

ARTICLE VIII. **MOVING** OF BUILDINGS

11-194. TITLE.

This article shall be known and may be cited as the "Building **Moving** Ordinance."
(1978 Code, § 8-194)

11-195. MOVER'S LICENSE REQUIRED.

No person shall engage in the **moving** of buildings in or through the city without having a license therefor.

(1978 Code, § 8-195)

Cross reference:

License generally, see [Ch. 29](#)

11-196. **MOVING** PERMIT REQUIRED.

No building having a floor area of more than 50 square feet shall be moved out of, through or from one location to another within the city or on any of the public ways thereof without securing a written permit therefor.

(1978 Code, § 8-196)

Cross reference:

Permits generally, see [Ch. 29](#)

11-197. APPLICATION FOR LICENSE AND PERMIT.

Before any license or permit is issued under the provisions of this article, the applicant therefor shall file a written application with the City Clerk. The application for a permit shall give the name of the owner and the description of the building to be moved; give its dimensions; state the purpose; and give the locations from which and to which it is to be moved, together with the routes proposed to be followed. In case the building has a floor space area of more than 400 square feet, or in case it is over 15 feet in height, and if the building is to be located within the city, the application must be accompanied by photographs showing each of the four side elevations of the building and must likewise be accompanied with a copy of a full set of plans for the building as it is proposed to complete the same after **moving**; also, in such case, the application must be made at least seven working days in advance of the **moving** day or longer, if so required by the City Manager, in order to make the necessary arrangements.

(1978 Code, § 8-197)

11-198. AGREEMENT REQUIRED FROM PERMIT APPLICANT IN CERTAIN CASES.

Before the **moving** of any building over 400 square feet in area or over 15 feet in height is authorized, the applicant for the **moving** permit shall be required to sign a written agreement prepared by the City Attorney and approved by the City Council by

which the applicant agrees to conform to the terms of this article and other requirements of the city.

(1978 Code, § 8-198)

11-199. LICENSE AND PERMIT FEES.

(A) The license fee for a **moving** contractor shall be \$25 for each year or part of year he or she conducts business in the city.

(B) The permit fee for **moving** any building over 400 feet in area or over 15 feet in height through the city or over the streets of the city shall be \$30.

(C) The permit fee for **moving** any building over 50 square feet, but not exceeding 400 square feet in area and not exceeding 15 feet in height, shall be \$10.

(D) In case a building over 400 square feet in area or over 15 feet in height is to be moved from one location to another within the city, a preliminary inspection fee of \$20 shall be paid for the purpose of determination, on the part of the City Manager, as to whether such building is fit to be moved.

(E) In case a permit for **moving** any building over 400 square feet in area or over 15 feet in height is not used, the same may be canceled upon written request by the person to whom it was issued, and the applicant shall be entitled to a refund of \$20, less the amount of actual expenses incurred by the city. In such case, the applicant shall return all permits that have been issued to him or her.

(1978 Code, § 8-199)

11-200. BOND OR INSURANCE.

Before any permit is issued under the provisions of this article, the **moving** contractor shall furnish a surety bond conditioned upon saving the city harmless from public liability or damage to private property or a policy of public liability insurance, which bond or insurance policy shall be in limits of not less than \$25,000 for injuries to one person or \$50,000 for damages in one accident.

(1978 Code, § 8-200)

11-201. CASH DEPOSITS; APPROVAL FOR PLUGGING SEWER CONNECTIONS; FILLING EXCAVATIONS AND REMOVAL OF DEBRIS.

(A) The **moving** contractor shall make a cash deposit of \$500 to guarantee the payment of any and all damages to public property caused by the **moving** operations, including any damage to street surfaces, sidewalks, street lights, public buildings or any and all other damage to public property, also to guarantee payment of all inspection fees and expense incurred by the city as a result of the **moving** operations. The **moving** contractor shall secure the approval of the Superintendent of Public Works of the plugging of sewer connections before covering the work. He or she shall fill all excavations which result from the **moving** of the building and shall remove all materials and debris from the premises from which the building is to be moved in case the premises are located within the city. The burning of such materials and debris on the premises is prohibited.

(B) The city shall retain the **moving** contractor's cash deposit for approximately 30 days after the **moving** operations are completed, during which time it shall be the duty of the City Manager to estimate the amount of damage, if any, to public property resulting from the **moving** operations and to ascertain whether all materials and debris have been removed from the premises from which the building was moved in case the premises are located within the city. The City Manager shall make a written report in regard thereto and place the same on file. The amount of the contractor's deposit, less the amount of damage, if any, to public property and less the expense, if any, of removing material and debris, shall be returned to him or her as soon as practicable. In case the amount of such damage and/or cleaning up and removal expense shall be more than the amount of the deposit, the contractor shall pay the city the difference within ten days after receiving a statement thereof from the City Manager.

(C) The owner or **moving** contractor, on the owner's behalf, shall also file a cash deposit of \$2,000 to guarantee that the building will be completed according to the plans and specifications on file with the city and will be in full compliance with his or her agreement with the city and the requirements of the City Building Code and fit for occupancy within six months from the date when the **moving** permit is granted. The owner shall be entitled to the return of the cash deposit upon completion of the building within six months and approval and issuance of a certificate of occupancy by the city. (1978 Code, § 8-201)

Cross references:

Excavations, see [Ch. 17](#);

Refuse, see [Ch. 23](#);

Sewers, see [Ch. 53](#)

11-202. RESERVED

11-203. APPROVAL OF COUNCIL OR MANAGER.

(A) It shall be unlawful to move an existing building having a floor area of more than 50 square feet or over ten feet in height into the city from outside the limits thereof, except that the City Council may approve the **moving** of an existing building into the city, provided that the terms and provisions of this article are not otherwise varied or violated and under such additional conditions as the City Council shall impose by written agreement with the owner of the site. No agreement shall be made, the terms and provisions of which shall have the effect of waiving the terms or provisions of any state statute or any ordinance, resolution or regulation of the city.

(B) No building over 400 square feet in area or over 15 feet in height shall be moved from one location to another within the city without the removal first having been approved by the City Council. The **moving** of smaller buildings shall be subject to approval by the City Manager.

(1978 Code, § 8-202) Penalty, see § [1-9](#)

11-204. COMMITTEE TO ADVISE COUNCIL IN CASE OF DWELLING BEING MOVED.

A committee of three persons shall be appointed by the City Manager to view any dwelling to be moved and the site to which it is to be moved and make a recommendation to the City Council, through the Manager, at the time request is submitted to the Council. One member of such committee shall be a member of the Council.
(1978 Code, § 8-204)

11-205. ROUTE TO BE FOLLOWED; RULES GOVERNING MOVING OPERATIONS.

It shall be the duty of the moving contractor to move the building over the route designated by the City Manager or his or her representative. In the process of moving the building, it shall be done in a way to least obstruct the street and as expeditiously as possible. The building shall not be left standing at any street intersection at any time except in case of unavoidable occurrence making such standing necessary in the opinion of the City Manager or his or her duly designated representative. It shall be the duty of the moving contractor to erect a safe and sufficient barrier around any part of a street occupied by the building during the nighttime and maintain sufficient colored lights or flares thereon during the hours at night for the protection of the public.
(1978 Code, § 8-205)

11-206. INSPECTION OF MOVING OPERATIONS.

During the moving operation it shall be the duty of the City Manager or other representative of the city delegated for the purpose by the City Manager, at least once each day and for such length of time as he or she deems advisable, to inspect the moving operation and take any steps necessary to prevent injury to public or private property or any undue interference with public travel. The city shall be paid for the cost of the use of all city equipment required to be used or to be present during the moving operation and in addition shall be paid the sum of \$6 per hour or fraction thereof for the services of each of the city's representatives present for inspecting the moving process. The representative of the city shall be judge as to the time necessary for proper inspection during the moving operation. Written notice shall be given the City Manager at least 48 hours in advance of the moving date. The time of moving shall be set by the city official in charge. No building shall be moved at a time earlier than that agreed upon by the moving contractor and the city authorities.
(1978 Code, § 8-206)

11-207. BUILDING TO BE OCCUPIED AS DWELLING AFTER MOVE TO CONFORM TO OTHER DWELLINGS IN AREA.

All buildings moved to a location within the city and which are to be used for residential purposes shall conform, so far as possible, to the general type, age and construction of the predominant residential buildings in the area adjacent to the proposed site, which comply with or are more restrictive than the zoning regulations of the street upon which located.
(1978 Code, § 8-207)

11-208. CERTIFICATE OF OCCUPANCY FOR MOVED DWELLINGS.

Any building moved for the purpose of being occupied as a residence within the city shall not be occupied during the **moving** operations or until the building has been completed and approved by the Building Official and a certificate of occupancy has been issued by the city. Before such certificate of occupancy is issued, it shall be the duty of the Building Official or other duly authorized representative of the city to make a final inspection for the purpose of ascertaining whether such building is completed according to the plans, specifications and agreements on file with the city, is in full compliance with the requirements of the City Building Code and is fit for human occupancy. If the certificate of occupancy is not applied for within six months after the permit for **moving** a building is granted, or if the building is not completed and ready for human occupancy within six months, the cash deposit required by § 11-201 or any part thereof may be declared forfeited to the city and the city may institute proceedings to have the building condemned and torn down; provided, that upon application by the person owning the building and for good cause shown, the time for completing the work on the same so that it may be occupied may be extended for one or more periods of 90 days, upon payment of the sum of \$30 for each such extension. The City Council may, upon granting of an extension, require a new cash deposit to be made and a new agreement executed.
(1978 Code, § 8-208)

11-209-11-218. RESERVED.