

ORDINANCE NO. 932-2024

AN ORDINANCE REQUIRING ENGINEERING REPORTS FOR NEW WATER AND SEWER CONNECTIONS AND ESTABLISHING CONDITIONS FOR BUILDING PERMITS AND PLATS

WHEREAS, the City of Choctaw seeks to ensure the integrity and capacity of the water and sewer systems serving area residents; and

WHEREAS, it is necessary to establish a procedure for evaluating the capacity of these systems before approving new connections or plats; and

WHEREAS, it is essential to ensure that no building permits or plats are approved without verifying adequate capacity in the water and sewer systems;

THEREFORE, be it ordained by the City of Choctaw that Ordinance 932-2024 is hereby adopted as follows:

Section 1. ADDING A NEW CHAPTER 44, ARTICLE 44-III, SECTION 44-60

Section 44-60. Public Infrastructure Capacity Study Required

A. Purpose and Intent

The purpose of this process is to require an engineering report for each new Industrial, Commercial, or Residential Subdivision Developments that will create utility customers applying for water or sewer connections. The Engineering Report shall be used to determine whether there is adequate capacity in the City's water and sewer systems to accommodate the additional connections. Additionally, this ordinance aims to ensure that no building permits or plats for new Industrial, Commercial, or Residential Subdivision Development uses are approved without compliance therewith.

B. Engineering Report Requirement

1. Any new Industrial, Commercial, or Residential Subdivision Development use, whether located within or outside the municipal limits, that makes an application for water or sewer connections or proposing a plat which will require connection to the Choctaw water or sewer systems shall obtain an engineering report from the City Engineer as outlined in this Section.

2. The engineering report shall provide a finding on whether there is adequate capacity in the water and sewer systems to accommodate the additional connections requested or proposed.

C. Applicability

1. This ordinance shall apply to all new water and sewer connections within the City of Choctaw as outlined in subsection A.

2. This ordinance shall also apply to any out-of-city connections or expansions of out-of-city connections that are serviced by the Choctaw system.

D. Approval of Connections

1. No new water or sewer connections outlined in subsection A shall be approved, and no plat for uses outlined in subsection A shall be eligible for approval, unless the engineering report indicates that there is Adequate Capacity in the water and sewer systems for the connections applied for or proposed. For purposes of this requirement, "Adequate Capacity" shall mean the respective system has not reached 85% of total system capacity as determined by the City's Engineer.

2. Any new connections shall be deemed unlawful and shall not be approved if the engineering report shows a lack of Adequate Capacity for the requested or proposed connections.

E. Building Permits and Plats

1. No building permit, connection, or plat, for uses outlined in subsection A, shall be approved without complying with this section.

F. Enforcement and Penalties

1. Any violation of this ordinance shall be subject to penalties as provided by the City of Choctaw's municipal code.

F. If the City Engineer determines there becomes a lack of Adequate Capacity, those uses outlined in subsection A, as well as any other connection to the system, shall be denied until a modification to the system is implemented to ensure Adequate Capacity is met as defined under this section.

Section 2. Severability and Repealer.

If any one or more of the sections, sentences, clauses or part of this ordinance, chapter or section shall for any reason be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the governing body that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein. All ordinances or parts thereof, inconsistent herewith, are hereby repealed to the extent only of such inconsistency

Section 3. Emergency Clause.

It being immediately necessary for the preservation of public health, peace, and safety, an emergency is hereby declared to exist, by reason whereof this Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED and the emergency clause voted on and approved separately
this 15 day of October, 2024.

Attest: Amanda Williams

Amanda Williams, City Clerk

Chad Allcox

Chad Allcox, Mayor



PROOF OF PUBLICATION

Name of Publication: Choctaw Times
Address: P.O. Box 186, Choctaw, OK 73020
Phone Number: (405) 376-6688

PRINTED COPY OF PAGINATED
PROOF OF PUBLICATION

Case Number / Title of Legal Notice:

ORDINANCE #932-2024

I, Steve Coulter, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of the Choctaw Times, a weekly publication that is a "legal newspaper" as that phrase is defined in 25 O.S. § 106 for the City of Choctaw, for the County of Oklahoma, in the State of Oklahoma, and that the attachment hereto contains a true and correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

INSERTION DATES:

October 30 2024

PUBLICATION FEE:.....\$ 26.00



(Signature)

Steve Coulter, Publisher

State of Oklahoma
County of Oklahoma

Signed and sworn to before me this 31 day
of October, 2024.



(Signature) Notary Public

(Seal)



My Commission expires: July 26, 2028
Commission# 12007015

(Pub. Wed., Oct. 30, 2024)

ORDINANCE NO. 932-2024

AN ORDINANCE REQUIRING ENGINEERING REPORTS FOR NEW WATER AND SEWER CONNECTIONS AND ESTABLISHING CONDITIONS FOR BUILDING PERMITS AND PLATS; PROVIDING FOR REPEALER AND SEVERABILITY; AND DECLARING AN EMERGENCY.

PASSED and APPROVED and the Emergency Clause voted upon separately by the City Council of the City of Choctaw, Oklahoma this 15 day of October, 2024.

/s/ Chad Allcox, Mayor

Attest: /s/ Amanda Williams, City Clerk