

Chapter 15.24

MOVING BUILDINGS

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15.24.010 Permit and Application required.

No person shall move any building or structure upon any of the public right-of-ways of the municipality without first filing an **Application for Approval of Exterior Plans for House to be Moved** and obtaining approval from the Planning & Zoning Committee; next filing an **Application for Moving Buildings** and obtaining approval from the town board; and finally applying for all applicable building permits. Requirements and fees are outlined in the applications. These applications are issued by the Town Clerk or Administrator and returned to the Town Clerk or Administrator with all required documents and fees prior to scheduling of any meetings.

15.24.020 Conformance with code.

Prior to the Planning & Zoning Committee Meeting the building inspector will investigate the proposed building at the location from which it is to be moved and the building inspector must be satisfied from such investigation that the building is in a

sound and stable condition and of such construction that it will meet the requirements of the building code in all respects. A complete plan of all further repairs, improvements and remodeling, with reference to such building, shall be submitted with the **Application for Approval of Exterior Plans for House to be Moved**. The building inspector shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this building code and that when the same are completed, the building as such will so comply with the building code. In the event a building is to be moved from the municipality to some point outside of the boundaries thereof, the provisions, with respect to the furnishing of plans and specifications for proposed alterations to such building, may be disregarded. (Ord. dated 5/11/95 (part))

15.24.030 Moving damaged buildings.

No building that has deteriorated or has been damaged under any circumstances, (including such moving and separation from its foundation and service connections in case of moved buildings), by fifty (50) percent or more of its equalized value shall be granted permits to repair, alter or move such building within or into the municipality. Furthermore, if the equalized assessed value of the building is not within twenty (20) percent of the surrounding buildings where the building is proposed to be moved to, building permits must be obtained to improve the building to be within the twenty (20) percent. This item will be coordinated between the town building inspector and the town assessor.

15.24.040 Continuous movement.

The movement of building shall be a continuous operation during all the hours of

the day, and day by day and at night until such movement is fully completed. All of such operation shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to a fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.

15.24.050 Street repair.

The Highway Superintendent shall take pictures of the road to be travelled in the move before the move happens.

Every person receiving a permit to move a building shall, within one day after the building reaches its destination, report the fact to the Administrator who shall thereupon, order the Highway Superintendent to inspect the streets and highways over which the building has been moved and ascertain the condition. If the removal of the building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in good repair as they were before the permit was granted. On the failure of the permittee to do so within ten (10) days after completion of the move, to the satisfaction of the town, the town shall repair the damage done to such streets and hold person obtaining such permit responsible for payment of same. Documents of no damage or damage repair will be filed.

15.24.060 Cash Deposit

The party applying to move a building and/or locate within the town, shall give a cash deposit to the municipality in the sum of \$25,000.00 due at the time the **Application for Moving Buildings** is submitted to the Town Clerk or Administrator. Additional cash deposit may

be required by the municipality as determined by the Town Engineer conditioned upon, among other things, the indemnification to the municipality for any costs or expenses incurred by the municipality in connection therewith, arising out of the removal of the building for which the permit is issued. The cash deposit may also be used for payment of any unpaid engineering, legal or other fees and costs incurred by the town and unpaid after 30 days.

This cash deposit is further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours of house departure, filling in such excavation or adopting and employing such other means, devices or methods approved by the building inspector and reasonably adopted or calculated to prevent occurrences set forth in this section. The building inspector may waive the timeliness in this section if the building inspector, after investigation, determines that the excavation exposed by the removal of the building from its foundation is not so close to a public thoroughfare as to constitute a hazard to persons, particularly children under twelve (12) years of age.

The cash deposit is held by the town until project completion including building exterior and property restoration.

Remaining cash deposit is returned to payor upon satisfaction of all conditions of permit and occupancy permit has been issued.

15.24.070 Insurance.

The town shall require, public liability insurance covering injury to one person in the sum of not less than five hundred thousand dollars (\$500,000.00) and for one accident, aggregate not less than one million dollars (\$1,000,000.00), together with property damage insurance in a sum of not less than five hundred thousand dollars

(\$500,000.00) or such other coverage as deemed necessary. The mover provides the town with this insurance.

15.24.080 Plan commission or other assigned board or commission.

No such permit shall be issued unless it has been found as a fact by the plan commission of the municipality by at least a majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same and in case it is proposed to alter the exterior of the building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plans of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood or in the character of the applicable district established by applicable zoning ordinances, as to cause a substantial depreciation of the property values of the neighborhood within the applicable district. In case the applicant proposed to alter the exterior of the building after moving the same, he shall submit, with his application papers, complete plans and specifications for the proposed alterations. No occupancy permit shall be issued for the building until the exterior alterations proposed to be made have been completed.

Town Board shall have final approval of Planning and Zoning recommendations in addition to all other requirements.

15.24.090 Completion.

The building permit expires in 6 months from date of issuance. The building shall be moved, occupancy permit issued, and

property restored within 6 months of issuance of building permit.

15.24.100 Violation – Penalty

Any person who shall violate any provision of this chapter, or any regulation, rule, or order made hereunder, shall be subject to a penalty as provided in Chapter 1.20 of this code. Penalties for violating this chapter may be assessed up to \$500.00 per day for a first offense.