

# Moving Buildings & Structures

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## ORDINANCE 1990-42

### **An Ordinance Providing for the Moving of Buildings or Structures within the Town of Rolling Hills; Requirements for Permits and Licenses; Requirements for Bond and Damage Deposits Together with the Provision for Covering Foundations and Basements; and Providing for Penalties for Violation**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF ROLLING HILLS, WYOMING:**

#### **Section 1 – Permit**

No person shall move any structure on or over any of the streets, alleys or other property within the corporate limits of the Town of Rolling Hills without first having secured a permit from the town clerk to do so.

#### **Section 2 – Application for Permit; Inspection of Structure; Compliance with Ordinance**

Any person desiring or intending to move any structure shall make written application for the permit required by Section 1 which shall set forth the kind, size and height of the structure to be moved, the location from which, and to which, the same is to be moved and the route to be followed as approved by the Town. The building and the site of building removal shall be inspected and approved by the town engineer both before and after removal, and the applicant shall agree to conform with all county and town ordinances and shall perform any removal and/or construction pursuant to the Uniform Building Code.

#### **Section 3 – Issuance of Permit**

When the required bond and proof of insurance have been submitted as required by Section 10 of this ordinance and the permit fee paid as required by Section 5 of this ordinance, there shall be issued to the applicant a permit granting him the right to move the structure described in his application and which will specify the route therefore.

#### **Section 4 – Revocation of Permit**

Any permit granted under the terms of this article may be revoked when it becomes known that the permittee is in any manner whatsoever failing to comply with the terms hereof. In the event of such revocation, any person to whom such permit was granted shall thereafter be operating without a permit and subject to the punishment provided herein.

#### **Section 5 – Fees**

Fee permit shall be \$150 and shall be paid for in cash at the time the permit is issued and paid prior to the moving of the structure.

#### **Section 6 – Nature of the Move**

It shall be the duty of a permittee for which a permit is granted to move the structure as expeditiously as possible and no deviation from the assigned route shall be made except with prior approval. Before granting the permit, the town engineer shall be sure that the application and route for moving has been approved by such other officials of the Town of Rolling Hills, as appropriate and shall have determined the effect of such move on property situated along the proposed route. The moving permit shall disclose the time when moving operations will commence. If the cutting of wires or removing of poles is necessary for the moving of any structure, the person so desiring the same shall give the owner of such wires or poles at least 24 hours written notice of such desire, and make arrangements to pay for or arrange to pay any and all costs resulting from said move. The person moving any structure shall secure any and all locates from public utilities as are necessary to effect the movement of the structure.

#### **Section 7 – Owner or Utility to Cut Wires**

The owner or the utility or their agents or employees owning any wires, poles or other utility connections which must be temporarily removed to permit moving of the structure shall remove such wires, poles or utility connections to permit passage of the structure. No one other than the owner thereof, or the owner's agents or employees, shall remove or injure any wire, pole or other such utility connection.

#### **Section 8 – Occupancy of Structure While in Transit**

No structure which is being moved upon or over streets, alleys or property of the Town of Rolling Hills shall be occupied while in transit.

#### **Section 9 – Disposition of Property After the Removal of Structure**

All basements or foundations shall be removed and filled to the original contours and the site cleaned and seeded. The removal, filling, or covering of said foundation shall be completed within 180 days of structure removal. At all times after the removal of the structure, the uncovered basement or foundation shall be enclosed with a chain-linked fence not to be less than 6 feet in height. All water and sewer lines must be capped to the Town's satisfaction.

#### **Section 10 – Machinery, Proof of Insurance, Damage Liability Bond, Street Occupancy Fee**

Before the permit required by Section 1 is issued, the applicant shall supply the following:

1. Assurance that he has adequate machinery, appliances and equipment for the proper move;
2. Proof of insurance covering such move in an amount and form of no less than \$1,000,000 per occurrence / \$300,000 per event that will be acceptable as protection to persons and property against damage by the moving operations;
3. A performance bond of \$5000 minimum shall be posted with the town clerk to cover the cost of removal, filling or erecting a cover on any foundation left from the removal of a building. The bond shall be returned when the foundation has been removed, filled or covered and the site cleaned and seeded to the satisfaction of the Town.
4. No permit shall be authorized until all taxes, utilities, assessments and/or liens are fully satisfied.
5. A fee of \$500 after the first day for each and every day, or part thereof, that such structure or any part of said structure is occupying or within the boundaries of any street, alley or public property within the Town.

#### **Section 11 – Protection of Streets or Any Other Property**

The permittee shall protect any streets or alleys or other property traversed and trees and shrubs upon or adjoining such area from injury during the transit of any structure and shall be liable for any damage to such property. If necessary, the Town may provide an inspector to oversee the moving of such building for the protection of the property. The permittee shall pay for such services.

#### **Section 12 – Definition and Limitation of Structure**

For the purposes of this ordinance, a structure shall be defined as an edifice or building of any kind originally designed to be immobile. A permit to move any structure that encloses less than 100 square feet is not subject to the requirements of Section 10 hereof and any fee collected under Section 5 hereof shall be refunded on the condition that the permittee demonstrates to the town engineer that no damage has been done to the property of the Town and the citizens thereof, and that no basement, foundation or pit remains open and unfilled due to the moving of the structure.

#### **Section 13 – Penalty**

Any person or persons violating this ordinance or any part of this ordinance shall be deemed to be guilty of a misdemeanor and shall be punishable by a fine of not more than \$750. Each day that a violation of this ordinance occurs shall be deemed a separate offense.

PASSED AND APPROVED this 16<sup>th</sup> day of September, 1990.  
Mayor Pro Tempore Richard Bretton