

CODE OF ORDINANCES

Grand Lake Towne, Oklahoma

Revision date March 2024

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PREFACE

Grand Lake Towne is an incorporated residential community governed under Oklahoma State Statutes Title 11, Cities and Towns, located in Mayes County, Oklahoma. The town was established originally under Restrictive Covenants signed and filed in Mayes County, Oklahoma on February 23, 1966.

By action of the Board of Trustee on November 14, 2023; the board approved the adoption of the 1966 Restrictive Covenants into the Grand Lake Towne, Code of Ordinances. This action was completed by board resolution and appropriately filed with Mayes County, Oklahoma on December 1, 2023.

The Restrictive Covenants of 1966 have been totally and/or partially included within these Code of Ordinances; however, if not specifically addressed, by means of the adoption of said covenants on December 1, 2023, the covenants are to be considered part of this Code of Ordinances.

AN ORDINANCE OF THE TOWN OF GRAND LAKE TOWNE, OKLAHOMA, ADOPTING AND ENACTING A NEW “CODE OF ORDINANCES”, COMPILED, REVISED, AND PUBLISHED BY THE AUTHORITY OF THE BOARD OF TRUSTEES FOR THE TOWN AND CONTAINING THE PERMANENT AND GENERAL ORDINANCES OF THE TOWN; ALSO, REPEALING ALL ORDINANCES OF A PERMANENT AND GENERAL NATURE NOT INCLUDED IN THE NEW CODE; PROVIDING FOR ADDITIONS AND AMENDMENTS TO THE NEW CODE; AND DECLARING AN EMERGENCY.

BE IT HEREBY ORDAINED by the Board of Trustees for the Town of Grand Lake Towne, Oklahoma.

SECTION 1. Code Adopted and Enacted, Title.

The new Code of Ordinances, entitled “Code of Ordinances, Grand Lake Towne, Oklahoma”, is hereby adopted and enacted for the Town of Grand Lake Towne, Oklahoma, and shall be treated and considered an original and comprehensive Code of Ordinances which shall supersede all general and permanent ordinances of the Town, to extent provided inn Section 2 and 3 hereof. Said Code may be cited as the “GRAND LAKE TOWNE TOWN CODE” or by any other appropriate title.

SECTION 2. Ordinance Provisions Adopted.

All the ordinance provisions included in the Town Ordinances are hereby adopted and enacted, and shall be in full effect, whether (a) such provisions are included in the form as originally adopted, (b) are included in amended form, (c) are composed wholly or partially of new material, as authorized by law, or (d) such provisions include material contained in full or adopted by reference.

SECTION 3. Certain Permanent or General Ordinances Repealed.

All ordinances and parts of ordinances of a permanent and general nature in effect at the time of the adoption of this code but not included in the code, are hereby repealed at the time this code goes into effect, including all ordinances adopting previous Town Codes.

SECTION 4. Temporary or Special Ordinances Omitted from Code Remain Effective.

The continuance in effect of any temporary and/or special ordinances, including but not limited to: annexation, franchises, rates or charges for utilities and services, grant applications and acceptance, or any other ordinances whose subject matter is not provided for and codified within the new Code of Ordinances, omitted from this code shall not be affected by such omissions therefrom; the adoption of this code shall not repeal or amend any such ordinance or parts of any such ordinance omitted from the code.

SECTION 5. Addition and Amendments to Code.

Any and all additions and amendments to such code, when passed in such form as to indicate the intention of the Grand Lake Towne, Oklahoma, Board of Trustees to make the same a part of the Town Code, shall be deemed to be incorporated in the Town Code so that reference to the "GRAND LAKE TOWNE CODE", or any other appropriate title, shall be understood and intended to include such additions and amendments.

SECTION 6. Emergency Clause.

It being necessary for the health, safety, and welfare of the residents of the Town of Grand Lake Towne, Oklahoma, that the new “Code of Ordinances” now available to the Town be adopted and implemented immediately, an emergency is hereby declared to exist, by reason whereof the provisions of the new Town Code of Ordinances shall become effective immediately upon the passage and approval of this Ordinance, all as allowed by law.

PASSED, APPROVED, AND ADOPTED, this ____ day of _____, 2024.

**GRAND LAKE TOWNE, OKLAHOMA
BOARD OF TRUSTEES**

BY: _____
MAYOR

ATTEST:

NOTARY PUBLIC

Original document signed and attested was filed with the Mayes County Clerk, March 15th, 2024, and a signed copy retained by the Grand Lake Towne Clerk.

Chapter 1

Officers and Employees

ARTICLE 1. Elected Body and Process

SECTION 1-1. Governing Body

- A. In accordance with Title 11, Oklahoma Statutes 2022 Section 12-102 Board of Trustees; the officers of the town shall be five (5) members making up the Board of Trustees, a Town Treasurer, and a Town Clerk, which will be elected by the town at large.
- B. The Board of Trustees is by nature of position and authority, empowered to adopt and enforce all provisions of these ordinance and to adopt and enforce temporary regulations to cover emergencies and special conditions.
- C. No person shall willfully fail or refuse to comply with any lawful order or direction of the Board of Trustees, State or County law enforcement official, any emergency personnel to include fire department or medical personnel or authorized municipal employee attempting to or enforcing these ordinances.

SECTION 1-2. Electoral Process

- A. In accordance with Title 11, Oklahoma Statutes 2022, Section 16-206. General elections shall be held on the first Tuesday in April every odd number year. On the first Tuesday of April 2021, the Trustees of position 1 and 3 and the Town Clerk shall be elected for four (4) years. The Trustees positions of 2, 4, 5 and the Town Treasurer shall be elected on the first Tuesday of April 2023 for a term of four (4) years.
 - a. The terms of the officials elected under this section shall begin on the second Monday following their election, and they shall serve until their successors are elected and qualified.

- B. In accordance with Title 11, Oklahoma Statutes 2022, 11-8-103 – Oath of Office. Any officer elected or appointed, before entering upon the duties of his/her office, shall take and subscribe to the oath of office or affirmation of office prescribed by the Oklahoma Constitution. The oath of affirmation shall be retained in the office of the Town Clerk.

SECTION 1-3. Appointment of the Positions of Mayor and Mayor Pro Tem.

- A. The Board of Trustees shall elect from among its members a Mayor and Mayor Pro Tem.

SECTION 1-4 Appointment Upon Vacancy

- A. Upon vacancy of an elected official, the governing body shall appoint, by a majority vote of the remaining members, a person to fill the vacancy for the completion of the balance of the unexpired term.

SECTION 1-5. Continuation After Expiration of Term

- A. Every officer who is elected or appointed for a definite term shall continue to serve thereafter until his successor is elected or appointed, unless his/her services are sooner terminated by the resignation, disqualification, removal, death, abolition of the position.

SECTION 1-6.

- A. Appointments and promotions in the service of this statutory town Board of Trustees government shall be made solely based on merit and fitness; and removals, demotions, suspensions, and layoffs shall be made solely for the good of service. The board by ordinance may establish a merit system and provide for its organization and functioning and provide for personnel administration and regulations of personnel matters. The Board of Trustees may remove for cause any appointive officer by a majority vote of its members.

ARTICLE 2. Conduct of Regular Board Meeting

SECTION 1-1. Date of board meeting shall be the second (2nd) Tuesday of every month; provided that if such day falls on a holiday, the regular meeting shall be held at the time and place on the next day which is not a holiday.

SECTION 1-2. Time of board meeting shall be at 6:30pm unless otherwise notified.

SECTION 1-3. Place of board meeting shall be the Grand Lake Towne storm shelter unless otherwise designated.

SECTION 1-4. Order of business.

A. The board shall attend to the business of the town in the following order, which may be modified by majority vote of the board.

1. Call to Order
2. Roll Call of the Board
3. Recognize Guest in Attendance
4. Mayor Welcome, Comments and Presentations
5. Previous Minutes, reading of the minutes of the last meeting.
6. Treasurer Report
7. Old or Unfinished Business
8. Committee Reports.
9. New Business
10. Adjournment

B. Board agendas will be prepared and posted prior to scheduled meetings, minutes from board meetings will be prepared and submitted for board approval at the meeting immediately following the subject meeting and posted within thirty days. All meeting minutes will be maintained indefinitely of public information.

ARTICLE 3. Positions and Duties

SECTION 1-1. Mayor

- A. The Board of Trustees shall elect from among its members a mayor. The mayor shall be elected in each odd-numbered year at the first Board of Trustees meeting held after the newly elected officials take office, or soon as thereafter as practicable. The mayor shall serve until his successor has been elected and qualified, unless such member dies, resigns, or is removed by the Board of Trustees.
- B. The Mayor shall preside at the meetings of the board and shall certify to the correct enrollment of all ordinances and resolutions passed by it. They shall be recognized as head of town government for all ceremonial purposes and shall have such other powers, duties and functions as may be prescribed by law or ordinance. The mayor shall have all the powers, rights, privileges, duties, and responsibilities of a trustee , including the right to vote on issues presented to the Board of Trustees. During the absence, disability or suspension of the mayor, the Mayor Pro Tem will serve as mayor. When a vacancy occurs in the office of the mayor, the board shall elect another mayor from its members to serve for the duration of the unexpired term.
- C. The Mayor of the Board of Trustees may also be referred to as “president of the board” or “chief executive officer”.
- D. The Mayor may be removed by a majority of the members of the Board of Trustees on a showing of good cause. The mayor shall have no vote in such proceeding.

SECTION 1-2. Mayor Pro Tem

- A. The Board of Trustees shall elect from among its members a Mayor Pro Tem. The mayor pro tem shall be elected in each odd-numbered year at the first Board of Trustees meeting held after the newly elected officials take office, or soon as thereafter as practicable. The mayor pro temp shall

serve until his successor has been elected and qualified, unless such member dies, resigns, or is removed by the Board of Trustees.

- B. The Mayor Pro Tem during the absence, disability, or suspension of the mayor, will serve as mayor with all rights and privileges afforded to that position.

SECTION 1-3. Trustee

- A. A Trustee shall be elected by the community in each odd-numbered year, prior to the expiration of term of service of another trustee.
- B. A Trustee will serve on the Board of Trustees and will consider, approve, deny, and vote on all matters presented to the Board of Trustees.
- C. A Trustee may be designated to serve in a supervisory role of various town personnel and activities. A trustee may be designated to lead named committees by the board and as such be designated appropriate title. Each such trustee or committee so designated shall be subordinate to the board.

SECTION 1-4. Town Treasurer/Treasurer

- A. Election. The Town Treasurer shall be elected by the qualified electors of the town, as stimulated in this chapter.
- B. Duties
 - a. The Town Treasurer shall deposit all town funds coming into their hands in depositories as required by law. Town funds may be disbursed only as provided by law Oklahoma Statutes, Title 11, Section 12-110.
 - b. The Town Treasurer shall deposit daily (not later than the immediate next banking day) all funds and moneys of whatsoever kind that shall come into the treasurer's possession by virtue of the office, in one (1) or more banks or trust companies that have been designated as

either state or county depositories or both, and the acceptance of any such deposit from any such treasurer shall be tantamount to adoption, in relation thereto, of the same privilege and conditions (other than collateral security) as are now provided by law in acceptance of designation as state or county depositories. Such treasurer shall use a depository or depositories the banks and trust companies within their governmental or municipal area, if available; but no deposit in any bank or trust company shall be made or accepted in excess of the sum set out in the effective statement or statements of the State Treasurer plus the amount or amounts insured by the Federal Deposit Insurance Corporation (FDIC) and plus any amounts secured by collateral securities pledged under the laws. For a period of any emergency, the treasurer may establish a depository or depositories under like conditions and limitations in a bank or banks outside of the town but within the State of Oklahoma. The county treasurer can be the official depository for the town treasurer during an emergency period.

- c. With approval of the town Board of Trustees, the Town Treasurer shall the authority to deposit surplus funds of the town in their custody in banks on a time deposit basis as the highest rate of interest obtainable for such time deposit.
- d. The Town Treasurer shall be furnished a Treasurer Bond in the minimum amount of \$1000.00, premium for which will be paid by the town.

SECTION 1-5. Town Clerk/Clerk

- A. Election. The Town Clerk shall be elected by the qualified electors of the town, as stipulated in this chapter.
- B. Duties
 - a. The Town Clerk shall have custody of the records, books, and papers of the Board of Trustees and shall keep minutes of its proceedings, as provided by Oklahoma Statutes, Title 11, Section 109.

- b. The Town Clerk shall collect or receive such revenue and other money for the town as the law or ordinances may provide and shall deposit it daily with the town treasurer. They shall keep proper records and accounts of all the financial transactions of their office.
- c. The Town Clerk shall countersign all warrants properly and legally drawn by the Mayor of the Board of Trustees or the Town Treasurer.
- d. The Town Clerk shall be available upon request to the Board of Trustees to provide all public records as required by the Oklahoma Open Records Act for inspection, copying and/or mechanical reproduction during regular business hours. The clerk will charge .25 cent per page for reproduction. For a definition of what records must be open to the public for review, see Oklahoma Statutes, Title 51, Section 24A.5.
- e. The Town Clerk shall hold an Oklahoma Certificate of Notary Public for the use and benefit of the town. Any cost or expenditures to become and or retain designation will be paid by the town.

SECTION 1-6. Committees

- A. Committees to assist Grand Lake Towne Trustees will be appointed by the Board of Trustees as needed or required. Each committee will have a chairperson responsible for the organization and execution of the committee, hold meetings as necessary, request funding as required and report regularly to the Board at regular board meeting.

Chapter 2.

Open Meetings

ARTICLE 1. Meetings to be Open.

SECTION 2-1. Previous Public Notice

- A. In accordance with Oklahoma Statutes, Title 25, Section 301-314, as amended, all meetings of the Town of Grand Lake Towne Board of Trustees shall be held at specified dates, times and places which are convenient to the public and shall be open to the public, except as hereinafter specifically provided.
- a. All meetings shall be preceded by advance public notice specifying the date, time, and place of each such meeting to be convened as well as the subject matter or matters to be considered at such meeting.
 - b. The Town of Grand Lake Towne encourages participation from all its citizens. To request time on an upcoming agenda for comment on an item, contact the Mayor or Town Clerk. The board of trustees reserves the right to limit and/or prohibit citizen comments on any topic or agenda item.

SECTION 2-2. Entities subject to Open Meeting Requirements

- A. Open public meeting requirements in this chapter shall apply to any subordinate entities sponsored into existence by the Grand Lake Towne Board of Trustees including any other public trust authorities established in the future, commissions, bureaus, boards, agencies, trusteeships, or councils.

SECTION 2-3. Entities not subject to Open Meeting Requirements

- A. A subordinate entity, such as those specified in Section 7.2 (A) above, which has no decision-making authority is not subject to the open meeting law.
- B. Open meeting requirements do not apply to meetings held by the administrative staff of the Town of Grand Lake Towne when staff are not meeting with the Board of Trustees.

ARTICLE 2. Definitions of Terms

SECTION 2-1 Definitions of “meeting”, “regularly scheduled meeting”, “special meeting”, “emergency meeting”, and “continued or reconvened meeting”; or as otherwise defined and authorized by the Oklahoma Open Meeting Act.

- A. “Meeting” means the conducting of business of the Town of Grand Lake Towne Board of Trustees by a majority of trustees being personally present, or as otherwise defined and authorized by the Oklahoma Open Meeting Act.
- B. “Regularly scheduled meeting” means a meeting at which the regular business of the public body is conducted, or as otherwise defined and authorized by the Oklahoma Open Meeting Act.
- C. “Special meeting” means any meeting of the Town of Grand Lake Towne Board of Trustees other than a regularly scheduled meeting or an emergency meeting, or as otherwise defined and authorized by the Oklahoma Open Meeting Act.
- D. “Emergency meeting” means any meeting called for the purpose of dealing with an emergency. An “emergency” is defined as a situation involving injury to persons injury and damage to public or personal property or immediate financial loss when the time requirement for public notice of a special meeting would make such procedure impractical and increase the likelihood of injury or damage or immediate financial loss, or as otherwise defined and authorized by the Oklahoma Open Meeting Act.

ARTICLE 3. Meeting Requirements and Gatherings

SECTION 2-1. Cameras and Recording Devices at Open Public Meetings

- A. Camera and recording devices may not be barred from meetings subject to open meeting requirements.

SECTION 2-2. Meeting Separately to Obtain Signatures

- A. A member of the Board of Trustees may not lawfully meet separately with other trustees to obtain signatures or agreement of a majority to take action that would otherwise require a consideration or agreement and vote at an open meeting.

SECTION 2-3. Informal Gatherings

- A. Informal gatherings among a majority of the trustees to decide on a cause of action or to vote on any manner is prohibited.

SECTION 2-4. Public Votes

- A. In all meetings of the Board of Trustees, the vote of each trustee must be publicly cast and recorded.

SECTION 2-5. Informal or Electronic Communications

- A. No informal gatherings or any electronic communications among a majority of the Town of Grand Lake Towne Board of Trustees shall be used to decide any action or to take any vote on any matter. Nothing in this section shall prohibit the use of electronic, telephonic, or video conferencing were authorized by the Open Meetings Act of the Oklahoma Statutes.

ARTICLE 4. Executive Session.

SECTION 2-1. Executive Sessions Limited

- A. The Town of Grand Lake Towne Board of Trustees shall not hold executive session unless specifically provided for in Oklahoma Statutes, Title 25, Section 307.
- B. Executive sessions can be held for the purpose of discussing the employment, hiring, appointment, promotion, demotion, disciplining, or resignation of any individual salaried public officer or employer. Provided, however that any vote or action thereon must be taken in public meeting with the vote of each trustee publicly cast and recorded.
- C. Executive sessions may be held for confidential communications between the Town of Grand Lake Towne Board of Trustees and its attorney, but only if communications concern a pending investigation, claim or action and disclosure of the matters discussed would seriously impair the ability of the board to process the claim or conduct a pending investigation, litigation or proceeding in the public interest. The Board of Trustees, with the advice of the attorney, would determine whether it would be proper to hold executive sessions for these reasons. However, any vote or action taken in an executive session must be in a public meeting with the vote of each trustee publicly cast and recorded.
- D. No executive session shall occur except on a vote by a majority of a quorum of the trustees present.

SECTION 2-2. Executive Session Inclusion on Agenda

- A. All matters to be discussed by the Board of Trustees at a meeting must be listed on the agenda for the meeting, including a proposal for an executive session.
- B. The proposal for an executive session carried on the agenda for a meeting of the Board of Trustees must contain sufficient information to advise the

public that an executive session will be proposed, identify what matters are proposed to be discussed in the executive session and state specifically the provisions of Oklahoma Statutes, Title 25, Section 307 authorizing executive session.

ARTICLE 5. Meetings with the Governor.

SECTION 2-1. Application to Meetings with the Governor

- A. Any meeting between the Governor and a majority of the Board of Trustees shall be open to the public and subject to all other provisions of this article.

ARTICLE 6. Public Notices

SECTION 2-1. Public Notice Procedures; Special Meetings; Emergency Meetings

- A. All regularly scheduled, continued, or reconvened, special or emergency meetings of the Board of Trustees shall be preceded by public notice as follows:
 - a. The Board of Trustees shall give notice in writing by December 15th of each calendar year of the schedule showing the date, time, and place of the regularly scheduled meetings of the Board of Trustees for the upcoming calendar year.
 - b. Board of Trustees shall provide such notice to the Town Clerk.
 - c. The Town Clerk shall keep a record of all notices received in a register open to the public for inspection during regular office hours, and in addition shall make known upon any request of any person the contents of said register.
 - d. If any change is to be made of the date, time, or place of a regularly scheduled meeting of public bodies, then notice in writing shall be

given to the Town Clerk not less than ten (10) days prior to the implementation of any change.

- e. In addition to the advance public notice in writing required to be filed for regularly scheduled meetings, the Board of Trustees shall, at least twenty-four (24) hours prior to such meetings, display public notice of said meeting, setting forth thereon the date, time, place and agenda for said meeting, such twenty-four (24) hours prior public posting shall exclude Saturdays and Sundays and legally dedicated holidays declared by the State of Oklahoma. The posting of an agenda shall not preclude the Board of Trustees from considering at its regularly scheduled meeting any new business. Such public notice shall be posted in prominent public view at the principal office of the Board of Trustees or at a location of the meeting in the event no office exists. "New Business", as used herein, shall mean any matter not known about or which could not have been reasonably foreseen prior to the time of posting.
- f. In the event any meeting is to be continued or reconvened, public notice of such action, including date, time, and place of the continued meeting, shall be given by announcement at the original meeting. Only matters appearing on the agenda of the meeting which is continued may be discussed at the continued or reconvened meeting.
- g. Special meetings of the Board of Trustees shall not be held without public notice being given at least forty-eight (48) hours prior to the meeting. Such public notice of date, time and place shall be given in writing, in person or by telephonic means to the Towne Clerk by the Board of Trustees. In addition, the Board of Trustees shall, at least twenty-four (24) hours prior to such meeting, display public notice of said meeting setting forth the date, time, place, and agenda for the meeting. Only matters appearing on the posted agenda may be considered at said special meeting. Such public notice shall be posted in prominent public view at the principal office of the Board of Trustees or at a location of the meeting if no office exists, twenty-four (24) hour prior public notice shall exclude Saturdays, Sundays and holidays legally declared by the State of Oklahoma.

- h. In the event of an emergency, an emergency meeting of the Board of Trustees may be held without public notice heretofore required. Should an emergency meeting of the Board of Trustees be necessary, the person calling such meeting shall give so much advance public notice as is reasonable and possible under the circumstances existing, in person or by telephonic or electronic means.
- i. Agendas for meetings must be worded in plain language, directly stating the purpose of the meeting, to give the public actual notice. The language used should be simple, direct, and comprehensive to a person of ordinary education and intelligence.

ARTICLE 7. Written Minutes

SECTION 2-1. Written Minutes Required

- A. The Town Clerk shall keep written minutes which shall be an official summary of the proceedings of the board showing clearly those trustees present and absent, all matters considered by the Board of Trustees, and all actions taken by the Board of Trustees. The minutes of each meeting shall be open to public inspection and shall reflect the manner and time of notice required by this chapter.
- B. In the written minutes of an emergency meeting, the nature of the emergency and the proceedings occurring at such meeting, including reasons for declaring such emergency meeting, shall be included.

ARTICLE 7. Penalty

SECTION 2-1. Violation Makes Actions Invalid

- A. Any action taken in willful violation of this article shall be invalid.

Chapter 3.

Finance and Fiscal Business

Article 1. Budget

SECTION 3-1. Statements of Condition and Needs; Appropriations

- A. The Board of Trustees shall meet on the second Tuesday of July every year at 6:30pm (1830hrs), unless it sets another hour of that day for the meeting; and shall make in writing a financial statement showing the true fiscal conditions of the town as of the close of the fiscal year on June 30th, an itemized statement of estimated needs and probable income sources other than ad valorem tax for the current fiscal year. Statements shall be made as provided by Oklahoma Statutes, Title 68, Section 3002, and any other applicable provisions of law; and shall be filed with the county excise board on or before October 1st. Said statements shall be published as required by law.
- B. The County Excise Board will then make appropriations for the town as provided by law.
- C. Supplemental appropriations may be made as provided by Oklahoma Statue, Title 68, Section 3021, and any other applicable provisions of law.

SECTION 3-2. Transfer of Appropriation Balances.

- A. Unencumbered appropriation balances of items of less immediately urgent need, or any part thereof, may be transferred to other items of appropriation to meet more immediately urgent needs, by the governing body, upon written request from the department head needing the additional or supplemental appropriation.

- B. The Town Treasurer of the Board of Trustees shall notify in writing the clerk for the County Excise Board of the changes and shall also notify the head of each department affected of the action, and they shall adjust their accounts accordingly.
- C. In a municipality, the actions and consent of the respective department heads or officers provided in this chapter may be by persons designated by the governing body as provided by Oklahoma Statue, Title 62, Sections 461-463.

ARTICLE 2. Funding and Accounting Generally

SECTION 3-1. Funding and Accounting Generally

- A. The revenues and other resources of the town shall be divided into funds as provided by Oklahoma Statue, Title 62, Section 331, and other applicable provisions of the law; and accounted for as provided thereby.
- B. The town will maintain, in a separate account, a reserve emergency fund of not less than ten thousand dollars (\$10,000.00) of primary balance. The Board of Trustees can utilize interest received on this fund for the purpose of supporting the “general fund” or “street fund” with approval by appropriate vote.

SECTION 3-2. Sinking Fund; Handling, Deposit, Investment, etc.

- A. It shall be the duty of the Board of Trustees and the Town Treasurer to handle, deposit, invest, and use the money in the sinking fund of the town in the manner provided by Oklahoma Statue, Title 62, Sections 431-451, and any other applicable provisions of the law.
- B. The Town Treasurer shall deposit daily all uninvested sinking fund money in their possession in the banks provided by law.

ARTICLE 3. Deposit of Funds

SECTION 3-1. Deposit of Funds; Security

- A. The treasurer shall deposit daily (not later than the immediately next banking day) all funds and moneys of whatsoever kind that shall come into the treasurer's possession by virtue of the office, in one (1) or more banks or trust companies that have been designated as either state or county depositories or both, and the acceptance of any such deposit from any such treasurer shall be tantamount to adoption, in relation thereto, of the same privileges and conditions (other than collateral security) as are now provided by law in acceptance of designation as state or county depositories. Such treasurer shall use a depository or depositories the banks and trust companies within his/her governmental or municipal area if available; but no deposit in any bank or trust company shall be made or accepted in excess of the sum set out in the effective statement or statements of the State Treasurer plus the amount or amounts insured by the Federal Deposit Insurance Corporation (FDIC) and plus any amounts secured by collateral securities pledged under the laws.
- a. For the period of any emergency, the treasurer may establish a depository or depositories under like conditions and limitations in a bank or banks outside of the town but within the State of Oklahoma. The County Treasurer can be the official depository for the Town Treasurer during an emergency period.

ARTICLE 4. Examination and Audit of Books and Records

SECTION 3-1. Financial Books and Records; Examination and Audit

- A. The books of the Town Treasurer shall be always subject to examination by the Board of Trustees, as provided by Oklahoma Statue, Title 11, Section 12-106.
- B. Likewise, the records of the Town Clerk and of all officers and employees of the town, shall be always subject to inspection by the Board of Trustees.
- C. The Board of Trustees shall designate a qualified public accountant to audit the financial records and transactions of the Town Treasurer, the Town Clerk, and all other personnel of the town who keep financial records and make financial transactions, as of the end of every fiscal year at least, and such accountant shall make such audit and shall report to the Board of Trustees.
- D. Upon petition of several voters of the town equal, at least one-fourth (1/4) of the number of people voting at the last general election for the town; the financial books and records of the town will be audited by the State Examiner and Inspector as provided by Oklahoma Statue, Title 74, Sections 212 and 215.

ARTICLE 5. Competitive Bidding General and Definitions

SECTION 3-1. Citation and Condition

- A. This ordinance shall be known as the “Town of Grand Lake Towne Competitive Bidding Ordinance” and shall be codified within Chapter 3 of this code.
- B. All applicable State and County competitive bidding laws and regulations will apply; Grand Lake Towne will follow the “The Public Competitive Bidding Act of 1974” dated November 1, 2021; as such are hereby adopted by reference and made a part of these ordinances.

ARTICLE 6. Annual Assessments

SECTION 3-1. Annual Street Assessment; Procedure

- A. Creation of Lien. Grantor hereby covenants and each owner by acceptance of a deed thereto, whether it shall be expressed in such deed, is deemed to covenant, and agree to pay to Grand Lake Towne a “street assessment” as established by Grand Lake Towne in accordance with this article.
- B. Use of “street assessment”- all funds collected shall be deposited in a street fund to be utilized solely for the repair, maintenance and preservation of the streets and street easements located within the limits of Grand Lake Towne.
- C. Assessment. The “street assessment” shall be in the amount of one hundred (\$100.00) per home per annum. This assessment shall take effect on July 1, 2010, and become due and payable at that time and each year thereafter until rescinded or modified by the Board of Trustees. This assessment shall be levied on existing homes and future homes located within the geographical areas (plotted or unplotted) of Grand Lake Towne. Unimproved lots will not be subject to this assessment.
- D. Due date a late charge – each assessment made by the Board of Trustees shall be due August 1st after notice is provided to the Homeowner by the Town Treasurer. If the assessment is not paid within thirty (30) calendar days after it is due, the Homeowner will be required to pay a late fee/charge of twenty-five dollars (\$25.00) per month thereafter until the total amount of assessment and late charges are satisfied.
- E. Unpaid Assessments as Liens – The amount of any delinquent assessment, including without limitation, all penalties and fees and other charges designated as “street assessment” in this chapter, assessed against any property and the costs of collecting the same, including reasonable attorney fees, shall be lien upon said home and the land upon which the home is located, as the case by be. Such lien shall be prior to any declaration of

homestead. Such lien by be foreclosed in the same manner as is provided in the laws of Oklahoma for the foreclosure of mortgages on real property.

SECTION 3-2. Annual General Assessment; Procedure

- A. Creation of Lien. Grantor hereby covenants and each owner by acceptance of a deed thereto, whether it shall be expressed in such deed, is deemed to covenant, and agree to pay to Grand Lake Towne a “general assessment” as established by Grand Lake Towne in accordance with this article.
- B. Use of “general assessment”- all funds collected shall be deposited in a general operating fund to be utilized solely for the expenses related to Grand Lake Towne. These expenses not all inclusive, included utility cost of streetlamps, maintenance and utility cost for the storm shelter, general business expense, etc.
- C. Assessment. The “general assessment” shall be in the amount of (fifty) \$50.00 per home per annum. This assessment shall take effect on July 1, 2010, and become due and payable at that time and each year thereafter until rescinded or modified by the Board of Trustees. This assessment shall be levied on existing homes and future homes located within the geographical areas (plotted or unplotted) of Grand Lake Towne. Unimproved lots will not be subject to this assessment.
- D. Due date a late charge – each assessment made by the Board of Trustees shall be due August 1st after notice is provided to the Homeowner by the Town Treasurer. If the assessment is not paid within thirty (30) calendar days after it is due, the Homeowner will be required to pay a late fee/charge of twenty-five dollars (\$25.00) per month thereafter until the total amount of assessment and late charges are satisfied.
- E. Unpaid Assessments as Liens – The amount of any delinquent assessment, including without limitation, all penalties and fees and other charges designated as “street assessment” in this chapter, assessed against any property and the costs of collecting the same, including reasonable attorney

fees, shall be lien upon said home and the land upon which the home is located, as the case by be. Such lien shall be prior to any declaration of homestead. Such lien by be foreclosed in the same manner as is provided in the laws of Oklahoma for the foreclosure of mortgages on real property.

ARTICLE 7. Penalty

SECTION 3-1. Penalty excluding Article 6 of this Chapter.

- A. Any person, firm or corporation who shall violate any of the provisions of this chapter or fails to comply with any of the requirements hereof shall be guilty of an offense and upon conviction shall be punished by fine and costs of not more than two hundred fifty (\$250.00) dollars. Each day such violation shall be permitted to exist or continue shall constitute a separate offense.

Chapter 4.

Building Committee, Building Permit Procedure, Construction Requirements and Use of Property

ARTICLE 1. Establish a Building Committee

SECTION 4-1. Building Committee Policy

- A. The Board of Trustees has established a “building policy and committee” for the review, approval, and issuance of all building permits on all new construction and/or “add-on” construction under the existing guidelines of this chapter; as to advise the Board of Trustees as the status of any “building permit.”
- B. It is the Building Committees responsibility as an agent committee of the Board of Trustees to ensure that building construction, and use of property within the plotted or unplotted area of Grand Lake Towne are maintained under the intended use of single-family residences.
- C. It is the policy of this committee to issue and approve building permits for all new construction and/or “add-on” construction meets established requirements with this chapter and advise the Board of Trustee as to any issues, concerns, questions, or status of any building permit.

SECTION 4-2. Building Committee Procedure

- A. The Board of Trustees shall appoint a current elected trustee to serve as the Building Committee Chairman.
 - a. The board shall review the Building Committee membership the first board meeting in May of each odd-numbered year.
 - b. During the review the board may replace Building Committee members as deemed necessary.

- c. Appoint a new member to the Building Committee as vacancies occur or changes in membership are desired.

- B. The Building Committee shall consist of five (5) members, the Chairman and four (4) residents; of which three (3) members concurrence will be required for approval of a building permit. At any time, the members cannot concur or are unevenly split as to the status of the requested building permit, the Chairman will present the permit, issues, and concerns to the Board of Trustees for approval or disapproval of the permit.

- C. The Building Committee shall provide to town property owners building permit forms and completion instructions to obtain consideration for approval of the building permit.

- D. Upon receipt of a building permit, the Building Committee Chairperson will review for completion and notify and meet with the building committee members to review and inspect property and plans within the permit.

- E. The Building Committee Chairman will have thirty (30) days to review and act upon any building permit and notify property owner of the committee decision for said permit. The Committee Chairperson will indicate “approved” or “denied” on the requested permit. NOTE: denial of permit will require and explanation of the form and a referral to the Board of Trustees for review, a copy of which will be provided to the requestor.

ARTICLE 2. Building Permit Procedure

SECTION 4-1. Property Owner Action

- A. Request a Building Permit form from any Building Committee member. A building permit is required for the construction and “addon” of single-family homes, detached buildings, and other permanent construction.

- B. Complete the information on the Building Permit and include a plat, drawn to scale, that represents the “footprint” of the construction as it will appear on your lot(s).
- a. Provide the perimeter measurements of the lot(s) where the construction will occur and the outside measurements of the construction.
 - b. Refer to the property plat and design of your proposed construction so that no building, including “over-hang” or fence will extend beyond the “front building limit line”. The “front building limit line” is twenty-five (25’) feet back from the front of the lot as indicated on the plat. Corner lots have a fifteen (15’) feet “limit line” on both sides of the lot as indicated on the plat.
 - c. Verify that any construction, including “over-hang” and septic, will not involve the designated “Easement Reserve”. Easement reserve is “along and within ten (10’) feet of the front and back property lines and along and within five (5’) feet of the side lines of the lot(s)” as indicated on the plat. When two (2) lots owned by the same person are utilized for the construction of a single-family residence, the side easement between the two (2) lots is not enforced.
 - d. Verify that planned fences will not obstruct the view of other residences (homeowners’). Fences may be placed on the back and side boundary lines with adjoining property owner’s mutual agreement. If the adjoining property owner is not in agreement, the fence must be wholly on the fencing owner’s property.
 - e. Property owner requesting building permit prior to submission to the building committee, locate and mark your property boundary lines so the building committee can readily inspect the building site.
 - f. Property owner should refer to ARTICLE 1, Section 4-2. Building Committee Procedures, C, D and E above for next steps.

ARTICLE 3. Building Construction Requirements

SECTION 4-1. Utility Service

- A. **Electrical/Gas/Propane/Cable Television/Wi-Fi/Internet or any additional service not listed** is not provided or offered by Grand Lake Towne, owner to which this utility service is provided has total responsibility to pay for and maintain said service with a local provider.
- B. **Septic/Sewer.** Modern plumbing facilities shall be used within the town and all toilets, baths, sinks, lavatories, and inside drains shall be connected to a septic tank which shall comply with State and County Health Department regulations.
- C. **Water** service to all property within Grand Lake Towne will be provided by Ketchum Public Works Authority, Ketchum, Oklahoma, owner to which water service is provided has total responsibility to pay for and maintain said water service. No owner of any plot may drill for water or extract water from such plot by any other means.
- D. **Refuse/Trash** service to all property within Grand Lake Towne will be provided by contract from a local provider to all residents; however, homeowner to which this service is provided has total responsibility to pay for and maintain said service under the contract agreement negotiated by the service provider by the Board of Trustees.

SECTION 4-2. General

- A. No outbuilding detached garage/shop or similar structure shall exceed one (1) story in height and in no case shall it go higher than the house to which it is appurtenant. Approved construction of an outbuilding, detached garage/shop or similar structure located along the front building line of a lot must mirror, conform, or reflect the materials of the front elevation of the front of the home to which it is appurtenant. Construction of said

outbuilding/storage will require approval via the completion of a building permit.

- B. There shall not be permitted any boat dock, boat house, wharf, bait stand, or any other protrusion into the lake or water.
- C. Upon the commencement of excavation for the construction of a house or structure on any plot, the work must be continuous, weather permitting, until same is completed. No delay during construction within a period of twelve (12) months from the date the same is started will be permitted unless further extension of time for the completion of same is given by the Board of Trustees in writing. No garage, basement, uncompleted structure, or outbuilding shall ever be used as living quarters. No outside privy shall be permitted at any time; however, a portable and serviceable “Porta Potty” portable restroom will be required for a period of not more than thirty (30) days prior to the start of construction and thirty (30) days preceding completion of construction; which will be used solely for construction purposes only, cost of which will be responsibility of the property owner.

ARTICLE 4. Use of Property (Plotted/Platted/Unplotted/Unplatted)

SECTION 4-1. Property Use – Sole Purpose

- A. As defined by these ordinances the primary and sole purpose of lots, parcels either plotted/platted or unplotted/unplatted is for the construction and residency of a detached single-family residence. No building, outbuilding, mailbox, fence, wall, or other structure shall be erected, placed, or altered on any building plot/plat in this subdivision until the building plans, specifications, grading, and plot/plat plan showing the location of such building or structure have been submitted to and approved in writing by the building committee as outlined within this chapter. In passing on such plans the committee shall take into consideration the suitability, conformity, harmony, exterior design including materials of the proposed building or other structures compared with and to the site, topography, existing tree locations, and ground elevations upon which the proposed structure is to

be erected with the surroundings and the effect thereof with the adjacent or neighboring property in the town. The committee's decision shall be final except the applicant may appeal any ruling or action of the committee de novo and obtain relief as provided by statute in such cases as made and provided.

SECTION 4-2. Property Use – Business

- A. No business, defined as an institution organized and operated as a sole proprietorship, partnership, or corporation to provide goods and services to society under the incentive of private gain, shall be operated from the residence nor the lot to which the resident resides, nor shall any business be approved for its sole purpose upon plotted/platted or unplotted/unplatted land within the town. Property owner(s) may utilize within the residence a small home office to conduct business outside the residence. No noxious or offensive business, trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become nuisance or annoyance to the area.

SECTION 4-3. Property Use – General

- A. No permanent structure, detached garage, storage building, car port etc. shall be moved or built on to any lot without building committee approval. No motorcoach, recreational vehicle, travel trailer of any size, mobile home, modular home, tiny home (less than 1,100sqft) shall be stowed or kept on property for the purpose of residency. Power water sports equipment which includes boats (powered) and personal watercraft and trailers, or similar items may be stowed on a temporary basis if the property surrounding such is continuously maintained.
- B. At no time and without exception will stow motorcoach, recreational vehicle, travel trailer, tent, etc. on lot be utilized for "overnight" use without prior approval by the board and not to exceed a duration of five (5) consecutive nights and no more than fifteen (15) nights within a sixty (60) day period.

C. At no time and without exception shall camping or other overnight use of any sort be allowed on any unimproved property within Grand Lake Towne; owned property to which no improvements have been made are restricted from any overnight use of said property.

Chapter 5.

Vacation Rental

ARTICLE 1. Vacation Rental/Short-Term Rentals

SECTION 5-1. General Intent

- A. Grand Lake Towne is recognized as a peaceful single-family residential community (incorporated town of Mayes County, Oklahoma), whose location fosters home ownership, for full-time and part-time residency. Grand Lake Towne by location welcomes its opportunity to serve as a vacation location on beautiful Grand Lake of the Cherokees; however, permitting of “vacation rental/short-term rentals” of this chapter will be limited to a maximum of ten (10) homes within Grand Lake Towne.
- B. Grand Lake Towne accepts no responsibility or liability for property loss, personal injury or otherwise for the decisions and operations of “vacation rental/short term rentals” and additionally Grand Lake Towne will be held harmless for any legal actions, insurance claims, personal liability or otherwise for actions brought about by “vacation rental/short term rental” agreements.
- C. State of Oklahoma, County of Mayes County, laws, statutes, regulations, and requirements; as well the Grand Lake Towne Code of Ordinance will be applicable to all property owners, occupant(s), and guest(s).

SECTION 5-2. Definition

- A. Vacation rental/short-term rental refers to the “owner(s)” agreeing to rent out all or part of a home to another party on a temporary and/or limited time basis. For the propose of this ordinance, vacation rental short-term property applies to all property located on a plat or unplatted lot utilized on a temporary rental basis, (less than thirty (30) consecutive days) to tenants for an established rate or fee, i.e.

Vacation Rental Homes (VRH), Air Bed and Breakfast (Airbnb,/ARNB), Bed and Breakfast (BnB) or Vacation Rental by Owner (Vrbo). The property is typically fully furnished and is designed for residential use.

SECTION 5-3. Application for “Special Use Permit” and Process

- A. The purpose of a “Special Use Permit” is to ensure and regulate the use of property to prevent negative impacts to our community and to inform adjacent homeowners of the intent of use.
- B. The property owner will submit a written request (Special Use Application) no later than thirty (30) days prior to a regular scheduled board meeting, to the Town Clerk requesting a “Special Use Permit.”
- C. The town will make available an application but in absence of such, a written notice will contain the following.
 - a. Name, permanent address, and telephone number of property owner.
 - b. 24/7 emergency contact information, which will include name and contact phone number of the primary and responsible party (property owner or otherwise).
 - c. Physical address within Grand Lake Towne of the property to be utilized.
 - d. Name of leasing service agency, management company, etc. if applicable and advertising locations, web address, etc. to which the property is listed for rental.

SECTION 5-4. Board Review

- A. Upon receipt the Town Clerk will prepare the agenda item for the next scheduled board meeting.
- B. The property owner will be notified of the board agenda item and subsequent board discussion. Note: The property owner requesting permit

must be available during the scheduled board meeting and be prepared to address questions from the board and adjacent property owner(s) as required.

- C. Upon approval from the board (requires a majority vote of the quorum), the property owner will provide a one-time payment by check in the amount of \$250.00 for the “Special Use Permit”. Note: This fee is in addition to regular annual assessment fees imposed by the board.

SECTION 5-5. Non-Transferable.

- A. Once a “Special Use Permit” is approved, it shall continue if the property owner does not change, and that the property owner and tenants abide by the requirements of the board or special conditions imposed by the board and this Code of Ordinances. A change in property ownership will require a new application and payment of established fees; and is subject to permit availability.

SECTION 5-6. Revocation

- A. The board retains the authority to revoke the “Special Use Permit” at any time for violations of this article. This will occur at the first available board meeting. After notification of all parties the board will present evidence of revocation and allow the property owner time to show cause as to why the permit should not be revoked. Failure to appear by the property owner or failure to show good cause as to why the board should not revoke, the permit shall be revoked, and the property must immediately cease usage as originally set out in the Special Use Permit. Failure to do so will be considered a violation of the Code of Ordinance and is subject to a fine of \$750.00 for each occurrence.

SECTION 5-7. Fees

- A. A special permit Fee of \$250.00 shall be immediately submitted to the Town Treasurer upon approval of permit. A permit renewal fee of \$100.00 is due

and payable no later than thirty days after initial approval, by which establishes the annual renewal date.

B. The permit and fees are non-transferable.

SECTION 5-8. Standard Conditions

A. Use of Property – The use of the vacation rental home is limited to lodging of occupant(s) and guest(s); any other uses including commercial activities are prohibited.

B. Homeowners Insurance specifically, liability insurance coverage (the coverage required to protect others property and person), is required, at a minimum of five hundred thousand (\$500,000.00) dollars or an umbrella policy with coverage of not less than one million (\$1,000,000.00) dollars.

C. Occupancy - Maximum overnight occupancy should not exceed two (2) persons per bedroom, plus four (4) additional persons per residence, excluding children under the age of five (5) years of age or younger.

D. Parking

a. A standardized parking “Special Use Permit” pass will be established to identify vehicles that are visitors to our town and are authorized by the property owner to be on the property. NOTE: This is a reserved right of the board to implement later as needed or required.

b. All vehicle parking shall be on-site, unless otherwise approved.

c. Vehicle parking on the grass or in the yard is prohibited.

d. On-street parking of vehicles, boat/watercraft trailers or any other types of trailers is prohibited.

E. Noise – Occupant(s) and guest(s) must be informed and fully aware of the requirements within our Code of Ordinance and shall not willfully or maliciously disturb, day or night, the peace and quiet of our community by unusual or loud noise.

- F. Animals - Occupants and guest(s) must follow without exception the Code of Ordinance concerning animals.

- G. Use of Boat Docks and Swim Dock – Boat docks and swim dock are not owned by Grand Lake Towne; they are provided as a curiosity to the town for use and rent. As such, use of these docks is a privilege and not a right; no guarantee of usage is provided under this “Special Use Permit” ordinance.

- H. Refuse/Trash - Occupants and guest(s) must be aware of standards of trash service within the community; property owners must ensure sufficient trash containers to securely keep all trash/refuse created by occupants or guest clean and free from accumulation.

- I. At no time during a rental period, without exception, shall “camping” of any sort be allowed on any property being utilized for Vacation Rental/Short Term Rentals within Grand Lake Towne.

Chapter 6.

Nuisances

ARTICLE 1. Adoption and General Reference

SECTION 6-1. General

- A. The Board of Trustees recognizes, adopts, and refers to Oklahoma Statute, Title 50 for law relating to nuisances.

ARTICLE 2. Definition

SECTION 6-1. Nuisance, Public Nuisance, Private Nuisance Defined

- A. A nuisance is unlawfully doing an act, or omitting to perform a duty, or is anything or condition which either:
 - a. Annoys, injures, or endangers the comfort, repose, health, or safety of others.
 - b. Offends decency.
 - c. Unlawful interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake or navigable river, stream, canal or basin, or any public park, square, street, or other public property.
 - d. In any way renders other persons insecure in life or in the use of property.
- B. A public nuisance is one which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon the individuals may be unequal.
- C. Every nuisance not included in subsection (B) above is a private nuisance.

SECTION 6-2. Responsible Person

- A. 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 one who first created it.

SECTION 6-3.

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

ARTICLE 3. Abatement of Trash, Refuse and Rubbish

SECTION 6-1. Trash, Refuse and Rubbish Definition

- A. As used in this article, the words of “trash, refuse and rubbish” extends to the widest sense of those terms and includes, but without limitation upon any other meaning, refuse, litter, ashes, leaves, debris, paper, combustible materials, offal, rubbish, waste of any kind or form which is uncared for, discarded, or abandoned.

SECTION 6-2. Legislative Intent

- A. It is hereby declared the legislative intent of the Board of Trustees to conform hereby to the provisions of Oklahoma Statute, Title 11, Section 22-111, and hereby to repeal all ordinances of this town in conflicted herewith.

SECTION 6-3. Report to be Made.

- A. Any officer or employee of this town who discovers or has been reported to, an accumulation of trash or growth of grass and weeds, or both conditions, upon any premises within the limits of the town by reason of which such premises appear to them to be.

- a. Detrimental to the health, benefit, and welfare of the public and the community
 - b. A hazard to traffic, property, or person
 - c. A fire hazard to the danger of property
 - d. Property which harbors or appears to harbor rodents and/or wild animals.
- B. A report of findings for (A) above, to report such conditions will be made to the Town Clerk.

ARTICLE 4. Action by the Board of Trustees

SECTION 6-1. Notice and Hearing

- A. Upon receiving the report prescribed in ARTICLE 3, SECTION 6-3 above, or upon receipt of equivalent information from any reliable source, the Town Clerk shall place upon the next available agenda of the Board of Trustees for hearing and consideration at an appropriate date of meeting thereof, such as will permit giving notices prescribed by statutory law and this article, the question whether such premises, by reason of the condition specified, are detrimental to the health, benefit, and welfare of the public and community, or a hazard to traffic, or fire hazard to the danger of property, or any two (2) or more of such results in combination.
- B. Forthwith, and at least ten (10) days prior to the hearing, the Board of Trustees shall give written notice of such hearing by posting, upon the premises and by forwarding a copy therefore by certified mail with return receipt requested to the owner of such property at the address shown by the current year's assessment rolls in the office of the Town Treasurer and/or the current year's tax rolls in the office of the treasurer of the county in which such property is located. However, if the property owner cannot be located as shown by the return receipt, notice may be given by publication, as defined in Oklahoma State Statute, Title 11, Section 1-102, one time not less

than ten (10) days prior to any hearing or action by the Board of Trustees.

- C. Upon the date specified in such notice, the Board of Trustees shall hear the matter and shall receive the information thereon, including anything which may be presented by the owner of the premises, personally or by agent or attorney. If it determines that the conditions specified in this article exist upon such premises, it shall order the property to be cleaned of the nuisances by the necessary work need to abate the condition found to exist.
- D. The owner of such property may give their notice and written consent to the Board of Trustees, authorizing the board to take the appropriate action to abate the nuisance. By giving such written consent, the owner waives their right to a hearing by the governing body of the town, the Board of Trustees.

SECTION 6-2. Actions to Abate Nuisance

- A. The work ordered to be performed under SECTION 6-3 hereof may be done by the employees of the town under supervision of a trustee or it may be let by contract to the lowest and best bidder, after appropriate notice, in the manner for letting other contracts by public bid. The agents of the town are hereby granted the right of entry of such property for the performance of the necessary duties as a governmental function of the town.

SECTION 6-3. Service of Notice

- A. The service of all notices prescribed by this article shall be evidenced by the return of the officer making such service, certified in their official capacity, and filed in the office of the Town Clerk.

SECTION 6-4. Cost and Recovery of Cost

- A. Upon the completion of the work ordered to be performed under SECTION 6-3 hereof, the designated employee shall report the cost

thereof to the Board of Trustees. Such report shall be itemized as to each tract as follows: labor, machinery rental or depreciation, fuel and supplies, cost of notice and other costs, The Board of Trustees shall examine the report and after receiving appropriate information shall determine the actual total cost of the work, and shall direct the Town Clerk to forward a statement and demand payment thereof by certified mail with return receipt requested to the owner of the property at the address shown by the current year's assessment rolls in the office of the Town Treasurer and/or the current year's tax rolls in the office of the treasurer of the county in which such property is located. If the cleaning and mowing is done by the town, then cost to property owner shall not exceed the actual cost of the labor, maintenance and equipment required.

SECTION 6-5. Failure to Pay Cost

- A. If the cost of the work performed under this article are not paid within thirty (30) days from the date of mailing the notice prescribed by SECTION 6-3 hereof, the Town Clerk shall forward a certified statement of the amount of such costs to the County Treasurer of the County in which the property upon which the work was done is located, to be levied upon the property and to be collected by the County Treasurer in the manner prescribed by the law of the State of Oklahoma such cost and the interest thereon shall be a lien against the property from the date the cost is certified to the County Treasurer, 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 such property and such liens shall continue until such cost shall be fully paid.

ARTICLE 5. Public Health Nuisances

SECTION 6-1. Abatement of Health Nuisances

- A. Pursuant to authority granted by Oklahoma State Statue, Title 63, the health officer shall have the authority to order the owner or occupant.

of any private premises in the town to remove from such premises, at their own 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, within twenty-four (24) hours, or within such other time as may be reasonable, and a failure to do so shall constitute an offense, Such order shall be in writing and may be served personally to the owner or occupant of the premises, or authorized agent thereof, by the health officer or by a policeman, or a copy thereof may be left at the last usual place of abode of the owner, occupant, or agent, if known and within the State. If the premises are unoccupied and the residence of the owner, occupant, or agent is unknown, or is without the State, the order may be served by posting a copy thereof on the premises, or by publication in at least one issue of a newspaper having a general circulation in the town.

ARTICLE 6. Procedure Cumulative

SECTION 6-1. Procedure Cumulative

- A. The various procedures for abating nuisances prescribed by this chapter and by other provisions of law and ordinance shall be cumulative one to the other; and the town may elect to follow any such procedure which is applicable in abating any nuisance.

ARTICLE 7. Penalty

SECTION 6-1.

- A. Any person who violates any provision off this chapter, by doing any act prohibited or 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, or who fails to do any act when such provision declares such failure to be unlawful or to be an offense or misdemeanor, or who violates any legal order or regulation made pursuant to this chapter, is guilty of an offense, and upon conviction thereof, shall be punished by a fine up to two hundred (\$200.00) dollars plus costs. Each day upon which any such violation continues shall constitute a separate offense.

Chapter 7.

Animals

ARTICLE 1. Definitions

SECTION 7-1. Definitions

- A. The following word and phrases when used in this article shall have the meanings prescribed in this section except in those cases where the context clearly indicates a different meaning.
- a. “At Large” - means not securely confined by a fence or other means on premises under control of, or occupied by, the owner and not under the control of the owner or an agent of the owner by leash or otherwise, whether on the owner’s premises or not.
 - b. “Owner” – means any person, firm or corporation owning, harboring, or keeping an animal. The occupant of any premises on which a domesticated or tamed animal remains, or to which it customarily returns for a period of ten (10) days or more, shall be deemed to be harboring or keeping the animal.
 - c. “Vicious or Aggressive Dog/Cat” – means a dog which has bitten or attempted to bite, any person without undue provocation, or which attacks, or barks, or growls at and acts as if it intended to attack or bite, or bites a person or persons, when not unduly provoked.
 - d. “Domesticated Animal” – refers to any animal not typically considered a pet and whose purpose of breed is to provide economic benefit as food producers or farm/ranch workers.

ARTICLE 2. Domesticated Animals

SECTION 7-1. General

- A. Domesticated animals are prohibited from being kept, maintained, raised, breed or harbored on any property at any time.
- B. Domesticated animals include but are not all inclusive of this article include:
 - a. Cattle any breed and size, horses any breed or size, sheep, goats, donkey, mules, camel, llama or any other animal or breed that could be considered “livestock”.
 - b. Chickens, roosters, turkey, quail, guinea, peacock or any other animal or breed that could be considered “poultry”.

ARTICLE 3. Household Animals/Pets

SECTION 7-1. Definition

- A. Household animals/pets include but are not limited to dogs, cats, or any animal typically raised within the home as a pet if they are not kept, bred, or maintained for any commercial purpose.

SECTION 7-2. At-Large Dogs

- A. No owner shall permit any dog owned, harbored, or kept by them to be at large at any time.

SECTION 7-3. Disturbing the Peace

- A. It is unlawful for any person to keep any animal which by barking, howling, or otherwise disturbs the peace and quiet of any person or person(s).

SECTION 7-4. Rabid Animal/Required Vaccine(s)

- A. Any person may dispose of an animal, the appearance or conduct of which is such as would cause an ordinarily prudent person to believe the animal to be afflicted with rabies.

- B. All animals, eligible for, should be vaccinated for rabies.

SECTION 7-5. Actions Taken in Self-Defense.

- A. Any person may dispose of, in a humane manner, a dog, cat, or other small animal in self-defense or in defense of another when the animal, without undue provocation, bites, attacks, or attempts to bite or attack in such a manner that an ordinary prudent person would be led to believe the person toward whom the efforts of the animals are directed is about to be bitten or otherwise physically harmed.

SECTION 7-6. Containment of Animal Who has Bitten a Person

- A. Upon notice that any dog, cat or other small animal has bitten any person, said animal shall be confined for a period not to exceed two (2) weeks unless ordered by the County Health Officer, at the end of said confinement the town officer involved shall make a determination, subject to final authority of the Board of Trustees, as to whether or not said animal constitutes a danger to the community, upon such determination the animal shall not be released, but shall be disposed of in a humane manner. Otherwise said animal may be released in compliance with Town Ordinance and upon payment of veterinary or impounding expenses. The town of Grand Lake Towne will not be liable for veterinary expenses.

SECTION 7-7. Animals Reported to be Dangerous or a Nuisance, Determination

- A. Upon notice that any animal is held or confined within the town limits which exhibits dangerous propensities or is reported to be dangerous or a nuisance, town officials shall investigate, and if considering all factors, said animal is determined to constitute a potential threat to the safety of the community or a nuisance, the owner or persons in charge of said animal shall be given a seven (7) day notice in which to comply with an order to improve confinement to ordered specifications, or at the option of the officer,

to remove the animal from the town limits. Upon failure to comply, the animal shall be impounded and disposed of in a humane manner.

ARTICLE 4. Penalty

SECTION 7-1. Penalty

- A. Any person, firm, or corporation who violates any provision of this chapter or who violates or refuses or neglect to carry out, any reasonable order made by the Board of Trustees pursuant to this chapter, shall upon conviction thereof, be fined in a sum up to and not to exceed two hundred (\$200.00) dollars plus applicable costs. Every day's violation of any provision of this chapter or of such order of the Board of Trustees, shall constitute a separate offense.

Chapter 8.

Traffic

ARTICLE 1. Traffic Regulations

SECTION 8-1. Street Usage General

- A. Streets are dedicated to the use and convenience of those persons who own plots or property (unplotted) within Grand Lake Towne and are not dedicated to public use otherwise. No street nor plot shall ever be used for the purpose of ingress or egress to any other land not a part of Grand Lake Towne, without prior approval from the Board of Trustees.

- B. Grand Lake Towne is a community within Mayes County Oklahoma and as such all applicable State and County traffic law and regulations apply to our streets and the operation of motor vehicles, off road vehicles, motorcycles, golf carts/cars and electric carts/cars.

- C. At no time is any vehicle permitted to operate off designated streets and roadways. Four-wheel, side by side, all terrain or sport utility vehicles or motorcycles are prohibited from use other than designated streets and roadways.

SECTION 8-2. Vehicle Operator Requirements

- A. State and County laws and regulations will define requirements for operators of motor vehicles within Grand Lake Towne.

- B. For the sole purpose and exception within Grand Lake Towne, anyone operating a vehicle of any type must follow the following:
 - a. Drivers licensed and over the age of 16, no restrictions.

- b. Anyone of the age of 13 years and older, may operate a golf cart or utility vehicle during the hours of daylight with a license driver present.
 - c. Anyone under the age of 13 is prohibited from operating any form of motor vehicle at any time.
 - d. No vehicle of any kind will be operated during the period of darkness without operable and working lights.
- C. Failure to comply, is a violation of this ordinance and is subject to a one hundred (\$100.00) dollar fine.

SECTION 8-3. Speed Regulations

- A. Speed limit of all roads within Grand Lake Towne, Oklahoma is 20 miles per hour (20 mph).
- B. No person shall operate a vehicle on any street within corporate limits of Grand Lake Towne, Oklahoma at a speed greater or less than is reasonable or prudent under the conditions then existing (including, among other things, the condition of the vehicle, roadway, weather, visibility, amount of traffic, presence of pedestrians, children and pets playing or present and any obstruction of view).
- C. No person shall operate any vehicle, except an authorized emergency vehicle, at a speed greater than 20mph.
- D. All persons shall observe and obey all traffic signs such as stop, yield and speed limit signs.
- E. Failure to comply is a violation of this ordinance and is subject to a one hundred (\$100.00) dollar fine.

SECTION 8-4. School Bus Operations

- A. Ketchum Independent School District services Grand Lake Towne Oklahoma, as such multiple times during the school year/day school bus traffic will be present.
- B. As defined by State Law, no person shall pass any school bus when such bus is stopped for the purpose of discharging or taking on passengers and is displaying its six way flashing red lights.
- C. All persons shall stop upon approaching a stopped school bus, as outlined in (B) above regardless of the direction of approach.
- D. Failure to comply is a violation of this ordinance and is subject to a two hundred fifty (\$250.00) dollar fine.

SECTION 8-5. Reckless Operation of a Vehicle

- A. It shall be unlawful for any person to drive any vehicle within the limits of Grand Lake Towne, Oklahoma in a careless, negligent, or reckless manner, without regard for the safety of persons, property, or lawful use of the streets; such person shall be guilty of reckless driving and is subject to a one hundred (\$100.00) dollar fine.

SECTION 8-6. Driving Impaired

- A. It shall be unlawful for any person who is under the influence of alcoholic beverages, narcotic drugs, dangerous substances, and other controlled substances, to drive or to be in actual physical control of any vehicle within the limits of Grand Lake Towne, Oklahoma; such person who violates this section shall be guilty of driving impaired and is subject to a one hundred (\$100.00) dollar fine.

Chapter 9. Offenses

ARTICLE 1. Offenses: General

SECTION 9-1. Aiding in an Offense

- A. When no punishment for counseling or aiding in the commission of a particular offense is expressly prescribed by ordinance, every person who counsels or aids another in the commission of such is guilty of an offense, or misdemeanor, punishable in the same manner as the principal offenders.

SECTION 9-2. Attempts to Commit an Offense

- A. Every person who attempts to commit an offense against the ordinances of the municipality, and in such attempt to do any act toward the commission of such offense but fails or is prevented or intercepted in the perpetration thereof, is guilty of an offense, and shall be punished in the manner prescribed for the attempted offense itself.

SECTION 9-3. Penalty

- A. Except in cases where a different punishment is now or may hereafter be prescribed by ordinance, any person, firm, or corporation who commits an offense, or misdemeanor, shall upon conviction, be fined in any amount up to two hundred (\$200.00) dollars plus costs. Each day's continuation of an offense, or misdemeanor, shall be deemed a separate offense, or misdemeanor, and shall be punishable as such.

ARTICLE 2. Offense Against Peace

SECTION 9-1. Unlawful Assembly Prohibited

- A. It is unlawful for two (2) or more persons to assemble or being assembled, to act in concert, to do any unlawful act against the peace, or to the terror, of others, or to make any movement thereto or any preparation therefore, or otherwise to assemble unlawfully or riotously.

SECTION 9-2. Disturbing the Peace of Others; Insulting Others

- A. It is unlawful for any person to disturb the peace of another or others by violent, obstreperous, or improper conduct or carriage, by loud or unusual noise, or by unseemly, obscene, offensive, or abusive language; or to insult another or others by such conduct or language.

SECTION 9-3. Disturbing Public Assembly

- A. It is unlawful for any person to disturb any lawful public gathering or assembly by making noise, by rude, indecent, or improper behavior, by profane, improper, or loud language, or in any other manner, either within the place of assembly or within hearing distance thereof

SECTION 9-4. Loud Noise or Music Prohibited

- A. It is unlawful for any person, firm, or corporation to disturb the peace and quietude of any part of the town by operating, having operated, or permitting to be operated, any contrivance, whether electric or not, with or without a loudspeaker(s), in such a manner as to emit loud music, noise, or words.

ARTICLE 3. Offense Against Persons

SECTION 9-1. Assault and Battery; Defined, Prohibited

- A. An assault is any willful and unlawful attempt or offer with force or violence to do a corporal hurt to another.

- B. A battery is any willful and unlawful use of force or violence upon the person of another.
- C. It is unlawful to commit an assault or an assault and battery, and any person committing an assault or an assault and battery, shall be guilty of a misdemeanor.

SECTION 9-2. Duty to Give Information and Render Aid

- A. The driver of any vehicle involved in an accident resulting in injury or property damage to any vehicle which is driven or attended by any person shall give his correct name, address, registration number and proof of insurance of the vehicle they are driving, and shall upon request, exhibit their operator's or chauffeur's license to the person struck or driver or occupant of or person attending any vehicle collided with, and shall render to any person injured, reasonable assistance, including the caring or making of arrangements for the caring of such persons to a physician or hospital for medical or surgical treatment, if it is apparent such treatment is necessary or if such caring is requested by the injured person.

ARTICLE 4. Offenses Against Property

SECTION 9-1. Petty Larceny; Defined, Prohibited

- A. Petty larceny is the taking of personal property of value of not to exceed fifty (\$50.00) dollars, accomplished by fraud or stealth and with intent to deprive another thereof, when the property is not taken from the person of another.
- B. Petty larceny is unlawful, and any person who commits petty larceny shall be guilty of a misdemeanor.

SECTION 9-2. Receiving Stolen Property, etc.

- A. It is unlawful for any person to buy, receive or bring into the town any property which is known to have been stolen.

SECTION 9-3. Molesting Automobile or Other Vehicles

- A. It is unlawful for any person to crank, start, otherwise meddle with, molest, enter, occupy, loiter in, take, or drive away any automobile or other vehicle belonging to another, without the consent of the owner or person in charge thereof.

SECTION 9-4. Destroying, Injuring, or Molesting Buildings and Other Property

- A. It is unlawful for any person to destroy, injure, deface, besmear, or molest any structure, building, outbuilding, fence or any other property, real or personal, public or private, belonging to another; or to use any such property wrongfully to the detriment of the owner or other person entitled to its use; or to interfere wrongfully with the use of any such property by its owner or any other person entitled to its use.

SECTION 9-5. Placing Signs, etc., on Property of Another

- A. It is unlawful for any person to place, stick, tack, paste, post, paint, mark, write, or print any sign, poster, picture, announcement, advertisement, bill, placard, device, or inscription upon any public or private building, fence, sidewalk, bridge, viaduct, post, automobile, other vehicle, or property of another, without the consent of the owner or person in charge thereof.

SECTION 9-6. Throwing or Shooting at Persons or Property

- A. It is unlawful for any person to throw or shoot any stone, shot, or other object into or across any street or alley, or in any place where they are likely to hit another person wrongfully or to injure property, or to throw or shoot any stone, shot, or other object at any person, vehicle, structure, electric light or pole, or any other property of another (whether public or private),

except in case where such is done in defense of oneself, of another person, or property.

ARTICLE 5. Miscellaneous Offenses

SECTION 9-1. Junk, Inoperable Automobiles and Equipment

- A. It shall be unlawful for any person, firm, corporation, or other entity to permit a junk and/or inoperable automobile or other vehicle, or any equipment of any type to be parked upon any street, alley, or owner property within the corporate limits of the town.

- B. It shall be unlawful for any person, firm, corporation, or other entity to permit a junk and/or inoperable automobile or other vehicle, or any equipment of any type to be parked, maintained, or otherwise kept on any private property within the town, closer than twenty-five (25) feet from the traveling surface or any street within the town.

ARTICLE 6. Fireworks

SECTION 9-1. Use of and Detonating of Fireworks

- A. It shall be unlawful for any person or persons to set off or detonate, any noise, flash, light producing fireworks or any other similar pyrotechnics within the town at any time; except for the holidays (to include holiday weekend) of New Year's Eve (December 31st) and Independence Day (July 4th). No fireworks or pyrotechnic devices will be used during the hours of 11:00pm and 8:00am, for those designated weekends this period is considered a "quite time" for our town.

- B. It shall be unlawful to set off or detonate any fireworks of any description within the property limits of the town when said endangers the safety or

property of any other person or entity or when said conduct unreasonably disturbs the peace of others.

- C. Minors considered under the age of 16 years of age must be supervised by a responsible adult.
- D. Any person or persons igniting fireworks, or any description assumes all risks and shall indemnify any person or entity for all damage caused by said conduct.
- E. It is the responsibility of the user of the fireworks to conduct a cleanup of “dunnage” considered to be paper, tubes, platforms, etc., used in the detonating of said fireworks.

SECTION 7. Penalty

- A. Failure to comply is a violation of this ordinance and is subject to a two hundred (\$200.00) dollar fine.

Chapter 10. Violations and Fines

VIOLATIONS	FINE
Chapter 3, Article 6, Section 3-1 (D) Assessment Late Charge	\$25.00 per month delinquent
Chapter 3, Article 6, Section 3-1 (D) Assessment Late Charge	\$25.00 per month delinquent
Chapter 3, Article 7, Section 3-1 (A) Penalty	\$250.00
Chapter 5, Article 1, Section 5-6 (A) Revocation of Special Use Permit	\$750.00 for each occurrence
Chapter 6, Article 7, Section 6-1 (A) Any violation of Nuisances	\$200.00 per day
Chapter 7, Article 4, Section 7-1 (A) Penalty of Animals	\$200.00
Chapter 8, Article 1, Section 8-2 (C) Vehicle Operators Requirements	\$100.00
Chapter 8, Article 1, Section 8-3 (E) Violation Speed	\$100.00
Chapter 8, Article 1, Section 8-4 (D) Violation against School Bus	\$250.00

**Chapter 10.
Violations and Fines (Continued)**

VIOLATIONS	FINE
Chapter 8, Article 1, Section 8-5 (A) Reckless Operation of a Vehicle	\$100.00
Chapter 8, Article 1, Section 8-6 (A) Driving Impaired	\$100.00
Chapter 9, Article 1, Section 9-3 (A) Penalty of Offense	\$200.00
Chapter 9, Article 6, Section 7 (A) Illegal Use of Fireworks	\$200.00