

## ORDINANCE 2024-008

**AN ORDINANCE AMENDING THE TOWN OF FORT GIBSON, OKLAHOMA CODE OF ORDINANCES, TITLE XV, CHAPTER 157, CENTRAL BUSINESS DISTRICT, SECTION 157.118; SITE AND STRUCTURE REQUIREMENTS; PROVIDING FOR PENALTIES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY.**

### SECTION 1. AMENDMENT

That Title XV, Chapter 157, Central Business District, Section 157.118 of the Town of Fort Gibson Code of Ordinances be amended by adding Section 157.118-F, Planning Commission Review as follows:

- F. Planning Commission Review: The erection, moving, demolition, reconstruction, restoration, or alteration of any structure within the Central Business District must be reviewed and approved by the Fort Gibson Planning Commission prior to the issuance of a building permit or the commencement of such work; provided, however, work related to the following shall not require Planning Commission approval:
1. Ordinary maintenance and repair which shall include the removal, installation, or replacement of guttering; the removal or replacement of roof covering with like material; and ~~the application of any paint color to non-masonry surfaces.~~
  2. Interior of buildings or structures.
  3. Portions or parts of buildings or structures, or site not visible from adjoining streets.
  4. Accessory structures or buildings, such as storage sheds, garages, decks, patios, fencing, swimming pools and pool houses which are not part of the primary structure; provided, however, such structures and buildings are not located in front yards.
  5. General landscape maintenance and planting of new organic materials.
  6. ~~Work required for~~ temporary stabilization of a building structure due to damage.
  7. Outside storage of materials or supplies on a permanent basis is prohibited.

G. Maintenance Requirements in Central Business District:

1. All structures and grounds shall be maintained in good condition in keeping with the historic nature of the site designated.
  2. All interior portions of structures shall be kept in such good repair to the extent necessary to prevent structural deterioration.
- H. Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any structure except exterior change.

**SECTION 2. PENALTIES.**

Any person who violates any provision of this ordinance, upon conviction, shall be subject to a fine not exceeding Two Hundred Dollars (\$200.00) plus assessment and administrative costs, up to thirty (30) days imprisonment in the Muskogee County Jail or both fine and imprisonment.

**SECTION 3. REPEALER**

All other ordinances or parts of ordinances in direct conflict herewith are repealed to the extent of the conflict only.

**SECTION 4. SEVERABILITY.**

Should any part, section, subsection, sentence, provision, clause or phrase hereof be held invalid, void, or unconstitutional for any reason, such holding shall not render invalid, void, or unconstitutional any other section, subsection, sentence, provision, clause, or phrase of this ordinance, and the same are deemed severable for this purpose.

**SECTION 5. EMERGENCY.**

This ordinance being designated to protect the public health, safety, and welfare of the inhabitants of the Town of Fort Gibson, Oklahoma, and its passage being immediately necessary, an emergency is hereby declared to exist and by reason whereof this ordinance shall take effect immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED ON THIS DAY BY THE BOARD OF TRUSTEES FOR THE TOWN OF FORT GIBSON ON 23 DAY OF OCTOBER 2023.



Tim Smith, Mayor



ATTEST:  \_\_\_\_\_

Nicole Sloat, Town Clerk