THE TOWN CODE of the TOWN OF PINK, OK

PREFACE & FOREWARD

The following Recodification of the Town Code, as supplemented, represents a complete codification of general and penal ordinances of the Town of Pink, Oklahoma, a municipal town, pursuant to Title 11 of the Oklahoma Statutes, each approved, effective, and imposed by the Board of Trustees for the Town of Pink, Oklahoma, an Oklahoma municipal town, pursuant to Title 11 of the most current Oklahoma Statutes (hereinafter, the "Town Code" or "Code"). This Town Code is adopted and enacted as of the date set forth below and may be supplemented and amended from time to time as directed by the Board of Trustees of the Town of Pink.

As authorized by 11 O.S. § 14-108, titles, enacting clauses, emergency sections, temporary ordinances, special ordinances, and repealed and other parts of ordinances have been omitted from or revised, rearranged, renumbered, or reorganized within this Town Code. Specifically, Ordinances No. 2, 3, 4, 9, 19, 20, 24, 25, 26, 27, 28, 29, and 38 have been omitted from this Town Code, however, the exclusion of any Ordinance or portion thereof from this Town Code shall not affect the validity or enforceability of such excluded Ordinance or portion thereof.

In addition to this Town Code, a separate list and compilation of all current Ordinances of the Town of Pink, including Ordinances or portions thereof omitted from this Code (the "Table of Ordinances"), shall be available for inspection at the Pottawatomie County Law Library, the Town of Pink [available via appointment only], or at the Town of Pink's website: www.TownofPink.com.

This Town Code is presented as a numerical list of Sections, which correspond to the applicable number of the Ordinance or Amending Ordinance of the Town of Pink. New or Amending Ordinances enacted after adoption of this Town Code shall supersede the provisions of this Town Code to the extent that they are in conflict or inconsistent therewith and whether or not codified or supplemented to this Town Code. The titles herein are set forth for purposes of organization, are not binding, and have no effect on the provisions of the Town Code.

Updated as of October 12, 2026

TABLE OF CONTENTS FOR TOWN CODE

Ordinance No.	Title	Page
1.	Meetings of the Board of Trustees	3
2.	Annexing and Incorporating within the Town Limits	Omitted
3.	Final Approval of Annexing Described Lands in Ordinance No. 2	Omitted
4	Franchise to O.E.C. and C.V.E.C. for 25 years	Omitted
5	Providing Annual Tax From Residents on Telephone Service	5
6.	Sewage Disposal	6
7.	Nuisances	7
8.	Land Use; Subdivision of Land	12
9.	De-Annexation of Certain Lands	Omitted
10.	Establishment of Volunteer Fire Department	20
11.	Rules and Regulations for Volunteer Firemen	20
12.	Civil Defense Organization	21
13.	Town Property	22
14.	Meeting Time and Place	23
15.	Office of Town Clerk/Treasurer	23
16.	Oil & Gas	23
17.	Adoption of Code	35
18.	Fair Housing	37
19.	Providing For Emergency Telephone Service	Omitted
20.	Annexing Town of Pink into Rural Water District #3	Omitted
21.	Annual Tax on Gross Receipts from Utility Sales in Lieu of Franchise & Other Taxes	44
22.	Prohibition of Bars, Clubs or Adult Entertainment	44
23.	Changing Number of Wards from Three to Five	46
24.	Annexation of Unincorporated Lands in Sections 14, 15, 17, & 19, [9N-2E]	Omitted
25.	Annexation of Unincorporated Lands in Sections 10 & 11, [9N-2E]	Omitted
26.	Annexation of “Spring Hill Store”, [situated in Sec. 13-9N-2E]	Omitted
27.	Annexation of Unincorporated Lands in Sections 7, 8, & 9, [9N-2E]	Omitted
28.	Annexation of Unincorporated Lands in Sections 3, 4, 5, & 6, [9N- 2E]	Omitted
29.	Annexation of Unincorporated Lands in Sections 2, 3, 4, 7, 8, & 18 [8N-2E]	Omitted
30.	Excise Tax	46
31.	Penalties for stealing and damaging Traffic Signs and Town Signs	47
32.	Traffic Laws and Fines	48
33.	Gravel Roads	48
34.	Prohibition on unlicensed vehicles on public road	49
35.	Administrative Procedures for Ordinance Violations	50

36.	Purchasing Procedures	51
37.	Emergency Management	52
38.	Annexation of Tracts of Land Section 13-9N-2E	Omitted
39.	Commercial Medical Marijuana Regulation	57

ORDINANCE NO. 1: MEETINGS OF THE BOARD OF TRUSTEES

1. Regularly Scheduled Meeting Time. The regularly scheduled meetings of the Board of Trustees of the Town of Pink shall be on the second Monday of each month at 7:30 P.M. Notwithstanding, pursuant to 25 O.S. § 311, the Board may change the meeting date and time of the regularly scheduled meetings by providing the Town Clerk-Treasurer with written notice of the new date and time at least ten (10) days prior to the implementation of said change. All special meetings will be held in the same building as for regular meetings.

2. Meeting Place. That the meeting place for all regular and special meetings of the Board of Trustees of the Town of Pink, Oklahoma will be the building known as the Pink Town Hall erected on a portion of the NE/4 of the NE/4 of the NE/4 of Section 20, Township 9, Range 2, East of the Indian Meridian.

3. Meeting Agenda. The agenda of the Town of Pink shall substantially conform to the following:
   - A. Call to Order
   - B. Roll Call
   - C. Flag Salute (optional)
   - D. Reading, correcting and approving of prior minutes
   - E. Reading, correcting and approving of treasurer's financial report
   - F. New business
   - G. Unfinished / old business
   - H. Items that have come up unforeseen prior to agenda being posted
   - I. Public Comments Reports (Fire department, attorney, special committee, etc.)
   - J. Consideration of ordinances, regulations, resolutions, etc.
   - K. Purchase orders Adjournment

4. Rules of Order. The rules of parliamentary practice comprised in the latest edition of Robert's Rules of Order, Newly Revised, shall govern the Board of Trustees in all applicable cases where not inconsistent with the ordinances, standing rules and orders of the Board of Trustees. Notwithstanding:

   A. When any trustee speaks or otherwise presents any matter to the Board of Trustees, he shall confine himself to the matter under consideration and avoid personalities.

   B. When two or more trustees rise to speak at once, the Mayor shall name the trustee who is first to speak. No trustee shall have possession of the floor until he is recognized by the Mayor or acting Mayor, as the case may be.

C. No trustee shall speak more than once on the same question, without leave of the Board of Trustees, unless he is the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply but not until every trustee choosing to speak shall have spoken.

D. When the Mayor is putting any question or addressing the Board, no trustee thereof shall walk out or across the hall, or, in such case of when a trustee is speaking, shall any other trustee entertain any private discourse.

E. Every trustee who shall be in the meeting when a question is put shall give his vote, unless the Board for special reasons shall excuse him. All motions to excuse a trustee from voting shall be made before the Board and before the call of the yeas and nays is commenced. Any trustee requesting to be excused from voting may make a brief verbal statement of the reason for making such request, and the question shall then be taken without further debate.

F. When a motion is made and seconded, it shall be stated by the Mayor or, being in writing, it shall be handed to the chair and read aloud by the Town Clerk-Treasurer before debate.

G. Every motion shall be reduced to writing, if the Mayor or any trustee shall request it.

H. After a motion is stated by the Mayor or read by the Town Clerk-Treasurer, it shall be deemed to be in the possession of the Board, but it may be withdrawn at any time before a decision or amendment.

I. When a question is under debate, no motion shall be received, but to adjourn, to lay on the table, for the previous question or to amend, which several motions shall have precedence in the order in which they are named in this subsection.

J. A motion to adjourn and a motion to fix a day to which the Board shall adjourn shall always be in order. These motions and the motion to lay on the table shall be decided without debate.

K. No motion or proposition on a subject different from that under consideration shall be admitted by amendment. No bill or resolution shall at any time be amended by annexing thereto or incorporating therewith any other bill or resolution pending before the Board.

L. When a motion has once been made and carried in the affirmative or negative, it shall be in order for any trustee of the majority to move for the reconsideration thereof, at the same or the succeeding session, and each motion shall take precedence over all other questions, except a motion to adjourn. The motion to reconsider shall require for its adoption the same vote as was required on the vote reconsidered.

M. Upon roll calls of the Board of Trustees or in taking the yeas and nays upon any question, the names of the trustees shall be called by the Town Clerk-Treasurer.

5. Public Comments. Public comments are limited to the time and place so designated in the agenda. To ensure decorum, civility and order, only recognized individuals shall be able to address the Board and the public. To be recognized, an individual must sign-in where designated by the Town Clerk-Treasurer before the Meeting begins. Recognized individuals are limited to three (3) minutes. Topics are limited to twelve (12) minutes. These time constraints may be suspended during a meeting by a 3/5ths vote of the Board of Trustees if requested by an individual.

6. Officers. The officers of the town of Pink are at present, and until such time as new officers are, pursuant to 11 O.S. §§ 12-104, 12-109, 12-110 and 12-112, the Mayor, and Town Clerk-Treasurer.

[Adopted 11-20-67; Amended on 12-4-00, and 1-8-18]

ORDINANCE NO. 2: **[OMITTED; SEE TABLE OF ORDINANCES]**

ORDINANCE NO. 3: **[OMITTED; SEE TABLE OF ORDINANCES]**

ORDINANCE NO. 4: **[OMITTED; SEE TABLE OF ORDINANCES]**

ORDINANCE NO. 5: **ANNUAL TAX FROM RESIDENTS ON TELEPHONE SERVICE**

1. Subsisting State Permits. All valid and subsisting permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purposes of this ordinance, hereby ratified, confirmed and adopted in lieu of any requirement for an additional Town permit for the same purpose.

2. Effective Date. This ordinance shall become and be effective on and after March 15, 1973.

3. Annual Service Charge Levied. That from and after effective date of this ordinance, there is hereby levied an annual service charge upon each and every person, firm and corporation operating a telephone exchange in the Town of Pink, Oklahoma, in an amount equal to two (2%) percent of the gross revenues for each current year for exchange telephone transmission service rendered wholly within the town limits of the Town of Pink, to compensate said town for the expenses incurred and services rendered incident to exercise of its police power, supervision, police regulation and police control of construction of lines and equipment of said telephone company in the Town of Pink. This said service charge shall be due and payable to the Town of Pink on or before the first day of April of each year, commencing with the first day of April, 1974, and shall be paid into and appropriated and extended from the general revenue fund of said Town of Pink.

[Adopted 2-5-73]

ORDINANCE NO. 6: SEWAGE DISPOSAL

1. Effective Date. This Ordinance shall become and be effective on and after June 18, 1973.

2. Definitions. For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section.

   Human excreta. The bowel and kidney discharges of human beings.

   Sanitary pit privy. A privy which is built, rebuilt or constructed so as to conform to the specifications approved by the state health department.

   Sanitary sewage. The liquid waste which may or may not contain solids, originating in the sanitary conveniences for personnel of a dwelling, business building, factory or institution.

   Sanitary sewerage system. All sanitary sewer trunk lines, main lines, submain lines, lateral lines and sewage treatment plants, and all sewer lines connected to the city's sewer lines or treatment plants, whether owned by the Town or not.

   Sanitary water closet. The flush type toilet which is connected with a sewer line of sufficient capacity and so constructed as to carry away the contents at all times.

   Single-family residential unit. A building or structure, constructed and designed for the convenience and occupancy of a single family; regardless of how many people occupy the same.

   Town Sewer Inspector. Person hired by Town or any person authorized by the Town Board of Trustees.

3. Sewer Inspector. The office of Sewer Inspector is hereby established. The Town Board of Trustees or their authorized representatives will act as sewer inspector and enforce all provisions of this Ordinance.

4. Enforcement. The sewer inspector and other duly authorized employees of the Town, Pottawatomie County or State of Oklahoma, bearing proper credentials and identification, shall be permitted to enter upon all property for the purposes of inspection, observation, measurement, sampling and testing, in accordance with the provisions of this chapter.

5. Violation. Any person found to be violating any provision of this chapter shall be served by the sewer inspector with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violation. In the event the correction is not satisfactorily made the offender's property shall be discontinued from the Town sewer, if any, and enforcement action taken. Any person violating any of the

provisions of this Ordinance shall become liable to the Town for any expense, loss or damage occasioned the Town by reason of such violation, or incurred by the Town in enforcing this Ordinance.

6. Required disposal facilities. Every residence and building equipped with toilet facilities in which humans reside or are employed or congregate, shall be required to have a sanitary method for the disposal of human excreta, either sanitary water closets, sanitary pit privies or septic tanks. The facilities required by this section shall be the sanitary water closet type when such building is located within two hundred and fifty feet of a sanitary sewer, and accessible thereto, and the sanitary pit privy or septic tank type when not so located. No person owning property within the Town limits shall permit the disposal of human excreta on any property owned by such person, except in facilities required by this section. In no case shall two or more residential houses with sewer disposal systems be on same tract or lot without meeting subdivision requirements.

7. Requirements for septic tanks. No septic tank, liquefying closet or chemical closet shall be constructed within the Town, without a permit from the sewer Inspector and the same shall comply with the requirements of the state health department.

8. Requirements for privies. All privies shall be kept clean at all times, so that the cover of the seat of such privies shall be kept closed at all times when such privy is not being used; that no wash water, kitchen slop or anything other than human excreta and toilet paper shall be emptied in the privy; and that no excreta from any person suffering with typhoid fever, dysentery or any other serious bowel disease shall be deposited in any sanitary pit privy or sanitary water closet until the same is disinfected in such a manner as may be prescribed by the State or County Health Officer. All privies on any premises within the town, not constructed and maintained in conformance with the provision of this chapter are declared to be a nuisance, and a menace to public health.

[Adopted 6-18-73]

ORDINANCE NO. 7: NUISANCES

1. Effective Date. This Ordinance shall be effective as of June 18, 1973.

2. Declaration of Nuisances. The following things, acts, occupations or uses of property are hereby declared to be public nuisances:

   A. Those which annoy, injure or endanger the safety, health or comfort of any person or persons.

   B. Those which offend the public decency.

   C. Those which unlawfully interfere with, obstruct or tend to obstruct or render dangerous for passage any lake, basin, public parks, square, roadway, street, alley or highway.

D. Those which shall in any way render a person or persons insecure in life or in the use of property.

The fact that certain acts, conditions or other things are declared in this Ordinance to be nuisances shall not be construed to deny that any other act, fact, condition or thing shall not be a nuisance if such other act, fact, condition or thing would have been a nuisance under this Ordinance or any other Ordinances of the Town in the absence of the provisions of this Ordinance.

3. Nuisances affecting health. The following conditions are hereby declared to be public nuisances affecting health:

A. All decayed or unwholesome food offered for sale to the public.

B. Milk produced by cows which have not been tested and found free from tuberculosis within the year previous to the offering of such milk for sale to the public.

C. Carcasses of animals not buried or otherwise disposed of in a sanitary manner within twenty-four hours after death.

D. Privy vaults and garbage cans which are not fly-tight or are contrary to the regulations relating thereto.

E. Dense smoke, noxious fumes, gas, soot or cinders in such quantities as render the occupancy of property uncomfortable to a person of ordinary sensibilities.

F. Offensive trades and businesses as defined by statute not licensed by the Town as provided by this Ordinance or any other city ordinance.

G. All public exposure of persons having contagious or infectious disease.

H. The distribution of samples of medicines or drugs unless such samples are handed and delivered to persons in hand.

I. All other acts, omissions of acts, occupations and uses of property which are in fact a menace to the public health.

4. Nuisances affecting public morals and decency. The following are hereby declared to be public nuisances affecting public morals and decency:

A. All gambling devices, slot machines, punchboards and other such contrivances of a similar character involving any element of chance as a consideration or part consideration.

B. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame and bawdy houses.

C. All domestic animals in the act of copulation exposed to public view.

D. All places where intoxicating liquors are manufactured, sold, bartered or given away in violation of law or where persons are permitted to resort for the purpose of drinking intoxicating liquors kept for sale, barter or distribution in violation of law, and all liquor, bottles, kegs, pumps, bars, and other property kept at and used for maintaining such a place.

E. Any vehicle used for immoral or illegal purpose.

F. All obscene pictures, books, pamphlets, magazines and newspapers.

G. The public use of profane or obscene language.

H. Betting, bookmaking and all apparatus used in such occupation.

I. Places used for the holding of public dances, unless conducted as provided by law, and conducted for the profit of the person operating the same.

J. Junk yards or storage places for all iron, old automobiles, scrap or junk of all kinds which is dumped or stored in and about places commonly known as junk yards, within any resident district.

5. Nuisances affecting public peace and safety. The following are hereby declared to be public nuisances affecting public peace and safety:

A. All trees, hedges, billboards or other obstructions which prevent persons driving vehicles approaching an intersection of public highways having a clear view of traffic approaching such intersection from cross streets, for thirty feet along such cross streets measured from the property line.

B. All wires over streets, alleys or public grounds which are strung less than fifteen feet above the surface of the ground and all wires not licensed by the Town.

C. All buildings, walls, and other structures which have been damaged by fire, decay or otherwise, and which are so situated as to endanger the safety of the public, or otherwise built, erected or maintained in violation of any law.

D. All explosives, inflammable liquids and other dangerous substances stored in any manner, in any amount other than that provided by law.

E. All use or display of fireworks when the same is prohibited by law.

F. All loud or unusual noises and annoying vibrations which offend the peace and quiet of persons of ordinary sensibilities.

G. All buildings and all alterations to buildings made or erected within the limits in violation of the regulations concerning the manner and materials of construction.

H. Obstructions and excavations affecting the ordinary use by the public of the streets, alleys, sidewalks or public grounds, except under such conditions as are provided by law.

I. Radio or television aerials strung or erected in any way contrary to any relating to same.

J. Any use of the public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks.

K. All hanging signs, awnings or canopies, and other similar structures, over the streets or sidewalks so situated or constructed as to endanger public safety, or contrary to law.

6. Scattering paper, littering, etc. Loose paper or paper materials lying on the streets, alleys, vacant lots or other premises increases the fire risk and is against the public health and safety and is hereby declared to be a nuisance. The owner or occupant of any premises where such nuisances exists shall be guilty of a violation of the Ordinance in all areas where he permits such a nuisance to exist. No persons shall commit or aid or abet in the creation or the continuation of a nuisance described in this section.

7. Maintenance, permitting, etc., of nuisances prohibited. No owner or occupant of any premises situated in the Town, or any other person shall permit any nuisance to exist or continue within the Town in violation of the provisions of this Ordinance.

8. Penalties. Any person violating this Ordinance, upon conviction thereof, shall be punished with a fine not less than five dollars nor more than twenty dollars provided, that each day in which such violation takes place shall be a separate and distinct offense.

9. Resolution. A resolution shall be passed and approved declaring any condition, act or particular thing to be a nuisance before any nuisance is abated. Such resolution shall specify the property on which it is located and its owner and occupant and the general character of the nuisance. The resolution shall in all cases be passed and approved by the Town Board of Trustees, except in the case of nuisances arising under the health and sanitary regulations in which case the board of health, the board of commissioners or the Town Inspector may pass and approve such resolution.

10. Hearings; service of notice.

A. Pursuant to a resolution passed under the preceding section, a written notice shall be served on the person who maintains, operates or permits the nuisance which notice shall fully set forth the name of the person, the date of the nuisance, the

general character of the nuisance and its location, and it shall require such person appear before the board of health, town inspector or board of trustees on a day named therein, not less than three days after service thereof, except in cases of emergency, and show cause why such nuisance should not be abated, prevented and removed.

B. All such notices shall be drawn, signed and certified by the Town Clerk and served by the Town Clerk or some duly authorized person by delivering to the person a written copy if he can be found, or in case he cannot be found by leaving with some occupant on the premises above the age of sixteen years or by tacking the same on the door or other convenient and conspicuous place of the premises.

C. At a hearing held pursuant to this section, the Board of Trustees, board of health, or town inspector, as the case may be, shall in its discretion pass on all questions of evidence and determine at or after such hearing whether or not such nuisance shall be abated, removed and prevented, and its action shall be final, except as provided in this Ordinance.

11. Order to Abate. In all cases where the board of health, the board of trustees or the town inspector has determined, after hearing or notice of hearing and default, that any nuisance shall be abated it shall be the duty of the board or officer to issue and order requiring the defendant to abate, prevent and remove the nuisance within a time named therein, whereupon it shall be the duty of the Town Clerk to issue an order, signed, certified and sealed, reciting the order required and he shall deliver the same to the Town Inspector or duly authorized officer, authorized to serve process and execute orders. It shall be the duty of the authorized officer to serve the final order of the board of health, board of trustees or town inspector as certified by the Town Clerk.

12. Abatement by Town upon failure to obey order to abate.

A. In the event any nuisance is not abated, removed and prevented by the person receiving an order pursuant to the preceding section, within the time provided in such order and according to the terms of such order, which time shall be a reasonable time under the circumstances, the Town Inspector or other authorized officer shall proceed forthwith to abate, remove and prevent such nuisance by removing, destroying, filling up, locking, moving or such other steps as are necessary to fully comply with the order of abatement.

B. The fact that the Town has abated and removed a nuisance after proper procedure and default, failure or refusal of the person ordered to do so shall in no way excuse such person from any damages which may have resulted prior thereto to any person in the Town.

C. Any person who fails to remove and abate any nuisance, after proper notice and opportunity to be heard and final order of the proper authority, shall be liable to the

Town for all expenses incurred in the removal and abatement of the nuisance, as certified by an itemized bill of costs signed by the Town Clerk.

D. It shall be the duty of the Town Clerk to make up a bill of costs to include all expense to which the Town was put in the removal of such nuisance and certify the same, to which the Town Clerk will add any other costs which are not included in the statement of the police, Marshall, or authorized representative.

E. It shall be the duty of the Town Clerk to make written demand on such person for the payment of such costs in full, and in the event of his failure to pay the same within thirty days after demand is made for the payment of the same, the Town Trustee shall institute a cause of action for the recovery of the same and shall pursue the same in the courts of law as in his judgment shall be expedient.

F. Any conviction for the violation of this Ordinance shall not be construed to waive any civil liability arising under this Ordinance for the maintenance or operation of a nuisance nor shall the same be construed to permit or authorize the continuance of such nuisance.

13. Appeals. Nothing in this Ordinance shall be construed to deny the right of appeal to a court of competent jurisdiction as defined by state law, and in the manner provided by state law.

[Adopted 6-18-73]

ORDINANCE NO. 8: LAND USE; SUBDIVISION OF LAND

1. Effective Date. This Ordinance shall be effective on and after July 10, 1973.

2. Jurisdiction. This Section shall apply to the following forms of subdividing and developing of land for residential purposes within the corporate limits of the Town of Pink:

A. The dividing of land into two or more tracts, lots, sites, or parcels, any part of which, when subdivided, shall contained 5.0 acres or less in area.

B. The redividing of land previously divided or platted into tracts, lots, site or parcels, of 5.0 acres or less in area.

3. Subdividing. The term "subdividing" means the division of a parcel of land into two or more lots for the purpose of transfer of ownership or development.

4. Approval of Plats Required. No land shall hereafter be subdivided within the Town of Pink until the plan or plans of such subdivision have been submitted to and approved by the Board of Trustees. Such approval must be in writing or stamped on such plan or plans.

5. Copies Required and Necessity of Approval.

A. Any person hereafter subdividing any piece or parcel of land, block, lot or sublot or any part thereof in the Town of Pink shall make a map or plat thereof, and before recording the same in the recorder's office of the county, shall submit it with a duplicate thereof, to the Clerk of the Town of Pink for approval or rejection by the Board of Trustees.

B. If approved, such approval shall be certified thereon, and signed by the Chairman, Board of Trustees, and attested by the Town Clerk; and no such map or plat shall be valid or shall be recorded until it shall have been approved as aforesaid.

C. No lot, tract or parcel of land within any subdivision shall be offered for sale nor shall any sale, contract for sale, or option be made or given, until such subdivision has been formally approved.

6. Board of Trustee Action. The Board of Trustees shall approve or disapprove the plat within forty-five (45) days of its presentation by the applicant, unless stipulation for additional time is agreed to by the applicant and if no action be taken by the Board of Trustees, the plat shall be deemed to have been approved.

7. Roads. All roads within the subdivision shall be governed by provisions located elsewhere in the Town Code.

8. Area Regulations and Uses Permitted.

A. *Scope*. Lot sizes of less than two and one half (2.5) acres created prior to July 10, 1973, are exempt from this Section 8.

B. *Minimum Lot Sizes*.

1. Lot Size. Subject only to the exceptions explicitly enumerated herein, no person shall construct, sell, lease, or rent a Residential Dwelling Unit, Modular Home, Mobile Home and/or Manufactured Home located on a building site encompassing less than Two and One Half (2.5) acres is that area.

2. Limitation on Temporary Dwellings. Subject only to the exceptions explicitly enumerated herein, no person shall erect, construct, build, or install or otherwise operate a Recreational Vehicle and/or a Travel Trailer on a building site encompassing less than Two and One Half (2.5) acres in that area. In the event a Recreational Vehicle and/or Travel Trailer it to be utilized on a building site for longer than two consecutive months, the owner of such dwelling shall submit an application to the Town Board as more fully enumerated in subsection C.

3. Definitions. For the purposes of this Section, the following terms are defined thusly:

a. "Board of Trustees" means the Board of Trustees of the Town of Pink, Oklahoma.

b. "Building Site" means any tract of land on which a Residential Dwelling unit, Modular Home, Mobile Home, and/or Manufactured Home is, or is to be, constructed, sold, leased, or rented.

c. "Construct" means assemble or place upon a building site located in the Town for the purpose of creating or installing a residential dwelling unit.

d. "Divided" means created, as a building site with a unique legal description, by an instrument. It shall be conclusively presumed that a building site is divided if the instrument was filed of record with the Clerk of Pottawatomie County, Oklahoma, and it will likewise be conclusively presumed that the date of the division occurred on the date the instrument was filed of record with the Clerk of Pottawatomie County, Oklahoma. The sufficiency of any other basis of proof for a division or the date thereof will be subject to the complete discretion of the Board of Trustees.

e. "Eminent domain" means the inherent power of an entity to lawfully take private property for public use, subject to the limitations of the Fifth Amendment to the Constitution of the United States of America, the Oklahoma Constitution, and all applicable laws, statutes, and regulations.

f. "Instrument" means a written deed, judgment, order, decree, plat or conveyance.

g. "Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, covers 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning and/or electrical systems contained thereon. The term includes manufactured homes transportable in one section and manufactured homes transportable in two or more sections. These terms shall not include any travel trailer, recreational vehicle, any self-propelled vehicle used as living quarters, or trailer or semitrailer used for the

transportation of goods or property other than the personal belongings of the owner of the vehicle.

h. "Mobile Home" means a single family dwelling designed for transportation on streets and highways on its own wheels or on flatbed or other trailers, both highway and rail, and arriving at the site where it is to be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or permanent foundations, connection to utilities and similar operations.

i. "Modular home" means a factory built home which is designed only for erection or installation on a site-built permanent foundation, does not have a chassis of any kind, whether temporary or permanent, and to the manufacturer's knowledge is not intended to be used other than on a site-built permanent foundation.

j. "Person" means any individual, person, organization, entity, and/or corporation.

k. "Previously Constructed Residential Dwelling Unit" means any residential dwelling unit that was constructed prior to July 10, 1973. The sufficiency of the evidence of the existence of a previously constructed residential dwelling unit and the cause of its destruction, demolition, or deconstruction will be subject to the complete discretion of the Board of Trustees.

l. "Previously Divided Building Site" means any building site which was divided by an instrument prior to July 10, 1973.

m. "Recreational vehicle" means a class D motor vehicle, provided such vehicle is a self-propelled or towed vehicle that is equipped to serve as temporary living quarters for recreational, camping or travel purposes and is used solely as a family or personal conveyance.

n. "Residential Dwelling Unit" means any house, structure, edifice, dwelling, shelter, building, living quarters, modular home, manufactured home, or mobile home that contains living, sleeping, eating, cooking and/or sanitation facilities for one or more persons. The term "residential dwelling unit" shall not contemplate recreational vehicles or travel trailers.

o. "Town" means the Town of Pink, Oklahoma.

p. "Town Code" means the Code of the Town of Pink, Oklahoma.

q. "Travel Trailer" means a vehicle or portable structure built on a chassis, designed as a temporary dwelling for travel, recreational and vacation use not included in the definition of mobile home or manufactured home.

4. Commercial and Industrial Limitations. This Section does not govern the ability of a person to establish a commercial or industrial property. Such instances are governed by provisions located elsewhere in the Town Code.

5. Exceptions. Any exceptions to this Section are strictly limited to the following:

a. Previously Divided Building Site. One, and only one, residential dwelling unit may be constructed on each previously divided building site, even if such site comprises less than Two and One Half (2.5) acres in area

b. Previously Constructed Residential Dwelling Unit. One, and only one, previously constructed residential dwelling unit may remain on a previously divided building site unless it otherwise violates any provision of this Town Code. If a previously constructed residential dwelling unit is destroyed, demolished, or deconstructed for any reason, one, and only one, residential dwelling unit may be constructed on its previously divided building site.

c. Eminent Domain. If a building site of Two and One Half (2.5) acres or more in area is reduced in area to a size of less than Two and One Half (2.5) acres as a result of the exercise of the power of eminent domain, the building site shall not be in violation of this provision strictly by virtue of its reduced size, if the reduction in size is due solely to the exercise of eminent domain. Such a building site shall otherwise be required to conform to all other provisions of the Town Code.

d. Discretionary Temporary Exceptions. The Board of Trustees is empowered to grant discretionary exceptions to this provision, but such relief shall be strictly limited to the following particulars and may be granted at the sole discretion of the Board of Trustees:

i. The Board of Trustees may allow relief to those residents of the Town who may suffer undue hardship as a result of this provision. Any relief granted shall be temporary in nature.

ii. Undue hardship shall be interpreted to be confined to those circumstances related to the health or care for, or by the

applicant for a relative within the third degree of consanguinity of the applicant.

iii. The Board of Trustees shall look to the following factors as guidance when determining whether a resident has sufficiently shown that they would suffer undue hardship as a result of this provision: (1) whether the applicant would in fact suffer undue hardship as a result of this provision; (2) whether there are other viable and reasonable means to avoid said undue hardship without granting an exception to this provision; (3) the applicant's ability and means to afford to remove all structures, trailers, or other supplies or structures from the property after the exception has expired; and; (4) the reliability and veracity of the evidence presented by the applicant regarding the factors contained in this subsection.

iv. It is the burden of the party requesting an exception to provide proof to the Board of Trustees of the undue hardship caused by this provision. The sufficiency of the proof shall be determined by the Board of Trustees and is subject to its complete discretion.

v. No exception may be granted unless and until the person requesting such exception makes written application to the Board of Trustees at least fifteen (15) days prior to the scheduled monthly meeting at which the application is to be considered. Submission of the written application to the Town Clerk shall constitute submission to the Board of Trustees.

vi. The applicant must be present at the meeting at which the application is to be considered and shall be prepared to respond to any and all questions propounded by the Board of Trustees.

vii. In order to be considered, the application shall contain the following, to wit: (1) the true and correct legal description of the building site affected by the request; (2) the legal name and address of the owner(s) of the building site affected by the request; (3) the legal name and address of the applicant(s); and (4) a concise written statement identifying the necessity for the exception.

viii. A building site for which an exception is granted shall be subject to unannounced inspections by the Board of Trustees or their designees. In the event there is a discrepancy between the actual use of the building site and the purpose stated in the written application for the exception, the exception shall be withdrawn at once.

ix. Each discretionary temporary exception granted by the Board of Trustees may be renewed each year on the monthly Board of Trustees meeting that most closely coincides with the anniversary date. The applicant shall bear the responsibility for submitting the renewal application in a timely manner. The same requirements and procedures for original applications shall be used for renewals. The granting of an exception does not guarantee that a renewal will be granted. If the most recent annual renewal is granted by the Board of Trustees, the discretionary temporary exception or renewal thereof expires by operation of law one year from the date of the most recently granted discretionary temporary exception or renewal of a discretionary temporary exception.

x. Applicants approved for a discretionary temporary exception shall obtain a surety bond, in an amount set by the Board, but not to exceed $5,000.00, payable to the Town, executed by the applicant and a corporate surety authorized to do business with the State and conditioned that the applicant shall pay the Town or reimburse the Town, for the incurred costs, including attorneys' fees, associated with the enforcement of this Ordinance, including the restoration of the subject property to a lawful state upon non-compliance and/or lapse of the temporary exception, and including, but not limited to, the physical removal of structure(s), fixtures, and improvements that have necessitated the cause for non-compliance falling under this Ordinance.

xi. An Individual who was granted an exception under this section based upon undue hardship must take whatever action is necessary to become compliant with the provisions of this section within ninety (90) days of the termination of the condition that necessitated the exception granted in order for that individual to be considered compliant with the provisions of this section.

C. Approval by Town Board.

1. Scope. Any person or company engaged in the construction or installation of a Residential Dwelling Unit, Manufactured Home, Modular Home, or Mobile Home house for the purpose of a family dwelling shall submit a general building plan and description of the proposed building site to the Town Board of Trustees and must receive a written acceptance and approval from said Board prior to the commencement of construction or installation, if said building site complies with this Ordinance.

2. Fee. There shall be an application fee of $25.00, of which $10.00 is non-refundable. For renewal applications, there will be a renewal fee of $10.00 to be submitted with the renewal application. There will be no refunds for denied renewal applications. The Board of Trustees may amend the fee provided in this Section by ordinance or resolution.

9. Fire Hydrants. From the June 13, 2022, property located within the Town subdivided into more than four (4) lots, of less than ten (10) acres each, shall:

A. Have one (1) operational fire hydrant installed at the entrance of such subdivision, and

B. Have one (1) installed fire hydrant for every one-quarter (1/4) mile of traveled road within the subdivision; or

C. If the traveled road within the subdivision is less than one-quarter (l /4) of a mile, then there shall be two (2) fire hydrants installed at evenly spaced intervals.

D. If unable to connect to the rural water system a water storage tank, with well, will be established. The tank will be centered in the subdivision with enough road access for fire tank trucks to turn around or drive by. The tank will have a minimum of 20,000 gallon volume of storage.

10. Penalty. Upon a finding that the terms and provisions of this provision have been violated, the remedies available to the Board of Trustees shall include, but are not limited to, the assessment of a fine of up to Ten Thousand Dollars ($10,000.00) and/or obtaining extraordinary and/or injunctive relief in State District Court.

[Adopted 7-9-73; Amended 1-8-18, 4-9-18, and 6-13-22]

ORDINANCE NO. 9: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 10: **ESTABLISHMENT OF VOLUNTEER FIRE DEPARTMENT**

Be it ordained by the Town of Pink, Oklahoma, that the fire department of Pink, Oklahoma, is a volunteer fire department which has no salaried firemen, and it shall be comprised of not less than 12 or more than 20 volunteer firemen. The Fire Board will consist of the Chairman of the Board of Trustees of the Town of Pink, the town clerk, the town treasurer, three firemen to be elected by the fire department. A monthly meeting will be held immediately following the regular town meeting, the first Monday of each month. Records with a complete list of firemen for the Town of Pink will be kept monthly. The purpose of the Board Meeting will be for the chief to submit any personnel changes and the Board to discuss items to be presented to the town council concerning the Fire Department. For the purpose of this ordinance, a volunteer fireman shall be considered as one who is enrolled as a member of the fire department and who serves in said capacity without receiving a regular salary.

[Adopted 1-3-77]

ORDINANCE NO. 11: **RULES AND REGULATIONS FOR VOLUNTEER FIRE DEPARTMENT**

1. The word "town" as hereinafter used shall mean and designate the Town of Pink, Pottawatomie County, Oklahoma, and the word "department" as hereinafter used shall mean and designate the Town of Pink Volunteer Fire Department.

2. The provisions of this ordinance shall be enforced by the Town of Pink Board of Trustees. The Board is empowered to, at any time as the Board may deem, in its discretion, it should be appropriate and necessary, the right to withhold funds from the Department, including any and all acquired funds deemed necessary. The Department, at all times shall be under the control and direction of the Board of Trustees of the Town.

3. At any such time as the Department may elect a Fire Chief, Firefighter, or associate members (employees) they shall be subject to the Boards approval, as at that time they will become employees of the Town of Pink and subject to the Board of Trustees. The Board is granted the right to confirm or deny the Fire Chief, Firefighters, or associate members (employees) as elected by the Department for the good of the service. The Fire Department has thirty (30) days to submit their list to the Board. The Board has then sixty (60) days to vote to confirm or reject the Fire Chief, Firefighters, or associate members (employees). If the proposed elected Fire Chief, Firefighters, or associate members (employees) are rejected by the Board, the Department shall hold new elections within thirty (30) days of the Board's rejection. The new election shall be for the Fire Chief and Officers only. The Board may confirm or deny one or all of the employees proposed.

4. The Firefighters (employees) shall be on a one (1) year probationary period, and will be reviewed at the end of their probation for consideration of permanent members of the Fire Department. During the Firefighters, associate members (employees) probationary period,

they will not be allowed to vote in elections, or hold an officer's position unless proven that they have adequate training, incentive, and willingness to be an asset to the community.

5. Volunteer Fire Fighters shall be entitled to a reimbursement for mileage actually and necessarily driven when responding to emergency calls from the location of the Volunteer fire Fighter's primary residence to the closer of (1) the nearest Town fire station or (2) the location of the emergency call. The Town Board will determine by resolution the reimbursement rate with regards to the mileage reimbursement.

[Adopted 1-3-77; Amended 3-18-02, 11-11-02, and 6-13-22]

ORDINANCE NO. 12: CIVIL DEFENSE ORGANIZATION

1. Purpose. The purpose of this Ordinance is to create a Civil Defense Organization for the Town of Pink to be prepared for, and to function in the event of, emergencies endangering the lives and property of the people of such city. The duty of such Civil Defense Organization shall be the protection of the lives and health of the citizens of Pink and of property and property rights, both private and public, and to perform all functions necessary and incident thereto.

2. Establishment. There is hereby established under the executive branch of the government of the Town of Pink, a Department of Civil Defense, which shall consist of: a) a director of Civil Defense who shall be appointed by the Mayor of the Town of Pink and serve at their pleasure. The Director of Civil Defense shall be the executive head of the Department of the Civil Defense and shall be responsible for carrying out the Civil Defense program of the Town of Pink. It shall be the duty of the Director of Civil Defense as soon as practicable after his appointment to perfect an organization to carry out the purposes set forth in this ordinance, and he shall have all necessary power and authority to form committees or other bodies and to appoint and designate the chairman or chief officer of such bodies as may be necessary to perfect such an organization. The Director of Civil Defense shall have such further duty and responsibility to cooperate with all Civil Defense Agencies of other governmental units including the State of Oklahoma and the federal government.

3. Plans, Records. The Director of Civil Defense is further authorized to formulate written plans and gather information and keep written record thereof to govern the functions of the Civil Defense Organization.

4. Emergency Authority. In the event of an enemy-caused emergency or emergency resulting from natural causes, the Director of Civil Defense after due authorization from the Mayor of the Town of Pink shall have the power and authority to enforce all rules and regulations relating to Civil Defense for the purpose of protecting the civilian population. The Director of Civil Defense shall cooperate in every way with the activities of other governmental agencies or Civil Defense Organizations.

[Adopted 4-4-77]

ORDINANCE NO. 13: TOWN PROPERTY

1. The purpose of this ordinance is to accept approximately 10 acres located in the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section Twenty, Township Nine North, Range Two (2) East, Pottawatomie County, Oklahoma, and the building improvements thereon, dedicated to the Town of Pink from Property Resources, Inc. for the use and benefits of the lot owners in Spring Valley in Common with all other residents of the Town of Pink to be used for a Town Hall, Community Building and Park.

2. There is hereby established the following provisions:

   A. The building, improvement and property will be deeded by Warranty Deed to the Town of Pink. (The failure of the Town of Pink to maintain said property as a Park, Town Hall and Community Building for a period of one year shall render the dedication null and void and property shall revert to Property Resources, Inc.)

   B. No road maintenance or improvement will be made for Spring Valley residents by the Town of Pink. (This provision will be obsolete if at a later date some type of road maintenance is provided for the Town of Pink.)

   C. One room will be reserved for Pink Board of Trustees Meetings and town properties with only Board of Trustee Members having access to the room.

   D. There will be no building or maintaining of a swimming pool on this property by the Town of Pink.

   E. That the second Monday of each month, at the hour of 7:30 P.M. of said day, shall be the regular meeting time of the Board of Trustees of the Town of Pink, Pottawatomie County, Oklahoma; that special meetings will be called by the Mayor or a majority of the Board.

   F. Organizations having fund raising projects for their own organizations will be required to pay a nominal fee for expenses incurred such as utilities, cleaning, etc. Organizations having activities in the building will be responsible for leaving the building in the same condition as it was before their activity was conducted.

   G. Remodeling, improvements and additions to said property shall be done only after approval of the Board of Trustees of Pink.

   H. One person shall be designated by the Board of Trustees of Pink to keep a permanent record book for use of the building for community purposes. Reserving of the building will be done on a first-come basis. No organization will be given priority.

[Adopted 5-2-77; Amended 12-4-00]

ORDINANCE NO. 14: MEETING TIME AND PLACE

1. That the meeting place for all regular and special meeting of the Board of Trustees of Pink, Oklahoma, be changed from the OK Holiness Church to a building known as Pink Town Hall erected on a portion of the NE/4 of the NE/4 of the NE/4 of Section 20, Township 9, Range 2 East of the Indian Meridian.

2. That the second Monday of each month, at the hour of 7:30 P.M. of said day, shall be the regular meeting time of the Board of Trustees of the Town of Pink, Pottawatomie County, Oklahoma; that special meetings will be called by the Mayor or a majority of the Board.

[Adopted 11-7-1977; Amended 12-4-00 and 1-8-18]

ORDINANCE NO. 15: OFFICE OF TOWN CLERK/TREASURER

1. That provisions are made to have one office each for a Town Clerk and a Town Treasurer; that the Town Clerk be elected and the Town Treasurer be appointed by the Board of Trustees.

2. The Board of Trustees elected to take the available option to combine the two offices into one office; hereafter identified to be the Town Clerk/Treasurer.

3. The Board of the Trustees may elect to compensate the person serving as the Town Clerk/Treasurer a reasonable and nominal salary. Such salary and compensation may include the reimbursement of travel mileage expenses at a rate to be set by the current I.R.S. standard mileage rate. Such salary and compensation shall be set by Resolution and updated from time to time at the sole discretion of the Board.

4. Pursuant and subject to state law regulating the same, including, but not limited to 11 O.S. 8-106, a person may hold more than one office or position in the municipal government; however, a member of the governing body shall not receive compensation for service in any municipal office of position other than his or her elected office.

[Adopted 10-5-92; Amended 9-10-18]

ORDINANCE NO. 16: OIL AND GAS

PART 1: GENERAL PROVISIONS

1. Citation, Authority, and Jurisdiction. This ordinance and these regulations shall hereafter be known, cited, and referred to as "Oil and Gas Ordinance of the Town of Pink, Oklahoma." These regulations govern the regulation regarding road use, traffic, noise, odors, setbacks and fencing incidental to oil and gas operations within the jurisdictional area of the Town of Pink. This ordinance has been prepared, adopted, and enacted by the board of trustees in and for the Town of Pink in accordance with and pursuant to the authority granted by Title 52 O.S. §137.1.

2. Intent and Purpose. Whereas the imprudent operation of an oil and gas facility can constitute a nuisance to the public health, safety and welfare of the Town of Pink, it is the intent and purpose of this ordinance that oil and gas operations be reasonably regulated to protect the health, safety and welfare of the public and for the public good.

3. Definitions. For the purpose of this Section, the following definitions shall apply:

A. "Board of trustees" shall mean the governing body of the town.

B. "Commercial", when referring to deleterious substance disposal sites, shall be defined as any disposal site where deleterious substances disposed of are produced off the lease or transported over lease lines.

C. "Corporation commission" shall mean the Oklahoma Corporation Commission.

D. "Deleterious substance" shall mean any chemical, saltwater, oil field brine, waste oil, waste emulsified oil, basic sediment, mud or any injurious substances produced or used in the drilling, development, producing, transportation, refining and process of oil, gas or condensate; or any other injurious substances.

E. "Dwelling" a walled and roofed building that can be lived in or occupied by inhabitants.

F. "Enhanced recovery" shall mean an operation by which fluid or energy is introduced into a source of supply for the purpose of increasing the recovery of oil therefrom according to a plan which has been approved by the Oklahoma Corporation Commission.

G. "Lease owners" shall refer to the name of the mineral interest owners in fee or in lease.

H. "Mayor" shall mean the chief elected official of the town.

I. "Natural production" shall mean the raising to the surface of the earth, by natural flow, petroleum or natural gas.

J. “Natural resources" shall mean any water, air, land, trees, animals, or any other matter provided by nature.

K. “Oil and gas Administrator” shall mean that person, firm, or corporation qualified and employed by the Town of Pink to enforce the provisions of this ordinance, or by his/her authorized representatives.

L. "Operator" shall mean the person who is duly authorized and in charge of the development of a lease or the operation of a producing property.

M. "Owner" shall mean the person or persons who have the right to drill into and to produce from any common source of supply, and to appropriate the production either for himself, or for himself and others.

N. “Permittee” shall mean the person to whom is issued a permit or permits under the terms of this chapter.

O. “Person” shall mean and include any person, firm, partnership, association, corporation, trust, cooperative, limited liability company, or other type of organization.

P. "Pressure maintenance” shall mean an operation by which gas, water or other fluids are injected into a supply of oil or gas to maintain pressure or retard pressure decline therein for the purpose of facilitating recovery.

Q. "Re-enter" or "Re-entry" or "Re-entering" shall mean the act of entering a plugged well for the purpose of utilizing said well for the production of oil or gas, for the disposal of fluids therein, for a service well, or for the salvaging of tubing or casing therefrom.

R. "Reworking" or "Workover activities" shall mean one or more of a variety of remedial operations on a producing well to try to reestablish, maintain, or increase production. A permit is not necessary to rework a well unless the well is deepened.

S. “State” shall mean the State of Oklahoma, its branches, departments, agencies, boards or the officers thereof.

T. “Town" shall mean the municipality of Pink, Oklahoma.

U. “Town administrator” shall mean the chief administrative officer of the town.

V. "Well" shall mean, unless specifically stated otherwise, any hole or holes, bore or bores, to any depth for the purpose of producing and recovering any oil, gas or liquefied petroleum matter or deleterious substances, or for the injection or disposal of any of the foregoing.

All technical or oil and gas industry words or phrases used herein and not specifically defined herein shall have that meaning customarily attributable thereto by prudent operators in the oil and gas industry.

4. Oil and Gas Administrator.

A. The town board of trustees may employ, and/or assign a qualified person, persons, firm, limited liability company, corporation or other legal entity as an oil and gas

Administrator, whose duty it shall be to oversee and enforce the provisions of this Section.

B. The oil and gas Administrator shall have the authority to issue such orders or directives as are required to carry out the intent and purpose of this ordinance and its particular provisions. Failure to abide by any such order or directive shall be a violation of this Section.

C. The oil and gas Administrator shall have the authority to go upon and inspect any equipment and any premises covered by the terms of this ordinance to ascertain whether this ordinance. Failure to permit access to the oil and gas Administrator shall be deemed a violation of this Section.

D. In the event the town board of trustees choose not to employ and/or assign an Oil and Gas Administrator, the mayor or vice mayor of the Town of Pink, Oklahoma shall have the ability to act as the Oil and Gas Administrator with all rights and responsibilities enumerated hereunder.

PART 2: PERMITS

5. Permits Required.

A. It shall be unlawful for any person acting for himself or acting as agent, servant, employee, subcontractor, or independent contractor or any other person, to drill an oil and gas well, or operate a producing or deleterious substance disposal well, or to work upon or assist in any way in the production or operation of any well, without a permit having first been issued by the authority of the board of trustees in accordance with this ordinance.

B. Permits shall be required for the following:
1. Drilling an original well (for the exploration for production of oil or gas);
2. Drilling an original well or re-enter an existing well (for use as an injection well, as a disposal well or as a service well);
3. Re-entering a plugged well;
4. Deepening an existing well;
5. Operating a well; and
6. Drilling or operating an injection well.

All permit applications shall be submitted in a form provided by the town. Permit applications must be submitted at least thirty (30) days before the board of trustees meeting for proper review.

6. Location and Setback Requirements.

A. No permit shall be issued for the drilling of an original well or the re-entry of a well, or for any other purposes, at any location which is:

1. Nearer than three hundred thirty (330) feet of any permanent residence, commercial building, Church, school, or building where animals are customarily kept and are actually being kept prior to the application to drill was made;
2. closer than three hundred thirty (330) feet of a public road right-of-way;
3. closer than three hundred thirty (330) feet of a producing fresh water well;
4. within a platted subdivision;
5. within a survey of lots and blocks, or
6. within three hundred thirty (330) feet of the boundary of a platted subdivision.

B. Exceptions from this section may be granted at the discretion of the Board of Trustees. The Board of Trustees may consider evidence as to whether the enforcement of the setback and location requirements is reasonably necessary to protect against a threat to the health, safety, and welfare of its citizens.

C. 100-year flood plain. Application to drill an original well or re-enter an abandoned well within the 100-year floodplain shall be subject to special review by the town floodplain administrator. All requirements of the Flood Damage Prevention Ordinance shall be met.

7. Applicability to Existing Conditions. This ordinance shall apply to any person drilling an original well, re-entering an abandoned well, conducting natural or artificial production projects or operations, enhanced recovery, maintaining a producing well, injection well, a deleterious substance disposal well within the Town of Pink. If an operator has complied with the terms of this ordinance, obtained the drilling and operating permits, and thereafter a request is made to deepen or otherwise enhance or modify the permitted well, the town will consider the well pre-existing to any subsequent encroachments that have occurred since the well was originally permitted. Any well in operation prior to the date of this ordinance, or any well for which a plugging report has not been filed with the Oklahoma Corporation Commission, shall obtain a permit to operate.

PART 3: PERMIT APPLICATION PROCESS

8. Permit Application to Drill Original Well for Exploration of Oil and Gas. Every application for a permit to drill an original well for the exploration of oil or gas shall be in writing, signed by the applicant or by some person duly authorized to sign same on the applicant's behalf, and it shall be filed with the town administrator and be accompanied by a filing fee and deposit in an amount established by the board of trustees. Said application shall state:

A. The name and address of applicant and date of application.

B. A block map of the ten (10) acres certified by a licensed surveyor, drawn to scale, with the drill site located in the center of the map and including the area surrounding the drill site, including thereon topographical contour lines, the location of the proposed access road, tank battery(ies) and any other surface facilities, the location

of the proposed well, and distance there from to all existing platted subdivisions, dwelling-houses, buildings, or other structures designed for the occupancy of human beings or animals, within six hundred sixty (660) feet of any such well, the location of all public roads, right-of-ways, and the location of all existing oil, gas or fresh water wells within said tract.

C. The names of the surface, lease owners, life tenants, if any, remaindermen, if any, lessee or tenant, and the name of the mortgagee, if any.

D. The name and address of the person within the State of Oklahoma upon whom service of process upon applicant may be made within this state; and in the case of any nonresident person who has no such service agent within this state, there shall be attached to the application the designation of the Secretary of State for the State of Oklahoma as service agent and a consent that service of summons may be made upon such person in any action to enforce any of the obligations of the applicant hereunder.

E. A verification of the above information by the applicant hereunder.

F. A verification signed by the applicant, and the operator saying that they will abide by the oil and gas ordinance for the Town of Pink.

G. A copy of the approved drilling permit from the corporation commission, any orders issued by the corporation commission, and a copy of the staking plat shall be filed with the town prior to issuance of the municipal permit.

9. Permit Application to Drill Original Well or Re-Enter Existing Well for Use as an Injection Well, Disposal Well or Service Well.

A. No person shall drill an original well to be used for enhanced recovery, injection, or disposal of saltwater or other deleterious substances, or a service well; or re-enter an existing well for these same purposes, without first obtaining the necessary permit therefore. Such permit shall consist of two (2) separate parts:

1. Permit to drill or re-enter, and
2. Permit to operate.

B. The town recognizes the vital importance of water for each and every household within the town's incorporated limits. The Corporation Commission's rules provide that no commercial disposal well shall be allowed within the "Wellhead Protection Area" as defined by USC § 300h-7 (which provides for public water systems). Oklahoma's Wellhead Protection program is to minimize the risk of pollution by limiting activities on the land around public water supply wells. Currently, The Town of Pink does not have a municipal public water supply. Residents receive water from individual private water wells. Therefore, the town recognizes the vital

importance and need of keeping all disposal wells away from all water sources, whether private or public in nature.

C. An application for the permit to drill or re-enter a well for enhanced recovery, injection, or substance disposal, or a service well shall be in the same form as that required for a permit to drill an original well, as provided for above, and shall contain complete information as may be required by the oil and gas administrator and including the following:

1. If the application is for a permit to drill or re-enter a well for substance disposal, applicant must state whether the well will be used for commercial purposes. No permit to operate or permit to drill or reenter any substance disposal well shall be allowed within a distance of 2,640 feet (1/2 mile) radius from any water well. A lesser distance may be allowed if written consent is received from seventy-five percent (75%) of the property owners within 2,640 feet (1/2 mile) radius of the proposed disposal well.

2. A block map by a certified surveyor drawn to scale of the well site showing all equipment to be used thereon, access roads, and distances from the well to any and all fences, public roadways, right-of-ways, platted subdivisions, dwelling-houses, buildings, or other structures designed for the occupancy of human beings or animals, within six hundred sixty (660) feet of any such well.

3. A block map by a certified surveyor of the project drawn to scale, showing the location of:

    1. each and every water supply well within a 1/4 mile (1,320 feet) radius of each injection or disposal well;
    2. all water supply wells, disposal wells, injection wells, producing wells and plugged and abandoned wells within the project area;

4. All wells within the project area;

5. Operation name for each well; and

6. Copies of all information supplied to the corporation commission, and said commission's approval of the project.

D. Upon the completion of the application required hereunder, the oil and gas Administrator shall have thirty (30) business days to review same and make a recommendation of approval or disapproval to the mayor and the board of trustees.

10. Permit Application to Re-Enter a Plugged Well. Where the application is one for the re-entry of an abandoned or plugged well, said application shall contain all the information required above, in addition to a statement of the then condition of the well.

11. Permit Application to Deepen an Existing Well. Where the application is one for the deepening an existing well, such permits shall be issued by the town without the necessity of approval by the board of trustees. Said operating permits shall be issued only after bringing the well into compliance with the provisions of this ordinance.

12. Permit to Operate an Original Well for the Exploration of Oil or Gas. Such permits shall be issued by the town without the necessity of approval by the board of trustees. Said operating permits shall be issued only after bringing the well into compliance with the provisions of this ordinance.

13. Permit Application to Operate an Injection Well, Disposal Well or a Service Well. Prior to placing any enhanced recovery, injection, substance disposal well, or service well into operation, a permit to operate such well shall be obtained from the town. Every application for a permit to operate such well shall contain all the information required for all other types of wells, where applicable.

PART 4: REVIEW, APPROVAL, OR DENIAL

14. Town Board Review of Permit Recommendations. Once an application to drill an original well or re-entry of an existing well permit, required by the terms of this ordinance has been made, the oil and gas administrator shall ensure the thorough review of the application. The oil and gas administrator shall recommend either approval or disapproval to the board of trustees, based on the review and completeness of the application, the site, and overall compliance with this ordinance. The board of trustees, shall review the application at a regularly scheduled meeting or special meeting, and thereupon approve or disapprove the permit with or without the addition of any conditions thereto.

15. Issuance or Refusal of Permit.

    A. The oil and gas administrator or a designee of the Town, within thirty (30) business days after the filing of an application for a permit under this ordinance shall determine whether or not said application complies in all respects with the provisions of this ordinance, and, if it does, shall recommend to the mayor and board of trustees that the permit, with an accompanying number thereon, be issued. Each permit issued under the terms of this ordinance shall:

        1. By reference have incorporated therein all the provisions of this ordinance with the same force and effect as if this ordinance were copied verbatim therein;

        2. By reference have incorporated therein all the provisions of applicable federal and state law, and the rules, regulations and standards adopted in accordance therewith relating to the protection of human beings, animals, and natural resources;

3. Specify that the term of said permit shall be for a period of six (6) months from the date of approval unless drilling operations have commenced, or, unless an application for an extension has been filed and approved, and for like periods thereafter upon the successful inspection of the permittee's well and operations; and

4. Specify such conditions imposed by the oil and gas Administrator as are authorized by this ordinance.

B. A permit to drill or operate may be denied for the following reasons:
1. failure to comply with the terms of any of the town's ordinances; or
2. failure to comply with the oil and gas Administrator's directives;

C. If the permit be issued, it shall, in two (2) originals, be signed by the oil and gas Administrator and the permittee, and when so signed shall constitute the permittee's license to drill and operate in the town and the contractual obligation of the permittee to comply with the terms of such permit and applicable state law, rules, regulations, standards and directives. One executed copy of said permit shall be retained by the oil and gas Administrator; one executed copy shall be retained by the permittee and shall be kept available for inspection by any town or state law enforcement official who may demand to see the same; and one executed copy shall be retained by the town.

16. Application for Extension of Drilling Permit. If the Permittee has not commenced drilling operations within six (6) months from obtaining the original permit to drill, the Permittee shall file an application for an extension and pay the fee associated with the same. If the application for extension is received prior to the expiration of the original permit, town staff: may grant the extension providing if after examining the information, no material change of condition has occurred. If granted, the extension shall be for an additional six (6) month period of time. If all requirements are not current and up to date, or if there has been a material change of condition, then the extension shall be denied and the permit shall expire. Only one (1) extension shall be allowed.

PART 5: THE DRILLING PROCESS AND WELL OPERATIONS

17. Ingress and Egress.

A. No well shall be drilled, and no permit shall be issued for any well to be drilled at any location which is within any of the streets, roads or alleys of the town; and no street or alley shall be blocked or encumbered or closed in any drilling or production operation except with the written approval of the town and then only temporarily.

B. All leasehold roads shall be kept in a passable condition and shall be made accessible at all times for representatives and field inspectors of the Corporation

Commission, the town's oil and gas Administrator, or other appropriate persons. A well road shall not be used by residents of a subdivision for egress and/or ingress.

C. The location of any access road necessary for the drilling of an original well or the re-entry of an abandoned well shall be located in a manner to reduce any negative impact on surrounding residences.

D. Lease roads shall be maintained in such a manner as to safely and comfortably allow for ingress and egress of town or state personnel traveling in a common passenger motor vehicle.

18. Noise and other Nuisances. All oil operations, drilling and production operations shall be conducted in such a manner as to eliminate, as far as practicable, dust, noise, vibration or noxious odors, and shall be in accordance with the best accepted practices incident to exploration for, drilling for and production of oil, gas and other hydrocarbon substances. Proven technological improvements in exploration, drilling and production methods shall be adopted as they become, from time to time, available, if capable of reducing factors of nuisance and annoyance. The following table shall be used to determine the acceptable noise level for all sites:

Zoning District Classification	Time	Average Minimum/Maximum Sound Level Limits, dBA
Residential	7:00 a.m.—10:00 p.m.	55—65
	10:00 p.m.—7:00 a.m.	50—60
Commercial/business	7:00 a.m.—10:00 p.m.	60—70
	10:00 p.m.—7:00 a.m.	55—60
Industrial/agriculture	24 hours a day	70—80

A. The oil and gas Administrator is authorized to use acceptable scientific measuring devices to determine the noise levels at any operational location. This shall be done on an irregular schedule.

B. If the noise level is above acceptable levels at any operational site, the oil and gas Administrator shall inform the permittee to immediately apply remedial methods to lower the excessive noise.

C. If the excessive noise level is not lowered as determined by the oil and gas Administrator, the Municipality is authorized to assess a penalty of an unspecified amount which may include an operational cessation order.

D. In the event no zoning classification is determined for an area of real property, until such time as a zoning classification is made, said area shall fall into the category of industrial/agriculture for the limiting of sound level only. This provision is not intended to supplant, replace, or otherwise alter any portions of the Town code with regards to zoning or noise limitations.

19. Fences. Any person who completes any well as a producer shall have the obligation to enclose said well, together with its surface facilities, by a fence sufficiently high and properly built so as to ordinarily keep persons and animals out of the enclosure with all gates thereto to be kept locked when the permittee or his employees are not within the enclosure. The fence shall consist of no less than 12 ½ gauge, 5 strands of barbed wire with 6 feet steel T-posts of 1.25 gauge, set every ten (10) feet. More stringent or secure fencing may be required by the town. Fences must be kept locked at all times workers of permittee are not present; a duplicate set of keys to said lock shall be filed with the oil and gas Administrator.

PART 6: ENFORCEMENT

20. Compliance with Applicable Laws. No person shall drill an original well, deepen a well, or re-enter an abandoned well for any purpose, or allow any well, structure, equipment, pipeline, machinery, tank or other appurtenance, in violation of any of the provisions of this chapter.

21. Complaints. If, upon information or inspection, it is found that a permittee is violating any portion of this chapter, the permittee shall take immediate action to discontinue the conduct that is resulting in the violation. Otherwise, formal application will be made to the board of trustees for an order revoking the permit, and for any other appropriate remedy.

22. Enforcement and Administration.

A. These regulations shall be enforced by the oil and gas Administrator, or a designated representative acting at the direction of the town board of trustees, who shall review all permit application and the citizen's premises for compliance with oil and gas ordinance provisions. The oil and gas Administrator has the right to go onto a citizen's premises for the purpose of inspecting the property to be able to determine compliance with the town's ordinances.

B. It shall be a violation of these regulations for any person to drill, or re-enter a well for any purpose without first obtaining the proper approval of a permit as provided in these regulations.

C. In the event there is a violation of the terms of this ordinance, then the town may seek any relief accorded by the law of the State of Oklahoma or any other relief set forth in this ordinance.

D. The provisions of this ordinance may be enforced by any affected person through injunctive proceedings in any court of competent jurisdiction. For the purposes of this section, the word "person" shall include, but not be limited to, the Town of Pink and a private citizen. In the event a lawsuit is filed, attorney fees, court costs, and all other costs to the town shall be recovered.

E. In the event the oil and gas Administrator has given a directive to the permittee and/or operator to do an act which is in compliance with this ordinance and the permittee has not complied with the directive, the town may cause the work to be done so that the permittee/operator is in compliance with the provisions of this chapter.

23. Violations and Penalties.

A. Any person who violates any provision of this ordinance shall be guilty of an offense and, upon conviction thereof, shall be fined in an amount not to exceed the limits established by state law. Each day upon which such violation continues shall be deemed a separate offense.

B. In case any well is drilled, re-entered or operated in violation of this ordinance, the Town of Pink, Oklahoma, in addition to other remedies available, may institute any proper action or proceedings to prevent such unlawful activities, in order to restrain, correct or abate such violation. Nothing contained herein shall prevent the Town of Pink from filing suit against the owner, operator, or permittee for violations of the provisions of this ordinance and seeking injunction, abatement of a nuisance or removal of the non-conformity or any other appropriate relief as may be granted by the district court. In the event a lawsuit is initiated, the Town of Pink shall be entitled to all fines, attorney fees and costs incurred in the said lawsuit, which shall include the costs of bringing the action, service of process, expert fees, the costs associated with the oil and gas Administrator, and any and all other costs which have been incurred.

C. The cost of removing or abating any non-conformity or nuisance may be collected by any other legal means available.

D. In cases where it is deemed impractical summarily to abate the nuisance, the Town of Pink may bring suit in the district court. All costs of bringing the suit, which shall include attorney fees, service of process fees, expert fees, all costs associated with abating the nonconformity or nuisance, fines, costs associated with the oil and gas Administrator, and all other costs shall be assessed against the permittee / operator / driller as provided herein.

E. Any violation of this ordinance shall result in the Town of Pink requesting and recouping from the violator all costs associated with the enforcement of this ordinance, including but not limited to all attorney fees, court costs and all other costs associated with the oil and gas Administrator's time and expenses.

24. Fees. The Board of Trustees is hereby authorized to establish a regulatory fee, which shall be specifically tailored to, and tied to the Town's regulation, inspection and enforcement of oil and gas activity within Town Limits, including the wear and damage of the Town's existing infrastructure, as provided for in this chapter of the Town Code regulating the same. The Fee shall be in lieu of any annual business license required elsewhere in this

code of ordinances. All fees shall be levied and collected by the oil and gas Administrator, or the Administrator's designated agent, and paid by the Operator of each Well. There shall be an initial regulatory fee of $3,500.00 for each new well drilled, paid to the Town Clerk-Treasurer, together with an annual renewal fee of $350.00 per well, payable on the yearly anniversary date of the original fee. In the event that multiple wells are drilled on one (1) well pad, then the annual renewal fee shall be limited to $350.00. Should the fee be paid in an untimely manner, after the anniversary date, the Town may subject the fee to a rate of 5.25% per annum interest. The fees provided for in this section may be amended from time to time by the Board of Trustees by Ordinance.

[Adopted 1-4-82; Amended 7-3-95, 4-8-19, 5-8-23, 8-25-26]

ORDINANCE NO. 17: ADOPTION OF CODE

1. The Code entitled "Town Code of the Town of Pink, Oklahoma," is hereby adopted as of October 12, 2026. The Town Code of the Town of Pink, Oklahoma, may be alternatively cited as the "Code," the "Town Code", the "Pink Town Code", the "Town Code of the Town of Pink."

2. Three (3) copies of the Town Code shall be made available for inspection at the Town's property by appointment and distribution based on a reasonable expense to be determined by the Town. The Town Code shall also be made available for inspection at the Pottawatomie County Law Library and on the Town's Website.

3. Any and all re-numerations made herein are approved with the same force as if separate re-numeration ordinances had been passed for each. Specifically, Ordinance No. 40, adopted March 8, 2021, is hereby reserved, renamed, and renumbered as "Amendment to Ordinance 17"; Ordinance No. 41 adopted July 12, 2021, is hereby reserved, renamed, and renumbered as "Amendment to Ordinance No. 39"; Ordinance No. 42, adopted March 14, 2022, is hereby reserved, renamed, and renumbered as "Second Amendment to Ordinance No. 39"; Ordinance No. 43, adopted June 13, 2022, is hereby reserved, renamed, and renumbered as "Third Amendment to Ordinance No. 8"; Ordinance No. 44, adopted June 13, 2022, is hereby reserved, renamed, and renumbered as "Third Amendment to Ordinance No. 11". Ordinance Nos. 40, 41, 42, 43, and 44 are hereby reserved for future use.

4. As authorized by 11 O.S. § 14-108, titles, enacting clauses, emergency sections, temporary ordinances, special ordinances, and repealed and other parts of ordinances have been omitted from or revised, rearranged, renumbered, or reorganized within the Town Code. Specifically, Ordinance No. 2, 3, 4, 9, 19, 20, 24, 25, 26, 27, 28, 29, and 38 are deemed to be of a special nature and have been omitted from this Town Code. The exclusion of any Ordinance or portion thereof from this Town Code shall not affect the validity or enforceability of such excluded Ordinance or portion thereof.

5. A separate list of Ordinances entitled "Table of Ordinances" containing a compilation of the Town's Ordinances shall be maintained and supplemented from time to time. The Table

of Ordinances shall be maintained by the Town Clerk, filed with the Pottawatomie County Law Library, and published on the Town's website.

6. All Ordinances enacted after adoption of the Town Code, or the most recent version of the Town Code, as well as any non-repealed portions of Ordinances omitted from the Town Code, shall be of full force and effect. Additions or amendments to the Code when passed in such form as to indicate the intention of the Board of Trustees to make the same a part of the Code shall be deemed to be incorporated in the Code, so that reference to the Code includes the additions and amendments. The Town Code may from time to time be supplemented as directed by the Board of Trustees.

7. Unless another penalty is expressly provided, every person convicted of a violation of any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by a fine of up to the maximum amount permitted or required by state law. Each act of violation and each day upon which any such violation shall continue or occur shall constitute a separate offense. The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any Code section, whether or not such penalty is reenacted in the amendatory ordinance. In addition to the penalty prescribed above, the Town may pursue other remedies such as abatement of nuisances, injunctive relief and revocation of licenses or permits.

[Adopted 1-7-85; Amended 3-8-21 and 10-12-26]

ORDINANCE NO. 18: FAIR HOUSING ORDINANCE

1. Policy. It is the policy of the City of Pink, to provide, within constitutional limitations, for fair housing throughout the City.

2. Definitions.

   a) "Dwelling" means any building, structure, or portion thereof which is occupied as, or designed or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any such building, structure, or portion thereof.

   b) "Family" includes a single individual.

   c) "Person" includes one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, and fiduciaries.

   d) "To Rent" includes to lease, to sublease, to let and otherwise to grant for a consideration the right to occupy premises owned by the occupant.

   e) "Discriminatory housing practice" means an act that is unlawful under sections 4, 5, and 6.

3. Unlawful Practice. Subject to the provisions of subsection (b) and Section 7, the prohibitions against discrimination in the sale or rental of housing set forth in Section 3 shall apply to:
   a) All dwellings except as exempted by subsection (b).
   b) Nothing in Section 4 shall apply to:
      1. Any single-family house sold or rented by an owner; provided, that such private individual owner does not own more than three such single-family houses at any one time; provided further, that in the case of the sale of any such single-family house by a private individual owner not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale, the exemption granted by this subsection shall apply only with respect to one such sale within any twenty-four month period; provided further, that such bona fide private individual owner does not own any interest in, nor is there owned or reserved on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of, more than three such single-family houses at any one time; provided further, that the sale or rental of any such single-family house shall be excepted from the application of this title only if such house is sold or rented (A) without the use in any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman, or of such facilities or services of any person in the

business of selling or renting dwellings, or of any employee or agent of any such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person and (B) without the publication, posting or mailing, after notice of any advertisement or written notice in violation of Section 4(c) of this ordinance, but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title, or

2. rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

c) For the purposes of subsection (b), a person shall be deemed to be in the business of selling or renting dwellings if:
    1. he has, within the preceding twelve months, participated as principal in three or more transactions involving the sale or rental of any dwelling or any interest therein, or
    2. he has, within the preceding twelve months, participated as an agent, other than in the sale of his own personal residence in providing sales or rental facilities or sales or rental services in two or more transactions involving the sale or rental of any dwelling or any interest therein, or
    3. he is the owner of any dwelling designed or intended for occupancy by, or occupied by, five or more families.

4. Discrimination in the Sale or Rental of Housing. As made applicable by section 3 and except as exempted by Sections 3(b) and 7, it shall be unlawful:
    a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, sex, color, religion, national origin, handicap, or familial status.
    b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, sex, color, religion, national origin, handicap, or familial status.
    c) To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, sex, color, religion, national origin, handicap, or familial status or an intention to make any such preference, limitation or discrimination.
    d) To represent to any person because of race, sex, color, religion, or national origin that any dwelling is not available for inspection, sale or rental when such dwelling is in fact so available.
    e) For profit; to induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a

person or persons of a particular race, sex, color, religion, or national origin, handicap or familial status.

5. Discrimination in the Financing or Housing. It shall be unlawful for any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consist in whole or in part in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefor for the purpose of purchasing, constructing, improving, repairing, or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loan or other financial assistance, because of the race, sex, color, religion, national origin, handicap or familial status of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance, or of the present or prospective owners, lessees, tenants, or occupants of the dwelling or dwellings in relation to which such loan or other financial assistance is to be made or given: provided, that nothing contained in this section shall impair the scope or effectiveness of the exception contained in Section 3(b).

6. Discrimination in the Provision of Brokerage Services. It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, rental or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, sex, color, religion, national origin, handicap, or familial status.

7. Exemption. Nothing in this ordinance shall prohibit a religious organization, association, or society, or any nonprofit institution or organization operated, supervised or controlled by or in conjunction with a religious organization, association, or society, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, sex, color, national origin, handicap or familial status. Nor shall anything in this ordinance prohibit a private club not in fact open to the public, which as an incident to its primary purpose or purposes provides lodgings which it owns or operates for other than a commercial purpose, from limiting the rental or occupancy of such lodgings to its members or from giving preference to its members.

8. Administration.

   a) The authority and responsibility for administering the Act shall be in the Chief Executive Officer of the City of Pink.
   b) The Chief Executive Officer may delegate any of these functions, duties, and powers to employees of the city or to boards of such employees, including functions, duties and powers with respect to investigating, conciliating, hearing, determining, ordering, certifying, reporting or otherwise acting as to any work, business, or matter under this ordinance. The Chief Executive Officer shall by rule prescribe such rights of appeal from the decisions of his hearing examiners to other

hearing examiners or to other officers in the City, to boards of officers or to himself, as shall be appropriate and in accordance with law.

c) All executive departments and agencies shall administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this ordinance and shall cooperate with the Chief Executive Officer to further such purposes.

9. Education and Conciliation. Immediately after the enactment of this ordinance, the Chief Executive Officer shall commence such educational and conciliatory activities as will further the purposes of this ordinance. He shall call conferences of persons in the housing industry and other interested parties to acquaint them with the provisions of this ordinance and his suggested means of implementing it, and shall endeavor with their advice to work out programs of voluntary compliance and of enforcement.

10. Enforcement.

a) Any person who claims to have been injured by a discriminatory housing practice or who believes that he will be irrevocably injured by a discriminatory housing practice that is about to occur (hereafter "person aggrieved") may file a complaint with the Chief Executive Officer. Complaints shall be in writing and shall contain such information and be in such form as the Chief Executive Officer requires. Upon receipt of such a complaint, the Chief Executive Officer shall furnish a copy of the same to the person or persons who allegedly committed or about to commit the alleged discriminatory housing practice. Within thirty (30) days after receiving a complaint, or within thirty (30) days after the expiration of any period of reference under subsection (c), the Chief Executive Officer shall investigate the complaint and give notice in writing to the person aggrieved whether he intends to resolve it. If the Chief Executive Officer decides to resolve the complaints, he shall proceed to try to eliminate or correct the alleged discriminatory housing practice by informal methods of conference, conciliation, and persuasion. Nothing said or done in the course of such informal endeavors may be made public or used as evidence in a subsequent proceeding under this ordinance without the written consent of the persons concerned. Any employee of the Chief Executive Officer who shall make public any information in violation of this provision shall be (upon conviction) fined not more than $50.00.

b) A complaint under subsection (a) shall be filed within one hundred and eighty (180) days after the alleged discriminatory housing practice occurred. Complaints shall be in writing and shall state the facts upon which the allegations of a discriminatory housing practice are based. Complaints may be reasonably and fairly amended at any time. A respondent may file an answer to the complaint against him and with the leave of the Chief Executive Officer, which shall be granted whenever it would be reasonable and fair to do so, may amend his answer at any time. Both complaints and answers shall be verified.

c) If within thirty days after a complaint is filed with the Chief Executive Officer, the Chief Executive Officer has been unable to obtain voluntary compliance with this ordinance, the person aggrieved may, within thirty (30) days thereafter, file a complaint with the Secretary of the Department of Housing and Urban Development. The Chief Executive Officer will assist in this filing.

d) If the Chief Executive Officer has been unable to obtain voluntary compliance within thirty (30) days of the complaint, the person aggrieved may, within thirty (30) days hereafter commence a civil action in any appropriate court, against the respondent named in the complaint, to enforce the rights granted or protected by this ordinance, insofar as such rights relate to the subject of the complaint. If the court finds that a discriminatory housing practice has occurred or is about to occur, the court may enjoin the respondent from engaging in such practice or order such affirmative action as may be appropriate.

e) In any proceeding brought pursuant to this section, the burden of proof shall be on the complainant.

f) Whenever an action filed by an individual shall come to trial, the Chief Executive Officer shall immediately terminate all efforts to obtain voluntary compliance.

11. Investigations; Subpoenas; Giving of Evidence.

a) In conducting an investigation the Chief Executive Officer shall have access at all reasonable times to premises, records, documents, individuals, and other evidence or possible sources of evidence and may examine, record, and copy such materials and take and record the testimony or statements of such persons as are reasonably necessary for the furtherance of the investigation: provided however, that the Chief Executive Officer first complies with the provisions of the Fourth Amendment relating to unreasonable searches and seizures. The Chief Executive Officer may issue subpoena to compel his access to or the production of such materials, or the appearance of such persons and may issue interrogatories to a respondent, to the same extent and subject to the same limitations as would apply if the subpoenas or interrogatories were issued or served in aid of a civil action in the United States District Court for the district in which the investigation is taking place. The Chief Executive Officer may administer oaths.

b) Upon written application to the Chief Executive Officer, a respondent shall be entitled to the issuance of a reasonable number of subpoenas by and in the name of the Chief Executive Officer to the same extent and subject to the same limitations as subpoenas issued by the Chief Executive Officer himself. Subpoenas issued at the request of a respondent shall show on their face the name and address of such respondent and shall state that they were issued at his request.

c) Witnesses summoned by subpoena of the Chief Executive Officer shall be entitled to the same witness and mileage fees as are witnesses in proceedings in United

States District Courts. Fees payable to a witness summoned by a subpoena issued at the request of a respondent shall be paid by him.

d) Within five (5) days after services of a subpoena upon any person, such person may petition the Chief Executive Officer to revoke or modify the subpoena. The Chief Executive Officer shall grant the petition if he finds that the subpoena requires appearance or attendance at an unreasonable time or place, that it requires production of evidence which does not relate to any matter under investigation, that it does not describe with sufficient particularity the evidence to be produced, that compliance would be unduly onerous, or for other good reason.

e) In case of contumacy or refusal to obey a subpoena, the Chief Executive Officer or other person at whose request it was issued may petition for its enforcement in Municipal or State court for the district in which the person to whom the subpoena was addressed resides, was served, or transacts business.

f) Any person who willfully fails or neglects to attend and testify or to answer any lawful inquiry or to produce records, documents, or other evidence, if in his power to do so, in obedience to the subpoena or lawful order of the Chief Executive Officer shall be fined not more than $50.00. Any person who, with intent thereby to mislead the Chief Executive Officer, shall make or cause to be made any false entry or statement of fact in any report, account, record, or other document submitted to the Chief Executive Officer pursuant to his subpoena or other order, or shall willfully neglect or fail to make or cause to be made full, true, and correct entries in such reports, accounts, records, or other documents, or shall willfully mutilate, alter, or by any other means falsify any documentary evidence, shall be fined not more than $50.00.

g) The City attorney shall conduct all litigation in which the Chief Executive Officer participates as a party or as amicus pursuant to this ordinance.

12. Enforcement by Private Persons.

a) The rights granted by Sections 3, 4, 5 and 6 may be enforced by civil actions in state or local courts or general jurisdiction. A civil action shall be commenced within one hundred and eighty (180) days after the alleged discriminatory housing practice occurred: provided however, that the court shall continue such civil case brought pursuant to this section or section 10(d) from time to time before bringing it to trial if the court believes that the conciliation efforts of the Chief Executive Officer are likely to result in satisfactory settlement of the discriminatory housing practice complained of in the complaint made to the Chief Executive Officer and which practice forms the basis for the action in court. And provided, however, that any sale, encumbrance, or rental consummated prior to the issuance of any court order issued under the authority of this ordinance, and involving a bona fide purchaser, encumbrancer, or tenant without actual notice of the existence of the

filing of a complaint or civil action under the provisions of this ordinance shall not be affected.

b) The court may grant as relief, as it deems appropriate, any permanent or temporary injunction, temporary restraining order, or other order, and may award to the plaintiff actual damages and not more than $1,000.00 punitive damages, together with court costs and reasonable attorney's fees in the case of a prevailing plaintiff. Provided, that the said plaintiff in the opinion of the court is not financially able to assume said attorney's fees.

13. Interference, Coercion, or Intimidation. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or an account of his having exercised or enjoyed, or on account of his having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by sections 3, 4, 5, or 6. This section may be enforced by appropriate civil action.

14. Separability of Provisions. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the ordinance and the application of the provision to other persons not similarly situated or to other circumstances shall not be affected thereby.

15. Prevention of Intimidation in Fair Housing Cases. Whoever, whether or not acting under color of law, by force or threat of force, willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with:

a) any person because of his race, color, religion, national origin, handicap or familial status and because he is or has been selling, purchasing, renting, financing , occupying, or contracting or negotiating for the sale, purchase, rental, financing or occupation of any dwelling, or applying for or participating in any service, organization, or facility relating to the business of selling or renting dwellings; or

b) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from: (1) participating, without discrimination on account of race, sex, color, religion, national origin, handicap, familial status, in any of the activities, services, organizations or facilities described in subsection 15(a); or (2) affording another person or class of persons opportunity or protection so to participate; or

c) (c) any citizen because he is or has been, or in order to discourage such citizen or any other citizen from lawfully aiding or encouraging other persons to participate, without discrimination on account of race, sex, color, religion, national origin, handicap, familial status, in any of the activities, services organizations or facilities described in subsection 15 (a), or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate, shall be fined not more than $50.00, and if bodily injury results shall be fined not more than

$50.00, and if death results shall be subject to imprisonment for any term of years or for life.

[Adopted 5-2-94]

ORDINANCE NO. 19: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 20: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 21: TAX ON UTILITY SALES

1. Pursuant to the power granted to the Town Board of Trustees by 68 O.S. § 2601, there is hereby levied and assessed an annual tax upon the gross receipts from residential and commercial sales of power, light, heat, gas, electricity or water in the Town of Pink, Oklahoma, in an amount not exceeding two percent (2%) of the gross receipts from residential and commercial sales, which tax shall be in lieu of any other franchise, license, occupation or excise tax, levied by said Town of Pink.

2. The tax authorized to be levied under subsection 1 above, shall, when levied, apply to all persons, firms, associations or corporations engaged in the business of furnishing power, light, heat, gas, electricity or water in said Town of Pink, except that said tax shall not apply to any person firm, association or corporation operating under a valid franchise from said City or Town.

3. The tax levied hereunder shall be levied for a term of one year, and shall continue thereafter unless specifically repealed or amended by the Board of Trustees of the Town of Pink, and such tax shall be payable monthly.

4. The tax authorized by this Section shall be levied as of the effective date of July 7, 1997.

[Adopted 7-7-97]

ORDINANCE NO. 22: PROHIBITION OF BARS, CLUBS, OR ADULT ENTERTAINMENT ESTABLISHMENTS

1. That no person, firm, corporation or other entity shall establish any bar, tavern, nightclub, cocktail lounge or establishment where alcohol, beer or alcoholic beverage are consumed onsite within the Town limits, without the consent and approval of the Board of Trustees and without strict compliance with all regulations relating to the same.

    A. Alcohol means and includes hydrated oxide of ethyl, ethyl alcohol, ethanol, or spirits of wine, from whatever source or by whatever process produced. It does not include wood alcohol or alcohol which has been denatured or produced as denatured in accordance with Acts of Congress and regulations promulgated thereunder;

B. Alcoholic beverage means alcohol, spirits, beer, and wine as those terms are defined herein and also includes every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed as a beverage by human beings, but does not include low-point beer as that term is defined in Section 163.2 or this title.

C. Beer means any beverage containing three and two-tenths percent (3.2%) of alcohol by weight or more and obtained by the alcoholic fermentation of an infusion or decoction of barley, or other grain, malt or similar products. Beer may or may not contain hops or other vegetable products. Beer includes among other things, beer, ale, stout, lager beer, porter, and other malt or brewed liquors, but does not include sake, known as Japanese rice wine.

2. That no person, firm, corporation or other entity shall establish any adult entertainment establishment, which shall be defined as any establishment where amusement or entertainment which is distinguished or characterized by an emphasis on acts or material depicting, describing or referring to "sexual conduct", including but not limited to topless or bottomless dancers, exotic dancers, strippers, male or female impersonators, sex acts or other similar entertainment, within the Town limits, without the consent and approval of the Board of Trustees and without strict compliance with all regulations relating to the same.

3. A written notice shall be given to the person, firm, corporation or other entity who violates this ordinance, requiring that activity to be abated. In the event that the activity causing the violation of this ordinance is not abated, after notice, then the person, firm, corporation or other entity violating the Ordinance, shall be liable to the Town of Pink for all expenses incurred, including attorney's fees and costs in abating the activity that violates this Ordinance.

4. This Ordinance in no way limits the authority of the Town of Pink to enjoin, abate or otherwise prohibit activities that adversely impact the health, morality and welfare of the citizens of the community.

5. Nothing in this ordinance shall be construed to deny the right of appeal to a court of competent jurisdiction as defined by state law, and in the manner provided by state law.

6. It being immediately necessary for the prevention of the public peace, health and safety of the Town of Pink, Oklahoma, and the inhabitants thereof, an emergency is thereby dedicated to exist. By reason whereof it is necessary that this ordinance shall go into full effect and be of force immediately upon its passage and publication.

[Adopted 11-6-00]

ORDINANCE NO. 23: CHANGING NUMBER OF WARDS FROM THREE TO FIVE

The governing body of the Town of Pink, Oklahoma, herewith declares that there shall now be five Wards according to agreed upon boundaries. In accordance with the aforementioned Municipal Code, there may be a review of the wards after each federal census figures are available.

[Adopted 12-4-00]

ORDINANCE NO. 24: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 25: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 26: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 27: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 28: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 29: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 30: EXCISE TAX

1. Citation and Codification. This Ordinance shall be known and may be cited as the Town of Pink sales Tax Ordinance of 2004, and the same shall be codified and incorporated into the code of Ordinances of the Town of Pink, Oklahoma.

2. Tax Imposed. There is hereby imposed an excise tax of three percent (3%) (in addition to any and all other excise taxes now in force) to be levied upon the gross proceeds or gross receipts derived from all sales taxable under the Oklahoma Sales Tax Code.

3. Purpose of Revenues. It is hereby declared to be the purpose of this Ordinance to provide Revenues to be used for capital expenditures for the use and benefit of the Town of Pink, Oklahoma (The "Town") and any public trust having the Town as beneficiary thereof and/or for the payment of debt service in connection with obligations issued to finance said capital expenditures.

4. Effective Date. The provisions of this Ordinance and the collection of the excise tax referenced herein shall become effective on and after the 1st day of January, 2005, subject to approval by a majority of the qualified electors of the Town voting on the same in the manner prescribed by law.

5. No Repeal of Tax. This Ordinance and the excise tax levied pursuant hereto shall not be repealed by the Board of Trustees of the Town or by referendum of the registered qualified voters of the Town in the event the proceeds of the referenced excise tax are being used or have been pledged by the Town or any public trust having the Town as beneficiary for the

purpose of paying debt service on obligations issued by the Town or any public trust having the Town as beneficiary.

6. Subsisting State Permits. All valid and subsisting permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purpose of this Ordinance, hereby ratified, confirmed and adopted in lieu of any requirement for an additional Town permit for the same purpose.

7. Payment of Tax. The tax herein levied shall be paid to the Tax Collector at the time and in the manner and form prescribed for payment of the state sales tax under the State Tax Law of the State of Oklahoma.

8. This Tax in Addition to Taxes Currently Levied; Administrative Procedures. The tax levied hereby is in addition to any and all other excise taxes levied or assessed by the Town. For purposes of this Ordinance, references to specific provisions of the Oklahoma Statutes shall be deemed to be references to said statutory provisions, as amended.

9. Amendments. The people of the Town of Pink, Oklahoma, by their approval of this Ordinance at the election herein above provided for, hereby authorize the Town by Ordinance duly enacted to make such administrative and technical changes or additions in the method and manner of administration and enforcing this Ordinance as may be necessary or proper for efficiency and fairness or in order to make the same consistent with the Oklahoma Sales Tax Code, as amended, except that the rate and limitations of time for collection of the tax herein provided for shall not be changed without approval of the qualified electors of the Town as provided by law.

10. Provisions Cumulative. The provisions hereof shall be cumulative and in addition to any and all other taxing provisions of Town Ordinances.

[Adopted 8-9-04]

ORDINANCE NO. 31: STEALING, REMOVING, DAMAGING, OR DEFACING OF SIGNS

1. Anyone caught stealing, removing, damaging or defacing a stop sign, speed limit sign or street name sign in the Town of Pink, Pottawatomie County, Oklahoma, will be fined as follows:

Stop Sign	= $500.00
Speed Limit	= $250.00
Street Name Sign	= $100.00

2. If an individual is caught two or more times for one of the above violations, the fine will be doubled.

[Adopted 3-12-07]

ORDINANCE NO. 32: TRAFFIC LAWS AND FINES

The speed limit of all streets and roads located within the town limits of the Town of Pink, Pottawatomie County, Oklahoma, will be 35 miles per hour unless otherwise posted. Fines will be as follows:

A. 1-10 miles over the speed limit = $75.00

B. 11-20 miles over the speed limit = $125.00

C. 21 miles over the speed limit = $250.00

D. Failure to stop at stop signs:
   1. 1st time: = $75.00
   2. 2nd and subsequent times: = $150.00

[Adopted 3-12-07]

ORDINANCE NO. 33: GRAVEL ROADS

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.

[Adopted 12-11-17]

ORDINANCE NO. 34: PROHIBITION OF UNLICENSED VEHICLES ON PUBLIC ROAD, STREET, OR HIGHWAY

1. All unlicensed vehicles shall be prohibited from using any public road, street or highway within the limits of the Town of Pink, Pottawatomie County, State of Oklahoma.

   A. An unlicensed vehicle is classified as any type of dirt bike, ATV (two, three or four wheels) or uninsured or unlicensed automobile.

   B. The following fines will be issued for any unlicensed vehicle on any public road, street or highway within the town limits of Pink, Oklahoma

      1. First offense fine will be $150.00 if no damage is done to the road, street or highway or $250.00 if any type of damage is caused.

      2. Second offense fine will be $500.00 with or without damage to any road, street or highway.

[Adopted 12-8-08]

ORDINANCE NO. 35: ADMINISTRATIVE PROCEDURES FOR ORDINANCE VIOLATIONS

1. Scope. This administrative procedure ordinance applies to all violations of the Ordinances of the Town of Pink, Oklahoma, except where an ordinance clearly provides a procedure for its violation.

2. Administrative procedures. Upon receiving a written, signed complaint of an alleged violation of a town ordinance, the Town of Pink shall abide by the following procedures:

   A. Notice.

      1. The Board of Trustees must give notice to the alleged offending party by certified mail, return receipt requested, at the address shown by the current year's tax rolls in the county treasurer's office, at least 10 days before a hearing is to be held.

      2. The notice must contain a copy of the complaint and a copy of the ordinance allegedly violated.

      3. If the alleged offending party cannot be located within ten (10) days from the date of mailing by the Board of Trustees, notice may be given by publication in a county newspaper, one time not less than ten (10) days prior to any hearing or action by the Board of Trustees.

   B. Public Hearing.

      1. If the alleged offending party agrees in writing (1) to the allegations made in the complaint, and (2) to an appropriate remedy, then the alleged offending party waives the right to a hearing.
      2. A Public hearing shall be held on the date stated in the notice by the Board of Trustees to determine whether a violation of a town ordinance had occurred.

      3. The public hearing shall be governed under the Rules of Order as outlined in Amended Ordinance No. 1 Section 3.

      4. Public Comments shall be limited to 3 minutes a speaker.

      5. Upon a finding that a violation has occurred, the Board of Trustees may impose any remedy provided for by the violated ordinance.

[Adopted 1-8-18]

ORDINANCE NO. 36: PURCHASING PROCEDURES

1. Short Title. This Ordinance shall be known and may be cited as the "The Town of Pink Purchasing Ordinance."

2. Purchasing Agent. Except as otherwise provided by applicable law, all town purchases shall be made by the town purchasing agent. The purchasing agent shall prepare suitable forms for the estimated needs of the several departments and determine the time and the manner of the filing of the forms. The town purchasing agent is authorized to make any purchases that he or she deems necessary for the proper functioning of the town government, provided that all purchases shall conform strictly to the conditions of the budget. The Purchasing Agent shall be selected by a vote of the Board of Trustees. The Board of Trustees and the Purchasing Agent shall conform to the requirements of 62 O.S. § 310.1 et seq. subject to the exceptions contained in 62 O.S. §§ 304.1 – 305.2.

3. Spending Limits. The town purchasing agent shall contract for and purchase or shall issue purchase orders for all supplies, materials, and equipment for the offices, departments and agencies of the town government in an amount not exceeding Twenty-Five Thousand Dollars ($25,000.00), if budgeted, without prior approval of the Board of Trustees. If the town purchasing agent contracts for or issues purchase orders for supplies, materials, and equipment with funds not previously budgeted, he may only expend up to Two Thousand Five Hundred Dollars ($2,500.00) without prior approval of the Board of Trustees.

4. Competitive Bidding. As to public construction contracts, the Board of Trustees shall conform to the requirements of the Public Competitive Bidding Act, 61 O.S. § 101 et seq. and all other Constitutional and statutory provisions which govern public construction contracts. As to lease purchase agreements, the Board of Trustees shall conform to 62 O.S. § 430.1 and all other Constitutional and statutory provisions which govern lease purchase agreements. As to purchases of personal property, the Board of Trustees shall exercise reasonable fiduciary duties and make reasonable efforts to seek out competitive bids on all contracts or purchases involving expenditures over Twenty-Five Thousand Dollars ($25,000.00), although, in making such contracts or purchases, the Board of Trustees is not required to conform to the Public Competitive Bidding Act. However, nothing contained in this subsection shall be construed to prohibit the expenditure of funds, the making of purchases, or the allowance of contracts without competitive bidding in an emergency, so long as such an action does not contravene any governing Constitutional provision or statute.

5. Effective date. The codes adopted in this ordinance shall be effective from and after January 8, 2018.

[Adopted 1-8-18]

ORDINANCE NO. 37: EMERGENCY MANAGEMENT ORGANIZATION

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:

   A. "Civil defense" or "emergency management" means the preparation for and the carrying out of all emergency functions, other than functions for which the military services are primarily responsible, by organized and trained volunteer civilian persons, who will extend existent governmental functions and provide other necessary nongovernmental functions, as listed below, to prevent, minimize and repair injury and damage resulting from enemy attack, sabotage, or other hostile action, or disasters caused by fire, flood, tornado, earthquake, or other causes developing to such an extent to cause an extreme emergency situation to arise which by declaration of the Governor jeopardizes the welfare of the citizens of this State. These functions include, without limitation, firefighting services, police services, medical and health services, rescue, engineering, air raid warning services, communications, radiological, chemical and other special weapons of defense, evacuations of persons from stricken areas, emergency welfare services (civilian war aid), emergency transportation, existing or properly assigned functions of plant protection, integration of industry emergency plans into civil defense plans, assistance to private and public utility companies in the temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions.

   B. "Curfew" means a prohibition against any person walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises, excepting persons officially designated to duty with reference to the emergency.

   C. "Director" means the Director of Civil Defense and Emergency Management.

   D. "Disaster" or "civil defense or disaster emergency" means any state of emergency caused by enemy attack upon the United States or a state of emergency declared by the President of the United States or the Governor of Oklahoma upon the occurrence of an attack upon the United States or when such attack is imminent or when an emergency is caused by a disaster, natural or man-made.

   E. "Disorderly conduct" means a course of conduct by a person which:

      1. causes public inconvenience, annoyance, or alarm, or recklessly creates a risk thereof, by:
         a. engaging in fighting or in violent, tumultuous, or threatening behavior; or

b. making an unreasonable noise or an offensively coarse utterance, gesture, or display, or addressing abusive language to any person present; or

c. dispersing any lawful procession or meeting of persons, not being a peace officer of this Town and without lawful authority; or

d. creating a hazardous or physically offensive condition which serves no legitimate purpose; or

2. engages with at least one other person in a course of disorderly conduct as defined in Subparagraph 1. above which is likely to cause substantial harm or serious inconvenience, annoyance, or alarm, and refuses or knowingly fails to obey an order to disperse, made by a peace officer to the participants.

F. "Emergency management" includes the activities and measures undertaken by a State, or one of its political subdivisions, to manage a "civil defense program" as defined and provided for by the Federal Civil Defense Act of 1950, as amended, including Title V, added by Public Law 96-342, and Section 207, added by Public Law 97-86 and as defined and provided for in Oklahoma Emergency Management Act of 2003, as amended, including 63 O.S. §§ 683.1 et seq.

G. A "riot" is defined as three or more persons who assemble together or act in concert to do any act with force or violence against the peace, or to the terror of others, or make any movement or preparation therefor.

H. A "state of emergency" shall be deemed to exist whenever, by reason of any disaster, such state of emergency is legally proclaimed by proper authority as provided in this Ordinance, and such state of emergency shall continue until terminated by proclamation of proper authority as provided by this Ordinance.

2. Director.

A. The Town Board of Trustees shall appoint a Director. The Director shall serve as executive head of emergency management and shall perform such other duties as may be assigned by the Town Board of Trustees. The Director shall meet the qualifications set out in 63 O.S. § 683.11, as amended, and the position of Director shall not be a paid position.

B. Prior to an emergency, and within the limits of any funds appropriated or received by grant therefor, the Director shall:

1. prepare an operational plan of the departments of Town government which shall provide a coordinated assignment of activities and responsibilities to each department in the event of a disaster or state of emergency as provided in this Chapter;

2. establish necessary emergency operations centers;

3. establish public warning systems and acquire and cause to be installed such devices as may be necessary to implement such systems;

4. establish and carry out recruitment and training programs for purposes of developing qualified civil defense and emergency management volunteer workers;

5. plan, supervise, and conduct drills and exercises under simulated disaster conditions; and

6. develop and maintain mutual aid arrangements for reciprocal civil defense assistance consistent with State and Federal plans of civil defense and emergency management.

C. If an actual emergency is proclaimed by the Town Board of Trustees, as provided in this Chapter, the Director, with the approval of the Town Board of Trustees as provided in this Chapter, may exercise the power to enforce all rules and regulations relating to civil defense and emergency management during such emergency.

D. If the Director is acting under the authority of the Town Board of Trustees as an agent of the Governor of this State, then the Director may take control of all means of transportation and communications, all stocks of fuel, food, clothing, medicine and supplies and all facilities including buildings and plants, and exercise all powers necessary to secure the safety and protection of the civilian population, to the extent necessary as provided by law. In exercising such powers the Director shall be guided by regulations and orders issued by the Federal government and the Governor of this State relating to civil defense and emergency management and shall take no action contrary to orders which may be issued by the Governor under similar emergency powers. The Director shall properly coordinate the activities of emergency management. The Director is specifically charged in such emergency with the collection, evaluation, and dissemination of information to all agencies, both public and private, participating or cooperating in any such emergency. The Director shall have the power to recommend appropriate action, but the Director shall not otherwise exercise control over the participating agencies. The Director shall recommend to the Town Board of Trustees the allocation of any funds received from the Federal or State governments or from any other source to alleviate distress and aid in restoring normal conditions.

3. Adoption of Emergency Plan. Before an emergency operations plan may be adopted, it shall be forwarded to the Town Board of Trustees, for consideration. Upon adoption by the Town Board of Trustees of a resolution approving the emergency operations plan as the official plan of organization for the performance of civil defense and emergency management activities in the Town, the plan shall be in effect.

4. Authorization and Termination of Emergency Powers. The emergency powers conferred on a Director or the Mayor shall be effective immediately upon the issuance of a

proclamation of the existence of emergency: By a proper officer or agency of the State as provided by law; or By resolution of the Town Board of Trustees if the Board finds that the disaster causing the emergency is local to the Town and its environs and is locally controllable, and it is so noted in the resolution. If the urgency of the situation requires, the Mayor is authorized to declare the existence of emergency until such time as the Town Board of Trustees may meet and determine that a state of emergency exists. The exercise of the emergency powers conferred in this Chapter is limited to the duration of emergency as determined according to law and by the provisions of this Chapter. During the period of such local emergency the exercise of emergency powers shall be in conformity with all applicable provisions of governing law. Locally proclaimed states of emergency shall be terminated upon adoption by the Town Board of Trustees of a resolution of termination not in conflict with governing law.

5. Proclamation of State of Emergency. The Town Board of Trustees, after finding that a public disorder, disaster or riot exists which affects life, health, property or the public peace, may proclaim a state of emergency in the area affected. The proclamation of a state of emergency and other proclamations issued pursuant to this section shall be in writing and shall be signed by the Town Board of Trustees and filed with the Town Clerk. The Mayor shall give as much public notice as practical through the news media of the issuance of proclamations pursuant to this section. The state of emergency shall cease to exist upon the issuance of a proclamation of the Town Board of Trustees declaring its termination; provided that the Town Board of Trustees shall terminate the proclamation when order has been restored in the area affected.

6. Mayor's Emergency Powers.

   A. The Mayor, during the existence of a state of emergency, by proclamation, may, in the area affected by public disorder, disaster, or riot at the time of the proclamation is issued, prohibit:

      1. any person being on the public streets, or in the public parks or at any other public place during the hours declared by the Mayor to be a period of curfew;

      2. a designated number of persons from assembling or gathering on the public streets, parks or other areas either public or private;

      3. the manufacture, transfer, use, possession or transportation of a Molotov cocktail or any other device, instrument or object designed to explode or produce uncontained combustion;

      4. the transporting, possessing or using of gasoline, kerosene, or combustible, flammable, or explosive liquids or materials in a glass or uncapped container of any kind except in connection with the normal operation of motor vehicles, normal home use or legitimate commercial use;

5. the possession of firearms or any other deadly weapon by a person (other than a law enforcement officer) in a place other than that person's place of residence or business;

6. the sale, purchase or dispensing of alcoholic beverages;

7. the sale, purchase or dispensing of other commodities or goods, as he or she reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace;

8. the use of certain streets, highways or public ways by the public; and

9. such other activities as he or she reasonably believes should be prohibited to help preserve and maintain life, health, property or the public peace.

B. In imposing the restrictions provided for in this section, the Mayor may impose them for such times, upon such conditions, with such exceptions and in such areas he or she from time to time deems necessary.

7. Penalty. Any person violating this Chapter or any proclamation or order issued pursuant hereto shall be guilty of a misdemeanor and upon conviction be punished by a fine not exceeding $750.00, excluding costs or imprisonment not exceeding six months, or both such fine and imprisonment.

8. Liability. The Director's duties, powers, and agency, for the purposes of liability, are narrowly limited to those situations that are deemed emergencies, as outlined. Nothing in this Chapter shall confer liability upon the Town for actions, omissions, or negligence, of the Director undertaken outside the limited scope of agency expressly or impliedly created herein. The Director shall not place signage identifying his or her status as an agent for the Town's emergency management department, or identifying his or her status as the Director shall be placed upon any personal vehicle unless a state of emergency has been legally proclaimed, and emergency powers have been legally bestowed upon the Director and his or her department.

[Adopted 1-8-18]

ORDINANCE NO. 38: [OMITTED; SEE TABLE OF ORDINANCES]

ORDINANCE NO. 39: COMMERCIAL MEDICAL MARIJUANA

1. Citation. This Ordinance and the following language shall hereby establish the regulations of medical marijuana for the Town of Pink, Oklahoma, and shall hereafter be known, cited and referred to as "Medical Marijuana Permit Regulations."

2. Definitions. The following words and terms, when used in this Section herein below, shall have the following meaning, unless the context clearly indicates otherwise, and in accordance with, and pursuant to the rules adopted by the Oklahoma State Department of Health, Oklahoma Administrative Code 310:681-1, et seq., and as they may be amended from time to time, to wit:

"Applicant" means the natural person or entity in whose name a license would be issued.

"Commercial Establishment" ("Establishment") or "Commercial Licensee" means an individual or entity licensed under this Chapter as a medical marijuana dispensary, grower, processor, or researcher.

"Commercial License" means a license issued to a medical marijuana dispensary, grower, processor, or researcher.

"Commissioner" means the Commissioner of Health of the Oklahoma State Department of Health.

"Department" means the Oklahoma State Department of Health or its agent or designee.

"Dispense" means the retail sale of medical marijuana, medical marijuana concentrate, or a medical marijuana products to a qualified patient, the qualified patient's parent(s) or legal guardian(s) if qualified patient is a minor, and a licensed caregiver.

"Dispensary" means an individual or entity that has been licensed by the Department pursuant to 63 O.S. § 421A and this Chapter, which allows the dispensary to purchase medical marijuana from a processer or grower and to sell medical marijuana only to a qualified patient, to the qualified patient's parent(s) or legal guardian(s) if qualified patient is an minor, and a licensed caregiver.

"Food" has the same meaning as set forth in 63 O.S. § 1-1101 and the Oklahoma Administrative Code ("OAC") 310:257-1-3 ("'food' means (1) articles used for food or drink for man, (2) chewing gum, and (3) articles used for components of any such article") and set forth in OAC 310:260-1-6 ("'food' means any raw, cooked, or processed edible substance, ice, beverage or ingredient used or intended for use or for sale in whole or in part for human consumption").

"Grower" or "Commercial Grower" means an individual or entity that has been licensed by the Department pursuant to 63 O.S. § 422A, which allows the grower to grow, harvest, dry, cure, and package medical marijuana according to this Chapter for the purpose of selling to a dispensary or processor.

"Information Panel" has the same definition as set forth in 21 CFR § 101.2 and means "that part of the label immediately contiguous and to the right of the principal display panel as observed by an individual facing the principal display panel."

"Label" carries the same definition as set forth in 63 O.S. § 1-1101 and "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."

"License" means a state issued license or other state issued documentation proving the holder of such license is a member of a state regulated medical marijuana program.

"License Number" means the unique multi-character identifier issued and printed upon each license.

"Licensee" means any natural born person or entity that holds a medical marijuana license provided for in this Chapter, excluding inmates of any local, county, state, or federal correctional facility or jail.

"Licensed Packager" as used in 63 O.S. § 422A(C) means a processor.

"Marijuana" means all parts of a plant of the genus cannabis, whether growing or not; the seeds of a plant of that type; the resin extracted from a part of a plant of that type; and every compound, manufacture, salt, derivative, mixture, or preparation of a plant of that type or of its seeds or resin. "Marijuana" does not include the mature stalks of the plant or fiber produced from the stalks; oil or cake made from the seeds of the plant; or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from the mature stalks, fiber, oil or cake; the sterilized seed of the plant that is incapable of germination; or industrial hemp, from the plant Cannabis sativa L. and any part of such plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent (0.3%) on a dry weight basis.

"Medical Marijuana" means marijuana that is grown, processed, dispensed, tested, possessed, or used for a medical purpose, and includes medical marijuana concentrate and medical marijuana products.

"Medical Marijuana Concentrate" ("Concentrate") means a substance obtained by separating cannabinoids from any part of the marijuana plant by physical or chemical means, so as to deliver a product with a cannabinoid concentration greater than the raw plant material from which it is derived.

"Medical Marijuana Product" means a product that contains cannabinoids that have been extracted from plant material or the resin therefrom by physical or chemical means and is intended for administration to a qualified patient, including but not limited to oils, tinctures, edibles, pills, topical forms, gels, creams, and other derivative forms.

"Medical Marijuana Waste" means unused, surplus, returned or out-of-date marijuana; recalled marijuana; unused marijuana; plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts and roots; and any wastewater generated during growing and processing.

"Minor" means any natural person younger than eighteen (18) years of age.

"Oklahoma Resident" ("Resident") means an individual who resides in the State of Oklahoma and can provide proof of residency as required by 63 O.S. § 420A et seq. and OAC 310:681-1-6.

"Oklahoma Uniform Symbol" means the image, established by the Department and made available to commercial licensees, indicating the package contains marijuana and must be printed at least one-half inch in size by one-half inch in size in color.

"Out-of-State Medical Marijuana Patient License" means an unexpired medical marijuana patient license issued by another U.S. state, which is the substantial equivalent of the Oklahoma medical marijuana patient license issued pursuant to OAC 310:681-2-1 and OAC 310:681-2-2.

"Package" or "Packaging" means any container or wrapper that a grower or processor may use for enclosing or containing medical marijuana or medical marijuana products.

"Patient" or "Qualified patient" means a person that has been properly issued a medical marijuana license pursuant to 63 O.S. § 420 et seq. and these rules.

"Physician" means a doctor of medicine or a doctor of osteopathic medicine who holds a valid, unrestricted and existing license to practice in the State of Oklahoma and meets the definition of "board certified" under rules established by either the Oklahoma Board of Medical Licensure or the Oklahoma Board of Osteopathic Examiners.

"Principal Display Panel" has the same definition as set forth in 21 CFR § 101.1 and "means the part of a label that is most likely to be displayed, presented, shown, or examined under customary conditions of display for retail sale."

"Private School" means an elementary, middle, or high school maintained by private individuals, religious organizations, or corporations, funded, at least in part, by fees or tuition, and open only to pupils selected and admitted based on religious affiliations or other particular qualifications.

"Process" means to distill, extract, manufacture, prepare, or otherwise produce a medical marijuana product or medical marijuana concentrate.

"Processor" means an individual or entity that has been licensed by the Department pursuant to 63 O.S. § 423A, which allows the processor to: purchase medical marijuana from a grower or processor; process, package, and sell medical marijuana to a dispensary

or processor; and may process medical marijuana received from a qualified patient into a medical marijuana concentrate, for a fee.

"Public School" means an elementary, middle, or high school established under state law, regulated by the local state authorities in the various political subdivisions, funded and maintained by public taxation, and open and free to all children of the particular district where the school is located.

"Retailer" as used in 63 O.S. § 420 et seq. means a dispensary.

"Revocation" means the Department's final decision in accordance with the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et seq., that any license issued pursuant to 63 O.S. § 420 et seq. and this Chapter is rescinded.

"Rules" means, unless otherwise indicated, the rules as adopted and set forth in OAC 310:681.

"State Question" means Oklahoma State Question No. 788 and Initiative Petition Number 412.

"Transportation License" means a license issued automatically to commercial licensees upon approval of a commercial license, which allows growers, processors, or dispensaries, or their authorized agent(s), to deliver medical marijuana from their licensed locations to the licensed locations of other growers, processors, or dispensaries.

3. Commercial Medical Marijuana Establishments; Annual Permit Required.

A. All Commercial Marijuana Growers, Commercial Marijuana Processors, Commercial Marijuana Transporters, Retail Marijuana Dispensaries, Licensed Packagers, Wholesale Facilities, and Research Facilities are required to obtain a permit from the Town Clerk or their designee. These establishments are defined as any medical marijuana establishment licensed by the State of Oklahoma. The Permit shall be issued by the Town upon the Applicant's proof and verification of the Applicant's License from the State Department pursuant to 63 O.S. § 420A et seq. and Title 310 of the Rules of the Oklahoma State Department of Health: 681-1 et seq., and payment of the Permit Fee.

B. The Board of Trustees will establish by resolution a fee to obtain the Permit for each of the above described entities. The fee shall be used to offset municipal expenses covering costs related to licensing, inspection, administration and enforcement of the above described entities.

C. A Permit will not be granted to any Applicant where the proposed location of the retail establishment would be located within one thousand (1,000) feet of any public or private school entrance.

D. A Permit will not be granted to any Applicant seeking to engage in Commercial Marijuana Growing, Commercial Marijuana Processing, Commercial Marijuana Transporting, Licensed Packaging, Wholesaling of Marijuana, and/or Researching of Marijuana (collectively, "Medical Marijuana Operations") within three hundred (300) feet of any residential structure. This restriction shall not include residential structures located on the Applicant's property.

In the event a Permit Applicant seeks to engage in Medical Marijuana Operations on a proposed location whose property boundaries are within three hundred (300) feet of a residential structure, a two hundred (200) foot buffer zone shall be created wherein no Medical Marijuana Operations may occur. Said buffer zone shall be established along the Applicant's property line directly adjacent to the residential structure and encompass the two hundred (200) feet from the Applicant's property line toward the interior of the Applicant's property. In the event there are multiple residential structures adjacent to the Applicant's property, multiple buffer zones may be required. Prior to the Board of Trustee's review of the Permit, Permit Applicant shall meet with a representative of the Town of Pink to confirm a two hundred (200) foot buffer is in place.

A buffer zone abutting a neighboring property shall not be required in the event the neighboring property has applied for and been granted a Permit for Medical Marijuana Operations. Additional buffer zone(s) may still be required in the event the Applicant Property is bordered by a residential structure on another side of the Applicant Property.

E. Buildings or transportation vehicles where marijuana is stored or dispensed must be equipped with ventilation/air filtration systems so that no odors are detectable off premises.

F. Any violations of this section will result in the revocation of the permit, and a fine of $200.00 per day while the violation exists.

G. Nothing in this Ordinance shall be construed to: 1) allow persons to engage in conduct that endangers or causes a public nuisance or 2) allow any activity that is otherwise illegal and not permitted by state law; in particular, the above municipal regulations in this section are intended to comport with, follow, but not exceed, those state regulations promulgated in 63 O.S. 420A et seq. and OAC 310-681-1 et seq.

4. Marijuana Growing Facilities for Personal Medical Use; Security.

A. All in-process medical marijuana shall be returned to the storage area at the termination of the process. If the process is not terminated at the end of a workday (except where a continuous process or other normal manufacturing operation should not be interrupted), the processing area or tanks, vessels, bins or bulk

containers containing medical marijuana shall be securely locked, with adequate security for the area or building.

B. Each building shall require a security alarm system, that upon unauthorized entry, shall transmit a signal directly to a central station protection company, or local or state police agency that has a legal duty to respond, or a 24-hour control station operated by the registrant, or to such other source of protection as the Town Trustees may approve.

C. Each building shall be equipped with self-closing, self-locking doors constructed of substantial material commensurate with the type of building construction, provided, however, a door which is kept closed and locked at all times when not in use and when in use is kept under direct observation of a responsible employee or agent of the registrant is permitted in lieu of a self-closing, self-locking door. Doors may be sliding or hinged. If doors hinges are mounted on the outside, such hinges shall be sealed, welded or otherwise constructed to inhibit removal. Locking devices for such doors shall be either of the multiple-position combination, keyless entry, or key lock type and;

1. In the case of key locks, shall require key control which limits access to a limited number of employees, or;

2. In the case of multiple-position combination or keyless entry systems, the system shall be limited to a minimum number of employees and can be changed upon termination of employment of an employee having knowledge of the combination.

D. Any outdoor or greenhouse facilities shall provide adequate security measures for the area or building including the following:

1. The entire outdoor or greenhouse facility shall be surrounded by a sight obscuring wall or fence and entry gates. Acceptable fencing shall be a metal chain link fence with a wire diameter at least nine (9) gauge or larger, or another similarly secure material or wood. The fence shall measure at least eight (8) feet from the ground to the top of the fence. The fence may be at least six (6) feet of acceptable fencing with a top guard of fencing wire with sharp edges or points, such as barbed wire, to enhance the overall height of the fence to the minimum of eight (8) feet. All support posts shall be steel and securely anchored.

2. All entry gates shall measure at least eight (8) feet from the ground to the top of the entry gate and shall be constructed of acceptable fencing. The entry gate may be at least six (6) feet of acceptable fencing with a top guard of fencing wire with sharp edges or points, such as barbed wire, to enhance the overall height of the entry gate to the minimum of eight (8) feet. All entry gates shall be kept closed and securely locked at all times when not in

use and when in use shall be kept under direct observation of a responsible employee or agent of the registrant.

3. The fence and entry gates shall be in good repair and obscure the outdoor or greenhouse facility so that it is not easily viewed from outside the fence or entry gates. The minimum for a sight-obscuring fence is a chain-link fence with woven slats in every row or available space of the fence.

4. The medical marijuana commercial growing, processing, packaging, and manufacturing areas shall be accessible only to an absolute minimum number of authorized employees. When it is necessary for employee maintenance personnel, nonemployee maintenance personnel, business guests, or visitors to be present in or pass through areas where controlled dangerous substances are present, the registrant shall provide for adequate observation of the area by an employee specifically authorized in writing.

5. The above municipal regulations in this section are intended to comport with, follow, but not exceed, those state regulations promulgated in 63 O.S. 420A et seq. and OAC 475:20-1-4 et seq.

6. Non-compliance with any portion of this Section will be considered a violation and will result in the revocation of the operation's Permit and a $200.00 per day fine until the violation has been remedied.

[Adopted 5-13-19; Amended 7-12-21 and 3-14-22]