



ORDINANCE NO. 2026- 17
CITY OF CLAREMORE, OKLAHOMA
THIRD-PARTY COMMERCIAL INSPECTIONS

**AN ORDINANCE OF THE CITY OF CLAREMORE, OKLAHOMA, AMENDING
CHAPTER 150 OF THE CLAREMORE CODE OF ORDINANCES BY ADDING SECTION
150.037 TO AUTHORIZE THE BUILDING OFFICIAL TO APPROVE THIRD-PARTY
INSPECTORS FOR COMMERCIAL CONSTRUCTION; PRESERVING THE AUTHORITY
OF THE CITY AND THE BUILDING OFFICIAL; PROVIDING FOR CODIFICATION,
SEVERABILITY, REPEALER, AND AN EFFECTIVE DATE.**

WHEREAS, the City has adopted building and construction codes to protect public health, safety, and welfare;

WHEREAS, large, complex, or specialized commercial construction may require inspection capacity or expertise beyond that routinely available to City staff; and

WHEREAS, the City Council desires to permit the limited use of qualified and independent third-party inspectors while preserving all authority of the City and its Building Official.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLAREMORE, OKLAHOMA:

Section 1. New Code Section Created.

Chapter 150 of the Claremore Code of Ordinances is amended by adding Section 150.037, entitled "Third-Party Commercial Inspections," to read as follows:

§ 150.037 THIRD-PARTY COMMERCIAL INSPECTIONS.

(A) Authorization. The Building Official may, in the Building Official's discretion, require or approve the use of a third-party inspector for commercial or other nonresidential construction when supplemental or specialized inspection services will assist in administering or enforcing the City's adopted codes. An owner or permit applicant may request, retain, and pay a third-party inspector, but no third-party inspection shall be accepted for City code compliance unless the Building Official has approved the inspector and the scope of services in writing before the inspection is performed.

(B) Qualifications and independence. Each individual performing an inspection under this section shall hold every Oklahoma authorized provider inspector license, certification, and classification required for the assigned work and shall comply with the Oklahoma Inspectors Act, including 59 O.S. § 1046, applicable administrative rules, and all other applicable law. The inspector shall maintain required insurance and shall remain free from the direction or control of any contractor, designer, or other person whose work is being inspected. Payment by an owner, permit applicant, or contractor does not permit that person to direct or control the inspection, findings, or report. The Building Official may require proof of qualifications, insurance, and independence before or during the work.

(C) Scope, reports, and costs. A third-party inspector may act only within the written scope approved by the Building Official and shall submit a signed written report directly to the Building Official in the form and within the time required by the Building Official. The report shall identify the project, permit, inspection performed, applicable code or approved-plan requirements, findings, deficiencies, and the inspector's license information. No inspection is approved until the Building Official accepts the report and records the result in the City's permit or inspection records. Unless the City agrees otherwise, all third-party costs shall be paid by the owner or permit applicant and shall not reduce City permit or inspection fees except as provided by the City's adopted fee schedule.

(D) City and Building Official retain authority. The City remains the adopting jurisdiction, and the Building Official remains the Authority Having Jurisdiction. Subject to any appeal expressly provided by law or the City's adopted codes, the Building Official retains exclusive and final administrative authority to interpret and enforce those codes; determine compliance; accept, reject, or condition any report; require corrections, testing, or reinspection; conduct or require a City inspection at any time; and issue permits, notices, orders, approvals, and certificates of occupancy or completion. A third-party inspector may not exercise any of those powers, waive a code requirement, approve a deviation from approved plans, represent that the inspector speaks for the City, or otherwise bind the City.

(E) Administration and withdrawal of approval. The Building Official may establish written procedures, forms, reporting requirements, and reasonable project-specific qualifications or insurance requirements consistent with this section and state law. The Building Official may limit, suspend, or revoke an inspector's approval or project authorization for work outside the approved scope, loss of qualifications or insurance, conflict of interest, untimely or unreliable reporting, failure to follow City requirements, or any other cause affecting public safety or the integrity of code administration.

(F) Status; other requirements. A third-party inspector is an independent contractor and not an officer, employee, or agent of the City. Nothing in this section creates City liability for a third-party inspector's acts or omissions or waives any immunity, defense, or limitation of liability available to the City. This section supplements and does not replace requirements for special inspections, testing agencies, registered design professionals, or other services required by the City's adopted codes.

Section 2. Codification.

The City Clerk and City Attorney are authorized to codify this ordinance in Chapter 150 and to make non-substantive formatting, numbering, and cross-reference corrections.

Section 3. Severability.

If any provision of this ordinance is held invalid or unenforceable, the remaining provisions shall remain in effect. The City Council declares that it would have adopted the valid portions without the invalid or unenforceable provision.

Section 4. Repealer.

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent of the conflict.

Section 5. Effective Date.

This ordinance shall take effect after its passage, approval, and publication as required by law.

PASSED AND APPROVED this 8th day of September, 2026.

CITY OF CLAREMORE, OKLAHOMA

By: Debbie Long
Debbie Long, Mayor



ATTEST:

Sarah Sharp
Sarah Sharp, City Clerk

APPROVED AS TO FORM:

Adam Heavin
Adam Heavin, City Attorney

AFFIDAVIT OF PUBLICATION

County of Rogers, State of Oklahoma

The Claremore Daily Progress
103 E. Patti Page Blvd
Claremore, OK 74017
918-341-1101

ORDINANCE NO 2026-17

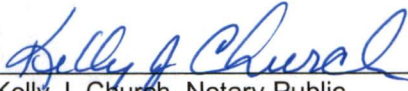
I, HEATHER KILPATRICK, of lawful age, being duly sworn upon oath, deposes and says that I am the Publisher of The Claremore Progress, a daily publication that is a "legal newspaper" as that phrase is defined in 25 O.S. § 106, as amended to date, for the City of Claremore, for the County of Rogers, in the State of Oklahoma. The attachment hereto contains a true and correct copy of what was published in the regular edition of said newspaper, and not in a supplement, in consecutive issues on the following dates:

09/15/2026



Heather Kilpatrick, Publisher

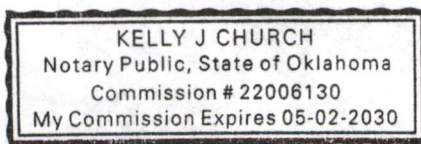
Signed and sworn to before me on this
15th day of September, 2026



Kelly J. Church, Notary Public

My Commission expires: 05-02-2030
Commission # 22006130

Publisher's Fee \$ 214.06



Published In THE CLAREMORE DAILY PROGRESS, Claremore, Rogers County, Oklahoma, September 15, 2026.

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CITY OF CLAREMORE, OKLAHOMA

/s/ Debbie Long
Debbie Long, Mayor

ATTEST:

/s/ Sarah Sharp
Sarah Sharp, City Clerk

APPROVED AS TO FORM:

/s/ Adam Heavin
Adam Heavin, City Attorney

(SEAL)