

AMENDING ORDINANCE OF ORDINANCE NO. 33

AN ORDINANCE AMENDING ORDINANCE NO. 33 DATED OCTOBER 13, 2008, TO INCLUDE SECTION 3 WHICH PROVIDES FOR THE ACCEPTABILITY AND REGULATION OF GRAVEL ROADS AND STREETS, AND PROVIDING FOR COUNTY COMPLIANCE GUIDELINES FOR ALL NEWLY CONSTRUCTED TOWN ROADS; AND PROVIDING FOR SEVERABILITY, CODIFICATION, AND REPEALER; AND DECLARING AN EMERGENCY.

Whereas, the Board of Trustees have determined that an amendment to its Code of Ordinances must be made for the more efficient and practical operations for the Town of Pink; and

Whereas, the Board of Trustees herein have determined that Ordinance No. 33, Section 1, shall regulate existing and newly constructed roads that are paved, and/or asphalt, only; and

Whereas, the Board of Trustees have determined that the acceptance of existing and newly constructed gravel roads is proper and shall be regulated pursuant to this Amending Ordinance herein.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF PINK, POTTAWATOMIE COUNTY, STATE OF OKLAHOMA.

SECTION 1: **AMENDATORY:** That Section 3 "Gravel Road Regulations" of Ordinance No. 33 be now included and adopted, which regulates, and allows for, the construction of gravel roads within the Town limits, pursuant to the following language:

Section 3. Gravel Road Regulations. All new gravel roads within the Town of Pink, and any subdivision within the Town, shall be designed, approved, and constructed pursuant to the following standards:

1. Roads shall contain at least four inches (4") of natural gravel.
2. If a subdivision, That a survey of said area to be subdivided and a Plat shall be made by a qualified surveyor and submitted to the Town Board of Trustees for approval.
3. If a part of a subdivision, the planner and developer of said subdivision shall employ a qualified engineer or engineering firm to supervise the building of roads in said subdivision in accordance with good road building procedure and in accordance with the rules and regulations set forth in this ordinance.
4. There shall be a minimum right-of-way easement shall be Sixty-Six Feet (66') or more if required to construct and maintain the roadway.
5. That all Road beds and travel portion of said roadway shall be Twenty-Four Feet (24') in width.

6. That all roadways shall provide for grading and drainage in accordance with the rules and regulations set forth by the County Commissioner in this district.
7. That the road design shall be designed and sealed by a professional engineer registered in the state of Oklahoma using the current edition of the State of Oklahoma County Roads Design Guidelines Manual.
8. That the material specifications and construction techniques shall conform to the latest edition of the Standard Specifications for Highway Construction Oklahoma Department of Transportation. Any deviations shall be reviewed by the County Engineer.
9. That the road design plans shall be reviewed and recommendation made to the county by the County Engineer prior to construction.
10. That Certification shall be presented to, and accepted by, the Board of Trustees of the Town of necessary easements for the installation and maintenance of the public roadway and utilities. Such easements shall be of clear title by abstractors bond certification or otherwise and shall be perpetual.
11. That to be considered for actual acceptance, the road plans shall be approved by the Board of Trustees prior to construction.
12. All construction shall be inspected by and sealed by a professional engineer registered in the state of Oklahoma to be in compliance with the approved design plan.
13. Completed construction shall be reviewed and recommendation made to the county by the County Engineer.
14. That the completed roadway(s) shall be eligible for acceptance into the county road system and the maintenance thereof by resolution of the Board of Commissioners of Pottawatomie County after final completed construction inspection certifies all design criteria have been met.

Section 2: SEVERABILITY. The provisions of this ordinance are severable and, if any sentence, provision, or other part of this Ordinance shall be held invalid, the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this ordinance.

Section 3: CODIFICATION. This Ordinance shall be codified in the Town Municipal Code, and the codifier is authorized to set out the ordinance as appropriate.

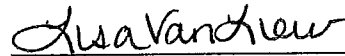
Section 4: REPEALER. All sections, subsections, clauses, and sentences of existing law in conflict with this ordinance, are repealed.

SECTION 5. EMERGENCY. It being immediately necessary for the preservation of the peace, health, safety and public good of the Town of Pink and the inhabitants thereof that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist, by reason whereof, this ordinance shall take effect and be in full force and effect after its passage, as provided by law.

PASSED AND APPROVED and the emergency clause voted on separately this 11 day of December, 2017.


Passed and approved this 11 day of December, 2017.

Town of Pink, Oklahoma



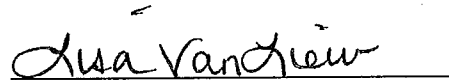
Lisa Van Liew, Mayor

ATTEST:




CAROLYN RICHARDS, Clerk/Treasurer

EMERGENCY separately approved this 11 day of December, 2017:



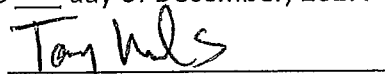
LISA VAN LIEW, MAYOR

ATTEST:



CAROLYN RICHARDS, CLERK/TREASURER

APPROVED AS TO FORM AND LEGALITY THIS 11 day of December, 2017.



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STUART & CLOVER, PLLC
CITY ATTORNEYS