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CHAPTER 2: ADMINISTRATION AND GOVERNMENT

ARTICLE 1

TOWN BOARD OF TRUSTEES

SECTION 2-101 GENERAL POWERS.

A. The town is governed by the board of trustee's form of government. Pursuant to the provisions of Section 12-101 of Title 11 of the Oklahoma Statutes, the town shall have all the powers, functions, rights, privileges, franchises and immunities granted, or which may be granted to towns governed by the statutory town board of trustee's form of government. These powers shall be exercised as provided by law applicable to towns under the board of trustee's form of government, or, if the manner is not prescribed, then in such manner as the board of trustees may prescribe.

B. The powers, rights and authorities of the town, including the determination of matters of policy, shall be vested in and exercised by the board of trustees.

State Law Reference: Town form of government, 11 O.S. § 12-101.

SECTION 2-102 BOARD OF TRUSTEES.

A. The board of trustees shall consist of five (5) members who shall be nominated and elected at large without regard to their place of residence within the corporate limits of the town.

B. The term of office for a trustee shall be four (4) years beginning at 12:00 noon on the second Monday following the general municipal election. The trustee shall serve until his successor is elected and qualified. The terms of the trustees shall be staggered.

C. The resolution of the board of trustees calling for a general or special election to fill the office of trustee shall state the number of four-year terms and the number of unexpired terms, if any, to be filled.

State Law Reference: Governing board, 11 O.S. §§ 12-102, 12-103; Terms of office, 11 O.S. § 8-102; Elections, 11 O.S. § 16-205; Vacancies in office of trustee, 11 O.S. § 8-109; Election of board at large and not by ward, 11 O.S. § 12-102.1.

SECTION 2-103 MEETINGS OF THE TOWN BOARD. *second*

A. The board of trustees shall meet regularly, on the ~~first~~ *second* Monday of each month at 7:00 P.M. and at such times or at such other dates as may be prescribed by trustee action at the town hall. Where the day for a meeting falls upon a day which is a legal holiday in the state, the meeting shall be held on the next succeeding day which is not a holiday. A majority of all the members of the board shall constitute a quorum to do business, but a smaller number may adjourn from day to day.

B. Every meeting of the board of trustees shall be held in the town hall unless, in case of an emergency, the mayor designates another place in the town for the holding of a special meeting. Any adjourned meeting may be held at any other place within the town designated by the board C.

Special or Emergency Town Board Meetings may be called by the Mayor or/any two (2) trustees of the Town Board, in accordance with the following provisions:

1. Special meetings shall not be held without public notice being given at least forty-eight (48) hours, prior to said meeting. Such public notice of the date, time and place of a special meeting shall be given in writing, in person, or by telephonic means to the clerk.

2. At least twenty-four (24) hours prior to the special meeting, a written public notice of the special meeting shall be prominently posted in the town hall. Such notice shall include the date, time, place, and agenda for the special meeting, and only items appearing on the agenda shall be considered at the meeting. The twenty-four (24) prior public posting shall exclude Saturdays, Sundays, and holidays legally declared by the State of Oklahoma.

D. The Mayor and/or one (1) trustee of the Town Board shall have the power and are hereby authorized to place any agenda item of business on any regular, special or emergency meeting of the Town Board.

State Law Reference: Meetings of trustees, 11 O.S. § 12-107; Open meeting and notice requirements, 25 O.S. § 301-314.

SECTION 2-104 RULES OF ORDER AND PROCEDURE.

A. The board may determine its own rules, and may compel the attendance of absent members in the manner and under penalties as the board may prescribe. Whenever a trustee is absent from more than one-half of all meetings of the board, regular and special, held within any period of four (4) consecutive months, he shall thereupon cease to hold office.

B. The order of business for each meeting of the board may be as posted on the agenda for the meeting.

C. The following rules of procedure shall apply to any regular or special meeting of the board unless two (2) trustees agree to waive the rule or rules:

1. If requested by the mayor or any board member, any motion shall be reduced to writing;

2. A motion to reconsider any of the proceedings of the board shall not be entertained unless it is made by a member who previously voted in the majority;

3. No motion shall be debated or put until it be seconded and stated by the mayor. It is then and not until then in possession of the board and cannot be withdrawn but by leave of the board;

4. A motion to adjourn shall be in order at any time, except as follows:

a. When repeated without intervening business or discussion;

b. When made as an interruption of a member while speaking;

c. When the previous question has been ordered; or

d. While a vote is being taken.

A motion to adjourn is debatable only as to the time to which the meeting is adjourned;

5. When a question is under debate, no motion shall be received but:

- a. To adjourn;
- b. To lay on the table;
- c. For the previous question;
- d. To postpone to a day certain;
- e. To commit;
- f. To amend; or
- g. To postpone indefinitely,

which several motions shall have precedence in the order they stand arranged;

6. When a proper motion is made, but information is wanted, the motion is to postpone to a day certain;

7. Matters claiming present attention for which it is desired to reserve for more suitable occasion, the order is a motion to lie on the table; the matter may then be called for at any time. If the proposition may need further consideration at the hands of a committee, the motion is to refer to a committee, but if it needs but a few and simple amendments, the board shall proceed to consider and amend at once;

8. On an amendment being moved, a member who has spoken on the main question may speak again to the amendment;

9. The question is to be put first on the affirmative and then on the negative side. After the affirmative part of the question has been put, any member who has not spoken before to the question may arise and speak before the negative to be put; and

10. When a question has been moved and seconded and has been put by the presiding officer in the affirmative and negative, it cannot be debated unless under motion for reconsideration.

SECTION 2-105 TRUSTEES MAY BE DESIGNATED TO PERFORM DUTIES.

The board of trustees may designate various ones of its members or a committee of its members to have supervision of various personnel and activities of the town, such as streets, water systems and so on, and may give each such trustee or committee designated an appropriate title. Each such trustee or committee so designated shall be subordinate to the board.

ARTICLE 2

MAYOR

SECTION 2-201 ELECTION AND DUTIES OF THE MAYOR.

A. The board of trustees shall elect from among its members a mayor. The mayor shall be elected in each odd-numbered year at the first board of trustees meeting held after trustee terms begin, or as soon thereafter as practicable. The mayor shall serve until his successor has been elected and qualified.

B. The mayor shall preside at meetings of the board and shall certify to the correct enrollment of all ordinances and resolutions passed by it. He shall be recognized as head of the town government for all ceremonial purposes and shall have such other powers, duties, and functions as may be prescribed by law or ordinance. The mayor shall have all the rights, duties and responsibilities of a trustee, including the right to vote on questions.

C. During the absence, disability or suspension of the mayor, the board shall elect from among its members an acting mayor. When a vacancy occurs in the office of the mayor, the board shall elect another mayor from among its members to serve for the duration of the unexpired term.

State Law Reference: Election of town mayor, acting mayor, 11 O.S. §§ 12-104, 12-105.

ARTICLE 3

TOWN OFFICERS AND PERSONNEL

SECTION 2-301 TOWN CLERK/TREASURER-ESTABLISHED.

There is hereby created the position of Town Clerk/Town Treasurer. The Town Clerk shall be an officer of the Town. The Town Clerk shall:

A. Keep the journal of the proceedings of the Mayor and Town Board of Trustees.

B. Enroll all ordinance and resolutions passed by the Mayor and Board of Trustees in a book or set of books kept for that purpose.

C. Have custody of documents, records, and archives, as may be provided for by law or ordinance, and have custody of the Town Seal.

D. Attest and affix the seal of the Town to documents as required by law or by ordinance.

E. Have such other powers, duties, and functions related to his statutory duties as may be prescribed by law or by ordinance. The person who serves as Town Clerk may be employed by the Town to perform duties not related to his position as Town Clerk.

The Town Treasurer shall:

A. Maintain accounts and books to show where and from what source all monies paid to him have been derived and to whom and when any monies have been paid; and

B. Deposit daily funds received for the Town in depositories as the Mayor and Board of Trustees may designate; and

C. Have such other powers, duties, and functions related to his statutory duties as may be prescribed by law or by ordinance. The person who serves as Town Treasurer may be employed by the Town to perform duties not related to his position as Town Treasurer.

The books and accounts of the Town Treasurer shall be subject at all times to examination by the Mayor and Board of Trustees.

The compensation of the Town Clerk/Treasurer shall be set by motion of the Board of Trustees.

SECTION 2-302 RESERVED

SECTION 2-303 POLICE DEPARTMENT; CHIEF OF POLICE

A. There is hereby created a Police Department for the Town, the head of which shall be the Chief of Police. The Chief of Police shall be appointed by the Town Board of Trustees. His employment shall continue during good behavior and satisfactory service, or until his services are terminated by death, resignation, removal by the Town Board of Trustees or other legal manner.

B. One (1) or more police officers, including reserve police officers, may be appointed by the Town Board of Trustees.

SECTION 2-304 BUILDING INSPECTOR

There is hereby created the position of Building Inspector for the Town. The Building Inspector shall be appointed by the Mayor and Town Board of Trustees.

SECTION 2-305 OTHER PERSONNEL; APPOINTMENTS AND REMOVALS

A. Town Board of Trustees shall appoint other employees on the basis of fitness and merit and may determine their compensation and terms of employment by contract, motion or resolution.

B. Except as otherwise provided by law or ordinance, employment of all other employees and personnel shall be the responsibility of the Mayor and Board of Trustees. Such employees and personnel shall serve at the pleasure (at-will) of the Mayor and Board of Trustees for the good of the service.

C. All appointive officers and employees' employment are at-will and except as otherwise provided by law or ordinance, such appointive officers and employees' serve at the pleasure of their appointive authority. No appointive officer or employee shall have any right to employment, contractual or otherwise, or any property or liberty interest in their continued employment.

D. The Town Board of Trustees may remove, demote, suspend and layoff their employees solely for the good of the service and as they may determine desirable by motion or resolution.

SECTION 2-306 RESERVED

SECTION 2-307 TOWN ATTORNEY, APPOINTMENT AND DUTIES.

The board of trustees may appoint a town attorney or may secure the services of an attorney or attorneys on a contractual basis when needed. The town attorney, when and if appointed, shall be the legal adviser of the board, all officers, departments and agencies of the town government in matters relating to their official powers and duties. He shall represent the town in proceedings in the courts. He shall perform all services incident to his position which may be required by law or ordinance.

SECTION 2-308 HEALTH OFFICER.

The board of trustees may appoint a town health officer. The county health officer or any qualified personnel of the state department of health may perform the duties and functions of a town health officer.

SECTION 2-309 PERSONNEL MANUAL ADOPTED

A. There is hereby created a Personnel Policy and Procedures Manual for the employees of the Town of Lamont, which Personnel Manual is adopted as of the 6th day of June 1994, as amended. The Personnel Manual sets out guidelines which may be used in implementing the personnel policies, employee benefit programs and wage plans of the Town of Lamont. The Personnel Manual establishes no property or contract rights or liberty interests in continued employment, wages or benefits or any other matter for employees of the Town. Except as otherwise provided by state law, all employees of the Town of Lamont shall serve at the will of the Mayor and Town Board of Trustees and removals, demotions, suspensions, and layoffs shall be made solely for the good of the service. Appointments and promotions shall be made solely on the basis of merit and fitness.

SECTION 2-310 BONDS.

The Town Clerk/Treasurer shall give bonds for the faithful performance of duties in such amounts as may be required by the board of trustees. Any other officers and employees who the town board may designate by ordinance or otherwise, shall give bonds for the faithful performance of duties in such amounts and form as the board shall prescribe. The town shall pay the premiums on such bonds. The town may require the officer to secure the bond within ten (10) days after his election or appointment.

State Law Reference: Officer's bonds, 11 O.S. § 8-105.

SECTION 2-311 SALARIES

The compensation of all elective town officers, including the following, shall be fixed by ordinances:

1. Mayor - \$50.00 per month
2. Trustees - \$20.00

State Law Reference: Compensation of town elected officers, 11 O.S. § 12-113; Increasing salary during term, Oklahoma Constitution, Art. 23, § 10.

SECTION 2-312 COMPENSATION OF EMPLOYEES, NUMBER AND CLASSES OF PERSONNEL.

A. The compensation of all other officers and employees excepting those whose compensation the law requires to be set by ordinance, may be determined by motion or resolution adopted by the board of trustees, and may be changed at any time in the same manner.

B. Except as the law provides otherwise, the board of trustees may determine or regulate the number and classes of officers and employees.

SECTION 2-313 SALARIES OF CERTAIN OFFICERS NOT TO BE CHANGED AFTER ELECTION OR APPOINTMENT.

In no case shall the salary or emoluments of any town officer elected or appointed for a definite term, be changed after his election or appointment or during his term of office unless by operation of an ordinance passed prior to such election or appointment, such being prohibited by the Constitution, Article 23, Section 10. This provision shall not apply to officers chosen for indefinite terms nor to employees.

SECTION 2-314 OATHS.

A. All officers of the town, but not employees, are required to take the oath or affirmation of office prescribed by the state constitution before they enter upon their duties.

B. Both officers and employees are currently required to take and subscribe to the loyalty oath prescribed by state law.

SECTION 2-315 OFFICERS TO CONTINUE UNTIL SUCCESSORS ARE ELECTED AND QUALIFY.

Every officer who is elected or appointed for a definite term, shall continue to serve thereafter until his successor is elected or appointed and qualifies, unless his services are sooner terminated by resignation, disqualification, removal, death, abolition of the office, or other legal matter.

SECTION 2-316 APPOINTMENT OF PERSONNEL IN EMERGENCIES.

The Mayor may, in an emergency situation, appoint such other officers and employees as he may deem necessary to protect the health, safety and welfare of the citizens of the town during the existence of an emergency, subject to the approval of the board of trustees as soon as a special meeting or regular meeting can reasonably be called or held therefore. The board of trustees may determine the compensation of such emergency employees by motion or resolution and may direct the demotion, layoff or removal of such personnel at the conclusion of the emergency. For the purposes of this section, the term "emergency" shall be defined to mean an unexpected or unforeseen contingency or catastrophic event affect the health, safety or welfare of the citizens of the town.

ARTICLE 4

SOCIAL SECURITY

SECTION 2-401 DECLARATION OF POLICY TO COME UNDER COVERAGE

It is hereby declared to be the policy and purpose of the town to extend, at the earliest date, to the eligible employees and officials of the town the benefits of the system of Federal Old-Age and Survivors Insurance as authorized by the Federal Social Security Act and all amendments thereto, and Sections 121 et seq. of Title 51 of the Oklahoma Statutes. In the pursuance of this policy, the officers and employees of the town shall take such action as may be required by applicable state or federal laws or regulations.

State Law Reference: Social security coverage for local governments, 51 O.S. § 125.

SECTION 2-402 EXECUTION OF AGREEMENT WITH STATE AGENCY

The mayor is authorized and directed to execute all necessary agreements and amendments with the State Department of Human Services to accomplish the provisions of Section 2-401 of this code.

SECTION 2-403 WITHHOLDINGS

Withholdings from salaries or wages of employees and officials for the purposes provided in Section 2-401 of this code are hereby authorized to be made in the amounts and at such times as may be required by applicable state and federal laws or regulations and shall be paid over to the state or federal agency designated by the laws and regulations.

SECTION 2-404 CONTRIBUTIONS.

Employer contributions shall be paid from amounts appropriated for these purposes from available funds to the designated state or federal agency in accordance with applicable state or federal laws or regulations.

SECTION 2-405 RECORDS AND REPORTS

The town shall keep such records and submit such reports as may be required by applicable state or federal laws or regulations.

SECTION 2-406 EXCLUSIONS

Excluded from this chapter authorizing the extension of social security benefits to town officers and employees are the following:

1. Any authority to make any agreement with respect to any position, employee or official now covered or authorized to be covered by any other ordinance creating any retirement system for any employee or official of the town; or
2. Any authority to make any agreement with respect to any position, employee or official for which compensation is on a fee basis, or any position, employee or official not authorized to be covered by applicable state or federal laws or regulations; or
3. Firemen and call-firemen.

SECTION 2-407 POLICE INCLUDED

All police personnel of the town shall hereafter be covered by the social security program along with personnel already covered by the program, and proper deductions from police payrolls shall hereafter be made in order to comply with social security laws and regulations.

ARTICLE 5
RETIREMENT AND PENSIONS
DIVISION 1
FIRE PENSION SYSTEM

SECTION 2-501 LOCAL FIRE PENSION AND RETIREMENT BOARD

There is hereby created a local firefighters' pension and retirement board composed of the mayor, the clerk, the treasurer and three (3) members from the fire department. The board shall have the membership, organization, powers, duties and functions as prescribed by Sections 49-103 et seq. of Title 11 of the Oklahoma Statutes.

SECTION 2-502 FUND TO BE OPERATED IN ACCORDANCE WITH LAW

The town's firefighters' pension and retirement system and fund shall be operated in accordance with state law relating to the fund and system.

State Law Reference: Firefighters' retirement and pension law, 11 O.S. §§ 49-101 et seq.

SECTION 2-503 CONTRIBUTIONS TO FUND

A. For each volunteer member of the fire department, the Town treasurer shall deposit yearly with the Oklahoma Firefighters Pension and Retirement Board the amounts of money which are required by applicable state law. These amounts may be revised according to actuarial studies and amounts as set by the Oklahoma Firefighters Pension and Retirement Board.

B. All assets of the town firefighters' pension and retirement fund shall be transferred in the form of cash, negotiable securities and such other specific assets as permitted by the State Board.

State Law Reference: Firefighters pension law, 11 O.S. § 49-122.

Cross Reference: Fire department and services, Section 13-101 of this code.

DIVISION 2
POLICE PENSION SYSTEM

SECTION 2-504 CONTRIBUTIONS TO FUND

WHEREAS, the Town of Lamont, Oklahoma, a municipal corporation has established a Police Department employing a police officer(s); and

WHEREAS, it is a mutual recommendation of the Board of Trustees of the Town of Lamont and the presently employed police officer(s) of the Town of Lamont, Oklahoma, to affiliate and join the Oklahoma Police Pension and retirement System commencing (to be completed by OPPRS) 1, 20__, all as provided by Title 11 O.S. Section 50-101 et seq.

NOW, THEREFORE BE IT RESOLVED by the Board of Trustees of the Town of Lamont, Oklahoma,
to-wit:

That the Town of Lamont, Oklahoma, by and through this resolution, affiliates and
Joins the Oklahoma Police Pension and Retirement system pursuant to the Oklahoma Statues governing
the same for the benefit of the Town of Lamont, Oklahoma, and the police officer(s) employed thereby.
That the Town of Lamont acknowledged that the decision to affiliate and join the Oklahoma Police
Pension and Retirement System is irrevocable.

11 O.S. Section 50-110 provides in part:

Each member in the System shall contribute to the System a minimum of
eight percent (8%) of the member's actual paid base salary.

The sums contributed shall be paid to the System as provided in this
article within ten (10) days following the payroll period on which the
contributions are based.

All funds received by a participating municipality for police retirement
purposes shall be forwarded to the State Board for credit to the Fund.

1. That the Town of Lamont, Oklahoma, shall appropriate for the use and benefit of the
Oklahoma Police Pension and Retirement System, a sum as set aside in 11 O.S. Section 50-109:

Any municipality participating in the System shall appropriate funds, for the
use and benefit of the System, as provided in the
following Schedule:

1. Prior to July 1, 1991, a minimum of 10 percent (10%) of the
actual paid base salary of each member of the System employed by the
municipality;

2. Beginning July 1, 1991, a minimum of ten and one-half
percent (10 ½%) of the actual paid base salary of each member of the
System employed by the municipality;

3. Beginning July 1, 1992 a minimum of eleven percent
(11%) of the actual paid base salary of each member of the System
employed by the municipality;

4. Beginning July 1, 1993, a minimum of eleven and one
half percent (11 ½%) of the actual paid base salary of each member of the
System employed by the municipality;

5. Beginning July 1, 1994, a minimum of twelve percent
(12%) of the actual paid base salary of each member of the System
employed by the municipality;

6. Beginning July 1, 1995, a minimum of twelve and one half percent (12 ½%) of the actual paid base salary of each member of the System employed by the municipality; and

7. Beginning July 1, 1996, a minimum of thirteen percent (13%) of the actual paid base salary of each member of the System employed by the municipality.

ARTICLE 6

TOWN RECORDS

SECTION 2-601 APPOINTMENT OF OFFICIAL CUSTODIANS

The following town officials are hereby appointed as official custodians for purposes of the Oklahoma Open Records Act and are charged with responsibility for compliance with that act with respect to the following listed public records:

1. Town clerk. All public records kept and maintained in the town and court clerk's office and all other public records not provided for elsewhere in this chapter;

2. Town treasurer. All public records not on file in the office of the town clerk and kept and maintained in the town treasurer's office;

3. Chief of police. All public records not on file in the office of the town clerk and kept and maintained in the town police department;

4. Fire chief. All public records not on file in the office of the town clerk and kept and maintained in the town fire department;

5. Town attorney. All public records not on file in the office of the town clerk and kept and maintained in the town attorney's office;

6. Court clerk. All public records not on file in the office of the town clerk and kept and maintained in the municipal court.

State Law Reference: Open Records Act, 51 O.S. §§ 24A.1 to 24A.18.

SECTION 2-602 DESIGNATION OF ADDITIONAL RECORD CUSTODIANS

A. Each of the official custodians appointed in Section 2-601 of this code is hereby authorized to designate any subordinate officers or employees to serve as record custodian. The record custodians shall have such duties and powers as are set out in the Oklahoma Open Records Act.

B. Whenever an official custodian shall appoint another person as a record custodian, he or she shall notify the town clerk of such designation and the town clerk shall maintain a register of all such designations.

SECTION 2-603 DUTIES OF CUSTODIANS.

All town officials and employees appointed or designated under this chapter shall: protect public records from damage and disorganization; prevent excessive disruption of the essential functions of the town; provide assistance and information upon request; insure efficient and timely action and response to all applications for inspection of public records; and shall carry out the procedures adopted by this town for inspecting and copying open public records.

SECTION 2-604 REQUESTS TO BE DIRECTED TO CUSTODIANS.

A. All members of the public, in seeking access to, or copies of, a public record in accordance with the provisions of the Oklahoma Open Records Act, shall address their requests to the custodian charged with responsibility for maintenance of the record sought to be inspected or copied.

B. Whenever any town official or employee appointed or designated as a custodian under this chapter is presented with a request for access to, or copy of, a public record which record the custodian does not have in his possession and which he has not been given responsibility to keep and maintain, the custodian shall so advise the person requesting the record. The person making the request shall be informed as to which custodian the request should be addressed to, if such is known by the custodian receiving the request.

SECTION 2-605 PROCEDURES REGARDING BOTH INSPECTION AND COPYING OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

1. Consistent with the policy, duties and procedures established by the Oklahoma Open Records Act, record custodians shall provide full access and assistance in a timely and efficient manner to persons who request access to open public records;
2. Record custodians shall protect the integrity and organization of public records with respect to the manner in which such records are inspected and copied;
3. Record custodians may prevent excessive disruptions of essential functions and provide the record at the earliest possible time;
4. All inspections and copying of open public records shall be performed by, or under the supervision of, the record custodian responsible for such records;
5. All persons requesting the inspection of or a copy of open public records shall make such request in writing prior to the request being honored, except that no form shall be required for requests made for records which have been reproduced for free public distribution;
6. All record inspection and copying forms are to be completed by the person requesting the record. The record custodian may demand reasonable identification of any person requesting a record;
7. Any fees for record inspection or for copies are due at the time the records or copies thereof, are provided to the requester, unless the record custodian has demanded that prepayment of all or part of such fees be made. Fees are to be paid to the record custodian or Town clerk;

8. The record custodian or town clerk shall demand full or partial prepayment of the fees when the estimate for such fees exceeds the amount set out in Section 2-612 of this code;

9. No record search or copying charge shall be assessed against officers or employees of the town who make requests which are reasonably necessary to the performance of their official duties;

10. Hours for making requests for inspection or copying shall be all regular working hours for each day the office maintains regular office hours;

11. Removal of open public records from the office where kept and maintained, for purposes of inspection or the making of copies, shall not be permitted; and

12. The above procedures, as well as any other inspection and copying procedures, shall be posted in a conspicuous place in the office of the record custodian.

SECTION 2-606 PROCEDURES REGARDING INSPECTION OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by every official custodian and record custodian:

1. Record custodians shall handle all inspection requests in accordance with their duties to protect and preserve public records and to assist persons requesting inspection of open public records.

2. All request forms must be completed by the party requesting the record. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodian and presented to the record custodian;

3. A written request is sufficient if it reasonably describes the record sought. In instances where the requester cannot provide sufficient information to identify a record, the custodian shall assist in making such identification; and

4. The record custodian shall, upon making a denial of an inspection request, forward a copy of the denial to the mayor.

SECTION 2-607 PROCEDURES REGARDING COPIES OF OPEN PUBLIC RECORDS.

The following procedures are hereby adopted and shall be applied by each official custodian and record custodian:

1. Record custodians shall handle all copy requests in accordance with their duties to protect and preserve public records and to assist persons requesting copies of open public records;

2. All request forms must be completed by the party requesting the copies. In all cases the party so requesting must sign his or her individual name to the form. Written requests shall be made on the form provided by the record custodians;

3. Mechanical reproduction of a record shall not be undertaken when it is the judgment of the record custodian that any available means of mechanical reproducing the subject record is likely to cause damage to such record; and

4. No copy fee shall be assessed when multiple copies of the record requested have been prepared for free public distribution, or when the record custodian determines that the cost of charging and handling the fee exceeds the cost of providing a copy without charge.

SECTION 2-608 NO FEE FOR INSPECTION.

Where a request has been made for the inspection of an open public record, no fee shall be charged.

SECTION 2-609 COPYING FEE.

A fee per page as set by Fee Schedule shall be charged for photocopying an open public record, such fee to cover the cost of labor, materials and equipment.

SECTION 2-610 FEE FOR MECHANICAL REPRODUCTION.

For copying any open public record which cannot be reproduced by photocopying, such as a computer printout or a blueprint, the requester shall be charged the actual cost to the town, including the cost of labor, materials and equipment.

SECTION 2-611 SEARCH FEE.

The fee provided in Fee Schedule shall be charged a requester who is using the record solely for a commercial purpose. Such fee shall be charged to recover the direct cost of document search.

SECTION 2-612 PREPAYMENT OF FEES.

A record custodian may demand prepayment of a fee. The prepayment amount shall be an estimate of the cost of copying, mechanical reproduction or searching for the record. Any overage or underage in the prepayment amount shall be settled prior to producing the requested record or delivering the copy or mechanical reproduction of the record.

SECTION 2-613 FEES.

Fees shall be charged for copies and services rendered hereunder pursuant to the town's fee schedule.

ARTICLE 7

CAPITAL IMPROVEMENT PLANNING COMMITTEE - FUNCTION AND DUTIES

SECTION 2-701 CAPITAL IMPROVEMENTS PLANNING COMMITTEE; FUNCTIONS AND DUTIES

A. There is hereby created a Local Capital Improvements Planning Committee, (hereinafter the "Committee"), for the Town of Lamont, in compliance with the provisions of the Oklahoma Capital Improvements Planning Act (62 O.S., 1992 Supplement, Section 901, et seq., hereinafter the "Act").

B. The Committee shall consist of at least three (3) but not more than ten (10) voting members, to be appointed by the Mayor and Town Board of Trustees. All members must be residents of the Town, and shall serve without salary.

C. The terms and removal procedure for the members of the Committee shall be the same as for the members of the planning commission.

D. The Committee has the general responsibility to assist the Town in planning for the future development, growth and improvement of the Town of Lamont, Oklahoma, and in preparing, adopting, implementing and annually amending the Local Capital Improvements Plan, (hereinafter the "Plan"), and its related programs, consistent with the goals, guidelines and other provisions of the Act.

E. The Committee shall also:

1. Prepare the Town's Plan;
2. Make recommendations to the Mayor and Town Board of Trustees regarding the adoption of the Plan;
3. Serve in an ongoing advisory capacity to the Mayor and Town Board of Trustees regarding implementation of the Plan, particularly in the Annual Update phase of the planning of the process;
4. Conduct public hearings and solicit and encourage participation, as required by and in accordance with, applicable provisions of the Act;
5. Take such other actions as may be necessary to carry out the Town's Capital Improvements Planning process, consistent with local ordinances and policy and State Law requirements, including the capacity to recommend agreements with other area jurisdictions, in order to carry out the purposes of the Capital Improvements Planning process; and
6. Maintain a working relationship with Northern Oklahoma Development Authority (hereinafter "NODA") in order to ensure that the statutory requirements for integrating the Town's Plan into the NODA Regional Capital Improvement Plan, are fully met each year to the benefit of the Town and the State of Oklahoma.

Note: Ordinance 2-95 approved on 6/14/1995.

