

**ORDINANCE NO. 2013-07**

**AN ORDINANCE AMENDING CHAPTER 18, AND ADDING A NEW ARTICLE XI, CARPORTS, TO THE CITY OF SALLISAW CODE OF ORDINANCES AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SALLISAW, OKLAHOMA.**

**SECTION 1.**

Chapter 18 the Sallisaw Code of Ordinances be amended by adding and enacting the following article, to-wit:

**ARTICLE XI. CARPORTS**

Section 18-370:

Carports are permitted to be added to an existing single-family or two-family residential structure subject to the code of the City of Sallisaw and the following requirements. Requirements for erection or construction of carports in single-family or two-family residential zones are:

Sec. 18-371 Fee and permit:

A permit fee as established in Miscellaneous Permits by the City of Sallisaw Master Fee Schedule shall to be paid upon filing an application for a permit to the Building Development Department for the erection or construction, in whole or in part, of a carport. Any person erecting or constructing a carport, in whole or in part, shall obtain a building permit and pay the permit fee. It shall be unlawful for any owner, contractor or agent of the home owner to erect or construct, in whole or in part, a carport without having first obtained a permit and paid the appropriate fee.

Sec. 18-372. Application:

Application for a permit shall be made in writing on a form prescribed by the Building Development Department and shall be made by the owner of the subject property, their agent or by a licensed contractor employed in connection with the proposed work. The application shall contain:

- a) Address of the applicant and the subject property;
- b) A detailed drawing showing the specifications for the carport and compliance with other requirements or ordinances; and
- c) A detailed site drawing showing the location of the carport, residence, fences, adjacent residence and accessory structures with all relevant distances noted; and
- d) Any other information deemed necessary by the Building Development department.

Sec. 18-373. Existing carports:

Where a lawful carport exists at the effective date of this ordinance, such carport may continue to exist so long as it remains otherwise lawful, subject to the following provisions:

- a. No such carport may be enlarged or altered unless a variance is granted by the Board of Adjustments.
- b. Should a carport be damaged or destroyed, it shall be removed and/or replaced in conformity with the provisions of this ordinance.

Sec. 18-374. Setback:

All carports must comply with front and side yard setback requirements of the district within which it lies. On Lots less than 60 feet feet, a carport may extend beyond the required front yard setback provided that no part of the carport may extend into the fifteen (15) feet nearest the street and no part thereof extends into any sight triangle.

Sec. 18-375. Openings:

Carports shall be permanently open on three (3) sides. The two (2) sides from grade surface to the eave line may be modified by special use permit from the Planning Commission. See 18-382 for guidelines of special use permit.

Sec. 18-376. Parking surface:

Carports shall be located over a permanent hard impervious surface.

Sec. 18-377. Property coverage or allowances:

There shall be no more than one (1) carport per dwelling unit.

Sec. 18-378. Maintenance:

Carports shall be kept in an attractive state and in good repair in a safe and sanitary condition.

Sec. 18-379. Design and Dimensions:

Carports shall be designed, constructed, erected and installed in accordance with the building codes and regulations as from time to time adopted by the City of Sallisaw and the Oklahoma Uniform Building Code Commission. The following specification shall be considered the minimum standard for Carports unless the adopted code(s) are more stringent.

Carports constructed in conjunction with a single-family dwelling or two-family dwelling shall not exceed eighteen (18) feet in width for a single garage and/or driveway, and shall not exceed twenty-four (24) feet in width for a double garage and/or driveway. No carport shall exceed twenty-four (24) feet in width nor twenty (20) feet in length when measured from eave line to eave line.

- a) Carports shall be supported by columns that are not less than two and one-half (2½) inches in diameter, square or round tubing, and from material that is no less than fourteen (14) gauge steel set in concrete. Any support column may be used which meets or exceeds the equivalent strength of the materials above described.
- b) The concrete shall have a relative strength of two thousand (2000) pounds per square inch or greater and not less than twelve (12) inches in diameter and twenty-four (24) inches in depth. Any support column may be used which meets or exceeds the equivalent strength of the materials above described.
- c) Carports shall be designed to support a live load of not less than twenty (20) pounds per square foot plus the weight of the structure.
- d) Metal carports shall be constructed of material not less structurally sound than twenty-six (26) gauge steel or twenty-five (25) gauge aluminum decking with baked-on enamel finish to be compatible with the exterior finish of the dwelling.
- e) Carport roof slopes shall meet minimum manufacturer's requirements, but shall not be less than a 1/12 pitch or one (1) inch rise per twelve (12) inches of run.
- f) All water discharge from the roof shall be diverted into the street and away from adjacent properties by all means necessary.

- g) The underside of the carport shall only be enclosed with like materials that are approved by the building code.
- h) No part of the interior of the carport shall be less than seven feet six inches in height.
- i) No carport shall exceed eight (8) feet in height at its perimeter, nor ten (10) feet at the highest point of its interior ceiling. Carports which are not an integral part of the principal building shall not exceed ten (10) feet in height at their highest horizontal point. All heights shall be measured from the average ground elevation at the perimeter of the carport.
- j) Recreational Vehicles carports may be allowed only by Special Use Permit.

Sec. 18-380. Approved Uses :

The entire area under a carport shall only be used to park operable licensed motor vehicles (i.e., cars, pickup trucks, vans, sport utility vehicles and vessels), which are customarily accessory to the dwelling. No other use of this area shall be permitted.

Sec. 18-381. Prohibited Uses:

Carports shall not be used for the outside storage of materials, equipment or goods or the parking and/or storage of inoperable vehicles.

Sec. 18-382. Altering Design/Special Use Permit:

a) Carports may be altered in design for the purpose of weather protection of the user only. An application to the Sallisaw Planning Commission for special use permit shall be submitted prior to construction of said unit on a form provided by the Building Development Office. The Fee for a Special Use Permit shall be set forth in the Master Fee Schedule.

b) Recreational Vehicles carport may be installed by Special Use Permit only. An application to the Sallisaw Planning Commission for special use permit shall be submitted prior to construction of said unit on a form provided by the Building Development Office. The Fee for a Special Use Permit shall be set forth in the Master Fee Schedule.

Sec. 18-383. Fines:

Any person who fails to obtain a permit shall be liable to pay a fine of \$25.00 a day and double permit fees for failure to comply with Section 18-371.

Sec. 18-384. Dilapidation and Disrepair:

Any person who fails to maintain a carport may be subject to a \$50 fine, dismantling and removal of said carport. The cost if removed by the City, shall be assessed to the owner or occupant of said property.

**SECTION 2.**

**WHEREAS**, an emergency and immediate necessity exists by reason of the health, safety and protection of the citizens of Sallisaw; therefore, an emergency is hereby declared to exist by reason whereof this Ordinance shall be in full force and effect from and after its passage and approval.

**APPROVED** this 12th day of August, 2013.

**CITY OF SALLISAW, OKLAHOMA**

By: \_\_\_\_\_

*Shannon Vann*  
**SHANNON VANN, Mayor**

**ATTEST:**

*Dianna Davis*  
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**DIANNA DAVIS, City Clerk**

[SEAL]

