

CODE OF ORDINANCES

BRADLEY, OKLAHOMA

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BRADLEY, OKLAHOMA

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CHAPTER 1

ADMJNISTRATION AND MANAGEMENT

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Article 1. Incorporation; Form of Government: Powers.

Section 1-1. Incorporation.

The Town of Bradley, Oklahoma, within the corporate limits as now established or as hereafter may be established, shall continue to be a municipal body politic and corporate in perpetuity under the name of the "Town of Bradley, Oklahoma." It shall succeed to and possess all the property, rights, privileges, franchises, powers and immunities now belonging to the corporation known as the Town of Bradley, Oklahoma, and shall be liable for all debts and other obligations for which the corporation is now legally bound.

Section 1-2. Form of Government.

The Municipal Government provided for the Town of Bradley, Oklahoma, shall be the "Town Board of Trustees" form of government. all powers of the Municipality shall be exercised in the manner prescribed by this Code of ordinances, future Ordinances or State Law; provided, that, this Code and all future Ordinances are not repugnant to the State Constitution and Laws.

Section 1-3. General Powers of the Municipality.

1. The Town of Bradley, Oklahoma, shall have all the powers, functions, rights, privileges, franchises and immunities specifically granted to Municipalities, or not prohibited by the State Constitution and Laws, and all the implied power necessary to carry into execution all the powers granted.

2. The Town of Bradley, Oklahoma, shall have the power to adopt a corporate seal and alter the same, to sue and be sued, to make contracts and to grant, extend and renew franchises. It shall have the power, in accordance with the State Constitution and Laws, to accept and administer Federal and State grants in aid. It shall have the power to ordain and enforce local legislation, consistent with the State Constitution and Laws, for the proper organization and functioning of Municipal Government, for the preservation and enforcement of good government and order, for the protection of health, life, peace, safety, and property, for the prevention, summary abatement and removal of nuisances, and otherwise for the promotion of the common welfare.

3. The enumeration of particular powers of this Code of Ordinances shall not be deemed to be exclusive or limiting. In addition to the powers enumerated herein or implied hereby, the Town of Bradley, Oklahoma, shall have all the powers which, under the State Constitution and Laws, it would be competent for this Code of Ordinances specifically to enumerate.

Sections 1-4 through 1-9. (Reserved for future use.)

Article 2. Town Board of Trustees

Section 1-10. Election and Terms of Trustees and Officers.

1. The Town Board of Trustees shall consist, and be composed of, four (4) Trustees. Each Trustee shall be elected by the entire Municipality, according to current State Law.

2. At the general election on the 1st Tuesday in April, 2005, Trustee One (1) and the Town Clerk shall be elected for terms of four (4) years; at the General Election on the 1st Tuesday in April, 2007, Trustees Two (2) and Three (3) shall be elected for terms of four (4) years.

3. All Trustees and the Town Clerk shall be elected for terms of four (4) years.

4. Pursuant to 11 O.S., 2005, Section 16-301, the Town of Bradley, Oklahoma, declares that it shall be governed by the Oklahoma Town Meeting Act as a means of electing its officers and deciding Initiative and Referendum questions.

5. The Town of Bradley, Oklahoma, shall continue to elect its Officers and decide Initiative and Referendum questions through Election, pursuant to Title 11, Section 16-301. et seq. of Oklahoma Statutes, 2005.

Section 1-11. Powers of the Town Board of Trustees.

Except as otherwise provided in this Code of Ordinances, all powers of the Municipality, including the determination of matters of policy, shall be vested in the Town Board of Trustees; said Town Board shall have, and may utilize, all of the powers granted to the Municipality and said Town Board by the State Constitution and Laws.

Section 1-12. Municipal Policy and Business.

1. The Town Board of Trustees of Bradley, Oklahoma, shall conduct all business of the Municipality, set policy for the efficient administration of Municipal Government, administratively supervise all activities or Municipal employees, and carry out their responsibilities, powers and duties as officers and as a corporate and politic body, within the limits prescribed by the State Constitution and Laws and the Code of Ordinances of the Town of Bradley, Oklahoma.

2. It shall be the policy of the Municipal Government that no person shall be discriminated against on the grounds of race, creed, color, sex religion, handicap, national origin or age in employment of other activities sponsored directly or indirectly by the Town of Bradley, Oklahoma.

3. Every member of the Town Board of Trustees who shall be present when the opportunity or need arises to vote upon a question, shall vote thereon, unless said member is directly or indirectly interested in the question, in which event said interest shall be fully disclosed to the Town Board and it shall be made a matter of record.

Section 1-13. Town Board Meetings.

1. Municipal business shall be conducted at the regularly-scheduled open and public meetings held in the Community Building (or other agreed upon place which is open to the public), on the third Thursday of each month, or the next following day which is not a holiday, in the event of conflict with a holiday, beginning at & 7:00 o'clock p.m. Notice of regularly scheduled meetings must be published in a newspaper of general circulation within the Town or County or notice may be posted in at least three (3) public places within the Town ten (10) days in advance of the meeting.

2. Special or Emergency Town Board Meetings may be called by the Chairperson, or by a majority of the Trustees, upon the serving of notice, as required by the current State Law. Notice must be posted in at least three (3) public places within the Town forty-eight (48) hours in advance of the meeting

3. The Town Board of Trustees shall establish, by motion or Resolution, an order of business for the conduct of its meetings.

Section 1-14. Removal of Trustees Vacancies.

1. Any Trustee, including the Chairperson, may be removed from office for any cause specified by, and using the methods prescribed and specified by, applicable State Law for the removal of officers, including Title 22, Oklahoma Statutes, 2005, Sections 1181, et seq., as amended.

2. Habitual or willful neglect of duty. Whenever a member of the Town Board of Trustees is absent from more than one-half (1/2) of all Regular and Special Meetings of said Town Board held within any period of four (4) consecutive months, said person shall thereupon automatically cease to hold office, unless the remaining members of the Town Board vote to retain said person on said Town board.

3. Gross partiality in office.

4. Oppression in office.

5. Corruption in office.

6. Extortion or willful overcharge of fees in office.

7. Willful maladministration.

8. Habitual drunkenness.

9. Failure to produce and account for all public funds and property in his/her hands, at any settlement or inspection authorized or required by law.

10. The removal of a Board member may be achieved by a public petition of signatures consisting of not less than a two-thirds ($\frac{2}{3}$) majority of registered voting citizens who reside

within the corporate limits of the Town of Bradley, Oklahoma.

11. In the event that a public petition fails to remove a Board member from office, any and all charges against a Board member must be filed with the Grady County District Attorney's office.

12. Vacancies in the membership of the Town Board of Trustees shall be filled immediately by an Emergency Election, according to applicable provisions of State Law.

Section 1-15. Supervisory Designation of Trustees: Administrative Positions.

1. The Town Board of Trustees may give its members supervisory control over designated personnel, departments, and/or activities of the Municipality.

2. Each Trustee may be given an appropriate title and each Trustee shall be, in effect, a committee of one (1) of the Town Board of Trustees, and be subordinate to said Town Board.

Section 1-16 through 1-19. (Reserved for future use.)

Article 3. Officers. Employees. Boards and Commissions

Section 1-20. Chairperson: Acting: Chairperson.

1. The Town Board of Trustees shall elect one (1) of its members as Chairperson. The Chairperson shall be elected in each odd-numbered year, at the 1st Town Board meeting held after the Trustees' terms begins, or as soon thereafter as practicable.

2. When a vacancy occurs in the Office of Chairperson, the Town Board of Trustees shall elect another Chairperson from among its members to serve for the duration of the unexpired term.

3. The Chairperson shall preside at all meetings of the Town Board of Trustees and may call Special Meetings thereof.

4. The Chairperson shall certify to the correct enrollment of all ordinances and Resolutions passed by the Town Board of Trustees. The Chairperson shall have all the powers, rights, privileges, duties and responsibilities of a Trustee, and, as an elected representative of the citizens, may vote on all matters that come before the Town Board of Trustees.

5. The Chairperson shall be recognized as the head of the Municipal Government for all ceremonial purposes.

6. In order to ensure continued service and leadership during the absence, disability or suspension of the Chairperson, the Town Board of Trustees shall elect an Acting Chairperson from among its members.

7. The Chairperson shall perform all other duties prescribed by State Law or Ordinance.

Section 1-21. Town Clerk/Town Treasurer.

1. The Town Clerk and Town Treasurer shall be a consolidated position.

2. The Town Clerk, as an Officer of the Town of Bradley, Oklahoma, shall attend all meetings of the Town Board of Trustees and keep a journal of the proceedings of said Town Board.

3. The Town Clerk shall have custody of all documents, records and archives of the Town of Bradley, Oklahoma as well as be custodian of the Municipal Seal.

4. The Town Clerk shall attest and affix said seal to documents as required by Law or Ordinance, and shall see that all Ordinances passed are kept on file, in the Office of the Town Clerk.

5. The Town Clerk shall have such other powers, duties and functions as may be prescribed by law or Ordinance.

6. The Town Clerk shall keep all accounts as to show where and from what sources all monies paid thereto have been derived, and to whom and when such monies or any part thereof have been paid. All books, accounts and vouchers shall at all times be subject to the examination of the Town Board of Trustees.

7. The Town Clerk shall maintain a general accounting system for the Municipal Government.

8. The Town Clerk shall have such further powers and duties as may be prescribed by this Code of Ordinances, by applicable State Law or by the Town Board of Trustees.

Section 1-22. Solid Waste Disposal.

1. The Town Board of Trustees shall maintain a contract with IESI of Oklahoma for solid waste disposal.

2. The Town Board of Trustees shall be in charge of the billing for this contract, and shall determine the billing specialist for the contract with a cooperative agreement. The Town Board of Trustees shall charge a \$1.00 processing fee for the billing. This processing fee may be paid to the billing specialist as part of the cooperative agreement.

3. In the absence of a third party billing specialist, the Town Clerk/Treasurer shall conduct the billing for the solid waste disposal.

4. All books, accounts and vouchers pertaining to this contract and billing shall at all times be subject to the examination of the Town Board of Trustees.

Section 1-23. Municipal Board of Health; Health Official.

1. The Town Board of Trustees of Bradley, Oklahoma, shall constitute a Municipal Board of Health and shall be capable of performing all the functions provided by State Law. (See Chapter 4, this Code of Ordinances.)

2. The Municipal Board of Health shall be operated in general cooperation with the Grady County Department of Health and the Oklahoma State Department of Health.

3. It shall be the general duty of the Municipal Board of Health to examine and consider all measures necessary for the preservation of the public health of residents of the Town of Bradley, Oklahoma, and to see that all Ordinances and regulations in relation thereto are observed.

4. The Municipal Board of Health may appoint a Local Health Official to carry out its health programs and policies. the County Health Officer or an authorized representative may perform the duties of a Local Health Official.

Sections 1-24 through 1-39. (Reserved for future use.)

Article 4. Financial and Business Procedures

Section 1-40. Purchasing and Sales Procedures.

Section 1-41. Competitive Bidding; Purchasing Agent.

Section 1-42. Insurance.

Section 1-40. Purchasing and Sales Procedures.

1. The Town Board of Trustees shall contract for and purchase, or issue purchase authorization for, all supplies, materials and equipment for the operation of the Municipal Government. Before the purchase of, or contract for, any supplies, materials or equipment, or in the sale of any surplus or obsolete supplies, materials or equipment, ample opportunity for competitive bidding, under such regulations and with such exceptions as said Town Board may prescribe, shall be given.

2. "Contractual services," for the purpose of this Chapter, shall mean services performed for the Town by persons not in the employ of the Town and may include the use of equipment or the furnishing of commodities in connection with such services under express or implied contract. "Contractual services" shall include travel freight, express, parcel post, postage, telephone, telegraph, utilities, rents, printing and binding, repairs, alterations and maintenance of buildings, equipment, streets, bridges and other physical facilities of the Town.

3. Subject to the provisions of State Law and this Section, surplus or obsolete supplies, materials or equipment belonging to the Town may be sold by the Town Board of Trustees.

4. No sale shall be made under this Section until the Town Board of Trustees has declared the supplies, materials or equipment involved to be surplus or obsolete.

5. Except as may otherwise be provided, the Town Board of Trustees shall advertise any sale under this Section in a newspaper of general circulation in the Town or County, or in such other manner as deemed necessary to adequately reach prospective buyers to give them an opportunity to make bids. All bids shall be sealed and opened in public at a designated time and place, except when the sale is by auction. The Town Board of Trustees may repeatedly reject all bids and advertise again. The Town Board of Trustees shall sell such supplies, materials and equipment to the highest responsible bidder and, if necessary, shall cast lots in case of a tie to determine to whom to sell.

6. The Chairperson, subject to any regulations which the Town Board of Trustees may prescribe, shall contract for and purchase, or issue purchase authorization for, all supplies, materials and equipment for the offices, departments and agencies of the Municipal Government. Every such contract or purchase exceeding five hundred dollars (\$500.00), shall require the prior approval of the Town Board of Trustees.

Section 1-41. Competitive Bidding; Purchasing Agent.

1. Except as otherwise provided in Subsection 2 (below), before the Town Board of Trustees makes any purchase of, or contract for, supplies, materials, equipment or contractual services, it shall submit to at least three (3) persons, firms or corporations dealing in and able to supply the same, or to a smaller number if there are not three (3) dealing in and able to supply the same, a request for quotation or invitation to bid and specifications, to give them opportunity to bid. As an alternative, said Town Board may publish notice of the proposed purchase in a newspaper of general circulation within the Town or County. The Town Board of Trustees shall favor a person, firm or corporation in the Town when this can be done without additional cost to the Town, but they shall submit requests for quotation to those outside the Town when necessary to secure bids or to create competitive conditions, or when they think that they can make a saving for the Town. All bids shall be sealed and opened in public at a designated time and place. The Town Board of Trustees may repeatedly reject all bids and may again submit to the same or other persons, firms or corporations, the request for quotations or invitation to bid, or again publish notice of the proposed purchase. The Town Board of Trustees shall purchase from the bidder whose bid is most advantageous to the Town, considering price, quality date of delivery and the like; in the event of a tie, said Town Board may cast lots to determine from whom to make a purchase or may divide the purchase among said Town Board may cast lots to determine from whom to make a purchase, or may divide the purchase among those bidding, always accepting the bids most advantageous to the Town.

2. The Town Board of Trustees may purchase, or authorize the purchase of, the following without giving an opportunity for competitive bidding:

a. Supplies, materials, equipment or contractual services of a non-professional nature, the cost of which does not exceed twelve thousand, five hundred dollars (\$12,500.00) in a single transaction;

b. Supplies, materials, equipment or contractual services which can be furnished only by a single dealer, or which has a uniform price wherever bought;

c. Supplies, materials, equipment or contractual services purchased from another unit of government at a price deemed below that obtainable from private dealers (including war surplus);

d. Contractual services of a professional nature such as engineering, legal, architectural and medical services, subject to other policies adopted by the Town Board governing such procurement.

3. The Town Clerk is hereby designated as the Municipal Purchasing Agent, and is authorized to issue Purchase Orders for the purpose of obtaining supplies, materials, equipment or contractual services that do not exceed fifty dollars (\$50.00) in a single transaction.

Section 1-42. Insurance.

1. The Town Board of Trustees may insure Municipal property, as authorized by Oklahoma Statutes. Any money received as a result of destruction, damages or loss of such insured property shall be accounted for, and used as provided by, said Statutes.

2. The Town Board of Trustees may purchase insurance to pay damages to persons sustaining injuries or damages to property as a result of negligent operation of motor vehicles or motorized equipment of the Town of Bradley, Oklahoma.

3. The Town Board of Trustees may provide hospital, health and medical insurance, through any company authorized to do business in Oklahoma, for any or all of its officers or employees and their dependents, whether said officers or employees are engaged in governmental or non-governmental functions of the Town of Bradley, Oklahoma. The Town Board may pay a portion of all of said premiums from any Municipal Funds, and may deduct from the wages or salary of any such officer or employee, upon written authority signed by the officer or employee, amounts for the payment of all or any portion of the monthly premium for same.

Sections 1-43 through 1-49 (Reserved for future use.)

Article 5. Sales Tax.

Section 1-50. Citation

Section 1-51. Definitions.

Section 1-52. Tax Collector Defined.

Section 1-53. Classification of Taxpayers.

Section 1-54. Subsisting State Permits.

Section 1-55. Effective Date.

Section 1-56. Purpose of Revenues.

Section 1-57. Tax Rate; Sales Subject to Tax.
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Section 1-68. Fraudulent Returns; Penalty.
Section 1-69. Records Confidential.
Section 1-70. Amendments.
Section 1-71. Provisions Cumulative and Separable.

Section 1-50. Citation.

The sections included in this Article shall constitute, shall be known and may be cited as the "Town of Bradley, Oklahoma, Sales Tax Ordinance."

Section 1-51. Definitions.

The definitions of words, terms, and phrases contained in the Oklahoma Sales Tax Code, as amended, are hereby adopted by reference and made a part of this Ordinance. (68 O. S. 2005, Section 1302 as amended.).

Section 1-52. Tax Collector Defined.

The term "tax collector" as used herein means the Department of the Municipal Government or the official agency of the State duly designated according to Law, or contractually authorized by Law, to administer the collection of the tax herein levied.

Section 1-53. Classification of Taxpayers.

For the purpose of this Article, the classification of Taxpayers hereunder shall be prescribed by State Statutes for purposes of the Oklahoma Sales Tax Code.

Section 1-54. Subsisting State permits.

All valid and subsisting Permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Sales Tax Code are, for the purpose of this Article, hereby adopted in lieu of any requirement for an additional Municipal Permit for the same purpose.

Section 1-55. Effective Date.

This Article shall become and be effective, including its most current level, on and after May 16, 2006, subject to the approval of a majority of the registered voters of the Town of Bradley, Oklahoma, voting on the same, in the manner prescribed by Oklahoma Statutes.

Section 1-56. Purpose of Revenues.

It is hereby declared to be the purpose of this Sales Tax Ordinance to provide revenues for the support of all of the functions of the Municipal Government of the Town of Bradley, Oklahoma.

Section 1-57. Tax Rate; Sales Subject to Tax.

There is hereby levied an excise tax of three percent (3%) upon the gross proceeds or gross receipts derived from all sales taxable under the Sales Tax Law of Oklahoma, including but not exclusive of the following:

1. Natural or artificial gas, electricity, ice, steam or any other utility or public service except water.
2. Service by telephone and telegraph companies to subscribers or users, including transmission of messages, whether local or long distance; of this shall include all services and rental charges having any connection with the transmission of any message.
3. Transportation for hire of persons by common carriers, including railroads (both steam and electric), motor transportation companies, taxicab companies, Pullman car companies, airlines and all other means of transportation for hire.
4. Service by telephone and telegraph companies to subscribers or users, including transmission of messages, whether local or long distance; of this shall include all services and rental charges having any connection with the transmission of any message.
5. Printing or printed matter of all types, kinds and characters, and the service of printing or overprinting.
6. Service of furnishing rooms or accommodations by hotels, apartment hotels, public rooming houses, public lodging houses, tourist camps, and mobile home or trailer parks or camps.
7. Service of furnishing storage or parking privileges to auto hotels or parking lots.
8. Food, confections, and all drinks sold or dispensed by hotels, restaurants, or other dispensers, and sold for immediate consumption upon the premises, or delivered or carried away from the premises for consumption elsewhere.
9. Advertising of all kinds, types, and characters, including any and all devices used for advertising services and the servicing of any advertising devices, except as provided elsewhere in

this Article.

10. Dues or fees to clubs, and the sale of tickets for admission to places of amusement, to athletic, entertainment, or recreational events, or dues or fees for the privilege of having access to, or the use of, amusement, entertainment, athletic, or recreational facilities (including free or complimentary passes, tickets, dues, or fees which are hereby declared to have a value equivalent to the sale price of tickets, passes, admissions, fees, or dues of like kind or character).

11. The total retail sale price received for the sale, preparation or service of mixed beverages, ice, and non-alcoholic beverages to be mixed with alcoholic beverages for consumption on the premises where such sale, preparation and service occurs, shall constitute the gross receipts from such transaction.

Section 1-58. Exemptions.

There is hereby specifically exempted from the tax levied by this Article, the gross receipts or gross proceeds exempted from the Sales Tax Law of Oklahoma, inclusive, but not exclusive or derived from the: delinquency in reporting and paying the Sales Tax levied by this Article; provided that, the failure or refusal of any retailer or vendor to make and transmit the reports and remittances of Sales Tax in the time and manner required by this Article shall cause such tax to be delinquent. In addition, if such delinquency continues for a period of five (5) days, the retailer or vendor shall forfeit his claim to any discount allowed under this Article.

Section 1-59. Other Exempt Transfers.

Also, there is hereby specifically exempted from the tax herein levied, the transfer of tangible personal property exempted from the Oklahoma Sales Tax Law inclusive, but not exclusive of, the following:

1. From one (1) corporation to another corporation, pursuant to a re-organization; as used in this Subsection, the term "re-organization" means:

- a. A statutory merger or consolidation; or
- b. The acquisition by a corporation of substantially all of the properties of another corporation, when the consideration is solely all or a part of the voting stock of the acquiring corporation, or of its parent or subsidiary corporation;

2. In connection with the winding up, dissolution or liquidation of a corporation only when there is a distribution in kind to the shareholders of the property of such corporation;

3. To a corporation for the purpose of organization of such corporation where the former owners of the property transferred are, immediately after the transfer, in control of the corporation, and the stock or securities received by each is substantially in proportion to this interest in the property prior to the transfer;

4. To a partnership in the organization of such partnership if the former owners of the property

transferred are immediately after the transfer, members of such partnership, and the interest in the partnership received by each is substantially in proportion to this interest in the property prior to the transfer; and

5. From a partnership to the members thereof when made in kind in the dissolution of such partnership.

Section 1-60. Tax Due When; Returns; Records.

The tax levied hereunder shall be due and payable at the time and in the manner and form prescribed for payment of the State Sales Tax under the Sales Tax Law of the State of Oklahoma.

Section 1-61. Payment of Tax; Brackets.

1. The tax herein levied shall be paid to the Tax Collector at the time and in the manner and form prescribed for payment of the State Sales Tax Law of the State of Oklahoma.

2. The bracket system for the collection of the three percent (3%) Municipal Sales Tax by the tax collector shall be the same as hereafter adopted by the agreement of the Town of Bradley, Oklahoma and the tax collector in the collection of both the three percent (3%) Municipal Sales Tax and the State Sales Tax.

Section 1-62. Tax Constitutes Debt.

Such taxes, penalties, and interest due hereunder shall at all times constitute a prior, superior and paramount claim as against the claims of unsecured creditors, and may be collected by suit as any other debt.

Section 1-63. Vendor's Duty to Collect Tax.

1. The tax levied hereunder shall be paid by the consumer or user to the vendor and it shall be the duty of each and every vendor in this Municipality to collect from the consumer or user, the full amount of the tax levied by this Article, or an amount equal as nearly as possible or practicable to the average equivalent thereof.

2. Vendors shall add the tax imposed hereunder, or the average equivalent thereof, to the sales price or charge, and, when added, such tax shall constitute a part of such price or charge, shall be a debt from the consumer or user to the vendor until paid, and shall be recoverable by Law in the same manner as other debts.

3. A vendor, as defined herein, who willfully or intentionally fails, neglects, or refuses to collect the full amount of tax levied by this Article, or willfully or intentionally fails, neglects, or refuses to comply with these provisions, or remits or rebates to a consumer or user, either directly or indirectly by whatsoever means, all or any part of the tax herein levied, or makes in any form of advertising (verbally or otherwise) any statement which infers that the vendor is absorbing the tax or paying the tax for the consumer or user by an adjustment of prices, at a price

including the tax or in any manner whatsoever, shall be deemed guilty of an offense.

Section 1-64. Returns and Remittances; Discounts.

Returns and remittances of the tax herein levied and collected shall be made to the tax collector at the time and in the manner, form and amount as prescribed for returns and remittances required by the State Sales Tax Code; remittances of tax collected hereunder shall be subject to the same discount as may be allowed by said Code for collection of State Sales Tax.

Section 1-65. Interest and Penalties; Delinquency.

Section 217 of Title 68 O.S. 2005, as amended, is hereby adopted and made a part of this Article, and interest and penalties at the rates and in the amounts as therein specified are hereby levied and shall be applicable in cases of delinquency in reporting and paying the tax levied by this Article. The failure or refusal of any taxpayer to make and transmit the reports and remittances of tax in the time and manner required by this Article shall cause such tax to be delinquent. In addition, if such delinquency continues for a period of five (5) days, the taxpayer shall forfeit all claim to any discount allowed under this Article.

Section 1-66. Waiver of Interest and Penalties.

The interest or penalty, or any interest thereof, accruing by reason of a retailer's or vendor's failure to pay the Sales Tax herein levied may be waived or remitted in the same manner provided for said waiver or remittance as applied in the administration as the State Sales Tax provided in 68 O. S. 2005, Section 227; to accomplish the purposes of this Section, the applicable provisions of said Section 227 are hereby adopted by reference and made a part of this Article.

Section 1-67. Erroneous Payments; Claim for Refund.

Refund of erroneous payment of the Municipal Sales Tax herein levied may be made to any taxpayer making such erroneous payment in the same manner and procedure, and under the same limitations of time provided for administration of the State Sales Tax as set forth in 68 O. S. 2005, Section 227; to accomplish the purposes of this Section, the applicable provisions of said Section 227 are hereby adopted by reference and made a part of this Article.

Section 1-68. Fraudulent Returns; Penalty.

In addition to all civil penalties provided by this Article, the willful failure or refusal by any taxpayer to make reports and remittances herein required, or the making of any false and fraudulent report for the purpose of avoiding or escaping payment of any Sales Tax, or portion thereof, the offending taxpayer shall be punished by a fine in the amount not to exceed the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances.

Section 1-69. Records Confidential.

The confidential and privileged nature of the records and files concerning the administration of the Municipal Sales Tax is legislatively recognized and declared, and to protect the same the provisions of 68 O.S. 2005, Section 205, of the State Sales Tax Code, and each subsection thereof, are hereby adopted by reference and made fully effective and applicable to administration of the Municipal Use Tax, as if herein set forth in full.

Section 1-70. Amendments.

The people of the Town of Bradley, Oklahoma, by their approval of these Ordinances at the elections hereinbefore noted, have authorized the Town Board of Trustees, by Ordinances duly enacted, to make such administrative and technical changes or additions in the method and manner of administration and enforcement of this Article as may be necessary or proper for efficiency and fairness, provided that, the rate of the tax herein provided shall not be changed without approval of the qualified electors of the Municipality, as provided by Law.

Section 1-71. Provisions Cumulative and Separable.

1. The provisions hereof shall be cumulative, and in addition to all other taxing provisions of Municipal Ordinances.
2. The provisions hereof are hereby declared to be separable, and if any Section, paragraph, sentence, or clause of this Article, is for any reason held invalid or inoperative by any court of competent jurisdiction, such decision shall not affect any other Section, paragraph, sentence, or clause hereof.

Section 1-72 through 1-79. (Reserved for future use.)

Article 6. Use Tax.

Section 1-80. Excise Tax on Storage, Use of Other Consumption of Tangible Personal Property Levied.

Section 1-81. Exemptions.

Section 1-82. Time Due; Returns; Payment.

Section 1-83. Tax Constitutes Debt.

Section 1-84. Collection of Tax by Retailer or Vendor.

Section 1-85. Collection of tax by Retailer or Vendor not Maintaining a Place of Business within State or Both Within and Without State; Permits.

Section 1-86. Revoking Permits.

Section 1-87. Deductions Allowed Vendors or Retailers of Other States.

Section 1-88. Interest and Penalties; Delinquency.

Section 1-89. Waiver of Interest and Penalties.

Section 1-90. Erroneous Payments; Claim for Refund.

Section 1-91. Fraudulent Returns; Penalty.

Section 1-92. Records Confidential.

Section 1-93. Provisions Cumulative and Separable.

Section 1-94. Definitions.

Section 1-95. Classification of Taxpayers.

Section 1-96. Subsisting State Permits.

Section 1-97. Purpose of Revenues.

Section 1-80. Excise Tax on Storage. Use or Other Consumption of Tangible Personal Property Levied.

There is hereby levied and there shall be paid by every person storing, using or otherwise consuming within the Town of Bradley, Oklahoma, tangible, personal property purchased or brought into this Municipality, and excise tax on the storage, use or otherwise consuming within the Municipality of such property at the rate of three percent (3%) of the purchase price of such property. Such tax shall be paid by every person storing, using or otherwise consuming, within the Municipality, tangible, personal property purchased or brought into the Municipality. The additional tax levied hereunder shall be paid at the time of importation or storage of the property within the Municipality and shall be assessed to only property purchased outside Oklahoma; provided, that, the tax levied herein shall not be levied against tangible, personal property intended solely for use outside the Municipality, but which is stored in the Municipality pending shipment outside the Municipality or which is temporarily retained in the Municipality for the purpose of fabrication, repair, testing, alteration, maintenance or other service. Any person liable for payment of the Use Tax authorized herein, may deduct from such Use Tax any local or Municipal.

Sales Tax previously paid on such goods or services; provided, that, the amount deducted shall not exceed the amount that would have been due if the taxes imposed by the Municipality had been levied on the sale of such goods or services.

Section 1-81. Exemptions.

The provisions of this Article shall not apply:

1. In respect to the use of an article of tangible, personal property brought into the Municipality by a nonresident; individual visiting in this Municipality for his Of her personal use or enjoyment while within the Municipality;

2. In respect to the use of tangible, personal property purchased for re-sale before being used;

3. In respect to the use of any article of tangible, personal property on which a tax, equal to or in excess of that levied by both the Oklahoma Use Tax Code and the Town of Bradley, Oklahoma, Use Tax Ordinance, has been paid by the person using such tangible, personal property in the Municipality, whether such tax was levied under the Laws of Oklahoma or some other State or Municipality of the United States. If any article of tangible, personal property has already been subjected to a tax by Oklahoma or any other State or Municipality in respect to its sale or use, in an amount less than the tax imposed by both the Oklahoma Use Tax Code and the Town of Bradley, Oklahoma, Use Tax Ordinance, the provisions of this Article shall also apply to it by a rate measured by the difference only between the rate provided by both the Oklahoma Use Tax code and the Town of Bradley, Oklahoma, Use Tax Ordinance, and the rate by which the previous tax upon the sale or use was computed; provided, that, no credit shall be given for

taxes paid in another State or Municipality, if that State or Municipality does not grant like credit for taxes paid in Oklahoma and the Municipality;

4. In respect to the use of machinery and equipment purchased and used by persons establishing new manufacturing or processing plants in the Municipality, and machinery and equipment purchased and used by persons in the operation of manufacturing plants already established in the machinery and equipment is incorporated into, and is directly used in, the process of manufacturing property subject to the taxation under the Sales Tax Code of the Town of Bradley, Oklahoma. The term "manufacturing plants" shall mean those establishments primarily engaged in manufacturing or processing operations, and generally recognized as such.

5. In respect to the use of tangible, personal property now specifically exempted from taxation under the Sales Tax Code of the Town of Bradley, Oklahoma;

6. In respect to the use of any article of tangible, personal property brought into the Municipality by an individual with intent to become a resident of this Municipality where such personal property is for such individual's personal use or enjoyment.

7. In respect to the use of any article of tangible personal property used, or to be used, by commercial airlines or railroads; or

8. In respect to livestock purchased outside Oklahoma and brought into this Municipality for feeding or breeding purposes, and which is later re-sold.

Section 1-82. Time Due; Returns; Payment.

The tax levied by this Article is due and payable at the time and in the manner and form prescribed for payment of the State Use Tax under the Use Tax Code of the State of Oklahoma.

Section 1-83. Tax Constitutes Debt.

Such taxes, penalty or interest due hereunder shall at all times constitute a prior, superior and paramount claim as against the claims of unsecured creditors, and may be collected by suit as with any other debt.

Section 1-84. Collection of Tax by Retailer or Vendor.

Every retailer or vendor maintaining places of business both within and without the State of Oklahoma, and making sales of tangible, personal property from a place of business outside this State for use in the Town of Bradley, Oklahoma, shall, at the time of making such sales, collect the Use Tax levied by this Article from the purchaser and give to the purchaser a receipt therefore in the manner and form prescribed by the Oklahoma Tax Commission. If said Tax Commission shall, by regulation, require such receipt. Each retailer or vendor shall list with said Tax Commission the name and address of all his agents operating in this Municipality and location of any and all distribution or sales houses or offices or other places of business in this Municipality.

Section 1-85. Collection of Tax by Retailer or Vendor not Maintaining a Place of Business within State or Both Within and Without State; Permits.

The Oklahoma Tax Commission may, at its discretion, upon application, authorize the collection of the Use Tax herein levied by any retailer or vendor not maintaining a place of business within this State but who makes sales of tangible personal property for use in this Municipality, and by the out-of-State place of business of any retailer or vendor maintaining places of business both within and without Oklahoma and making sales of tangible, personal property at such out-of-State place of business for use in this Municipality. Such retailer or vendor may be issued, without charge, a Permit to collect such taxes, by said Tax Commission in such manner and subject to such regulations and agreements as it shall prescribe. When so authorized, it shall be the duty of such retailer or vendor to collect the Use Tax upon all tangible, personal property sold to his knowledge for use within this Municipality. Such authority and permit may be canceled when, at any time, said Tax Commission considers that such Use Tax can more effectively be collected from the person using such property in this Municipality; provided, however, that, in all instances where such sales are made or completed by delivery to the purchaser within this Municipality by the retailer or vendor in such retailer's or vendor's vehicle, whether owned or leased (not by common carrier), such sales or transactions shall continue to be subject to applicable Municipal Sales Tax at the point of delivery and the tax shall be collected and reported under the taxpayer's Sales Tax Permit number accordingly.

Section 1-86. Revoking Permits.

Whenever any retailer or vendor not maintaining a place of business in this State, or both within and without this State, authorized to collect the Use Tax herein levied, fails to comply with any of the provisions of this Article or the Oklahoma Use Tax Code or any order, rules or regulations of the Oklahoma Tax Commission, said Tax Commission may, upon notice and hearing as provided for in 68 O.S. 2005, Section 1408, by order, revoke the Use Tax Permit, if any, issued to such retailer or vendor, and if any such retailer or vendor is a corporation authorized to do business in this State may, after the notice and hearing above provided, cancel said corporation's License to do business in this State and shall issue a new license only when such corporation has complied with the obligations under this Article, the Oklahoma Use Tax Code, or any order, rules or regulations of the Oklahoma Tax Commission.

Section 1-87. Deductions Allowed Vendors or Retailers of Other States.

Returns and remittances of the Use Tax herein levied and collected shall be made to the Oklahoma Tax Commission at the time and in the manner, form and amount prescribed for returns and remittances required by the Oklahoma Use Tax Code; remittances of Use Taxes collected hereunder shall be subject to the same discount as may be allowed by said Code for the collection of State Use Taxes.

Section 1-88. Interest and Penalties; Delinquency.

Section 217 of Title 68 O.S. 2005, is hereby adopted and made a part of this Article, and interest and penalties at the rates and in the amounts as therein specified are hereby levied and shall be applicable in cases of delinquency in reporting and paying the Use Tax levied by this Article; provided, that, the failure or refusal of any retailer or vendor to make and transmit the reports and remittances of Use Tax in the time and manner required by this Article shall cause such Tax to be delinquent. In addition, if such delinquency continues for a period of five

(5) days, the retailer or vendor shall forfeit his claim to any discount allowed under this Article.

Section 1-89. Waiver of Interest and Penalties.

The interest or penalty, or any portion thereof, accruing by reason of a retailer's or vendor's failure to pay the Use Tax herein levied may be waived or remitted in the same manner as provided for said waiver or remittance as applied in administration of the State Use Tax provided in 68 O.S. 2005, Section 227; to accomplish the purposes of this Section, the applicable provisions of said Section 227 are hereby adopted by reference and made a part of this Article.

Section 1-90. Erroneous Payments; Claim for Refund.

Refund of erroneous payment of the Municipal Use Tax herein levied may be made to any taxpayer making such erroneous payment in the same manner and procedure, and under the same limitations of time provided for administration of the State Use Tax as set forth in 68 O.S. 2005, Section 227; to accomplish the purpose of this Section, the applicable provisions of said Section 227 are hereby adopted by reference and made a part of this Article.

Section 1-91. Fraudulent Returns. Penalty.

In addition to all civil penalties provided by this Article, the willful failure or refusal of any taxpayer to make reports and remittances herein required, or the making of any false and fraudulent report for the purpose of avoiding or escaping payment of any Use Tax, or portion thereof, the offending taxpayer shall be punished by a fine in an amount not to exceed the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances.

Section 1-92. Records Confidential.

The confidential and privileged nature of the records and files concerning the administration of the Municipal Use Tax is legislatively recognized and declared, and to protect the same, the provisions of 68 O.S. 2005, Section 205, of the State Use Tax Code, and each Subsection thereof, are hereby adopted by reference and made fully effective and applicable to administration of the Municipal Use Tax, as if herein set forth in full

Section 1-93. Provisions Cumulative and Separable.

1. The provisions hereof shall be cumulative, and in addition to any and all other taxing provisions of Municipal Ordinances.
2. The provisions hereof are hereby declared to be separable, and if any Section, paragraph, sentence or clause of this Article, is for any reason held invalid or inoperative by any court of competent jurisdiction, such decision shall not affect any other Section, paragraph, sentence or clause hereof.

Section 1-94. Definitions.

The definitions of words, terms and phrases contained in the Oklahoma Use Tax Code, Section 1401, 68 O.S. 2005, are hereby adopted by reference and made a part of this Article; in addition thereto, the following words and terms shall be defined as follows:

1. Tax Collector. The term "Tax Collector", as used herein, means the Department of the Municipality or the official agency of the State, duly designated according to Law or Contract authorized by Law, to administer the collection of the Use Tax herein levied.

2. Town. The word "town" shall mean the Town of Bradley, Oklahoma.

3. Transaction. The word "transaction" shall mean sale.

Section 1-95. Classification of Taxpayers.

For the purpose of this Article, the classification of taxpayers hereunder shall be as prescribed by State Law for purposes of the Oklahoma Use Tax Code.

Section 1-96. Subsisting State Permits.

All valid and subsisting Permits to do business issued by the Oklahoma Tax Commission pursuant to the Oklahoma Use Tax Code are, for the purpose of this Article, hereby ratified, confirmed and adopted in lieu of any requirement for an additional Municipal Permit for the same purpose.

Section 1-97. Purpose of Revenues.

It is hereby declared to be the purpose of this Article to provide revenues for the support of the functions of the Municipal Government of the Town of Bradley, Oklahoma, and any and all revenues derived hereunder may be expended by the Town Board of Trustees for any purpose for which funds may be lawfully expended and authorized.

Sections 1-98 through 1-99. (Reserved for future use.)

Article 7. Telephone Exchange Fee.

Section 1-100. Inspection Fee.

Section 1-101. Fee in Lieu of Taxes.

Section 1-102. Failure to Pay Inspection Fee.

Section 1-100. Inspection Fee.

There is hereby levied an annual inspection fee and service charge upon every person, firm or corporation operating a telephone exchange or rendering telephone service in the Town of Bradley, Oklahoma, in an amount equal to two percent (2%) of the gross revenues for each current year, for exchange telephone transmission service rendered wholly within the corporate limits of the Town of Bradley Oklahoma, to compensate the Municipality for the expenses incurred and services rendered incident to the exercise of its police power, supervision, policy regulation and control during construction and operation of lines and equipment of said telephone company in said Municipality. Said fee shall be due and payable on or before the 1st day of March of each year and shall be paid into, and expended from, the General Fund of the Town of Bradley, Oklahoma.

Section 1-101. Fee in Lieu of Taxes.

During continued substantial compliance with the terms of this Article by the owner of the telephone exchange (or company rendering telephone service within the limits of said Municipality), the charge levied hereby shall be and continue to be in lieu of all concessions, charges, excises, franchises, licenses, privileges and permit fees, taxes or assessments except ad valorem taxes; provided, that, it is not intended hereby to extinguish or abrogate all existing arrangements whereby said Municipality is permitted to use any underground conduits, duct space or pole contracts of said company.

Section 1-102. Failure to Pay Inspection Fee.

Should any person, firm or corporation fail or refuse to pay such fee when levied, action may be taken against such person, firm or corporation for the amount of such fees; all expenses for collection of the same, including a reasonable attorney's fee, shall be paid by the party or parties that said action is taken against.

Sections 1-103 through 1-109. (Reserved for future use.)

Article 8.
Gross Receipts Tax

Section 1-110. Power to Levy and Assess Tax; Tax in Lieu of Other Taxes.

Section 1-111. Application of Tax.

Section 1-112. Tax Levied Until Repealed; Payable Quarterly; Disposition.

Section 1-113. Penalties; Failure to Pay Tax.

Section 1-114. Lien for Tax.

Section 1-110. Power to Levy and Assess Tax; Tax in Lieu of Other Taxes.

The Town Board of Trustees, being vested with power so to do, does hereby levy and assess an annual tax upon the gross receipts from residential and commercial sales of power, light, heat, electricity, water, oil royalties, or both natural and liquefied petroleum gas in the Town of Bradley, Oklahoma, in the amount of two percent (2%) of the gross receipts from said residential and commercial sales; this tax shall be in lieu of any other franchise, license, occupation or excise tax levied by the Town of Bradley, Oklahoma.

Section 1-111. Application of Tax.

The tax authorized to be levied under Section 1-60 (above) of this Article shall be levied at the time this Article shall take effect and shall apply to all persons, firms, associations or corporations engaged in the business of furnishing power, light, heat, electricity, water, or both natural and liquefied petroleum gas, and extracting oil from property within the municipal corporate limits, in the Town of Bradley, Oklahoma; it shall not apply to an person, firm, association or corporation operating under a valid franchise from the Town of Bradley, Oklahoma, and said exception shall be so stated in said valid franchise.

Section 1-112. Tax Levied Until Repealed; Payable Quarterly; Disposition.

This tax that is now levied under Section 1-60 of this Article shall be levied for a term of not less than one (1) year and shall continue in effect until further amended or repealed; said tax shall be payable quarterly to the Town Clerk of the Town of Bradley, Oklahoma, and placed in the General Fund of said Town.

Section 1-113. Penalties; Failure to Pay Tax.

Should any person, firm or corporation fail or refuse to pay such tax when levied, action may be taken against such person, firm or corporation for the amount of such tax; all expenses for collection of the same, including reasonable attorney fees, shall be paid by the party or parties that said action is taken against.

Section 1-114. Lien for Tax.

The Tax so imposed shall constitute a first and prior lien on all the assets located within the Town of Bradley, Oklahoma, of any person, firm or corporation engaged in the business of selling power, light, heat, electricity, water or natural and liquefied petroleum gas.

Sections 1-115 through 1-119. (Reserved for future use.)

Article 9. Miscellaneous Provisions

Section 1-120. Officers to Give Bonds.

Section 1-121. Compensation; Charge of Salaries.

Section 1-122. Succession in Government.

Section 1-123. Nepotism; Compatibility of Offices.

Section 1-124. Ordinances: General Provisions.

Section 1-125. Ordinances: Adoption by Reference.

Section 1-126. Ordinances: Compilation.

Section 1-127. Amendments or Additions to the Code of Ordinances.

Section 1-120. Officers to Give Bonds.

1. The Town Clerk/Treasurer and the Town's Purchasing Agent(s) shall each be bonded by the Town of Bradley, Oklahoma within ten (10) days after their election or appointment, in the following amounts:

a. Town Clerk-----\$2,000 00

2. The Town Board of Trustees shall, by motion, establish bond requirements for other Municipal officers and employees, as necessary or as required.

Section 1-121. Compensation; Charge of Salaries.

1. The basic compensation of the following elected Municipal officers shall be as indicated below:

a. Each Trustee-----\$ 0.00 per year.

b. Town Clerk-----\$500.00 per year.

2. The basic salaries of elected Municipal officials shall not be changed after their election or during their term of office. (State Constitution, Article 23, Section 10.).

3. The Town Board of Trustees may determine or regulate the number and class of officers and employees and determine or change their compensation, by motion or Resolution; this provision shall also be applicable to, the Town Clerk and the Town treasurer, whenever either or both positions are appointive.

Section 1-122. Succession in Government.

1. All Ordinances, insofar as they are not inconsistent with this Code of Ordinances, shall continue in effect until they are repealed or until they expire by their limitations.

2. All officers and employees of the Town of Bradley, Oklahoma, under any and all previous Ordinances, shall continue in the offices all employments which they respectively hold, after this Code of Ordinances goes into effect.

3. All books, monies or other property belonging to the Town of Bradley, Oklahoma, and in charge or possession of any officer of the Town shall be delivered to said person's successor.

Section 1-123. Nepotism; Compatibility of Offices.

1. No member of the Town Board of Trustees, nor any other authority of the Municipal Government, may appoint, or vote for the appointment of, any person related to said person by affinity or consanguinity within the 3rd degree, to an office or position of profit in the Municipal Government.

2. The following relatives shall be considered as within the 3rd degree of affinity or consanguinity: sons, daughters, grandsons, granddaughters, great grandsons, great granddaughters, brothers, sisters, nephews, nieces, aunts, uncles, primary cousins, grandfathers, grandmothers, grand uncles, grand aunts, great grandfathers, great grandmothers, son-in-law, great granddaughter-in-law, brother-in-law, sister-in-law, nephew-in-law, niece-in-law, aunt-in-law, uncle-in-law, primary cousins-in-law, grandfather-in-law, grandmother-in-law, grand uncle-in-law, grand aunt-in-law, great grandfather-in-law, great grandmother-in-law, grand nephew, grand niece, grand nephew-in-law, grand niece-in-law, stepson, step-daughters, stepfather or stepmother; a divorce decree shall be deemed to dissolve all relationships arising by that marriage.

3. Except as may be otherwise provided by Ordinance, the same person may hold more than one (1) office or position in the Municipal Government.

Section 1-124. Ordinances: General Provisions.

1. The enacting clause of all Ordinances passed by the Town Board of Trustees shall be: "BE IT ORDAINED by the Board of Trustees of the Town of Bradley, Oklahoma" and of all

Ordinances proposed by the voters under their power of initiative, "BE IT ORDAINED by the People of the Town of Bradley, Oklahoma".

2. Every proposed Ordinance shall be read and a vote of a majority of all the Trustees shall be required for its final passage.

3. The Chairperson shall have no power to veto any Ordinance.

4. Every Ordinance, except those exempted by State Law, shall be published by title or in full, within fifteen (15) days after its passage, in a newspaper of general circulation within the Town or County, or posted in ten (10) public places within the Town.

5. Every Ordinance, except an Emergency Ordinance, shall become effective thirty (30) days after its final passage, unless it specifies a later date.

6. An Emergency Ordinance is an Ordinance which, in the judgment of the Town Board of Trustees, is necessary for the immediate preservation of the local welfare, peace, health or safety, and which should become effective prior to the time when a regular Ordinance would become effective. Every such Ordinance shall contain, as a part of its title, the words "and declaring an emergency" and, in a separate Section on the Emergency Section separately and must adopt said Emergency Section by a vote of at least three-fourths (3/4) of all the members of said Town Board. An Emergency Ordinance shall take effect upon passage, unless it specifies a later date.

Section 1-125. Ordinances: Adoption by Reference.

The Town Board of Trustees, by Ordinance, may adopt by reference Codes, Ordinances and standards relating to building, plumbing, electrical installations and other matters which it has the power to regulate. Such a Code, Ordinance or standard so adopted, need not be enrolled in this Code of Ordinances; provided, that, three (3) copies are filed and kept in the Office of the Town Clerk.

Section 1-126. Ordinances: Compilation.

1. Every ten (10) years, the Town of Bradley, Oklahoma, shall compile and publish its effective penal Ordinances in permanent form.

2. Two (2) copies of the compilation of Ordinances shall be deposited by the Town in the Grady County Law Library.

3. Every two (2) years the Town of Bradley, Oklahoma, shall prepare, adopt and publish Supplements to its compiled penal Ordinances, and no Ordinance shall be enforced if it is not reflected in such compilation or Supplement, if such Ordinance was adopted more than one (1) year prior to the latest compilation or Supplement.

4. When the Town has compiled and published its Code of Ordinances and succeeding Supplements, the Town Board of Trustees shall adopt a Resolution notifying the public of such compliance and cause certified copies of the Resolution, the Code of Ordinances and the Supplements to be filed in the Office of the Grady County Clerk and the County Law Library.

Section 1-127. Amendments or Additions to the Code of Ordinances.

1. The Town Board of Trustees shall have the power to repeal, alter or amend this Code of Ordinances.

2. All Ordinances passed subsequent to this Code of Ordinances which amends, repeals, or in any way affects said Code, may be Supplemented every two (2) years by being numbered in accordance with the numbering system of this Code of Ordinances and printed for inclusion therein. When subsequent Ordinances repeal any Chapter, Section or Subsection, or any portion thereof, such repealed portions may be excluded from this Code of Ordinances by omission thereof from re-printed pages. Such inclusion of Ordinances passed subsequent to this Code of Ordinances which amend or add to this Code (except in the case of repeal), shall be prima facie evidence of such subsequent Ordinances until such time that this Code of Ordinances an subsequent Ordinances numbered or omitted, are re-adopted as a new Code of Ordinances by the Town Board of Trustees.

3. Amendments to any of the provisions of this Code of Ordinances shall be made by amending such provisions by specific reference to the Chapter, Article and Section numbers of this Code in the following language:

"Section ____ of Article _____, Chapter _____, of the Code of Ordinances, Town of Bradley, Oklahoma, is hereby amended to read as follows: " The new provisions shall then be set out in full as desired.

4. In the event a new Section not heretofore existing in the Code of Ordinances is to be added, the following language shall generally be used: "The Code of Ordinances, Town of Bradley, Oklahoma, is hereby amended by adding a Section to Article ____ of Chapter ____, which Section reads as follows: ' _____ ' ". The new Section shall then be set out in full as desired.

CHAPTER 2

ALCOHOLIC BEVERAGES

Article 1.

Oklahoma Alcoholic Beverage Control Act

Section 2-1. Oklahoma Alcoholic Beverages Control Act.

Section 2-2. Definitions and Interpretations.

Article 1. Oklahoma Alcoholic Beverage Control Act

Section 2-1. Oklahoma Alcoholic Beverage Control Act Adopted.

The Oklahoma Alcoholic Beverage Control Act (37 O. S. 2005, Sections 501-566, as amended) is hereby adopted and incorporated by reference in this Code of Ordinances for the

Town of Bradley, Oklahoma; applicable provisions of the Act are hereby declared to be in full force, as if included herein in complete detail.

Section 2-2. Definitions and Interpretations.

1. All words, phrases and terms used in this and other Chapters relating to the use of alcoholic beverages, and not defined herein, shall be interpreted and construed in conformity with the definitions of the same as set forth in the Oklahoma Alcoholic Beverage Control Act (37 O. S. 2005, Section 506, as amended).

2. Beverages containing more than three and two-tenths percent (3.2%) alcohol by weight are hereby declared to be "intoxicating beverages".

3. Beverages containing more than one-half (1/2) of one percent (1%) alcohol by volume and not more than three and two-tenths (3.2%) alcohol by weight, are hereby declared to be "non-intoxicating beverages".

Sections 2-3 through 2-4. (Reserved for future use.)

CHAPTER 3
ANIMALS

Article 1. General Provisions.

Article 2. License and Permit Requirements.

Article 3. Penalty.

Article 1.
General Provisions

Section 3-1. Definitions.

Section 3-2. Animals Not to be At Large.

Section 3-3. Disturbances by Animals; Public Nuisance Abatement.

Section 3-4. Keeping Animals.

Section 3-5. Responsibilities of Owners.

Section 3-6. Cruelty to Animals.

Section 3-7. Cockfighting; Title 21 of the Oklahoma Statutes Adopted by Reference.

Section 3-8. Turning confined Animals At Large Unlawful.

Section 3-9. Pasturing in Public Areas Unlawful.

Section 3-10. Certain Dogs Running Loose to be Killed.

Section 3-11. Inspections to Enforce Chapter.

Section 3-12 through Section 3-19. (Reserved for future use.)

Article 2.
License and Permit Requirements

Section 3-20. Permits for Livestock.

Section 3-21. Sale of Confiscated Animals of Value.

Section 3-32. Breaking Impound.

Section 3-23 through Section 3-29. (Reserved for future use.)

Article 3.

Penalty

Section 3-30. Penalty.

CHAPTER 3

ANIMALS

Article 1. General Provisions.

Article 2. License and Permit Requirements.

Article 3. Penalty.

Article 1. General Provisions

Section 3-1. Definitions.

The following words and phrases, when used in this Chapter, shall have the meanings prescribed in this Section, except in those cases where the context clearly indicates, or specifically provides for, a different meaning:

1. It shall be unlawful and an offense for any person to keep any animals within the corporate limits of the Town of Bradley, Oklahoma, except under those conditions and provisions which may hereinafter specifically regulate the keeping of certain types of animals.
2. If no specific provisions are listed in this Code of Ordinances for keeping of a particular type of animal, said animal type shall not be kept at all within the corporate limits of the Town of Bradley, Oklahoma.
3. It shall be unlawful and an offense for any person, firm or corporation to own, possess or harbor bees, snakes and other insects or reptiles which may become a nuisance or threat to any person or persons residing within the corporate limits of the Town of Bradley, except bees, kept in beehives, provided control of all hives is strictly maintained.
4. No livestock animal shall be kept within the corporate limits of the Town of Bradley, Oklahoma, except under those conditions and provisions provided in Section 3-20, Chapter 3, this Code of Ordinances.
5. Pasturing livestock within the corporate limits of the Town of Bradley is strictly prohibited. Any and all livestock permitted according to the provisions provided in this Code of Ordinances shall be contained in a structure designed to house such livestock.
6. Every structure wherein any authorized animal is kept within the corporate limits of

the Town of Bradley, Oklahoma, shall be constructed of such material and in such a manner that it can be kept clean and sanitary at all times, and it shall be maintained in said condition, devoid of rodents and vermin and free from objectionable odors, in order to avert the creation of a nuisance to the public health. Every such structure, if located within one hundred (100) feet of any tenement, apartment house, hotel, restaurant, boarding house, retail food store, building used for educational, religious or hospital purposes, or residence (including that occupied by the owner or occupant of the premises upon which such animal is kept), shall provide a watertight and fly tight receptacle for manure, of sufficient size to hold all accumulations of manure. Such receptacle shall be emptied sufficiently often and in such manner as to prevent it from being or becoming a nuisance, and shall be kept covered at all times, except when open during the deposit or removal of manure or refuse. No manure shall be allowed to accumulate on such premises except in such receptacle.

7. Consistent with provisions of the Town's existing or future Zoning ordinance, the keeping or raising of, sheep, goats, rabbits, and chickens (or similar fowl), but not fighting cocks, shall be permitted throughout the Town of Bradley, Oklahoma, as long as the premises are maintained in accordance with the provisions of Subsection 4 (above) and State and County Health Department requirements and standards.

8. The raising, keeping, or pasturing of horses, burros, mules, cattle, and swine is permitted within the corporate limits of the Town of Bradley, Oklahoma, as long as the premises are maintained in accordance with the provisions of Subsection 4 (above) and State and County Health Department requirements and standards, and under those conditions and provisions given in Section 3-20, Chapter 3, this Code of Ordinances.

9. The raising of parakeets and/or other small birds or similar fowl shall be permitted within the Town of Bradley, Oklahoma, without License or Permit requirements, subject to the following provisions:

a. Premises utilized for the raising of parakeets shall be maintained in accordance with Subsection 4 (above).

10. The keeping or raising of any wild animals shall be prohibited within the Town of Bradley, Oklahoma, except for those wild animals which may be under the care of traveling shows or circuses.

11. No snakes which are poisonous in their natural state, may be kept within the corporate limits of the Town of Bradley, Oklahoma, except under the conditions and provisions of any License require for such snakes in Article 2 of this Chapter; it shall be unlawful for any person, firm or corporation to keep or raise such snakes within said Town, without having met Permit requirements and obtained a Permit.

12. Consistent with provisions of the Town's current or future Zoning Ordinance, persons living within the Town's corporate limits who are conducting farming and/or ranching operations on tracts of land of five (5) acres or larger, may keep and maintain such animals as may be required or useful in their operations; provided, that, such sanitary requirements as may be

detailed in this Section and Chapter shall be complied with at all times, regardless of the size of the tract of land involved.

13. The Town Board of Trustees, County, or State Health Department has the right to inspect any property and structure used for keeping livestock within the corporate limits of the Town of Bradley, Oklahoma.

Section 3-2. Animals Not to be At Large.

1. It shall be unlawful and an offense for the owner of any animal, domestic or wild, (including dogs), to permit the same to be, run at large or trespass upon the premises of another person, or be unlawfully at large at any time within the corporate limits of the Town of Bradley, Oklahoma.

2. It shall be unlawful and an offense for any person to:

a. Keep, own, harbor or possess any dog within the corporate limits of the Town of Bradley, Oklahoma, without providing a substantial and secure pen in which said dog shall be confined (which pen shall be sufficient in size that no sanitation or health problem shall be involved); or to

b. Allow a dog to be under the control of any person, and placed on an inadequately-sized leash so that it can reach or bite any person who may be using the public thoroughfares of the Town, so the dog can reach beyond the limits of the lot or premises upon which said dog is kept and confined, or so the dog may reach any person who may be rendering necessary services to the house of such owner, upon the premises where said dog may be kept, harbored or possessed.

Section 3-3. Disturbances by Animals; Public Nuisance Abatement

1. It shall be a public nuisance for any person to keep any dog or other animal which, by barking, howling or otherwise, disturbs the peace and quiet of, or creates a nuisance for, any person or persons.

2. It shall also be a public nuisance for any person to keep any dog or other animal which attacks other animals or damages private or public property.

3. Abatement of such public nuisances shall be handled in accordance with the provisions of the "Nuisances" Chapter in this Code of Ordinances.

Section 3-4. Keeping Animals.

1. It shall be unlawful and an offense for any person to keep any animals within the corporate limits of the Town of Bradley, Oklahoma, except under those conditions and provisions which may hereinafter specifically regulate the keeping of certain types of animals.

2. If no specific provisions are listed in this Code of Ordinances for keeping of a particular type of animal, said animal type shall not be kept at all within the corporate limits of the Town of Bradley, Oklahoma.

3. It shall be unlawful and an offense for any person, firm or corporation to own, possess or harbor bees, snakes and other insects or reptiles which may become a nuisance or threat to any person or persons residing within the corporate limits of the Town of Bradley, except bees, kept in beehives, provided control of all hives is strictly maintained.

4. No livestock animal shall be kept within the corporate limits of the Town of Bradley, Oklahoma, except under those conditions and provisions provided in Section 3-20, Chapter 3, this Code of Ordinances.

5. Every structure wherein any authorized animal is kept within the corporate limits of the Town of Bradley, Oklahoma, shall be constructed of such material and in such a manner that it can be kept clean and sanitary at all times, and it shall be maintained in said condition, devoid of rodents and vermin and free from objectionable odors, in order to avert the creation of a nuisance to the public health. Every such structure, if located within one hundred (100) feet of any tenement, apartment house, hotel, restaurant, boarding house, retail food store, building used for educational, religious or hospital purposes, or residence (including that occupied by the owner or occupant of the premises upon which such animal is kept), shall provide a watertight and fly tight receptacle for manure, of sufficient size to hold all accumulations of manure. Such receptacle shall be emptied sufficiently often and in such manner as to prevent it from being or becoming a nuisance, and shall be kept covered at all times, except when open during the deposit or removal of manure or refuse. No manure shall be allowed to accumulate on such premises except in such receptacle.

6. Consistent with provisions of the Town's existing or future Zoning ordinance, the keeping or raising of, sheep, goats, rabbits, and chickens (or similar fowl), but not fighting cocks, shall be permitted throughout the Town of Bradley, Oklahoma, as long as the premises are maintained in accordance with the provisions of Subsection 4 (above) and State and County Health Department requirements and standards.

7. The raising, keeping, or pasturing of horses, burros, mules, cattle, and swine is permitted within the corporate limits of the Town of Bradley, Oklahoma, as long as the premises are maintained in accordance with the provisions of Subsection 4 (above) and State and County Health Department requirements and standards, and under those conditions and provisions given in Section 3-20, Chapter 3, this Code of Ordinances.

8. The raising of parakeets and/or other small birds or similar fowl shall be permitted within the Town of Bradley, Oklahoma, without License or Permit requirements, subject to the following provisions:

- a. Premises utilized for the raising of parakeets shall be maintained in accordance with Subsection 4 (above).

9. The keeping or raising of any wild animals shall be prohibited within the Town of Bradley, Oklahoma, except for those wild animals which may be under the care of traveling shows or circuses.

10. No snakes which are poisonous in their natural state, may be kept within the corporate limits of the Town of Bradley, Oklahoma, except under the conditions and provisions of any License require for such snakes in Article 2 of this Chapter; it shall be unlawful for any person, firm or corporation to keep or raise such snakes within said Town, without having met Permit requirements and obtained a Permit.

11. Consistent with provisions of the Town's current or future Zoning Ordinance, persons living within the Town's corporate limits who are conducting farming and/or ranching operations on tracts of land of five (5) acres or larger, may keep and maintain such animals as may be required or useful in their operations; provided, that, such sanitary requirements as may be detailed in this Section and Chapter shall be complied with at all times, regardless of the size of the tract of land involved.

12. The Town Board of Trustees, County, or State Health Department has the right to inspect any property and structure used for keeping livestock within the corporate limits of the Town of Bradley, Oklahoma.

Section 3-5. Responsibilities of Owners.

In addition to any duties previously outlined, the owner of any animal shall have the following additional responsibilities:

1. Owners shall exercise proper care and control of their animals to prevent them from becoming a public nuisance.
2. The owner of every animal shall be responsible for the removal of any excreta deposited by his/her animal(s) on public walks, recreation areas, or private property.
3. Owners shall provide proper care and treatment of their animals.
4. Owners shall not abandon their animals.
5. It shall be unlawful for any person to keep any animal for breeding purposes within the corporate limits of the Town of Bradley, Oklahoma, except in private, enclosed locations, entirely out of the public view, or to permit any such animals to have sexual intercourse in any place except a private, enclosed space. (This shall not be construed as permitting the conditional keeping of any animals otherwise prohibited or regulated by this Code of Ordinances.)
6. It shall be the duty of each animal owner to properly dispose of an animal carcass. Within one day, the animal carcass shall be buried or disposed of in a manner approved by the county/state health officer. If the animal is to be deposited in the trash, then it shall be contained inside a trash bag to prevent the escape of fowl odors and to prevent the accidental handling by

sanitation personnel. If the animal is suspected to have died of rabies, parvo, or any Transmissible Spongiform Encephalopathy (TSE), it shall be disposed of outside the corporate limits of the Town of Bradley or taken to a Veterinarian for proper disposal.

Section 3-6. Cruelty to Animals.

1. It shall be unlawful for any person knowingly, willfully or maliciously to:
 - a. Deposit any animal with the intention of abandoning the same;
 - b. Pour on or apply to an animal, any drug or other thing which inflicts pain;
 - c. Improper use of any collar, leash, harness, etc., resulting in pain or damage to an animal;
 - d. Treat an animal in a cruel or inhumane manner;
 - e. Neglect an animal belonging to, or in the custody of an owner, in a cruel or inhumane manner;
 - f. Kill, or attempt to kill, any animal in an inhumane manner; or
 - g. Poison, or expose to poison, any dog or other animal, except a noxious, non-domesticated animal.
 - h. Keep an animal in close proximity to large objects or bulk trash that the animal could harm itself by running into.

2. It shall be unlawful for any person to instigate or encourage a fight between animals, or to keep a house, pit or other place used for fights between animals.

Section 3-7. Cockfighting; Title 21 of Oklahoma Statutes Adopted by Reference.

Provisions of Title 21, Chapter 67, Section 1692.1-9, Oklahoma Statutes, 2005, as amended, which are applicable to the Town of Bradley, Oklahoma, are hereby adopted and incorporated in this Code of Ordinances.

Section 3-7.1 – Definitions.

As used in this act:

a. "Cockfight" or cockfighting" is a fight between birds, whether or not fitted with spurs, knives, or gaffs, and whether or not bets or wagers are made on the outcome of the fight, and includes any training fight in which birds are intended or encouraged to attack or fight with one another.

b. "Equipment used for training or handling a fighting bird" include knives or gaffs, cages, pens, feeding apparatuses, training pens and other related devices and equipment, and is hereby declared contraband and subject to seizure.

Section 3-7.2 - Instigating or encouraging cockfight.

Every person who willfully instigates or encourages any cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act.

Section 3-7.3 - Keeping place, equipment or facilities for cockfighting.

Every person who keeps any pit or other place, or knowingly provides any equipment or facilities to be used in permitting any cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act.

Section 3-7.4 - Servicing or facilitating cockfight.

Every person who does any act or performs any service in the furtherance of or to facilitate any cockfight, upon conviction, shall be guilty of a felony. Such activities and services specifically prohibited by this section include, but are not limited to: promoting or refereeing of birds at a cockfight, advertising a cockfight, or serving as a stakes holder of any money wagered on any cockfight.

The penalty for a violation of this section shall be as provided in Section 3-7.8 of this act.

Section 3-7.5 - Owning, possessing, keeping or training birds for fighting.

Every person who owns, possesses, keeps, or trains any bird with the intent that such bird shall be engaged in a cockfight, upon conviction, shall be guilty of a felony. The penalty for a violation of this section shall be as provided in Section 8 of this act.

Section 3-7.6 – Spectators.

Every person who is knowingly present as a spectator at any place, building, or other site where preparations are being made for a cockfight with the intent to be present at such preparation or cockfight, or is knowingly present at such cockfight, upon conviction shall be guilty of a misdemeanor.

Section 3-7.7 - Seizure, destruction, or forfeiture of cockfighting equipment or facilities.

Following the conviction of a person for Sections 2, 3, 4, or 5 of this act, the court entering the judgment shall order that the birds and knives or gaffs used in violation of this act be forfeited to the state, and may order that any and all equipment described in Section 1 used in violation of this act be forfeited to the state.

Section 3-7.8 – Punishment.

a. Every person who is guilty of a felony under any of the provisions of Sections 2, 3, 4, or 5 of this act shall be punished by imprisonment in the state penitentiary for not less than one (1) year nor more than ten (10) years, or shall be fined not less than Two Thousand Dollars (\$2,000.00) nor more than Twenty-five Thousand Dollars (\$25,000.00), or by both such fine and imprisonment.

b. Every person who upon conviction is guilty of any of the provisions of Section 6 of this act shall be punished by imprisonment in the county jail for not more than one (1) year, or shall be fined not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

c. Every person who upon conviction is guilty of any of the provisions of Section 6 of this act shall be punished by imprisonment in the county jail for not more than one (1) year, or shall be fined not more than Five Hundred Dollars (\$500.00), or by both such fine and imprisonment.

Section 3-7.9 – Exemption.

Nothing in this act shall prohibit any of the following:

a. Hunting birds or fowl in accordance with Oklahoma regulation or statute, including but not limited to the sport of hunting game with trained raptors.

b. Agricultural production of fowl for human consumption.

Added by Initiative Petition 365, State Question 687, adopted at the general election held November 5, 2002.

Section 3-8. Turning Confined Animals At Large Unlawful.

It shall be unlawful for any person to open any enclosure in which an animal is confined (as required by Ordinance), so as to turn such animal at large, or to in any other manner turn such animal at large.

Section 3-9. Pasturing in Public Areas Unlawful.

It shall be unlawful for any person to stake, confine or pasture any animal on any public property (Federal, State, Municipal or other), or on any railroad right-of-way, without the consent of the person owning or controlling such property.

Section 3-10. Certain Dogs Running Loose to be Killed.

The Town Board of Trustees shall be required to kill, or order to be killed, any dog running loose within the corporate limits of the Town of Bradley, Oklahoma, which is

determined to be vicious or crazed and a threat to the public health and safety.

Section 3-11. Inspections to Enforce Chapter.

1. The Local or County Health Official or any member of the Town Board of Trustees, upon complaint of any person or on a self-initiated basis, shall inspect any structure or place wherein an animal is kept.

2. The Local or County Health Official may issue any such reasonable order as may be deemed necessary to the owner of such animal, to cause such animal to be kept as provided in this Chapter or in a manner so as not to constitute a nuisance.

3. The Local or County Health Official may make a complaint against any person for violation of any provision of this Chapter or for any such reasonable order, but this shall not abridge the right of others to make such complaints.

Section 3-12 through Section 3-19. (Reserved for future use.)

Article 2.
Licenses and Permit Requirements.

Section 3-20. Permits for Livestock.

1. Any person, firm or corporation wishing to keep livestock within the corporate limits of the Town of Bradley will not do so until first obtaining a permit.

2. Livestock shall not be so kept except under the following conditions:

a. All livestock including cattle, horses, mules, burros, sheep, goats, fowl, and rabbits shall be kept within the corporate limits of the Town of Bradley provided all applicable requirements are met;

b. All livestock shall be kept under restraint;

c. All livestock shall be kept in a suitable enclosure, with a four (4) inch smooth concrete floor which shall have one-quarter (1/4) inch of slope per foot for drainage. The drainage shall be connected to a sanitary sewage line, with a ground area of not less than one (1) acre for each enclosure with the following specifications:

Type of Animal Min-Max Weight	Stall/Cage Dimensions Min-Max Capacity
Cattle (100-1300lb.)	20-100ft. ² per animal
Horses, Mules, Burros (100-1500lb.)	175-325ft ² per animal
Swine (25-400lb.)	4-70ft ² per animal

Goats (25-170lb.)	8-20ft ² per animal
Sheep (20-200lb.)	6-23ft ² per animal
Broilers, Layers, and Pullets (1-6lb.)	0.30-1.5ft ² per cage
Turkeys and Pullets (1.5-35lb.)	1-6ft ² per cage
Ducks and Geese (1.5-15lb.)	1-6ft ² per cage
Rabbits (.5-10lb.)	1-20ft ² per cage, up 3 tier

d. No part of the enclosure shall be within one hundred (100) feet of any residence, including that of the owners;

e. The lot and stables wherein the animals are kept shall be maintained in a clean condition and free from filth at all times;

f. All livestock buildings, feed storages, and manure storages shall be located at least 2,000 ft from any lake, and 1,000 ft away from any water well, creek, river, drainage ditch, or wetland. All polluted runoff shall be collected from outside lots in order to minimize the effect of livestock manure and wastewater on the quality of surface water.

g. The applicant shall pay an annual permit fee of:

Bovine (Cattle)	\$1,000.00 each bovine
Equine (Horses, etc)	\$500.00 each equine
Swine (Hogs)	\$300.00 each swine
Caprine (Goats)	\$100.00 each caprine
Ovine (Sheep)	\$50.00 each ovine
Fowl (Chickens)	\$30.00 each fowl
Leporine (Rabbits)	\$10.00 each leporine

The applicant shall pay such annual permit by December 31 of each calendar year to the Town Clerk.

h. The following miniature livestock shall be treated the same as full-size livestock and will be charged a permit fee the same as above:

Miniature Hereford
Miniature Horse/Fallabella
Vietnamese Potbellied Pig

African Pygmy Goat
Toy and Miniature Sheep: Jacob, Red Tunis, Black Welsh Mountain, Cheviot, Southdown, Katahdin Hair, Icelandic, and Soay
Miniature Chickens: Bantams, Sultans, Silkies, and Guineas

Dwarf and Teacup rabbits shall be considered as pets and are therefore not affected by Section 3-20, this Code of Ordinances.

- i. All fowl must have their wings clipped regularly to prevent escape.
- j. All Peafowl must be surgically muted and their wings clipped before a permit will be granted to keep them within the corporate limits of the Town of Bradley. A bill from a veterinarian must be presented before a permit will be issued.
- k. Failure to comply with this ordinance will result in the revocation of the permit and the removal of all non-compliant livestock or the removal of livestock from non-compliant living conditions. The livestock owner has thirty to ninety (30-90) days to come under compliance after a non-compliance notice is received from the Town Board of Trustees.

Section 3-21. Sale of Confiscated Animals of Value.

1. As soon as practicable after any animal of apparent value has been confiscated, the Town Board of Trustees shall thereupon post a visible notice thereof at the Community Building. Such notice shall describe the animal, notify the owner to pay charges thereon and remove said charges prior to the time fixed for the sale thereof, and also state that, unless that animal is claimed, the animal will be sold at public auction at the time and place named in the notice. The time of holding such sale shall not be before the third (3rd) day after posting of the notice.

2. Sales provided herein shall be for cash to the highest bidder; the minimum bid shall cover fees for housing and keeping the animal until the date of sale, plus a five dollar (\$5.00) fee to reimburse the Town of Bradley, Oklahoma, for the sale expense, and shall be conducted by, or under the direction of, the Town Board of Trustees. If there is no bid, the Town Board of Trustees shall provide for and conduct another sale for the sale of such animal by posting notice thereof at the Community Building, if there is reason to believe that a bid would be made at a later time; otherwise, after an offering of an impounded animal at a sale without a bidder, the animal shall be disposed of by the Town Board of Trustees as provided in this Chapter.

3. A purchaser of an animal at a sale held as provided herein shall acquire absolute title to the animal purchased.

4. The Town Board of Trustees shall pay to the Town Clerk all money received from the

sale of impounded animals on the day it is received or on the next day upon which the office of said Town Clerk is open for business.

5. The owner of a confiscated animal sold as provided herein, may claim the excess of the sale price of the animal above the fees for housing and keeping the animal and a fee of five dollars (\$5.00) to reimburse the Town of Bradley, Oklahoma, for the expense it has incurred in making the sale. Such claim may be made at any time within ninety (90) days after the sale. If a claim is so made and approved by the Town Board of Trustees, the Town Clerk shall pay the claimant the excess; if a claim is not made, the excess shall belong to the Town.

Section 3-22. Breaking Impound.

No unauthorized person shall break open, or attempt to break open, the place of impoundment, or take or let out any animal therefrom, or take or attempt to take, from any officer or employee of the Town of Bradley, Oklahoma, any animal taken into custody as provided by this Code of Ordinances, or in any manner interfere with or hinder such officer or employee in the discharge of duties relating to the taking into custody and impounding of animals, as provided in this Code of Ordinances.

Section 3-23 through 3-29. (Reserved for future use.)

Article 3. Penalty

Section 3-30. Penalty.

Any person, firm or corporation who violates any provision of this Chapter, or who violates or neglects to carry out any reasonable order made by any Health Officer or the Town Board of Trustees, pursuant to this Chapter, shall be guilty of an offense and, upon conviction thereof, be fined a sum not to exceed the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances, and shall be subject to revocation of any License or operating Permit issued pursuant to the provisions of this Chapter. Each day that any provision of this Chapter or of such order of the Health Officer or Town Board of Trustees is violated shall constitute a separate offense.

CHAPTER 4

HEALTH AND SAFETY

Article 1.
Contagious Disease

Section 4-1. Introducing Diseases.

Section 4-2. Reporting of Contagious Diseases.

Section 4-3. Quarantine.

(Sections 4-4 through 4-9 reserved.)

Article 2.
Miscellaneous Provisions

Section 4-10. Abandoned Ice Boxes, Refrigerators and Containers.
(Sections 4-11 through 4-19 reserved.)

Article 3.
Penalty

Section 4-20. Penalty.

CHAPTER 4

HEALTH AND SAFETY

Article 1. Contagious Diseases.

Article 2. Miscellaneous Provisions.

Article 3. Penalty.

Article 1. Contagious Diseases

Section 4-1. Introducing Diseases.

1. It shall be unlawful for any person affected with, or exposed to, any contagious or infectious disease, to be upon any street or in any public place in the Town of Bradley, Oklahoma; the purpose of this requirement is to avoid exposing other persons to such a disease.

2. It shall be unlawful for any parent, guardian or person having charge of any child or children to allow, or permit, such child or children to attend any classes, school or any gathering of people, or to appear upon any street on any public place in the Town of Bradley, Oklahoma, while infected with, or exposed to, any contagious or infectious disease, or in any manner to allow other persons to be exposed to such disease.

3. No person suffering from, or infected with, the communicable form of a venereal disease, shall engage in any occupation involving intimate contact with persons, food or food products.

Section 4-2. Report of Contagious Diseases.

1. Every physician practicing in the Town of Bradley, Oklahoma, shall report to the county Health official, within six (6) hours after the diagnosis of the same, the appearance of any of the following diseases: hepatitis c, diphtheria (including membranous group), scarlet fever, smallpox, yellow fever, typhoid fever, typhus fever, Asiatic cholera, chicken pox, tuberculosis, undulant fever, acute anterior, poliomyelitis (infantile paralysis), epidemic cerebrospinal meningitis, whooping cough, mumps, or any other pestilential, infectious or contagious disease.

2. Syphilis, gonococcus infection and cancrroids are hereby and hereinafter recognized and declared to be contagious, infectious, communicable and dangerous to the public health. The term "venereal disease," as used in this Chapter, shall include all such diseases.

3. The Statutes of the State of Oklahoma governing the diseases stated hereinbefore shall apply to all cases of this nature, after said report is made.

Section 4-3. Quarantine.

1. It shall be unlawful for any person to enter, or go upon, any ground or premises under quarantine, without first having obtained permission to do so from the Local or County Health Official.

2. It shall be unlawful for any person whom the Local or County Health Official shall have ordered to be detained in quarantine, to neglect or refuse to be so detained, or to willfully violate any quarantine regulation thereof.

3. It shall be unlawful for any person to tear down, remove, deface, mutilate or destroy any order, notice or flag that may be posted or displayed by the Local or County Health Official.

4. It shall be unlawful for any person to willfully violate, or refuse to comply with, any lawful order, direction, prohibition, rule or regulation of any officer or official charged with enforcement of such order, direction, prohibition, rule or regulation.

Sections 4-4 through 4-9. (Reserved for future use.)

Article 2. Miscellaneous Provisions

Section 4-10. Abandoned Ice Boxes, Refrigerators and Containers.

It shall be unlawful for any person, firm or corporation to leave, in a place accessible to children, any abandoned or discarded ice box, refrigerator or other container which has an air-tight door with a lock or other fastening device which cannot be easily released for opening from the inside of the ice box, refrigerator or container, without first removing the door, lock or fastener.

Section 4-11. through 4-19. (Reserved for future use.)

Article 4. Penalty

Section 4-20. Penalty.

Any person who violates any provision of this Chapter or of any Ordinance, Code or standard adopted by reference by this Chapter, or maintains or permits to continue, any public nuisance as defined by this Chapter, shall be guilty of an offense and, upon conviction thereof, shall be fined in any sum not to exceed the limits established in Section 10-20, Article 3, Chapter 10 of this

Code of Ordinances. Every day upon which a violation continues shall be deemed a separate offense.

CHAPTER 5

STREETS AND OTHER PUBLIC AREAS

Article 1.

Structure Numbering System.

Section 5-1. Structure Numbering System.
(Sections 5-2 through 5-4 reserved.)

Article 2

Use and Obstructions

Section 5-5. Trees and Shrubbery.

Section 5-6. Rights-of- Way and Easements.

Section 5-7. Obstructions.

Section 5-8. Drainage of Polluting Substance.

(Sections 5-9 through 5-14 reserved.)

Article 3.

Miscellaneous Provisions

Sections 5-15 through 5-19 reserved.)

Article 4.

Penalty

Section 5-20. Penalty.

CHAPTER 5

STREETS AND OTHER PUBLIC AREAS

Article 1. Structure Numbering System.

Article 2. Use and Obstructions.

Article 3. Miscellaneous Provisions.

Article 4. Penalty.

Article 1. Structure Numbering System.

Section 5-1. Structure Numbering System.

1. All building, structures and houses in the Town of Bradley, Oklahoma, shall be numbered. The Chairperson shall be responsible for designating the proper numbers for houses and buildings.

2. The north and south base line shall be Main Street; all buildings east of the base line shall be known and numbered as east, and all buildings west of the base line shall be known and numbered as west.

3. The east and west line shall be U.S. Highway 19; all buildings north of this base line shall be known and numbered as north, and all buildings south of this base line shall be known and numbered as south.

4. There shall be one hundred (100) numbers applicable to each block, beginning with "one hundred and one" (101) on the odd side and "one hundred and two" (102) on the even side of the street.

5. Each twenty-five (25) feet of frontage on each block shall be entitled to a separate number.

6. The 1st block from the base line in either direction shall be given numbers from (1) to ninety-nine (99), and the 2nd block shall be given numbers from one hundred and one (101) to one hundred and ninety-nine (199), and so on in consecutive order by one hundred's (100's) to each block in succession.

7. The even numbers shall be on the east side of the streets extending north and south, and on the south side of the streets extending east and west; the odd numbers shall be on the opposite sides of such streets.

8. The affix "one-half" ($\frac{1}{2}$) shall be added to the last number in designating stairway or garage apartments.

9. It shall be the duty of the owner of any house, building or structure in the Town of Bradley, Oklahoma, to have such house, building or structure numbered in accordance with this section.

10. In situations, where the plat or pattern of the area does not fit this numbering system, the Planning Commission shall study the area and recommend to the Town Board of Trustees, for adoption by Ordinance, an appropriate amendment to this Section.

Sections 5-2 through 5-4. (Reserved for future use.)

Article 2. Use and Obstruction

Section 5-5. Trees and Shrubbery.

1. The owner of any premises abutting on any street shall trim all trees and shrubbery

growing in the public right-of-way and on any part of the premises adjacent to any street or alley, in such a manner that the boughs or limbs thereof shall not obstruct free and convenient passage and travel along any streets, sidewalks or alleys. When such premises are occupied by some person other than the owner, such occupant shall trim the trees and shrubbery in the same manner as herein required of the owner.

2. It shall be unlawful for any person to injure any tree or shrubbery within any public right-of-way; provided that, this shall not prohibit the lawful and proper care and removal of such trees and shrubbery.

3. Any owner, lessee or occupant of any property abutting on any street shall not allow any man-made or natural view obstruction at any corner intersection, particularly within the "sight triangle" created by definition in the Town's adopted Zoning Ordinance.

Section 5-6. Rights-of-Way and Easements.

1. It shall be unlawful for any person, firm or corporation to obstruct or otherwise prevent access to, any publicly-used street, alley, easement or other Municipally-owned property, whether platted or unplatted; provided that, the Town of Bradley, Oklahoma, may prevent or provide access to such streets, alley, easements and Municipally-owned properties from time to time, in the public interest.

2. It shall be unlawful for any person, firm or corporation to construct, erect, build, or cause to be constructed, erected or built, any fence, of whatever height or material, within any dedicated road right-of-way in the Town of Bradley, Oklahoma.

Section 5-7. Obstructions.

1. It shall be unlawful for any person to use or obstruct the sidewalks, streets, alleys, easements or public rights-of-ways of the Town of Bradley, Oklahoma, in any manner so as to interfere unduly with pedestrian or other lawful traffic and parking thereon, or to interfere unduly with the purpose(s) of said easement or right-of-way.

2. It shall be unlawful for the owner or occupant of property abutting upon a sidewalk or sidewalk area to permit the sidewalk or sidewalk area adjacent to the property to become a hazard to persons using the sidewalk.

3. It shall be unlawful and an offense for any person to permit to be open or leave open any cellar door, manhole or grating of any kind in or upon any street, sidewalk or alley of the Town of Bradley, Oklahoma.

4. It shall be unlawful for any person to make any excavation or cutting in any street, sidewalk, alley or public grounds, or to remove any earth or construction material therefrom, except where authorized to do so by the Town board of Trustees; excavations so authorized shall be properly guarded and protected to prevent said excavations from being or becoming dangerous to life or limb.

5. It shall be unlawful for any person, firm or corporation to obstruct any street, sidewalk, alley or drainage easement by placing any approach, driveway or other obstruction or substance whatever, that will obstruct or prevent the natural flow of water through the easement or into the storm sewers or drains, or dam the same so as to back any water upon the streets, alleys, sidewalks or gutters.

Section 5-8. Drainage of Polluting Substance.

It shall be unlawful for any residence, business or industry to allow drainage of a polluting substance (as defined by 82 O.S. 2005, as amended, Section 926.1) into any street, alley, sidewalk or public right-of-way of the Town of Bradley, Oklahoma.

Section 5-9 through 5-14. (Reserved for future use.)

Article 3. Miscellaneous Provisions

Sections 5-15 through 5-19. (Reserved for future use.)

Article 4. Penalty

Section 5-20. Penalty.

1. Any owner or occupant, who fails, refuses or neglects to trim trees and shrubbery as provided in Section 8-40, after receiving ten (10) days notice from the Chief of Police to do so, shall be guilty of an offense.

2. Any violation of this Chapter shall be deemed an offense and, upon conviction thereof, shall be punished by a fine not exceed the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances. Every day upon which a violation continues shall be deemed a separate offense.

CHAPTER 6
PUBLIC FACILITIES

Article 1.
Municipal Park and Recreational Facilities

Section 6-1. Rules and Regulations for Municipal Parks.
(Sections 6-2 through 6-9 reserved.)

Article 2.
Penalty

Section 6-10. Penalty.

Chapter 6
PUBLIC FACILITIES AND UTILITIES

Article 1. Municipal Park and Recreational Facilities.

Article 2. Penalty.

Article 1. Municipal Park and Recreational Facilities

Section 6-1. Rules and Regulations for Municipal Parks.

1. The park and recreational areas and facilities owned and operated by the Town of Bradley, Oklahoma, shall be closed to the public from 1:00 o'clock a.m. of each night until 6:00 o'clock a.m. of the following day, and it shall be unlawful for any person to remain in or upon said areas or facilities between said hours for any purpose.

2. It shall be unlawful for any motor vehicles to be used in or upon said park areas or facilities, except in those areas designated (by markings or signs) as roadways, driveways or parking areas, within said park areas of facilities.

3. It shall be unlawful for any person or group of persons to damage, remove, deface or destroy any equipment or property owned by the Town of Bradley, Oklahoma, located within said park areas or facilities.

4. The Town's public park areas may not be used for overnight camping purposes by any person, firm, or corporation, whether a resident or non-resident of the Town of Bradley, Oklahoma.

Section 6-2 through 6-9. (Reserved for future use.)

Article 2. Penalty

Section 6-10. Penalty.

Every person who violates any provision of this Chapter, or of any Ordinance, Code or standard adopted by this Chapter, or maintains or permits to continue any situation defined by this Chapter as unlawful, shall be guilty of an offense and, upon conviction thereof, shall be fined in any amount not to exceed the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances. Every day upon which a violation continues shall be deemed a separate offense.

CHAPTER 7

PLANNING AND COMMUNITY DEVELOPMENT

Article 1.

Jurisdiction

Section 7-1. Jurisdiction Areas.
Section 7-2. Employees; Expenditures.
Section 7-3. Project Review Procedures.
Section 7-4. Duties and Powers.
(Sections 7-5 through 7-9 reserved.)

Article 2.
Zoning

Section 7-10. Municipality's Power to Zone.
Section 7-11. Relationship of Zoning to the Adopted Comprehensive Plan.
Section 7-12. Planning Commission and Zoning Commission.
Section 7-13. Zoning Ordinance Adopted by Reference.
(Sections 7-14 through 7-19 reserved.)

Article 3.
Subdivision of Land

Section 7-20. Subdivision Review Process.
Section 7-21. Subdivision Regulations.
(Sections 7-22 through 7-29 reserved.)

Article 4.
Miscellaneous Provisions

Section 7-30. Flood-Prone Areas.
(Sections 7-31 through 7-39 reserved.)

Article 5.
Penalty

Section 7-40. Penalty.

CHAPTER 7

PLANNING AND COMMUNITY DEVELOPMENT

Article 1. Jurisdiction
Article 2. Zoning.
Article 3. Subdivision of Land.
Article 4. Miscellaneous Provisions.
Article 5. Penalty.

Article 1.
Jurisdiction

Section 7-1. Jurisdiction Areas.

1. The Town Board of Trustees shall have jurisdiction over all land within the corporate limits of the Town of Bradley, Oklahoma.

2. The jurisdictional area of the Town Board of Trustees shall include, for the purposes of the regulation and review of land subdivision only: Any lands outside the corporate limits of the Town of Bradley, Oklahoma, whose any one (1) boundary, at any point, shall be at and within a distance of three (3) miles from the corporate limits of said Community; provided, that, such jurisdiction shall only include land within Grady County, Oklahoma.

Section 7-2. Employees; Expenditures.

1. The Town Board of Trustees shall have the authority to contract for necessary professional services, within the limits of any budgetary appropriations, all compensation for such services that shall also be fixed by said Town Board.

2. The Town Board of Trustees may incur other necessary expenses, within the limits of its budgetary appropriations, to carry out all purposes and responsibilities.

Section 7-3. Project Review Procedures.

All projects or matters that fall within the duties and powers of the Town Board of Trustees (as specified in this Code of Ordinances), shall be referred to before any final action shall be taken thereon. If the Town Board of Trustees fails to make an investigation and report on any matter referred to it within sixty (60) days, or other agreed upon time, the Town Board of Trustees may proceed to act upon such matter.

Section 7-4. Duties and Powers.

1. The Town Board of Trustees shall have the following duties and powers:

a. To prepare and adopt a Comprehensive Plan for the future development of the Town of Bradley, Oklahoma, and to ensure that said Plan, once prepared and adopted, is properly utilized and updated at appropriate intervals;

b. To make recommendations concerning the Community's growth, improvement and beautification;

c. To investigate all matters relating to the location and development of parks and recreational areas, streets, public grounds and structures;

d. To investigate, prepare and adopt a suitable Zoning Ordinance to implement the Community's Comprehensive Plan, and to administer said Zoning Ordinance;

e. To investigate, prepare and adopt rules and standards for use in regulating the subdivision of land within the Town Board's jurisdictional area, and to administer said Land Subdivision Regulations; and

f. To investigate, prepare and adopt to such other rules, regulations or standards as may be necessary to implement the Comprehensive Plan for the Town of Bradley, Oklahoma, including standards and regulations for floodplain management, historic preservation, signs, annexation and utility extensions, among others.

2. The Town Board of Trustees may also accept or raise funds, from public or private sources, for valid purposes or projects.

Sections 7-5 through 7-9. (Reserved for future use.)

Article 2. Zoning

Section 7-10. Municipality's Power to Zone.

1. For any of the above purposes, the Town Board of Trustees may adopt an Ordinance dividing the Municipality into Zoning Districts of such number, shape and area as may be deemed most beneficial to the Community. Within such Zoning Districts, the erection, construction, reconstruction, alteration, repair or use of structures or land may be regulated. All such regulations shall be uniform throughout each District, but the regulations in any Zoning District may differ from those in other Districts.

Section 7-11. Relationship of Zoning to the Adopted Comprehensive Plan.

1. Any Zoning Ordinance adopted by the Town Board of Trustees shall be made subsequent to the preparation of, and in accordance with, the Community's Comprehensive Plan, which Plan shall be adopted as a statement of public policy by a Resolution of said Town Board.

2. Zoning District created for protection of historic resources shall also be made subsequent to the preparation of, and in accordance with, an adopted Comprehensive Plan Element for the particular historic resource or area to be protected.

Section 7-12. Planning Commission and Zoning Commission.

The Town Board of Trustees shall serve as both the Municipal Planning Commission and as the Zoning Commission for the Town of Bradley, Oklahoma.

**Section 7-13. Zoning Ordinance Adopted by Reference.
(Reserved for future use.)**

Section 7-14 through 7-19. (Reserved for future use.)

Article 3. Subdivision of Land

Section 7-20. Subdivision Review Process.

1. All subdivision plats, or re-plats of land laid out in plats or lots, and the streets, alleys or other portions of the same intended to be dedicated to public or private use, located within the jurisdictional area of the Town Board of Trustees, shall first be submitted for review.

2. If the subdivision plat or re-plat is located within the corporate limits of the Town of Bradley, Oklahoma, final approval, prior to the filing of said plat or re-plat with the Grady County Clerk, shall be obtained from the Town Board of Trustees of Bradley, Oklahoma.

3. If the subdivision plat or re-plat is located within the jurisdictional area of the Town Board of Trustees, but outside of the corporate boundaries of the Town of Bradley, Oklahoma, approval of the subdivision shall be obtained prior to the filing of said plat or re-plat with the Grady County Clerk.

4. In reviewing subdivision plats or re-plats, the Town Board of Trustees shall utilize the definitions, procedures and design and improvement standards in the "Subdivision Regulations" adopted by and for the Town of Bradley, Oklahoma, or the appropriate jurisdiction area and entity.

Section 7-21. Subdivision Regulations.

1. Before the Town Board of Trustees may exercise jurisdiction over a subdivision of land, it shall adopt regulations governing the subdivision of land within its jurisdiction. The regulations may provide for the proper arrangement of streets in relation to other existing or planned streets and to the master plan, for adequate and convenient open spaces for traffic, utilities, access of fire-fighting apparatus, recreation, light and air, or for the avoidance of congestion of population, including minimum width and area of lots.

2. The regulations on subdivision of land may include provisions as to the extent to which streets and other ways shall be graded and improved and to which water and sewer and other utility mains, piping or other facilities shall be installed as a condition precedent to the approval of the plat. The regulations or practice of the Town Board of Trustees may provide for a tentative approval of the plat previous to such installation; but any such tentative approval shall be revocable for failure to comply with commitments on which the tentative approval was based, and shall not be entered on the plat. In lieu of the completion of any improvements and utilities prior to the final approval of the plat, the Town Board of Trustees may accept an adequate bond with surety, to secure to the Town Board the actual construction and installation of the improvements or utilities at a time and according to specifications fixed by or in accordance with the regulations of the commission, and further conditioned that the developer will pay for all material and labor entering into the construction of the improvements. The Town Board of Trustees is hereby granted the power to enforce such bond by all appropriate legal and equitable remedies.

3. Nothing in this section shall be construed as granting to the Town Board of Trustees the power to direct any public utility to extend its services to any particular area.

4. All regulations governing the subdivision of land shall be published as provided by law for the publication of ordinances, and before adoption, a public hearing shall be held thereon.

Sections 7-22 through 7-29. (Reserved for future use.)

Article 4. Miscellaneous Provisions

Section 7-30. Flood-Prone Areas.
(See Chapter 1 and Chapter 4, this Code of Ordinances.)

Sections 7-31 through 7-39. (Reserved for future use.)

Article 5. Penalty

Section 7-40. Penalty.

Any person, firm or corporation who violates any provision of this Chapter shall be guilty of an offense and, upon conviction thereof, shall be fined in any amount not exceeding the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances. Each day upon which a violation continues shall be deemed a separate offense.

CHAPTER 8

WARDS AND BOUNDARIES

Article 1.
Municipal Wards

Section 8-1. Trustees Elected At Large.
(Sections 8-2 through 8-4 reserved.)

Article 2.
Corporate Boundaries

Section 8-5. Corporate Boundaries Map.
(Section 8-6 through 8-9 reserved.)

Article 3.
Zoning District Boundaries

Section 8-10 Zoning District Boundaries
(Section 8-11 through 8-19 reserved.)

CHAPTER 8

WARDS AND BOUNDARIES

Article 1. Municipal Wards.

Article 2. Corporate Boundaries.

Article 3. Zoning District Boundaries.

Article 1. Municipal Wards

Section 8-1. Trustees Elected At large.

Pursuant to Oklahoma Statutes, there shall be no Ward boundaries required within the Town of Bradley, Oklahoma. All members of the Town Board of Trustees shall be nominated and elected at large, without regard for their place of residence within said Town. (See also Chapter 1, Article 2, Section 1-10, this Code of Ordinances.)

Sections 8-2 through 8-4. (Reserved for future use.)

Article 2. Corporate Boundaries

Section 8-5. Corporate Boundaries Map.

1. A map depicting the current corporate boundaries of the Town of Bradley, Oklahoma, shall be maintained and displayed in the Office of the Town Clerk.

2. This map shall reflect all current annexation and de-annexation Ordinances and orders, all plat and/or street vacation orders, and all official street names and shall represent the official map of the corporate boundaries of the Town of Bradley, Oklahoma.

3. All dedicated streets and alleys shall be shown on this map; vacated streets and alleys shall not be shown on said map, but shall be re-drawn by the methods provided by Oklahoma Statutes.

4. This map shall be available for public inspection.

Section 8-6 through 8-9. (Reserved of future use.)

Article 3. Zoning District Boundaries.

Section 8-10 Zoning District Boundaries

1. A map showing the boundaries of all current Zoning Districts within the entire corporate boundaries of the Town of Bradley, Oklahoma, shall be maintained in the Office of the Town Clerk, if a Zoning Ordinance is in effect within said Municipality.

2. This map shall reflect all current Zoning Ordinance provisions (See Chapter 15, this Code of Ordinances) and all current Ordinances re-Zoning land, and shall represent the official Zoning Districts Map for the Town of Bradley, Oklahoma.

3. This map may be combined with the official map of the corporate limits of the Town of Bradley, Oklahoma. (See Article 2 of this Chapter.)

4. This map shall be available for public inspection.

(Section 8-11 through 8-19 reserved.)

CHAPTER 9

NUISANCES

Article 1 **General Provisions**

Section 9-1. Definitions.

Section 9-2. Nuisances Unlawful.

Section 9-3. Town Board May Determine and Define Nuisances.

Section 9-4. Nuisance Defined.

Section 9-5. Public Nuisances; Possible Remedies.

Section 9-6. Private Nuisances; Possible Remedies.

Section 9-7. Person Liable.

Section 9-8. Procedure Cumulative.

(Sections 9-9 through 9-14 reserved.)

Article 2. **Abatement of Nuisances**

Section 9-15. Summary Abatement of Nuisances.

Section 9-16. Abatement of Public Health Nuisances.

Section 9-17. Removal of Unsafe and Dilapidated Structures.

Section 9-18. Cleaning and Mowing of Property.

(Sections 9-19 through 9-24 reserved.)

Article 3. **Penalty**

Section 9-25. Penalty.

CHAPTER 9

NUISANCES

Article 1. General Provisions.

Article 2. Abatement of Nuisances.

Article 3. Penalty.

Article 1. General Provisions

Section 9-1. Definitions.

As used in this Chapter, these words shall have the following meanings:

1. Administrative Officer. The term "Administrative Officer" shall mean the Town Clerk or the nuisance abatement official appointed by the Town Board of Trustees.

2. Boarded and Secured. The term "boarded and secured" shall mean the closing, boarding or locking of any or all exterior openings, so as to prevent entry into a structure.

3. Dilapidated Building. The term "dilapidated building" shall mean a structure which, through neglect or injury lacks the necessary repairs or otherwise is in a state of decay or partial ruin, to such an extent that said structure is a hazard to the health, safety and welfare of the general public.

4. Owner. The word "owner" shall mean the owner(s) of record, as shown by the most current tax rolls of the Grady County Treasurer.

5. Trash. The word "trash" shall mean any refuse, litter, ashes, leaves, debris, paper, combustible materials, rubbish, offal, waste or other matter of any kind or from which is uncared for, discarded or abandoned.

6. Weeds. The word "weeds" shall include, but not be limited to, poison ivy, poison oak, poison sumac and all vegetation at any stage of maturity, which:

- a. Exceeds twelve feet (120 inches in height), except healthy trees, shrubs or produce for human consumption grown in a tended and cultivated garden, unless such trees and shrubbery, by their density or location, constitute a detriment to the health, benefit, safety and/or welfare of the public or Community, create a traffic or fire hazard, or otherwise interfere with the mowing of said weeds;
- b. Conceals or invites deposition or accumulation of refuse or trash, regardless of the height of the vegetation;
- c. Harbors rodents or vermin;
- d. Gives off unpleasant or noxious odors;

- e. Constitutes a traffic or fire hazard; or
- f. Is dead or diseased.

Provided that, the word "weeds" shall not include tended crops or land Zoned for agricultural use, which crops are planted more than one hundred and fifty (150) feet from a parcel Zoned for non-agricultural use.

Section 9-2. Nuisance Unlawful.

It shall be unlawful for any person (owner, lessee or other) to create or maintain a nuisance, or to permit a nuisance to remain on premises under said person's control, within the corporate limits of the Town of Bradley, Oklahoma.

Section 9-3. Town Board May Determine and Define Nuisances.

The Town Board of Trustees has the power to determine what is and what shall constitute a nuisance within the corporate limits of the Town of Bradley, Oklahoma, and, for the protection of the public health, parks and water supply, outside the said Town's corporate limits.

Section 9-4. Nuisance Defined.

A nuisance consists of unlawfully doing an act, omitting to perform a duty or any thing or condition which:

- 1. Annoys, injures or endangers the comfort, health or safety of others;
- 2. Offends the public decency;
- 3. Unlawfully interferes with, obstructs, tends to obstruct or renders dangerous for use, any lake, drainage way, stream, stream basin, public park, street or other public property; or
- 4. In any way renders persons insecure in life or in the use of property.

Section 9-5. Public Nuisances; Possible Remedies.

1. A public nuisance is one which affects, at the same time, an entire Community, neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal.

- 2. The possible remedies against a public nuisance are:
 - a. Prosecution on complaint before the Municipal Court;
 - b. Prosecution of information or indictment before another appropriate court;

c. Civil action; and

d. Abatement:

(1) By the person injured; or

(2) By the Municipality, in accordance with State Law or Ordinance.

3. No lapse of time can legalize a public nuisance amounting to an actual obstruction of public right.

Section 9-6. Private Nuisances; Possible Remedies.

1. Every nuisance not included in Section 7-5 (above) is a private nuisance.

2. The possible remedies against a private nuisance are:

a. Civil action; and

b. Abatement:

(1) By the person injured; or

(2) By the Municipality, in accordance with State Law or Ordinances.

Section 9-7. Person Liable.

Every successive owner of property who neglects to abate a continuing nuisance upon or in the use of such property created by a former owner is liable therefore in the same manner as the person who first created it.

Section 9-8. Procedure Cumulative.

The various procedures for abating nuisances prescribed by this Chapter and by other provisions of State Law and Ordinances shall be cumulative one (1) to the other; the Town Board of Trustees may elect to follow any such procedure which is applicable in abating any particular nuisance.

Section 9-9 through 9-14. (Reserved for future use.)

Article 2. Abatement of Nuisances

Section 9-15. Summary Abatement of Nuisances.

1. Whenever it is practical to do so, the Town Board of Trustees has the power summarily

to abate any such nuisance, after notice to the owner and opportunity to be heard, if this can be done.

2. Some nuisances are of such nature as to constitute a grave and immediate danger to the peace, health, safety, or welfare of one (1) or more persons or the public generally, and it is recognized that, in such circumstances, the Chairperson (or a representative) may be justified or required to take immediate and proper action summarily to abate such nuisances, or to reduce or suspend the danger, until more deliberate action can be taken toward such abatement.

3. The Fire Chief, the County Health Official, any Trustee, any resident of the Town of Bradley, Oklahoma, or any other officer subordinate to the Town Board of Trustees, may submit to said Town Board, a statement as to the existence of a nuisance as defined by State Law or the Ordinances of the Town, and a request or recommendation that it be abated.

4. The Town Board of Trustees shall determine whether or not the alleged nuisance is a nuisance in fact, and before proceeding to have the nuisance abated, said Town Board shall give notice of a hearing on the proposed abatement to the owner of any property concerned and to any other person alleged or deemed responsible for, or to be causing, the nuisance, and an adequate opportunity to be heard, if such notice and opportunity for a hearing can be given. Such notice to the owner and other persons concerned shall be given in writing by mail or by service (by a Police Officer), if their names and addresses are known; if the names and addresses are not known, and the peace, health, safety, or welfare of the person, persons or public adversely affected would not be unduly jeopardized by the necessary delay, a notice of the hearing shall be published in a newspaper of general circulation within the Town or County.

5. If the Town Board of Trustees finds that a nuisance does in fact exist, it shall direct the owner and/or other persons responsible for, or causing the nuisance, to abate it within a specified time if the peace, health, safety, or welfare of the person, persons or public adversely affected would not be unduly jeopardized by the consequent delay. If such peace, health, safety, or welfare would be unduly jeopardized by the consequent delay, or if the owner or other persons responsible for or causing the nuisance do not abate it within the specified time, the Town Board of Trustees shall direct the Chairperson to abate the nuisance or have it abated, if summary abatement is practical.

6. The Town Clerk shall send a statement of the cost of such summary abatement to the owner and/or other persons responsible for, or causing, the nuisance, as may be just under the circumstances, if their names and addresses are known. Until paid, such cost shall constitute a debt to the Town, collectible as other debts of the Town may be collected.

Section 9-16. Abatement of Public Health Nuisances.

1. The Local or County Health Official shall have the authority to order, in writing, the owner or occupant of any private premises in the Town to remove from such premises, within a reasonable length of time and at the owner's expense, any source of filth, cause of sickness, condition conducive to the breeding of insects or rodents that might contribute to the transmission of disease or any other condition adversely affecting the public health; failure to do

so shall constitute an offense. Such order shall be served on the owner or occupant (or agent) of the premises by the Local or County Health Official, or a policeman. If the premises are unoccupied and the residence of the owner, occupant or agent, if unknown, is without the State, the order may be served by posting a copy thereof on the premises or by publication in at least one (1) issue of a newspaper having a general circulation in the Town or County.

2. If the order is not complied with, the Health Official may cause the order to be executed, and the cost thereof shall be certified to the Town Clerk; the cost of abating such nuisance shall be added to the Municipal utility bill of the owner or occupant (if a user of any Municipal utility service) and shall become due and payable and be subject to the same regulations relating to delinquency in payment as the utility bill itself. If such owner or occupant is not a user of any Municipal utility service, such costs, after certification the Town Clerk, may be collected in any manner in which any other debt due the Town may be collected.

Section 9-17. Removal of Unsafe and Dilapidated Structures.

1. When, in the opinion of the Municipal Building Inspector, the Local or County Health Official or any Municipal official, any building, wall or other structure upon, adjoining or near any street, avenue, alley or public ground within the Town of Bradley, Oklahoma, becomes dangerous, insecure or liable to collapse from inherent structural weakness or decay, or which, from fire damage or other causes, becomes a menace to life or property, the same may be declared to be a nuisance.

a. Any such building shall be reported by the Municipal Building Inspector or any Municipal official to the Town Board of Trustees, together with the lot and block number, the owner (or agent) and a description of the condition. Additional data shall be provided, including material from the Community's Preservation Inventory, concerning historic and/or architectural significance.

b. upon receipt of such report, the Town board of Trustees shall review the significance to the Community by requesting a recommendation from the Preservation Commission; following review of said recommendation, the Town Board shall consider whether or not to declare such building or structure to be a nuisance and serve fifteen (15) days legal written notice on the owner (or agent) to wreck or remove the same, or provide an alternative proposal for restoration, sale and restoration, or other appropriate method of encouraging productive re-use of the structure. Said notice shall be posted on the property to be affected, and shall also be sent by certified mail, with return receipt requested, to the owner, as shown on the County Treasurer's records. Written notice shall also be mailed to any mortgage holder, as shown by the County Clerk's records. If neither the property owner nor the mortgage holder can be located, notice may be given by legal notice; such notice may be published once, not less than ten (10) days prior to any hearing or action by the Town pursuant to the provisions of this Section, or, as an alternative, notice may be given by first -class mail to the property owner and mortgage holder.

c. The Town Board of Trustees may hear all objections and evidence in relation thereto and, unless the owner can show good and sufficient reason why the building

should not be condemned, the original order of said Town Board shall be executed, or any appropriate alternative solution may be implemented.

d. Pursuant to a finding that the condition of the property constitutes a detriment or a hazard and that the property would be benefited by the removal of such conditions, the Town Board of Trustees may cause the dilapidated building to be torn down and remove, or implement an alternative solution, and shall fix reasonable dates for the commencement and completion of the work.

e. The Town Clerk shall immediately file a notice of lien with the County Clerk describing the property, the findings of the municipality at the hearing, and stating that the agents of the municipality are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the Municipality, if the work is not performed by the property owner within dates fixed by the Town Board of Trustees.

f. The Town Board of Trustees shall determine the actual cost of the repair, restoration, dismantling or removal of dilapidated buildings and any other expenses that may be necessary in conjunction with the removal of the nuisance conditions, including the cost of notice and mailing. The Town Clerk shall forward a statement of the actual cost attributable to the work on the buildings and a demand for payment of such costs, by certified mail with return receipt requested, to the property owner. In addition, a copy of said statement shall be mailed to any mortgage holder.

g. If the Municipality repairs, restores, dismantles or removes any dilapidated buildings, the cost to the property owner shall not exceed the actual cost of the labor, maintenance and equipment required for the actual repairs, restoration, dismantling or removal of the dilapidated buildings; If work on the dilapidated building is done on a private contract basis, the contract shall be awarded to the most responsible and most responsive bidder.

h. When payment is made to the Municipality for costs incurred, the Town Clerk shall file a release of lien, but if payment attributable to the actual cost of the dismantling and removal of the buildings is not made within six (6) months from the date of the mailing of the statement to the owner of such property, the Town Clerk shall forward a certified statement of the amount of the cost to the County Treasurer;. Said costs shall be levied on the property and collected by the County Treasurer as are other taxes authorized by Law. The cost and the interest thereon shall be a lien against the property from the date the notice of the lien is filed with the County Clerk. Said lien shall be co-equal with prior and superior to all other titles and liens against the property. The lien shall continue until the cost is fully paid. At any time prior to collection, the municipality may pursue any civil remedy for collection of the amount owed and interest thereon. Upon receiving payment, the Town Clerk shall forward to the County Treasurer a notice of such payment and shall direct discharge of the lien.

i. Nothing in the provisions of this Section shall prevent the Municipality from

abating a dilapidated building as a nuisance or otherwise exercising its police power to protect the health, safety or welfare of the general public.

j. After a building has been declared dilapidated, and before the commencement of the removal of the nuisance conditions on the dilapidate building, the Town Board of Trustees may authorized that such a building be boarded and secured.

2. Any Municipal official shall have the right to stop the construction of any building or structure, or the alteration, repair or wrecking of the same, if the same is being done in a careless or reckless manner, or in violation of the provisions of this Code of Ordinances.

Section 9-18. Cleaning and Mowing of Property.

1. It shall be unlawful for any owner of any lot, tract or parcel of land situated wholly or in part within the corporate limits of the Town to allow trash or weeds to grow, stand or accumulate upon such premises and it shall be the duty of such owner to remove or destroy any such trash or weeds.

2. Any officer or employee of the Town of Bradley, Oklahoma, who discovers an accumulation of trash or growth of grass and weeds, or both these conditions, upon any premises within the corporate limits of said Town, shall report the condition to the Administrative Officer (who shall be appointed by the Town Board) if, as a result of the accumulation or growth, the premises appear to be:

- a. Detrimental to the health, safety, benefit and welfare of the public and the Community; or
- b. A hazard to traffic; or
- c. A fire hazard to property.

3. Upon receiving the report provided for in subsection 2 (above), or upon receipt of equivalent information from any reliable source, and upon determination that a nuisance or violation of the Code of Ordinances exists, the Administrative Officer shall give written notice of the finding and direct the owner or occupant to abate the condition within ten (10) days.

4. The written notice provided for in Subsection 3 (above) shall be sent by certified mail, with return receipt requested, to the owner of the property at the address shown by the current year's tax rolls in the Office of the Treasurer of the County in which the property is located. If the return receipt shows that the property owner cannot be located or that the owner cannot be served by certified mail, notice may be given by publication as provided in Section 1-102 of Title II of the Oklahoma Statutes, one (1) time, not less than ten (10) days prior to any hearing or action by the Town. if the Town Board of Trustees anticipates further abatement of any nuisance in accordance with provisions of this Section, the notice shall state that "Any accumulations of trash Of excessive weed or grass growth on the property occurring within six (6) months after the initial removal of trash or the cutting or mowing of weeds or grass on the property pursuant to

such notice may be summarily abated by the Town Board of Trustees. Further, the costs of such abatement shall be assessed against the owner, and a lien may be imposed on such property to secure such payment. All such actions may be taken without further notice to the property owner.

5. The owner of the property may give his written consent to the Town of Bradley, Oklahoma, authorizing the removal of the nuisance; by providing written consent, the owner waives his right to a hearing.

6. Upon a finding that a condition exists as set out in subsection 2 (above), and that the property would be benefited by the removal of such condition, and after at least ten (10) days from the date of receipt of the notice by the owner or occupant or the date of publication, the Administrative Officer shall order the property to be cleaned of trash, or order trash or weeds to be cut, removed or destroyed, unless the owner:

a. Has cut, removed or destroyed the trash or weeds in accordance with the notice; or

b. Has filed a written request for hearing on the matter with the Town Clerk within a ten (10) day period to appeal the Administrative Officer's decision to the Town Board of Trustees. If the owner or occupant has given written consent authorizing the Town to abate the trash or weeds, any right to a hearing shall be considered waived, and the owner shall pay for the cost of the work. The Town Board may affirm, reverse or modify the order of the Administrative Officer. The town Board's review shall be limited to a review of the finding of facts and order of the Administrative Officer to determine if the provisions of this Section have been complied with.

7. At any hearing onto the matter, the Administrative Officer may receive information thereto, including anything which may be presented by the owner of the premises, personally or by agent or attorney. The Administrative Officer shall prepare a written finding of the facts and order which will be placed in the property files.

8. The work ordered to be performed under this Section may be done by the Town or it may be let by contract to the most responsible and most responsive bidder for a period of not to exceed one (1) year. Immediately following the cleaning or mowing, the Town Clerk shall file a notice of lien with the County Clerk, in accordance with State law.

9. Upon completion of the work ordered to be performed under this Section, the Town shall prepare a statement, itemizing each tract of property involved, as follows: labor, machinery rental or depreciation, fuel and supplies, cost of notice, other costs and indirect costs, along with a demand for payment of the total cost, and forward it by certified mail, with return receipt requested, to:

a. The owner of the property at the address shown by the current tax rolls in the Office of the Treasurer of the County in which the property lies; or

b. To the address given by the person giving written consent or requesting the appeal, as provided for herein above.

10. If the costs of the work performed under this Section are not paid within thirty (30) days from the date of mailing the statement prescribed by Subsection 9 (above), the Town Clerk shall forward a certified statement of the amount of the costs to the County Treasurer of the County in which the property upon which the work was done is located, in order that the amount be levied upon the property and be collected by the County Treasurer in the manner prescribed by the law of this State. The lien is co-equal with the lien of ad valorem taxes and all other taxes and special assessments and prior and superior to all other titles and liens against the property. The lien shall continue until the cost is fully paid. At any time prior to collection, as provided in this Section, the Town may pursue any civil remedy for collection for the amount owed and interest thereon. Upon receiving payment, if any, the Town Clerk shall forward to the County Treasurer a notice of such payment, directing discharge of the lien.

11. If the Town Board of Trustees causes property within the Municipal limits to be cleaned of trash and weeds or grass to be cut or mowed in accordance with the procedures provided for in this Section, any subsequent accumulation of trash or excessive weed or grass growth on the property occurring within a twelve (12) month period may be declared to be a nuisance and may be summarily abated without further prior notice to the property owner. At the time of each summary abatement the Municipality shall notify the property owner of the abatement and the costs thereof. The notice shall state that the property owner may request a hearing within ten (10) days after the date of a mailing the notice. The notice and hearing shall be as provided for in this Section. Unless otherwise determined at the hearing, the cost of such abatement shall not apply if the records of the County Clerk show that the property was transferred after notice was given pursuant to this Section.

Sections 9-19 through 9-24. (Reserved for future use.)

Article 3. Penalty

Section 9-25. Penalty.

Any person who violates any provision of this Chapter by doing any act prohibited, declared to be unlawful thereby or declared to be a nuisance, an offense or misdemeanor thereby, or who fails to do any act required by any such provision, who fails to do any act when such provision declares such failure to be unlawful or to be an offense or misdemeanor, who violates any legal order or regulation made pursuant to this Chapter, or who maintains any nuisance as defined in this Chapter, shall be guilty of an offence and, upon conviction thereof, shall be punished by a fine not exceeding the limits established in Section 10-20, Article 3, Chapter 10 of this Code of Ordinances. Each day upon which any such violation continues, shall constitute a separate offense.

CHAPTER 10

GENERAL AND MISCELLANEOUS PROVISIONS

Article 1.
Rules of Construction

Section 10-1. Rules of Construction.
(Sections 10-2 through 10-9 reserved.)

Article 2.
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Section 10-14. Designation and Citation of Code.
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Article 3.
Penalty; Judicial Relief

Section 10-20. General Penalty for Violations; Judicial Relief.

CHAPTER 10

GENERAL AND MISCELLANEOUS PROVISIONS

Article 1. Rules of Construction.
Article 2. Miscellaneous Provisions.
Article 3. Penalty; Judicial Relief.

Article 1. Rules of Construction

Section 10-1. Rules of Construction.

In the construction of this Code of Ordinances and of all subsequent Ordinances and Resolutions passed by the Board of Trustees of the Town of Bradley, Oklahoma, the following rules shall be observed, unless such construction would be inconsistent with the manliest intent of said Town Board.

1. City. Town or Municipality. The words the "City", the "Town" or the "Municipality" shall mean the Town of Bradley, in Grady County, Oklahoma.

3. City Clerk Town Clerk other Municipality. Reference to the "City Clerk", the "Town

Clerk" or the "Clerk of the Municipality" shall mean the Town Clerk of the Town of Bradley, Oklahoma, who is also the Town Treasurer.

4. City Council. Council. Town Board of Trustees or Town Board. The words "City Council", "Council", "Town board of Trustees" or "Town Board shall mean the Governing Body of the Town of Bradley, Oklahoma.

5. City Treasurer. Town Treasurer or Treasurer. Whenever reference is made to the "City Treasurer", the "Town Treasurer" or the "Treasurer", it shall mean the Town Treasurer of the Town of Bradley, Oklahoma, who is also the Town Clerk.

6. Code. Reference to "this Code" or "the Code" shall mean the Code of Ordinances of the Town of Bradley, Oklahoma.

7. Computation of Time. Whenever notice is required to be given (or an act to be done) a certain length of time before any proceeding shall be had, the day on which such notice is given (or such act is done) shall be excluded in computing the time, but the day on which such proceeding is to be had, shall be included.

8. County. Reference to the terms "County", "the County" or "this County" shall mean Grady County, Oklahoma.

9. Court or Municipal Court. The words "Court" or "Municipal Court" shall mean the Municipal court of the Town of Bradley, Oklahoma.

10. Gender. A word importing the masculine gender only shall extend, and be applied to, females, firms, partnerships, and corporations, as well as to males.

11. Health Officer or Health Department. Wherever reference is made to the "Health Officer" or the "Health Department", it shall be construed as meaning the County Sanitarian, County Health Department, or the Town Board of Trustees, unless specific reference is made to the appointed Health Officer of the Town of Bradley, Oklahoma.

12. Highway. The term "highway" shall include any street, alley, highway, avenue, public place, square, bridge, underpass or overpass in the Town of Bradley, Oklahoma, dedicated or devoted to public use.

13. Joint Authority. Words purporting to give joint authority to three (3) or more officers or other persons, shall be construed as giving such authority to a majority of such officers or other persons, unless it is otherwise declared.

14. Judicial District. The term "Judicial District" shall mean the District Court Judicial District of the State of Oklahoma, wherein the sites of government of the Town of Bradley, Oklahoma, is situated.

15. May. The word "may" is permissive; the word "shall" is mandatory.

16. Chairperson. Whenever reference is made to the "Chairperson", it shall mean the Chief Executive Officer of the Town of Bradley, Oklahoma.

17. Month. The word "month" shall mean a calendar month.

18. Number. Any word importing the singular number shall include the plural and any word importing the plural number shall include the singular, except where a contrary intention plainly appears.

19. Oath. The word "oath" shall be construed to include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath; in such cases, the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

20. Officers. Departments, Etc. Whenever any Officer, Department, Board, Commission or other agency is referred to by title alone, such reference shall be construed as if followed by the words "of the Town of Bradley, Oklahoma".

21. Or. And. "Or" maybe read "and", and "and" maybe read "or", if the sense requires it.

22. Owner. The word "owner", applied to a building or land, shall include any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety, of the whole or of a part of such building or land.

23. Person. The word "person" shall extend, and be applied to, associations, corporations, firms, partnerships and bodies politic and corporate, as well as to individuals. Whenever used with respect to any penalty, the word "person", applied to partnerships or associations, shall mean the partners and members thereof, and as applied to corporations, the officers thereof.

24. Preceding or Following. The words "preceding" or "following" shall mean next before and next after, respectively.

25. Roadway. The word "roadway" shall mean that portion of a street improved, designed or ordinarily used for vehicular traffic.

26. Sidewalk. The word "sidewalk" shall mean any portion of the street right-of-way between the curb (or lateral line of the roadway) and the adjacent property line, intended for the use of pedestrians.

27. Signature or Subscription. The words "signature" or "subscription" shall include a mark when a person cannot write.

28. State. The words "State", "the State" or "this State" shall mean the State of Oklahoma.

29. Statutory Reference. Reference to the Statutes of the State of Oklahoma means the Statutes as they now are or as they may be amended to be; a reference to the 1981 Statutes also

means the comparable provision when included in future codifications or supplementations of said Statutes.

30. Street. The term "street" shall include any highway, alley, street, avenue, public place, underpass or overpass in the Town, dedicated or devoted to public use.

31. Tense. Words used in the past or present tense shall include the future, as well as the past and present.

32. Written or In Writing. The terms "written" or "in writing" shall be construed to include any representation of words, letters, figures, whether by printing or otherwise.

33. Year. Unless otherwise designated, the word "year" shall mean a calendar year.

Sections 10-2 through 10-9. (Reserved for future use.)

Article 2. Miscellaneous Provisions

Section 10-10. Certain Ordinances Not Affected by Code.

Nothing in this Code of Ordinances or the Ordinance adopting this Code shall be construed to repeal, or otherwise affect the validity of, any of the following, and all such Ordinances are hereby recognized as continuing in full force and effect to the same extent as if set out at length herein:

1. Ordinances promising, obligating or guaranteeing the payment of money for or to the Town of Bradley, Oklahoma, authorizing the issuance of any Municipal bonds or any evidence of the Municipality's indebtedness;

2. Appropriation Ordinances, or Ordinances providing for (a) the levy of taxes, (b) an annual budget, (c) a special Election or (d) prescribing salaries for Municipal officers and employees;

3. Ordinances which provide for the annexation or de-annexation of territory to or from the Town of Bradley, Oklahoma;

4. Ordinances approving, authorizing or otherwise relating to, any contract agreement lease, deed or other instrument or granting any franchise;

5. Ordinances authorizing or relating to specific public improvements;

6. Ordinances vacating, opening or dedicating specific streets and alleys;

7. Ordinances relating to specific street improvements and assessments;

8. Ordinances relating to the grade or alignment of specific streets;

9. Ordinances naming or re-naming specific streets;
10. Ordinances granting railroads or others the right to use specific streets, alleys or rights-of-ways;
11. Ordinances changing the Zoning District classification of a specific parcel of real property;
12. Other temporary or special Ordinances.

Section 10-11. Enumeration of Provisions.

1. Provisions of State Law which affect the Town of Bradley, Oklahoma, because of its general relationship to the State, may not be enumerated herein, but may be adopted by reference as inseparable parts of this Code of Ordinance.

2. Provisions of State Law which prescribe specific actions or Laws for the Town of Bradley, Oklahoma, and its citizens, may be included in this code of Ordinances for purposes of clarity.

3. Provisions of State Law in matters of wider public concern which are not enumerated herein, but which affect the Town of Bradley, Oklahoma, and its citizens in a general way, may not be enumerated herein, but may nevertheless be made a part of this Code of Ordinances through adopting by reference.

4. All provisions which are of purely local concern maybe specifically enumerated in this code of Ordinances. The regulations, rules, prohibitions, nuisances, offenses and other provisions which are of purely local concern, as provided by State Law, and are specifically enumerated herein in detail, shall be enforced by the Town of Bradley, Oklahoma; duly authorized officers and agents of said Town shall have all power, duties and responsibilities necessary to enforce the same.

Section 10-12. Code Does Not Affect Prior Offenses or Rights.

Nothing in this Code of Ordinances or the Ordinance adopting this Code shall affect any offense or act committed or done, any penalty or forfeiture incurred, or any contract or right established or accruing, before the effective date of this Code, except where such act, penalty, forfeiture, contract, or right grossly infringes upon that of another.

Section 10-13. Ordinances Effective on Certain Property Outside of Town.

1. All provisions of this Code of Ordinances and other Ordinances of the Town of Bradley, Oklahoma, now in effect or adopted in the future, are hereby extended to all real property belonging to, or under the control of, the Town of Bradley, Oklahoma, outside the corporate limits of said Town, and shall be in full force and effect thereon insofar as they are

applicable.

2. Any words in any such provision indicating that its effect is limited to the corporate limits of the Town of Bradley, Oklahoma, shall be deemed to mean and include also such outlying real property belonging to, or under the control of, said Town, unless the context clearly indicates otherwise.

3. The operation of motor vehicles and other traffic upon roads, streets and highways that form the corporate boundary line of the Town of Bradley, Grady County, Oklahoma, shall be subject to all Municipal traffic Ordinances and other Ordinances of the Town of Bradley, Oklahoma.

Section 10-14. Designation and Citation of Code.

The Ordinances embraced in this and all other Chapters and Sections shall constitute and be designated as the "Code of Ordinances, Town of Bradley, Oklahoma", and may be cited. Such Code may also be cited as the "Bradley Oklahoma, Town Code" or the "Bradley, Oklahoma, Municipal Code".

Section 10-15. Catchlines of Sections.

The catchlines of the Sections of this Code of Ordinances which are underlined, are intended as mere catchwords to indicate the contents of the Sections and shall not be deemed, or taken to be, titles of such Sections, nor as any part of the Sections, nor, unless expressly so provided, shall they be so deemed when any of such Sections, including the catchlines, are amended or re-enacted.

Section 10-16. Separability of Parts of Code.

1. It is hereby declared to be the intention of the Board of Trustees of the Town of Bradley, Oklahoma, that the Sections, paragraphs, sentences, clauses and phrases of this Code of Ordinances are separable and if any phrase, clause, sentence, paragraph or Section of said Code shall be declared invalid by the judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and Sections of said Code, since the same would have been enacted by the Town Board of Trustees without the incorporation in this Code of any such valid phrase, clause, sentence, paragraph or Section.

2. Further, if any word, phrase, clause, sentence, paragraph or Section of this Code of Ordinances shall seem invalid through printing or typographical error, such error or misprint shall not serve to misconstrue or invalidate the intent thereof, nor affect in any way the intent or validity of any or all other words, phrases, clauses, sentences, paragraphs or Sections of this Code.

Sections 10-17 through 10-19. (Reserved for future use.)

Article 3. Penalty: Judicial Relief

Section 10-20. General Penalty for Violations: Judicial Relief.

1. Whenever, in this Code of Ordinances or any Ordinance of the Town of Bradley, Oklahoma, an act is prohibited, is made or declared to be unlawful, an offence or misdemeanor, or whatever in said Code of Ordinances, the doing of any act is required, or the failure to do any act is declared to be unlawful, and no specific penalty is provided therefore the violation of any such provision of this Code of Ordinances or of any such Ordinance shall be punishable by a fine not exceeding five hundred dollars (\$500.00). Each day on which any violation of this Code or of any Ordinance shall continue shall constitute a separate offense and shall be punishable as such.

2. No penalty imposed by, and pursuant to, this Code of ordinances, shall interfere with the right of the Town of Bradley, Oklahoma, also to apply to the proper courts of the State of Oklahoma for a mandamus, an injunction or other appropriate action against such person, firm or corporation.