

CHARTER
OF
THE CITY OF OKLAHOMA CITY
OKLAHOMA

APPROVED BY THE GOVERNOR
AS AMENDED

March 14, 1911
February 28, 1927
November 28, 1934
April 2, 1957
March 16, 1971
March 18, 1975
June 18, 1985
March 21, 1989
June 26, 1990
March 15, 1994
November 7, 2000
October 14, 2003
November 4, 2008
July 9, 2019
August 4, 2021

OKLAHOMA CITY CHARTER

PREAMBLE

ARTICLE I. - ORGANIZATION AND POWERS

- Section 1. - Organization.
- Section 2. - Boundaries.
- Section 3. - General Grant of Powers. **modified**
- Section 4. - Constitution Applied.
- Section 5. - Acquisition of Property.
- Section 6. - Bequests, Gifts and Donations.
- Section 7. - General Grant of Powers Not Limited.
- Section 8. - Former Government in Force.
- Section 9. - Former Officers Retained.

ARTICLE II. - LEGISLATIVE DEPARTMENT

- Section 1. - Legislative Department. **modified**
- Section 2. - Mayor and City Council Elections and Term of Office. **modified**
- Section 3. - Change of Ward Lines—New Lines. **modified**
- Section 4. - Vacancies in the Council other than in the office of Mayor. **modified**
- Section 5. - Removal by Council. **modified**
- Section 6. - Qualifications for Office of Mayor or Councilmember. **modified**
- Section 7. - Holding Other Office. **modified**
- Section 8. - No Direct Interest in City Expenditures. **modified**
- Section 9. - Compensation. **modified**
- Section 10. - Vice-Mayor—Vacancies in Office of Mayor. **modified**
- Section 11. - Regular Meetings. **modified**
- Section 12. - Special Meetings. **modified**
- Section 13. - Quorum.
- Section 14. - Rules of Procedure.
- Section 15. - Removal for Misconduct. **modified**
- Section 16. - Selection of City Manager and Other Officers. **modified**
- Section 17. - Removal of Officers Selected by Council.
- Section 18. - Compensation of Officers and Employees.
- Section 19. - Reservation of Legislative Powers.
- Section 20. - Ayes and Noes.
- Section 21. - Final Passage of Ordinances.
- Section 22. - Enacting Clause.
- Section 23. - Franchise Ordinances.
- Section 24. - Publication of Ordinance Adopted.
- Section 25. - Amendment—Repeal.
- Section 26. - Compilations of Rules—Publication.
- Section 27. - Proof of Ordinance.
- Section 28. - Employment of Special Counselors, Engineers and Auditors.
- Section 29. - Bonds.
- Section 30. - Administration Ordinances.
- Section 31. - Issuance of City Bonds.
- Section 32. - Sale of City Bonds.
- Section 33. - Mayor and Council—Salary. **modified**

ARTICLE III. - MUNICIPAL EMPLOYEES

- Section 1. - Appointments and Promotions.
- Section 2. - Personnel Director—Duties. **modified**
- Section 3. - Classification of Personnel.
- Section 4. - Rules and Regulations—Adoption.

ARTICLE IV. - DUTIES OF CITY OFFICERS AND EMPLOYEES

- Section 1. - Duties of Mayor. **modified**
- Section 2. - Official Oath. **modified**
- Section 3. - The City Manager. **modified**
- Section 4. - City Manager—Exclusive Control of Personnel—Certain Information May Be Provided to the City Manager by the Mayor or a Councilmember. **modified**
- Section 5. - Delegation of Duties—Divisions. **modified**
- Section 6. - Division of Public Affairs and Division of Public Management. **modified**
- Section 7. - Duties of the Municipal Counselor. **modified**
- Section 8. - City Official Cannot Hold Two Offices.
- Section 9. - No Compensation Except Salary. **modified**
- Section 10. - Bribery Prohibited.
- Section 11. - City Officers or Employees Shall Not Violate 11 O.S. § 8-113.
- Section 12. - Accepting things of value from certain privately-owned businesses operating pursuant to a City franchise or other contract-Exception. **modified**
- Section 13. - Duties of the City Treasurer.
- Section 14. - City Deposits Must Be Collateralized.
- Section 15. - Nepotism Prohibited. **modified**
- Section 16. - Municipal Courts.
- Sections 17, 18. - Reserved. **modified**
- Section 19. - Mayor and Officials—Automobiles. **modified**

ARTICLE V. - MISCELLANEOUS

- Section 1. - Merger—Oklahoma City—Oklahoma County.
- Section 2. - Employee Pension Plan.

ARTICLE VI. - RECALL OF ELECTIVE OFFICERS

- Section 1. - Elective Officers May be Removed by Recall. **modified**
- Section 2. - Petition for Recall. **modified**
- Section 3. - Duties of City Clerk Affecting Recall. **modified**
- Section 4. - Election—How Conducted. **modified**
- Section 5. - Affidavit of Petitioners.
- Section 6. - Who May Be Candidates. **modified**
- Section 7. - Recalled Officer Ineligible for Appointment.

ARTICLE VII. - REVENUE

- Section 1. - System for Revenue Collection.
- Section 2. - Assessments of Needed Funds and Budget Accounts.
- Section 3. - Powers—Taxes.
- Section 4. - May Refund Indebtedness.
- Section 5. - Grafting Prohibited. **modified**

ARTICLE VIII. - PUBLIC SERVICE CORPORATIONS

- Section 1. - Reservation of Control over Public Highways—Charges Regulated—Exclusive Franchise Prohibited.
- Section 2. - Council Shall Frame Laws.
- Section 3. - Power of Taxation Over Public Service Corporations.
- Section 4. - Power of Taxation in City Council.

ARTICLE IX. - GENERAL PROVISIONS

Section 1. - Franchise Solicitor Must Pay Election Expense.

Section 2. - Franchise Must Provide for Free Transportation of United States Mail Carriers, Policemen and Firemen.

Section 3. - Claims Against City.

Section 4. - Contracts—How Let—Advertisements—Bids, Plans, Specifications, Profiles and Estimates. **modified**

Section 5. - Officers May Administer Oaths.

Section 6. - Reserved. **modified**

Section 7. - Individual Liability of Officers. **modified**

Section 8. - Reserved. **modified**

Section 9. - Amendment of Charter.

Section 10. - Initiative and Referendum Vitalized.

Section 11. - City Clerk to Amend Terms in the Charter to Consistently Refer to Officers Elected from Wards as "Councilmember," "Councilmembers," "Councilor," or "Councilors." new

ARTICLE X. - GENERAL ELECTIONS AND RUNOFF ELECTIONS **modified**

Section 1. - General Elections and Runoff Elections for Mayor and Council. **modified**

Section 2. - Declaration of Candidacy—Procedure. **modified**

Section 3. - Mayor and City Council Elections—How Called—Notice—Terminology for Elections to be Revised to be Consistent Throughout this Charter. **modified**

Section 4. - Nominees—How Voted On. **modified**

Section 5. - General Election Laws Applicable. **modified**

Section 6. - Runoff Elections—When Held. **modified**

Section 7. - Reserved. **modified**

ARTICLE XI. - WARDS

Section 1. - Redistrict Wards.

Section 2. - Additional Wards and Boundary Change of Wards.

ARTICLE XII. - OIL AND GAS ZONE EXTENSION

Section 1. - Oil and Gas Drilling Zones—Approval by Electors.

Section 2. - Submission of Ordinance by Council.

Section 3. - Petition for Additional Zones—Deposit for Election Expense.

ARTICLE XIII. - REPEAL OF EXISTING CHARTER

Section 1. - Repeal of Existing Charter.

OKLAHOMA CITY CHARTER

PREAMBLE

We, the people of The City of Oklahoma City, under the authority of the Constitution and laws of the State of Oklahoma, do ordain and establish this Charter for The City of Oklahoma City, Oklahoma.

ARTICLE I. ORGANIZATION AND POWERS

Section 1. Organization.

The inhabitants within the boundaries hereinafter defined and their successors are hereby created and organized a Municipal Corporation and body politic with perpetual succession under the name "THE CITY OF OKLAHOMA CITY", and shall succeed to, own and possess all the property, rights, privileges, franchises, powers and immunities now belonging to the present corporation known as The City of Oklahoma City, and shall be liable for all debts and obligations for which said present corporation is now liable, and shall have power to adopt a common seal and alter same at pleasure, to sue and be sued in all courts, to make contracts, to take and acquire property by purchase, condemnation or otherwise, and to hold, lease, trade, exchange, sell, mortgage, convey or otherwise dispose of any of its property, real or personal, within and without the limits of said City, and whether said property be held by The City in a proprietary or governmental capacity, and it shall have such other powers, rights, privileges, franchises and immunities as are granted and conferred by any other parts of this Charter or by the Constitution and the laws of the State of Oklahoma.

(Charter, 3-14-1911; am. 6-18-1985)

Section 2. Boundaries.

The boundaries of said City shall, until altered as provided by law, be the same as at the time of the adoption of this Charter.

(Charter, 3-14-1911)

Section 3. General Grant of Powers.

- (a) The City shall have all powers given to it by the Oklahoma Constitution, the laws of this State, or by this Charter.
- (b) The City shall have the power to enact and enforce all ordinances necessary to protect health, safety, welfare, life, or property within the City.
- (c) The City shall have the power to define, prevent and summarily abate and remove nuisances and to preserve and enforce good government and order for the security of the City and its inhabitants.
- (d) The City shall have the power to enact and enforce all ordinances upon any subject.

(e) No ordinance shall be enacted that is inconsistent with the Oklahoma Constitution, the general laws of the State of Oklahoma that are of statewide interest and concern, or with this Charter.

(Charter, 3-14-1911; am. 4-2-1957; am. 8-4-2021)

Section 4. Constitution Applied.

Article XVIII of the Constitution of the State of Oklahoma, under the Title "Municipal Corporations," and every section thereof, including the Initiative and Referendum and all other provisions and sections of said Article XVIII, is hereby adopted and made in full force and effect for the government of The City of Oklahoma City.

(Charter, 3-14-1911)

Section 5. Acquisition of Property.

Said City shall have power within and without its territorial limits and boundaries to construct, condemn and purchase, acquire, lease, improve, add to, maintain, and conduct and operate, in whole or in part, water works, including water pipe lines and pump stations, light plants, telephone systems, power plants, transportation systems, heating plants, incinerating and sewage disposal plants, airports, parks, playgrounds, cultural and recreational facilities, and any other public utilities or works or ways local in use, including all land and easements deemed necessary for such purposes, and everything required therefor for the use of said City and the inhabitants thereof, and any such systems, plants, property, works or ways, or any contracts in relation or connection therewith that may exist and which said City may desire to purchase, in whole or in part, may be purchased or acquired, in whole or in part, by said City, which may enforce such purchase by proceedings at law or in equity by right of eminent domain, and said City shall have the power to issue bonds upon the vote of the electors as may be authorized or limited by the Constitution and laws of the State at any special or general election in any amount necessary to carry out any of said powers or purposes, said amount being alone limited by the Constitution and the laws of the State of Oklahoma, and by other provisions of this Charter.

Provided, however, that the power to condemn shall not be exercised for the purpose of acquiring such utilities now existing and operating under franchises granted by the City, except under the terms of said franchises.

Provided, further, that the same exemption from the power to condemn may be embodied in any franchise for any other public service or public utility corporation that may hereafter be submitted to a vote of the people.

(Charter, 3-14-1911; am. 4-2-1957)

Section 6. Bequests, Gifts and Donations.

Said City may receive bequests, gifts and donations of all kinds of property in fee simple or in trust for charitable and public purposes and perform all acts necessary to carry out the purposes of such gifts, bequests, donations or trusts with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest, donation or trust.

(Charter, 3-14-1911)

Section 7. General Grant of Powers Not Limited.

The legislative, executive and judicial powers of the City shall extend to all matters of local and municipal government, it being the intent hereof that the specification of particular powers by any other provision of this Charter shall never be constructed as limiting or impairing the effect of the general grant of powers hereby made.

(Charter, 3-14-1911)

Section 8. Former Government in Force.

All existing ordinances of the City not inconsistent with this Charter shall be and continue in full force and effect until amended or repealed or until they expire by their own limitations, and no existing right, action (civil or penal), suit, proceeding, or contract shall be affected by any amendment hereto, but all shall continue as though no such change had taken place; and all debts, penalties and forfeitures which have accrued, or which may hereafter accrue by virtue of anything heretofore done or existing, shall inure to the benefit of The City of Oklahoma City and may be sued for and recovered by the said City as though no amendment to this Chapter had been adopted. Nothing herein, however, shall legalize or make legal any invalid indebtedness of the City heretofore contracted or incurred, or impair any defense against the payment of the same; nor shall the adoption of this Charter, or any amendments hereto, in any wise interfere with any proceedings heretofore instituted relating to the levy and collection of taxes, special assessments, or levies of any nature, or with any proceedings to enforce the payment of the same, and all contracts heretofore entered into by the City shall remain in full force and effect and be completed under ordinances existing at the time of the adoption of any amendment to this Charter.

(Charter, 3-14-1911; am. 4-2-1957)

Section 9. Former Officers Retained.

All officers, appointees and employees of the present corporation of Oklahoma City, shall continue in their offices and employments until their successors are chosen and qualified, or until their services are dispensed with in an appropriate manner or by appropriate authority.

(Charter, 3-14-1911; am. 4-2-1957)

ARTICLE II. LEGISLATIVE DEPARTMENT

Section 1. Legislative Department.

The legislative branch of the City Government shall consist of the City Council. The City Council shall be composed of the Mayor and one Councilor from each ward. When used hereinafter the words "the Council" or "the City Council" shall be understood to mean the Mayor and "the Councilors."

(Charter, 2-8-1927; am. 4-2-1957, am. 3-16-1971; am. 8-4-2021)

Section 2. Mayor and City Council Elections and Term of Office.

- (a) The Mayor and Councilmembers shall be nominated and elected as provided in Article X of this Charter.
- (b) The Mayor and each Councilmember shall qualify and assume office four weeks after the date of the City runoff election as provided in Article X of this Charter, and each officer shall serve a term of four years and hold office until a successor to such office has been elected, qualified and assumed office.

(Charter, 2-8-1927; am. 4-2-1957, am. 6-26-1990; am. 8-4-2021)

Section 3. Change of Ward Lines—New Lines.

Should ward lines be shifted or changed, or new numbered wards be created so that the total of all wards is less than eight, then, and in that event, any incumbent Councilor, whose residence may be included in another or new numbered ward, may serve out the elective term as Councilor for the numbered ward from which elected, irrespective of the Councilor's non-residence therein. In case new numbered ward or wards be created, which, together with existing wards, total less than eight, then at the next succeeding election two Councilors shall be elected from each such ward, of whom, the one receiving the highest number of votes shall hold office for four years, and until the Councilor's successor shall be elected and qualified, and the one receiving the next highest number of votes shall hold office for two years and until the Councilor's successor shall be elected and qualified. After the first election in a new numbered ward, one Councilor at a time shall be elected from such ward and the term of office shall be four years.

(Charter, 4-2-1957; am. 8-4-2021)

Section 4. Vacancies in the Council other than in the office of Mayor.

(a) Whenever a vacancy occurs in the Council by reason of death, resignation, incapacity, or removal of a member, the Council shall, within 30 days after the occurrence of such vacancy, by a majority vote, appoint a qualified person to fill the vacancy in the Council. The appointee shall serve in such capacity only until a person has been duly elected to fill the vacated office at a special or regular Council election as provided by Subsection (b) of this section.

- (b) Within 30 days after the vacancy occurs, the Council shall call a special election to take place within the shortest period of time permitted by the election laws of the State of Oklahoma for the purpose of electing a person to fill the balance of the unexpired term of office. The person duly elected at said special election shall thereafter fill the balance of the unexpired term of office of the vacating Councilmember. Provided:
- (1) If the vacancy in the Council occurs on or after July 1 in an even-numbered year and the regular Council election in the same ward will be held in the following year, then no special election shall be called and the person appointed under Subsection (a) of this section shall serve until a successor is elected in that ward as a result of the regular election in the ward.
 - (2) If the vacancy in the Council occurs on or after July 1 and prior to December 1 in an even-numbered year, but no regular Council election in the ward in which the vacancy occurred is scheduled for the following year, Council shall, within 30 days after the vacancy occurs, call a special election to be held to fill the balance of the unexpired term of office, with the said special election to be set for the same dates as the ensuing regular Council elections in the other wards. The person appointed under Subsection (a) of this section shall serve until a successor is elected at said special election to fill the balance of the unexpired term of office.

(Charter, 2-8-1927; am. 3-18-75, am. 3-15-1994; am. 11-4-2008; am. 8-4-2021)

Section 5. Removal by Council.

Whenever any person elected to the office of Mayor or Councilor neglects, refuses, or fails to qualify within ten days of the beginning of the term for which the Mayor or Councilor has been chosen, or whenever the Mayor or a Councilor neglects, refuses, or fails, except in case of sickness, to attend the meetings of the Council for five consecutive regular meetings without first having the consent of the Council, which consent must be entered upon its records, or removes from the City, is convicted of a felony or judicially declared an incompetent as defined by statute, the Council shall declare that a vacancy exists in such office and proceed to fill such vacancy or elect a

successor to such official who shall serve until the next general election, at which election a person shall be elected to serve out any unexpired term in such office or to fill the next regular term in such office.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 6. Qualifications for Office of Mayor or Councilmember.

No person shall be eligible to the office of Mayor or Councilmember unless such person meets the following qualifications prior to filing a declaration of candidacy as required by this Charter:

- (a) The person must be a citizen of the United States and of the State of Oklahoma;
- (b) The person must be at least 21 years of age;
- (c) The person must have been a resident of Oklahoma City or an area annexed into Oklahoma City for at least one year;
- (d) For the office of the Mayor, the person must have been a registered voter at an address within Oklahoma City for at least one year immediately preceding the filing of a declaration of candidacy; and
- (e) For a Councilmember position representing a ward, the person must have been a registered voter at an address within the ward for at least one year immediately preceding the filing of a declaration of candidacy.

(Charter, 2-8-1927; am. 4-2-1957; am. 11-4-2008; am. 8-4-2021)

Section 7. Holding Other Office.

Neither the Mayor nor a member of the Council shall be appointed to any office or position under the City during the term of office for which the Mayor or Councilor was elected or appointed.

(Charter, 2-8-1927; am. 8-4-2021)

Section 8. No Direct Interest in City Expenditures.

Neither the Mayor nor a member of the Council shall have any financial interest in or reap any financial benefit, directly or indirectly, from any expenditure of the City, save as the result of the general benefit arising from the maintenance of public works and the making of special improvements in the streets, alleys, parks and public places in The City of Oklahoma City. Any violation of this section by the Mayor or any Councilor shall disqualify same, and the Mayor or Councilor shall forfeit office.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 9. Compensation.

The Mayor and Councilors may receive reimbursement for actual and necessary expenses incurred in traveling on business of the City, but only when so directed by a resolution passed by two-thirds roll call vote of the entire Council-elect, duly recorded and made prior to the incurring of said expenses. Statements shall be submitted of the items of such expenses on regular forms to be provided, and when approved by the Council shall be paid by the financial officer of the City.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 10. Vice-Mayor—Vacancies in Office of Mayor.

- (a) Each Councilmember shall serve as Vice-Mayor for a term of six months according to seniority based upon assumption of office, or when such office was assumed on the same date, according to alphabetical order of the Councilmember's surname. The Vice-Mayor shall act as Mayor during the temporary absence or disability of the Mayor and while so acting shall vote as Council member and not as Mayor.
- (b) In the event the office of Mayor shall become vacant by reason of death, resignation, removal from the City, conviction of a felony, judicial declaration of incompetency, or from any other cause, the Council shall, within 30 days after the occurrence of such vacancy, call a special election to take place within the shortest period of time permitted by the election laws of the State of Oklahoma, to fill the balance of the unexpired term of such office; provided, if such vacancy shall occur within the final year of the Mayor's term of office, it shall be filled by majority vote of the remaining members of the Council within 30 days after the occurrence of the vacancy.

(Charter, 4-2-27; am. 3-18-75, am. 3-15-1994; am. 10-14-2003; am. 11-4-2008; am. 8-4-2021)

Section 11. Regular Meetings.

The Council shall hold regular meetings at such time as the Council may by ordinance designate, and may hold such adjourned meetings as it may find necessary for the dispatch of its business, provided that if the regular meeting falls on a legal holiday, the meeting shall be held upon the next succeeding business day.

(Charter, 2-8-1927; am. 8-4-2021)

Section 12. Special Meetings.

Special meetings of the Council may be called by the Mayor, or by five Councilors, at any time on such written notice as the Council may prescribe by ordinance, but the purpose of such meeting shall be set forth in such call and no other business shall be transacted at such meeting.

(Charter, 2-8-1927; am. 8-4-2021)

Section 13. Quorum.

A majority of the members of the Council shall constitute a quorum to do business, but a less number may adjourn to any date prior to the next regular meeting. All legislative sessions of the Council shall be public and it shall keep a journal of its proceedings which shall be a public record.

(Charter, 2-8-1927)

Section 14. Rules of Procedure.

The Council shall, subject to the provisions of this Charter, determine its own rules of procedure, may punish its members for disorderly conduct and may compel the attendance of members.

(Charter, 2-8-1927)

Section 15. Removal for Misconduct.

In case of misconduct, inability or willful neglect in the performance of the duties of the Mayor's or Councilor's office, the Mayor or any Councilor may be removed from office by the Council, but the Mayor or Councilor shall be given an opportunity to be heard in the Mayor's or Councilor's own defense and shall have the right to appear by counsel and have process issued to compel the attendance of witnesses who shall be required to give testimony if the Mayor or Councilor so elects. In such cases the hearings for such removal, if the Mayor or Councilor be removed, together with the findings of fact as made by the Council, shall be filed by the Council with the Clerk and shall become a matter of public record.

(Charter, 2-8-1927; am. 8-4-2021)

Section 16. Selection of City Manager and Other Officers.

The Council shall select a City Manager, City Auditor, Municipal Counselor, and Municipal Judges, and whenever a vacancy shall occur in any of these offices, the Council shall select some qualified person to fill such vacancy. Such officers shall be selected without regard to their political affiliation. Their salaries shall be fixed or changed by a two-thirds roll call vote of the entire Council-elect. They shall serve during the pleasure of the Council and the Council shall not bind the City by any term contract with any officer or employee. Provided however, the Municipal Judges shall serve for a term of two years, expiring on a date fixed by ordinance, and until their successors are appointed and qualified, unless sooner removed by the vote of a majority of all members of the Council, for such cause as is provided by the laws of the State for the removal of public officers. In the event that the Manager shall for any reason be incapable of performing the duties of the office or a vacancy occurs, the Council shall immediately, upon receiving notice of such inability, select a Manager pro tem, who shall perform all of the duties imposed upon the Manager by this Charter, or by ordinance, until the Manager shall return to duty, or a new Manager be selected.

(Charter, 2-8-1927; am. 4-2-1957, am. 3-16-1971; am. 8-4-2021)

Section 17. Removal of Officers Selected by Council.

The Council shall have the power at any time to remove any officer or employee whose successor it has the power to select and to select a successor to the officer or employee.

(Charter, 2-8-1927; am. 8-4-2021)

Section 18. Compensation of Officers and Employees.

The Council shall fix the compensation of the officers of the City whom it selects.

(Charter, 2-8-1927)

Section 19. Reservation of Legislative Powers.

All legislative powers of the City, save as reserved to the people thereof, or otherwise specifically provided herein, shall be vested in the Council.

(Charter, 2-8-1927; am. 4-2-1957)

Section 20. Ayes and Noes.

The ayes and noes shall be taken on the passage of all ordinances and resolutions and appropriations and entered upon the journal of its proceedings. Upon request of any member, "the ayes and noes shall be taken and recorded upon any motion. Every member when present must vote. Every ordinance, other than emergency ordinances, shall require for final passage the affirmative vote of a majority of the members of the Council elected."

(Charter, 2-8-1927; am. 4-2-1957, am. 3-16-1971)

Section 21. Final Passage of Ordinances.

No ordinance shall be passed finally on the date when it is introduced except in case of public emergency, the nature of which emergency shall be clearly stated in such ordinance. No ordinance making a grant of any franchise or special privilege shall ever be passed as an emergency measure. Every emergency ordinance shall require for passage the affirmative vote of three-fourths of the members of the Council elected.

(Charter, 2-8-1927)

Section 22. Enacting Clause.

The enacting clause of all ordinances passed by the Council shall be in these words: "Be it ordained by the Council of The City of Oklahoma City."

(Charter, 2-8-1927)

Section 23. Franchise Ordinances.

No proposed ordinance granting any franchise shall be put upon its final passage within 30 days after its introduction nor until it has been published not less than once a week for three consecutive weeks next before such final passage in a newspaper published and of general circulation in the City.

(Charter, 2-8-1927)

Section 24. Publication of Ordinance Adopted.

Every ordinance adopted shall be published once in full or by title only, as may be provided by the Oklahoma Statutes, in a daily newspaper published and of general circulation in the City and shall not take effect until 30 days after such publication, except emergency ordinances passed as provided for in this article, which shall take effect upon passage and be so published on the following day subject always to the provisions of the referendum; and, provided further, that this section shall not apply to bond issues and special assessment ordinances, but such ordinances shall be governed by the laws of the State of Oklahoma.

(Charter, 2-8-1927; am. 4-2-1957; am. 10-14-2003)

Section 25. Amendment—Repeal.

No ordinance shall contain more than one subject, which shall be clearly expressed in its title. An ordinance may be amended in whole or a section or sections thereof amended, but so much thereof as is amended shall be re-enacted and published at length.

(Charter, 4-2-1957)

Section 26. Compilations of Rules—Publication.

Ordinances which are compilations of rules and regulations relating to traffic, zoning, building and moving, plumbing, electrical wiring, refrigeration and heating, fire prevention, inflammable liquids, production, pasteurization and sale of milk products, the protection of public health, if passed with the emergency classification attached, may be published by title and a condensed gist or summary of the contents thereof in a newspaper published and of general circulation in the City, provided, that at least three copies of each such ordinances are filed in the office of the City Clerk, for public use, inspection and examination. Publication of such ordinances in the manner provided shall be deemed a legal publication thereof.

(Charter, 4-2-1957)

Section 27. Proof of Ordinance.

Any ordinance may be proved by a copy thereof certified by the Clerk, under the seal of the City; or when printed in a book or pamphlet form published by the authority of the City, the same shall be received in evidence in all courts, or other places, without further proof. A true copy of every ordinance shall be kept in a book marked "Ordinance Record," and authenticated by the signatures of the Mayor and Clerk.

(Charter, 2-8-1927)

Section 28. Employment of Special Counselors, Engineers and Auditors.

The Council shall have the power to employ special counsel and special engineers. Prior to the end of each fiscal year the Council shall designate and employ certified municipal accountants, or certified public accountants, who, as of the end of the fiscal year, shall make an independent audit of accounts and other evidences of financial transactions of the City Government and shall submit their report to the Council and to the City Manager. Such accountants shall have no personal interest, direct or indirect, in the fiscal affairs of the City Government or of any of its officers. They shall not maintain any accounts or records of the City business but within specifications approved by the Council, shall post-audit the books and documents kept by the City Treasurer and any separate or subordinate accounts kept by any other office, department or agency of the City Government.

(Charter, 2-8-1927; am. 4-2-1957)

Section 29. Bonds.

The Council shall require by ordinance that good and sufficient surety bonds be given by the Manager and such other officers and employees as, in the judgment of the Council, should give bond and shall fix the amounts of each bond.

(Charter, 2-8-1927)

Section 30. Administration Ordinances.

The Council shall have the power to pass ordinances, to regulate and determine the organization and procedure of the administrative departments provided in this Charter.

(Charter, 2-8-1927)

(Supp. No. 1, Update 5)

Created: 2021-11-09 09:17:43 [EST]

Section 31. Issuance of City Bonds.

All City bonds shall be issued in accordance with the laws of the State of Oklahoma.

(Charter, 2-8-1927; am. 10-14-2003)

Section 32. Sale of City Bonds.

All City bonds shall be sold in accordance with the laws of the State of Oklahoma.

(Charter, am. 6-9-1970; 6-18-1985; am. 10-14-2003)

Section 33. Mayor and Council—Salary.

(a) Until lawfully changed pursuant to Subsection (b) of this section, the Mayor shall receive as compensation for the Mayor's services a salary of \$2,000.00 per annum, payable monthly and no more. Until lawfully changed pursuant to Subsection (c) of this section, each Councilmember shall receive as compensation for the Councilmember's services \$20.00 for each meeting at which a quorum is present, the total amount received for any month not to exceed \$100.00.

(b) Commencing on the earliest possible date consistent with Section 10 of Article XXIII of the Oklahoma Constitution, the Mayor shall receive as compensation for the Mayor's services a salary of \$24,000.00 per annum, payable monthly and no more.

(c) Commencing on the earliest possible date consistent with Section 10 of Article XXIII of the Oklahoma Constitution, each Councilmember shall receive as compensation for the Councilmember's services a salary of \$12,000.00 per annum, payable monthly and no more.

(Charter, 2-8-1927; am. 4-2-1957; am. 11-7-2000; am. 8-4-2021)

ARTICLE III. MUNICIPAL EMPLOYEES

Section 1. Appointments and Promotions.

Appointments and promotions in the classified service of the City shall be made according to merit and fitness, and removals and demotions shall be made solely for the good of the service. To carry out this purpose, there is hereby created a Personnel Service Department, the head of which shall be the Personnel Director who shall be appointed by the City Manager and is subject to removal by the Manager.

(Charter, 4-2-1957)

Section 2. Personnel Director—Duties.

The Personnel Director shall have had training and experience in personnel administration. The Director's duties shall be such as shall be prescribed by ordinance or resolution implementing the Personnel Service Department and as prescribed by the City Manager.

(Charter, 4-2-1957; am. 8-4-2021)

Section 3. Classification of Personnel.

The personnel of the City shall be divided into the unclassified and classified service. The unclassified service, until otherwise provided by ordinance, shall comprise all personnel of the Division of Public Affairs as specified in Sections 5 and 6 of Article IV of this Charter.

The classified service shall comprise and include all members and positions in the Division of Public Management as specified in Sections 5 and 6 of Article IV of this Charter.

(Charter, 4-2-1957)

Section 4. Rules and Regulations—Adoption.

Within 180 days after the adoption of this Amended Charter, the Council shall, by ordinance or by resolution, as the Council may decide, adopt and prescribe rules and regulations pertaining to the establishment, maintenance and operation of the Personnel Service Department.

(Charter, 4-2-1957)

ARTICLE IV. DUTIES OF CITY OFFICERS AND EMPLOYEES

Section 1. Duties of Mayor.

The Mayor shall be the Chief Executive of the City, shall be President of the Council and shall preside at its sessions and shall have all the powers and prerogatives of a member of the Council and shall have an equal vote at all times with the members of the Council. In addition to other duties imposed upon the Mayor by State and municipal laws, and by the Council, the Mayor shall endorse thereon the approval of all official bonds when same shall be approved by the Council, shall sign all warrants and orders drawn upon the Treasurer for money, shall sign all bonds, contracts, conveyances, and other written obligations of the City, and all ordinances passed by the Council, and shall cause each of the above enumerated instruments to be attested by the Clerk under the seal of the City. The City Clerk shall be the Clerk of the Council and shall keep a journal of the Council proceedings which shall be open for inspection to the public and shall, with the Mayor, sign and attest all ordinances and resolutions.

(Charter, 2-8-1927; am. 4-2-1957, am. 3-16-1971; am. 8-4-2021)

Section 2. Official Oath.

The Mayor, Councilors and all other officers of the City, upon entering the duties of their offices, shall take the oath of office prescribed by the Constitution of this State.

(Charter, 2-8-1927; am. 8-4-2021)

Section 3. The City Manager.

The City Manager shall:

- (a) Be the Chief Administrative Officer of the City and shall have charge and supervision of all branches of the City service, except as otherwise in this Charter provided.
- (b) See to the faithful execution of all laws and ordinances of the State and City.

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- (c) Appoint all officers and employees of The City of Oklahoma City except the elective officers and the officers whose election is vested in the Council by this Charter.
 - (d) Dismiss any officer or employee appointed by the City Manager whenever, in the City Manager's judgment, the interests of the City service so require.
 - (e) Control, supervise and direct the several officers, boards, and departments of the City which are within and under the City Manager's control and management.
 - (f) At any time investigate the affairs of any department. The City Manager, or any person appointed by the City Manager for that purpose, shall have power to compel the attendance of witnesses and the production of books, papers and other evidence.
 - (g) Attend all meetings of the Council and may take part in the discussions, but shall not vote.
 - (h) Keep the Council advised of all the needs of the City and shall recommend measures for adoption.
 - (i) Prepare and submit to the Council, annually during the month of July, an estimate in detail of the probable receipts and the expenditures of funds and needs of the City in its operation for the ensuing fiscal year.
 - (j) Perform all such other duties as may be imposed on the City Manager by this Charter or by the Council.
- (Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 4. City Manager—Exclusive Control of Personnel—Certain Information May Be Provided to the City Manager by the Mayor or a Councilmember.

- (a) Neither the Mayor, the Council, nor any of its members shall direct or request the appointment of any person to, or removal from, office by the City Manager or by any of the City Manager's subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the City. Except for the purpose of inquiring, the Mayor, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Mayor, the Council, nor any member thereof shall give orders to any subordinates of the City Manager, either publicly or privately. Any of the above officials violating the provisions of this section, or voting for a resolution or ordinance in violation of this section, may be charged with a misdemeanor and upon conviction thereof shall cease to hold office.
- (b) Notwithstanding the prohibitions set forth in Subsection (a) of this section, the Mayor or any Councilmember may at any time provide information to the City Manager regarding the positive or negative job performance of any officer or employee in the administrative service of the City. Such information must be based on the direct personal knowledge of the Mayor or Councilmember or on a signed written statement provided by a resident to the Mayor or Councilmember. Providing information to the City Manager pursuant to this Subsection (b) will never be considered to constitute a violation of Subsection (a) of this section.

(Charter, 4-2-1957; am. 8-4-2021)

Section 5. Delegation of Duties—Divisions.

The distribution of all powers of City Government not reserved herein to the Mayor, City Council or Manager is divided into two divisions, one to be known as the Division of Public Affairs, which shall be under the control of the Mayor and Council; the other to be known as the Division of Public Management, which shall be under the control of the City Manager, who shall have complete control of the division and the City Manager may make assignments of administrative duties to such departments as the City Manager shall deem best. The City Council may, by ordinances adopted by the affirmative vote of at least two-thirds of its members, redistribute powers, create more

departments, divisions or subdivisions thereof, combine or abolish existing departments, functions or establish temporary agencies for special work.

(Charter, 4-2-1957; am. 8-4-2021)

Section 6. Division of Public Affairs and Division of Public Management.

(a) The Division of Public Affairs, which is under the control of the Mayor and Council pursuant to Section 5 of this article, shall include all the following officers:

- (1) City Manager;
- (2) Municipal Counselor;
- (3) City Auditor;
- (4) Municipal Judges;
- (5) All City boards, commissions, and committees created by the Mayor or created by the City Council; provided, the personnel of all boards, commissions, and committees created by the City Council shall be appointed by the Mayor with the consent and approval of the Council; and
- (6) All other personnel placed in the Division of Public Affairs by ordinance passed by the affirmative vote of at least two-thirds of the members of the City Council.

(b) The Division of Public Management, which is under the control of the City Manager as provided by this article, shall comprise all departments, functions, agencies, commissions and boards not specifically placed under the Division of Public Affairs by this Charter or by ordinance adopted hereafter pursuant hereto.

(Charter, 4-2-1957; am. 3-16-1971; am. 8-4-2021)

Section 7. Duties of the Municipal Counselor.

The Municipal Counselor shall conduct all actions and proceedings wherein the City shall be party plaintiff or defendant, or otherwise a party in interest. The Municipal Counselor shall be legal advisor to the Mayor, Council, City Manager, and heads of departments in relation to their duties, and shall perform such other duties not inconsistent herewith as may be required.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 8. City Official Cannot Hold Two Offices.

No person holding office under the laws of the United States Government or the State of Oklahoma, or any other State, notaries public excepted, shall hold any office under this City of whatever kind or nature.

(Charter, 2-8-1927; am. 4-2-1957; am. 7-9-2019)

Section 9. No Compensation Except Salary.

No elective or appointive officer shall receive any further compensation than specified in the salary attaching to the position at the time of the officer's election or appointment, no person being permitted under any circumstances to draw more than one salary from the City for any and all services, and all fees collected shall be accounted for by the proper officer and turned over to the City Treasurer; provided however, nothing contained in this Section shall prohibit the payment or reimbursement of authorized expenses incurred or to be incurred by City

employees, the making to City employees of authorized payments in lieu of such expenses, and/or the making of authorized incentive or merit payments to City employees, to the extent not otherwise prohibited by the law of the State, and such payments or reimbursements shall in no event be deemed to be compensation for the purposes of this Section.

(Charter, 2-8-1927; am. 6-18-1985; am. 8-4-2021)

Section 10. Bribery Prohibited.

It shall be unlawful for any candidate for City office, or any officer or employee of the City, directly or indirectly, to give, or promise to give, any person or persons any office, position, employment, or anything of value for the purpose of influencing or obtaining support, political or otherwise, aid, influence or the vote of any person or persons; the doing of any of these things shall be grounds for removal from office or employment, in the manner provided by law.

(Charter, 2-8-1927; am. 4-2-1957)

Section 11. City Officers or Employees Shall Not Violate 11 O.S. § 8-113.

No officer or employee of the City, elective or appointive, shall violate the provisions of 11 O.S. § 8-113 as it now reads or may hereafter be amended by the Oklahoma Legislature. The penalty for a violation of this section of the Charter shall be the same penalty as provided for in said 11 O.S. § 8-113.

(Charter, 2-8-1927; am. 4-2-1957; am. 11-4-2008)

Section 12. Accepting things of value from certain privately-owned businesses operating pursuant to a City franchise or other contract-Exception.

(a) No officer or employee of the City, elective or appointive, shall directly or indirectly accept or receive, any salary, commission, compensation, free or discounted service, or other thing of value of any kind upon terms more favorable than is granted to the public generally from any person, firm or corporation operating any of the following privately-owned businesses within the City pursuant to a franchise or contract with the City:

- (1) any interurban or street railway,
- (2) any airline,
- (3) any bus line,
- (4) any natural gas or electricity service or business, or
- (5) any telephone service business.

(b) Any violation of this section shall be grounds for removal from office or employment.

(c) This section shall not prevent the granting of a franchise or other contract conditioned upon free service to the City and to its officers and employees while they are engaged in the performance of their official duties.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 13. Duties of the City Treasurer.

The City Treasurer or any Assistant City Treasurers shall have the custody of the funds of the City and shall pay out the same pursuant to an internal control structure adequate to provide reasonable assurance against unauthorized or illegal payments, which structure shall be established by law or ordinance. The treasurer shall invest the funds of the City only in such securities as are provided by the Constitution and laws of the State of Oklahoma for the investment of municipal funds, and such investments shall be made only upon the direction of the Council; and all uninvested funds shall be deposited in a bank or banks, which depository banks shall be approved and designated by the Council.

(Charter, 2-8-1927; am. 4-2-1957, am. 3-16-1971, am. 3-15-1994; am. 10-14-2003)

Section 14. City Deposits Must Be Collateralized.

All City deposits shall be collateralized as provided by the laws of the State of Oklahoma.

(Charter, 2-8-1927; am. 4-2-1957; am. 10-14-2003)

Section 15. Nepotism Prohibited.

No person who is a relative by blood or by marriage of the Mayor, of any of the Councilors, or any of the officers appointed by the Council shall be appointed to any City office or employment.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 16. Municipal Courts.

The Council shall provide by ordinance for a Municipal Court or Courts for the City, which shall be presided over by one or more municipal judges.

(Charter, 2-8-1927; am. 4-2-1957, am. 3-21-1989)

Sections 17, 18. Reserved.

Section 19. Mayor and Officials—Automobiles.

No automobile or motor vehicle, nor the gasoline or oil used therein, shall be furnished by the City to the Mayor, the Councilors, or any other City officials or employees, except for use in discharging the official duties of such employees or officers. The using of any City automobile, gasoline or oil by any such City official or employee, except as aforesaid, shall be unlawful, and the allowance and payment of any claim for expense in operating such automobile shall be unlawful and subject any such officer or employee to civil liability and recovery by the City of the value of the use of such automobile and the gasoline or oil used therein. Action for such recovery may be instituted in the name of the City in any court of competent jurisdiction upon the relation of not less than ten voting citizens and residents of the City and shall be prosecuted as any other civil action.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

ARTICLE V. MISCELLANEOUS

Section 1. Merger—Oklahoma City—Oklahoma County.

By appropriate ordinance approved by the affirmative vote of a majority of those voting thereon at a special election directed by the Council and called by the Mayor for the purpose of voting thereon, the Council may provide for and render effective and complete, consistent with the laws of the State of Oklahoma, a merger or combination of the governments of Oklahoma City and Oklahoma County, Oklahoma.

(Charter, 4-2-1957)

Section 2. Employee Pension Plan.

By appropriate ordinance adopted by the affirmative vote of two-thirds of the Council-elect, the Council may provide for and render effective, not inconsistent with the laws of the State of Oklahoma, a comprehensive pension, insurance and retirement plan for employees of The City of Oklahoma City, Oklahoma, and may devise and carry out plans, ways and means for financing same, including the levy and collection of necessary legally permitted taxes for such purpose.

(Charter, 4-2-1957)

ARTICLE VI. RECALL OF ELECTIVE OFFICERS

Section 1. Elective Officers May be Removed by Recall.

The holder of any elective office may be removed at any time after six months from the date of accession to said office by the electors qualified to vote for the election of a successor to such incumbent, in the following manner:

Thirty-five per cent of the qualified electors of the area from which the incumbent was elected as shown by the County registration records at the time the petitions are filed must file with the City Clerk petitions demanding the election of a successor to the person sought to be removed; provided, that said petitions, within 60 days of the commencement thereof, and the filing of the affidavits required, shall be filed with the City Clerk, and each and all of them contain in the heading thereof the reason for said recall in not more than 200 words, and the reasons against such recall in not more than 200 words.

(Charter, 3-14-1911; am. 4-2-1957; am. 8-4-2021)

Section 2. Petition for Recall.

No petition shall contain more than 100 names, and each name shall be followed by the address of the petitioner; and at least one of the signers of each petition shall make affidavit that the reasons for recall stated, the affiant believes, are true; that each signature to said petition is genuine and made after each reading the petition; that same was circulated and signed within 60 days, and that each signer thereof, the affiant believes, is a qualified elector of the City.

(Charter, 3-14-1911; am. 8-4-2021)

Section 3. Duties of City Clerk Affecting Recall.

Within 30 days from the date of filing such petitions the City Clerk shall ascertain whether a sufficient total number of qualified signatures appear by checking the same with the last registration list, and, if sufficient, the City Clerk shall certify such fact to the Council. Upon proper certification from the City Clerk that a sufficient petition has been filed, it shall be the duty of the Council to order and fix a date for holding said election petitioned for, not less than 20 nor more than 30 days from the date of the Clerk's certificate. If the petition is found insufficient, no further recall proceedings may be instituted against said official within 12 months from the date of the Clerk's certificate.

(Charter, 3-14-1911; am. 4-2-1957; am. 8-4-2021)

Section 4. Election—How Conducted.

Said election shall be called and conducted, and the result declared in all respects as other City elections. The successor of any officer so recalled or removed shall hold office during the unexpired term of the predecessor.

(Charter, 3-14-1911; am. 4-2-1957; am. 8-4-2021)

Section 5. Affidavit of Petitioners.

Before any petition for the recall of an officer is circulated for signatures thereto, an affidavit in triplicate shall be made by a person or persons representing at least 100 qualified electors, who shall be named in the affidavit and filed with the City Clerk, proposing such recall and setting forth a statement in not more than 200 words giving the grounds therefor. One of such affidavits shall be sent by registered mail to the residence address of the officer sought to be recalled, and the said officer shall have five days after the filing of such affidavit to formulate and deliver to the person or persons making the affidavit a statement in not more than 200 words setting forth the reasons justifying said officer's conduct. These reasons for and against the recall of said officer shall be printed in the heading of each petition circulated; provided, that if no reason against the recall is submitted by the said officer, the petition shall be valid if otherwise conforming to the provisions hereof.

(Charter, 3-14-1911; am. 4-2-1957)

Section 6. Who May Be Candidates.

Any person sought to be removed may be a candidate to succeed said person, and no one may be a candidate for the office until the person shall qualify in the same manner as candidates before an official general election. In any such recall election, the candidate receiving the highest number of votes shall be declared elected. If at such election some person other than the incumbent receives the highest number of votes, the said incumbent shall be deemed to have been removed and shall vacate the office from the declaration of the result. If the incumbent receives the highest number of votes the incumbent shall continue in office, and no subsequent petition for recall of said officer may be entertained during the remainder of the term of office.

(Charter, 3-14-1911; am. 4-2-1957; am. 8-4-2021)

Section 7. Recalled Officer Ineligible for Appointment.

No person who has been removed from an office by recall, or who has resigned from such office while recall proceedings were pending against the officer, shall be appointed to any office or employment under the City Government within one year after such removal by recall or resignation.

(Charter, 3-14-1911; am. 4-2-1957)

ARTICLE VII. REVENUE

Section 1. System for Revenue Collection.

The City Council shall by ordinance provide a system for the collection, custody and disbursement of all public moneys, and establish as nearly as may be a uniform system for municipal accounting.

(Charter, 3-14-1911; am. 4-2-1957)

Section 2. Assessments of Needed Funds and Budget Accounts.

On or before the first Monday in July of each year, or at such other times as the Council may require, the heads of all departments shall prepare and submit to the Council and City Manager an estimate in writing of the amounts required for the business and proper conduct of their respective departments during the next ensuing fiscal year, specifying same and the objects thereof in detail.

On or before the last day of July of each year, or at such other times as the City Council may require, the City Manager shall submit to the Council an estimate in detail of the probable expenditure of the City Government for the next ensuing fiscal year, including amount needed to meet interest and sinking funds for outstanding bonded indebtedness, special assessments on City property and all other forms of indebtedness.

The City Council shall meet on the first Tuesday in July of each year, or at such other times as may be fixed by law, and shall, in the manner and within the time provided by the laws of the State and this Charter, prepare, publish and file with the County Excise Board a financial statement, showing the true fiscal condition of the municipality as of the close of the previous year, and an itemized statement of estimated needs, and probable income from sources other than ad valorem tax for the current fiscal year and such statements shall in all respects meet the requirements of the State law with respect thereto.

(Charter, 3-14-1911; am. 4-2-1957)

Section 3. Powers—Taxes.

The City shall have and may exercise such power and authority as is now conferred upon it by the Constitution and laws of the State of Oklahoma and this Charter. As to such powers as may now exist or be hereafter conferred upon it by the Constitution and laws of the State of Oklahoma, the City shall have the power to levy, assess and collect taxes on persons, incomes, privileges, subjects, occupations and property of all character and description within the City limits of the City, as the Council shall determine by ordinance.

(Charter, 4-2-1957)

Section 4. May Refund Indebtedness.

The City is hereby authorized and empowered to refund its indebtedness as provided by the laws of the State of Oklahoma.

(Charter, 3-14-1911; am. 6-18-1985; am. 10-14-2003)

Section 5. Grafting Prohibited.

The receiving, directly or indirectly, by any officer of said City for the officer's own use and benefit or any other use or purpose other than is authorized and provided in this Charter and the laws of the State, of any interest, profit or perquisites arising from the use or loan of public funds in the officer's hands or to be raised through the officer's agency for city purposes, shall be deemed sufficient cause to forfeit office, and the person so receiving shall then and there forfeit the office and be disqualified to hold office.

(Charter, 3-14-1911; am. 8-4-2021)

ARTICLE VIII. PUBLIC SERVICE CORPORATIONS

Section 1. Reservation of Control over Public Highways—Charges Regulated—Exclusive Franchise Prohibited.

No grant, extension or renewal of any franchise or other use of the streets, alleys, or other public grounds or ways of this municipality, shall divest the City of its control and regulation of such use and enjoyment. Nor shall the power to regulate the charges for public services be surrendered and no exclusive franchise shall ever be granted.

(Charter, 3-14-1911)

Section 2. Council Shall Frame Laws.

The City Council shall be vested with the power of adopting all laws and ordinances not inconsistent with the Constitution and laws of this State for the taxation, regulation and control of all public service and public utility corporations now or hereafter existing or operating, in whole or in part, within the City.

(Charter, 3-14-1911)

Section 3. Power of Taxation Over Public Service Corporations.

All public service and public utility corporations now or hereafter existing or operating within the City, whether in whole or in part, shall be subject to the levy, collecting and payment of all taxes as are now or as hereafter may be authorized by the Constitution and the laws of the State of Oklahoma, and by this Charter.

(Charter, 3-14-1911)

Section 4. Power of Taxation in City Council.

The City Council shall have the power to impose an annual tax on the gross receipts of any public service or public corporation operating, in whole or in part, within the City, and shall have the power to impose a per capita tax on the passengers transported, a license tax on the cars used in transporting passengers, or both, and an annual tax on the gross receipts of any street railroad corporation operating, in whole or in part, within the City, and shall have the power to impose and levy any and all other taxes upon all public service and public utility corporations operating, in whole or in part, within the City, authorized by the Constitution and laws of this State and by this Charter; but this power shall not be used to impair or violate the obligation of any franchise contracts between the City and any such public service and public utility corporation.

(Charter, 3-14-1911; am. 4-2-1957)

ARTICLE IX. GENERAL PROVISIONS

Section 1. Franchise Solicitor Must Pay Election Expense.

No election shall be called for the purpose of submitting the question of the grant, renewal or extension of a franchise unless and until the grantee named therein shall provide by an adequate cash deposit with the City Treasurer to be estimated by the Council for the payment in full of all expenses of such election.

(Charter, 3-14-1911; am. 4-2-1957)

Section 2. Franchise Must Provide for Free Transportation of United States Mail Carriers, Policemen and Firemen.

The grant, extension, enlargement or renewal of every franchise for a street, suburban or interurban railroad, railway or bus line shall provide that all United States Mail Carriers and all Policemen and Firemen of the City, in uniform and wearing badge, and while in the actual discharge of their duties, be allowed to ride on the cars or busses of such railroad or railway within the boundaries of the City without paying therefor, and with all the rights of other passengers.

(Charter, 3-14-1911; am. 4-2-1957)

Section 3. Claims Against City.

Within 90 days after the adoption of this Amended Charter, the Council, by ordinance, shall adopt and prescribe rules and regulations pertaining to how claims against The City are to be submitted.

(Charter, 3-14-1911; am. 4-2-1957, am. 6-18-1985)

Section 4. Contracts—How Let—Advertisements—Bids, Plans, Specifications, Profiles and Estimates.

Except in the case of contracts for purchase of books, periodicals, pamphlets, or manuscripts, all contracts pertaining to public improvements, maintenance of public property, and construction of whatever character involving an outlay and expenditure of City funds in excess of an amount to be established by the Council and those for purchase of public printing, purchases of supplies or non-professional services, and all other contracts on the part of the City of similar character involving an outlay and expenditure of City funds in excess of an amount to be established by the Council shall be based upon an agreement approved by Council. Such contracts shall be entered into only after advertisement not less than one time in a daily newspaper published in the City inviting competitive bids; provided, however, should the Council find that an immediate emergency exists, which findings should be entered on the journal of its proceedings, by reason of which an immediate outlay of City funds, in an amount to be established by the Council, is necessary in order to avoid loss of life, substantial damage to property, or damage to the public peace, or safety, then contracts may be made and entered into without advertisement or competitive bids. Such competitive bids shall be submitted in the manner to be established by the Council, and one copy of each bid shall be filed with the City Clerk. Each successful bidder shall accompany the contract with a statement in writing that the bidder has not, directly or indirectly, entered into any agreement, express or implied, with any other bidder or bidders, having for its object the controlling of the price or amount of such bid or any

bids, the limiting of the bids or bidders, the parceling or farming out to any bidder or bidders or other persons of any part of the contract or any part of the subject matter of the bid or of the profits thereof. No bidder shall divulge the contents of the bid to any person whomsoever, except those having a partnership or other financial interest with the bidder in said bid, until after the bids are opened. A violation of any one of the foregoing provisions on the part of the bidder shall make void any contract made by the bidder with the City based upon such bid. The awarding of a contract upon a successful bid shall give the bidder no right to action or claim against the City upon such contract until the same shall have been reduced to writing and duly signed by the contracting parties. The bid filed with the City Clerk shall be opened in the presence of the Purchasing Agent or the Purchasing Agent's designee, the City Clerk or the City Clerk's designee and the City Auditor or the City Auditor's designee and shall remain on file with the City for two days before any contract shall be entered into based upon such bid. As used in this section, "opened" shall mean publicly revealed on the date and at the time and place provided in the bid specifications.

The Council shall consider the bids, and may reject all bids and readvertise for bids, or may enter into contract with the party offering the lowest and best bid, or may have such work done under the supervision of the proper department, keeping account of the expense thereof.

Pending advertisement for bids, the plans, specifications and profiles shall remain on file in the office of the City Clerk, subject to the inspection of any person. For the safeguarding of the interests of the City, the Council shall make such regulations providing for the filing of the estimate of cost furnished them by the City Engineer as they shall deem best. The Council shall have power to require of bidders such bonds or cash deposits as it may deem proper to secure the performance of the contract, and to cover and reimburse the City for any losses or damage arising from the failure to comply with the bid.

Notwithstanding the above, City Purchasing Agent(s) designated by the City Manager shall have the option to purchase:

- (a) In those instances where purchases below an amount to be established by the Council can advantageously be made or in those instances where purchases can advantageously be made under State contracts which have been let by the State pursuant to Title 74 O.S. § 85.7; provided, for purchases under a State contract, the State contract shall be presented to Council for its approval prior to purchases in an amount to be established by the Council.
- (b) In those instances where it would be advantageous for the City to participate in purchasing under joint purchasing arrangements with other cities in or out of State; provided that such purchases shall be made pursuant to bid procedures which substantially comply with those of The City of Oklahoma City and provided that such bid procedures and purchases shall be approved by the Council prior to purchases in an amount to be established by the Council.
- (c) From competitively bid contracts entered by a public trust of which the City is a beneficiary, provided that the procedure followed by the trust for establishing the purchase price complied with the same or substantially similar competitive bidding advertisement procedures as set forth in this section.

(Charter, 3-14-1911; am. 4-2-1957, am. 6-18-1985; am. 11-7-2000; am. 10-14-2003; am. 8-4-2021)

Section 5. Officers May Administer Oaths.

The Mayor, the members of the City Council, Municipal Judges, Municipal Counselor, and the City Clerk shall have power to administer oaths.

(Charter, 3-14-1911; am. 4-2-1957)

Section 6. Reserved.

Section 7. Individual Liability of Officers.

Every officer who shall approve, allow or pay any demand on the treasury of the City not authorized by law, ordinance or this Charter shall be liable to the City individually and on the officer's official bond for the amount of the demand so illegally approved, allowed or paid.

(Charter, 3-14-1911; am. 8-4-2021)

Section 8. Reserved.

Section 9. Amendment of Charter.

This Charter may be amended at any time at an election at which the proposed amendment is submitted to a vote of the qualified electors of the City, by a majority vote of the electors voting at such election on such proposed amendment.

The Council may submit any proposed amendment to this Charter to a vote of the qualified electors of the City at any general election or at a special election. At such elections the General Election Laws of the State shall govern.

(Charter, 3-14-1911; am. 4-2-1957)

Section 10. Initiative and Referendum Vitalized.

Section 4-a, Section 4-b, Section 4-c, Section 4-d, and Section 4-e of Article XVIII of the Constitution of the State of Oklahoma, under the title, "Initiative and Referendum," are hereby adopted and made in full force and effect as if copied word for word in the body of this Charter, and Title 34, Oklahoma Statutes, 1951, "Initiative and Referendum," and all sections thereof, are hereby adopted in full force and effect as if copied word for word in the body of this Charter; and repeal thereof shall not constitute an amendment to or removal from this Charter.

(Charter, 3-14-1911; am. 4-2-1957)

Section 11. City Clerk to Amend Terms in the Charter to Consistently Refer to Officers Elected from Wards as "Councilmember," "Councilmembers," "Councilor," or "Councilors."

The City Clerk shall work with the Municipal Counselor to redraft all references to "Councilman" or "Councilmen" to consistently refer to officers elected from wards as "Councilmember," "Councilmembers," "Councilor," or "Councilors," as grammatically appropriate.

(Charter, 11-3-2020; am. 8-4-2021)

ARTICLE X. GENERAL ELECTIONS AND RUNOFF ELECTIONS

Section 1. General Elections and Runoff Elections for Mayor and Council.

- (a) On the second Tuesday of February of each odd-numbered year, a general election shall be held in the City for the nomination of candidates for the office of Councilmember from each ward for which the term of the incumbent Councilmember expires in that year. Candidates for Councilmember shall be nominated by the qualified electors of the respective wards, of which wards said candidates must be residents.
- (b) On the second Tuesday of February in the year 2022, and each succeeding fourth year thereafter, a general election shall be held in the City for the nomination of candidates for the office of Mayor. Candidates for the office of Mayor shall be nominated by the qualified electors of the City voting at-large.
- (c) At any general election when there are two or more candidates for the office of Councilmember in any ward, then the two candidates receiving the highest number of votes for such office shall be declared the nominees from that ward, and when there are two or more candidates for Mayor, the two candidates receiving the highest number of votes from the City at-large shall be declared the nominees for Mayor, and the names of the candidates for Councilmember or for Mayor so nominated shall appear accordingly on the City runoff election ballot on the succeeding first Tuesday of April. Provided, if any candidate for the office of Mayor or Councilmember is unopposed in the general election or subsequent thereto, or receives a majority of all the votes cast in the general election, then such candidate shall be deemed elected to the office for which such person was a candidate, and it shall not be necessary for the candidate's name to be placed on the ballot at the succeeding City runoff election, and it shall be the duty of the County Election Boards of each of the respective counties within which the corporate limits of The City of Oklahoma City are situated, to issue jointly to such candidate, within six days after the date designated for the City runoff election, a certificate of election in due and proper form as provided by law.
- (d) In the event the Council exercises its authority under Article XI of this Charter to enact an ordinance creating more than eight (8) wards within the City, the Council shall provide in such ordinance for the initial special election of, and the initial terms of office for, the Councilmembers from the additional wards, which initial terms of office may commence on any Tuesday of the year specified in such ordinance by Council. The terms of office of the initial Councilmembers from the additional wards shall expire thereafter on the second Tuesday in April in the odd-numbered year or years specified in the ordinance by Council. The successors of the initial Councilmembers from the additional wards shall be elected in the odd-numbered year or years in which the terms of the initial Councilmembers expire in accordance with Subsections (a) and (c) of this section. Such successors shall serve full four (4) year terms as provided by Section 2 of Article II of this Charter. Any other applicable provisions of this Charter and Oklahoma law shall be followed by Council in carrying out the provisions of this Subsection.

(Charter, 2-8-57; am. 4-2-1957, am. 3-16-1971, am. 6-26-1990; am. 10-14-2003; am. 8-4-2021)

Section 2. Declaration of Candidacy—Procedure.

(a) Any person qualified to hold the office of Mayor or Councilmember under this Charter may become a candidate for such office by filing a declaration of candidacy with the Oklahoma County Election Board during the time period provided by State law and designated by the Oklahoma County Election Board. The declaration of candidacy shall be in writing and shall set forth the following information:

- (1) The candidate's name as the candidate desires it to appear upon the ballot, and
- (2) The candidate's address by street number, and
- (3) The candidate's ward, and
- (4) The office for which the candidate desires to become a candidate.

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- (b) A declaration of candidacy must be accompanied by a cashier's check or certified check in the amount of \$200.00; or in the alternative by a petition supporting the candidate's filing signed by 2,500 registered voters eligible to vote for the candidate if the filing is for the office of Mayor or by 500 registered voters eligible to vote for the candidate if the filing is for the office of Councilmember. If a cashier's or certified check is submitted to the Oklahoma County Election Board pursuant to this subsection, said check shall be forfeited to the said Election Board and the proceeds therefrom used to defray the costs of the election for the office for which the declaration of candidacy was filed; provided, said check shall be returned to the candidate immediately if the candidate is unopposed in the general election, receives more than fifteen percent (15%) of the total votes cast in the general election, or becomes a candidate in the runoff election.

(Charter, 4-2-1957; am. 3-16-1971, am. 12-14-1976, am. 3-15-1994; am. 10-14-2003; am. 8-4-2021)

Section 3. Mayor and City Council Elections—How Called—Notice—Terminology for Elections to be Revised to be Consistent Throughout this Charter.

- (a) The Mayor or the Chief Executive Officer of The City of Oklahoma City shall call the general and runoff elections of officers provided for in this Charter and its amendments, and the City Clerk shall give notice of such elections as provided for by State law.
- (b) The term "primary election" wherever used in this Charter prior to the effective date of this amendment shall be revised by the City Clerk to read "general election" and the term "general election" wherever used in this Charter prior to the effective date of this amendment shall be revised by the City Clerk to read "runoff election."

(Charter, 2-8-1927; am. 6-26-1990; am. 8-4-2021)

Section 4. Nominees—How Voted On.

Any candidate for the office of Councilor who was a nominee at the general election but who is not entitled to a certificate of election as provided for in Section 1 of this Article shall be voted upon in the runoff City election only by the qualified voters in their respective wards. Any candidate for the office of Mayor who was nominated for the office at the general election but who is not entitled to a certificate of election as provided for in Section 1 of this Article shall be voted upon at large in the runoff City election.

(Charter, 4-2-1957; am. 8-4-2021)

Section 5. General Election Laws Applicable.

Except as in this Article X provided, in said general election for the nomination of the Mayor and the Councilors and in the runoff election and canvass of returns and all other proceedings whatever relating to said elections, either general or runoff, the general laws of this State applicable to municipal elections and primaries are hereby adopted and put into full force and effect with the further exception and proviso that on the general and runoff election ballots no party emblem or party designation shall appear and the names of all nominees who are required to be on the ballot shall appear in one column.

(Charter, 2-8-1927; am. 4-2-1957; am. 8-4-2021)

Section 6. Runoff Elections—When Held.

The election of one Councilor in each ward to succeed the incumbent whose term of office first expires shall be had and held on the first Tuesday in April of each odd numbered year, beginning in the year 1957, and on the first Tuesday in April every four years thereafter. The election of a Mayor shall be had and held on the first Tuesday in April in the year 1959 and on the first Tuesday in April each four years thereafter until and including the year 1991. Following the year 1991, the election of a Mayor shall be had and held on the first Tuesday in April in the year 1994 and on the first Tuesday in April each four years thereafter.

(Charter, 4-2-1957; am. 6-26-1990; am. 8-4-2021)

Section 7. Reserved.

ARTICLE XI. WARDS

Section 1. Redistrict Wards.

Utilizing the 1970 Federal Decennial Census the boundaries and ward lines of each ward were changed by Ordinance No. 14,060 whereby the area of each ward was reapportioned based upon equalization of population. It shall be the mandatory administrative function and duty of the City Council and the members thereof within one year from the receipt of the Federal Decennial Census of 1980 (Census of Housing: Block Statistics, Final Report, Oklahoma City Urbanized Area) by Oklahoma depository libraries and each succeeding Federal Decennial Census (Census of Housing: Block Statistics, Final Report, Oklahoma City Urbanized Area) by Oklahoma depository libraries thereafter, to ascertain based upon the said Federal Decennial Census the population in each of the City wards at such time. If and when the population as ascertained by the said Federal Decennial Census in any ward is greater than any other ward, it shall be the mandatory duty of the Council to redistrict the wards by changing the boundaries of the existing wards or creating additional wards so as to equalize, as nearly as practicable, the population of the several wards of the City, and shall by ordinance define the boundaries thereof. The wards shall be as compact in form as possible and ward lines shall not set up artificial corridors which in effect separate voters from the ward to which they most naturally belong.

(Charter, 4-2-1957; am. 3-18-1975)

Section 2. Additional Wards and Boundary Change of Wards.

The City Council may, at other periods than those directed in Section 1 hereof, in the manner and upon the basis stated and provided for in Section 1 hereof, create additional wards or change the boundaries of existing wards so as to equalize, as nearly as practicable, the population of the several wards of the City.

(Charter, 4-2-1957; am. 3-18-1975)

ARTICLE XII. OIL AND GAS ZONE EXTENSION

Section 1. Oil and Gas Drilling Zones—Approval by Electors.

The City Council of Oklahoma City, Oklahoma, shall not pass any ordinance, motion or resolution creating any additional zone for drilling for oil or gas, nor shall said Council amend any existing ordinance, relating to the drilling

of wells for the production of oil or gas within the said City whereby the U-7 or Oil Drilling Zone is enlarged or extended until the question has been submitted to the qualified electors of The City of Oklahoma City, and approved by them by a majority vote of those voting at said election; such question to be submitted to the said electors at a general or special election.

(Charter, 11-28-1934)

Section 2. Submission of Ordinance by Council.

The City Council of The City of Oklahoma City may, on its own motion, submit to the qualified voters of the said City any ordinance or resolution having for its purpose the creation of an additional Oil or Gas Drilling Zone, or extension of present Oil and Gas Drilling Zone, defined by the ordinances now in force relating to drilling for oil or gas, within said City, the costs of said election to be paid out of moneys appropriated by the said City for special elections.

(Charter, 11-28-1934)

Section 3. Petition for Additional Zones—Deposit for Election Expense.

Whenever any person, firm or corporation shall file with the City Clerk of said City a petition or request in writing for the creation of an additional Oil or Gas Drilling Zone or for the extension of the U-7 Drilling Zone as now defined by ordinance, the Mayor of said City shall submit said petition or request to the qualified electors of the said City at the next general election held in said City for the election of City officers, or at a special election at which the said petition or request shall be submitted to the voters for their approval or rejection.

Provided: No election shall be called for the purpose of submitting any petition or request of any person, firm or corporation for the extension of the U-7 Drilling Zone as now defined by ordinance, or the creation of new drilling zones, unless and until such person, firm or corporation filing such petition or request shall provide an adequate cash deposit with the City Treasurer to be estimated by the City Council of said City, for the payment in full of all expenses of such election.

And provided further that these amendments shall not affect any ordinance or resolution by the Council passed prior to the adoption and approval thereof as provided by law, or have any retroactive effect.

(Charter, 11-28-1934)

ARTICLE XIII. REPEAL OF EXISTING CHARTER

Section 1. Repeal of Existing Charter.

All matter in the existing Charter, whether an article, section, clause, phrase, or word, not included in this Revision or Proposed Amended Charter, is hereby repealed.

(Charter, 4-2-1957)