



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 4th day of February, 2020 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 FEBRUARY 4, 2020.**
3. **LEGISLATIVE UPDATE FROM CURT ROGGOW.**
4. **DISCUSS POSSIBLE RELOCATION OF SKATE PARK AND POLICE SHOOTING SIMULATION BUILDING.**
5. **DISCUSS AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 5, ENTITLED "PUBLIC SAFETY", CHAPTER 5, ENTITLED "GENERAL OFFENSES", ARTICLE H, ENTITLED "DRUG AND ALCOHOL RELATED OFFENSES", SECTION 5-5H-2 ENTITLED "ALCOHOL RESTRICTIONS; INTOXICATION", TO ADD DEFINITION OF "LICENSEE" AND SPECIFY THE HOURS OF OPERATION FOR LICENSEES THAT PROVIDE ALCOHOLIC BEVERAGE FOR CONSUMPTION ON PREMISE, WITH PENALTY OF VIOLATION OF SAID HOURS; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.**

6. **DISCUSS AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC", CHAPTER 1, ENTITLED "GENERAL TRAFFIC PROVISIONS", TO ADD SECTION 6-1-15 ENTITLED "DOCUMENTS REQUIRED DURING OPERATION OF MOTOR VEHICLE" TO REQUIRE REGISTRATION TO BE IN VEHICLE WITH EXCEPTION AND PENALTY; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.**

7. **ADJOURN.**

Meeting Date: 02/04/2020

SUBJECT:

DISCUSS AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 5, ENTITLED "PUBLIC SAFETY", CHAPTER 5, ENTITLED "GENERAL OFFENSES", ARTICLE H, ENTITLED "DRUG AND ALCOHOL RELATED OFFENSES", SECTION 5-5H-2 ENTITLED "ALCOHOL RESTRICTIONS; INTOXICATION", TO ADD DEFINITION OF "LICENSEE" AND SPECIFY THE HOURS OF OPERATION FOR LICENSEES THAT PROVIDE ALCOHOLIC BEVERAGE FOR CONSUMPTION ON PREMISE, WITH PENALTY OF VIOLATION OF SAID HOURS; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

Attachments

5-5H-2 Hours of Operation Ordinance

ORDINANCE NO. 2020-__

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 5, ENTITLED PUBLIC SAFETY CHAPTER 5, ENTITLED GENERAL OFFENSES , ARTICLE H, ENTITLED DRUG AND ALCOHOL RELATED OFFENSES , SECTION 5-5H-2 ENTITLED ALCOHOL RESTRICTIONS; INTOXICATION TO ADD DEFINITION OF LICENSEE AND SPECIFY THE HOURS OF OPERATION FOR LICENSEES THAT PROVIDE ALCOHOLIC BEVERAGE FOR CONSUMPTION ON PREMISE, WITH PENALTY OF VIOLATION OF SAID HOURS; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA:

Section I: That Title 5, Chapter 5, Article H, Section 5-5H-2 of the Enid Municipal Code, 2014, is hereby amended to read as follows:

5-5H-2: ALCOHOL RESTRICTIONS; INTOXICATION:

Definitions: As used in this section, the following words and phrases shall have the meanings respectfully ascribed to them in this section:

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.

ALCOHOLIC BEVERAGE: Means alcohol, spirits, beer and wine as those terms are defined by 37A of the Oklahoma Statutes 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.

LICENSEE: Means any person holding a license under the Oklahoma Alcoholic Beverage Control Act, and any agent, servant or employee of such licensee while in the performance of any act or duty in connection with the licensed business or on the licensed premises.

A. Public Intoxication¹:

1. No person shall be drunk or intoxicated on any public or private road, or in any public conveyance, or any public place or building, or at any public gathering, from drinking or consuming any alcoholic beverage, intoxicating substance, intoxicating compound, or

¹ 37A O.S. §6-101(8)

from inhalation of glue, paint, or other intoxicating substance. No person shall be drunk or intoxicated from any cause and shall disturb the peace of any person.

2. The violation of this subsection shall be punishable by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) plus costs.

B. Consumption Of Alcohol:

1. No person shall consume or possess any alcoholic beverage in any street, alley or other public place, except:

- a. As authorized as part of a special event pursuant to section 1-15-9 of this Code; or,
- b. Wine and beer in City owned parks.

2. The violation of this subsection shall be punishable by a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00) plus costs.

(Ord. 2018-23, 8-21-2018, eff. 10-1-2018)

C. Hours of Operation²:

1. No licensee who provides alcoholic beverages for consumption on premises may open before 6:00 AM or close later than 2:00 AM.

2. The violation of this subsection shall be punishable by a fine of five hundred (\$500.00), plus costs.

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

Section III: 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 IV: 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.

² 37A O.S. §4-101.

Section V: Codification. This ordinance shall be codified as Title 5, Chapter 5, Article H, Section 5-5H-2 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 February, 2020.

CITY OF ENID, OKLAHOMA

(SEAL)

George C. Pankonin, Mayor

ATTEST:

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney

Meeting Date: 02/04/2020

SUBJECT:

DISCUSS AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 6, ENTITLED "MOTOR VEHICLES AND TRAFFIC", CHAPTER 1, ENTITLED "GENERAL TRAFFIC PROVISIONS", TO ADD SECTION 6-1-15 ENTITLED "DOCUMENTS REQUIRED DURING OPERATION OF MOTOR VEHICLE" TO REQUIRE REGISTRATION TO BE IN VEHICLE WITH EXCEPTION AND PENALTY; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

Attachments

Motor Vehicle Registration Ordinance

ORDINANCE NO. 2020-

AN ORDINANCE AMENDING THE ENID MUNICIPAL CODE, 2014, TITLE 6, ENTITLED MOTOR VEHICLES AND TRAFFIC CHAPTER 1, ENTITLED GENERAL TRAFFIC PROVISIONS TO ADD SECTION 6-1-15 ENTITLED DOCUMENTS REQUIRED DURING OPERATION OF MOTOR VEHICLE TO REQUIRE REGISTRATION TO BE IN VEHICLE WITH EXCEPTION AND PENALTY; PROVIDING FOR REPEALER, SAVINGS CLAUSE, SEVERABILITY AND CODIFICATION.

ORDINANCE

BE IT ORDAINED BY THE MAYOR AND BOARD OF COMMISSIONERS OF THE CITY OF ENID, OKLAHOMA:

Section I: That Title 6, Chapter 1, Section 6-1-15 of the Enid Municipal Code, 2014, is to read as follows:

6-1-15: **DOCUMENTS REQUIRED DURING OPERATION OF MOTOR VEHICLE¹**

A. No person shall operate a motor vehicle, without having one of the following documents in the motor vehicle which upon demand is to be exhibited to a police officer:

1. Registration certificate or an official copy thereof;
2. True copy of rental or lease documentation issued for a motor vehicle;
3. Registration certificate or an official copy thereof issued for a replacement vehicle in the same registration period;
4. Temporary receipt printed upon self-initiated electronic renewal of a registration via the Internet; or
5. Cab card issued for a vehicle registered under the International Registration Plan.

B. Exception: The provisions of subsection A of this section shall not apply during the first thirty days after purchase of a motor vehicle.

¹ State Law: 47 O.S. §1112.3

C. Penalty: A violation of this section is punishable by a maximum fine of \$300.00, plus costs.

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

Section III: 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 IV: 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 V: Codification. This ordinance shall be codified as Title 6, Chapter 1, Section 6-1-15 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 February, 2020.

CITY OF ENID, OKLAHOMA

George C. Pankonin, Mayor

(SEAL)

ATTEST

Alissa Lack, City Clerk

Approved as to Form and Legality:

Carol Lahman, City Attorney