

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

HOUSE BILL 3392

By: Goodwin

AS INTRODUCED

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

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

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

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

1. To lessen congestion in the streets;
2. To secure safety from fire, panic and other dangers;
3. To promote health and the general welfare, including the peace and quality of life of the district;
4. To provide adequate light and air;
5. To prevent the overcrowding of land;
6. To promote historical preservation;

1 7. To avoid undue concentration of population; or

2 8. To facilitate the adequate provision of transportation,
3 water, sewerage, schools, parks and other public requirements.

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

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

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

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

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

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

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