

Ordinance No. 1561

AN ORDINANCE AMENDING THE BUILDING PERMIT REGULATIONS AND ONSITE STORMWATER MANAGEMENT REGULATIONS

SECTION 1. §150.007 BUILDING PERMIT REQUIRED; FEE, of the Durant Code of Ordinances is hereby amended to read as follows:

§ 150.007 BUILDING PERMIT REQUIRED; FEE.

- (A) This chapter shall not be construed to affect the responsibility or liability of any party owning, operating, controlling or installing any equipment, appliance, piping, building or structure governed by this chapter, for damages to persons or to property caused by any defect therein, nor shall the city or any officer or employee of the city be held as assuming such liability by reason of any inspection made or permit or approval issued pursuant to this chapter.
- (B) It is unlawful for any person, firm or corporation to construct or alter a building or structure, or to begin to do the same, without securing from the City Clerk Community Development Department a permit therefore.
- (C) For a permit for the construction or alteration of a building or structure, the fee shall be as set by the Council by motion or resolution.
- (D) No building permit shall have any force or effect unless it has attached to it or written upon it a receipt or other statement from the Community Development Department showing payment of any and all fees required by this section or by any other ordinance.
- (E) Expiration of permit: Every permit issued shall become invalid unless the start of construction, as defined herein, on the site and authorized by such permit is commenced within 180 days after the permit issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the of the start of construction is commenced, or 180 days after the time of the last inspection. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated and must be requested prior to the expiration date.

SECTION 2. A new section is hereby added to the Durant Code of Ordinances to read as follows:

§157.009 ONSITE STORMWATER MANAGEMENT

- (A) No building permit may be issued unless a storm water management plan has been approved by the City Engineer.
- (B) A storm water management plan is not required when one of the following conditions are met:
- (1) The permit is for an accessory structure less than five hundred 500 sq feet in size;
  - (2) The permit is for a building expansion of less than or equal to ten percent (10%) of the existing structure and less than or equal to two thousand (2,000) square feet in size;
  - (3) The parcel or parcels of land were platted and located in the City of Durant prior to January 1, 2007;
  - (4) The parcel or parcels of land are located in subdivisions approved in accordance with the City's subdivision regulations; or
  - (5) The subdivision or parcel of land already has a storm water management system constructed in accordance with the City's storm water management regulations.
- (C) The Planning Commission may waive the requirement for a storm water management plan. Decisions of the City Engineer or Planning Commission may be appealed to the City Council.
- (D) Storm water management plans must meet the following standards for a 50-year storm event:
- (1) Post-development run-off cannot be greater than pre-development run-off;
  - (2) Post-development storm water shall not be discharged in greater volume or velocity at any particular point than would otherwise occur in its pre-development state;
  - (3) The sanitary sewer system must be protected from intrusion from storm water runoff;
  - (4) Parking lots shall not retain or detain more than six (6) inches of water;

SECTION 3. Emergency Clause

Passed and Approved by the Mayor and City Council of the City of Durant, Oklahoma on the 10<sup>th</sup> day of July, 2007.

Attest:

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Jerry L. Tomlinson, Mayor

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Leta J. McNatt, City Clerk