

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 2127

By: Sullivan (Leonard)

AS INTRODUCED

An Act relating to cities and towns; amending 11 O.S. 1991, Section 43-101, which relates to general building and zoning powers of municipalities; prohibiting municipalities from regulating height of certain structures; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 11 O.S. 1991, Section 43-101, is amended to read as follows:

Section 43-101. A. For the purpose of promoting health, safety, morals, or the general welfare of the community, a municipal governing body may regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

B. Despite any provision of law to the contrary, it is the intent of the Legislature and the Legislature so determines that the regulation of the height of religious structures is in the wider

public interest of this state and not purely a municipal interest
and therefore municipal governing bodies shall not regulate or
restrict the height of any religious structure on property owned and
used strictly for religious or church purposes.

SECTION 2. This act shall become effective November 1, 1997.

46-1-5936

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