

ORDINANCE NO. 669

AN ORDINANCE OF THE CITY OF BLANCHARD, OKLAHOMA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES OF THE CITY OF BLANCHARD, OKLAHOMA, BY AMENDING ARTICLE 5, PERTAINING TO LIMITED ACCESS FACILITY SYSTEM AND ADDING ARTICLE 6, PERTAINING TO PENALTY; DECLARING REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, O.S. Title 69, Roads, Bridges, and Ferries authorizes governing bodies of cities to regulate and establish truck routes having limited access facilities; and

WHEREAS, the Blanchard Planning Commission reviewed the issue and recommends limited access facilities in Blanchard; and

WHEREAS, the Blanchard City Council is desirous of establishing a limited access facility system for the City of Blanchard; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLANCHARD, OKLAHOMA:

SECTION 1. That Article 5 of Chapter 17 of The Code of Ordinances of the City of Blanchard is hereby amended to read as follows:

§ 17-501 LIMITED ACCESS FACILITY SYSTEM ESTABLISHED.

Pursuant to 69 O.S. 1981, Sections 1301 to 1331, both inclusive, as amended, a system of limited access facilities, consisting of the streets, avenues, boulevards, and ways and parts of streets, avenues, boulevards and ways hereinafter described, is hereby established and created within the corporate limits of the City of Blanchard, Oklahoma, as now existing or as the same may be hereafter extended, and in recognition of the general use of said streets, avenues, boulevards and ways and parts thereof, and of the wear and destruction of the same by heavy general traffic thereon, including passenger automobiles, buses, trucks, and other vehicles, and to the extent that the costs of acquisition of rights of ways and property necessary in the establishment of said limited access facilities exceed the benefits to property abutting thereon, such limited access facilities are hereby declared to be improvements of a general nature, and such costs, to the extent that they exceed the benefits to property abutting thereon, are hereby declared to be costs of a general nature.

§ 17-502 DESIGNATION OF LIMITED ACCESS FACILITIES.

The following streets, avenues, boulevards and ways and parts of streets, avenues, boulevards and ways within the corporate limits of the City of Blanchard, Oklahoma, as now existing, or as the same may be hereafter extended, are hereby designated as limited access facilities (no through truck traffic) and as arterial highways, the same being streets or highways especially designed for through truck traffic and the City Council of said city may otherwise protect the right of way of vehicles thereon, said truck or no truck routes being described as follows, to-wit:

- A. No Through Truck Traffic:

1. All local streets; and
 2. All section line roads.
- B. Truck Routes and Alternates:
1. US-62 Highway (Veterans Memorial Highway);
 2. OK-76 State Highway; and
 3. 10th Street NW between US-62 and OK-76.

§ 17-503 REGULATION AND USE OF LIMITED ACCESS FACILITIES.

The use of limited access facilities within said city shall be regulated and controlled by the traffic ordinances of said city as now existing or hereafter enacted or amended.

§ 17-504 ZONING ORDINANCES NOT AFFECTED.

Nothing herein contained shall be construed to affect any zoning ordinance or part thereof relating to the construction or use of improvements on property abutting on any limited access facility.

SECTION 2. That Article 6 of Chapter 17 of The Code of Ordinances of the City of Blanchard is hereby added to read as follows:

§ 17-601 PENALTY.

1. Any owner or occupant who fails, refuses or neglects to trim trees and shrubbery as provided in §17-101, after receiving ten (10) days' notice from the code enforcement officer or any police officer or fireman 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 to exceed the limits established in §8-301 of this code of ordinances. Every day upon which a violation continues shall be deemed a separate offense.

SECTION 3. REPEALER. All former ordinances or parts of Ordinance conflicting or inconsistent with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. EMERGENCY. It being immediately necessary for the preservation of the public health, peace and safety of the City of Blanchard and the inhabitants thereof, an emergency is hereby declared to exist by reason whereof, this Ordinance shall be in full force and effect from and after its passage and approval, as provided by law.

PASSED and **APPROVED** and the Emergency Clause voted upon separately by the City Council of the City of Blanchard, Oklahoma, this 27th day of March, 2018.



ATTEST:

Seal. 17TH
1907

Lusie Maeder
City Clerk

Eddie Ode

Mayor

APPROVED AS TO FORM on this 27th day of March, 2018.

Oil P.

City Attorney