

§63-1051. Short title.

This act may be cited as the "Oklahoma Housing Authorities Act." Laws 1965 C. 251, Sec. 1. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 1, emerg. eff. June 18, 1965.

§63-1052. Application of act.

The provisions of this act shall apply in all counties of this state. Laws 1965 C. 251, Sec. 2. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 2, emerg. eff. June 18, 1965.

§63-1053. Finding and declaration of necessity.

It is hereby declared:

(a) that there exists in urban and rural areas in certain counties in the state unsanitary, unsafe, and overcrowded dwelling accommodations; that in such urban and rural areas within the state there is a shortage of safe or sanitary dwelling accommodations available at rents or prices which persons of low income can afford and that such shortage forces such persons to occupy unsanitary, unsafe, and overcrowded dwelling accommodations;

(b) that the aforesaid conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals and welfare of the residents of the state; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities;

(c) that these slum areas cannot be cleared nor can the shortage of safe and sanitary dwelling for persons of low income be adequately relieved through the operation of private enterprise and that housing projects for persons of low income as herein defined would therefore not be competitive with private enterprise;

(d) that such projects would also make housing available for persons of low income who are displaced in the rehabilitation, clearance, or redevelopment of slums and blighted areas or as the result of other governmental action, and for veterans of low income who are unable to provide themselves with decent housing on the basis of the benefits heretofore made available to them through certain government guarantees of loans to veterans for the purchase of residential property;

(e) that the clearance, replanning and preparation for rebuilding of these areas and the providing of safe and sanitary dwelling accommodations and maintaining a wholesome living environment for persons of low income are charitable and public

uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern;

(f) that residential construction activity is closely correlated with general economic activity and that the undertakings authorized by this act to aid the provision of better housing and more desirable neighborhood and community development at lower costs will make possible a more stable and larger volume of residential construction activity which will assist materially in maintaining full employment; and

(g) that it is in the public interest that preparations for such projects and activities be made now, and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared as a matter of legislative determination.

Laws 1965, c. 251, § 3, emerg. eff. June 18, 1965.

§63-1054. Definitions.

The following terms, wherever used or referred to in this act, shall have the following respective meanings, unless a different meaning clearly appears from the context:

(a) "Authority" means any public body corporate and politic created by this act.

(b) "City" means any incorporated city or town in the state. "County" means any county in the state.

(c) "Governing body" means, in the case of a city, the council or other governing body of the city in which is vested legislative authority customarily imposed on the city council, and, in the case of a county, the board of county commissioners.

(d) "Mayor" means the mayor of the city or the officer thereof charged with the duties customarily imposed on the mayor or executive head of a city.

(e) "Clerk" means the city clerk or the county clerk, as the case may be.

(f) "Area of operation" means:

(1) in the case of an authority of a city, the city and the area within one (1) mile of the territorial boundaries thereof, except that the area of operation of an authority of any city shall not include any area which lies within the territorial boundaries of some other city;

(2) in the case of an authority of a county, all of the county for which it is created: Provided, that a county authority shall not undertake any project within the boundaries of any city unless a resolution shall have been adopted by the governing body of the city and by any authority which shall have been theretofore established and authorized to exercise its

powers in the city declaring that there is need for the county authority to exercise its powers within that city. No authority shall operate in any area in which an authority already established is operating without the consent by resolution of the authority already operating therein.

(g) "Federal government" includes the United States of America, the Public Housing Administration, or any other agency or instrumentality, corporate or otherwise, of the United States of America.

(h) "Slum" means any area where dwellings predominate which by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light, or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

(i) "Housing project" or "project" means any work or undertaking on contiguous or noncontiguous sites:

(1) to demolish, clear, or remove buildings from any slum area;

(2) to provide or assist in providing (by any suitable method, including but not limited to: rental; sale of individual units in single or multifamily structures under conventional, condominium, or cooperative sales contract; lease-purchase agreement; loans; or subsidizing of rentals or charges) decent, safe and sanitary urban or rural dwellings, apartments, or other living accommodations for persons of low income; or

(3) to accomplish a combination of the foregoing. Such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient or desirable appurtenances; streets, sewers, water service, utilities, parks, site preparation, and landscaping; and facilities for administrative, community, health, recreational, welfare, or other purposes. The term "housing project" or "project" also may be applied to the planning of the buildings and improvements, the acquisition of property or any interest therein, the demolition of existing structures, the construction, reconstruction, rehabilitation, alteration or repair of the improvements and all other work in connection therewith; and the term shall include all other real and personal property and all tangible or intangible assets held or used in connection with the housing project.

(j) "Persons of low income" shall mean persons or families who lack the amount of income which is necessary (as determined by the authority undertaking the housing project) to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding, however, the local housing authority shall not exceed the guidelines in

establishing incomes set forth by the Department of Housing and Urban Development.

(k) "Bonds" means any bonds, notes, interim certificates, debentures, or other obligations issued by an authority pursuant to this act.

(l) "Real property" includes all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein including terms for years.

(m) "Obligee of an authority" or "obligee" includes any bondholder, agent or trustee for any bondholder, or lessor demising to the authority property used in connection with a project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the authority.

(n) "Persons engaged in national defense activities" means persons in the Armed Forces of the United States; employees of the Department of Defense; and workers engaged or to be engaged in activities connected with national defense. The term also includes the families of the persons, employees, and workers who reside with them.

(o) "Major disaster" means any flood, drought, fire, hurricane, tornado, earthquake, storm, or other catastrophe which, in the determination of the governing body, is of sufficient severity and magnitude to warrant the use of available resources of the federal, state, and local governments to alleviate the damage, hardship, or suffering caused thereby.

(p) "State public body" means any city, county, municipal corporation, commission, district, authority, agency, subdivision, or public body of the state.

Added by Laws 1965, c. 251, § 4, emerg. eff. June 18, 1965.

Amended by Laws 1967, c. 339, § 1; Laws 1969, c. 281, § 1; Laws 1971, c. 218, § 1, emerg. eff. June 11, 1971.

§63-1055. Creation of city and county authorities.

In each city and in each county of the state there is hereby created a public body corporate and politic to be known as the "housing authority" of the city or county; provided, that the authority shall not transact any business or exercise its powers hereunder until or unless the governing body of the city or county, as the case may be, by proper resolution declares that there is need for an authority to function in the city or county.

The governing body shall give consideration as to the need for an authority (1) on its own motion or (2) upon the filing of

a petition signed by not less than five percent (5%) of the qualified voters of the city or county, as the case may be, asserting that there is need for an authority to function in the city or county and requesting that its governing body so declare.

The governing body shall adopt a resolution declaring there is need for an authority in the city or county, as the case may be, if it finds (1) that insanitary or unsafe inhabited dwelling accommodations exist in the city or county, and (2) that there is a shortage of safe and sanitary dwelling accommodations in the city or county available to persons of low income at rentals or prices they can afford. If the governing body declares a need for housing exists, as set forth in (1) and (2) of this paragraph, said governing body shall issue notice of such need and the number of housing units proposed in a newspaper having a general circulation in the area in which the need is certified. Such notice shall set forth the facts that said declaration of need is final, if not protested within thirty (30) days from date of said notice by the method provided in the next succeeding paragraph.

Provided, however, that if a petition signed by not less than five percent (5%) of the legal registered voters of the city or county affected, as the case may be, is submitted to the governing body within thirty (30) days of the adoption of said resolution then said resolution shall be ineffective until approved by a majority of those voting on the question at a special or general election; provided that in the event said resolution is not approved by a majority of those voting at any special or general election, then the same or a similar resolution shall not be adopted by the governing body for a period of one (1) year thereafter.

Provided further, however, in all cities and counties of less than two hundred thousand (200,000) population, according to the last Federal Decennial Census, all projects not authorized prior to July 1, 1968, shall be ineffective until approved by a majority of those voting on the question at a special or general election; except projects authorized under the provisions of Section 1057 of this act.

In any suit, action or proceeding involving the validity or enforcement of or relating to any contract of the authority, an authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers upon proof of the adoption of the resolution and proof of the approval by a majority of the voters as herein prescribed. A copy of the resolution duly certified by the clerk shall be admissible in evidence in any suit, action or proceeding.

Laws 1965, c. 251, § 5; Laws 1967, c. 339, § 2; Laws 1969, c. 281, § 2, emerg. eff. April 25, 1969.

§63-1055.1. Certain housing authorized to use state controlled communication towers.

Any city, county, Rural Electric Cooperative or Indian housing authority created pursuant to Sections 1055 and 1057 of Title 63 of the Oklahoma Statutes is hereby authorized subject to approval of the state agency controlling such communication towers to use state controlled communication towers; provided such use shall meet engineering specifications to ensure that such towers shall not be damaged or the purpose of such towers shall not be interfered with.

Added by Laws 1986, c. 94, § 1.

§63-1056. Petitions and elections to discontinue the construction of additional public housing projects.

A. 1. Upon the filing of a petition by five percent (5%) of the qualified voters of the city or county, as the case may be, asserting there is need for limiting an authority to its existing operations and prohibiting such authority from engaging in additional projects or additions to existing projects, or upon its own motion, the governing body of that city or county, as the case may be, shall call an election of the qualified voters residing in the area of the authority for the purpose of deciding whether or not the authority shall be limited to its existing operations and prohibited from engaging in additional projects or additions to existing projects.

2. The date for such election shall be set by the governing body by resolution; provided, that such election shall be held not less than eight (8) weeks nor more than twelve (12) weeks after the date such petition is filed.

B. If a protest to such petition is filed, the burden of proving the insufficiency of such petition shall be upon the protestants. The hearing on such protest shall be held and the protest decided by the governing body within four (4) weeks after the filing thereof.

C. 1. At such election the question before the voters shall be:

Shall the Public Housing Authority of _____ be limited to its existing operations and prohibited from engaging in additional projects or making additions to existing projects?

() YES

() NO

2. The question shall be decided by a majority of those voting thereon.

D. The authority shall be limited to its existing operations and prohibited from engaging in additional projects or additions to existing projects upon certification that a majority of those voting thereon have voted in the affirmative.

E. 1. If an authority has been so limited and prohibited as a result of such an election the filing of a petition by five percent (5%) of the qualified voters of the city or county, as the case may be, asserting that there is a need for restoring the power of an authority to engage in additional projects and additions to existing projects, the governing body shall, by resolution, call an election of the qualified voters residing in the area of the authority for the purpose of deciding whether such power shall be restored.

2. Such election shall be held not less than eight (8) weeks nor more than twelve (12) weeks after the date such petition is filed.

3. If a protest to such petition is filed, the burden of proving the insufficiency of such petition shall be upon the protestants. The hearing on such protest shall be held and the protest decided by the governing body within four (4) weeks after the filing thereof.

4. At such election the question before the voters shall be:

a. Shall the power of the Public Housing Authority of _____ to engage in additional projects and to make additions to existing projects be restored?

() YES

() NO

b. The question shall be decided by a majority of those voting thereon.

F. No election under subsection C or E of this section shall be called or held within twelve (12) months after the last election thereunder.

G. A public housing authority whose powers have been limited by an election held pursuant to this section prior to November 1, 1998, shall have its powers fully restored by operation of law if a period of at least fifteen (15) years has elapsed from the date the election results were certified. Added by Laws 1965, c. 251, § 6, emerg. eff. June 18, 1965. Amended by Laws 1998, c. 99, § 1, eff. Nov. 1, 1998.

§63-1057. Creation of Indian housing authorities.

There is hereby created, with respect to each Indian tribe, band, or nation in the state, a public body corporate and politic, to function in the operating area of such Indian tribe, band, or nation to be known as the "housing authority" of said Indian tribe, band, or nation, which shall be an agency of the

State of Oklahoma, possessing all powers, rights, and functions herein specified for city and county authorities created pursuant to this act: Provided that said Indian housing authority shall not transact any business nor exercise its powers hereunder until or unless the governing council of said tribe, band, or nation, as the case may be, by proper resolution, declares that there is a need for an authority to function for said tribe, band, or nation.

Except as otherwise provided in this act, all the provisions of law applicable to housing authorities created for cities and counties and the commissioners of such authorities shall be applicable to Indian housing authorities and the commissioners thereof, unless a different meaning clearly appears from the context. The Chief or other governing head of an Indian tribe, band, or nation is hereby authorized to exercise all appointing and other powers with respect to an Indian housing authority that are vested by this act in the mayor of a city relating to a City Housing Authority.

Laws 1965, c. 251, § 7, emerg. eff. June 18, 1965.

§63-1058. Appointment, qualifications, tenure and meetings of authority commissioners.

A. When a housing authority is authorized to transact business and exercise powers hereunder, five (5) persons shall be appointed as commissioners of the authority as follows:

1. In the case of a city, by the mayor with the advice and consent of the governing body; or

2. In the case of a county, by the board of county commissioners, and at least one of the persons so appointed shall be a tenant in a housing project under the jurisdiction of such authority.

The term of office of each commissioner shall be for three (3) years, except that of the commissioners first appointed one shall serve for a term of one (1) year and two shall serve for terms of two (2) years. All vacancies shall be filled for the unexpired term. Each commissioner shall qualify by taking the official oath of office prescribed by statute or ordinance for elected officials of the county or city, as the case may be.

B. A commissioner shall receive no compensation for his services, but may be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties or receive a per diem payment of not to exceed Thirty-five Dollars (\$35.00) plus mileage as provided by the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74, for expenses incurred in attending meetings of the housing authority. Each commissioner shall hold office until his

successor has been appointed and qualified. A certificate of appointment or reappointment of any commissioner shall be filed with the authority and this certificate shall be conclusive evidence of the due and proper appointment of the commissioner.

C. The powers of each authority shall be vested in the commissioners thereof in office from time to time. A majority of the commissioners of an authority shall constitute a quorum for the purpose of conducting its business and exercising its powers and for all other purposes, notwithstanding the existence of any vacancies. Action may be taken by the authority upon a vote of a majority of the commissioners present, unless in any case the bylaws of the authority shall require a larger number. Meetings of the commissioners of an authority may be held anywhere within the area of operation of the authority or within any additional area in which the authority is authorized to undertake a project. Such meetings shall be held pursuant to the provisions of the Open Meeting Act, Section 301 et seq. of Title 25 of the Oklahoma Statutes.

D. The commissioners of an authority shall elect a chairman and vice chairman from among the commissioners. An authority may employ an executive director, legal and technical experts and such other officers, agents and employees, permanent and temporary, as it may require, and shall determine their qualifications, duties and compensation. An authority may delegate to one or more of its agents or employees such powers or duties as it may deem proper.

Amended by Laws 1982, c. 305, § 1, emerg. eff. May 28, 1982; Laws 1987, c. 34, § 1, eff. Nov. 1, 1987.

§63-1059. Interest of commissioners, officers, or employees.

A. During his tenure and for one (1) year thereafter, no commissioner, officer, or employee of the local housing authority shall voluntarily acquire any interest, direct or indirect, in any project or in any property included or planned to be included in any project, or in any contract or proposed contract relating to any housing project. If any such commissioner, officer, or employee involuntarily acquired any such interest, or voluntarily or involuntarily acquired any such interest prior to appointment or employment as commissioner, officer, or employee, the commissioner, officer, or employee, in any such event, shall immediately disclose his interest in writing to the authority, and such disclosure shall be entered upon the minutes of the authority, and the commissioner, officer, or employee shall not participate in any action by the authority relating to the property or contract in which he has any such interest. Any violation of the foregoing provisions of

this section shall constitute misconduct in office. This section shall not be applicable to the acquisition of any interest in notes or bonds of an authority issued in connection with any housing project, or to the execution of agreements by banking institutions for the deposit or handling of funds in connection with a project or to act as trustee under any trust indenture, or to utility services the rates for which are fixed or controlled by a governmental agency.

B. Nothing in this section shall be construed to apply to the housing authority commissioner who is a tenant.

Amended by Laws 1988, c. 233, § 4, operative July 1, 1988.

§63-1060. Removal of commissioners.

For inefficiency, neglect of duty or misconduct in office, or allowing any portion of any project to become dilapidated, unsanitary or unkept, a commissioner of an authority may be removed by the governing body, or, in the case of an authority for a county, by the board of county commissioners, but a commissioner shall be removed only after a hearing and after he shall have been given a copy of the charges at least ten (10) days prior to the hearing and had an opportunity to be heard in person or by counsel. In the event of the removal of any commissioner, a record of the proceedings, together with the charges and findings thereon, shall be filed in the office of the clerk.

Laws 1965, c. 251, § 10, emerg. eff. June 18, 1965.

§63-1061. Power of authority.

Every authority shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including the following powers in addition to others herein specifically granted:

(a) To sue and to be sued; to have a seal and to alter the same at pleasure; to have perpetual succession; to make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the authority; and to make and from time to time amend and repeal bylaws, rules and regulations.

(b) Within its area of operation: to prepare, carry out and operate projects and to provide for the acquisition, construction, reconstruction, improvement, extension, alteration or repair of any project or any part thereof. Provided, however, that a public hearing to consider a proposed project requiring construction, purchasing, leasing or renting of more than twenty new housing units shall be held together by the

authority and governing body, and any such project must be found to be in the public interest by a majority of the members constituting said authority and a majority of the members constituting said governing body as a condition precedent to the implementation of any such project. Notice of the public hearing required by this provision shall be given by publication in a newspaper of general circulation within the jurisdiction of the authority at least ten (10) days and not more than thirty (30) days prior to said hearing; provided that an additional public hearing shall be held by the authority before the same shall select any location for any contiguous or noncontiguous area of land on which the authority proposes to construct more than twenty additional new housing units, and such hearing shall have as its subject the location of the proposed additional units. Notice of the public hearing required by this provision shall be given in a newspaper of general circulation within the jurisdiction of the authority at least ten (10) days and not more than thirty (30) days prior to said hearing and three members of the Commission must concur in the selection of any such location, except that the aforesaid proviso concerning an additional public hearing shall not apply to a location in an approved urban renewal project area.

(c) To undertake and carry out studies and analyses of housing needs within its area of operation and ways of meeting such needs, including data with respect to population and family groups and the distribution thereof according to income groups, the amount and quality of available housing and its distribution according to rental and sale prices, employment, wages and other factors affecting the local housing needs and the meeting thereof, and to make the results of such studies and analyses available to the public and the building, housing and supply industries; and to engage in research and disseminate information on housing and slum clearance.

(d) To utilize, contract with, act through, assist and cooperate or deal with any person, agency, institution or organization, public or private, for the provision of services, privileges, works or facilities for or in connection with its projects; and, notwithstanding anything to the contrary contained in this act or in any other provision of law, to agree to any conditions attached to federal financial assistance relating to the determination of prevailing salaries or wages or payment of not less than prevailing salaries or wages or compliance with labor standards, in the development or administration of projects, and to include in any contract awarded or entered into in connection with a project stipulations requiring that the contractor and all subcontractors comply with requirements as to minimum salaries

or wages and maximum hours of labor, and comply with any conditions attached to the financial aid of the project. Construction, restitution, improvement, extension, alteration or major repair of any project or any part thereof shall be open to competitive bidding: provided, however, nothing in this section shall prevent a local housing authority from requesting proposals from property owners and/or developers to provide certain kinds of housing to the housing authority either presently existing or to be developed; provided, that the local authority establish safeguards relating to laws and regulations of the United States wherein the same has entered into contracts with the authority to provide financial assistance in acquiring the same; provided, further, that no authority shall discriminate in its seeking, or in the award, of any contract for services, acquisition of real or personal property, construction of buildings, dwelling units, streets, utilities, site grading, landscaping and repairs to any of its holdings or upon property that the authority plans to acquire, to include renovations, solely based on the race, sex, color, religious beliefs or national origin of a person or firm; except an Indian authority may give preference in its awarding of a contract in all forms so long as the services to be performed, or the construction of buildings, dwellings, site improvements, repairs or renovation is to be performed or carried out on a federally recognized tribal reservation or former reservations and only then upon land held in trust by, or owned by, the respective Indian tribe; and provided, further, that all previously listed restrictions and regulations concerning public hearings and locations of said projects are complied with in their entirety.

(e) To lease, rent, sell or lease with option to purchase any dwelling, accommodations, lands, buildings, structures or facilities embraced in any project and, subject to the limitations contained in this act with respect to the rental of or charges for dwellings in housing projects, to establish and revise the rents or charges therefor; to own, hold and improve real or personal property; to purchase, lease, obtain options upon, acquire by gift, grant, bequest, devise or otherwise any real or personal property or any interest therein; to acquire by the exercise of the power of eminent domain any real property or interest therein; to sell, lease, exchange, transfer, assign, pledge or dispose of any real or personal property or any interest therein, provided, however, that before any such personal property shall be sold it shall be advertised for sale in a newspaper of general circulation within the jurisdiction of the authority, and such advertisement shall state the time and place where written bids shall be received, or public auction shall be held, that such property shall be sold to the highest

bidder, and that the authority may, within its discretion, reject all bids and readvertise such property for sale in the event any property, real or personal, acquired by the authority, by eminent domain or otherwise, is later found to be in excess of its needs, or unsuitable or unuseable for any reason, such property shall, before being sold, leased, exchanged, transferred, assigned, pledged or disposed of in any other manner, be first offered to those persons, individuals, groups, organizations, corporations, municipalities or their successors from whom it was first procured by the authority, at the same price as paid by the authority at the time of acquiring same, and except that lands acquired by the authority may be sold to other governmental agencies for public purposes, as long as such parcel of land does not exceed one percent (1%) of the total land held by the authority and the sale is made within ninety (90) days of the effective date of this act; to make loans for the provisions of housing for occupancy by persons of low income; to insure or provide for the insurance of any real or personal property or operations of the authority against any risks or hazards; to procure or agree to the procurement of government insurance or guarantees of the payment of any bonds or parts thereof issued by the authority, including the power to pay premiums on any such insurance; provided, however, that notwithstanding any provisions in this law, the authority may develop programs for the sale of individual homes and/or two-family units to low income families or to families who have at one time qualified as low income families under this act, under terms which the housing authority may establish under conditions acceptable to bondholders, other lenders and the federal government.

(f) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement in property or securities in which public funds in the custody of a county treasurer or the Treasurer of the State of Oklahoma may be legally invested; to redeem its bonds at the redemption price established therein or to purchase its bonds at less than such redemption price, all bonds so redeemed or purchased to be cancelled.

(g) Within its area of operation: to determine where slum areas exist or where there is unsafe, unsanitary or overcrowded housing; to make studies and recommendations relating to the problem of clearing, replanning and reconstruction of slum areas and the problem of eliminating unsafe, unsanitary or overcrowded housing and providing dwelling accommodations for persons of low income; and to cooperate with the state or any state public body in action taken in connection with such problems. Provided, however, the authority shall not have the power to relocate any

persons to other areas until housing has been provided for such persons under this act.

(h) Acting through one or more commissioners or other persons designated by the authority: to conduct examinations and investigations and to hear testimony and take proof under oath at public hearings on any matter material for its information; to administer oaths, issue subpoenas requiring the attendance of witnesses or the production of books and papers and to issue commissions for the examination of witnesses who are outside of the state or unable to attend before the authority, or excused from attendance; to make available to appropriate agencies, including those charged with the duty of abating or requiring the correction of nuisances or like conditions or of demolishing unsafe or unsanitary structures within its area of operation, its findings and recommendations with regard to any building or property where conditions exist which are dangerous to the public health, morals, safety or welfare.

(i) To exercise all or any part or combination of powers herein granted.

The powers of an authority shall not include: (1) the power to appropriate funds of a city or county; (2) the power to levy taxes and assessments; (3) the power to zone or rezone; or (4) the power to make exceptions to zoning ordinances or building regulations of a city or county.

No provision by law with respect to the acquisition, operation or disposition of property by other public bodies shall be applicable to an authority unless the Legislature shall specifically so state.

Amended by Laws 1982, c. 305, § 2, emerg. eff. May 28, 1982.

§63-1062. Operation of housing not for profit.

It is hereby declared to be the policy of this state to accomplish the charitable and public purposes of this act that each authority shall manage and operate its housing projects in an efficient manner so as to enable it to fix the rentals or payments for dwelling accommodations at low rates consistent with its providing decent, safe and sanitary dwelling accommodations for persons of low income and that no authority shall construct or operate any housing project for profit, or as a source of revenue to the city or county. To this end an authority shall fix the rentals or payments for dwellings in its projects at no higher rates than it shall find to be necessary in order to produce revenues which, together with all other available monies, revenues, income and receipts of the authority from whatever sources derived, including Federal financial

assistance necessary to maintain the low-rent character of the project, will be sufficient:

(a) to pay, as the same become due, the principal and interest on the bonds of the authority;

(b) to create and maintain such reserves as may be required to assure the payment of principal and interest as it becomes due on its bonds;

(c) to meet the cost of, and to provide for, maintaining and operating the projects, including necessary reserves therefor and the cost of any insurance, and the administrative expenses of the authority; and

(d) to make such payments in lieu of taxes and, after payment in full of all obligations for which federal annual contributions are pledged, to make such repayments of federal and local contributions as it determines are consistent with the maintenance of the low-rent character of projects.

Rentals or payments for dwellings shall be established and the projects administered, insofar as possible, so as to assure that any federal financial assistance required shall be strictly limited to amounts and periods necessary to maintain the low-rent character of the projects. Nothing herein shall be construed to limit the amount an authority may charge for nondwelling facilities. All such income, together with other income and revenue, shall be used in the operation of the projects to aid in accomplishing the charitable and public purposes of this act.

Laws 1965, c. 251, § 12, emerg. eff. June 18, 1965.

§63-1063. Tenant eligibility.

An authority shall issue regulations establishing eligibility requirements, consistent with the purposes and objectives of this act, for admission to and continued occupancy in its projects.

Nothing contained in this or the preceding section shall be construed as limiting the power of an authority with respect to a housing project, to vest in an obligee the right, in the event of a default by the authority, to take possession or cause the appointment of a receiver thereof, free from all of the restrictions imposed by this or the preceding section. Laws 1965 C. 251, Sec. 13. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 13, emerg. eff. June 18, 1965.

§63-1064. Cooperation between authorities.

Any two or more authorities may join or cooperate with one another in the exercise, either jointly or otherwise, of any or

all of their powers for the purpose of financing, including the issuance of bonds, notes or other obligations and giving security therefor, planning, undertaking, owning, constructing, operating or contracting with respect to a housing project or projects located within the area of operation of any one or more of said housing authorities. For such purpose a housing authority may by resolution prescribe and authorize any other housing authority or authorities, so joining or cooperating with it, to act on its behalf with respect to any or all powers, as its agent or otherwise, in the name of the housing authority or authorities so joining or cooperating, or in its own name. Laws 1965 C. 251, Sec. 14. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 14, emerg. eff. June 18, 1965.

§63-1065. Dwellings for disaster victims and defense workers.

Notwithstanding the provisions of this or any other act relating to rentals of, preferences or eligibility for admission to, or occupancy of dwellings in housing projects, during a time of war as declared by Congress an authority determines that there is an acute need for housing to assure the availability of dwellings for persons engaged in national defense activities or for victims of a major disaster at any time the same may occur, the authority may undertake the development and administration of housing projects for the federal government, and dwellings in any housing project under the jurisdiction of the authority may be made available to persons engaged in national defense activities or to victims of a Major disaster, as the case may be. An authority is authorized to contract with the federal government or the state or a state public body for advance payment or reimbursement for the furnishing of housing to victims of a major disaster, including the furnishing of the housing free of charge to needy disaster victims during any period covered by a determination of acute need by the authority as herein provided.

Laws 1965, c. 251, § 15; Laws 1967, c. 339, § 6.

§63-1066. Tax exemption and payments in lieu of taxes.

The property and funds of a housing authority are declared to be used for charitable purposes and to be public property used for essential public and governmental purposes, and such property and the authority are exempt from all taxes, including sales and use taxes and special assessments of the state or any state or local public body. In lieu of taxes on its property an authority shall agree to make such payments to the state or any state or local public body as the governing body of the city or

county finds consistent with the maintenance of the low-rent character of housing projects and the achievement of the purposes of this act, provided that not less than one-half (1/2) of the annual amount of such payment in lieu of taxes shall be paid to the school district within which the property of the housing authority is located. The amount of money collected under the provisions of this act shall not be considered as chargeable income to the district receiving such funds. The tax exemption provided by this section does not apply to any portion of a project used by a profit-making enterprise, but in taxing such portions appropriate allowance shall be made for any expenditure by an authority for utilities or other public services which it provides to serve the property. Laws 1965 C. 251, Sec. 16, Laws 1969 C. 341, Sec. 1. Emerg. Eff. May 8, 1969.

Laws 1965, c. 251, § 16; Laws 1969, c. 341, § 1, emerg. eff. May 8, 1969.

§63-1067. Planning, zoning and building laws.

All projects of an authority shall be subject to the planning, zoning, sanitary and building laws, ordinances and regulations applicable to the locality in which the project is situated. Laws 1965 C. 251, Sec. 17. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 17, emerg. eff. June 18, 1965.

§63-1068. Bonds.

An authority shall have power to issue bonds from time to time, in its discretion, for any of its corporate purposes. It shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. An authority may issue such types of bonds as it may determine, including, without limiting the generality of the foregoing, bonds on which the principal and interest are payable:

(a) exclusively from the income and revenues of the project financed with the proceeds of such bonds;

(b) exclusively from the income and revenues of certain designated projects whether or not they are financed in whole or in part with the proceeds of such bonds; or

(c) from its revenues generally.

Any such bonds may be additionally secured by a pledge of any loan, grant, or contributions, or parts thereof, from the federal government or other source, or a pledge of any income or revenues of the authority.

Neither the members of an authority nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of an

authority, and such bonds and obligations shall so state on their face, shall not be a debt of the city or county, or of the state or any political subdivision thereof, and neither the city or county nor the state or any political subdivision thereof shall be liable thereon, and in no event shall such bonds or obligations be payable out of any funds or properties other than those of the authority. The bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction. Bonds of an authority are declared to be issued for an essential public and governmental purpose and to be public instrumentalities and, together with interest thereon and income therefrom, shall be exempt from taxes. The provisions of this act exempting from taxation the properties of an authority and its bonds and interest thereon and income therefrom shall be considered part of the contract for the security of the bonds and shall have the force of contract, by virtue of this act and without the necessity of the same being restated in said bonds, between the bondholders and each and every one thereof, including all transferees of said bonds from time to time on the one hand and an authority and the state on the other.

Laws 1965, c. 251, § 18, emerg. eff. June 18, 1965.

§63-1069. Form and sale of bonds.

Bonds of an authority shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, mature at such time or times, bear interest at such rate or rates, not exceeding six percent (6%) per annum, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption, with or without premium, as such resolution or its trust indenture may provide.

The bonds must be sold at public sale at not less than par. Bonds of the authority shall not be purchased by members of the authority or its employees or members of their immediate families.

In case any of the members or officers of an authority whose signatures appear on any bonds or coupons shall cease to be such members or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such members or officers had remained in office until such delivery. Any provision of any law to the

contrary notwithstanding, any bonds issued pursuant to this act shall be fully negotiable.

In any suit, action or proceeding involving the validity or enforceability of any bond of an authority or the security therefore, any such bond reciting in substance that it has been issued by the authority to aid in financing a project, as herein defined, shall be conclusively deemed to have been issued for such purposes and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the purposes and provisions of this act. Laws 1965 C. 251, Sec. 19, Laws 1968 C. 254, Sec. 1; Laws 1969 C. 341, Sec. 2. Emerg. Eff. May 8, 1969.

Laws 1965, c. 251, § 19; Laws 1968, c. 254, § 1; Laws 1969, c. 341, § 2, emerg. eff. May 8, 1969.

§63-1070. Provisions of bonds and trust indentures.

In connection with the issuance of bonds or the incurring of obligations under leases and in order to secure the payment of such bonds or obligations, an authority, in addition to its other powers, shall have power:

(a) to pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence.

(b) to covenant against pledging all or any part of its rents, fees and revenues, or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on its right to sell, lease or otherwise dispose of any housing project or any part thereof; and to covenant as to what other or additional debts or obligations may be incurred by it.

(c) to covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof; to provide for the replacement of lost, destroyed, or mutilated bonds; to covenant against extending the time for the payment of its bonds or interest thereon; and to covenant for the redemption of the bonds and to provide the terms and conditions thereof.

(d) to covenant, subject to the limitations contained in this act, as to the rents and fees to be charged in the operation of a housing project or projects, the amount to be raised each year or other period of time by rents, fees, and other revenues, and as to the use and disposition to be made thereof; to create or to authorize the creation of special funds for monies held for construction or operating costs, debt service, reserves, or other purposes, and to covenant as to the use and disposition of the monies held in such funds.

(e) to prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the proportion of outstanding bonds the holders of which must consent to such action, and the manner in which such consent may be given.

(f) to covenant as to the use, maintenance, and replacement of any or all of its real or personal property, the insurance to be carried thereon and the use and disposition of insurance monies.

(g) to covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenant, condition, or obligations; and to covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity, and as to the terms and conditions upon which such declaration and its consequences may be waived.

(h) to vest in any obligee of the authority or any specified proportion of them the right to enforce the payment of the bonds or any covenants securing or relating to the bonds; to vest in such obligees the right, in the event of a default by said authority, to take possession of and use, operate and manage any project or any part thereof or any funds connected therewith, and to collect the rents and revenues arising therefrom and to dispose of such monies in accordance with the agreement of the authority with such obligees; to provide for the powers and duties of such obligees and to limit the liabilities thereof; and to provide the terms and conditions upon which such obligees may enforce any covenant or rights securing or relating to the bonds.

(i) to exercise all or any part or combination of the powers herein granted; to make such covenants, other than and in addition to the covenants herein expressly authorized, and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or, in the absolute discretion of said authority, as will tend to make the bonds more marketable notwithstanding that such covenants, acts or things may not be enumerated herein.

Laws 1965, c. 251, § 20, emerg. eff. June 18, 1965.

§63-1071. Housing bonds, legal investments and security.

The state and all public officers, private citizens, municipal corporations, political subdivisions, and public bodies, all banks, bankers, trust companies, savings banks and institutions, building and loan associations and savings and loan associations, investment companies, insurance companies, insurance associations and other persons carrying on a banking

or insurance business, and all executors, administrators, guardians, trustees and other fiduciaries may legally invest any monies or funds belonging to them or within their control in any bonds or other obligations issued by a housing authority created by the Housing Authorities Law of this state or issued by any public housing authority or agency in the United States, any of its territories, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, when such bonds or other obligations are secured by a pledge of annual contributions or other financial assistance to be paid by the United States Government or any agency thereof, or when such bonds or other obligations are secured by an agreement between the United States Government or any agency thereof and the public housing authority or agency in which the United States Government or any agency thereof agrees to lend to the public housing authority or agency, prior to the maturity of the bonds or other obligations, monies in an amount which (together with any other monies irrevocably committed to the payment of interest on the bonds or other obligations) will suffice to pay the principal of the bonds or other obligations with interest to maturity, which monies under the terms of the agreement are required to be used for this purpose, and such bonds and other obligations shall be authorized security for all public deposits and shall be fully negotiable in this state; it being the purpose of this section to authorize any of the foregoing to use any funds owned or controlled by them, including (but not limited to) sinking, insurance, investment, retirement, compensation, pension and trust funds, and funds held on deposit, for the purchase of any such bonds or other obligations: Provided, however, that nothing contained in this section shall be construed as relieving any person, firm or corporation from any duty of exercising reasonable care in selecting securities. The provisions of this section shall apply notwithstanding any restrictions on investments contained in other laws.

Laws 1965, c. 251, § 21, emerg. eff. June 18, 1965.

§63-1072. Construction of bond provisions.

This act without reference to other statutes of the state shall constitute full authority for the authorization and issuance of bonds hereunder. No other law with regard to the authorization or issuance of obligations or the deposit of the proceeds thereof that requires a bond election or in any way impedes or restricts the carrying out of the acts herein authorized to be done shall be construed as applying to any proceedings taken hereunder or acts done pursuant hereto.

Added by Laws 1965, c. 251, § 22, emerg. eff. June 18, 1965.

§63-1073. Remedies of an obligee.

An obligee of an authority shall have the right, in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

(a) by mandamus, suit, action or proceeding at law or in equity, to compel an authority and the commissioners, officers, agents or employees thereof to perform each and every term, provision and covenant contained in any contract of the authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of the authority and the fulfillment of all duties imposed upon it by this act.

(b) by suit, action or proceeding in equity, to enjoin any acts or things which may be unlawful, or the violation of any of the rights of an obligee of the authority. Laws 1965 C. 251, Sec. 23. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 23, emerg. eff. June 18, 1965.

§63-1074. Additional remedies conferrable by the authority.

An authority shall have power, by its resolution, trust indenture, lease or other contract, to confer upon any obligee the right, in addition to all rights that may otherwise be conferred, upon the happening of an event of default as defined in such resolution or instrument, by suit, action or proceeding in any court of competent jurisdiction:

(a) to cause possession of any project or any part thereof to be surrendered to any such obligee.

(b) to obtain the appointment of a receiver of any project of the authority or any part thereof and of the rents and profits therefrom. if such receiver be appointed, he may enter and take possession of such project or any part thereof and operate and maintain same, and collect and receive all fees, rents, revenues, or other charges thereafter arising therefrom, and shall keep such monies in a separate account or accounts and apply the same in accordance with the obligations of the authority as the court shall direct.

(c) to require the authority and the commissioners, officers, agents and employees thereof to account as if it and they were the trustees of an express trust.

Laws 1965, c. 251, § 24, emerg. eff. June 18, 1965.

§63-1075. Exemption of property from execution sale.

All property, including funds acquired or held by an authority pursuant to this act, shall be exempt from levy and

sale by virtue of an execution, and no execution or other judicial process shall issue against the same nor shall any judgment against the authority be a charge or lien upon such property; provided, however, that the provisions of this section shall not apply to or limit the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by the authority on its rents, fees, or revenues, or the right of the federal government to pursue any remedies conferred upon it pursuant to the provisions of this act. An authority may waive its exemption hereunder with respect to claims against any profit-making enterprise occupying any portion of a project provided that such waiver does not affect or impair the rights of any obligee of the authority.

Laws 1965, c. 251, § 25, emerg. eff. June 18, 1965.

§63-1076. Aid from federal government.

In addition to the powers conferred upon an authority by other provisions of this act, an authority is empowered to borrow money or accept contributions, grants, or other financial assistance from the federal government for or in aid of any project or related activities concerning health, environmental and similar problems of persons of low income, to take over or lease or manage any project or undertaking constructed or owned by the federal government and, to these ends, to comply with such conditions and enter into such contracts, covenants, trust indentures, leases or agreements as may be necessary, convenient or desirable. It is the purpose and intent of this act to authorize any authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the federal government in the provision of decent, safe, and sanitary dwellings and maintaining a wholesome living environment for persons of low income by the authority. To accomplish this purpose an authority, notwithstanding the provisions of any other law, may include in any contract for financial assistance with the federal government any provisions which the federal government may require as conditions to its financial aid not inconsistent with the purposes of this act. Laws 1965 C. 251, Sec. 26. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 26, emerg. eff. June 18, 1965.

§63-1077. Transfer of possession or title to federal government.

In any contract with the federal government for annual contributions to any authority the authority may obligate itself, which obligation shall be specifically enforceable and

shall not constitute a mortgage, notwithstanding any other laws, to convey to the federal government possession of or title to the project to which such contract relates, upon the occurrence of a substantial default, as defined in such contract, with respect to the covenants and conditions to which the authority is subject; such contract may further provide that in case of such conveyance, the federal government may complete, operate, manage, lease, convey, or otherwise deal with the project and funds in accordance with the terms of such contract; provided, that the contract requires that, as soon as practicable after the federal government is satisfied that all defaults with respect to the project have been cured and that the project will thereafter be operated in accordance with the terms of the contract, the federal government shall reconvey to the authority the project as then constituted.

Laws 1965, c. 251, § 27, emerg. eff. June 18, 1965.

§63-1078. Eminent domain.

An authority shall have the right to acquire by the exercise of the power of eminent domain any real property or interest therein which it may deem necessary for its purposes under this act after the adoption by it of a resolution declaring that the acquisition of the real property described therein is necessary for such purposes. An authority may exercise the power of eminent domain in the same manner and by like proceedings as provided for railroad corporations under the laws of this state.

Property already devoted to a public use may be acquired in like manner, provided that no real property belonging to any city, county, or any other political subdivision of the state may be acquired without its consent.

In the event any housing authority in exercising any of the powers conferred by this act makes necessary the relocation, raising, rerouting or changing the grade of or altering the construction of any railroad, common carrier, public utility property or facility, all such relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the expense of the housing authority, provided that the housing authority shall not disturb the possession or operation of any railroad, common carrier, or public utility in or to the appropriated property or facility until the relocated property or facilities are available for use and until marketable title thereto has been transferred to the railroad, common carrier or public utility.

Laws 1965, c. 251, § 28, emerg. eff. June 18, 1965.

§63-1079. Reports and audits.

At least once a year an authority shall file with the clerk of the governing body of the jurisdiction within which the authority operates a complete financial and operating report of the preceding fiscal year which shall be and remain a public record. When required by federal law, an authority shall file an audit of all financial and other transactions for the previous fiscal year and shall file such audit with the clerk as a public record and make recommendations with reference to such additional legislation or other action as it deems necessary in order to carry out the purposes of this act.

Added by Laws 1965, c. 251, § 29, emerg. eff. June 18, 1965.

Amended by Laws 2003, c. 79, § 1, eff. July 1, 2003.

§63-1080. Cooperation in undertaking projects.

For the purpose of aiding and cooperating in the planning, undertaking, construction, or operation of projects located within its jurisdiction, any state or local public body may, upon such terms, with or without consideration, as it may determine:

(a) dedicate, sell, convey, or lease any of its interest in any property, or grant easements, licenses, or any other rights or privileges therein to a housing authority, or to the federal government;

(b) cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with such projects;

(c) furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks, or other places which it is otherwise empowered to undertake;

(d) plan or replan, zone or rezone any parts of such state or local public body; make exceptions from building regulations and ordinances; make changes in its map;

(e) cause services to be furnished to a housing authority of the character which such state or local public body is otherwise empowered to furnish;

(f) enter into agreements with respect to the exercise by such state or local public body of its powers relating to the repair, improvement, condemnation, closing or demolition of unsafe, unsanitary, or unfit buildings;

(g) do any and all things necessary or convenient to aid and cooperate in the planning, undertaking, construction or operation of such projects;

(h) incur the entire expense of any public improvements made by such state or local public body in exercising the powers granted in this act; and

(i) enter into agreements with a housing authority respecting action to be taken by such state or local public body pursuant to any of the powers granted by this act. If at any time title to or possession of any project is held by any public body or governmental agency authorized by law to engage in the development or administration of low-rent housing or slum clearance projects, including any agency or instrumentality of the United States of America, the provisions of such agreements shall inure to the benefit of and may be enforced by such public body or governmental agency. Except as heretofore provided in Section 11, subsection (e), for resale to prior owners, any sale, conveyance, lease or agreement provided for in this section shall be made by a state or local public body with appraisal, public notice, advertisement and public bidding.

Laws 1965, c. 251, § 30, emerg. eff. June 18, 1965.

§63-1081. Agreements as to payments by housing authority.

In connection with any project of a housing authority located wholly or partly within the area in which any state or local public body is authorized to act, any state or local public body shall agree with the housing authority with respect to the payment by the authority of such sums in lieu of taxes for any year or period of years as are determined by the governing body of the city or county to be consistent with the maintenance of the low-rent character of housing projects or the achievement of the purposes of this act. Laws 1965 C. 251, Sec. 31. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 31, emerg. eff. June 18, 1965.

§63-1082. Other state and local aid.

In addition to other aids provided herein, the state or any state or local public body is authorized to make contributions in the form of donation of land, buildings or personal property for or in aid of the charitable purpose of housing persons or families of low income in decent, safe, and sanitary dwellings. Laws 1965 C. 251, Sec. 32. Emerg. Eff. June 18, 1965.

Laws 1965, c. 251, § 32, emerg. eff. June 18, 1965.

§63-1083. Rural electric cooperative housing authority.

There is hereby created, with respect to each rural electric cooperative in the state, a public body corporate and politic, to function in the operating area of such rural electric cooperative to be known as the "housing authority" of said

cooperative which shall be an agency of the State of Oklahoma possessing all powers, rights and functions provided by law for city and county housing authorities. No rural electric cooperative housing authority shall transact any business or exercise any powers unless the governing board of said cooperative, by proper resolution, declares that there is a need for an authority to function for said cooperative.

Except as otherwise provided in this act, all the provisions of law applicable to housing authorities created for cities and counties and the commissioners of such authorities shall be applicable to rural electric cooperative housing authorities and the commissioners thereof unless a different meaning clearly appears from the context. The chief executive officer of each rural electric cooperative is authorized to exercise all appointing and other powers with respect to a rural electric cooperative housing authority that are vested by law in the mayor of a city relating to a city housing authority. Laws 1971, c. 218, Section 2. Emerg. Eff. June 11, 1971.

Laws 1971, c. 218, § 2, emerg. eff. June 11, 1971.

§63-1083.1. Rural electric cooperative housing authorities - Exemption from publication of notice, petition and election procedure.

There is hereby created, with respect to each rural electric cooperative in the state, a public body corporate and politic, to function in the operating area of such rural electric cooperative to be known as the "housing authority" of said cooperative which shall be an agency of the State of Oklahoma possessing all powers, rights and functions provided by law for city and county housing authorities. No rural electric cooperative housing authority shall transact any business or exercise any powers unless the governing board of said cooperative, by proper resolution, declares that there is a need for an authority to function for said cooperative.

Except as otherwise provided in this act, all the provisions of law applicable to housing authorities created for cities and counties and the commissioners of such authorities shall be applicable to rural electric cooperative housing authorities and the commissioners thereof unless a different meaning clearly appears from the context. The chief executive officer of each rural electric cooperative is authorized to exercise all appointing and other powers with respect to a rural electric cooperative housing authority that are vested by law in the mayor of a city relating to a city housing authority. The requirements of Section 1055 of Title 63 of the Oklahoma Statutes as to publication of notice, petition and election and

the provisions of Section 1056 of Title 63 of the Oklahoma Statutes shall not apply to rural electric cooperative housing authorities. Laws 1973, c. 274, Section 1. Emerg. eff. May 30, 1973.

Laws 1973, c. 274, § 1, emerg. eff. May 30, 1973.

§63-1084. Industrial housing - Adoption of Federal standards.

Notwithstanding any other provisions of law, or of any municipal or county ordinance or local building code, the standards for factory-built housing, housing prototypes, subsystems, materials and components certified as acceptable by the Federal Department of Housing and Urban Development are hereby deemed acceptable and approved for use in housing construction in this state. A certificate from the State Director of the Federal Housing Administration of the Department of Housing and Urban Development shall constitute prima facie evidence that the products or materials listed therein are acceptable and such certificates shall be furnished by the building contractor to any local building inspector or other local housing authority upon request. The provisions of this act will not preclude on-site inspections by cities and towns of the service connections for electrical and sanitary facilities. Laws 1971, c. 254, Section 1. Emerg. Eff. June 16, 1971.

Laws 1971, c. 254, § 1, emerg. eff. June 16, 1971.