

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 56th Legislature (2018)

4   HOUSE BILL 3392

By: Goodwin of the House

5   and

6   Griffin of the Senate

7  
8  
9   AS INTRODUCED

10           An Act relating to cities and towns; amending 11 O.S.  
11           2011, Section 43-103, which relates to municipal  
12           regulations; requiring municipalities to prohibit  
13           curb structures across driveways of multi-family  
14           dwelling; defining terms; and providing an effective  
15           date.

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

17           SECTION 1.       AMENDATORY       11 O.S. 2011, Section 43-103, is  
18           amended to read as follows:

19           Section 43-103.   A.   Municipal regulations as to buildings,  
20           structures and land shall be made in accordance with a comprehensive  
21           plan and be designed to accomplish any of the following objectives:

- 22           1.   To lessen congestion in the streets;
- 23           2.   To secure safety from fire, panic and other dangers;
- 24           3.   To promote health and the general welfare, including the  
            peace and quality of life of the district;

- 1        4. To provide adequate light and air;
- 2        5. To prevent the overcrowding of land;
- 3        6. To promote historical preservation;
- 4        7. To avoid undue concentration of population; or
- 5        8. To facilitate the adequate provision of transportation,
- 6 water, sewerage, schools, parks and other public requirements.

7        B. The regulations shall be made with reasonable consideration,  
8 among other things, as to the character of the district and its  
9 peculiar suitability for particular uses, and with a view to  
10 conserving the value of buildings and encouraging the most  
11 appropriate use of land throughout the municipality. The governing  
12 body shall provide the manner in which regulations, restrictions and  
13 district boundaries shall be determined, established and enforced,  
14 and amended, supplemented or changed.

15        C. A municipality shall prohibit any curb structure across a  
16 driveway of a multi-family dwelling that creates unsafe or  
17 unreasonable access for pedestrians or any person not using a  
18 vehicle accessing a multi-family dwelling from a road. As used in  
19 this subsection:

20        1. "Disabled" means a physical or mental impairment that  
21 substantially limits one or more major life activities;

22        2. "Driveway" means a vehicular access roadway, lane or any  
23 other way serving a multi-family dwelling; and  
24

1        3. "Multi-family dwelling" means multi-unit housing solely  
2 occupied by individuals age fifty-five (55) years or older,  
3 including individuals age fifty-five (55) years or older and  
4 disabled.

5        SECTION 2. This act shall become effective November 1, 2018.

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7 COMMITTEE REPORT BY: COMMITTEE ON COUNTY AND MUNICIPAL GOVERNMENT,  
8 dated 03/01/2018 - DO PASS, As Coauthored.  
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