

**MINUTES  
ORDINANCE / INSURANCE COMMITTEE  
SPECIAL MEETING  
THURSDAY, APRIL 21<sup>ST</sup>, 2016  
5:30 P.M.**

THE ORDINANCE/INSURANCE COMMITTEE MET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, 12 NORTH ROWE STREET, PRYOR, OKLAHOMA AT THE ABOVE DATE AND TIME.

COMMITTEE MEMBERS: \*\* RANDY CHITWOOD, CHERYL WHITE, RYAN RAINS, GREG ROSAMOND (ALTERNATE)

**1. CALL MEETING TO ORDER.**

The meeting was called to order at 5:35 p.m. by Chairman Randy Chitwood. Committee members present: Chairman Randy Chitwood, Cheryl White, alternate Greg Rosamond. Members absent: Ryan Rains. Cheryl White excused herself at 7:20 p.m.

Others present: Mayor Jimmy Tramel, Building Inspector/Code Enforcement Officer Doug Moore, City Clerk Eva Smith, Chief of Police Dennis Nichols, Police Officer Dustin Van Horn, Terry Aylward.

**2. DISCUSS, POSSIBLY APPROVE MINUTES OF THE JANUARY 25<sup>TH</sup>, 2016 SPECIAL MEETING.**

Motion was made by White, second by Rains to approve minutes of the January 25<sup>th</sup> special meeting. All voted yes.

**3. DISCUSS PROPOSED PRYOR CREEK CITY CODE APPENDIX A SCHEDULE OF FEES AND CHARGES.**

Line item changes were discussed, as follow:

1-12-4C: "Fee for mechanical reproduction," **non-refundable fee, \$40 minimum.**

1-12-4E: "Prepayment of fees whenever estimated amount exceeds," **\$40.00.**

2-1-8: "Return check fee," **Maximum amount allowed by law.**

2-2-8: "Sales tax (Ord. 2001-1, 3-14-2002)," **Add references for the Ordinance number to show where the 3.75% amount came from.**

2-2-8: "Telephone Exchange Tax," **Add references for the Ordinance number to show where the amount came from.**

2-4-1: "Tax levied on sale of power, light, heat, gas, electricity or water," **reference state statute.**

3-1-1: **Move** "Agents or solicitors selling insurance, or taking orders for insurance policies, each," **to Itinerant section.**

3-1-1: **Move** "Agents or solicitors selling or taking orders for sale of books, magazines, periodicals or publications of any description, each," **to Itinerant section.**

3-1-1: **Delete** "Collection agents, each \$50/5.00."

3-1-1: "Concessions, games and amusements not a part of an organized carnival where a fee is charged, each," **fee changed to "maximum of \$50.00 per year.** Leaving daily rate at \$15.00.

3-2-6: "Transient/itinerant vendor and transient/itinerant merchant license fee," Mayor **will reword and simplify.**

3-3-2A: "Residential" and "Commercial," **need to be clearly defined.**

3-4B-2, 3-4B-5: "Coin operated amusement devices, Each device, annually," revenue needs to be investigated. Eva will provide. Keep annual fee at \$20.00.

3-7-3: "Tree trimming license," \$50.00 annual fee.

3-10A-3A: "Occupation tax, each location in city, for:" verify that these amounts are per state statute.

4-1-7A: "RESCUE RUN," at \$200.00 per hour needs more discussion. Mayor and Kim Ritchie will work on this.

4-5-8B: "Open burning permit application," fees are "Per Burn."

5-2-23: "Penalty assessment," needs to be "maximum allowed by law."

5-2-23: "\$40 administrative fee," needs some investigating regarding amount not to exceed maximum allowed by law.

5-3-12: Delete "Temporary permit for infant animal native to area."

7-1A-12: "Storm Water Management Fee," section should be listed under line item 8, "Utilities."

7-6-4B: "Additional fees: Saturday, additional, \$300.00," "Saturday, total opening, \$550.00," (Res. 200-5, 103-2000) check with Codifier.

9-1A-5: "New Construction: residential," should be \$0.15 per square foot, and "Storage, Warehouse, Garage," should be \$0.30 per square foot. Other listed amounts stay as-is.

**4. DISCUSS, POSSIBLY APPROVE AUTHORIZING THE CITY ATTORNEY TO DRAFT AN ORDINANCE AMENDING PRYOR CREEK CITY CODE APPENDIX A SCHEDULE OF FEES AND CHARGES.**

No action taken, pending further discussion.

**5. ADJOURN.**

Motion to adjourn was made by Rosamond, second by Chitwood. Meeting adjourned at 8:03 p.m.



# CITY OF PRYOR CREEK, OKLAHOMA SPECIAL EVENT PERMIT APPLICATION

This application is to be completed by the person or organization wishing to hold the special event. It must be submitted to the Pryor Creek City Clerk's Office at least 90 days prior to the date of the event. Upon processing your application, you will be contacted by a representative of the City of Pryor Creek in order to discuss the required permits necessary in order to hold your event.

If you need additional room to fill out this application, please attached a separate sheet with the necessary additional information.

Type of License: Quarterly \_\_\_\_\_ Annual \_\_\_\_\_

Date of Application: \_\_\_\_\_

## GENERAL EVENT INFORMATION

1. Please attach a detailed map of the area/location of the special event. Please provide the original map and four copies. The map must show the locations of the following items, if applicable. Please check all that apply.

Beer Sales	Carnival Rides	Emergency
Event	Fencing	First Aid Tents
Parking Areas	Public Entry	Restrooms
Security Tent(s)	Sign/Banner	Stages/Production
Street Closures	Trash	Vendor
Emergency Access Points (including a 16' unobstructed fire lane)		Other Pertinent Details

2. Proposed Date(s) of Event: \_\_\_\_\_

3. Proposed Name of Event: \_\_\_\_\_

4. Type of Event: \_\_\_\_\_

For Profit	Non Profit	Carnival
Competition	Concert	Farmers Market
Festival	Parade	Rally/Demonstration
Walk/Run	Other	

5. Beverages: Alcoholic Beverage Yes / No

6. Beverages: Non Intoxicating Beverage Yes / No

### Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission:

**Special Event License Information** – The ABLE section must be completed. Find forms at <http://www.ok.gov/able/documents/SPE%20Application.pdf> if not attached to this application.

### Oklahoma Alcoholic Beverage Laws Enforcement (ABLE) Commission:

**Application checklist for Charitable Event Licenses & Organization Questionnaire Information** – The ABLE section must be completed. Find forms at <http://www.ok.gov/able/documents/CAB%20Application.pdf> if not attached to this application.



# CITY OF PRYOR CREEK, OKLAHOMA SPECIAL EVENT PERMIT APPLICATION

7. Event Location/Address:

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**NOTE:**

Closure of all State Highways require approval and must meet the requirements of the 2009 Manual on Uniform Traffic Control Devices (MUTCD) of Oklahoma Department of Transportation (ODOT) with approval of the Mayor and City Council. Sixty (60) days prior to the event.

8. Event Duration:

a. Site Preparation:

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

b. Day One:

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

c. Day Two:

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

d. Day Three:

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

e. Dismantling / Clean up:

Start Time: \_\_\_\_\_ End Time: \_\_\_\_\_

9. Have you met to discuss your event with the affected persons / business in the area surrounding the event? If so, briefly describe the communication.

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# CITY OF PRYOR CREEK, OKLAHOMA SPECIAL EVENT PERMIT APPLICATION

## EVENT SPECIFICS

1. Estimated Attendance: \_\_\_\_\_
2. Number of Support Persons: \_\_\_\_\_
3. Security Information:

It is the responsibility of an event producer to provide adequate security for an event and to ensure that an adequate number of security personnel are present to manage the expected size of the event's crowd. **The Security plan must be approved by the Pryor Police Department.**

- a. Number of Security Personnel: \_\_\_\_\_
- b. Security Firm Contact Information: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- c. Are City Police needed? \_\_\_\_\_
- d. Other Security measures, if any: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. Will stage(s) be setup? \_\_\_\_\_
  - a. What will the dimensions of the stage(s) be? \_\_\_\_\_  
\_\_\_\_\_
5. Will you be using electricity? \_\_\_\_\_
6. Will tent(s) be set up? \_\_\_\_\_
  - a. What will the dimensions of the stage(s) be? \_\_\_\_\_  
\_\_\_\_\_
7. Will there be vendors? \_\_\_\_\_
  - a. How many vendors do you estimate? \_\_\_\_\_
  - b. How many food vendors do you estimate? \_\_\_\_\_
  - c. Please provide a list of sales tax permit numbers for each vendor and Health Department permit numbers, if applicable, if they are food vendors. Out of state vendors will be review on an individual basis. Please attach the list to this application.
8. What first aid facilities will you provide?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. How will trash issues be handled?  
**NOTE:** Failure to clean up trash and debris within 2 hours from the end of the event or prior to reopening of the street, whichever is sooner, will result in the City of Pryor Creek providing clean up and the even sponsor will be charged all cost incurred.
  - a. Briefly describe your plan for trash removal and cleanup:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# CITY OF PRYOR CREEK, OKLAHOMA SPECIAL EVENT PERMIT APPLICATION

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## CONTACT INFORMATION

Event Coordinators/Contact Persons:

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Contact Information:

Phone Number: \_\_\_\_\_

E Mail: \_\_\_\_\_

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## INSURANCE INFORMATION

An applicant shall maintain in full force and effect during the full period of the event, public liability insurance in an amount sufficient to cover potential claims for any bodily injury, death, or disability and for property damage, which may arise from or be related to the special event. The insurance policy shall name the City of Pryor Creek as an additional insured; apply as primary insurance regardless of any insurance which the City of Pryor Creek may carry; and obligate the insurance company to give notice to the authorizing official at least thirty days before any cancellation of the policy. The Mayor may establish the amount (not less than \$100,000.00) of such insurance, subject to review or reconsideration. The proof of insurance must be provided prior to allowing the special event to take place. This section does NOT apply to governmental bodies or public/private schools applying for a permit.

1. Insurance Company: \_\_\_\_\_
2. Type/Risk: \_\_\_\_\_
3. Amount: \_\_\_\_\_
4. Policy Number: \_\_\_\_\_

## SIGNATURE

The information provided in this application and its attachments is complete and accurate to the best of my knowledge. I understand that I am under a continuing obligation to update any information supplied, and/or supply any new information as it becomes available.

Signature of Authorized Agent: \_\_\_\_\_ Date: \_\_\_\_\_

## **Oklahoma Alcoholic Beverage Laws Enforcement Commission Special Event License Information**

This license may be issued to an organization, association, or a non-profit corporation organized for political, fraternal, charitable, religious or social purposes. A special event license may not be issued to an individual and may not be issued for use at a location currently licensed by the Oklahoma ABLE Commission or for use in a "dry" county.

This license allows the holder to sell or to provide alcoholic beverages to the public for consumption by the individual drink at the location(s) and on the date(s) noted in the application. The license fee is \$55.00 for a quarterly license or an annual license. The license is valid for 1 year from the date of issuance; no more than 1 license per year may be issued to any entity. The license may be used for the events specifically noted in the application. Each event can be for 1 day or up to 10 days in length.

An annual special event license shall authorize the holder to hold up to 4 events over a period of 1 year, not to exceed 2 such events in any three-month period. Changes in the date(s) of any event must be submitted in writing to the ABLE Commission not less than 10 days before the event is held.

A quarterly special event license shall authorize the holder to hold up to 3 events over a period not to exceed 3 months. Changes in the date(s) of any event must be submitted to the ABLE Commission not less than 10 days before the event is held.

A special event license may be used on the approved dates from 10:00 a.m. to 2:00 a.m. daily, unless the county in which the event is being held prohibits the sale of alcoholic beverages on certain days. (Be advised that the local authorities regulate the days and hours of low-point beer sales.) You must check with the local authorities if you have questions. The days of operation differ from county to county.

The specific laws and regulations concerning this license type are enumerated in the law and regulation book provided.

### NOTE:

1. If the proposed event is open to the public and alcoholic beverages are sold or provided, a special event license is required.
2. If there is a charge for alcoholic beverages served or provided at the event (a cash bar), a special event license is required.
3. If there is a cover charge or donation required to attend the event and alcoholic beverages are provided, a special event license is required.



STATE OF OKLAHOMA

## OKLAHOMA ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

### CHECK LIST FOR SPECIAL EVENT LICENSE APPLICANTS

The original, completed application with **one (1) copy** will be submitted to the ABLE Commission 3812 North Santa Fe, Suite 200 Oklahoma City, OK 73118. Questions concerning this application or application process should be directed to the Licensing Division at (405) 521-3484 or fax (405) 521-6578.

#### I. APPLICATION PAGES

1. Page 1. Answer all questions as it applies to the entity sponsoring the event for which the license is requested (Note: See cover sheet for eligibility requirements). Read and sign the bottom of page 1.
2. Page 2. Obtain authorization signatures required on page 2. Read and sign statement at the bottom of page 2.

#### II. APPLICATION ATTACHMENTS

1. List of licensed wholesalers and class B wholesalers.
2. Inventory Form.
3. Title 37 sections applicable to special event licenses.
4. ABLE Commission Rules and Regulations applicable to special event licenses.

#### III. APPLICATION SUBMISSION REQUIREMENTS

1. License fee. The fee in the amount of fifty five dollars (\$55.00) per day of the event is to be paid in the form of a cashier's check or money order made payable to the ABLE Commission. **No personal or business checks are accepted.**
2. Copies. The completed and signed application must be submitted with the original and one (1) copy at least **twenty (20) days** prior to the event. **Walk-in applications are accepted 7:30 a.m. - 4:00 p.m., Monday - Friday.**

#### IV. EVENT FOLLOW-UP REQUIREMENTS MUST BE SUBMITTED TO THE ABLE COMMISSION

1. Return the expired license.
2. Submit a copy of the original liquor invoice within seven (7) days of the completion of the event.
3. Submit a completed inventory of unused liquor to include a statement advising the disposition of the unused liquor, signed by the event contact person within seven (7) days of the completion of the event. **Note:** Unused liquor may not be sold to any person or entity (or returned to the wholesaler for credit). Unused liquor may not be stored by the licensee on the licensed premise or any public premise. Unused liquor may not be used at future events for which a license is required.

OFFICE USE ONLY

License Type \_\_\_\_\_ Effective Date \_\_\_\_\_

License Fee \_\_\_\_\_ Expiration Date \_\_\_\_\_

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**SPECIAL EVENT LICENSE (QUARTERLY/ANNUAL) APPLICATION**

Check Type of License:      Quarterly \_\_\_\_\_      Annual \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Applicant FEI Number: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Applicant Telephone Number(s): \_\_\_\_\_

Applicant Contact Person:

Name \_\_\_\_\_

Street Address \_\_\_\_\_

City/Town, State, Zip Code \_\_\_\_\_

Event 1

Event Name or Type:		
Building Name		
Street Address		
City/Town, State, Zip Code		
Is the event location within the city limits?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Event Date		
Hours of Operation:		

Event 2

Event Name or Type:
Building Name
Street Address
City/Town, State, Zip Code
Is the event location within the city limits? <input type="checkbox"/> Yes <input type="checkbox"/> No
Event Date
Hours of Operation:

Event 3

Event Name or Type:
Building Name
Street Address
City/Town, State, Zip Code
Is the event location within the city limits? <input type="checkbox"/> Yes <input type="checkbox"/> No
Event Date
Hours of Operation:

Event 4

Event Name or Type:
Building Name
Street Address
City/Town, State, Zip Code
Is the event location within the city limits? <input type="checkbox"/> Yes <input type="checkbox"/> No
Event Date
Hours of Operation:

Event profits will be paid to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that a false answer or omission of the forgoing questions will subject this application to denial. I/we certify that all information submitted is complete and correct to the best of my/our knowledge. I/we hereby give any officer the authority, without warrant, to enter and examine the event location. The officer shall be given free access and not hindered or interfered with.

Signature \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

NOTICE TO APPLICANTS:

1. Special Event licensees must purchase all liquor from a licensed Wholesaler or Class B Wholesaler. (A list of licensees is attached.) Licensees may not accept donated alcoholic beverages for use at a licensed event.
2. Special Event licensees are required to obtain a Mixed Beverage Tax Permit from the Oklahoma Tax Commission and to post a bond based upon the estimated tax due.
3. Special Event licensees must check with the city or county authorities where the event is scheduled to determine, if an Occupational tax is levied in the jurisdiction.
4. Special Event licensees must advise the ABLE Commission of the source of all alcoholic beverages for each event held by including an original invoice from the wholesaler(s) itemizing all beverages purchased and the disposition of any unused liquor within **7 days** of the conclusion of each event. Unused liquor may not be sold to any individual or entity or returned to the wholesaler for credit. Unused liquor may be stored for future events to be held during the period that the license is valid. An inventory of unused liquor must be submitted to the ABLE Commission using the enclosed forms. If liquor is not to be stored for future events, please advise on the bottom of the inventory the names of the individuals and their addresses and the liquor given to them. If liquor is to be stored for future events, please advise on the inventory form the name(s) and address(es) where the alcoholic beverages will be stored.
5. All restrictions and regulations which apply to the sale of mixed beverages on the premises of a mixed beverage licensee, apply to the sale of alcoholic beverages by a special event licensee.

I have read all of the above and have been given a copy of the rules and laws by which alcoholic beverages are regulated, including special event licensees. I agree to comply with the inventory disposition requirement after the event (or after each event). Further, I understand that failing to comply with any conditions, laws, and rules pertaining to special event licensing can prohibit the issuance of future licenses.

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Signature

Date

**This section of the application must be completed and signed by the appropriate individuals as indicated in the following sections before submitting the application to the Alcoholic Beverage Laws Enforcement Commission. Additional pages are available if applying for multiple events that are to be held at different locations in different cities and/or counties.**

This section must be completed by the person having custody of the property where the event is to be held or his representative.

This application has been submitted to \_\_\_\_\_  
and meets our approval.

\_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
This section must be completed by the Chief of Police for incorporated cities or by the County Sheriff for unincorporated areas or their authorized representative.

This application has been submitted to \_\_\_\_\_.

This office recommends that this application be  Granted  Denied.  
\*If the recommendation is to deny, please indicate grounds for denial.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Authorized signature

\_\_\_\_\_  
Date



OKLAHOMA CLASS B WHOLESALERS  
(Beer & Brewed Products)

**BOERSMA DISTRIBUTING**

John A. Boersma II  
815 D Street Northeast  
Miami, OK 74354  
(918)542-1855  
fax (918)542-1856

**BROADWAY BEER DIST. & CO**

L. Kay Smith  
2304 North Broadway  
Oklahoma City, OK 73103  
(405)525-7225  
fax (405)525-7532

**BULL RUN BEER COMPANY**

Max W. Byars-Horton  
300 North Jupiter Road  
Hartshorne, OK 74547  
(918) 297-0133  
fax (918) 297-0293

**EAGLE BRAND BEERS**

Danny K. Shadid  
4200 Southeast 59<sup>th</sup>  
Oklahoma City, OK 73135-2511  
(405)682-8527  
fax (405)682-8559

**INTERNATIONAL BEERS**

Thomas R. Bauer  
6833 East Reading Place  
Tulsa, OK 74115  
(918) 836-2511  
fax (918) 836-6688  
1-800-669-2850

**OKLAHOMA BEVERAGES**

Allan Ray Rowan  
10718 East Marshall  
Tulsa, OK 74116  
(918) 437-7722  
fax (918) 437-3502

**PREMIUM IMPORTED BEERS**

John D. Cresap  
1700 Beechwood Avenue  
Oklahoma City, OK 73149  
(405) 619-2600  
fax (405) 619-2690

**6 POINT BEVERAGES**

Stephanie Lahmamsi & Scott Deimel  
317 Northeast 31<sup>st</sup> Street  
Oklahoma City, OK 73105  
(405) 521-1511  
fax (405)521-1545

**SOONER BEER COMPANY**

Franklin T. & Bobbi J. Naifeh  
4001 Northwest 3<sup>rd</sup>  
P.O. Box 75447  
Oklahoma City, OK 73147  
(405) 947-8050  
fax (405) 949-1416

**SOUTHERN OKLAHOMA SUDS**

Jessica D. Solley  
307 Mill Street SE  
Ardmore, OK 7341  
(580) 226-7083  
fax (580) 226-7180

Revised 07/27/07

OKLAHOMA WHOLESALERS  
(Spirits & Wines)

**ACTION WHOLESALE LIQUORS**

Tad Shadid & Jeffrey Shadid  
4200 Southeast 59<sup>th</sup>  
Oklahoma City, OK 73135-2511  
(405) 682-8527  
fax (405) 682-8559

**K O BEVERAGE**

Lance F. Parkhill  
4157 S 72<sup>nd</sup> East Avenue  
Tulsa, OK 74145  
(918) 728-7401  
fax (918) 728-7402

**CENTRAL LIQUOR COMPANY**

Franklin K. & Robert Z. Naifeh  
605 North Tulsa  
P.O. Box 75447  
Oklahoma City, OK 73147  
(405) 947-8050  
fax (405) 949-1416  
(Brad ext 132 & Justin ext 122)

**SOUTHERN OKLAHOMA  
SPIRITS**

Tim J. McCullers  
309 Mill Street  
Ardmore, OK 73401  
(580) 223-0148  
fax (580) 226-7180  
cell (580-222-8165)

**DIXIE LIQUOR COMPANY**

Al J. Horton & Stacey Horton  
300 North Jupiter Road  
Hartshorne, OK 74547  
(918) 297-0133  
fax (918) 297-0293

**FIREWATER SUPPLY CO**

7220 E. 151<sup>st</sup> Street South  
PO Box 66  
Bixby, OK 74008  
firewater@olp.net  
(918)369-5600  
fax (918)369-5604

**JARBOE SALES COMPANY**

John B. Jarboe & John B. Jarboe II  
6833 East Reading Place  
P.O. Box 580130  
Tulsa, OK 74158  
(918) 836-2511  
(800) 669-2850  
fax (918) 836-6688

**STERLING WINES & SPIRITS CO**

Paul W. Dudman  
2226 North Broadway  
Oklahoma City, OK 73103-4312  
(405) 557-1818  
fax (405) 557-1857

**STATUTES APPLICABLE TO SPECIAL EVENT LICENSES**  
**(Title 37 of the Oklahoma Statutes)**

**(Section 537)**

1. No person shall:
  - A. Knowingly sell, deliver, or furnish alcoholic beverages to any person under twenty-one (21) years of age;
  - B. Sell, deliver, or knowingly furnish alcoholic beverages to an intoxicated person or to any person who has been adjudged insane or mentally deficient;
  - C. Give any alcoholic beverage as a prize, premium or consideration for any lottery, game of chance, skill or any type of competition;
2. No special event licensee shall:

Advertise or offer "happy hours" or any other means of inducements to stimulate the consumption of alcoholic beverages including:

  - A. Deliver more than two drinks to one person at one time;
  - B. Sell or offer to sell to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public;
  - C. Sell or offer to sell to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public;
  - D. Sell or offer to sell drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public;
  - E. Increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week;
  - F. Encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes. Provided that the provisions of this paragraph shall not prohibit the advertising or offering of food or entertainment in licensed establishments;
  - G. Permit or allow any patron or person to exit the licensed premises with an open container of any alcoholic beverage.
3. No special event licensee shall:
  - A. Purchase or receive any alcoholic beverages other than from a person holding a Wholesaler or Class B Wholesaler license issued pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act;

**(Section 537.1)**

4. No special event licensee or any employee, manager, operator, or agent shall:
  - A. Consume or be under the influence of alcoholic beverages during the hours he is on duty. For the purposes of this section, licensees will be deemed to be on duty from the time he first comes on duty until the time he goes off duty at the end of the shift, including any break periods permitted by the management. This paragraph shall not apply to any person who works on the premises as an entertainer only;
  - B. Permit or tolerate any conduct or language which is intended to threaten another with physical harm or any fighting or offensive physical contact, in or upon the licensed premises or areas just outside the licensed premises which are controlled by the licensee;

- C. Permit empty or discarded alcoholic beverage containers to be in public view outside the licensed premises. All empty or discarded containers shall be disposed of in accordance with ABLE Commission rules and regulations;
- D. Permit any illegal gambling activity, violations of state narcotic and dangerous drug laws, or prostitution activity or any other criminal conduct to occur on the licensed premises;
- E. Refuse or fail to promptly open a door to the licensed premises upon request of an agent or inspector of the ABLE Enforcement Commission or any other peace officer to enter the premises, when the licensee or employee knows or should know that such request is made by an agent or inspector of the ABLE Commission or any other peace officer. This provision shall not be construed to deny agents of the ABLE Commission or any other peace officer access at any time to any licensed premises;
- F. Permit a sealed or unsealed container of alcoholic beverage to be removed from the licensed premises; or
- G. Destroy, damage, alter, remove or conceal potential evidence, or attempt to do so, or refuse to surrender evidence when lawfully requested to do so by an inspector, agent or any other peace officer or incite another person to do any of the above.

(Section 532)

- 5. All licensees under the Oklahoma Alcoholic Beverage Control Act shall keep books and record with regard to alcoholic beverages which shall contain such information and itemization as the ABLE Commission may prescribe by rules and regulations. All books, records, inventories, invoices and other accounting documents required by this act shall be kept for three (3) years and shall at all times be available for inspection by duly authorized representatives of the ABLE Commission and Oklahoma Tax Commission.

(Section 561)

- 6. Every special event licensee shall keep a record of all alcoholic beverages purchased, received, sold, delivered, or otherwise disposed of, and the amount of all alcoholic beverages on hand, as provided. Such records must be kept for a period of at least three (3) years and shall include the date, the number of the invoice, manifest, bill of lading, or similar type document, and the total amount of alcoholic beverages purchased, received, sold, delivered, or otherwise disposed of, by such licensee in each transaction. Each such licensee shall keep and maintain such other records in details as the Oklahoma Tax Commission may require.

(Section 576)

- 7. A tax at the rate of twelve percent (12%) is levied and imposed on the total gross receipts of a holder of a special event license, issued by the ABLE Commission from:
  - A. The sale, preparation or service of mixed beverages;
  - B. The total retail value of complimentary or discounted mixed beverages;
  - C. Ice or nonalcoholic beverages that are sold, prepared or served for the purpose of being mixed with alcoholic beverages and consumed on the premises where the sale, preparation or service occurs; and
  - D. "Mixed beverages" means one or more servings of a beverage composed in whole or part of an alcoholic beverage in a sealed or unsealed container of any legal size for consumption on the premises where served or sold by the holder of a special event license.
  - E. "Total gross receipts" means the total amount of consideration received as charges for admission to a mixed beverage establishment and the total retail sale price received for the sale, preparation or service of mixed beverages, ice, and nonalcoholic beverages to be mixed with alcoholic beverages; and
  - F. "Total retail value" means the total amount of consideration that would be required for the sale, preparation or service of mixed beverages.

- G. The gross receipts tax levied by this section shall be in addition to the excise tax levied in Section 553 of Title 37 of the Oklahoma Statutes, the sales tax levied in the Oklahoma Sales Tax Code and to any municipal or county sales taxes.
- H. The gross receipts tax levied by this section is hereby declared to be a direct tax upon the receipt of consideration for any charges for admission to a mixed beverage establishment, for the sale, preparation or service of mixed beverages, ice, and nonalcoholic beverages to be mixed with alcoholic beverages, and the total retail value of complimentary or discounted mixed beverages;
- I. The total of the retail sale price received for the sale, preparation or service of mixed beverages, ice, and nonalcoholic beverages to be mixed with alcoholic beverages shall be the total gross receipts for purposes of calculating the sales tax levied in Oklahoma Sales Tax Code.

(Section 577)

- 8. Every holder of a special event license, issued by the ABLE Commission, shall obtain a mixed beverage tax permit from the Oklahoma Tax Commission prior to engaging, within this state, in the sale, preparation or service of mixed beverages, ice, or nonalcoholic beverages that are sold, prepared or served to be mixed with alcoholic beverages. Each licensee shall file a verified application for a mixed beverage tax permit with the Tax Commission, setting forth information as may be required by the Tax Commission.

(Section 578)

- 9. Every holder of a special event license issued by the ABLE Commission, as a condition precedent to the issuance of a mixed beverage tax permit, shall furnish to the Oklahoma Tax Commission a bond from a surety company chartered or authorized to do business in this state, cash bond, certificates of deposits, certificates of savings or U.S. Treasury bond, or an assignment of negotiable stocks or bonds, as the Tax Commission may deem necessary to secure payment of the gross receipts tax levied upon gross receipts of the licensees.

(Section 579)

- 10. Every mixed beverage tax permit holder, or any person transacting business subject to the gross receipts tax shall file with the Oklahoma Tax Commission a report for each place or location of business, on or before the 1st day of the month immediately following the month of receipt. The reports shall be made under oath, on forms prescribed by the Tax Commission, which shall include the following information:
  - A. Name of mixed beverage tax permit holder;
  - B. Mixed beverage tax permit number;
  - C. Sales tax permit number;
  - D. Special event license number;
  - E. Gross receipts for the month of the sale, preparation or service of mixed beverages, ice and nonalcoholic beverages mixed with alcoholic beverages;
  - F. Gross receipts from charges for the privilege of admission; and
  - G. Total retail value of complimentary or discounted alcoholic beverages served.

(Section 582)

- 11. No special event licensee may possess or permit any person to possess on the premises any alcoholic beverage, other than beer or light beer, in any container that does not bear a serially number identification stamp issued by the Oklahoma Tax Commission. No special event licensee may possess or permit any person to possess on the premises any container of beer which did not come from a case bearing a serially numbered identification stamp issued by the Tax Commission.
  - A. No special event licensee nor any officer, agent or employee of such license may possess or permit to be possessed on the premises, for which such license was issued, any container of an alcoholic beverage which is not listed on an invoice from the wholesaler from whom the alcoholic beverage was purchased.

- B. All containers of alcoholic beverages, other than beer or light beer, or any case of beer on the premises of a holder of a special event license which do not bear a serially numbered identification stamp pursuant to the provisions of this section are declared to be contraband. Any duly authorized officer or employee of the ABLE Commission or the Oklahoma Tax Commission is authorized to seize such containers or cases and such seized containers or cases shall be subject to confiscation and forfeiture pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act.
- C. Any holder of a special event license who violates these provisions shall be guilty of a misdemeanor and shall be subject to revocation or suspension of such license issued by the ABLE Commission pursuant to the provisions of the Oklahoma Alcoholic Beverage Control Act.

(Section 583)

- 12. A holder of a special event license or any person employed by the holder of such license who empties a bottle containing alcoholic beverages, other than beer or light beer shall immediately after emptying the bottle invalidate the identification stamp on the bottle in the manner prescribed by rules and regulations of the ABLE Commission. A holder of a special event license or any person employed by the holder of such license who empties a case of beer shall immediately after emptying the case invalidate the identification stamp of the case in the manner prescribed by rules and regulations of the ABLE Commission.
  - A. Each holder of a special event license shall provide at all service counters where alcoholic beverages, other than beer or light beer, are poured from bottles the necessary facilities for the invalidation of identification stamps on bottles so that persons emptying bottles of such alcoholic beverages may immediately invalidate the identification stamps on them.
  - B. A holder of a special event license or any of his officers, agents, or employees who is found in possession of an empty bottle of alcoholic beverages, other than beer or light beer on which the identification stamp has not been invalidated in accordance with this section commits a separate offense for each bottle so possessed. A holder of a mixed beverage, caterer or special event license or any person employed by the holder of such license who is found in possession of any empty case of beer on which the identification stamp has not been invalidated in accordance with this section commits a separate offense for each case so possessed.

RULES AND REGULATIONS PERTAINING TO SPECIAL EVENT LICENSEES

1. Sanitary conditions, conducive to public health and welfare, shall be maintained at all times, in, on, or about licensed premises of all licensees. (Article 1, Section 4)
2. No licensee shall engage in, allow, permit or suffer in or upon his licensed premises any disturbance, lewdness, immoral activities or displays, brawls, or unnecessary noises, or allow, permit, or suffer the licensed premises to be conducted in such a manner as to create public censure or to become a nuisance. (Article 1, Section 5)
3. Every Special Event licensee or employee purchasing alcoholic beverage shall, at the time of delivery of such alcoholic beverage and at no other time, demand or receive from the licensed wholesaler selling such alcoholic beverage, and such licensed wholesaler shall furnish and deliver in duplicate a serially numbered invoice, purchase order or sales ticket truly and correctly showing the kind, brand, quantity and price of such alcoholic beverage purchased or sold, the date and place of purchase or sale, the name and address of the licensed wholesaler and the name and address of the special event licensee. Such special event licensees shall keep one copy of each such invoice, purchase order, or sales ticket for a period of three (3) years thereafter, which shall be open at all times to inspections by the Commission, its deputies or agents, or any other law enforcement officer of the State of Oklahoma. (Article 1, Section 10)
4. If at any time hereafter it is made to appear to this Commission by preponderance of the evidence, as in civil cases, that any licensee, or the employee of any such licensee, has, as a result of carelessness, failure to make due inquiry, imprudence, or a disregard of obvious legislative intent, sold or permitted to be sold, to any intoxicated person or to any person under the age of twenty-one (21) years any alcoholic beverages, the license of such licensee shall be revoked. (Article 1, Section 16)
5. No special event licensee shall accept the delivery of alcoholic beverages beer, or brewed products at his licensed premises on Saturday, Sunday or any day that they are required to be closed for holidays, elections or any days not designated to be opened in counties where the sale of alcoholic beverages by the individual drink for on-premises consumption has been approved. (Article 1, Section 17)
6. A wholesaler or employee shall not be deemed to have violated Title 37 O.S. 1981, Section 535(5) in instances where, through mistake, inadvertence, or oversight, such wholesaler delivers to a special event license in good faith, alcoholic beverage other than that which was ordered by the special event licensee. Such mistake or oversight must be called to the attention of the wholesaler by the special event licensee within a five (5) day period from the date the merchandise was received by the special event licensee. The wholesaler will immediately, upon being notified by the special event licensee, initiate action within three (3) days to correct the error. All invoices and reports will be corrected to indicate the adjustment or replacement action taken. (Article 1, Section 18)
7. No alcoholic beverages shall be delivered to a special event licensee by a licensed wholesaler, his agent, servant or employee without receiving payment therefore at the time of making such delivery, or payment having been made by said special event licensee prior to such delivery. (Article 1, Section 62)
8. All special event licensees and their employees are hereby prohibited from accepting, directly or indirectly, any discount, rebate, free goods and other inducements from any Nonresident Seller, Wholesaler, Class B Wholesaler, or any agent or employee of any of the sale licensees. (Article 1, Section 28)
9. All special event licensees and their employees are hereby prohibited from accepting from any licensed Nonresident Seller, Wholesaler, Class B Wholesaler, or any agent or employee of any said licensee, the loan of money or any other thing of value; from accepting any gift or gratuity from any such licensee; from accepting from any such licensee any alcoholic beverages on consignment, or upon condition, or with the privilege of returning the same, or on any condition other than a bona fide sale; and from accepting any credit from any such licensee. (Article 1, Section 29)

10. The selling of alcoholic beverages in an original container by licensee is prohibited. At the time the license expires, the licensee will provide to the Commission a written inventory of all alcoholic beverages not consumed at the event. The inventory shall state the name(s) of the person(s) taking possession of the alcoholic beverages. (Article 12, Section 3(d)) Note: Alcoholic beverages may not be returned to the wholesaler for credit, may not be sold, may not be stored on premise, and may not be used for future functions for which a license is required.
11. No alcoholic beverages shall be delivered or sold to the holder of a special event license by a licensed wholesaler, his agent, servant or employee without receiving payment therefore at the time of making such delivery. All holders of special events licenses shall make payment to the licensed wholesaler only by cash, bank draft, cashiers check, express or postal money order. (Article 12, Section 5(a))
12. The invalidation of identification stamps required by Title 37, Section 583 shall be done by mutilating the stamp. As used in this rule, "mutilate" means to scratch, cut, tear, or abrade in a manner which inflicts obvious and substantial damage to the stamp but does not totally remove or obliterate the stamp. The marking of a stamp with ink, dye, or other material is not authorized as a method for invalidating the stamp. (Article 12, section 6)
13. Special event licensee shall keep a full, separate, complete and accurate record of all expenditures with regard to alcoholic beverages. No such expenditures shall be commingled with the expenditures of any other business or businesses operated by the special event licensee. The minimum required records shall show clearly and accurately for each expenditure the following information:
  - A. Date of payment;
  - B. Name of payee;
  - C. Purpose of the expenditure in sufficient detail to permit a clear identification of the reason for the expenditure;
  - D. Petty cash fund reimbursements must be supported by receipts, vouchers or other documents, showing the purpose of expenditure;
  - E. Cross references to support documents. All expenditures shall be supported by vouchers, invoices, cash receipts, sales receipts, bills, expense reports, check books, bank statements, ledgers, journals, or other documentary evidence properly cross referenced and filed in an orderly and consistent manner. These records shall be kept for three (3) years and shall at all times be available for inspection by representatives of the ABLE Commission and Oklahoma Tax Commission in accordance with Section 552 of Title 37 of the Oklahoma Statutes. (Article 12, Section 8)
14. No person shall remain in the bar or bar area of the licensed premises after 2:00 a.m. closing time with the exception of employees for the purpose of restocking or cleaning the premises. (Article 12, Section 10)



**OKLAHOMA ALCOHOLIC BEVERAGE LAWS  
ENFORCEMENT COMMISSION  
APPLICATION CHECKLIST FOR CHARITABLE EVENT LICENSES**

**Note the following:**

O.S. § 21 Ch. 14 Sec 463

**Offering False or Forged Instruments for Recordation**

Any person who knowingly procures or offers any false or forged instrument to be filed, registered, or recorded in any public office within this state, which instrument, if genuine, might be filed or registered or recorded under any law of this state or of the United States, shall be guilty of felony.

**GENERAL APPLICATION INSTRUCTIONS - CHARITABLE EVENT**

Complete all items on pages one (1) through four (4) of the application and submit all applicable documents listed. The requested items are required as part of the application. All documents must be legible and entirely complete. Applicant must be a Charitable or Non-Profit Organization recognized by the IRS as a 501 (c) 3,4,5,6,7,8,9,10 or 19. Application may be completed and submitted by a designated contact person, but an officer of the organization must sign page two (2) and three (3).

**MAIL or DELIVER APPLICATION AND PAYMENT TO:**

Oklahoma ABLE Commission  
3812 North Santa Fe, Suite 200  
Oklahoma City, Oklahoma 73118

**QUESTIONS CONCERNING YOUR APPLICATION OR THE PROCESS SHOULD BE DIRECTED TO:**

Licensing Division  
(405) 521-3484 - Office  
(405) 521-6578 - Fax

**Oklahoma Alcoholic Beverage Laws Enforcement Commission**  
**Charitable Alcoholic Beverage Event**  
**License Information**



A Charitable Alcoholic Beverage Event allows for an event consisting of one or more of a wine, strong beer, or spirit tasting event or dinner event. A Charitable Alcoholic Beverage Event license is valid for four (4) days from the date of issuance. Charitable Organizations may have eight (8) separate events per year. The cost is \$55.00 per event. Licensees may purchase the wine, strong beer, or spirits for an event from a retailer or accept a donation of wine, strong beer, or spirits from an individual or entity. This license allows the Charity to include access to alcoholic beverages as part of their entrance fee or ticket price. This license also allows the Charity to utilize the services of a licensed caterer for additional alcoholic beverage service.

Charitable Alcoholic Beverage Event applicants must be non-profit organizations as defined by the I.R.S. Code qualifying as a 501(c) non-profit organization, specifically listed in Sections 3, 4, 5, 6, 7, 8, 9, 10 and 19. Proof of the 501(c) status must be provided at the time of the application. The organization must provide a current copy of minutes electing officers and directors.

Charitable Alcoholic Beverage Event licensees are subject to the same laws as all other licensees of the ABLE Commission. The statutes may be viewed on-line at [www.able.ok.gov](http://www.able.ok.gov) (Legal Documents/Title 37 §521.X). Any questions concerning the law should be directed to the Enforcement Division. It is the responsibility of the licensee to be aware of all laws concerning alcoholic beverages.

## **Oklahoma Alcoholic Beverage Laws Enforcement Commission Checklist for Charitable Alcoholic Beverage Event License**

The original application with all required attachments and **ONE** copy of all pages and attachments will be submitted to the ABLE Commission at 3812 North Santa Fe Ave., Suite 200, Oklahoma City, Oklahoma 73118. The \$55.00 license fee must be submitted with the application. The application must be submitted at least twenty (20) days prior to the event. Questions concerning this application or the application process should be directed to the Licensing Division at (405) 521-3484; Monday through Friday from 7:30 a.m. to 4:30 p.m.

### **I. APPLICATION PAGES**

1. Page 1. Answer all questions as it applies to the entity sponsoring the event for which the license is being requested.
2. Page 2. Obtain authorization signatures required on page 2. Read and sign statement at the bottom of page 2.
3. Page 3. Non-profit corporations must complete and sign this page.

### **II. APPLICATION DOCUMENTATION TO BE SUPPLIED BY THE APPLICANT.**

1. Verification/ Determination proof of 501(c) status from the Internal Revenue Service.
2. Minutes electing officers and directors of the non-profit corporation.
3. Outdoor Event holders shall furnish a detailed diagram of the event location showing the areas where alcohol will be dispensed and consumed.

## OFFICE USE ONLY

License Type \_\_\_\_\_ Effective Date \_\_\_\_\_

License Fee \_\_\_\_\_ Expiration Date \_\_\_\_\_



### CHARITABLE ALCOHOLIC BEVERAGE EVENT APPLICATION

Applicant Name: \_\_\_\_\_

Applicant Mailing Address: \_\_\_\_\_

Applicant Telephone Number(s) \_\_\_\_\_

Name of Contact Person: \_\_\_\_\_

Telephone Number(s): Office \_\_\_\_\_ Mobile \_\_\_\_\_

Telephone Number for Evening/Weekend: \_\_\_\_\_

Email Address: \_\_\_\_\_

Event Location: (check one) _____ Indoor _____ Outdoor _____ Both
Event Name or Type:
Building Name:
Street Address:
City/Town, State, Zip Code
Is the event location within city limits?                      Yes                      No
Event Date(s):
Hours of Operation:

Event profits will be paid to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

I understand that a false answer or omission of the forgoing questions will subject this application to denial. I certify that all information submitted is complete and accurate to the best of my knowledge. I hereby give any law enforcement officer the authority, without a warrant, to enter and examine the event location. The officer shall be given free access and not hindered or interfered with. I will also insure that signage is posted at all alcoholic beverage service points, requiring persons in the area to be 21 years of age (see page 5 for signage).

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Officer of Charitable Organization)

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
(Applicant Contact Person)

**Oklahoma Alcoholic Beverage Laws Enforcement Commission  
Organization Questionnaire**

Applicant Name: \_\_\_\_\_

Event Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

**Officers of Organization:**

Title	Name	Address
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Board of Directors/Trustees/Executive Committee:**

Name	Address
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Applicant

## **Oklahoma Alcoholic Beverage Laws Enforcement Commission**

### **DIAGRAM FOR OUTDOOR EVENTS**

Applicant shall furnish a diagram of the event location (premises) if the event is being held as an outdoor venue. The Diagram should include the location of all points of dispensing alcoholic beverages and event boundaries. Additional information may be requested from the investigating Agent.

**NO PERSONS  
UNDER 21 YEARS OF AGE  
PERMITTED IN THIS AREA  
OF THESE PREMISES**

ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

Charitable Alcoholic Beverage Event License

Page 5

07/27/2015 BF

**TEMPORARY MOBILE  
FOOD SERVICE LICENSE APPLICATION  
CITY OF PRYOR CREEK, OKLAHOMA**

**NAME OF BUSINESS (DBA):** \_\_\_\_\_

**TELEPHONE NUMBER:** \_\_\_\_\_

**MAILING ADDRESS:** \_\_\_\_\_

**DATE(S) OF SALE:** \_\_\_\_\_

**LOCATION OF SALE:** \_\_\_\_\_

**NAME OF APPLICANT:** \_\_\_\_\_

(Corporation/Partnership/Sole Proprietor)

**TELEPHONE NUMBER:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

**TELEPHONE NUMBER:** \_\_\_\_\_

**VEHICLE TAG NUMBER AND DESCRIPTION:** \_\_\_\_\_

(IF APPLICABLE)

(MUST SUBMIT CERTIFICATE OF INSURANCE FOR GENERAL LIABILITY AND/OR VEHICLE)

**STATE SALES TAX PERMIT NO:** \_\_\_\_\_

All provisions regarding food service requirements as required by the Code of the City of Pryor Creek are in compliance, and I hereby approve the application of the below-named applicant for a temporary food service license.

**MAYES COUNTY HEALTH DEPARTMENT    DATE:** \_\_\_\_\_

**CITY OF PRYOR CREEK  
12 N ROWE ST.  
PRYOR, OK 74361**

\_\_\_\_\_  
(SIGNATURE OF APPLICANT)

\_\_\_\_\_  
(DATE)

**FEES: 1-DAY PERMIT: \$20.00** \_\_\_\_\_

**30-DAY PERMIT: \$50.00** \_\_\_\_\_

**180-DAY PERMIT: \$250.00** \_\_\_\_\_

**REQUIREMENTS FOR A MOBILE TEMPORARY FOOD LICENSE  
(FOR FACILITIES THAT ARE VEHICLE MOUNTED AND/OR READILY MOVEABLE)**

1. Applicant must obtain the property owner's permission. A signed and notarized permission form must be provided to City Clerk prior to issuance of permit. Must be on hand at all times.
2. The applicant must fill out the application in full for the business.
3. The applicant must provide a Certificate of Insurance as proof that the applicant has general liability for the business.
4. The applicant must provide a Certificate of Insurance as proof that the applicant has vehicle insurance.
5. All Food Trucks operating within the City Limits of Pryor Creek must be licensed by the Mayes County Health Department and have a current OK Sales Tax Permit (issued by the Oklahoma Tax Commission.) These items must be displayed by the vendor in full view of the public.
6. If you do not have a Food Handler's license, you will need to contact the Mayes County Health Department. They can be reached at **(918) 825-4224**.
7. If you do not have a current Oklahoma Sales Tax Permit, you will need to contact the Oklahoma Tax Commission to obtain one. They can be reached at **(800) 521-3160** or online at [www.tax.ok.gov](http://www.tax.ok.gov).
8. All Food Trucks must be positioned on private property and not be located in the easement or on the right-of-way. Exception: special event as approved by City Council.
9. If you are parking within the City of Pryor Creek, you must obtain a written letter of permission from the current property owner of the location where the Food Truck will be parked. The letter of permission must be on hand at all times. According to state law a mobile Food Truck shall remain at one physical address for no more than 12 hours unless it is in conjunction with a single event or celebration.
10. The applicant's business must not reduce off-street parking of the host business.
11. Mobile vendors, such as ice cream trucks, cannot sell food on the public right-of-way except for a brief stop for point of sale.
12. If a sign is to be used, the vendor must contact Code Enforcement to make sure the sign meets all Code requirements.
13. The City of Pryor Creek has an established 2015 Electrical Construction Code. Permit is required for all electrical hookups.
14. You will also need to contact Pryor Creek Code Enforcement at **(918) 825-1679** to verify that the location you have selected is zoned for the operation of mobile food service units.

We do have special community events that allow vending from public property or easements. All licensing as stated above is required and the food truck vendor needs to make arrangements with the event sponsor who has coordinated their events through the City of Pryor Creek.

**COST**

1. One Day permit is \$20.00.
2. Thirty (30) day permit is \$50.00.
3. One Hundred Eighty (180) day permit is \$250.00

**ORDINANCE NO. 2015-17**

**AN ORDINANCE AMENDING PRYOR CREEK CITY CODE SECTION 10-4-1 REGARDING DEFINITIONS PROVIDING FOR INCLUSION OF DEFINITIONS OF "TRANSITIONAL LIVING FACILITY" AND "HALFWAY HOUSE".**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PRYOR CREEK, OKLAHOMA:**

That Pryor Creek City Code Section 10-4-1 is hereby amended to read as follows:  
(Deletions to existing ordinance stricken, additions underlined)

**SECTION I: AMENDING ORDINANCE TO READ AS FOLLOWS:**

**10-4-1: DEFINITIONS:**

As used in this title, the following words and terms shall have the meanings ascribed to them in this section:

**ACCESSORY USE OR STRUCTURE:** A use or structure customarily incidental, appropriate and subordinate to the principal use of a building or to the principal use of land and which is located upon the same lot therewith.

**AGRICULTURE:** The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory shall be secondary to that of normal agricultural activities; and provided further, that the above uses shall not include the commercial feeding of swine or other animals, stockyards or commercial feedlots for cattle.

**ALLEY:** A minor right of way dedicated to public use, not more than thirty feet (30') wide, affording a secondary means of access to abutting property and not intended for general traffic circulation, and which may be used for public utility purposes.

**AUTOMOBILE OR TRAILER SALES AREA:** An open area, other than a street, used for the display, sales or rental of new or used motor vehicles or trailers in operable condition and where no repair work is done.

**AUTOMOBILE REPAIR, MAJOR:** General repair, rebuilding or reconditioning of engines, motor vehicles or trailers; collision services, including body, frame or fender straightening or repair; overall painting or paint shop; vehicle steam cleaning.

**AUTOMOBILE REPAIR, MINOR:** Incidental replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half (1½) ton capacity.

**AUTOMOBILE SERVICE STATION OR FILLING STATION:** Any area used for retail sale of gasoline or oil fuels or automobile accessories and incidental services, including facilities for lubricating and washing and cleaning, but not including painting, major repair or the sale of butane or propane fuels.

**AUTOMOBILE WASH OR AUTOMATIC CAR WASH:** A building or structure or chain conveyor,

blowers, steam cleaners and other mechanical devices used primarily for the purpose of washing motor vehicles.

**BARBERSHOP:** Any building, room, place or establishment containing more than one workstation or chair that is occupied, maintained or conducted as a barbershop, tonsorial parlor, barber school, or where shaving, haircutting or any other tonsorial work is carried on for revenue or pay. The operators or employees of which are licensed to engage in the practice of barbering as defined by the laws of the state of Oklahoma and the Oklahoma state department of health.

**BEAUTY PARLOR:** Any building, room, place or establishment containing more than one workstation or chair that is occupied, maintained or conducted as a beauty parlor or beauty shop, providing a full range of beauty and grooming services for revenue or pay. The operators or employees of which are licensed to engage in the practice of cosmetology as defined by the laws of the state of Oklahoma and the state of Oklahoma board of cosmetology.

**BLOCK:** In describing the boundaries of a district, refers to the legal description. In all other cases, the word block refers to the property abutting on one side of the street between two (2) intersecting streets or between an intersecting street and a railroad right of way, or between an intersecting street and a watercourse.

**BOARD OF ADJUSTMENT:** The board of adjustment of the city; also referred to as the board.

**BOARDING HOUSE AND ROOMING HOUSE:** Where meals or lodging are provided for persons other than the family or their relatives and excluding facilities for transient persons such as hotels, motels, inns and other such facilities.

**BUILDING:** Any structure having a roof supported by columns or walls that is used or intended to be used for the shelter or enclosure of persons, animals or property.

**BUILDING ACCESSORY:** See definition of Accessory Use Or Structure.

**BUILDING HEIGHT:** The vertical distance from the average line of the highest and lowest points of that portion of the lot covered by the building to the highest point of coping of a flat roof, or the deck line of a mansard roof or the average height of the highest gable of a pitch or hip roof.

**BUILDING LINE:** A line established beyond which no part of a building shall project, except as otherwise provided by this title.

**BUILDING, PRINCIPAL:** A building or buildings in which the principal use of the building site is conducted. In any residential district, any dwelling shall be deemed to be the principal building on the building site.

**BULLETIN BOARD:** Any sign announcing the activities of an educational, religious, institutional or similar use.

**CEMETERY:** Land used or intended to be used for the burial of the human dead and dedicated for cemetery purposes.

**CHILDCARE CENTER:** Any place, home or institution which receives six (6) or more children, under the age of sixteen (16) years, for care apart from their natural parents, legal guardians or custodians, and received for regular periods of time for compensation; provided, however, this definition shall not include public and private schools organized, operated or approved under the laws of this state, custody of children fixed by a court, children related by blood or marriage within the third degree to the custodial person, or to churches or other religious or public institutions caring for children within their institutional buildings while their parents or legal guardians are attending services or meetings or classes and other church activities.

**CITY COUNCIL:** The official governing body of the city.

**CLINIC:** A place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons and those in need of surgical or medical attention, but who are not customarily provided with board and room or kept overnight on the premises.

**CLUB:** A nonprofit association of persons who are bona fide members, paying regular dues, and organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

**COMPREHENSIVE PLAN:** The official city plan of the city; also refers to the specific document, general plan for 1990: Pryor Creek, Oklahoma.

**CONVALESCENT HOME:** A nursing home, a rest home, a home for the aged, recuperating, chronically ill or incurable persons, in which two (2) or more persons not of the immediate family are received, kept or provided with food and shelter or care for compensation, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury.

**COVERAGE:** The lot area covered by all buildings located thereon, including the area covered by all overhanging roofs.

**DWELLING:** Any building or portion thereof designed or used as a residence of one or more persons, but not including a tent, cabin, trailer coach, boarding or rooming house, hotel or motel.

**DWELLING, MULTI-FAMILY:** A building or portion thereof containing three (3) or more dwelling units and designed for or used by three (3) or more families; also includes the word "apartments".

**DWELLING, SINGLE-FAMILY:** A building containing one dwelling unit and designed for or used exclusively by one family.

**DWELLING, TWO-FAMILY:** A building containing two (2) dwelling units and designed for or used

exclusively by two (2) families; also includes the word "duplex".

**DWELLING UNIT:** A room or group of rooms arranged, intended or designed as a habitable unit, containing kitchen, bath and sleeping facilities for not more than one family living independently of any other family.

**ESSENTIAL SERVICES:** The erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewer, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories thereof, reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.

**FAMILY:** One or more persons occupying a single dwelling unit, as a single housekeeping unit; provided, that unless all members are related by blood, marriage or adoption, no such family shall contain over six (6) persons, including any roomers, boarders and/or domestic servants. A home for independent living with support personnel that provides room and board, personal care and habilitation services in a family environment as a single housekeeping unit for not more than six (6) resident elderly or disabled persons (mentally and/or physically impaired) with at least one, but not more than two (2) resident staff persons, shall be considered a family.

**FLOOR AREA:** The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the exterior faces of the exterior walls or from the centerlines of walls separating two (2) buildings.

**FRONTAGE:** The linear measurement of a lot boundary which is abutting a street.

**GARAGE APARTMENT:** A dwelling for one family erected as a part of a private garage.

**GARAGE, PARKING:** Any building or portion thereof used for the storage of four (4) or more automobiles in which any servicing which may be provided is incidental to the primary use for storage purposes, and where repair facilities are not provided.

**GARAGE, PRIVATE:** A detached accessory building or a portion of the principal building used or intended for use by the occupants of the premises for storage of passenger vehicles or trailers.

**GARAGE, PUBLIC:** The structure or portion thereof, other than a private garage, used for the storage, sale, hire, care, repairing or refinishing of any vehicles.

**GARAGE, REPAIR:** A building in which are provided facilities for the care, servicing, repair or equipping of automobiles.

**HALFWAY HOUSE:** An approved treatment facility as defined under the "Oklahoma Alcohol and Drug Abuse Services Act" which offers or provides temporary residential accommodations, meals, supervision at all times residents are in the facility or on facility premises, and services, including counseling, short-term supportive care, case management, mental health services or treatment services

**HEIGHT:** The vertical measurement of any structure on any parcel of land measured from the average elevation of the lot or parcel to the uppermost point of the structure.

**HOME OCCUPATION:** Any occupation carried on solely by the inhabitants of a dwelling which is clearly incidental and secondary to the use of the dwelling for dwelling purposes, which does not change the character thereof, and which is conducted entirely within the main or accessory building; provided, that no trading and merchandising is carried on and in connection with which there is no display of merchandise or advertising sign other than one nonilluminated nameplate, not more than two (2) square feet in area, attached to the main or accessory building, and no mechanical equipment is used which creates noise, dust, odor or electrical disturbance, except such as is customarily used in purely domestic or household purposes. A maximum of five hundred (500) square feet of floor area may be used in the home occupation. Vehicles used in conjunction with the home occupation shall be parked off the street, on the lot containing the home occupation, and shall be of a type customarily found in a residential area. A tearoom, restaurant, rest home, clinic, barbershop, beauty parlor, doctor's or dentist's office, childcare center, tourist home or cabinet shop, metal shop, lawn mower repair or auto repair garage shall not be deemed a home occupation.

**HOSPITAL:** See definition of Medical Facilities.

**HOTEL:** A building or group of buildings under one ownership containing six (6) or more sleeping rooms occupied or intended or designed to be occupied as the more or less temporary abiding place of persons who are lodged, with or without meals, for compensation, but not including trailer parks or camps, hospitals, asylums, orphanages or buildings where persons are housed under restraint.

**INDUSTRY:** Storage, repair, manufacture, preparation or treatment of any article, substance or any commodity for commercial use.

**INSTITUTIONAL USES:** Those uses organized, established, used or intended to be used for the promotion of a public, religious, educational, charitable, cultural, social or philanthropic activity and normally operated on a nonprofit basis.

**JUNK OR SALVAGE YARD:** A place where waste, discarded or salvage materials are bought, sold, exchanged, baled, packed, disassembled or handled, including all wrecking yards, house wrecking yards, used lumberyards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building, and not including pawnshops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition or salvage material incidental to manufacturing operations.

**KENNEL:** Any structure or premises on which three (3) or more dogs over four (4) months of age are kept.

**LOADING SPACE:** A space on the same lot as the principal use of at least ten feet (10') in width and thirty feet (30') in length and having a vertical clearance of at least fourteen feet (14'), designated for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

**LOT:** A piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this title, and having access on a public street.

**LOT, CORNER:** A lot which has at least two (2) adjacent sides abutting on a street; provided, that the interior angle at the intersection of such two (2) sides is less than one hundred thirty five degrees (135°).

**LOT, DEPTH:** The mean horizontal distance between the front and rear lot lines.

**LOT, DOUBLE FRONTAGE:** A lot having a frontage on two (2) nonintersecting streets, as distinguished from a corner lot.

**LOT, INTERIOR:** A lot other than a corner lot.

**LOT LINE:** Any boundary of a lot.

**LOT LINE, FRONT:** The boundary of a lot which abuts a public street. Where the lot abuts more than one street, the owner may select the front lot line.

**LOT LINE, REAR:** The boundary of a lot which is most distant from and most nearly parallel to the front lot line.

**LOT LINE, SIDE:** Any boundary of a lot which is not a front lot line or a rear lot line.

**LOT, WEDGE SHAPED:** A lot situated so that the front is either wider or narrower than the rear of the lot.

**LOTS OF RECORD:** A separate and distinct parcel designated on a legally recorded subdivision plat or a legally recorded deed filed in the records of Mayes County, state of Oklahoma.

**MEAN LOT ELEVATION:** The average elevation of a lot.

**MEDICAL FACILITIES:** A. Dental Or Doctor's Office: The same as dental or medical clinic, including the various dental and medical specialties.

- B. Dental Or Medical Clinic: A building used for the examination and treatment of the physically ill; provided, that no facilities are provided for patients remaining overnight, except under emergency conditions.
- C. Hospital: An institution providing physical and mental health services primarily for human inpatient medical or surgical care for the sick or injured, and including related facilities such as laboratories, outpatient departments, training facilities, central service facilities and staff offices which are an integral part of the facilities.
- D. Nursing Home, Rest Or Convalescent Home: See definition of Convalescent Home.
- E. Public Health Center: A facility primarily utilized by a health unit for providing public health services, including related facilities.

MOBILE HOME: Means and includes any vehicle or structure so designed and so constructed as to permit occupancy thereof as a temporary or permanent dwelling or sleeping place for one or more persons and originally designed or constructed to be placed on wheels and moved about by towing or otherwise; whether or not the wheels for such vehicle or structure have been put in place or removed, and shall include what is commonly called a trailer coach. Vehicles or equipment commonly known as campers or overnight campers, the sleeping quarters of which are being occupied, shall be included within the meaning of the term mobile home and governed by the provisions of this title. Such campers which are not being occupied shall be excepted from the meaning of such term for the purposes of this title.

MOBILE HOME LOT: A portion of a mobile home park allocated to the exclusive use of the occupants of a single mobile home.

MOBILE HOME PARK: Any site, lot, field or tract of ground upon which mobile homes are placed for occupancy, and shall include any building, structure, vehicle or enclosure used or intended for use as a part of the equipment of such park.

MOTEL: An area containing one or more buildings designed or intended to be used as temporary sleeping facilities of one or more transient persons.

OPEN SPACE: Area included in any side, rear or front yard, or any other unoccupied space on a lot that is open and unobstructed to the sky, except for the ordinary projection of cornices and eaves or porches.

PARCEL: A "lot", as defined herein.

PARKING SPACE: A permanently surfaced area of not less than two hundred (200) square feet, either within a structure or in the open, exclusive of driveways or access drives, for the parking of motor vehicles.

PLANNING COMMISSION: The city planning commission, as established by the city ordinances.

**RESTAURANT:** A commercial establishment in a suitable and permanent building that is kept, used, maintained, advertised or held out to the public to be a place where hot meals are regularly served for consumption by patrons within the building. An outside patio attached to the building may provide an accessory dining area. Alcoholic beverages may be served as an accompaniment to those meals provided the necessary permits for such service are obtained from the city of Pryor Creek and the state of Oklahoma.

**ROOMING HOUSE:** See definition of Boarding House And Rooming House.

**SIGN:** Any word, lettering, part of letters, figures, numerals, phrases, sentences, emblems, devices, designs, pictures, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business, a service, a commodity or product, which are visible from any public street or right of way and designed to attract attention. For sale and for rent signs shall be deemed signs within the meaning of this definition, but the term "sign" shall not include the flag, pennant or insignia of any nation, state, city or other political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement or event used for a public purpose in the public interest.

**SIGN, DISPLAY SURFACE AREA:** The net geometric area of the surface of the sign upon, against or through which the message is displayed or illustrated, including the outward extremities of all letters, figures, characters and delineations; provided, that only one face of a double faced sign shall be included in the computation of display surface area.

**SIGN, ILLUMINATED:** A sign designed to give forth any artificial light or designed to reflect light from one or more sources, natural or artificial.

**SIGN, PROJECTING:** A sign erected on the face or outside wall of a building which projects out at any angle therefrom.

**SIGN, TEMPORARY:** Signs of temporary nature used to advertise the premises for sale, rent or lease.

**STORY:** That portion of a building included between the surface of any floor and the surface of the floor next above it; or, if there be no floor above it, then the space between the floor and the ceiling next above it.

**STREET:** A public right of way more than thirty feet (30') in width which provides the primary public means of access to abutting property and used primarily for vehicular circulation.

**STREET, ARTERIAL:** Any street designated on the thoroughfare plan as an arterial, primary arterial, secondary arterial, major street, etc.

**STREET, MINOR:** Any street not designated on the thoroughfare plan as an arterial.

**STRUCTURAL ALTERATION:** Any change in the structural members of a building, such as walls,

columns, beams or girders.

**STRUCTURE:** Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground (not including sidewalks, driveways and similar improvement areas).

**TEAROOM:** A restaurant where nonalcoholic beverages and light meals are available.

**THOROUGHFARE PLAN:** The part of the comprehensive plan referring to transportation development goals, principles and standards; also includes use of the words "major street plan" and "trafficways plan".

**TOURIST HOME:** An owner occupied private home in which up to four (4) bedrooms are used to provide overnight accommodations, which may include breakfast, for transient guests for compensation.

**TRAILER:** A portable or mobile unit, other than a mobile home, used or designed to carry or transport material or animals.

**TRANSITIONAL LIVING FACILITY:** An approved treatment facility as defined under the "Oklahoma Alcohol and Drug Abuse Services Act" which offers or provides temporary residential accommodations, meals, supervision at all times residents are in the facility or on facility premises, and services, including counseling, short-term supportive care, case management, mental health services or treatment services

**YARD:** A required space on a lot unobstructed, except as expressly permitted.

**YARD, FRONT:** A yard extending across the full width of a lot from side lot line to side lot line abutting on a street, into which a building may not protrude.

**YARD, REAR:** A yard extending across the rear of a lot measured from side lot line to side lot line.

**YARD, SIDE:** A yard extending from front yard to the rear yard abutting the side lot line, into which no building may protrude.

**SECTION 2.** REPEALER. All ordinances or parts of ordinances in conflict here with are hereby repealed to the extent of any such conflict.

**SECTION 3** SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

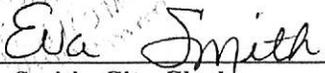
Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session on this 17 day of November, 2015



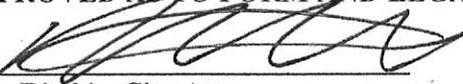
CITY OF PRYOR CREEK, OKLAHOMA

  
\_\_\_\_\_  
Jimmy Tramel, Mayor

ATTEST:

  
\_\_\_\_\_  
Eva Smith, City Clerk

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kim Ritchie, City Attorney  
Dated: 11/17/2015

ORDINANCE NO. 2015-18

AN ORDINANCE AMENDING PRYOR CREEK CITY CODE TITLE 10 ADDING NEW SECTION 10-13-10 REGARDING TRANSITIONAL LIVING FACILITIES AND HALFWAY HOUSES.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PRYOR CREEK, OKLAHOMA:

That Pryor Creek City Code Title 10 is hereby amended by the addition of New Section 10-13-10 to read as follows:

**SECTION I:** AMENDING ORDINANCE TO READ AS FOLLOWS:

**10-13-10: TRANSITIONAL LIVING FACILITIES AND HALFWAY HOUSES:**

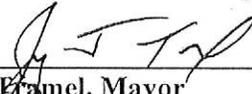
Any transitional living center or halfway house, as defined in Section 10-4-1 of this code, shall be prohibited to be located within one thousand (1,000) feet of any public or private elementary or secondary school. Provided, that if any public or private elementary or secondary school shall be established within the prohibited distance from any such facility after such facility has been in use as a transitional living center or halfway house, this shall not be a bar to the continued use of the facility as designated so long as it remains in continuous use as designated. The distance indicated in this section shall be measured from the nearest property line of the school to the nearest property line of the transitional living center or halfway house. The provisions of this section shall not apply to any transitional living center or halfway house established prior to the effective date of this act.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict here with are hereby repealed to the extent of any such conflict.

**SECTION 3 SEVERABILITY.** If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this ordinance.

Passed and Approved by the Council of the City of Pryor Creek, Oklahoma, in regular session on this 17 day of November, 2015

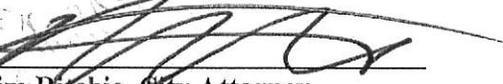
CITY OF PRYOR CREEK, OKLAHOMA

  
\_\_\_\_\_  
Jimmy Framel, Mayor

ATTEST:

  
\_\_\_\_\_  
Eva Smith, City Clerk

APPROVED AS TO FORM AND LEGALITY:

  
\_\_\_\_\_  
Kim Ritchie, City Attorney  
Dated: 11/17/2015