

# CHAPTER 1

## TITLE, PURPOSE, INTERPRETATION, JURISDICTION AND CODE OF ETHICS

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### SECTION 100. TITLE, ADOPTION, AND CITATION

This Code, in pursuance of the authority granted by the Legislature of the State of Oklahoma in Title 11, Section 43-101 et. seq. of the Oklahoma Statutes shall be known as the City of Catoosa Zoning Code (Code) and may be cited as such. These regulations were originally adopted on September 20, 1971 and are amended as herein stated.

### SECTION 101. PURPOSE

#### A. General Purpose

1. The regulations contained herein are necessary and are established for the purposes of promoting the health, safety, convenience, morals, prosperity, order and general welfare of the community.
2. To provide for adequate and convenient open spaces for transportation, vehicular parking, utilities, access for emergency vehicles, recreation, and light and air for the avoidance of congestion of population. Additionally, these requirements seek to secure adequate public safety protection, schools, and other necessary public facilities.
3. The application of these regulations seeks to encourage the development of the community in accordance with the Comprehensive Plan.

## B. Sign Purposes

1. Signs are used to inform and persuade the general public.
2. This ordinance establishes minimum standards to promote life, health, public safety, welfare, convenience and enjoyment for the public by regulation of the design, quality of materials, construction, location, electrification and maintenance of all signs visible from the public right-of-way.
3. The general objectives of these standards are:
  - a. Safety. To promote the safety of persons and property by providing that signs:
    - 1) Do not create a hazard due to location, collapse, fire, collision, decay or abandonment; or
    - 2) Do not obstruct fire fighting or police surveillance; or
    - 3) Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
  - b. Communications Efficiency. To promote the efficient transfer of information in sign messages.
  - c. Landscape Quality and Preservation. To protect the public welfare and to enhance the appearance of the City of Catoosa.

## C. Landscape Purposes

1. To implement the Comprehensive Plan;
2. To promote the beautification of the City of Catoosa and to contribute to the quality of life by:
  - a. Maintaining compatible relationships between uses; and
  - b. Promoting reasonable preservation and replenishment of valued trees and vegetation; and

- c. Aiding in establishing the ecological balance by contributing to air purification, oxygen regeneration, ground water recharge and storm water runoff retardation; and
- d. Developing and maintaining a meaningful urban forest while permitting economically feasible urban development to occur.

## **SECTION 102. APPLICATION**

- A. This Code divides the City Limits into Zoning Districts and establishes regulations which regulate the height, number of stories, and size of buildings and other structures; the size of yards, courts and other open spaces; the density of population and the location and use of buildings, structures and land for trade, industry, residence and other purposes.
- B. This Code shall not be interpreted as a means to prevent the application of and adherence to other appropriate City Codes.

## **SECTION 103. INTERPRETATION**

- A. Validity of Other Laws
  - 1. Where this Code imposes a greater restriction upon the use of structures or land or upon height or bulk of structures, or requires larger open spaces or yards than are imposed by other ordinances, laws, or regulations, the provisions of this Code shall govern.
  - 2. However, nothing in this Code shall be construed to prevent the enforcement of other ordinances, laws, or regulations, which prescribe more restrictive limitations.
  - 3. The provisions of this Code providing for the residential use of property, and providing for limitations on occupancy, density and intensity of such uses, shall be applied equally and without discrimination based on age, race, color, religion, sex, handicap, familial status or national origin consistent with the provisions of the Federal Fair Housing Act.

B. Severability

In case any portion of this Code shall be invalid or unconstitutional, as declared by a court of competent jurisdiction, the remainder of the Code shall not thereby be invalid, but shall remain in full force and effect.

C. Tense and Definition

1. For the purpose of these regulations certain terms and words are to be used and interpreted as defined in Chapter 18 herein.
2. Words used in the present tense shall include the future tense, words in the singular number include the plural and words in the plural number include the singular. This shall be applicable except where the natural construction of the writing indicates otherwise.
3. Furthermore, the word "shall" is mandatory and not directory.

D. Inconsistency between Appendix and Text

Should there be an inconsistency or difference between the Appendices and the text of the Zoning Code Chapters, the text of the Code controls.

## **SECTION 104. JURISDICTION**

A. Territorial Jurisdiction

This Code shall be in full force and effect within the corporate limits of the City of Catoosa, Oklahoma.

- B. All territory annexed into the municipality after the effective date of these regulations shall be placed in the same or most nearly corresponding zoning district classification. This shall apply if the property in question was zoned by the county prior to the annexation. This classification shall stand until otherwise reclassified as provided in this Code.

- C. In the event there is an area on the Zoning Map for which the Zoning District classification is not shown, the area in question shall be classified by the City Council upon public hearing and Planning Commission recommendation.

## **SECTION 105. CODE OF ETHICS**

- A. The Mayor or any member of the City Council, Planning Commission, or Board of Adjustment to whom some private benefit, direct or indirect, financial or otherwise, may come as a result of a public action concerning this Code shall not be a participant in that action.
- B. The possibility, not the actuality, of a conflict shall govern.
- C. The individual experiencing a conflict of interest shall declare such interest, abstain from voting on the matter, and refrain from any deliberations on the matter. The individual shall not discuss the matter with a fellow official for the purpose of influencing a decision thereon. Alternately, the individual may recuse himself/herself leaving the room and having no action, including attendance, regarding the item in question.

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