

## CHAPTER 123

# MOVING BUILDINGS

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**123.01 PERMIT REQUIRED.** No person shall move any house or building upon, across, or over any street, avenue, alley, highway or public grounds of the City, or raise, lower or move any house or building within twenty (20) feet of any public sidewalk, without first obtaining a permit therefor.

**123.02 APPLICATION.** Any person desiring a permit as required by Section 123.01 shall make written application to the Director of Building and Zoning, stating generally the size of the building, the place in which located, the point to which it is to be removed, the route proposed to be taken, the time when the removal will begin, and the length of the time it is expected to take.

**123.03 FEE FOR PERMIT.** Every person who desires a permit as required by Section 123.01 shall pay the Director of Building and Zoning the sum of one hundred dollars (\$100.00) per day during each day the building is occupying any portion of a street, avenue, alley or public ground in the City.

**123.04 DEPOSIT.** In addition to the fee set forth in Section 123.03, the applicant shall deposit with the Director of Building and Zoning the sum of one thousand dollars (\$1,000.00) in the form of a certified check with the proceeds of such check being utilized for the payment of expenses incident to paying the wages of escort, traffic control or other City personnel needed to effectuate the moving process.

**123.05 ISSUANCE OF PERMIT.** The Director of Building and Zoning shall, if consistent with public safety, issue the permit required by Section 123.01, covering the route and the time during which the move shall take place.

**123.06 BOND AND INSURANCE REQUIRED.** Any person desiring a permit, as required by Section 123.01, shall file with the Director of Building and Zoning a bond with good and sufficient sureties, in such sum as the Director of Building and Zoning may require, but not more than ten thousand dollars (\$10,000.00) for one-story buildings, and not more than ten thousand dollars (\$10,000.00) for two-story structures; conditioned that the person shall pay all damages that may be occasioned by reason of the use of the streets, avenues, alleys, or public grounds of the City for the moving. Each applicant shall also file a certificate of insurance indicating that the applicant is carrying public liability insurance in effect for the duration of the permit covering the applicant and all agents and employees for the minimum amount of \$500,000.00.

**123.07 ALLOWING BUILDING TO REMAIN IN STREET AFTER TIME ALLOTTED IN PERMIT.** No person, having procured a permit to remove a building, shall allow the same to remain in any street or alley, avenue or public grounds after the time fixed in the permit, unless such person makes a showing to the Director of Building and Zoning that a delay is unavoidable

through no fault of the permit holder. The Director of Building and Zoning may grant an extension of the time under the permit.

**123.08 CUTTING OR REMOVING WIRES, POLES OR FIXTURES.** Whenever in moving any house or building it is necessary to cut or remove any electric light, telephone or electric wire, pole, or fixture, the owner of the wire, pole or fixture shall have the right to cut or remove the same or superintend the cutting or removal, and a written notice shall be given the owner at least twelve (12) hours before the cutting or removal is necessary, specifying the particular place, the person for whom, and the time when the cutting or removal will be required. The Director of Building and Zoning may, before granting the permit required under this chapter, require that at least twelve (12) hours' written notice of the time when the application will be heard and considered be given to the owner of the wire, pole or fixture, and such notice shall inform the owner of his or her right to make written objections, at such time to the granting of the permit. The Director of Building and Zoning, after considering such application and any objections thereto, may require the Police Chief to make an investigation of the objections and upon receiving the Police Chief's report, may grant or refuse the permit, and may prescribe therein such rules and regulations as may be necessary to protect the rights of both parties. The expense of cutting or removing electric wires, poles or fixtures or superintending the same shall be paid by the house mover. The expense to be paid by the house mover shall be secured by the bond provided for in Section 123.06.

**123.09 INJURIES TO PUBLIC OR PRIVATE PROPERTY.** Any injury done to any street, avenue, highway, alley, public ground, sidewalk, curb, crossing or pavement, shall be promptly repaired to the satisfaction of the Director of Building and Zoning and any injury or damage done to any person or any property, either public or private, shall be promptly settled and compensated for, and the bond provided for in Section 123.06 shall stand as security therefor in the course of moving any building or structure.