



P.O. BOX 850
COWETA, OK 74429
PH. (918) 486-2189
FAX (918) 486-5366
www.cityofcoweta-ok.gov

**AGENDA - REGULAR MEETING
COWETA CITY COUNCIL
COWETA CITY HALL, 310 S. BROADWAY
MONDAY, SEPTEMBER 14, 2026 6:00 PM**

MEETING PROCEDURE: Comments on all scheduled agenda items will be heard immediately following the presentation by staff or the petitioner. Please wait until you are recognized by the Mayor and keep your comments as brief as possible. Individuals addressing the City Council must identify themselves by name prior to making any comments. The City Council will consider, discuss, and may take action on, approve, adopt, amend, reject, deny, table, or not take action on any item listed on this agenda after comments from staff and the City Council have been heard.

I. CALL TO ORDER

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Naomi Hogue ____ Daniel Beatie ____ Donald Vieth ____ Todd Griebel ____
Kate Walker ____

IV. GENERAL CITY COUNCIL COMMENTS

(During the General City Council Comments section of the agenda, the City Council shall make no decision or take any action except as to request the City Manager to schedule the matter for Council discussion at a later date.)

V. CITY MANAGER REPORT

1. NEW HIRES

Hailey Hutchins, 08/11/2026 – Communications Officer
Tye Magnuson, 08/17/2026 – moved from Volunteer Firefighter to Full-Time Firefighter/EMT
Michael Lenihan, 08/24/2026 – Volunteer Firefighter
Brock Walker, 08/26/2026 – Volunteer Firefighter
Michael Reiss, 08/31/2026 – Firefighter/EMT
Sydney Sartain, 09/09/2026 – Communications Officer

2. PROJECT UPDATES

• Police Station

The Police Station remains on schedule, with the roof, exterior brickwork, and interior framing complete. The communication tower has been installed, with antennae to be placed at a later date. Electrical and plumbing work is progressing on schedule.

• Fire Station No. 1

Fire Station No. 1 is also on track, with the metal structure rapidly taking shape and the roof

installation in progress.

- **Water Treatment Plant Generator Project:**

The gas connection was installed last week, and the generator should be online within the next couple of weeks.

- **Wastewater Plant Improvement Project:**

The plug valves originally anticipated for delivery last week have not yet arrived, and the contractor is actively working with the supplier to obtain an updated delivery schedule for these critical components. Provided the valves are not subject to a significant delay, the treatment plant is expected to begin operations in November. Multiple crews remain engaged onsite and are continuing to make progress toward meeting the revised project completion date of December 31, 2026.

- **Food Truck Park:**

Bids received for the “The Feedlot” food truck park at Coweta Commons were significantly higher than anticipated. City staff are currently working with the project designers to evaluate alternative options to better align the project with the available budget. Staff anticipates bringing a revised recommendation forward for a potential award in October.

- **121st Street Bridge Project:**

City staff met with the property owner and project consultants on September 11, 2026, and all parties are confident that a proposed alternative design will satisfactorily address the needs and objectives of both the property owner and the City. The City Engineer is preparing to issue the bid package for approval, allowing the project to move forward as expeditiously as possible. Following approval, the project will be advertised for bids, evaluated, and presented for contract award. Upon award, the contractor will receive a notice to proceed, and construction activities will begin.

VI. CONSENT

(All matters under the “Consent Calendar” are considered by the City Council to be routine and will be enacted by one motion. Any Councilmember may, however, remove an item from consent by request.)

1. **RESOLUTION 2026-41 REGARDING BUDGET AMENDMENTS**

Approval of Resolution 2026-41, amending the annual appropriations for the budget of the City of Coweta, Oklahoma, for Fiscal Year Ending June 30, 2027; appropriating in the Rural Fire Fund \$10,113.64 from grant proceeds from the Oklahoma State Department of Agriculture, Food and Forestry Services; appropriating in the E-911 Fund \$21,000.00 from fund balance to cover expenses pertaining to the T1 connection for dispatch operations.

McKay Hale, Assistant City Manager

2. **FOOD TRUCK PARK BID AWARD — EXTENSION OF TIME FOR AWARD OF CONTRACT**

Approval of an extension for the time for the award of bids for the Food Truck Park project.

Julie Casteen, City Manager

3. **MINUTES OF REGULAR MEETING AUGUST 3, 2026**

Approval of the minutes of the Coweta City Council Regular Meeting held on August 3, 2026.
Marcy Kilgore, City Clerk/Treasurer

4. **MINUTES OF SPECIAL MEETING AUGUST 3, 2026**

Approval of the minutes of the Coweta City Council Special Meeting held on August 3, 2026.
Marcy Kilgore, City Clerk/Treasurer

5. **MINUTES OF SPECIAL MEETING AUGUST 10, 2026**

Approval of the minutes of the Coweta City Council Special Meeting held on August 10, 2026. *Marcy Kilgore, City Clerk/Treasurer*

6. **MINUTES OF SPECIAL MEETING AUGUST 17, 2026**

Approval of the minutes of the Coweta City Council Special Meeting held on August 17, 2026. *Marcy Kilgore, City Clerk/Treasurer*

7. **MINUTES OF SPECIAL MEETING AUGUST 24, 2026**

Approval of the minutes of the Coweta City Council Special Meeting held on August 24, 2026. *Marcy Kilgore, City Clerk/Treasurer*

8. **MINUTES OF SPECIAL MEETING SEPTEMBER 8, 2026**

Approval of the minutes of the Coweta City Council Special Meeting held on September 8, 2026. *Marcy Kilgore, City Clerk/Treasurer*

VII. CONSIDER, DISCUSS AND TAKE ACTION ON ITEMS REMOVED FROM CONSENT

VIII. ADMINISTRATION

1. **APPROVAL OF THE STRIPING OF A ROADWAY STRIPING PROJECT WITHIN THE COWETA CITY LIMITS BY ACTION SAFETY SUPPLY CO., LLC AT A COST OF \$27,977.82**

Discuss and consider approval of a proposed roadway striping project to be completed by Action Safety Supply Co., LLC at a cost of \$26,482.00, funded in the Streets Department General Fund budget, budget line item 01-5325.015.

Edgar Barroso, Public Works Director

2. **ANIMAL SHELTER SERVICE AGREEMENT WITH CITY OF BIXBY**

Discuss and consider approval for the Mayor to sign an agreement with the City of Bixby for the provision of Animal Shelter Services to the City of Bixby.

Michael Bell, Police Chief

3. **APPROVAL OF A 3.9% RATE ADJUSTMENT RELATED TO THE AMERICAN WASTE CONTROL, INC. CONTRACT FOR SOLID WASTE DISPOSAL AND RECYCLING COLLECTION SERVICES**

Discuss and consider approval of a 3.9% rate adjustment related to the American Waste Control, Inc. contract for solid waste disposal and recycling collection services.

Julie Casteen, City Manager

4. **ORDINANCE 922 - AMENDING THE COWETA CITY CODE TITLE 5, ARTICLE 5-4A, SECTION 5-4A-A-1, TO EXCEPT NATIVE VEGETATION AND PLANTS FROM THE DEFINITION OF "WEED"**

Discuss and consider approval of Ordinance No. 922; amending Coweta City Code Title 5,

"Health, Sanitation and Environment", Chapter 5-4 "Weeds, Grass and Trash", Article 5-4A "Weeds, Grass and Trash Generally", Section 5-4A-1 "Definitions"; providing in the definition of "Weed" an exception for native vegetation and plants; providing for severability; and declaring an emergency.

Julie Casteen, City Manager

5. **ORDINANCE 923 - AMENDING COWETA CITY CODE TITLE 4 REGARDING BUSINESS AND LICENSE REGULATIONS RELATED TO ITINERANT VENDORS AND MOBILE FOOD VENDORS**
Discuss and consider approval of Ordinance No. 923; amending Coweta City Code Title 4, "Business and License Regulations", Chapter 4-4 "Itinerant Vendors"; retitling Chapter 4-4 as "Itinerant and Mobile Food Vendors" and moving existing Itinerant Vendor provisions into a new Article 4-4A, titled "Itinerant Vendors - Generally" and removing Mobile Food Vendor regulations from article 4-4A; enacting a new Article 4-4B, titled "Mobile Food Vendors"; providing for the regulation and licensing of Mobile Food Vendors consistent with the Oklahoma Food Truck Freedom Act; providing for severability; and declaring an emergency.
Julie Casteen, City Manager

6. **ORDINANCE 913 - PROPOSED UPDATE OF THE CITY OF COWETA SUBDIVISION REGULATIONS**
Discuss and consider approval of Ordinance No. 913, repealing all of the current Title 13, "Subdivisions", and adopting revised Subdivision Regulations governing the subdivision of lands within the City in a new Title 13, "Subdivisions", Chapters 13-1 through 13-4 inclusive; providing in Chapter 13-1 general and administrative provisions; providing in Chapter 13-2 application procedures governing sketch plans, construction plans, plats, and minor subdivisions; providing in Chapter 13-3 the general design principles and standards required for the subdivision of properties; providing in Chapter 13-4 definitions of words and phrases used in Title 13; providing for the protection of existing rights and remedies; providing for severability; declaring an emergency, and establishing an effective date of October 1, 2026.
Jessica Gough, Community Development Director

IX. EXECUTIVE SESSION

1. **EXECUTIVE SESSION**
Consider a motion and vote to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(1) to discuss the employment, hiring, and appointment of a City Manager, including the review and discussion of applications and resumes submitted by Lisa Taylor, Jessica Gough, and Edgar Barroso.
2. **END EXECUTIVE SESSION**
Exit the Executive Session to discuss and possibly take action related to discussions held in executive session related to the employment, hiring, and appointment of a City Manager.

X. NEW BUSINESS

(Business which was not foreseen prior to the posting of the agenda.)

XI. ADJOURNMENT

*If you wish to speak during this meeting, please sign in before the meeting begins using the sign-up sheet located on the table near the podium. Speakers may address only those items listed on the posted agenda. All cell phones and electronic devices must be turned **off** or **set to silent** for the duration of the meeting.*

Persons who require a special accommodation to participate in this meeting should contact the Coweta City Clerk, 310 South Broadway, P.O. Box 850, Coweta, Oklahoma, 74429, 918-486-2189 or via Email: cityclerk@cityofcoweta-ok.gov, as far in advance as possible and preferably at least 48 hours before the date of the meeting. Persons using a TDD may contact OKLAHOMA RELAY at 1-800-722-0353; voice calls should be made to 1-800-522-8506 to communicate via telephone with hearing telephone users and vice versa.



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Memorandum

To: Honorable Mayor and City Council

From: McKay Hale, Assistant City Manager

Re: **RESOLUTION 2026-41 REGARDING BUDGET AMENDMENTS**

Date: September 14, 2026

BACKGROUND

An appropriation of \$10,113.64 is needed within the Rural Fire Fund for an award received from the State Rural Community Fire Protection Program for operational expenditures; an appropriation of \$21,000.00 is needed within the E-911 Fund for communication expenses for dispatch operations.

STAFF RECOMMENDATION

Staff recommends approval of supplemental appropriations per Resolution 2026-41.

ATTACHMENTS

1. FY26 EODD Operation Grant Rural Fire
2. 260914-Supplementals Reso 2026-41-Govt

INVOICE

FROM: COWETA FIRE DEPARTMENT
PO BOX 850
COWETA, OK 74429

TO: STATE DEPARTMENT OF AGRICULTURE, FOOD AND FORESTRY
OKLAHOMA FORESTRY SERVICES
COMMUNITY FIRE ASSISTANCE

RE: OPERATIONAL GRANTS

SSPD: EODD

INVOICE FOR FIRE DEPARTMENT OPERATIONAL EXPENSES

AMOUNT DUE: \$10,113.64

Reference: Second Regular Session of the 58th Oklahoma Legislature (2023) passed SB 1040, which increased the limit on the operational grants not to exceed \$per municipality.

Rural Fire Defense Operational Grants directed by Legislature. All Rural Fire Departments certified as eligible (meeting established criteria) by Rural Fire Coordinators receive \$appropriated for Fire Department operational expenditures.

Accordance with Title 19 Section 901.56(F):

Any amount so distributed from the Rural Fire Protection Program Fund to any eligible participant shall be expended only for the maintenance of its fire department, the purchase, construction, maintenance, repair and operation of its fire stations, fire apparatus and equipment, the purchase, rental, installation, or maintenance of fire hydrants, the payment of insurance premiums upon fire stations, fire apparatus and equipment, and insurance premiums for injuries or death of fire fighters, as no monies shall be expended from the fund for any purpose relating to the water supply systems of any participant, nor for the improvement or construction of such water systems nor for any other appurtenances relating to the distribution or use of such water supply system. Monies so distributed from the Rural Fire Protection Program Fund to any eligible participant may also be expended, in an amount not to exceed ten percent (10%) of the allocated funds or the sum of One Thousand Dollars (\$1,000.00) in the aggregate during any period of one (1) year, whichever is larger, for the expense of any fire fighters attending a certified fire school.

Vendor #: 0000056471-002

Obj Code: 554120 Sub Acct: 37 Amount: \$10,113.64

Department: 1117437 Class Funding: 21000 State Program Code: B0002

Date: 06/15/2026

Signature: *Neana Lang*

CITY OF COWETA, OKLAHOMA

RESOLUTION 2026-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA; ADOPTING AMENDMENTS TO THE ANNUAL APPROPRIATIONS FOR THE BUDGET OF THE CITY OF COWETA, OKLAHOMA, FOR FISCAL YEAR ENDING JUNE 30, 2027; APPROPRIATING \$10,113.65 IN THE RURAL FIRE FUND FROM GRANT REVENUE FOR CAPITAL EQUIPMENT FOR OPERATIONAL READINESS; APPROPRIATING \$21,000.00 IN THE E-911 FUND FOR COMMUNICATIONS EXPENSE RELATED TO DISPATCH T1 CONNECTION.

WHEREAS, the City of Coweta has received sales tax revenues that exceed the amount budgeted for fiscal year 2026-2027; and

WHEREAS, the City of Coweta, Oklahoma is required to make supplemental appropriations for revenue sources and expenditures not appropriated in the budget; and

WHEREAS, The Municipal Budget Act allows for budget amendments pursuant to 11 O.S. §17-215(B).

NOW THEREFORE BE IT RESOLVED BY THE COWETA CITY COUNCIL THAT THE FOLLOWING SUPPLEMENTAL APPROPRIATIONS BE MADE:

FUND	ACCOUNT #	DESCRIPTION	AMOUNT	REASON FOR EXPENDITURE	FUNDING SOURCE	FUND BALANCE AMOUNT	REVENUE AMOUNT	REVENUE ACCOUNT
Rural Fire	13-5404.095	Machinery & Equipment	\$ 10,114	FirePro 300 Thermal	EODD Grant	\$ -	\$ 10,114	13-04.03.20
Total Rural Fire Fund			<u><u>\$ 10,114</u></u>			<u><u>\$ -</u></u>	<u><u>\$ 10,114</u></u>	
E-911 Fund	18-5302.087	Communication (Telephone)	\$ 21,000	Windstream T1 connection	Fund Balance	\$ 21,000	\$ -	
Total E911 Fund			<u><u>\$ 21,000</u></u>			<u><u>\$ 21,000</u></u>	<u><u>\$ -</u></u>	

ADOPTED BY THE COWETA CITY COUNCIL ON THIS 14th DAY OF SEPTEMBER, 2026.

Naomi Hogue, Mayor

Approved as to form:

Patrick Boulden, Interim City Attorney

ATTEST:

Marcy Kilgore, City Clerk



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Memorandum

To: Honorable Mayor and City Council

From: Julie Casteen, City Manager

Re: **FOOD TRUCK PARK BID AWARD — EXTENSION OF TIME FOR AWARD OF CONTRACT**

Date: September 14, 2026

BACKGROUND

Staff received and opened bids for the Food Truck Park project on Monday, August 24, 2026. Seven bids were received from plan holders. The bids came in substantially above the budgeted amount for the project. Staff is requesting to extend the time for award of the bid for this project by 15 days in accordance with 61 O.S. §111 to allow staff to adequately review and evaluate the bids received.

STAFF RECOMMENDATION

Staff recommends extending the time for award of the bids for the Food Truck Park project by 15 days.

ATTACHMENTS

None

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
AUGUST 3, 2026, 6:00 P.M.**

The agenda for this meeting was posted at least 24 hours prior to the start of this meeting at the entrance of City Hall, 310 S Broadway, Coweta, OK.

The members of the Coweta City Council met in regular session on Monday, August 3, 2026, at 6:00 p.m. at City Hall, 310 S Broadway, Coweta, OK 74429.

COUNCILMEMBERS PRESENT: Naomi Hogue, Daniel Beatie, Donald Vieth

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Hogue.

II. PLEDGE OF ALLEGIANCE GIVEN

III. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

IV. GENERAL CITY COUNCIL COMMENTS

Mayor Naomi Hogue urged with school starting back up for everyone to watch out for kids and to be careful in the heat.

V. CITY MANAGER REPORT

1. PROJECT UPDATES

- **Police Station:** The project remains on schedule. This week, the building envelope is undergoing testing to verify the performance and integrity of the waterproofing system. In addition, the primary electrical service has been installed, marking another significant milestone in the project's progress.
- **Fire Station No. 1:** Fire Station No. 1 also remains on schedule, with delivery of the pre-engineered metal building currently anticipated on August 13. Staff has been working behind the scenes to coordinate the station alerting system and other critical building systems to support operational readiness upon project completion.
- **Food Truck Park:** Bidding is underway for the project, with proposals due by August 17 and a potential award anticipated on September 14. The new park, planned for the vacant lot south of City Hall, will be called Coweta Commons, and its food truck venue will be named The Feedlot.
- **121st Street Bridge Project:** We are continuing to coordinate with ONG on the relocation of a natural gas line needed to accommodate the widening of the existing structure. However, one of the property owners with whom we had previously

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
AUGUST 3, 2026, 6:00 P.M.**

negotiated the necessary right-of-way has requested additional terms that the City is unable to accommodate at this time. A final offer is being presented to the property owner. The City Council may take action on a request to pursue condemnation proceedings if the offer is not accepted by August 10, 2026.

- **Wildflower Grant:** The City has been awarded a grant to establish a wildflower planting area west of SH-51. Assistant Public Works Director Jon Bates played a key role in coordinating with Color Oklahoma to identify the project sites and develop the program parameters. Special thanks also to Vice Mayor Daniel Beatie for bringing this grant opportunity to my attention and helping make this project possible.
- **Shop Coweta:** The City is currently preparing for the 2026 Shop Coweta Program, which will once again feature paper tickets as part of the promotion. Additional details will be announced in the coming weeks as we work to encourage residents to shop local and support Coweta's businesses and economic growth.

VI. CONSENT

Joshua Wilburn addressed the City Councils with concerns on Consent Item 5. Appointment of Rowdy Reeves to the Coweta Planning Commission and Board of Adjustment and Item 6. Appointment of Jennifer Curtis to the Coweta Planning Commission and Board of Adjustment- Alternate No. 1. Concerns included transparency with how board members are selected and appointed. He also asked why those candidates were not discussed or acknowledged in open meetings. He further commented that he wanted the Councilmembers to restore trust and accountability. Mr. Wilburn pointed out that not all citizens understand the process of selecting board members and that is why he was speaking on these items. He does not agree that the appointment of board members should be listed as a consent item as he feels the issue is skipped over in a sense by doing so. Mr. Wilburn concluded by thanking the Councilmembers for creating the dialogue that has taken place in recent meetings.

City Attorney Patrick Boulden advised Mr. Wilburn that the appointments of such board members were at the discretion of the City Mayor.

City Manager Julie Casteen shared with Mr. Wilburn and the Councilmembers that Rowdy Reeves and Jennifer Curtis were the only two applications that were received for the open seats and it is often difficult to fill the vacancies.

Jackie Prather asked if there was a specific place where citizens could find a list of which seats were elected and which were appointed and said she would be happy to share that information with the public.

Mayor Naomi Hogue stated that she had spoken with both applicants and asked Mr. Wilburn if he had any other specific questions about the appointment process she could share with the audience. Mayor Hogue advised that all Councilmembers were listed on the

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
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City's website and that part of the Mayoral duties is to appoint members to the Planning Commission and Board of Adjustment.

Councilmember Donald Vieth noted substantial turnover on the Planning Commission and Board of Adjustment and said their meetings had been consolidated because vacancies are difficult to fill and meetings are often canceled when a quorum cannot be reached.

Motion by Naomi Hogue, second by Daniel Beatie to approve the consent calendar items:

1. MINUTES OF REGULAR MEETING

Approval of the minutes of the Coweta City Council Regular meeting held on July 13, 2026.

2. CITY OF COWETA'S 911 SYSTEM REVIEW- FOURTH QUARTER FY2026

Approval of the quarterly financial results and operational activities of the City of Coweta's 911 system for the quarter ending June 30, 2026, in accordance with 63 O.S. §2868 v2(H).

3. REVISIONS TO STATE GRANT FUNDING APPLICATION FOR DISPATCH RADIO CONSOLE REPLACEMENT

Approval of the revisions to the Coweta Police Department's application for grant funding for the replacement of dispatch radio consoles.

4. GRANT FUNDING APPLICATION TO UPGRADE COMMUNICATIONS CENTER TO THE NEXT GENERATION 9-1-1 CALL-HANDLING SYSTEM

Discuss and consider approval for the Coweta Police Department to submit a grant application to fund the upgrade of the Communications Center to a Next Generation 9-1-1 call-handling system.

5. APPOINTMENT OF ROWDY REEVES TO THE COWETA PLANNING COMMISSION AND BOARD OF ADJUSTMENT

Confirmation of the Appointment of Rowdy Reeves to the Coweta Planning Commission and Board of Adjustment by the Mayor of the City of Coweta, Oklahoma for a term that ends June 1, 2029.

6. APPOINTMENT OF JENNIFER CURTIS TO THE COWETA PLANNING COMMISSION AND BOARD OF ADJUSTMENT- ALTERNATE NO. 1

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
AUGUST 3, 2026, 6:00 P.M.**

Confirmation of the Appointment of Jennifer Curtis, as alternate member number 1, to the Coweta Planning Commission and the Board of Adjustment by the Mayor of the City of Coweta, Oklahoma for an unexpired term that ends June 1, 2028.

VII. CONSIDER ITEMS REMOVED FROM CONSENT

No items removed.

VIII. ADMINISTRATION

**1. 121ST STREET BRIDGE PROJECT- RIGHT-OF-WAY ACQUISITION/
CONDEMNATION PROCEEDINGS**

Julie Casteen led discussion and requested possible action related to directing the City Manager to continue negotiations with property owners for right-of-way needed for the 121st Street Bridge project, and authorization to proceed with condemnation of the property if necessary.

Motion by Naomi Hogue, second by Daniel Beatie to direct the City Manager to continue negotiations with property owners for right-of-way needed for the 121st Street Bridge project, and authorization to proceed with condemnation of the property if necessary.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

2. CROSSROADS COMMUNICATION

Julie Casteen led discussion and requested possible action related to the renewal of a professional services agreement with Crossroads Communications, LLC for public relations consulting at a cost of \$50,000, and direction to the City Manager to execute all necessary documents.

Fire Chief Brian Woodward addressed Councilmembers stating that the Crossroads team always answers his calls no matter what time of day or night it may be. He also said that the Crossroads team goes above and beyond and has never let the Fire Department down.

Police Chief Mike Bell spoke to the Councilmembers about his experience with the Crossroads team. He stated that the Police Department has emergencies that occur daily and it is important to have a PR group that knows the legality of things and the process of putting the info out to the public. He commented that the Crossroads team answers the phone no matter the time and that they often show up in person when needed. He stated

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
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that it is about partnership not money. Chief Bell stated that at times news stations make mistakes and Mandy's team will then reach out to get those mistakes corrected.

Joshua Wilburn asked if there was a cost analysis to compare hiring an outside firm versus having an internal employee to cover those responsibilities. He stated that his main concern is the level of clerical work already held by certain city staff members and suggested that hiring another full-time employee could help offload some of those responsibilities on top of the personal relations duties. Mr. Wilburn asked if other alternative solutions had been considered.

Julie Casteen offered a cost comparison of the \$50,000 for the professional services agreement with Crossroads Communication having ten or more employees on hand versus hiring a full-time employee to include benefits. She stated that hiring a full-time employee to cover the employee would cost the city around \$90,000.

Councilmember Donald Veith asked who oversaw the city's social media pages and what the percentage of crisis management the Crossroads team provides.

Crossroads Communications manager Mandy Vavrinak addressed the Council and audience. She stated that there have been a number of challenges over the ten years that her firm has worked for the City of Coweta. She explained the importance of knowing the law, the liability of negative impacts with criminal cases, and other situations. She stated that it was her job not only to protect the city but also victims. She said that she takes her job very seriously, strives to be accurate, and efficient. Ms. Vavrinak explained that as part of the public relations responsibilities her team handles all social media pointing out that about seventy-five percent of posts are planned with the other twenty-five percent being emergency posts. She stated that over the last twelve months the crisis management side of things has made up of about eight to ninety percent of their role within the City of Coweta where a normal level is typically fifty-fifty. She went on to add that there is not a week that goes by that members of the Crossroads team do not speak with the city.

Mayor Naomi Hogue added that Mandy or other members of the Crossroads team regularly attend Council meetings.

Motion by Naomi Hogue, second by Daniel Beatie to approve the renewal of a professional services agreement with Crossroads Communications, LLC for public relations consulting at a cost of \$50,000, and direction to the City Manager to execute all necessary documents.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
AUGUST 3, 2026, 6:00 P.M.**

3. ORDINANCE 921 DETACHING TERRITORY FROM THE COWETA CITY LIMITS

City Attorney Patrick Boulden led discussion and requested possible action related to the adoption of Ordinance 921, an ordinance detaching territory from the city limits of the City of Coweta, Oklahoma, which is located within the NW/4 of the SW/4 of Section 15, T17N, R16E of the Indian Base and Meridian, Wagoner County, State of Oklahoma, and is generally south of Highway 51, north of East 151st Street and east of South 337th East Avenue, in Wagoner County, Oklahoma, all as more particularly described in Ordinance No. 921; providing for Severability; and declaring an emergency.

Joe Cash asked if there was a certain number of feet off a highway that is automatically considered to be within City limits.

Patrick Boulden responded with there were no automatic parts of a highway that are considered inside city limits.

Motion by Naomi Hogue, second by Daniel Beatie to approve the adoption of Ordinance 921, an ordinance detaching territory from the city limits of the City of Coweta, Oklahoma, which is located within the NW/4 of the SW/4 of Section 15, T17N, R16E of the Indian Base and Meridian, Wagoner County, State of Oklahoma, and is generally south of Highway 51, north of East 151st Street and east of South 337th East Avenue, in Wagoner County, Oklahoma, all as more particularly described in Ordinance No. 921; providing for Severability

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

The emergency clause does not pass due to a vacant seat on the City Council. The ordinance will go into effect in thirty days.

4. PURCHASE OF A 2025 FORD POLICE INTERCEPTOR UTILITY K-9 VEHICLE WITH EQUIPMENT

Police Chief Mike Bell led discussion and requested possible action related to the approval of the purchase of a 2025 Ford Police Interceptor Utility K-9 Vehicle utilizing State of Oklahoma contract SW0035 and associated equipment utilizing NASPO contract SW141 for a total cost not to exceed \$75,126.00.

Motion by Naomi Hogue, second by Daniel Beatie to approve the purchase of a 2025 Ford Police Interceptor Utility K-9 Vehicle utilizing State of Oklahoma contract SW0035 and

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associated equipment utilizing NASPO contract SW141 for a total cost not to exceed \$75,126.00.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

5. COUNCILMEMBER-AT-LARGE APPOINTMENT

Julie Casteen led discussion and requested possible action related to the appointment of a candidate to the Councilmember-At-Large, including possible discussions with applicants Doug Black, Randall Cunningham, Joe Cash, Aleah Jones, and Andrew Choate, as well as other candidates whose applications were not received by the time this agenda was posted.

Joshua Wilburn addressed the Councilmembers by stating he was echoing and repeating that an election was called for one vacancy, and an election should be called for this one as well.

Julie Casteen pointed out that if someone was not appointed that there will not be another chance to have an election until April 2027.

Mayor Naomi Hogue stated that not appointing someone would leave the vacant seat until the general election scheduled in April 2027 and expressed her concerns with not having enough Councilmembers if someone was not appointed for now. She also added that Councilmembers had not met to interview any of the applicants. She asked each applicant that was present if they had any schedule conflicts that would prevent them from being able to attend all scheduled or special meetings.

Councilmember Daniel Beatie asked each applicant that was present if they had ever served as a Councilmember for Coweta or otherwise. He expressed his concerns about having an election or appointing someone to the vacant seat.

Councilmember Donald Vieth stated he was still hesitant to appoint someone to the vacant seat when it was decided to go to election for the last vacancy.

Each applicant present stepped forward and gave brief introduction of themselves and offered other information.

Motion by Naomi Hogue, second by Daniel Beatie to appoint Kate Walker to fill the Councilmember-At-Large seat.

Aye: Naomi Hogue
Daniel Beatie

**MINUTES OF THE COWETA CITY COUNCIL REGULAR MEETING
AUGUST 3, 2026, 6:00 P.M.**

Nay: Donald Vieth

IX. NEW BUSINESS

No new business.

X. ADJOURNMENT

Mayor Hogue adjourned the meeting at 7:16 p.m.

Naomi Hogue, Mayor

Marcy Kilgore, City Clerk

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 3, 2026, 4:45 P.M.**

The agenda for this meeting was posted at least 48 hours prior to the start of this meeting at the entrance of City Hall, 310 S Broadway, Coweta, OK.

The members of the Coweta City Council met in special session on Monday, August 3, 2026, at 4:45 p.m. at City Hall, 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Naomi Hogue, Daniel Beatie, Donald Vieth

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Hogue.

II. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

Mayor Naomi Hogue noted that standard practices of interviewing internal candidates would be followed.

III. EXECUTIVE SESSION

1. EXECUTIVE SESSION

CONSIDER A MOTION AND VOTE TO ENTER INTO EXECUTIVE SESSION PURSUANT TO TITLE 25 O.S. SECTION 307(B)(1) TO DISCUSS THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, INCLUDING THE REVIEW AND DISCUSSION OF APPLICATIONS AND RESUMES SUBMITTED, CONDUCTING CANDIDATE INTERVIEWS WITH MICHAEL BELL, JESSICA GOUGH, AND EDGAR BARROSO, AND SCHEDULING ADDITIONAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to enter into executive session at 4:47 p.m. pursuant to Title 25 O.S. Section 307(B)(1) to discuss the employment, hiring, and appointment of a city manager, including the review and discussion of applications and resumes submitted, conducting candidate interviews with Michael Bell, Jessica Gough, and Edgar Barroso, and scheduling additional interviews.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 3, 2026, 4:45 P.M.**

No action was taken during executive session.

2. END EXECUTIVE SESSION

EXIT THE EXECUTIVE SESSION TO DISCUSS AND POSSIBLY TAKE ACTION RELATED TO DISCUSSIONS HELD IN EXECUTIVE SESSION RELATED TO THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, AND SCHEDULING ADDITIONAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to end the executive session at 9:18 p.m.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

Motion by Naomi Hogue, second by Daniel Beatie to continue interviews of candidates on August 10, 2026, at 5:00 p.m.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

IV. ADJOURNMENT

Mayor Hogue adjourned the meeting at 9:19 p.m.

Naomi Hogue, Mayor

Marcy Kilgore, City Clerk

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 10, 2026, 5:02 P.M.**

The agenda for this meeting was posted at least 48 hours prior to the start of this meeting at the entrance of City Hall, 310 S Broadway, Coweta, OK.

The members of the Coweta City Council met in special session on Monday, August 10, 2026, at 5:02 p.m. at City Hall, 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Naomi Hogue, Daniel Beatie, Donald Vieth.

Kate Walker arrived at 5:45 p.m.

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Hogue.

II. PLEDGE OF ALLEGIANCE GIVEN

III. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

IV. GENERAL COMMENTS

Mayor Naomi Hogue reminded everyone to stay cool and to be cautious and safe with school being back in session.

V. EXECUTIVE SESSION

1. EXECUTIVE SESSION

CONSIDER A MOTION AND VOTE TO ENTER INTO EXECUTIVE SESSION PURSUANT TO TITLE 25 O.S. SECTION 307(B)(1) TO DISCUSS THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, INCLUDING THE REVIEW AND DISCUSSION OF APPLICATIONS AND RESUMES SUBMITTED, CONDUCTING CANDIDATE INTERVIEWS WITH LISA TAYLOR AND BRIAN STANLEY, AND SCHEDULING ADDITIONAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to enter into executive session at 5:04 p.m. pursuant to Title 25 O.S. Section 307(B)(1) to discuss the employment, hiring, and appointment of a City Manager, including the review and discussion of applications and resumes submitted, conducting candidate interviews with Lisa Taylor and Brian Stanley, and scheduling additional interviews.

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 10, 2026, 5:02 P.M.**

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

No action was taken during executive session.

2. END EXECUTIVE SESSION

EXIT THE EXECUTIVE SESSION TO DISCUSS AND POSSIBLY TAKE ACTION RELATED TO DISCUSSIONS HELD IN EXECUTIVE SESSION RELATED TO THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, AND SCHEDULING ADDITIONAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to end the executive session at 6:40 p.m.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth

Councilmembers will continue interviewing candidates on August 17, 2026, at 5:00 p.m.

VI. ADJOURNMENT

Mayor Hogue adjourned the meeting at 6:40 p.m.

Naomi Hogue, Mayor

Marcy Kilgore, City Clerk

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 17, 2026, 5:00 P.M.**

The agenda for this meeting was posted at least 48 hours prior to the start of this meeting at the entrance of City Hall, 310 S Broadway, Coweta, OK.

The members of the Coweta City Council met in special session on Monday, August 17, 2026, at 5:00 p.m. at City Hall, 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Naomi Hogue, Daniel Beatie, Donald Vieth, Kate Walker

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Hogue.

II. PLEDGE OF ALLEGIANCE GIVEN

III. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

IV. CITY MANAGER REPORT

City Manager Casteen gave an update on the cyber event and stated that the city needed to prepare an RFP for IT services.

V. ADMINISTRATION

**1. RESOLUTION 2026-38 AUTHORIZING CONDEMNATION PROCEEDINGS
FOR THE EAST 121ST STREET BRIDGE REPLACEMENT PROJECT**

City Attorney Patrick Boulden led discussion and requested possible action related to the adoption of Resolution 2026-38, a resolution of the City Council of the City of Coweta, Oklahoma declaring the public necessity for the taking, appropriation, and condemnation of a certain real property located immediately east of 27554 East 121st Street, Coweta, Wagoner County, Oklahoma, for right-of-way necessary for construction of the East 121st Street Bridge Replacement Project.

Motion by Naomi Hogue, second by Daneil Beatie to amend the Resolution number from 2026-38 to 2026-39 and approve the adoption and Resolution 2026-39, a resolution of the City Council of the City of Coweta, Oklahoma declaring the public necessity for the taking, appropriation, and condemnation of a certain real property located immediately east of 27554 East 121st Street, Coweta, Wagoner County, Oklahoma, for right-of-way necessary for construction of the East 121st Street Bridge Replacement Project.

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 17, 2026, 5:00 P.M.**

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

2. APPROVAL OF CHANGE ORDER NO. 1, SOUTH 257TH EAST AVENUE STREET RECONSTRUCTION PROJECT IN THE AMOUNT OF \$20,862.25, FUNDED IN THE CAPITAL IMPROVEMENTS FUND, ACCOUNT 12-5411.015

Julie Casteen led discussion and requested possible action related to the approval of Change Order No. 1 in favor of D-Kerns Construction, Inc., related to the South 257th East Avenue Street Reconstruction project, increasing the cost of that project from \$965,505.50 to \$986,367.75, an increase of \$20,862.25.

Motion by Naomi Hogue, second by Daniel Beatie to approve Change Order No. 1, in favor of D-Kerns Construction, Inc., related to the South 257th East Avenue Street Reconstruction project, increasing the cost of that project from \$965,505.50 to \$986,367.75, an increase of \$20,862.25.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

3. RESOLUTION 2026-39- ACCEPTANCE OF THE SOUTH 257TH EAST AVENUE STREET RECONSTRUCTION PROJECT

Julie Casteen led discussion and requested possible action related to the adoption of Resolution 2026-39, a resolution of the City Council of the City of Coweta, Oklahoma, accepting the completion of the South 257th East Avenue Street Reconstruction project.

Motion by Naomi Hogue, second by Daniel Beatie to amend the resolution number from 2026-39 to 2026-40 and approve the adoption of Resolution 2026-40, a resolution of the City Council of the City of Coweta, Oklahoma, accepting the completion of the South 257th East Avenue Street Reconstruction project.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 17, 2026, 5:00 P.M.**

VI. EXECUTIVE SESSION

1. EXECUTIVE SESSION

CONSIDER A MOTION AND VOTE TO ENTER INTO EXECUTIVE SESSION PURSUANT TO TITLE 25 O.S. SECTION 307(B)(1) TO DISCUSS THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, INCLUDING THE REVIEW AND DISCUSSION OF APPLICATIONS AND RESUMES SUBMITTED, CONDUCTING A CANDIDATE INTERVIEW WITH FRED VENTRESCO, AND SCHEDULING ADDITIONAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to enter into executive session at 5:21 p.m. pursuant to Title 25 O.S. Section 307(B)(1) to discuss the employment, hiring, and appointment of a city manager, including the review and discussion of applications and resumes submitted, conducting a candidate interview with Fred Ventresco, and scheduling additional interviews.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

No action was taken during executive session.

2. END EXECUTIVE SESSION

EXIT THE EXECUTIVE SESSION TO DISCUSS AND POSSIBLY TAKE ACTION RELATED TO DISCUSSIONS HELD IN EXECUTIVE SESSION RELATED TO THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, AND SCHEDULING ADDITIONAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to end the executive session at 6:42 p.m.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

City Councilmembers will continue the process on August 24, 2026, at 5:00 p.m.

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 17, 2026, 5:00 P.M.**

VII. ADJOURNMENT

Mayor Hogue adjourned the meeting at 6:42 p.m.

Naomi Hogue, Mayor

Marcy Kilgore, City Clerk

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 24, 2026, 5:00 P.M.**

The agenda for this meeting was posted at least 48 hours prior to the start of this meeting at the entrance of City Hall, 310 S Broadway, Coweta, OK.

The members of the Coweta City Council met in special session on Monday, August 24, 2026, at 5:00 p.m. at City Hall, 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Naomi Hogue, Daniel Beatie, Donald Vieth, Kate Walker

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Hogue.

II. PLEDGE OF ALLEGIANCE GIVEN

III. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

IV. ADMINISTRATION

1. APPROVAL OF THE PURCHASE OF UPGRADED MICROSOFT 365 SOFTWARE LICENSES FOR CITY USERS IN THE AMOUNT OF \$19,492.20, TO BE FUNDED FROM ACCOUNT 01-5325.020

City Manager Julie Casteen led discussion and requested possible action related to the purchase of upgraded software licenses for Microsoft Office 365 users in the amount of \$19,492.20, to be funded from account 01-5325.020.

Motion by Naomi Hogue, second by Daneil Beatie to approve the purchase of upgraded software licenses for Microsoft Office 365 users in the amount of \$19,492.20, to be funded from account 01-5325.020.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

2. RENEWAL OF MUTUAL AID AGREEMENT BETWEEN CITY OF BROKEN ARROW AND CITY OF COWETA FOR BUILDING INSPECTION SERVICES

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 24, 2026, 5:00 P.M.**

Julie Casteen led discussion and requested possible action related to the renewal of a Mutual Aid Agreement for shared building inspection services between the City of Coweta and the City of Broken Arrow.

Motion by Naomi Hogue, second by Daniel Beatie to approve the renewal of a Mutual Aid Agreement for shared building inspection services between the City of Coweta and the City of Broken Arrow.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

V. EXECUTIVE SESSION

1. EXECUTIVE SESSION

CONSIDER A MOTION AND VOTE TO ENTER INTO EXECUTIVE SESSION PURSUANT TO TITLE 25 O.S. SECTION 307(B)(1) TO DISCUSS THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, INCLUDING THE REVIEW AND DISCUSSION OF APPLICATIONS AND RESUMES SUBMITTED, CONDUCTING A CANDIDATE INTERVIEW WITH JEREMY MARSHALL, AND SCHEDULING FINAL INTERVIEWS.

Motion by Naomi Hogue, second by Daniel Beatie to enter into executive session at 5:17 p.m. pursuant to Title 25 O.S. Section 307(B)(1) to discuss the employment, hiring, and appointment of a city manager, including the review and discussion of applications and resumes submitted, conducting a candidate interview with Jeremy Marshall, and scheduling final interviews.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

No action was taken during executive session.

2. END EXECUTIVE SESSION

EXIT THE EXECUTIVE SESSION TO DISCUSS AND POSSIBLY TAKE ACTION RELATED TO DISCUSSIONS HELD IN EXECUTIVE SESSION RELATED TO THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
AUGUST 24, 2026, 5:00 P.M.**

**CITY MANAGER, AND SCHEDULING FINAL INTERVIEWS OF
CANDIDATES.**

Motion by Naomi Hogue, second by Daniel Beatie to end the executive session at 6:28 p.m.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Kate Walker

City Councilmembers will conduct second round interviews with candidates on September 8, 2026, at 5:00 p.m.

VI. ADJOURNMENT

Mayor Hogue adjourned the meeting at 6:29 p.m.

Naomi Hogue, Mayor

Marcy Kilgore, City Clerk

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
SEPTEMBER 8, 2026, 5:00 P.M.**

The agenda for this meeting was posted at least 48 hours prior to the start of this meeting at the entrance of City Hall, 310 S Broadway, Coweta, OK.

The members of the Coweta City Council met in special session on Tuesday, September 8, 2026, at 5:00 p.m. at City Hall, 310 S Broadway, Coweta, Oklahoma.

COUNCILMEMBERS PRESENT: Naomi Hogue, Daniel Beatie, Donald Vieth, Todd Griebel, Kate Walker

COUNCILMEMBERS ABSENT: None.

I. CALL TO ORDER

The meeting was called to order by Mayor Hogue.

II. PLEDGE OF ALLEGIANCE GIVEN

**III. OATH OF OFFICE ADMINISTERED TO TODD GRIEBEL FOR
COUNCILMEMBER WARD 3**

IV. ROLL CALL

Roll call taken. Councilmembers were present as shown above.

V. CONSENT

**1. ACKNOWLEDGEMENT OF RECEIPT OF THE WARD 3 CERTIFIED
ELECTION RESULTS**

City Attorney Patrick Boulden led discussion and requested possible action related to the acknowledgement of receipt of certified election results from the Wagoner County Election Board to the City Council regarding the August 25, 2026, Special Election for the unexpired term of the City's Ward 3 Councilmember position.

Motion by Naomi Hogue, second by Daniel Beatie accepting the certified election results from the Wagoner County Election Board to the City Council regarding the August 25, 2026, Special Election for the unexpired term of the City's Ward 3 Councilmember position.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Todd Griebel
Kate Walker

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
SEPTEMBER 8, 2026, 5:00 P.M.**

**VI. CONSIDER, DISCUSS AND TAKE ACTION ON ITEMS REMOVED FROM
CONSENT**

No items were removed from consent.

VII. ADMINISTRATION

VIII. EXECUTIVE SESSION

1. EXECUTIVE SESSION

**CONSIDER A MOTION AND VOTE TO ENTER INTO EXECUTIVE SESSION
PURSUANT TO TITLE 25 O.S. SECTION 307(B)(1) TO DISCUSS THE
EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER,
INCLUDING THE REVIEW AND DISCUSSION OF APPLICATIONS AND
RESUMES SUBMITTED, CONDUCTING CANDIDATE INTERVIEWS WITH
LISA TAYLOR, JESSICA GOUGH, AND EDGAR BARROSO, AND
SCHEDULING ADDITIONAL INTERVIEWS.**

Joshua Wilburn addressed the City Council with concerns that the city has not publicized the City Manager position in enough places. He stated that the City Facebook page and the city website was not enough and urged Councilmembers to consider other avenues, broaden the search and to be patient.

Mayor Naomi Hogue responded to Joshua Wilburn's concerns stating that the advertising for the City Manager position has been done on a local, state, and national level. She stated that there have been a lot of considerations through the process such as financial aspects. She also said that the position had been posted to several other sites other than the city website and the City Facebook page.

Motion by Naomi Hogue, second by Daniel Beatie to enter into executive session at 5:14 p.m. pursuant to Title 25 O.S. Section 307(B)(1) to discuss the employment, hiring, and appointment of a city manager, including the review and discussion of applications and resumes submitted, conducting candidate interviews with Lisa Taylor, Jessica Gough, and Edgar Barroso, and scheduling additional interviews.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Todd Griebel
Kate Walker

**MINUTES OF THE COWETA CITY COUNCIL SPECIAL MEETING
SEPTEMBER 8, 2026, 5:00 P.M.**

No action was taken during executive session.

2. END EXECUTIVE SESSION

EXIT THE EXECUTIVE SESSION TO DISCUSS AND POSSIBLY TAKE ACTION RELATED TO DISCUSSIONS HELD IN EXECUTIVE SESSION RELATED TO THE EMPLOYMENT, HIRING, AND APPOINTMENT OF A CITY MANAGER, AND SCHEDULING ADDITIONAL INTERVIEWS OF CANDIDATES.

Motion by Naomi Hogue, second by Daniel Beatie to end the executive session at 8:44 p.m.

Aye: Naomi Hogue
Daniel Beatie
Donald Vieth
Todd Greibel
Kate Walker

City Councilmembers will have an update on the discussions held in executive session related to the employment, hiring, and appointment of a City Manager, including the review and discussion of applications and resumes submitted by Lisa Taylor, Jessica Gough, and Edgar Barroso at the next regular scheduled City Council meeting on September 14, 2026, at 6:00 p.m.

IX. ADJOURNMENT

Mayor Hogue adjourned the meeting at 8:44 p.m.

Naomi Hogue, Mayor

Marcy Kilgore, City Clerk



P.O. BOX 850
COWETA, OK 74429
PH. (918) 486-2189
FAX (918) 486-5366
www.cityofcoweta-ok.gov

Memorandum

To: Honorable Mayor and City Council

From: Edgar Barroso, Public Works Director

Re: **APPROVAL OF THE STRIPING OF A ROADWAY STRIPING PROJECT WITHIN THE COWETA CITY LIMITS BY ACTION SAFETY SUPPLY CO., LLC AT A COST OF \$27,977.82**

Date: September 14, 2026

BACKGROUND

City staff have identified a restriping project along the primary corridors serving State Highway 51. This project would focus on the area beginning at East 111th Street, extending south along both the eastbound and westbound approaches of Highway 51, and continuing to South 305th East Avenue, also known as Ben Lumpkin Road. The selected contractor, Action Safety Supply Co., LLC, was awarded a state contract for traffic stripe marking under Oklahoma state contract number 0776M, so no additional bidding was required.

The primary purpose of this project is to improve the visibility and condition of roadway striping, provide clear lane guidance for motorists, and enhance overall traffic safety throughout the corridor. Pavement markings play a critical role in guiding drivers, identifying travel lanes, illustrating turning movements, and highlighting other important roadway features. Over time, these markings naturally deteriorate due to traffic volumes, weather conditions, and general wear.

As striping fades, it can become more difficult for motorists to clearly identify lane assignments and traffic patterns, particularly during nighttime hours and adverse weather conditions. Refreshing these pavement markings will help improve driver awareness, reduce confusion, and promote safer travel through this heavily used roadway network.

To address these concerns, we are proposing to restripe all appropriate roadway markings throughout the project area. This investment in roadway maintenance will help preserve the functionality of the transportation system, improve traffic operations, and support the City's ongoing commitment to public safety.

The project will cover the following roadways:

- **East 111th Street South**

From South 262nd East Avenue to South 272nd East Avenue; to include both turn lanes into Walmart

- **East 121st Street South**

From South 273rd East Avenue to 100 feet east of SH-51

- **East 131st Street South**

From South 281st East Avenue to SH-51

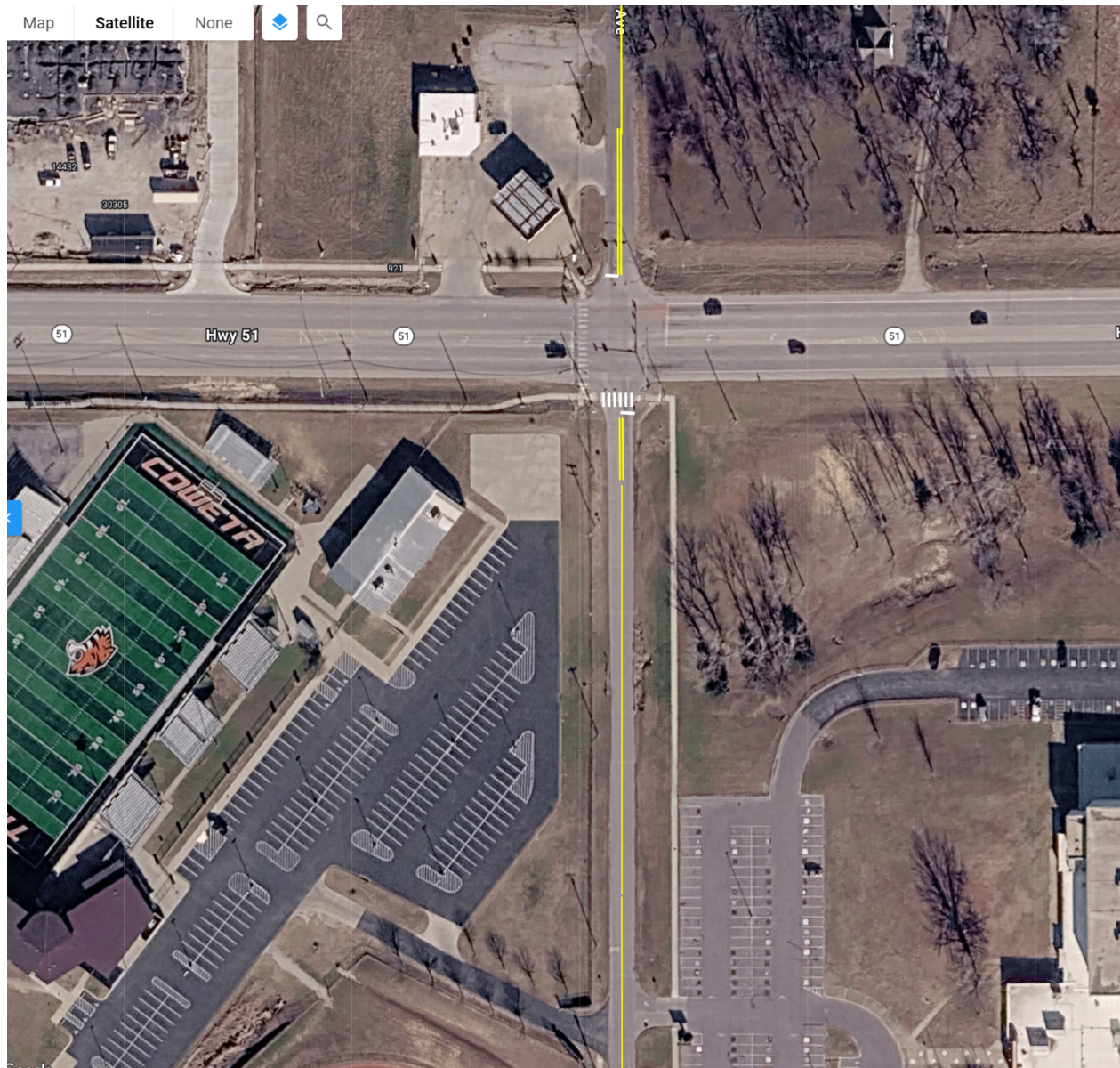
- **East 141st Street South**

From South 273rd East Avenue to South 294th East Avenue

- **South 305th East Avenue (Ben Lumpkin Road)**

From East 147th Street to East 144th Street

The map of Ben Lumpkin Road on the following page is an example of the work to be completed.



STAFF RECOMMENDATION

Staff recommends the approval of the roadway striping project to be completed by Action Safety Supply Co, LLC at a cost of \$26,482.00 funded in the Streets Department of the General Fund, budget line item 01-5325.015.

ATTACHMENTS

1. City of Coweta Street Striping
2. OK State Contract SW0776M

ACTION SAFETY SUPPLY CO., L.L.C.
6804 MELROSE LANE
P.O. BOX 270238
OKLAHOMA CITY, OK. 73137-0238
(405) 787-2244

BRANCH OFFICE
TULSA (918) 234-8222
FAX (405) 789-1474
sales@actionsafetysupply.com

TRAFFIC CONTROL PROPOSAL
PROJECT #: City of Coweta Street Striping
Jon Bates_jbates@cityofcoweta-ok.gov_918-279-7211

*****Prices based on new statewide stripe contract SW0776M*****

ITEM	DESCRIPTION	UNIT	QUANTITY	PRICE	TOTAL
	Traffic Stripe (Paint) (4" Wide) (White)	LF	14,200.000	\$0.20	\$2,840.00
	Traffic Stripe (Paint) (4" Wide) (Yellow)	LF	26,200.000	\$0.20	\$5,240.00
	Traffic Stripe (Paint) (8" Wide) (Yellow)	LF	200.000	\$0.28	\$56.00
	Traffic Stripe (Plural Component) (24" Wide) (Stop Bar)	LF	295.000	\$16.00	\$4,720.00
	Traffic Stripe (Plural Component) (Arrow) (Single)	EA	8.000	\$75.00	\$600.00
	Traffic Stripe (Plural Component) (Arrow) (Double)	EA	2.000	\$80.00	\$160.00
	Traffic Stripe (Plural Component) (Word)	EA	3.000	\$125.00	\$375.00
	Traffic Stripe (Plural Component) (R x R Symbol)	EA	6.000	\$1,000.00	\$6,000.00
	Pavement Marking Removal (4" Wide)	LF	40,400.000	\$0.14	\$5,656.00
	Pavement Marking Removal (Arrow, Symbol, Word)	EA	19.000	\$5.00	\$95.00
	Pavement Marking Removal (8" Wide)	LF	200.000	\$0.75	\$150.00
	Pavement Marking Removal (24" Wide)	LF	295.000	\$2.00	\$590.00
Total					\$26,482.00
	Traffic Stripe (Plural Component) (4" Wide) (White)	LF	14,200.000	\$0.57	\$8,094.00
	Traffic Stripe (Plural Component) (4" Wide) (Yellow)	LF	26,200.000	\$0.57	\$14,934.00
	Traffic Stripe (Plural Component) (8" Wide) (White)	LF	200.000	\$1.75	\$350.00
	Traffic Stripe (Plural Component) (24" Wide) (Stop Bar)	LF	295.000	\$16.00	\$4,720.00
	Traffic Stripe (Plural Component) (Arrow) (Single)	EA	8.000	\$75.00	\$600.00
	Traffic Stripe (Plural Component) (Arrow) (Double)	EA	2.000	\$80.00	\$160.00
	Traffic Stripe (Plural Component) (Word)	EA	3.000	\$125.00	\$375.00
	Traffic Stripe (Plural Component) (R x R Symbol)	EA	6.000	\$1,000.00	\$6,000.00
	Pavement Marking Removal (4" Wide)	LF	40,400.000	\$0.14	\$5,656.00
	Pavement Marking Removal (Arrow, Symbol, Word)	EA	19.000	\$5.00	\$95.00
	Pavement Marking Removal (8" Wide)	LF	200.000	\$0.75	\$150.00
	Pavement Marking Removal (24" Wide)	LF	295.000	\$2.00	\$590.00
Total					\$41,724.00

- Roads will need to be clean and clear of all dirt and debris prior to our arrival to stripe.

- Please call with any questions.

Thank you,

By: Courtlan T. Harris, Office Operations Manager

CPO Announcement: SW0776M rebid

Date: Aug. 19, 2026

Category manager: [Greyson Goebel](#)

OMES Central Purchasing has rebid [SW0776M](#) for traffic stripe marks. SW0776M offers discounted pricing from six awarded suppliers and is available to all state agencies and political subdivisions, including cities and counties.

Learn more below!

Contract benefits:

- Multiple awarded suppliers.
- Best-value pricing, which may be negotiated down.
- Compliance with all Oklahoma Department of Transportation (ODOT) requirements.

FAQ:

What is the pricing structure of this contract?

- The contract offers firm-fixed not-to-exceed pricing.

SW0776M offers:

- Pavement markings.
- Preformed thermoplastic pavement markings.
- State highway route shields.
- Raised rumble strips.

Contract category:

- 72151306: Pavement marking service.

Awarded suppliers:

- [Action Safety Supply Co. LLC](#)
- [Advanced Workzone Services LLC](#)
- [Direct Traffic Control, Inc.](#)
- [Heartland Traffic Services, Inc.](#)
- [Roadsafe Traffic Systems, Inc.](#)
- [Stripe-A-Zone LLC](#)

Visit the [statewide contract site](#) for current information on all contracts.



P.O. BOX 850
COWETA, OK 74429
PH. (918) 486-2189
FAX (918) 486-5366
www.cityofcoweta-ok.gov

Memorandum

To: Honorable Mayor and City Council

From: Michael Bell, Police Chief

Re: **ANIMAL SHELTER SERVICE AGREEMENT WITH CITY OF BIXBY**

Date: September 14, 2026

BACKGROUND

The City of Bixby currently does not have a municipal facility to house stray dogs. Under the proposed agreement between the City of Bixby and the City of Coweta, Coweta will accept up to 25 dogs per month from Bixby in exchange for a monthly payment of \$1,800. The City of Bixby approved this agreement in June, and it is now being brought to the Coweta City Council for consideration.

Under Bixby's previous administration, the original plan included a financial contribution from Bixby toward the expansion of Coweta's animal control facility. Since that arrangement is no longer feasible, staff recommends increasing the monthly service fee to \$3,000. This adjustment will help offset the costs associated with the expansion, operation, and ongoing maintenance of the animal control facility while continuing to provide shelter services for dogs received from Bixby.

STAFF RECOMMENDATION

Staff recommends a motion to approve an agreement with the City of Bixby to provide animal shelter services at the Coweta Animal Shelter at a cost of \$3,000 per month.

ATTACHMENTS

1. Bix_Coweta AC Agreement for Jul 1, 2026

AGREEMENT FOR ANIMAL SHELTER SERVICES

This Agreement is effective on the **1st** day of **July**, 2026, by and between:

- City of Bixby, Oklahoma, 116 West Needles Avenue, P.O. Box 70, Bixby, OK 74008 (“City”), and
- City of Coweta, Oklahoma (“Vendor”),

for the provision of animal shelter services to the City of Bixby, subject to the terms and conditions set forth herein.

PART II. TERM OF AGREEMENT

The Vendor shall commence services on July 1, 2026. This Agreement may be terminated as provided in Part VII, Section 1.

PART III. SCOPE OF SERVICES

The Vendor shall provide Animal Shelter Services in accordance with the *The Guidelines for Standards of Care in Animal Shelters (Vol. 1 No. S1, 2022)*, including but not limited to:

1. Providing cages, daily care, and impoundment for animals delivered by Bixby Police or Animal Control/Code Enforcement Officers (“City Animals”).
2. Conducting intake examinations of City Animals, including: medical condition, microchip presence, age, sex, breed, photograph, and assistance with locating owners.
3. Rabies testing of City Animals, if required.
4. Rabies observation of City Animals, if required.
5. Observation of dogs without current rabies vaccinations that have bitten a person, for a ten (10) day period, with humane euthanasia if extreme aggressive or rabid behavior is observed.
6. Humane euthanasia of animals that are severely injured or diagnosed with terminal medical conditions.
7. Providing Bixby Police with a building passcode and/or physical key for after-hours access to store animals.

PART IV. ADMINISTRATION

1. Safety Training;

The Vendor shall, at its sole cost, prepare and conduct any required or elective safety training on any City of Coweta equipment or apparatus used in providing shelter services.

2. Reporting;

The Vendor shall provide standardized monthly reports, as defined by the City, to accompany each monthly payment invoice.

PART V. COMPENSATION

The City shall pay the Vendor for services described in Part III upon receipt of the Vendor's monthly invoice. Payment shall be made within thirty (30) days of invoice receipt.

1. Monthly Fixed Fee;

- \$1,800 per month for up to twenty-five (25) animals per calendar month.

2. Additional Fees;

- Rabies observation: \$150.00 per animal (flat rate) for the observation period.
- Rabies testing: \$375.00 per animal

3. Modification of Fees;

Any changes to this fee schedule must be approved in writing by both parties.

4. Annual Appropriation;

Compensation under this Agreement is subject to annual appropriation of sufficient funds by the City Council. In accordance with Article 10, Section 26 of the Oklahoma Constitution, if the City Council fails to appropriate sufficient funds in any fiscal year, this Agreement shall be null and void without further action by either party.

PART VI. NOTICES

All reports and notices shall be delivered to:

The Chief of Police
Attn: Animal Control
City of Bixby
116 West Needles Avenue
P.O. Box 70
Bixby, OK 74008

PART VII. MISCELLANEOUS PROVISIONS

1. Term and Termination

This Agreement shall remain in effect from **July 1, 2026**, through **June 30, 2027**.

Thereafter, it shall remain in effect unless either party provides written notice of termination at least thirty (30) days prior to the end of the current term. The City shall pay the Vendor for all services performed through the termination date.

2. Constitutional Debt Limitation

This Agreement is subject to annual appropriation of adequate funds by the City Council, consistent with Article 10, Section 26 of the Oklahoma Constitution.

3. Insurance

The Vendor shall maintain, at a minimum, the following coverage:

- \$1,000,000 General Liability
- All Workers' Compensation and Employer's Liability

4. Successors and Assigns

This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors, assigns, and legal representatives.

5. Assignment

Neither party may assign or transfer rights or interests under this Agreement without prior written consent of the other, except as required by law. The Vendor may employ subcontractors or associates as necessary to perform services, provided that such arrangements do not release the Vendor from its obligations.

6. Independent Contractor

The Vendor is an independent contractor and shall be responsible for all federal and state taxes, contributions, and related obligations. Nothing in this Agreement shall create an employer-employee relationship between the parties.

7. Governing Law and Venue

This Agreement shall be governed by the laws of the State of Oklahoma. Venue shall lie in Tulsa County, Oklahoma.

8. Compliance with Laws

The Vendor, its agents, employees, and subcontractors shall comply with all applicable federal, state, and local laws, ordinances, and regulations.

9. Force Majeure

Neither party shall be deemed in default for delays or failure to perform caused by events beyond their reasonable control, including but not limited to natural disasters, acts of war, terrorism, civil unrest, or major technology failures.

10. Entire Agreement

This Agreement constitutes the entire agreement between the parties and supersedes all prior negotiations or representations. No modification shall be valid unless made in writing and signed by both parties.

This Agreement is made on the 8th day of June, 2026, by and between:

- City of Bixby, Oklahoma, 116 West Needles Avenue, P.O. Box 70, Bixby, OK 74008 ("City"), and
- City of Coweta, Oklahoma ("Vendor"),

for the provision of animal shelter services to the City of Bixby, subject to the terms and conditions set forth herein.

EXECUTION

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date first written above.

CITY OF BIXBY, OKLAHOMA

By: Bobby Schultz

Name: Bobby Schultz

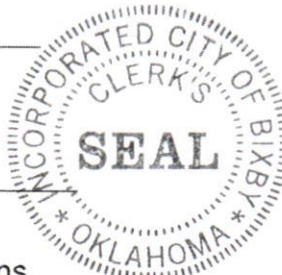
Title: Acting Mayor

Attest: [Signature]

City Clerk

Approved as to Form: John Tyler Hammons

City Attorney



Signature on page 5 w/ notary

CITY OF COWETA, OKLAHOMA

By: _____

Name: _____

Title: _____

Attest: _____

City Clerk

Approved as to Form: _____
City Attorney

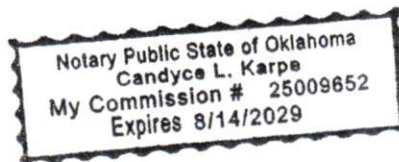
NOTARY ACKNOWLEDGMENTS

**STATE OF OKLAHOMA,
COUNTY OF TULSA;**

Signed and sworn to before me this 11th day of June, 2026, the undersigned Notary Public, personally appeared Bobby Schultz, Attorney, to me personally known to be the duly authorized representatives of the City of Bixby, Oklahoma, and acknowledged that he/she executed the foregoing Agreement on behalf of said City.

Notary Public: Candice Karpe

My Commission Expires: 8-14-29



Commission Number: 25009652

**STATE OF OKLAHOMA,
COUNTY OF WAGONER;**

Signed and sworn to before me this ____ day of _____, 2026, the undersigned Notary Public, personally appeared _____, to me personally known to be the duly authorized representatives of the City of Coweta, Oklahoma, and acknowledged that he/she executed the foregoing Agreement on behalf of said City.

Notary Public: _____

My Commission Expires: _____

Commission Number: _____

Signature: Bobby Schultz
Bobby Schultz (Jun 11, 2026 16:49:02 CDT)
Email: bschultz@bixbyok.gov

Signature: JT Hammons
JT Hammons (Jun 11, 2026 16:18:15 CDT)
Email: jth@hammonsprice.com



P.O. BOX 850
COWETA, OK 74429
PH. (918) 486-2189
FAX (918) 486-5366
www.cityofcoweta-ok.gov

Memorandum

To: Honorable Mayor and City Council

From: Julie Casteen, City Manager

Re: **APPROVAL OF A 3.9% RATE ADJUSTMENT RELATED TO THE AMERICAN WASTE CONTROL, INC. CONTRACT FOR SOLID WASTE DISPOSAL AND RECYCLING COLLECTION SERVICES**

Date: September 14, 2026

BACKGROUND

On July 15, 2024, the Coweta Public Works Authority (PWA) entered into a ten-year agreement with American Waste Control, Inc. for residential and commercial solid waste collection, disposal, and recycling services within the City of Coweta. The contract is effective July 1, 2024 through June 30, 2034.

Section 12 of the agreement provides that contract rates remain fixed for the first year and may be adjusted annually thereafter based on the percentage rate increase approved by the PWA Board of Trustees, with any approved adjustment becoming effective July 1 of each year. Section 18(m) further provides that the contractor may request a rate adjustment each year based upon the percentage rate increase approved by the Board of Trustees.

On September 9, 2026, Paul Ross, CEO of American Waste Control, Inc., submitted a request for a 3.9% rate adjustment based on the Consumer Price Index (CPI-U), U.S. City Average, Garbage and Trash Collection category, reflecting the 12-month change from July 2025 through July 2026. American Waste Control did not implement a rate increase during the prior year, and the request is supported by the documented 12-month CPI-U change for garbage and trash collection services. Since the 3% allowed increase was not implemented in July 2025, or in July 2026, the 3.9% increase to be effective November 1, 2026, appears reasonable and justified.

The proposed adjustment applies to the contract rates paid to the contractor and does not modify customer utility fees. Future annual adjustments would return to the standard rate increase process established by the PWA.

STAFF RECOMMENDATION

Staff recommends a motion to approve a 3.9% adjustment to the contract rates contained in the solid waste and recycling services agreement with American Waste Control, Inc., effective November 1, 2026, and authorize the City/Trust Manager to execute any documents necessary to implement the adjustment.

ATTACHMENTS

1. Coweta_Rate_Adjustment_Request_2026
2. 240715-Final- Signed- American Waste Control Contract



September 9, 2026

Julie Casteen
City Manager
City of Coweta
310 S Broadway
Coweta, OK 74429

Julie,

American Waste Control appreciates the opportunity to continue serving the City of Coweta, its citizens, and its businesses. Coweta has been a great customer and partner, and we have worked hard to keep pricing stable while continuing to provide dependable trash and recycling service. Since beginning our agreement in 2024, we have worked hard to keep rates stable for Coweta and were able to do so throughout 2025 without requesting an increase. Although our 2026 request comes a little later in the year, we respectfully ask the Coweta Public Works Authority to consider a 3.9% adjustment, in accordance with our agreement in section 12, effective November 1, 2026.

This adjustment is based on the most recent annual change in the Consumer Price Index for All Urban Consumers (CPI-U), U.S. city average, Housing expenditure category, Garbage and Trash Collection, published by the U.S. Bureau of Labor Statistics.

We appreciate Coweta's continued partnership and consideration of this request. The attached schedule shows the current American Waste Control rates and the proposed rates reflecting the 3.9% adjustment. Please let me know if you need anything further from us as you review it.

Thank you,

A handwritten signature in black ink, appearing to read 'Paul M. Ross', with a long, sweeping horizontal line extending to the right.

Paul M. Ross
CEO
American Waste Control



RATE ADJUSTMENT SUMMARY

Requested adjustment	3.9%
Requested effective date	November 1, 2026
CPI benchmark	CPI-U, U.S. city average - Garbage and Trash Collection
12-month CPI change	3.9% (July 2025 to July 2026)
Scope	Residential, commercial, recycling

Representative rate changes

Service	Current Rate	Proposed Rate
Residential trash, 1x/week	\$10.00	\$10.39
Residential recycling, 1x/week	\$4.50	\$4.68
Commercial polycart, per pickup	\$35.00	\$36.37
2 CY trash dumpster, 1x/week	\$91.00	\$94.55
4 CY trash dumpster, 1x/week	\$117.00	\$121.56
6 CY trash dumpster, 1x/week	\$130.00	\$135.07
8 CY trash dumpster, 1x/week	\$150.00	\$155.85

CPI source: U.S. Bureau of Labor Statistics, CPI-U, U.S. city average, Garbage and Trash Collection, July 2025-July 2026. The 12-month unadjusted change was 3.9%.

Note: These tables show American Waste Control contract service rates. The City of Coweta's customer-facing utility/garbage fees are established separately by the City.



SOLID WASTE SERVICE RATES

Service	Current Rate	Proposed Rate (+3.9%)
Residential polycart - 1x/week	\$10.00	\$10.39
Residential backyard service	\$20.00	\$20.78
Additional trash cart	\$10.00	\$10.39
Commercial polycart - per pickup	\$35.00	\$36.37
2 CY dumpster - 1x/week	\$91.00	\$94.55
2 CY dumpster - 2x/week	\$143.00	\$148.58
2 CY dumpster - 3x/week	\$189.00	\$196.37
2 CY dumpster - 4x/week	\$236.00	\$245.20
2 CY dumpster - 5x/week	\$282.00	\$293.00
2 CY dumpster - 6x/week	\$334.00	\$347.03
2 CY dumpster - 7x/week	\$534.00	\$554.83
3 CY dumpster - 1x/week	\$104.00	\$108.06
3 CY dumpster - 2x/week	\$157.00	\$163.12
3 CY dumpster - 3x/week	\$209.00	\$217.15
3 CY dumpster - 4x/week	\$262.00	\$272.22
3 CY dumpster - 5x/week	\$315.00	\$327.29
3 CY dumpster - 6x/week	\$374.00	\$388.59
3 CY dumpster - 7x/week	\$574.00	\$596.39
4 CY dumpster - 1x/week	\$117.00	\$121.56
4 CY dumpster - 2x/week	\$170.00	\$176.63
4 CY dumpster - 3x/week	\$228.00	\$236.89
4 CY dumpster - 4x/week	\$286.00	\$297.15
4 CY dumpster - 5x/week	\$342.00	\$355.34
4 CY dumpster - 6x/week	\$400.00	\$415.60
4 CY dumpster - 7x/week	\$600.00	\$623.40
6 CY dumpster - 1x/week	\$130.00	\$135.07
6 CY dumpster - 2x/week	\$183.00	\$190.14
6 CY dumpster - 3x/week	\$249.00	\$258.71
6 CY dumpster - 4x/week	\$315.00	\$327.29
6 CY dumpster - 5x/week	\$380.00	\$394.82
6 CY dumpster - 6x/week	\$446.00	\$463.39
6 CY dumpster - 7x/week	\$646.00	\$671.19
8 CY dumpster - 1x/week	\$150.00	\$155.85
8 CY dumpster - 2x/week	\$216.00	\$224.42
8 CY dumpster - 3x/week	\$288.00	\$299.23
8 CY dumpster - 4x/week	\$361.00	\$375.08
8 CY dumpster - 5x/week	\$433.00	\$449.89
8 CY dumpster - 6x/week	\$512.00	\$531.97
8 CY dumpster - 7x/week	\$712.00	\$739.77

Current rates are from Appendix A of the American Waste Control/Coweta agreement. Proposed rates apply a uniform 3.9% adjustment and are rounded to the nearest cent.



RECYCLING SERVICE RATES

Service	Current Rate	Proposed Rate (+3.9%)
Residential polycart - 1x/week*	\$4.50	\$4.68
Residential backyard	\$15.00	\$15.59
Residential additional cart	\$4.50	\$4.68
Commercial polycart - per pickup	\$30.00	\$31.17
2 CY dumpster - 1x/week	\$82.00	\$85.20
2 CY dumpster - 2x/week	\$128.00	\$132.99
2 CY dumpster - 3x/week	\$174.00	\$180.79
2 CY dumpster - 4x/week	\$220.00	\$228.58
2 CY dumpster - 5x/week	\$266.00	\$276.37
2 CY dumpster - 6x/week	\$312.00	\$324.17
2 CY dumpster - 7x/week	\$512.00	\$531.97
3 CY dumpster - 1x/week	\$84.00	\$87.28
3 CY dumpster - 2x/week	\$130.00	\$135.07
3 CY dumpster - 3x/week	\$176.00	\$182.86
3 CY dumpster - 4x/week	\$222.00	\$230.66
3 CY dumpster - 5x/week	\$268.00	\$278.45
3 CY dumpster - 6x/week	\$314.00	\$326.25
3 CY dumpster - 7x/week	\$514.00	\$534.05
4 CY dumpster - 1x/week	\$87.00	\$90.39
4 CY dumpster - 2x/week	\$133.00	\$138.19
4 CY dumpster - 3x/week	\$179.00	\$185.98
4 CY dumpster - 4x/week	\$225.00	\$233.78
4 CY dumpster - 5x/week	\$271.00	\$281.57
4 CY dumpster - 6x/week	\$317.00	\$329.36
4 CY dumpster - 7x/week	\$517.00	\$537.16
6 CY dumpster - 1x/week	\$92.00	\$95.59
6 CY dumpster - 2x/week	\$138.00	\$143.38
6 CY dumpster - 3x/week	\$184.00	\$191.18
6 CY dumpster - 4x/week	\$230.00	\$238.97
6 CY dumpster - 5x/week	\$276.00	\$286.76
6 CY dumpster - 6x/week	\$322.00	\$334.56
6 CY dumpster - 7x/week	\$522.00	\$542.36
8 CY dumpster - 1x/week	\$100.00	\$103.90
8 CY dumpster - 2x/week	\$153.00	\$158.97
8 CY dumpster - 3x/week	\$205.00	\$213.00
8 CY dumpster - 4x/week	\$258.00	\$268.06
8 CY dumpster - 5x/week	\$310.00	\$322.09
8 CY dumpster - 6x/week	\$363.00	\$377.16
8 CY dumpster - 7x/week	\$563.00	\$584.96

CITY / OTHER CONTRACTED RATES

Service	Current Rate	Proposed Rate (+3.9%)
City facilities	No Charge	No Charge

CONTRACT

This **CONTRACT** is made and entered into this 15th day of July 2024, by and between **American Waste Control, Inc.**, an entity organized under the laws of the State of Oklahoma (“**CONTRACTOR**”), and the **Coweta Public Works Authority**, (“**PWA**”) an Oklahoma public trust having the City of Coweta, Oklahoma, an Oklahoma municipal corporation, as its beneficiary (“**CITY**”).

WHEREAS, the **CITY** has the reserved to itself the exclusive right and privilege for the collection, removal and disposition of all garbage and trash within the corporate limits of the City; and;

WHEREAS, under Title 27A, the Oklahoma Legislature has declared that the goal of the Oklahoma Recycling Initiative is that each incorporated municipality with a population greater than 5,000 should develop and operate a recycling program; and

WHEREAS, pursuant to the approval of a majority of the qualified voters on July 30th, 1968, a lease was entered into by and between the **CITY** and the **PWA**, for all garbage and trash collection within the City of Coweta; and

WHEREAS, the **PWA** desires to contract with **CONTRACTOR** for the collection and disposal of the solid waste, as defined in Chapter 10-3 of the Coweta City Code, for all residential and commercial accounts within the City of Coweta, and for the collection of recyclable materials for all residential accounts.

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

1. RESIDENTIAL SOLID WASTE COLLECTION AND REMOVAL: CONTRACTOR

agrees to provide one collection per week for each residence within the City limits of the City

of Coweta, Oklahoma for solid waste removal. Solid waste removed from each residence shall be only the contents of trash carts which are provided to each resident as part of the services provided by **CONTRACTOR** under the terms of this Contract. Additional solid waste that cannot fit into the supplied cart shall be *placed in bags supplied by the resident. The charge for its removal and disposal shall* be billed to the resident according to the City of Coweta/Coweta Public Works Authority Master Fee Schedule and paid in advance by resident.

2. RESIDENTIAL RECYCLABLES COLLECTION AND REMOVAL: CONTRACTOR

agrees to provide one collection per week for each residence within the City limits of the City of Coweta, Oklahoma for removal of recyclables. Recyclables removed from each residence shall be only the contents of recycling carts which are provided to each resident as part of the services provided by **CONTRACTOR** under the terms of this Contract.

3. COMMERCIAL SOLID WASTE AND RECYCLABLES COLLECTION AND REMOVAL: CONTRACTOR

agrees to provide collections for each commercial customer within the City limits of the City of Coweta, Oklahoma for removal of solid waste and recyclables based upon the frequency desired by the commercial customer. Solid waste and recyclable materials removed from each commercial site shall be only the contents of dumpsters or polycarts which are provided to each commercial site as part of the services provided by **CONTRACTOR** under the terms of this Contract.

4. RESIDENTIAL CONTAINERS: CONTRACTOR agrees to provide, *at its costs*, each resident one (1) 95-gallon polycart for solid waste and one (1) 95-gallon polycart for recyclables. Additional polycarts may be provided for any resident who wishes to pay an additional fee for such extra cart(s) to be paid monthly. *The carts supplied by Contractor shall remain the property of Contractor.*

5. **COMMERCIAL CONTAINERS: CONTRACTOR** agrees to provide each commercial account a standard dumpster or polycart according to the level of service selected by the commercial account holder.
6. **TRANSPORTATION, STORAGE AND LEGAL DISPOSAL: CONTRACTOR** agrees to be responsible for the disposal of solid waste and *reclamation of* recyclables and such disposal or reclamation shall be in accordance with Federal, State, County and City regulations.
7. **MATERIALS AND LABOR: CONTRACTOR** shall supply all materials and equipment and all levels of skill and labor that may be necessary for all solid waste and recycling services required under this contract.
8. **ADDITIONAL SERVICES: CONTRACTOR** agrees to provide an additional service consisting of extra hauling of bulky items at set rates according to the City of Coweta Master Fee Schedule and which shall be on a per pick-up basis and paid in advance by the residents to **CONTRACTOR**.
9. **COMPLIANCE: CONTRACTOR** shall follow all applicable local, county, state, and federal laws and regulations pertaining to the provision of the services detailed in this contract, including but not limited to applicable regulations concerning minimum wage rates, nondiscrimination in the employment of labor, protection of public and employee safety, environmental protection, the protection of natural resources, fire protection, burning and non-burning requirements, required licenses and permits, fees, and those related to safety. **CONTRACTOR** shall avoid those practices that create a perception of nuisance, such as odors and litter. **CONTRACTOR** shall comply with the regulations, guidelines and standards set in City of Coweta ordinances and any rules and regulations of the **PWA**, provided, however, that the general specifications of the contract shall govern the obligations of **CONTRACTOR**

where there exists conflict with ordinances of the City of Coweta on the subject. Equipment utilized shall comply with all axle weight restrictions.

10. METHOD OF COLLECTION OF SOLID WASTE: CONTRACTOR shall perform service in accordance with Articles of the City of Coweta City Code for Solid Waste Collection and Disposal located in Chapter 10-3 of Title 10 of the Coweta City Code, as amended from time to time. Said code may be viewed at www.cityofcoweta-ok.gov.

CONTRACTOR shall make collections with a minimum of noise and disturbance to the householder. Any garbage or trash spilled by **CONTRACTOR** shall be picked up immediately by **CONTRACTOR**. Hydraulic spills on city streets shall be cleaned up by **CONTRACTOR**. **CONTRACTOR** shall replace empty polycarts in an upright position with the lids closed or covered to prevent rain from filling and in locations so as to not block drives or entrances to streets and so as to not obstruct the line of sight of the motoring public. Residential customers may call or email **CONTRACTOR** directly for scheduling bulky item pick up.

11. PICKUP SCHEDULE: Each resident shall be notified (by PWA) of their trash pickup day.

All polycarts shall be at the curb no later than 7:00 a.m. on the regularly scheduled collection day.

12. RATE ADJUSTMENTS: The fees in Appendix A shall remain fixed for the first year of the term of this agreement. On July 1, 2025 and every July 1 thereafter for the life of this Agreement, the fees provided by Appendix A to this Agreement shall be adjusted pursuant to the terms of this section. The annual rate adjustment shall represent an automatic increase of the fees based on and corresponding to the percentage rate increase approved each year by the Coweta City Council/Coweta Public Works Authority Board of Trustees (if rates are increased). Such rate adjustment shall be effective with services beginning July 1 each year.

13. DISCONTINUING COLLECTION: CONTRACTOR shall discontinue garbage collection at any Residential Unit within 24 hours upon receipt of written notice from the **PWA**. Upon further written notification by the **PWA**, **CONTRACTOR** shall resume collection on the next regularly scheduled collection day.

14. EDUCATIONAL PROGRAMS: CONTRACTOR shall provide a customer informational brochure to each household describing the services they are providing prior to beginning refuse collection service, and to new customers prior to initiation of service.

15. ADDITIONAL PROOFS AND CERTIFICATIONS: CONTRACTOR warrants and certifies that **CONTRACTOR** and all other persons designated to provide services pursuant to this contract have the requisite training, licenses and/or certifications to provide said services and that **CONTRACTOR** and any such other persons meet all competence standards promulgated by authoritative bodies and regulatory agencies, as applicable to the services provided under this contract. Information obtained from any officer, agent or employee of the **PWA** or any City of Coweta personnel shall not affect the risks or obligations assumed by **CONTRACTOR** or relieve it from fulfilling any of the conditions of the contract.

A Performance Bond in the amount of \$150,000.00 for residential and commercial refuse and recycling collection, removal and disposal services for the duration of the contract, renewed annually, with a corporate surety approved by the **PWA**, shall be executed by **CONTRACTOR** within twenty (20) calendar days from the date when the terms of the contract are finalized by the **PWA** and **CONTRACTOR**.

Attorneys-in-fact who sign Performance Bonds shall file with each Bond a certified and effective dated copy of their power of attorney.

CONTRACTOR shall maintain and provide written evidence of the following to the **PWA**:

- a. Worker's Compensation Insurance: furnish a certificate of insurance.
- b. General Liability Insurance with policy limits of at least one million dollars (\$1,000,000.00) per occurrence: furnish a certificate of insurance.
- c. Automotive Liability Insurance with policy limits of at least one million dollars (\$1,000,000.00) per occurrence: furnish a certificate of insurance.

The City of Coweta/Coweta Public Works Authority shall be named as an additional insured under the General Liability Insurance Policy and Automotive Liability Insurance Policy, and all required insurance policies shall be endorsed to provide that coverage shall not be canceled or terminated without at least thirty (30) days' prior written notice to the **PWA**, with ten (10) days' prior written notice of cancellation to the **PWA** for nonpayment of premium. All liability insurance coverages shall not be less than the limits of liability as set forth in the Oklahoma Governmental Tort Claims Act, 51 O.S. § 151, et seq., as amended from time to time. All insurers shall be licensed to issue insurance policies in the State of Oklahoma.

16. INTERRUPTION OF SERVICE: In the event that service is interrupted for any reason for more than forty-eight (48) hours or **CONTRACTOR** fails to perform ninety percent (90%) of collection area or route, **CONTRACTOR** may be held in default of the Contract. The **PWA** shall have the right to make temporary independent arrangements for the purposes of continuing this necessary solid waste disposal and recycling services to customers in order to secure and protect the public health and safety. Any costs that the **PWA** incurs for addressing interruption or disruption of service shall be assessed to **CONTRACTOR**. In addition, the **PWA** shall deduct its expenses as charges off-setting the **PWA's** obligations otherwise owed **CONTRACTOR**. If any interruption in service described here continues for a period of seventy-two (72) hours, the **PWA** shall have the right to terminate the contract upon notice

only to **CONTRACTOR**. The need for uninterrupted solid waste disposal and recycling services to the community is an imperative governmental function of the **PWA** and in this regard, the requirement for uninterrupted service is a material requirement of the contract and time is of the essence where such services are concerned.

17. COMPENSATION: **CONTRACTOR** shall bill the **PWA** for services rendered within ten (10) days following the end of the month and the **PWA** shall pay **CONTRACTOR** within thirty (30) days receipt of invoice. Such billing and payment shall be based on prices, rates and schedules as provided by the terms of this agreement. **CONTRACTOR** shall be entitled to payment for services rendered irrespective of whether or not the **PWA** collects customer payments for such service *or* if notice of discontinuation of service is not provided to **CONTRACTOR**.

18. GENERAL SPECIFICATIONS: The following specifications shall apply to all solid waste and recycling services:

- a. Hours of Operation:** Collection of solid waste shall not start before 6:00 a.m. or continue after 7:00 p.m. of the same day. Exceptions to collection hours shall be effected only upon the mutual agreement of the **PWA** and **CONTRACTOR**, or when **CONTRACTOR** reasonably determines an exception is necessary in order to complete collection on an existing collection route due to unusual circumstances. City facilities are open Monday through Friday from 8:00 AM to 5:00 PM excluding holidays. All collection at City facilities shall be completed during normal city hours of operation.
- b. Routes of Collection:** Collection routes shall be established by **CONTRACTOR** subject to the approval of the **PWA** through its Trust Manager. **CONTRACTOR** shall submit a map designating the collection routes to the **PWA** for its approval, which approval shall not be unreasonably withheld.

CONTRACTOR may from time to time propose changes to the routes or days of collection. Upon the **PWA's** approval of the proposed change, **CONTRACTOR** shall promptly give written or published notice to the affected service locations, in advance of the changes to service.

- c. **Holidays:** The **PWA** currently observes the holidays listed below. The **PWA** shall notify **CONTRACTOR** of any future changes in holidays observed by the **PWA**. **CONTRACTOR** may also observe all the below-mentioned holidays by suspension of collection services on the holiday, but such suspensions in no manner relieves **CONTRACTOR** of its obligation to provide collection service as provided in the contract.

1. New Year's Day (January 1)
2. Presidents Day (3rd Monday in February)
3. Good Friday (varies)
4. Memorial Day (Last Monday in May)
5. Independence Day (July 4)
6. Labor Day (1st Monday in September)
7. Veteran's Day (November 11)
8. Thanksgiving (4th Thursday of November)
9. Day after Thanksgiving (4th Friday of November)
10. Christmas Eve (December 24)
11. Christmas Day (December 25)

As of this signing of this agreement **CONTRACTOR** currently only suspends services on the following holidays: **Thanksgiving Day, Christmas Day and New Years Day**. If the holiday falls on a weekday during the weeks of New Year's, Thanksgiving, or Christmas, the pick-up schedule will shift one day for the holiday and all the following days that week to accommodate the disruption in scheduling.

For example, if a holiday falls on a Monday:

Those with Monday collection will receive service on Tuesday.

Those with Tuesday collection will receive service on Wednesday

Those with Wednesday collection will receive service on Thursday

Those with Thursday collection will receive service on Friday

Those with Friday collection will receive service on Saturday

NOTE: If a holiday falls on a Tuesday, Monday will have regular service but households with Tuesday – Friday service will be shifted one day to accommodate the holiday.

- d. Account Management:** The **PWA** may receive requests for service to additional service locations not initially included in the contract. The **PWA** shall investigate all requests for service and shall make the determination of eligibility for service and upon completion of its investigation notify **CONTRACTOR**. The City of Coweta may annex areas in the future. These areas shall be added to the list of residences that require residential solid waste and recyclables collection and disposal services.

CONTRACTOR shall discontinue solid waste collection service at any unit as set forth in a written termination notice sent by the **PWA**.

- e. Complaints:** All complaints shall be received by the **PWA** and shall be given promptly to **CONTRACTOR**. **CONTRACTOR** shall be equipped with a local telephone and qualified attendants as may be necessary to receive and process complaints and service requests or receive instructions and directions from the **PWA** during the hours of 8:00 a.m. to 5:00 p.m. each and every working day during the term of the contract or its renewal.

All complaints shall be resolved within twenty-four (24) hours. **CONTRACTOR** shall maintain forms or logs indicating the time a complaint or request is received, the nature of the complaint or request, and the disposition of the same. Such records shall be available for **PWA** inspection at all times during normal working hours. When a complaint is

received on the day proceeding a holiday or on a Friday, it shall be serviced by **CONTRACTOR** no later than the next working day.

CONTRACTOR shall furnish to the **PWA** the following reports on a weekly basis: (1) a report of the service locations not served on the day required by this Agreement and reason service could not be given; (2) a report of the complaints received and the resolution of these complaints.

The **PWA** may require **CONTRACTOR** to make personal supervisory contact to resolve a service complaint.

f. Customer Service: **CONTRACTOR** shall provide high quality customer service, and shall:

1. Treat all customers with dignity and respect.
2. Treat customer's property with respect.
3. Answer questions, comments, and complaints from customers in a timely manner.
4. Replace the lid to polycarts, leave polycarts upright and out of the street and driveway, and shall not block access to mailboxes.
5. Leave a note to the customer indicating problems with items that cannot be picked up, and a way to contact **CONTRACTOR** to remedy any problem.
6. Immediately clean up leaks or spills and pick up any trash dropped by the **CONTRACTOR**.

g. Ownership: Title to recyclables and refuse and shall pass to **CONTRACTOR** when placed in **CONTRACTOR's** collection vehicle, removed by the **CONTRACTOR** from a polycart, or removed by the **CONTRACTOR** from the customer's property, whichever last occurs, free of any claim by PWA to the proceeds, if any, derived from the processing of recyclables.

h. Indemnity: **CONTRACTOR** shall indemnify and save harmless the City of Coweta and Coweta Public Works Authority, its officers, elected officials, agents, servants, and employees from and against any and all Court actions, legal proceedings, claims,

demands, damages, judgments, costs, expenses, and attorney fees to resulting from a willful or negligent act or omission of **CONTRACTOR**, its officers, agents, servants and employees, if arising in any way based on the performance of this contract; provided that **CONTRACTOR** shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorneys, fees arising out of the performance of the Contract, if such claim is based upon a willful or negligent act or omission of the **PWA**, its officers, agents, servants and employees.

- i. **Grant or Right:** **CONTRACTOR** shall be the only person or organization authorized by the **PWA** to provide residential and commercial solid waste collection and disposal services within the City of Coweta, unless otherwise provided for by this agreement. It is the understanding and intention of the parties that this agreement shall constitute a franchise, but a contract for the collection and disposal of solid waste and recyclables collected under the contract with the corporate limits of the City of Coweta, Oklahoma.
- j. **Changes in City Ordinances:** Any change in any ordinance of the City of Coweta shall not affect the validity of this contract or alter, modify, or amend the obligations or duties of, or the privileges or benefits occurring to **CONTRACTOR**, provided, that any changes in the ordinances of the City of Coweta relating to the solid waste collection and disposal that are applicable throughout the City of Coweta shall apply also within the service areas with **CONTRACTOR's** compensation being adjusted for any increased or decreased costs resulting from such changes.
- k. **Hauling:** All solid waste and recyclables hauled by **CONTRACTOR** shall be so contained, tied or enclosed that leaking, spilling, or blowing are prevented. **CONTRACTOR** shall immediately clean up any leaking, spilled or blown items, particularly hydraulic fluid and petroleum products.

- l. Notification:** The **PWA** shall notify its customers of complaint procedures, rates, regulations and days for scheduled solid waste collection.
- m. Modification to Rates:** **CONTRACTOR** shall provide and perform all of the work specified in this contract for the amount indicated in the Rate Schedule specified in Appendix A for the duration of the contract, *subject to the provisions of Section 12* . It is expressly understood that the payment provided for in accordance with the Rate Schedule shall constitute full and complete payment to **CONTRACTOR** for all services provided by **CONTRACTOR** as specified. **CONTRACTOR** may request a rate adjustment each year based on the percentage rate increase approved each year by the Coweta Public Works Authority Board of Trustees (if rates are increased). Such rate adjustment shall be effective with services beginning July 1 each year.
- n. Contract Duration:** The contract term shall be ten (10) years and shall run from July 1, 2024 to June 30, 2034. The contract may be terminated at the end of the contract term unless the **PWA** and **CONTRACTOR** have mutually agreed upon an extension no later than four (4) months prior to the expiration date.

Furthermore, the contract may be terminated within seven (7) days of the date of written notice to **CONTRACTOR** if **CONTRACTOR**:

1. Fails to begin work at the time specified or fails to substantially perform the work with adequate personnel or equipment.
2. Fails to perform the work suitably or discontinues the performance of work.
3. Fails to provide reasonable customer service.
4. Becomes insolvent or declares bankruptcy or commits any act of bankruptcy or insolvency or allows any final judgment for the payment of money to stand against him unsatisfied and the **PWA** gives notice of such default **CONTRACTOR** or his surety fails to cure such default within thirty (30) days after such notice.

5. The contract may be terminated at any time by mutual agreement of the **PWA** and **CONTRACTOR**.

19. ENTIRE CONTRACT / VALIDITY OF CONTRACT

This Contract is the entire contract. No representations or statements of fact, law or opinion made preceding this contract's execution shall serve to vary any of the terms of this Contract. Any amendment or modification of the terms of this Contract, whether by addition or deletion of terms, shall be ineffective unless such is expressly agreed upon in writing and is signed on behalf of both parties.

This Contract shall be governed by the laws of the State of Oklahoma. If this Contract is determined by a Court having proper jurisdiction to contravene the laws of the State of Oklahoma or the laws of the United States of America this entire Contract shall become null and void. In the event of such occurrence the parties shall within thirty (30) days of a final judicial determination, open discussions and seek, in a good faith, to arrive at an agreement to restore the contractual relationship and objectives of this contract without the offending portions of the previous contract.

J. NOTICES:

The addresses to be utilized by the parties for the giving of any notices shall be:

COWETA:

Coweta Public Works Authority
Attn: Trust Manager
PO Box 850
Coweta, OK 74429

CONTRACTOR:

American Waste Control, Inc.
Attn: Paul Ross
1420 W 35th St
Tulsa, OK 74107

IN WITNESS WHEREOF, the parties, acting under authority of their respective governing bodies, have caused this Contract to be duly executed in two (2) counterparts, each of which constitutes an original.

COWETA PUBLIC WORKS AUTHORITY:

Julie Casteen

Julie Casteen, Trust Manager

Attest:

Approved as to form:

Marcy Kilgore

Marcy Kilgore, Trust Secretary

Patrick T Boulden

Patrick Boulden, Trust Attorney



AMERICAN WASTE CONTROL, INC.

Paul Ross

Print Name: Paul Ross

Title: Vice President

Attest: Mike Self

Mike Self

Print Name:

Title: Sales Mgr.

APPENDIX A - RATE SCHEDULE

SOLID WASTE SERVICES	MONTHLY CHARGE
POLYCART 1 X PER WEEK	\$10.00
POLYCART BACKYARD	\$20.00
EXTRA BAGS	\$3.00
ADDITIONAL CARTS	\$10.00
COMMERICAL POLYCART PER PICK UP	\$35.00
2 CY DUMPSTER 1X PER WEEK	\$91.00
2 CY DUMPSTER 2X PER WEEK	\$143.00
2 CY DUMPSTER 3X PER WEEK	\$189.00
2 CY DUMPSTER 4X PER WEEK	\$236.00
2 CY DUMPSTER 5X PER WEEK	\$282.00
2 CY DUMPSTER 6X PER WEEK	\$334.00
2 CY DUMPSTER 7X PER WEEK	\$534.00
3 CY DUMPSTER 1X PER WEEK	\$104.00
3 CY DUMPSTER 2X PER WEEK	\$157.00
3 CY DUMPSTER 3X PER WEEK	\$209.00
3 CY DUMPSTER 4X PER WEEK	\$262.00
3 CY DUMPSTER 5X PER WEEK	\$315.00
3 CY DUMPSTER 6X PER WEEK	\$374.00
3 CY DUMPSTER 7X PER WEEK	\$574.00
4 CY DUMPSTER 1X PER WEEK	\$117.00
4 CY DUMPSTER 2X PER WEEK	\$170.00
4 CY DUMPSTER 3X PER WEEK	\$228.00
4 CY DUMPSTER 4X PER WEEK	\$286.00
4 CY DUMPSTER 5X PER WEEK	\$342.00
4 CY DUMPSTER 6X PER WEEK	\$400.00
4 CY DUMPSTER 7X PER WEEK	\$600.00
6 CY DUMPSTER 1X PER WEEK	\$130.00
6 CY DUMPSTER 2X PER WEEK	\$183.00
6 CY DUMPSTER 3X PER WEEK	\$249.00
6 CY DUMPSTER 4X PER WEEK	\$315.00
6 CY DUMPSTER 5X PER WEEK	\$380.00
6 CY DUMPSTER 6X PER WEEK	\$446.00
6 CY DUMPSTER 7X PER WEEK	\$646.00
8 CY DUMPSTER 1X PER WEEK	\$150.00
8 CY DUMPSTER 2X PER WEEK	\$216.00
8 CY DUMPSTER 3X PER WEEK	\$288.00
8 CY DUMPSTER 4X PER WEEK	\$361.00
8 CY DUMPSTER 5X PER WEEK	\$433.00
8 CY DUMPSTER 6X PER WEEK	\$512.00
8 CY DUMPSTER 7X PER WEEK	\$712.00
BULK ITEMS PER 8 CUBIC YARDS	\$97 OR \$30.75/ITEM
ADDITIONAL BAGS OTHER THAN RESIDENCE	\$3.00

APPENDIX A - RATE SCHEDULE

ALL CITY FACILITIES (EXCEPTIONS BELOW:)	NO CHARGE
PW 20 YD DUMPSTER	\$60/MONTH + \$385/DUMP
SLUDGE REMOVAL	\$145/TON
CURBSIDE RECYCLING SERVICE	MONTHLY RATE
RESIDENTIAL POLYCART 1 X PER WEEK	\$4.50/CART/MONTH
RESIDENTIAL POLYCART BACKYARD	\$15.00/CART/MONTH
RESIDENTIAL ADDITIONAL CARTS	\$5.00/CART/MONTH
COMMERICAL POLYCART PER PICK UP	\$30.00
2 CY DUMPSTER 1X PER WEEK	\$82.00
2 CY DUMPSTER 2X PER WEEK	\$128.00
2 CY DUMPSTER 3X PER WEEK	\$174.00
2 CY DUMPSTER 4X PER WEEK	\$220.00
2 CY DUMPSTER 5X PER WEEK	\$266.00
2 CY DUMPSTER 6X PER WEEK	\$312.00
2 CY DUMPSTER 7X PER WEEK	\$512.00
3 CY DUMPSTER 1X PER WEEK	\$84.00
3 CY DUMPSTER 2X PER WEEK	\$130.00
3 CY DUMPSTER 3X PER WEEK	\$176.00
3 CY DUMPSTER 4X PER WEEK	\$222.00
3 CY DUMPSTER 5X PER WEEK	\$268.00
3 CY DUMPSTER 6X PER WEEK	\$314.00
3 CY DUMPSTER 7X PER WEEK	\$514.00
4 CY DUMPSTER 1X PER WEEK	\$87.00
4 CY DUMPSTER 2X PER WEEK	\$133.00
4 CY DUMPSTER 3X PER WEEK	\$179.00
4 CY DUMPSTER 4X PER WEEK	\$225.00
4 CY DUMPSTER 5X PER WEEK	\$271.00
4 CY DUMPSTER 6X PER WEEK	\$317.00
4 CY DUMPSTER 7X PER WEEK	\$517.00
6 CY DUMPSTER 1X PER WEEK	\$92.00
6 CY DUMPSTER 2X PER WEEK	\$138.00
6 CY DUMPSTER 3X PER WEEK	\$184.00
6 CY DUMPSTER 4X PER WEEK	\$230.00
6 CY DUMPSTER 5X PER WEEK	\$276.00
6 CY DUMPSTER 6X PER WEEK	\$322.00
6 CY DUMPSTER 7X PER WEEK	\$522.00
8 CY DUMPSTER 1X PER WEEK	\$100.00
8 CY DUMPSTER 2X PER WEEK	\$153.00
8 CY DUMPSTER 3X PER WEEK	\$205.00
8 CY DUMPSTER 4X PER WEEK	\$258.00
8 CY DUMPSTER 5X PER WEEK	\$310.00
8 CY DUMPSTER 6X PER WEEK	\$363.00
8 CY DUMPSTER 7X PER WEEK	\$563.00



P.O. BOX 850
COWETA, OK 74429
PH. (918) 486-2189
FAX (918) 486-5366
www.cityofcoweta-ok.gov

Memorandum

To: Honorable Mayor and City Council

From: Julie Casteen, City Manager

Re: **ORDINANCE 922 - AMENDING THE COWETA CITY CODE TITLE 5, ARTICLE 5-4A, SECTION 5-4A-A-1, TO EXCEPT NATIVE VEGETATION AND PLANTS FROM THE DEFINITION OF "WEED"**

Date: September 14, 2026

BACKGROUND

The City's existing weed control regulations establish standards for the maintenance of vegetation and properties to protect public health, safety, and welfare. The current code defines weeds primarily based upon vegetation height and nuisance conditions.

Over the past several years, there has been increased interest in preserving native plants, pollinator habitats, prairie grasses, and ecological restoration areas that provide environmental benefits while supporting wildlife and reducing maintenance requirements and improving stormwater concerns. These intentionally maintained native landscapes often exceed traditional grass height standards while still being beneficial and aesthetically maintained.

The proposed amendment better distinguishes between neglected vegetation and intentionally maintained native landscapes. The changes recognize the environmental value of native plantings while preserving the City's authority to address nuisance properties, fire hazards, invasive vegetation, and other conditions that may adversely affect neighboring properties or public safety. The ordinance amends the definition of "weed" to continue regulating nuisance vegetation while creating specific exemptions for:

- Native plants;
- Wildflowers;
- Native grasses;
- Prairie plantings;
- Pollinator habitats;
- Ecological restoration areas; and

- Other intentionally maintained indigenous plant species that naturally occurred, evolved, and adapted to the Coweta region without human introduction.

The ordinance retains existing exemptions for healthy trees and shrubs, produce grown for human consumption, and vegetation maintained in tended gardens. In addition, the ordinance continues to define as weeds any vegetation that:

- Harbors trash, debris, rodents, or vermin;
- Creates unpleasant or noxious odors;
- Constitutes a fire hazard or traffic hazard;
- Is dead, diseased, or invasive and threatens surrounding property; or
- Otherwise creates a condition detrimental to public health, safety, or welfare.

The revised definition provides greater clarity to property owners and code enforcement staff regarding vegetation that is permissible when properly maintained and managed.

STAFF RECOMMENDATION

Staff recommends a motion to adopt Ordinance 922, with a separate vote on the Emergency Clause.

ATTACHMENTS

1. 260914-Ordinance 922 Amending 5-4A-1 Definition of Weed

CITY OF COWETA, OKLAHOMA

ORDINANCE NUMBER 922

AN ORDINANCE OF THE CITY OF COWETA, OKLAHOMA; AMENDING COWETA CITY CODE TITLE 5, "HEALTH, SANITATION AND ENVIRONMENT", CHAPTER 5-4 "WEEDS, GRASS AND TRASH", ARTICLE 5-4A "WEEDS, GRASS AND TRASH GENERALLY", SECTION 5-4A-1 "DEFINITIONS"; PROVIDING IN THE DEFINITION OF "WEED" AND EXCEPTION FOR NATIVE VEGETATION AND PLANTS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

Section 1. Coweta City Code Title 5, "Health, Sanitation and Environment", Chapter 5-4 "Weeds, Grass and Trash", Article 5-4A "Weeds, Grass and Trash Generally", Section 5-4A-1 "Definitions" be and the same is now amended to read as follows:

"5-4A-1 Definitions

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Owner means the owner of record as shown by the most current tax rolls of the County Treasurer.

Trash means any refuse, litter, ashes, leaves, debris, paper, combustible materials, rubbish, offal, waste, or matter of any kind or form which is uncared for, discarded or abandoned, whether solid or liquid in form.

Weed.

A. Weed means and includes, but is not limited to, poison ivy, poison oak, poison sumac, invasive noxious vegetation, and all vegetation at any stage of maturity which:

1. Exceeds twelve (12) inches in height, except:
 - a. Healthy trees and shrubs;
 - b. Produce grown for human consumption;
 - c. Vegetation grown in a tended and cultivated garden;
 - d. Native plants, wildflowers, grasses, prairie plantings, pollinator habitat, ecological restoration areas, or other intentionally maintained indigenous species of vegetation that naturally occurred, evolved, and adapted itself to the Coweta Oklahoma region, ecosystem, or habitat without any human introduction or intervention.

2. Regardless of height, the term ‘weed’ includes any plant or vegetation which:

- a. Harbors, conceals, or invites deposits or accumulation of refuse trash or debris;
- b. Harbors rodents or vermin;
- c. Gives off unpleasant or noxious odors;
- d. Constitutes a fire hazard or a traffic hazard;
- e. Is dead, diseased or invasive and presents a threat to surrounding property or vegetation; or
- f. Otherwise creates a condition detrimental to the public health, safety, or welfare.

B. The term ‘weed’ shall not include tended crops on land zoned for agricultural use which are planted more than 150 feet from a parcel zoned for other than agricultural use.”

Section 2. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part of it is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part of it.

Section 3. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health, and safety and, more particularly, to preserve the perpetuation of native plants. Because of this emergency this ordinance shall take effect immediately from and after its passage and approval.

ADOPTED by the Coweta City Council with the Emergency Clause voted upon and approved separately, on this 14th day of September 2026.

Naomi Hogue, Mayor

ATTEST:

Marcy Kilgore, City Clerk

APPROVED:

Patrick T. Boulden, City Attorney



P.O. BOX 850
COWETA, OK 74429
PH. (918) 486-2189
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Memorandum

To: Honorable Mayor and City Council

From: Julie Casteen, City Manager

Re: **ORDINANCE 923 - AMENDING COWETA CITY CODE TITLE 4 REGARDING
BUSINESS AND LICENSE REGULATIONS RELATED TO ITINERANT VENDORS AND
MOBILE FOOD VENDORS**

Date: September 14, 2026

BACKGROUND

Chapter 4-4 of the current Coweta City Code regulates itinerant vendors and includes provisions applicable to mobile vendors. Since the adoption of the City's existing ordinance, the State of Oklahoma enacted the Oklahoma Food Truck Freedom Act, which limits the authority of municipalities to regulate mobile food vendors and establishes statewide licensing and operational standards.

The proposed Ordinance 923 modernizes the City's vendor regulations and aligns local regulations with current Oklahoma law. The revisions preserve the City's authority to address public safety, traffic circulation, nuisance conditions, litter control, and park usage while avoiding conflicts with state regulations governing mobile food vendors.

Establishing a separate article for mobile food vendors also creates greater clarity for business owners, staff, and enforcement personnel by distinguishing traditional itinerant vendors from food trucks and other mobile food establishments.

To ensure compliance with state law, the proposed ordinance restructures Chapter 4-4 by creating two separate articles. Article 4-4A retains regulations governing traditional itinerant vendors, solicitors, and temporary sales operations. Article 4-4B establishes a dedicated section governing mobile food vendors and incorporates the requirements and limitations established by state law.

The ordinance would make the following significant revisions:

Itinerant Vendors (Article 4-4A)

- Retains the requirement that itinerant vendors obtain a City license prior to conducting business within the city limits.
- Continues the existing application, licensing, and background check requirements for itinerant vendors.
- Maintains regulations governing door-to-door solicitation and enforcement of "No Soliciting" notices.
- Adds a provision that limits permitted hours of operation to between the hours of 9:00 a.m. and 7:00 p.m., local time.
- Removes mobile food vendor regulations from the itinerant vendor section and places those requirements in a separate article.

Mobile Food Vendors (Article 4-4B)

The proposed ordinance establishes a new article specifically regulating food trucks, food trailers, mobile push carts, and other mobile food establishments. Key provisions include:

- Requiring mobile food vendors to possess a valid state-issued food establishment license before obtaining a City license.
- Requiring vendors to submit a copy of their state license to the City and authorizing the City to issue a corresponding local license.
- Establishing locations where mobile food vendors may lawfully operate, including certain private properties and commercial areas where food service uses are permitted.
- Prohibiting operations that block pedestrian or vehicular traffic and requiring City approval before operating in City parks.
- Requiring waste collection, litter cleanup, license display, and notification requirements for large temporary events.
- Authorizing reasonable local regulations addressing public health and safety concerns, including noise restrictions and access requirements.

STAFF RECOMMENDATION

Staff recommends a motion to adopt Ordinance 923, with a separate vote on the Emergency Clause.

ATTACHMENTS

1. Ordinance 923 Chapter 4-4 Itinerant Vendors and Mobile Food Vendors
2. Mobile Food Establishment Statutes

CITY OF COWETA, OKLAHOMA

ORDINANCE NUMBER 923

AN ORDINANCE OF THE CITY OF COWETA, OKLAHOMA; AMENDING COWETA CITY CODE TITLE 4, "BUSINESS AND LICENSE REGULATIONS", CHAPTER 4-4 "ITINERANT VENDORS"; RETITLING CHAPTER 4-4 AS "ITINERANT AND MOBILE FOOD VENDORS" AND MOVING EXISTING ITINERANT VENDOR PROVISIONS INTO A NEW ARTICLE 4-4A, TITLED "ITINERANT VENDORS-GENERALLY" AND REMOVING MOBILE FOOD VENDOR REGULATIONS FROM ARTICLE 4-4A; ENACTING A NEW ARTICLE 4-4B, TITLED "MOBILE FOOD VENDORS"; PROVIDING FOR THE REGULATION AND LICENSING OF MOBILE FOOD VENDORS CONSISTENT WITH THE OKLAHOMA FOOD TRUCK FREEDOM ACT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

Section 1. Coweta City Code Title 4, "Business and License Regulations", Chapter 4-4 "Itinerant Vendors", be and the same is now amended to read as follows:

" CHAPTER 4-4 ITINERANT AND MOBILE FOOD VENDORS

ARTICLE 4-4A ITINERANT VENDORS GENERALLY

- 4-4A-1 License Required; Term
- 4-4A-2 Application For License
- 4-4A-3 License Fee And Costs; Waiver
- 4-4A-4 Documentation Of License Issuance
- 4-4A-5 Nontransferability Of License
- 4-4A-6 Regulations
- 4-4A-7 Penalty

4-4A-1 License Required; Term

All persons, firms or corporations providing goods, services or merchandise for sale, or soliciting such sale, on a temporary basis within the corporate limits of the City shall first obtain an itinerant vendor's license from the City Clerk. Said license shall be valid for one year from the issuance date. For purposes of this section, the term "temporary" means a business or service operation provided from a nonfixed or nonpermanent location.

4-4A-2 Application For License

The itinerant vendor shall make application to the City Clerk at least five business days prior to the date of his contemplated sale or exhibit to be held in the City. The application shall be in the form of an affidavit, stating the full name and permanent address of the itinerant vendor, the location of his or its principal office and place of business, and the names and business addresses

of its principal owners, officers, or members if the itinerant vendor is other than a sole proprietorship. The application must be accompanied by:

- A. A statement showing the nature of the services or merchandise to be offered for sale or exhibited.
- B. Identification and background of the individuals acting on behalf of the itinerant vendor, including proof of age, address, a photograph, and a background check.
- C. A certified copy of its permit or authority to do business in the state if the itinerant vendor is an entity organized under the laws of some state if other than Oklahoma.
- D. A copy of the State Tax Commission sales tax permit, showing the City as the recipient of sales tax revenue.
- E. An applicant for an itinerant vendor's license located upon private property shall present documentation from the property owner or person in control of the property authorizing its use for such purposes.

4-4A-3 License Fee And Costs; Waiver

The license fee for the itinerant vendor shall be as established in the City's adopted fee schedule, plus reasonable costs for the conduct of a background check, when conducted by the City. The fee and costs may be changed by the City Council by motion or resolution. The City Council or City Manager may waive or reduce fees for itinerant vendors selling goods, services or merchandise at a special event or other activity authorized by the City Council, City Manager, or Chief of Police.

4-4A-4 Documentation Of License Issuance

- A. The City Clerk, upon issuance of an itinerant vendor's license, shall provide documentation of such. A copy of such documentation shall be in possession of the itinerant vendor while engaged in such business activities. Such documentation shall be presented upon request for inspection by any peace officer, Code Enforcement Officer or other authorized employee of the City, or by a customer or person within the City limits being solicited by the itinerant vendor.
- B. An applicant for an itinerant vendor's license located upon private property shall present documentation from the property owner or person in control of the property authorizing its use for such purposes.

4-4A-5 Nontransferability Of License

The license provided herein shall not be transferable nor give authority to more than one person to conduct a business as an itinerant vendor, but any person having obtained such license may have the assistance of one or more persons in conducting the business.

4-4A-6 Regulations

- A. *Compliance with zoning regulations and other laws.* Business locations and functions for itinerant vendors must be in compliance with the zoning regulations of the City, as well as all other municipal, county, state and federal laws and regulations.
- B. *Use of public ways and property restricted.* No itinerant vendor shall use any public property within the corporate limits of the City, including streets, parks and public rights-of-way, to establish a fixed business or service operation. Exempt from this provision are itinerant vendors engaged in a special event or other activity authorized by the City Council, City Manager, Chief of Police or other persons or entities permitted to make such authorizations.
- C. *Mobile vendors.* An itinerant vendor's license is required for all persons, firms or corporations providing goods for sale dispensed from a moving vehicle or other form of mobile conveyance upon the public streets of the City, or upon any property in the City limits.
- D. *Door-to-door sales; uninvited soliciting.* An itinerant vendor's license is required for all persons, firms, or corporations conducting residential door-to-door sales of goods, services, or merchandise. The door-to-door sale of goods, services, or merchandise to residents shall be unlawful except between the hours of 9:00 a.m. and 7:00 p.m., local time. Residents are permitted to post signage forbidding solicitation at the residence (for example, a No Soliciting sign). Failure of the itinerant vendor to abide by such signage shall be punishable as a misdemeanor under CCC 4-4-7 and under CCC 1-4-1.

4-4A-7 Penalty

Any person convicted of violating any provisions of this article shall be fined as provided in CCC 1-4-1.

ARTICLE 4-4B MOBILE FOOD VENDORS

4-4B-1 Definitions

4-4B-2 State License Required For Issuing A City License

4-4B-3 Copy Of State Mobile Food Vendor License Required

4-4B-4 Permitted And Prohibited Locations Of Operation

4-4B-5 Manner Of Operation

4-4B-6 Additional Operational Requirements

4-4B-7 Penalty

4-4B-1 Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

‘food’ means any articles used for food or drink for human consumption, chewing gum, and articles used for components of any such article.

‘Food Truck Freedom Act’ means Laws 2025, HB 1076, c. 19, § 3, eff. November 1, 2025, enacting or amending title 63 Oklahoma Statutes, Sections 1-1101, 1-1118, 1-1150, 1-1151, 1-1152, 1-1153, and 1-1154.

‘food vending vehicle’ means a mobile food establishment, mobile push cart, or mobile retail food establishment.

‘mobile food establishment’ means a facility including a trailer, that prepares food and beverages, is vehicle mounted, is road-approved by the Department of Transportation including wheels and axles, is readily movable, and remains at one physical address for no more than twelve (12) hours at one time, unless the mobile food establishment is operating on private property. A mobile food establishment operating on private property may remain at one physical address for no more than fourteen (14) days

‘mobile push cart’ means a non-self-propelled food unit that can be manually moved by an average person without being vehicle mounted.

‘mobile retail food establishment’ means a licensed enterprise which sells packaged foods from a stationary display at a location some distance from the establishment but still at the same physical address for no more than twelve (12) hours; provided, the licensed unit is on the premises and readily available for inspection and the food has been prepared in a facility that is regulated by the good manufacturing practices in Title 21 of the Code of Federal Regulations or pursuant to Section 310:260 of the Oklahoma Administrative Code, Good Manufacturing Practice Regulations, Oklahoma Department of Agriculture, Food, and Forestry, and United States Department of Agriculture, or the Oklahoma Food Truck Freedom Act.

‘mobile food vendor’ means any person who dispenses food or beverages from a mobile food establishment, mobile push cart, or mobile retail food establishment.

‘mobile food vending’ means dispensing food or beverages from a food vending vehicle.

‘temporary mass gathering’ means an actual or reasonably anticipated assembly of three hundred (300) or more people for an event that continues, or reasonably can be expected to continue, for two (2) or more hours per day.

4-4B-2 State License Required For Issuing A City License

It shall be unlawful for any person to operate or maintain any mobile food vendor where is offering food or drink for sale, or sold, to the public, unless the person is the holder of a mobile food vendor license issued for such purpose by the State Commissioner of Health, or the Commissioner’s designee. A mobile food vendor that seeks to operate within the Coweta city limits shall also obtain a mobile food vendor license from the City. The fee for this license shall be as established in the City’s adopted fee schedule and the term of the City issued mobile food vendor license shall be the same as shown on the vendor’s state issued license. The City’s license shall be recognized by the State Commissioner of Health and all local authorities as a state food establishment license for

purposes of the Oklahoma Public Health Code and this article. The issuance of this license, and the vendor's compliance with all other provisions of the Coweta City Code shall not conflict with the Oklahoma Food Truck Freedom Act. A mobile food vendor license shall not be required for:

- A. A produce stand that offers only whole, uncut and unprocessed fresh fruits, melons, vegetables and legumes and/or whole uncracked and unprocessed nuts;
- B. A manufacturer, wholesaler or broker of food licensed pursuant to title 63 O.S. Section 1-1119;
- C. A nonprofit civic, charitable or religious organization using unpaid individuals to prepare or serve food on its behalf, for occasional fundraising events sponsored and conducted by the organization. For purposes of this subsection, an "occasional fundraising event" shall be defined as an event that occurs four times a year or less;
- D. Vendors at farmers markets selling frozen meat that is either kept refrigerated or on ice; and
- E. Other establishments exempted from mobile food vendor licensure pursuant to state law.

4-4B-3 Copy Of State Mobile Food Vendor License Required

A mobile food vendor with a food establishment license required under 63 O.S. Section 1-1118 shall provide a copy of its state license to the City upon application for a City license before operating within the Coweta city limits. The City shall recognize a lawful and valid state license and authorize the mobile food vendor to operate in its jurisdiction within five (5) business days of receipt of the state license and verification of compliance with local regulations not in conflict with the Oklahoma Food Truck Freedom Act. Such recognition and authorization shall include issuing a City license to the mobile food vendor. The issuance of this City license shall not impose additional requirements that conflict with the Oklahoma Food Truck Freedom Act.

4-4B-4 Permitted And Prohibited Locations Of Operation

- A. Upon the issuance of a state and City mobile food vendor's license the vendor may operate in the following locations:
 - 1. Any location allowed by the City; and
 - 2. On private property under the following circumstances:
 - a. the property is located in a zoning district where food service establishments are permitted to operate and the vendor has permission of the property owner, designee, or lessor,
 - b. the property is located in a residential zoning district and the mobile food vendor has been invited by a resident or group of residents in that district to operate on

their property for the purpose of serving food to that resident, group of residents, or their guests; provided, that the operation of mobile food vendors on the subject property not exceed twelve (12) days per year, and

- c. the mobile food vendor would not cause a nuisance.
- B. A mobile food vendor shall not operate in any manner which will interfere with or obstruct the free passage of pedestrians or vehicles along any street, sidewalk, or parkway.
- C. A mobile food vendor shall not operate within a City park without having a contract or lease agreement approved by the City Manager or the City Manager's designee.

4-4B-5 Manner Of Operation

When operating, a mobile food vendor shall:

- A. Maintain a food vending vehicle in good operating order;
- B. Provide a waste receptacle for customers that is visible and request that customers use it;
- C. Remove and dispose of all refuse within a twenty-five-foot radius of the mobile food vendor's operating area at the conclusion of operation;
- D. Display the mobile food vendor's food establishment license(s) in a conspicuous location for public view; and
- E. If serving food at a temporary mass gathering, notify the State Department of Health and the City of the dates the mobile food vendor will operate at the temporary mass gathering at least ten (10) business days prior to the gathering.

4-4B-6 Additional Operational Requirements

- A. As a condition of any mobile food vendor's license, the City Manager, or the Manager's designee, may provide as a condition of a mobile food vendor's license any of the following requirements:
 - 1. Restrict the operation of a noisemaking device that exceeds seventy-five (75) decibels measured at twenty-three (23) feet from the food vending vehicle during certain hours of the day;
 - 2. Restrict a mobile food vendor from operating in a public park or require a special license and payment of fees to operate in a public park;
 - 3. Prohibit a mobile food vendor from blocking or restricting ingress to or egress from private property;

4. Develop a mobile food vendor metered parking pass for a fee that permits a mobile food vendor to operate from metered parking spaces for longer than the vendor would otherwise be permitted;
 5. Issue citations and penalties to mobile food vendors for violations of City ordinances not inconsistent with the Oklahoma Food Truck Freedom Act; and
 6. Adopt and enforce other regulations in conformity to municipal powers that are not inconsistent with the Oklahoma Food Truck Freedom Act. Any regulation regarding mobile food vendors must address public health or safety risks.
- B. In relation to a mobile food vendor's operation, the City acknowledges that pursuant to 63 O.S. Section 1-1151, the City may not:
1. Prohibit a mobile food vendor from lawfully operating in its jurisdiction if the vendor holds a food establishment license required under title 63 O.S. Section 1-1118 and is in compliance with Oklahoma Food Truck Freedom Act and all other state and City ordinances not in conflict with these statutes;
 2. Require a mobile food vendor to obtain any license or permit from the City to operate a food vending vehicle unless:
 - a. the City is issuing a local license in recognition of a state license, under the Oklahoma Food Truck Freedom Act, 63 O.S. subsection 1-1151(B);
 - b. the mobile food vendor seeks to operate at an event which has been permitted by the City, state, or county, or
 - c. the mobile food vendor seeks a food establishment license from the City as required by 63 O.S. Section 1-1118;
 3. Require a mobile food vendor that is operating on private property with the permission of the owner to operate a specific distance from commercial food or retail establishments;
 4. Require a mobile food vendor to enter into any agreement with commercial food or retail establishments;
 5. Require a mobile food vendor to be fingerprinted or to install a Global Positioning System (GPS) tracking device on the vendor's vehicle;
 6. Require a mobile food vendor to stay in constant motion except for when serving customers;

7. Require a mobile food vendor to maintain an insurance policy that names the City as an additional insured unless the vendor is operating at an event sponsored by the City or operating in a local, public park;
8. Require a mobile food vendor to maintain a bond that names the City as a beneficiary unless the vendor is operating at an event sponsored by the City or operating in a City public park;
9. Require a mobile food vendor to submit to health inspections beyond health inspections conducted by or in collaboration with the State Department of Health, unless the City is investigating a reported foodborne illness or addressing a complaint of an imminent health or safety hazard to the public;
10. Require a health inspection of a food vending vehicle more than twice per year unless the City, in collaboration with the State Department of Health, is ensuring a mobile food vendor has corrected a violation detected during a prior inspection, is investigating a reported foodborne illness, or is conducting a nonobstructive spot inspection to ensure food safety;
11. Charge a mobile food vendor fees for additional health inspections;
12. Charge a mobile food vendor fees for any City license allowed under 63 O.S. Section 1-1118 beyond the administrative cost of issuing the City license;
13. Require a mobile food vendor to submit to a state fire inspection if the vendor can demonstrate it passed a state fire inspection in the previous twelve (12) months;
14. Require a mobile food vendor to enter into any agreement with a commercial establishment or restaurant;
15. Regulate the equipment requirements for a food vending vehicle; or
16. Require a mobile food vendor to associate with a commissary if the vendor has all the equipment necessary to comply with state regulations pertaining to food vending vehicles.

4-4B-7 Penalty

Any person convicted of violating any provisions of this article shall be fined as provided in CCC 1-4-1.”

Section 2. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part of it is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part of it.

Section 3. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health, and safety and, more particularly, to preserve the healthy consumption of foods sold by mobile food vendors. Because of this emergency this ordinance shall take effect immediately from and after its passage and approval.

ADOPTED by the Coweta City Council with the Emergency Clause voted upon and approved separately, on this 14th day of September 2026.

Naomi Hogue, Mayor

ATTEST:

Marcy Kilgore, City Clerk

APPROVED:

Patrick T. Boulden, City Attorney



OKLAHOMA STATE COURTS NETWORK

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

A. General Provisions

Article Article 11 - Food

Section 1-1101 - Definitions

Cite as: 63 O.S. § 1-1101 (OSCN 2026), A. General Provisions

For the purposes of this section:

1. The term "food" means:

- a. articles used for food or drink for human consumption,
- b. chewing gum, and
- c. articles used for components of any such article.

2. The term "label" means a display of written, printed or graphic matter upon the immediate container of any article; and a requirement made by or under authority of this article that any word, statement, or other information appearing on the label shall not be considered to be complied with unless such word, statement, or other information also appears on the outside container or wrapper, if there be any, of the retail package of such article, or is easily legible through the outside container or wrapper.

3. The term "immediate container" does not include package liners.

4. The term "labeling" means all labels and other written, printed or graphic matter:

- a. upon an article or any of its containers or wrappers, or
- b. accompanying such article.

5. If an article is alleged to be misbranded because the labeling is misleading, or if an advertisement is alleged to be false because it is misleading, then in determining whether the labeling or advertisement is misleading there shall be taken into account (among other things) not only representations made or suggested by statement, word, design, device, sound, or in any combination thereof, but also the extent to which the labeling or advertisement fails to reveal facts material in the light of such representations or material with respect to consequences which may result from the use of the article to which the labeling or advertisement relates, under the conditions of use prescribed in the labeling or advertisement thereof, or under such conditions of use as are customary or usual.

6. The term "advertisement" means all representations disseminated in any manner or by any means, other than by labeling, for the purpose of inducing, or which are likely to induce, directly or indirectly, the purchase of food.

7. The term "contaminated with filth" applies to any food not securely protected from dust, dirt, and, as far as may be necessary by all reasonable means, from all foreign or injurious contaminations.

8. The provisions of this article regarding the selling of food shall be considered to include the manufacture, production, processing, packing, exposure, offer, possession, and holding of any such article for sale; and the sale, dispensing, and giving of any such article, and the supplying or applying of any such articles in the conduct of any food establishment.

9. The term "Federal Act" means the Federal Food, Drug, and Cosmetic Act.

10. The term "mobile food establishment" means a facility including a trailer, that prepares food and beverages, is vehicle mounted, is road-approved by the Department of Transportation including wheels and axles, is readily movable, and remains at one physical address for no more than twelve (12) hours at one time, unless the mobile food establishment is operating on private property. A mobile food establishment operating on private property may remain at one physical address for no more than fourteen (14) days.
11. The term "mobile push cart" means a non-self-propelled food unit that can be manually moved by an average person without being vehicle mounted.
12. The term "mobile retail food establishment" means a licensed enterprise which sells packaged foods from a stationary display at a location some distance from the establishment but still at the same physical address for no more than twelve (12) hours; provided, the licensed unit is on the premises and readily available for inspection and the food has been prepared in a facility that is regulated by the good manufacturing practices in Title 21 of the Code of Federal Regulations or pursuant to Section 310:260 of the Oklahoma Administrative Code, Good Manufacturing Practice Regulations, Oklahoma Department of Agriculture, Food, and Forestry, and United States Department of Agriculture, or this act.
13. The term "mobile food vendor" means any person who dispenses food or beverages from a mobile food establishment, mobile push cart, or mobile retail food establishment.
14. The term "mobile food vending" means dispensing food or beverages from a food vending vehicle.
15. The term "food vending vehicle" means a mobile food establishment, mobile push cart, or mobile retail food establishment.
16. The term "local authority" means any local government including any town, city, charter city, political subdivision, or county.
17. The term "public property" means any property owned and operated by this state or a local authority for the benefit of the public and includes all rights-of-way contained wholly within any state or local authority parks.
18. The term "temporary mass gathering" means an actual or reasonably anticipated assembly of three hundred (300) or more people for an event that continues, or reasonably can be expected to continue, for two (2) or more hours per day.
19. The term "nonobstructive spot inspection" means an inspection of a mobile food establishment at a temporary mass gathering that is conducted, if practicable, before the start of the temporary mass gathering and that does not exceed ten (10) minutes in length if conducted during a high-traffic time of the gathering.

Historical Data

Laws 1963, SB 26, c. 325, art. 11, § 1101, emerg. eff. July 1, 1963; Amended by Laws 2025, HB 1076, c. 19, § 7, eff. November 1, 2025 (superseded document available).



OKLAHOMA STATE COURTS NETWORK

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

B. Sellers of Food

Article Article 11 - Food

Section 1-1118 - Food Establishment License - Exemptions - Expiration of License - Fee-exempt License -

Reasonable Standards and Rules for Sanitation

Cite as: 63 O.S. § 1-1118 (OSCN 2026), B. Sellers of Food

A. It shall be unlawful for any person to operate or maintain any establishment, stationary or otherwise, where food or drink is offered for sale, or sold, to the public, unless the person is the holder of a food establishment license issued for such purpose by the State Commissioner of Health or designee. A mobile food vendor that seeks to operate in a county that is governed by a city-county health department shall obtain a food establishment license from the local authority. This food establishment license shall be recognized by the State Commissioner of Health and all local authorities as a state food establishment license for purposes of this title. A food establishment license shall permit the mobile food vendor to operate in any local authority's jurisdiction upon the local authority's recognition of the license, the issuance of any relevant local license, and the vendor's compliance with all other municipal provisions not in conflict with this act. A food establishment license shall not be required for:

1. A produce stand that offers only whole, uncut and unprocessed fresh fruits, melons, vegetables and legumes and/or whole uncracked and unprocessed nuts;
2. A manufacturer, wholesaler or broker of food licensed pursuant to Section 1-1119 of this title;
3. A kitchen in a private home if only food that does not require time and temperature control for safety is prepared for sale or service at a function such as a nonprofit civic, charitable or religious organization's bake sale;
4. An area where food that is prepared as specified in paragraph 3 of this subsection is sold or offered for human consumption;
5. A private home that receives catered or home-delivered food;
6. A hotel licensed pursuant to Section 1-1201 of this title which provides limited food service in compliance with rules promulgated by the State Commissioner of Health;
7. A kitchen in a private home or in a bed and breakfast that prepares and offers food to guests, if the home is owner-occupied, the number of available guest bedrooms does not exceed four, and breakfast is the only meal offered;
8. A nonprofit civic, charitable or religious organization using unpaid individuals to prepare or serve food on its behalf, for occasional fundraising events sponsored and conducted by the organization. For the purposes of this paragraph, an "occasional fundraising event" shall be defined as an event that occurs four times a year or less;
9. Day care centers or family day care centers, and all other child care facilities as defined and licensed pursuant to the provisions of the Oklahoma Child Care Facilities Licensing Act;
10. Nursing facilities and specialized facilities, as defined in and licensed pursuant to the provisions of the Nursing Home Care Act, residential care homes as defined by the Residential Care Act, adult day care centers as defined by the Adult Day Care Act, and assisted living centers and continuum of care facilities licensed pursuant to the Continuum of Care and Assisted Living Act;
11. Vendors at farmers markets selling frozen meat that is either kept refrigerated or on ice; and
12. Other establishments exempted from food establishment licensure pursuant to state law.

B. Each license shall expire one (1) year following the date of its issuance. The State Department of Health shall charge and collect for each such license an annual fee to be fixed by the State Commissioner of Health by rule or as provided for in this section.

1. The Commissioner may provide by rule for a fee-exempt license for a food establishment operated by a nonprofit, civic, charitable or religious organization that uses unpaid persons to sell or offer food on a more frequent basis than the occasional fundraising event. A fee-exempt license shall not expire but shall remain in full force and effect until affirmatively revoked, suspended, annulled or withdrawn by the Department in accordance with applicable law.

2. The Commissioner may by rule also provide that licenses for establishments serving events of limited duration or operating on a seasonal basis shall extend only for the term of the event or season, and may by rule adjust the fees for such licenses accordingly.

3. The Commissioner shall provide by rule a three-day license for vendors who only sell at farmers markets as defined in 310:257-1-2 of the Oklahoma Administrative Code or at county fairs. Licenses for vendors who only sell at farmers markets or county fairs shall not exceed Fifty Dollars (\$50.00). Vendors who do not sell food and vendors who meet the exceptions provided in subsection A of this section shall not be required to obtain a three-day license or a food establishment license.

4. The Commissioner shall provide by rule a multiseasonal license for snow cone stands that sell hot beverages in addition to snow cones. A snow cone stand that does not sell hot beverages shall be considered a seasonal food establishment.

C. The State Commissioner of Health shall promulgate reasonable standards and rules for sanitation of establishments required to be licensed, which shall include the following: buildings, vehicles, and appurtenances thereto, including plumbing, ventilation and lighting; construction, cleanliness and bactericidal treatment of equipment and utensils; cleanliness, wholesomeness, storage and refrigeration of food and drink sold or served; cleanliness and hygiene of personnel; toilet facilities; disposal of waste; water supply; and other items deemed necessary to safeguard the health, comfort, and safety of customers.

Historical Data

Laws 1963, SB 26, c. 325, art. 11, § 1118, emerg. eff. July 1, 1963; Amended by Laws 1965, SB 362, c. 190, §§ 1, 2, emerg. eff. June 8, 1965; Amended by Laws 1986, HB 2002, c. 121, § 2, emerg. eff. April 10, 1986; Amended by Laws 1989, HB 1378, c. 345, § 7, eff. October 1, 1989; Amended by Laws 1995, HB 1293, c. 230, § 7, emerg. eff. July 1, 1995; Amended by Laws 2015, HB 1408, c. 93, § 1, eff. November 1, 2015 ([superseded document available](#)); Amended by Laws 2019, SB 544, c. 505, § 1, eff. November 1, 2019 ([superseded document available](#)); Amended by Laws 2021, HB 1772, c. 450, § 1, emerg. eff. May 10, 2021 ([superseded document available](#)); Amended by Laws 2023, HB 1635, c. 228, § 1, emerg. eff. May 11, 2023 ([superseded document available](#)); Amended by Laws 2023, HB 1772, c. 45, § 1, eff. November 1, 2023 ([superseded document available](#)); Amendment by Laws 2023, HB 1772, c. 45, § 1, amended by Laws 2024, SB 2038, c. 452, § 135, emerg. eff. June 14, 2024; Amendment by Laws 2023, HB 1635, c. 228, § 1, repealed by Laws 2024, SB 2038, c. 452, § 136, emerg. eff. June 14, 2024 ([superseded document available](#)); Amended by [Laws 2025, HB 1076, c. 19, § 8](#), eff. November 1, 2025 ([superseded document available](#)).



OKLAHOMA STATE COURTS NETWORK

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

F. Food Trucks

Article Article 11 - Food

Section 1-1150 - Authorized to Operate with Food Establishment License - Location - Requirements - Rules

Cite as: 63 O.S. § 1-1150 (OSCN 2026), F. Food Trucks

A. A mobile food vendor with a food establishment license required under Section 1-1118 of Title 63 of the Oklahoma Statutes is authorized to operate in this state subject to this section. **Mobile food vendors shall follow all state and local laws and regulations governing operations in the jurisdiction where the vendor is operating that are not in conflict with this act.**

B. A mobile food vendor with a food establishment license required under Section 1-1118 of Title 63 of the Oklahoma Statutes shall provide a copy of its state license to a local authority for recognition by the local authority before operating in the local authority's jurisdiction. The local authority shall recognize a lawful and valid state license and authorize the mobile food vendor to operate in its jurisdiction within five (5) business days of receipt of the state license and verification of compliance with local regulations not in conflict with this act. Such recognition and authorization may include issuing a local license or permit to the mobile food vendor. Any local license or permit issued shall not impose additional requirements that conflict with this act.

C. Upon compliance with subsection B of this section, a mobile food vendor may operate in the following locations:

1. Any location allowed by the local authority; and

2. On private property under the following circumstances:

a. the property is located in a zoning district where food service establishments are permitted to operate and the vendor has permission of the property owner, designee, or lessor,

b. the property is located in a residential zoning district and the mobile food vendor has been invited by a resident or group of residents in that district to operate on their property for the purpose of serving food to that resident, group of residents, or their guests; provided, that the operation of mobile food vendors on the subject property not exceed twelve (12) days per year, and

c. the mobile food vendor would not cause a nuisance.

D. A mobile food vendor shall not operate in any manner which will interfere with or obstruct the free passage of pedestrians or vehicles along any street, sidewalk, or parkway.

E. A mobile food vendor shall not operate in a state park without having a contract or lease agreement approved by the Oklahoma Tourism and Recreation Commission.

F. When operating, a mobile food vendor shall:

1. Maintain a food vending vehicle in good operating order;

2. Provide a waste receptacle for customers that is visible and request that customers use it;

3. Remove and dispose of all refuse within a twenty-five-foot radius of the mobile food vendor's operating area at the conclusion of operation;

4. Display the mobile food vendor's food establishment license in a conspicuous location for public view; and

5. If serving food at a temporary mass gathering, notify the State Department of Health and the local authority in the jurisdiction where the gathering is to be located of the dates the mobile food vendor will operate at the temporary mass gathering at least ten (10) business days prior to the gathering.
- G. The State Commissioner of Health may promulgate rules to enforce the provisions of this section. Rules adopted shall not:
1. Require a mobile food vendor to operate a specific distance from the perimeter of an existing commercial establishment or to enter into any agreement with a commercial establishment;
 2. Require a mobile food vendor that serves only prepackaged food or that does not prepare or open food to have a handwashing sink in the food vending vehicle;
 3. Require a mobile food vendor to associate with a commissary if the vendor carries all the equipment necessary to comply with health and safety standards and applicable regulations;
 4. Limit the number of licensed mobile food vendors;
 5. Require a mobile food vendor to obtain any additional permits from a local authority unless the mobile food vendor seeks to operate at an event which is permitted by a local authority or in a local, public park;
 6. Require a mobile food vendor to be fingerprinted or to install a Global Positioning System (GPS) tracking device on the vendor's vehicle;
 7. Require a mobile food vendor to stay in constant motion except for when serving customers;
 8. Require a mobile food vendor to change locations unless the vendor is operating in violation of this act;
 9. Require a mobile food vendor to maintain insurance that names a local authority as an additional insured unless the vendor is operating at an event sponsored by the local authority or operating in a local, public park;
 10. Require a mobile food vendor to maintain a bond that names a local authority as a beneficiary unless the vendor is operating at an event sponsored by the local authority or operating in a local, public park;
 11. Require a mobile food vendor to submit to health inspections beyond health inspections conducted by the Department or by a local authority collaborating with the Department, unless the Department is investigating a reported foodborne illness, or addressing a complaint of an imminent health or safety hazard to the public;
 12. Require a health inspection of a food vending vehicle more than twice per year unless the Department is ensuring a mobile food vendor has corrected a violation detected during a prior inspection, is investigating a reported foodborne illness, or is conducting a nonobstructive spot inspection to ensure food safety;
 13. Charge a mobile food vendor fees for a health inspection; or
 14. Require a mobile food vendor to submit to a state fire inspection if the vendor can demonstrate it passed a state or local fire inspection in the previous twelve (12) months.

Historical Data

Laws 2025, HB 1076, c. 19, § 2, eff. November 1, 2025.



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Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

F. Food Trucks

Article Article 11 - Food

Section 1-1151 - Local Authority - Regulation

Cite as: 63 O.S. § 1-1151 (OSCN 2026), F. Food Trucks

A. The local authority may regulate mobile food vendors in accordance with this section. In relation to a mobile food vendor's operations, a local authority may:

1. Restrict the operation of a noisemaking device that exceeds seventy-five (75) decibels measured at twenty-three (23) feet from the food vending vehicle during certain hours of the day;
2. Restrict a mobile food vendor from operating in a public park or require a special permit and payment of fees to operate in a public park;
3. Prohibit a mobile food vendor from blocking or restricting ingress to or egress from private property;
4. Develop a mobile food vendor metered parking pass for a fee that permits a mobile food vendor to operate from metered parking spaces for longer than the vendor would otherwise be permitted;
5. Investigate reports of foodborne illnesses;
6. Report a mobile food vendor's suspected violation of this act to the State Department of Health;
7. Issue citations and penalties to mobile food vendors for violations of state and local law not inconsistent with this act; and
8. Adopt and enforce other regulations in conformity to municipal powers that are not inconsistent with this act. Any regulation regarding mobile food vendors must address public health or safety risks.

B. In relation to a mobile food vendor's operations, a local authority may not:

1. Prohibit a mobile food vendor from lawfully operating in its jurisdiction if the vendor holds a food establishment license required under Section 1-1118 of Title 63 of the Oklahoma Statutes and is in compliance with this act and all other state and local laws not in conflict with this act;
2. Require a mobile food vendor to obtain any license or permit from the local authority to operate a food vending vehicle unless:
 - a. the local authority is issuing a local license in recognition of a state license under subsection B of Section 2 of this act,
 - b. the mobile food vendor seeks to operate at an event which has been permitted by the local authority, or
 - c. the mobile food vendor seeks a food establishment license from a local authority required by Section 1-1118 of Title 63 of the Oklahoma Statutes;
3. Require a mobile food vendor that is operating on private property with the permission of the owner to operate a specific distance from commercial food or retail establishments;
4. Require a mobile food vendor to enter into any agreement with commercial food or retail establishments;
5. Require a mobile food vendor to be fingerprinted or to install a Global Positioning System (GPS) tracking device on the vendor's vehicle;

6. Require a mobile food vendor to stay in constant motion except for when serving customers;
7. Require a mobile food vendor to maintain an insurance policy that names the local authority as an additional insured unless the vendor is operating at an event sponsored by the local authority or operating in a local, public park;
8. Require a mobile food vendor to maintain a bond that names a local authority as a beneficiary unless the vendor is operating at an event sponsored by the local authority or operating in a local, public park;
9. Require a mobile food vendor to submit to health inspections beyond health inspections conducted by or in collaboration with the Department, unless the local authority is investigating a reported foodborne illness or addressing a complaint of an imminent health or safety hazard to the public;
10. Require a health inspection of a food vending vehicle more than twice per year unless the local authority, in collaboration with the Department under this act, is ensuring a mobile food vendor has corrected a violation detected during a prior inspection, is investigating a reported foodborne illness, or is conducting a nonobstructive spot inspection to ensure food safety;
11. Charge a mobile food vendor fees for additional health inspections;
12. Charge a mobile food vendor fees for any local license or permit allowed under Section 3 of this act beyond the administrative cost of issuing the local license or permit;
13. Require a mobile food vendor to submit to a state fire inspection if the vendor can demonstrate it passed a state fire inspection in the previous twelve (12) months;
14. Require a mobile food vendor to enter into any agreement with a commercial establishment or restaurant;
15. Regulate the equipment requirements for a food vending vehicle; or
16. Require a mobile food vendor to associate with a commissary if the vendor has all the equipment necessary to comply with state regulations pertaining to food vending vehicles.

Historical Data

Laws 2025, HB 1076, c. 19, § 3, eff. November 1, 2025.



OKLAHOMA STATE COURTS NETWORK

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

F. Food Trucks

Article Article 11 - Food

Section 1-1152 - Suspension or Revocation Hearing - Penalties

Cite as: 63 O.S. § 1-1152 (OSCN 2026), F. Food Trucks

A. Any mobile food vendor who has been notified of a possible suspension or revocation of his or her state license may request an administrative hearing in accordance with the Administrative Procedures Act and rules promulgated by the State Commissioner of Health.

B. The State Department of Health may issue civil penalties to a person who operates as a mobile food vendor without a license, with a suspended license, or after a license is revoked.

Historical Data

Laws 2025, HB 1076, c. 19, § 4, eff. November 1, 2025.



OKLAHOMA STATE COURTS NETWORK

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

F. Food Trucks

Article Article 11 - Food

Section 1-1153 - Right to Appeal

Cite as: 63 O.S. § 1-1153 (OSCN 2026), F. Food Trucks

A person aggrieved by a decision of the State Department of Health following a hearing has the right to appeal the decision as provided in the Administrative Procedures Act and rules promulgated by the State Commissioner of Health.

Historical Data

Laws 2025, HB 1076, c. 19, § 5, eff. November 1, 2025.



OKLAHOMA STATE COURTS NETWORK

Title 63. Public Health and Safety

Oklahoma Statutes Citationized

Title 63. Public Health and Safety

Chapter 1 - Oklahoma Public Health Code

F. Food Trucks

Article Article 11 - Food

Section 1-1154 - Not to Require Adoption of a Program - Not to Impede Investigation of Foodborne Illness

Cite as: 63 O.S. § 1-1154 (OSCN 2026), F. Food Trucks

A. This act shall not be construed to require a local authority to adopt a program regulating mobile food vendors or to modify its existing program regulating mobile food vendors; provided, the regulations do not conflict with this act.

B. This act shall not be construed to impede the State Department of Health or local authority in any investigation of a reported foodborne illness.

Historical Data

Laws 2025, HB 1076, c. 19, § 6, eff. November 1, 2025.

Citationizer® Summary of Documents Citing This Document

Cite **Name Level**

None Found.

Citationizer: Table of Authority

Cite Name		Level
Oklahoma Session Laws - 2025		
Cite	Name	Level
<u>2025 O.S.L. 19, 2025 O.S.L. 19,</u>	<u>[HB 1076] - Public health and safety</u>	Cited



OKLAHOMA STATE COURTS NETWORK

Oklahoma Statutes Citationized

Title 74. State Government

Chapter 11 - State Fire Marshal

Section 325.20 - Mobile Food Establishments - Fire and Life Safety Code Compliance - Permit - Inspection -

Rules

This Statute Will Go Into Effect

Effective On: 11/01/2026

See Historical Data for Current Version

Cite as: 74 O.S. § 325.20 (OSCN 2026)

A. All mobile food preparation vehicles operating within this state that are capable of producing smoke or grease-laden vapors shall be in compliance with the most current adopted fire code. In lieu of an automatic fire extinguishing system, an equivalent alternative shall be permitted, whereby such system shall be optional if the mobile food preparation vehicle is equipped with at least two portable fire extinguishers meeting National Fire Protection Association (NFPA) 10: Standard for Portable Fire Extinguishers and all employees receive documented annual fire safety training approved by the State Fire Marshal. Such requirements shall apply to vehicles including, but not limited to, vehicles utilizing electric energy, liquefied petroleum gas, compressed natural gas, or a combination thereof for cooking, provided that portable fire extinguishers are installed and maintained in accordance with the most current version of NFPA 10: Standard for Portable Fire Extinguishers. A six-liter Class K-rated, portable fire extinguisher is required for all cooking equipment involving solid fuels, vegetable or animal oils and fats, or a combination thereof. All portable fire extinguishers shall be in clear view and immediately available for use.

B. All mobile food preparation vehicles utilizing, handling, or transporting liquefied petroleum gas or any liquefied petroleum gas system, equipment, container, apparatus, or appliance shall receive and maintain a permit from the Oklahoma Liquefied Petroleum Gas Board. The Board shall promulgate rules related to such permits, including inspection requirements. The State Fire Marshal shall issue an annual operation permit decal to mobile food preparation vehicles.

C. Mobile food preparation vehicles shall be under the jurisdiction of the State Fire Marshal for fire and life safety code compliance and shall be inspected annually by the State Fire Marshal to ensure compliance with the latest version of the state-adopted minimum codes for fire and life safety as adopted by the Oklahoma Uniform Building Code Commission. The State Fire Marshal shall coordinate, at minimum, annual inspections conducted:

1. Within each of the four quadrants of this state; and
2. Twice within each county with a population exceeding four hundred thousand (400,000) according to the latest Federal Decennial Census.

D. Upon approval, the State Fire Marshal shall issue an operational permit decal indicating that the vehicle meets the minimum fire and life safety code requirements adopted at the time of inspection.

E. Nothing in this section shall prevent:

1. The State Fire Marshal from enforcing the minimum fire code requirements as allowed by law and revoking the operations of a mobile food preparation vehicle for cause when such vehicle is determined to be inherently dangerous to the health, safety, or welfare of persons within this state;
2. A political subdivision from enforcing the event permits, operational fees, land use regulations, zoning, or other ordinances in relation to the operation of a mobile food preparation vehicle within the boundaries of the political subdivision; or

3. The State Department of Health from licensing and regulating mobile food preparation vehicles as provided by the provisions of Title 63 of the Oklahoma Statutes and rules promulgated by the State Commissioner of Health.

F. The State Fire Marshal may promulgate rules necessary to implement the provisions of this section. Such rules shall have uniform force and effect throughout this state and no political subdivision or other agency shall enact or enforce any fire or life safety code-related ordinances, rules, or other requirements for mobile food preparation vehicles, except in a county with a population exceeding four hundred thousand (400,000) according to the latest Federal Decennial Census.

Historical Data

Laws 2024, HB 3995, c. 106, § 1, emerg. eff. April 23, 2024; Amended by Laws 2025, HB 2459, c. 342, § 1, eff. November 1, 2025 (superseded document available); Amended by Laws 2026, HB 3369, c. 299, § 1, eff. November 1, 2026 (superseded document available).



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Memorandum

To: Honorable Mayor and City Council

From: Jessica Gough, Community Development Director

Re: **ORDINANCE 913 - PROPOSED UPDATE OF THE CITY OF COWETA SUBDIVISION REGULATIONS**

Date: September 14, 2026

BACKGROUND

The City's current Subdivision Regulations have not undergone a comprehensive update in several years and no longer fully reflect current development practices, engineering standards, state law, or the City's long-term growth objectives. Staff has completed a comprehensive review and revision of the regulations to modernize the subdivision process, improve clarity, eliminate outdated provisions, and better align the regulations with the City's adopted Comprehensive Plan, zoning regulations, and current development standards. The Planning Commission has reviewed the proposed Subdivision Regulations and recommended that the City Council adopt them.

STAFF RECOMMENDATION

Staff recommends the City Council review the proposed Subdivision Regulations and consider any desired revisions.

ATTACHMENTS

1. Ordinance 913 - New Subdivision Regulations

**THIS TABLE OF CONTENTS IS NOT A PART OF ORDINANCE NO. 913
BUT IS ONLY PROVIDED FOR THE CONVENIENCE OF THE READER.**

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CITY OF COWETA, OKLAHOMA

ORDINANCE NUMBER 913

AN ORDINANCE OF THE CITY OF COWETA, OKLAHOMA, REPEALING ALL OF THE CURRENT TITLE 13, "SUBDIVISIONS", CHAPTERS 13-1 THROUGH 13-9 INCLUSIVE; ADOPTING A NEW TITLE 13 "SUBDIVISIONS" CHAPTERS 13-1 THROUGH 13-4 INCLUSIVE; PROVIDING IN CHAPTER 13-1, "GENERAL AND ADMINISTRATIVE PROVISIONS", THE BROADLY APPLICABLE CONDITIONS GOVERNING THE SUBDIVISION AND DEVELOPMENT OF PROPERTY WITHIN THE CITY OF COWETA; PROVIDING IN CHAPTER 13-2, "APPLICATION PROCEDURE", THE PROCESSES GOVERNING SKETCH PLANS, CONSTRUCTION PLANS, PLATS, AND MINOR SUBDIVISIONS; PROVIDING IN CHAPTER 13-3, "SUBDIVISION DESIGN AND IMPROVEMENTS", THE GENERAL DESIGN PRINCIPLES AND STANDARDS REQUIRED FOR THE SUBDIVISION OF PROPERTIES; PROVIDING IN CHAPTER 13-4, "DEFINITIONS", SPECIFIC DEFINITIONS OF TERMS AND WORDS USED IN TITLE 13; PROVIDING FOR THE PROTECTION OF EXISTING RIGHTS AND REMEDIES; PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY, AND PROVIDING AN EFFECTIVE DATE OF OCTOBER 1 2026.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COWETA, OKLAHOMA, THAT:

Section 1. Coweta City Code Title 13, "Subdivisions", Chapters 13-1 through 13-9 inclusive, be and the same are now specially repealed.

Section 2. A new Coweta City Code Title 13, "Subdivisions", Chapter 13-1 through 13-4 be and the same are now enacted to read as follows:

"TITLE 13 SUBDIVISIONS

CHAPTER 13-1 GENERAL AND ADMINISTRATIVE PROVISIONS

CHAPTER 13-2 APPLICATION PROCEDURE

CHAPTER 13-3 SUBDIVISION DESIGN AND IMPROVEMENTS

CHAPTER 13-4 DEFINITIONS

CHAPTER 13-1 GENERAL AND ADMINISTRATIVE PROVISIONS

13-1-1 Citation and Authority

13-1-2 Purposes

13-1-3 Jurisdiction

13-1-4 Statement of Policy

13-1-5 Official Recording

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13-1-16 Precedence
13-1-17 Violations: Penalty

13-1-1 Citation and Authority

These regulations shall be known, cited and referred to as the ‘Subdivision Regulations of the City of Coweta, Oklahoma’.

These regulations, governing the subdivision and development of land within the jurisdiction of the Coweta Planning Commission, have been prepared, adopted, and enacted by Ordinance, pursuant to authority granted by Title 11, Oklahoma Statutes, § 45-104, as amended.

13-1-2 Purposes

These regulations are designed, intended, adopted and should be administered for the following purposes:

- A. To protect and provide for the peace, health, safety and general welfare of the present and future residents of the City;
- B. To guide the future growth and development of the City, in accordance with implementation of the Comprehensive Plan;
- C. To ensure the provision of adequate light, air, privacy and fire protection for current and future residents of the City;
- D. To encourage orderly and beneficial development of all parts of the City;
- E. To protect and conserve the value of land throughout the City, as well as the value of buildings and improvements upon the land;
- F. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewer, parks, schools and other public requirements and facilities;
- G. To provide the most beneficial relationship between the uses of land and buildings and the circulation of traffic throughout the City through proper location, width, design and construction of streets;
- H. To establish reasonable standards of design and procedures for subdivisions, resubdivisions, lot line adjustments and lot-splits, in order to further the orderly layout and use of land and the development of adequate, accurate and accessible public records and monumenting of subdivided land;
- I. To equitably distribute the costs involved in land subdivision;

- J. To aid in the prevention of pollution of air, streams and other bodies of water;
- K. To safeguard the area's water table;
- L. To encourage the wise use and management of natural resources in order to preserve the integrity, ecological stability and the beauty of the City, as well as the value of the land;
- M. To provide for open spaces through the most efficient design and layout of the land;
- N. To assure the adequacy of drainage facilities; and
- O. To minimize flood losses resulting from periodic inundation through:
 - 1. Restriction or prohibition of subdivision of lands for uses which are dangerous to health, safety or property in times of flood, or which, with reasonably anticipated improvements, will cause excessive increases in flood heights or velocities;
 - 2. Requirements that each subdivision lot in an area vulnerable to flooding be provided with a safe building site, with adequate access and that public utilities and facilities which serve these uses be installed with protection against flood damage at the time of installation; and through
 - 3. Protection of individuals from purchase of lands unsuitable for intended purposes because of flood hazards, through the prohibition of unprotected flood hazard lands subdivision, requirements for delineated flood hazard areas on the final plat, and suitable uses provided for areas unsuitable for residential development.

13-1-3 Jurisdiction

These regulations shall govern the subdivision of land within the jurisdictional area of the Planning Commission of the City of Coweta, Oklahoma.

These subdivision regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the 5th day of January 2026. Provided that if such land is re-platted, the re-plat will comply with these regulations. It is not intended by these regulations to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances except those specifically repealed, or with private restrictions placed upon property by deed, covenants, or other private agreements, or with restrictive covenants running with the land to which the City is a party. Where these regulations pose a greater restriction than is imposed or required by the then existing provisions of law, ordinance, contract or deed, the provisions of these regulations shall control.

13-1-4 Statement of Policy

- A. It is, by the adoption of these Subdivision Regulations, declared to be the policy of the City to consider the subdivision of land and the subsequent development of the subdivided plat as subject to the control of the City pursuant to the Comprehensive Plan, once prepared and adopted, for the orderly, planned, efficient and economical development of the City.

- B. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. Land shall not be subdivided until available public facilities and improvements exist and proper provision has been made for drainage, water, sewer and capital improvements such as schools, parks, recreation facilities, transportation facilities and other related improvements.
- C. Existing and proposed public improvements shall conform to, and be properly related to, the proposals shown in the Comprehensive Plan, and it is intended that these regulations shall supplement and facilitate the enforcement of the policies, provisions and standards contained in the Building Code, Zoning Code, other provisions of the City Code of Coweta, and the Comprehensive Plan.
- D. Public Services. The City shall withhold all public services, other than police and fire protection, including but not limited to the maintenance of streets and the furnishing of municipal water or sewer service, from any subdivision that has not been approved in accordance with these regulations and from any street, utility, improvement, easement, right-of-way, or other area dedicated to the public that has not been formally accepted by the City Council in the manner prescribed in these Subdivision Regulations.

13-1-5 Official Recording

- A. No land shall be subdivided or a plat filed within the jurisdictional area of the Planning Commission, until the subdivider or their agent shall obtain the recommendation of the Planning Commission and an approval from the City Council, for the preliminary plat and the final plat of the proposed subdivision.
- B. No plat or other land subdivision instrument shall be filed in the office of the Wagoner County Clerk until it shall have received approval, as required in this Section, and is consistent with State Law.
- C. All plats of record (i.e. final plats) shall be filed within two (2) years of the date of final approval by the City Council, and no lot shown on a final plat shall be transferred or recorded by the Wagoner County Clerk until such plat is filed, consistent with current State Law.
- D. Failure to record the plat within two (2) years of the date of approval shall void all related approvals received from the City.

13-1-6 Application of Regulations

These regulations shall apply to the following forms of land subdivision and development within the jurisdiction of the Planning Commission:

- A. The division of land or air space into two (2) or more tracts, lots, sites or parcels, any part of which, when subdivided, contains 10 acres or less in area;
- B. The re-division of land, previously divided or platted, into tracts, lots, sites or parcels, of 10 acres or less in area;

- C. The dedication, vacation or reservation of any public or private easement through any tract of land, regardless of the area involved, including those for use by public and private utility companies;
- D. The dedication to the public, or vacation of, any street or alley through any tract of land, regardless of the area involved;
- E. Planned Unit Development (Residential, Industrial or Commercial), as defined in these regulations and the Zoning Code;
- F. Any commercial shopping center or industrial park development which fits the other jurisdictional provisions of these regulations;
- G. Any tract, lot, site or parcel of land, regardless of size, which is to be developed and on which exists, or will exist because of such contemplated development, any topographic feature or improvement requiring the dedication or reservation of any easement, public or private, under the provisions of these regulations;
- H. Any plat or part of a plat which is to be vacated by the owner of the premises or tract of land; and
- I. Lot splits and lot line adjustments, according to the provisions contained in these regulations for 'Exceptions to Regulations.'

13-1-7 Plat Amendment

- A. Following acceptance of a Final Record Plat by the City Council any changes or amendments to the Final Recorded Plat, except for the correction of errors and defects, lot splits, lot consolidations, or lot line adjustments that do not create any additional new lots, will require approval by the City Council after a new public hearing before the Planning Commission.
- B. An application for a Plat Amendment must be completed and submitted to the Planning Commission for consideration, along with an application fee, as set by resolution of the City Council.
- C. Written Notice is required.
 - 1. Notice shall be mailed to affected owners. If easements are affected, a notice shall be mailed to all easement owners.
 - 2. The written notice shall contain all the following information:
 - a. Legal Description of the property;
 - b. Street Address or the property's location; and
 - c. Date, Time, and Place of the Hearing before the Planning Commission.
 - d. Map of the property.
- D. The Planning Commission shall conduct a hearing and shall review the proposed Plat Amendment to ensure compliance with all design and improvement requirements of these regulations. The Planning Commission shall determine whether the Plat Amendment shall be recommended for approval, recommended for approval with modifications, continued

to a date certain, or not recommended for approval, and shall give notice to the subdivider in writing of its recommendation.

- E. If there is not a quorum of the Planning Commission on the date the public hearing is to be held, the Plat Amendment shall be forwarded to the City Council as specified in this section.
- F. The proposed Plat Amendment shall then be forwarded to the City Council to be considered for approval, approval with conditions, or disapproval.
- G. Upon approval, the Planning Commission Chairperson and Mayor shall certify the Plat Amendment. Upon denial, the Planning Commission Chairperson shall submit the reasons for denial, in writing, to the subdivider. The subdivider may elect to appeal to the City Council for a fee as set by the City Council by resolution.
- H. The subdivider shall be responsible for filing the Plat Amendment with the Wagoner County Clerk within one (1) year of the approval by the City Council.

13-1-8 Vacation of Plats

- A. Any plat or any part of any plat may be vacated by the owner of the premises, at any time before the sale of any lot by a written instrument, of which a copy shall be attached to such plat, declaring the same to be vacated, following court action, as required by State Law.
- B. Such an instrument of vacation shall be recommended for approval by the Planning Commission in like manner as plats of subdivisions. The City Council may reject any such instrument which bridges or destroys any public rights in any of its public uses, improvements, streets or alleys.
- C. Such an instrument of vacation shall be executed, acknowledged or approved, and recorded or filed, in like manner as plats of subdivisions; being duly recorded or filed, this shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in the streets, alleys, public grounds and all dedications laid out or described in such plat.
- D. When lots have been sold, the plat may be vacated in the manner provided in these Subdivision Regulations, by all of the owners of lots in such plat joining in the execution of such writing, subject to court action as required by applicable State Law.

13-1-9 Responsibility For Administration

The primary responsibility for the administration of these regulations shall be with the Planning Commission. The Planning Commission aims to protect the public interest by ensuring all proposed plats undergo thorough review without causing unnecessary delays for subdividers.

13-1-10 Amendment Of Regulations

The City Council may, from time to time, adopt amendments to these regulations. These amendments shall be adopted by the City Council by Ordinance, following at least one review hearing by the Planning Commission.

13-1-11 Agenda

Each plat submitted for preliminary or final review shall be placed on the agenda of the Planning Commission only after fulfilling appropriate requirements of these regulations.

13-1-12 Fees To Defray Costs Of Administration, Engineer Review And Inspection

- A. Preliminary Plat. At the time of filing a preliminary plat with the City, the subdivider shall submit all required documents and materials together with a fee in the amounts specified in the City's fee schedule.
 - 1. For the purposes of computing preliminary plat fees, each phase of a multi-phase subdivision submitted for preliminary plat approval shall be considered a separate subdivision unless multiple phases are included in the same preliminary plat.
- B. Final Plat. At the time of filing a final plat with the city, the subdivider shall submit all required documents and materials together with a base final plat filing fee in the amounts specified in the City's fee schedule.
 - 1. For the purposes of computing final plat fees, each phase of a multi-phase subdivision submitted for final plat approval shall be considered a separate subdivision unless multiple phases are included in the same final plat submission.
- C. The subdivider shall be responsible for the actual cost of engineering review, attorney review, construction inspection (contracted or performed by City personnel), materials testing, and other direct costs the municipality may incur related to the review, inspection, and acceptance of plats, covenants, and infrastructure.
- D. The subdivider shall be responsible for the purchase and installation of street signage.

13-1-13 Variances

- A. Where the Board of Adjustment finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations and/or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve variances to these regulations so that substantial justice may be done and the public interest secured; provided that such variance shall not have the effect of nullifying the intent and purpose of these regulations. The Board of Adjustment shall not approve variances unless it shall make findings based upon the evidence presented to it in each specific case that:
 - 1. The granting of the variance will not be detrimental to the public peace, safety, health or welfare, or injurious to other property in the area where the variance is located, and
 - 2. The conditions upon which the request for a variance is based are unique to the property for which the variance is sought and are not applicable generally to any other property; and
 - 3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the subdivider would

result, as distinguished from a mere inconvenience, if the strict letter of these regulations were to be carried out; and

4. The variances will not in any manner conflict with, or vary from, the provisions of the adopted Zoning Code or adopted Comprehensive Plan.
- B. In approving variances, the Board of Adjustment requires that the following process take place:
1. An application for a variance must be completed and submitted to the Board of Adjustment for consideration of the requested variance. Such application shall be accompanied by an application fee and shall include a description of the variance and the reason for the request.

13-1-14 Interpretation

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public peace, health, safety, and general welfare.

13-1-15 Conflicts With Public And Private Provisions

- A. Public Provisions. These regulations are not intended to interfere with, abrogate or annul any other ordinance, rule, regulation, Statute, or other provision of law. Where any provision of the regulations imposes a restriction different from those imposed by any other provision of these regulations or any other ordinance, rule, regulation, statute or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.
- B. Private Provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction; provided that, where the provisions of these regulations are more restrictive or impose standards or regulations higher than such easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive, or of higher standards than the requirements of these regulations or the determination of the Planning Commission in approving a subdivision or in enforcing these regulations, and such private provisions are not inconsistent with these regulations or determinations pursuant to them, then such private provisions shall be operative and supplemental to these regulations and determinations made pursuant to them.

13-1-16 Precedence

Whenever the provisions of these regulations conflict with any other City ordinance, these regulations shall prevail and take precedence, unless the conflict is with the Zoning Code, in which case the provisions of the Zoning Code shall prevail.

13-1-17 Violations: Penalty

- A. No Building Permit shall be issued nor shall any 911 addresses be issued for any new structure or change, improvement, or alteration on any existing structure on any tract of land in a subdivision filed or recorded after the effective date of these regulations, which does not comply with all the provisions of these regulations.
- B. A Violation of these regulations shall be deemed an offense and upon conviction shall be punishable by fine as provided in Coweta City Code Section 1-4-1. Each day a violation is permitted to exist shall constitute a separate offense.

CHAPTER 13-2 APPLICATION PROCEDURE

13-2-1 General Provisions

13-2-2 Sketch Plan

13-2-3 Preliminary Plat

13-2-4 Construction Plans

13-2-5 Final Plat

13-2-6 Minor Subdivisions

13-2-7 Lot Merges and Lot Line Adjustments

13-2-8 Lot Consolidations and Lot Line Adjustments

13-2-1 General Provisions

- A. Plat Approval. For all cases of subdivision within the scope of these regulations, a plat shall be drawn and submitted to the Planning Commission and the City Council for their approval or disapproval.
- B. Acceptance of Dedications and Easements. All easements and areas dedicated to public use shall be submitted to the City Council for acceptance.
- C. Subdivision Review Process. The subdivision review process required in these regulations shall consist of three (3) phases.
 - 1. Review of the sketch plat – by the Technical Advisory Committee (TAC)
 - 2. Review of the preliminary plat and Construction Plans by: TAC, Planning Commission, and City Council, and
 - 3. Review of the final plat By TAC, Planning Commission and City Council
- D. Special Procedures. Special procedures for the following types of subdivisions shall be as provided in Sections 13-2-6 and 13-2-7 of these regulations:
 - 1. Minor Subdivisions;
 - 2. Lot Line Adjustments;
 - 3. Planned Unit Development,
 - 4. Re-Subdivision;
 - 5. Undeveloped Plats; and
 - 6. Vacation of Plats

13-2-2 Sketch Plan

- A. Purpose. The sketch plan provides an early opportunity for the subdivider and City officials to identify potential issues related to land use, general design, and the proposed approach to infrastructure improvements. As an initial step in the subdivision process, it plays a critical role in shaping decisions that can significantly impact both the subdivider and the broader community. Another key benefit of the sketch plan is that it can help make the subdivision design process more straightforward and efficient for the subdivider by identifying issues early and reducing the need for major revisions later.
- B. The sketch plan must include all land proposed for subdividing to ensure a complete and cohesive area overview.
- C. A conference between the subdivider and the City Planner will be held to review zoning requirements, subdivision design standards, platting procedures, and infrastructure improvements. Before this meeting the subdivider must provide the City Planner with a digital copy of the sketch plan. While it may be a freehand drawing, the plan must be clear, legible, and drawn approximately to scale. Certification by an engineer or surveyor is not required at this stage.
- D. The City Planner may schedule a review of the sketch plan with the Technical Advisory Committee (TAC) and the subdivider. Comments from this review are advisory and not binding on any party. The purpose of this step is to guide the subdivider by identifying potential conditions that could apply to the development. Written comments will be provided to the subdivider or their representative within 15 working days of the TAC meeting.
- E. Contents of sketch plan. The sketch plan shall contain the following information:
 - 1. The general topography of the tract.
 - 2. Existing adjoining development.
 - 3. Existing streams, floodplains, and storm drainage, if any.
 - 4. Existing public and private utilities and easements.
 - 5. The proposed land use such as residential, commercial, parks, schools, or drainage detention facilities.
 - 6. The proposed layout of streets, lots and blocks.
 - 7. The proposed subdivision name.
 - 8. The proposed layout of public utilities.
 - 9. The location of every existing or abandoned oil or gas well or dry hole drilled in search of oil or gas as shown by the records of the State Corporation Commission.
 - 10. The name, address and telephone number of the property owner and subdivider.
 - 11. Any other pertinent information.

13-2-3 Preliminary Plat

- A. Purpose. The purpose of the preliminary plat is to provide an interim step in the procedure when the subdivider shall present drawings of the detail features of the subdivision. It is at

this point that the items discussed at the sketch plan stage are shown and the development is examined to see if it is technically functional.

- B. Application. The subdivider shall submit two (2) copies, black line or blue line prints, and one (1) electronic copy of the preliminary plat and construction plans, which have been prepared by a licensed surveyor or Professional Engineer licensed in the State of Oklahoma to the City Planner no later than 30 calendar days prior to the Planning Commission meeting at which the preliminary plat will be reviewed. The preliminary plat shall show all the features needed to enable the Planning Commission to determine whether or not the proposed subdivision layout is satisfactory from the standpoint of public interest. The preliminary plat size shall not be less than 24 inches by 36 inches and folded to 8-1/2 inches by 11 inches, the forms for which shall be supplied by the City Planner and the applicant shall pay an application fee as established in the City's adopted fee schedule.
- C. Review of Preliminary Plat.
 - 1. Upon filing of an application, the owner shall pay all fees to the City as prescribed in these regulations and as established in the City's adopted fee schedule.
 - 2. The City Planner, upon receipt of the required plats, construction plans and fees, shall:
 - a. Distribute copies of the preliminary plat and construction plans to TAC.
 - b. Set the plat on the TAC and Planning Commission agendas.
 - c. Review the plat for conformance with the zoning regulations and this title.
 - d. Prepare recommendations for submission to the TAC and Planning Commission.
 - 3. TAC shall review the preliminary plat and construction plans and make recommendations to the Planning Commission.
 - a. After receipt of the recommendations of staff, TAC, other agencies and utility companies, the Planning Commission may tentatively make a recommendation to approve the preliminary plat with any modifications or conditions, noting all such modifications on the plat.
 - b. Upon a recommendation of denial, or on a recommendation of approval subject to modifications or conditions, the Planning Commission will require the subdivider to submit a revised preliminary plat and another meeting will be scheduled. A recommendation of tentative approval of the preliminary plat shall be deemed to be an approval only of design features of the tract. The City Engineer or other officials having justification to modify engineering and construction details, may require modifications as necessary for the protection of the public interest.
 - 4. The Planning Commission shall:
 - a. Hold a hearing on the preliminary plat.
 - b. Review the preliminary plat for conformity with the comprehensive land use plan of the City and for compliance with the standards requirements and

principles prescribed in these Subdivision Regulations; and shall be reviewed by the Planning Commission for compliance with all applicable additional requirements of all governmental authorities and agencies, and with all applicable regulations of public utilities.

- c. Make a recommendation to approve, conditionally approve, or deny the preliminary plat at such meeting. If the preliminary plat has a recommendation of approval with conditions, the Planning Commission may require the subdivider to submit a revised preliminary plat. The subdivider shall be advised of any amendments required by the Planning Commission to comply with this title. If the preliminary plat is denied, the reasons for that action shall be stated.
- D. Approval Period. The approval of a preliminary plat shall be effective for a period of one (1) year from the date of City Council approval, at the end of which time, unless a final plat on the subdivision shall have been submitted to the Planning Commission, the preliminary plat shall be considered null and void. In such cases, the subdivider shall be required to re-submit a preliminary and final plat for the subdivision. In reviewing a preliminary plat which has been resubmitted by reason of being voided by the passage of time, the Planning Commission shall not be bound by a previous approval.
- E. Phased Development. A conceptual overall master development plan, representing the entire proposed development (all phases), must be submitted with the preliminary plat submission for review and approval. Actual phased construction and final platting may be part of the construction plans and final plat reviews.
- F. Specifications. Preliminary plats shall be drawn at a scale of 100 feet to 1 inch, and shall bear, or be accompanied by, the following information or materials:
 1. Descriptive Margin Data.
 - a. Map scale, north arrow and date;
 - b. Proposed subdivision name;
 - c. Names and addresses of the owners or record, the subdivider, and the Professional Engineer licensed in the State of Oklahoma preparing the plat; and
 - d. An inset key map showing the location of the proposed subdivision, reference to existing or major streets and to government section lines or other survey control points.
 2. Existing Conditions.
 - a. Topography, with contour intervals of two (2) feet or less, referenced to a U.S. Geological Survey or U.S. Coast and Geodetic Survey Benchmark;
 - b. Water elevations of adjoining ponds or streams at the date of the survey and the approximate high and low water elevations of such lakes or streams; if any portion of any land within the proposed subdivision lies within the

City's designated floodplain, such fact and the land shall be clearly shown on the preliminary plat;

- c. Location, widths, and names of all existing platted or dedicated streets, alleys or other public ways and easements, railroad and utility rights-of-way, parks, water courses, drainage ditches, permanent buildings, bridges and the location, size and type of sanitary and storm sewers, water mains, culverts, power and natural gas lines and other surface and subsurface structures or pipelines; and
 - d. Zoning district classification If there is more than one zoning district classification on property within the platted area, the dividing lines between zoning districts shall be shown, as well as those on adjoining lands.
3. Proposed Development.
- a. The boundaries of the proposed subdivision (to the indicated scale), showing the total perimeter; lengths of all lines shall be measured to the nearest foot and bearings of lines shall be given;
 - b. The location and width of proposed rights-of-way, streets, alleys, easements and sidewalks, conforming to the approved street classification criteria;
 - c. The location of all drainage channels and subsurface drainage structures, the proposed method of disposing of all runoff from the proposed subdivision, and the location and size of all related drainage easements, whether they are located within or outside of the proposed subdivision;
 - d. Approximate radii of all curves and lengths of all tangents;
 - e. Layout, numbers and approximate dimensions of lots and the number of letters of each block;
 - f. Building setback lines, with dimensions;
 - g. Indication of any lots on which use other than residential is proposed;
 - h. The location, size and type of all proposed public utility lines, including storm and sanitary sewer, water, gas and power lines. If a Community Sewage Treatment Plant, or other type of Community Disposal System is to be installed or constructed to conserve all or certain portions of the proposed subdivision, the general plans for such Community type Sewage Treatment or Disposal System shall be shown or accompany the plat and be identified on the preliminary plat; and
 - i. The location and size of proposed parks, playgrounds, church sites, school sites or other special uses of land to be considered for dedication to public use, or to be reserved by deed of covenant for the use of all property owners in the subdivision, and any conditions of such dedication or reservation.
4. Additional Materials.
- a. Two (2) copies of all required Construction Plans;

- b. Two (2) copies of the proposed 'house numbering system' by lot, in accordance with the specifications of the Coweta City Code;
 - c. If a residential subdivision, two (2) copies of the proposed Private or Restrictive Covenants. All residential subdivisions in the City are required to have Private or Restrictive Covenants in place prior to the sale of any lots;
 - d. If a residential subdivision, one (1) copy of the proposed document establishing a Homeowners Association. All residential subdivisions in the City are required to have an established Homeowners Association, prior to the sale of any lots, addressing among other things the maintenance of common areas and other improvements such as street lighting;
 - e. If a non-residential subdivision, a description of any proposed deed restrictions or restrictions that will be recorded on the face of the final plat; and
 - f. If a re-subdivision, a copy of the existing plat shall accompany the preliminary plat.
5. Material Required in Floodplain Areas. A Professional Engineer licensed in the State of Oklahoma shall prepare:
- a. Preliminary plans of any on site waste disposal systems, including disposal sites for lands subject to flooding, or sanitary sewers, with grade, pipe size and points of discharge;
 - b. Preliminary plans for the drainage system, with grade, pipe size and location of outlets;
 - c. Preliminary plans for the water supply and distribution system, with pipe sizes and location of hydrants; and
 - d. Proposed fill or other structure elevating techniques, levees, channel modifications or other methods to overcome flood or related hazards and a statement describing their impacts on existing development in upstream and downstream areas.

13-2-4 Construction Plans

A. Application, Review, and Approval

- 1. The subdivider shall submit the required Construction Plans with the preliminary plat, prepared and stamped by a Professional Engineer licensed in the State of Oklahoma.
- 2. Review agencies must review proposed infrastructure plans for compliance with the preliminary subdivision plat and all applicable regulations and standards. Applicants must revise and resubmit plans for review, as necessary to address review agency comments.

3. Once all applicable requirements have been met, the proposed infrastructure plans must be approved by the City Planner before any construction occurs.

B. Specifications

1. Plans shall be drawn at a scale of not more than 100 feet to 1 inch, on 24 inch by 36 inch sheets
2. Plan copies:
 - a. Two (2) full-size sets,
 - b. Two (2) half-size sets, and
 - c. Digital files to include PDF and CAD or shapefiles of utility lines and other features such as hydrants, valves, and manholes.
3. Construction Plans shall, as required by law, bear the seal of a Professional Engineer licensed in the State of Oklahoma
4. Overall subdivision layout
5. Streets:
 - a. Plan and profile
 - b. Typical sections including curb and gutter and sidewalks
6. Utilities:
 - a. The location, size, profile and invert elevations of proposed sanitary sewers, including manholes
 - b. The location and size of proposed water mains, valves, fittings and fire hydrants, including service taps underneath proposed streets
 - c. On-site and off-site systems
 - d. Connections to existing facilities
 - e. The location of all existing or proposed easements and rights-of-way and a typical cross-section of the proposed utility installations within the easements.
7. Stormwater
 - a. Drainage structures
 - b. Detention/retention facilities
 - c. Erosion and sediment control
 - d. Site grading plan
 - e. Drainage calculations
8. Landscape
 - a. Stands of existing trees, current location and as they are to be preserved upon project completion, and specifying their locations on the property
 - b. Proposed tree locations in rights-of-way and common areas
 - c. Landscape must be made up of at least 80 percent of plants native to Oklahoma
9. Construction details and specifications
10. List of construction pay items and estimate of quantities

11. Proposed sequence of work

13-2-5 Final Plat

- A. Purpose. The purpose of the final plat is to create a document of record which accurately describes the subdivided land, both as to accurate dimensions and legal provisions which are pertinent to the subdivision.
- B. Application. Following a recommendation of approval of the preliminary plat by the Planning Commission and approval by the City Council, the subdivider shall file a written application with the Chairperson of the Planning Commission or their designated representative on the City staff for final plat approval. The application shall:
 - 1. Be made on forms available in the Office of Community Development;
 - 2. Comply in all respects with the preliminary plat, as approved by both the Planning Commission and the City Council;
 - 3. Be accompanied by at least four (4) paper prints of the proposed plat, with one (1) reproducible original on stable polyester base (mylar) film to be provided upon approval of the final plat;
 - 4. Be accompanied by two (2) copies of the proposed Private or Restrictive Covenants and two (2) copies of the proposed document establishing the Homeowners Association;
 - 5. Be accompanied by one (1) set of 'Record Plans' for improvements completed; and
 - 6. Be delivered to the City Clerk, not less than 30 days prior to the meeting date at which the plat is to be reviewed, and shall have the checklist completed prior to submitting the plat for review.
- C. Planning Commission Review. Upon receipt of the final plat application and materials, the City Planner shall set a date for Planning Commission review of the final plat and shall notify the subdivider, in writing, of the review date. The Planning Commission's review shall be in accordance with the following provisions:
 - 1. The final plat of the proposed subdivision shall be submitted to the Planning Commission for final approval within one (1) year of the date on which the preliminary plat was approved by the City Council. If not submitted for final approval within such time, the preliminary plat shall be considered as having been disapproved unless the Planning Commission agrees to an extension of time.
 - 2. The Planning Commission shall act upon the final plat within 60 days after it has been submitted to the Planning Commission Chairperson for final approval. The subdivider shall be notified in writing upon approval or conditional approval of the final plat by the Planning Commission. If no action on the final plat has been taken within the above specified time, and the subdivider does not agree to an extension of time for action, the plat shall be deemed to have been approved. Certification by the City Clerk as to the date of the final plat's submission and the failure of the

Planning Commission to act thereon within such time shall be sufficient in lieu of written endorsement of approval.

3. If the final plat is disapproved by the Planning Commission, the reasons for such disapproval shall be stated in writing, with reference to specific sections of the Comprehensive Plan or those ordinances or regulations with which the plat does not comply. A copy of this statement shall be sent to the subdivider, along with one of the prints submitted by the subdivider.
 4. If the plat conforms to all of the requirements provided in these regulations, one (1) copy of the final plat shall be forwarded to the City Council for its review, along with the written recommendation of the Planning Commission and the signature of the Chairperson of the Planning Commission on the approved plat.
 5. No vested rights shall accrue to any plat by reason of preliminary or final approval, until the actual signing of the final plat by the Mayor. All requirements, conditions or regulations adopted by the Planning Commission, applicable to the subdivision, or on all subdivisions prior to the time of signing of the final plat by the Chairperson of the Planning Commission where the Planning Commission has required the installation of improvements prior to signing of the final plat, the Commission shall not unreasonably modify the conditions set forth in the final approval.
- D. City Council Review. The City Planner shall be responsible for placing the subdivision on the agenda of the City Council and providing written notice of the date to the Chairperson of the Planning Commission and the subdivider of the subdivision or their agent. The City Council's review of subdivision shall be in accordance with the following provisions:
1. The City Council shall approve or deny the final plat and notify the subdivider in writing of its action. Such notification shall include specific references to those portions of the plat, which are not in compliance with these, or other regulations, if the plat is denied.
 2. After final approval of the plat and the affixing of all required signatures on the original tracing, the subdivider shall provide the Planning Commission with two (2) dark line prints and file with the City Clerk one (1) contact reproducible tracing. The subdivider shall file the original tracing and one (1) print with the Wagoner County Clerk.
 3. Following final approval, the applicant shall provide a digital copy of the subdivision file in GIS format. If GIS data is unavailable, a CAD file containing all subdivision details will be accepted as an alternative.
- E. Approval Period. The final plat shall be filed in the Office of the Wagoner County Clerk within one (1) year after final approval by the City Council; if not filed within that time, the approval shall be considered null and void.
- F. Boundary Traverse Closure. The City Planner will compare the legal description on the final plat to the legal description on the last recorded deed, confirm bearings and distances.

G. Specifications. Final plats submitted to the Planning Commission shall be provided on paper at a scale of 100 feet to 1 inch, provided that tracts of land in excess of 40,000 square feet may be platted at a scale of 200 feet to 1 inch, from an accurate survey; the plat shall be prepared on sheets whose dimensions are 24 inches by 36 inches, or which can be folded to these dimensions. The plat shall have a binding margin of two (2) inches on the left side, and minimum margins of one (1) inch on the right side and 1½ inches at the top and bottom. Once approved, the subdivider shall provide the final plat neatly drawn in ink on a tracing cloth or reproducible mylar. The final plat shall bear, or be accompanied by, the following information or materials:

1. Title Data.
2. Name of the subdivision;
3. Name of the city, county and state; and
4. Location and description of the subdivision, referenced to Section, Township and Range.
5. Margin Data.
6. Map scale, north arrow and date;
7. Names and addresses of the subdivider and the engineer and/or surveyor;
8. A key map on the first sheet in a plat series showing the location of the subdivision referenced to government section corners, section line and major streets; when more than two (2) sheets are required for the plat, the key map shall show the sheet number of the sheet for the area included on the sheet;
9. Owner's Certificate and Dedication, signed;
10. Surveyor's Certificate or Survey, signed and wet sealed;
11. Certificate for Release of Mortgage for any portion dedicated to the public, signed,
12. Reference to any separate instruments, including private or restrictive covenants and documents establishing Homeowners Associations, filed or to be filed in the office of the County Clerk, which directly affect the land being subdivided;
13. The proper acknowledgments of owners and the consent of the mortgagee to plat restrictions;
14. County Treasurer's Certificate;
15. Approval certificate of the Planning Commission (and the date) over the signature of the Planning Commission Chairperson;
16. Certificate of the City Council's acceptance of ways, easements and public land dedications; and
17. Certificate of Health Department approval, where sanitary sewers are not proposed, signed.
18. Prior to final plat approval the GIS data, or the georeferenced CAD drawing if GIS is not available, used to create the final plat must be submitted to the City.
19. Existing and Proposed Conditions.

- a. The length of all required lines dimensioned in feet and decimals, and the value of all required true bearings and angles dimensioned in degrees and minutes, as specified;
- b. The boundary lines of the land being subdivided, fully dimensioned by lengths and bearings, and the location of boundary lines of adjoining lands, with adjacent subdivisions identified by official names;
- c. The lines of all proposed streets, fully dimensioned by lengths and bearings or angles;
- d. The lines of all proposed alleys; where the length or direction of all alleys is not readily discernible from data given for lot and block lines, the length and bearing shall be given;
- e. The widths and names, where appropriate, of all proposed public rights-of-way, streets and alleys, and of all adjacent streets, alleys and easements, which shall be properly located;
- f. The lines of all proposed lots, fully dimensioned by lengths and bearings or angles, except that where a lot line meets a street line at right angles, the angle or bearing value may be omitted;
- g. The outline of any property which is offered for dedication to public use, fully dimensioned and marked 'Public';
- h. Blocks numbered consecutively throughout the entire subdivision and the lots numbered consecutively throughout each block, with areas to be excluded from platting marked 'reserved' or 'not a part';
- i. The location of all building lines, setback lines and easements for public services or utilities, with dimensions showing their location;
- j. The radii, arcs, points or tangency, points of intersection and central angles for curvilinear streets and radii for all property returns; and
- k. The location and description of all Section corners and permanent survey monuments in or near the tract; reference to at least one (1), and preferably two (2), known survey control points shall be shown by angle and distance with two (2) corner points marked on the plat with coordinates.
- l. Required Infrastructure and Lot Sale Restriction. When a final plat is approved and recorded prior to completion and formal acceptance of all required public infrastructure, the final plat shall contain a conspicuous note stating: 'NOTICE: NO LOT WITHIN THIS SUBDIVISION SHALL BE SOLD, CONVEYED, OR OTHERWISE TRANSFERRED TO A THIRD PARTY UNTIL ALL REQUIRED PUBLIC INFRASTRUCTURE SERVING THE LOT HAS BEEN COMPLETED IN ACCORDANCE WITH CITY-APPROVED CONSTRUCTION PLANS AND SPECIFICATIONS AND HAS BEEN FORMALLY ACCEPTED BY THE CITY COUNCIL, UNLESS OTHERWISE EXPRESSLY AUTHORIZED

BY THESE REGULATIONS. RECORDING OF THIS FINAL PLAT DOES NOT CONSTITUTE ACCEPTANCE BY THE CITY OF ANY STREET, UTILITY, EASEMENT, RIGHT-OF-WAY, DRAINAGE FACILITY, OR OTHER PUBLIC IMPROVEMENT.' The Owner's Certificate and Dedication shall acknowledge and agree to this restriction, and the restriction shall remain effective until the City has formally accepted the applicable required public infrastructure.

20. Material Required in Floodplain Areas.

- a. Regulatory flood elevations, boundaries of flood-prone areas, including floodways and floodway fringe areas, fills, flood protection works and areas subject to special deed restrictions;
- b. Proposed fill or other structure elevating techniques, levees, channel modifications or other methods to overcome flood or related hazards and a statement describing their impacts on existing development in upstream and downstream areas;
- c. Final plans for drainage systems, with grading, impacting, storage and regulating structures, pipe sizes and location of outlets;
- d. Final plans of any on site waste disposal systems, including disposal sites for lands subject to flooding; or sanitary sewers, with grade, pipe size and points of discharge;
- e. An acceptable percolation test for the area, using the applicable DEQ criteria for the subdivision; and
- f. Final plans for any water supply and distribution system, with pipe sizes and location of hydrants.

13-2-6 Minor Subdivisions

Whenever there is a tract or previously subdivided parcel of land, under single ownership, which is to be re-subdivided into three (3) or fewer lots, the proposed subdivision may be excepted from the procedural requirements of these regulations (i.e., preliminary and final plats are not required); however, this shall not constitute an exception from the design and improvement requirements contained in these Subdivision Regulations. These exceptions, or minor subdivisions, shall be permitted under the following provisions:

- A. Any tract of land twenty (20) acres or larger which has been subject to subdividing over any period of time involving more than three (3) lots shall not be allowed further use of the minor subdivision exception; the tract shall be subject to the standard subdivision procedures contained in these Subdivision Regulations.
- B. An application for a minor subdivision shall be submitted to the Community Development Department, along with the applicable processing fee as established by resolution of the

City Council. The Community Development Director may require additional documentation from the applicant to ensure compliance with these regulations.

- C. An accurate survey, prepared by a land surveyor licensed in the State of Oklahoma, showing the proposed division of the tract, shall be submitted with the application. New deeds for each parcel to be created, along with the remaining parcel, shall also be submitted for review.
- D. No publication notice, mailed notice, or public hearing shall be required.
- E. The Community Development Director or designee shall review the proposed minor subdivision for compliance with all applicable subdivision regulations, zoning regulations, engineering standards, the Comprehensive Plan, and other applicable City requirements. Approval may be granted only if all of the following conditions are met:
 - 1. All resulting parcels shall front on an existing public street or approved private street, and no construction or extension of a street or alley is required.
 - 2. All resulting parcels shall comply with the dimensional standards of the applicable zoning district, including minimum lot size, frontage, width, and setbacks.
 - 3. The subdivision shall not require the extension of public infrastructure, utilities, easements, or rights-of-way to serve any parcel, unless otherwise approved by the City.
 - 4. Private water wells and private wastewater treatment systems meeting applicable City and health department standards may be considered where public utilities are not reasonably available, unless otherwise prohibited.
 - 5. No parcel shall receive more than one minor subdivision approval within any three-year period.
 - 6. Required drainage, utility, access, or roadway easements may be required as a condition of approval.
- F. Upon approval, the Community Development Director or City Manager shall authorize the final survey and associated legal documents for recording.
- G. Upon denial, the Community Development Director or City Manager shall provide written notice stating the reasons for denial.
- H. Any applicant aggrieved by an administrative decision under this section may appeal the decision to the Planning Commission in accordance with the appeal procedures established by the City.
- I. The applicant shall be responsible for filing all approved surveys, deeds, and related documents with the Wagoner County Clerk within one (1) year of approval or it shall become void.

13-2-7 Lot Merges and Lot Line Adjustments

For the purpose of adjusting the size of building sites, merging two or more lots, or modifying common lot boundaries, Lot Merges and Lot Line Adjustments shall be excepted from the

procedural requirements of these regulations, provided such adjustments are not used to accomplish extensive replatting.

- A. An application shall be submitted to the Community Development Department, along with the applicable fee established in the City's adopted fee schedule.
- B. An accurate survey, prepared by a land surveyor licensed in the State of Oklahoma, showing the proposed adjusted or merged parcels, shall be submitted with the application, along with updated legal descriptions or deeds.
- C. No publication notice, mailed notice, or public hearing shall be required.
- D. The Community Development Director or City Manager shall approve or deny the application based upon compliance with these regulations.
- E. Upon approval, the Community Development Director or City Manager shall authorize the final survey and associated deeds for recording.
- F. Upon denial, written notice stating the reasons for denial shall be provided to the applicant.
- G. Any applicant aggrieved by an administrative decision under this section may appeal the decision to the Planning Commission.
- H. The applicant shall be responsible for filing all approved documents with the Wagoner County Clerk within one (1) year of approval or it shall become void.
- I. No additional buildable lot shall be created by a Lot Line Adjustment.
- J. All required public improvements shall either be completed and accepted by the City or otherwise secured in accordance with these regulations.
- K. All resulting parcels shall abut a publicly dedicated street and have adequate utility access.
- L. No unusable or landlocked parcels shall be created.

13-2-8 Lot Consolidations and Lot Line Adjustments

For the purpose of adjusting the size of existing lots, modifying common lot boundaries, or merging two (2) or more lots or parcels under common or separate ownership, Lot Merges and Lot Line Adjustments may be excepted from the procedural requirements of these regulations (i.e., preliminary and final plats are not required); however, this shall not constitute an exception from the design and improvement requirements contained in these Subdivision Regulations. These exceptions shall be permitted under the following provisions:

- A. An application for a Lot Consolidation or Lot Line Adjustment shall be submitted to the Community Development Department, along with the applicable processing fee as established in the City's adopted fee schedule. The Community Development Director may require additional documentation from the applicant to ensure compliance with these Subdivision Regulations.
- B. An accurate survey, prepared by a land surveyor licensed in the State of Oklahoma, showing the proposed adjusted or consolidated lots, shall be submitted with the application. Updated legal descriptions, deeds, or other documents necessary to reflect the proposed changes shall also be submitted for review.
- C. No publication notice, mailed notice, or public hearing shall be required.

- D. The Community Development Director or the Director's designee shall review the proposed Lot Consolidation or Lot Line Adjustment for compliance with all applicable subdivision regulations, zoning regulations, engineering standards, the Comprehensive Plan, and other applicable City requirements. Approval may be granted only if all of the following conditions are met:
1. All resulting lots shall comply with the dimensional standards of the applicable zoning district, including minimum lot size, frontage, width, and setbacks.
 2. All resulting lots shall front on an existing public street or approved private street and maintain adequate access for intended use.
 3. No unusable, irregularly shaped, or landlocked parcels shall be created.
 4. All resulting lots shall have adequate access to utilities or approved utility easements necessary to serve the property.
 5. All required public improvements shall either be completed and accepted by the City or otherwise secured in accordance with these regulations.
 6. The adjustment shall not be used to circumvent subdivision platting requirements or otherwise accomplish extensive replatting that should be processed under standard subdivision procedures.
- E. Upon approval, the Community Development Director or City Manager shall authorize the final survey and associated legal documents for recording.
- F. Upon denial, the Community Development Director or City Manager shall provide written notice stating the reasons for denial.
- G. Any applicant aggrieved by an administrative decision under this section may appeal the decision to the Planning Commission in accordance with the appeal procedures established by the City.
- H. The applicant shall be responsible for filing all approved surveys, deeds, and related documents with the Wagoner County Clerk within one (1) year of approval or the approval shall become void.

CHAPTER 13-3 SUBDIVISION DESIGN AND IMPROVEMENTS

- 13-3-1 General Design Principles and Standards
- 13-3-2 Improvements Required
- 13-3-3 Performance Guarantees and Security
- 13-3-4 Maintenance Guarantees and Security
- 13-3-5 Perpetual Maintenance of Common Areas and Improvements
- 13-3-6 Lots
- 13-3-7 Blocks
- 13-3-8 Streets
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- 13-3-10 Sidewalks and Trails
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13-3-12 Street Lights
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13-3-25 Monuments and Markers
13-3-26 Non-Residential Subdivisions
13-3-27 Planned Unit Development

13-3-1 General Design Principles and Standards

- A. The overall and detailed design of each new subdivision shall be prepared in accordance with the principles established by the Comprehensive Plan and with the minimum standards of these regulations and other adopted City ordinances, codes, and standards.
- B. The arrangement of lots, blocks and the street system should be designed to make the most advantageous use of topography and natural physical features. The system of sidewalks, roadways and the lot layout should be designed to take advantage of the visual qualities of the area.

13-3-2 Improvements Required

- A. Plans for the improvements required by this chapter shall be prepared by a Professional Engineer licensed in the State of Oklahoma, as required by State Law. All improvements shall be designed and installed so as to provide for a logical system of utilities, drainage and streets, and to create continuity of improvements for the development of adjacent properties.
- B. One (1) complete set of record as-built plans and specifications, certified and signed by a Professional Engineer licensed in the State of Oklahoma, shall be filed with the City Clerk, prior to the acceptance by the City Council of any improvements installed by the subdivider, consistent with State Law.
- C. The City Council shall formally accept, by resolution or ordinance, any or all improvements before such improvements become public property, provided that all statements and agreements specified within have been received and that as-built construction plans have been submitted. The two (2)-year maintenance bond shall begin with the approval by the City Council and the approval of the as-built plans shall not be construed to mean that the maintenance bond is void. No building construction shall be permitted on any lot to or on which improvements have not been completed in accordance

with the provisions of these regulations and no municipal utility service will be furnished to such lot.

- D. Recording of a final plat shall not constitute acceptance by the City of any public infrastructure, street, right-of-way, easement, utility, drainage facility, or other improvement shown or dedicated thereon. No lot within a subdivision shall be sold, conveyed, or otherwise transferred to a third party until all required public infrastructure serving such lot has been completed in accordance with the approved construction plans and specifications and has been formally accepted by the City Council.
- E. If any portion of the required improvements shall fail to be accepted for dedication as outlined above within two (2) years of the recording of the final plat with the County Clerk, either for reasons of incompleteness or for substandard construction, the City Council shall declare whatever security has been pledged as a guarantee to be forfeited. Where the Council is not already in possession of the guarantee, it shall immediately take the actions necessary to obtain it. Upon receipt of the securities, the Council shall use the securities, or the proceeds from their sale, to finance the completion of the subdivision improvements or the rebuilding of such improvements to the proper specifications. Any unused portion of these securities shall be returned to the subdivider, the bonding company, or crediting institution as is appropriate.

13-3-3 Performance Guarantees and Security

Performance Bonds, shall be required to ensure the full and faithful installation and completion of subdivision improvements in a satisfactory and workmanlike manner, and shall:

- A. Be in favor of the City;
- B. Be obtained from a surety bonding company authorized to do business in the State of Oklahoma;
- C. Be in an amount equal to 110% of the cost of the improvements, itemized by improvement type, and certified by the subdivider's project engineer, as approved by the City Council;
- D. Provide conditions satisfactory to the Planning Commission and the City Council; and
- E. Be in force until and terminate 90 days after the filing with the City Council of a completion affidavit obtained from the Construction Inspector, unless within the 90 days, the Construction Inspector determines that the requirements, standards and specifications of these regulations applicable to the construction, installation and completion of the improvements have not been met. In such case, the Construction Inspector shall notify the subdivider in writing, and the bond shall continue to run until the filing of proof that the deficiencies have been corrected and all standards met.

13-3-4 Maintenance Guarantees and Security

Maintenance Bonds, or other acceptable guarantees, shall be required to ensure that any maintenance on the improvement needed within two (2) years after the date of the release of the Performance Bond and acceptance of those improvements by the City Council, shall:

- A. Be in favor of the City;
- B. Be obtained from a surety bonding company authorized to do business in the State of Oklahoma;
- C. Be in an amount equal to 110% of the cost of the improvements, itemized by improvement type and certified by the subdivider's project engineer, as approved by the City Council;
- D. Provide conditions satisfactory to the Planning Commission and the City Council and be on a form approved by the City.

13-3-5 Perpetual Maintenance of Common Areas and Improvements

- A. The obligation for perpetual maintenance of any common areas and public or private improvements within a development must be established by the developer and approved by the Planning Commission. Such obligation must be provided for in the plat, or for developments not required to be platted, by a deed restriction or other appropriate document recorded with the County Clerk.
- B. If multiple property owners will be responsible for perpetual maintenance and control of common areas and public or private improvements, a property owners association must be established. Each property owner, by acceptance of a deed to a property within the development, will be deemed to have agreed to be a member of the property owners association and be subject to assessment for maintenance of the common areas and public or private improvements.
- C. If the entire development is to remain under single ownership, the common areas and public or private improvements must be maintained by the property owner.
- D. Declarations and covenants guaranteeing ongoing maintenance of common areas and public or private improvements must be established within a deed of dedication accompanying a plat or, for developments subject to these regulations but not required to be platted, by a deed restriction or other appropriate document recorded with the County Clerk.
- E. The declarations and covenants must expressly authorize the City to correct maintenance deficiencies in areas containing public improvements that the property owner or property owners association is required to maintain, and to recover actual costs and any legal fees from the subject property owner or property owners association if maintenance duties are not carried out, and to establish and enforce a lien against the property in the development for recovery of the costs and fees.

13-3-6 Lots

- A. Lot arrangement shall be such that there will be no foreseeable difficulties, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with Zoning Code and Health Regulations, and in providing driveway access to buildings on such lots from an approved street. Where possible, options for driveways

shall be available so as to avoid requiring vehicles to back into traffic on major streets or collector streets.

- B. Lot dimensions shall comply with the minimum standards of the Zoning Code. Where lots are more than double the minimum required area for the zoning district, the Planning Commission may require that such lots be arranged so as to allow further subdivision and the opening of future streets where they would be necessary to serve such potential lots, all in compliance with the Zoning Code and these Subdivision Regulations.
- C. In general, side lot lines shall be a right angle to street lines (or radial to curving street lines) unless a variation from this rule will give a better street or lot plan. Dimensions of corner lots shall be large enough to allow for erection of buildings, observing the minimum front yard setback from both streets.
- D. In subdivisions where septic tanks or other individual sewer disposal devices are to be installed, the size of all lots included in such subdivision shall be subject to the approval of the County Health Department. and shall comply with all applicable rules of the Oklahoma DEQ (OAC 252:641) regarding design, installation, and maintenance of on-site sewage treatment systems. The Health Department shall notify the subdivider and the Planning Commission in writing of its findings.
- E. In any subdivision where on-site sewage treatment systems, including conventional septic tanks, aerobic treatment units, or alternative systems, are proposed, the design, installation, and operation of such systems must comply with the rules of the Oklahoma DEQ (OAC 252:641). The subdivider shall submit evidence of soil testing, design approval, and a DEQ 'Authorization to Construct' (if required) to the Planning Commission and/or County Health Department before final plat approval.
- F. Double frontage and reverse frontage lots shall be avoided, except where they are needed to provide for the separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.
- G. Lots shall not be required for subdivisions for commercial and industrial use, but when provided should be of appropriate size and arrangement to provide for the required off-street parking and loading facilities based on the intended use. No individual parcel shall be created for a particular commercial or industrial use that has an area, width or depth that is less than is required for the permitted use under the applicable provisions of the Zoning Code.
- H. Building lines shall be provided for all residential subdivisions, in accordance with the applicable setback requirements of the Zoning Code.
- I. In residential areas, a side yard building line shall be provided not less than five (5) feet back from a crosswalk right-of-way line on the side of a lot abutting a mid-block crosswalk or pedestrian way.
- J. These regulations recognize that it may occasionally be necessary and in the public interest to create lots designated as reserve areas to be occupied by stormwater detention, common recreation, private rights-of-way or other similar uses, subject to common area maintenance

provisions. If declared reserved for such purposes as approved by the City, reserve areas are exempt from the lot regulations of this section.

- K. Where there is found to be a producing oil or gas well which is within 150 feet of the boundaries of the proposed subdivision, or an abandoned oil or gas well which is not adequately plugged according to the standards established by State Law and the Oklahoma Corporation Commission and so certified by the Corporation Commission, and which is outside of the boundaries of a proposed subdivision but within 150 feet, there shall be a building setback line so placed on the final plat so as to prevent the erection of any building within 150 feet of such wells. Where there is found to be an abandoned oil or gas well which is adequately plugged according to the standards established by State Law and the Oklahoma Corporation Commission, and that well is within the boundaries of a proposed subdivision, a certificate or clearance from the Oklahoma Corporation Commission shall be obtained for each such well before the final plat of the subdivision is approved.
- L. No building shall be allowed within 75 feet of any section line.

13-3-7 Blocks

- A. The dimensions and shape of blocks shall consider the following:
 - 1. Provide a well-connected street network. Large blocks with limited connectivity discourage walking, contribute to street congestion, and increase travel distances for emergency services. New streets should be designed to accommodate future development;
 - 2. Facilitate safe and convenient vehicular, bicycle, and pedestrian access within and between developments, reducing congestion and enhancing connectivity. Pedestrian, bike, and vehicular access should be safe, direct, and convenient;
 - 3. Enable adequate building sites suitable to the special needs of the type of use contemplated;
 - 4. Zoning requirements (lots sizes and dimensions); and
 - 5. Limitations and opportunities of topography.
- B. Measurement
 - 1. A block is bounded by a public street or a private street built to public standards, excluding alleys.
 - 2. Block perimeter is measured from intersecting street centerlines.
- C. Block size requirements
 - 1. Developments must incorporate existing or new streets that terminate at other existing or new streets to form an interconnected network with the maximum block perimeter length of 2,500 feet.
 - 2. Blocks bounded by one or more State routes may increase their maximum permitted block perimeter lengths by an additional 100 feet for each abutting a State route.
 - 3. There is no maximum block perimeter length when a block contains a civic space of at least one (1) acre in size and when no other use is located in the block.

4. Maximum block perimeter length may be exceeded for affected blocks when steep slopes, pre-existing development, tree protection areas, stream buffers, cemeteries, open space, or easements would make the provision of a complete block infeasible.
- D. Sidewalks, not less than five (5) feet wide or more than 10 feet in width, may be required by the Planning Commission, where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities.
- E. Blocks used for residential purposes should be of sufficient width to allow for two (2) tiers of lots of appropriate depth. Blocks intended for business and industrial use should be of width suitable for the intended use, with due allowance for off-street parking, loading and other service access facilities.

13-3-8 Streets

A. Required Improvements

1. The subdivider of a new subdivision designed to be used for residential, commercial or other purposes, shall lay out, grade and otherwise improve all streets that are designated on the approved plat or that directly serve the subdivision, in accordance with the standards and specifications of these and other applicable regulations.
2. Streets shall conform in design and layout to the standards and principles contained in this chapter and with the technical requirements contained in the Coweta Engineering Design Manual.

B. Street Alignment and Design

1. No subdivision shall be approved unless the area to be subdivided shall have frontage on, and access from, an existing municipal street, unless such street is:
 - a. An existing State or County roadway; or
 - b. A publicly dedicated street shown upon a plat approved by the Planning Commission and recorded in the County Clerk's Office. Such street or highway must be generally improved as required by these regulations and specifications, or be secured by a performance bond required under these regulations, with the width and right-of-way required by these regulations.
2. Wherever the area to be subdivided is to utilize existing road frontage, such road shall be suitably improved as provided in these Subdivision Regulations.
3. The arrangement, character, extent, width, grade and location of all streets shall conform to all of the elements of the Comprehensive Plan and be designed in accordance with the provisions of these and other applicable regulations.
4. Streets shall be related appropriately to the topography. Local roads shall be curved wherever possible to provide topographic compatibility, facilitate good drainage and allow gravity flow sewer. All streets shall be arranged so as to obtain as many as possible of the building sites at, or above, the grades of the streets. A combination of steep grades and curves shall be avoided.

5. Design of the development shall provide for the continuation of streets between adjacent properties, when such continuation is necessary for convenient movement of traffic, effective fire protection, efficient provision of utilities, and where such continuation is in accordance with the Comprehensive Plan.
6. Street jogs with center line offsets of less than 150 feet shall be avoided.
7. A tangent of not less than 100 feet in length shall be introduced between reverse curves on major streets and collector streets.
8. All thoroughfares shall be properly related to special traffic generators such as industries, business districts, schools, churches and shopping centers, to population densities, and to the pattern of existing and proposed land uses.
9. For low-density residential areas, a maximum of 40 acres should be served by one collector street. Where more than 40 acres will be served, the Planning Commission may require higher-quality street-improvement standards.
10. Every lot within a subdivision shall have access to a public street or to a private street built to public standards, in accordance with State law.
11. In business and industrial developments, the streets and other access ways shall be planned in connection with the grouping of buildings, the provision of alleys, truck loading and maneuvering areas, walks and parking areas, so as to minimize conflict of movement between the various types of traffic, including pedestrians.
12. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by topography or other physical conditions, and unless, in the opinion of the Planning Commission, such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout, or the most advantageous future development of adjacent tracts.
13. Where the plat to be submitted includes only part of the tract owned or intended for development by the subdivider, a tentative plan of the proposed future street system for the unsubdivided portion shall also be prepared and submitted by the subdivider.
14. No street name shall be used which will duplicate or resemble the names of existing streets. Street names shall be subject to the approval of the Planning Commission and the City Council.
15. Major streets in the subdivision shall be planned to conform with the Major Street Plan or Comprehensive Plan adopted by the City, and provision shall be made for the extension of major and secondary thoroughfares. Except for courts, places or cul-de-sacs, streets normally shall provide for a reasonable linkage with streets already dedicated in adjoining or adjacent subdivisions, provide for future connections to adjoining unsubdivided tracts, and be a reasonable projection of streets in the nearest subdivided tracts.
16. Whenever a subdivision abuts or contains an existing or proposed major street, the Planning Commission may require service streets, reverse frontage with screened plantings contained in a non-access reservation along the rear property line, deep

- lots or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
17. Minor streets shall be laid out so that their use by through traffic will be discouraged.
 18. Railroad rights-of-way and limited access highways, where so located as to affect the subdivision of adjoining lands, shall be treated as follows:
 - a. In residential zoning districts, a buffer strip at least 25 feet in depth, in addition to the normal depth of the lot required in the district, shall be provided adjacent to the railroad right-of-way or limited access highway. This strip shall be part of the platted lots and shall be designated as follows on the plat: 'This strip is reserved for screening. The placement of structures hereon is prohibited.'
 - b. In commercial and industrial zoning districts, the nearest street extending parallel or approximately parallel to the railroad shall, wherever practicable, be at a sufficient distance away to ensure suitable depth for commercial or industrial sites.
 - c. Streets parallel to the railroad, when intersecting a street which crosses the railroad at grade, shall, to the extent practicable, be at a distance of at least 150 feet from the railroad right-of-way. Such distance shall be determined with due consideration of the minimum distance required for future separation of grades by means of appropriate approach gradients.
 19. Reserve strips controlling access to minor streets by parties or persons other than public agencies shall be prohibited.
 20. Half-streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with other requirements and when it is practical to obtain the dedication of the other half of the street easement when the adjoining property is subdivided. Whenever a dedicated half-street is adjacent to a tract to be subdivided, the other half of the street shall be included within the plat for the tract which is being subdivided.
 21. Where a major or minor street lies wholly within the proposed subdivision, the full right-of-way shall be dedicated. Where it forms the boundary, one-half may be dedicated if determined equitable and feasible by the Planning Commission.
 22. Finished street elevations within any designated floodplain shall be constructed at or above the established base flood elevation (100-year flood) in accordance with FEMA and City floodplain management regulations. The criteria established in the following tables and figures shall be followed in the layout and design of all streets.

Local Street Design Criteria						
Zoning District	AG, RS-1, RMH	RS-2, RS-3	RD, RM-1	O,CN,CG,CH	DT	IL,IM,IH

Local Street Design Criteria							
Speed Limit/Design Speed	30 MPH	25 MPH	25 MPH	30 MPH	25 MPH	30 MPH	
Curb Required	No	Yes	Yes	Yes	Yes	No	
Horizontal Radius (min)	150 ft	100 ft	100 ft	100 ft	100 ft	100 ft	
Profile Grade (min)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	
Profile Grade (max)	10%	15%	12%	12%	12%	10%	
Clear Roadway Width	22 ft	26 ft	27-34 ft	22 ft	38 ft	24 ft	
Lane Width	11 ft	n/a	11 ft	11 ft	11 ft	12 ft	
No. of Lanes	2	2	2	2	2	2	
Left Turn Lane/Median	No	No	No	No	No	No	
On-Street Parking	None	One side unmarked	One or both sides marked	None	Both sides marked	None	
On-Street Parking Width	n/a	n/a	7 ft	n/a	8 ft	n/a	
Bulb-Outs Required	No	No	Yes	No	Yes	No	
Sidewalk	One side	Both sides	Both sides	Both sides	Both sides	One side	
Sidewalk Width	5 ft	5 ft	6 ft	6 ft	6 ft	6 ft	
Sidewalk Buffer Width (min)	8 ft	5 ft	5 ft	6 ft	5 ft	8 ft	
Street Tree Spacing	75 ft	50 ft	50 ft	75 ft	30 ft	75 ft	
Minimum Right-of-Way Width	60 ft	60 ft	60 ft	60 ft	60 ft	60 ft	

Collector Street Design Criteria						
Zoning District	AG, RS-1, RMH	RS-2, RS-3	RD, RM-1	O,CN,CG, CH	DT	IL,IM,IH
Speed Limit/ Design Speed	30 MPH	25 MPH	25 MPH	30 MPH	25 MPH	30 MPH
Curb Required	No	Yes	Yes	Yes	Yes	No
Horizontal Radius (min)	375 ft	250 ft	250 ft	250 ft	250 ft	375 ft
Profile Grade (min)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Profile Grade (max)	10%	10%	10%	10%	10%	10%
Clear Roadway Width	33 ft	33 ft	49 ft	33 ft	38 ft	36 ft
Lane Width	11 ft	11 ft	11 ft	11 ft	11 ft	12 ft
No. of Lanes	2	2	2	2	2	2
Left Turn Lane/Median	Yes	Yes	Yes	Yes	No	Yes
On-Street Parking	None	None	Both sides	None	Both sides	None
On-Street Parking Width	n/a	n/a	8 ft	n/a	8 ft	n/a

Collector Street Design Criteria						
Bulb-Outs Required	No	No	Yes	No	Yes	No
Sidewalk	One side	Both sides	Both sides	Both sides	Both sides	One side
Sidewalk Width	5 ft	5 ft	6 ft	6 ft	6 ft	6 ft
Sidewalk Buffer Width (min)	8 ft	5 ft	5 ft	8 ft	5 ft	8 ft
Street Tree Spacing	75 ft	50 ft	50 ft	75 ft	30 ft	75 ft
Minimum ROW Width	60 ft	70 ft	70 ft	70 ft	70 ft	70 ft

Arterial Street Design Criteria						
Zoning District	AG, RS-1, RMH	RS-2, RS-3	RD, RM-1	O,CN,CG,CH	DT	IL,IM,IH
Speed Limit/Design Speed	35 MPH	30 MPH	30 MPH	35 MPH	30 MPH	40 MPH
Curb Required	No	Yes	Yes	No	Yes	No
Horizontal Radius (min)	550 ft	375 ft	375 ft	375 ft	375 ft	375 ft
Profile Grade (min)	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%
Profile Grade (max)	10%	10%	10%	10%	10%	10%
Clear Roadway Width	33 ft	33 ft	49 ft	33 ft	38 ft	36 ft
Lane Width	11 ft	11 ft	11 ft	11 ft	11 ft	12 ft
No. of Lanes	4	4	4	4	4	4
Left Turn Lane/Median	Yes	Yes	Yes	Yes	Yes	Yes
On-Street Parking	None	None	None	None	Both sides	None
On-Street Parking Width	n/a	n/a	n/a	n/a	8 ft	n/a
Bulb-Outs Required	No	No	No	No	Yes	No
Sidewalk	Both sides	Both sides	Both sides	Both sides	Both sides	Both sides
Sidewalk Width	5 ft	6 ft	6 ft	6 ft	7 ft	6 ft
Sidewalk Buffer Width	8 ft	8 ft	8 ft	8 ft	6 ft	8 ft
Street Tree Spacing	75 ft	50 ft	50 ft	75 ft	30 ft	75 ft
Minimum Right-of-Way Width	90 ft	90 ft	90 ft	100 ft	90 ft	100 ft

C. Dead-End Streets

1. The maximum length of a permanent dead-end-street (cul-de-sac) shall normally be 400 feet, including a turnaround which shall be provided at the closed end, with an inside curb radius of at least fifty (50) feet and a right-of-way radius of not less than 60 feet.

2. Temporary dead-end streets (stub streets) must be installed to meet the block standards of Section 13-3-8, with the following provisions:
 - a. The right-of-way and the improvements shall be extended to the property line.
 - b. The stub-out street right-of-way, pavement, and curbing must extend to the boundary of the abutting parcel to the point where the connection to the anticipated street is expected.
 - c. Proper provisions shall be made for adequate storm drainage so that storm water does not collect at the ends of these temporary streets.
 - d. Stub-out streets must be located so that the portion of the block perimeter located on the development does not exceed 50% of the applicable block perimeter maximum.
 - e. If the stub street is greater than 150 ft in length, as measured from the centerline of the intersecting street to the perimeter of the subdivision to which the stub street extends, a temporary turnaround must be provided.
 - f. If a stub-out street exists on an abutting parcel, the street system of any new development must connect to the stub-out street to form a through street.
 - g. A stub-out street may not be required, or provide pedestrian and bicycle-only access, where steep slopes, highways, waterways, tree conservation areas, stream buffers, cemeteries, open space, civic space, or easements would make the provision of a stub-out street infeasible.
3. Where a road does not extend to the subdivision boundary and no continuation is required, its terminus shall not be nearer than 50 feet from the boundary, unless an easement for drainage, utilities, or pedestrian access is reserved. However, the Planning Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities. A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall, in general, be limited in length, in accordance with the design standards of these regulations.

D. Intersections

1. Streets shall be laid out to intersect at right angles and may be curved, if necessary, in order to make this possible. In no event shall a street intersect any other street at any angle of less than 75 degrees.
2. Curb radii for street corners shall be the following dependent on street type and context:

	Residential and Downtown	Commercial	Industrial
Local	15 ft	20 ft	30 ft
Collector	20 ft	25 ft	30 ft
Arterial	25 ft	25 ft	30 ft

3. A 25-foot area of clear vision at street intersections in subdivisions shall be provided. This area shall be kept clear of all structures and vegetation exceeding a height of two (2) feet above the established municipal street elevation. Where any street intersection will involve earth banks or existing vegetation inside any lot corner, that would create a traffic hazard by limiting visibility, the subdivider shall cut such ground and/or vegetation, including trees, in connection with the grading of the public right-of-way, to the extent deemed necessary to provide adequate and unobstructed vision.
4. Intersections shall be designed with a flat grade wherever practical. In hilly or rolling areas, at the approach to an intersection, a leveling area shall be provided having not greater than a two percent (2%) rate at a distance of 60 feet, measured from the nearest right-of-way line of the intersecting street.

E. Construction

1. All compaction tests and other compliance testing shall be performed at the cost of the subdivider and at no cost to the City. Paving thickness compliance testing shall require a minimum of one core sample per 500 feet of street length and a minimum of four (4) core samples per subdivision or phase.
2. Mixed material shall be deposited uniformly on the subgrade, in accordance with the grade, lines and sections on applicable plans. Material so deposited shall be manipulated and otherwise aerated for proper compaction. Segregated areas shall be re-mixed to leave the material in an entirely loosened condition prior to the application of rollers. The aerated mixture shall then be spread and rolled in a manner approved by the City. Rolling, measured by the hour, shall be continued until the stabilized material is firmly compacted. Blading, dragging and leveling shall be conducted during the entire process of rolling and compacting, such that the surface, when compacted, shall be smooth and free from roller marks, and high or low spots, and shall conform to the line, grade and cross-section shown on applicable plans. When necessary to eliminate irregularities to meet surface tolerance, the trimming of not more than 0.25inch (6.4mm) average thickness of the base may be permitted.
3. Compaction shall be performed immediately after final mixing, in which the compaction operation shall be a continuation of the final mixing operation. The target density shall be verified in the field by moisture density tests on representative samples. The mixture shall be compacted without delay and before any appreciable loss of mixing moisture occurs. Mixing and compaction operations shall be performed in such a manner that the mixture will be compacted within plus or minus three (3) percentage points of optimum moisture content. Changes in specified moisture requirements to meet field conditions may be authorized by the City.

4. Compaction shall continue until the entire depth of the mixture is uniformly compacted to not less than 100% of target density. The rate of operation and the number of rollers shall be sufficient to uniformly compact each section being processed, within two (2) hours of final mixing. All irregularities, depressions or weak spots shall be corrected immediately by scarifying the areas affected, adding or removing material as required, then re-shaping and re-compacting by sprinkling and rolling. In addition to the requirements specified for density, the full depth of the material shall be uniformly compacted to the extent necessary to remain firm and stable under construction equipment.

13-3-9 Alleys

- A. Alleys may be required by the Planning Commission in commercial and industrial subdivisions to provide for service access, such as off-street loading, unloading and parking, consistent with and adequate for the uses proposed.
- B. Alley right-of-way for residential areas shall not be less than 20 feet in width.
- C. Alley right-of-way serving commercial and industrial areas shall not be less than 25 feet in width.
- D. Alley intersections and sharp changes in alignment shall be avoided, but where necessary, corners shall permit safe vehicular movement.
- E. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities at the dead end, as determined by the Planning Commission.

13-3-10 Sidewalks and Trails

- A. As a critical component to the City's transportation system, sidewalks serve to provide for the health, safety, and welfare of the City. Sidewalks provide safe pathways for people to move about the City and reduce the potential for pedestrian-automobile collisions. Furthermore, sidewalks can serve both residential and non-residential uses by increasing connectivity (i.e., points and types of access to an area) and providing an additional means of travel.
- B. Developers are required to construct sidewalks for all new subdivisions and fronting site developments, in accordance with the street design standards table in Section 13-3-8.
- C. A sidewalk buffer strip of grassed or landscaped area at least five (5) feet wide shall separate all sidewalks from adjacent curbs or edge of pavement if no curb exists.
- D. Pedestrian way design and construction shall comply with the accessibility standards set forth in the Public Rights-of-Way Accessibility Guidelines (PROWAG), including the design and installation of curb ramps and other features to ensure safe and equitable access for all users, including individuals with disabilities.
- E. Trails shall be located and configured according to the trails master plan and include greenways, separate shared-use paths, and/or bike lanes.
- F. Timing of completion.

1. Unless otherwise stated, all required sidewalks and trail dedications shall be completed prior to acceptance of the public improvements and approval of the final plat.
2. Sidewalk connections, ramps, and crossings at street intersections must be completed by the subdivider prior to the approval of the final plat. The construction of the sidewalk will become the responsibility of the builder issued the building permit. The sidewalk must be completed prior to the issuance of the certificate of occupancy.
3. If any required sidewalks remain incomplete two (2) years after final plat approval—excluding those covered by a fee-in-lieu agreement—the subdivider shall be responsible for constructing all remaining sidewalk gaps.

G. Sidewalk fee-in-lieu of construction.

1. The City's preference is for all required sidewalks to be constructed at the time of development. However, in certain cases—such as safety concerns, geographic constraints, or situations where construction would result in economic waste—on-site construction may not be practical.
2. In such cases, the Planning Commission may grant an exemption and require the developer to pay a fee in lieu of construction. This fee shall be 115% of the estimated total construction cost, including labor.
3. All private and public entities must either construct the required sidewalks or trails or pay the fee-in-lieu. No exemptions will be granted without satisfying one of the approved conditions and obtaining Planning Commission approval.

13-3-11 Street and Regulatory Signs

The subdivider shall install all traffic-related regulatory and street name signs required by the City Council.

13-3-12 Street Lights

- A. Provisions shall be made by the subdivider for adequate lighting of public streets within the proposed subdivision. The placement of lights shall be approved by the Planning Commission and the City Council on the preliminary plat.
- B. Unless otherwise approved by the City Council, streetlights shall be placed at intersections and at the back of any cul-de-sac, unless the back of the cul-de-sac is located within 150 feet of an intersection, in which case, the light shall be placed at the intersection.
- C. Unless otherwise approved by the City Council, Streetlights will be placed a minimum of 300 feet apart in addition to any intersection or cul-de-sacs.
- D. Street light fixtures shall be approved in advance by the Planning Commission and the City Council and shall conform to the standards and specifications required by the electric utility company that will provide electric service to the subdivision. Generally, these requirements

include the use of a fiber glass/concrete pole, with the light fixture set at least 20 feet above the roadway on a three-foot arm.

- E. Unless otherwise approved by the City Council, each fixture shall be a full-cutoff, energy-efficient LED luminaire that provides an equivalent illumination of approximately 100 watts HPS ($\approx$ 8,000 lumens) and meets IES (Illuminating Engineering Society) roadway-lighting standards for residential streets. All lighting shall be dark-sky compliant to minimize glare, light trespass, and skyglow.
- F. The cost of installation and maintenance of all light poles (including decorative light poles) and/or any additional lighting requested by the subdivider that exceeds the standards established in these regulations shall be the responsibility of the subdivider or the homeowner's association if the same is not paid by the electric utility company.
- G. Notwithstanding anything to the contrary in the Coweta City Code and these Subdivision Regulations, the City shall not have any responsibility for any of the costs of maintenance and operation of any street lights in any subdivision until such time that certificates of occupancy have been issued to at least 75% of the total number of lots within the subdivision phase, according to the plat. The City Manager shall have the authority to accept the street lights when presented with sufficient evidence that all subdivision requirements have been met. The acceptance of the street lights shall be acknowledged in the minutes of the City Council.

13-3-13 Stormwater

A. Requirements

- 1. All subdivisions of land shall comply with the stormwater management design and improvement requirements established in Coweta City Code Title 14 and with the technical details and requirements within the Coweta Engineering Design Manual.
- 2. All stormwater runoff shall be subject to review and approval by the appropriate public authority with regard to analysis, design and construction of drainageway facilities, and the appropriate public authority shall have the right to maintain, or to cause to be maintained, the drainageway system for its intended purposes.
- 3. All stormwater-discharge points, inlets, manholes, and other system appurtenances shall include GPS coordinates shown on both construction drawings and as-built plans.
- 4. Drainageway facilities, both public and private, shall consist of all elements necessary to convey stormwater runoff from its initial contact with the earth to its disposition in either the Arkansas River or Coweta Creek. The drainageway system, both public and private, shall consist of storm sewers (which are closed conduits); improved channels constructed in conformity with adopted City Standards; unimproved drainageways left in their natural condition; the areas covered by restricted drainageway easements for the purpose of providing overland flow; and all appurtenances to the above, including inlets, manholes, junction boxes,

headwalls, dissipators, culverts, etc. All portions of the drainageway system that exist on dedicated rights-of-way or restricted drainageway easements shall be owned and maintained by the City.

5. All of the plan sheets and the cover sheet of the stormwater calculation report shall be signed, sealed and dated by a Professional Engineer licensed in the State of Oklahoma prior to submitting the plans to the City Engineer for review.
6. Directly above the title block and signature of the Professional Engineer, licensed in the State of Oklahoma, the first sheet of the plans shall contain the following statement: 'I hereby certify that I am familiar with the adopted ordinances and regulations of the City of Coweta governing drainage, detention, streets, water, sanitary sewer, and earth change; that these plans have been prepared under my direct supervision; the above and foregoing comply with all governing ordinances and the adopted standards of the City of Coweta pertaining to drainage, detention, streets, water, sanitary sewer, and earth change to the best of my knowledge, and belief.'
7. All developments with private streets and drainage facilities shall contain the following statement on the first sheet of the plans directly above the title block and signature of the Professional Engineer licensed in the State of Oklahoma. 'These plans comply with all governing ordinances and the adopted criteria of the City of Coweta pertaining to drainage, detention and earth change to the best of my knowledge, and information and belief.'
8. Bridges, Culverts And Low Water Crossings
 - a. Bridges, culverts and low water crossings of primary benefit to the subdivider, as determined by the Planning Commission, shall be constructed at the full expense of the subdivider without reimbursement from City or county government.
 - b. Bridges, culverts or low water crossings shall be provided where watercourses cross continuous streets or alleys and shall generally be sized and constructed to accommodate the 100-year frequency rain, based on the drainage area involved.
 - c. Design of bridges, low water crossings and culverts shall conform to City construction specifications.

13-3-14 Earthwork and Erosion Control

A. Applicability

1. A Stormwater Pollution Prevention Plan (SWPPP), the Oklahoma Department of Environmental Quality (ODEQ) National Pollutant Discharge Elimination System (NPDES) and Notice of Intent (NOI) submittal documents, and the General Permit OKR10 for stormwater discharges from construction activities, that disturb one (1)

or more acres of land, is required to be submitted to the City to review and retain regarding erosion and sediment control at construction sites.

2. Earth change permit applications shall be required for areas as determined by the City Engineer.
 3. All subdivisions of land shall comply with the stormwater management design and improvement requirements established in Coweta City Code Title 14 and with the technical details and requirements within the Coweta Engineering Design Manual.
- B. Minimum Approval Requirements

1. The plans and specifications accompanying the permit application shall contain the following data as deemed applicable by the City Engineer:
 - a. A vicinity sketch at the scale of 1 inch to 200 feet indicating the site location as well as the adjacent properties within 500 feet of the site boundaries.
 - b. A boundary line survey of the site on which the work is to be performed.
 - c. A plan of the site at a minimum scale of 1 inch to 100 feet showing:
 - (1) Name, address and telephone number of the legal landowner, subdivider and petitioner.
 - (2) A timing schedule indicating the anticipated starting and completion dates of the development's construction sequence and the time of exposure of each area prior to the completion of effective erosion and sediment control measures.
 - (3) Estimate of the quantity of excavation and fill involved.
 - (4) Existing topography at a maximum of 2-foot contour intervals.
 - (5) Proposed topography at a maximum of 2-foot contour intervals.
 - (6) Location of any structure or natural feature on the site.
 - (7) Location of any structure or natural feature on the land adjacent to site and within 50 feet of the site boundary line.
 - (8) Location of any proposed additional structures or development on site.
 - (9) Plans of all drainage provisions, retaining walls, cribbing, planting erosion control measures, or other temporary or permanent soil erosion control measures to be constructed in connection with, or as a part of the proposed work together with a map showing the drainage area of land tributary to the site and estimated runoff of the area served by any drains.
 - d. The estimated total cost of the required temporary and permanent soil erosion control measures shall be provided.
 - e. Other information or data that may be required by the City Engineer such as a soil investigation report which shall include but not be limited to, data regarding the nature, distribution and supporting ability of existing soils and rock on the site.

C. Principles of Applying Erosion and Sediment Control Criteria

1. Plan the development to fit the particular topography, soils, waterways and natural vegetation at a site.
2. Expose the smallest practical area of land for the shortest possible time.
3. Apply soil erosion control practices as a first line of defense against on-site damage.
4. Apply sediment control practices as a perimeter protection to prevent off-site damage.
5. Provide for routine maintenance, inspections, and corrective actions throughout the construction period to ensure continued effectiveness of all measures.

13-3-15 Floodplain Areas

- A. All subdivisions of land shall comply with the flood hazard prevention requirements established in Coweta City Code Title 14 and all applicable City requirements.
- B. Lands that are identified on the official City flood maps as being subject to flooding hazards and periodic inundation, shall not be subdivided into lots, tracts or parcels for any use which would be incompatible with such flooding hazards except as follows:
 1. Improvements meeting the standards and requirements of the City designed to render such land safe for residential or other uses are made, or satisfactorily guaranteed on such land meeting the approval of the City Engineer as being in accordance with the engineering design criteria; and
 2. The intended use of the land is permitted by the adopted ordinances and regulations of the City because such use has a low flood damage potential and will not otherwise obstruct the flow of flood water or increase the flooding hazard to property already developed; or
 3. The intended use of the land is permitted by a special exception variance, or by other adopted policy of the City.
- C. A dedicated drainage easement shall encompass all land lying below the water surface elevation generated by the 100-year storm event and resulting stormwater runoff. Such easements in developments shall have a maintenance program carried out by the property owner's association. The Planning Commission, at its discretion, may require these dedicated drainage easements to be platted as Common Area.
- D. Site improvement shall provide for the grading of all building pads to an elevation where the lowest finished floor elevations shall be a minimum of one (1) foot above the 100-year storm event. In all developments, surface water from each dwelling lot will flow away from each dwelling in a controlled manner to an approved collection or disposal location.
- E. Utilities: All utilities located within the floodplain or any other open channel or swale shall be designed to prevent infiltration of flood water and to protect against washouts. Location of the utilities shall not restrict flood flows.
- F. Official floodplain designations and delineations of the floodplains and floodways denoting limits of permissible developments shall be shown on all preliminary plans and

final plats submitted for approval wherever such plans and plats contain a floodplain segment. In any case in which official floodplains are not delineated, they shall be determined on the basis of these standards and shall be shown on all preliminary plans and final plats submitted for approval.

- G. The limits of the floodplains shown on regulatory floodplain maps are close approximations based on extrapolations made between widely spaced cross sections. Therefore, the actual limits of the floodplain shall be determined by extracting base flood elevations from the stream profile and determining where each elevation intersects the adjacent existing topography. If a conflict exists between the overlay of the regulatory floodplain map and the existing topography, a submittal of a Letter of Map Amendment (LOMA) or Letter of Map Revision (LOMR) by the Subdivider/Owner to the Federal Emergency Management Agency (FEMA) is required when the FEMA Flood Insurance Rate Map (FIRM) conflicts with proposed lots or other proposed structures or improvements.

H. Floodplain Development Permits and Enforcement

1. No grading, filling, construction, or other development activity shall occur within a designated floodplain without first obtaining a Floodplain Development Permit from the City Engineer or designated Floodplain Administrator, in accordance with Title 14 and FEMA NFIP standards.
2. Permit applications shall include sufficient engineering data to determine compliance with base-flood elevations, floodway encroachments, and compensatory storage requirements.
3. The City Engineer shall have the authority to inspect any site within a flood-hazard area to verify compliance with approved permits, plats, and plans.
4. Violations of this section, an approved floodplain development permit, or any related provision of Title 14 may result in a stop-work order or suspension of building and subdivision approvals until compliance is achieved; administrative penalties or civil fines as authorized by ordinance; Restoration or removal orders requiring correction of unauthorized fill, grading, or construction; and referral to the State NFIP Coordinator or FEMA Region VI for enforcement under federal flood-insurance regulations.
5. The City may undertake or contract emergency remediation or removal work if the party responsible fails to act, and may recover all costs, fees, and legal expenses through liens or other lawful means.

13-3-16 Water System

- A. Subdivisions in the City must be served by a public drinking water supply approved by the Oklahoma Department of Environmental Quality.
- B. All water system design elements in subdivisions shall conform to the Coweta Engineering Design Manual and to the most recent requirements of OAC 252:626, Public Water Supply

Construction Standards, as adopted and amended by the Oklahoma Department of Environmental Quality.

- C. The subdivider shall install water lines and fire hydrants in accordance with the standards and specifications of these and other applicable regulations, in no case shall the use of flexible PVC pipe or any rigid plastic with a wall thickness and strength of less than ASA Standard Schedule 40 be allowed.
- D. Newly constructed water lines require solid copper tracer wire with magnetic locate tape.
- E. All water valves and fire hydrants require GPS locations be put on the drawings and on all as-builts.
- F. All service line crossovers are to be polyethylene or schedule 40 PVC pipe. No copper piping shall be allowed.
- G. Action shall be taken by the subdivider to provide an adequate supply of potable water to every lot in the subdivision.
- H. Fire hydrants shall be required for all subdivisions except those approved for low density, Residential Estates Zoning Districts in which individual wells are to be used. Fire hydrants shall be located no more than 600 feet apart and within 500 feet of any structure. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements, shall be installed before any final paving of a street shown on the subdivision plat.
- I. Where a City or rural water district water main is accessible, the subdivider shall install adequate water facilities, including fire hydrants, subject to the specifications of City or rural water district requirements, as appropriate or directed. All water mains shall be at least six (6) inches in diameter.
- J. Water main extensions shall be approved by appropriate government agencies.
- K. To facilitate the above, the location of all fire hydrants, all water supply improvements and the boundary lines of proposed districts, indicating all improvements proposed to be served, shall be shown on the preliminary plat, and the cost of installing the same shall be included in the improvement bond to be furnished by the subdivider.
- L. In subdivisions approved by the Planning Commission within low-density residential subdivisions, if a City or rural water district system is not reasonably accessible, individual wells or a central water system may be used—provided they ensure an adequate supply of potable water to every lot in the subdivision and comply with regulations of the Oklahoma Water Resources Board and the Oklahoma Department of Environmental Quality. Water samples must be submitted to the State Health Department for approval, and all individual wells and central water systems must be approved by the State.
- M. If the Planning Commission requires that a connection to a public water main be eventually provided as a condition for approval of an individual well or central water system, the subdivider shall make arrangements, including the provision of necessary dedicated easements for future water service, at the time the final plat receives final approval. Improvement or cash bonds may be required to ensure compliance.

- N. Locator wires shall be placed at each meter and valve along all water lines.
- O. Lines shall be buried a minimum depth of 36 inches.

13-3-17 Wastewater System

A. Requirements

1. All wastewater system design and construction elements in land subdivisions shall meet the technical standards set forth in the Coweta Engineering Design Manual and the most recent modification of OAC 252:656 of the Oklahoma Department of Environmental Quality.
2. In accordance with the standards and specifications of these and other applicable regulations, the subdivider shall install sanitary sewers whenever a Sanitary Sewer System is within 300 feet, as required in the Coweta City Code or by the Planning Commission. If a City sanitary sewer is placed in a street or alley abutting any property, the subdivider thereof shall be required to connect to the sewer for the purpose of waste disposal, and it shall be unlawful for any such subdivider or occupant to maintain upon any such property an individual sewage disposal system, consistent with City Ordinances.
3. Whenever a City sanitary sewer is not within 300 feet, septic tanks or other unit disposal systems may be used; provided that such systems comply with the requirements of the Oklahoma State Department of Health and are not located within 20 feet of the lot line of the lot on which the system is located. Where sanitary sewer systems are not reasonably accessible and will not become available for a period in excess of five (5) years, the subdivider may install sewage systems as follows:
 - a. Medium-density residential subdivisions: central sewer system only; no individual disposal systems will be permitted. Where plans exist for a City sewer system to be built in a greater period than five (5) years, the subdivider shall install all sewer lines, laterals and mains to be in permanent conformance with such plans and ready for connection to such public sewer main.
 - b. Low-density residential subdivisions: Individual disposal systems or central sewer systems may be used; however, easements for future use shall be included on the final plat.
4. All sanitary sewer improvements shall be designed by a Professional Engineer licensed in the State of Oklahoma, and shall be approved by the City Council, the Planning Commission, the Oklahoma Department of Environmental Quality, the State Health Department and other appropriate agencies. Sanitary sewer design shall be in accordance with the design criteria for sanitary sewers in these Subdivision Regulations. In no case shall the use of flexible PVC pipe or any rigid

plastic pipe with a wall thickness and strength of less than ASA Standard Schedule 40, be allowed. All newly constructed sanitary sewer lines require magnetic locate tape placed in the ditch at all main connections.

5. All sanitary sewer manholes require GPS locations put on the drawings and all as-builts.
6. When required or proposed sanitary sewer improvements correspond with recommended improvements contained in the Comprehensive Plan, or other approved sanitary sewer report or document, the facility shall be designed in accordance with the Plan or report.
7. When an improvement required by the Comprehensive Plan, or other approved sanitary sewer report or document, exceeds the capacity needed to serve the proposed development, the City, may participate in the excess cost of such facility, in accordance with the City's adopted Utility Extension Policies.
8. In low and medium density residential districts where a public sanitary sewer system is reasonably accessible, and will become available within a reasonable time, not to exceed five (5) years, the subdivider may choose one of the following alternatives:
 - a. Central Sewer System: Maintenance cost to be assessed against each property benefited. Where plans for future public sanitary sewer systems exist, the subdivider shall install the sewer lines, laterals and mains to be in permanent conformance with such plans and ready for connection to such public sewer mains.
 - b. Individual Disposal Systems: The subdivider shall install sanitary sewer lines, laterals and mains from the street curb to a point in the subdivision boundary where a future connection with the public sewer main shall be made, in addition to allowing the use of individual systems on each site. As a condition of Building Permit approval on each housing unit in such an area, sewer lines shall be placed from the house to the street lines, and a connection shall be available in the home to connect from the individual disposal system to the sewer system when the public sewers become available. Such sewer systems shall be capped until ready for use and shall conform to all plans for installation of the public sewer system, where such exist, and shall be ready for connection to such public sewer main.
9. Sewage collection and disposal systems in high density residential and nonresidential districts shall connect with public sanitary sewer systems. Sewers shall be installed to serve each lot and to grades and sizes required by local officials and approving agencies. No individual disposal system or treatment plants, private or group disposal systems shall be permitted. Sanitary sewer facilities, including the installation of laterals in the right-of-way, shall at all times be subject to the

specifications, rules, regulations and guidelines of the City, and the State Health Department.

13-3-18 Placement of Utilities

- A. Location of utilities. All authorized public underground utilities, with the exception of power and communications, shall be located within the right-of-way of a public street or within an easement designated for such use. Placement of the various authorized utilities (power, gas, communications, water and sewer) shall conform to the specific locations designated for such use by the City.
- B. 10-foot utility easements shall be required along the front yard of all lots to accommodate power and communications utility placement.
- C. Underground installation of new utilities. Within all new subdivisions utility systems, including water, sewer, gas, communication and electric, along with component parts, structures, appendages and materials, shall be installed underground in a manner approved by the applicable utility provider and in accordance with all City Ordinances. Above ground utility systems will not be permitted, except where certain appurtenances and accessories must be installed above ground for servicing. Additionally, all existing overhead utilities located along any exterior property lines of the project, except along section line roads, shall be buried.
- D. Service from existing overhead utilities. Lots that abut existing easements or public rights-of-way where overhead utility supply lines and service connections have previously been installed may be supplied with service from those overhead lines, but the service lines, connections, and drops from the overhead lines shall be installed underground, except to serve single-family residential structures located on agricultural parcels five (5) acres in size or greater. No service connections, lines, or drops shall cross above any roadway or highway. Should a road widening or an extension of service, or other such conditions occur as a result of a subdivision or new commercial/industrial development exceeding 20,000 square feet in floor area and necessitate the replacement or relocation of such utilities, such replacements or relocation shall be underground, except along section line roads.
- E. Compliance with other regulations. Any utility work required in conjunction with an authorized land disturbance permit that must be completed within the right-of-way, a City easement or on other City property shall comply with the requirements of any City Ordinance or policy regarding the installation of utilities on the property. Any installations performed within the state-owned right-of-way or property shall also comply with any applicable rules, regulation and guidelines developed for that use by the state.
- F. Utilities located outside of the right-of-way. When, in the course of development, it becomes necessary to construct utilities outside of the right-of-way or City easements, the development shall conform to this and other applicable ordinances and regulations. Any permanent or temporary easements required for the construction shall be obtained in accordance with applicable ordinances and regulations. The easement area shall be

returned to a condition that is equal to or better than the condition that existed prior to construction.

13-3-19 Easements

A. Street and Alley

1. Where alleys are not provided, easements not less than 10 feet wide shall be provided along each rear lot line, and alongside lot lines where necessary for use by public and private utilities. The Planning Commission may require easements of greater width for the extension of main storm and sanitary sewers and other utilities, where it is deemed necessary.
2. Right-of-way widths in excess of the standards designated in these regulations shall be required whenever, due to topography, additional width is necessary to provide adequate earth slopes. Such slopes shall not be in excess of 3 to 1.

B. Utility

1. Dedicated easements centered on rear lot lines shall be provided for utilities (public and private) such easements shall be at least 10 feet wide. Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements in adjoining properties.
2. In large-lot or 'residential-estates' subdivisions, or where topographical or other conditions are such as to make impractical the inclusion of utilities within the rear lot lines, perpetual unobstructed easements at least 10 feet in width shall be provided alongside lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the final plat.

C. Stormwater

1. Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially to the lines of such watercourse, and of such width and/or construction as will be adequate for the purpose. Wherever possible, it is desirable that the drainage be maintained by an open channel with landscaped banks and adequate width, for maximum potential volume of flow.
2. Where topography or other conditions are such as to make the inclusion of drainage facilities within road rights-of-way impractical, perpetual unobstructed easements at least 15 feet in width for such drainage facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the final plat. Drainage easements shall be carried from the road to a natural watercourse or to other drainage facilities.
3. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights and easements must be secured and indicated on the final plat.

4. The subdivider shall grant in fee simple title, or dedicate a drainage or conservation easement, land on both sides of existing watercourses, to a distance to be determined by the Planning Commission, based on the appropriate Floodway and Floodway Fringe Zoning District delineations.
5. Low-lying lands along watercourses subject to flooding or overflow during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways. Such land or lands subject to periodic flooding shall not be computed in determining the number of lots to be utilized for average density procedures, not for computing the area requirements of any lot.

13-3-20 Landscaping

- A. Statement of Landscaping Concept. A Statement of Landscaping Concept will be submitted with the planned unit development or the preliminary plat if not a part of a planned unit development for all residential subdivisions. The Statement of Landscaping Concept will address the proposed landscaping vision and requirements for the residential lots in the subdivision. It is the expressed desire of the City for trees to be planted and maintained throughout a subdivision. While this is commonly achieved by requiring the planting of a minimum of one (1) tree per lot in the front yard setback, the City understands there are other creative/unique ways to landscape and achieve a beautiful and desirable neighborhood. The Statement of Landscaping Concept is intended to allow a subdivider to establish the ideal, unique, and specific landscaping vision for their development. Landscaping installed in subdivisions shall contain plants that are native to Oklahoma for 80 percent of installed plants. For a list of native trees and plants, please visit USDA Plants Database State Search at <https://plants.sc.egov.usda.gov/state-search>.
- B. Incorporation into Covenants. After Planning Commission approval of the Statement of Landscaping Concept, the subdivider will incorporate the necessary provisions to implement the approved Statement of Landscaping Concept into the Declaration, covenants, and other necessary documents, with the provisions to be enforced by the required Homeowners Association.
- C. Enforcement. It is the preference of the City for all enforcement matters regarding required landscaping, beyond typical nuisance matters specified in the Coweta City Code, to be enforced by the Homeowners Association.

13-3-21 Public Areas

- A. Except when a subdivider utilizes planned unit development provisions, whenever a tract to be subdivided includes a school, recreation uses in excess of the requirements of subsection 13-3-22, below, or other public use as indicated in the Comprehensive Plan, such space shall be incorporated by the subdivider into their preliminary plat. After proper determination of its necessity by the Planning Commission and the appropriate local

official or other agency involved in the acquisition and use of such site, and after a determination has been made to acquire the site by the public agency, the site shall be incorporated by the subdivider into the approved preliminary and final plats.

- B. The Planning Commission shall discuss the proposed site acquisition and may propose alternate areas for such acquisition; the City Council shall have 30 days for consideration. The final recommendation, if affirmative, shall include a map showing the boundaries and area of the parcel to be acquired, and an estimate of the time required to complete the acquisition.
- C. Upon development of an affirmative report, the Planning Commission shall notify the subdivider and designate on the preliminary and final plats that area proposed to be acquired by the public body.
- D. The acquisition of land reserved by a public agency on the final plat shall be initiated within 12 months of notification, in writing, from the property owner that he intends to develop the land. Such letter of intent shall be accompanied by a Site Plan of the proposed development and a tentative schedule of construction. Failure on the part of the public agency to initiate acquisition within the prescribed 12 months shall result in the removal of the 'reserved' designation from the property involved and the freeing of the property for development in accordance with these regulations.

13-3-22 Park Land and Trail Dedication

- A. Applicability. This Section shall apply to all residential subdivision plats having a dwelling density of greater than one hundred (100) lots and/or the owners or applicants for approval of such plats, pursuant to the authority of the City Council.
- B. Any subdivision with 100 or more lots shall contain a park with one piece of equipment as part of the infrastructure before the subdivision infrastructure is accepted by the City Council. All equipment shall require an accessible path of travel and require applicable equipment or amenities to meet ADA accessibility standards, with inclusive or adaptive elements where appropriate.
- C. Dedication of land
 - 1. Land accepted for dedication under the requirements of this Section shall be conveyed by dedication to the public for park purposes within the plat to be filed of record in the office of the County Clerk of Wagoner County, Oklahoma or by warranty deed transferring the property in fee simple to the City; or
 - 2. As an alternative to the dedication of park land as described in in this Section, land will not be required to be dedicated or conveyed to the City where a private park and/or open space for park and recreational purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision;

- D. Yards, court areas, setbacks and other open areas required to be maintained by the zoning and building regulations shall not be included in the computation of such private park and/or open space;
- E. Private ownership and maintenance of the open space shall be provided by written agreement;
- F. Use of the private park and maintenance of the open space shall be provided for by written agreement;
- G. Proposed private park and/or open space shall be reasonably adaptable for use for park and recreational purposes, taking into consideration such factors as size, shape, topography, geology, access and location of the private open space land; and
- H. Facilities proposed for the park and/or open space are in substantial accordance with the provisions of the recreational element of the general plan and are approved by the City Council.
- I. Reservations of future park and/or open space or the contribution of money.
 - 1. The determination as to whether the subdivider will contribute land or money will be made by the City staff at the time the preliminary plat application is submitted for review. This decision may be appealed to the City Council. In the case of an appeal, the matter shall be presented first to the City staff and then to the Planning Commission. Upon review, the City staff and Planning Commission shall make recommendations to the City Council.
 - 2. In those cases where a dedication of land is required and no appeal is involved the City staff shall forward proposed park sites to the Planning Commission. Consistent with the recommendations of the City staff the subdivider shall prepare and submit a preliminary plat to the Planning Commission. In those cases where a condition of money is required, no review and recommendation on the part of the City staff is required.
- J. Standards for determining amount of land/or fee.
 - 1. The acreage to be contributed concurrent with the final approval by the City Council of any residential subdivision plat shall be determined by the following formula:
 - a. In subdivisions containing 80 acres, or more, the subdivider shall make a dedication of suitable land for public purposes of not less than two percent (2%) of the total land area of the subdivision.
 - b. In subdivisions containing less than 80 acres, the Planning Commission shall require the dedication of one percent (1%) of the total land area or shall require the payment of a fee equal to the market value of one percent (1%) of the total land area of the subdivision. Such fee is to be deposited in a fund reserved and expended for park facilities and improvements only.
 - c. In lieu of either of the above standards, the subdivider may elect to retain two percent (2%) of the total land area, to be designated as park or open

spaces, Such land shall be maintained by the subdivider or by agreement of the purchasers of lots in the subdivision either by formal agreement and/or by covenants contained in Homeowners' Association formation documents.

13-3-23 Gated Access

- A. Gated access for private streets may be permitted and approved for residential subdivisions, planned unit developments or apartment projects under the terms and conditions set forth in this section and subject to other applicable provisions of this Code and when the City Council determines, at its discretion, that such proposed gated access would not pose a threat to the general health, safety and welfare. The Planning Commission may recommend, and the City Council may require multiple entrances. Gated access will not be permitted for public streets or roadways.
- B. Conditions and Requirements for Gated Access.
 - 1. The gate shall be located a sufficient distance from a public street to allow four (4) cars to line up at the gate without interfering with vehicles utilizing the public street. The minimum acceptable distance from the gate opening shall be no less than eighty (80) feet from the nearest edge of the traveled public roadway.
 - 2. A turnaround lane shall be provided for vehicles unable to enter the gated development, which shall not interfere with any adjacent public way.
 - 3. Road spikes, barbs or other tire-damaging devices shall not be allowed.
 - 4. Controlled access development shall comply with standards of the City involving engineering requirements, private streets, sidewalks, fire lanes and fire hydrants. In cases of conflict, the provisions of this section shall govern unless the City Council specifically determines to the contrary, upon the recommendation of the City Engineer.
 - 5. The minimum gate opening width, including clearance for all improvements related to the gate, shall not be less than 20 feet.
 - 6. An entry keypad shall be located on a pedestal near the normal access route. The entry code will be used for non-emergency access and shall be given to the fire department and the police department. If for any reason the entry code is changed, the new entry code shall not be implemented until the fire and police departments have been so notified. Failure to comply with any portion of this subsection shall be considered a violation of this section by the subdivider or the agent of the responsible party.
 - 7. An emergency pull box shall be located on the keypad pedestal. When activated, the pull box will cause the gate to open and stay open until the emergency system is reset by the agent of the responsible party.
 - 8. An emergency release hitch pin shall be installed on the control arm. This hitch pin, when removed, will detach the control arm from the gate and allow the gate to swing open freely with manual intervention.

9. A battery backup system shall be provided for each gate. These batteries will be trickle-charged to maintain electrical energy, and in the event of loss of normal electrical current cause the gate to open and remain open until reset by the homeowners' association.
10. The location of all entrance pedestals, emergency pull boxes, keypads, hitch pins and related equipment, operation of the gate, signage, opening design, swinging or sliding operation of the gate or any other design specification shall be constructed and installed in accordance with the plans approved by the Community Development Director.
11. All street design, dimensions, standards, width, base and paving requirements as well as cul-de-sac construction, dead-end construction, turnarounds and curb and guttering shall be consistent with the regulations for public streets and roads within developments according to these regulations. The design of all streets, cul-de-sacs, dead-ends and turnarounds, and entry of median street curb lines, shall be subject to the approval of the Planning Commission and the City Council.
12. Should any problem occur in the operation of the gate or any violation of any provision of this section, the gate shall remain open and accessible until the problem is resolved and/or the gate is repaired and tested.
13. When a covered entry structure is requested, the minimum height shall be no less than 16 feet. The width shall be no less than 20 feet.

C. Responsible Party.

1. There shall at all times be a responsible party for the gated access, who shall be the subdivider, or property owner, or homeowners' association formed pursuant to the provisions of 60 O.S. Section 851 et seq. The name, address and telephone numbers of the responsible party shall be on file with the City Clerk. A copy of the document forming such homeowners' association shall be on file with the City Clerk, and a current membership list of the association shall be attached and updated within 30 days of any change. An agent of the association shall be appointed by the association, who shall serve as agent of the association for purposes of this section. The subdivider shall serve as the responsible party until a homeowners' association is formed.
2. The responsible party, as defined in this subsection, shall abide by and be responsible for the following:
 - a. Maintenance and repairs of the private streets and/or fire lanes, and the provision of funds for their maintenance and repair through the use of assessments.
 - b. Maintenance testing and repairs of all functions of the gate.
 - c. Establishing the access code and ensuring that the City emergency and utility services have the proper code number. Changing the code will not be allowed until all persons having the right of access, including the fire and

police departments and utility services, if applicable, have been notified in writing, except that in an emergency all such persons may be notified by telephone with such change confirmed in writing within five (5) days. In no instance shall persons who have a right of access to the property be denied an entrance to or exit from the property caused by failure of notification of a change in the code.

- d. Accompanying the fire department officer during inspection and testing of the opening systems.
 - e. Maintaining a service agreement with a qualified contractor to ensure maintenance and the availability of instant emergency service.
3. The fire department shall approve an access agreement with the responsible party providing for an annual inspection of each gate to ensure that each gate is tested to meet all of the construction requirements. An inspection shall also be required for continued operation at any time the gate fails to meet the standards set forth in this section or when the fire chief determines that an inspection is in the interests of the public health, safety and welfare. A copy of the access agreement will be kept on file at the fire department with the maintenance contractor's name, address and 24-hour telephone number. No inspection shall be approved until the requirements for such agreement have been met. The fire chief is granted authority to deny approval for the operation of the gate in the event of failure of an inspection. An inspection will be repeated upon request of the responsible party when the deficiencies have been corrected.
4. Operation and maintenance of the controlled access system shall at all times remain the sole responsibility of the responsible party.

13-3-24 Homeowners and Property Owners Associations

- A. Purpose. The purpose for the establishment of a Homeowners Association (HOA) for residential developments is to create an organization that owns and is responsible for maintaining, among other things, commonly owned properties, amenities, rights-of-way and riparian areas for the communal good of the development's property owners and residents.
- B. Applicability. An HOA shall be established for any development that contains any of the following: an amenity, private street(s), a Major Creek or tributary, thoroughfare screening, or stormwater drainage. For purposes of this section, the terms 'Homeowners' Association' and 'Association' are interchangeable with the term 'Property Owners' Association' for multi-family and non-residential developments.
- C. Procedure. The establishment of a required HOA shall occur in conjunction with the recordation of the subdivision final plat, and shall generally be established as follows:
 - 1. Documents Submitted for Review. The Declaration, restrictive covenants and other necessary documents establishing the HOA shall be submitted to the City for review

by the Community Development Director for conformance with this and other applicable ordinances prior to submission of the final plat, and prior to issuance of a Letter of Final Acceptance for the development. HOA documents shall include descriptions of any amenities, private streets, stub streets, thoroughfare screening, Major Creek(s) or tributary(ies), stormwater drainage structures, and other areas for which the Association is responsible for maintenance and shall outline the organization of the HOA.

2. Approval by Community Development Director. All HOA documents shall be reviewed by the Community Development Director prior to the Planning Commission approving the final plat. The subdivider shall reimburse the City for all related legal costs for review of the HOA documents. This reimbursement shall be paid in full prior to the Community Development Director giving the subdivider the signed final plat for recordation.
 3. Recordation. All HOA documents shall be recorded with the County Clerk prior to the recordation of the final plat. A copy of the recorded documents shall be submitted to the Community Development Department for City records within five (5) days following recordation.
 4. Additional Phases. An additional phase to an existing subdivision is not required to establish a separate and distinct HOA, provided that:
 - a. The existing, recorded Association documents are amended to incorporate the area of the new subdivision phase and to adopt the responsibility of its amenities, private streets, Major Creeks and tributaries, thoroughfare screening, stormwater drainage, and other areas for which the HOA is responsible for maintenance.
 - b. The subdivider shall provide a draft of the amended restrictive covenants to the Community Development Director for review prior to the Planning Commission approving the final plat.
- D. Notice to Purchasers. The subdivider shall be required to post notice in a prominent place at all model homes and sales offices stating the following:
1. That an HOA has been established for the subdivision;
 2. That membership in the HOA is mandatory for all lot owners; and
 3. That the subdivider is required to provide to any person, upon their request, a complete copy of the Association documents and a five-year projection, at a minimum, of HOA dues, income and expenses.
- E. General Requirements. The following shall be set forth in the HOA documents:
1. A statement that membership in the HOA is mandatory for all owners of property within the subdivision;
 2. A listing of all required maintenance responsibilities, and where possible, the lot number(s), legal descriptions, street name(s), etc. as shown on the approved plat for areas to be the responsibility of the HOA;

3. By-laws related to the governance of the HOA;
 4. Restrictive covenants for maintenance assessments, which shall run with the land;
 5. Responsibility for liability insurance and local taxes;
 6. Statement that the authority for enforcement of HOA rules and regulations is solely the responsibility of the HOA and is not, in any way, the responsibility of the City;
 7. Authority for the HOA to secure funds from its members sufficient to meet its responsibilities. This authority shall include the ability to collect dues, to increase dues, to charge special assessments, and to place liens against property for failing to pay dues and assessments.
 - a. Dues shall be calculated based on a cost projection for the maintenance of all amenities and based on eventual build-out of the subdivision;
 - b. Dues shall not be based on calculations which include monies from the subdivider which will not be provided following the transfer of the HOA from the subdivider to the lot owners.
 - c. Dues shall be required to be disclosed to all lot owners at the time of property purchase by the lot owners.
 8. Provision that no amendment of the HOA documents relating to maintenance of amenities, private streets, Major Creeks and tributaries, thoroughfare screening, stormwater drainage, any other HOA-maintained area or facility, or related reserve funds (as applicable) shall occur without prior City Council approval;
 9. Written release of liability for maintenance to benefit the City; written indemnification of the City outlining that under no circumstances shall the City be liable to the HOA or any property owner or their respective heirs, executors, administrators, devisees, personal representatives, successors or assigns for any damages, injuries (including death), and/or liability resulting from any amenity, on the private streets, within or adjacent to any Major Creek or tributary, associated with any thoroughfare screening or common landscaping, stormwater drainage, or from any other HOA-owned and maintained area or facility;
 10. Written assurance of funds based on an accredited cost projection analysis within a specific reserve account of the HOA for the maintenance and removal of amenities as determined by the City;
 11. Written consent giving the City the authority, in its discretion, to take action on violations;
 12. A statement that the HOA may not be dissolved without the prior written consent of the City Council; and
 13. Other City requirements as applicable.
- F. Supplementary Requirements. The HOA shall also comply with the following regulations, where applicable:

1. HOA documents shall not overrule the landscaping or other provisions of the Zoning Code by penalizing or restricting water conserving landscapes, or by requiring landscape materials that do not comply with the Zoning Code landscape requirements;
2. Amenities. The following regulations shall apply to any subdivision that includes an amenity:
 - a. Where amenities are proposed in conjunction with a development, the subdivider shall comply with those regulations outlined in this Section.
 - b. All developments that require the provision of common open space shall submit restrictive covenants to maintain open space, recreational areas, and other commonly owned facilities for review with the final plat application.
3. Private Streets. Whenever a public street becomes private following recordation, a HOA is required to be established, if not already in existence, that would be responsible for owning and maintaining the converted streets and rights-of-way. The following regulations shall apply to any subdivision that includes private streets, except those that exist on January 1, 2020.
 - a. The HOA shall own and be responsible for the maintenance of private streets and appurtenances, such as alleys, storm sewers, sidewalks, barrier-free ramps, street lights and signs, etc. and shall provide for the payment of dues and assessments required to maintain the private streets and appurtenances.
 - b. The HOA documents shall state that if the specific approval for the Private Street Development is revoked or the private streets are otherwise converted to public streets, the reserve fund shall become the property of the City.
 - c. In addition to any other requirements set forth in this Section, the HOA's documents shall specify the following:
 - (1) That the streets within the development are private, that they are owned and maintained by the HOA, and that the City has no obligation to maintain, repair or reconstruct the private streets.
 - d. A statement that the City may, but is not obligated to, inspect private streets and require repairs necessary to ensure that the same are maintained to City standards.
 - e. A statement that the HOA may not be dissolved without the prior written consent of the City Council, which consent shall not be withheld by the City if it determines that an adequate reserve fund exists, and the streets and alleys are in satisfactory condition as determined by the City Engineer.
 - f. That failure to bring the subdivision into compliance with the regulations may cause the City to revoke the specific approval for the Private Street Development and take appropriate action.

- g. The HOA's documents shall note that certain City services may not be provided in Private Street Developments. The services that may not be provided include, but are not limited to, police enforcement of traffic and parking ordinances and preparation of accident reports. Depending on the characteristics of the proposed development other services may not be provided.
 - h. The HOA's documents shall contain a provision that requires the Association to provide unrestricted access to emergency vehicles, utility personnel, the U.S. Postal Service, and governmental employees, agents or representatives in the performance of their official duties. All access gates shall be designed and constructed in accordance with emergency access design standards in the Engineering Standards and shall be equipped with both a Knox Box and an Opticom gate opening system or with another opening system that is acceptable to the Fire Chief.
4. Major Creeks, Tributaries, Lakes, Ponds and Water Features (100-Year Floodplain). For single-family and two-family residential developments, the 100-year floodplain may be owned and maintained by a Homeowners' Association subject to City approval. The final plat shall reflect, and the HOA's documents shall provide:
- a. City access for emergency vehicles, equipment and personnel and for the improvement and maintenance of the 100-year floodplain in the event they are not being properly maintained, as determined by the City Engineer; and
 - b. That the HOA shall reimburse the City for all costs incurred by the City for maintenance.
5. Thoroughfare Screening. All subdivisions that are required to provide thoroughfare screening shall comply with the following:
- a. The HOA shall own and be responsible for the maintenance of all required screening walls and fences, landscaping, landscape edges, and landscape irrigation systems, and shall provide for the payment of dues and assessments required to maintain such improvements.
 - b. The HOA documents shall state that the City has no obligation to maintain or reconstruct the screening walls and fences, landscaping, landscape edges, and landscape irrigation systems in the event of damage to such improvements.
 - c. The HOA documents shall state that the City may, but is not obligated to, inspect screening walls and fences, landscaping, landscape edges, and landscape irrigation systems, and that the City may require maintenance and repairs necessary to ensure that such improvements are maintained to City standards.
6. Stormwater Drainage. All subdivisions that are required to maintain stormwater drainage structures shall comply with the following:

- a. The HOA shall be responsible for the maintenance of all required stormwater drainage systems including, but limited to, roadside ditches (commonly referred to as a 'bar ditch'), drainage pipes and culverts (commonly referred to as 'tin horns'), drainage channels, detention/retention ponds, stormwater sewers, and levies, and shall provide for the payment of dues and assessments required to maintain such improvements.
- b. The HOA documents shall state that the City has no obligation to maintain or reconstruct the stormwater systems in the event of damage to such improvements.
- c. The HOA documents shall state that the City may, but is not obligated to, inspect stormwater drainage structures, and that the City may require maintenance and repairs necessary to ensure that such improvements are maintained to City standards.

G. Violations, Revocations & Liens.

1. The City will notify the HOA of violations of any of the regulations specified within this Section.
2. The City shall have all lien, assessment and enforcement rights granted the City shall have the ability to enforce the liens and assessments and avail itself of any other enforcement actions available to the City pursuant to State law and/or City regulations.
3. Should the HOA fail to carry out its duties as specified in this Section, the City shall have the right and ability, after due notice to the HOA, to perform the duties required by this or any other ordinance, regulation or agreement with the City in order to bring the HOA into compliance. The City shall have the right and ability, after due notice to the HOA, to assess the HOA, for the full amount owed and/or assess the property owners on a pro rata basis for all costs incurred by the City in performing the duties if the HOA fails to do so. The assessment shall constitute a lien, in favor of the City, upon the property for which the assessment is made.

13-3-25 Monuments and Markers

- A. The subdivider of any subdivision shall install, within that subdivision, permanent reference monuments and markers, placed flush with the ground, in accordance with the provisions of this Section.
 1. All monuments and markers shall be properly set in the ground and approved by a Registered Land Surveyor prior to the time the Planning Commission recommends approval of the final plat; a request for a waiver of these provisions may be considered by the Planning Commission.
 2. Existing monuments or markers shall not be disturbed, unless absolutely necessary, in which case the monuments or markers shall be replaced at the exact spot from which they were removed.

3. The location of all monuments and markers shall be included on the final plat, including existing monuments and markers.
- B. Three types of monuments and markers shall be used for different situations. The following specifications shall be applicable to each type of situation:
 1. Type 'A'. Permanent reference monuments shall be placed at the intersection of the centerlines of rights-of-way, regardless of whether the paving of the street is centered in the right-of-way.
 - a. There shall be a minimum of one such monument in each subdivision, with an additional such monument required for each 20 acres over the first 20 acres.
 - b. If no two of the intersection monuments are within line-of-sight of each other, an additional marker shall be placed on the right-of-way centerline, so as to establish a straight line which can be seen (line-of-sight) from one end to the other.
 - c. An additional such marker shall be placed at the center-point of the turnaround in each cul-de-sac.
 - C. These monuments shall be of non-corrosive metal plate, set in accordance with the accompanying diagram, and each shall be stamped with a cross at (lie point of the intersection and the elevation to the nearest tenth of a foot.
 - D. Type 'B'. Permanent reference markers shall be placed at each turning point in the external boundary of the subdivision, to be set in concrete in accordance with the accompanying diagram.
 - E. Type 'C'. Permanent reference markers shall be placed at:
 1. Each corner of each block;
 2. Each corner of each lot;
 3. The points of curvature and points of tangency of all inside and outside rights-of-way lines;
 4. The points of intersection of the Outside line of a curve in a street right-of-way; and
 5. On all Quarter Section points within the subdivision or on its perimeter, to be set.

13-3-26 Non-Residential Subdivisions

- A. If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall be made according to such provisions as the Planning Commission may require.
- B. A non-residential subdivision shall be subject to all of the requirements of the Zoning Code, as well as such additional standards as may be required by the Planning Commission.
- C. In addition to the principles and standards in these regulations, the subdivider shall demonstrate to the satisfaction of the Planning Commission that the street, parcel and block

pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated;
2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated to be generated;
3. Special requirements may be imposed with respect to street, curb, gutter and pedestrian way design and construction;
4. Special requirements may be imposed with respect to the installation of public utilities, including water, sewer and storm water drainage;
5. Every effort shall be made to protect adjacent areas from the potential nuisance of a proposed commercial or industrial subdivision, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary, and
6. Streets carrying non-residential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

13-3-27 Planned Unit Development

Whenever a subdivision is developed as a Planned Unit Development under the appropriate provisions of the Zoning Code, in which adequate park or recreation area is provided, and street connectivity and block size requirements are met, the Planning Commission may vary the design requirements of these regulations, in order to allow the subdivider more freedom in the arrangement of streets and lots, but at the same time protect the convenience, health, safety and welfare of the entire community. Variance procedures are detailed in Section 13-1-13.

CHAPTER 13-4 DEFINITIONS

For the purposes of these regulations, certain numbers, abbreviations, terms and words used shall be interpreted and defined as in this Chapter. Unless the context clearly indicates to the contrary, words used in the present tense include the future tense; words used in the plural number include the singular;; the word ‘regulations’ means ‘these regulations’; a ‘person’ includes a corporation, a partnership and In incorporated association of persons such as a club; ‘shall’ is always mandatory; ‘building’ includes a ‘structure’; a ‘building’ or ‘structure’ includes any part of it, ‘used’ or ‘occupied’ as applied to any land or building shall be construed to include the words ‘intended, arranged or designed to be used or occupied.’

AIR SPACE. The term ‘air space’ shall mean the space above the land which might be subject to division and sale either with, or separate from, the surface.

AMENITY. Aesthetic or other physical improvements to a development that increase its quality, desirability, and/or marketability to the public.

APPEAL. The word ‘appeal’ means a request for a review of the Building Inspector's interpretation of any provision of the City's Floodplain Management Regulations or a request for a variance.

AREA OF SPECIAL FLOOD HAZARD. The term ‘area of special flood hazard’ is the land in the floodplain within the community subject to a one percent (1%) or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). (After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A 1 -99, VO, V1-30, VE or V.)

BASE FLOOD. The term ‘base flood’ means the flood having a one percent (1%) chance of being equaled or exceeded in any given year.

BLOCK. The word ‘block’ shall mean a parcel of land, intended to be used for development purposes, which is entirely surrounded by public streets, highways, railroad rights-of-way, public walks, parks, rural lands, or drainage channels.

BOND. The word ‘bond’ shall mean any form of security, including a cash deposit, surety bond, collateral, property or instrument of credit, in an amount and form satisfactory to the City Council, all bonds must be approved by the City Council whenever a bond is required by these regulations.

BUILDING. The word ‘building’ shall mean any structure built for the support, shelter or enclosure of persons, animal's chattel or movable property of any kind (including any structure).

BUILDING CODE. The term ‘Building Code’ shall mean a collection of regulations, adopted by the Coweta, Oklahoma, City Council, setting forth standards for the construction of buildings and other structures, for the purpose of protecting the health, safety and welfare of the public.

BUILDING OR SETBACK LINE. The term ‘building or setback line’ shall mean a line or lines within a lot designating the area outside of which buildings may not be erected.

BUILDING PERMIT. The term ‘Building Permit’ shall mean the permit required before construction can be initiated.

CHANNEL. The word ‘channel’ shall mean a natural or artificial watercourse of perceptible extent, with definite bed and banks to confine and conduct continuously or periodically flowing water.

CITY. The word ‘City’ shall mean the City of Coweta, Oklahoma.

CODE OF ORDINANCES. The term ‘Code of Ordinances’ or ‘City Ordinances’ shall mean the officially adopted ‘Coweta City Code’ of the City of Coweta, Oklahoma.

COMPREHENSIVE PLAN. The term ‘Comprehensive Plan’ shall mean the officially adopted Comprehensive Plan or Plans for the City of Coweta, Oklahoma, which provide(s) long-range development policies for the area subject to development in the foreseeable future.

CONSTRUCTION PLANS. The term ‘construction plans’ shall mean maps or drawings accompanying a subdivision plat, showing the specific location and design of required subdivision improvements.

CREEK, MAJOR. The term Major Creek shall include the primary channel and all headwaters of those creeks commonly known as Coweta Creek, Cedar Creek, Fife Creek, Gar Creek and Coal Creek, along with other creeks displayed on Exhibit 73-1 in Section 73.

DEDICATION. The word ‘dedication’ shall mean the transfer of property from private to public ownership.

DEDICATION, FEE IN LIEU OF. The term ‘fee in lieu of dedication’ shall mean payments of cash, authorized and provided for in these adopted Subdivision Regulations, when requirements for mandatory dedication of land cannot be met because of site conditions or other reasons.

DENSITY. The word ‘density’ shall mean the average number of families, persons or housing units per acre of land.

DEVELOPMENT. The word ‘development’ means any man-made change in improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

DRAINAGEWAY. The word ‘drainageway’ shall mean any depression below the surrounding land, serving to give direction to a regular or periodic current of water.

DWELLING UNIT. A single unit providing complete independent living facilities for one (1) or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

EASEMENT. The word ‘easement’ shall mean a grant by the property owner to the public, a corporation or persons, of the use of a strip of land for specific purposes.

EROSION. The word ‘erosion’ shall mean the general process by which soils are removed or moved by flowing surface or subsurface water.

EXISTING CONSTRUCTION. The term ‘existing construction’ means, for the purposes of determining rates, structures for which the ‘start of construction’ commenced before the effective date of the FIRM or before January 1, 1975, for FIRM's effective before that date. ‘Existing construction’ may also be referred to as ‘existing structures.’

FLOOD OR FLOODING. The words ‘flood or flooding’ shall mean a general and temporary condition of partial or complete inundation of normally dry land areas adjacent to stream channels, resulting from the overflow of such streams, rivers or other inland waterways, or the unusual and rapid runoff or accumulation of surface waters from any source, or as defined by Federal Emergency Management Agency (FEMA).

FLOOD HAZARD AREA. The term ‘Flood Hazard Area’ shall mean the maximum area of the floodplain that, on the average, is likely to be flooded once every 100 years (i.e. that has one percent (1%) chance of being flooded in any given year).

FLOOD INSURANCE RATE MAP (FIRM). The term ‘Flood Insurance Rate Map (FIRM)’ means the latest official Flood Insurance Rate Map of the City of Coweta, Oklahoma, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY. The term ‘Flood Insurance Study’ is the official report provided by FEMA. The report contains flood profiles, water surface elevations of the base flood, as well as the Flood Hazard Boundary Floodway Maps.

FLOODPLAIN OR FLOOD-PRONE AREA. The term ‘floodplain or flood-prone area’ means any land area susceptible to being inundated by water from any source (see definition of flooding), or as defined by the Federal Emergency Management Agency (FEMA).

FLOODPLAIN MANAGEMENT PROGRAM. The term ‘Floodplain Management Program’ shall mean the full range of Codes, Ordinances and other regulations, project and programs relating

to the use of land and construction within the limits of the floodplain; the term encompasses the Zoning Code, Subdivision Regulations, and applicable portions of the Coweta City Code, including Sanitary and Building Codes, or as defined by Federal Emergency Management Agency (FEMA).

FLOOD PROTECTION SYSTEM. The term 'Flood Protection System' means those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a 'special flood hazard' and the extent of the depths of associated flooding. Such a System typically includes dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standard, or as defined by Federal Emergency Management Agency (FEMA).

FLOODWAY (REGULATORY FLOODWAY). The term 'Floodway (Regulatory Floodway)' means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height, or as defined by Federal Emergency Management Agency (FEMA).

FRONTAGE. The word 'frontage' shall mean that side of a lot abutting on a street or Way and ordinarily regarded as the front of the lot, but not the ordinary side of a corner lot.

GRADE. The word 'grade' shall mean the slope of a road, street or other public way, specified in percentage (%) terms.

HABITABLE FLOOR. The term 'habitable floor' means any floor usable for the following purposes, including working, sleeping, eating, cooking or recreation areas, or a combination thereof, A floor used for storage purposes only is not a 'habitable floor'.

HIGHEST ADJACENT GRADE. The term 'highest adjacent grade' means the highest natural elevation of the ground surface prior to construction, next to the proposed walls of a structure.

HISTORIC STRUCTURE. The term 'historic structure' means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; or
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
3. Individually listed on the Oklahoma Register of Historic Places (which State's Historic Preservation Programs have been approved by the Secretary of Interior); or
4. Individually listed on a local inventory of historic places in Communities with Historic Preservation Programs that have been certified either:
 - a. By an approved State program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in States without approved programs.

HOMEOWNERS ASSOCIATION ('HOA'). A community association which is organized in a Development in which individual Owners share common interests in open space or facilities. The

Homeowners Association usually holds title to reserves, manages and maintains the common property, and enforces certain covenants and restrictions.

IMPROVEMENTS. The word ‘improvements’ shall mean street pavements, curbs, sidewalks, water mains, sanitary and storm sewers, monuments, trees and other appropriate items for which the City may ultimately assume the responsibility for maintenance and operation, or which may affect an improvement for which City responsibility is established. All such improvements shall be properly bonded, in accordance with the provisions of these regulations.

INTENSITY. The word ‘intensity’ shall mean the degree to which land is used. (Often used synonymously with ‘density’).

LEVEE. The word ‘levee’ means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM. The term ‘levee system’ means a Flood Protection System which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOT. The word ‘lot’ shall mean a parcel of land, intended as a unit for the transfer of ownership or for development, of at least sufficient size to meet minimum Zoning Code requirements for use, coverage and area, and to provide such yards and other open spaces as are required. Such lot shall have frontage on a public street and may consist of

1. A single lot of record;
2. A portion of a lot of record;
3. A combination of complete lots of record, of complete lots of record and portions of lots of record, or
4. A parcel of land described by metes and bounds; provided, that, in no case of division or combination shall any lot or parcel be created which does not meet the requirements of these regulations or the Zoning Code.

LOT, CORNER. The term ‘corner lot’ shall mean a lot located at the intersection of, and abutting on, two (2) or more streets.

LOT, DOUBLE FRONTAGE. The term ‘double frontage lot’ shall mean a lot which runs through a block from street to street and has non-intersecting frontage on two (2) or more streets.

LOT, INTERIOR. The term ‘interior lot’ shall mean a lot other than a corner lot.

LOT, REVERSE FRONTAGE. The term ‘reverse frontage lot’ shall mean a double frontage lot which is designed to be developed with the rear yard abutting a major street and with the primary means of access provided on a minor street.

LOT, TOWNHOUSE. The term ‘townhouse lot’ shall mean a lot shown on a townhouse plat and intended as the site of a single, attached, dwelling unit.

LOT AREA. The term ‘lot area’ shall mean the total horizontal area included within lot lines.

LOT DEPTH. The term ‘lot depth’ shall mean the average distance from the street line of the lot to its rear line, measured in the general direction of the side lines of the lot.

LOT FRONTAGE. The term 'lot frontage' shall mean that dimension of a lot, or portion of a lot, abutting on a street, except the side dimension of a corner lot.

LOT LINE ADJUSTMENT. The term 'lot line adjustment' shall mean a relocation of the lot lines of two (2) or more lots included in a plat which is filed of record, for the purpose of making necessary adjustments to building sites.

LOT LINES. The term 'lot lines' shall mean the lines bounding a 'lot,' as defined in these regulations.

LOT OF RECORD. The term 'lot of record' shall mean a separate and distinct parcel of land, designated on a legally recorded subdivision plat or a legal recorded deed filed in the records of the Wagoner County Courthouse.

LOT SPLIT. The term 'lot split' shall mean any division of land by metes and bounds description into two (2) or more parcels for the purpose, whether immediate or future, of transfer of ownership, and which constitutes a 'subdivision,' as defined in these regulations.

LOWEST FLOOR. The term 'lowest floor' means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that, such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program (NFIP) Regulations.

MONUMENT OR MARKER. The words 'monument' or 'marker' shall mean a subdivision improvement, designed to provide permanent survey reference points within a subdivision, which may be of one of three types:

1. Type 'A': A non-corrosive metal plate set in Portland Cement or Asphaltic Concrete;
2. Type 'B': Iron bar or pipe set in concrete; or
3. Type 'C': Iron bar set in unexcavated soil.

NEW CONSTRUCTION. The term 'new construction' means, for Floodplain Management Purposes, structures for which the 'start of construction' commenced on or after the effective date of the Floodplain Management Regulations adopted by the City.

ONE-HUNDRED YEAR FLOOD. The term 'one-hundred year flood' shall mean a flood of a frequency expected to occur on the average of once every 100 years or a flood magnitude which has a one percent (1%) chance of occurring in any given year.

PARCEL. The word 'parcel' shall mean a lot or contiguous group of lots, in single ownership or under single control, and usually considered as one part for purposes of development.

PEDESTRIAN WAY. The word 'pedestrian way' shall mean an accessible route, dedicated to public use, intended to facilitate pedestrian access to streets and properties.

PERSON. The word 'person' includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies.

PLANNING COMMISSION. The term 'Planning Commission' shall mean the City Planning Commission of the City of Coweta, Oklahoma.

PLANNED UNIT DEVELOPMENT. The term 'planned unit development' (PUD) shall mean

a discretionary type of development for a tract of land under single ownership or control, based upon an approved development plan permitting flexibility of principal land uses, lot sizes and accessory uses not otherwise available under conventional development standards.

PLAT, FINAL. The term ‘final plat’ shall mean a map of a land subdivision, and any required accompanying material, prepared in a form suitable for filing of record, with necessary affidavits, dedications and acceptances, and with complete bearings and dimensions of all lines defining lots and blocks, streets and-alleys, public areas and other dimensions of land.

PLAT, PRELIMINARY. The term ‘preliminary plat’ shall mean a map of a proposed land subdivision showing the character and proposed layout of the tract in sufficient detail to indicate the suitability of the proposed subdivision of land.

PRIVATE OR RESTRICTIVE COVENANTS. The term ‘private or restrictive covenants’ shall mean a private legal restriction on the use of land, contained in the deed to the property, or otherwise formally recorded.

PROGRAM. The word ‘Program’ means the overall National Flood Insurance Program (NFIP), authorized by the National Flood Insurance Act of 1968 (42 U.S.C. 4001-4128), as amended.

PROPERTY OWNER. A person or any other legal entity having legal title to or sufficient propriety interest in the land sought to be subdivided under this title, or their legally authorized designee

PROPERTY OWNERS ASSOCIATION. A community association which is organized in a Development in which individual property owners, typically for non-residential developments, share common interests in open space or facilities. The Property Owners Association usually holds title to reserves, manages and maintains the common property, and enforces certain covenants and restrictions. (See regulations for Homeowners Associations)

RECREATIONAL VEHICLE. The term ‘recreational vehicle’ means a vehicle which is (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

RESTRICTIVE COVENANT. A restriction on the use of land traditionally set forth in a deed. Restrictions are also placed of record by separate instruments including Homeowners Association or Property Owners Association agreements. The Restrictive Covenant usually runs with the land.

RE-SUBDIVISION. The word ‘re-subdivision’ shall mean a change in an approved or recorded subdivision plat, if such change affects any street layout, lot line or area reserved thereon for public use, or if it affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivision.

RIGHT-OF-WAY. The term ‘right-of-way’ shall mean a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or another special use. The usage of the term ‘right-of-way’ for land platting purposes shall mean that every right-of-way established and shown on a final plat, is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels. Rights-of-way intended for

streets, crosswalks, water mains, sanitary sewers, storm drains, shade trees or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

ROADWAY. The word ‘roadway’ shall mean that portion of any street so designated for vehicular traffic; where curbs are in place, that portion of the street between the curbs.

SCREENING. A barrier intended to separate and limit visibility between that which is on either side of the barrier, for example, a thoroughfare and adjacent land uses.

SEDIMENTATION. The word ‘sedimentation’ shall mean processes that operate at or near the surface of the ground to deposits oils, debris and other materials, either on other ground surfaces or in water channels.

START OF CONSTRUCTION: FLOOD-PRONE AREAS. The term ‘start of construction’ as applied in flood-prone areas includes substantial improvement and means the date the Building Permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred and eighty (180) days of the Permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for basements, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

START OF CONSTRUCTION: NON-FLOOD-PRONE AREAS. The term ‘start of construction,’ as applied in non-flood-prone areas, shall mean the first placement of permanent construction on a site, such as the pouring of footings or any work beyond the stage of excavation. For a structure without a basement of poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction (except in identified flood hazard areas) does not include: land preparation, land clearing, grading or filling or excavation for basement, footings, piers or foundations; or erection of temporary forms; or the installation of piling under proposed subsurface footings; or installation of sewer, gas and water pipes, or electric or other service lines from the street; or existence on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not a part of the main structure.

STORM CELLAR. The term ‘storm cellar’ means a space below grade used to accommodate occupants of the structure and emergency supplies as a means of temporary shelter against tornadoes or similar windstorm activity.

STORMWATER DRAINAGE. Drainage facilities designed for the conveyance of stormwater runoff received from upstream and from the subject property.

STREET. The word ‘street’ shall mean any public or private right-of-way which affords the primary means of access to abutting property.

STREET, COMMERCIAL OR INDUSTRIAL. The term ‘commercial or industrial street’ shall mean a street which abuts property Zoned for commercial or industrial use and which is designed to provide access to those parcels so designated.

STREET, HALF. The term ‘half street’ shall mean any street platted 25 feet or more in width, where, at the time of the approval of the plat, it is the intent of the City Council that the street dedication shall constitute only a part of the total street easement width.

STREET, MAJOR. The term ‘major street’ shall mean an arterial street which is so designated on the Major Street Plan or Comprehensive Plan and is designed to carry inter-city traffic and to relate the various neighborhoods or residential areas within the City. Major streets shall be classified as follows:

1. Limited Access Highway. A freeway or expressway providing a trafficway for through traffic, in respect to which owners or occupants of abutting property or lands, and other persons, have no legal right to access to or from the same, except at such points and in such manner as may be determined by the Oklahoma State Highway Department.
2. Primary Arterial or Thoroughfare. A roadway intended to move through traffic to and from major traffic generators or as a route for traffic between communities or employment centers.
3. Secondary Arterial or Thoroughfare. A road intended to collect and distribute traffic in a manner similar to primary arterials, except that these roads service minor traffic generating areas, or a road which may be designed to carry traffic generating areas, or a road which may be designated to carry traffic from collector streets to the system of primary arterials.

STREET, MINOR. The term ‘Minor Street’ shall mean any street or right-of-way other than one designated as a major street in the Major Streets and Highway Plan; but not including alleyways. Minor streets shall be classified as follows:

1. Collector Street: A street collecting traffic from other minor streets, serves as the most direct route to a major street and should be designed so that no residential properties front onto it.
2. Local Street: A street primarily providing access to and from abutting property and serving, only occasional through traffic.
3. Cul-de-sac: A local street having one (1) end open to vehicular traffic and one (1) closed end, terminated by a turnaround.
4. Court: A secondary local street designation following a street name, used only when street alignment is such that a short street is created that does not warrant a new street name.

5. Place: A secondary local street designation following a street name, used only when street alignment is such that a short street is created that does not warrant a new street name.
6. Dead-End Street: A local street, similar to a cul-de-sac, but providing no turnaround at its closed end.
7. Frontage or Service Street: A street auxiliary to, and located on, the side of a major street for service to abutting properties and adjacent areas and for control of access.
8. Alley: The word 'alley' shall mean a minor right-of-way, dedicated to public use, from which a secondary means of access to the back or side of properties otherwise abutting a street is obtained, and which may be used for public and private utility purposes.

STREET, PERIMETER. The term 'Perimeter Street' shall mean any existing street which the parcel of land to be subdivided abuts on only one (1) side.

STREET, PRIVATE. A privately-owned street within a subdivision for which the private owners assume full responsibility for maintenance and control and which has not been dedicated to the use of the public. This term is inclusive of related alleys.

STREET CLASSIFICATION. The term 'street classification' shall mean that, for the purpose of providing for the development of the streets, highways, roads and rights-of-way in the City, and for their future improvement, reconstruction, re-alignment and necessary widening (including provision for curbs and sidewalks), each existing street, highway, road and right-of-way has been designated and classified in the Comprehensive Plan. The classification of each street, highway, road and right-of-way is based upon its location in the respective zoning districts of the City, its present and estimated future traffic volume and its relative importance and function as specified in the Comprehensive Plan. The required street and sign improvements shall be provided as set forth for each classification in these regulations and the Comprehensive Plan.

STRUCTURE. The word 'structure' means a walled and roofed building, including a gas or liquid storage tank that is principally aboveground and shall include a manufactured home.

SUBDIVIDER. The words 'subdivider' shall mean any person, firm, partnership, corporation or other entity, or their designee, acting as a unit, subdividing, proposing to subdivide or re-subdividing land as defined in these regulations, including all changes in street or lot lines.

SUBDIVISION. The word 'subdivision' shall mean the division or re-division of land (vacant or improved) or airspace, into two (2) or more lots, tracts, parcels, sites, areas, units or plots, any one of which, when divided, has an area of less than 10 acres, for the purpose of transfer of ownership or for development, or the dedication, vacation or re-alignment of any public or private right-of-way easement. Subdivisions shall be classified as follows:

1. Major: All subdivisions not classified as minor subdivisions, including, but not limited to, subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extension of City facilities, or the creation of any public improvements.
2. Minor: Any subdivision containing not more than three (3) lots fronting an existing street, not involving any new street or road, or the extension of public utilities or facilities, or the creation of any public improvements, and not adversely affecting the

remainder of the parcel or adjoining property, and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance or these regulations. A 'Lot Split' or 'Lot Line Adjustment' shall be considered a minor subdivision.

3. Non-Residential. A subdivision whose intended use is other than residential, such as commercial or industrial-, such subdivision shall comply with the applicable provisions of these regulations.

SUBDIVISION REGULATIONS. The term 'Subdivision Regulations' shall mean the officially adopted Subdivision Regulations for the City of Coweta, Oklahoma, designed to provide standards for the subdivision of land within the City.

SUBSTANTIAL DAMAGE. The term 'substantial damage' means damage of any origin sustained by a structure by which the cost of restoring the structure to its before damaged condition Would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. The term 'substantial improvement' means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition 'substantial improvement' is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (a) any project for improvement of a structure to comply with existing State or local Health, Sanitary or Safety Code specifications which are solely necessary to assure safe living conditions, or (b) any alteration of a structure listed on the National Register of Historic Places, the State Register of Historic Places or locally designated as an Historic Landmark; provided, that, the alteration will not provide the structure's continued designation as an Historic structure.

TEMPORARY IMPROVEMENT. The term 'temporary improvement' shall mean improvements built and maintained by a subdivider during construction of the subdivision, prior to the release of the performance bond, or its equivalent.

TECHNICAL ADVISORY COMMITTEE. The TAC is a committee composed of public officials and utility company representatives to review and study all plats and minor subdivision proposals and make recommendations concerning those subdivisions to the Planning Commission.

THOROUGHFARE SCREENING. Screening (see definition), both landscaping and screening walls/fences, between lots/subdivisions and major thoroughfares.

TOWNHOUSE. The word 'townhouse' shall mean one (1) of a series of two (2) or more attached dwelling units, separated from one another by continuous, vertical walls without openings from basement floor to the roof deck and tight against the same or through the roof, and which are intended to have ownership transferred in conjunction with a lot platted in accordance with State Law.

VARIANCE. The word 'Variance' is a grant of relief to a person from the requirements of this Ordinance when specific enforcement would result in unnecessary hardship. A variance; therefore, permits construction or development in a manner otherwise prohibited by these regulations.

WATER SURFACE ELEVATION. The term ‘water surface elevation’ means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

WAY. The word ‘way’ shall mean any street, avenue, highway, boulevard, road or alley reserved and/or dedicated for public or private use, chiefly by vehicular or pedestrian traffic.

ZERO LOT LINE. The term ‘zero lot line’ shall mean flexible development approach in which a building is sited on one (1) or more lot lines with no yard (conceivably, three of the four sides of the building could be on the lot lines), in order to allow more flexibility in site design and to increase the amount of usable open space on the lot.

ZONING CODE. The term ‘Zoning Code’ shall mean the officially adopted Coweta Zoning Code for the City of Coweta, Oklahoma, currently codified as Coweta City Code Title 12.”

Section 3. PROTECTION OF EXISTING RIGHTS AND REMEDIES. That nothing in this ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing under any pre-existing act or ordinance amended here; nor shall this ordinance require any changes in work which has been lawfully authorized prior to the adoption of this ordinance, so long as such work is actually commenced within sixty (60) days after the adoption of this ordinance.

Section 4. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part of it is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part of it.

Section 5. EMERGENCY CLAUSE AND EFFECTIVE DATE. That an emergency is now declared to exist for the preservation of the public peace, health, and safety and, more particularly, to expedite the protection of citizens and the general public when public improvements are constructed by private subdividers. Because of this emergency this ordinance shall be effective on and after Thursday, October 1, 2026, following its passage and approval.

ADOPTED by the Coweta City Council with/without the Emergency Clause voted upon and approved separately, on this 14th day of September 2026.

Naomi Hogue, Mayor

ATTEST:

Marcy Kilgore, City Clerk

APPROVED:

Patrick T. Boulden, City Attorney