or any homeowner or adjoining property owner aggrieved by any violation of this Section may order the removal of any motor vehicle, hulk or part stored in violation hereof upon thirty (30) days' written notice to the owner of the land where such motor vehicle, hulk or part is stored. Upon the failure of the offending party to comply with said order, the aggrieved party may obtain injunctive and mandamus relief for the removal of matter so stored or accumulated or for screening of the matter so stored or accumulated from view from the adjoining property from the district court of the county where the residence is situated and, further; shall be entitled to recover reasonable attorneys' fees, court costs and other reasonable expenses of bringing suit. Any person, firm, partnership or corporation with valid business purpose for the above, shall ensure the real property used for such purpose is appropriate and that all zoning district requirements are met. Provided, nothing within this Section shall prohibit the accumulation or storage of farm-related vehicles upon any property currently used for agricultural or ranching-related purposes. (*Reference 21 O.S. §1048*).

Animals. Animals, may be raised or kept, provided:

1. The animals are not running at large, meaning that they remain on their own property, or with their owner or keeper.
2. No nuisance or health hazard is created; and
3. The activity is in compliance with all related Ordinances of the Town of Slaughterville, Oklahoma.
4. All animals which are running at large, *as defined herein*, may be impounded and sold to discharge any costs and penalties established by the Town and the expense of impounding, keeping or sale of such animals. The Town may also provide for the erection of pens, pounds, and buildings for use by the Town, within or without the municipal limits, and appoint and compensate keepers thereof, and establish and enforce such rules and regulations governing the pens, pounds or buildings. The Town may further regulate and provide for the taxing of owners and harborers of dogs and authorize the killing of dogs which are found at large in violation of any ordinance regulating the same. (*Reference 11 O.S. §22-115*)
5. Limitation of Livestock in Residential Zoned Districts, R-1, R-2, R-3 and RL-1: In residential zoned districts, all livestock including but not limited to, horses, cattle, swine, llamas, goats, and sheep shall be limited to one (1) animal per penned acre. In

the event offspring are born to livestock, the owner may keep the offspring until sixty (60) days past weaning age. This rule cannot be violated even in short-term except by boarding animals for an overnight period of time. Those in non-compliance with this portion of the Zoning Ordinance shall have a period of one (1) year to come into compliance. This regulation shall not be interpreted to supersede more restrictive regulations found in covenants or restrictions in a homeowner's association.

Commercial Communication Towers. Commercial Communication towers are prohibited within any public right-of-way or Residential Zoning District. Such uses are allowed within Commercial, Industrial or Agricultural Zoning Districts, subject to the following restrictions:

1. They shall not be closer to a dwelling or place of public assembly than a distance equal to their height;
2. All communication towers must be adequately secured by a fence of sufficient height.

Fire Safety. All commercial property, industrial property, institutional property and all property which is intended for public use must have adequate fire safety in accordance with the rules and regulations of the Oklahoma State Fire Marshall's Office, the State of Oklahoma, and the National Fire Code.

Manufactured Housing, Mobile Home Park and Travel Trailer Park, and Subdivision Development. All manufactured housing, mobile home parks, travel trailer parks, and subdivisions shall be developed and/or constructed in accordance with all requirements of the Ordinances of the Town of Slaughterville, Oklahoma and as follows:

1. Any manufactured home or mobile home that was manufactured on or before 6/15/1976 shall not be allowed in the Town.
2. Skirting of mobile and manufactured homes is required and shall be maintained in a good state of appearance and shall be properly maintained; it shall not provide a harborage for rodents, or create a fire hazard, or any other hazard.
3. All mobile and manufactured homes must be tied down in accordance with the manufacturer's standards as well as all federal, state and local laws.
4. Wrecked, damaged, or dilapidated mobile, manufactured home, or travel trailers shall not be kept or stored. The Code Enforcement Officer shall determine if a mobile, manufactured home, or travel trailer is damaged or dilapidated to a point that makes the home or travel trailer unfit for human occupancy on either a temporary or permanent basis. Whenever such a determination is made, the structure shall be vacated and removed from the premises. If the owner disagrees with the determination made by the Code Enforcement Officer, the matter may be appealed.

Phased Development. Consistent with the provision of the Town's Zoning Compliance Permit requirements, a developer or property owner may establish separate phases for a project and request permission from the Town of Slaughterville, Oklahoma, to utilize said Phased Development provisions. In any such situation which involves the Re-zoning process, the developer, property owner, etc., must meet the conditions herein, as well as any other requirements of the Town's adopted Subdivision Regulations, Construction Codes and the overall Code of Ordinances, which includes Zoning Compliance Permit requirements. A notice of intent to request a phased development must be provided to the Town Clerk, accompanied by two (2) copies of the following additional items:

1. A preliminary statement of the need for a Phased Development or Construction, with reference to the need(s) based on the project's size.
2. A site plan, showing phases and appropriate timetables.
3. A statement of intent to guarantee construction, and evidence to support availability of the method(s) to be used to finance said construction.
4. Plans and specifications for all proposed construction elements to be phased.
5. Other requirements may be required by the Town depending on the project that is being proposed.

Portable and Temporary Buildings, including Tents, Firework Stands, and Roadside Stands. All portable buildings, temporary buildings, tents, firework stands, roadside stands and all other temporary vending stands or structures shall register with the Town, pay the appropriate fees for such registration as may be established by Resolution, and receive a temporary permit. The temporary permit application shall be set by Resolution and the amount of the fee shall be determined by the time frame requested for the temporary stand. This provision does not apply to vendors who are selling products produced or made on their own property. All peddlers, solicitors, and door to door salespersons shall be licensed, and shall collect and remit sales tax.

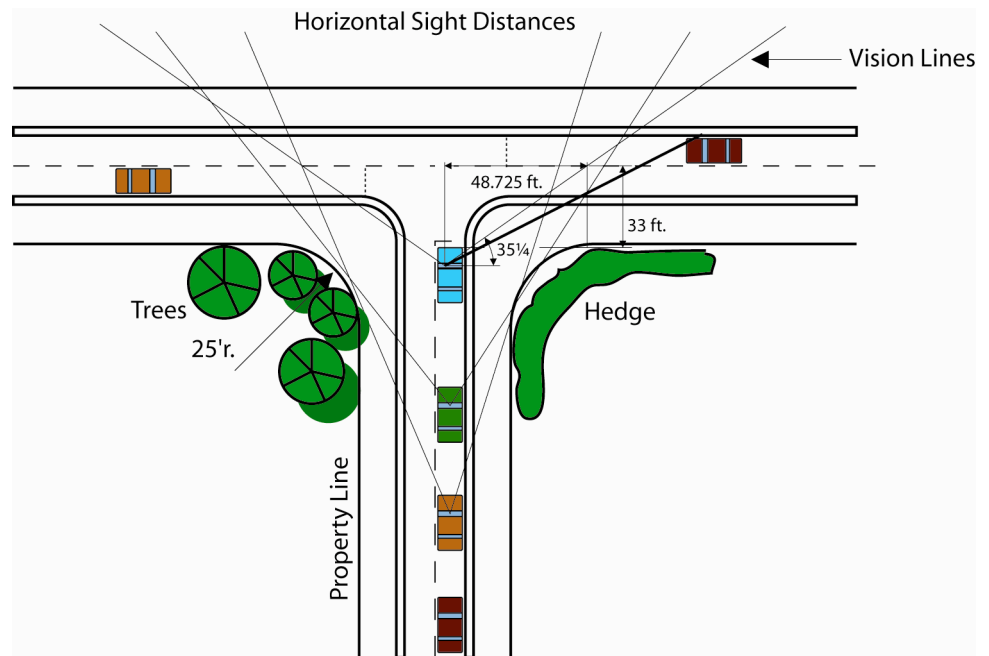
Refuse Disposal. The storage, collection and disposal of refuse shall be managed to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, air pollution, water pollution, or any other public health safety hazard. All refuse must be fully contained. Burning of household trash is not allowed pursuant to the provisions contained in Ordinance 79.

Sanitary Sewer Service. No structure or use in any Zoning District shall be erected or initiated unless and until the Department of Environmental Quality or other appropriate agency approves and certifies, at the sole cost of the property owner, that a sewage disposal system can be installed and operated effectively; provided however, that the sewage disposal system adheres to the Municipal Floodplain Ordinance and all other pertinent Ordinances. No lagoon shall be located closer than twenty-five feet (25') from the property line, or the minimum setback, whichever is greater, which shall be measured

from the outside base of the nearest dike.

In the event the proposed system imposes an additional sewage load on the sewage disposal system, then information must be supplied that the existing sewage disposal system will adequately process the additional capacity proposed on the existing sewage system. In the event proof cannot be obtained, then the Town has the authority to make additional requirements to ensure that the sewage disposal system will handle the additional load.

Sight View Lines at Intersections. No wall, fence, sign, structure or plant growth shall be allowed on any lot which obstructs sight view lines of drivers, persons on bicycles, or pedestrians. Moreover, nothing at an elevation above two (2) feet six (6) inches from the surface of the road shall be placed or maintained within a triangle formed by measuring from the middle of the intersection of the front and exterior side lot lines a distance of thirty-three (33) feet along the front and side lot lines and connecting the points so established to form a sight view triangle on the area of the lot adjacent to a street intersection.



Signs. All signs shall be in total compliance with the provisions of the Town of Slaughterville Oklahoma, Sign Ordinances.

Soil Erosion and Water Drainage.

1. Where property is traversed by a watercourse, drainage channel, minor or major tributary or river, there shall be a storm water drainage easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and/or construction as will be adequate for the purpose. It is desirable that the

drainage be maintained by an open channel with landscaped banks and adequate width, for maximum potential volume of flow.

2. Where topography or other conditions are such as to require drainage facilities in addition to those provided within road rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
3. When a proposed drainage system will carry water across private land outside the property, appropriate drainage rights and easements must be secured.
4. Low-lying lands within Special Flood Hazard Areas and subject to flooding or overflow during storm periods, shall be preserved and retained in their natural state as drainage ways.
5. Bridges, culverts or low water crossings shall be provided where driveways are installed into continuous streets or alleys, and shall generally be sized and constructed to accommodate the one hundred (100) year frequency rain, based on the drainage area involved.

Temporary Housing. An accessory housing unit, either attached to or detached from the primary housing unit on a temporary or short-to-medium term basis, as a separate living unit, is allowed. To qualify for temporary housing the unit must be:

1. Employed on a non-permanent basis, with the term of use set forth in the original Zoning Compliance Permit being renewable, based on the circumstances.
2. Approved as a “Use Permitted on Review” in Residential or Agricultural Zoning Districts, with requirements for approval including:
 - a. There must be no conflicts with the private covenants in effect for the subdivision, if applicable.
 - b. All setbacks must be complied with or have a Variance approved.
 - c. The total lot coverage by all residential structures must not exceed sixty-five percent (65%) of the lot.
 - d. All Codes and Fire distance separation rules must be observed.
3. Accessory houses, including but not limited to, guest houses, pool houses, garage apartments, whether attached or detached, permanent in nature or as a separate living unit, but in no event a manufactured home:
 - a. Cannot be sold separately;
 - b. Must be approved through a use permitted on review;

- c. Must have adequate sewage disposal and water for the total number of bedrooms contained therein; and
- d. Shall not be intended for the purpose of rental or a boarding house.

Section 20. Separability.

If any Section, clause, paragraph, provision or portion of this Zoning Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect any other Section; clause; paragraph; provision; or portion of said Ordinance, and to this end, the provisions of this Zoning Ordinance are declared to be separable.

Section 21. Enforcement and Administration.

These Regulations shall be enforced by the Code Enforcement Officer/Inspector, or a designated representative acting at the direction of the Town Board of Trustees, who shall review all Zoning Compliance Permit applications and the citizen's premises for compliance with Zoning Ordinance provisions. The Code Enforcement Officer has the right to go onto a citizen's premises for the purpose of inspecting the property to be able to determine compliance with the Town's Ordinances.

It shall be a violation of these Regulations for any person to change or permit a change in the use of land, buildings or structures without the proper approval of a Zoning Compliance Permit or rezoning of the property.

It shall be a violation of these Regulations for any person to erect, alter, move or improve any building or structure involving a sewage disposal system, or establish a business until a Zoning Compliance Permit has been obtained from the Office of the Town Clerk, under the terms set forth in the Code of Ordinances of the Town of Slaughterville, Oklahoma, and/or the Building Code adopted by said Municipality. The Zoning Ordinance requirement for a Zoning Compliance Permit shall not apply to the construction or use of farm buildings for agricultural purposes, or the planting of agricultural crops; such buildings shall, however, observe all requirements of all other portions of this Zoning Ordinance and all other municipal regulations.

In the event there is a violation of the terms of this Ordinance, the Town may seek any relief accorded by the law of the State of Oklahoma or any other relief set forth in this Ordinance.

The provisions of this Ordinance may be enforced by any affected person through injunctive proceedings in any court of competent jurisdiction. For the purposes of this Section, the word "person" shall include, but not be limited to, the Town of Slaughterville and a private citizen. In the event a lawsuit is filed, attorney fees, court costs, and all other costs to the Town shall be recovered.

Section 22. Violations and Penalties.

- 1. Any person who violates any provision of this Ordinance shall be guilty of an offense and, upon conviction thereof, shall be fined in an amount not to exceed the limits

established by State Law. Each day upon which such violation continues shall be deemed a separate offense.

2. In case any building, structure or land is constructed, altered, converted, maintained or used in violation of this Zoning Ordinance, the Town of Slaughterville, Oklahoma, in addition to other remedies available, may institute any proper action or proceedings to prevent such unlawful activities, in order to restrain, correct or abate such violation. Nothing contained herein shall prevent the Town of Slaughterville from filing suit against the owner, operator, or licensee for violations of the provisions of this Ordinance and seeking injunction, abatement of a nuisance or removal of the non-conformity or any other appropriate relief as may be granted by the District Court. In the event a lawsuit is initiated, the Town of Slaughterville shall be entitled to all fines, attorney fees and costs incurred in the said lawsuit, which shall include the costs of bringing the action, service of process, expert fees, the costs associated with the Code Enforcement Officer, and any and all other costs which have been incurred.
3. The cost of removing or abating any non-conformity or nuisance may be collected by any other legal means available.
4. In cases where it is deemed impractical summarily to abate the nuisance, the Town of Slaughterville may bring suit in the District Court. All costs of bringing the suit, which shall include attorney fees, service of process fees, expert fees, all costs associated with abating the non-conformity or nuisance, fines, costs associated with the Code Enforcement Officer, and all other costs shall be assessed against the property as provided herein.
5. Any violation of this Ordinance shall result in the Town of Slaughterville requesting and recouping from the violator all costs associated with the enforcement of this Ordinance, including but not limited to all attorney fees, court costs and all other costs associated with the Code Enforcement Officer's time and expenses.

Section 23. Abatement of Nuisance or Non-Conformity:

1. The Code Enforcement Officer or duly authorized individual is hereby authorized to order the owner, operator, or licensee or occupant of any premises in the Town of Slaughterville to remove from such premises, at his own expense, any non-conformity or source of hazard, danger, filth, condition conducive to breeding insects or rodents that might contribute to the transmission of disease, or any other condition that could have an immediate adverse affect on the public health within twenty-four (24) hours, or within such other time as might be reasonable. Such order shall be in writing and served on the owner, operator, licensee or occupant, or a copy thereof may be left at the last usual place of abode of such owner, occupant, or licensee; such order may be served by posting a copy thereof on the premises, or by publication in at least one issue of a newspaper having a general circulation in the Town of Slaughterville.
2. If such order is not followed within the designated time frame, then the Town may cause the Order to be executed and complied with, and the immediate nuisance

abated, and the cost thereof shall be certified to the County Clerk, who shall add the same to the ad valorem taxes assessed against the property; and such cost shall be a lien against the property, until paid, and shall be collected in the same manner as ad valorem taxes against the property, and when collected shall be paid to the Town of Slaughterville issuing the order, for reimbursement of the funds used to pay such costs. All costs shall include attorney fees, court costs, the costs of service of process, expert fees, all costs associated with the Code Enforcement Officer, and all other necessary costs involved in abating the nuisance or non-conformity.

3. Removal of Trash and Weeds.

a. The Town of Slaughterville may cause property within the municipal limits to be cleaned of trash and weeds or grass to be cut or mowed in accordance with the following procedure:

1. At least ten (10) days' notice shall be given to the owner of the property by mail at the address shown by the current year's tax rolls in the County Treasurer's Office before the Town holds a hearing or takes action. The notice shall order the property owner to clean the property of trash, or to cut or mow the weeds or grass on the property, as appropriate, and the notice shall further state that unless such work is performed within ten (10) days of the date of the notice the work shall be done by the Municipality and a notice of lien shall be filed with the County Clerk against the property for the costs due and owing the Municipality. At the time of mailing of notice to the property owner, the Municipality shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailee. However, if the property owner cannot be located within ten (10) days from the date of mailing by the Town, notice may be given by posting a copy of the notice on the property or by publication, as set forth in Title 11 O.S. §1-102, one time not less than ten (10) days prior to any hearing or action by the Town. If the Town anticipates summary abatement of a nuisance in accordance with the provisions of Subsection (b) of this Section, the notice, whether by mail, posting or publication, shall state: "that any accumulations of trash or excessive weed or grass growth on the owner's property occurring within six (6) months from and after the date of this notice may be summarily abated by the Town of Slaughterville; that the costs of such abatement shall be assessed against the owner; and that a lien may be imposed on the property to secure such payment, all without further prior notice to the property owner";
2. The owner of the property may give written consent to the Town authorizing the removal of the trash or the mowing of the weeds or grass. By giving written consent, the owner waives the owner's right to a hearing by the Town of Slaughterville;
3. A hearing may be held by the Town to determine whether the accumulation of trash or the growth of weeds or grass has caused the property to become

detrimental to the health, benefit, and welfare of the public and the community or a hazard to traffic, or creates a fire hazard to the danger of property;

4. Upon a finding that the condition of the property constitutes a detriment or hazard, and that the property would be benefited by the removal of such conditions, the agents of the Town are granted the right of entry on the property for the removal of trash, mowing of weeds or grass, and performance of the necessary duties as a governmental function of the Town. Immediately following the cleaning or mowing of the property, the Town Clerk shall file a notice of lien with the County Clerk describing the property and the work performed by the Town, and stating that the Town claims a lien on the property for the cleaning or mowing costs;
5. The Town shall determine the actual cost of such cleaning and mowing and any other expenses as may be necessary in connection therewith, including the cost of notice and mailing. The Town Clerk shall forward by mail to the property owner, as shown by the current year's tax rolls in the County Treasurer's Office, a statement of such actual cost and demanding payment. If the cleaning and mowing are done by the Town, the cost to the property owner for the cleaning and mowing shall not exceed the actual cost of the labor, maintenance, and equipment required. If the cleaning and mowing are done on a private contract basis, the contract shall be awarded to the lowest and best bidder;
6. If payment is not made within thirty (30) days from the date of the mailing of the statement, then within the next sixty (60) days, the Town Clerk shall forward a certified statement of the amount of the cost to the County Treasurer of Cleveland County and the same shall be levied on the property and collected by the County Treasurer as other taxes authorized by law. Once certified by the County Treasurer, payment may only be made to the County Treasurer except as otherwise provided for in this Section. Until fully paid, the cost and the interest thereon shall be the personal obligation of the property owner from and after the date the cost is certified to the County Treasurer. In addition the cost and the interest thereon shall be a lien against the property from the date the cost is certified to the County Treasurer, coequal with the lien of ad valorem taxes and all other taxes and special assessments and prior and superior to all other titles and liens against the property, and the lien shall continue until the cost shall be fully paid. At the time of collection the County Treasurer shall collect the statutory fee for each parcel of property. The fee shall be deposited to the credit of the general fund of the County. If the County Treasurer and the Town agree that the County Treasurer is unable to collect the assessment, the Town may pursue a civil remedy for collection of the amount owing and interest thereon by an action in person against the property owner and an action in rem to foreclose its lien against the property. A mineral interest, if severed from the surface interest and not owned by the surface owner, shall not be subject to any tax or judgment lien created pursuant to this Section. Upon

receiving payment, if any, the Town Clerk shall forward to the County Treasurer a notice of such payment and directing discharge of the lien; and

7. The Town Trustees hereby designate the Town Administrator, or the duly appointed representative, to carry out the duties of the Town in Subsection (a) of this Section. The property owner shall have a right of appeal to the Town Trustees from any order of the Town Administrator or the duly appointed representative. Such appeal shall be taken by filing written notice of appeal with the Town Clerk within ten (10) days after the Administrative Order is rendered.
- b. If a notice is given by the Town to a property owner ordering the property within the Town limits to be cleaned of trash and weeds or grass to be cut or mowed in accordance with the procedures provided for in Subsection (a) of this Section, any subsequent accumulations of trash or excessive weed or grass growth on the property occurring within a six (6) month period may be declared to be a nuisance and may be summarily abated without further prior notice to the property owner. At the time of each such summary abatement the Town shall notify the property owner of the abatement and the costs thereof. The notice shall state that the property owner may request a hearing within ten (10) days after the date of mailing the notice. The notice and hearing shall be as provided for in Subsection (a) of this Section. Unless otherwise determined at the hearing the cost of such abatement shall be determined and collected as provided for in paragraphs 5 and 6 of Subsection (a) of this Section. This Subsection shall not apply if the records of the County Clerk show that the property was transferred after notice was given pursuant to Subsection (a) of this Section.
- c. It is unlawful for owners of property or persons otherwise in possession or control of property located within the Town to allow trash to accumulate, or weeds to grow or stand upon the premises and the Town may impose penalties for violation.
- d. As used in this Section:
 1. "Weed" includes but is not limited to poison ivy, poison oak, or poison sumac and all vegetation at any state of maturity which:
 - a. exceeds twelve (12) inches in height, except healthy trees, shrubs, or produce for human consumption grown in a tended and cultivated garden unless such trees and shrubbery by their density or location constitute a detriment to the health, benefit and welfare of the public and community or a hazard to traffic or create a fire hazard to the property or otherwise interfere with the mowing of said weeds;
 - b. regardless of height, harbors, conceals, or invites deposits or accumulation of refuse or trash;

- c. harbors rodents or vermin;
- d. gives off unpleasant or noxious odors;
- e. constitutes a fire or traffic hazard; or
- f. is dead or diseased.

The term "weed" shall not include tended crops on land zoned for agricultural use which are planted more than one hundred fifty (150) feet from a parcel zoned for other than agricultural use.

- 2. "Trash" means any refuse, litter, ashes, leaves, debris, paper, combustible materials, rubbish, offal, or waste, or matter of any kind or form which is uncared for, discarded, or abandoned.
 - 3. "Owner" means the owner of record as shown by the most current tax rolls of the County Treasurer.
 - 4. "Cleaning" means the removal of trash from property.
- e. The provisions of this Section shall not apply to any property zoned and used for agricultural purposes or to railroad property under the jurisdiction of the Oklahoma Corporation Commission. However, the Town may cause the removal of weeds or trash from property zoned and used for agricultural purposes pursuant to the provisions of this Section but only if such weeds or trash pose a hazard to traffic and are located in, or within ten (10) yards of, the public right-of-way at intersections.
4. Condemnation of Dilapidated Buildings - Notice - Removal - Lien.
- a. The Town may cause dilapidated buildings within the municipal limits to be torn down and removed in accordance with the following procedures:
 - 1. At least ten (10) days' notice that a building is to be torn down or removed shall be given to the owner of the property before the Town holds a hearing. A copy of the notice shall be posted on the property to be affected. In addition, a copy of the notice shall be sent by mail to the property owner at the address shown by the current year's tax rolls in the Office of the County Treasurer. Written notice shall also be mailed to any mortgage holder as shown by the records in the Office of the County Clerk to the last-known address of the mortgagee. At the time of mailing of notice to any property owner or mortgage holder, the Town shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailee. However, if neither the property owner nor mortgage holder can be located, notice may be given by posting a copy of the notice on the property, or by publication as set forth in Title 11 O.S. §1-102. The notice may be published

once not less than ten (10) days prior to any hearing or action by the Town pursuant to the provisions of this Section;

2. A hearing shall be held by the Town Board of Trustees to determine if the property is dilapidated and has become detrimental to the health, safety, or welfare of the general public and the community, or if the property creates a fire hazard which is dangerous to other property;
3. Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, the Town may cause the dilapidated building to be torn down and removed. The Town shall fix reasonable dates for the commencement and completion of the work. The Town Clerk shall immediately file a notice of dilapidation and lien with the County Clerk describing the property, the findings of the Town at the hearing, and stating that the Town claims a lien on the property for the destruction and removal costs and that such costs are the personal obligation of the property owner from and after the date of filing of the notice. The agents of the Town are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the Town if the work is not performed by the property owner within dates fixed by the Trustees. Any action to challenge the order of the Trustees shall be filed within thirty (30) business days from the date of the Order;
4. The Town shall determine the actual cost of the dismantling and removal of dilapidated buildings and any other expenses that may be necessary in conjunction with the dismantling and removal of the buildings, including the cost of notice and mailing. The Town Clerk shall forward a statement of the actual cost attributable to the dismantling and removal of the buildings and a demand for payment of such costs, by mail to the property owner. In addition, a copy of the statement shall be mailed to any mortgage holder at the address provided for in paragraph 1 of this Subsection. At the time of mailing of the statement of costs to any property owner or mortgage holder, the Town shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailee. If the Town dismantles or removes any dilapidated buildings, the cost to the property owner shall not exceed the actual cost of the labor, maintenance, and equipment required for the dismantling and removal of the dilapidated buildings. If dismantling and removal of the dilapidated buildings is done on a private contract basis, the contract shall be awarded to the lowest and best bidder; and
5. When payment is made to the Town for costs incurred, the Town Clerk shall file a release of lien, but if payment attributable to the actual cost of the dismantling and removal of the buildings is not made within six (6) months from the date of the mailing of the statement to the owner of such property, the Town Clerk shall forward a certified statement of the amount of the cost to the

Cleveland County Treasurer. Once certified to the County Treasurer, payment may only be made to the County Treasurer except as otherwise provided for in this Section. The costs shall be levied on the property and collected by the County Treasurer as are other taxes authorized by law. Until finally paid, the costs and the interest thereon shall be the personal obligation of the property owner from and after the date of the notice of dilapidation and lien is filed with the County Clerk. In addition the cost and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the County Clerk. The lien shall be coequal with the lien of ad valorem taxes and all other taxes and special assessments and shall be prior and superior to all other titles and liens against the property. The lien shall continue until the cost is fully paid. At the time of collection, the County Treasurer shall collect the statutory fee each parcel of property. The fee shall be deposited to the credit of the general fund of the County. If the County Treasurer and the Town agree that the County Treasurer is unable to collect the assessment, the Town may pursue a civil remedy for collection of the amount owing and interest thereon including an action in personam against the property owner and an action in rem to foreclose its lien against the property. A mineral interest, if severed from the surface interest and not owned by the surface owner, shall not be subject to any tax or judgment lien created pursuant to this Section. Upon receiving payment, the Town Clerk shall forward to the County Treasurer a notice of such payment and shall direct discharge of the lien.

- b. The Trustees hereby designate the Town Administrator, or the duly appointed representative, to carry out the duties of the Town in this Section. The property owner shall have the right of appeal to the Town Trustees from any Order of the Town Administrator. Such appeal shall be taken by filing written notice of appeal with the Town Clerk within ten (10) days after the Administrative Order is rendered.
- c. For the purposes of this Section:
 1. "Dilapidated building" means:
 - a. a structure which through neglect or injury lacks necessary repairs or otherwise is in a state of decay or partial ruin to such an extent that the structure is a hazard to the health, safety, or welfare of the general public,
 - b. a structure which is unfit for human occupancy due to the lack of necessary repairs and is considered uninhabitable or is a hazard to the health, safety, and welfare of the general public,
 - c. a structure which is determined by the Trustees or Town Administrator to be an unsecured building, as defined by Section 23(5), for more than three (3) times within any twelve (12) month period,

- d. a structure which has been boarded and secured, as defined by Section 23(5)(c) for more than thirty-six (36) consecutive months, or
 - e. a structure declared by the Town Trustees to constitute a public nuisance; and
2. "owner" means the owner of record as shown by the most current tax rolls of the County Treasurer.
- d. Nothing in the provisions of this Section shall prevent the Town from abating a dilapidated building as a nuisance or otherwise exercising its police power to protect the health, safety, or welfare of the general public.
 - e. The officers, employees or agents of the Town shall not be liable for any damages or loss of property due to the removal of dilapidated buildings performed pursuant to the provisions of this Section or as otherwise prescribed by law.
 - f. The provisions of this Section shall not apply to any property zoned and used for agricultural purposes.
5. Tearing and Removal of Dilapidated Buildings - Cleaning, Boarding and Securing of Unsecured Building.
- a. After a building has been declared dilapidated, as provided herein, and before the commencement of the tearing and removal of a dilapidated building, the Town Trustees may authorize that such a building be boarded and secured. However, if the dilapidated building is vacant and unfit for human occupancy, the Trustees may authorize the structure to be demolished pursuant to the provisions of this Section.
 - b. The Trustees may cause the premises on which an unsecured building is located to be cleaned of trash and weeds in accordance with the provisions of this title.
 - c. The Trustees may cause an unsecured building to be boarded and secured in accordance with the following procedures:
 - 1. Before the Town Board of Trustees orders such action, at least ten (10) days' notice that such unsecured building is to be boarded and secured shall be given by mail to any property owners and mortgage holders as provided herein. At the time of mailing of notice to any property owner or mortgage holder, the Town shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailer. A copy of the notice shall also be posted on the property to be affected. However, if neither the property owner nor mortgage holder can be located, notice may be given by posting a copy of the notice on the property or by publication as defined in Title 11 O.S. §1-102. Such notice shall be published one time, not less than ten (10) days prior to any hearing or action by the Town pursuant to the

provisions of this Section. If the Trustees anticipate summary abatement of a nuisance in accordance with the provisions of this Section, the notice shall state: "that any subsequent need for boarding and securing the building within a six-month period after the initial boarding and securing of the building pursuant to such notice may be summarily boarded and secured by the Town of Slaughterville; that the costs of such boarding and securing shall be assessed against the owner; and that a lien may be imposed on the property to secure such payment, all without further prior notice to the property owner or mortgage holder";

2. The owner of the property may give written consent to the Town authorizing the boarding and securing of such unsecured building and to the payment of any costs incurred thereby. By giving written consent, the owner waives any right the owner has to a hearing by the Town Trustees;
3. If the property owner does not give written consent to such actions, a hearing may be held by the Trustees to determine whether the boarding and securing of such unsecured building would promote and benefit the public health, safety or welfare. Such hearing may be held in conjunction with a hearing on the accumulation of trash or the growth of weeds or grass on the premises of such unsecured building held pursuant to the provisions of this Section. In making such determination, the Trustees shall apply the following standard: the Town may order the boarding and securing of the unsecured building when the boarding and securing thereof would make such building less available for transient occupation, decrease a fire hazard created by such building, or decrease the hazard that such building would constitute an attractive nuisance to children.

Upon making the required determination, the Trustees may order the boarding and securing of the unsecured building;

4. After the Town orders the boarding and securing of such unsecured building, the Town Clerk shall immediately file a notice of unsecured building and lien with the County Clerk describing the property, stating the findings of the Town at the hearing at which such building was determined to be unsecured, and stating that the Town claims a lien on the property for the costs of boarding and securing such building and that such costs are the personal obligation of the property owner from and after the date of filing the notice;
5. Pursuant to the Order of the Trustees, the agents of the Town are granted the right of entry on the property for the performance of the boarding and securing of such building and for the performance of all necessary duties as a governmental function of the Town;
6. After an unsecured building has been boarded and secured, the Town shall determine the actual costs of such actions and any other expenses that may be

necessary in conjunction therewith including the cost of the notice and mailing. The Town Clerk shall forward a statement of the actual costs attributable to the boarding and securing of the unsecured building and a demand for payment of such costs, by mail to any property owners and mortgage holders as provided in this Section. At the time of mailing of the statement of costs to any property owner or mortgage holder, the Town shall obtain a receipt of mailing from the postal service, which receipt shall indicate the date of mailing and the name and address of the mailee.

If the Town boards and secures any unsecured building, the cost to the property owner shall not exceed the actual cost of the labor, materials and equipment required for the performance of such actions. If such actions are done on a private contract basis, the contract shall be awarded to the lowest and best bidder;

7. When payment is made to the Town for costs incurred, the Town Clerk shall file a release of lien, but if payment attributable to the actual costs of the boarding and securing of the unsecured building is not made within thirty (30) days from the date of the mailing of the statement to the owner of such property, the Town Clerk shall forward a certified statement of the amount of the costs to the Cleveland County Treasurer. Once certified to the County Treasurer, payment may only be made to the County Treasurer except as otherwise provided for in this Section. At the time of collection the County Treasurer shall collect the statutory fee for each parcel of property and such fee shall be deposited to the general fund of the County. The costs shall be levied on the property and collected by the County Treasurer as are other taxes authorized by law. Until fully paid, the costs and the interest thereon shall be the personal obligation of the property owner from and after the date the notice of unsecured building and lien is filed with the County Clerk. In addition the costs and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the County Clerk. The lien shall be coequal with the lien of ad valorem taxes and all other taxes and special assessments and shall be prior and superior to all other titles and liens against the property. The lien shall continue until the costs and interest are fully paid. If the County Treasurer and the Town agree that the County Treasurer is unable to collect the assessment, the Town may pursue a civil remedy for collection of the amount owing and interest thereon by an action in personam against the property owner and an action in rem to foreclose its lien against the property. A mineral interest if severed from the surface owner shall not be subject to any tax or judgment lien created pursuant to this Section. Upon receiving payment, the Town Clerk shall forward to the County Treasurer a notice of such payment and shall direct discharge of the lien;
8. The Town Trustees hereby designate the Town Administrator or the duly appointed representative to carry out the duties of the Trustees specified in Subsection (c) above. The property owner or mortgage holder shall have a right

of appeal to the Town Trustees from any order of the Town Administrator. Such appeal shall be taken by filing written notice of appeal with the Town Clerk within ten (10) days after the Administrative Order is rendered;

9. If the Town causes a structure within the Town limits to be boarded and secured, any subsequent need for boarding and securing within a six (6) month period constitutes a public nuisance and the structure may be summarily boarded and secured without further prior notice to the property owner or mortgage holder. At the time of each such summary boarding and securing, the Town shall notify the property owner and mortgage holder of the boarding and securing and the costs thereof. The notice shall state that the property owner may request an appeal with the Town Clerk within ten (10) days after the mailing of the notice. The notice and hearing shall be as provided for in paragraph (c)(1) of this Subsection. Unless otherwise determined at the hearing the cost of such boarding and securing shall be determined and collected as provided for in paragraphs 6 and 7 of this Subsection;
10. The Town Trustees may determine that a building is unsecured and order that such building be boarded and secured in the manner provided for in this Subsection even though such building has not been declared, by the Trustees, to be dilapidated; and
11. For the purposes of this Subsection:
 - a. "boarding and securing" or "boarded and secured" means the closing, boarding or locking of any or all exterior openings so as to prevent entry into the structure,
 - b. "unsecured building" shall mean any structure which is not occupied by a legal or equitable owner thereof, or by a lessee of a legal or equitable owner, and into which there are one or more unsecured openings such as broken windows, unlocked windows, broken doors, unlocked doors, holes in exterior walls, holes in the roof, broken basement or cellar hatchways, unlocked basement or cellar hatchways or other similar unsecured openings which would facilitate an unauthorized entry into the structure, and
 - c. "unfit for human occupancy" means a structure that due to lack of necessary repairs is considered uninhabitable and is a hazard to the health, safety, and welfare of the general public.
- d. The provisions of this Section shall not apply to any property zoned and used for agricultural purposes.

Sections 24 through 34. (Reserved for future use.)

ARTICLE 2 SPECIFIC ZONING DISTRICT REGULATIONS

AGRICULTURAL / RESIDENTIAL (AR-1) DISTRICT

Section 35. Purpose.

Section 36. Permitted Principle Uses and Structures.

Section 37. Permitted Accessory Uses and Structures.

Section 38. Uses and Structures Permitted on Review.

Section 39. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 40. Special Requirements.

Section 35. Purpose.

This Zoning District is intended to preserve land for agricultural and directly-related uses, discourage premature suburban development and prevent inefficient, untimely and expensive extension of Municipal utilities. It is also intended to allow one residence on one agricultural tract. The types and intensity of uses permitted are intended to protect agricultural uses until densities reach a minimum of ten (10) acres per tract. This area is sub-classified as Area "C" on the Area Planning Map as attached hereto and made a part hereof by reference.

Section 36. Permitted Principle Uses and Structures.

The following are permitted uses for the AR-1 Zone:

1. General farming, forestry, ranching and other agricultural activities and structures, either with or without one (1) residence on the tract of land; provided however, this does not include the operation of commercial feedlots or similar operations.
2. Animal raising.
3. Horticulture.
4. Row and Field Crops.
5. One single-family home on a minimum ten (10) acre lot, whether mobile, manufactured, or constructed.

Section 37. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Ordinances, the following accessory uses and structures are permitted in the AR-1, Agricultural / Residential District:

1. Farm buildings directly related to agricultural uses.
2. Private garages.
3. Private swimming pools and tennis courts.

4. Private greenhouses (not operated for commercial purposes) and gardens or areas for the raising of agricultural crops or livestock.
5. Temporary buildings used in conjunction with construction work; provided that:
 - a. Such buildings are removed promptly upon completion of said construction work; and
 - b. Such building locations are issued a Zoning Compliance Permit, if appropriate.
6. Commercial stands, operated on a temporary or seasonal basis; provided they register as provided in Section 19, and:
 - a. Such stands, as well as the surrounding area, are properly maintained, and free from trash, weeds and debris, throughout the entire year; and
 - b. Such stands are set back from the roadway an adequate distance to provide for safe parking, ingress and egress.
7. Satellite receiving dishes and/or antennas, provided that they observe all setback and height requirements.
8. Farrier, horseshoeing and blacksmith shops.
9. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this District, including accessory signs; provided that said signs are in full compliance with all appropriate provisions of this or other Town ordinances.

Section 38. Uses and Structures Permitted on Review.

Subject to the requirements of Article 1 of this Zoning Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review.

1. Public buildings, utilities and railroads.
2. Airfields, airports and landing strips; provided that:
 - a. The approach areas to said fields are also appropriately-zoned for agricultural or similar uses;
 - b. Commercial or industrial activities, including storage activities, are not conducted on the site; and
 - c. State or Federal approval for such operations has been obtained, if required.
3. Elementary schools, secondary schools, vocational technology centers, or any other institutions of learning.

4. Churches and religious Temples.
5. Community or neighborhood meeting or recreational buildings.
6. Animal hospitals, zoos, animal care facilities, animal sanctuaries, or dog or other animal kennels.
7. Public stables and boarding stables.
8. Public parks and recreation or play areas developed for active usage.
9. Public fairgrounds and/or rodeo arenas.
10. Oil or natural gas drilling operations or the extraction of minerals, subject to the provisions of the Town's Oil and Gas Ordinance.
11. Commercial communication towers.
12. Child Day-Care Centers provided that:
 - a. They are located in a single family dwelling which is the permanent residence of the operator or are located within a multi-purpose building which is used for religious or educational purposes;
 - b. That they are operated in a manner that will not alter the agricultural character of the neighborhood or adversely affect property values;
 - c. That they are located on a tract of land encompassing ten (10) acres, with a minimum outdoor play area of seventy-five (75) square feet per child, enclosed by a suitable fence;
 - d. That they meet Federal, State, County and Town regulations and requirements as to safety, design, facilities and equipment; and
 - e. That there is an adequate off-street parking area to minimize the adverse effects of increased traffic on the surrounding agricultural environment.
13. Commercial greenhouses.
14. Meat processing plants and/or butcher shops.
15. Taxidermy shops.
16. Any other use or structure which would not cause any problems for the agricultural area or an increase in the population density in the agricultural area.

Section 39. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

1. Minimum lot area for any use: Ten (10) acres.
2. Setbacks are required as set forth in Section 18.

3. No maximum height requirements, except as may be established for airport facilities, are imposed. However, residences located on Agricultural / Residential zoned property shall have a maximum height requirement as established in R-1, Single Family Residential Zoning District.

Section 40. Special Requirements.

1. Sight Triangle. As required in Section 19.
2. Special Setback Lines. As defined in this Ordinance and as may be additionally created by Ordinance of the Town of Slaughterville, Oklahoma, consistent with the Town's Major Streets Plan, shall be considered and adhered to, in the application of the provisions of this District.
3. Intensity of Use. For all permitted uses in this District, there shall be a lot area of not less than ten (10) acres.

AGRICULTURAL / RESIDENTIAL (AR-2) DISTRICT

Section 41. Purpose.

Section 42. Permitted Principle Uses and Structures.

Section 43. Permitted Accessory Uses and Structures.

Section 44. Uses and Structures Permitted on Review.

Section 45. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 46. Special Requirements.

Sections 47 through 50. (Reserved for future use.)

Section 41. Purpose.

This Zoning District is intended to preserve land for agricultural and directly-related uses, discourage premature suburban development and prevent inefficient, untimely and expensive extension of Municipal utilities. It is also intended to allow one residence on one agricultural tract. The types and intensity of uses permitted are intended to protect agricultural uses until densities reach a minimum of five (5) acres per tract. This area is sub-classified as Areas "A" and "B" on the Area Planning Map.

Section 42. Permitted Principle Uses and Structures.

The following are permitted uses for the AR-2 Zone:

1. General farming, forestry, ranching and other agricultural activities and structures, either with or without one (1) residence on the tract of land; provided however, this does not include the operation of commercial feedlots or similar operations.
2. Animal raising.
3. Horticulture.
4. Row and Field Crops.
5. One single-family home on a minimum five (5) acre lot, whether mobile, manufactured, or constructed.

Section 43. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Municipal Ordinances, the following accessory uses and structures are permitted in the AR-2, Agricultural / Residential District:

1. Farm buildings directly related to agricultural uses.
2. Private garages.
3. Private swimming pools and tennis courts.
4. Private greenhouses (not operated for commercial purposes) and gardens or areas for the raising of agricultural crops or livestock.

5. Temporary buildings used in conjunction with construction work; provided, that:
 - a. Such buildings are removed promptly upon completion of said construction work; and
 - b. Such building locations are issued a Zoning Compliance Permit, if appropriate.
6. Commercial stands, operated on a temporary or seasonal basis; provided they register as provided in Section 19, and:
 - a. Such stands, as well as the surrounding area, are properly maintained, and free from trash, weeds and debris, throughout the entire year; and
 - b. Such stands are set back from the roadway an adequate distance to provide for safe parking, ingress and egress.
7. Satellite receiving dishes and/or antennas, provided that they observe all setback and height requirements.
8. Farrier, horseshoeing and blacksmith shops.
9. Uses and structures clearly incidental and necessary to the permitted principal uses or structures of this District, including accessory signs; provided, that said signs are in full compliance with all appropriate Town Ordinances.

Section 44. Uses and Structures Permitted on Review.

Subject to the requirements of Article 1 of this Zoning Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review.

1. Public buildings, utilities and railroads.
2. Airfields, airports and landing strips; provided, that:
 - a. The approach areas to said fields are also appropriately-zoned for agricultural or similar uses,
 - b. Commercial or industrial activities, including storage activities, are not conducted on the site; and
 - c. State or Federal approval for such operations has been obtained, if required.
3. Elementary schools, secondary schools, vocational technology centers, or any other institutions of learning.
4. Churches and religious Temples.
5. Community or neighborhood meeting or recreational buildings.
6. Animal hospitals, zoos, animal care facilities, animal sanctuaries, or dog or other

- animal kennels.
7. Public stables and boarding stables.
 8. Public parks and recreation or play areas developed for active usage.
 9. Public fairgrounds and/or rodeo arenas.
 10. Oil or natural gas drilling operations or the extraction of minerals, subject to the provisions of the Town's Oil and Gas Ordinance.
 11. Commercial communication towers.
 12. Child Day-Care Centers provided that:
 - a. They are located in a single family dwelling which is the permanent residence of the operator or are located within a multi-purpose building which is used for religious or educational purposes;
 - b. That they are operated in a manner that will not alter the agricultural character of the neighborhood or adversely affect property values;
 - c. That they are located on a tract of land encompassing five (5) acres, with a minimum outdoor play area of seventy-five (75) square feet per child, enclosed by a suitable fence;
 - d. That they meet Federal, State, County and Town regulations and requirements as to safety, design, facilities and equipment; and
 - e. That there is an adequate off-street parking area to minimize the adverse effects of increased traffic on the surrounding agricultural environment.
 13. Commercial greenhouses.
 14. Meat processing plants and/or butcher shops.
 15. Taxidermy shops.
 16. Any other use or structure which would not cause any problems for the agricultural area or an increase in the population density in the agricultural area.

Section 45. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

1. Minimum lot area for any use: Five (5) acres.
2. Setbacks are required as set forth in Section 18.
3. No maximum height requirements, except as may be established for airport facilities, are imposed. However, residences located on Agricultural / Residential zoned property shall have a maximum height requirement as established in R-1, Single Family Residential Zoning District.

Section 46. Special Requirements.

1. Sight Triangle. As required in Section 19.
2. Special Setback Lines. As defined in this Ordinance and as may be additionally created by Ordinance of the Town of Slaughterville, Oklahoma, consistent with the Town's Major Streets Plan, shall be considered and adhered to, in the application of the provisions of this District.
3. Intensity of Use. For all permitted uses in this District, there shall be a lot area of not less than five (5) acres.

Sections 47 through 50. (Reserved for future use.)

SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT

Section 51. Purpose.

Section 52. Permitted Principle Uses and Structures.

Section 53. Permitted Accessory Uses and Structures.

Section 54. Uses and Structures Permitted on Review.

Section 55. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 56. Special Requirements.

Sections 57 through 69. (Reserved for future use.)

Section 51. Purpose.

This District is intended to provide minimum standards for predominantly single-family, residential development, and accompanied by related and appropriate recreational, religious and educational facilities. The applicable sub-district classifications are Areas "A" and "B" on the Area Planning Map.

Section 52. Permitted Principle Uses and Structures.

1. Detached, single-family dwellings on a tract of land of not less than two and one-half (2½) acres.
2. Publicly-owned open space, park or passive recreation areas

Section 53. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Municipal Ordinances, the following accessory uses and structures are permitted in the R-1, Single-Family Residential District:

1. Private garages provided that:
 - a. Such structures shall observe setback requirements, and
 - b. Such structures shall not encroach upon any utility, street, alley or drainage easement or right-of-way.
2. Private swimming pools and tennis courts.
3. Private greenhouses (not operated for commercial purposes).
4. Temporary buildings used in conjunction with construction work; provided that such buildings are removed promptly upon completion of the construction work; no temporary Zoning Compliance Permit will be required.
5. Carports.
6. Uses and structures (including accessory signs) clearly incidental and necessary to the permitted principle uses and structures in this District (including storage sheds and similar structures), and including home based businesses.

7. Satellite receiver dishes and/or antennas.

Section 54. Uses and Structures Permitted on Review.

Subject to the requirements of Article 1 of this Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review.

1. Golf Courses and Country Clubs.
2. Structures related to the operation of Municipal, County, State or Federal Government operations (but not storage, construction, maintenance or repair yards or buildings).
3. Public or non-profit operated neighborhood meeting or indoor recreational facilities, parks, playgrounds, outdoor recreational facilities, libraries, and secondary or elementary schools; provided that the location of any such proposed use shall be consistent with the demographic characteristics of the surrounding neighborhood, in order to ensure that the proposed use does not create a neighborhood-oriented service which is completely out of character with the neighborhood.
4. Churches or religious Temples.
5. Child Day-Care Centers provided that:
 - a. They are located in a single family dwelling which is the permanent residence of the operator or are located within a multi-purpose building which is used for religious or educational purposes;
 - b. That they are operated in a manner that will not alter the residential character of the neighborhood or adversely affect property values;
 - c. That they are located on a tract of land encompassing two and one-half (2¹/₂) acres, with a minimum outdoor play area of seventy-five (75) square feet per child, enclosed by a suitable fence;
 - d. That they meet Federal, State, County and Town regulations and requirements as to safety, design, facilities and equipment; and
 - e. That there is adequate off-street parking area to minimize the adverse effects of increased traffic on the surrounding residential environment.
6. Home based businesses such as beauty shops, tax services, insurance sales and offices and other like home based businesses, provided that:
 - a. The business is located on the residents' own property, and operated by the residents thereof;
 - b. Only one (1) sign will be permitted so long as it is placed in a manner that will not alter the residential character of the neighborhood or adversely affect property values, in accordance with the Sign Ordinance.
7. Neighborhood commercial uses (such as neighborhood grocery stores or bakeries), provided that:

- a. Setbacks and height restrictions shall be in accordance with the requirements in C-1, Commercial District; and
 - b. Adequate off-street parking is available to accommodate the use of the facility.
8. Any other use or structure which would not cause an increased traffic flow, or disturb the peace of a residential area.

Section 55. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

1. Size: Two and one-half (2 1/2) acres.
2. Setbacks: Setbacks are required as set forth in Section 18 of this Ordinance.
3. Maximum Height Requirement: Thirty-five (35) feet.

Section 56. Special Requirements.

1. Sight Triangle. As required in Article 1, Section 19.
2. Signs. All signs, including temporary and political signs, shall be maintained in a neat and presentable condition all as set forth in the Sign Ordinance.

Sections 57 through 69. (Reserved for future use.)

MULTI-FAMILY RESIDENTIAL (R-2) DISTRICT

Section 70. Purpose.

Section 71. Permitted Principle Uses and Structures.

Section 72. Permitted Accessory Uses and Structures.

Section 73. Uses and Structures Permitted on Review.

Section 74. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 75. Special Requirements.

Sections 76 through 89. (Reserved for future use.)

Section 70. Purpose.

This District is intended to provide for medium and high population density (both rental units and owner-occupied condominium and Townhouse units) and to help establish, stabilize and/or protect neighborhoods whose structure includes multi-family residential units. Certain recreational, religious, educational and commercial uses which support, and are compatible with, more intensive residential uses, are also permitted. The applicable sub-district classifications are Areas "A" and "B" in the Area Planning Map.

Section 71. Permitted Principle Uses and Structures.

1. Any use permitted in the R-1, Single-Family, Residential District.
2. Multiple-family dwelling units meeting a minimum of two and one-half (2½) acres plus such additional square footage as provided in Article 2, Section 74.

Section 72. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Municipal Ordinances, the following accessory uses and structures are permitted in the R-2, Multi-Family Residential District:

1. Accessory uses and structures (including accessory signs) clearly incidental and necessary to the permitted principle uses and structures.
2. Any accessory use or structure allowed in R-1 Single Family Residential Zone.

Section 73. Uses and Structures Permitted on Review.

Subject to the requirements of this Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review.

1. Uses and structures permitted on review in the R-1 Single-Family Residential District (unless permitted by right in this District).
2. Rooming or boarding houses (not to include commercial hotels or motels).
3. Nursing and convalescent homes and hospitals; provided, that:
 - a. Off-street parking is provided in the amount of one (1) space per employee, plus one (1) space for every two (2) beds; and

- b. Adequate provisions are made for both loading/unloading patients and loading/unloading supplies and materials.
4. Community or neighborhood meeting or recreation buildings.
5. Park, playground or recreation areas.
6. Elementary or secondary schools.
7. Libraries.
8. Churches or religious Temples.
9. Lodges, Fraternities, and Sororities, except those whose chief activity is a service customarily carried on as a business or commercial operation; provided that:
 - a. Commercial setbacks are met, and
 - b. Adequate off-street parking is provided to accommodate the facility.
10. Any other use or structure which would not cause an increased traffic flow, or disturb the peace of a residential area.

Section 74. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

1. Size: Two and one-half (2½) acres for a two-family unit, and an additional fifteen thousand (15,000) square feet for each residence in excess of two (2).
2. Setbacks: Same as the R-1 Single-Family Residential District requirements for single-family dwellings.
3. Maximum Height Requirements: Thirty-five (35) feet.

Section 75. Special Requirements.

1. Sight Triangle. As required in Article 1, Section 19.
2. Signs. All signs, including temporary and political signs, shall be maintained in a neat and presentable condition all as set forth in Article 1, Section 19.
3. Coverage. Main and accessory buildings shall not cover more than fifty percent (50%) of the lot area.

LOW DENSITY RESIDENTIAL (RL-1) DISTRICT

Section 76. Purpose

Section 77. Permitted Principle Uses and Structures

Section 78. Permitted Accessory Uses and Structures.

Section 79. Uses and Structures Permitted on Review.

Section 80. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 81. Special Requirements.

Sections 82 through 89. (Reserved for future use.)

Section 76. Purpose.

This District is intended to provide for low population density residential development and to provide minimum standards for predominantly single-family residential development, and accompanied by related and appropriate recreational, religious and educational facilities. The applicable sub-district classification is Area "C" on the Area Planning Map.

Section 77. Permitted Principle Uses and Structures.

1. Detached, single-family dwellings on a tract of land of not less than five (5) acres.
2. Publicly-owned open space, park or passive recreation areas

Section 78. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Municipal Ordinances, the following accessory uses and structures are permitted in the RL-1, Low Density Residential District:

1. Private garages provided that:
 - a. Such structures shall observe setback requirements, and
 - b. Such structures shall not encroach upon any utility, street, alley or drainage easement or right-of-way.
2. Private swimming pools and tennis courts.
3. Private greenhouses (not operated for commercial purposes).
4. Temporary buildings used in conjunction with construction work; provided that such buildings are removed promptly upon completion of the construction work; (no temporary Zoning Compliance Permit will be required).
5. Carports.
6. Uses and structures clearly incidental and necessary to the permitted principle uses and structures in this District (including storage sheds and similar structures), and including home based businesses.
7. Satellite receiver dishes and/or antennas.

Section 79. Uses and Structures Permitted on Review.

Subject to the requirements of Article 1 of this Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review.

1. Golf Courses and Country Clubs.
2. Structures related to the operation of Municipal, County, State or Federal Government operations (but not storage, construction, maintenance or repair yards or buildings).
3. Public or non-profit operated neighborhood meeting or indoor recreational facilities, parks, playgrounds, outdoor recreational facilities, libraries, and secondary or elementary schools; provided that the location of any such proposed use shall be consistent with the demographic characteristics of the surrounding neighborhood, in order to ensure that the proposed use does not create a neighborhood-oriented service which is completely out of character with the neighborhood.
4. Churches or religious Temples.
5. Child Day-Care Centers provided that:
 - a. They are located in a single family dwelling which is the permanent residence of the operator or are located within a multi-purpose building which is used for religious or educational purposes;
 - b. That they are operated in a manner that will not alter the residential character of the neighborhood or adversely affect property values;
 - c. That they are located on a tract of land encompassing five (5) acres, with a minimum outdoor play area of seventy-five (75) square feet per child, enclosed by a suitable fence;
 - d. That they meet Federal, State, County and Town regulations and requirements as to safety, design, facilities and equipment; and
 - e. That there is adequate off-street parking area to minimize the adverse effects of increased traffic on the surrounding residential environment.
6. Home based businesses such as beauty shops, tax services, insurance sales and offices and other like home based businesses, provided that:
 - a. The business is located on the residents' own property and operated by the residents thereof;
 - b. Only one (1) sign will be permitted so long as it is placed in a manner that will not alter the residential character of the neighborhood or adversely affect property values, as set forth in the Sign Ordinance.
7. Neighborhood commercial uses (such as neighborhood grocery stores or bakeries), provided that:
 - a. Setbacks and height restrictions shall be in accordance with the requirements in C-1, Commercial District; and

- b. Adequate off-street parking is available to accommodate the use of the facility.
- 8. Any other use or structure which would not cause an increased traffic flow, or disturb the peace of a residential area.

Section 80. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

- 1. Size: five (5) acres.
- 2. Setbacks: Setbacks are required as set forth in Section 18 of this Ordinance.
- 3. Maximum Height Requirement Thirty-five (35) feet.

Section 81. Special Requirements.

- 1. Sight Triangle. As required in Article 1, Section 19.
- 2. Signs. All signs shall be in total compliance with the provisions of the Sign Ordinance for the Town of Slaughterville Oklahoma.

Sections 82. through 89. (Reserved for future use.)

LOCAL/HIGHWAY COMMERCIAL (C-1) DISTRICT

Section 90. Purpose.

Section 91. Permitted Principle Uses and Structures.

Section 92. Permitted Accessory Uses and Structures.

Section 93. Uses and Structures Permitted on Review.

Section 94. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 95. Special Requirements.

Sections 96 through 109. (Reserved for future use.)

Section 90. Purpose.

This District is intended to provide for the range of commercial services which are normally oriented toward through-highway and/or street traffic within the Community, in such a manner that the District will accommodate both quick-stop and longer-visit shopping, as well as provide for additional highway-oriented office, retail, cultural and entertainment trade. Additionally, District regulations are intended to minimize traffic congestion and noise, promote safety, provide adequate and controlled parking and expansion area, allow safe pedestrian movement, minimize adverse impacts on residential areas, encourage improved commercial site design and layout and encourage improved visual quality in highway commercial development. The applicable sub-district classifications are Areas "A", "B" and "C" in the Area Planning Map.

Section 91. Permitted Principle Uses and Structures.

In order to conduct business in a commercial operation, each and every business must have a valid sales tax permit and actively collect and pay sales tax. New businesses which are owned and operated by individuals who are subject to sales tax liens, and which are clearly affiliated with other corporations, partnerships, or Limited Liability Companies, or combinations thereof, which owe sales tax shall not be allowed to operate.

Any business that uses, involves, or creates waste products, such as but not limited to chemicals, radiographic materials, photograph chemicals, solvents, oil, lubricants, and other such products shall have a plan for appropriate disposal that meet all Federal, State and local environmental guidelines. This includes but is not limited to, barber shops, beauty shops, dental clinics, funeral parlors, photographic processing, automotive yards (where automotive fluids and other products may escape) and other such establishments.

The following types of businesses are allowed:

1. General retail sales establishment.
2. Hotels and motels.
3. A dwelling unit located within a store, office, or shop provided that the principal use of the building is for commercial purposes.
4. Clubs and lodges.

5. Traditional grocery stores.
6. Personal services such as barber shops, beauty shops, and other occupations that are intended to serve a limited local market; provided that they are structured in a fashion which will not create increase traffic, noise, or any other negative impact for the area in which they are placed.
7. Financial institutions and offices.
8. Business and professional offices and studios.
9. Newspaper offices.
10. Medical and dental clinics and offices.
11. Public buildings.
12. Public parking garages.
13. Wholesale display and salesrooms.
14. Theaters and other places of amusement.
15. Cultural centers, museums and art galleries.
16. Churches and religious Temples.
17. Farm implement display, sales, service, repair and/or feed stores.
18. Boats, motors, travel trailer and mobile home display, sales, service and repair.
19. Automotive display and sales.
20. Automobile service and repair, or public garages.
21. Drive-in theaters.
22. Quick-stop type grocery stores, with or without gasoline sales facilities.
23. Gasoline, service or liquid petroleum gas filling stations, natural gas filling stations, hydrogen gas filling stations, or other filling stations.
24. Restaurants, cafes, and drive-ins, provided they do not sell beer, wine or other forms of alcoholic beverages.
25. Garden centers, nurseries, greenhouses and horticultural sales outlets which include

either enclosed or unenclosed display areas, or both.

26. Video arcades and electronic game centers.

27. Commercial communication towers.

28. Child Day-Care Centers provided that:

- a. They are operated in a manner that will not alter the character of the neighborhood or adversely affect property values;
- b. All outdoor play areas are enclosed by a suitable fence;
- c. They meet Federal, State, County and Town regulations and requirements as to safety, design, facilities and equipment; and
- d. There is adequate off-street parking to minimize the adverse effects on the flow of traffic.

29. Storage facilities for personal belongings.

30. Consumer repair services.

31. Butcher shops.

32. Any other uses and structures clearly incidental and necessary to the permitted principal uses or structures of this District, including accessory signs; provided that said signs are in full compliance with the provisions of Ordinance #72 pertaining to signs.

Section 92. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Municipal Ordinances, the following accessory uses and structures are permitted in the C-1, Local/Highway Commercial District: all uses and structures (including accessory signs and accessory storage warehouses) clearly incidental and necessary to the permitted principle uses and structures in this Zoning District.

Section 93. Uses and Structures Permitted on Review.

Subject to the requirements of Article 1 of this Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review:

1. Principle uses and structures permitted in the R-1, Single Family Residential District, provided that:
 - a. Each request for a Use Permitted on Review shall be for one (1) principal structure, building, or use only; and
 - b. Minimum requirements for off-street parking, setbacks and height restrictions as set forth in C-1, Commercial District are met.
2. Public and private utility or contractors, equipment and/or material storage, and

maintenance yards or buildings.

3. Warehouses or storage units.
4. Funeral parlors; provided, that:
 - a. Adequate Off-street parking is provided based on the seating capacity of the auditorium; and
 - b. A waiting area, sufficient to hold at least ten (10) vehicles, is provided.
 - c. There shall be a plan to properly dispose of chemicals.
5. Nursing and convalescent homes and hospitals; provided that:
 - a. Off-street parking is provided in the amount of one (1) space per employee, plus one (1) space for every two (2) beds; and
 - b. Adequate provisions are made for both loading/unloading patients and loading/unloading supplies and materials.
6. Liquor stores, provided that:
 - a. Any establishment that operates under the provisions of a Wine or Beer License issued by the State of Oklahoma may not be located within six hundred and sixty (660) feet of any church property primarily and regularly used for worship services and religious activities, or public or private school, day care centers or parks.
 - b. If any such church, school, day care facility, or park is established within six hundred and sixty (660) feet of any licensed premises after such licensed premises is permitted, this Section shall not be a bar to the renewal of such license so long as the business has been in continuous operation and the license has been in continuous force and effect.
 - c. The distance indicated in this Subsection shall be measured from the nearest property line of such church, school, day care or park to the nearest property line of the premises of said beer or wine licensed establishment and measured across property and Section lines and not along street right-of-way lines.
7. Establishments that serve alcoholic beverages, with or without food, including but not limited to: restaurants, cafes, drive-ins, mixed beverage clubs, bottle clubs, bars, or taverns provided that:
 - a. Any establishment that operates under the provisions of a Wine or Beer License issued by the State of Oklahoma may not be located within six hundred and sixty (660) feet of any church property primarily and regularly used for worship services and religious activities, or public or private school, day care centers, or parks.
 - b. If any such church, school, day care facility, or park is established within six hundred and sixty (660) feet of any licensed premises after such licensed premises, this Section shall not be a bar to the renewal of such license so long as the business has been in continuous operation and the license has been in continuous force and effect.
 - c. The distance indicated in this Subsection shall be measured from the nearest property line of such church, school, day care or park to the nearest property line of the premises of such beer and wine licensed establishment and measured across

property and Section lines and not along street right-of-way lines.

8. Adult entertainment use shall only be allowed under the following conditions:
 - a. All forms of adult entertainment use as hereinafter described whether the use is to locate, relocate, remodel, alter or rebuild, shall comply with the provisions hereinafter set forth as well as all other provisions contained within this Article generally.
 - b. It has become apparent that the concentration of "adult entertainment uses" tends to result in the blighting and deterioration of those areas subject to such concentration. Accordingly, it is deemed necessary to regulate such uses in a manner reasonably calculated to prevent the occurrence of such deleterious effects upon surrounding properties.
 - c. Development Regulations for Adult Entertainment Uses.
 1. Adult Entertainment Uses as specified herein shall be permitted to locate only in the Commercial Zoning Districts.
 2. No such zoning shall be granted for any proposed location which is within a one thousand foot (1000') radius of any other Adult Entertainment Use as specified herein.
 3. No Adult Entertainment Use shall be allowed to locate within 2,640 feet radius of any church, public or private school, municipal building, day care facility, public park, or area zoned for residence; provided however, that a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of the property owners within 2,640 feet radius of the proposed site.
 4. All distances required to be met pursuant to the terms of this Section shall begin at the property line of the proposed use and are measured to the nearest property line of the public or private lot, school, park, church, day care facility, residentially zoned lot, or adult entertainment use within the prescribed distance, if any.
 - d. Non-Conforming Uses. Any business in existence as of the effective date of this Ordinance which is in violation hereof shall be deemed a non-conforming use. Such non-conforming use shall not in any manner be enlarged, extended, altered or rebuilt except that such uses may be changed so as to comply with the provisions of this Ordinance.
 - e. Such uses as are deemed non-conforming uses pursuant to the terms of this Ordinance shall be permitted to continue for two (2) years after the adoption of this Ordinance unless such use is terminated for any reason whatsoever prior thereto for a period of thirty (30) days or more; thereafter such non-conforming use shall terminate or come into compliance with the terms of this Section.
 - f. First Use Deemed Complying. In the event that any two or more "Adult Entertainment Uses" are located within one thousand feet (1000') of each other as of the effective date of this Ordinance, that "Adult Entertainment Use" which shall have first been licensed or continually operated shall be deemed to be the complying use. The person, firm, corporation or other entity responsible for the operation or management of the "Adult Entertainment Use" in such cases shall have the responsibility of proving to the Planning and Zoning Commission by documented evidence the date on which such "Adult Entertainment Use" began

operation.

g. Definitions.

1. "Adult entertainment use." Amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or relating to "Sexual Conduct" or "Specified Anatomical Areas", including but not limited to topless or bottomless dancers, exotic dancers, strippers, male or female impersonators or similar entertainment; adult bookstores; adult motion picture theaters; adult picture arcades; adult sexual centers; or any other adult form of entertainment or amusement for said purposes.
 2. "Adult Bookstore." An establishment having as a significant portion of its stock-in-trade books, film, magazines or other periodicals which are distinguished or characterized by an emphasis on depicting or describing "Sexual Conduct" or "Specified Anatomical Areas."
 3. "Adult Motion Picture Theater or Picture Arcade." A theater used for presenting material distinguished or characterized by an emphasis on depicting or describing "Sexual Conduct" or "Specified Anatomical Areas," or any place at which slug-operated or electronically, electrically or mechanically controlled, still or motion picture machines, projectors, or other image-projectors or other image-producing devices are maintained to show images which display or distinguish an emphasis on depicting or describing "Sexual Conduct" or "Specified Anatomical Areas."
 4. "Sexual Encounter Center." Any building or structure which contains or is used for commercial entertainment where the patron directly or indirectly is charged a fee to engage in personal contact with, or to allow personal contact by, employees, devices, or equipment or by personnel provided by the establishment which appeals to the prurient interest of the patron, to include but not limited to bath houses, massage parlors, and related or similar activities.
 5. "Sexual Conduct" includes the following:
 - a. The fondling or other touching of human genitals, pubic region, buttocks, or female breasts;
 - b. Ultimate sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, sodomy, or bestiality;
 - c. Masturbation; and
 - d. Excretory functions as part of or in connection with any of the activities set forth above in (a) through (c) above.
 6. "Specified Anatomical Areas" include the following:
 - a. Human genitals, pubic region, buttocks, and female breast below a point immediately above the top of the areola;
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.
9. The use of land or buildings for the commercial wholesale or retail storage of liquefied petroleum gases, or any other storage of liquefied petroleum gas.

10. Bulk storage of liquid fertilizer and petroleum products under pressure (this Section does not apply to such storage by farmers or ranchers for private use).
11. Commercial auctions, sale barns and buying stations for products other than livestock or poultry.
12. Security guard or watchman facilities, provided such facility is not a dwelling and there is enough space available to allow the accessory use of the land.
13. Funeral parlors or services.
14. Any other use or structure which would not cause an increased traffic flow or disturb the peace of a commercial area.

Section 94. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

1. Minimum Lot Size. All lots must be of sufficient size accommodate the facility, the use of the facility by customers, storage units, off-street parking, loading and unloading, water wells, sewage disposal systems, and setback requirements. Any person submitting an application for a Zoning Compliance Permit must submit such information as the Town requests, including the proposed seating capacity.
2. Setbacks for Commercial Uses: Setbacks are required as set forth in Section 18 this Ordinance.
3. Maximum Height Requirements: Shall be thirty-five (35) feet.

Section 95. Special Requirements.

1. Parking. In addition to the requirements set forth in Article 1, Section 17, all off-street parking facilities or lots shall be designed, located and constructed in accordance with the following provisions:
 - a. Said spaces or lot shall be located within fifty (50) feet (exclusive of street and alley widths) of the principle use and shall have direct access to a street.
 - b. All parking and drive surfaces required under the provisions of this Zoning District, including access to all units in mini-storage facilities shall be constructed and maintained in a manner such that no dust or drainage problem will result. Parking and drive surfaces shall consist of a minimum surface of oil and chip with a minimum of two (2) layers, the first layer being \square to $\frac{3}{4}$ " chip and the second layer being $\frac{1}{2}$ " chip. Other higher quality surfacing, such as but not limited to, asphalt, concrete, etc., shall also be allowed with minimum standards as shown in the Subdivision Ordinance.
 - c. Parking area design shall include adequate provisions for loading / unloading materials and for solid waste disposal facilities.

- d. All parking shall be in compliance with all other applicable provisions of these and other standards of the Town of Slaughterville, Oklahoma.
2. Sight Screening. Sight screening shall be provided between commercial uses and adjacent residential areas where the relative location of the residence and the proposed commercial site may cause a nuisance, such as excessive noises, excessive lighting, excessive traffic at unreasonable hours, unsightly trash receptacles, or other nuisances for residential owners. In such cases, sight screening shall be required. Sight screening shall consist of solid fencing, walls, landscaping, or any other appropriate barrier to alleviate the nuisance.
 3. Landscaping. All commercial property shall provide and implement a suitable landscaping plan for the facility.
 4. Outside Storage. Outside storage shall be neat and orderly and/or in a confined area or space to avoid unsightliness and rodents or vermin.
 5. Sight Triangle. As required in Article 1, Section 19.

Sections 96 through 109. (Reserved for future use.)

INDUSTRIAL (I-1) DISTRICT

Section 110. Purpose.

Section 111. Permitted Principle Uses and Structures.

Section 112. Permitted Accessory Uses and Structures.

Section 113. Uses and Structures Permitted on Review.

Section 114. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

Section 115. Special Requirements.

Sections 116 through 129. (Reserved for future use.)

Section 110. Purpose.

This District is intended to provide for light-industrial uses. The intensity of uses permitted in this District makes it desirable that such uses be located so that they do not pose a nuisance and are separated from residential and commercial uses wherever possible. The sub-district classification for Industrial zoned areas can be in any Area within Slaughterville so long as all of the requirements of this Ordinance are met, specifically regarding nuisance.

Section 111. Permitted Principle Uses and Structures.

In order to conduct business in an industrial operation, where applicable, each and every business must have a valid sales tax permit and actively collect and pay sales tax. New businesses which are owned and operated by individuals who are subject to sales tax liens, and which are clearly affiliated with other corporations, partnerships, or Limited Liability Companies, or combinations thereof, which owe sales tax shall not be allowed to operate.

Any industries that use, involve, or create waste products, such as but not limited to chemicals, radiographic materials, photograph chemicals, solvents, oil, lubricants, and other such products shall have a plan for appropriate disposal that meet all Federal, State and local environmental guidelines.

All the following uses, once they have been reviewed by the Planning and Zoning Commission and have received the approval of the Town Board of Trustees, and once they receive such additional approval from all applicable Federal, State, and/or County Health Department, the State Fire Marshal and all other Federal, State and County regulatory agencies are allowable in the Industrial District. In addition, the Planning and Zoning Commission may require specific restrictions designed to protect the public welfare, as are reasonable under the circumstances in each case:

1. Bottling works.
2. Liquor wholesale facilities.
3. Liquor manufacturing.
4. Commercial communication towers.

5. The following uses, when conducted within a completely enclosed building with a properly constructed and operating hazard abatement system:
 - a. Manufacturing, processing, compounding, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceutical products, pharmaceutical perfumed toilet soap, toiletries and food products.
 - b. Manufacturing, processing, compounding, assembling, packaging or treatment of articles of merchandise from the following previously-prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semi- precious metals, stone or earthen products, shell, textiles, tobacco, wood, all construction and/or building materials, yarn, and paint not employed in a boiling process.
 - c. The manufacture of pottery and figures or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.
 - d. The manufacture and maintenance of electric and neon signs, commercial advertising structures, light sheet metal products, including heating and ventilating ducts and equipment, cornices, eaves and the like.
 - e. Manufacture of musical instruments, toys, novelties and rubber and metal products.
 - f. Automobile assembling, painting, upholstery, rebuilding, reconditioning, body and fender works, truck repairing and overhauling, tire retreading or recapping and battery manufacturing, but not a junkyard or salvage yard.
 - g. Blacksmith shops, machine shops, and welding shops.
 - h. Foundry-casting of light-weight metal, not causing noxious fumes or odors.
 - i. Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts only, such as coils, condenser, transformers, crystal holders and the like.
 - j. Any other manufacturing, assembly or treatment facility that causes excessive noise, odors, dust, or other nuisance.

Section 112. Permitted Accessory Uses and Structures.

Subject to the provisions of this and other Municipal Ordinances, the following accessory uses and structures shall be permitted in the I-1, Industrial District:

1. Accessory uses and structures clearly incidental and necessary to the permitted

principle uses and structures in this District.

2. Buildings used in conjunction with construction work; provided that:
 - a. Such buildings are removed promptly upon completion of the construction work; and
 - b. Such buildings receive an appropriate Zoning Compliance Permit from the Town.
3. Dwelling unit for caretakers employed on the premises provided that the dwelling unit is separate and apart from the industry facility.
4. Accessory uses and structures identified as residential accessory uses and structures will normally not be permitted in the I-1 Industrial District.

Section 113. Uses and Structures Permitted on Review.

Subject to the requirements of Article 1 of this Ordinance, the Planning and Zoning Commission may make recommendation to the Board of Trustees to permit the following uses and structures on review:

1. Commercial stockyards, loading pens, rendering plants, slaughterhouses, meat processing plants, livestock or poultry sale barns and yards, livestock buying stations, commercial poultry-raising yards, commercial hog farms, and commercial feedlots; provided that:
 - a. The facility complies with all federal and state laws.
 - b. Such industry is not located closer than 2,640 feet to any dwelling unit (other than that of the owner or operator), school, day care, public park, church, or place of public assembly, or municipal building; provided however, that a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of property owners within 2,640 feet radius of the proposed site.
 - c. Provisions for drainage and waste disposal are established, subject to the approval of Local, County, State or Federal agencies.
 - d. Such industry is located so that the prevailing winds will not cause excessive dust or odor to create a nuisance for developed properties within the Community.
 - e. Adequate parking is provided.
2. Sanitary landfill, recycling centers, transfer stations, or waste disposal area; provided that:
 - a. The operation meets Federal, State, County and the Town of Slaughterville's laws and regulations.
 - b. No nuisance due to smoke, odor or blowing debris shall be created.
 - c. An access road, having at least an industrial-standard paved surface shall be created or available.
 - d. Adequate parking, and adequate sight screening, shall be provided on the site.
 - e. The Town Board of Trustees shall have the authority to approve or disapprove the proposed route to the site.
 - f. The site shall be restored to a condition compatible with the surrounding area upon conclusion of the operation, and provisions for this restoration are made prior to

commencement of operations.

- g. No landfill, recycling center, transfer station, or waste disposal area shall be located closer than 2,640 feet to any residential dwelling, municipal building, school, day care, public park, church, or place of public assembly; provided that a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of property owners within 2,640 feet radius of the proposed site.
3. Automobile or equipment salvage or junk yards, junk or salvage yards of any kind, or wrecking yards, provided that:
 - a. The facility meets all state laws and approval is received.
 - b. A suitable front yard area is maintained as an open space, free of weeds and debris.
 - c. The site is enclosed by a minimum eight (8) foot high, solid fencing or walls to screen the operation from the view of adjacent public streets, parks, recreation areas, commercial and/or residential properties. Materials in such yards shall not be stacked in a manner which is higher than the solid fencing or wall.
 - d. Adequate parking shall be provided.
 - e. An appropriate landscaping and buffer plan shall be presented, approved and implemented, if the proposed use is not considered completely compatible with surrounding uses, but by virtue of landscaping, use of distances and parking area location, as well as buffer zones, can be made compatible.
 - f. The side setback and backyard setback areas shall maintain a 25 foot clear space from the property line. Clear space shall consist of grass landscaping or other suitable landscaping to prevent unsightly views.
 4. Plants for the manufacturing and central mixing and proportioning of concrete and concrete products, and the fabricating of iron and steel; provided that:
 - a. Such use is not located closer than 1,320 feet to any existing residential dwelling unit, church, school or other place of public assembly, or municipal building; a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of the property owners within 1,320 feet radius of the proposed site.
 - b. Such use is located so that prevailing winds shall not cause dust, smoke or odors to create a nuisance for developed properties in the Community.
 - c. Adequate loading spaces shall be provided.
 - d. Adequate parking shall be provided.
 - e. Sound levels shall not exceed federal, state or local regulations and standards.
 5. Gas manufacturing and petroleum refining (excluding oil and gas drilling operations) shall be in accordance with all applicable Regulations of the State, Federal, or any other regulatory agencies in addition to those restrictions imposed by this Zoning Ordinance; provided that:
 - a. Such uses shall not be located within 2,640 feet of any existing residential dwelling, school, day care, municipal building, public park, church or other place of public assembly; a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of the property owners within 2,640 feet radius of the proposed site.
 - b. Such uses shall be located so that prevailing winds will not cause fumes, odors or

- gases to be carried toward developed properties within the Community.
- c. Adequate parking shall be provided.
6. Acid or explosives manufacturing plant; provided that:
 - a. Such facilities are not located within 2,640 feet from any existing residential dwelling, school, day care, municipal building, public park, church or other place of public assembly; provided that a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of the property owners within 2,640 feet radius of the proposed site.
 - b. Such use is located so that prevailing winds shall not cause dust, smoke or odors to create a nuisance for developed properties in the Community.
 - c. Adequate loading spaces shall be provided.
 - d. Adequate parking shall be provided.
 - e. Sound levels shall not exceed federal, state or local regulations and standards.
 - f. Particular attention shall be given to plant locations which avoid dangers, and protect the health, safety, and welfare of the residents of the Community;
 7. Gun Range, Rifle Range or Pistol Range; provided that:
 - a. A Site Development Plan is submitted and approved by the Planning and Zoning Commission.
 - b. The Planning and Zoning Commission shall conduct at least one (1) public hearing thereon, with notice provided as required for re-zonings.
 - c. No hunting shall be allowed within the site or within a six hundred (600) foot radius of the site.
 - d. Adequate provision shall be made to ensure that projectiles cannot leave the proposed site.
 - e. Adequate parking shall be provided.
 - f. Final approval shall be upon the consideration of the Board of Trustees after recommendation by the Planning and Zoning Commission.
 8. Building material sales yards and lumber yards, sales yards for rock, sand or gravel, as incidental parts of the main business; provided that:
 - a. Surrounding uses shall be compatible with the proposed use.
 - b. Adequate parking is provided.
 - c. An appropriate landscaping and buffer plan shall be presented, approved and implemented, if the proposed use is not considered completely compatible with surrounding uses, but by virtue of landscaping, use of distances and parking area location, as well as buffer zones, can be made compatible.
 - d. Sound levels shall not exceed federal, state or local regulations and standards.
 9. Contractor's equipment storage yard, or rental facility for equipment commonly used by contractors; provided that:
 - a. Surrounding uses shall be compatible with the proposed use.
 - b. Adequate parking is provided.
 - c. An appropriate landscaping and buffer plan shall be presented, approved and implemented, if the proposed use is not considered completely compatible with

- surrounding uses, but by virtue of landscaping, use of distances and parking area location, as well as buffer zones, can be made compatible.
- d. Sound levels shall not exceed federal, state or local regulations and standards.
11. Freight or trucking yards or terminals; provided that:
 - a. Surrounding uses shall be compatible with the proposed use.
 - b. Adequate parking is provided.
 - c. An appropriate landscaping and buffer plan shall be presented, approved and implemented, if the proposed use is not considered completely compatible with surrounding uses, but by virtue of landscaping, use of distances or parking area location, as well as buffer zones, can be made compatible.
 - d. Special consideration shall be given to the design of the loading dock areas so that trucks shall not be forced to use any public right-of-way for maneuvering into or out of the loading areas.
 - e. All access points shall be clearly defined by appropriate signage.
 - f. Sound levels shall not exceed federal, state or local regulations and standards.
 12. Public utility yards, receiving or transferring stations, or oil field equipment yards; provided that:
 - a. Surrounding uses shall be compatible with the proposed use.
 - b. Adequate parking is provided.
 - c. An appropriate landscaping and buffer plan shall be presented, approved and implemented, if the proposed use is not considered completely compatible with surrounding uses, but by virtue of landscaping, use of distances or parking area location, as well as buffer zones, can be made compatible.
 - d. All access points to the yard shall be clearly defined by appropriate signage.
 - e. Solid fencing shall be approved as to height by the Planning and Zoning Commission. If the yard abuts any residential or other use with which it is incompatible, an appropriate plan for buffering the use from adjacent areas shall be developed and submitted to the Planning and Zoning Commission for its recommendation to the Board of Trustees.
 13. Any other use or structure which would not cause an increased nuisance to disturb the peace and general welfare of the Community.

Section 114. Minimum Lot Size; Minimum Setbacks; Maximum Height Requirements.

1. Minimum Lot Size: All lots must be of sufficient size to accommodate the facility, the use of the facility by customers, storage units, off-street parking, loading and unloading, water wells, sewage disposal systems, setback requirements as well as the anticipated nuisance which may arise from an industrial site, whether from dust, noise, or other nuisance.
2. Setbacks for Industrial Uses: Setbacks are required as set forth in Section 19 of this Ordinance.

3. Maximum Height Requirements: Shall be thirty-five (35) feet.

Section 115. Special Requirements.

1. Outside Storage. No raw material, finished product or waste product which may cause dust or odor which would adversely affect adjoining properties shall be stored outside a building, nor shall any other debris or waste product be permitted to accumulate on the site. All outside storage shall be neat and orderly and/or in a confined space or area.
2. Signs. Signs, billboards, and trade, business and industry identification signs shall not be located in, overhang, or project into a residential yard. All other requirements set forth in the Sign Ordinance shall be followed.
3. Subdivision Review. The development and subdivision of land for industrial park purposes shall be reviewed by the Planning and Zoning Commission as a subdivision, subsequent to the final approval of a re-zoning request for the area and shall be in total compliance with the provisions of the Town of Slaughterville, Oklahoma, Code of Ordinances.
4. Sight Screening. Sight screening shall be provided between industrial uses and adjacent residential areas; said screening shall consist of solid fencing, walls, landscaping or any approved combination thereof, established so that the use cannot be seen by a person standing at ground level in an adjacent Residential District.
 - a. The architectural design and materials used for a sight screen fence, wall or landscaped area shall harmonize with the character of adjacent development as well as on site development.
 - b. A sight screen fence or wall shall be a minimum of six (6) feet high unless otherwise specified by the Planning and Zoning Commission upon approval of development proposals or re-zoning requests.
 - c. A sight screen, landscaped area shall be developed to a minimum of six (6) feet high, unless otherwise specified by the Planning and Zoning Commission upon approval of development proposals or re-zoning requests.
 - d. A sight screen must be developed and maintained in a safe and harmonious condition to adjacent property or development.
 - e. Sight screening shall be required when any parking or loading area is established so as to abut the side or rear lot line of any existing Residential Zoning District or area used or planned for residential use.
 - f. Sight screening shall be required along side and rear lot lines for new industrial uses adjacent to existing residential uses.

- g. Sight screening shall be required along side and rear lot lines for proposed industrial uses adjacent to proposed residential uses.
 - h. Sight screening shall be built by the industry developer. The Town may allow the industry developer to build the required sight screening at the time adjacent residential development is undertaken; provided, that, the sight screening is completed within thirty (30) days from construction of any adjacent residence. The Town may require a bond to ensure such construction or landscaping.
 - i. Sight screening shall not be required for new industrial uses adjacent to areas not used and/or not planned for use as Residential or Agricultural / Residential Combination Zoned Districts.
 - j. Sight screening along side and rear lot lines for existing industrial uses required as a result of re-zoning of adjacent property shall be the responsibility of adjacent property owners. The need for sight screening along side and rear lot lines shall be determined and recommended at any public hearing for Comprehensive Plan revisions or re-zoning requests.
- 5. Landscaping and Fencing. All industrial property shall provide and implement a suitable landscaping plan and fence for the facility.
 - 6. Nuisance. Excessive noise, dust, or any other nuisance will not be tolerated and must be controlled in all areas in the industrial district.
 - 7. Sight Triangle. As required in Article 1, Section 19.

PUBLIC USE (P-1)

Section 116. Purpose.

Sections 117 through 129. (Reserved for future use.)

Section 116. Purpose.

Public use is intended to provide and promote facilities and areas for the use of the public within other zoned districts and are permitted only upon review. The requirements of the Zoning District wherein the public use is located shall be adhered to, including lot sizes, setback regulations and all other requirements within the District. Public uses are scattered throughout the community and are not considered separate districts. The overall goal is to provide adequate public services within a reasonable distance from all residences and to minimize traffic congestion. Re-zoning is not required. Such use will be designated on the Zoning Districts Map as P-1.

Sections 117 through 129. (Reserved for future use.)

ARTICLE 3 PLANNED USE DISTRICTS

Section 130. Purpose.

Section 131. Types of Planned Unit Developments (PUD's).

Section 132. Planned Unit Developments.

Section 133. Permitted Uses.

Section 134. Criteria for Planned Unit Development Design.

Section 135. Deposit Requirements and Fees.

Section 136. PUD Application and Review Procedures.

Section 137 through 169. (Reserved for future use.)

Section 130. Purpose.

The primary purpose of using such Districts shall always be to provide for and encourage flexibility in the design and development of structures, yards, circulation, subdivisions, and common areas in order to promote the most appropriate use of land, to facilitate the adequate, efficient and economical provisions of street and utilities, and to preserve the natural and scenic qualities of open lands. It is the intent of this Section to encourage developments with a superior built environment brought through the unified development and to provide for the application of design ingenuity in such developments while protecting existing and future surrounding areas in achieving the goals of the Comprehensive Plan of the Town of Slaughterville.

The Planned Unit Development (herein referred to as a PUD), is a special zoning district category that provides an alternative approach to conventional land use controls. PUD regulations are designed to provide for small and large scale developments incorporating a single type or a variety of residential, commercial, industrial, institutional (as defined in this Ordinance), or other related uses which are planned and developed as a unit. Such development may consist of individual lots and buildings, or it may consist of more than one lot and have common building sites. PUD's are subject to special review procedures, and once approved by the Town Board, become a special zoning classification for the property it represents.

Section 131. Types of Planned Unit Developments (PUD's).

The types of PUD's authorized are the following:

1. Planned Residential Development District (R-3).
2. Planned Commercial Districts (C-2).
3. Planned Industrial Districts (I-2).
4. Institutional Planned Unit Developments (IN-1).
5. Planned Mixed Use Development District PUD's (M-1)
6. Other related purposes.

Section 132. Planned Unit Developments (PUD's).

The Town Board of Trustees, acting subsequent to review and recommendation by the Planning and Zoning Commission, is hereby authorized to use the provisions of any of the Planned Districts, all as provided in this Ordinance, subject to the conditions listed

hereafter and as set forth in Title 11 O.S.§43-110, et.seq. The owner and developer shall make written application and pay the appropriate fees and deposits set by Resolution, to the Town Board of Trustees, through the Planning and Zoning Commission, for the use of a Planned District.

Section 133. Permitted Uses.

In addition to Zoning Districts established elsewhere in this Ordinance, a PUD Zoning District is established and shall be designated on the Zoning Districts Map, upon application of the landowner and approval by the Town Board of Trustees. In order to increase creativity and flexibility in the development of areas suitable for a PUD, there are no specifically prescribed uses which are permitted within the boundaries of a PUD, with the exception of Institutional PUD's, which shall only be allowed under the conditions set forth in this Ordinance. The developer shall be responsible for the preparation of a list of permitted uses within the specific PUD requested.

Section 134. Criteria for Planned Unit Development Design.

1. Planned Residential Development District (R-3):
 - a. Purpose. This Planned District is intended to accommodate planned, unified developments with a minimum lot size as established by this Ordinance for one home, incorporating either a single type or a variety of types of residential and related uses. Such developments may consist of individual lots or common building sites, but it is not the purpose of this District to allow different, incompatible uses or a greater dwelling unit density than would otherwise be allowed in the appropriate Zoning District. Greater flexibility will be allowed and encouraged in the design of buildings, yards, courts and trafficways than would otherwise be possible through strict application of other District regulations; in addition, use of this District is intended to encourage a maximum choice of available residential units, a pattern of development suited to existing natural features and open spaces, a creative and more efficient approach to the use of the land, and a natural environment with a distinct character harmoniously related to surrounding development patterns.
 - b. Design Standards:
 1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the land uses and Zoning Districts adjacent to it and the spirit and purpose of the Comprehensive Plan.
 2. Density, land use, and intensity of use requirements shall be based on the PUD Master Plan and shall be reviewed carefully for conformance to the Comprehensive Plan, and consideration of the minimum lot requirements for residential property.
 3. Building code requirements shall not be reduced in the design of a PUD.
 4. Location and type of housing shall be established in a general pattern and shown on the PUD Master Plan Map.

2. Planned Commercial Districts (C-2)

- a. Purpose. This Planned District is intended to encourage and facilitate the flexible design needs of major, planned shopping areas, developed as a unified grouping (in one or more buildings) of retail shops and stores. All retail shopping areas permitted under this District shall be developed or re-developed as a unit, with adequate off-street parking areas, safe ingress and egress, and appropriate landscaping and use of natural features to encourage a safe and attractive area for commercial activity which will not be disruptive of any adjacent or surrounding environment or neighbors.
- b. Design Standards.
 1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the land uses and Zoning Districts adjacent to it and the spirit and purpose of the Comprehensive Plan.
 2. Density, land use, and intensity of use requirements shall be based on the PUD Master Plan and shall be reviewed carefully for conformance to the Comprehensive Plan.
 3. Building code requirements shall not be reduced in the design of a PUD.
 4. Location and types of commercial sites shall be established in a general pattern and shown on the PUD Master Plan Map.
 5. Adequate sight screening shall be maintained to diminish the nuisance of lighting, traffic, or other concerns that could affect the neighboring property.
 6. Signs shall be allowed as provided in Ordinance #72.

3. Planned Industrial Districts (I-2)

- a. Purpose. This Planned District is intended to encourage and facilitate the flexible design needs of major, planned industrial park areas, developed as a unified grouping (in one or more buildings) of industrial and compatible commercial facilities. All industrial areas permitted under this District shall be developed or re-developed as a unit, with adequate safety features to guard against nuisance, adequate off-street parking areas, safe ingress and egress, with appropriate landscaping and screening, and use of natural features to encourage a safe and attractive area for industrial activity which will minimize disruption of any adjacent or surrounding environment or neighbors.
- b. Design Standards.
 1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the land uses and Zoning Districts adjacent to it and the spirit and purpose of the Comprehensive Plan.

2. Density, land use, and intensity of use requirements shall be based on the PUD Master Plan and shall be reviewed carefully for conformance to the Comprehensive Plan.
 3. Building code requirements shall not be reduced in the design of a PUD.
 4. Location and type of industrial sites shall be established in a general pattern and shown on the PUD Master Plan Map.
 5. Adequate sight screening shall be maintained to diminish the nuisance of lighting, traffic, or other concerns that could affect the neighboring property.
4. Institutional Planned Unit Developments (IN-1)
- a. Purpose. This Planned District is intended to encourage and facilitate the flexible design needs of all correctional facilities, drug, alcohol, or any other similar rehabilitation centers, boarding houses for the mentally challenged, and other like facilities. All areas permitted under this District shall be developed or re-developed as a unit, with adequate safety features to guard against nuisance, adequate off-street parking areas, safe ingress and egress, with appropriate landscaping and screening, and use of natural features to encourage a safe and attractive area for the activity which will minimize disruption of any adjacent or surrounding environment or neighbors.
 - b. Design Standards.
 1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the land uses and Zoning Districts adjacent to it and the spirit and purpose of the Comprehensive Plan.
 2. Density, land use, and intensity of use requirements shall be based on the PUD Master Plan and shall be reviewed carefully for conformance to the Comprehensive Plan.
 3. Building code requirements shall not be reduced in the design of a PUD.
 4. Location and type of Institutional Planned Unit Developments (PUD) shall be consistent with the following:
 - a. No Institutional PUD shall be allowed to locate within 2640 feet radius of any church, public or private school, day care facility, public park, private park, adult entertainment use or area zoned for residence; provided however, that a lesser distance may be allowed if written consent is received from seventy-five percent (75%) of the property owners within 2640 feet radius of the proposed site.
 - b. All distances required to be met pursuant to the terms of this Section shall begin at the property line of the proposed use and are measured to the nearest property line of the public or private lot, school, park, church, day care facility, residentially zoned lot, or adult entertainment use within the

- prescribed distance, if any.
- c. Non-Conforming Uses. Any business in existence as of the effective date of this Ordinance which is in violation hereof shall be deemed a non-conforming use. Such nonconforming use shall not in any manner be enlarged, extended, altered or rebuilt except that such uses may be changed so as to comply with the provisions of this Ordinance.
 - d. Such uses as are deemed non-conforming uses pursuant to the terms of this Ordinance shall be permitted to continue for two (2) years after the adoption of this Ordinance, unless such use is terminated for any reason whatsoever prior thereto for a period of thirty (30) days or more, thereafter such non-conforming use shall terminate or come into compliance with the terms of this Section.
5. Adequate sight screening shall be maintained to diminish the nuisance of lighting, traffic, or other concerns that could affect the neighboring property.
5. Planned Mixed Use Development District (M-1):
- a. Purpose. This Planned District is intended to accommodate combined uses, such as residential, shopping and offices. The District is intended to have planned, unified developments with diversity for the combination of mixed uses being requested. The District should incorporate either a single type or a variety of types of residential/commercial and other related uses. Such developments may consist of individual lots or common building sites. Greater flexibility will be allowed and encouraged in the design of buildings, yards, courts and trafficways than would otherwise be possible through strict application of other District regulations; in addition, use of this District is intended to encourage a maximum choice of available mixed use development, including a pattern of development and diversity suited to existing natural features and open spaces, a creative and more efficient approach to the use of the land, and a natural environment with a distinct character harmoniously related to surrounding development pattern. The overall idea is to allow residents to walk to businesses for work, pleasure, shopping and service needs.
 - b. Design Standards:
 1. The proposed PUD shall be designed to provide for the unified development of the area in accordance with the land uses and Zoning Districts adjacent to it and the spirit and purpose of the Comprehensive Plan.
 2. Density, land use, and intensity of use requirements shall be based on the PUD Master Plan and shall be reviewed carefully for conformance to the Comprehensive Plan, and consideration of the minimum lot requirements for proposed multi-family residential/commercial property.
 3. Building code requirements shall not be reduced in the design of a PUD.
 4. Location and the type of mixed use shall be established in a general pattern and shown on the PUD Master Plan Map.

Section 135. Deposit Requirements and Fees.

All PUD applicants shall, in conjunction with their initial application, deposit a PUD Permit Deposit and Filing Fee with the Town Treasurer which is to be held in a special account and earmarked for each specific PUD application. Out of the deposit will be paid all the direct and indirect fees and costs incurred by the Town of Slaughterville in administering, regulating, and enforcing this Ordinance, including all costs associated with litigation and attorney fees, as to that PUD for which the permit was issued. If the costs to Slaughterville in administering, regulating, and enforcing the Ordinance exceed the amount of the deposit, then the permittee must pay into said account an amount equal to the original deposit or the incurred costs, whichever is greater.

1. All fees and costs including but not limited to administration, technical, accounting, legal, inspections, publications and all other costs, which may from time to time be required, shall be billed or directly debited to the account of each specific permittee.
2. Following the completion of the PUD including final inspections, issuance of permit and approval by the Town Board of Trustees, any remaining balance of said account shall be returned to the permittee as provided in this Section. However, in the event the permittee owes any fees whatsoever on any of the permittee's PUD locations, or other applications where fees are owed to the Town, whether permitted or otherwise, the Town of Slaughterville shall not deliver the remaining balance owed to the Permittee until such time as all assessments owed by the permittee are paid in full.
3. In the event the permittee fails to pay all assessments due on all PUD locations within ninety (90) days, then the Town of Slaughterville may offset the amounts owed to permittee by the amount owed to the Town and refund the difference, if any, to the permittee. Before the Town offsets the amounts due, the Town shall:
 - a. Notify the permittee in writing the amounts owed and a description of the costs.
 - b. Notify the permittee in writing that the Town will offset the amounts owed to the Town by the amount owed to the permittee unless the permittee appeals to the Town Board within thirty (30) days from the date of the letter.
 - c. Notify the permittee that they may appeal the offset to the Town Board, wherein the permittee can object and present evidence to the Board in opposition of the offset.
4. Upon permittee's request, said permit accounts shall be open to audit at any reasonable time during Slaughterville's regular business hours.
5. Permittee shall be sent a copy of all invoices or statements if any, of directly billed administration, regulation or legal costs by whomever such work is performed or completed upon request. All such invoices or statements shall be itemized on a time basis, if billing is done on a time basis.

6. Any earned interest on returned deposits shall be paid to the permittee.
7. If the permittee objects to the reasonableness of any or all items in a billing or claim, the permittee may protest to the Town Board of Trustees within thirty (30) days from review of the account ledger.
 - a. During said period of protest, the permittee may submit to arbitration the issue of whether the amount of said bill or claim is reasonable. The permittee shall pay the arbitrator's fees in all cases. The parties to such arbitration will be the permittee and the person or organization presenting the bill or claim.
 - b. The arbitrator's decision shall be presented to the Board of Trustees for the Town at the next regularly scheduled Board meeting for said Board's consideration as to whether or not said billing or claim or any amount thereof is reasonable. Only the arbitrator's decision shall be considered by the Board at this Town meeting. The Board shall decide which party is responsible for the bill.
 - c. If the parties to arbitration cannot agree on an arbitrator, the method of appointment set forth in 15 O.S. Section 801 et. seq. shall be used.

Section 136. PUD Application and Review Procedures.

1. The developer of a PUD shall follow a six-step application and review procedure:
 - a. A Pre-application Plan will be submitted with the Permit Deposit and Filing Fee, which shall be set by Resolution, for the costs that may be incurred on behalf of the Town for appropriate review and professional assistance on the PUD's compliance with the Town's goals and land use objectives.
 - b. Conceptual review.
 - c. Physical on-site review of the land and design review report.
 - d. Formal application for rezoning, submission of PUD Master Plan, including a PUD Master Plan Map and a design statement, and the Preliminary Plat;
 - e. Final plat; and
 - f. Application(s) for Zoning Compliance Permit.
2. Each required step shall be completed and approved before the following step is reviewed. The Planning and Zoning Commission and Town Board of Trustees may review more than one step at the same public hearing, at their discretion.
3. Public Hearing:
 - a. Public hearing(s) shall be held on the conceptual review, the application for

rezoning and the PUD Master Plan in accordance with the regular procedures for zoning applications established by these regulations.

b. Public hearing(s) on required plats shall be held in accordance with regular procedures established by the Subdivision Regulations.

c. Any public hearing may be continued to another date, if necessary.

4. PUD Pre-Application and Review:

a. Pre-Application Conference and Submission of Pre-Application Plan.

1. Before submitting an application for any PUD, the landowner(s), or attorney in fact, shall confer with the Town Administrator in order to become familiar with the PUD Review Process. The staff will advise the applicant of any perceived potential problems that are anticipated. A further purpose of the Pre-Application Conference is to make sure that the applicant has, or will be able to submit, all the necessary information for filing the application. The intent of the conference is to provide guidance to the applicant prior to incurring substantial expense in the preparation of detailed plans, survey and other data that is required in a preliminary development plan. The applicant shall submit a site plan and such other narrative or graphic information the applicant deems pertinent to the Town's initial review and evaluation of the potential of the proposed PUD.

2. The Permit Deposit and Filing Fee will be established prior to the submission of the Pre-Application Plan so that the deposit can be submitted with the Plan.

3. The Pre-Application Plan shall include the following:

a. A sketch of the proposed site, in accordance with the subdivision regulations.

b. Existing zoning of the area and the zoning of all properties which adjoin the proposed site.

c. A general plan of development at a level of detail sufficient to indicate to the Town the nature and scope of the project as to its magnitude in terms of approximate number and types of units, location, and the extent of all elements of the PUD, proposed locations of the major open space area, and proposed flow of traffic and pedestrians.

d. Proposed treatment of the perimeter of the PUD.

e. A listing of all uses proposed for the PUD and their square footage in relation to the development as a whole. Each use shall be sufficiently described as to its nature, the amount of activity involved, type of product involved (if any), storage requirements, anticipated employment, transportation requirements (if any), the amount of noise, odor, fumes, dust,

toxic material or vibration likely to be generated and the general requirements for public utilities, and any other information which would be useful to the Planning and Zoning Commission's review of the Pre-Application Plan.

5. Conceptual Review. This review allows the developer to present the proposal to the Planning and Zoning Commission in a public hearing setting. The input gained at this meeting may prove invaluable to the developer, especially in instances where mitigation is necessary to satisfy concerns of the abutting property owners.
6. Physical On-Site review. This process involves the Code Enforcement Officer/Inspector, any member of the Planning and Zoning Commission, if they so desire, as well as any Town officials or professionals who are necessary to design concept and the impact of the same at the proposed site.
7. Formal Application for PUD: After receiving written comments from the Town Administrator following the Pre-Application process and Conceptual Review, the applicant may proceed in preparing a formal application for a PUD. The application shall be in writing, shall be verified for accuracy by both the owner of the land and the developer. The appropriate fee must be paid prior to submission of the application and the application shall consist of a PUD Master Plan, the Preliminary Plat and Rezoning Application. All three (3) elements must be submitted in entirety before a formal review can be conducted.
 - a. PUD Master Plan. The PUD Master Plan shall consist of a written design statement and the PUD Master Plan Map.
 1. Written design statement shall consist of the following:
 - a. Title of the proposed PUD.
 - b. Name, address and telephone numbers of all the property owner(s), and all developers, engineers, architects and landscape architects who will be responsible for the various phases of the PUD.
 - c. Statement describing the general character of the development and the rationale used in determining the design and layout.
 - d. Justification of how this design and layout will enhance and blend in with surrounding properties in the neighborhood.
 - e. A development schedule indicating approximate dates of construction and completion of all phases of the PUD and any intentions of sales, leasing, or occupying portions of the PUD prior to completion of the entire project, if applicable.
 - f. A description of the PUD concept, including an acreage or square foot breakdown of land use areas and densities proposed, a general description of structure sizes and building use types, proposed restrictions, and typical site layouts; the listing of uses submitted as part of the Pre-Application Plan will be expanded upon here to ensure that such uses support the PUD concept.
 - g. A list of all special development regulations which will be applicable plus a list of required variations to the Federal or state regulations, statutes, or

Ordinances of the Town.

- h. A statement on the existing and proposed streets, including right-of-way standards and street design concepts, as well as a plan for the upkeep and maintenance of the same.
 - i. The following physical characteristics of the proposed site: elevation, slope analysis, soil characteristics, tree cover, and drainage information.
 - j. A statement of utilities and the proposed installation of the same.
 - k. A statement specifying who will be responsible for the costs associated with future maintenance of the perimeter of the property and the area used for private and common open spaces, public parks, recreational areas, and similar public and semi-public use indicated on the PUD Master Plan Map.
 - l. A description of the proposed sequence of development.
 - m. Where a new use or unlisted use shall develop, from that stated in the original application, an amendment to the application shall be submitted which shall contain a statement of facts listing the nature of the use, the amount of activity involved, type of product involved (if any), storage requirements, anticipated employment, transportation requirements (if any), the amount of noise, odor, fumes, dust, toxic material or vibration likely to be generated and the general requirements for public utilities, and any other information which the Planning and Zoning Commission and/or the Board of Trustees determines is necessary to make an appropriate decision.
2. The Master Plan Map shall consist of the following:
- a. Submitted on one or more sheets not to exceed twenty-four (24) inches by thirty-six (36) inches, including a small scale vicinity map; drawn to scale with the scale indicated on the map and directionally oriented, such scale to be as large as possible in order to indicate as much detail as possible.
 - b. Proposed lot lines.
 - c. Existing and proposed road circulation system of all streets, driveways, parking areas, service areas, loading areas, and major points of access to public rights of way (ingress and egress).
 - d. Existing and proposed pedestrian circulation systems.
 - e. Proposed treatment of the perimeter of the property, including materials and techniques used such as screens, fences and walls, as well as description of uses, setbacks, and the relationship to surrounding uses.
 - f. General schematic landscape plan of the area used for private and common open spaces and a proposal for the financial considerations regarding maintaining the areas.
 - g. Location and size of all areas which are proposed to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites and similar public and semi-public use.
 - h. Location, dimensions, nature of all existing and proposed easements and public improvements.
 - i. General location of structures, indicating any existing historic sites as well as natural features of the property, including water courses, floodplains, unique

- nature features and vegetation.
 - j. A topographic map with minimum five (5) foot contour intervals.
 - k. Drainage information, including the number of acres in the drainage-area and delineation of applicable flood levels.
 - l. Existing PUDS or other Zoning Districts in the development area and surrounding it, with pictures of the same.
 - m. A legal description of the total site proposed for development.
 - n. Parcel size.
 - o. Types and number of permitted uses and floor area of each category of use.
 - p. Proposed building coverage.
 - q. Total acreage of common open space by type.
- c. Rezoning Application. An application for rezoning to the PUD District shall be made in accordance with the Slaughterville Code of Ordinances.
7. Design Review Process.
- a. Upon receipt of the formal application and verification of payment of the Permit Deposit and Filing Fee deposit, the Town Administrator shall transmit the application and all supporting material to the appropriate regulatory agencies, officials, school officials, adjoining cities, Towns, or regional areas, which may be affected or impacted by the PUD. Each such agency shall submit a written report of their findings, comments and recommendations to the Town Administrator. Upon receipt of all of the recommendations, the Town Administrator shall submit the reports, the rezoning application, as well as the PUD Master Plan Application with all supporting documents to the Planning and Zoning Commission.
 - b. A design review report shall be made by the Building Inspector, or other appropriate designated person. The design review report shall advise the applicant whether or not significant changes or modifications should be made to the PUD Master Plan Application prior to the proposal's consideration by the Planning and Zoning Commission without modification. The process shall conform to the plat review process in the Subdivision Regulations. Any documents submitted may be reviewed concurrently by the Planning and Zoning Commission.
8. Design Approval.
- a. Upon final approval of the Town Board of Trustees of the PUD Master Plan and the appropriate re-zoning Ordinance, these elements shall become a part of the Official Zoning Districts Map. The Ordinance of rezoning shall adopt the PUD Master Plan by reference, and it shall be attached to the said Ordinance and become a part of the official records of the Town of Slaughterville.
 - b. The PUD Master Plan shall control the use and development of the property, and all Zoning Compliance Permits and development requests shall be in accordance with the said plan until it is otherwise amended by the Town Board of Trustees. The developer shall furnish a reproducible copy of the approved Master Plan Map for signature of the Chairman of the Planning and Zoning Commission, the Mayor, and acknowledgement by the Town Clerk. The PUD Master Plan, including the signed map and all supporting data, shall be made a part of the permanent file and maintained by the Town Clerk.

9. Final Plat.

- a. Where a Preliminary Plat has been required, the developer shall prepare a Final Plat for review, approval and filing of record according to the procedures established in the Subdivision Regulations. In addition to these procedures, the Final Plat shall include:
1. Provisions for the ownership and maintenance of common open space. Said open space may be dedicated to a private association.
 2. Satisfactory arrangements will be specified for improving, operating, and maintaining common facilities, including private streets, drives, service and parking areas, and recreational areas. A homeowners' or property owners' association shall be created in accordance with Town Ordinances, to oversee this requirement within the PUD. A listing of the association's officers and contact numbers shall be provided to the Town Clerk and updated by the association when changes occur.
 3. Covenants shall be submitted, in accordance with Town Ordinances, to reasonably ensure the continued compliance with the approved PUD Master Plan. In order that the public interest may be protected, the Town of Slaughterville shall be made a beneficiary of the covenants pertaining to such matters as location of uses, height of structures, setbacks, screening, maintenance of common facilities, and access. Such covenants shall provide that the Town of Slaughterville may enforce compliance therewith at no cost to the Town. If the Town enforces compliance, then the Town shall be reimbursed by the offending party, which amounts owed shall be a lien on the subject real estate until paid.

10. Administrative Approval of Minor Amendments.

- a. The Town Administrator shall be permitted to approve minor amendments and adjustments to the PUD Master Plan provided the following conditions are satisfied:
1. The project boundaries are not altered.
 2. Uses other than those specifically approved in the PUD Master Plan are not added. Uses may be deleted but not to the extent that the character of project is substantially altered.
 3. The allocation of land to particular uses or the relationships of uses within the project are not substantially altered.
 4. The density of housing is increased no more than ten percent (10%) or decreased by no more than ten percent (10%).
 5. The land area allocated to non-residential uses is not increased or decreased by more than ten percent (10%).
 6. Floor area, if prescribed, is not increased or decreased by more than twenty-five percent (25%).
 7. Floor area ratios, if prescribed, are not increased.
 8. Open space ratios, if prescribed, are not decreased.
 9. Height restrictions, yard requirements, lot coverage restrictions and other area, height and bulk requirements prescribed in the PUD Master Plan are not

- substantially altered.
10. The location or design of minor streets, cul-de-sacs, alleys, or facilities is not substantially altered in design, configuration, or location.
 11. The phasing plan or the development schedule is not substantially altered.
 12. The design and location of access points to the project are not substantially altered in design and no reduction in capacity results.
- b. The Town Administrator shall determine if proposed amendments to an approved PUD Master Plan satisfy the above criteria. If the Town Administrator finds that these criteria are not satisfied, an amended PUD Master Plan shall be submitted for full review and approval according to the procedures set forth in these regulations, including new public notification.
 - c. All other changes must be made under the procedures that are applicable for the initial approval of a PUD application. The burden is on the applicant to demonstrate good cause for any variation between the Pre-Application Plan previously approved and the PUD Master Plan and / or Final Plat submitted for approval.

Section 137. Revocation of a PUD.

1. Causes of revocation. The Planning and Zoning Commission shall recommend to the Town Board of Trustees that any previous PUD approval be revoked and all Zoning Compliance Permits be voided under the following circumstances:
 - a. If construction is not commenced within six (6) months from the date of the adoption of the Re-Zoning Ordinance, except where an extension has been approved and granted by the Town Board of Trustees.
 - b. If the applicant does not adhere to the phased development schedule as approved by the Town.
 - c. If the property owner determines to abandon the PUD concept and nullify the PUD Master Plan, the property owner shall make application for re-zoning either to the original status or to a new classification. Said application shall be heard according to the regular procedures for rezoning as provided in this Ordinance.
2. Procedures:
 - a. Extension. In those cases where a Pre-Application Plan has been submitted but the applicant is seeking an extension of time to finish the project, an application shall be made to the Planning and Zoning Commission requesting such extension. After their review, the item shall be forwarded to the Town Board of Trustees with a recommendation that an extension be granted, amended or that the PUD be revoked. The Town Board of Trustees shall consider the recommendation and either grant the requested extension or amendment or revoke the Ordinance granting the rezoning of the property and approving the PUD Master Plan.
 - b. Revocation. In those cases where the project has not been completed and an application for an extension has not been submitted, the Town shall cause notice to be mailed, by certified mail, to the applicant and the landowner(s) or their attorney in fact, notifying them of the alleged default and setting a time at which they shall appear before the Planning and Zoning Commission to show cause why steps should not be taken to totally or partially revoke their PUD. The Planning and

Zoning Commission's recommendation shall be forwarded to the Town Board of Trustees for disposition, as in original approvals.

- c. In the event any PUD is revoked by the Town Board of Trustees because any of the above defaults have occurred, no further development may occur. A new application shall be submitted including payment of the appropriate fees and deposits, and the PUD approval process will be re-started. If a Permit Deposit and Filing Fee account already exists for the revoked PUD, a new account will be opened to ensure that costs associated with the revoked PUD are paid for before the new PUD is approved.
- d. In the event of a revocation, any completed phases or portions of phases of the development, including those portions for which Zoning Compliance Permits have been issued, shall be treated to be whole and effective for the PUD. Uncompleted phases and portions of phases shall be disallowed until approved by a new PUD approval process. All other mandated provisions of the original PUD remain, including the establishment of a homeowners' or property owner's association and fulfillment of maintenance requirements.

Section 138. through 169. (Reserved for future use.)

ARTICLE 4. BOARD OF ADJUSTMENT

Section 170. Board of Adjustment; Appointment.

Section 171. Meetings and Rules.

Section 172. Powers.

Section 173. Extent of Relief.

Section 174. Application Procedure

Section 175. Special Exceptions.

Section 176. Variances.

Section 177. Nonconforming Use; Termination; Exception.

**Section 178. Notice and Hearings; Contents of Notice; Minor Variances or
Exceptions.**

Section 179. Procedure for Appeals to the Board of Adjustment.

Section 180. Appeals From the Board of Adjustment.

Section 170. Board of Adjustment; Appointment.

The Board of Adjustment shall consist of five (5) members, each to be appointed for a term of three (3) years and removable for cause by the Town Board of Trustees, upon written charges and after public hearing, all as set forth in Title 11 O.S. §44-101 et.seq. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Section 171. Meetings and Rules.

The Board of Adjustment shall adopt rules if they so desire. Meetings of the Board of Adjustment shall be held at the call of the Chairman and at such other times as the Board of Adjustment may determine. The Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses. The Board of Adjustment shall be subject to the Open Meeting Laws of the State and all meetings, deliberations and voting of the Board shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep records of all official actions, all of which shall be immediately filed in the Office of the Town Clerk and shall be public record.

Section 172. Powers.

The Board of Adjustment shall have the power to:

1. Hear and decide appeals if it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the Zoning Ordinance.

2. Hear and decide Special Exceptions to the Zoning Ordinance to allow a use, or a specifically designated element associated with a use, which is not permitted by right in a particular District because of potential adverse effect, but which if controlled in the particular instance as to its relationship to the neighborhood and to the general welfare, may be permitted by the Board of Adjustment, where specifically authorized

by the Zoning Ordinance, and in accordance with the substantive and procedural standards of the Zoning Ordinance.

3. Authorize, in specific cases, a Variance from the terms, standards and criteria that pertain to an allowed use category within a Zoning District, as authorized by the Zoning Ordinance, when such cases are shown not to be contrary to the public interest if, owing to special conditions, a literal enforcement of the provisions of the Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance shall be observed and substantial justice done; provided, however, the Board shall have no power to authorize Variances as to use except as provided by this Section.
4. Hear and decide oil and/or gas applications or appeals unless prohibited throughout a Municipality by Municipal Ordinance. The Board of Adjustment shall be required to make the findings prescribed by Section 44-107 of this title in order to grant a variance as to use with respect to any such application or appeal.
5. Exceptions and/or Variances may be allowed by the Board of Adjustment only after notice and hearing as provided by this Article. The record of the meeting at which the Variance or Special Exception was granted shall show that each element of a Variance or Special Exception was established at the Public Hearing on the question; otherwise said Variance or Special Exception shall be voidable on appeal to the District Court.

Section 173. Extent of Relief.

When exercising its powers as stated in Section 172, the Board of Adjustment, in conformity with the provisions of the Zoning Ordinance, may reverse or affirm, in whole or in part, or modify the order, requirement, decision or determination from which appealed and may make such order, requirement, decision or determination as ought to be made.

The concurring vote of at least three (3) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision, or determination being appealed from, to decide in favor of the applicant, or to decide any matter which may properly come before it pursuant to the Zoning Ordinance and the powers of the Board as set forth in this article.

Section 174. Application Procedure.

To apply for a variance, the following procedure shall be followed:

1. An application shall be made in writing within thirty (30) days after the decision of the administrative official, containing the applicant's name, address, telephone number, current zoning classification for the property and the reason for the requested hearing.
2. The applicant shall provide all other necessary and pertinent information that is requested by the Board of Adjustment for the review at least ten (10) days prior to the hearing regarding the same, or else the written information may not be considered by the Board.

3. The fee for filing such application shall include the notice and publication costs of such application, the review costs incurred by Municipal personnel, and other administrative costs; and shall be set pursuant to resolution.
4. The Town Clerk shall notify the Board of Adjustment and cause said application to be placed on the agenda for the next scheduled meeting of the Board of Adjustment for which adequate legal notice can be given.
5. Applications for variances heard and decided by the Board of Adjustment will not be set for hearing again within six (6) months from the date of decision, and then only where the applicant can show a material change in the surroundings or where new evidence which might affect the decision can be produced, and then only upon a new application and paying the required application fee as set forth by Resolution. Motions for re-hearings will not be entertained.
6. The Town Clerk shall publish and provide notice as set forth in Title 11 O.S. Section 44-108, et.seq.

Section 175. Special Exceptions.

The Town Board of Trustees may authorize the Board of Adjustment to make Special Exceptions to specific uses allowed within each Zoning category according to the Zoning Ordinance in appropriate cases, on a case by case basis, and subject to appropriate conditions and safeguards, in harmony with its general purpose and intent, and only in accordance with general or specific provisions contained in the Zoning Ordinance.

The Special Exceptions adopted by the Board of Trustees are as follows:

1. It is the intent of the Board of Trustees to not penalize citizens from leaving property which does not meet the acreage standards to their relatives. Relatives shall be defined as a person related by consanguinity (blood) or affinity (marriage) within the third degree.
2. It is the intent of the Board of Trustees to allow exceptions for temporary situations where relatives reside on the same property for health or financial considerations. In such event, a temporary time frame shall be established.

Section 176. Variances.

A Variance from the terms, standards and criteria that pertain to an allowed use category within a Zoning District, as authorized by the Zoning Ordinance, may be granted, in whole, in part, or upon reasonable conditions as provided in this Article, only upon a finding by the Board of Adjustment that:

1. The application of the Zoning Ordinance to the particular piece of property would create an unnecessary hardship.
2. Such conditions are peculiar to the particular piece of property involved.

3. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of the Zoning Ordinance or the Comprehensive Plan.
4. The Variance, if granted, would be the minimum necessary to alleviate the unnecessary hardship.

Section 177. Non-Conforming Use; Termination; Exception.

The lawful non-conforming use of a building, structure or premises as such existed at the time of the adoption and recording of any zoning-related Ordinance affecting it, may be continued, although such use does not conform with the provision of such Ordinance all as set forth in Section 14.

Regulations and restrictions affecting the termination of non-conforming uses as authorized by this section may be adopted or amended by the Town of Slaughterville only after notice and hearing as set forth in Title 11 Section 43-104 and 105.

Nothing in this section shall be construed to permit or authorize the Town of Slaughterville to terminate lawful non-conforming uses consisting of oil and/or gas activity.

Nothing in this section shall be construed to permit or authorize the Town of Slaughterville to terminate a lawfully erected non-conforming sign unless such sign is altered in a manner that increases the degree of Non-Conformity or is abandoned for a period of more than two (2) years.

Section 178. Notice and Hearings; Contents of Notice; Minor Variances or Exceptions.

Notice of Public Hearing before the Board of Adjustment shall be given by publication in a newspaper of general circulation in the Municipality where the property is located and by mailing written notice by the Clerk of the Board of Adjustment to all owners of property within a three hundred (300) foot radius of the exterior boundary of the subject property. A copy of the published notice may be mailed in lieu of written notice; however, the notice by publication and written notice shall be published and mailed at least ten (10) days prior to the hearing.

The notice, whether by publication or mail, of a Public Hearing before the Board of Adjustment, shall contain:

1. Legal description of the property and the street address or approximate location in the Municipality.
2. Present Zoning classification of the property and the nature of the appeal, Variance or Special Exception requested.
3. Date, time and place of the Public Hearing.

On hearings involving Minor Variances or Special Exceptions, notice shall be given by the Town Clerk by mailing written notice to all owners of property adjacent to the subject property. The notice shall be mailed at least ten (10) days prior to the hearing and shall contain the facts listed in this Section. The Board of Adjustment shall set forth in a statement of policy what constitutes Minor Variances or Special Exceptions, subject to approval or amendment by the Town Board of Trustees.

Section 179. Procedure for Appeals to the Board of Adjustment.

The Town Board of Trustees hereby provides for the procedure for appeals from any action or decision of an Administrative Officer acting pursuant to any Zoning Ordinance, to the Board of Adjustment in the following manner:

1. Appeals from the action of any Administrative Officer to the Board of Adjustment may be taken by any person aggrieved, or by any officer, department, board or bureau of the Municipality affected by any decision of the Administrative Officer.
2. An appeal shall be taken within thirty (30) days by filing with the officer from whom the appeal is taken and by filing with the Board of Adjustment a notice of appeal specifying the grounds therefore. The officer from whom the appeal is taken shall forthwith transmit to the Board of Adjustment certified copies of all the papers constituting the record of the matter, together with a copy of the ruling or order from which the appeal is taken.
3. An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Adjustment after the notice of appeal has been filed with him, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application or notice to the officer from whom the appeal is taken and on due cause shown.
4. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or attorney.

Section 180. Appeals From the Board of Adjustment.

An appeal from any action, decision, ruling, judgment or order of the Board of Adjustment may be taken by any person or persons, jointly or severally aggrieved, or any taxpayer or officer, department, board or bureau of the Municipality to the District Court in the County in which the sites of the Municipality is located.

The appeal shall be taken by filing with the Town Clerk, within thirty (30) days, a notice of appeal. The notice shall specify the grounds for the appeal. No bond or deposit for costs shall be required for such appeal.

Upon filing the notice of appeal, the Board of Adjustment shall forthwith transmit to the Court Clerk the original, or certified copies, of all papers constituting the record in the case, together with the order, decision or ruling of the Board.

The appeal shall be heard and tried de novo in the District Court. All issues in any proceedings under this Section shall have preference over all other civil actions and proceedings.

An appeal to the District Court from the Board of Adjustment stays all proceedings in furtherance of the action appealed from, unless the Chairman of the Board, from which the appeal is taken, certifies to the Court Clerk, after the notice of appeal has been filed, that by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the District Court upon application or notice to the administrative officer in charge of the enforcement of the terms and provisions of the Ordinance, and upon notice to the Chairman of the Board from which the appeal is taken, and due cause being shown.

The District Court may reverse or affirm, wholly or partly, or modify the decision brought up for review.

Court costs and attorney fees incurred on behalf the Town and other professional costs associated with the appeal shall be paid by the applicant in the event of an appeal.

Costs for attorney fees, professional fees, court costs, or any other fees shall not be allowed against the Board of Adjustment unless it shall appear to the District Court that the Board acted with gross negligence, in bad faith or with malice in making the decision appealed from.

An appeal shall lie from the action of the District Court as in all other civil actions.

Section 181. Emergency Clause.

It being immediately necessary for the preservation of the public peace, health, safety, and welfare of the Town of Slaughterville and the inhabitants thereof that this ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this ordinance shall be in full force and effect from and after its passage and approval.