

ENGROSSED SENATE
BILL NO. 1205

By: Easley of the Senate
and
Boyd of the House

[metropolitan area planning commission - approval -
hazards - hearing - appeal -
effective date]

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

SECTION 1. AMENDATORY 19 O.S. 1991, Section 863.8, is amended to read as follows:

Section 863.8 From and after the adoption of the master plan or portion thereof and its proper certification, ~~then and henceforth~~ no improvement of a type embraced within the recommendations of the master plan shall be constructed or authorized without first submitting the proposed plans thereof to the metropolitan area planning commission and receiving the written approval and recommendation of ~~said~~ the commission; provided, however, that this requirement shall be deemed to be waived if the commission fails to make its report and recommendations within forty-five (45) days after the receipt of the proposed plans, and provided further that the disapproval or recommendations of the commission may be overruled by a two-thirds (2/3) vote, properly recorded, of any regularly constituted governmental legislative body, board of county commissioners, or officials sponsoring or acting upon the proposed improvements, after the reasons for such overruling are spread upon its minutes. The commission may withhold its approval and recommendation if it finds that the impact of the proposed improvement due to congestion, overcrowding, drainage, fire or other hazard poses a threat to quality of life or general welfare of the

area. A person aggrieved by a decision of the commission to grant or withhold its approval may request a hearing before the board or council, whichever body has jurisdiction over the territory affected by the proposed improvement. The decision of the board or council shall be final. No appeal to district court may be taken except from a final decision of the board or council.

SECTION 2. This act shall become effective November 1, 2000.

Passed the Senate the 13th day of March, 2000.

President of the Senate

Passed the House of Representatives the ____ day of _____,
2000.

Speaker of the House of
Representatives