



ORDINANCE NO. 1378-2024

AN ORDINANCE OF THE CITY OF TAHLEQUAH, OKLAHOMA, AMENDING THE TAHLEQUAH CITY CODE, PART 14, STREETS AND PUBLIC WORKS; CHAPTER 14-2, USE AND OBSTRUCTION OF STREETS AND SIDEWALKS; BY ADMENDING SECTION 14-217, EXCAVATIONS IN STREETS, PERMIT; PROVIDING FOR CODIFICATION, SEVERABILTY, REPEALER, AND DECLARAING AN EMERGENCY.

NOW THEREFORE, BE IT ORDAINED BY the City Council of the City of Tahlequah, Oklahoma:

SECTION 1. AMENDATORY. Chapter 2 of Part 14 of the Tahlequah City Code is hereby added and shall read as follows:

Section 14-217 Excavations in Streets, Permits.

No person shall excavate, dig in, alter or change or interfere with any street, avenue, alley, sidewalk, pavement, curbing, public right of way, or other public ground or the surface thereof, within the limits of this City, for any purpose whatsoever, unless the provisions of this section through Section 14-224 of this chapter have been complied with. Such person shall first obtain a permit from the City Clerk with the approval of the street commissioner and the superintendent of the municipal utility board for such work to be done. As a condition of excavation, all asphalt and concrete surfaces shall first be saw cut with appropriate machinery prior to excavation.

SECTION 2. CODIFICATION. The City Clerk is hereby directed to enter the added section into the appropriate place in the Tahlequah City Code of Tahlequah, Oklahoma, as authorized and approved by this Ordinance.

SECTION 3. SEVERABILITY. If any provision, paragraph, word, section of article of this Ordinance is invalidated by a court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, and chapters shall not be affected and shall continue in full force and effect.

SECTION 4. REPEALER. All other Ordinances and parts of other Ordinances Inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

SECTION 5. EMERGENCY. An immediate necessity existing for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist by reason of which this Ordinance shall be in full force and effect from and after passage, approval and publication or posting.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF TAHLEQUAH, OKLAHOMA, THIS 1st DAY OF APRIL, 2024.



THE CITY OF TAHLEQUAH, OKLAHOMA

Suzanne Myers, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM AND LEGALITY this 1st day of April, 2024.

John Tyler Hammons, City Attorney