

**NOTICE AND AGENDA
ORDINANCE / INSURANCE COMMITTEE
SPECIAL MEETING
MONDAY, JANUARY 25TH, 2016
5:00 P.M.**

AS REQUIRED BY THE OKLAHOMA OPEN MEETING ACT NOTICE IS HEREBY GIVEN THAT THE ORDINANCE/INSURANCE COMMITTEE WILL MEET IN SPECIAL SESSION IN THE COUNCIL CHAMBER, AT 12 NORTH ROWE STREET, PRYOR, OKLAHOMA AT THE ABOVE DATE AND TIME. FOR SPECIAL ACCOMMODATIONS TO ATTEND, PLEASE CONTACT (918) 825-0888.

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

1. Call meeting to order.
2. Discuss, possibly approve minutes of the October 8th, 2015 special meeting.
3. Discuss, possibly approve authorizing the City Attorney to draft an Ordinance regarding an Open Record Request and Fee Schedule for all City Departments.
4. Discuss, possibly approve authorizing City Attorney to draft an Ordinance regarding a Drug Free Zone.
5. Discuss, possibly approve authorizing the City Attorney to draft an Ordinance regarding limiting the number of canines and felines per residence and establish fees.
6. Discuss, possibly approve authorizing the City Attorney to draft an Ordinance regarding Texting While Driving.
7. Discuss, possibly recommend Council action to approve Zoning Map Adoption.
8. Discuss, possibly recommend Council action to approve Complete Streets Ordinance.
9. Discuss, possibly recommend Council action to authorize City Attorney to draft an Ordinance requiring Tree Trimmers to have a license to operate in the City of Pryor Creek similar to requirements for electricians and others with insurance and bonding requirements to protect the public.
10. Discuss, possibly recommend Council action to approve modifications of Pryor Creek City Code Section 3-7-1 pertaining to Tree Trimming Permits required for public safety.
11. Discuss, possibly recommend Council action to approve modifications of Pryor Creek City Code Section 3-7-2 pertaining to property owners where tree trimming or pruning is concerned.
12. Adjourn.

POSTED JANUARY 21ST, 2016 BY CITY CLERK EVA SMITH

Eva Smith



**MINUTES
ORDINANCE / INSURANCE COMMITTEE
SPECIAL MEETING
THURSDAY, OCTOBER 8TH, 2015
6:00 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 6:03 p.m. by Chairman Randy Chitwood. Committee members present: Chairman Randy Chitwood, Cheryl White, Ryan Rains. Members absent: none.

Others present: Mayor Jimmy Tramel, Building Inspector/ Code Enforcement Officer Doug Moore, Councilman Drew Stott, Municipal Utility Board General Manager Gary Pruett, Municipal Utility Board Assistant General Manager Jared Crisp, Firefighter Tim Bonea, Courtside Benefits Representative Kurt Schultz.

2. DISCUSS, POSSIBLY APPROVE MINUTES OF THE MARCH 31ST, 2015 SPECIAL MEETING.

Motion was made by White, second by Rains to approve minutes of the March 31st, 2015 special meeting. All voted yes.

3. DISCUSS, POSSIBLY APPROVE MINUTES OF THE JULY 16TH, 2015 SPECIAL MEETING.

Motion was made by White, second by Rains to approve minutes of the July 16th, 2015 special meeting. All voted yes.

Chairman Chitwood moved to Item 15.

15. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE RENEWAL OF COMMUNITY CARE *HEALTH* BENEFITS WITH COURTSIDE BENEFITS GROUP AS BROKER FOR THE CITY OF PRYOR CREEK EXCLUDING LOCAL 3567 THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO / LLC.

Motion was made by Rains, second by White to recommend Council action to approve renewal of Community Care **Health** benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO / LLC. *(The Agenda should have read Local 3567 The International Association of Firefighters AFL-CIO / CLC.)* All voted yes.

Kurt Schultz discussed the Courtside Benefit Group proposal for the City of Pryor Creek. The increase to the City would be 3.84 percent. Schultz stated that when they had received the quote from Community Care it was less the Affordable Care Act rate of 4 percent. Community Care honored the quote and did not revise. This error on the part of Community Care passed on a savings to the City of Pryor Creek for renewal of Health benefits. Schultz also stated that Courtside Benefit Group charges a flat brokerage fee per person. The City pays out \$18.81 per person per month. The Municipal Utility Board also pays out \$18.81 per person per month.

16. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE RENEWAL OF MUTUAL OF OMAHA *LIFE* BENEFITS WITH COURTSIDE BENEFITS GROUP AS BROKER FOR THE CITY OF PRYOR CREEK EXCLUDING LOCAL 3567 THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO / LLC.

Motion was made by White, second by Rains to recommend Council action to approve renewal of Mutual of Omaha **Life** benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO / LLC. *(The Agenda should have read Local 3567 The International Association of Firefighters AFL-CIO / CLC.)* All voted yes.

17. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE RENEWAL OF DELTA DENTAL BENEFITS WITH COURTSIDE BENEFITS GROUP AS BROKER FOR THE CITY OF PRYOR CREEK EXCLUDING LOCAL 3567 THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS AFL-CIO / LLC.

Motion was made by White, second by Rains to recommend Council action to approve renewal of Delta **Dental** benefits with Courtside Benefits Group as broker for the City of Pryor Creek excluding Local 3567 The International Association of Firefighters AFL-CIO / LLC. (*The Agenda should have read Local 3567 The International Association of Firefighters AFL-CIO / CLC.*) All voted yes.

Chairman Chitwood moved back to item 4.

4. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE 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".

Motion was made by Rains, second by White to recommend Council Action to approve 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". All voted yes.

5. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE AMENDING PRYOR CREEK CITY CODE TITLE 10 ADDING NEW SECTION 10-13-10 REGARDING "TRANSITIONAL LIVING FACILITIES" AND HALFWAY HOUSES".

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance amending Pryor Creek City Code Title 10 adding new Section 10-13-10 regarding "Transitional Living Facilities" and Halfway Houses". Voting yes: Chitwood, White, Rains. Voting no: none.

6. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2015 (IBC) INTERNATIONAL BUILDING CODE PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTES.

Motion was made by Chitwood, second by Rains to recommend Council action to approve an Ordinance adopting 2015 (IBC) *International Building Code* per Title 59 OS Section 1000.20 to 1000.29 of Oklahoma State Statutes. All voted yes.

Mayor Tramel read current notifications about State Building Code Rules to go into effect November 1, 2015.

7. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2015 (IEBC) INTERNATIONAL EXISTING BUILDING CODE PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTES.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2015 (IEBC) *International Existing Building Code* per Title 59 OS Section 1000.20 to 1000.29 of Oklahoma State Statutes. All voted yes.

8. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2015 (IFC) INTERNATIONAL FIRE CODE PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTES.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2015 (IFC) *International Fire Code* per Title 59 OS section 1000.20 to 1000.29 of Oklahoma State Statutes. All votes yes.

9. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2015 (IFGC) INTERNATIONAL FUEL GAS CODE PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTE.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2015 (IFGC) *International Fuel Gas Code* per Title 59 OS section 1000.20 to 1000.29 of Oklahoma State Statute. All voted yes.

10. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2015 (IMC) INTERNATIONAL MECHANICAL CODE PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTE.

Motion was made by White, second by Chitwood to recommend Council action to approve an Ordinance adopting 2015 (IMC) *International Mechanical Code* per Title 59 OS section 1000.20 to 1000.29 of Oklahoma State Statute. All voted yes.

11. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2015 (IPC) *INTERNATIONAL PROPERTY CODE* PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTE.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2015 (IPC) *International Property Code* per Title 59 OS Section 1000.20 to 1000.29 of Oklahoma State Statute. All voted yes.

12. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2009 (IPSDC) *INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE* PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTE.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2009 (IPSDC) *International Private Sewage Disposal Code* per Title 59 OS Section 1000.20 to 1000.29 of Oklahoma State Statute. All voted yes.

13. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2009 (IRC) *INTERNATIONAL RESIDENTIAL CODE* PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTE.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2009 (IRC) *International Residential Code* per Title 59 OS Section 1000.20 to 1000.29 of Oklahoma State Statute. All voted yes.

14. DISCUSS, POSSIBLY RECOMMEND COUNCIL ACTION TO APPROVE AN ORDINANCE ADOPTING 2009 (IPMC) *INTERNATIONAL PROPERTY MAINTENANCE CODE* PER TITLE 59 OS SECTION 1000.20 TO 1000.29 OF OKLAHOMA STATE STATUTE.

Motion was made by White, second by Rains to recommend Council action to approve an Ordinance adopting 2009 (IPMC) *International Property Maintenance Code* per Title 59 OS Section 1000.20 to 1000.29 of Oklahoma State Statute. All voted yes.

Chairman Chitwood moved to item 18.

18. ADJOURN.

Motion was made by Rains, second by White to adjourn. All voted yes.

ORDINANCE NO. 2016-

AN ORDINANCE PROVIDING FOR COMPLETE STREETS AND AMENDING THE PRYOR CREEK CITY CODE.

SECTION I. FINDINGS. The City of Pryor Creek hereby finds and declares as follows:

WHEREAS, the term “Complete Streets” describes a comprehensive, integrated transportation network with infrastructure and design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, people with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency vehicles, seniors, children, youth; and

WHEREAS, the lack of Complete Streets is dangerous for pedestrians, bicyclists, and public transportation riders, particularly children, older adults, and persons with disabilities; In 2012, 4,743 pedestrians and bicyclists were killed by motor vehicles in America, and many of these fatalities were preventable, and the severity of injuries could readily be decreased by implementing Complete Streets policy and design approaches; and the City of Pryor Creek wishes to ensure greater safety for those traveling its streets and roads; and

WHEREAS, the City of Pryor Creek acknowledges the benefits and value for the public health and welfare of reducing vehicle miles traveled and increasing transportation by walking, bicycling, and public transportation, which can help address a wide variety of challenges, including pollution, traffic congestion, social isolation, obesity, physical inactivity, limited recreational opportunities, and safety; and

WHEREAS, in 2014 thirty two percent (32%) of Mayes County residents reported that they have no physical activity. Lack of physical activity level, sedentary lifestyles and limited opportunities to integrate exercise into daily activities are factors contributing to increased obesity among adults and children, and the consequences of obesity, such as diabetes, heart disease, stroke, high blood pressure, high cholesterol, cancer, asthma, depression, and reduced academic performance; and

WHEREAS, the City of Pryor Creek recognizes that the careful planning and coordinated development of Complete Streets infrastructure provides long-term cost savings for local governments by reducing road construction, repair, and maintenance costs, and expanding the tax base; improves public health and lowers health care expenses; provides financial benefits to property owners and businesses; and decreases air and water pollution; in contrast, the lack of Complete Streets imposes significant costs on government, employers, and individuals, including the cost of obesity, and physical inactivity, which can amount to billions of dollars in medical expenses, workers’ compensation, and lost productivity; and

WHEREAS, the dramatic increase in the population of older adults in the near future requires immediate changes to street design and transportation planning to meet Americans with Disabilities Act design standards; and

WHEREAS, seven Oklahoma cities have adopted Complete Streets policies and legislation since 2010 in order to further the health, safety, welfare, economic vitality, and environmental well-being of their communities; and

WHEREAS, the City of Pryor Creek will be prepared to leverage new funding opportunities from the Federal Highway Administration and Oklahoma Department of Transportation intended to integrate public health into transportation planning and decision-making; and

WHEREAS, the City of Pryor Creek, in light of forthcoming benefits and considerations, wishes to commit to Complete Streets and form a comprehensive and integrated transportation network that promotes safe, equitable, and convenient travel for all users while preserving flexibility, recognizing community context, and using the best design guidelines and standards.

NOW THEREFORE, it is the intent of the City of Pryor Creek City Council in enacting this ordinance to encourage healthy and active living, reduce traffic congestion and fossil fuel use, and improve the safety and quality of life of residents of Pryor Creek by providing safe, convenient, and comfortable routes for walking, bicycling, and public transportation.

SECTION II. ORDINANCE. Part 14, Chapter 8 of the City of Pryor Creek City Code is hereby created to read as follows:

A. Complete Streets Commitments.

1. Complete Streets Serving All Users. The City of Pryor Creek expresses its commitment to creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a comprehensive, integrated transportation network that serves all categories of users, including but not limited to pedestrians, bicyclists, persons with disabilities, motorists, movers of commercial goods, users and operators of public transportation, emergency vehicles, seniors, children, youth, and families.

2. Complete Streets Infrastructure. The City of Pryor Creek recognizes the importance of Complete Streets infrastructure and modifications that enable safe, convenient, and comfortable travel for all categories of users, including but not limited to sidewalks, shared use paths, bicycle lanes, bicycle routes, paved shoulders, street trees and landscaping, planting strips, accessible curb ramps, crosswalks, pedestrian islands, pedestrian signals, signs, street furniture, bicycle racks, public transit stops, traffic signals, and other features assisting the safe travel for all users, such as traffic circles, raised medians, dedicated transit lanes, and transit bump outs.

3. Context Sensitivity. In planning and implementing street projects, the City of Pryor Creek shall maintain sensitivity to local conditions in residential, commercial, and rural districts and shall work with residents, merchants, and other stakeholders to ensure that a strong sense of place continues.

B. Safe Travel Requirements.

1. Complete Streets Routinely Addressed by Relevant Departments. The Street Department, Maintenance Department, and Planning and Development Department of the City of Pryor Creek shall work towards making Complete Streets practices a routine part of everyday operations, approaching every relevant project, program, and practice as an opportunity to improve streets and the transportation network for all categories of users, and working in coordination with other departments, agencies, and Pryor Municipal Utility Board to maximize opportunities for Complete Streets, connectivity, and cooperation.

2. Complete Streets Required.

a. All Projects and Phases. Complete Streets infrastructure sufficient to enable reasonably safe travel along and across the right of way for each category of users shall be incorporated into all planning, funding, design, approval, and implementation processes for any new construction, reconstruction, retrofit, maintenance operations, alteration, or repair of streets (including streets, roads, highways, bridges, and other portions of the transportation system), except that specific infrastructure for a given category of users may be excluded if an exemption is approved via the process set forth in section B.3 of this ordinance.

b. Community Development Department Consultation. Transportation projects shall be reviewed by the Community Development Department early in the planning and design stage prior to seeking funding or commencing environmental review, to provide an opportunity to allow comments and recommendations regarding Complete Streets features to be incorporated into the project.

c. Complete Streets in Routine Work and Projects. The Street Department, Parks Department, and Pryor Municipal Utility Board shall improve Complete Streets and street functionality for all categories of users as part of routine work or projects involving pavement resurfacing, restriping, accessing or relocating utilities, signalization operations, or maintenance of landscaping or other features unless an exemption is approved via the process set forth in section B.3 of this ordinance.

d. Plan Consultation and Consistency. Maintenance, planning, and design of projects affecting the transportation system shall be consistent with local bicycle, pedestrian, transit, multimodal, comprehensive and other relevant plans, except as approved via the process set forth in section B.3 of this ordinance.

3. Leadership Approval for Exemptions. Specific infrastructure for a given category of users may be excluded where all of the following conditions are met:

a. Supporting data and documentation are assembled indicating one of the following bases for the exemption:

- i. Use by a specific category of users is prohibited by law; or
 - ii. The project is a maintenance activity that does not involve resurfacing, restriping or reconfiguring the street. Examples of exempt projects include patching, sidewalk repair or cleaning; or
 - iii. The project is limited by available publicly owned right-of-way; or
 - iv. The project is located on state or federal right-of-way, the City has made an effort to obtain permission, and the agency with control of the right-of-way has indicated they will not grant permission; or
 - v. The cost for specific infrastructure would be excessively disproportionate to the need and probable future use over the long term (costs in excess of 20% of project total may be regarded as evidence that cost is excessively disproportionate, as set forth by the United States Department of Transportation in its policy statement on accommodating bicycle and pedestrian travel); or
 - vi. There is an absence not only of current need, but also of future need (absence of future need may be shown via demographic, school, employment, and public transportation route data that demonstrate a low likelihood of bicycle, pedestrian, or transit activity in an area over the next 10 to 20 years); or
 - vii. Significant adverse impacts outweigh the positive effects of the infrastructure; and
- b. The proposed exemption, as well as the supporting data and documentation, shall be made publicly available prior to approval by the City Council; and
 - c. The Planning and Zoning Commission shall review the proposed exemption, as well as the supporting data and documentation, during the planning and design phase of the project and make a recommendation to the City Council on whether or not the exemption is appropriate, the City Council shall make the final decision whether the exemption will be approved after hearing the recommendation of the Planning and Zoning Commission.

4. **Street Network and Connectivity.** As feasible, the City of Pryor Creek shall incorporate Complete Streets infrastructure into existing streets to improve the safety and convenience of users and to create employment, with the particular goal of creating a connected network of facilities accommodating each category of users, and increasing connectivity across jurisdictional boundaries for existing and anticipated development.

5. **Deficiency.** Deficiency projects are those required to correct inadequate service and bring system capacity to adopted levels of service standards. Deficiency expenditures shall enhance the capacity, safety and efficiency of all modes of travel within the roadway network. New roads and improvements to existing roadway facilities shall include improvements for all transportation and mobility modes, including motor vehicles, transit operations, pedestrians and bicyclists. Deficiency projects shall improve connections between the various transportation and mobility modes and complete missing links within the arterial roadway network. Deficiency projects shall follow complete streets policies as prescribed in C and D. Deficiency projects shall also include the continued development of Intelligent Transportation System (ITS) management tools, managed lanes (using existing lanes for different travel directions depending on demand and time of day), queue jump lanes (providing transit priority) and other traffic management strategies that increase the efficiency of existing and newly-constructed roadways for all transportation and mobility modes.

C. Policies, Plans, and Studies.

1. **Revising Policies and Plans.** The Street Department and Community Development Department are hereby directed to assess additional steps and potential obstacles to implementing Complete Streets in the City of Pryor Creek and to recommend proposed revisions to all appropriate ordinances, zoning and land use development codes, policies, procedures, regulations, guidelines, programs, templates, and design manuals, in order to integrate, accommodate, and balance the needs of all users in all projects.

2. **Studies.** All initial planning and design studies, health impact assessments, environmental reviews, and other reviews for projects requiring funding or approval by the City of Pryor Creek shall:

- a. Evaluate the effect of the proposed project on safe, comfortable, and convenient travel by all categories of users, and
- b. Identify measures to mitigate any adverse impacts on such travel that are

detected.

D. Performance Standards, Evaluation, and Reporting. The following steps shall be taken to support implementation of Complete Streets goals:

1. Performance Standards. The Community Development Department, with the assistance of the Street Department, shall put into place performance standards with measurable outcomes to assess safety, comfort, actual use, and functionality, particularly with regard to the development of a bicycle and pedestrian network, for each category of users.
2. Evaluation. The Community Development Department shall perform evaluations of how well the streets and transportation network of Pryor Creek are serving each category of users by collecting baseline data over the next four years and collecting follow-up data on a two year basis, including data that:
 - a. Tracks performance standards, including new miles of bicycle lanes, sidewalks, and street trees or plantings, number of new curb ramps, improved crossings, and signage;
 - b. Measure latent demand and existing levels of service for different modes of transport and categories of users, including public transportation ridership;
 - c. Tracks collision statistics by neighborhood and mode of transportation, and bicycle and pedestrian injuries and fatalities;
 - d. Assess the safety, functionality, and actual use of the neighborhoods and areas within the corporate limits of Pryor Creek by each category of users.
 - e. Assess the number of bicycle, pedestrian and transit users and how this changes over time as more infrastructure is developed.
3. Reporting. The Director of the Community Development and the Street Department shall provide an annual report to the City Council summarizing how well the City of Pryor Creek is implementing Complete Streets, with the report including: the performance standards and goals from section D.1 of this ordinance; the evaluations from section D.2 of this ordinance, with an assessment of the evaluation data; and a list and map of street projects undertaken in the past year, with a brief summary of the Complete Streets infrastructure used in those projects and, if applicable, the basis for excluding Complete Streets infrastructure from any projects.

SECTION III. STATUTORY CONSTRUCTION & SEVERABILITY.

A. This ordinance shall be construed so as not to conflict with applicable federal or state laws, rules, or regulations. Nothing in this ordinance authorizes the City of Pryor Creek to impose any duties or obligations in conflict with limitations on municipal authority established by federal or state law at the time action is taken.

B. In the event that a court or agency of competent jurisdiction holds that a federal or state law, rule, or regulation invalidates any clause, sentence, paragraph, or section of this ordinance or the application thereof to any person or circumstances, it is the intent of the ordinance that the court or agency sever such clause, sentence, paragraph, or section so that the remainder of this ordinance remains in effect.

C. In undertaking the enforcement of this ordinance, the City of Pryor Creek is assuming only an undertaking to promote the general welfare. It is not assuming, nor is it imposing on its officers and employees, an obligation through which it might incur liability in monetary damages to any person who claims that a breach proximately caused injury.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR, AND THE COUNCIL OF THE CITY OF PRYOR CREEK, MAYES COUNTY, STATE OF OKLAHOMA, TO-WIT:

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF PRYOR CREEK, OKLAHOMA, ON THIS ___ DAY OF _____, 2016.

Jimmy Tramel, Mayor

Attest by:

Eva Smith, City Clerk

Approved for Form and Legality:

K. Ellis Ritchie, City Attorney