

**ORDINANCE NO. 4017-A**

**AN ORDINANCE OF THE CITY OF MUSKOGEE, OKLAHOMA REPEALING DIVISION 1, GENERALLY, INCLUDING SECTIONS 2-99 THROUGH 2-111 AND DIVISION 2, ADMINISTRATIVE REORGANIZATION, INCLUDING SECTIONS 2-112 THROUGH 2-120, ALL WITHIN CHAPTER 2, ADMINISTRATION, ARTICLE IV, ADMINISTRATIVE DEPARTMENTS AND OFFICES; ALL FOR THE PURPOSE OF REPLACING THE REPEALED PROVISIONS WITH A NEW DIVISION AND SECTIONS PURSUANT HERETO IN THIS 2017 CITYWIDE REORGANIZATION AND MODERNIZATION ORDINANCE: CREATING DIVISION 1, ADMINISTRATIVE REORGANIZATION; CREATING SECTION 2-99, CITATION OF DIVISION; CREATING SECTION 2-100, OFFICE OF THE CITY MANAGER; ESTABLISHING OFFICE AND DUTIES; CREATING SECTION 2-101, ADMINISTRATIVE DEPARTMENTS AND DIVISIONS; ESTABLISHING AUTHORITY TO CREATE AND MAINTAIN ORGANIZATIONAL STRUCTURE; CREATING SECTION 2-102, OFFICE OF THE CITY ATTORNEY; ESTABLISHING OFFICE AND DUTIES; CREATING SECTION 2-103, OFFICE OF THE CITY CLERK; ESTABLISHING OFFICE, DUTIES AND DIVISIONS; CREATING SECTION 2-104, DEPARTMENT OF PUBLIC WORKS; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-105, DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-106, DEPARTMENT OF PARKS AND RECREATION; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-107, DEPARTMENT OF HUMAN RESOURCES; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-108, DEPARTMENT OF INFORMATION TECHNOLOGY; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-109, DEPARTMENT OF FINANCE; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-110, DEPARTMENT OF FLEET MANAGEMENT; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-111, DEPARTMENT OF PURCHASING; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-112, DEPARTMENT OF EMERGENCY MANAGEMENT; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-113, POLICE DEPARTMENT; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-114, FIRE DEPARTMENT; ESTABLISHING DEPARTMENT AND DUTIES; CREATING SECTION 2-123, OTHER DIVISIONS; ESTABLISHING ADMINISTRATIVE DIVISIONS; RESERVING SECTIONS 2-115 THROUGH 2-122 FOR FUTURE USE; ALL WITHIN CHAPTER 2, ADMINISTRATION; ARTICLE IV, ADMINISTRATIVE DEPARTMENTS AND OFFICES; DIVISION 1, ADMINISTRATIVE REORGANIZATION; PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION AND SETTING AN EFFECTIVE DATE.**

**A NEW ORDINANCE**

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE, OKLAHOMA, AS FOLLOWS:**

**Section 1.** Division 1, Generally, including Sections 2-99 through 2-111, and Division 2, Administrative Reorganization, including Sections 2-112 through 2-136, within Article IV, Administrative Departments and Offices, of Chapter 2, Administration, of the City of Muskogee Code of Ordinances are hereby repealed to be replaced with the following Sections.

**Section 2.** A new Division 1 is hereby created within Article IV, Administrative Departments and Offices, of Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Division 1: Administrative Reorganization.**

**Section 3.** A new Section 2-99 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-99, Citation of Division.**

This Division shall be known and may be cited as the “2017 Citywide Reorganization and Modernization Ordinance.”

**Section 4.** A new Section 2-100 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**2-100, Office of the City Manager.**

The Office of the City Manager is hereby created. It shall be headed by a City Manager, appointed by the City Council. The City Manager shall exercise all duties prescribed by the Charter of the City of Muskogee, as well as, other duties as may be assigned by the Council from time to time. The City Manager may also be authorized by the Council to appoint and employ such assistants as may be necessary to perform his duties. The City Manager may also serve as a director of a department.

**Section 5.** A new Section 2-101 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-101, Administrative Departments and Divisions.**

A. Definitions.

*Administrative Department or Department* shall mean any section of governmental operations within the City which deals with a specific area of activity, the head of which is a direct report to the Office of the City Manager.

*Division* shall mean any subsection of an administrative department which carries out specific directives in a manner and under policies established by an administrative department.

*Operational Unit* shall mean a unit charged with carrying out result oriented tasks and which exist merely for financial or budgetary segregation. An operational unit may exist within a Department or a division.

**B. Reorganization of Departments; Intent established.**

In order to establish more efficient administrative operations within City government, it is necessary to vest the City Manager with the authority to organize the operations and reporting structure of departments and divisions hereby created, and to modify the same from time to time in the best interest of the City. Thus, the City Manager shall be authorized to move, reassign, or otherwise alter the reporting structure of any Department or any division within any department, under his supervision. The City Manager shall apprise the Council of any modifications made pursuant to this section by causing an administrative organizational chart to be included within the city's annual budget. Operational Units, alternatively, may be created by a department or division by a Department Director with the consent of the City Manager. Nothing created hereby is intended to supersede, alter, or amend the Charter of the City of Muskogee, rather the 2017 Citywide Reorganization and Modernization ordinance is intended to supplement, complement and enhance the existing administrative structure and to allow necessary flexibility when required.

**Section 6.** A new Section 2-102 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-102, Office of the City Attorney.**

The Office of the City Attorney is hereby created. It shall be headed by a City Attorney whom shall be appointed by the Council. The City Attorney shall serve as the chief legal advisor to the City in accordance with the duties prescribed by the Charter of the City of Muskogee, and other responsibilities as may be assigned from time to time by the Council. The City Attorney may also be authorized by the Council to appoint and employ such assistants as may be necessary to perform his duties. Additionally, the City Attorney shall supervise the daily operations of his office as well as his assistants, all of whom may act in his name, as well as such administrative and division staff as may be necessary.

Any such assistant attorneys employed by the City Attorney upon the adoption of this ordinance, shall be deemed employees of the City Attorney, and not the City Manager.

**Section 7.** A new Section 2-103 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**2-103, Office of the City Clerk.**

A. *Creation of Office of the City Clerk.* The Office of the City Clerk is hereby created. It shall be headed by a City Clerk who shall be appointed by the City Council. The City Clerk shall exercise all duties established by the Charter of the City of Muskogee, as well as, other duties that may be assigned by the Council from time to time.

B. *Divisions Created.* Within the Office of the City Clerk, there is hereby created a the following divisions.

1. *Revenue Division.* The Revenue Division shall headed by a Manager, who is supervised by the City Clerk. The City Clerk shall ensure the carrying out of all duties assigned this division as required by section 5:01 of the Charter of the City of Muskogee.

2. *Court Clerk Division.* The Court Clerk Division shall be headed by a Court Clerk who shall be appointed and supervised by the City Clerk. The Court Clerk shall exercise those powers and duties as may be required by state law and Chapter 34 of the City of Muskogee Code of Ordinances.

**Section 8.** A new Section 2-104 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-104, Department of Public Works.**

The Department of Public Works is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities required by the Charter of the City of Muskogee, as well as, those prescribed by the City Manager, as may modified from time to time.

**Section 9.** A new Section 2-105 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-105, Department of Planning and Economic Development**

The Department of Planning and Economic Development is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities required by the Charter of the City of Muskogee, as well as, those that may be assigned by the City Manager.

**Section 10.** A new Section 2-106 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-106, Department of Parks and Recreation**

A. *Creation of the Department of Parks and Recreation.* The Department of Parks and Recreation is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities prescribed by the City Manager, as may modified from time to time.

B. *Divisions Created.* Within the Parks and Recreation Department there are hereby created the following divisions, each with duties as may be authorized and assigned by the Director:

1. *Parks Division,* a division with primary responsibility over all lands and real property located within the City which have been heretofore, or which may be hereafter set apart or dedicated for the use of the public as a public park;

2. *Recreation Division,* a division with primary responsibility over recreational facilities and programming of the City.

**Section 11.** A new Section 2-107 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-107, Department of Human Resources**

The Department of Human Resources is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities prescribed by the City Manager, as may modified from time to time.

**Section 12.** A new Section 2-108 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-108, Department of Information Technology**

The Department of Information Technology is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities prescribed by the City Manager, as may modified from time to time.

**Section 13.** A new Section 2-109 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-109, Department of Finance**

The Department of Finance is hereby created and shall be headed by a City Treasurer appointed by the City Manager. The City Treasurer shall carry out all duties and responsibilities required by the Charter of the City of Muskogee, as well as, those that may be assigned by the City Manager.

**Section 14.** A new Section 2-110 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-110, Department of Fleet Management**

The Department of Fleet Management is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities prescribed by the City Manager, as may modified from time to time.

**Section 15.** A new Section 2-111 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-111, Department of Purchasing**

The Department of Purchasing is hereby created and shall be headed by a Purchasing Agent appointed by the City Manager. The Purchasing Agent shall carry out all duties and responsibilities required by the Charter of the City of Muskogee, as well as, those that may be assigned by the City Manager.

**Section 16.** A new Section 2-112 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

**Section 2-112, Department of Emergency Management**

The Department of Emergency Management is hereby created and shall be headed by a Director appointed by the City Manager. The Director shall carry out all duties and responsibilities required by the Charter of the City of Muskogee, as well as, those that may be assigned by the City Manager.

**Section 17.** A new Section 2-113 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

### **Section 2-113, Police Department**

The Police Department is hereby created. It shall be headed by a Chief of Police appointed by City Manager. The Police Chief shall carry out all duties and responsibilities prescribed by law and ordinance. He or she shall be authorized to prescribe rules and regulations to govern and regulate the police department and its members. Such rules and regulations among other things may regulate the conduct of the members of the Department, their duties to be performed, and their moral and physical discipline. Such rules and regulations as promulgated by the chief of police shall have application to all members of the department. The Department shall be responsible for enforcement of the laws of the state and the ordinances of the city, crime prevention, protection of life and property, apprehension of offenders, investigation of crime and incidents, enforcement of laws and regulations. Other duties of the department shall be as established by the council, applicable law, or as may from time to time be assigned by the city manager.

**Section 18.** A new Section 2-114 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

### **Section 2-114, Fire Department**

The Fire Department is hereby created and shall be headed by a Fire Chief, appointed by the City Manager, who shall have supervision and control of the Fire Department. The duties of the Fire Department shall be, among others, to extinguish fires, rescue persons endangered by fire, resuscitate and administer first aid to persons injured in or about burning structures or elsewhere in case of emergency, and promote fire prevention. Unless otherwise provided, the department shall enforce all ordinances relating to fires, fire prevention and safety of persons from fire and explosions.

**Section 19.** Section numbers 2-115 through 2-122 are hereby reserved for future use.

**Section 20.** A new Section 2-123 is hereby created within Division 1, Administrative Reorganization, of Article IV, Administrative Departments and Offices, Chapter 2, Administration, of the City of Muskogee Code of Ordinances as follows:

### **Section 2-123, Other Divisions**

The following Divisions are hereby created. Each Division shall be headed with appropriate supervisory personnel appointed by the City Manager. Each Division shall be assigned by the City Manager to a Department as specified in the City organizational structure each with duties as may be authorized and assigned by the Director. The division assignments will be made and reassigned as necessary to insure the most efficient operations of the division and service to the Citizens of Muskogee in accordance with Section 2-101 of this Article:

A. Davis Field Airport, a division headed by an Airport Manager with primary responsibility for exercising oversight and operations of the municipal airport in conjunction with the powers and duties exercised by the Airport Board;

B. Workplace Safety, a division headed by a Manager with primary responsibility for exercising oversight on all state and federal workplace safety regulations;

C. Greenhill Cemetery, a division headed by a Superintendant with primary responsibility for oversight and operations of the municipal cemetery;

D. Facilities, a division headed by a Manager with primary responsibility for maintaining all physical plants owned by the City;

E. Animal Control, a division headed by a supervisor with primary responsibility for operations of the municipal animal shelter and the enforcement of ordinances of the City relating to animal welfare;

F. Code Enforcement, a division headed by a supervisor with primary responsibility of ensuring compliance with all uniform codes and ordinances not otherwise assigned;

G. Inspections, a division headed by an Inspector General with primary responsibility of ensuring compliance of all International and National codes adopted, as well as, issuing necessary permits pursuant to said codes;

H. Public Event Centers, a division headed by a supervisor with primary responsibility of ensuring operations and management of the Civic Center, Roxy Theater, as well as, any other public facilities that may require oversight by the City.

I. Water Distribution, a division headed by a superintendant with primary responsibility over installation and maintenance of the City's drinking water distribution system;

J. Environmental Control, a division headed by a superintendant with primary responsibility over maintenance of vegetation, brush and environmental debris removal on property owned by the City;

K. Water Treatment, a division headed by a superintendant with primary responsibility over the collection and treatment of water;

L. Stormwater, a division headed by a Environmental Technician with primary responsibility to ensure compliance with Industrial pretreatment and stormwater rules, regulations and ordinances;

M. Traffic, a division headed by a Supervisor with primary responsibility for installation, operation and maintenance of signalization;

N. Streets, a division headed by a Superintendant with primary responsibility for installation and maintenance of streets within the City;



O. Sanitation, a division headed by a Supervisor with primary responsibility for the collection of solid waste within the City;

P. Pollution Control, a division headed by a Superintendant with primary responsibility for the collection and treatment of wastewater.

**Section 21.** REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed to the extent of the conflict only.

**Section 22.** SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

**Section 23.** CODIFICATION. Chapter 2, Administration, Article IV, Administrative Departments and Offices, Division 1, Generally, including Sections 2-99 through 2-111 are hereby repealed; Chapter 2, Administration, Article IV, Administrative Departments and Offices, Division 2, Administrative Reorganization, including Sections 2-112 through 2-120 are hereby repealed; Chapter 2, Administration, Article IV, Administrative Departments and Offices, Division 1, Administrative Reorganization, is hereby created; The following Sections within Chapter 2, Administration, Article IV, Administrative Departments and Offices, Division 1, Administrative Reorganization are hereby created: Section 2-99, Citation of Division; Section 2-100, Office of the City Manager; Section 2-101, Administrative Departments and Divisions; Section 2-102, Office of the City Attorney; Section 2-103, Office of the City Clerk; Section 2-104, Department of Public Works; Section 2-105, Department of Planning and Economic Development; Section 2-106, Department of Parks and Recreation; Section 2-107, Department of Human Resources; Section 2-108, Department of Information Technology; Section 2-109, Department of Finance; Section 2-110, Department of Fleet Management; Section 2-111, Department of Purchasing; Section 2-112, Department of Emergency Management; Section 2-113, Police Department; Section 2-114, Fire Department; Sections 2-115 through 2-122 are hereby reserved for future use; Section 2-123, Other Divisions.

**Section 24.** EFFECTIVE DATE. This ordinance shall be effective thirty (30) days after publication.

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PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MUSKOGEE,  
OKLAHOMA, THIS 13th DAY OF MARCH, 2017.

CITY OF MUSKOGEE

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JOHN R. COBURN, MAYOR

ATTEST:

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PAMELA S. BATES, CITY CLERK  
(seal)

Approved as to form and legality this 13th day of March, 2017.

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ROY TUCKER, CITY ATTORNEY