

The City of Durant encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged in order to make the necessary accommodations. The City of Durant may waive the 48-hour rule if interpreters for the deaf (signing) or translation services for limited English proficient (LEP) individuals are not the necessary accommodation.

DURANT CITY COUNCIL

6:00 PM

**Roscoe J. Hatfield
Council Chambers
300 West Evergreen
Durant, Oklahoma**

March 12, 2024

AGENDA

CALL TO ORDER

INVOCATION/FLAG SALUTE

ROLL CALL

CITIZEN COMMENTS

Citizens wishing to address the council regarding matters which are not listed on the agenda will be required to sign up no later than 5 minutes prior to the scheduled start time of the meeting. The sign-in sheet will contain space for citizen's name, address, phone number, and topic to be discussed. In this way, city staff will be able to follow-up on any issues presented if necessary.

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Called Meeting Minutes of February 13, 2024
- b. Consider Approval of Budget Supplements BA 2024-9
- c. Consider Approval of Andy Patel to Serve the Remaining Term of the late Charles Calhoun on the Durant Tourism Economic Development Authority Board

2. Consider Items Removed from Consent

3. Information Items

- a. Financial Reports - January 2024 and Sales Tax Reports - February 2024
- b. Information Regarding TSET Ordinance Updates and Possible Discussion

4. Administration

- a. Consideration, Discussion and Possible Action to Accept the 2023 Oklahoma Department of Emergency Management and Homeland Security Enhanced 911 Funding Sustainability Grant Award in the Amount of \$2,993 as Funding to Purchase and Replace Approximately 20 Push-To-Talk Headsets and 4 Headset Adapters for the Durant Bryan County PSAP.
- b. Consideration, Discussion and Possible Action to Accept the 2024 OMAG Public Safety Equipment Grant Award in the Amount of \$5,000 as Partial Funding to Purchase Excavation Safety Equipment for the Streets Department.
- c.
 - 1. Consider Award of Bid for Agricultural Hay Lease - Durant Regional Airport;
 - 2. Consider Approval of Contract for Agricultural Hay Lease - Durant Regional Airport
- d. Consider Approval of Resolution Establishing Fees and Costs Charged by the City of Durant and Durant City Utility Authority for Durant Services (R-2024-04)
- e. Consider Approval of Resolution Declaring the Support of the City of Durant in Submitting an Application Form to the T-Mobile Hometown Program for a \$50,000 Grant to Fund the Enhancement of Public Spaces and Authorizing the Community Development Director, Reed Aichholz, to Sign and Submit Said Form and Any Other Required Information (R-2024-05)
- f. Consider Approval of the Request from the Oklahoma Electric and Gas Company for an Underground Easement at Country Club Drive and Cemetery Road
- g. Consideration, Discussion and Possible Approval for an Overland Drainage Easement for Storm Water Drainage Pipe on the Bryan County EMS Property
- h. Discussion, Consideration and Possible Approval for an Easement of Access to City Property
- i. PC2024-03 Consider Approval of Final Plat Request by Dale Goad Construction Inc for 49th and South of Railroad
- j. PC2024-06 Consider Approval of Rezone Request by Monica Uber for Property Located at 711 Blanchard
- k. PC2024-07 Consider Approval of Final Plat Request for Sunstar LLC for Property Located Near Larkspur Lane

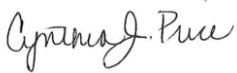
- l. PC2024-08 Consider Approval of Rezone Request by Kain Smith for Property Located on Rodeo Road
- m. PC2024-09 Consider Approval for 6 Month Extension for Rodeo Hills Phase II Located Near South 9th and Rodeo Road

5. New Business

ADJOURNMENT

CERTIFICATE

This is to certify that, in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 14th day of November 2024 and that an agenda of said meeting was posted at the place of such meeting at 9:00 a.m. on the 8th day of March 2024.



Cynthia J. Price, City of Durant



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Cynthia Price, City Clerk
Re: Consider Approval of Regular Called Meeting Minutes of February 13, 2024

Council Information / Action Requested

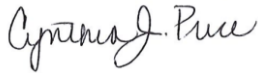
Approval of Regular Called Meeting Minutes of February 13, 2024

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Durant City Council Minutes 02132024 cjp

This is to certify that in conformity with the Oklahoma Open Meeting Act, public notice of the date, time and place of this meeting was filed with the City Clerk of Durant on the 14th day of November, 2023 and that an agenda of said meeting was posted at the place of such meeting at 2:30 p.m. on the 8th day of February, 2024. An amended agenda of said meeting was posted at the place of such meeting at 4:05 p.m. on the 9th day of February, 2024.



Cynthia J. Price, City of Durant

**MINUTES OF THE MEETING OF DURANT CITY COUNCIL
February 13, 2024 AT 6:00 PM
Roscoe J. Hatfield Council Chambers
300 West Evergreen
Durant, Oklahoma**

CALL TO ORDER

Mayor Tucker called the meeting to order at 6:01 p.m.

INVOCATION/FLAG SALUTE

Mayor Tucker provided the invocation and led the flag salute.

ROLL CALL

Present:
Council Member Lauran Fuller
Council Member Humphrey Miller
Council Member Danny Sherrer
Vice Mayor Mike Simulescu
Mayor Martin Tucker
City Attorney Tom Marcum
Interim City Manager Rick Rumsey
City Clerk Cynthia J. Price

Absent:
None

PRESENTATIONS

1. United Acts of Kindness Day Proclamation - February 17, 2024

Mayor Tucker presented Kara Byrd with the United Acts of Kindness Day Proclamation.

CITIZEN COMMENTS

Citizens wishing to address the council regarding matters which are not listed on the agenda will be required to sign up no later than 5 minutes prior to the scheduled start time of the

meeting. The sign-in sheet will contain space for citizen's name, address, phone number, and topic to be discussed. In this way, city staff will be able to follow-up on any issues presented if necessary.

There were no citizen comments.

ORDER OF BUSINESS

1. Consent Items

To help streamline meetings and allow the focus to be on other items requiring strategic thought, the "Consent Items" portion of the agenda groups the routine, procedural, and self-explanatory non-controversial items together. These items are voted on in a single motion (one vote). However, any Council member requesting further information on a specific item thus removes it from the "Consent Items" section for individual attention and separate vote.

- a. Consider Approval of Regular Meeting Minutes of January 9, 2024
- b. Consider Approval of Special Called Meeting Minutes of January 30, 2024 at 5:00 p.m.
- c. Consider Approval of Special Called Meeting Minutes of January 30, 2024 at 6:00 p.m.
- d. Consider Approval of Budget Supplements BA 24-8
- e. Consider Approval of AirMedCare Network Group Agreement for City of Durant
- f. Consider Approval of Mayoral Recommendation to Appoint Vice Mayor Mike Simulescu to the Durant Industrial Authority Board
- g. Consider Mayoral Recommendation for Nominations to the OMAG Board of Trustees

Motion To: Approve Consent Items as Presented

Motion By: Lauran Fuller

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

2. Consider Items Removed from Consent

3. Information Items

- a. Financial Statements December 2023 and Sales Tax Report January 2024

4. Administration

- a. Discussion, Consideration and Possible Action on the Mutual Aid Agreement Between the City of Durant, Oklahoma and the Chickasaw Nation Emergency Management Office. (C-2024-07)

Motion To: Approve Mutual Aid Agreement Between the City of Durant, Oklahoma and the Chickasaw Nation Emergency Management Office (C-2024-07)

Motion By: Humphrey Miller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- b. Consider Approval of Resolution Appointing Economic Development Director Kathy Moore to the Southern Oklahoma Development Association (SODA) Board of Directors (R-2024-02)

Motion To: Approve Resolution Appointing Economic Development Director Kathy Moore to the Southern Oklahoma Development Association (SODA) Board of Directors (R-2024-02)

Motion By: Martin Tucker

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- c. Discuss and Consider City Owned Property Located at 301 N. Sixteenth, Durant, OK, and Take Possible Action

Interim City Manager Rick Rumsey stated a plan to move forward with the property will be presented at the March 12, 2024 council meeting.

Motion To: Reject All Bids

Motion By: Martin Tucker

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- d. Consideration for Approval to Reallocate Capital Improvement Funds in the Amount of \$50,000 to Rebuild Keithley Park Restroom and Purchase New Fixtures for Carl Albert Park, Keithley Park and Dixon Durant Park Bathrooms

Motion To: Approve Reallocation of Capital Improvement Funds in the Amount of \$50,000 to Rebuild Keithley Park Restroom and Purchase New Fixtures for Carl Albert Park, Keithley Park and Dixon Durant Park Bathrooms

Motion By: Humphrey Miller

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- e. Discussion, Consideration and Possible Approval of Calendar Year 2024 Pool Schedule

Motion To: Approve Calendar Year 2024 Pool Schedule

Motion By: Lauran Fuller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- f. Consideration for Reallocation of \$30,000 for 6 Beautification Projects

Motion To: Approve Reallocation of \$30,000 for Six Beautification Projects

Motion By: Lauran Fuller

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- g. Consider Approval of the Request from the Oklahoma Electric and Gas Company for an Underground Easement at Tom Smith Road.

Motion To: Approve Request from the Oklahoma Electric and Gas Company for an Underground Easement at Tom Smith Road

Motion By: Martin Tucker

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- h. Consider Approval of the Request from Oklahoma Electric and Gas Company for an Underground Easement at Cemetery and Highway 70

Motion To: Approve Request from Oklahoma Electric and Gas Company for an Underground Easement at Cemetery and Highway 70 Conditioned Upon Correction of Easement to Require Signature of Mayor Instead of City Manager

Motion By: Martin Tucker

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- i. Consider Approval of Request for a Resolution of Support for the N. 5th and N. 6th Avenue Bike/Pedestrian Connectivity Project Between Southeastern Oklahoma State University and Historic Downtown Durant (R-2024-03)

Motion To: Approve Request for Resolution of Support for the N. 5th and N. 6th Avenue Bike/Pedestrian Connectivity Project Between Southeastern Oklahoma State University and Historic Downtown Durant (R-2024-03)

Motion By: Danny Sherrer

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- j. Consider Approval to Declare City Owned Real Estate Parcel Located at the Intersection of Big Lots Parkway and Ninth Avenue as Surplus and Put Out for Bid.

Motion To: Declare City Owned Real Estate Parcel Located at the Intersection of Big Lots Parkway and Ninth Avenue as Surplus and Put Out for Bid

Motion By: Lauren Fuller

Seconded By: Mike Simulescu

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- k. Consideration and Approval of Replat Request for Vickie Stachowski

Motion To: Deny Replat Request of Vickie Stachowski

Motion By: Martin Tucker

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- l. Consideration and Approval for a Rezone Request for Vickie Stachowski.

Motion To: Deny Rezone Request for Vickie Stachowski

Motion By: Martin Tucker

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- m. Provide Update Regarding the 1/5/2022 Code/Ordinance Consulting Agreement with Crafton Tull and Take Possible Action.

Motion To: Approve Susan Henderson as a Subcontractor Consultant of Crafton, Tull & Associates, Inc. to Complete the Contracted Project Services (C-2024-04) Contingent Upon Approval of Susan Henderson by the Durant Planning Commission

Motion By: Mike Simulescu

Seconded By: Humphrey Miller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

- n. Discussion, Consideration and Possible Action on Allowing Magnolia Villias LP to Connect to City Sewer

Motion To: Deny Magnolia Villias LP to Connect to City Sewer

Motion By: Danny Sherrer

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None

5. New Business

There was no new business.

ADJOURNMENT

Motion To: Adjourn Meeting

Motion By: Martin Tucker

Seconded By: Lauran Fuller

Ayes: Fuller, Miller, Sherrer, Simulescu, Tucker

Nays: None

Abstain: None



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: An chen Lai, Finance Director/Treasurer
Re: Consider Approval of Budget Supplements BA 2024-9

#244 APPROPRIATE FUNDS FOR GF OPERATION EXPENDITURE, ANIMAL SHELTER DONATION & STREETLIGHT POLE REPAIR
#245 APPROPRIATE FUND FOR ANIMAL SHELTER IMPROVEMENTS
#246 APPROPRIATE FUNDS FOR SMALL BUSINESS GRANT & TECHNOLOGY ROLLOVER AMOUNTSS
#247 APPROPRIATE FUNDS FOR TAXIWAY REPAIR DUE TO ACCIDENT AND 3RD PARTY INSURANCE TO COVER THE COST.
#248 APPROPRIATE FUNDS FOR DWRF COM CTR & LIBRARY MONTHLY PENDLETON TURST REVENUE
#249 TRANSFER FUNDS FOR OPERATION EXPENSES

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. BA 24-9 63-68 REGISTER



Durant, OK

Budget Adjustment Register

Adjustment Detail

Packet: GLPKT06761 - BA 24-9 63-38

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000244	FY 23/24 ORIGINAL BUDGET	#63 GF ANIMAL DONTION STRT POLE OP EXP ADJ	3/12/2024

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
001-000-361-4000	MISC. REVENUE	#63 GFSIGNAL POLE	-115,237.00	-471.00	-115,708.00
March:	-471.00				
001-000-361-4000	MISC. REVENUE	#63 GF APD VEHICLE	-115,237.00	-615.00	-115,852.00
March:	-615.00				
001-000-361-4000	MISC. REVENUE	#63 GF ANIMAL SHELTER DONATION	-115,237.00	-9,299.00	-124,536.00
March:	-9,299.00				
001-000-362-6600	STATE AID FOR LIBRARIES	#63 GF LIBRARY STATE AID ADJ	-17,395.00	-593.00	-17,988.00
March:	-593.00				
001-005-550-5663	VEHICLE MAINTENANCE	#63 GF PD VEHICLE REPAIR	73,062.00	10,615.00	83,677.00
March:	10,615.00				
001-005-550-5854	UNIFORMS	#63 GF PD VEHICLE REPAIR	30,000.00	-6,000.00	24,000.00
March:	-6,000.00				
001-005-550-5880	FORENSIC EQUIPMENT	#63 GF PD VEHICLE REPAIR	15,950.00	-4,000.00	11,950.00
March:	-4,000.00				
001-008-520-2175	TRAINING MATERIALS	#63 GF FD CPR MANIKINS	3,347.00	2,000.00	5,347.00
March:	2,000.00				
001-008-530-3051	CONTRACT LABOR	#63 GF FD & CD OKIE SAFETY CONTRACT	4,200.00	15,000.00	19,200.00
March:	15,000.00				
001-008-550-5854	UNIFORMS	#63 GF FD	24,820.00	-300.00	24,520.00
March:	-300.00				
001-008-550-5857	MMBRSHIP/LCNSE/CRTFCATIO...	#63 GF FD	5,263.00	300.00	5,563.00
March:	300.00				
001-008-570-7200	TRAINING AND TRAVEL	#63 GF FD CPR MANIKINS	62,875.00	-2,000.00	60,875.00
March:	-2,000.00				
001-015-570-7057	STATE AID EXPENDITURES	#63 GF LIBRARY STATE AID ADJ	17,395.00	593.00	17,988.00
March:	593.00				
001-016-550-5673	SIGNAL LIGHT MAINTENANCE	#63 GF STREET SIGNAL LIGHT POLE REPAIR	140,750.00	5,471.00	146,221.00
March:	5,471.00				
001-016-550-5695	PAVING MAINTENANCE	#63 GF ANIMAL DONTION STRT POLE OP EXP ...	360,000.00	-5,000.00	355,000.00
March:	-5,000.00				
001-019-570-7800	FUND RESERVE	#63 GF FD & CD OKIE SAFETY CONTRACT	74,155.00	-15,000.00	59,155.00
March:	-15,000.00				
001-019-599-0150	TRSF TO CAPITAL IMPR. FUND	#63 GF ANIMAL DONTAION TRSF TO CI	7,800.00	9,449.00	17,249.00
March:	9,449.00				
001-021-550-5074	SAFETY SUPPLIES	#63 GF OP EXP ADJ	3,000.00	500.00	3,500.00
March:	500.00				
001-021-550-5849	COMPUTER SOFTWARE & ACCE...	#63 GF OP EXP ADJ	3,500.00	-500.00	3,000.00
March:	-500.00				
001-022-550-5658	BUILDING MAINTENANCE	#63 GF ANIMAL DONTAION TRSF TO CI	5,150.00	-150.00	5,000.00
March:	-150.00				
001-023-550-5656	BUILDING AND MAINTENANCE	#63 GF SENIOR CRT ADD MOP SINK	10,000.00	3,000.00	13,000.00
March:	3,000.00				
001-023-550-5852	FUEL	#63 GF SENIOR CRT ADD MOP SINK	15,000.00	-3,000.00	12,000.00

Budget Adjustment Register

Packet: GLPKT06761 - BA 24-9 63-38

March: -3,000.00

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000245	FY 23/24 ORIGINAL BUDGET	BA 24-09 64 ANIMAL SHELTER DONA BUILDING IMPRV.	3/12/2024

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
015-000-364-0010	TRSF FROM GENERAL FUND	BA 24-09 64 ANIMAL SHELTER DONA TO BUILD...	-7,800.00	-9,449.00	-17,249.00
March:	-9,449.00				
015-006-530-3406	ANIMAL CONTROL FACILITY	BA 24-09 64 ANIMAL SHELTER DONA BUILDING...	104,028.00	9,449.00	113,477.00
March:	9,449.00				

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000246	FY 23/24 ORIGINAL BUDGET	BA 24-9 65 DIA GRANT ROLLOVER	3/12/2024

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
020-067-570-7009	SMALL BUSINESS TECHNOLOGY	BA 24-9 65 DIA GRANT ROLLOVER	0.00	10,000.00	10,000.00
March:	10,000.00				
020-067-570-7011	SMALL BUSINESS GRANT	BA 24-9 65 DIA GRANT ROLLOVER	15,000.00	105,234.00	120,234.00
March:	105,234.00				
020-067-570-7400	CONTINGENCY RESERVE	BA 24-9 65 DIA GRANT ROLLOVER	280,915.00	-115,234.00	165,681.00
March:	-115,234.00				

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000247	FY 23/24 ORIGINAL BUDGET	BA 24-9 66 TAXIWAY REPAIR PLANE ACCIDENT	3/12/2024

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
206-000-361-4000	MISC. REVENUE	BA 24-9 66 TAXIWAY REPAIR PLANE ACCIDENT...	-57,709.00	-65,970.00	-123,679.00
March:	-65,970.00				
206-065-550-5509	EQUIPMENT & GROUNDS MAI...	BA 24-9 66 TAXIWAY REPAIR PLANE ACCID 1ST ...	15,000.00	65,970.00	80,970.00
March:	65,970.00				

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000248	FY 23/24 ORIGINAL BUDGET	BA 24-9 67 LIBRY PENDLETON FUND	3/12/2024

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
350-000-361-1000	INTEREST EARNINGS	BA 24-9 67 LIBRY PENDLETON FUND ADJ 1023 ...	-1,147.00	447.00	-700.00
March:	447.00				
350-000-363-1000	PENDLETON TRUST	BA 24-9 67 LIBRY PENDLETON FUND-ENERWEST	-42,620.00	-64.00	-42,684.00
March:	-64.00				
350-000-363-1000	PENDLETON TRUST	BA 24-9 67 LIBRY PENDLETON FUND ADJ 1023 ...	-42,620.00	-447.00	-43,067.00
March:	-447.00				
350-015-550-5605	PENDLETON TRUST MAINT/PR...	BA 24-9 67 LIBRY PENDLETON FUND-ENERWEST	320,046.00	64.00	320,110.00
March:	64.00				

Adjustment Number	Budget Code	Description	Adjustment Date
BA0000249	FY 23/24 ORIGINAL BUDGET	BA 24-9 68 LF ADJ	3/12/2024

Summary Description:

Account Number	Account Name	Adjustment Description	Before	Adjustment	After
405-049-550-5859	LANDFILL EQUIP. REPAIR	BA 24-9 68 LF ADJ	258,000.00	-8,000.00	250,000.00
March:	-8,000.00				

Budget Adjustment Register

[405-049-550-5865](#)

March: 8,000.00

OILS & LUBRICANTS

BA 24-9 68 LF ADJ

Packet: GLPKT06761 - BA 24-9 63-38

20,000.00 8,000.00 28,000.00

Budget Code Summary

Budget	Budget Description	Account	Account Description	Before	Adjustment	After
24	FY 23/24 ORIGINAL BUDGET	001-000-361-4000	MISC. REVENUE	-115,237.00	-10,385.00	-125,622.00
		001-000-362-6600	STATE AID FOR LIBRARIES	-17,395.00	-593.00	-17,988.00
		001-005-550-5663	VEHICLE MAINTENANCE	73,062.00	10,615.00	83,677.00
		001-005-550-5854	UNIFORMS	30,000.00	-6,000.00	24,000.00
		001-005-550-5880	FORENSIC EQUIPMENT	15,950.00	-4,000.00	11,950.00
		001-008-520-2175	TRAINING MATERIALS	3,347.00	2,000.00	5,347.00
		001-008-530-3051	CONTRACT LABOR	4,200.00	15,000.00	19,200.00
		001-008-550-5854	UNIFORMS	24,820.00	-300.00	24,520.00
		001-008-550-5857	MMBRSHIP/LCNSE/CRTFCATION/E...	5,263.00	300.00	5,563.00
		001-008-570-7200	TRAINING AND TRAVEL	62,875.00	-2,000.00	60,875.00
		001-015-570-7057	STATE AID EXPENDITURES	17,395.00	593.00	17,988.00
		001-016-550-5673	SIGNAL LIGHT MAINTENANCE	140,750.00	5,471.00	146,221.00
		001-016-550-5695	PAVING MAINTENANCE	360,000.00	-5,000.00	355,000.00
		001-019-570-7800	FUND RESERVE	74,155.00	-15,000.00	59,155.00
		001-019-599-0150	TRSF TO CAPITAL IMPR. FUND	7,800.00	9,449.00	17,249.00
		001-021-550-5074	SAFETY SUPPLIES	3,000.00	500.00	3,500.00
		001-021-550-5849	COMPUTER SOFTWARE & ACCES.	3,500.00	-500.00	3,000.00
		001-022-550-5658	BUILDING MAINTENANCE	5,150.00	-150.00	5,000.00
		001-023-550-5656	BUILDING AND MAINTENANCE	10,000.00	3,000.00	13,000.00
		001-023-550-5852	FUEL	15,000.00	-3,000.00	12,000.00
		015-000-364-0010	TRSF FROM GENERAL FUND	-7,800.00	-9,449.00	-17,249.00
		015-006-530-3406	ANIMAL CONTROL FACILITY	104,028.00	9,449.00	113,477.00
		020-067-570-7009	SMALL BUSINESS TECHNOLOGY	0.00	10,000.00	10,000.00
		020-067-570-7011	SMALL BUSINESS GRANT	15,000.00	105,234.00	120,234.00
		020-067-570-7400	CONTINGENCY RESERVE	280,915.00	-115,234.00	165,681.00
		206-000-361-4000	MISC. REVENUE	-57,709.00	-65,970.00	-123,679.00
		206-065-550-5509	EQUIPMENT & GROUNDS MAINT.	15,000.00	65,970.00	80,970.00
		350-000-361-1000	INTEREST EARNINGS	-1,147.00	447.00	-700.00
		350-000-363-1000	PENDLETON TRUST	-42,620.00	-511.00	-43,131.00
		350-015-550-5605	PENDLETON TRUST MAINT/PROJ.	320,046.00	64.00	320,110.00
		405-049-550-5859	LANDFILL EQUIP. REPAIR	258,000.00	-8,000.00	250,000.00
		405-049-550-5865	OILS & LUBRICANTS	20,000.00	8,000.00	28,000.00
24 Total:				1,627,348.00	0.00	1,627,348.00
Grand Total:				1,627,348.00	0.00	1,627,348.00

Fund Summary

Fund	Before	Adjustment	After
Budget Code:24 - FY 23/24 ORIGINAL BUDGET Fiscal: 2023-2024			
001	723,635.00	0.00	723,635.00
015	96,228.00	0.00	96,228.00
020	295,915.00	0.00	295,915.00
206	-42,709.00	0.00	-42,709.00
350	276,279.00	0.00	276,279.00
405	278,000.00	0.00	278,000.00
Budget Code 24 Total:	1,627,348.00	0.00	1,627,348.00
Grand Total:	1,627,348.00	0.00	1,627,348.00



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Cynthia Price, City Clerk
Re: Consider Approval of Andy Patel to Serve the Remaining Term of the late Charles Calhoun on the Durant Tourism Economic Development Authority Board

Charles Calhoun was a hotel owner and served on the Durant Tourism Economic Development Authority Board as a member of the Durant Hotel Owners up until his passing on January 16, 2024. Andy Patel is the owner of Econolodge and, as such, would meet the criteria to serve as a member of the Durant Hotel Owners on the Durant Tourism Economic Development Authority Board for the remainder of Mr. Calhoun's term.

Council Information / Action Requested

Approval of Andy Patel to Serve the Remaining Term of the late Charles Calhoun on the Durant Tourism Economic Development Authority Board

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: An chen Lai, Finance Director/Treasurer
Re: Financial Reports - January 2024 and Sales Tax Reports - February 2024

January 2024 Financial Reports For:

General fund (001)

Capital Improvements Fund (015)

DCUA Fund (405)

AND

February 2024 Sales Tax Breakdown & 10-Year History Report

Council Information / Action Requested

Information Only

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Jan. 2024 General Fund (001) Revenue & Expense Report
2. Jan. 2024 CI REV and Expenses
3. Jan. 2024 DCUA Revenue & Expense Report
4. February 2024 Sales Tax Breakdown
5. February 2024 1% Sales Tax 10-Y Sheet
6. February 2024 1% Sales Tax Monthly Average

City of Durant, Oklahoma
General Fund - UNAUDITED

Monthly Revenue and Expense Report
JANUARY 2024 - 58.33% of Fiscal Year Lapsed

Revenue Type:	This Period	Year-To-Date	Current FY23/24 Budget	% of Budget Y-T-D
Sales Tax (2%)	835,383	5,980,628	9,107,643	65.67%
Use Tax	302,718	1,806,305	2,036,880	88.68%
Alcoholic Beverage Tax	18,631	121,589	220,000	55.27%
Tobacco Excise Tax	12,133	84,539	170,000	49.73%
Telephone Franchise Tax	2,096	2,213	75,000	2.95%
Electric Service Franchise Tax	78,703	859,210	1,945,000	44.18%
Natural Gas Franchise Tax	6,778	31,506	512,000	6.15%
Cable TV Service Franchise Tax	13,330	43,482	150,000	28.99%
Vehicle Tax	10,947	78,267	135,000	57.98%
Gasoline Excise Tax	2,841	20,653	50,000	41.31%
Licenses - All Types	1,300	16,695	17,000	98.21%
Permits - All Types	28,363	254,097	346,000	73.44%
Swimming Pool Revenues	-	38,617	65,500	58.96%
Library Café Revenues	233	2,212	3,000	73.74%
Parks & Rec. Facility Rent Rev	-	285	-	0.00%
Charges For Services	2,198	59,592	34,000	175.27%
Police Bonds & Fines	52,013	366,085	581,400	62.97%
Interest Earnings	2,659	118,785	35,000	339.39%
Grant Revenues	29,796	56,124	94,753	59.23%
Miscellaneous Revenues	11,996	195,662	184,762	105.90%
Sub-Total Revenues	1,412,116	10,136,547	15,762,938	64.31%
Transfer from Emp Insurance	-	-	-	%
Transfer from Utility Authority	191,667	1,341,669	2,300,000	58.33%
	191,667	1,341,669	2,300,000	58.33%
USE OF FUND BALANCE		0	3,101,545	
Total Revenues & Other Financing Sources	1,603,783	11,478,216	21,164,483	54.23%
Department:	This Period	Year-To-Date	Current FY23/24 Budget	% of Budget Y-T-D
City Administration	51,556	555,973	791,426	70.25%
City Clerk	7,829	48,873	102,086	47.87%
City Treasurer	29,014	219,272	416,007	52.71%
Legal Services - Attorney	5,950	61,408	100,000	61.41%
Law Enforcement - Police Dept	415,051	3,231,710	6,183,801	52.26%
Neighborhood Services	23,762	207,271	569,238	36.41%
Fire Dept	489,996	2,610,692	4,301,079	60.70%
Parks, Rec & General Services	57,696	467,154	956,891	48.82%
Swimming Pool	4,184	73,746	221,619	33.28%
Municipal Court	7,995	113,230	194,523	58.21%
Community Development	30,482	189,202	525,068	36.03%
Public Library	57,989	455,568	812,600	56.06%
Street Department	108,555	791,180	1,842,576	42.94%
Economic Development	446	80,512	192,197	41.89%
Civil Emergency Management	37,866	260,679	570,587	45.69%
General Government	36,517	396,721	1,161,677	34.15%
City Garage	22,457	156,035	335,336	46.53%
Senior Citizens Center	10,012	60,273	158,092	38.12%
Sub-Total Operating Expenditures	1,397,360	9,979,498	19,434,804	51.35%
Other Financing Uses:				
P. TRSF to I.T. service Fund	-	-	-	
Transfer to Insurance Cash Fund	-	131,879	131,879	100.00%
Transfer to Airport Authority	-	-	300,000	0.00%
Transfer to 911 Tax Fund	33,333	233,331	400,000	58.33%
Transfer to DMSC Fund	-	-	200,000	0.00%
Transfer to Capital Impr. Fund	-	-	7,800	0.00%
Transfer to Cemetery Operations Fund	7,500	52,500	90,000	58.33%
Transfer to DCUA Fund	-	600,000	600,000	100.00%
Sub-Total Transfers Out	40,833	1,017,710	1,729,679	58.84%
Total Expenditures & Other Financing Sources	1,438,193	10,997,208	21,164,483	51.96%
Net Gain / (Loss) - Excluding Balance Forward	165,590	481,008	0	

City of Durant, Oklahoma
Capital Improvements Fund - UNAUDITED

Monthly Revenue and Expense Report
JANUARY 31, 2024

Revenue Type:	This Period	Year-To-Date	Current FY23/24 Budget
Interest Earnings	761	16,847	-
Miscellaneous	13,316	13,616	-
CCPF Donation	-	158,800	300,000
FAA Grant	-	-	332,070
ODOT Streetscape V Grant	-	-	399,968
Private Donation	-	-	12,533
Homeland Security Grant	-	-	-
OPJ-BVP Bullet Proof Vest	5,036	5,036	18,325
2021 ARPA Grant	-	-	-
OWBR Loan Proceeds	-	157,030	2,146,003
Grant-2019 BOR-WEWG	-	-	-
Grant-2018 BOR-SWEP	-	-	-
FEDERAL & STATE GRANT REIMB	-	-	-
FY17 Land and Water Grant CA Park	-	-	-
OEM/911 MNGMNT AUTH GRANT	-	-	-
DOT REIMB. 78S UTILITY RE	-	-	-
EDA 08-01-05284 WWTP IMP 69%	-	-	189,678
County Fire Tax Fund	-	-	-
Sub-Total Revenues	19,113	351,330	3,398,577
TRSF From General Fund	-	-	7,800
TRSF From 1% S.T. Rev. Fund	204,873	1,500,584	2,000,000
TRSF From Airport Authority	-	-	-
Transfer from DCFA Fund-MISC	-	-	-
Transfer from Utility Authority	125,000	875,000	1,500,000
TRSF FROM DCFA- TRAILS MATCH	-	-	-
REIMB FROM CDBG	-	-	-
TRSF FR DCUASF 12-STRN 210	-	-	-
Transfer from UA 2020 STRN 210-052	-	-	9,901,608
Transfer from 2020 CWSRF 210-053	-	-	12,670,800
Transfer from 2023 CWSRF 210-058	-	-	22,534,500
Equipment Financing	776,668	1,401,668	2,459,000
TRSF From DCFA Fund-Misc	-	-	-
Sub-Total Transfers In	1,106,541	3,777,252	51,073,708
Balance Forward from FY20 (Unaudited)			3,846,625
Total Revenue & Other Financing Sources	1,125,654	4,128,581	58,318,910
Expenditure Type:	This Period	Year-To-Date	Current FY23/24 Budget
Law Enforcement - Police Dept	-	41,290	289,523
Animal Control Facility	-	-	104,028
Neighborhood Services	-	-	8,950
Communication Ctr.	-	-	100,500
Fire Dept	3,823	872,978	980,031
Parks, Rec, & Gen Services	43,402	349,855	974,447
Pool	-	2,917	150,000
Community Development	-	-	25,000
Street	-	1,467,706	2,330,928
Economic Development	-	-	-
Civil Emergency Management	99,562	255,828	594,921
General Government	72,828	292,796	4,795,980
Information Technology	-	-	206,476
City Garage	-	4,012	104,212
Senior Citizens Center	-	-	-
Public Works Administration	-	-	18,192
Water / Sewer Line Maintenance	-	586,539	2,579,974
Water Treatment Plant	-	22,411	528,108
Wastewater Treatment Plant	-	-	284,205
Collection-Solid Waste	-	818,259	1,100,000
Lake Durant	505	27,822	35,000
Disposal- Solid Waste	-	489,328	972,442
Eaker Field Airport	11,668	83,332	1,504,169
Sub-Total Expenditures	231,789	5,315,074	17,687,086
Sub-total of Transfer Expenses	-	-	-
Total Expenses	231,789	5,315,074	17,687,086
2020 U.S.S.T.R.N. Exp.	-	1,295,122	6,026,952
2020 CWSRF Exp.	-	-	12,070,372
2023 CWSRF WWTP IMPV.2 EXO	-	-	22,534,500
Total Fund Expenditures	231,789	6,610,196	58,318,910
Net Gain / (Loss) - Excluding Balance Forward	893,865	(2,481,615)	-

City of Durant, Oklahoma
Durant City Utilities Authority Fund 405 - Unaudited

Monthly Revenue and Expense Report
JANUARY 2024 - 58.33% of Fiscal Year Lapsed

Revenue Type:	This Period	Year-To-Date	Current FY 23/24 Budget
Licenses and Permits	-	9,383	9,000
Laboratory Test Performed	1,440	12,270	20,000
Water Service - City-Wide	274,239	2,313,051	4,000,000
Water Sales - RW Dist. #2	3,034	21,235	37,000
Water Sales - RW Dist. #5	92,132	639,796	1,250,000
Sewer Service Fees	264,080	1,907,836	2,800,000
Sewer Excessive Strength Fees	9,969	12,592	-
Sanitation Service Fees	297,899	2,066,429	3,700,000
Sanitation - Roll off Bins Revenue	52,487	436,725	700,000
Sanitation - Compactor Revenue	47,809	336,348	500,000
Landfill Gate Fees (excluding Xfer ST.)	(473)	39,292	300,000
Transfer Station Fees Revenue	9,041	83,545	250,000
Interest Earnings	4,788	57,545	20,000
Agri. Lease Revenue	-	-	4,500
Late Payment Penalties	10,507	66,730	110,000
Non Payment Fee	18,189	80,846	155,000
Bad Debt Collect Fees Revenue	388	4,037	4,200
Water Tower Lease	9,593	40,172	120,000
DCUA Service Initiation Fee	2,760	19,840	27,000
Tap Fees: Water & Sewer	6,485	156,737	110,000
Recyclable Products SW Dis.	-	6,582	7,000
Interest Earnings in 2007 USSTRN Proj. Acct.	310	1,586	450
Miscellaneous Revenues	(1,890)	35,337	5,000
2020 Airport Tank Principal Pymt	-	21,357	21,357
2020 Airport Tank Interest Pymt	-	722	722
2020 LED Proj. Principal FM GF	-	51,747	51,747
2020 LED Proj. Interest FM GF	-	200	200
Trans from emp insurance 005	-	99,000	99,000
Trans from General Fund	-	600,000	600,000
Sub-Total Operating Revenues	1,102,788	9,120,941	14,902,176

USE OF FUND BALANCE			80,390
Total Revenues & Other Financing Sources	1,102,788	9,120,941	14,982,566

Expense Type:	This Period	Year-To-Date	Current FY 23/24 Budget
Public Works Administration	17,815	133,652	256,790
Utility Billing	46,184	320,317	618,025
Water/Sewer Line Maintenance	103,434	644,906	1,193,673
Water Treatment Plant	125,341	823,169	1,933,338
Wastewater Treatment Plant	84,550	722,492	1,412,711
Solid Waste - Collections	80,724	685,774	1,305,924
Utility General Administration	10,177	214,665	1,849,828
Lake Durant	5,349	34,823	68,550
Solid Waste - Disposals	155,636	1,138,837	2,179,665
Sub-Total Operating Expenses	629,211	4,718,633	10,818,504

Transfer to Insurance Cash Fund	-	194,562	194,562
Transfer to I.T. service Fund 010	-	-	-
Transfer to General Fund	191,667	1,341,669	2,300,000
Transfer to Risk MGT. Fund	-	-	-
Transfer to Capital Improvement Fund	125,000	875,000	1,500,000
Transfer 2007 USSTRN To CI Fund 015	-	-	-
Transfer to DMSC Fund 500	-	-	-
Transfer to Airport Authority	13,375	93,625	160,500
Transfer to DCUA Sinking Fund	750	5,250	9,000
Sub-Total Transfer Expenses	330,792	2,510,106	4,164,062

Reserve - Contingency			-
Reserve for Payroll			-
DCUA Fund Expense & Transfer Totals:	330,792	2,510,106	4,164,062
Total Fund Expenses & Transfers	960,003	7,228,739	14,982,566
Net Gain / (Loss) - Excluding Balance Forward	142,785	1,892,202	-

City of Durant, Oklahoma
4.375% Sales Tax Revenue Breakdown

Current Month Sales Tax Revenue Detail	
1% Capital Improvements - for Debt Services/Payment	\$419,238.20
2% General Operations-For General Operation	\$838,476.41
1/4% Economic Development- Fund 110 for Indurstry Improvr	\$104,809.55
1/4% Multi-Sports Facilities -For DMSC	\$104,809.55
1/4% SOSU Improvements-For SOSU Football Field & Arena	\$104,809.55
5/8% DISD Improvements - for High School	\$262,023.88
Total Sales Tax Rev.Feb. 2024@ 4-3/8%	\$1,834,167.14

\$576,452.53

City of Durant, Oklahoma Ten-Year History Report - 1% Sales Tax Revenue

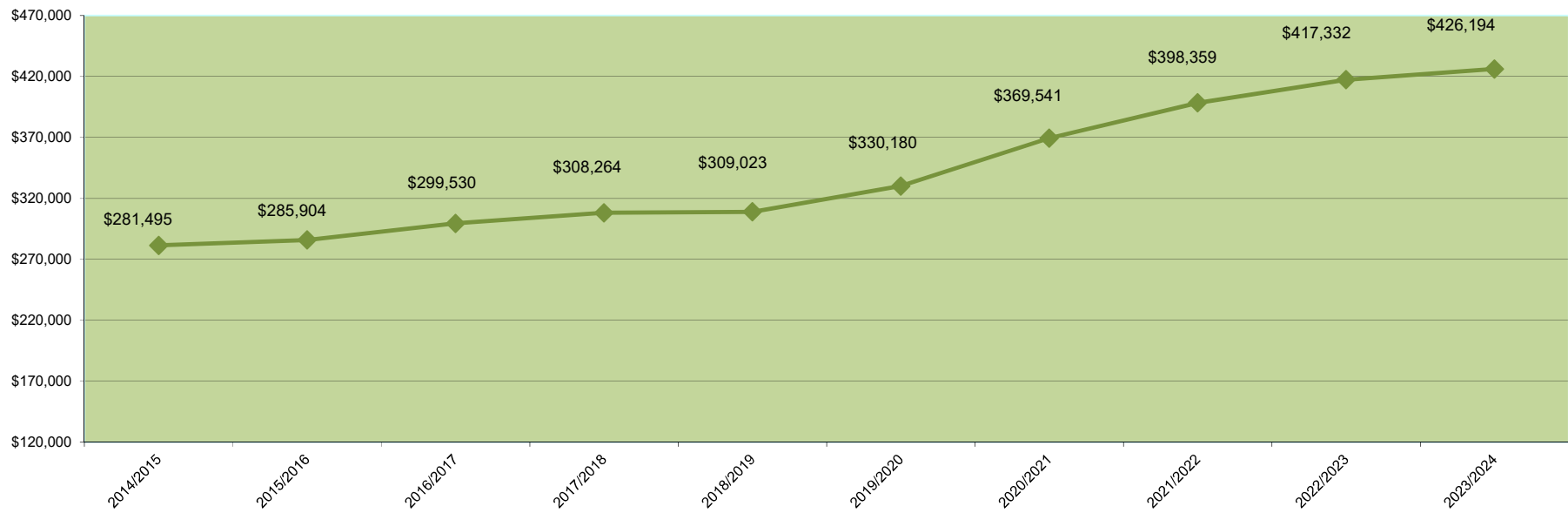
	2014/2015	2015/2016	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023	2023/2024	% Change	Single Month Period
July	\$274,992	\$285,723	\$282,117	\$313,058	\$329,525	331,058	376,455	411,465	429,866	428,333	-0.36%	June / July
August	\$192,988	\$301,211	\$314,889	\$329,217	\$323,680	343,378	371,268	405,522	436,588	445,870	2.13%	July / Aug.
September	\$387,003	\$310,412	\$292,744	\$298,291	\$309,656	340,005	375,103	396,622	406,801	426,408	4.82%	Aug. / Sept.
October	\$277,693	\$292,477	\$295,814	\$313,960	\$305,445	329,146	359,331	394,840	423,692	440,473	3.96%	Sept. / Oct.
November	\$279,266	\$263,753	\$305,225	\$317,104	\$292,323	322,363	360,649	383,784	417,467	415,755	-0.41%	Oct. / Nov.
December	\$273,374	\$280,961	\$282,558	\$287,917	\$302,025	336,928	342,145	389,101	411,863	415,785	0.95%	Nov. / Dec.
January	\$287,156	\$303,941	\$316,625	\$319,265	\$319,947	331,582	348,969	399,365	411,980	417,692	1.39%	Dec. / Jan.
February	\$293,872	\$282,081	\$304,006	\$314,369	\$300,025	340,113	351,684	430,326	422,394	419,238	-0.75%	Jan. / Feb.
March	\$265,962	\$255,710	\$278,891	\$281,267	\$275,318	295,098	347,403	350,947	381,905			Feb. / March
April	\$271,232	\$290,669	\$305,276	\$313,062	\$299,350	328,110	333,643	403,097	406,036			March / Aprl.
May	\$290,750	\$286,450	\$317,742	\$325,558	\$332,701	331,431	439,672	411,741	446,047			Aprl. / May
June	\$283,656	\$277,462	\$298,475	\$286,097	\$318,281	\$332,952	\$428,168	\$403,495	\$413,350			May / June
Total	\$3,377,943	\$3,430,849	\$3,594,364	\$3,699,166	\$3,708,275	\$3,962,165	\$4,434,490	\$4,780,305	\$5,007,988	\$3,409,552		8,868,979.72
FY Monthly Average	\$281,495	\$285,904	\$299,530	\$308,264	\$309,023	\$330,180	\$369,541	\$398,359	\$417,332	\$426,194		
% change from prior yr.	4.53%	1.57%	4.77%	2.92%	0.25%	6.85%	11.92%	7.80%	4.76%	2.58%		
\$ change from prior yr.	\$146,449	\$52,906	\$163,515	\$104,802	\$9,109	\$253,889	391,781	345,815	227,683	122,181		

Current Month Sales Tax Revenue Detail	
1/4% Economic Development (effective)	\$104,809.55
1/4% Multi-Sports Facilities (effective)	\$104,809.55
1/4% SOSU Improvements (effective)	\$104,809.55
1% Capital Improvements (effective)	\$419,238.20
2% General Operations	\$838,476.41
5/8% DISD Improvements (effective)	\$262,023.88
Total Sales Tax Rev. Feb. 2024 @ 4.375%	\$1,834,167.14
* Per Ordinance #1589, Durant City Sales Tax Rate Increased from 3.75% to 4-3/8% (4.375%)	

Use Tax	
\$51,501.23	\$313,525.11

1% Sales Tax - Current Annual Growth		
Previous 12 - Month Period	Current 12 - Month Period	% Change
\$4,929,931	\$5,056,889	2.58%

**City of Durant, Oklahoma
1% Sales Tax - Monthly Average
Ten-Year History**





The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: Information Regarding TSET Ordinance Updates and Possible Discussion

Council Information / Action Requested

Information only

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Durant - Amended Tobacco Ordinances - Changes Highlighted Version - 3 March 2024
2. Durant - Exhibit A - Amended Tobacco Ordinances - Conformed Version - 3 March 2024
3. Durant - Resolution Amending Tobacco Vapor Nicotine Ordinances - DRAFT

Because most of the language used in this next part of the ordinance titled “TOBACCO AND VAPOR PRODUCTS” particularly Sections 111.095 - 111.102, is less comprehensive than the language used in the following part titled “ACCESS TO TOBACCO BY YOUTHS” particularly Sections 111.115 - 111.21, Sections 111.095 thru 111.102 will be deleted in their entirety.

Similarly, Section 111.104 will be deleted in favor of more comprehensive language contained in the part of the ordinance titled “USE OF TOBACCO AND ELECTRONIC SMOKING DEVICES IN PUBLIC AREAS”

Once the above sections are deleted, the only remaining section, Section 111.103 will be renumbered and relocated to the part of the ordinance titled “USE OF TOBACCO AND ELECTRONIC SMOKING DEVICES IN PUBLIC AREAS”.

The net effect of the above actions will be to eliminate this next part of the ordinance titled “TOBACCO AND VAPOR PRODUCTS”.

~~TOBACCO AND VAPOR PRODUCTS~~

~~§ 111.095 DEFINITIONS.~~

~~—For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.~~

~~—**ABLE.** The Alcoholic Beverage Laws Enforcement Commission of the State of Oklahoma.~~

~~—**PERSON.** Any individual, firm, fiduciary, partnership, corporation, trust, or association, however formed.~~

~~—**PROOF OF AGE.** A driver's license, license for identification only, or other generally accepted means of identification that describes the individual as 21 years of age or older and contains a photograph or other likeness of the individual and appears on its face to be valid.~~

~~—**SAMPLE.** A tobacco product or vapor product distributed to members of the public at no cost for the purpose of promoting the product.~~

~~—**SAMPLING.** The distribution of samples to members of the public in a public place.~~

~~—**TOBACCO PRODUCT.** Any product that contains tobacco and is intended for human consumption.~~

~~—**TRANSACTION SCAN.** The process by which a seller checks, by means of a transaction scan device, the validity of a driver's license or other government-issued photo identification.~~

~~—**TRANSACTION SCAN DEVICE.** Any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format~~

~~the information encoded on the magnetic strip or bar code of a driver's license or other government-issued phot identification.~~

~~—**VAPOR PRODUCT.** Non-combustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. **VAPOR PRODUCTS** shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. **VAPOR PRODUCTS** do not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.~~

~~(Prior Code, § 111.080) (Ord. 1243, passed 4-1-1997; Ord. O-2021-28, passed 9-14-2021)~~

~~§ 111.096 FURNISHING OF TOBACCO PRODUCTS OR VAPOR PRODUCTS TO MINORS PROHIBITED; PROOF OF AGE; FINES; EMPLOYEE LIABILITY; MULTIPLE VIOLATIONS; MUNICIPAL ORDINANCES.~~

~~—(A) It is unlawful for any person to sell or furnish in any manner any tobacco product or vapor product to another person who is under 21 years of age or to purchase in any manner a tobacco product or vapor product on behalf of any such person; provided, however, that it shall not be unlawful for an employee under 21 years of age to handle tobacco products or vapor products when required in the performance of the employee's duties.~~

~~—(B) A person engaged in the sale or distribution of tobacco products or vapor products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under 21 years of age. If an individual engaged in the sale or distribution of tobacco products or vapor products has demanded proof of age from a prospective purchaser or recipient who is not under 21 years of age, the failure to subsequently require proof of age shall not constitute a violation of this division (B).~~

~~—(C) When a person violates divisions (A) or (B) above, the Municipal Court shall assess such person an administrative fine of \$100 for the first offense within a one-year period and \$200 for the second offense or each subsequent offense committed within a one-year period. Proof that the defendant demanded, was shown and reasonably relied upon proof of age shall be a defense to any action brought pursuant to this division.~~

~~—(D) If the sale is made by an employee of the owner of a store at which tobacco products are sold at retail, the employee shall be guilty of the violation and shall be subject to the fine.~~

~~—(E) Upon failure of the employee to pay the administrative fine within 90 days of the day of the assessment of such fine, the Municipal Court Clerk shall notify the Department of Public Safety and the Department shall suspend or not issue a driver's license to the employee until proof of payment has been furnished to the Department of Public Safety.~~

~~—(F) For purposes of determining the liability of a person controlling franchises or business operations in multiple locations for any violation of divisions (A) or (B) above, each individual franchise or business location shall be deemed a separate entity. (Prior Code, § 111.081) (Ord. 1243, passed 4-1-1997; Ord. 1258, passed 4-1-1998; Ord. O-2021-28, passed 9-14-2021) Penalty, see § [111.999](#)~~

~~§ 111.097 PURCHASE, RECEIPT, OR POSSESSION OF TOBACCO PRODUCTS OR VAPOR PRODUCTS BY MINORS PROHIBITED; FALSIFYING PROOF OF AGE; PENALTIES; MUNICIPAL ORDINANCES.~~

~~—It is unlawful for a person who is under 21 years of age to purchase, accept receipt of, or have in their possession a tobacco product or vapor product or to present or offer to any person any purported proof of age which is false, fraudulent, or not actually his or her own for the purpose of purchasing or receiving any tobacco product or vapor product. It shall not be unlawful for an employee under 21 years of age to handle tobacco products or vapor products when required in the performance of the employee's duties.~~

~~(Prior Code, § 111.082) (Ord. 1243, passed 4-1-1997; Ord. 1258, passed 4-1-1998; Ord. O-2021-28, passed 9-14-2021) Penalty, see § [111.999](#)~~

~~§ 111.098 SIGNS IN RETAIL ESTABLISHMENTS REQUIRED; FINES.~~

~~—(A) (1) Every person who sells tobacco products or vapor products at retail shall post conspicuously and keep so posted at the place of business a sign, as specified by the Alcoholic Beverage Laws Enforcement Commission (ABLE), stating the following:~~

~~“It's the law. We do not sell tobacco products or vapor products to persons under 21 years of age.”~~

~~—(2) The sign shall also provide the toll-free number operated by the Alcoholic Beverage Law Enforcement (ABLE) Commission for the purpose of reporting violations of the Prevention of Youth Access to Tobacco Act.~~

~~—(B) When a person violates division (A) above, the Municipal Court shall assess such person an administrative fine of \$50 for each day such offense occurs. The notice required by division (A) above shall be the only notice required to be posted or maintained in any store that sells tobacco products at retail.~~

~~(Prior Code, § 111.083) (Ord. 1243, passed 4-1-1997; Ord. O-2021-28, passed 9-14-2021)~~

~~§ 111.099 NOTICE TO RETAIL EMPLOYEES; SIGNED ACKNOWLEDGMENT.~~

~~—(A) Every person engaged in the business of selling tobacco products or vapor products at retail shall notify each individual employed by that person as a retail sales clerk that city ordinances:~~

~~—(1) Prohibit the sale or distribution of tobacco products or vapor products to any person under 21 years of age and the purchase or receipt of tobacco products or vapor products by any person under 21 years of age; and~~

~~—(2) Requires that proof of age be demanded from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under 21 years of age.~~

~~—(B) This notice shall be provided before the individual commences work as a retail sales clerk. The individual shall signify that he or she has received the notice required by this section by signing a form stating as follows:~~

~~—“I understand that city ordinance prohibits the sale or distribution of tobacco products or vapor products to persons under 21 years of age and out-of-package sales, and requires proof of age of purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser or recipient may be under 21 years of age. I promise, as a condition of my employment, to observe the law. I understand that violations by me may be punishable by fines, suspension or non-issuance of my driver's license. In addition, I understand that violations by me may subject the store owner to fines or license or permit suspension.”~~

~~(Prior Code, § 111.084) (Ord. 1243, passed 4-1-1997; Ord. O-2021-28, passed 9-14-2021)~~

~~§ 111.100 VENDING MACHINES SALES RESTRICTED.~~

~~—It shall be unlawful for any person to sell tobacco products or vapor products through a vending machine unless the vending machine is located:~~

~~—(A) In areas of factories, businesses, office, or other places that are not open to the public; and~~

~~—(B) In places that are open to the public, but to which persons under 18 years of age are not admitted.~~

~~(Prior Code, § 111.085) (Ord. 1243, passed 4-1-1997; Ord. O-2021-28, passed 9-14-2021)~~
 Penalty, see § [111.999](#)

~~§ 111.101 DISTRIBUTION OF TOBACCO PRODUCTS, VAPOR PRODUCTS OR PRODUCT SAMPLES RESTRICTED; FINES.~~

~~—(A) It shall be unlawful for any person to distribute tobacco products, vapor products or product samples to any person under 21 years of age.~~

~~—(B) Notwithstanding division (A) above, no person shall distribute tobacco products, vapor products or product samples in or on any public street, sidewalk, or park that is within 300 feet of any playground, school, or other facility when the facility is being used primarily by persons under 21 years of age.~~

~~—(C) When a person violates divisions (A) or (B) above, the Municipal Court shall assess such person an administrative fine of \$100 for the first offense within a one-year period and for the second offense and all subsequent offenses within a one-year period, an administrative fine of \$200.~~

~~—(D) Upon failure of the individual to pay the administrative fine within 90 days of the assessment of such fine, the Municipal Court Clerk shall notify the Department of Public Safety, and the Department shall suspend or not issue a driver's license to the individual until proof of payment has been furnished to the Department of Public Safety.~~

(Prior Code, § 111.086) (Ord. 1243, passed 4-1-1997; Ord. 1258, passed 4-1-1998; Ord. O-2021-28, passed 9-14-2021) Penalty, see § [111.999](#)

~~§ 111.102 SALE OF TOBACCO PRODUCTS EXCEPT IN ORIGINAL AND SEALED PACKAGING PROHIBITED; FINE.~~

—(A) ~~It is unlawful for any person to sell cigarettes except in the original and sealed package in which they were placed by the manufacturer.~~

—(B) ~~When a person violates division (A) above, the Municipal Court shall assess such person an administrative fine of \$200 for each offense.~~

(Prior Code, § 111.087) (Ord. 1243, passed 4-1-1997) Penalty, see § [111.999](#)

~~§ 111.103 TOBACCO PRODUCTS OR VAPOR PRODUCTS ADVERTISING PROHIBITED.~~

—It shall be unlawful for any person or entity to place signs or other forms of advertisement promoting or marketing the use or ingestion of tobacco products or vapor products at city sponsored events.

(Prior Code, § 111.088) (Ord. 1678, passed 2-22-2012; Ord. O-2021-28, passed 9-14-2021) Penalty, see § [111.999](#)

~~§ 111.104 USE OF TOBACCO AT CITY OWNED OR OPERATED PROPERTIES PROHIBITED.~~

—(A) ~~The use of tobacco in any form is a public nuisance and dangerous to public health and is hereby prohibited when used indoors or outside all city owned buildings, except where specifically allowed by law.~~

—(B) ~~The City Manager or his or her designee shall place signs at appropriate locations on all buildings owned or operated by the city designating the facility as tobacco free, to include all forms of tobacco products and vapor products.~~

(Prior Code, § 111.089) (Ord. 1679, passed 2-22-2012; Ord. O-2021-28, passed 9-14-2021) Penalty, see § [111.999](#)

ACCESS TO TOBACCO BY YOUTHS

§ 111.115 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CIGARETTE.

(1) Any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and costs of or contains:

(a) Any roll of tobacco wrapped in paper or in any substance not containing tobacco; or

(b) Tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filter, or its packaging and labeling, is likely to

be offered to, or purchased by, consumers as a cigarette described in subsection (1) of this definition.

(2) The term **CIGARETTE** includes “roll-your-own” (such as, any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.) For purposes of this definition of cigarette, nine one-hundredths of an ounce of “roll-your-own” tobacco shall constitute one individual **CIGARETTE**.

NICOTINE PRODUCT means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation.

PROOF OF AGE. A driver’s license, license for identification only, or other generally accepted means of identification that describes the individual as 21 years of age or older, and contains a photograph or other likeness of the individual and appears on its face to be valid.

SAMPLE. A tobacco product or vapor product or nicotine product distributed to members of the public at no cost for the purpose of promoting the product.

SAMPLING. The distribution of samples to members of the public in a public place.

TOBACCO PRODUCT. Any product that contains tobacco and is intended for human consumption.

TRANSACTION SCAN. The process by which a seller checks, by means of a transaction scan device, the validity of a driver license or other government-issued photo identification.

TRANSACTION SCAN DEVICE. Any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver license or other government-issued photo identification.

VAPOR PRODUCT. Non-combustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. **VAPOR PRODUCTS** shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. **VAPOR PRODUCTS** do not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

(Prior Code, § 111.110) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.116 FURNISHING OR SALE OF TOBACCO PRODUCTS OR VAPOR PRODUCTS OR NICOTINE PRODUCTS TO MINORS.

(A) It is unlawful for any person to sell, give, or furnish in any manner any tobacco product or vapor product or nicotine product to another person who is under 21 years of age or to purchase in any manner a tobacco product or nicotine product on behalf of any such person. It shall not be unlawful for an employee under ~~18~~ 21 years of age to handle tobacco products or nicotine products when required in the performance of the employees duties.

(B) Any person engaged in the sale or distribution of tobacco products or vapor products or nicotine products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under 21 years of age. If an individual engaged in the sale or distribution of tobacco products or vapor products or nicotine products has demanded and was shown proof of age from a prospective purchaser or recipient who is not under 21 years of age, the failure to subsequently require proof of age shall not constitute a violation of this division (B).

(C) (1) Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to prosecution under divisions (A) or (B) above. A person cited for violation of this section shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of such violation, if such person proves that:

(a) The individual who purchased or received the tobacco product or vapor product or nicotine product presented a driver's license or other government-issued photo identification purporting to establish that such individual was 21 years of age or older; and

(b) The person cited for the violation confirmed the validity of the driver's license or other government-issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

(2) Provided, that this defense shall not relieve from liability any person cited for a violation of this section if such person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver's license or other government-issued photo identification was that of the individual who presented it. The availability of the defense described in this division does not affect the availability of any other defense under any other provision of law.

(D) When a person is convicted or enters a plea and receives a continued sentence for a violation of divisions (A) or (B) above, the total of any fines, fees, or costs shall not exceed the following:

(1) One hundred dollars for the first offense;

(2) Two hundred dollars for the second offense within a two-year period following the first offense; and

(3) Three hundred dollars for the third or subsequent offense within a two-year period following the first offense.

(Prior Code, § 111.111) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.117 RECEIPT OF TOBACCO PRODUCTS OR VAPOR PRODUCTS OR NICOTINE PRODUCTS BY MINORS.

(A) It is unlawful for any person who is under 21 years of age to purchase, receive, or have in his or her possession a tobacco product or vapor product or nicotine product, or to present or offer to any person any purported proof of age which is false or fraudulent for the purpose of purchasing or receiving any tobacco product or vapor product or nicotine product. It shall not be unlawful for an employee under age 21 years of age to handle tobacco products or vapor products or nicotine product when required in the performance of the employees duties.

(B) When a person is convicted or enters a plea and receives a continued sentence for a violation of division (A) above, the total of any fines, fees, or costs shall not exceed the following:

(1) One hundred dollars for a first offense; and

(2) Two hundred dollars for a second or subsequent offense within a one-year period following the first offense.

(Prior Code, § 111.112) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.118 DISTRIBUTION OF TOBACCO PRODUCTS, VAPOR PRODUCTS, NICOTINE PRODUCTS AND PRODUCT SAMPLES.

(A) It is unlawful for any person to distribute tobacco products, vapor products, nicotine products or product samples to any person under 21 years of age.

(B) No person shall distribute tobacco products, vapor products, nicotine products or product samples in or on any public street, sidewalk, or park that is within 300 feet of any playground, school, or other facility when the facility is being used primarily by persons under 21 years of age.

(C) When a person is convicted or enters a plea and receives a continued sentence for a violation of division (A) or (B) above, the total of any fines, fees, or costs shall not exceed the following:

(1) One hundred dollars for the first offense;

(2) Two hundred dollars for the second offense; and

(3) Three hundred dollars for the third or subsequent offense.

(D) For the purpose of determining second or subsequent violations, both the offenses penalized by the ABLE Commission as administrative fines and the offenses penalized by the municipality and reported to the ABLE Commission, shall be considered together in such determination.

(Prior Code, § 111.113) (Ord. 1715, passed 3-11-2014)

§ 111.119 SALE OF TOBACCO PRODUCTS OR NICOTINE PRODUCTS EXCEPT IN ORIGINAL AND SEALED PACKAGE.

(A) It is unlawful for any person to sell cigarettes except in the original and sealed package in which they were placed by the manufacturer.

(B) When a person is convicted or enters a plea and receives a continued sentence for a violation of this section, the total of any fines, fees, or costs shall not exceed \$200 for each offense.

(Prior Code, § 111.114) (Ord. 1715, passed 3-11-2014)

§ 111.120 PUBLIC ACCESS TO DISPLAYED TOBACCO PRODUCTS OR NICOTINE PRODUCTS.

(A) It is unlawful for any person or retail store to display or offer for sale tobacco products or vapor products or nicotine products in any manner that allows public access to the tobacco product or nicotine product without assistance from the person displaying the tobacco product or vapor product or nicotine product or an employee or the owner of the store. The provisions of this division (A) shall not apply to retail stores which do not admit into the store persons under 21 years of age.

(B) When a person is convicted or enters a plea and receives a continued sentence for a violation of this section, the total of any fines, fees, or costs shall not exceed \$200 for each offense.

(Prior Code, § 111.115) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.121 REPORT OF VIOLATIONS AND COMPLIANCE CHECKS.

(A) Any conviction for a violation of this subchapter and any compliance checks conducted by the Police Department pursuant to division (B) below shall be reported in writing to the Alcoholic Beverage Laws Enforcement (ABLE) Commission within 30 days of the conviction or compliance check. Such reports shall be compiled in the manner prescribed by the ABLE Commission. Convictions shall be reported by the Court Administrator/Court Clerk or his or her designee and compliance checks shall be reported by the Chief of Police or his or her designee.

(B) Persons under 21 years of age may be enlisted by the Police Department to assist in enforcement of this subchapter pursuant to the rules of the ABLE Commission.

(Prior Code, § 111.116) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

USE OF TOBACCO AND ELECTRONIC SMOKING DEVICES IN PUBLIC AREAS

§ 111.135 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRONIC SMOKING DEVICE. An electronic and/or battery-operated device, the use of which may resemble smoking that can be used to deliver an inhaled dose of nicotine or other substances. ***ELECTRONIC SMOKING DEVICE*** includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.

INDOOR AREA means any enclosed area used or visited by employees or the public, at all times, regardless of whether work is being performed. Indoor Area includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, as well as all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like.

INDOOR WORKPLACE. Any indoor place of employment or employment-type service for or at the request of another individual or individuals, or any public or private entity, whether part-time or full-time and whether for compensation or not. Such services shall include, without limitation, any service performed by an owner, employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant, or volunteer. An **INDOOR WORKPLACE** includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, and all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like. The provisions of this section shall apply to such indoor workplace at any given time, whether or not work is being performed.

MUNICIPAL PROPERTY means all buildings, Indoor Areas, and Outdoor Areas, including but not limited to recreational areas, and other property, or portions thereof, owned or operated by the City of Durant, including but not limited to vehicles and equipment owned by the municipality.

NICOTINE PRODUCT means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation.

OUTDOOR AREA. Any covered area, partially covered area or area open to the sky that is not an indoor area and is on a property owned by the city, and includes outdoor recreational areas.

PUBLIC PLACE. Any enclosed indoor area where individuals other than employees are invited or permitted; the term is synonymous with the phrase **ANY INDOOR PLACE USED BY OR OPEN TO THE PUBLIC.**

RECREATIONAL AREA. Any area that is owned, controlled, or used by the city and open to the general public for recreational purposes, regardless of any fee or age requirement. The term **RECREATIONAL AREA** includes but is not limited to parks, picnic areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, riding trails, swimming pools, roller- and ice-skating rinks, beaches surrounding lakes, and skateboard parks.

RESTAURANT. Any eating establishment regardless of seating capacity.

SMOKING. The carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device.

STAND-ALONE BAR, STAND-ALONE TAVERN, AND CIGAR BAR. An establishment that derives more than 60% of its gross receipts, subject to verification by competent authority, from the sale of alcoholic beverages and low-point beer, and no person under 21

years of age is admitted, except for members of a musical band employed or hired as provided in 37A O.S. §§ 5-101 et seq. and that is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor workplace, including a restaurant.

TOBACCO PRODUCT. Any substance containing tobacco leaf; including but not limited to cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, snus, bidis, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter is intended for human consumption or will be introduced into the human body. **TOBACCO**

PRODUCT does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

VAPOR PRODUCT means any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Product shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic smoking device.

(Prior Code, § 111.130) (Ord. 1716, passed 3-11-2014)

§ 111.136 PROHIBITION OF TOBACCO PRODUCTS, NICOTINE PRODUCTS AND ELECTRONIC SMOKING DEVICES IN CERTAIN PLACES PROHIBITED.

(A) The possession of lighted tobacco or nicotine product in any form is a public nuisance and dangerous to public health and is hereby prohibited when such possession is in any indoor place used by or open to the public, public transportation, or any indoor workplace, except where specifically allowed by law.

(B) All buildings and other properties, including indoor and outdoor areas, owned or operated by this city, shall be entirely tobacco and nicotine product free to include all forms of tobacco and nicotine products including electronic smoking devices.

(C) All indoor and outdoor recreational areas owned or operated by this city, shall be entirely tobacco and nicotine product free to include all forms of tobacco and nicotine products including electronic smoking devices.

(Prior Code, § 111.131) (Ord. 1716, passed 3-11-2014) Penalty, see § [111.999](#)

§ 111.137 PROHIBITED CONDUCT.

(A) No person is allowed to Smoke Tobacco Products in any places in which Smoking Tobacco Products is prohibited by Oklahoma state law. (63 Okl.St.Ann. § 1-1523 (2019))

(B) No person is allowed to Smoke or use Tobacco Products and/or Vapor Products on any Municipal Property, indoor and outdoor, including parks and recreational areas.

(C) Nothing in this chapter prohibits any person or entity from prohibiting Smoking or the use of Tobacco Products or Vapor Products on their property, even if the use of Tobacco Products or Vapor Products is not otherwise prohibited in that area.

(D) No person or entity shall knowingly permit Smoking or the use of Tobacco Products or Vapor Products in an area that is under their control, if the use of Tobacco Products or Vapor Products is prohibited by law in that area.

(E) No person or entity shall permit the placement of ash receptacles, such as ash trays or ash cans, within an area under the control of that person or entity and in which Smoking is prohibited by law. However, the presence of ash receptacles shall not be a defense to a charge of the use of Tobacco Products or Vapor Products in violation of any provision of this chapter.

(F) No person or entity shall intimidate, threaten, or otherwise retaliate against another person or entity that seeks to attain compliance with this chapter.

(G) It shall be unlawful for any person or entity to place signs or other forms of advertisement promoting or marketing the use or ingestion of tobacco products or vapor products or nicotine products at city sponsored events.

§ 111.437-138 EXEMPTIONS.

The restrictions provided in § 111.136 and 111.137 shall not apply to the following:

- (A) Stand-alone bars, stand-alone taverns, and cigar bars;
- (B) The room or rooms where licensed charitable bingo games are being operated, but only during the hours of operation of such games;
- (C) Up to 25% of the guest rooms at a hotel or other lodging establishment;
- (D) Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories and in which the sale of other products is merely incidental and in which no food or beverage is sold or served for consumption on the premises;
- (E) Workplaces where only the owner or operator of the workplace, or the immediate family of the owner or operator, performs any work in the workplace, and the workplace has only incidental public access. **INCIDENTAL PUBLIC ACCESS** means that a place of business has only an occasional person, who is not an employee, present at the business to transact business or make a delivery. It does not include businesses that depend on walk-in customers for any part of their business;
- (F) Workplaces occupied exclusively by one or more smokers, if the workplace has only incidental public access;
- (G) Private offices occupied exclusively by one or more smokers;
- (H) Private residences and workplaces within private residences, except that smoking shall not be allowed inside any private residence that is used as a licensed child care facility during hours of operation;
- (I) Medical research or treatment centers, if smoking is integral to the research or treatment;
- (J) A facility operated by a post or organization of past or present members of the Armed Forces of the United States which is exempt from taxation pursuant to §§ 501(c)(8),

501(c)(10), or 501(c)(19) of the Internal Revenue Code, 26 U.S.C. §§ 501(c)(8), 501(c)(10), or 501(c)(19), when such facility is utilized exclusively by its members and their families and for the conduct of post or organization nonprofit operations, except during an event or activity which is open to the public; and

(K) Any outdoor seating area of a restaurant; provided, smoking shall not be allowed within 15 feet of any exterior public doorway or any air intake of a restaurant.

(Prior Code, § 111.132) (Ord. 1716, passed 3-11-2014)

§ 111.138139 DESIGNATED SMOKING ROOMS AND AREAS.

(A) An employer not otherwise restricted from doing so under this subchapter may elect to provide smoking rooms where no work is performed except for cleaning and maintenance during the time the room is not in use for smoking, provided each smoking room is fully enclosed and exhausted directly to the outside in such a manner that no smoke can drift or circulate into a nonsmoking area. No exhaust from a smoking room shall be located within 15 feet of any entrance, exit, or air intake.

(B) If smoking is to be permitted in any space exempted in § [111.137](#) of this subchapter or in a smoking room pursuant to division (A) above, such smoking space must either occupy the entire enclosed indoor space or, if it shares the enclosed space with any nonsmoking areas, the smoking space shall be fully enclosed, exhausted directly to the outside with no air from the smoking space circulated to any nonsmoking area, and under negative air pressure so that no smoke can drift or circulate into a nonsmoking area when a door to an adjacent nonsmoking area is opened. Air from a smoking room shall not be exhausted within 15 feet of any entrance, exit, or air intake. Any employer may choose a more restrictive smoking policy, including being totally smoke free.

(C) A nursing facility licensed pursuant to the Nursing Home Care Act, being 63 O.S. §§ 1-1900.1 et seq., may designate smoking rooms for residents and their guests. Such rooms shall be fully enclosed, directly exhausted to the outside, and shall be under negative air pressure so that no smoke can escape when a door is opened and no air is recirculated to nonsmoking areas of the building.

(D) Restaurants shall be totally nonsmoking or may provide nonsmoking areas and designated smoking rooms. Food and beverage maybe served in such designated smoking rooms which shall be in a location which is fully enclosed, directly exhausted to the outside, under negative air pressure so smoke cannot escape when a door is opened, and no air is recirculated to nonsmoking areas of the building. No exhaust from such room shall be located within 25 feet of any entrance, exit, or air intake. Such room shall be subject to verification for compliance with the provisions of this division by the State Department of Health.

(Prior Code, § 111.133) (Ord. 1716, passed 3-11-2014) Penalty, see § [111.999](#)

§ ~~111.139~~ POSTING.

~~—(A) The person who owns or operates a place where smoking or tobacco use is prohibited by law shall be responsible for posting a sign or decal, at least four inches by two inches in size, at each entrance to the building indicating that the place is smoke-free or tobacco-free.~~

~~—(B) Responsibility for posting signs or decals shall be as follows:~~

~~—(1) In privately owned facilities, the owner or lessee, if a lessee is in possession of the facilities, shall be responsible;~~

~~—(2) In corporately owned facilities, the manager and/or supervisor of the facility involved shall be responsible; and~~

~~—(3) In publicly owned facilities, the manager and/or supervisor of the facility shall be responsible.~~

~~(Prior Code, § 111.134) (Ord. 1716, passed 3-11-2014)~~

§ 111.140 REQUIRED SIGNS

(A) The person or entity that has legal or de facto control of an area in which Smoking and the use of Tobacco Products or Vapor Products is prohibited by this chapter shall post a clear, conspicuous, and unambiguous sign at each point of entry to the area, and in prominent locations within the area.

(B) For restrictions on Smoking and the use of Tobacco Products or Vapor Products in Indoor Areas, the sign or decal shall be at least 4 inches by 2 inches in size and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided. For restrictions on the use of Tobacco Products or Vapor Products in Outdoor Areas, signs shall be weather-resistant, at least 15 inches by 15 inches in size, with lettering of at least 1 inch, and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided.

(C) For purposes of this section, the City Manager or his/her designee shall be responsible for the posting of signs on Municipal Property, both indoor and outdoor.

(D). Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of Smoking or the use of Tobacco Products or Vapor Products in violation of any other provision of this chapter.

§ 111.440141 ENFORCEMENT AND PENALTIES.

The state or local governmental agency or the person who owns or operates a public place shall, at a minimum, do the following in order to prevent smoking in public places:

(A) Post signs at entrances to places where smoking is prohibited which state that tobacco use is prohibited or that the indoor environment is free of tobacco smoke; and

(B) Ask tobacco users to refrain from using any form of tobacco products, including electronic smoking devices upon observation of anyone violating the provisions of this subchapter.

Enforcement of this chapter shall be the responsibility of the Durant Police Department. In addition, any peace officer or code enforcement official may enforce this chapter.

(C) Any person who knowingly violates this [article / chapter] shall be punished by a citation and fine of not less than \$50 and not more than \$100.

(D) The possession of a lighted Tobacco Product in violation of this chapter is a nuisance.

(E). The remedies provided by this [article / chapter] are cumulative and in addition to any other remedies available at law or in equity.

(F) Each instance of Tobacco Product or Vapor Product use in violation of this chapter shall constitute a separate violation.

(G) The use of a Vapor Product in violation of this chapter is a nuisance.

(H) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter regarding Tobacco Product or Vapor Product use shall also constitute a violation of this chapter.

(I) In addition to other remedies provided by this chapter or by other law, any violation of this chapter regarding Tobacco Product or Vapor Product use may be remedied by the City Attorney, including, but not limited to, administrative or judicial nuisance abatement proceedings, criminal code enforcement proceedings, and suits for injunctive relief.

(Prior Code, § 111.135) (Ord. 1716, passed 3-11-2014)

§ 111.142 STATUTORY CONSTRUCTION AND SEVERABILITY

It is the intent of the City Council of the City of Durant to supplement applicable state and federal law and not to duplicate or contradict such law. The provisions of this ordinance are severable, and the invalidity of any provision of the ordinance shall not affect other provisions of the ordinance, which can be given effect without the invalid provision.

ACCESS TO TOBACCO BY YOUTHS

§ 111.115 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CIGARETTE.

(1) Any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and costs of or contains:

- (a) Any roll of tobacco wrapped in paper or in any substance not containing tobacco; or
- (b) Tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filter, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in subsection (1) of this definition.

(2) The term **CIGARETTE** includes “roll-your-own” (such as, any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.) For purposes of this definition of cigarette, nine one-hundredths of an ounce of “roll-your-own” tobacco shall constitute one individual **CIGARETTE**.

NICOTINE PRODUCT means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation.

PROOF OF AGE. A driver’s license, license for identification only, or other generally accepted means of identification that describes the individual as 21 years of age or older, and contains a photograph or other likeness of the individual and appears on its face to be valid.

SAMPLE. A tobacco product or vapor product or nicotine product distributed to members of the public at no cost for the purpose of promoting the product.

SAMPLING. The distribution of samples to members of the public in a public place.

TOBACCO PRODUCT. Any product that contains tobacco and is intended for human consumption.

TRANSACTION SCAN. The process by which a seller checks, by means of a transaction scan device, the validity of a driver license or other government-issued photo identification.

TRANSACTION SCAN DEVICE. Any commercial device or combination of devices used at a point of sale or entry that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver license or other government-issued photo identification.

VAPOR PRODUCT. Non-combustible products, that may or may not contain nicotine, that employ a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. **VAPOR PRODUCTS** shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any

vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo or electronic device. **VAPOR PRODUCTS** do not include any products regulated by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

(Prior Code, § 111.110) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.116 FURNISHING OR SALE OF TOBACCO PRODUCTS OR VAPOR PRODUCTS OR NICOTINE PRODUCTS TO MINORS.

(A) It is unlawful for any person to sell, give, or furnish in any manner any tobacco product or vapor product or nicotine product to another person who is under 21 years of age or to purchase in any manner a tobacco product or nicotine product on behalf of any such person. It shall not be unlawful for an employee under 18 21 years of age to handle tobacco products or nicotine products when required in the performance of the employees duties.

(B) Any person engaged in the sale or distribution of tobacco products or vapor products or nicotine products shall demand proof of age from a prospective purchaser or recipient if an ordinary person would conclude on the basis of appearance that the prospective purchaser may be under 21 years of age. If an individual engaged in the sale or distribution of tobacco products or vapor products or nicotine products has demanded and was shown proof of age from a prospective purchaser or recipient who is not under 21 years of age, the failure to subsequently require proof of age shall not constitute a violation of this division (B).

(C) (1) Proof that the defendant demanded, was shown, and reasonably relied upon proof of age shall be a defense to prosecution under divisions (A) or (B) above. A person cited for violation of this section shall be deemed to have reasonably relied upon proof of age, and such person shall not be found guilty of such violation, if such person proves that:

(a) The individual who purchased or received the tobacco product or vapor product or nicotine product presented a driver's license or other government-issued photo identification purporting to establish that such individual was 21 years of age or older; and

(b) The person cited for the violation confirmed the validity of the driver's license or other government-issued photo identification presented by such individual by performing a transaction scan by means of a transaction scan device.

(2) Provided, that this defense shall not relieve from liability any person cited for a violation of this section if such person failed to exercise reasonable diligence to determine whether the physical description and picture appearing on the driver's license or other government-issued photo identification was that of the individual who presented it. The availability of the defense described in this division does not affect the availability of any other defense under any other provision of law.

(D) When a person is convicted or enters a plea and receives a continued sentence for a violation of divisions (A) or (B) above, the total of any fines, fees, or costs shall not exceed the following:

(1) One hundred dollars for the first offense;

(2) Two hundred dollars for the second offense within a two-year period following the first offense; and

(3) Three hundred dollars for the third or subsequent offense within a two-year period following the first offense.

(Prior Code, § 111.111) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.117 RECEIPT OF TOBACCO PRODUCTS OR VAPOR PRODUCTS OR NICOTINE PRODUCTS BY MINORS.

(A) It is unlawful for any person who is under 21 years of age to purchase, receive, or have in his or her possession a tobacco product or vapor product or nicotine product, or to present or offer to any person any purported proof of age which is false or fraudulent for the purpose of purchasing or receiving any tobacco product or vapor product or nicotine product. It shall not be unlawful for an employee under age 21 years of age to handle tobacco products or vapor products or nicotine product when required in the performance of the employees duties.

(B) When a person is convicted or enters a plea and receives a continued sentence for a violation of division (A) above, the total of any fines, fees, or costs shall not exceed the following:

(1) One hundred dollars for a first offense; and

(2) Two hundred dollars for a second or subsequent offense within a one-year period following the first offense.

(Prior Code, § 111.112) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.118 DISTRIBUTION OF TOBACCO PRODUCTS, VAPOR PRODUCTS, NICOTINE PRODUCTS AND PRODUCT SAMPLES.

(A) It is unlawful for any person to distribute tobacco products, vapor products, nicotine products or product samples to any person under 21 years of age.

(B) No person shall distribute tobacco products, vapor products, nicotine products or product samples in or on any public street, sidewalk, or park that is within 300 feet of any playground, school, or other facility when the facility is being used primarily by persons under 21 years of age.

(C) When a person is convicted or enters a plea and receives a continued sentence for a violation of division (A) or (B) above, the total of any fines, fees, or costs shall not exceed the following:

(1) One hundred dollars for the first offense;

(2) Two hundred dollars for the second offense; and

(3) Three hundred dollars for the third or subsequent offense.

(D) For the purpose of determining second or subsequent violations, both the offenses penalized by the ABLE Commission as administrative fines and the offenses penalized by the municipality and reported to the ABLE Commission, shall be considered together in such determination.

(Prior Code, § 111.113) (Ord. 1715, passed 3-11-2014)

§ 111.119 SALE OF TOBACCO PRODUCTS OR NICOTINE PRODUCTS EXCEPT IN ORIGINAL AND SEALED PACKAGE.

(A) It is unlawful for any person to sell cigarettes except in the original and sealed package in which they were placed by the manufacturer.

(B) When a person is convicted or enters a plea and receives a continued sentence for a violation of this section, the total of any fines, fees, or costs shall not exceed \$200 for each offense.

(Prior Code, § 111.114) (Ord. 1715, passed 3-11-2014)

§ 111.120 PUBLIC ACCESS TO DISPLAYED TOBACCO PRODUCTS OR NICOTINE PRODUCTS.

(A) It is unlawful for any person or retail store to display or offer for sale tobacco products or vapor products or nicotine products in any manner that allows public access to the tobacco product or nicotine product without assistance from the person displaying the tobacco product or vapor product or nicotine product or an employee or the owner of the store. The provisions of this division (A) shall not apply to retail stores which do not admit into the store persons under 21 years of age.

(B) When a person is convicted or enters a plea and receives a continued sentence for a violation of this section, the total of any fines, fees, or costs shall not exceed \$200 for each offense.

(Prior Code, § 111.115) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

§ 111.121 REPORT OF VIOLATIONS AND COMPLIANCE CHECKS.

(A) Any conviction for a violation of this subchapter and any compliance checks conducted by the Police Department pursuant to division (B) below shall be reported in writing to the Alcoholic Beverage Laws Enforcement (ABLE) Commission within 30 days of the conviction or compliance check. Such reports shall be compiled in the manner prescribed by the ABLE Commission. Convictions shall be reported by the Court Administrator/Court Clerk or his or her designee and compliance checks shall be reported by the Chief of Police or his or her designee.

(B) Persons under 21 years of age may be enlisted by the Police Department to assist in enforcement of this subchapter pursuant to the rules of the ABLE Commission.

(Prior Code, § 111.116) (Ord. 1715, passed 3-11-2014; Ord. O-2021-28, passed 9-14-2021)

USE OF TOBACCO AND ELECTRONIC SMOKING DEVICES IN PUBLIC AREAS

§ 111.135 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ELECTRONIC SMOKING DEVICE. An electronic and/or battery-operated device, the use of which may resemble smoking that can be used to deliver an inhaled dose of nicotine or other substances. **ELECTRONIC SMOKING DEVICE** includes any such device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor.

INDOOR AREA means any enclosed area used or visited by employees or the public, at all times, regardless of whether work is being performed. Indoor Area includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, as well as all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like.

INDOOR WORKPLACE. Any indoor place of employment or employment-type service for or at the request of another individual or individuals, or any public or private entity, whether part-time or full-time and whether for compensation or not. Such services shall include, without limitation, any service performed by an owner, employee, independent contractor, agent, partner, proprietor, manager, officer, director, apprentice, trainee, associate, servant, or volunteer. An **INDOOR WORKPLACE** includes work areas, employee lounges, restrooms, conference rooms, classrooms, employee cafeterias, hallways, any other spaces used or visited by employees, and all space between a floor and ceiling that is predominantly or totally enclosed by walls or windows, regardless of doors, doorways, open or closed windows, stairways, or the like. The provisions of this section shall apply to such indoor workplace at any given time, whether or not work is being performed.

MUNICIPAL PROPERTY means all buildings, Indoor Areas, and Outdoor Areas, including but not limited to recreational areas, and other property, or portions thereof, owned or operated by the City of Durant, including but not limited to vehicles and equipment owned by the municipality.

NICOTINE PRODUCT means any product that contains nicotine extracted or isolated from plants, vegetables, fruit, herbs, weeds, genetically modified organic matter, or that is synthetic in origin and is intended for human consumption; provided, however, this term shall not include products approved by the United States Food and Drug Administration for smoking cessation.

OUTDOOR AREA. Any covered area, partially covered area or area open to the sky that is not an indoor area and is on a property owned by the city, and includes outdoor recreational areas.

PUBLIC PLACE. Any enclosed indoor area where individuals other than employees are invited or permitted; the term is synonymous with the phrase **ANY INDOOR PLACE USED BY OR OPEN TO THE PUBLIC**.

RECREATIONAL AREA. Any area that is owned, controlled, or used by the city and open to the general public for recreational purposes, regardless of any fee or age requirement. The term **RECREATIONAL AREA** includes but is not limited to parks, picnic

areas, playgrounds, sports fields, golf courses, walking paths, gardens, hiking trails, bike paths, riding trails, swimming pools, roller- and ice-skating rinks, beaches surrounding lakes, and skateboard parks.

RESTAURANT. Any eating establishment regardless of seating capacity.

SMOKING. The carrying by a person of a lighted cigar, cigarette, pipe, or other lighted smoking device.

STAND-ALONE BAR, STAND-ALONE TAVERN, AND CIGAR BAR. An establishment that derives more than 60% of its gross receipts, subject to verification by competent authority, from the sale of alcoholic beverages and low-point beer, and no person under 21 years of age is admitted, except for members of a musical band employed or hired as provided in 37A O.S. §§ 5-101 et seq. and that is not located within, and does not share any common entryway or common indoor area with, any other enclosed indoor workplace, including a restaurant.

TOBACCO PRODUCT. Any substance containing tobacco leaf; including but not limited to cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, snus, bidis, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, offered for sale, or otherwise distributed with the expectation that the product or matter is intended for human consumption or will be introduced into the human body. **TOBACCO**

PRODUCT does not include any cessation product specifically approved by the United States Food and Drug Administration for use in treating nicotine or tobacco dependence.

VAPOR PRODUCT means any noncombustible product, that may or may not contain nicotine, that employs a mechanical heating element, battery, electronic circuit, or other mechanism, regardless of shape or size, that can be used to produce a vapor in a solution or other form. Vapor Product shall include any vapor cartridge or other container with or without nicotine or other form that is intended to be used with an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device and any vapor cartridge or other container of a solution, that may or may not contain nicotine, that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, or electronic smoking device.

(Prior Code, § 111.130) (Ord. 1716, passed 3-11-2014)

§ 111.136 PROHIBITION OF TOBACCO PRODUCTS, NICOTINE PRODUCTS AND ELECTRONIC SMOKING DEVICES IN CERTAIN PLACES PROHIBITED.

(A) The possession of lighted tobacco or nicotine product in any form is a public nuisance and dangerous to public health and is hereby prohibited when such possession is in any indoor place used by or open to the public, public transportation, or any indoor workplace, except where specifically allowed by law.

(B) All buildings and other properties, including indoor and outdoor areas, owned or operated by this city, shall be entirely tobacco and nicotine product free to include all forms of tobacco and nicotine products including electronic smoking devices.

(C) All indoor and outdoor recreational areas owned or operated by this city, shall be entirely tobacco and nicotine product free to include all forms of tobacco and nicotine products including electronic smoking devices.

(Prior Code, § 111.131) (Ord. 1716, passed 3-11-2014) Penalty, see § 111.999

§ 111.137 PROHIBITED CONDUCT.

(A) No person is allowed to Smoke Tobacco Products in any places in which Smoking Tobacco Products is prohibited by Oklahoma state law. (63 Okl.St.Ann. § 1-1523 (2019))

(B) No person is allowed to Smoke or use Tobacco Products and/or Vapor Products on any Municipal Property, indoor and outdoor, including parks and recreational areas.

(C) Nothing in this chapter prohibits any person or entity from prohibiting Smoking or the use of Tobacco Products or Vapor Products on their property, even if the use of Tobacco Products or Vapor Products is not otherwise prohibited in that area.

(D) No person or entity shall knowingly permit Smoking or the use of Tobacco Products or Vapor Products in an area that is under their control, if the use of Tobacco Products or Vapor Products is prohibited by law in that area.

(E) No person or entity shall permit the placement of ash receptacles, such as ash trays or ash cans, within an area under the control of that person or entity and in which Smoking is prohibited by law. However, the presence of ash receptacles shall not be a defense to a charge of the use of Tobacco Products or Vapor Products in violation of any provision of this chapter.

(F) No person or entity shall intimidate, threaten, or otherwise retaliate against another person or entity that seeks to attain compliance with this chapter.

(G) It shall be unlawful for any person or entity to place signs or other forms of advertisement promoting or marketing the use or ingestion of tobacco products or vapor products or nicotine products at city sponsored events.

§ 111.138 EXEMPTIONS.

The restrictions provided in § 111.136 and 111.137 shall not apply to the following:

- (A) Stand-alone bars, stand-alone taverns, and cigar bars;
- (B) The room or rooms where licensed charitable bingo games are being operated, but only during the hours of operation of such games;
- (C) Up to 25% of the guest rooms at a hotel or other lodging establishment;
- (D) Retail tobacco stores predominantly engaged in the sale of tobacco products and accessories and in which the sale of other products is merely incidental and in which no food or beverage is sold or served for consumption on the premises;
- (E) Workplaces where only the owner or operator of the workplace, or the immediate family of the owner or operator, performs any work in the workplace, and the workplace has only incidental public access. **INCIDENTAL PUBLIC ACCESS** means that a place of business has only an occasional person, who is not an employee, present at the business to transact business or make a delivery. It does not include businesses that depend on walk-in customers for any part of their business;
- (F) Workplaces occupied exclusively by one or more smokers, if the workplace has only incidental public access;

- (G) Private offices occupied exclusively by one or more smokers;
- (H) Private residences and workplaces within private residences, except that smoking shall not be allowed inside any private residence that is used as a licensed child care facility during hours of operation;
- (I) Medical research or treatment centers, if smoking is integral to the research or treatment;
- (J) A facility operated by a post or organization of past or present members of the Armed Forces of the United States which is exempt from taxation pursuant to §§ 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code, 26 U.S.C. §§ 501(c)(8), 501(c)(10), or 501(c)(19), when such facility is utilized exclusively by its members and their families and for the conduct of post or organization nonprofit operations, except during an event or activity which is open to the public; and
- (K) Any outdoor seating area of a restaurant; provided, smoking shall not be allowed within 15 feet of any exterior public doorway or any air intake of a restaurant.
(Prior Code, § 111.132) (Ord. 1716, passed 3-11-2014)

§ 111.139 DESIGNATED SMOKING ROOMS AND AREAS.

- (A) An employer not otherwise restricted from doing so under this subchapter may elect to provide smoking rooms where no work is performed except for cleaning and maintenance during the time the room is not in use for smoking, provided each smoking room is fully enclosed and exhausted directly to the outside in such a manner that no smoke can drift or circulate into a nonsmoking area. No exhaust from a smoking room shall be located within 15 feet of any entrance, exit, or air intake.
- (B) If smoking is to be permitted in any space exempted in § 111.137 of this subchapter or in a smoking room pursuant to division (A) above, such smoking space must either occupy the entire enclosed indoor space or, if it shares the enclosed space with any nonsmoking areas, the smoking space shall be fully enclosed, exhausted directly to the outside with no air from the smoking space circulated to any nonsmoking area, and under negative air pressure so that no smoke can drift or circulate into a nonsmoking area when a door to an adjacent nonsmoking area is opened. Air from a smoking room shall not be exhausted within 15 feet of any entrance, exit, or air intake. Any employer may choose a more restrictive smoking policy, including being totally smoke free.
- (C) A nursing facility licensed pursuant to the Nursing Home Care Act, being 63 O.S. §§ 1-1900.1 et seq., may designate smoking rooms for residents and their guests. Such rooms shall be fully enclosed, directly exhausted to the outside, and shall be under negative air pressure so that no smoke can escape when a door is opened and no air is recirculated to nonsmoking areas of the building.
- (D) Restaurants shall be totally nonsmoking or may provide nonsmoking areas and designated smoking rooms. Food and beverage maybe served in such designated smoking rooms which shall be in a location which is fully enclosed, directly exhausted to the outside, under negative air pressure so smoke cannot escape when a door is opened, and no air is recirculated to nonsmoking areas of the building. No exhaust from such room shall be located within 25 feet of any entrance, exit, or air intake. Such room shall be subject to

verification for compliance with the provisions of this division by the State Department of Health.

(Prior Code, § 111.133) (Ord. 1716, passed 3-11-2014) Penalty, see § 111.999

§ 111.140 REQUIRED SIGNS

(A) The person or entity that has legal or de facto control of an area in which Smoking and the use of Tobacco Products or Vapor Products is prohibited by this chapter shall post a clear, conspicuous, and unambiguous sign at each point of entry to the area, and in prominent locations within the area.

(B) For restrictions on Smoking and the use of Tobacco Products or Vapor Products in Indoor Areas, the sign or decal shall be at least 4 inches by 2 inches in size and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided. For restrictions on the use of Tobacco Products or Vapor Products in Outdoor Areas, signs shall be weather-resistant, at least 15 inches by 15 inches in size, with lettering of at least 1 inch, and shall clearly state that smoking or tobacco use is prohibited or that a tobacco-free environment is provided.

(C) For purposes of this section, the City Manager or his/her designee shall be responsible for the posting of signs on Municipal Property, both indoor and outdoor.

(D). Notwithstanding this provision, the presence or absence of signs shall not be a defense to a charge of Smoking or the use of Tobacco Products or Vapor Products in violation of any other provision of this chapter.

§ 111.141 ENFORCEMENT AND PENALTIES.

The state or local governmental agency or the person who owns or operates a public place shall, at a minimum, do the following in order to prevent smoking in public places:

(A) Post signs at entrances to places where smoking is prohibited which state that tobacco use is prohibited or that the indoor environment is free of tobacco smoke; and

(B) Ask tobacco users to refrain from using any form of tobacco products, including electronic smoking devices upon observation of anyone violating the provisions of this subchapter.

Enforcement of this chapter shall be the responsibility of the Durant Police Department. In addition, any peace officer or code enforcement official may enforce this chapter.

(C) Any person who knowingly violates this [article / chapter] shall be punished by a citation and fine of not less than \$50 and not more than \$100.

(D) The possession of a lighted Tobacco Product in violation of this chapter is a nuisance.

(E). The remedies provided by this [article / chapter] are cumulative and in addition to any other remedies available at law or in equity.

(F) Each instance of Tobacco Product or Vapor Product use in violation of this chapter shall constitute a separate violation.

(G) The use of a Vapor Product in violation of this chapter is a nuisance.

(H) Causing, permitting, aiding, abetting, or concealing a violation of any provision of this chapter regarding Tobacco Product or Vapor Product use shall also constitute a violation of this chapter.

(I) In addition to other remedies provided by this chapter or by other law, any violation of this chapter regarding Tobacco Product or Vapor Product use may be remedied by the City Attorney, including, but not limited to, administrative or judicial nuisance abatement proceedings, criminal code enforcement proceedings, and suits for injunctive relief.

(Prior Code, § 111.135) (Ord. 1716, passed 3-11-2014)

§ 111.142 STATUTORY CONSTRUCTION AND SEVERABILITY

It is the intent of the City Council of the City of Durant to supplement applicable state and federal law and not to duplicate or contradict such law. The provisions of this ordinance are severable, and the invalidity of any provision of the ordinance shall not affect other provisions of the ordinance, which can be given effect without the invalid provision.

Resolution Amending Existing Ordinances Regarding Tobacco Vapor and Nicotine

A RESOLUTION RECOMMENDING THE CITY COUNCIL OF THE CITY OF DURANT, OKLAHOMA, AMEND EXISTING CITY ORDINANCES REGARDING TOBACCO, VAPOR AND NICOTINE PRODUCTS TO FURTHER DISCOURAGE USE OF TOBACCO, VAPOR AND NICOTINE PRODUCTS AMONGST YOUTH AND CITIZENS OF ALL AGES IN COMPLIANCE WITH THE BEST PRACTICES OF THE STATE OF OKLAHOMA.

WHEREAS, by majority vote of the Durant City Council at a proposed special meeting before March 29th, 2024 it was deemed necessary to amend sections 111.095 through 111.140 of and, add new sections 111.141 and 111.142 to the existing Durant Code of Ordinances.

WHEREAS, 18.9 percent of adults in Oklahoma smoke;¹ and

WHEREAS, tobacco use is the leading preventable cause of death, killing more than 7,500 Oklahomans every year;² and

WHEREAS, tobacco use can cause disease in nearly all organ systems, and is responsible for 87 percent of lung cancer deaths, 79 percent of all chronic obstructive pulmonary disease deaths, and 32 percent of coronary heart disease deaths;³ and

WHEREAS, studies show separate smoking areas or rooms, air filters, and ventilation systems are insufficient to protect nonsmokers from secondhand smoke indoors;⁴ and

WHEREAS, according to the United States Surgeon General, there is no risk-free level of exposure to secondhand smoke;⁴ and

WHEREAS, nearly 50,000 nonsmokers die each year in the United States as a result of exposure to secondhand smoke;⁵ and

WHEREAS, using vapor products or smokeless tobacco products is not safe;^{6,7,8,9,10,11,12,14,15,16} and

WHEREAS, research has found that aerosol from vapor products contains chemicals known to cause cancer, birth defects, or other reproductive harm^{6,7,8,9,10,11,12} and vapor products may involuntarily expose children, youth, pregnant women, and other bystanders to aerosolized nicotine;^{10,12,13} and

WHEREAS, smokeless tobacco use increases people's risk of heart disease, stroke, and cancer, specifically oral, esophageal, and pancreatic cancers,^{14,15,16} as well as stillbirth and preterm delivery;^{17,18} and

WHEREAS, community policies that fail to prohibit the use of tobacco products normalize tobacco use and make it more likely that people will use tobacco products because they see others using tobacco;¹⁹ and

WHEREAS, tobacco use and exposure to secondhand smoke impose an enormous economic burden upon the government, taxpayers, business owners, and individuals through health care costs and lost productivity, as evidenced by the \$1.62 billion Oklahoma spends on smoking-related medical care and \$2.1 billion in lost productivity;² and

WHEREAS, laws restricting the use of tobacco products have demonstrated a high return on investment;²⁰ and

WHEREAS, 89.3 percent of Oklahomans agree that all workplaces in cities and towns should have smokefree policies;²¹ and

WHEREAS, Oklahoma state law prohibits smoking in most indoor workplaces; and

WHEREAS, Oklahoma state law expressly permits municipalities to impose additional regulations on smoking tobacco products on property owned or operated by local governments; and

WHEREAS, Oklahoma state law does not preempt local governments from regulating the use of smokeless tobacco products and vapor products.²²

NOW THEREFORE, BE IT RESOLVED, the Durant Planning Commission recommends the Durant City Council amend sections 111.095 through 111.140 of, and, add new sections 111.141 and 111.142 to, the existing Durant Code of Ordinances regarding Tobacco, Vapor and Nicotine products to further discourage use of Tobacco, Vapor and Nicotine amongst citizens of all ages, especially youth, in compliance with the best practices of the state of Oklahoma and as specified in the attached document Exhibit A.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Durant Planning Commission, Durant, Oklahoma, at which a quorum was present and which was held on the 3rd day of March 2024.

CITY OF DURANT PLANNING COMMISSION

BY: _____

Name, Commission Chair

ATTEST:

BY: _____

Name, Title

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20. Guide to Community Preventive Services. Reducing Tobacco Use and Secondhand Smoke Exposure: Smoke-Free Policies. 2012. Available at: <https://www.thecommunityguide.org/sites/default/files/assets/Tobacco-Smokefree-Policies.pdf>
21. Oklahoma State Department of Health (OSDH). Smoke-free policies for all workplaces in city and towns. Oklahoma Behavioral Risk Factor Surveillance System. 2019. Available at: www.health.state.ok.us/ok2share/.
22. 63 Okla. Stat. Ann. § 1-1527.



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Tiffany Steele, Assistant Grants Coordinator
Re: Consideration, Discussion and Possible Action to Accept the 2023 Oklahoma Department of Emergency Management and Homeland Security Enhanced 911 Funding Sustainability Grant Award in the Amount of \$2,993 as Funding to Purchase and Replace Approximately 20 Push-To-Talk Headsets and 4 Headset Adapters for the Durant Bryan County PSAP.

The grant award notice was received November 17th for the amount of \$2993. This project has a 12-month grant period, through July 30, 2024 and does not require a cash match.

Council Information / Action Requested

Accept the 2023 Oklahoma Department of Emergency Management and Homeland Security Enhanced 911 Funding Sustainability Grant Award in the Amount of \$2,993 as Funding to Purchase and Replace Approximately 20 Push-To-Talk Headsets and 4 Headset Adapters for the Durant Bryan County PSAP.

City Staff Information / Action Follow-up, if Council authorizes this action:

Grants Department will work with the Durant Police Department to complete the project successfully.

ATTACHMENTS:

1. Award Notification from OEM System, 11-20-23

Project S58: Project Version #0

Routing in Progress: Applicant SLA Signing (Step 2 of 4)

Details

Sequence #: 0

Ref #: < no value >

Bundle #: < no value >

Package #: < no value >

Obligated Date: November 17, 2023

Eligible Amount: \$2,993.00**Cost Share Flag:** No**Federal Amount:** \$0.00**Subrecipient** \$0.00**Management****Cost Amount:****State Amount:** \$2,993.00**Local Share:** \$0.00**Is Donated** No**Resources:**

Grant

2023 2023 Funding Sustainability Grant (Invitation Only)

Enhanced 911

Start Date: July 6, 2023

End Date: July 30, 2024

CFDA Number: 206150000

Applicant

Durant, City Of

Bryan County

UEI: C55UMLGPA8U5

FIPS: 013-22050-00

FEIN #: 73-6005186

Vendor # (Applicant): 0000076885

DUNS #: 010473114 Type: City or

Township Government

Physical: PO BOX 578

DURANT, OK, 74702-0578

Mailing: 300 W Evergreen

DURANT, OK, 74702-0578

Project

F #1117235 S #58

Durant PD 911 Center 2023 FSG

2023 FSG 2023 Funding

Sustainability

Project POP Deadline: June 30, 2024

Eligible: \$2,993.00

Federal: \$0.00 (0%)

Un-Expended Eligible: \$2,993.00

Workflow Summary

Current Step: 2) Applicant SLA Signing
Description: The Applicant has been informed of Project Approval, and now has to sign the State/Local Agreement and advance it to the State once done.

Recipients: Karen Douglas**Last Advanced:** Nov 17, 2023 at 11:43 AM by Karen Douglas**Submission:** Nov 17, 2023 at 11:43 AM by Karen Douglas

es & Comments

}

Award Notification/SLA in Documents for Signature – Karen Douglas November 17 at 11:54 AM

To: Rebecca Payne

Your FSG application has been awarded and now the State and Local Agreement (SLA) must be signed by your local Authorized Agent such as the chair of the County Commissioners, Mayor, City Manager, Agency Director, Tribal or Trust Authority Chair etc.

You will find a copy of the SLA under the Documents module in EMGrants. Please download, have signed then upload the SLA in EMGrants by Dec 17, 2023. [Please respond to this Note once you've uploaded the SLA].

Once the signed SLA is received, the ODEMHS Director will sign and the fully signed SLA will be uploaded to EMGrants by 9-1-1 Management Authority staff. Thanks, Karen Douglas,
karen.douglas@oem.ok.gov (Link: <mailto:karen.douglas@oem.ok.gov>)



Rebecca Payne replied:

November 17 at 1:53 PM

Thank you, Karen! We are excited the grant was funded. I will notify the appropriate staff. Does OEM require for the SLA to be approved by City Council?

Disregard



Karen Douglas replied:

November 17 at 2:01 PM

Hi Becca, no - the SLA doesn't have to be approved by City Council - just signed by Authorizing Official such as Mayor, City Manager, etc. Thanks!



Rebecca Payne replied:

Today at 8:39 AM

Good morning, Karen! I plan to return the signed SLA document in the next two days. I hope you have a blessed Thanksgiving week, with family, friends and fabulous food!

Edit or Disregard



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Tiffany Steele, Assistant Grants Coordinator
Re: Consideration, Discussion and Possible Action to Accept the 2024 OMAG Public Safety Equipment Grant Award in the Amount of \$5,000 as Partial Funding to Purchase Excavation Safety Equipment for the Streets Department.

The grant award notice was received February 15th in the amount of \$5,000. This project must be completed by May 15, 2024 and requires a \$5:1 match.

Council Information / Action Requested

Accept the 2024 OMAG Public Safety Equipment Grant Award in the Amount of \$5,000 to Purchase Excavation Safety Equipment for the Streets Department.

City Staff Information / Action Follow-up, if Council authorizes this action:

Grants Department will work with the Streets Department to complete the project successfully.

ATTACHMENTS:

1. City of Durant Mail - OMAG Public Works Safety Equipment Grant - APPROVED!

OMAG Public Works Safety Equipment Grant - APPROVED!

1 message

Hunter Askew <origami@omag.org>

Thu, Feb 15, 2024 at 1:40 PM

Reply-To: live-replyto-11467.e54e5420-8025-4e0e-8df5-161f1852f492@origamirisk.com, askew@omag.org

To: tiffanys@durant.org

Dear Ms. Steele:

I have received the City of Durant's Public Works Safety Equipment Grant application. I am excited that the City of Durant is considering the purchase of Excavation Safety Equipment.

With award of this grant, please consider the following. This PWSE Grant is only available to any Municipality once every fiscal year. We want you to be aware of this, so you are able to capitalize and maximize your spending dollars. If you would like to withdraw this grant and consider the best way to maximize your spending, it will not affect a future approval to obtain the maximum benefit available to your Municipality.

The following is an approval you can share with your Council:

To whom it may concern,

The City of Durant is approved to receive OMAG's Public Works Safety Equipment (PWSE) Grant for the purchase of Excavation Safety Equipment. The PWSE Grant is a post purchase, \$5:1 matching funds grant with a maximum benefit of \$5,000.00. Equipment purchased under this grant must be completed on or before 5/15/2024. Given recent supply chain issues, grants not completed on or before the aforementioned date, may be transferred to the next fiscal year; and will be subject to the grant requirements for the next fiscal year.

In the event, delayed delivery of equipment is expected, please notify me at your earliest convenience.

After the equipment is delivered, please send a copy of the invoice, check used and pictures of your public works staff with the equipment. Once these documents are received, a check for the matching funds will be sent within 2 weeks.

If additional information on this or any of [OMAG's Value-Added Services](#) is needed, please feel free to contact me at your convenience.

Hunter Askew, GSP
Risk Management Specialist
askew@omag.org



3650 S. Boulevard St.
Edmond, OK 73013
Phone: (405) 657-1457
Fax: (405) 657-1401
[OMAG Web Site](#)

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Replies to this email message will be saved with our email records.



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Ryan Brewer, Parks and Recreation Manager
Re: 1. Consider Award of Bid for Agricultural Hay Lease - Durant Regional Airport;
2. Consider Approval of Contract for Agricultural Hay Lease - Durant Regional Airport

This bid was advertised continuously on the City of Durant website from January 30, 2024 through February 21, 2024. Six courtesy bid packets were sent out. Three bids were received (bid tab sheet and bids are attached. Staff recommends the bid be awarded to the highest bidder, Robert Self.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Bid Tab Sheet
2. Airport Ag Lease for Signature

**City of Durant
Bid Tabulation Sheet**

Agricultural Hay Lease - Airport

Bid Deadline: February 21, 2024 @ 10:00am

Bid Term: 3 Years

BIDDER	AMOUNT
Robert Self 36093 SR 78 Durant, OK 74701	\$25,255.00/year
Rex Williams III 1163 State Highway 70E Calera, OK 74730	\$23,500.00/year
Bobby Ansiel 1997 Forest Lane Durant, OK 74701	\$17,100.00

IN ATTENDANCE:

Cynthia Price, City Clerk
Ryan Brewer, Parks and Recreation Manager
Phillip Hightower, Public Works Director

STAFF RECOMMENDATION:

Robert Self

STATE OF OKLAHOMA)
)
 COUNTY OF BRYAN) SS: AGRICULTURAL HAY LEASE

This lease agreement entered into this 12th day of March, 2024, by and between the City of Durant, hereinafter referred to as LESSOR and Robert Self, hereinafter referred to as LESSEE,

WITNESSETH:

1. That in consideration of the rental below specified and of the covenants hereinafter stipulated, the Lessor hereby leases to Lessee the property described as:

Durant Regional Airport: Approximately 724 acres of land located at 1o Waldron Road, Durant, OK, as shown in the marked area on the attached aerial photo.

2. To have and to hold the leased premises, their successors and assigns for the term of three (3) years beginning on March 12, 2024 thru December 31, 2024; March 12, 2025 thru December 31, 2025; and March 12, 2026 thru December 31, 2026.
3. The rent for the term of this lease shall be Twenty Five Two Hundred Fifty-Five Dollars (\$25,255.00) per year.
4. The Lessee may not assign this lease or sublet any part of said premises without the written consent of Lessor.
5. Lessee, as a part of the consideration of this lease agrees to comply with the requirements set forth below:
 - a. Lease is for hay crop only. No grazing on this tract is permissible.
 - b. All cuttable hay must be removed from city property within 30 days of baling.
 - c. Grounds can be weed sprayed. No irrigation is to be supplied by the City of Durant.
 - d. Do not cut any fence. If you need to add or widen a gate the expense will be the responsibility of the lessee. The City of Durant is not responsible for any new fencing.
 - e. Any improvements of a permanent nature to the property made by Lessee shall remain on the property after termination of the lease. No improvements shall be made without written permission of the City.
 - f. Lessee, as a part of the consideration of this lease, agrees that he will not hold the City of Durant liable for any equipment damage or injury incurred during the performance of this lease.

6. The City of Durant reserves the right to cancel this lease or reduce the area to be leased upon 30 days notice prior to the anniversary date of any lease if such tract or portion of tract is required for municipal use. If any lease area is reduced, the lease amount shall be reduced proportionately.

As long as the Lessee performs all of the covenants and conditions of this lease and abides by the rules and regulations, they shall have peaceful and quite enjoyment of the leased property.

In witness hereof, the Lessor and Lessee have executed this lease the day and year first above written.

City of Durant, Oklahoma
(Lessor)

Mayor

ATTEST:

Cynthia J. Price, City Clerk

Lessee

Robert Self
36093 SR 78
Durant, OK 74701
(580) 920-5007



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Ryan Brewer, Parks and Recreation Manager
Re: Consider Approval of Resolution Establishing Fees and Costs Charged by the City of Durant and Durant City Utility Authority for Durant Services (R-2024-04)

The revised fees are for swim lessons and Discover Scuba at the city pool.

Council Information / Action Requested

Approval of Resolution Establishing Fees and Costs Charged by the City of Durant and Durant City Utility Authority for Durant Services (R-2024-04)

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. R-2024-04 Establishing Fees and Costs Charged by City of Durant Unsigned

RESOLUTION NO. R-2024-04

A RESOLUTION ESTABLISHING FEES AND COSTS CHARGED BY THE CITY OF DURANT AND DURANT CITY UTILITY AUTHORITY FOR DURANT SERVICES.

WHEREAS, the City Council of the City of Durant and the Trustees for the Durant City Utility Authority have reviewed various fees charged for swim lessons and Discover Scuba provided by Durant as set forth on the Exhibit A attached hereto; and,

WHEREAS, the costs charged for various fees are in need of adjustment to ensure the City of Durant and the Durant City Utility Authority will recover its expenses involved in providing certain services.

NOW, THEREFORE, be it resolved by the City Council of the City of Durant, Oklahoma, that the attached Exhibit A, with various services and fees set forth therein, are hereby established as fees to be charged by the City of Durant for the specific services enumerated.

PASSED AND APPROVED by the Durant City Council on this 12th day of March, 2024, all rates will become effective March 15, 2024.

Mayor

ATTEST:

Cynthia Price, City Clerk

Exhibit A

Fees and Other Charges

Fee Schedule

Section	Fee Description	Amount (in dollars)	
Administration			
Public Records Requests	Photocopy Costs, per page up to 8.5 x 14	\$0.25	
	Photocopy Costs, per page larger than 8.5 x 14	\$1.00	
	Certified Photocopy Costs, per page	\$1.00	
	Items on CD-ROM or DVD-ROM (additional charge of time to copy to media will apply if employee time exceeds 60 minutes)	\$5.00	
	Items on citizen supplied media (charge of time to copy to media will apply if employee time exceeds 60 minutes)	TBD /First HR-\$15.00/per additional HR \$20/per	
	Returned Check Fee	\$45.00	
	Fingerprint Fee	\$25.00	
	Deferment Fee	\$40.00 plus the amount of ticket	
	Property Abatement Fee	Actual Costs	
	Property Condemnation Fee	Actual Costs	
	Asbestos Inspection Fee (per structure)	Actual cost of materials and shipping plus \$25.00	
Equipment Costs	See Current FEMA Schedule of Equipment Rates: https://www.fema.gov/assistance/public/schedule-equipment-rates & Actual Cost of Labor		
Airport			
Hangar Rental Monthly Rates			
Building #	Hangar Type & Number	Monthly Rate	Discounted Annual Rate*
	4 Box Hangar (1-2)	\$400.00	\$4,400.00
	4 Box Hangar (3-12)	\$310.00	\$3,410.00
	8 Box Hangar (1-4)	\$440.00	\$4,840.00
	8 Box Hangar (5-12)	\$350.00	\$3,850.00
	10 T-Hangar (1-9)	\$230.00	\$2,530.00
	10 T-Hangar (10)	\$340.00	\$3,740.00
	12 T-Hangar (1)	\$230.00	\$2,530.00
	12 T-Hangar (2)	\$340.00	\$3,740.00
	12 T-Hangar (3-8)	\$230.00	\$2,530.00
	12 T-Hangar (9)	\$260.00	\$2,860.00
	12 T-Hangar (10)	\$310.00	\$3,410.00
	24 Corp Hangar (A-D)	\$730.00	\$8,030.00
			*For Annual payments, one year in advance, one month discount has been given (Discount does not apply for late payments)
After Hours Call Out Fees	After Hours Call Out Fee	\$100.00 initial; plus \$50.00 per person	
Overnight Parking Fees	Single/Twin Engine Overnight Parking	\$5.00 - \$10.00/night – 3 nights Waived with 100-gallon fuel purchase	
	Turbine/Jet Overnight Parking	\$5.00 - \$10.00/night – 3 nights Waived with 200-gallon fuel purchase	
Ramp Fees	General Aviation Aircraft Ramp Fee	\$25.00 per night	
All ramp fees can be waived with a 200-gallon fuel purchase and at the discretion of the Airport Director	Small Turbo Props/Large Piston Ramp Fee	\$50.00 per night	

	Relocation of Aircraft	\$25.00 - \$100.00 based on size and type	
Lavatory Charges	Airport Facility Fee/Conference Room Fee	\$100.00 per day	
	Lavatory Service Fee (new service)	\$150 per service	
Animal Control			
Impound Fees and Costs	Impound Fee	First/ \$10.00	
		Second-\$20	
		Third-\$40	
	Redemption Fee	\$10.00	
	Boarding Fee	Regular Size- \$10	
		Large (40lb up) \$25	
	Publication of Notice and Animal Care (including veterinary)	Actual Cost	
	Pet Adoption Fees	\$50 Includes Neuter/Spay	
License Fees	Dangerous Animals – additional license surcharge	\$10.00	
	Kennels, Catteries, and Pet Shops – Annual	\$100.00	
	Exotic Animal Owner Permit	\$2,400.00	
Buildings and Building Regulations (All permits are subject to an additional \$4.00 State Fee)			
Residential Permit Fees	New Construction	\$0.35 per square foot	
	(Does not include Floodplain permit or MEP's; pulled separate)	(\$250.00 minimum)	
	Remodel Construction	\$0.35 per square foot	
	(Does not include Floodplain permit or MEP's; pulled separate)	(\$100.00 minimum)	
Commercial Permit Fees	New Commercial, Industrial, Warehouse Construction	\$0.35 per square foot	
	(Does not include Floodplain permit or MEP's; pulled separate)	(\$250.00 minimum)	
	Remodel Commercial, Industrial, Warehouse Construction	\$0.35 per square foot	
	(Does not include Floodplain permit or MEP's; pulled separate)	(\$100.00 minimum)	
Other Charges and Fees	Certificate of Occupancy	\$150.00	
	Fencing	\$50.00	
	Accessory Buildings	\$75.00	
	Swimming Pools	\$150.00	
	Roofing Residential	\$75.00	
	Roofing Commercial	\$150.00	
	Demolition	\$100.00	
	Building/Structure Relocation Fee	\$50.00	
	Electrical Permit	\$0.05 per square foot	
	Plumbing Permit	\$0.05 per square foot	
	Mechanical Permit	\$0.05 per square foot	
	Fire, Health/Safety Code Compliance Certification Fee	\$50.00	
	Zoning Code Compliance Certification Fee	\$50.00	
	Antenna & Antenna Support Permit Fee	\$500.00	
	Roll Off Permit Fee (Annual)	\$100.00 annually	
	Non-Permanent Structure	N/A	
	Permanent Structure	\$300.00	
	Residential Building Inspection Fee	\$50.00/trade per inspection	
	Commercial Inspection Fee	\$50.00/trade per inspection	
	Re-inspection Fee	\$50/Trade per Inspect	
	Electrical Inspection Fee	\$50.00/trade per inspection	
	Plumbing or Mechanical Inspection Fee	\$50.00/trade per inspection	
	Red Tag Fee	\$100.00 per visit	
	Onsite Consultations	\$50.00 per labor hour	
		(2 hour minimum)	
	Night, Weekend, Holiday Inspections	\$75.00 per hour	
		(2 hour minimum)	

	Contractor License—Electrical, Mechanical, Plumbing, Roofing	\$100.00 annually (expires June 30 each year)	
Signs	New Sign Construction Permit	\$200.00	
	Sign Modification Permit	\$75.00	
	Temporary Sign Permit	\$40.00	
	Billboard Sign Permit	\$500.00	
Floodplain Development			
	Floodplain Development Review	\$300.00	
	Flood Hazard Development Review	\$100.00	
	Floodplain Development Inspection	\$100.00	
	The floodplain fee schedule shall not exceed a cumulative amount of \$500.00, in accordance with the Title 82, Section 1604, Item 4.		
Engineering Review			
	In-House Engineering Review	\$500.00	
	Consultant Engineering Review	\$50.00 plus invoiced cost	
Plan Review Fee			
		25% of permit fee	
Cemetery			
	Burial Plot	\$425.00	
	Maintenance Fee (one time only, due at time of each burial)	\$75.00	
	Highland Cemetery Chapel Rental Fee	\$200.00	
	Pavilion Rental (if deceased will not be buried at Highland Cemetery)	\$100.00	
	Deed Transfer Fee	\$25.00	
Emergency Response Rate Schedule			
Structure Fire (Including Mobile Homes and Outbuilding)	*Minimum charge for first hour, first assignment (three apparatus typical with staff vehicle)	\$750.00*	
	For each additional apparatus for the first hour	\$250.00	
	For each apparatus for each additional hour or portion thereof	\$250.00	
Hazardous Material Response	*Minimum charge for first hour, first alarm assignment (three apparatus typical with staff vehicle) Hourly rate as listed plus actual replacement cost of materials to include, but not limited to: disposable supplies, personal protective equipment, monitoring equipment, and other contaminated unusable equipment. Additional charges may be incurred for specialized equipment and contractors	\$750.00*	
	For each additional apparatus for the first hour	\$250.00	
	For each apparatus for each additional hour or portion thereof	\$250.00	
Vehicle Fire	*minimum charger for the first hour, first alarm assignment (one apparatus typical)	\$250.00*	
Wildland Fire	*minimum charge for first hour, first alarm assignment (two apparatus typical)	\$300.00*	
Trash Fire	*minimum charge for first hour, first assignment (one apparatus typical)	\$200.00*	
Motor Vehicle Collision	*minimum charge for first hour, first alarm assignment (two apparatus typical with staff vehicle)	\$650.00*	
	For each additional apparatus for the first hour	\$250.00*	
	For each apparatus for each additional hour or portion thereof	\$250.00*	
Other Charges and Fees	Firefighter Stand-by	\$50.00 per hour	

	Brush Truck Stand-by	\$150.00 per hour	
	Engine Stand-by	\$250.00 per hour	
Fire Department Permits and Plan Review			
Residential Burn Permit	2 Day Permit	\$10.00	
	30 Day Permit	\$25.00	
	1 Year Permit	\$100.00	
Commercial Burn Permit	1 Year Permit	\$100.00	
	Fire Suppression Plan Review	\$300.00/min per .03 sqft/	
	Fire Alarm Plan Review	\$300.00/min per .03 sqft/	
	Fire Sprinkler Plan Review	\$300/min per .03 sqft/	
Legal Publications in newspaper or periodicals			
		Invoiced cost of publication	
Library			
Late Fees	Books & Audiobooks	\$0.10 per day	
	DVDs	\$0.25 per day	
	Video Games & Launch Pads	\$1.00 per day	
Room Rentals (room set up free)	Children's Story Room	\$60	
	Conference Room	\$75	
	Black Box Theater	\$300	
	CC Meeting Room	\$150	
	Computer Lab	\$75.00	
Private Rentals	Deposit	\$200.00	
Library Services	Copies	B&W \$0.10	
		Color \$0.50	
	Fax Sending	\$1.00 per page; additional \$0.25 after 1 page	
	Fax Receiving	\$0.10 per page	
	Library Card Replacement	\$3.00	
	Family (up to /3 years	\$40- up to 3yrs	
	Interlibrary Loan (first loan free per month)	\$1.50	
	Proctor	\$15.00 per hour	
	Laminating	\$1.00 per business card	
		\$2.00 per 8.5 x 11 sheet	
		\$1.50 per foot	
	3-D printing & resin printing	\$0.10/gram or mL	
Licenses			
Business	Business License – Annual (January 1st-December 31st)	No Charge	
	Family Amusement Center License – Base Fee (Annual)	\$75.00	
	Additional for each pool or billiard table	\$15.00	
	Additional for each card table	\$5.00	
	Additional for each coin-operated amusement device	\$15.00	
Caterer	Caterer License – Initial	\$1,000.00	
	Caterer License – Renewal	\$900.00	
Winemaker	Winemaker License	\$625.00	
	Small Farm Winery License (Oklahoma Grown)	\$25.00	
Brewer	Brewer License	\$1,250.00	
	Small Brewer License	\$50.00	
Distiller	Distiller License	\$3,125.00	
Retail Alcohol	On Premise Beer License – Initial	\$500.00	
	On Premise Beer License – Renewal	\$450.00	
	Retail Beer	\$500.00	
	Retail Wine	\$1,000.00	
	Retail Alcohol	\$1,500.00	
Retail Spirits Store	Retail Spirits Store	\$900.00	
Mixed Beverage Establishment (Bars)	Mixed Beverage Establishment – Initial	\$1,000.00	
	Mixed Beverage Establishment – Renewal	\$900.00	
Wholesaler	Wholesaler License	\$2,500.00	

	Class B Wholesaler License	\$625.00	
Itinerant Merchant	Itinerant Merchant License (1-3 Days)	\$250.00	
	Itinerant Merchant License (4-7 Days)	\$500.00	
	Itinerant Merchant License (Annual)	\$1,000.00	
	Locally Grown Produce Vendor License (Annual)	\$100.00	
Mobile Home Park	Mobile Home Park License	\$500.00	
Pawn Shop	Pawn Shop License	\$25.00	
Taxicab	Taxicab Business License	\$125.00	
Manufactured Housing and Mobile Homes			
	Manufactured Housing Development License – Initial	\$1,500.00	
	Manufactured Housing Development License – Renewal	\$500.00	
	Manufactured Housing Development License Transfer	\$500.00	
	Manufactured Housing Development Review	\$500.00	
	Manufactured Housing Placement Inspection	\$50.00 per home	
	Manufactured Housing Development Annual Inspection Fee	\$500.00	
	Mobile Home Alteration or Accessory Building Permit Fee	\$75.00	
	Mobile Home Permit Fee	\$100.00	
Maps and Digital Data			
	8 ½ x 11 Prints	\$5.00	
	11 x 17 Prints	\$6.00	
	8 ½ x 11 Prints with Aerial Background	\$20.00	
	11 x 17 Prints with Aerial Background	\$24.00	
	Plots	\$25.00 plus 3.00/linear foot	
	Plots with Aerial Background	\$50.00 plus 3.00/linear foot	
	Digital Aerial Photos	\$75.00 per section	
	Customer Map & Data Research and Preparation	\$50.00 per hour (2 hour minimum)	
	Mapping & Electronic Fees	\$25.00	
	911 Information and Shape Files	\$1,000.00 per shape file	
Oil/Gas and Associated Facilities			
	Oil/Gas Drilling Permit	\$1,000.00/Well	
	Oil/Gas Well Drilling Inspection	\$100.00/Site	
	Oil/Gas Construction (Tank Batteries, Booster Pumps, Compressor, Pipeline)	\$1,000.00/Site	
	Oil/Gas Injection Well and Secondary Recovery Program Permit	\$1,000.00/Site	
	Oil/Gas License – Initial	\$7,500.00 applicable structure	
	Oil/Gas License – Annual Renewal	\$1,000.00 applicable structure	
	Oil/Gas Well Operation Inspection Fee	\$250.00/Site	
Parks			
Facility Rental	Field Rental All Day	\$50.00	
	Field Rental Hourly w/ Lights	\$30.00/Hour	
	Pavilion rental	\$10.00/Hour	
	Disc Golf Tournament Fee	\$50.00/Day	
	Parks Special Permit	\$25.00	
Sponsorships	1 Field Banner	\$400.00	
	4 Field Banner	\$1,200.00	
	9 Field Banner	\$3,000.00	
	Individual Movie	\$100.00	
	Movie Package	\$500.00	
	Entire Package 9 Banners and all special event sponsorship	\$3,400.00	

Lake			
Camping	Lake Durant RV Camping Fees – Daily (28 day max.)	\$25.00/Day	
	Lake Durant RV Camping Fees – Weekly (4 week max.)	\$150.00/Week	
	Lake Durant RV Camping Monthly Fee (1 Month Max)	\$500.00/Month	
	RV Camping Cancellation Fee	\$10.00	
	Lake Durant RV Domestic Sewage Disposal Fee	\$25.00 per disposal	
	Lake Durant Tent Camping	\$10.00/ Day	
	Lake Durant Pavilion Reservation Fee	\$10.00 per hour	
Facility Rental	Disc Golf Course Tournament Fee	\$50.00/Day	
Fish Regulations	Durant Lake Fish Regulations should coincide with the Oklahoma Department of Wildlife's Regulations.		
Boating	Daily Boat Launch Fee	\$5.00	
	Boat Launch Fee Annual Permit	\$25.00	
	Fishing Guide Annual Permit	\$50.00	
Recreation	Tournament Individual Fee	\$25.00	
	Tournament Team Fee	\$50.00	
Multi-Sports Complex			
Field Rentals	Field Deposit (Refundable upon satisfactory inspection)	\$25.00/hour	
	Field Rental Fee with lights	\$30.00/hour	
	Tournament Rental Use Fee	\$250.00 per field	
	Tournament Rental Deposit	\$100.00 per day	
	Youth League Use Fee (Regular Season Only)	\$12.00 / kid	
Recreation	Adult Recreation League Fee (Large Teams of 10 or more)	\$300.00/ Team	
	Adult Recreation League Fee (Small Teams between 5 and 9 players)	\$150.00/ Team	
	Adult Recreation League Fee (Teams of 2)	\$50	
	Adult Recreation League Fee Individual	\$20.00/ Person	
	Camp Fee	\$50.00/ Patron	
	Tournament Large Team Entry Fee (more than 10 players on a team)	\$400.00	
	Tournament Small Team Entry Fee (teams that have between 3 and 9 players)	\$200.00	
	Tournament Individual or pairs entry fee	\$50.00	
	Gate Fee Students (5-15)	\$5.00	
Gate Fee	Gate Fee Adult (16-64)	\$10.00	
	Gate Fee Senior 65 +	\$4.00	
	Gate Fee Weekend pass	\$25.00	
Sponsorships	1 Field Banner	\$400.00	
	4 Field Banner	\$1,200.00	
	9 Field Banner	\$3,000.00	
	Individual Movie	\$100.00	
	Movie Package	\$500.00	
	Entire Package 9 Banners and all Special Event Sponsorship	\$3,400.00	
Pool			
Daily Admission	Children (0 – 3 years)	\$0.00	
	Students (4– 15 years)	\$4.00	
	Adults (16 – 64 years)	\$5.00	
	Seniors (65+ years)	\$4.00	
Season Pass	Individual Pass	\$100.00	
	Family (up to 3 members)	\$250.00	
	Family Additional members	\$50.00 additional person after 3	
Swim Lessons	Ages 4-6 Swim Lesson Package (4 Lessons)	\$100.00	
	Ages 7-9 Swim Lesson Package (4 Lessons)	\$125.00	

	Ages 10+ Swim Lesson Package (4 Lessons)	\$150.00	
	Private Lesson (1 lesson)	\$50.00	
	Discover Scuba	\$75.00	
Pool Party	Pool Party non- refundable deposit	\$100.00 deposit (non-refundable)	
	2 hour pool party (up to 60 guests)	\$200.00	
	Additional 30 guest	\$50.00	
Petitions to the Board of Adjustments (does not include legal publication and engineering review fees)			
	Variances	\$300.00	
	Appeals	\$500.00	
	Expedited Hearing Fee	\$500.00	
Petitions to the Planning Commission (does not include legal publication and engineering review fees)			
	Zoning Amendments	\$300.00	
	Conditional Use Permits	\$300.00	
	Planned Unit Developments	\$500.00	
	Expedited Hearing Fee	\$500.00	
Platting/Development (does not include legal publication and engineering review fees)			
	Platting/Subdivision Fee	\$300.00	
	Airport Zone Permit	\$50.00	
	Zoning Verification Letter	\$50.00	
	Zoning Clearance	\$500.00 plus actual cost of inspection	
	Street Improvement Inspection Fee	\$500.00 plus actual cost of inspection	
	Water Line Improvement Inspection Fee	\$500.00 plus actual cost of inspection	
	Sanitary Sewer Improvement Inspection Fee	\$500.00 plus actual cost of inspection	
	Storm Drainage Improvement Inspection Fee	\$500.00 plus actual cost of inspection	
Permits			
Special Event Permit	Special Event Permit	\$25.00	
Beverage Garden Permit	Beverage Garden Permit	\$50.00	
Food Truck	Food Truck Permit (1 Day)	\$10.00	
	Food Truck Permit (90 Days)	\$50.00	
	Food Truck Permit (1 Year)	\$100.00	
Firework Stand	Firework Stand Permit	\$25.00	
Farmer's Market	Farmer's Market Permit	\$25.00	
Mobile Boutique	Mobile Boutique Permit (3 Day)	\$25.00	
	Mobile Boutique Permit (1 Month)	\$70.00	
	Mobile Boutique Permit (Annual)	\$250.00	
	Mobile Boutique Permit when associated with a permitted special event for which the Mobile Boutique has been included and identified.		
Produce	Produce Permit	\$25.00	
Street Cut/Excavation Permit			
Street Cut/Excavation Permit	Minimum Application Deposit	\$70.00	
	Inspection Fee	\$2.00 per square foot	
Type of Surface	Asphalt	\$2.00 per square foot	
	Concrete	\$0.25 per square foot	
	Earth	\$1.00 per linear foot	
	Directional Boring	50% upcharge	
	Work conducted without a permit additional 50% of cost of the permit	50% upcharge	
Sanitation			
Residential Poly Cart (once per week)	Inside City Limits	\$20.96 each	
	Additional Cart	\$11.79	
	Outside City Limits	30.18	
	Additional Cart	\$14.11	
	Extra Dump Poly Cart	\$26.58	

Commercial Poly Cart (once per week)	Inside City Limits	\$25.60 each	
	Additional Cart	\$11.79	
	Outside City Limits	\$30.80	
	Additional Cart	\$14.11	
	Poly Cart Replacement (if missing)	\$150.00	
	Extra Dump Poly Cart	\$26.58	
City Waste Collection Rates	Tires	\$15.00 each, 16" and below \$20.00 each, 17" and up	
	One Ton Flat-Bed Load	\$49.90 per trip	
	Furniture requiring 1-2 workers to collect	\$27.70 per piece	
	Appliances requiring 1-2 workers to collect	\$27.70 per unit	
	Freon laden appliances (refrigerators, freezers, AC units, etc.)	\$30.40 per unit	
Landfill – Durant City Residents	Residential Customer C&D Landfill (min charge)	\$15.00	
	Once per month City Residential customers may dump up to 1,500 lbs with the presentation of a current residential City Utility bill and Valid ID	Free	
	Residential Customer C&D Landfill Charge per Ton (including DEQ fee)	\$30.00	
Landfill – Commercial and Non-Durant City Residents	Commercial and Out of City Customer C&D Landfill (min charge)	\$25.00	
	Commercial and Out of City Customer C&D Landfill Charge per Ton (including DEQ fee)	\$45.00	
Landfill – Other Charges and Fees	Transfer Station MSW	\$19.30 minimum Charge	
	Transfer Station MSW	\$75.00 per ton	
	Concrete Disposal	\$16.00 per ton	
	Appliance w/ Freon	\$31.45	
	Appliance w/o Freon	\$15.75	
	Tires 16" and below	\$4.90	
	Tires 17" and above	\$9.80	
	Clean Dirt	\$10.80	
	Unsecured Loads additional 50% of the cost of the load	50% upcharge	
Roll Off Charge	Roll Off (container)	\$30.00 per container dumped	
Roll Off \$30 one time delivery fee per container	20 yd. per dump on demand (you call)	\$307.05	
	Sitting fee if no dump within the billing period (ON DEMAND ONLY)	\$208.40	
	20 yd. 1x per week scheduled	\$631.85	
	20 yd. 2x per week scheduled	\$1,263.75	
	20 yd. 3x per week scheduled	\$1,895.60	
	20 yd. 4x per week scheduled	\$2,527.45	
	20 yd. 5x per week scheduled	\$3,159.35	
Roll Off \$30 one time delivery fee per container	30 yd. per dump on demand (you call)	\$460.00	
	Sitting fee if no dump within the billing period (ON DEMAND ONLY)	\$312.40	
	30 yd. 1x per week scheduled	\$947.80	
	30 yd. 2x per week scheduled	\$1,895.60	
	30 yd. 3x per week scheduled	\$2,843.40	
	30 yd. 4x per week scheduled	\$3,791.20	
	30 yd. 5x per week scheduled	\$4,739.00	
Roll Off \$30 one time delivery fee per container	40 yd. per dump on demand (you call)	\$615.25	
	Sitting fee if no dump within the billing period (ON DEMAND ONLY)	\$372.85	
	40 yd. 1x per week scheduled	\$1,263.75	
	40 yd. 2x per week scheduled	\$2,527.45	
	40 yd. 3x per week scheduled	\$3,791.20	

	40 yd. 4x per week scheduled	\$5,054.95	
	40 yd. 5x per week scheduled	\$6,318.65	
	Relocating Roll Off Container fee	\$69.00	
Commercial Rate Compactor per collection – City Owned	20 yd. self-contained	\$456.50	
	30 yd. self-contained	684.65	
	40 yd. self-contained	\$912.90	
Commercial Rate Compactor per collection– Privately Owned	20 yd. compactor	\$345.60	
	30 yd. compactor	\$518.40	
	40 yd. compactor	\$691.05	
Scheduled Collection Monthly Dumpster Rates	2 yd. dumpster (1 Collection per week)	\$69.10	
	2 yd. dumpster (2 Collection per week)	\$138.25	
	2 yd. dumpster (3 Collection per week)	\$207.35	
	2 yd. dumpster (4 Collection per week)	\$276.50	
	2 yd. dumpster (5 Collection per week)	\$345.60	
	Additional pick up of 2 yd. dumpster	\$84.60	
	3 yd. dumpster (1 Collection per week)	\$103.65	
	3 yd. dumpster (2 Collection per week)	\$207.30	
	3 yd. dumpster (3 Collection per week)	\$310.95	
	3 yd. dumpster (4 Collection per week)	\$414.60	
	3 yd. dumpster (5 Collection per week)	\$518.25	
	Additional pick up of 3 yd. dumpster	\$126.90	
Utilities			
Residential Water Inside City Limits	First 2000 gallons	\$12.82	
	Next 1000 gallons	\$3.71	
	Next 1000 gallons	\$3.91	
	Next 1000 gallons	\$4.02	
	Over 5000 gallons, rate per 1000 gallons	\$3.91	
Residential Sewer Inside City Limits	First 2000 gallons	\$12.82	
	Next 1000 gallons	\$3.71	
	Next 1000 gallons	\$3.91	
	Next 1000 gallons	\$4.02	
	Over 5000 gallons, rate per 1000 gallons	\$3.91	
Commercial Water and Sewer Inside City Limits	First 2000 gallons	\$18.49	
	Next 1000 gallons	\$4.38	
	Next 1000 gallons	\$4.64	
	Next 1000 gallons	\$4.84	
	Over 5000 gallons, rate per 1000 gallons	\$4.64	
Residential and Commercial Water and Sewer Outside City Limits	First 2000 gallons	\$18.49	
	Next 1000 gallons	\$4.38	
	Next 1000 gallons	\$4.64	
	Next 1000 gallons	\$4.84	
	Over 5000 gallons, rate per 1000 gallons	\$4.64	
Summer Residential Sewer Rates	Residential sewer customers whose sewer bill is based on water consumption, sewer charges shall be based on a maximum water usage of 10,000 gallons for the months of May, June, July, & August		
Sanitary Sewer Rates for customers not connected to City water service	Customers shall be charged based on RWD reported water usage		
Surcharges for Industrial Wastewater	Surcharge for BOD (Biochemical Oxygen Demand)	\$0.50 per lb.	
	Surcharge for TSS (Total Suspended Solids)	\$0.40 per lb.	
	Surcharge for FOG (Fats, Oil, Grease)	\$0.65 per lb.	
	Surcharge for Nitrogen, Ammonia	N/A	

	Table II & III Metals plus Molly	Monitored	
Water and Sewer Distribution System Rates	Water Tap ¾-inch Fee	\$1,150.00	
	Water Tap 1-inch Fee	\$1,500.00	
	Water Tap 2-inch Fee ALL WATER TAP FEES ARE IN ADDITION TO THE CURRENT COST OF THE METER.LESS \$75.00 CHARGE FOR ANY NEW WATERLINE WITH AN OPEN DITCH NEW SUBDIVISION WITH PRIOR APPROVAL ONLY).STREET CUT FOR ROAD BORE FEES SHALL BE IN ADDITION TO WATER AND TAP FEES AND EQUAL TO \$6.00 PER INCH/FOOT FOR 2" THROUGH 10" DIAMETER PLUS CURRENT COST OF ENCASEMENT. FEES FOR WATER TAPS OVER 2" AND METER COSTS WILL BE SET BY THE M&O SUPERINTENDENT.	\$2,500.00	
	Sewer Tap 4-inch Fee	\$3,000	
	Sewer Tap 6-inch Fee	\$4,000	
	Sewer Tap 8-inch Fee PLUS, A MAINTENANCE FEE OF \$25.00 PER FOOT (FROM TAP TO SERVICE LINE EXCESSIVE DEPTH FEE \$25.00 PER LINEAR FOOT FOR EACH 5 FEET OR PORTION THEREOFLESS \$75.00 CHARGE FOR ANY NEW SEWER LINE WITH AN OPEN DITCH ALL USERS CONNECTED TO A SEWER LINE EXTENSION WHICH IS FUNDED IN PART BY THE CITY OF DURANT, EITHER BY CASH EXPENDITURE OR THE FURNISHING OF LABOR IN CONSTRUCTING SAID EXTENSION, SHALL PAY A CONNECTION FEE OF \$1061.00 \$2000.00 FOR CONNECTING TO SAID SEWER LINE EXTENSION		
	Subdivision Development Water/Sewer Connection Inspection	\$188.00 per tap	
	Water Main and Sub Main Installation Permit Fee	\$100 per hour	
	Water Main and Sub Main Installation Plan Review	\$50.00 per hour	
	Water Main and Sub Main Installation Testing	\$50.00 per hour	
	Water Main and Sub Main Installation Inspection	\$50.00 per hour	
	Collection Line Cleaning (Excessive Grease)	\$125.00 per hour	
	Meter On/Off After Hours	\$100.00	
	Pop Off Valve Installation & Inspection	\$38.00	
Deposits	Residential Water/Sewer and Garbage	\$100.00	
	Residential Garbage (only)	\$85.00	
	Commercial Accounts	\$300.00	
Miscellaneous Fees	Penalty if not paid by the due date (10% of the balance)	10%	
	Nonpayment fee & Past Due must be paid before services are restored	\$50.00	
	Transfer Service Fee	\$30.00	
	Clean Up Fee (5 business day clean-up for property owner/landlord)	\$30.00	
	Hydrant Meter	\$1,350.00 deposit	
	Hydrant Meter Monthly Fee	\$75.00	
	Tampering with Meter Fee	\$100.00	
	Bacteriological Total Coliform Water Testing - 1 sample	\$36.00	
	Bacteriological Total Coliform Water Testing - 2 samples or more	\$36.00	
	Bacteriological Total Coliform Water Testing – 2 or more samples	\$36.00	
	Accurate Labs	\$40.00	
	Friday Test Date	\$90.00	

	ODEQ	\$29.65	
	ERT	\$50.00	
	ERT- 2 or more	\$30.00 per test	
	Industrial Pretreatment Wastewater Discharge Permit Application Fee	\$312.50	
	Annual Industrial Pretreatment Permit Fee	\$125.00	
	Industrial Pretreatment Permit Modification Fee	\$31.25	
	Accidental Discharge Procedure/Construction Plan Review	\$31.25 per plan	
	Industrial Pretreatment Appeal Filing Fee	\$31.25	
	Routine Pretreatment Facility Inspection	\$93.75	
	Requested Pretreatment Facility Inspection	\$125.00	
	Industrial Pretreatment Onsite Consultations	\$50.00	
	Night, Weekend, Holiday Pretreatment Inspection Fee	\$93.75	
	After Hours Industrial Visit	\$62.50	
	Industrial Pretreatment Grab Sample Collection	\$31.25	
	Industrial Pretreatment 24-hour Composite Sample Collection	\$31.25	
	Industrial Pretreatment Analytical Testing/Shipping	Actual Cost	
	Industrial Pretreatment Code Enforcement Administrative Fee	\$250.00	
	Excessive Strength FOG Surcharge	\$0.65 per lb.	
	Excessive Strength BOD Surcharge	\$0.50 per lb.	
	Excessive Strength TSS Surcharge	\$0.40 per lb.	
	Commercial Septic Disposal Permit	\$312.50	
	Commercial Septic Waste Disposal Discharge	\$125.00 flat rate or \$0.05/gallon(whichever is greater)	



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: Consider Approval of Resolution Declaring the Support of the City of Durant in Submitting an Application Form to the T-Mobile Hometown Program for a \$50,000 Grant to Fund the Enhancement of Public Spaces and Authorizing the Community Development Director, Reed Aichholz, to Sign and Submit Said Form and Any Other Required Information (R-2024-05)

Council Information / Action Requested

Approval of Resolution Declaring the Support of the City of Durant in Submitting an Application Form to the T-Mobile Hometown Program for a \$50,000 Grant to Fund the Enhancement of Public Spaces and Authorizing the Community Development Director, Reed Aichholz, to Sign and Submit Said Form and Any Other Required Information (R-2024-05)

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. R-2024-05 Resolution of Support for T-Mobile Hometown Program - UNSIGNED

RESOLUTION NO. 2024-05

A RESOLUTION DECLARING THE SUPPORT OF THE CITY OF DURANT IN SUBMITTING AN APPLICATION FORM TO THE T-MOBILE HOMETOWN PROGRAM FOR A \$50,000 GRANT TO FUND THE ENHANCEMENT OF PUBLIC SPACES AND AUTHORIZING THE COMMUNITY DEVELOPMENT DIRECTOR, REED AICHHOLZ, TO SIGN AND SUBMIT SAID FORM AND ANY OTHER REQUIRED INFORMATION.

WHEREAS, the following community values are enshrined in Durant’s Comprehensive Master Plan 2040 adopted in 2021: “Walkable, attractive streets and public spaces” AND “Community wellness and health”; and

WHEREAS, the City of Durant has been conducting research into the revitalization of nearby cities (Atoka, Denison, McKinney, and Sulphur Springs) and their success stories; and

WHEREAS, the City of Durant has been collaborating with many citizens, and several community organizations discussing the desire/need for more downtown outdoor community space; and

WHEREAS, greenspace has been repeatedly demonstrated to have positive economic impacts on property values, retail business activity and investments, sales tax revenue, spendable income by reducing transportation costs and, citizen’s ability to increase their income as a result of improved access to education and employment opportunities; and

WHEREAS, the City of Durant desires to enhance the quality of life of all residents and visitors regardless of age, physical ability or socioeconomic status and to enhance the quality of life for all residents and visitors; and,

THEREFORE, BE IT RESOLVED, that the Durant City Council authorizes city staff to submit an Application Form and other required information and enter into discussions with T-Mobile, and other potential funders to determine the feasibility, cost and availability of funding needed to transform 14,000 SF of market square and purchase temporary bollards along 3rd Avenue.

PASSED AND APPROVED this 12th day of March, 2024.

DURANT CITY COUNCIL

Martin Tucker, Mayor

ATTEST:

Cynthia J. Price, City Clerk



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: Consider Approval of the Request from the Oklahoma Electric and Gas Company for an Underground Easement at Country Club Drive and Cemetery Road

Council Information / Action Requested

Approval of the Request from the Oklahoma Electric and Gas Company for an Underground Easement at Country Club Drive and Cemetery Road

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Underground Easement - Country Club and Cemetery Road

RETURN TO:
Land Management Coordinator
OGE Electric Services
2214 West Broadway
Ardmore, OK 73401

EASEMENT

Work Order # 7382502

KNOW ALL MEN BY THESE PRESENTS: THAT **The City of Durant, Oklahoma**, a municipal corporation, Grantor, in consideration of Ten or more dollars in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, does hereby grant and warrant unto **OKLAHOMA GAS AND ELECTRIC COMPANY**, an Oklahoma corporation, Grantee, its successors and assigns, the right, privilege and authority to enter upon and install, erect, operate, maintain, and reconstruct underground and/or above ground a system of conduits, wires, cables, vaults, junction boxes, switches, fuses, transformers, service connection boxes and other fixtures for the transmission and distribution of electrical current and communication messages, including the right of ingress and egress to and from said system across adjoining lands of Grantor, upon and across the following real property and premises, situated in **BRYAN** County, State of Oklahoma, to wit:

A part the **SW/4 SW/4 SE/4, Section 5, T7S, R9E, I.M.**, Bryan County, Oklahoma, as shown and described on Exhibit "A" attached hereto and hereby made a part of this easement.

Grantor further covenants and agrees that no building or other structure shall ever be erected nor shall any excavation or other removal of soil, so as to change the grade of terrain, be accomplished by Grantor, its heirs or assigns, within the above described easement area unless the written consent of the Grantee is first obtained. Grantor further acknowledges the requirements of 63 Oklahoma Statutes (2011) Section 142.1, et. seq. (One-call statute).

The rights and privileges above granted to continue so long as same are used or needed for the transmission and distribution of electric current or communication messages; but should the Grantee remove its property from the premises and abandon the right of way herein granted, then the rights granted in this easement shall terminate.

Signed and delivered this _____ day of _____ 2024.

**The City of Durant, Oklahoma,
a municipal corporation**

Martin Tucker, Mayor

ACKNOWLEDGMENT

STATE OF OKLAHOMA, COUNTY OF _____, SS.

Before me, the undersigned, a Notary Public, in and for said County and State, on this _____ day of _____ 2024, personally appeared Martin Tucker, Mayor, for The City of Durant, Oklahoma, a municipal corporation, to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Witness my hand and seal the day and year last above written.

My Commission Expires: _____

Commission # _____

Notary Public

Notary Stamp:

15 FOOT WIDE OG&E EASEMENT IN
A PART OF THE SW/4 SW/4 SE/4
SECTION 5, T7S-R9E, 1.M.,
BRYAN COUNTY, OKLAHOMA

EASEMENT SKETCH

SECTION 5
T 7 S - R 9 E

EXHIBIT "A"

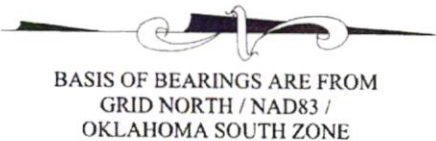
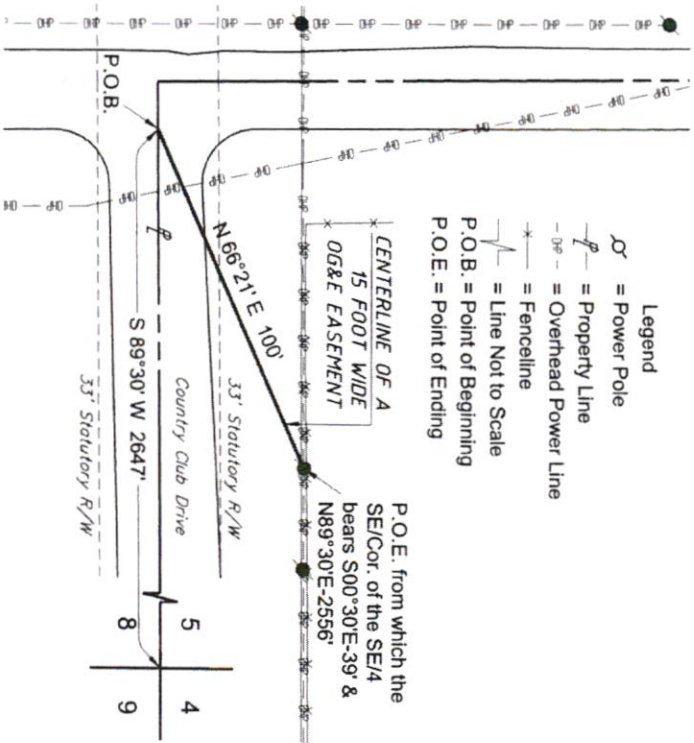
CENTERLINE DESCRIPTION OF A 15 FOOT WIDE OG&E EASEMENT IN A PART
OF THE SW/4 SW/4 SE/4 OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 9 EAST,
INDIAN MERIDIAN, BRYAN COUNTY, OKLAHOMA:

COMMENCING at the Southeast corner of the SE/4; Thence S89°30'W, along the South line
of the SE/4, 2647 feet to the POINT OF BEGINNING; Thence N66°21'E, 100 feet to the
POINT OF ENDING from which the Southeast corner of the SE/4 bears S00°30'E,
perpendicular to the South line of the SE/4, 39 feet and N89°30'E, along the South line of the
SE/4, 2556 feet. Basis of Bearings are Grid North. Said being described by Jared A. Wiley
L.P.L.S. No. 1820 on 2-22-23. TOTAL LENGTH= 100' OR 6.06 RODS

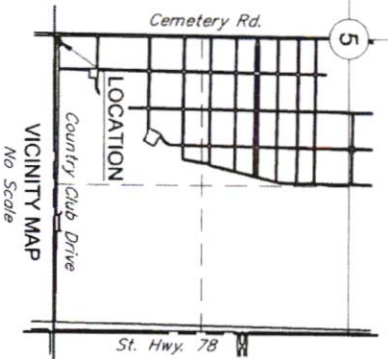
SURVEYOR'S CERTIFICATE

I, Jared A. Wiley, Licensed Professional Land Surveyor, hereby state this exhibit meets or
exceeds the Oklahoma Minimum Technical Standards for the practice of land surveying as
adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land
Surveyors. This plat depicts an accurate representation of the easement description, as shown
hereon, it is not a Land or Boundary Survey.

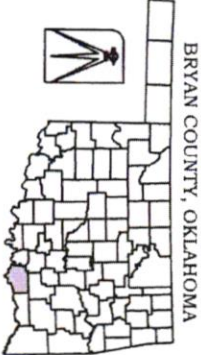
THE SURVEY DATA IS IN THE FOLLOWING FORMAT:
PROJECTION: OKLAHOMA SOUTH ZONE, LAMBERT CONFORMAL
HORIZONTAL: NAD83 / GEOID MODEL: GEOID12B / UNITS: US SURVEY FEET
BASIS OF BEARINGS WERE DERIVED AND VERIFIED BY TWO (2) ONLINE
POSITIONING USER SERVICE (OPUS) SOLUTIONS.



SCALE 1" = 50'



Jared A. Wiley 5-31-2023
Jared A. Wiley, L.P.L.S. No. 1820
Phone (580) 226-5106
Fax (888) 662-7778
1010 Northwest Blvd.
Ardmore, OK 73401



5
PT. SW/4 SW/4 SE/4 SEC. 5,
T7S-R9E, BRYAN CO., OK.
BOOK 377, PAGE 313
CITY OF DURANT
TOTAL LENGTH=
100' OR 6.06 RODS

OKLAHOMA GAS AND ELECTRIC COMPANY			
Bennett-Morris And Associates Land Surveying, P.C. ARDMORE, OKLAHOMA Surveying, P.C. - C.A. No. 5975 (LS)		OG&E EASEMENT SKETCH W.O. #7382502 Tubacex Feeder-Phase II	
DRAWN BY: RLK	FILE #: 204077_P2_RR(03)	DATE: 2-22-23	SCALE: 1in = 50ft
APPROVED BY: Jared A. Wiley	DRWG #: 204077A-5.DWG	DATE: 2-22-23	SHEET 1 OF 1



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Phillip Hightower, Public Works Director
Re: Consideration, Discussion and Possible Approval for an Overland Drainage Easement for Storm Water Drainage Pipe on the Bryan County EMS Property

The city has a storm drain line that will be relocated so the Bryan County EMS can build their new building. This easement is so the city will have access to the drain line on County Property. A map of the line being relocated is in with the packet.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Overland Drainage Easement

OVERLAND DRAINAGE EASEMENT EXHIBIT "A"

Page 1 of 2

KNOWN ALL MEN BY THESE PRESENTS:

That the undersigned, Bryan County EMS, is the owner of the legal and equitable title to the following described real estate situated in the city of Durant, Bryan County, state of Oklahoma, to wit:

TRACT 1

A part of the SW/4 SE/4 NW/4 of Section 31, Township 6 South, Range 9 East, of the Indian Base and Meridian, in Bryan County, Oklahoma, described as: Beginning at a point N 00 degrees 31 minutes 29 seconds West 200 feet from the SW corner of SW/4 SE/4 NW/4 of Section 31, Township 6 South, Range 9 East; thence N 00 degrees 31 minutes 29 seconds West 198 feet; thence N 89 degrees 32 minutes 06 seconds East 330 feet; thence South 00 degrees 31 minutes 29 seconds East 198 feet; thence South 89 degrees 32 minutes 06 seconds West 330 feet to the point of beginning.

AND

TRACT 2

Being a part of the SE/4 NW/4 of Section 31, Township 6 South, Range 9 East, of the Indian Base and Meridian, Bryan County, Oklahoma and being more particularly described by metes and bounds as follows:

Commencing at a 1/2" steel rod found maintaining the W/4 corner of said Section 31;

Thence North 88°58'17" East, along the south line of the NW/4, a distance of 1357.67 feet to a 1/2" steel rod set with a cap marked RPLS 1307 for the southwest corner of the SE/4 NW/4;

Thence North 01°18'26" West, along the west line of said SE/4 NW/4, a distance of 200.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence North 88°58'17" East, a distance of 330.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence South 01°18'26" East, a distance of 100.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence South 88°58'17" West, a distance of 144.31 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence South 01°16'01" East, a distance of 100.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307 in the south line of said SE/4 NW/4;

Thence South 88°58'17" West, along the south line of said SE/4 NW/4, a distance of 185.63 feet to the Point-of-Beginning and containing 1.184 acres of land.

And it is considered that, upon receipt of which is hereby acknowledged, does hereby grant and convey solely unto the said City of Durant (a municipal corporation), a perpetual easement, through, over, under, and across the following described property for the purpose of maintenance of a Storm Sewer network, situated in said county, to wit:

OVERLAND DRAINAGE EASEMENT

COMMENCING AT THE SOUTHWEST CORNER OF "TRACT 1"; THENCE N88°24'44"E FOR A DISTANCE OF 20.05', THENCE N01°28'42"W FOR A DISTANCE OF 46.68', THENCE N88°41'32"E FOR A DISTANCE OF 199.30', THENCE S65°35'27"E FOR A DISTANCE OF 103.28', THENCE N88°18'42"E FOR A DISTANCE OF 17.75' TO A POINT ON THE EAST LINE OF SAID TRACT 1. THENCE S01°18'26"E ON A LINE FOLLOWING THE EAST LINE OF SAID TRACT 1 FOR A DISTANCE OF 20.00', THENCE S88°18'32"W FOR A DISTANCE OF 22.25', THENCE N65°35'27"W FOR A DISTANCE OF 103.35', THENCE S88°41'32"W FOR A DISTANCE OF 174.68', THENCE S01°28'42"E FOR A DISTANCE OF 46.58', THENCE S88°24'44"W FOR A DISTANCE OF 40.02' TO A POINT ON THE WEST LINE OF SAID TRACT 1. THENCE N01°35'16"W ON A LINE FOLLOWING THE WEST LINE OF SAID TRACT 1 FOR A DISTANCE OF 20.00' TO THE POINT OF COMMENCEMENT. AREA CONTAINS 0.18 ACRES, MORE OR LESS. ABOVE DESCRIBED STORM SEWER LINE IS SUBJECT TO EXPANSION BY BRYAN COUNTY EMS AT A FUTURE DATE. SAID EXPANSIONS WILL REQUIRE ADDITIONAL EASEMENTS TO BE FILED WITH THE CITY OF DURANT.

SEE EXHIBIT "A" PAGE 2



FILE: 202401BC-A

Surveyor's Statement

I, PRESTON DEAN HYDEN HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS EASEMENT EXHIBIT MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 20TH DAY OF FEBRUARY, 2024.

Preston Dean Hydén PLS 1705
Name of Surveyor and PLS#

02/20/2024
Date of Signature



OVERLAND DRAINAGE EASEMENT EXHIBIT "A"

Page 2 of 2

RANGE 9 EAST

Legend

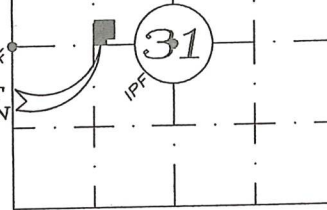
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

PROPERTY LINE
UTILITY EASEMENT

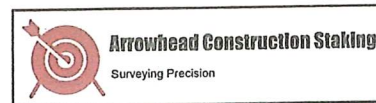
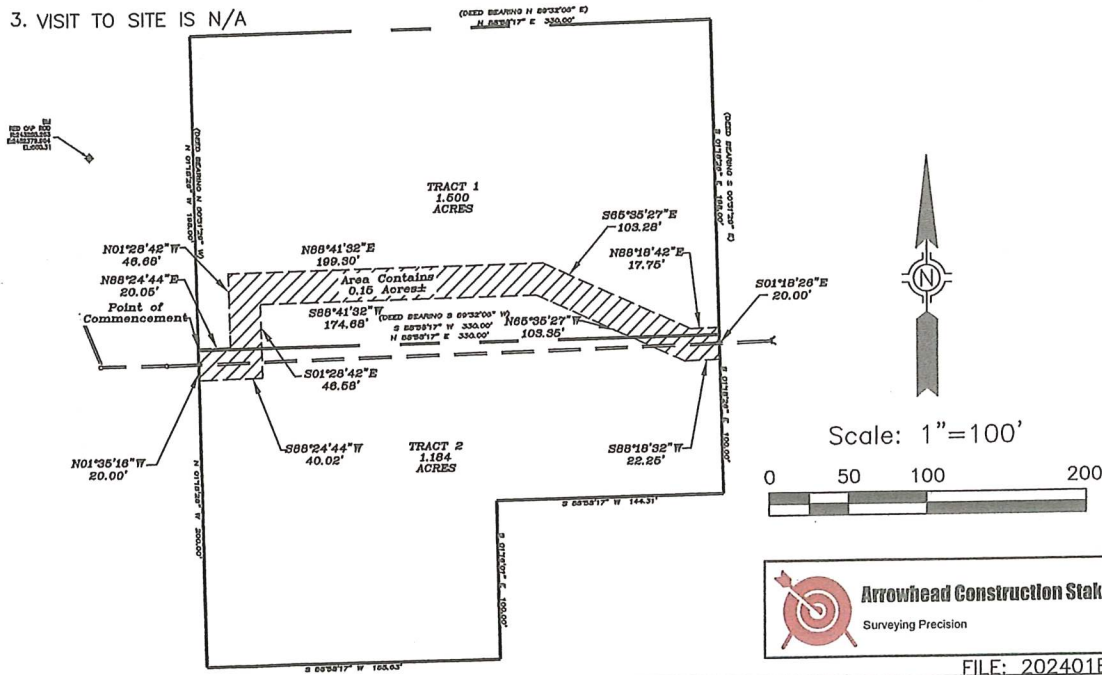
Notes

1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE WEST LINE OF THE SW/4, SE/4, NW/4 OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 9 EAST, BRYAN COUNTY AS N01°18'26"W.
2. SEE EXHIBIT "A" PAGE 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.
3. VISIT TO SITE IS N/A

PROJECT LOCATION



Location Map



FILE: 202401BC-A

Surveyor's Statement

I, PRESTON DEAN HYDEN HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS EASEMENT EXHIBIT MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 20TH DAY OF FEBRUARY, 2024.

Preston Dean Hyden PLS 1705
Name of Surveyor and PLS#

02/20/2024
Date of Signature



Overland Drainage Agreement between City of Durant Oklahoma & Bryan County Ambulance Authority for storm drainage access and maintenance.

The undersigned parties agree to:

Overland Drainage Easement File #202401BC-A Exhibit A Pages 1 & 2.

This agreement is entered between the City of Durant & Bryan County Ambulance Authority.

Martin Tucker, Mayor of Durant

Signed Date

Gary Forbis, Board Chairman Bryan County EMS

Signed Date



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Phillip Hightower, Public Works Director
Re: Discussion, Consideration and Possible Approval for an Easement of Access to City Property

This easement is to grant access to city property to tie the relocated storm drain line back into the storm drain on city property. Map of the storm drain is attached.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. Utility Access Easement

UTILITY ACCESS EASEMENT EXHIBIT "A"

Page 1 of 2

KNOWN ALL MEN BY THESE PRESENTS:

That the undersigned, Bryan County EMS, is the owner of the legal and equitable title to the following described real estate situated in the city of Durant, Bryan County, state of Oklahoma, to wit:

TRACT 1

A part of the SW/4 SE/4 NW/4 of Section 31, Township 6 South, Range 9 East of the Indian Base and Meridian, in Bryan County, Oklahoma, described as: Beginning at a point N 00 degrees 31 minutes 29 seconds West 200 feet from the SW corner of SW/4 SE/4 NW/4 of Section 31, Township 6 South, Range 9 East; thence N 00 degrees 31 minutes 29 seconds West 198 feet; thence N 89 degrees 32 minutes 06 seconds East 330 feet; thence South 00 degrees 31 minutes 29 seconds East 198 feet; thence South 89 degrees 32 minutes 06 seconds West 330 feet to the point of beginning.

AND

TRACT 2

Being a part of the SE/4 NW/4 of Section 31, Township 6 South, Range 9 East, of the Indian Base and Meridian, Bryan County, Oklahoma and being more particularly described by metes and bounds as follows:

Commencing at a 1/2" steel rod found maintaining the W/4 corner of said Section 31;
Thence North 88°58'17" East, along the south line of the NW/4, a distance of 1357.67 feet to a 1/2" steel rod set with a cap marked RPLS 1307 for the southwest corner of the SE/4 NW/4;

Thence North 01°18'26" West, along the west line of said SE/4 NW/4, a distance of 200.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence North 88°58'17" East, a distance of 330.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence South 01°18'26" East, a distance of 100.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence South 88°58'17" West, a distance of 144.31 feet to a 1/2" steel rod set with a cap marked RPLS 1307;

Thence South 01°16'01" East, a distance of 100.00 feet to a 1/2" steel rod set with a cap marked RPLS 1307 in the south line of said SE/4 NW/4;

Thence South 88°58'17" West, along the south line of said SE/4 NW/4, a distance of 185.63 feet to the Point-of-Beginning and containing 1.184 acres of land.

And it is considered that, upon receipt of which is hereby acknowledged, the City of Durant, state of Oklahoma, does hereby grant access unto KD Plumbing LLC (a limited liability company), for construction purposes only to construct a 36" Storm Sewer line and an Energy Dissipator with a Rip Rap Section, through, over, under, and across the following described property, situated in the City of Durant, state of Oklahoma, as follows, to wit:

UTILITY ACCESS EASEMENT

COMMENCING AT THE SOUTHEAST CORNER OF "TRACT 1"; THENCE N00°31'29"W ON A LINE FOLLOWING THE EAST LINE OF SAID TRACT 1 FOR A DISTANCE OF 4.55'. THENCE N88°14'27"E FOR A DISTANCE OF 61.48'. THENCE S00°31'29"E ON A LINE PARALLEL TO THE EAST LINE OF SAID TRACT 1 FOR A DISTANCE OF 20.00'. THENCE S88°14'27"W FOR A DISTANCE OF 61.48' TO A POINT ON THE EAST LINE OF SAID TRACT 1. THENCE N00°31'29"W ON A LINE FOLLOWING THE EAST LINE OF SAID TRACT 1 FOR A DISTANCE OF 15.45' TO THE POINT OF COMMENCEMENT. AREA CONTAINS 0.03 ACRES, MORE OR LESS.

SEE EXHIBIT "A" PAGE 2



Arrowhead Construction Staking

Surveying Precision

FILE: 202402BC-A

Surveyor's Statement

I, PRESTON DEAN HYDEN HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS EASEMENT EXHIBIT MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 22ND DAY OF FEBRUARY, 2024.

Preston Dean Hyden DLS 1705
Name of Surveyor and PLS#

02/22/2024
Date of Signature



UTILITY ACCESS EASEMENT EXHIBIT "A"

Page 2 of 2

RANGE 9 EAST

Legend

POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT

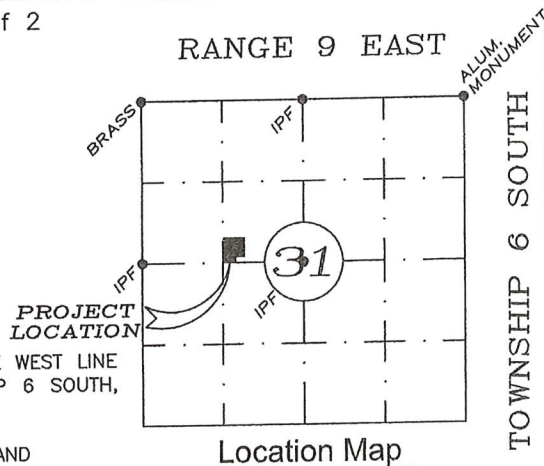
PROPERTY LINE
UTILITY EASEMENT

Notes

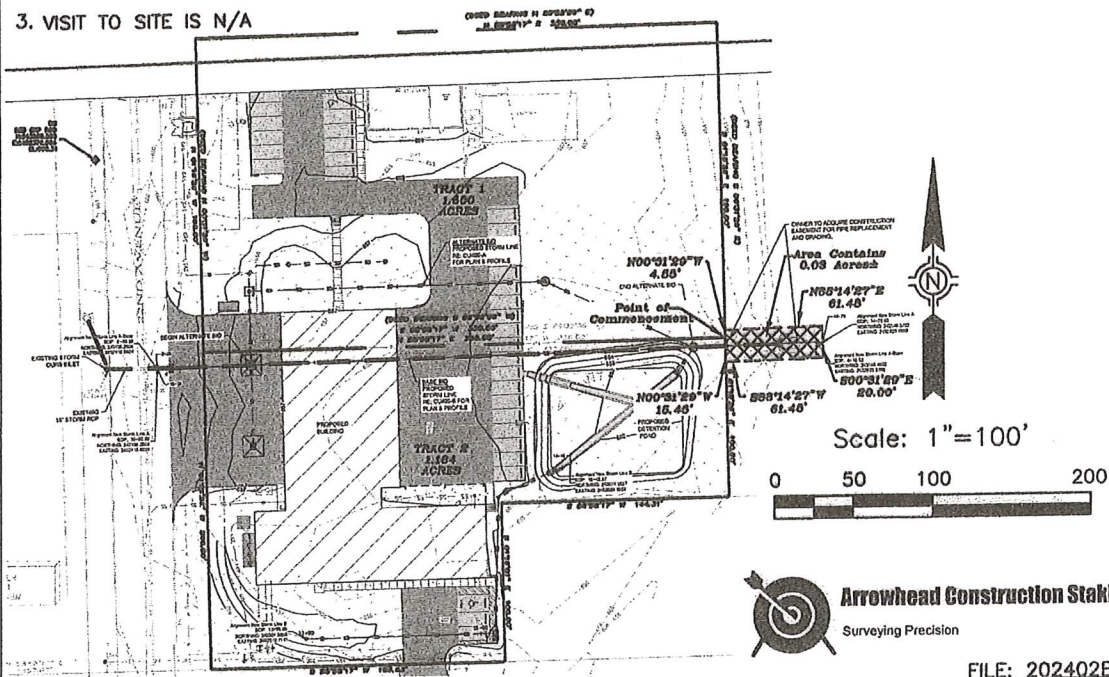
1. THE BEARING BASE FOR THIS EXHIBIT IS BASED ON THE WEST LINE OF THE SW/4, SE/4, NW/4 OF SECTION 31, TOWNSHIP 6 SOUTH, RANGE 9 EAST, BRYAN COUNTY AS N01°18'26"W.

2. SEE EXHIBIT "A" PAGE 1 OF 2 FOR LEGAL DESCRIPTION AND SURVEYOR'S CERTIFICATE.

3. VISIT TO SITE IS N/A



Location Map



FILE: 202402BC-A

Surveyor's Statement

I, PRESTON DEAN HYDEN HEREBY CERTIFY THAT THE ABOVE REPRESENTS A SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS OF THIS DATE. THIS EASEMENT EXHIBIT MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

WITNESS MY HAND AND SEAL THIS 22ND DAY OF FEBRUARY, 2024.

Preston Dean Hyden PLS 1705
Name of Surveyor and PLS#

02/22/2024
Date of Signature



Utility Access Agreement between City of Durant Oklahoma & Bryan County Ambulance Authority
for storm drainage access and improvements.

The undersigned parties agree to:

Utility Access Easement File #202402BC-A Exhibit A Pages 1 & 2.

This agreement is entered between the City of Durant & Bryan County Ambulance Authority.

Martin Tucker, Mayor of Durant

Signed Date

Gary Forbis, Board Chairman Bryan County EMS

Signed Date



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: PC2024-03 Consider Approval of Final Plat Request by Dale Goad Construction Inc for 49th and South of Railroad.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. CC2024 3 final plat dale goad 3 12 24
2. PC2024-03 MAPS
3. FINAL PLAT
4. Rural Water Letter



THE CITY OF DURANT

Office of Community Development

Date: 3/12/2024
To: Mayor Tucker and the City Council
Case: CC 2024-3
From: Reed Aichholz, Community Development Director
Re: Final Plat Request for Dale Goad Construction Inc.

Request: Consider a request from Dale Goad Construction Inc. for the approval of a Final Plat at N 49th Avenue.

Current Zoning: I-1 (Light Industrial)

Surrounding Properties:

Direction	Zoning	Use
North	I-1	Light Industrial
East	I-1	Light Industrial
South	I-1	Light Industrial
West	I-1	Light Industrial

Lot Characteristics:

Width	~ 650 ft (varying)
Depth	~ 1000 ft
Total Area	~ 8.1 acres

Applicant: Dale Goad

Background: Applicant approached staff for the approval of a preliminary plat in January of 2024 for the development of 18 light industrial lots broken into 3 phases. Both Planning Commission and City Council approved this preliminary plat subject to the addition of an easement to through the southern parcel adjoining West Main Street.

Analysis: Since preliminary approval, Mr. Goad has granted the City emergency service easement access (see attachment). The proposed plat has several variances from code: 1) Commercial Easements are noted to be 80', but this plat shows 50' (accepted by Council in January). 2) The Cul-de-sac has a proposed 96' radius instead of 100' (approved by Fire Marshal) but also has a 120' ROW. 3) There were several questions previously about fire hydrant locations and where the fire marshal needed them. (300 feet apart)

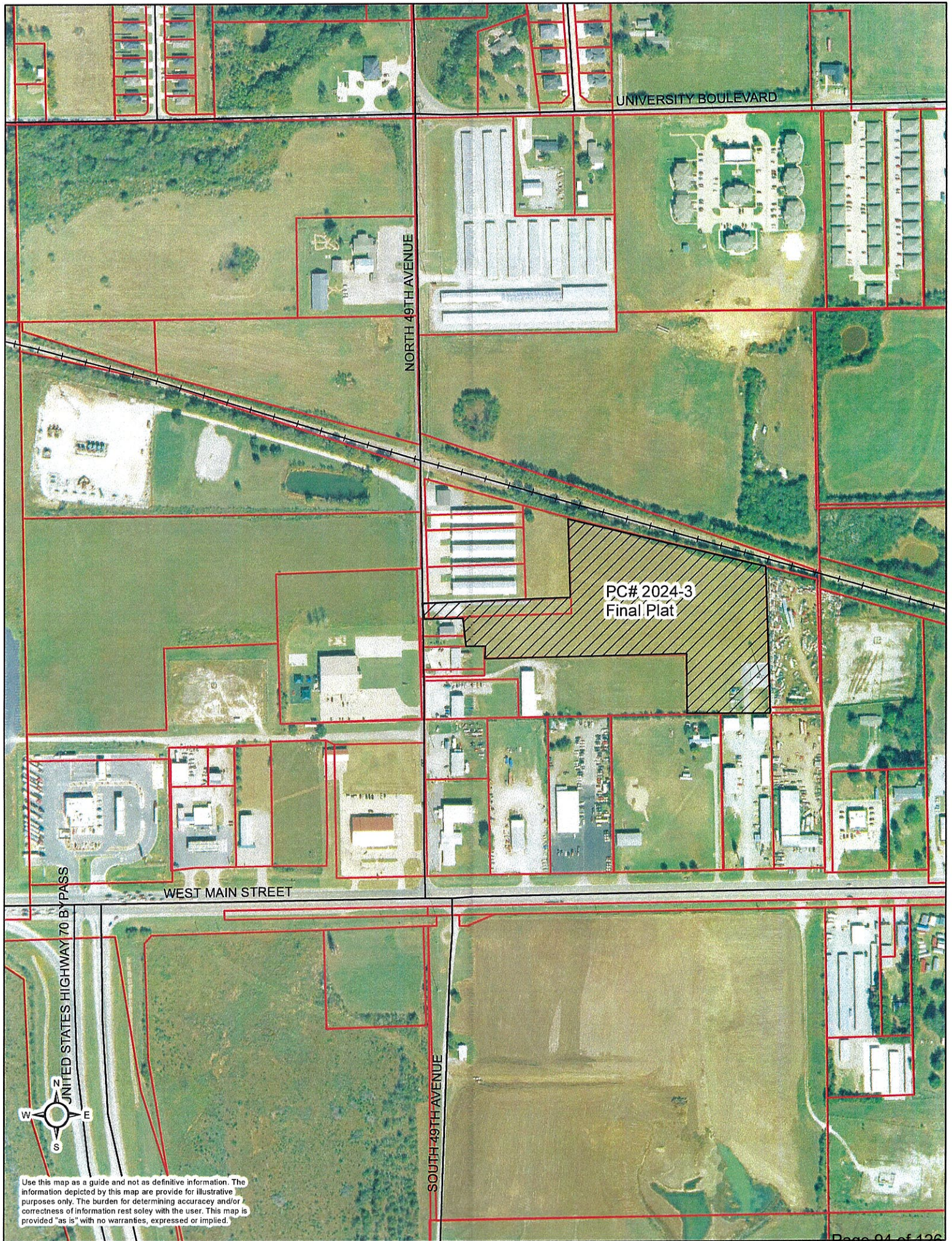
The current Land Use Map has this area as Light Industrial – I-1 surrounded by industrial.

The future land use map shows the area to be mixed-use Commercial/Residential.

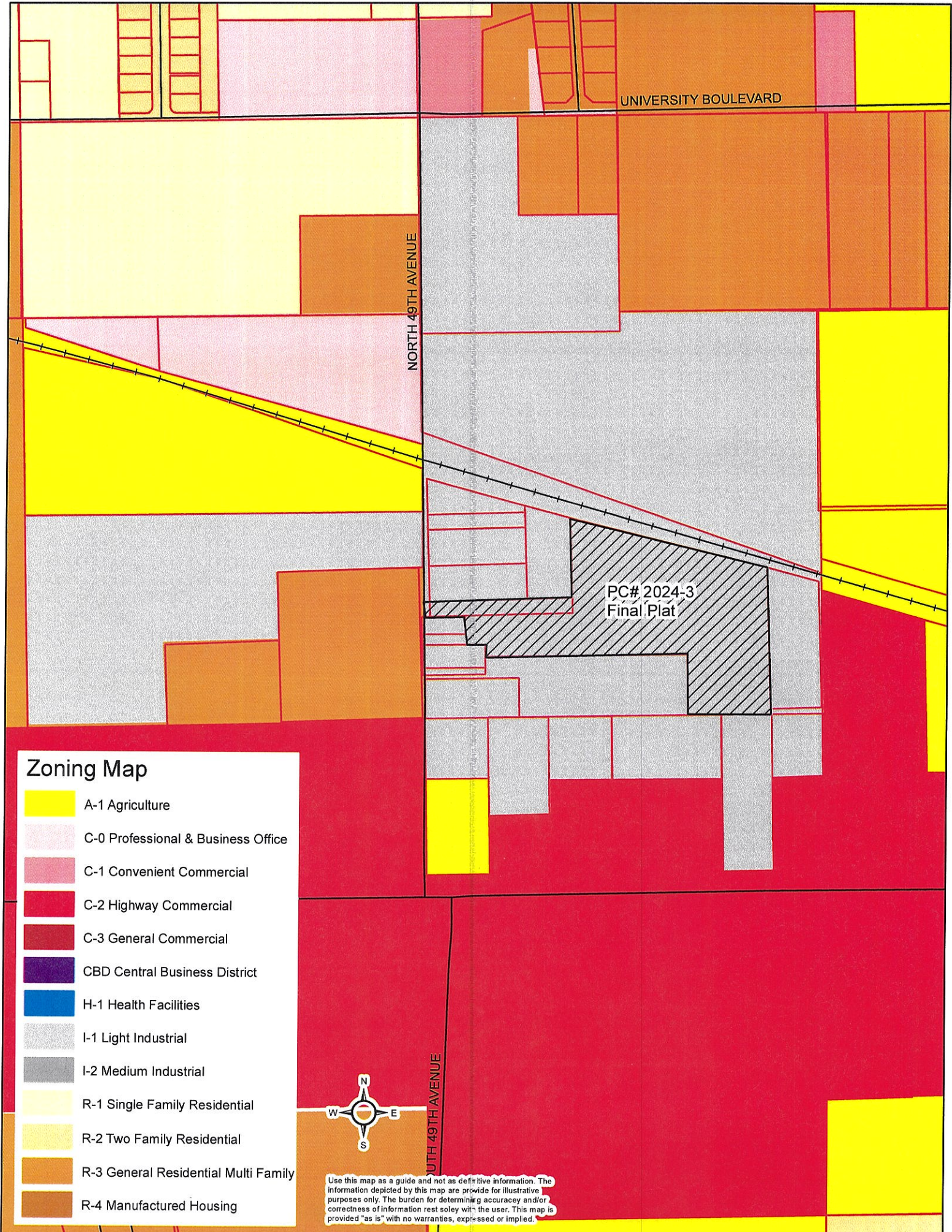
Fire Marshal had comments regarding how future lots are brought on AND rural water, because currently, rural water is permitting 8 lots to have service.

Planning Commission Recommendation: The Planning Commission unanimously voted for the approval of this final plat.

Required Action: Hold a public hearing and recommend approval or denial for the final plat application of Dale Goad on N. 49th Ave.

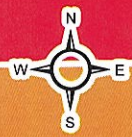


Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.

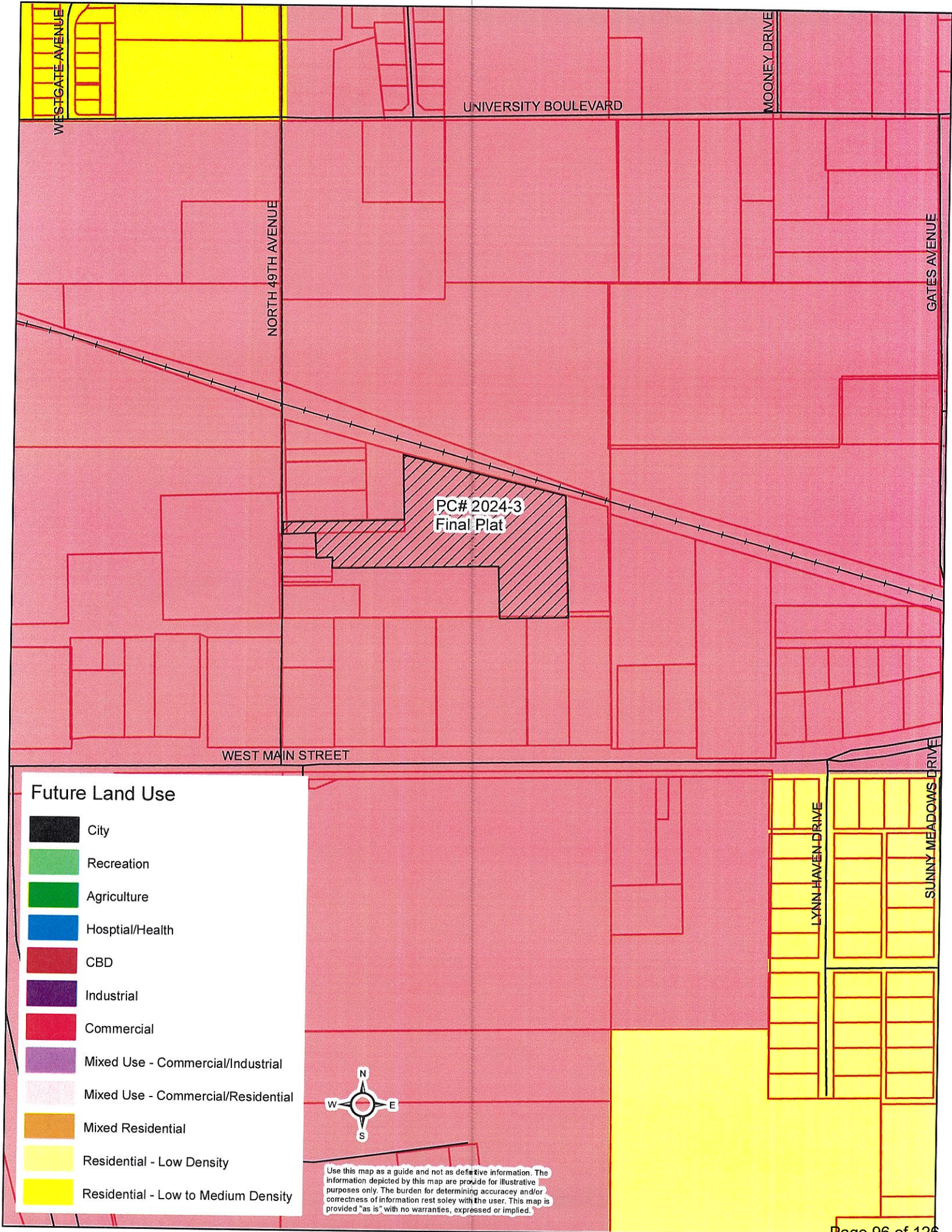


Zoning Map

-  A-1 Agriculture
-  C-0 Professional & Business Office
-  C-1 Convenient Commercial
-  C-2 Highway Commercial
-  C-3 General Commercial
-  CBD Central Business District
-  H-1 Health Facilities
-  I-1 Light Industrial
-  I-2 Medium Industrial
-  R-1 Single Family Residential
-  R-2 Two Family Residential
-  R-3 General Residential Multi Family
-  R-4 Manufactured Housing



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.



[illegible]

the said lot to be hereafter known as DALE GOAD INDUSTRIAL ADDITION, a subdivision of a portion of Bryan County, State of Oklahoma, the transaction of this irrevocable offer of dedication shall be consummated upon the execution of the certificate for acceptance of dedication, for the purpose of providing an orderly development of DALE GOAD INDUSTRIAL ADDITION. Said property covered by the said dedication is subject to certain restrictions, reservations and easements contained in a certain instrument which will be filed in the record in the office of the County Clerk of Bryan County, Oklahoma, subsequent to the filing of this plat.

49TH STREET

Phase 1

Phase 3

LOT 1 0.29 AC 6,311.81 S.F.

LOT 2 0.29 AC 6,311.81 S.F.

LOT 3 0.29 AC 6,311.81 S.F.

LOT 4 0.29 AC 6,311.81 S.F.

LOT 5 0.29 AC 6,311.81 S.F.

LOT 6 0.29 AC 6,311.81 S.F.

LOT 7 0.29 AC 6,311.81 S.F.

LOT 8 0.29 AC 6,311.81 S.F.

LOT 9 0.29 AC 6,311.81 S.F.

LOT 10 0.29 AC 6,311.81 S.F.

LOT 11 0.29 AC 6,311.81 S.F.

LOT 12 0.29 AC 6,311.81 S.F.

FLOOD ZONE INFORMATION

FLOOD ZONE	AREA (AC)	AREA (S.F.)
1	0.29	6,311.81
2	0.29	6,311.81
3	0.29	6,311.81
4	0.29	6,311.81
5	0.29	6,311.81
6	0.29	6,311.81
7	0.29	6,311.81
8	0.29	6,311.81
9	0.29	6,311.81
10	0.29	6,311.81
11	0.29	6,311.81
12	0.29	6,311.81

LEGEND

- 1. LOT LINES AND BOUNDARIES
- 2. LOT AREA AND PERIMETER
- 3. LOT AREA AND PERIMETER
- 4. LOT AREA AND PERIMETER
- 5. LOT AREA AND PERIMETER
- 6. LOT AREA AND PERIMETER
- 7. LOT AREA AND PERIMETER
- 8. LOT AREA AND PERIMETER
- 9. LOT AREA AND PERIMETER
- 10. LOT AREA AND PERIMETER
- 11. LOT AREA AND PERIMETER
- 12. LOT AREA AND PERIMETER

PHASE 1

PHASE 3

LOT 1 0.29 AC 6,311.81 S.F.

LOT 2 0.29 AC 6,311.81 S.F.

LOT 3 0.29 AC 6,311.81 S.F.

LOT 4 0.29 AC 6,311.81 S.F.

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LOT 11 0.29 AC 6,311.81 S.F.

LOT 12 0.29 AC 6,311.81 S.F.

LEGEND

- 1. LOT LINES AND BOUNDARIES
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PHASE 1

PHASE 3

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LOT 2 0.29 AC 6,311.81 S.F.

LOT 3 0.29 AC 6,311.81 S.F.

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LOT 9 0.29 AC 6,311.81 S.F.

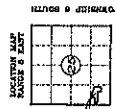
LOT 10 0.29 AC 6,311.81 S.F.

LOT 11 0.29 AC 6,311.81 S.F.

LOT 12 0.29 AC 6,311.81 S.F.

LEGEND

- 1. LOT LINES AND BOUNDARIES
- 2. LOT AREA AND PERIMETER
- 3. LOT AREA AND PERIMETER
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- 9. LOT AREA AND PERIMETER
- 10. LOT AREA AND PERIMETER
- 11. LOT AREA AND PERIMETER
- 12. LOT AREA AND PERIMETER

Notary Public in and for
the State of Oklahoma

FLOOD ZONE INFORMATION

SUBJECT PROPERTY IS IN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO THE FLOOD INSURANCE RATE MAP, NO. 40013C 0170 E AND 40013C310E, DATED JUNE 2, 2011.

GENRES/DEVELOPER
DALE COAD
CONSTRUCTION INC.
P. O. BOX 5101
DURANT, OK

SHEET 1 OF 1

Dale Goad Industrial Park

4 messages

rwd2@totalnet.us <rwd2@totalnet.us>
Reply-To: rwd2@totalnet.us
To: jhenderson.304technical@gmail.com
Cc: Dale.Goad@gmail.com

Mon, Aug 28, 2023 at 2:08 PM

Jason,

Dale Goad came by to visit with me today in order to get a status on his 3 phase Industrial Park. He informed me that these will only be warehouses and their water use should be around 2,000 gallons per month per building. He had planned to attend the Durant City Council Meeting in September, but he has to have a letter from us stating that we will serve this area before they allow him to do anything. Can you give me a status and possibly a letter?

Thanks for all you do,
Regina

**RURAL WATER
BRYAN COUNTY
DISTRICT #2**

Dale Goad New Sub..png
3782K

Jason 304 Technical <jhenderson.304technical@gmail.com>
To: rwd2@totalnet.us
Cc: Dale.Goad@gmail.com

Mon, Aug 28, 2023 at 9:21 PM

Regina,

Please see attached letter for Dale Goad. Please note the fire protection in this area is 500 gpm at the moment and I am approving the service to the lots. Should the waterline be extended into the property that the District will maintain then we will need to review those plans. I was not sure if this property had a master meter at 49th or if the water line was being extended that will be owned and maintained by the District.

Please let me know if you have any questions.

Thank You,
Jason Henderson, P.E.
304 Technical Services, LLC.
12515 Carriage Way
Oklahoma City, OK 73142
Jhenderson.304Technical@gmail.com
405-365-0952



CONSULTING ENGINEERS
405-365-0952
Jhenderson.304Technical@gmail.com

August 28, 2023

Mrs. Regina Clinton, Manager
Bryan County RWS & SWMD No. 2
P.O. Box 119
Mead, OK 73449

RE: Dale Goad Industrial Park Phase III
49th and South of Railroad
Hydraulic and Plan Review

File: 2023.05

Dear Regina:

We recommend approval of the Dale Goad Industrial Park Phase III that includes eight (8) lots. This project will be serving minimal usage water customers in a warehousing condition. The owner indicates less than 2,000 gallons per month will be used per building.

The property will have 500 gpm fire protection available that is currently set aside in the hydraulics of the area. The property lot map does not show waterlines extending into the property so if a master meter is set at 49th Street to serve this property no further review will be required by engineering. Should the developer extend the waterline in which the District will maintain then we will need to review the design and easements for the project within the boundaries of the property.

Please let me know if you have any questions.

Sincerely,

304 TECHNICAL SERVICES, LLC.

A handwritten signature in black ink, appearing to read 'Jason E. Henderson', is written over the company name.

Jason E. Henderson, P.E.



The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: PC2024-06 Consider Approval of Rezone Request by Monica Uber for Property Located at 711 Blanchard.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. CC2024-06 711 Blanchard rezone 3 12 24
2. PC2024-06 MAPS



THE CITY OF DURANT

Office of Community Development

Date: 3/12/2024
To: Mayor Tucker and the City Council
Case: CC 2024-6
From: Reed Aichholz, Community Development Director
Re: Rezone Request by Monica Uber at 711 Blanchard

Request: Consider a request from Monica Uber Rezoning of 711 Blanchard from C-2 to R-2

Current Zoning: C-2

Surrounding Properties:

Direction	Zoning	Use
North	C-2	Highway Commercial
East	C-2	Highway Commercial
South	C-2	Highway Commercial
West	C-2	Highway Commercial

Lot Characteristics:

Width	~ 200 ft
Depth	~ 200 ft
Total Area	~ 1 acre

Applicant: Monica Uber

Background: Applicant approached staff for the approval of a rezone from C2 to R2.

Analysis: The property has single family residential (R-1) and Stonebrook Cir. (R2) nearby (catty-corner) and is surrounded by Highway Commercial (C2) property. The future land use does not show much if any change from current zoning. Although C-2, all properties to the east are residential in nature. The west adjacent property is a learning center which is complementary to zoning changes.

One thing to take into consideration is how leadership views future use along 9th avenue. Any eminent domain would significantly influence this lot.

Staff commented that the sewer capacity is not sufficient but could be extended from Stonebrook Cir. The current property is a 1-acre parcel with septic.

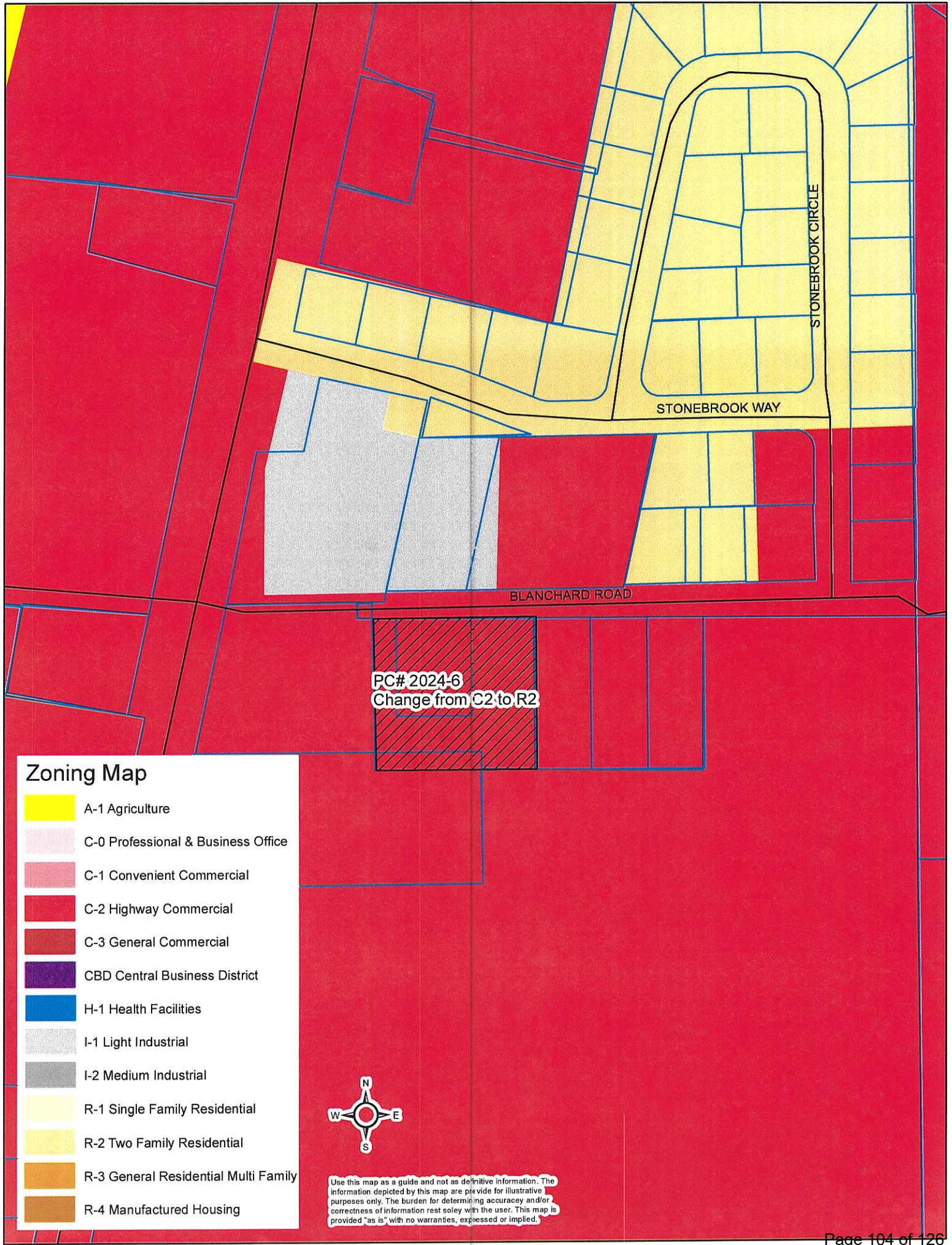
Planning Commission Recommendation: Planning Commission recommended approval of rezone with a 3 out of 4 vote. Conversation/concern arose around whether or not this action is considered spot zoning. Comments in favor of acceptance revolved around nearby R2 and blanket zoning on past maps. Comments opposed to acceptance revolved around R2 not being directly adjacent and future land use not reflecting this proposed change.

Required Action: Hold a public hearing and recommend approval or denial for the rezoning of 711 Blanchard



PC# 2024-6
Change from C2 to R2

Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.

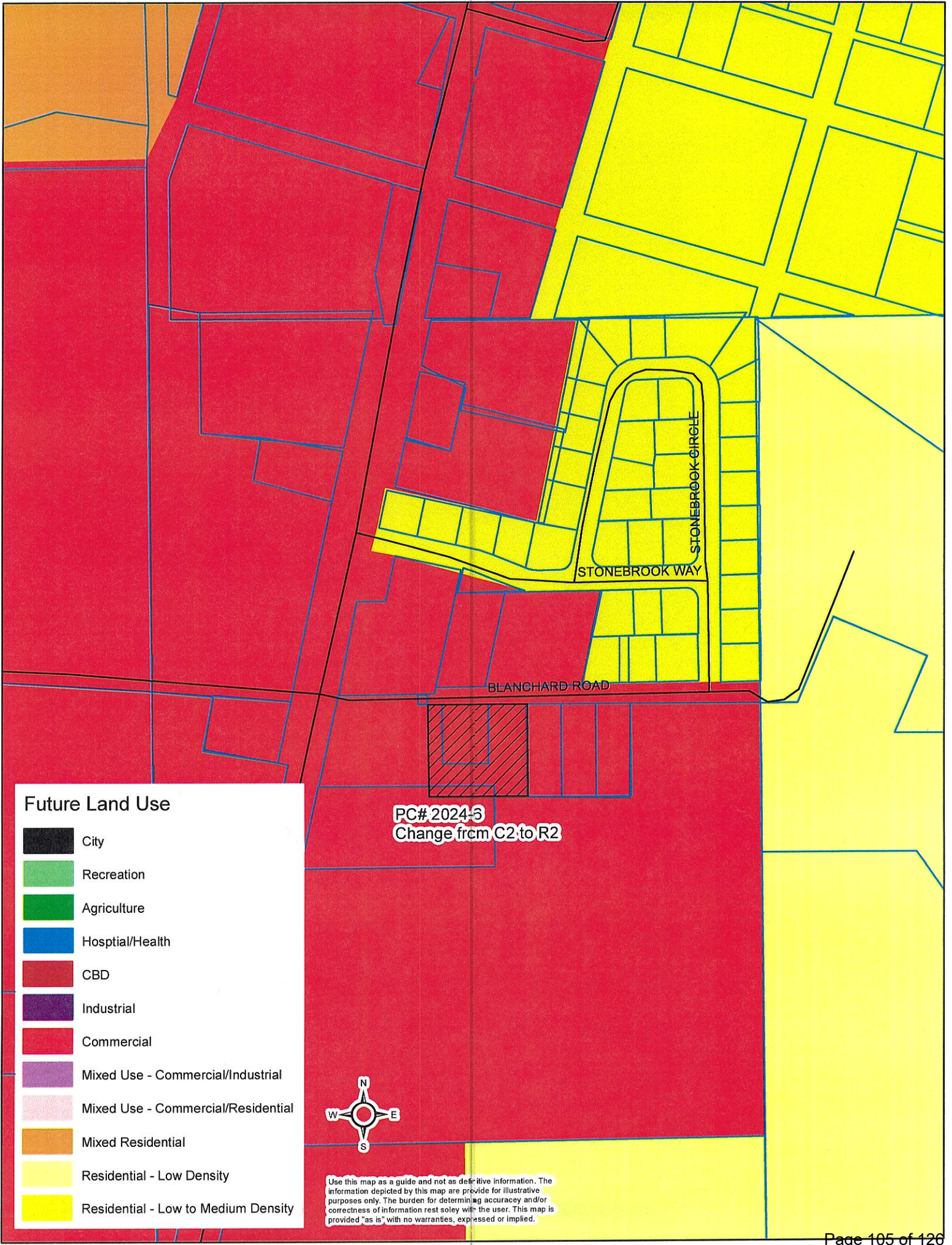


Zoning Map

- A-1 Agriculture
- C-0 Professional & Business Office
- C-1 Convenient Commercial
- C-2 Highway Commercial
- C-3 General Commercial
- CBD Central Business District
- H-1 Health Facilities
- I-1 Light Industrial
- I-2 Medium Industrial
- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 General Residential Multi Family
- R-4 Manufactured Housing



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Future Land Use

-  City
-  Recreation
-  Agriculture
-  Hospital/Health
-  CBD
-  Industrial
-  Commercial
-  Mixed Use - Commercial/Industrial
-  Mixed Use - Commercial/Residential
-  Mixed Residential
-  Residential - Low Density
-  Residential - Low to Medium Density



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The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: PC2024-07 Consider Approval of Final Plat Request for Sunstar LLC for Property Located Near Larkspur Lane

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. CC2024 7 Sunstar LLC 3 12 24 (1)
2. PC2024-07 MAPS
3. Heritage North Mylar 022024 to city zoning sheet 1 of 2
4. Heritage North Mylar 022024 to city zoning sheet 2 of 2



THE CITY OF DURANT

Office of Community Development

Date: 3/12/2024
To: Mayor Tucker and the City Council
Case: CC 2024-7
From: Reed Aichholz, Community Development Director
Re: Final Plat Approval from Sunstar LLC

Request: Consider a request from Sunstar LLC

Current Zoning: R-1

Surrounding Properties:

Direction	Zoning	Use
North	R-1	Single Family Residential
East	R-1	Single Family Residential
South	R-1	Single Family Residential
West	A-1	Agricultural

Lot Characteristics:

Width	~ 1200 ft
Depth	~ 1300 ft
Total Area	~ 36 acres

Applicant: Sunstar LLC

Background: Applicant approached staff for the approval of final plat after approval of the preliminary plat with no issues in September 2023.

Analysis: The property has single family residential (R-1) nearby and is surrounded by low density single family residential. The future land use plan shows the continued change of all surrounding properties to low and medium density residential.

Minimum lot sizes within code: 8400 SF

Minimum Resi ROW: 60'

All utility/road details have been confirmed by staff and fire marshal.

Utility Easements: 20' along subdivided lots

Sidewalks included in plans

5% Requirement of Landscaping

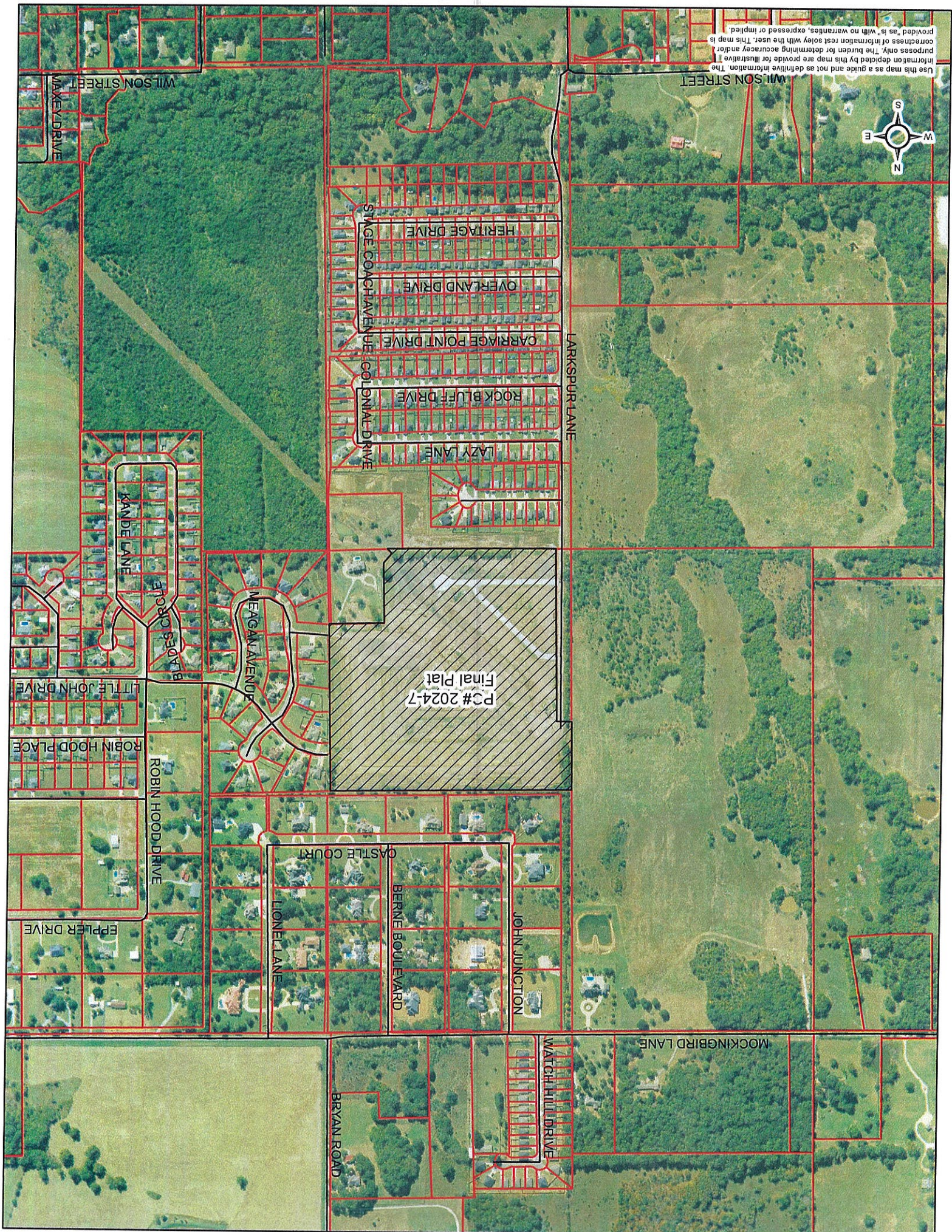
- Comments from a concerned neighbor should be read out loud

Planning Commission Recommendation: Planning Commission unanimously voted for the approval of this final plat.

Required Action: Hold a public hearing and recommend approval or denial for the final plat



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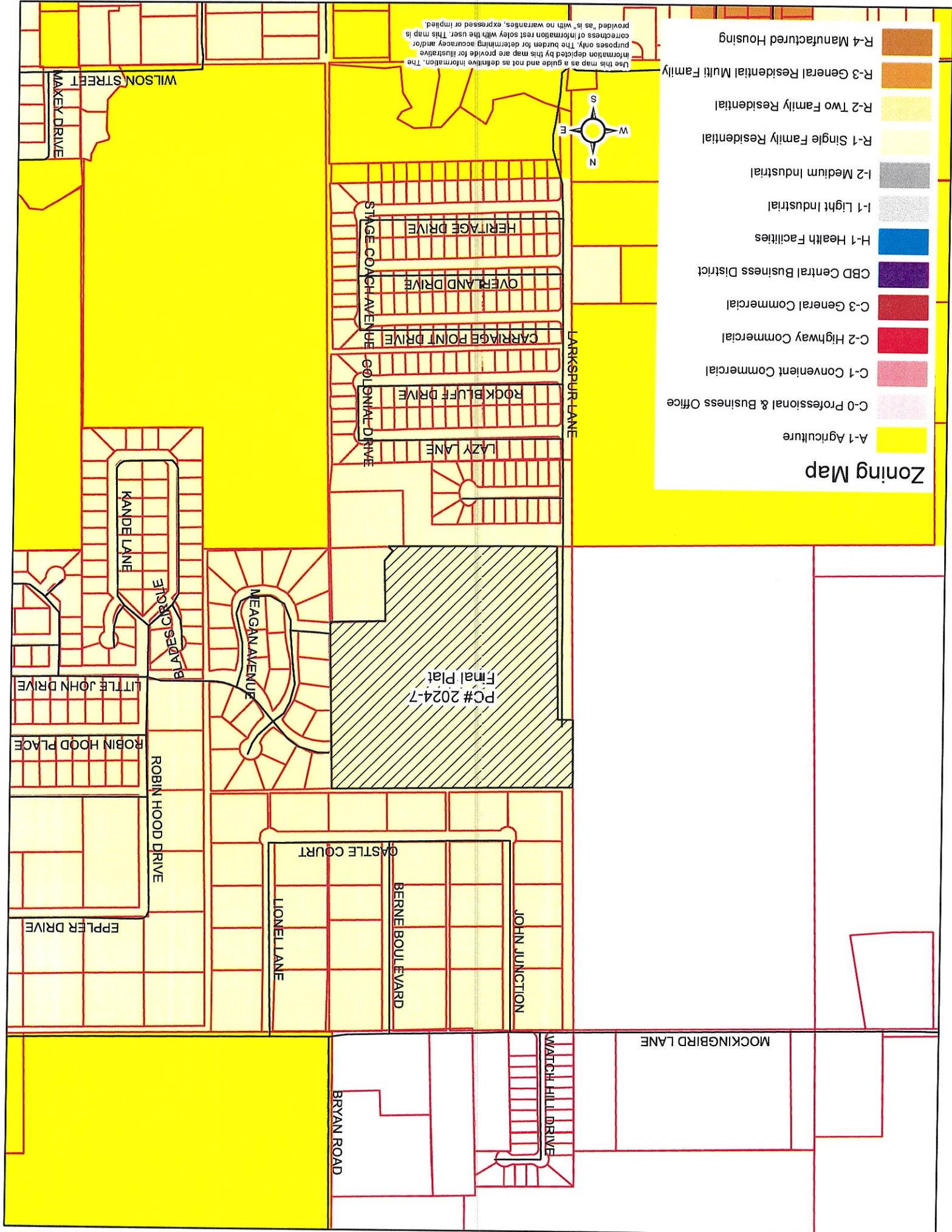


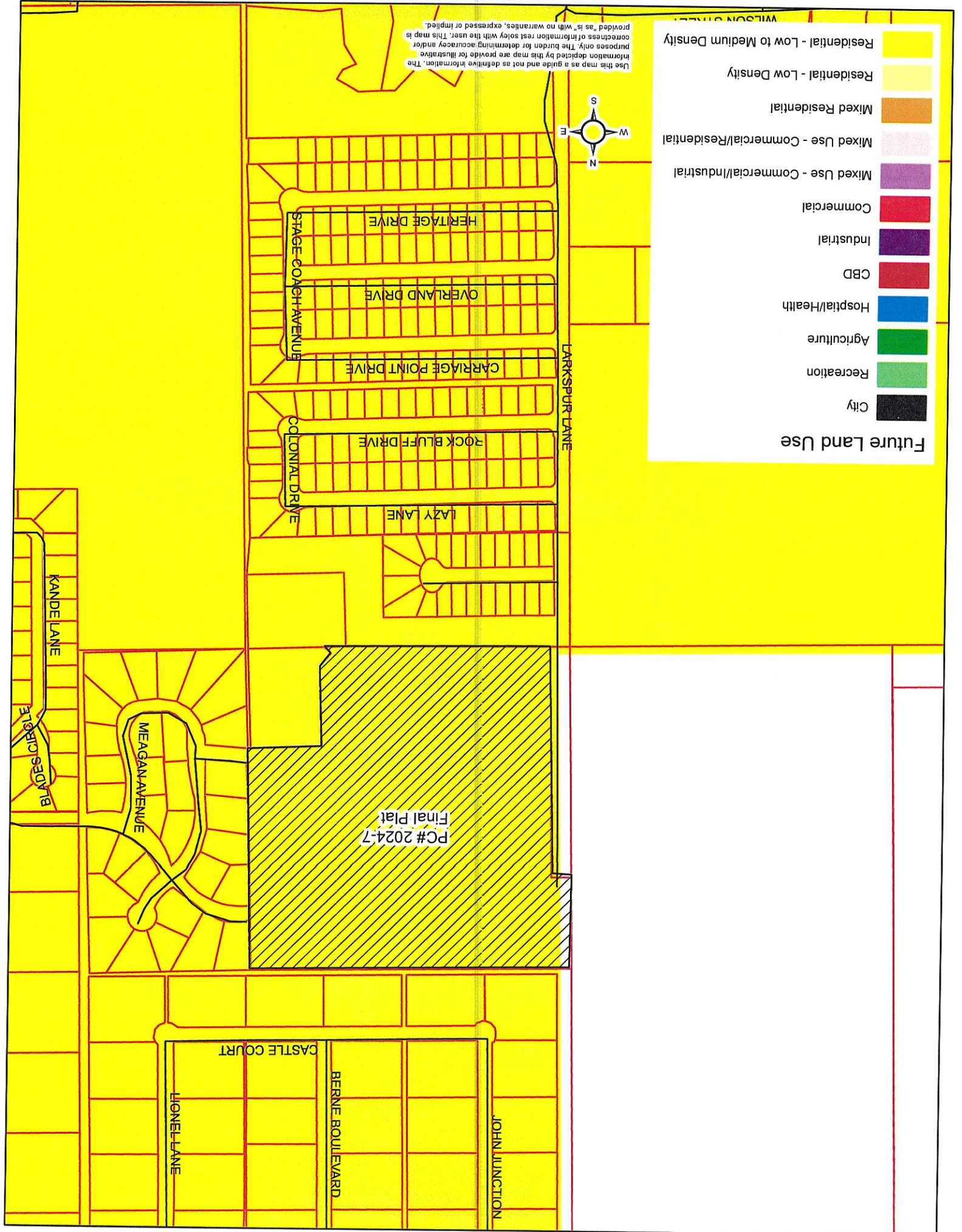
Zoning Map

- A-1 Agriculture
- C-0 Professional & Business Office
- C-1 Convenient Commercial
- C-2 Highway Commercial
- C-3 General Commercial
- CBD Central Business District
- H-1 Health Facilities
- I-1 Light Industrial
- I-2 Medium Industrial
- R-1 Single Family Residential
- R-2 Two Family Residential
- R-3 General Residential Multi Family
- R-4 Manufactured Housing



Use this map as a guide and not as definitive information. The information depicted by this map are provided for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.





SUNSTAR, LLC
an Oklahoma limited liability company
721 Highway 70 E.
Kingston, OK 73439

Ashley Bice, PE
P.O. Box 26634
Little Rock, AR 72221
Ph: 501-593-1298

Michael T. Reynolds, PLS
621 North Elks Road
Tishomingo, OK 73460
Ph: 580-371-9410

That the undersigned, hereby certify that it is the owner of, and the only person, firm or corporation having any right, title, or interest in and to the land shown on the Final Plat of Heritage North – Phase I, an addition to the City of Durant, Oklahoma. That it has caused the same to be platted into lots, blocks, streets and easements as shown on said Final Plat, which said Final Plat is on file for record in the County Clerk's office and is included therein under the Final Plat of Heritage North – Phase I, an addition to the City of Durant, Bryan County, Oklahoma.

That the undersigned, further certifies that they are the owner of and the only person, firm, or corporation who have any right, title or interest to the land included in the above mentioned Final Plat, and it does hereby dedicate public streets and all easements, shown on said Final Plat, to the use of the public, for public highways, streets, fire protection, utility and drainage easements, for their respective purposes. That the undersigned, administrators, successors and assigns forever will cause the same to be released from all encumbrances to be executed on this _____ day of _____, 2024.

A tract of land located in the SE/4 NE/4 and the NE/4 SE/4 of Section 24, Township 6 South, Range 8 East of the Indian Meridian, Bryan County, Oklahoma, being more particularly described as follows:

Commencing at the Northeast Corner of said NE/4 SE/4;

thence S 00°59'21" E along the East line of said NE/4 SE/4, a distance of 303.04 feet to the Southeast Corner of a tract of land described in Warranty Deed (Wagnitz to Cummins), filed 06/25/2020, recorded in Book 1530, Pages 796-797 in the Office of the Bryan County Clerk, said point being the Point of Beginning;

thence continuing S 00°59'21" E along said East line, a distance of 162.99 feet to the Northeast Corner of Heritage Crossing II,

thence S 89°00'02" W along the North line of said Heritage Crossing II, a distance of 551.25 feet to the Southeast corner of Heritage Crossing III, an Addition to the City of Durant;

thence N 00°57'58" W along the East line of said Heritage Crossing III, a distance of 340.00 feet to the Northeast Corner of said Heritage Crossing III;

thence S 89°00'02" W along the North line of said Heritage Crossing III, a distance of 699.91 feet to the Northwest Corner of Lot 1, Block 1, of said Heritage Crossing III;

thence N 00°57'58" W along a line parallel with the West line of said NE/4 SE/4, a distance of 126.92 feet to a point on the West line of said NE/4 SE/4, said point being East, a distance of 70.00 feet from the Southwest Corner of said SE/4 NE/4;

thence N 89°02'29" along the South line of said SE/4 NE/4, a distance of 10.00 feet, said point being the Southeast Corner of a track of land described in Quit Claim Deed (Thurston to City of Durant), filed 03/11/2021, recorded in Book 1553, Pages 771-772;

thence N 00°58'56" W along the East line of said City of Durant Tract, a distance of 950.00 feet to the Northeast Corner of said City of Durant Tract;

thence S 89°02'29" W along the North line of said City of Durant Tract, a distance of 80.00 feet to the Northwest Corner of said City of Durant Tract;

thence N 00°58'56" W along the West line of said SE/4 NE/4, a distance of 370.38 feet to the Northwest Corner of said SE/4 NE/4;

thence N 89°02'29" E along the North line of said SE/4 NE/4, a distance of 1320.07 feet to the Northeast Corner of said SE/4 NE/4;

thence S 89°02'34" W, a distance of 180.00 feet;

thence N 01°01'16" W, a distance of 16.82 feet;

thence S 89°02'34" W, a distance of 120.00 feet;

thence N 01°01'16" W, a distance of 90.71 feet;

thence S 89°02'34" W, a distance of 725.68 feet;

thence S 43°27'22" W, a distance of 60.00 feet;

thence N 46°32'38" W, a distance of 28.84 feet;

thence S 43°27'22" W, a distance of 120.00 feet;

thence S 46°32'38" E, a distance of 893.24 feet;

thence N 89°00'36" E, a distance of 242.97 feet to a point on the West line of said Cummins Tract;

thence along said Cummins Tract, for the next six calls of bearing and distance, S 01°01'16" E, a distance of 211.71 feet;

thence S 43°37'21" W, a distance of 68.47 feet;

thence S 46°22'39" E, a distance of 37.77 feet;

thence S 89°02'29" W, a distance of 86.72 feet;

thence S 00°59'21" E, a distance of 303.04 feet;

thence N 89°02'29" E, a distance of 400.00 feet to the Point of Beginning, containing an area of 27.1516 acres

1,182,724 square feet
27,1516 acres

Subject property lie in Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain.) as shown of Flood Insurance Rate Map, Map Number 40013C0170E, effective date: June 02,2011.

N/4 cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma
Monumentation - found 1/2" iron pin as shown on Oklahoma Certified
Corner Record filed by Page PI S 1566, dated 04/21/2008

NW cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma. Monumentation - found 1/2" iron pin as shown on Oklahoma Certified Corner Record filed by Brooks, PLS 1593, dated 11/30/2004 and Page PLS 1324, dated 01/18/2000.

WEST MOCKINGBIRD LANE
(GLO: N 89°58' W) (GLO: N 89°58' W)

W/4 cor. of Sec. 24, T-6-S, R-9-E
of the I.M., Bryan County,
Oklahoma.
Monumentation - found 1/2" iron pin
as shown on Oklahoma Certified
Corner Record filed by Page PLS
1324, dated 01/18/2000.

WEST MOCKINGBIRD LANE
(GLO: N 89°58' W) (GLO: N 89°58' W)

SW cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma.
Monumentation - found 3/4" iron pin as shown on Oklahoma Certified Corner Record filed by Campo, PLS 1462, dated 01/18/2000 and Page PLS 1324, dated 01/18/2000.

WEST MOCKINGBIRD LANE
(GLO: N 89°58' W) (GLO: N 89°58' W)

S/4 cor. of Sec. 24, T-6-S, R-9-E of the 1.M., Bryan County, Oklahoma
Monumentation - found railroad spike as shown on Oklahoma Certified
Corner Record filed by Klinkenborg, PLS 1549, dated 04/20/2021, Wills
PLS 1754, dated 02/23/2011 and Perry, PLS 1073, dated 05/25/1985.

NE cor. of Sec. 24, T-6-S, R-9-E of the I.M., Bryan County, Oklahoma. Monumentation - found 1 1/2" iron pin as shown on Oklahoma Certified Corner Record filed by Carroll, PLS 1522, dated 06/14/2016, Page PLS 1566, dated 05/11/2004 and Page, PLS 1324, dated 08/04/2000.

E/4 Cor. of Sec. 24, T-6-S, R-9-E of 11th
I.M., Bryan County, Oklahoma.
Monumentation - found 1/2" iron pin w/
yellow cap stamped "PAGE 1566" as
shown on Oklahoma Certified Corner
Record filed by Brooks, PLS 1593, dat
07/21/2008 and Page PLS 1566, dat
04/21/2008.

SE cor. of Sec. 24, T-6-S, R-9-E of the
I.M., Bryan County, Oklahoma.
Monumentation - found 1" iron pin as
shown on Oklahoma Certified Corner
Record filed by Klinkenberg, PLS
1549, dated 04/20/2021, Bennet, PLS
1471, dated 06/22/2018, Carroll, PLS
1522, dated 08/14/2016 and Page,
PLS 1324, dated 01/17/2000.

Survey conducted 03/10/21 through 01/14/24. Last site visit 02/16/24.

All bearings shown on this plat were based upon the Oklahoma State Plane Coordinate (OK3502).

This plat of survey meets the Oklahoma Minimum Standards for the practice of land surveying as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

All lot corners are monumented with 5/8" rebar with 1.5" aluminum cap stamped "REYNOLDS 1651" unless otherwise noted.

(D: P:) represents bearings as recorded in deeds or plat.

Subject to easements, rights of way and restrictions, recorded or implied, if any, thereof.

I, _____, City Clerk of the City of Durant, Oklahoma, hereby certify that I have examined the records of said City and find that all deferred payments on unmatured installments upon special assessments have been paid in full and that there are no special assessment procedures now pending against the land shown on the Final Plat of Heritage North - Phase I, an addition to the City of Durant.

Signed by the City Clerk this _____ day of _____, 2024.

City Clerk

Pursuant to Durant subdivision regulations, this document was given approval by the Durant City Council at a meeting held on the ____ day of _____, 2024. All of the conditions for approval having been completed, this document is hereby accepted and this certificate executed under authority of such regulations.

Date of execution _____, 2024

Attest, City Clerk _____ Mayor _____

This document, number _____, filed for record _____ day of _____, 2024,
at _____ in Plat Book _____.

County Clerk

FINAL PLAT

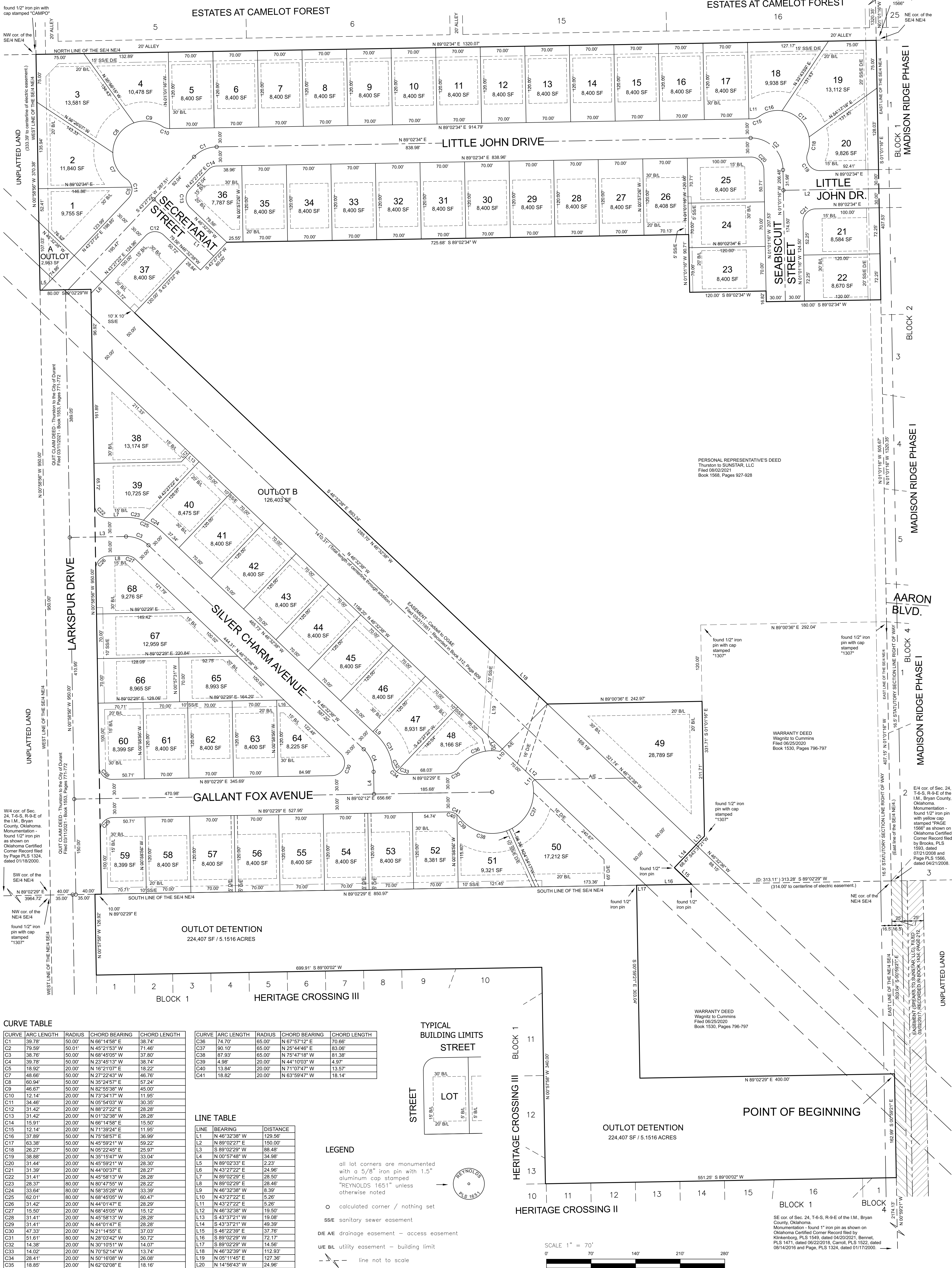
HERITAGE NORTH - PHASE I

AN ADDITION IN THE CITY OF DURANT,
LOCATED IN THE SE/4 NE/4, NE/4 SE/4 OF SECTION 24,
T-6-S, R-8-E OF THE I.M., DURANT, BRYAN COUNTY, OKLAHOMA.



Bearings are based on the
Oklahoma State Plane Coordinate
system (OK S3502).

The East line of the NE/4 of Sec.
24, T-6-S, R-8-E of the I.M., is
measured to be N 01°01'16" W.



CURVE TABLE

CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	39.78'	50.00'	N 66°14'58" E	38.74'
C2	79.59'	50.01'	N 45°21'53" W	71.46'
C3	38.76'	50.00'	N 68°45'05" W	37.80'
C4	39.78'	50.00'	N 23°45'13" W	38.74'
C5	18.92'	20.00'	N 16°21'14" W	18.22'
C6	48.66'	50.00'	N 27°22'43" W	46.76'
C7	80.94'	50.00'	N 35°24'57" E	57.24'
C8	46.67'	50.00'	N 82°55'38" W	45.00'
C9	12.14'	20.00'	N 73°34'17" W	11.95'
C10	34.46'	20.00'	N 05°54'03" W	30.35'
C11	31.42'	20.00'	N 88°27'22" E	28.28'
C12	31.42'	20.00'	N 01°32'38" W	28.28'
C13	15.91'	20.00'	N 66°14'58" E	15.50'
C14	12.14'	20.00'	N 71°39'24" E	11.95'
C15	37.89'	50.00'	N 75°58'57" E	36.99'
C16	63.38'	50.00'	N 45°59'21" W	59.22'
C17	26.27'	50.00'	N 05°22'45" E	25.97'
C18	38.88'	20.00'	N 35°15'47" W	33.04'
C19	31.44'	20.00'	N 45°59'21" W	28.30'
C20	31.39'	20.00'	N 44°00'37" E	28.27'
C21	31.39'	20.00'	N 45°59'21" W	28.28'
C22	28.37'	80.00'	N 80°47'55" W	28.22'
C23	33.64'	80.00'	N 58°35'28" W	33.39'
C24	62.01'	80.00'	N 68°45'05" W	60.47'
C25	31.42'	20.00'	N 44°01'47" E	28.29'
C26	15.50'	20.00'	N 68°45'05" W	15.12'
C27	31.41'	20.00'	N 45°58'13" W	28.28'
C28	31.41'	20.00'	N 44°01'47" E	28.28'
C29	47.33'	20.00'	N 21°14'55" E	37.03'
C30	51.61'	80.00'	N 28°03'42" W	50.72'
C31	14.38'	20.00'	N 30°10'51" W	14.07'
C32	14.02'	20.00'	N 70°52'14" W	13.74'
C33	28.41'	20.00'	N 50°16'08" W	26.08'
C34	18.85'	20.00'	N 62°02'08" E	18.16'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 46°32'38" W	129.55'
L2	N 89°02'29" E	150.00'
L3	S 89°02'29" W	88.48'
L4	N 00°57'48" W	34.98'
L5	N 89°02'33" E	2.23'
L6	N 43°27'22" E	24.96'
L7	N 89°02'29" E	28.50'
L8	N 89°02'29" E	28.46'
L9	N 46°32'38" W	8.39'
L10	N 43°27'22" E	5.26'
L11	N 43°27'22" E	5.26'
L12	N 46°32'38" W	19.50'
L13	S 43°37'21" W	19.08'
L14	S 43°37'21" W	49.39'
L15	S 46°22'39" E	37.76'
L16	S 89°02'29" W	72.17'
L17	S 89°02'29" W	14.56'
L18	N 46°32'39" W	112.93'
L19	N 05°11'45" E	127.36'
L20	N 14°56'43" W	24.96'

TYPICAL BUILDING LIMITS STREET

STREET LOT

LEGEND

- all lot corners are monumented with a 5/8" iron pin with 1.5" aluminum cap stamped "REYNOLDS 1651" unless otherwise noted
- calculated corner / nothing set
- SS/E sanitary sewer easement
- D/E A/E drainage easement - access easement
- U/E B/L utility easement - building limit
- line not to scale

HERITAGE CROSSING III BLOCK 1

HERITAGE CROSSING II

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BLOCK 4

BLOCK 1

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The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: PC2024-08 Consider Approval of Rezone Request by Kain Smith for Property Located on Rodeo Road.

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. CC2024 8 Kain Smith rezone 3 12 24
2. PC2024-08 MAPS (2)



THE CITY OF DURANT

Office of Community Development

Date: 3/12/2024
To: Mayor Tucker and City Council
Case: CC 2024-8
From: Reed Aichholz, Community Development Director
Re: Rezone Request for Kain Smith on Rodeo Rd.

Request: Consider a request from Kain Smith for a rezone on Rodeo rd. from A-1 to R-1

Current Zoning: A-1

Surrounding Properties:

Direction	Zoning	Use
North	C-2	Highway Commercial (hwy 70)
East	A-1	Agricultural
South	A-1	Agricultural
West	R-1	Single Family Residential

Lot Characteristics:

Width	~ varied
Depth	~ 2600 ft
Total Area	~ 47 acres

Applicant: Kain Smith

Background: Applicant approached staff for a rezone request with the intent to plat/subdivide in the future.

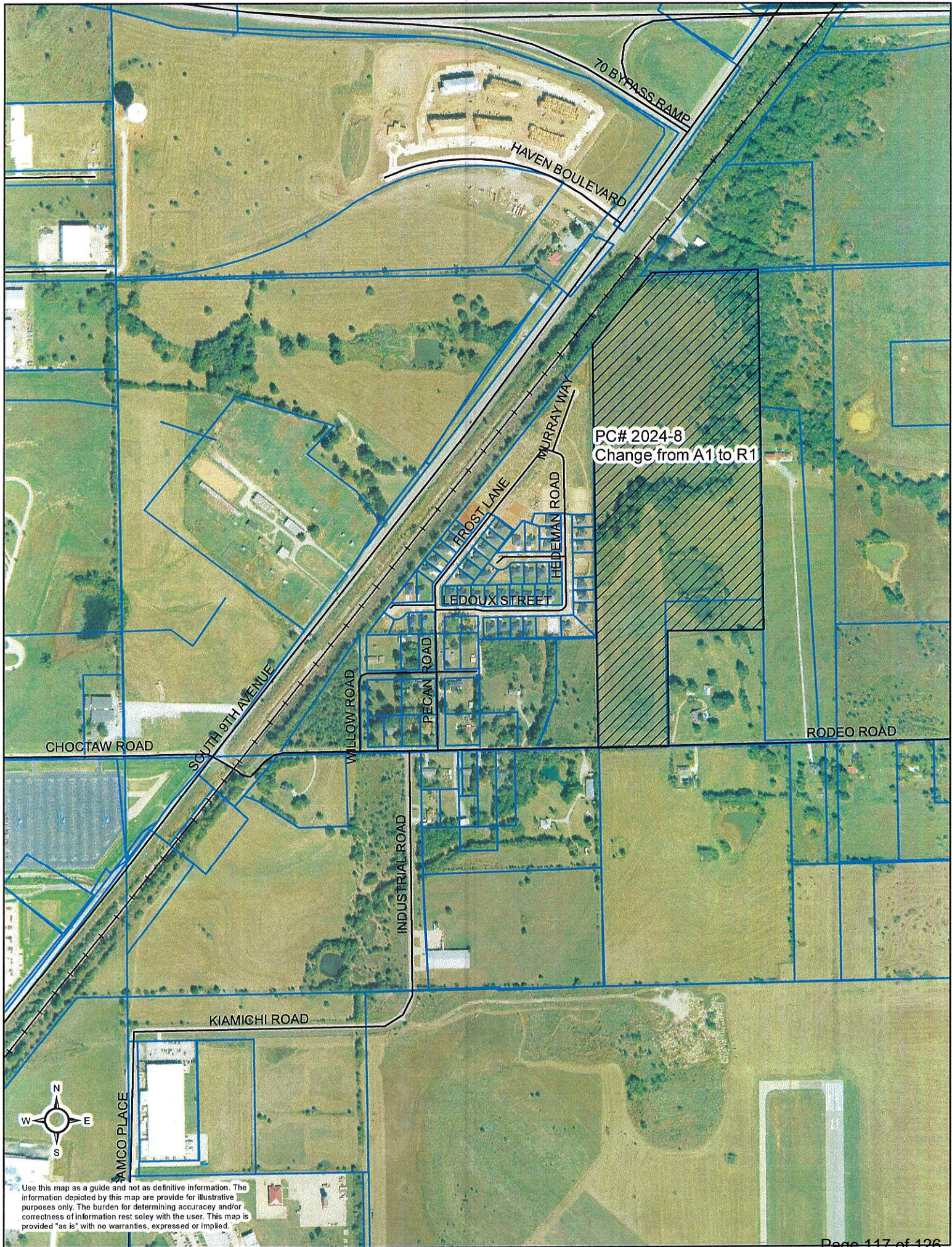
Analysis: The property has single family residential (R-1) adjacent and is surrounded by agricultural properties. The future land use plan shows the continued change of all surrounding properties to low and medium density residential.

Comments from staff include: Limited water capacity in area. Sewer on north east corner of property.

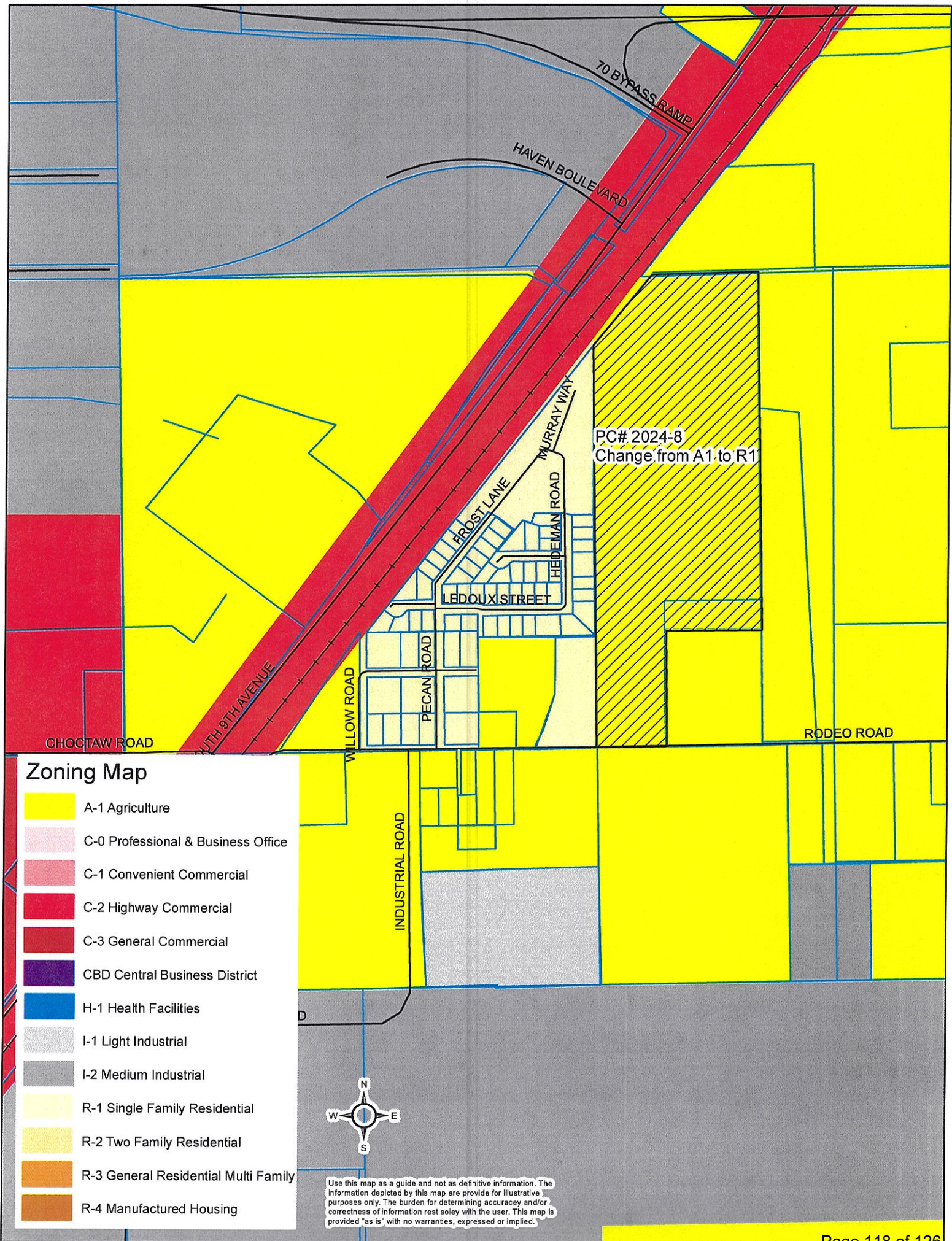
The eastern property owner visited the meeting and expressed desire that development be done in such a way that considers the environmentally protected creek basin and Hawk population.

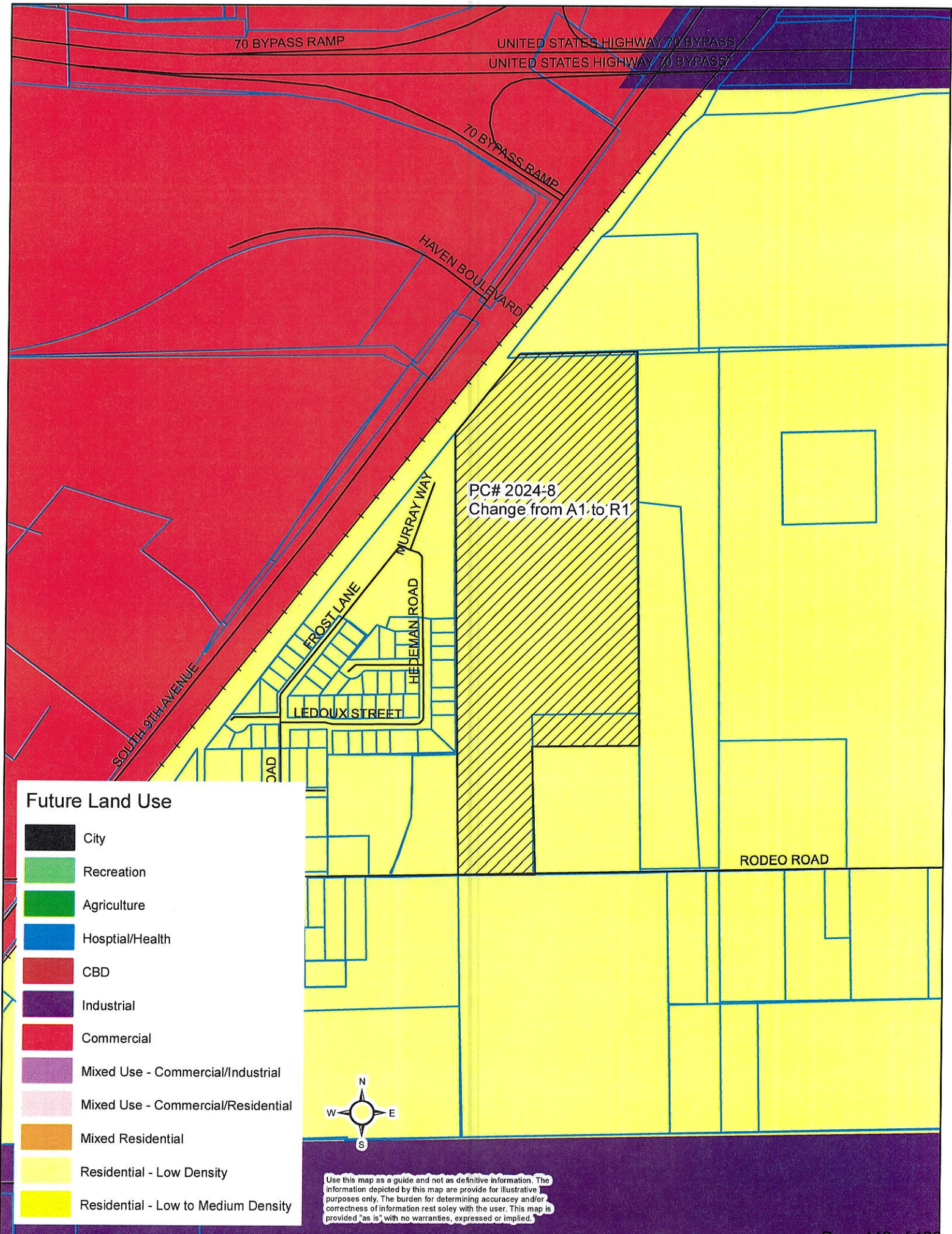
Planning Commission Recommendation: Planning Commission unanimously voted for approval of rezone from A-1 to R-1.

Required Action: Hold a public hearing and recommend approval or denial for rezone



Use this map as a guide and not as definitive information. The information depicted by this map are provide for illustrative purposes only. The burden for determining accuracy and/or correctness of information rest solely with the user. This map is provided "as is" with no warranties, expressed or implied.





Future Land Use

- City
- Recreation
- Agriculture
- Hospital/Health
- CBD
- Industrial
- Commercial
- Mixed Use - Commercial/Industrial
- Mixed Use - Commercial/Residential
- Mixed Residential
- Residential - Low Density
- Residential - Low to Medium Density



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The City of Durant

Memorandum

Date: 3/12/2024
To: Mayor and City Council
From: Reed Aichholz, Community Development Director/Planner
Re: PC2024-09 Consider Approval for 6 Month Extension for Rodeo Hills Phase II Located Near South 9th and Rodeo Road

Council Information / Action Requested

City Staff Information / Action Follow-up, if Council authorizes this action:

ATTACHMENTS:

1. CC2024-09 3 12 rodeo hills plat extension (1)
2. Rodeo Hills Extension Letter
3. 21-049 Rodeo Hills - Water and Sewer - As-Built 8.29.22 (1)
4. Rodeo Hills SWPPP Permit



THE CITY OF DURANT

Office of Community Development

Date: 3/12/2024
To: Mayor Martin and the City Council
CC2024-09 March
From: Reed Aichholz, Community Development Director
Re: Rodeo Hills 2 Plat Extension

Consider a request from Sunview Homes for the extension of a plat. The sunset date for their plat is March 12, 2024. Unfortunately, the company is in a legal dispute regarding the northern several acres of the development, and cannot move forward with their project.

See code for procedural guidelines:

§ 155.027 EXTENSION AND REINSTATEMENT PROCEDURE.

(A) Sixty days prior to or following the lapse of approval for a sketch plat, preliminary plat, or final plat as provided in these regulations, the property owner may petition the Planning Commission and the City Council to extend or reinstate the approval. Such petition shall be considered for recommendation at a public meeting of the Planning Commission and shall be considered at the City Council.

(B) In determining whether to grant such requests, the Planning Commission and the City Council shall take into account the reasons for the lapse, the ability of the property owner to comply with any conditions attached to the original approval, and the extent to which newly adopted subdivision regulations shall apply to the plat. The Planning Commission and the City Council shall extend or reinstate the plat, or deny the request, in which instance the properly owner must submit a new application for approval.

Planning Commission Recommendation: On March 5th, 2024 PC unanimously voted in favor of a 6 month extension due to project circumstances.



Kari Speers <kspeers@durant.org>

Fwd: Rodeo Hills Phase 2 Extension Request

1 message

Reed Aichholz <raichholz@durant.org>
To: Kari Speers <kspeers@durant.org>

Mon, Mar 4, 2024 at 11:45 AM

----- Forwarded message -----

From: **Sabrina Kerbo** <sabrina@sunviewhomes.com>
Date: Thu, Feb 29, 2024 at 4:46 PM
Subject: Rodeo Hills Phase 2 Extension Request
To: Reed Aichholz <raichholz@durant.org>

Good Morning,

Sunstar, LLC is requesting that our final plat be extended for 6 months. We are unsure if this will be enough time or even when the issue will be resolved. We are submitting this request because the land is currently in a lawsuit. An agreement has been made on the land, but an agreement has not been made on the financial side. We ask that you please grant us this extension while the issue is being resolved with our attorneys and the court.

Attached are the stormwater permit and site/sewer plan as requested. Please let me know if you need anything else.

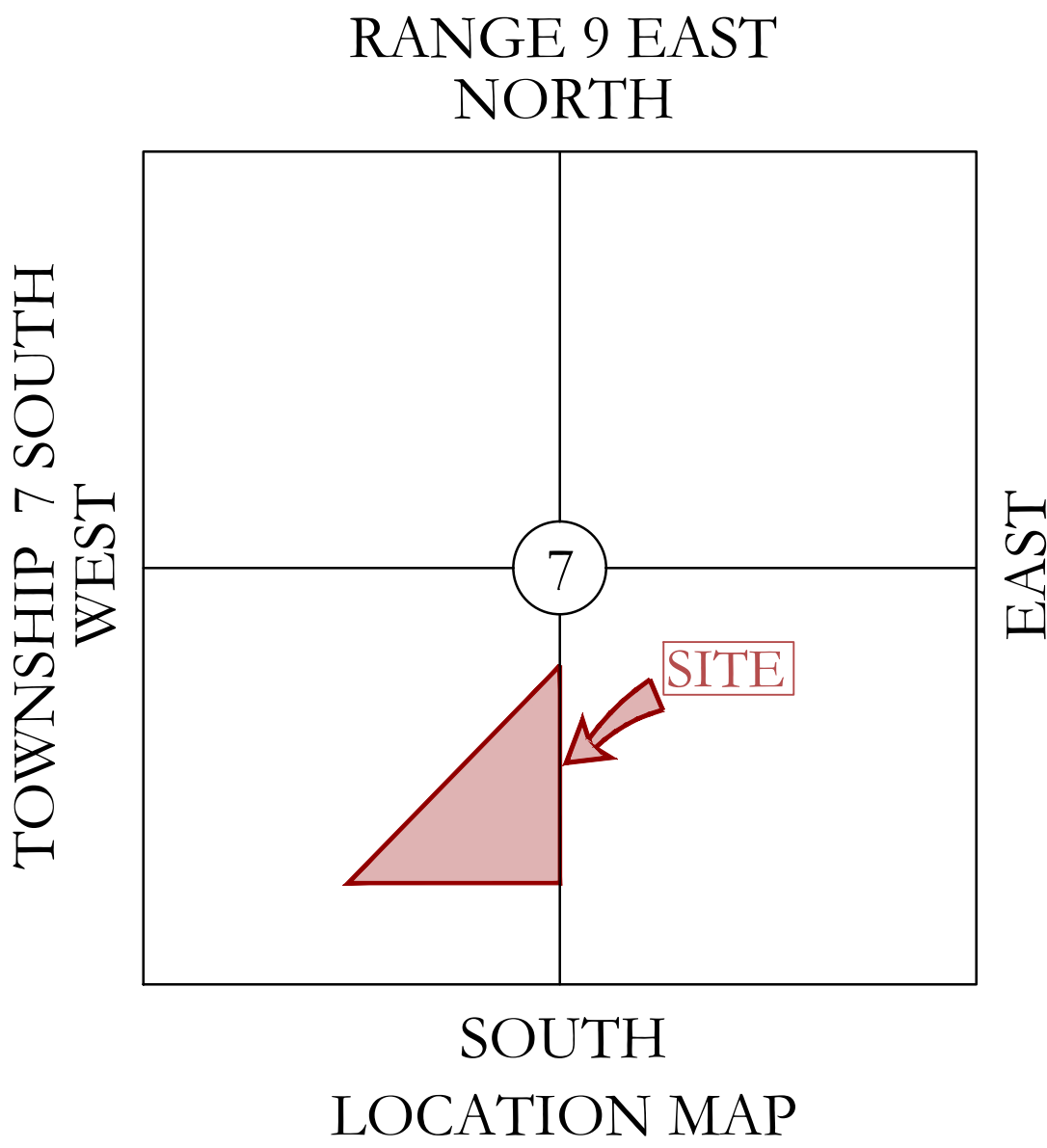
Thanks,
Sabrina Kerbo
Director of Operations
Sunview/Texoma Building Services
Office (580) 564-2680
Cell (580) 916-6998

2 attachments **Rodeo Hills SWPPP Permit.pdf**
843K **21-049 Rodeo Hills - Water and Sewer - As-Built 8.29.22 (1).pdf**
2380K

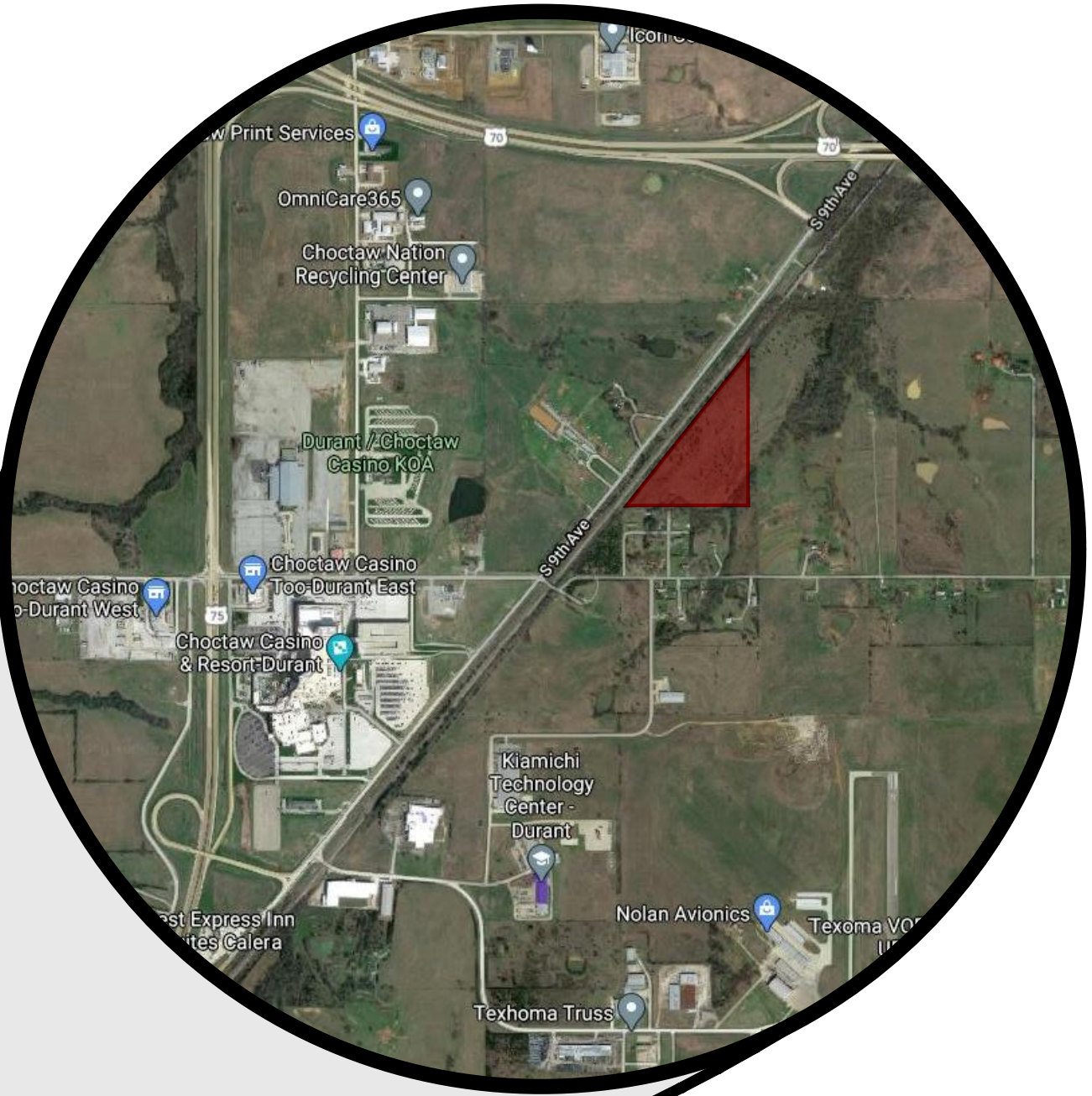
WATER AND SEWER AS-BUILT
CONSTRUCTION PLANS

FOR
RODEO HILLS
SUBDIVISION

CITY OF DURANT, OKLAHOMA



STATE MAP



VICINITY MAP

SHEET INDEX	
SHEET NO.	SHEET TITLE
C000	COVER
C100	SITE GRADING AND DRAINAGE PLAN
C101 - C104	ROAD PLAN AND PROFILE
C200	SITE SEWER PLAN
C201 - C205	SEWER PLAN AND PROFILE
C300	SITE WATER PLAN
C400	EROSION CONTROL PLAN
C500	SITE DETAILS
C501	UTILITY DETAILS
C600	DRAINAGE AREA MAP

PREPARED FOR:

SUNVIEW
DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PREPARED BY:



ASHLEY RICE, PE
PO BOX 26634
LITTLE ROCK, AR 72221
ASHLEY@BICECONSULTING.US
(501)393-1298

SURVEY INFORMATION:
BOUNDARY & TOPOGRAPHIC
SURVEY INFORMATION PROVIDED
BY CDF ASSOCIATES, DATED
DECEMBER 16, 2020.

FLOODPLAIN INFORMATION
According to the Federal Emergency Management Agency
(FEMA) Flood Insurance Rate Map (FIRM) Map No.
400013C03101E, with the effective date of June 2, 2011, the
property is located in Flood Zone "X", areas to be
determined as outside the 100-year floodway and
floodplain. All Floodplain information noted in the plat
reflects the status per the FEMA FIRM map that is effective
at the time that the plat is recorded. Floodplain status is
subject to change as FEMA FIRM maps are updated.



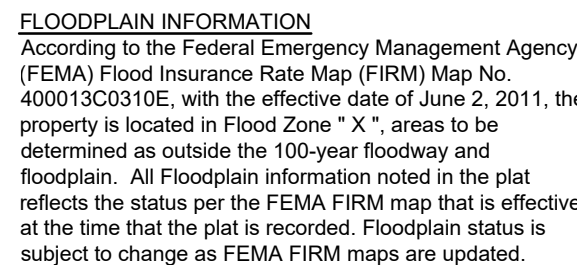
AS-BUILT - 8.29.22

1. CONTRACTOR SHALL PROTECT EXISTING UTILITIES NOT DEEMED FOR REMOVAL FROM DAMAGE.
2. ALL UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, AND APPLICABLE REGULATORY AGENCIES.
3. SEE THE DETAILS SHEET FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAIL SHEET.
4. ALL UTILITIES SHALL TERMINATE 4' FROM THE BUILDING UNLESS OTHERWISE NOTED.
5. ALL UTILITY PIPE BEDDING SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE CITY.
6. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. THE CITY DEPARTMENT OF ENGINEERING MUST BE NOTIFIED 48 HOURS PRIOR TO ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, OR WORK IMPACTING CITY UTILITIES.
7. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THE WORK AS REQUIRED, PRIOR TO BEGINNING WORK.
8. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY.
9. REFER TO THE RECORD DRAWING REPORT FOR SUBSURFACE CONDITIONS.
10. ALL SEWER MAIN TO BE 8" SDR 26.
11. ALL SEWER SERVICES TO BE 4" P.V.C.

1. LOCATIONS OF THE EXISTING UTILITIES ARE BASED ON RECORDS FROM SAID UTILITY COMPANIES AND ARE HORIZONTALLY FIELD LOCATED ONLY. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
2. CONTRACTOR TO UNCOVER AND MARK UTILITY LINES BEFORE CONSTRUCTION.
3. CONTRACTOR SHALL BEAR ALL RESPONSIBILITY AND COST OF REPAIR OR REPLACEMENT OF EXISTING UTILITIES DAMAGED OR INTERRUPTED AS A RESULT OF THIS CONSTRUCTION PROJECT.
4. CONTRACTOR SHALL NOTIFY THE PROJECT ENGINEER AND THE OWNER OF ANY DAMAGE TO EXISTING UTILITIES.
5. ALL WATER LINES AND APPURTENANCES SHALL BE INSTALLED IN ACCORDANCE WITH LOCAL WATER STANDARD PIPELINE MATERIALS AND CONSTRUCTION SPECIFICATIONS, LATEST EDITION.
6. EXISTING UTILITIES TO REMAIN ARE TO BE ADJUSTED TO MATCH PROPOSED GRADE.
7. CONTRACTOR SHALL NOTIFY PROJECT ENGINEER PRIOR TO BEGINNING ANY WORK.
8. ALL AREAS WITHIN THE PAVED AREAS ARE TO RECEIVE A GRAVEL BASE TO PROVIDE EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 135 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
9. ALL AREAS NOT WITHIN THE PAVED AREA ARE TO RECEIVE LOOSE STRAW TO PROVIDE AREAS EROSION CONTROL IF WORK IS NOT PROGRESSING IN AN ORDERLY MANNER. A RATE OF 15 TONS/ACRE IS TO BE APPLIED WITHIN TWO WEEKS OF FINAL GRADING.
10. AFTER NEW INLETS ARE CONSTRUCTED, INSTALL INLET PROTECTION PER CITY OF OKLAHOMA SPECIFICATIONS.
11. CONTRACTOR WILL CONTROL AND PREVENT OFF-SITE TRACKING OF CONSTRUCTION RUNOFF AND SEDIMENT TO ADJACENT PROPERTY AND PUBLIC ROADS.
12. CONTRACTOR IS TO PROTECT EXISTING STORM DRAINAGE SYSTEM AND CONSTRUCTION TO CONFORM TO ALL CONSTRUCTION STORM WATER EROSION CONTROL PERMITTING REQUIREMENTS BY "EPA PHASE II STORM WATER REGULATION" AND "FEDERAL BEST MANAGEMENT PRACTICES" DEPARTMENT OF ENVIRONMENTAL QUALITY. WHERE PERMITTING IS REQUIRED, A COPY OF THE NOTICE OF INTENT SHALL BE PROVIDED TO THE LOCAL MUNICIPAL AUTHORITY.
13. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES IN ACCORDANCE WITH THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
14. CONTRACTOR TO CONSTRUCT ALL ACCESS RAMPS AND PAVING TO ADA STANDARDS.
15. TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
17. EXCESS EXPOSURE SHALL BE STOCKPILED AT LOCATION APPROVED BY OWNER AND CONFIRMED BY ENGINEER OF RECORD.



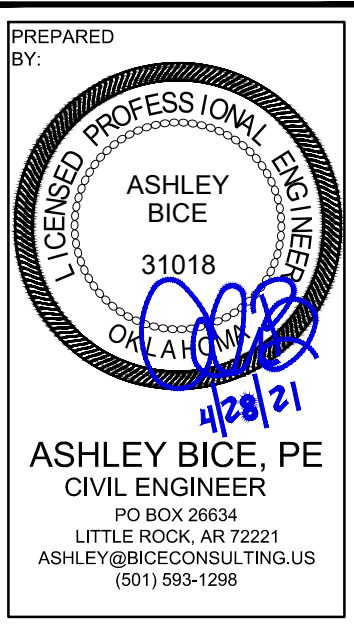
A horizontal number line labeled "SCALE" with tick marks at 80, 40, 0, 80, and 160. The line is divided into segments by these marks, with alternating black and white segments.



(According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 400013C03010E, with the effective date of June 2, 2011, the property is located in Flood Zone " X ", areas to be determined as outside the 100-year floodway and floodplain. All Floodplain information noted in the plat reflects the status per the FEMA FIRM map that is effective at the time that the plat is recorded. Floodplain status is subject to change as FEMA FIRM maps are updated.

RODEO HILLS SUBDIVISION

SITE UTILITY - SEWER

[illegible]

SUNVIEW DEVELOPMENT
Jay Mauck
721 US-70
Kingston, Oklahoma 73439

PLAN DATE:		
4/28/2021		
DESIGN:	CHECK:	DRAWN:
PROJECT NO.		
21-041		
SHEET NO.		

1. CONTRACTOR SHALL PROTECT EXISTING UTILITIES NOT DEEMED FOR REMOVAL FROM DAMAGE.
2. ALL UTILITIES SHALL BE FURNISHED AND INSTALLED PER THE REQUIREMENTS OF THE SPECIFICATIONS, AND APPLICABLE REGULATORY AGENCIES.
3. SEE THE DETAILS SHEET FOR SPECIFIC UTILITY DETAILS AND UTILITY SERVICE DETAILS.
4. ALL UTILITIES SHALL TERMINATE 4' FROM THE BUILDING UNLESS OTHERWISE NOTED.
5. ALL UTILITY PIPE BEDDING SHALL BE CONSTRUCTED PER THE REQUIREMENTS OF THE CITY.
6. ALL CONNECTIONS TO EXISTING UTILITIES SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY. THE CITY DEPARTMENT OF ENGINEERING MUST BE NOTIFIED 48 HOURS BEFORE TO ANY WORK WITHIN THE PUBLIC RIGHT-OF-WAY, OR WORK IMPACTING CITY UTILITIES.
7. THE CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL PERMITS FROM AUTHORITIES AND REGULATORY AGENCIES HAVING JURISDICTION OVER THE SITE, AS REQUIRED, PRIOR TO BEGINNING WORK.
8. ALL STREET REPAIRS AND PATCHING SHALL BE PERFORMED PER THE REQUIREMENTS OF THE CITY.
9. REFER TO THE GEOTECHNICAL REPORT FOR SUBSURFACE CONDITIONS.
10. ALL WATER SERVICES TO BE 1" POLY.

1. LOCATIONS OF THE EXISTING UTILITIES ARE BASED ON RECORDS FROM SAID UTILITY COMPANIES AND ARE HORIZONTALLY FIELD LOCATED ONLY. THE CONTRACTORS SHALL BE RESPONSIBLE FOR DETERMINING ACTUAL LOCATION.
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13. CONTRACTOR SHALL MAINTAIN AND PRESERVE EXISTING ENVIRONMENTAL QUALITY. WHERE PERMITTING IS REQUIRED, A COPY OF THE NOTICE OF INTENT SHALL BE PROVIDED TO THE LOCAL MUNICIPAL AUTHORITY.
14. CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES IN ACCORDANCE WITH THE OKLAHOMA UNDERGROUND FACILITIES DAMAGE PREVENTION ACT. THIS LAW REQUIRES THAT THE CONTRACTOR MAKE A TELEPHONE CALL TO THE OKLAHOMA UTILITY RECORDS CENTER AT (405) 522-6543 AT LEAST TWO WORKING DAYS PRIOR TO EXCAVATION TO ENSURE THAT ANY EXISTING UTILITIES CAN BE LOCATED.
15. CONTRACTOR TO CONSTRUCT ALL ACCESS RAMPS AND PAVING TO ADA STANDARDS.
16. TREES TO REMAIN ARE TO BE PROTECTED FROM DAMAGE DURING CONSTRUCTION.
17. EXCESS EXPOSURE SHALL BE STOCKPILED AT LOCATION APPROVED BY OWNER AND CONFIRMED BY ENGINEER OF RECORD.

1. TRACER WIRE (SOLID NOT STRANDED) SHALL BE PRESENT ON ALL LINES AND SERVICES AND MUST BE ABLE TO BE LOCATED.
2. TRACER WIRE TO BE PROVIDED BY OWNER.
3. FITTINGS SHALL BE MECHANICAL AND MEGA-LUG ONLY (OR APPROVED EQUAL), NO KNIFE CUTS.
4. WHEN DEFLECTION LIMITS OF THE PIPING WILL NOT BE EXCEEDED, NO FITTING SHOULD BE USED.
5. FORD BRASS OR APPROVED EQUAL SHALL BE USED/APPROVED BY PUBLIC UTILITIES DIRECTOR OR CITY ENGINEER
6. METERS SHALL BE PURCHASED FROM THE CITY.
7. WHERE ANY POTENTIAL OF CONCRETE THAT COULD TOUCH THE FITTINGS, THE FITTING SHOULD BE COVERED IN VISQUEEN PLASTIC.
8. ALL WATERMAIN TO BE C900 PVC.



According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No. 400013C03010E, with the effective date of June 2, 2011, the property is located in Flood Zone " X ", areas to be determined as outside the 100-year floodway and floodplain. All Floodplain information noted in the plat reflects the status per the FEMA FIRM map that is effective at the time that the plat is recorded. Floodplain status is subject to change as FEMA FIRM maps are updated.



PLAN DATE:		
4/28/2021		
DESIGN:	CHECK:	DRAWN:
PROJECT NO.		
21-041		
SHEET NO.		
C300		

Oklahoma Department of Environmental Quality
Authorization to Discharge Under the OPDES Stormwater Construction
General Permit OKR10

AUTHORIZATION NO. OKR1034195

In compliance with the Oklahoma Pollution Discharge Elimination System (OPDES) Act 27A O.S. §2-6-201, the Rules of the Department of Environmental Quality (DEQ), and in reliance on the certified statements and representations heretofore made in its application,

Sunstar LLC
PO Box 1766
Kingston, OK 73439

Is authorized to discharge stormwater from a construction site located in Bryan County at

Rodeo Hills Subdivision
2763 E2110 Rd
East of SW 9th Ave and 0.1 mi north of Rodeo Rd
Durant, OK 74701

The receiving body of water is an unnamed tributary to the Mineral Bayou.

The OPDES requires permittees to have a Stormwater Pollution Prevention Plan (SWP3) which includes a description of appropriate sediment control measures. These are applicable to your construction site, which is subject to inspection. Proof of this authorization must be available at the construction site.

The Authorization shall become effective **April 3, 2023** and will expire at midnight October 17, 2027.
All terms and conditions of the modified OPDES Stormwater Construction General Permit OKR10, as published on October 18, 2022, shall apply to the recipient of this authorization.

Matt Pace

Matt Pace, Environmental Programs Manager
Environmental Complaints and Local Services Division