



City of Enid
401 W. Owen K. Garriott Road
Enid, Oklahoma 73701
580-234-0400

BOARD OF COMMISSIONERS

NOTICE OF STUDY SESSION

Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Trustees of the Enid Public Transportation Authority, a Public Trust.

Notice is hereby given that the Mayor and Board of Commissioners of the City of Enid, Oklahoma, the Trustees of the Enid Municipal Authority, a Public Trust, the Trustees of the Enid Economic Development Authority, a Public Trust, and the Enid Public Transportation Authority, a Public Trust will meet in regular session at 5:00 p.m. on the 3rd day of April, 2018 in the Lower Level Conference Room of the City Administration Building, located at 401 W. Owen K. Garriott Road in said city, and the agenda for said meeting is as follows:

- AGENDA -

REGULAR STUDY SESSION AGENDA

1. **CALL TO ORDER/ROLL CALL.**
2. **AT THE COMMISSIONERS' REQUEST, DISCUSS ANY ITEM OF CONCERN ON THE REGULAR SESSION AGENDA OF APRIL 3, 2018.**
3. **PRESENT AND DISCUSS KAW LAKE PHASE II UPDATE.**
4. **PRESENT DOWNTOWN ART PROJECT UPDATE.**
5. **DISCUSS SOUND AMPLIFICATION VIOLATION ORDINANCE.**
6. **DISCUSS EMERGENCY MANAGEMENT INTERFERENCE ORDINANCE.**
7. **DISCUSS THEFT OF CABLE ORDINANCE.**
8. **ADJOURN.**

City Commission Study Session

5.

Meeting Date: 04/03/2018

SUBJECT:

DISCUSS SOUND AMPLIFICATION VIOLATION ORDINANCE.

Attachments

Ordinance

ORDINANCE NO. 2018-__

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014 TITLE 5 "PUBLIC SAFETY" CHAPTER 8 "NOISE" SECTION 5-8-1 TO CHANGE THE FINE FROM SEVEN HUNDRED AND FIFTY DOLLARS TO TWO HUNDRED DOLLARS; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY, EFFECTIVE DATE AND CODIFICATION.

ORDINANCE

Section 1: That Title 5, Chapter 8, Section 5-8-1 of the Enid Municipal Code, 2014 is hereby amended as follows:

5-8-1: SOUND AMPLIFICATION:

- A. Advertising By Loudspeaker, Amplifying Device: No person shall make, cause to be made, or persist in making, in or upon any street, sidewalk or alley, or upon any private property, any loud, unnecessary, unusual or objectionable noise which disturbs the public peace or annoys the inhabitants of the city by maintaining or operating any music box, phonograph, piano, or any other music device, or any radio, phonograph amplifier, radio amplifier, or loudspeaker or other amplifying device, for the purpose of attracting the attention of persons upon the public streets to any business or trade, or for the purpose of advertising goods, wares or merchandise to the public, except as otherwise provided in this section. Such loud, unnecessary, unusual or objectionable noise which disturbs the public peace or annoys the inhabitants, and the maintenance or operation thereof, is hereby declared to be a nuisance.
- B. Exemption: The provisions of this section shall not apply to music furnished by any person to the exclusive enjoyment of persons actually on the premises or within the place of business of such person, provided the music so furnished shall not be sufficiently loud or offensive to annoy the public generally or to disturb the peace; provided further, that no loudspeaker located upon any premises outside the walls of any building located thereon shall be operated between the hours of ten o'clock (10:00) P.M. and six o'clock (6:00) A.M.
- C. Violation: Violation of this section shall have a maximum fine of two hundred dollars (\$200.00) ~~seven hundred fifty dollars (\$750.00)~~ plus costs.

Section 2: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section 3: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance

repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section 4: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section 5: Codification. This Ordinance shall be codified as Title 5, Chapter 8, Section 5-8-1 of the Enid Municipal Code, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this ___ day of _____, 2018.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST:

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney

City Commission Study Session

6.

Meeting Date: 04/03/2018

SUBJECT:

DISCUSS EMERGENCY MANAGEMENT INTERFERENCE ORDINANCE.

Attachments

Ordinance

ORDINANCE NO. 2018-__

**AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014
TITLE 5 “PUBLIC SAFETY” CHAPTER 3 “EMERGENCY
MANAGEMENT” SECTION 5-3-10 TO CHANGE THE PENALTY
FROM A CLASS A OFFENSE TO MAXIMUM FINE OF FIVE HUNDRED
DOLLARS; PROVIDING FOR REPEALER, SAVINGS CLAUSE,
SEVERABILITY, EFFECTIVE DATE AND CODIFICATION.**

ORDINANCE

Section 1: That Title 5, Chapter 3, Section 5-3-10 of the Enid Municipal Code, 2014 is hereby amended as follows:

5-3-10: PENALTY:

Any person, firm or corporation violating any provision of this chapter, or any rule or regulation promulgated pursuant to this chapter, will be guilty of an offense punishable by a maximum fine of five hundred dollars (\$500.00) plus costs. ~~a class A offense.~~

Section 2: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section 3: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section 4: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section 5: Codification. This Ordinance shall be codified as Title 5, Chapter 3, Section 5-3-10 of the Enid Municipal Code, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this ___ day of _____, 2018.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST:

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney

City Commission Study Session

7.

Meeting Date: 04/03/2018

SUBJECT:

DISCUSS THEFT OF CABLE ORDINANCE.

Attachments

Ordinance

ORDINANCE NO. 2018-__

**AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE 2014
TITLE 7 “PUBLIC WAYS AND PROPERTY” CHAPTER 9
“COMMUNITY ANTENNA TELEVISION SYSTEM” SECTION 7-9-6 TO
CHANGE THE PENALTY FROM A CLASS A OFFENSE TO A
MAXIMUM FINE OF FIVE HUNDRED DOLLARS; PROVIDING FOR
REPEALER, SAVINGS CLAUSE, SEVERABILITY, EFFECTIVE DATE
AND CODIFICATION.**

ORDINANCE

Section 1: That Title 7, Chapter 9, Section 7-9-6 of the Enid Municipal Code, 2014 is hereby amended as follows:

7-9-6: OFFENSES:

- A. Operating without License: It shall be unlawful for any person to install, operate or maintain a cable system within the city without first obtaining the license required by this chapter.
- B. Unauthorized Connections to System: It shall be unlawful for any person to make any unauthorized connection, whether physically, electrically, acoustically, inductively, or otherwise, with any part of the licensee's cable system for the purpose of enabling himself or others to receive any signals, pictures, programs, sounds or any other information or intelligence transmitted over the licensee's system without the consent of the licensee.
- C. Injuring Cable Wires, Equipment: It shall be unlawful for any person, without the consent of the owners, willfully to tamper with, remove, or injure any cable, wires, or other equipment used for the distribution of signals, pictures, programs, sounds or any other information or intelligence transmitted over the licensee's cable system.
- D. Penalty: A violation of this section shall be punishable by a maximum fine of five hundred dollars (\$500.00) plus costs. ~~It shall be a class A offense for any person to violate any of the provisions of this section.~~

Section 2: Repealer. All ordinances or parts thereof, which are inconsistent with this ordinance, are hereby repealed.

Section 3: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceedings now pending in any court, or any rights acquired or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

Section 4: Severability. If any one or more of the sections, sentences, clauses or parts of this ordinance, chapter or section shall, for any reason, be held invalid, the invalidity of such section, clause or part shall not affect or prejudice in any way the applicability and validity of any other provision of this ordinance. It is hereby declared to be the intention of the City Commission of the City of Enid that this section of the Enid Municipal Code would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part not been included.

Section 5: Codification. This Ordinance shall be codified as Title 7, Chapter 9, Section 7-9-6 of the Enid Municipal Code, 2014.

PASSED AND APPROVED by the Mayor and Board of Commissioners of the City of Enid, Oklahoma, on this ___ day of _____, 2018.

CITY OF ENID, OKLAHOMA

William E. Shewey, Mayor

(SEAL)

ATTEST:

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney