

Secs. 22-396—22-420. Reserved.

ARTICLE XII. MOVING OF BUILDINGS*

DIVISION 1. GENERALLY

Sec. 22-421. Liability insurance.

(a) Every person moving a building in the city shall file with the city secretary a liability insurance policy issued by a solvent corporation holding a certificate of authority to do insurance business in the state, which policy shall conform in all respects to the requirements of this section.

(b) In lieu of filing the insurance policy referred to in subsection (a) of this section, a certificate of insurance issued by an insurance corporation may be filed. The certificate must show that a policy meeting the requirements of this section has been issued, and shall set forth the expiration date of the policy.

(c) The liability policy required under this section shall insure the person moving a building against loss from the liability imposed by law for injury to or death of any person or damage to any property growing out of the moving of such building, to the amount or limit of \$50,000.00, exclusive of interest and costs, on account of injury to or death of any one person, and subject to the same limit as respects injury to or death of one person, of \$100,000.00, exclusive of interest and costs, on account of moving any one building resulting in injury to or death of more than one person, and of \$25,000.00 for damage to property of others, resulting from moving any one building.

(Code 1974, § 6-148)

Sec. 22-422. Approval of route by chief of police.

The streets over which any building or structure is to be moved must be approved by the chief of police and notice of the date and time of the moving must be provided 24 hours in advance to the city secretary and/or chief of police.

(Code 1974, § 6-149)

Cross reference—Chief of police, § 58-61 et seq.

Sec. 22-423. Wires and structural supports.

(a) If the moving of any building for which a permit shall have been granted pursuant to this article makes it necessary to move, remove or displace any pole or other structure supporting the wires, cables or other equipment of any public utility or of the city, or to cut, displace or change the location of any wire, cable or other equipment upon the pole or structure, the person to whom such permit has been granted, or his authorized representative,

***Cross reference**—Environment, ch. 42.

shall obtain permission in writing from the owner of such pole, structure or wires, cables or other equipment, and shall notify such owner at least 24 hours prior to the time that the moving of the building will necessitate the removal of such obstructions.

(b) The person to whom the permit is granted shall not, at the expiration of the time of notice or at any time, cut, move or in any way disturb such public utility or city property. Such work shall be done only by the authorized personnel of the utility or the city, whichever is the owner.

(c) The person to whom the permit is granted shall pay to the public utility, or to the city, as the case may be, all costs or expenses for the removal, rearrangement or replacement of any pole or structural support of wires, cables or equipment thereon or of any damage to such property.

(Code 1974, § 6-150)

Sec. 22-424. Trees, plants and shrubs.

(a) If the moving of any building for which a permit shall have been granted pursuant to this article makes it necessary to trim, move, remove or replant any tree, plant or shrub belonging to or under the control of the city, the person to whom such permit has been granted or his authorized representative shall notify the city building official or his designee at least 24 hours prior to the time the moving of such building will necessitate the removal of such obstructions.

(b) The person to whom the permit is granted shall not at the expiration of the time of notice or at any time trim, move, remove, replant, or otherwise disturb such trees, plants or shrubs; and such work shall be done only by the authorized personnel of the city unless otherwise approved and so ordered by the city building official or his designee.

(c) The person to whom the permit is granted shall pay to the city any and all costs or expense for the trimming, moving, removing or replanting of any trees, plants or shrubs or of any damage thereto.

(Code 1974, § 6-151)

Sec. 22-425. Repairs to public property.

If the moving of any building for which a permit shall have been granted pursuant to this article causes damage to the public streets or other public property, in addition to any other remedies the city may have, the city building official or his designee may cause such damage to be repaired and the cost thereof shall be deducted from the bond or deposit, if any, required in this article, or he may require the person to whom such a permit has been granted, or his authorized representative, upon written notification from the city building official or his designee to make all necessary repairs to such streets or property; provided, however, that should the person to whom the permit has been granted, and to whom the notice has been

given, or his authorized representative, fail to make the necessary repairs within the period of time designated in the written notice, the director of public works may cause such necessary repairs to be made and the cost thereof deducted from the deposit required in this article.
(Code 1974, § 6-152)

Secs. 22-426—22-450. Reserved.

DIVISION 2. PERMIT

Sec. 22-451. Required.

It shall be unlawful for any person to move or cause to be moved any building in, into, through, or from the city without first obtaining a permit therefor from the city building official or his designee. Such permit shall be known as a "house moving permit."
(Code 1974, § 6-141)

Sec. 22-452. Application.

Any person desiring a house moving permit shall file with the city building official or his designee an application in writing. Such application shall specify the following:

- (1) The character and size of the building to be moved.
- (2) The reason for such moving.
- (3) The use, purpose and occupancy for which the building or structure is to be used.
- (4) The location from which and to which the building is to be moved.
- (5) A plot plan showing the proposed location of the building upon the property to which the building is to be moved, provided the location is in the city.
- (6) The streets on, over or through which it is desired to move the building.
- (7) Whether the building conforms to the zoning laws in the location to which it is to be moved.

(Code 1974, § 6-142)

Sec. 22-453. Application fee; permit fee.

(a) An application fee in the sum of \$25.00 shall be paid to the building official or his designee upon the filing of each application for a house moving permit.

(b) A fee in the sum of \$50.00 shall be paid to the building official or his designee upon the issuance of each house moving permit.

(Code 1974, § 6-147)

Sec. 22-454. Investigation of building; terms and conditions.

Upon the filing of the application for a house moving permit, the city building official or his designee shall investigate the building and either grant or deny the permit pursuant to terms

and conditions which the city building official or his designee may deem reasonable and proper, including but not limited to the public streets, or other public property in the city on, over or through which the building or structure shall be moved, and the requirement of changes, alterations, additions or repairs to be made to or upon the building or structure, to the end that the relocation will not be materially detrimental or injurious to public safety or to public welfare or to the property and improvements, or either, in the area to which it is to be moved. Such terms and conditions shall be written upon the permit or attached to the permit in writing.

(Code 1974, § 6-143)

Sec. 22-455. Corporate surety bond or cash deposit required.

(a) Prior to the issuance of a permit to move a building, the owner or lessee of the property upon which the building is to be located shall file with the building official or his designee a corporate surety bond, conditioned as follows: That all of the work required to be done to complete the relocation, alteration and reconstruction of the building pursuant to the conditions of the permit shall be fully performed and completed within a reasonable time to be specified by the city building official or his designee in the permit. Such bond shall be in principal amount equal to the estimated cost of the work proposed to be done plus ten percent thereof, and shall name the city as obligee, and shall be in a form approved by the city attorney.

(b) In lieu of furnishing such a corporate surety bond, the owner or lessee may post a cash deposit in the amount of the bond.

(c) An extension of time for completion may be granted in writing by the city building official or his designee when, in his discretion, circumstances shall so justify, but no such extension shall release any surety or other security.

(d) The provisions of this section may be waived totally or altered partially by the city building official or his designee.

(Code 1974, § 6-144)

Sec. 22-456. Issuance.

The building official or his designee shall approve the issuance of a house moving permit when all the necessary requirements and conditions of this article have been complied with. It shall then be the duty of the building official or his designee to issue the permit.

(Code 1974, § 6-145)

Sec. 22-457. Suspension or revocation.

The city building official or his designee, at any time, for sufficient cause, may revoke or suspend any permit granted under this article.

(Code 1974, § 6-146)

Secs. 22-458—22-480. Reserved.