

ORDINANCE NO. 2017-11-4

ORDINANCE DESIGNATING ENFORCEMENT OFFICERS; DEFINING AUTHORITY OF ENFORCEMENT OFFICERS; ESTABLISHING PROCEDURES FOR ENFORCEMENT OFFICERS WHEN ISSUING CITATIONS; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY

ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARIETTA, OKLAHOMA:

Section 1. The code of Ordinances, City of Marietta, Oklahoma, is hereby amended by adding a section, to be numbered Sec. 1-13, which section reads as follows:

Enforcement Officers.

- (a) Code enforcement officers, animal control officers, building and housing inspection officers, and other such officers designated by the City Council, hereinafter called enforcement officers, are hereby authorized to enforce all provisions or ordinances dealing with buildings and building regulations, zoning, inoperable vehicles, fire prevention, drainage and flood control, parks and recreation, swimming pools, sewers and sewage, signs, streets and sidewalks, subdivisions, peddlers or itinerant vendors, trees, oil and gas wells, water wells, nuisances, health and sanitation, housing, litter, mobile homes, trailers, mobile home parks, garbage and refuse, and animals and fowl.
- (b) When issuing a citation, an enforcement officer shall proceed as follows:
 - (1) The enforcement officer shall prepare a written citation to appear in municipal court containing the name and address of the person cited, the nature, location and date of the alleged offense, and the time and date of the municipal court appearance. Unless the person cited requests an earlier date, the time specified in the citation to appear shall be at least five (5) days after the issuance of the citation.
 - (2) The citation, and any copies thereof, shall be signed by the person cited and one (1) signed copy shall be given to the person cited.
 - (3) The enforcement officer shall file one (1) copy of the citation with the municipal court within three (3) business days after issuing the citation.
- (c) No person shall interfere with, hinder, delay or obstruct in any manner whatsoever an enforcement officer in the performance of their duties.

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- (d) Subject to Constitutional limitations, all enforcement officers engaged in the discharge of their duties are authorized to take all actions appropriate to effect their duties and to enforce the law.
- (e) It shall be unlawful for any unauthorized person to impersonate an enforcement officer by any means including, but not limited to, use of a badge, uniform or other credentials.
- (f) Any person violating or attempting to violate this section shall be guilty of an offense and, upon conviction, punished as set out in section 1-6 of this Code.

Section 2. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

Section 3. It being immediately necessary for the preservation of the peace, health, safety and public good of the City of Marietta and the inhabitants thereof, that the provisions of this Ordinance be put into full force and effect, an emergency is hereby declared to exist by reason whereof this Ordinance shall take full effect and be in full force from and after its passage, as provided by law.

PASSED BY THE CITY COUNCIL AND SIGNED BY THE MAYOR on this 14th day of November 2017.



ATTEST:

Dottie Gwin
Dottie Gwin, City Clerk

CITY OF MARIETTA

BY:

Kimberly Fraire
Kimberly Fraire, Mayor