

Chapter 1

AGENCIES, OFFICERS, AND EMPLOYEES

Article 1. The Council

Sec. 1-1-1. Rules of order at council meetings.

In order to promote the proper order and dispatch of business coming before it, the city council shall adopt, by Resolution, rules of order and procedure, which shall apply and govern in all its meetings; however, these may be amended as deemed necessary:

(1) **Calendar.** At the hour appointed for the meeting of the city council, the mayor shall take the chair, if present, and if he be not present, the mayor pro tem shall take the chair. He shall call the house to order and proclaim the city council to be now in session. The council will then attend other order of business.

- (a) Roll call of members.
- (b) Approval of minutes of last meeting and amendments.
- (c) Citizen and council communications.
- (d) Approval of claims.
- (e) Ordinance and resolutions.
- (f) Consideration items.
- (g) City Manager discussion.
- (h) Approval of bids.
- (i) Adjournment.

(2) **Voting.**

- (a) Every member who shall be present when a question is stated from the chair shall vote thereon, except the member shall not vote when the question involves a business in which the member has a proprietary interest.
- (b) A member shall have a proprietary interest in a business if the business engages in:
 - (1) Selling, buying, or leasing property, real or personal, to or from the municipality.
 - (2) Contracting with the municipality; or
 - (3) Buying or bartering for or otherwise engaging in a manner in the acquisition of any bonds, warrants, or other evidence of indebtedness of the municipality.
- (c) For purposes of this section a member shall be deemed to have a proprietary interest if the member owns more than twenty-five percent (25%) of the business or of the stock therein or any percentage, which constitutes a controlling interest but shall not include any such interest held by a blind trust.

(3) **Motions.** No motion shall be put or debated unless it is seconded. When a motion is seconded, it shall be stated by the mayor before the debate.

(4) **Division of questions.** If the question on debate contains several distinct propositions, any member may have the same divided and each part considered separately.

(5) **Member's name recorded.** In all cases where a resolution of motion is entered upon the minutes of the council, the name of the member introducing the same shall be entered also.

(6) **Ayes, naves.** The ayes and naves upon any question shall be taken and entered upon the minutes.

(7) **Precedence of motions.**

- (a) When a question is under debate, the motions in order shall be as follows:

- (i) To adjourn (when not qualified).
- (ii) The previous question.
- (iii) To lay on the table.
- (iv) To postpone indefinitely.
- (v) To adjourn to a certain day.
- (vi) To refer.
- (vii) To amend.

(b) Such motion shall have precedence in the order herein amended, the first always to be in order when the floor can be obtained for that purpose, except:

- (i) While the ayes and nays are being called.
- (ii) When the members are voting.
- (iii) When it has been decided that the previous question shall be

taken.

(8) Previous Question. Where the previous question is moved and seconded, it shall be put in this form: "Shall the main question now be put?" If this is carried, all further amendments and all further motions and debate shall be excluded and the questions be put without delay.

(9) Reconsideration. A question may be reconsidered at any time with majority vote of the council.

(10) Committees, appointments. All committees shall be appointed by the mayor with approval of the city council.

(11) Committees, powers. No committees shall assume jurisdiction of any subject or exercise any authority except under extraordinary circumstances, or except such special instructions from the council delegating such authority from time to time.

(12) Standing Committees.

(a) There is hereby established the following standing committee of the Chickasha City Council, to wit: *(Ord. No. 2003-04, 04/21/2003).*

(i) Finance; *(Ord. No. 2003-04, 04/21/2003).*

(b) The mayor shall appoint four (4) council members annually as soon as practical after the council election. *(Ord. No. 2003-04, 04/21/2003).*

(c) The mayor shall appoint the chairperson. *(Ord. No. 2003-04, 04/21/2003).*

(13) Special committees. The mayor, with approval of the city council, may appoint from time to time special committees to explore specific problems or concerns and recommend solutions to the full council for their consideration. All special committees shall consist of three (3) members each unless some other number is specified.

(14) Claims. Bills and accounts against the city shall be presented at the regular meetings each month.

(15) Suspension of rules. These rules may be temporarily suspended by majority vote of all members present; but shall not be repealed, altered or amended except by concurrence of two thirds (2/3) of all members of the council.

(16) Robert's Rules. All rules laid down in Robert's Rules of Order, or as revised, are hereby declared to be the rules governing this council except wherein they conflict with the rules herein laid down and adopted. *(Code 1972, Sec. 1-1.)*

Sec. 1-1-2. Chief of police to attend meetings.

The chief of police shall attend all meetings of the city council and shall execute all orders of the council in regard to the preservation of order.

Note: The Charter Art. 4, Sec. 4, provides that the council "by resolution" shall prescribe the time for regular council meetings.

Sec. 1-1-3. Smoking prohibited in council chambers.
Smoking is prohibited in council chambers during any public meeting. (Ord. 1737, 9/5/85)

Article 2. The Mayor

Sec. 1-2-1. Presiding officer.
The mayor shall preside at all meetings of the city council, and shall have a casting vote when the council is equally divided. (Code 1972, § 1-3.)

Sec. 1-2-2. Reports.
The mayor shall, with approval of the council, and when deemed necessary, require any officer of the city to exhibit their accounts or other official papers and to make a report to the city council in writing, touching any subject matter pertaining to their office. (Code 1972, § 1-5.)

Article 3. City Manager

Sec. 1-3-1. City Manager.

- (a) The city council shall by a majority vote appoint a city manager who shall be chosen solely upon the basis of their executive and administrative qualifications, and who shall receive a salary to be fixed by the city council. The tenure of office shall be at the pleasure of the majority of the city council.
- (b) Under the direction of the city council, the city manager shall be the administrative head of the municipal government and shall devote his entire time to the affairs of the city.
- (c) Before entering upon these duties, the city manager shall take the official oath and shall give such surety company bond as the city council may require and approve.
- (d) The city manager shall have the special powers and duties as may be imposed by charter, law, or ordinance, and shall be directly responsible to the city council for the proper administration thereof. (Code 1972, § 1-8.)

Sec. 1-3-2. Emergency Authority of City Manager.

- (a) "Emergency" as used in this section shall be limited to conditions resulting from a sudden unexpected happening or unforeseen occurrence or condition whereby the public health or safety is endangered. (Ord. No. 2003-06, amended 05/19/2003).
- (b) The City Manager shall have the authority to declare an emergency and to take such actions as are allowed by the Public Competitive Bidding Act of 1974, 61 O.S. § 130. (Ord. No. 2003-06, amended 05/19/2003).
- (c) Before declaring an emergency, the City Manager will attempt to contact the Mayor or, if the Mayor is unavailable, the Mayor Pro Tem. (Ord. No. 2003-06, amended 05/19/2003).
- (d) The City Manager shall notify the City Council of the declaration of an emergency and the reasons for the declaration of an emergency within ten (10) days and shall place an informational item concerning the emergency and the reasons for declaration of an emergency on the Agenda of the next City Council meeting. (Ord. No. 2003-06, amended 05/19/2003).

Note: As regards to the city manager, see particularly the Charter Art. 5, Section 4.

Article 4. City Departments

Sec. 1-4-1. City departments and divisions established.

It shall be the responsibility of the city manager to organize, re-organize, establish, or delete divisions and departments to most efficiently carry out the mandates and policies of the city council. The specific responsibilities of each individual department and division shall be communicated by the city manager through established procedures.

The organization of the city department, until changed by ordinance, shall be established through the budgetary process.

Article 5. City Clerk

Sec. 1-5-1. Office.

The city clerk shall maintain an office in city hall.

Sec. 1-5-2. Custody of records.

The city clerk shall, immediately upon being qualified and sworn, take possession of all books, papers and other property of the nature of records, belonging to the city and to the clerk's office, and shall keep the same safe and in a convenient place subject to the inspection of the mayor, any member of the city council or city manager. *(Code 1972, § 1-10.)*

Sec. 1-5-3. Council secretary.

The clerk shall attend the meetings of the council and keep a correct and complete record of the proceedings at each and every meeting of said council. *(Code 1972, § 1-11.)*

Sec. 1-5-4. Removal of records.

The city clerk shall permit no records, public papers or other documents of the city to be taken there from, except by such officers of the city as may be entitled to the use of the same and then only upon deposit of proper receipt therefore. *(Code 1972, § 1-12.)*

Sec. 1-5-5. Encumbrance record.

The city clerk shall keep a record in which shall be kept an exact account showing the purpose and amount of each appropriation for the maintenance and operation of the respective municipal departments of government. The amount and purpose of each purchase order or contract filed and certified for payment shall be charged against the appropriation at the time purchase is made or contract let, and the balance in the appropriation account after such charges are deducted shall constitute the unencumbered balance available. *(Code 1972, § 1-13.)*

Sec. 1-5-6. Cemetery deeds; attest.

It shall be the duty of the city clerk to attest all deeds to lots in the cemetery and to record the same in the cemetery deed records. *(Code 1972, § 1-15.)*

Sec. 1-5-7. Ordinance record.

The city clerk shall maintain all original ordinances of the city. The city clerk shall keep printed copies of all ordinances, notices and other publications required by law, hereafter passed with the publisher's certificate of publication attached thereto. Such records shall be indexed to show number and title of the ordinances therein contained. *(Code 1972, § 1-16.)*

Sec. 1-5-8. License record.

The city clerk shall maintain a record of all licenses issued under the ordinances of the city, showing the date of the issuing of same, to whom issued, the time for which the same is issued and the amount paid to the treasurer for same. (Code 1972, § 1-17.)

Sec. 1-5-9. Permit record.

The city clerk shall maintain a record of all permits issued, showing the date of issuing the same, to whom issued, and the amount paid for the same. (Code 1972, § 1-18.)

Sec. 1-5-10. Petition record.

The city clerk shall keep a suitable file in which shall be deposited all petitions and communications addressed to the council together with the action taken thereon. (Code 1972, § 1-19.)

Sec. 1-5-11. Insurance file.

It shall be the duty of the city clerk to keep and carefully preserve a file of all insurance policies in which the city has any interest.

Sec. 1-5-12. Bond file.

The city clerk shall prepare and keep a file in which all surety bonds shall be preserved, in which the city may have any interest. The bonds shall be classified, arranged, and indexed in an approved manner. (Code 1972, § 1-22.)

Sec. 1-5-13. Inventory record.

It shall be the duty of the city clerk to keep an inventory record, which shall be itemized and enumerated by departments of all personal property belonging to the city. The city clerk shall call upon each and every officer having custody of any personal property of the city, to submit a complete inventory of such property within thirty (30) days of such request. (Code 1972, § 1-24.)

Sec. 1-5-14. Deed record.

It shall be the duty of the city clerk to establish and maintain and securely keep a complete file of all deeds, abstracts, or other instruments conveying or affecting the title to any real property in which the City of Chickasha may have interest. (Code 1972, § 1-25.)

Sec. 1-5-15. Certified copies.

The city clerk shall furnish certified copies of all ordinances hereafter or heretofore passed by the council to any person upon application to clerk's office for the same. It shall be clerk's duty to furnish copies of ordinances or other documents for the use of any city officer without any charge and to attest any copy of paper, document, or record presented to clerk by a city officer and to affix the seal of the city thereto. A charge shall be made for every certificate, with seal affixed and made for individual use. Also a charge shall be made for copying all ordinances, papers, records, council proceedings, or other documents for individual use at a rate to cover the cost to the city of making the copies. (Code 1972, § 1-26.)

Sec. 1-5-16. Filing endorsement; indexing.

The city clerk shall endorse the date of filing upon every paper or document filed in his office. All books and records kept by the city clerk shall be fully and properly indexed.

Sec. 1-5-17. Seal.

The city clerk shall be the custodian of the corporate seal for the City of Chickasha, and the city clerk shall affix the same to all documents requiring the same. (Code 1972, § 1-29.)

Note: As regards the city clerk, see particularly the Charter Art. 5, Sections 7 and 8.

Article 6. City Treasurer

Sec. 1-6-1. Custodian of funds.

The city treasurer shall be the custodian of all moneys belonging to the City of Chickasha, and shall receive all moneys due the city from any and all sources. Treasurer shall safely keep all such money in depositories approved by law and pay out the same only in the manner authorized by law. *(Code 1972, § 1-29.)*

Sec. 1-6-2. Depositories.

All money or funds belonging to the City of Chickasha shall be kept in depositories approved by the council. The city treasurer shall make deposits of all money received in behalf of the city, in the appropriate funds as the same come into treasurer's hands from time to time, and said funds shall be kept in such depositories as are designated by the council. Nothing in this section shall be construed to prevent the payment of warrants properly and lawfully drawn upon the city treasury. It is the intention of this section to preserve the right of the council to exercise its supervision over deposits of public funds for the city. *(Code 1972, § 1-30.)*

Sec. 1-6-3. Collateral.

All deposits of city funds shall be made on collateral security, to be furnished by the depository, which shall be delivered to and kept in the possession of the city treasurer for that purpose of indemnifying any losses accruing to the city on account of the failure of said depository to make full and complete restitution of such funds to the city. No collateral shall be accepted by the city treasurer from any depository for the protection or indemnifying of deposits of municipal funds, except with the approval of city manager. *(Code 1972, § 1-31.)*

Sec. 1-6-4. Sinking fund; investment.

The city treasurer shall invest moneys belonging to the sinking fund of the City of Chickasha in such securities as are authorized by the statutes of the State of Oklahoma. All such investments shall be made with due regard for the outstanding indebtedness of the City of Chickasha as required by state law. *(Code 1972, § 1-32.)*

Sec. 1-6-5. Investments generally.

The city treasurer shall make investments of city funds. No investments shall be exchanged, bartered, traded, or sold without the consent of the city council and/or the city manager. In all cases wherein an investment of city funds or the sale or disposal or exchange of any securities, stocks or bonds belonging to the city or the collection of any amount of the principal sum due before maturity thereof is contemplated, the city treasurer shall present all information and data relating thereto, together with a recommendation to the city council and/or the city manager for their consideration and action. *(Code 1972, § 1-33.)*

Sec. 1-6-6. Issue receipts.

It shall be the duty of the city treasurer to issue receipt to any person from whom treasurer may collect any sum of money in behalf of the city. Such receipt shall show the date of it, the name of the person paying said money, the amount paid, the purpose of such payment, and the fund to which said money is to be credited. Such receipts shall bear a separate number distinguishing it from all other receipts and all such numbering shall be in regular consecutive order. The treasurer shall keep a copy of such receipt and deliver a copy to the city clerk. *(Code 1972, § 1-34.)*

Sec. 1-6-7. Bond record.

The city treasurer shall keep a complete list of every bond and coupon against the City of Chickasha, showing the date of maturity, to whom sold, the amount of payment falling due, whether principal or interest, and the date of any payments made and the amount thereof. Such record shall show the amount of unpaid outstanding bonded indebtedness of each issue hereto fore or hereafter made by the city. Treasurer shall cancel all bonds, coupons or other evidences of indebtedness against the city immediately upon the payment of same and make disposition of such paid indebtedness in the manner provided for in the foregoing section for paid warrants.

(Code 1972, § 1-36.)

Sec. 1-6-8. Cancellation; form.

The city treasurer shall cancel all paid evidences of indebtedness against the city. *(Code 1972, 1-37.)*

Sec. 1-6-9. Monthly report.

It shall be the duty of the city treasurer at the end of each month to report to the city council and the city manager a statement of the financial transactions of the treasurer's office for the month ending, which statement shall be in writing and under oath and shall set forth clearly and fully the following items, to-wit:

- (1) The balance in the treasury at the beginning and at the end of the month.
- (2) The amount received during the month and the sources thereof and on what account received and to what fund applied.
- (3) The amount disbursed during the month and to whom and on what account disbursed and to what fund charged.
- (4) The amount of interest, profit, compensation, or money received by treasurer, or to be received from any person, bank, or corporation for the use, control, or deposit of the city funds in treasurer's charge, together with the amount of interest earned on the sinking funds. *(Code 1972, 1-38.)*
- (5) Changes in investments shall be included in the applicable monthly report.

Sec. 1-6-10. Investment and fund collateral

The city shall invest according to State law, Title 62, 1990 Supp., Sections 516.1 through 516.10, or as revised. The city shall limit its investments to sound financial practices and policies as established by the city council. The city treasurer shall establish policies, as approved by the city council, to insure sound fiscal control.

Note: As regards the city treasurer, see particularly the Charter Art. 5, Sections. 10, 11, and 12.

Article 7. Fire Department

Sec. 1-7-1. Organization.

The fire department shall consist of a fire chief and such other personnel as the council may authorize. *(Code 1972, § 1-39.)*

Sec. 1-7-2. Chief; duties.

The fire chief shall have exclusive control over the stationing and transferring of all firemen and other officers and employees in the department. He shall be vested with the necessary disciplinary powers for effective control of the department. Each and every member of the fire department shall be subordinate and subject to the direction and orders of the fire chief, which shall be subordinate to the city manager. *(Code 1972, § 1-40.)*

Sec. 1-7-3. Fire department; duties.

The fire department shall be charged with the prevention of fires within the corporate limits, with the detection, combating and extinguishing of fires when such occur and with the protection of property and persons against damage or accident from such fires. The department shall aid in the preservation of order within the city limits and the suppression of riots when so directed by the city manager. (Code 1972, § 1-41.)

Sec. 1-7-4. Obstruction; removal.

The fire chief or any person specially authorized by him shall be authorized to order the removal of fences, lumber or other combustibles and the pulling down of houses, buildings or other structures at fires, when in his opinion the public safety may require it. (Code 1972, § 1-42.)

Sec. 1-7-5. Property custodian.

The fire chief shall safely and securely keep all fire apparatus, hose and other appliances used by the fire department in extinguishing fires in the city. He shall be the legal custodian of all property purchased and assigned to the fire department for the use of the same and shall have full authority in the use of the same. He shall not permit any equipment, apparatus, tools, paraphernalia, or instruments belonging to his department to be taken there from without a written order from the city manager. (Code 1972, § 1-44.)

Sec. 1-7-6. Police authority.

The fire chief and the fire department are hereby vested with all authority of policemen of the city insofar as necessary in the exercise of their duties, and are hereby authorized to make arrests for interference with firemen in the discharge of their duties or for any interference or obstruction of the operations of the fire department. (Code 1972, § 1-45.)

Sec. 1-7-7. Apparatus; examined.

It shall be the duty of the fire chief or some member of the fire department authorized by him to make periodical examination of any and all fire apparatus, including hose and all equipment with the view to keeping the same in a good working order. (Code 1972, § 1-50.)

Sec. 1-7-8. Inspection Record.

The fire chief shall keep a record of inspections and repairs on fire engines and equipment, showing the date of same, the repairs made and new parts added to the same. (Code 1972, § 1-51.)

Sec. 1-7-9. Notice of street obstruction.

It shall be the duty of each and every person who shall temporarily or otherwise obstruct any street or avenue within the city, to give immediate notice to the fire chief of such obstruction, stating the position on the street, the name of the street, the character of the obstruction, the time such obstruction shall exist and notice of the removal of same when so removed. Nothing in this section shall be construed to authorize any person to obstruct any street or avenue except as otherwise provided by ordinance. (Code 1972, § 1-52.)

Sec. 1-7-10. Right of entry.

The fire chief or his authorized representative shall have the right of ingress and egress on and into any and all real property within the corporate limits of the city, within reasonable hours for the purpose of discharging the duties of his office or employment. (Code 1972, § 1-53.)

Sec. 1-7-11. Communicating fire alarms, interference.

No person shall cut or sever or cause to be cut or severed or interfere with in any manner any wires or apparatus established for the purpose of dispatching fire alarms to the fire department. No person shall cut or injure any wire, pole, cross arm, bracket or support for them, owned and operated by any public serve company as a means and used for the purpose of communicating by telegraph, telephone, or any other device, when the same is for the purpose of interfering with or obstructing the dispatch of fire alarms. (Code 1972, § 1-54.)

Sec. 1-7-12. False alarms.

No persons shall willfully give or cause to be given any false alarm of fire by any means, knowing the same to be false. (Code 1972, § 1-55.)

Sec. 1-7-13. Inspection of hydrants.

The fire chief or his authorized agent shall, not less than once in each year, examine each and every fire hydrant and see that they are always accessible and in good serviceable condition. (Code 1972, § 1-56.)

Sec. 1-7-14. Obstructing fire hydrants.

No person shall place or cause to be placed upon or about or within ten (10) feet of any fire hydrant, any rubbish, building material, fence or other obstruction of any character whatsoever, nor fasten to the same any guy rope, cable or brace, nor back or stand any wagon, or other vehicles against any fire hydrant. Any fence or other obstruction now standing in violation of this section shall be removed by the owner or occupant of the premises to a proper distance from such fire hydrant to admit free access to the same and such action shall be taken without delay upon notice from the fire chief or any member of the fire department. (Code 1972, § 1-57.)

Sec. 1-7-15. Removal and injury of fire department property.

No persons shall without proper authority remove, take away or conceal any tool, appliance or other article belonging to any fire apparatus or fire department station, or anything used in any way by the fire department. It shall be unlawful for any person to injure, deface, or tamper with any fire hose, fire engine, truck or other apparatus or any entrances to any building containing the same. (Code 1972, § 1-58.)

Sec. 1-7-16. Trespass in fire station.

It shall be unlawful and an offense for any person to loiter in, visit or enter any room or compartment set aside for housing any fire equipment, except such person shall be accompanied by a member of the fire department or be duly authorized by some member thereof. (Code 1972, § 1-59.)

Sec. 1-7-17. Fire hydrants; control of.

Hereafter fire hydrants and plugs connected with the waterworks mains and laterals and located in the public streets, avenues or alleys of the city shall be under the direct supervision and control of the water department. (Code 1972, § 1-60.)

Sec. 1-7-18. Same; use of forbidden.

The fire hydrants shall be used only by members of the fire department and other authorized employees of the city, and shall not be used by contractors as a source of water supply for construction purposes, and the responsibility for the inspection and repair of the same shall be and rest upon the water department. The fire chief shall notify the water department of any repairs coming to his knowledge, which should be made. (Code 1972, § 1-61.)

Sec. 1-7-19. Molesting.

It shall be unlawful and an offense for any person to use, molest or connect any hose or any apparatus with any fire hydrant or plug without first having secured from the chief of the fire department a permit in writing authorizing such use, which shall specify the length of time, purpose and condition under which said hydrant or plug may be used. (Code 1972, § 1-62.)

Sec. 1-7-20. Driving over hose.

Whenever any fire hose in use by the fire department is laid upon any street, avenue, alley, bridge or vacant lot, it shall be unlawful and an offense for any person to drive any motor vehicle, locomotive, railroad car or other vehicle over same. It shall be unlawful and an offense for any person to walk on or step upon or throw any material on or across any such fire hose. (Code 1972, § 1-63.)

Sec. 1-7-21. Right-of-way.

All drivers, engineers or conductors of railway locomotives or cars, when in the vicinity of any fire department vehicle or apparatus, and when the same is on its way to or from a fire or on duty at a fire, shall so manage and control such car and the motive power which moves the same as not to obstruct or delay the fire department vehicles or apparatus or any part of it in the discharge of its duties. It shall be the duty of any person driving or operating any motor vehicle, upon the sounding of any fire alarm to clear the street and drive the said vehicle to the right side of said street in such a manner as to open the way for the fire department vehicle. All pedestrians shall clear the street in use or to be used by said fire apparatus. All such vehicles and pedestrians shall remain off the right-of-way until the fire department has passed and has no further immediate use of the same for the purpose of reaching said fire. The drivers of all fire department vehicles and apparatus when answering alarms of fire must cause the sirens upon their apparatus to be sounded and continue the same while in route to the fire as continuously as the public safety may require. (Code 1972, § 1-64.)

Sec. 1-7-22. Fire zones.

The fire chief or his deputy in charge of any fire shall have the authority to lay off fire zones around any fire for the purpose of public safety and effective fire fighting. No person shall be allowed to enter said fire zone except under the direction of the fire chief. It shall be the duty of the police to give such assistance as is necessary in maintaining such zone, clear of all traffic and persons and to render such further assistance as may be necessary for the preservation of the public safety. It shall be the duty of the fire chief to establish guards around any property removed from any building on account of fire and to safely protect the same from theft or other damage until properly and lawfully disposed of. (Code 1972, § 1-65.)

Sec. 1-7-23. Police assistance.

It shall be the duty of the chief of police to attend each fire or in lieu thereof supply a member or members of his department to give aid to the fire department. Such police shall restrain all persons from any part of the danger area or the area in which any firemen or fire equipment is stationed and on duty. Said police shall observe all suspicious persons in the immediate vicinity and make proper arrests of cases of theft, or interference with the fire department. (Code 1972, § 1-66.)

Note: As regards the fire department, see also the Charter Art. 5, Sec. 5.

Note: As regards fire prevention, see also Chapter 8 of this code.

Article 8. Police Department

Sec. 1-8-1. Department established.

A police department for the City of Chickasha, Oklahoma, is created and established in accordance with the Charter Article 5, and Section 5. The chief of police shall be the executive head of the police department, subject to the superior authority of the city manager. *(Code 1972, § 1-67.)*

Sec. 1-8-2. Suspension and removal.

It shall be the duty of the chief of police to report immediately any member of the police force to the city manager who should be suspended or removed from office or position. The city manager shall have the power to suspend or remove such officer in accordance with the Charter Article 5, and Section 4(b). *(Code 1972, § 1-69.)*

Sec. 1-8-3. Duties.

- (a) It shall be the duty of the chief of the police department to divide the city into suitable beats and make assignment of the members of the department to the respective beats, in such a manner that the city shall have at all time adequate and effective police protection.
- (b) It shall be the duty of each member of the department to make arrests for violation of any city ordinance coming to their knowledge and to make complaint of such violation before the municipal court.
- (c) It shall be the duty of each member of the police department to observe and report conditions of the streets, avenues, and alleys, when the same may be in need of any repair or when the conditions of same may result in some injury or damage to any person or property.
- (d) Each member shall cooperate with the public works departments.
- (e) The department shall maintain a record of motor vehicle accidents, giving the names of the parties, the kind of cars, or vehicles with highway license numbers, the date of the accident and the resulting damages or injuries if any.
- (f) In any case of negligence or violation of ordinance for which punishment is provided, it shall be the duty of the attending officer to make proper arrest and file complaint as provided by ordinance.
- (g) Each member of the police department shall report any conditions of the property adjoining any street, avenue, or alley, which is thought to be a public nuisance or a danger to the public safety.
- (h) The police department shall maintain records of detection and identification and give aid to the state and national officers in apprehending and arresting criminals.
- (i) It shall be the duty of each and every policeman to acquaint himself with all streets, alleys, highways, buildings of major importance, and public officials and to give information to the public on such matters when requested of him. *(Code 1972, § 1-70.)*

Sec. 1-8-4. Training school.

It shall be the duty of the chief of police to establish courses of study and training for police service for the members of the police department.

Sec. 1-8-5. Reports.

The chief of police shall make annual reports, and more frequently if necessary, to the city manager, showing the state of the department, its needs, and suggested changes if any. The report shall show the number of arrests made and the nature of the charges. *(Code 1972, § 1-72.)*

Sec. 1-8-6. Uniform, badges.

Every member of the police force, shall at all times while on duty, be neat in person. His person shall be clean, and he shall at all times keep his clothes, boots, shoes, or other wearing apparel in good order.

Sec. 1-8-7. Bond fixed.

The chief of police shall have power to fix the amount of bonds for the appearance in person of offenders arrested for violation of the city ordinances in the absence of the municipal judge, provided such bond shall not exceed the sum as legally established, in any case where the accused is charged of a single violation of a city ordinance. *(Code 1972, § 1-74.)*

Sec. 1-8-8. Prisoner; release.

No prisoner arrested for the violation of a city ordinance shall be released or discharged before trial unless he shall give bond in an amount required for his appearance at a time and place to be stated in said bond in the municipal court. *(Code 1972, § 1-75.)*

Sec. 1-8-9. Responsible for conduct of officers.

The chief of police shall be responsible for the conduct of officers. He will as often as possible pay frequent visits at uncertain hours to various portions of the city, and use such other means as he may deem advisable to determine if the members are discharging their duties in good faith. *(Code 1972, § 1-76.)*

Sec. 1-8-10. Complaints against police.

It shall be the duty of the chief of police to examine into every complaint made by citizens for dereliction of duty on the part of any member of the force and report the same in writing to the city manager, with the name of the person reporting, the person reported and the nature of the charges against him.

Sec. 1-8-11. Conduct.

Each member of the police force in his conduct and department must be quiet, civil, and orderly in the performance of his duty. He shall exert only such force or other methods in making arrests as are necessary for the execution of the arrest and imprisonment of the violator or person apprehended. He shall maintain decorum, attention, command of temper and patience, and be discreet. He shall at all times refrain from harsh, violent, coarse, profane or insulting language, and when required, act with frankness and sufficient energy and force to perform his duty.

Sec. 1-8-12. Signing petitions.

No member of the police force will be permitted to solicit or sign petitions for appointments on the force or otherwise to engage in any effort to use any influence to aid persons obtaining such appointment. *(Code 1972, Sec. 1-82)*

Sec. 1-8-13. Diligence; elections.

It is the duty of every member of the police department to vigilantly and fearlessly use his best efforts to uphold and enforce the law. This duty shall be performed without fear or favor or discrimination of any kind. He shall take no part in any elections, political discussion, or other political activities except to exercise his franchise of suffrage at the ballot box provided that this shall not interfere with the ordinary exercise of his right to express his opinions. *(Code 1972, Sec. 1-83)*

Sec. 1-8-14. Impersonating police.

Any person who shall wrongfully exercise or assume to exercise any of the powers conferred upon any police officer, sheriff, deputy sheriff or detective, or who shall wear a

star such as is provided for or worn by any such officers, or any emblem worn by such officer, in such manner as to represent or hold himself out as any such officer, or who shall, by sign or words, or in any other way, represent or hold himself out to be any such officer, or to possess the power and authority thereof, when he is not so lawfully authorized to do so, shall be guilty of a offense, and upon conviction shall be punished by a fine in any amount not exceeding one hundred dollars (\$100), and court costs, and/or thirty (30) days in jail. Each day of violation shall constitute a separate offense. (Ord. 1661, 7/14/83; Ord. No. 1909, 12/10/87.)

Sec. 1-8-15. Citizens; duty.

It shall be the duty of every able-bodied citizen within the city to give assistance and aid to any policeman in making arrest or delivering a prisoner to the city jail, when so requested and authorized by a member of the police force and when the policeman is not able to make the arrest or delivery to the jail without assistance. (Code 1972, Sec. No. 1-85.)

Sec. 1-8-16. Bonds.

The chief of police and all members of the police department shall make bond to said city in such amounts as may be fixed by the council. (Code 1972, Sec. No. 1-86.)

Sec. 1-8-17. Mutual assistance between city police department and other municipal police departments.

- (a) The mayor, or his designee, and the chief of police of the city, or his designee, are hereby authorized to direct any regularly employed police officer of the city to serve as police officers in another municipality provided that the mayor, or his designee, or the chief of police, or his designee, of the other municipality has requested their assistance. While so serving in another municipality, such police officers shall have the same powers and duties as though employed by the municipality where such duties are performed; except that the City of Chickasha shall provide salaries, insurance, and other benefits in the regular manner to these officers.
- (b) The mayor, or his designee, or the chief of police, or his designee, of the City of Chickasha, are authorized to direct that any regularly employed police officer of the City of Chickasha to serve and assist any county sheriff or the Oklahoma Highway Patrol as law enforcement officers, provided that the county sheriff, or his designee, or a member of the Oklahoma Highway Patrol, has requested their assistance. While so serving, such police officer shall have the same powers and duties as though employed by the requesting law enforcement agency, and when so acting shall be deemed to be acting within the scope of employment of the requesting law enforcement agency; except that the City of Chickasha shall provide salaries, insurance and other benefits in the regular manner to these officers.
- (c) In addition, the mayor of the City of Chickasha, or his designee, or the chief of police, of the City of Chickasha, or his designee, is hereby authorized to request the assistance of police officers of other municipalities. The assisting police officers of other municipalities shall have the same powers and duties as though employed by the police department of the City of Chickasha; however, salaries, insurance, and other benefits shall not be provided to these assisting officers by the City of Chickasha, but shall be the responsibility of the municipality providing the assistance to the City of Chickasha.

- (d) In all events, the police officers of the City of Chickasha shall return to their regular duties in the City of Chickasha when directed to do so by the mayor of the City of Chickasha, or his designee, or the chief of police of the City of Chickasha, or his designee, or when directed to do so by the mayor or chief of police of the requesting municipality, the county sheriff, law enforcement agency or a member of the Oklahoma Highway Patrol, whichever direction occurs first. Also, whenever the mayor, or his designee, or the chief of police, or his designee, of the City of Chickasha directs, the assisting police officers of the municipalities shall return to their own regularly scheduled duties in their own municipalities and these assisting police officers shall cease to have the powers and duties of those police officers regularly employed by the City of Chickasha. *(Ord. 1512, Sec. No. 1; Ord. No. 1941, 6/23/88; Ord. No. 1950, 8/25/88.)*

Article 9. Auxiliary Police Department

Sec. 1-9-1. Creation and Regulation.

The Chickasha Police Department is authorized to operate a reserve police officer program in accordance with state law. The Chief of Police is authorized to appoint reserve police officers to serve under the supervision of the Chief of Police. Reserve officers shall be required to comply with all Oklahoma statutes, the rules and regulations promulgated by Oklahoma Council on Law Enforcement Education Training, and all policies, procedures, rules, regulations and guidelines of the City of Chickasha Police Department. *(Amended Ord. No. 2008-08, 02/04/2008.)*

Sec. 1-9-2. through Sec. 1-9-6.

Repealed by Ord. No. 2008-08, 02/04/2008.

Article 10. City Attorney

Sec. 1-10-1. Office Established.

- (a) The office of city attorney is hereby created and established.
- (b) The city attorney shall be a person of good moral character licensed to practice law in the State of Oklahoma.
- (c) If at any time it is deemed necessary and appropriate, an assistant city attorney shall be appointed who shall have the same duties and responsibilities in the absence of the city attorney, or shall carry out other duties as requested.
- (d) The city attorney and assistant attorney shall be appointed by the city manager. *(Ord. 1305. § 1.)*

Sec. 1-10-2. Attend council meetings.

It shall be the duty of the city attorney to attend the meetings of the city council and to give legal advice on questions submitted to him by the council or any member thereof. *(Code 1972, § 1-88.)*

Sec. 1-10-3. Official Adviser.

It shall be the duty of the city attorney to advise any and all city officials on matters submitted to him in relation to the performance of their duties. *(Code 1972, § 1-89.)*

Sec. 1-10-4. Legal proceedings.

The city attorney shall appear, prosecute, and defend all actions wherein the City of Chickasha is a party, and he shall institute proceedings in courts of law upon order of

the city council. In any case where it is necessary to take immediate legal steps to preserve the rights of the city, he is hereby authorized to pursue such action without delay to such extent as may be appropriate to preserve the interests of the city, pending directions and orders of the city council. (Code 1972, § 1-90.)

Sec. 1-10-5. Expenses.

The city attorney shall be allowed his actual and necessary traveling and hotel expenses while outside the City of Chickasha on business for said city and upon direction of the city council, and such expense shall be in addition to his regular compensation as fixed by the council. (Code 1972, § 1-91.)

Sec. 1-10-6. Documentary service.

The city attorney shall draw such ordinances, resolutions, notices, forms, leases, deeds, papers or other documents as may be required of him by the city council or city manager. (Code 1972, § 1-92.)

Sec. 1-10-7. Municipal court.

The city attorney, when requested to do so by the city manager, shall appear in the municipal court and prosecute complaints for offenses against the city ordinances, but he shall not be required to prosecute such actions unless the same are instituted upon complaint. (Code 1972, § 1-93.)

Sec. 1-10-8. Provisions for legal presentation.

- (a) All city employees and officers of the City of Chickasha, including the mayor and councilmen of the City of Chickasha, shall hereafter be provided the legal representation necessary for their defense in any litigation against them arising out of their actions in the course of their employment or by reason of their employment or services to the City of Chickasha. The City of Chickasha, shall by this provision, provide legal counsel for the necessary representation of the parties described in this section at all stages of any civil procedure against them in either the District Court of Oklahoma or Federal Court.
- (b) It shall be the obligation of the parties so provided this protection by this section to notify the City of Chickasha by notifying the city manager's office and the city attorney for the City of Chickasha within ten (10) days of notice to any such individual of any civil litigation pending against them, or in the event that there is a hearing or other appearance required of the individual within said ten (10) days period that they shall be required to notify the City of Chickasha by notifying the city manager's office and the city attorney's office prior to said hearing or appearance.
- (c) This notice must be in writing and must be acknowledged by the office of the city manager or of the office of the city attorney in order to invoke the protection provided by this section.
- (d) Any person covered by this section may elect not to avail himself of the protection provided by this section, in which event, the city shall in no way be liable or responsible for the defense of such individual or the cost of such defense.
- (e) It is further provided that the protection afforded by this section shall include only such investigative and other incidental expenses to the defense of the individual, as the city may deem proper and reasonable for the defense of the individual.

- (f) It is not intended that anyone provided protection by this section shall be afforded the prerogative of selecting his own counsel or otherwise incurring any expenses to be paid under this provision.
- (g) Nothing in this section shall be construed to imply or state that the City of Chickasha shall be responsible for the ultimate recovery or liability or settlement of any individual otherwise covered by this section. (*Ord. 1324, § 1.*)

Note: For the municipal court, see Chapter 12 of this code.

Article 11. Street Department

Sec. 1-11-1. Department created.

There shall be a street department as provided by the Charter Article 5, Section 5. The street superintendent shall be the head of the street department and shall have supervision and control of said department. He shall discharge all duties under the direction, supervision, and control of the city manager. (*Code 1972, § 1-94.*)

Note: As regards to streets, see Chapter 19 of this code.

Article 12. Water Department; Public Works Department

Sec. 1-12-1. Department established.

- (a) A water department is created and established for the City of Chickasha, as provided by the Charter Article 5, Section 5. It shall be the duty of the water department to maintain and operate the waterworks system of the city. Its powers shall extend over the sources of water supply, the waterworks plant, the water mains and distributing system of water and all properties belonging thereto and belonging to the city and connected with the waterworks.
- (b) The office of director of public works is hereby created and established under the authority granted in the charter of the city. The director of public works shall be appointed by the city manager. (*Code 1972, § 1-95.*)

Sec. 1-12-2. Superintendent; office established.

The office of water superintendent is hereby established and it shall be his duty to enforce all ordinances relating to the maintenance, distribution, operation, extension, and general upkeep of the waterworks system. (*Code 1972, § 1-96.*)

Sec. 1-12-3. Water clerk.

It shall be the duty of the water clerk to keep accurate records of all water sold and full and complete accounts of the city against all water customers. The water clerk shall receive meter deposits, all payments on water bills and transmit such notices of bills payable and give such receipts for bills paid or deposits received as may be required by ordinance or resolution of the city council. (*Code 1972, § 1-97.*)

Sec. 1-12-4. Miscellaneous duties of water superintendent.

The water superintendent shall have control of all vehicles, equipment, buildings, and other properties of the waterworks system. He shall prepare such rules and regulations as shall be necessary for the safe, economical, and reliable management and preservation of the waterworks system. He shall read, or cause to be read, all water meters once each month, and by such reading, report the amount of water used or consumed by each consumer connected to the waterworks systems to the water clerk for payment of the service. No charge shall be made for extinguishing fires or for

cleaning any public buildings belonging to the city. He shall maintain all fire hydrants in good condition of use and take prompt action on any report from the fire chief calling for any repairs to fire hydrants. He shall disconnect water consumers from the service on notice from the water clerk and make connections or reconnections to the waterworks system as may be necessary. It shall be his duty to make all meter tests when necessary and require the owner or occupant of premises to maintain such conditions as may be necessary for the proper, efficient, and safe use of meters. The water superintendent shall, from time to time, make studies and comparisons of the gross water consumption by the city, determine and estimate its demands both present and future, and report to the city manager any needed improvements or extension essential to the adequate supply of water. He shall scrupulously observe and guard the sources of water supply and the water district to prevent contamination or drainage of filth or other impure substance into the water used for the city. He shall acquaint himself thoroughly with the rules and regulations of the State Department of Health relating to water supply and exert all efforts to establish and maintain all standards and needed practices required for pure, wholesome water. (Code 1972, § 1-98.)

Note: For the water system, see Chapter 18 of this code.

Article 13. City Engineer.

Sec. 1-13-1. Office established.

The office of city engineer is hereby created and established. The city engineer shall be appointed by the city manager. (Code 1972, § 1-99.)

Sec. 1-13-2. Qualifications.

The city engineer shall be a registered Professional Engineer, and licensed in the State of Oklahoma, and shall be trained and skilled in the science of designing and drafting of plans and specifications for all types of street construction, drainage, elevations, paving and grading. He shall possess such knowledge of the strength and test of materials and of engineering skill generally as to enable him to pass judgment intelligently and capably upon all works of an engineering nature arising under any contract of this character to which the city is or shall be a party. (Ord. 1658, 7/14/83.)

Sec. 1-13-3. Records.

- (a) The city engineer shall prepare and maintain a complete system of records, blue prints, and maps, appropriately indexed and filed, of:
- (1) All sewage lines, both sanitary and storm, showing the size, location, elevation and the location of all manholes, catch basins, and junctions.
 - (2) A map of the City of Chickasha showing the original town site together with all additions and disconnections to the same. Such maps shall show the additions by name and the various lots and blocks by number as originally filed or changed. They shall also show the names and locations of each and every street, avenue, and alley.
 - (3) All water mains, showing the size pipe in use, junctions, tappings, location of fire hydrants, manholes and such information as may be necessary for the efficient service of the water department.
 - (4) All grades, elevations, and benchmarks fixed for the city, for curbs, sidewalks, parkings, crosswalks, streets, avenues and alleys and other improvements.
 - (5) Drawings showing the concealed built-in pipes, drains, or wiring of all public buildings of the city.
- (b) Such maps, blue prints and records shall, insofar as possible, be of uniform size and type, and shall include all field notes, specifications, reports, inspector's reports, material records, sewer records and notes of importance in the maintenance or operation of the same. All such

records, maps, blue prints, notes, reports, and specifications shall be and remain the property of the City of Chickasha. (Code 1972, § 1-101.)

Sec. 1-13-4. Current conditions.

It shall be the duty of the city engineer to make surveys and studies from time to time of the sewage system, sewage disposal plant, the waterworks plant and sources of water supply, and the conditions of pavements within the city and determine the need of repairs, extension, or improvements to the same. He shall report all such findings to the city manager in writing together with his recommendations thereon in advance of accruing need in order to keep the manager fully advised of the future needs of the city. (Code 1972, § 1-102.)

Article 14. Aviation Board.

Sec. 1-14-1. Aviation board established.

There is hereby created and established an aviation board of the City of Chickasha, Oklahoma, to be composed of not more than five (5) members, to be appointed by the mayor with approval of the city council. The members of the board shall serve without pay and for a term as the council may designate. (Code 1972, Sec. 1-107; Ord. No. 90-25, 9/27/90.)

Sec. 1-14-2. Same; duties.

Said aviation board shall have power and authority to make such recommendations to the council in the operation of said airport and in matters to promote the welfare of aviation in this community and the City of Chickasha, as it may deem to be reasonable and proper, and shall have such other and further powers and duties as may be designated to said board by the council. (Code 1972, § 1-108.)

Article 15. Library Board.

Sec 1-15-1. Advisory Library Board created.

- (a) According to the provision of the 1976 Charter Revision, there is hereby created an Advisory Library Board as follows:
 - (1) The Library Board shall consist of nine (9) members who shall be residents of the City and shall serve without pay.
 - (2) All members shall be appointed by the mayor with the approval of the city council to serve staggered three (3) year terms and no person shall serve more than two (2) consecutive terms and terms shall end July 1 of each year.
- (b) The Library Board is an advisory board and shall advise and make recommendations to the city manager and city council concerning operations, policies, and procedures of the library.
- (c) The board may be provided with any appropriate data or information they require. Special areas of concern to the board should be the following:
 - (1) Library polices and procedures.
 - (2) Capital improvement programs.
 - (3) Special library programs.
 - (4) Book purchases.
 - (5) Yearly budget.
 - (6) Supplementary funds and grants.
 - (7) Personnel.
- (d) The library board is responsible for making recommendations concerning areas listed above. (Ord. 1356, Sec. 1; Ord. 1662, 7/14/83.)

Sec. 1-15-2. Library administration.

- (a) The library shall be managed by the head librarian under the supervision of the city manager.
- (b) The city manager shall be responsible for the general administration of the library.
- (c) The library shall be regarded as a department of the city government and shall abide by all policies and procedures established by the city council.
(Ord. 1356, § 1.)

Article 16. City Auditor.

Sec. 1-16-1. Appointment.

The city auditor shall be appointed by the council as provided by the Charter Article 5, Section 9. He shall be a certified public accountant, licensed under the laws of the State of Oklahoma as a certified public accountant, and legally authorized to contract services in municipal accounting. (Code 1972, § 1-111.)

Sec. 1-16-2. Audit books.

The city auditor shall examine and inspect all books of account or other records, memorandums or documents disclosing the receipt or expenditure of any public funds or moneys of the City of Chickasha. He shall examine and audit all items of receipt and disbursement and from such audit shall prepare a statement showing all revenue received, the source from which received, the funds to which they are credited, the amount disbursed, to whom disbursed and the nature of such disbursements. (Code 1972, § 1-112.)

Sec. 1-16-3. Reports.

The city auditor shall, according to the findings of his audit, make a written report to the council, showing the balances and deficits in the various funds at the beginning and at the close of the fiscal year. The report shall be accompanied by written itemization of findings, showing any irregularities, misappropriation of funds, misuse of funds, or shortage of funds. It shall call the attention of the council to any needed improvements in the system of keeping of financial records, consistent with law. (Code 1972, § 1-113.)

Article 17. Civil Defense (Name changed Chickasha Emergency Management Agency (96-08R, 02-19-1996)

Sec. 1-17-1. Chickasha Emergency Management Agency organization; created; duties.

The purpose of this article is to create a Chickasha Emergency Management Agency organization for the City of Chickasha 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 Chickasha and of property and property rights, both private and public, and to perform all functions necessary and incidental thereto. (Code 1972, § 1-114.)

Sec. 1-17-2. Department of Chickasha Emergency Management Agency; director; committee.

There is hereby established under the executive branch of the government of the City of Chickasha, a department of Chickasha Emergency Management Agency, which shall consist of:

- (1) A director of Chickasha Emergency Management Agency who shall be appointed by the mayor of the City of Chickasha and serve at his pleasure, but under the direction of the city manager.

2) A Chickasha Emergency Management Agency advisory committee. This committee shall consist of the mayor as chairman and four (4) members appointed by the mayor and serving at his pleasure. The committee shall select from its members a vice-chairman and secretary. It shall hold such meetings as are directed by the mayor, and its function shall be to act in an advisory capacity as needed or requested by the mayor or the director of the civil defense. *(Code 1972, § 1-115.)*

Sec. 1-17-3. Director; duties.

The director of Chickasha Emergency Management Agency shall be the executive head of the department of the Chickasha Emergency Management Agency and shall be responsible for carrying out the Chickasha Emergency Management Agency program of the City of Chickasha. He shall serve without compensation but may be reimbursed for expenses incurred in the performance of his duties. It shall be the duty of the director of Chickasha Emergency Management Agency as soon as practicable after his appointment to perfect an organization to carry out the purposes set forth in this article, 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. He shall have such further duty and responsibility to cooperate with all Emergency Management agencies of other governmental units including the State of Oklahoma and the federal government. *(Code 1972, § 1-116.)*

Sec. 1-17-4. Same; other duties.

The director of Chickasha Emergency Management Agency is further authorized to formulate written plans and gather information and keep written record thereof to govern the functions of the civil defense organization. *(Code 1972, § 1-117.)*

Sec. 1-17-5. Same; emergencies.

In the event of an emergency resulting from natural causes, the director of the Chickasha Emergency Management Agency, after due authorization from the mayor of the City of Chickasha, shall have the power and authority to enforce all rules and regulations relating to emergency management and, if necessary, take control of transportation, communications, stocks of fuel, food, clothing, medicine, and public utilities for the purpose of protecting the civilian population. He shall cooperate in every way with the activities of other governmental agencies or emergency management organizations; and if required by the mayor, shall have control over any and all funds allocated from any source for the purpose of alleviating distress conditions in the City of Chickasha. *(Code 1972, § 1-118.)*

Sec 1-17-6. Same; to enforce laws and ordinances.

The director of the Chickasha Emergency Management Agency and other members of the emergency management organization created by him shall have the power and authority to enforce the laws of the State of Oklahoma and ordinances of the City of Chickasha during the period of emergency and shall at such time have the further power to make arrests for violations of such laws or ordinances. *(Code 1972, § 1-119.)*

Sec. 1-17-7. Service without compensation; not liable for injuries.

All members of the Chickasha Emergency Management Agency organization created hereunder shall serve without compensation and not be liable for any personal injury received by any member of such organization while acting in the line of duty and all operations hereunder shall be considered as governmental functions. *(Code 1972, § 1-120.)*

Article 18. Salaries and Other Compensation

Sec. 1-18-1. Employee benefits, salaries, etc.

The city manager shall establish, with the city council's approval, personnel policies for all employees of the City of Chickasha. Said personnel policies are hereby adopted by reference. Whenever any conflict occurs between the personnel policies indicated above and any separate employment contract, said employment contract shall prevail.

The city manager has the sole responsibility for granting waivers or amendments to any administrative or personnel policy or procedure, subject to restrictions of the City Charter. The city manager may also promulgate administrative directives or operating procedures to effectuate the intent of these policies. Copies of such directives or procedures shall be made available to all affected city employees.

Note: As regards to salaries and other compensation, see also the Charter Article 4, Sec. 7 and 8; Art. 5, Sec. 1 and 10.

Article 19. General Provisions

Sec. 1-19-1. Inspection of records.

Every officer and employee shall at any time required by the council, submit the books, papers, and effects of his office and department to the inspection of the council or any person authorized by the council. *(Code 1972, § 1-124.)*

Sec. 1-19-2. Municipal obligations.

No officers of the city, nor any deputy, clerk or employee of any such officer, nor any servant or agent of this city, shall directly or indirectly himself or by another, for his own or another's benefit, deal in the purchase of city warrants, bonds, contracts or other obligations of this city or become personally interested in any contract with the city for his own benefit. *(Code 1972, § 1-125.)*

Sec. 1-19-3. Withholding money.

No city officer, nor any subordinate of such officer, who collects any money on account of the city, shall retain the same or any part thereof to satisfy any claims for wages or any other consideration which he may have against the city, but all such money shall be promptly paid over to the treasurer. *(Code 1972, § 1-126.)*

Sec. 1-19-4. Reports.

Each and every officer and employee of the city, shall in addition to the reports required by ordinance, make such reports to the council on any and all matters touching the conditions of affairs in their respective offices or employments and of the business interests of the city with which they may have knowledge or information, as it may deem desirable. Such reports shall be in writing when so ordered by the council. *(Code 1972, § 1-127.)*

Sec. 1-19-5. Care of property.

It shall be the duty of each and every officer having possession of any city property to exercise ordinary care in the use of such property, and he shall preserve and maintain all such property in a good serviceable condition. Any damaged or bad condition of property, beyond the ordinary wear and deterioration resulting from the use to which such property is subjected shall remain personally liable, and for such gross negligence may be removed from office. It shall be unlawful for any officer or subordinate employee to loan, deliver, or transfer the possession of any city property any private

person or corporation or their agents to be used for private purposes or benefit, except the same shall first be presented to the council for its consideration. (Code 1972, § 1-128.)

Sec. 1-19-6. Oath.

Each and every officer, elective or appointive, for the City of Chickasha, shall before entering upon the duties of his respective office, make and subscribe to the oath or affirmation prescribed by the state constitution. (Code 1972, § 1-129.)

Sec. 1-19-7. Bonds; form approved.

No official bond shall be approved by the council unless the form thereof shall have first been submitted to the city attorney and shall have been approved by him. (Code 1972, § 1-130.)

Article 20. LEFT BLANK INTENTIONALLY

(Repealed in its entirety Ord. No. 2003-04, 04/21/2003)

Article 21. Firefighters' Pension and Retirement System

Sec. 1-21-1. Adoption of applicable state law governing the creation and operation of the Firefighters' Pension and Retirement System for the City of Chickasha, Oklahoma.

- (a) The Firefighters' Pension and Retirement System for the City of Chickasha shall be created and operated in full conformity with Title 11, Oklahoma Statutes Article 49, as currently written and all subsequent amendments thereto.
- (b) There is hereby adopted that certain Article 49 of Title 11, Oklahoma Statutes, known as the "Firefighters' Pension and Retirement System" being such portions as are hereinafter deleted, modified or amended, of which no less than three (3) copies have been and now are filed in the office of the city clerk; and the same is hereby adopted and incorporated as fully as if set out at length herein. (Ord. 1762, 12/5/85.)

Article 22. Police Pension and Retirement System

Sec. 1-22-1. Creation of local police pension and retirement board.

There is hereby created a Chickasha Police Pension and Retirement Board consisting of the city clerk, city treasurer and three (3) officers of the City of Chickasha Police Department. Within thirty (30) days after the effective date of this article, the members participating in the SYSTEM as defined by 11 Oklahoma Statutes Article 50, Police Pension and Retire System, either active or retired from the Police Department of the City of Chickasha, shall elect by ballot three (3) members of such Police Department, one of whom shall serve for the term of one year, one of whom shall serve for the term of two (2) years and one for the term of three (3) years; thereafter, members participating in the SYSTEM either active or retired from the police department shall, every year, elect by ballot one of its members to serve for the term of three (3) years upon the local board. Any vacancy occurring on the board shall be filled for the unexpired term in the same manner as the office was previously filled. (Ord. 1761, 12/5/85)

Sec. 1-22-2. Adoption of applicable state law governing the creation and operation of the Police Pension and Retirement System for the City of Chickasha, Oklahoma.

- (a) The Police Pension and Retirement System for the City of Chickasha shall be created and operated in full conformity with Title 11, Oklahoma Statutes Article 50 as currently written and all subsequent amendments thereto.
- (b) There is hereby adopted that certain Article 50 of Title 11, Oklahoma Statutes, known as the "Police Pension and Retirement System", being such portions as are hereinafter deleted, modified or amended, of which no less than three (3) copies have been and now are filed in the office of the city clerk; and the same is hereby adopted and incorporated as fully as if set out at length herein. *(Ord. 1761, 12/5/85.)*

Article 23. Non-Uniform Employee Retirement System.

Sec. 1-23-1. Creation of a non-uniform retirement system.

All full time City employees are covered by a retirement plan and participation is compulsory unless prohibited by age at the time of employment. All employees, except eligible policemen, firemen, and city manager, are covered by the Oklahoma Municipal Retirement Fund. Police and fire plans are governed by Articles 21 and 22 above.

The retirement fund is designed to provide continuing income to the employee upon retirement. Based upon age, years of service, and average earnings, monthly benefits may be payable during one's life after retirement.

Sec. 1-23-2. Procedure.

The actual calculations, policies, and procedures will be governed by the actual benefits established by the Oklahoma Municipal Retirement Fund, as approved by the Chickasha City Council.

Article 24. Absentee Voting

Sec. 1-24-1. Absentee voting authorized.

There is hereby authorized the use of absentee voting in all municipal elections under the Absentee Voting Statutes of the State, Sections 14-101 et seq. of Title 26 of the Oklahoma Statutes, and as amended. *(Ord. 90-28, 12/20/90.)*

Article 25. Planning Commission

Sec. 1-25-1. Creation of Chickasha Planning Commission.

There is hereby created a Chickasha Planning Commission to be comprised of five (5) members. Said members are to be appointed by the mayor and confirmed by the city council. Each member shall serve for a term of three (3) years except that the commission, when first appointed, shall serve as follows: one-third (1/3) of the members term shall be for three (3) years, one-third (1/3) of the members term shall be for two (2) years, and one-third (1/3) of the members term shall be one (1) year as defined by Title 11, Article 45, Oklahoma Statutes. The Planning Commission shall formulate procedures and adopt by laws to carry on business, which may, from time to time, be modified or changed by the commission as needed.

Note: As regards Planning Commission, see also Chapter 16, of this Code.

Article 26. Board of Adjustment

Sec. 1-26-1. Creation of Chickasha Board of Adjustment.

There is hereby created a Chickasha Board of Adjustment to consist of five (5) members. Each commission member shall be appointed to a term of three (3) years as provided in Title 11, Article 44, Oklahoma Statutes. Said members shall be appointed by the mayor and confirmed by the city council. The Board of Adjustment shall formulate procedures and bylaws and may alter said procedures when deemed necessary.

Note. As regards Board of Adjustment, see also Chapter 16, of this Code.

Article 27. Building Code Board of Appeals

Sec. 1-27-1. General.

In order to hear and decide appeals of orders, decisions or determinations made by building officials relative to the application and interpretation of building codes, there shall be and is hereby created a Building Code Board of Appeals. The board of appeals shall be appointed by the Mayor and confirmed by the City Council and shall hold office at its pleasure. *(Ord. No. 2004-07, 02/16/2004)*

Sec. 1-27-2. Limitations of Authority.

An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority to waive the requirements of the codes. *(Ord. No. 2004-07, 02/16/2004)*

Sec. 1-27-3. Qualifications.

The board of appeals shall consist of five (5) members who are qualified by experience and training to pass on matters pertaining to building construction. *(Ord. No. 2004-07, 02/16/2004)*

Sec. 1-27-4. Members.

The members shall consist of 1) a general building contractor, either residential or commercial; 2) a licensed engineer or architect; 3) an individual representing building trades (plumbing, electrical, mechanical, etc.); 4) an individual property owner; and 5) a City Council member or City Manager. *(Ord. No. 2004-07, 02/16/2004)*