

City Council Work Session Meeting Minutes

Bixby Municipal Building
111 N. Cabaniss Ave., Bixby, OK 74008
October 27, 2025 at 5:00 PM

The agenda for the regularly scheduled meeting of the City Council Work Session of the City of Bixby was posted on the bulletin board at the Bixby Municipal Building, 111 N. Cabaniss Avenue, Bixby, OK 74008 on October 23, 2025, on or before 5:00 p.m.

Call to Order

Mayor Girard called the meeting to order at 5:01 pm.

Roll Call

Shannon Duran, City Clerk, called the roll, and the following were present:

Members Present

Mayor Girard
Vice Mayor Schultz
Councilor David
Councilor Payne

Members Not Present

Councilor Hirshey

Staff Present

Joey Wiedel, City Manager
JT Hammons, City Attorney
Shannon Duran, City Clerk
Charles Barnes, Finance Director
Todd Blish, Police Chief
Joe Sherrell, Fire Chief
Bryan Toney, Public Information Officer

Agenda

- 1) Presentation and discussion on upcoming ordinance changes due to legislative changes in November that will affect the Police Department.

Mayor Girard said Item 1 on the Work Session Agenda is up for discussion and consideration.
Item presented by Todd Blish, Chief of Police
Others who spoke: None

Todd Blish, Police Chief, provided council with handouts of proposed ordinance changes reflecting updates made by the Oklahoma Legislature during the last session, which will take effect in November. Copies of the handouts are attached to these minutes for reference.

A discussion ensued regarding the changes needed to five specific ordinances. The first ordinance addressed ATV and golf cart usage on city streets, with Chief Blish explaining the proposed

updates. The second ordinance involved concealed carry laws, clarifying licensing requirements and who may carry a weapon in a municipal building. The third ordinance pertained to texting and driving, including a new section specific to school zones. The fourth ordinance addressed the misrepresentation of service animals. The fifth ordinance related to police officers' service weapons.

Chief Blish requested that the proposed changes to these ordinances be presented to Council for approval at the November Council Meeting.

2) Presentation and discussion of Sales Tax agreement for Spartan Creek.

Mayor Girard says item 2 is pulled from the agenda.

3) Presentation and Discussion of location for Green Corn Festival.

Mayor Girard said Item 3 is up for discussion.

Item presented by: Kim Coody, Executive Assistant to the City Manager

Others who spoke: Optimist club members: Lindel Nolan, President, Ashley Lewis, Jim Kirkpatrick, Delana Dillon, Past President, Gary Stanton, President, Bixby Youth Baseball and Youth Softball, John Wood, Parks & Rec Director

Discussion ensued regarding the location for the Green Corn Festival. The idea to move the festival to Washington Irving Park was discussed; however, until improvements are made, the park is not ready to host the festival. The Optimist Club, which organizes the festival each year, expressed a need for a more permanent location until Washington Irving Park is prepared. Bentley Park was suggested as an interim location.

Council discussed the potential conflict with the annual national championship baseball tournament currently scheduled in Bentley Park on the same weekend as the festival. The feasibility of hosting both events simultaneously was considered, with parking identified as the primary concern. Options such as providing a shuttle between events were discussed. Alternative locations within Bentley Park, the old sand plant on the north side of the river, and the parking lot at Spartan Center were also considered. The Optimist Club requested a timely decision to finalize their contract with the carnival.

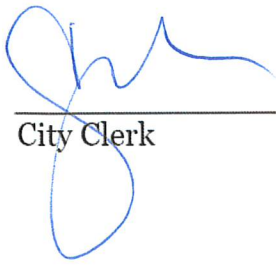
Due to the need for a decision and the start of the council meeting, Mayor Girard called for a recess at 6:03 p.m., with plans to reconvene the discussion after the meeting. Upon reconvening at 8:14 p.m., discussion continued regarding holding the baseball tournament and the festival simultaneously, including arrangements for parking, drop-offs for baseball teams, and traffic safety for citizens. Questions were raised about responsibility and financial arrangements for shuttling. It was suggested that an annual contract with the Optimist Club could address these responsibilities.

4) Adjournment

Mayor Girard adjourned the meeting at 8:29 pm.



Mayor



City Clerk



5-5E-3: - WEAPONS AND FIREARMS: [Effective November 1, 2025]

***This modifies section "B" to reflect current statutes.**

***This also adds sub paragraphs 1, 2, 2A, 2B, and 2C to reflect permissions granted through legislation to city governments concerning certain city officials permitted to carry firearms.**

***This ordinance change also updates our firearms ordinances to reflect current state statute allowances.**

A. Carrying Generally: It shall be unlawful and an offense for any person to carry upon or about his or her person, or in a purse or other container, any dagger, bowie knife, dirk knife, switchblade knife, spring, type knife, sword cane, knife having a blade which opens automatically by hand pressure applied to a button, spring, or other device in the handle of the knife, blackjack, loaded cane, billy, hand chain, metal knuckles, or any other offensive weapon, whether such weapon is concealed or unconcealed; except this section shall not:

1. Prohibit, regulate or touch in any way pistols, rifles, or other firearms, their components, ammunition or supplies, in deference to state preemption of this subject matter, pursuant to the Oklahoma Self-Defense Act, 21 Oklahoma Statutes, supp. 1996, section 1289.24;
2. Prohibit the proper use of knives for hunting, fishing, educational or recreational purposes;
3. Prohibit the carrying or any use of any weapons in a manner otherwise permitted by statute or authorized by the Oklahoma Self-Defense Act, 21 Oklahoma Statutes, supp. 1996, section 1290.1 et seq.; or
4. Prohibit the carrying, possession or use of any weapon by a peace officer in the performance of official duties and in compliance with the rules of the employing agency.

B. Carrying Concealed: Except as otherwise prohibited by law, an eligible person shall have authority to carry a concealed handgun in this state ~~when the person has been issued a handgun license from the Oklahoma State Bureau of Investigation~~ pursuant to the provisions of the Oklahoma Self-Defense Act, provided the person is in compliance with the provisions of the Oklahoma Self-Defense Act, ~~and the license has not expired or been subsequently suspended or revoked.~~ and are not otherwise prohibited from carrying a firearm.

1. When acting in the performance of his or her official duties within a municipal building that is within the jurisdiction and scope of their duties municipal judges appointed by the City of Bixby, prosecutors appointed by the City of Bixby, elected officials of the City of Bixby, and the City Manager shall have the authority to carry a concealed handgun, except for those

locations designated in sub-paragraph two (2), when that person has been issued a handgun license from the Oklahoma State Bureau of Investigation pursuant to the provisions of the Oklahoma Self Defense Act, provided the person is in compliance with the provision of the act, and the license has not expired or been subsequently suspended or revoked. Nothing in this section shall be construed to require an elected official or any other city official to carry a firearm as a condition of employment or service with the municipality.

2. Nothing in this sub-section shall permit the carry of any weapons by any city official or appointee, unless otherwise authorized by state statutes, within;

A. any building or office space on municipally owned or leased property that has been designated as a firearm-prohibited location by the municipality, municipal trust, or municipal authority, and;

B. any police department, prison, jail, detention facility, or any facility used to process, hold, or house arrested persons, prisoners, or persons alleged delinquent or adjudicated delinquent.

C. No city official or other persons, except municipal judges appointed by the City of Bixby, and prosecutors appointed by the City of Bixby in possession of a valid handgun license from the Oklahoma State Bureau of Investigation pursuant to the provisions of the Oklahoma Self Defense Act, and law enforcement officers may carry a concealed firearm within a courtroom when court is in session.

[Authority to revoke?- Subject to council discussion]

€D. Conditions Under Which Firearms May Be Openly Carried: A person shall be permitted to carry loaded or unloaded shotguns, rifles and pistols, open and not concealed, and without a handgun license as authorized by the Oklahoma Self-Defense Act and this section, pursuant to the following conditions:

1. When hunting animals or fowl;
2. During competition in or practicing in a safety or hunter safety class, target shooting, skeet, trap or other recognized sporting events;
3. During participation in or in preparation for a military function of the "state military forces", to be defined as the Oklahoma army or air national guard, federal military reserve and active military forces;
4. During participation in or in preparation for a recognized police function of either a municipal, county or state government as functioning police officials;
5. During a practice for or a performance for entertainment purposes;

6. When going to or from the person's private residence or vehicle, or a vehicle in which the person is riding as a passenger, to a place designated or authorized for firearms repairs or reconditioning, or for firearms trade, sale or barter, or gunsmith, or hunting animals or fowl, or hunter safety course or target shooting, or skeet or trap shooting, or any recognized firearms activity or event and while in such places;

7. For any legitimate purpose not in violation of the Oklahoma Firearms Act of 1971, **Oklahoma Self-Defense Act**, or any legislative enactment regarding the use, ownership and control of firearms.

D.E. Firearms In Motor Vehicle: Any person, except a convicted felon, may transport in a motor vehicle a rifle, shotgun or pistol, ~~open and unloaded, at any time in accordance with the Oklahoma Self-Defense Act.~~

E.F. Carrying Or Using Firearms While Under Influence: It shall be unlawful for any person to carry or use shotguns, rifles or pistols in any circumstances while under the influence of beer, intoxicating liquors or any hallucinogenic, or any unlawful or unprescribed drug, and it shall be unlawful for any person to carry or use shotguns, rifles or pistols when under the influence of any drug prescribed by a license physician if the after effects of such consumption affect mental, emotional or physical processes to a degree that would result in abnormal behavior.

F.G. Pointing Weapon At Another: Except for an act of self-defense, it shall be unlawful for any person to point any ~~pistol~~ **firearm, pellet gun, B.B. gun**, or any other deadly weapon, whether loaded or not, at any other person or persons.

G.H. Possession Of Firearms While Engaged In Reckless Conduct: It shall be unlawful for any person to engage in reckless conduct while having in his or her possession any shotgun, rifle or pistol, such actions consisting of creating a situation of unreasonable risk and probability of death or great bodily harm to another, and demonstrating a conscious disregard for the safety of another person.

H.I. Discharging Firearms: It shall be unlawful for any person to willfully discharge any pistol, rifle, shotgun, air gun or other weapon, or throw any other missile in any public place, or in any place where there is any person to be endangered thereby, although no injury to any person shall ensue.

I.J. Throwing Or Shooting At Persons Or Property: It is unlawful for any person to throw or shoot any stone, shot or other object into or across any street or alley, or in any place where he is likely to hit another person wrongfully or to injure property, or to throw or shoot any stone, shot or other object at any person, vehicle, structure, electric light or other property

of another, whether public or private, except in case where such is done in defense or oneself, of another person or of property.

~~J.K.~~ Unlawful Carry In Certain Places: It shall be unlawful for any unauthorized person ~~in possession of a valid concealed handgun license issued pursuant to the provisions of the Oklahoma Self-Defense Act,~~ to carry any concealed handgun into any of the following places:

1. Any structure, building or office space which is owned or leased by any city, town, county, state or federal governmental authority for the purpose of conducting business with the public unless otherwise authorized by this ordinance or state statutes;
2. Any meeting of any city, town, county, state or federal officials, school board members, legislative members, or any other elected or appointed officials, unless otherwise authorized by this ordinance or state statutes;
3. Any prison, jail, detention facility or any facility used to process, hold or house arrested persons, prisoners or persons alleged delinquent or adjudicated delinquent;
4. Any elementary or secondary school, or technology center school property;
5. Any other place specifically prohibited by law.

Modifies Ordinance 6-1-1

(Modifies 6-1-1 to mirror state law regarding utility vehicles on state and U.S. Highways [Memorial and 151st] and adds provisions for low-speed vehicles and golf carts)

Traffic and Safety Definitions

(Red font) Adopts Oklahoma statutes Title 47 OS § 11-1116

CHAPTER 1. - GENERAL PROVISIONS

6-1-1: - DEFINITIONS:

The following words, terms and phrases, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

AUTHORIZED EMERGENCY VEHICLES: Vehicles of fire departments, ambulances, county sheriff vehicles of sheriffs and full time commissioned deputies and police vehicles, including vehicles owned or operated by the United States Marshals Service, the Federal Bureau of Investigation or by any local organization for civil defense; such vehicles shall be equipped with sirens capable of giving an audible signal, as required by law, and flashing red lights as authorized by law.

AUTOMOBILE: Every motor vehicle of the type constructed and used for the transportation of persons for purposes other than for hire or compensation. This shall include all vehicles of the station wagon type, whether the vehicles are called station wagons, ranch wagons, van wagons, except those used for commercial purposes, suburbans, town and country, or by any other name, except when owned and used as a school bus or motor bus by a school district or a religious corporation or society as provided by law.

BICYCLE: A device upon which any person or persons may ride, propelled solely by human power through a belt, chain, or gears, and having two (2) or more wheels. As used in this title, "bicycle" shall include tricycles, quadcycles, or similar powered devices, electric-assisted bicycles, and motorized bicycles unless otherwise specifically indicated.

State Law reference— 47 OS § 1-104.

BUS: Every motor vehicle designed for carrying more than ten (10) passengers and used for the transportation of persons; and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation.

BUSINESS DISTRICT: The territory contiguous to and including a highway when within any six hundred feet (600') along such highway there are buildings in use for business or industrial purposes, including, but not limited to, hotels, banks, office buildings, railroad stations and public buildings, which occupy at least three hundred feet (300') in frontage on one (1) side or three hundred feet (300') collectively on both sides of the highway.

CONTROLLED ACCESS HIGHWAY: Every highway, street or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the highway, street or roadway except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

CROSSWALK: That part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or, in the absence of curbs, from the edges of the traversable roadway. The term shall also mean any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

CURB LOADING ZONE: A space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

DRIVER: Every person who drives or is in actual physical control of a vehicle.

ELECTRIC ASSISTED BICYCLE: Any bicycle with two (2) or three (3) wheels, fully operational pedals and an electric motor with a power output not to exceed one thousand (1,000) watts, incapable of propelling the device at a speed of more than thirty (30) miles per hour on level ground, and, is incapable of further increasing the speed of the device when human power alone is used to propel the device at a speed of twenty (20) miles per hour or more.

State Law reference— 47 OS § 1-104.

FREIGHT CURB LOADING ZONE: A space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight or passengers.

HIGHWAY OR STREET: The entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel. The words "highway" and "street" are synonymous.

IMPLEMENT OF HUSBANDRY: Every vehicle designed and adapted exclusively for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways. Farm wagon type tank trailers of a capacity not over one thousand two hundred

(1,200) gallons, used during the liquid fertilizer season as field storage nurse tanks supplying the fertilizer to a field applicator and moved on highways only for bringing the fertilizer from a local source of supply to farms or fields or from one (1) farm or field to another, shall be considered implements of husbandry for purposes of this title. Trailers or semitrailers owned by a person engaged in the business of farming and used exclusively for the purpose of transporting farm products to market or for the purpose of transporting to the farm materials or things to be used thereon shall also be considered implements of husbandry for purposes of this title.

INTERSECTION: The area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two (2) highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two (2) roadways thirty feet (30') or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If such intersecting highway also includes two (2) roadways thirty feet (30') or more apart, then every crossing of two (2) roadways of such highways shall be regarded as a separate intersection.

LANED ROADWAY: A roadway which is divided into two (2) or more clearly marked lanes for vehicular traffic.

LOW-SPEED VEHICLE (LSV) OR GOLF CART: A self-propelled vehicle with a minimum of four wheels, capable of a maximum level ground speed of less than 20 miles per hour, maximum rated pay load capacity of 1,200 pounds, maximum gross vehicle weight of 2,500 pounds, capable of transporting not more than four persons. Golf carts and low-speed vehicles may be operated on the streets or state highways within the City subject to the following limitations:

(1) They may operate on state highways within the City only when making a perpendicular crossing of a State of U.S. Highway at an intersection in accordance with any posted traffic control signs;

(2) They may only operate during daylight hours between the legal sunrise to sunset as published by the National Oceanic and Atmospheric Administration (NOAA) or National Weather Service (NWS).

(3) Such vehicles shall only be operated upon city streets which have a speed limit of 25 miles per hour or less;

(4) The operator of such vehicles must have a valid automobile driver's license;

(5) Such vehicles must be insured by a policy of automotive liability insurance and the operator must carry proof of such insurance consistent with state statutes.

- (6) Such vehicles must be equipped with seat-belt restraints for each occupant;
- (7) All persons being transported must be seated and restrained in seats and not riding outside the passenger compartment or upon a non-restrained seat;
- (8) Such vehicles shall have the following equipment: windshield, daytime running lights, rear stop light, turn signals, rearview mirror, locking brake, seat belts, horn, and a manufacturer's serial number plate.
- (9) Low-speed vehicles must be registered with the Oklahoma Tax Commission and display a valid license plate.

State Law reference- 47 OS §11-1116 (2025)

MOPED: Any motor driven cycle with a motor that does not exceed two (2) brake horsepower and that is not capable of propelling the vehicle at a speed in excess of thirty (30) miles per hour on level ground. If an internal combustion engine is used, the displacement shall not exceed fifty (50) cubic centimeters and the moped shall have a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged.

State Law reference— 47 OS § 1-133.2.

MOTOR DRIVEN CYCLE: Any motor vehicle having a power source that if it is a combustion engine, has a piston or rotor displacement of greater than thirty-five (35) cubic centimeters but less than one hundred fifty (150) cubic centimeters regardless of the number of chambers in the power source or if it is electric has a power output of greater than one thousand (1,000) watts and with either power source, has a seat, saddle or foot support for use by each rider and not more than three (3) wheels in contact with the ground.

State Law reference— 47 OS § 1-136.

MOTOR VEHICLE: Every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails; provided, however, that the definition of "motor vehicle" shall not include "implements of husbandry", "electric personal assistive mobility device" or "motorized wheelchair" as defined by 47 Oklahoma Statutes.

State Law reference— 47 OS § 1-134.

MOTORCYCLE: Every motor vehicle having a seat or saddle for the use of each rider, not more than three (3) wheels in contact with the ground, but excluding a tractor, and combustion engine with a piston or rotor displacement of one hundred fifty (150) cubic centimeters or greater.

State Law reference— 47 OS § 1-135.

MOTORIZED BICYCLE: Any bicycle having fully operative pedals for propulsion by power, a power drive system that functions directly or automatically without clutching or shifting by the operator after the drive system is engaged; and a combustion engine with a piston or rotor displacement of eighty (80) cubic centimeters or less, regardless of the number of chambers in the engine, which is capable of propelling the bicycle at a maximum design speed of not more than thirty-five (35) miles per hour on level ground.

State Law reference— 47 OS § 1-104.

MOTORIZED SCOOTER: Any vehicle having not more than three (3) wheels in contact with the ground, handlebars and a foot support or seat for the use of the operator, a power source capable of propelling the vehicle at a maximum design speed of not more than twenty-five (25) miles per hour on level ground and if the power source is a combustion engine, has a piston or motor displacement of thirty-five (35) cubic centimeters or less regardless of number of chambers in the power source or if the power source is electric, has a power output of not more than one thousand (1,000) watts. This definition does not include an electric personal assistive mobility device, bicycle, electric assisted bicycle, or motorized bicycle.

State Law reference— 47 OS § 1-133.3.

OFFICIAL TRAFFIC CONTROL DEVICES: All signs, barricades, signals, markings and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

PARK OR PARKING: The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

PASSENGER CURB LOADING ZONE: A place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

PEDESTRIAN: Any person afoot.

POLICE OFFICER: Every sheriff, constable, police officer, highway patrol officer and any other officer who is authorized to direct or regulate traffic or to make arrests for violation of traffic ordinances.

PRIVATE ROAD OR DRIVEWAY: Every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

RAILROAD: A carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

RAILROAD SIGN OR SIGNAL: Any sign, signal or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

RAILROAD TRAIN: A steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except streetcars.

RESIDENT DISTRICT: The territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred feet (300') or more is in the main improved with residences or residences and buildings in use for business.

RIGHT-OF-WAY: The privilege of the immediate use of the roadway.

ROADWAY: That portion of a highway improved, designed or ordinarily used for vehicular travel, exclusive of the shoulder. If a highway includes two (2) or more separate roadways, the term "roadway" refers to any such roadway separately but not to all such roadways collectively.

SAFETY ZONE: An area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

SCHOOL BUS: Every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school; provided, however, that this definition of school bus shall not be extended to include buses normally used in city transit which may be used part time for the transportation of school children within such cities during some portion of the day.

SHOULDER: The portion of the roadway contiguous with the traveled way for accommodation of stopped vehicles, for emergency use and for lateral support of base and surface courses.

SIDEWALK: That portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians.

STAND OR STANDING: The halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

STOP: When required, means the complete cessation of movement.

STOP OR STOPPING: When prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control sign or signal.

STREET LEGAL UTILITY VEHICLES: Street legal utility vehicles, excluding tractors, are vehicles powered by not less than a four hundred (400) cc engine, or equivalent, and capable of speeds of forty-five (45) mph, fifty (50) miles per hour, having side-by-side seating, equipped with seatbelts for not less than two (2) passengers each occupant. Directional control shall be by steering wheel. Such vehicles must be equipped with two (2) headlights, and two (2) taillights, brake lights, and directional signals. Vehicles must be equipped with windshield. Required documentation includes certificate registration, current license tag, and car insurance verification. Street legal utility vehicles may not be driven on the National Highway System of Interstate Highways or Roadways comprising a part of the designated US Highway System. They shall be subject to rules of the road as applied all other motor vehicles and shall only be operated on roadways with a speed limit of 50 miles per hour or less. The operator of a street-legal utility vehicle shall not be required to have an "M" endorsement on the Class D license pursuant to Title 47 of the Oklahoma Statutes this title. The operator shall be at least sixteen (16) years of age and hold a valid Oklahoma driver license.

TAXICAB: Any motor vehicle for hire, designed to carry seven (7) persons or less, operated upon any street or highway, or on call or demand, accepting or soliciting passengers indiscriminately for transportation for hire between such points along streets or highways as may be directed by the passenger so being transported; but this classification shall not include motor vehicles of seven (7) passenger capacity or less operated by the owner where the cost of operation is shared by fellow workers between their homes and the place of regular daily employment, when not operated for more than two (2) trips per day, nor shall the classification include automobiles operated by the owner where the cost of operation is shared by the passengers on a share the expense plan, nor shall this classification include motor vehicles transporting students from the public school system when the motor vehicle is so transporting under contract with a public, private or parochial school board or governing body.

Cross reference— See also [title 3](#), chapter 7 of this Code for provisions regarding taxicab licensing.

THROUGH HIGHWAY: Every highway or portion thereof on which vehicular traffic is given preferential right-of-way, and at the entrances to which vehicular traffic from intersecting

highways is required by law to yield the right-of-way to vehicles on such through highway in obedience to either a stop sign or a yield sign when such signs are erected as provided in this chapter.

TRAFFIC: Pedestrians, ridden or herded animals, vehicles and other conveyances either singly or together while using any highway for purposes of travel.

TRAFFIC CONTROL SIGNAL: Any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and to proceed.

TRAFFIC LANE: The portion of the traveled way for the movement of a single line of vehicles.

TRUCK: Every motor vehicle designed, used or maintained primarily for the transportation of property.

URBAN DISTRICT: The territory contiguous to and including any street which is built up with structures devoted to business, industry or dwelling houses situated at intervals of less than one hundred feet (100') for a distance of one-fourth (¼) of a mile or more.

VEHICLE: Every device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices used exclusively upon stationary rails or tracks; provided, however, that the definition of "vehicle" shall not include "implements of husbandry", "electric personal assistive mobility device" or "motorized wheelchair" as defined by 47 Oklahoma Statutes.

State Law reference— 47 OS § 1-186.

(Ord. 2223, 7-10-2017; Ord. 2364, 10-11-2021)

A. A "street-legal utility vehicle" is any motor vehicle having:

1. A bench seat or side-by-side seat for the use of each rider;
2. Four wheels in contact with the ground, but excluding a tractor;
3. A combustion engine with a piston or rotor displacement of four hundred cubic centimeters (400 cc) or greater and capable of maintaining speeds of fifty (50) miles per hour or greater;
4. For each occupant, safety belts or safety shoulder harnesses which shall be of a type and shall be installed pursuant to 49 C.F.R., Section 571.208 et seq.; and

5. All equipment required by the provisions of Sections 12-201 through 12-232 of this title, with respect to equipment on vehicles.

B. A street-legal utility vehicle operated on the streets and highways of this state shall be registered as a motor vehicle.

C. The operator of a street-legal utility vehicle shall not be required to have an "M" endorsement on the Class D license pursuant to Section 6-110.1 of this title. The operator shall be at least sixteen (16) years of age and hold a valid Oklahoma driver license.

New Ordinance 5-6A-16

(Modifies 6-5A-8 adding section “B” to mirror state law)

Use of Mobile Device while Driving in a School Zone

Section A currently exists. Section “B” adopts
Oklahoma statutes Section 11-901e of Title 47

6-5A-8: - TEXTING WHILE DRIVING:

A. It shall be unlawful for any person to operate a motor vehicle on any street or highway while using a handheld electronic communication device to manually compose, send or read an electronic text message while the motor vehicle is in motion.

B. Where any portion of a road, street, or highway is a marked school zone, as indicated with appropriate signs and a reduced speed limit is properly posted that is in effect due to the presence or potential presence of school children, or in a road construction zone, and while a motor vehicle is in motion, it shall be unlawful for any person to operate a motor vehicle on any street or highway while holding or using a hand-held cellular telephone.

New Ordinance 5-6A-16

(Renumerating 5-6A-16 to 5-6A-17)

Misrepresenting Service Animals

Makes the city consistent with Oklahoma statutes Title 4 O.S. 2021, Section 801

Any person who is not an individual with a disability or is not trained to assist individuals with disabilities, who uses a service animal in an attempt to gain treatment or benefits as an individual with a disability shall, upon conviction, be guilty of a misdemeanor. No person shall knowingly present any animal or therapy animal as a service animal or intentionally misrepresent entitlement to an animal in his or her possession as a qualified service animal for the purpose of obtaining any of the rights or privileges set forth in state or federal law for an individual with a disability. Any person who violates this subsection shall, upon conviction, be guilty of a misdemeanor.

A. A public accommodation may adopt a policy to prohibit animals, except service animals, from entering the place of public accommodation. A public accommodation which adopts such a policy shall post a sign in a conspicuous location outside the entrance of the place of public accommodation stating which animals or types of animals are prohibited. Such sign shall also state that service animals are permitted. If a public accommodation inquires into the qualification of a service animal, the public accommodation shall comply with 28 C.F.R., Section 36.302(c)(6).

Modifies 5-5F-1 adding section "B" and "C" to mirror state law.

Police Officer

Section A currently exists.

Section "B" and "C" added to adopt Oklahoma statutes Section 34-109 of Title 11

5-5F-1 Police Officer:

A. "Police officer" or "police" shall be defined to mean any duly appointed person who is charged with the responsibility of maintaining public order, safety and health by the enforcement of all laws, ordinances or orders of this city, or of this state, or any of its political subdivisions and who is authorized to bear arms in execution of his responsibilities. (1993 Code § 14-166)

B. A full time municipal police officer who retires under the Oklahoma Police Pension and Retirement System pursuant to Sections 50-101 through 50-136.8 of Title 11 of the Oklahoma Statutes may request to retain custody and possession of his or her municipal-issued firearm and badge. The retiring officer shall request in writing to the Chief of the police department requesting permission to retain custody and possession of his or her municipal-issued firearm and badge. The police chief may grant the request except in the following cases:

may not at the discretion.

1. The officer is not in good standing with the municipal law enforcement agency from which he or she is retiring;

2. The officer has been convicted of a felony;

3. The officer is mentally incapacitated and could not perform duties if recalled; or

4. When cause is shown that granting approval of the request would be detrimental to public health, safety, and welfare.

C. Upon the death of a municipal police officer prior to retirement, custody and possession of the firearm and badge may be awarded by the head of the municipal law enforcement agency to a spouse or next of kin of the deceased officer in accordance with the agency's policy. In the event the firearm or badge is damaged beyond repair a duplicate of the same type and likeness may be awarded.