

**TITLE 748 - OKLAHOMA UNIFORM BUILDING CODE COMMISSION
CHAPTER 15 - CODE ADOPTED BY STATE AGENCIES AND POLITICAL
SUBDIVISIONS**

748:15-1-1. Codes which may be adopted [REVOKED]

~~State agencies and political subdivisions may adopt construction codes with standards and requirements which exceed the standards and requirements adopted by the Commission. In order to fulfill the Commission's statutory obligation in 59 O.S. § 1000.24 (6), state agencies and political subdivisions are requested to submit code adoption notification at least annually.~~

748:15-1-2. Procedure to adopt different code [REVOKED]

~~(a) An adopted code shall be filed with the Commission. The code shall be accompanied by a written statement from the agency's or political subdivision's chief executive officer or legal counsel certifying that said code has been duly adopted in accordance with Oklahoma law, with a copy of the official minutes reflecting the adoption of said code. The code will then be approved for listing on the Commission's website subject to 748:15-1-2(b).~~

~~(b) The Commission's approval for website listing shall be entirely focused upon whether the submitting agency or jurisdiction has completed the filing requirements prescribed by the Commission and certified to the Commission as to the lawful adoption of the code. The Commission shall not approve codes based upon the technical equivalency or superiority of the submitted code compared to State adopted codes. However, if the Commission finds that a State agency's or political subdivision's adopted code does not contain higher standards or requirements than any State Adopted Code, the Commission may indicate this finding on the website listing.~~

~~(c) Effective dates of locally adopted codes submitted by an agency or jurisdiction shall not be considered or ruled upon by the Commission.~~

748:15-1-3. Amendment of existing Commission codes [REVOKED]

~~State agencies and political subdivisions may amend codes adopted by the Commission to make changes necessary to accommodate local conditions, subject to approval of the Commission. Commission approval for amendment of existing codes shall be considered after an agency or jurisdiction certifies that it is the official action of that entity to pursue such an amendment and submit to the procedures set forth in 748:15-1-4, including a possible technical evaluation by the Commission in determining whether approval should be granted.~~

748:15-1-4. Procedure to amend Commission adopted codes [REVOKED]

~~(a) A state agency or political subdivision shall submit an application to the Commission to make an amendment to a Commission adopted code. All amendments must be necessary to accommodate a local condition(s) and the application shall clearly explain the proposed accommodation, why the amendment is "necessary" and identify the "local condition."~~

~~(b) The Commission will assign the application to the appropriate technical committee for review and recommendation. The Commission will consider the committee recommendation in open session.~~

~~(c) The Commission's denial of an application is subject to appeal as an individual proceeding pursuant to the Administrative Procedures Act.~~

~~(d) Upon the Commission's approval of the application, the amendment will be posted to the Commission's website to inform the public about such change in the respective agency's or political subdivision's jurisdiction.~~

~~(e) For purposes of this section:~~

~~(1) "Accommodate" means the proposed code amendment solution actually serves as its primary purpose to address the issue which necessitates the amendment.~~

~~(2) "Local condition" means a condition which is particularly specific to the environment or surroundings of the jurisdiction seeking the change or amendment to the State adopted code and the condition is not expressly or specifically contemplated in the adopted code at issue.~~

~~(3) "Necessary" means an essential and safe code amendment solution, the absence of which causes undue hardship on a person or class of persons.~~

748:15-1-5. Effect of repeal [REVOKED]

~~An agency's or political subdivision's repeal of a code with higher standards or requirements or change to accommodate local condition shall be effective upon repeal unless otherwise specified by the agency or political subdivision repealing the higher standard or requirement or local change.~~