

**CITY OF GLYNDON
ORDINANCE #143**

MOVING BUILDINGS

SECTION:

- 9-3-1: State License Requirement
- 9-3-2: Permit Requirements
- 9-3-3: Removal of Wires, Cables and Pipes
- 9-3-4: Conditions of Permit
- 9-3-5: Exceptions
- 9-3-6: Penalty

9-3-1: STATE LICENSE A REQUIREMENT: No person except a State licensed house mover, shall remove, raze or support free of its foundation any building or structure within the limits of the City, and every person, before engaging in the occupation of moving, razing or supporting of any building or structure, shall have and obtain such license therefor. The above shall not be construed as preventing the owners of a building or structure from personally razing, moving or supporting such building or structure upon their own premises.

9-3-2: PERMIT REQUIREMENTS:

- A. **Permit Required:** Every licensed house mover shall, before razing, moving or supporting free of its foundation any building or structure, obtain a permit therefor from the City.
- B. A person seeking a permit shall contact the Building Official of the City to receive an application form and must file the completed application form with the Building Official.
- C. Upon receipt of completed application, the Building Official shall schedule a hearing before the Planning Commission to consider the permit application, and mail notices to neighboring landowners within three hundred fifty feet (350') of the boundary of the property to which the structure is proposed to be moved. Such written notice shall be mailed at least ten (10) days prior to the hearing, and a copy of the hearing notice and a list of the property owners and addresses to which the notice was sent shall be attested and made a part of the record of the proceeding. Failure of a property owner to receive said notice shall not invalidate any such proceedings as set forth within this Chapter, provided a bona fide attempt has been made to comply with the notice requirements of this Section.
- D. Notice of the hearing a copy of the application shall be provided to affected public utilities.
- E. The Planning Commission, in determining whether or not to recommend approval of the moving permit to the City Council, shall consider the same factors that apply to the conditional use permits under the zoning ordinances of the City. In addition, they shall consider the following factors:
 - 1. Whether such structure is so structurally unsafe that it could not be moved without endangering persons and property in the City.

2. Whether the structure is structurally sound and capable of meeting Building Code requirements subsequent to the move.
- F. The Planning Commission, in recommending approval of a permit, may condition the permit upon the applicant meeting certain conditions, including but not limited to:
1. The route to be followed in moving the structure.
 2. The date and time limits in which the building may be moved.
 3. The amount of time in which any association or corporation owning, operating or controlling wires or cable that must be moved or displaced to accommodate the move has to remove or displace wires or cables after receipt of notice of the time of the move.
 4. The amount of a cash deposit or performance or completion bond required by Section 9-3-21.
 5. The alterations or repairs that must be made to the structure so as to comply with Building Code requirements, and a date by which those alterations must be made.
- G. After recommendation by the Planning Commission, the matter shall be placed on the agenda of the next City Council meeting. A favorable vote of a majority of the Council members present shall be required to approve the permit.
- H. Any application for a permit shall be accompanied by a permit fee, which fee shall be in an amount established by the City Council by resolution. Such fee shall not be refundable if the permit is denied.
- I. If a permit is approved, a cash deposit, performance or completion bond, certificate of deposit (CD), or a check in an amount set in the permit shall be filed with the City Clerk prior to the issuance of the permit, and be signed by a good and sufficient surety, setting forth the completion date therein. Such bond is for the purpose of ensuring that alterations and repairs to the structure to bring it up to code as required in the permit are accomplished.
- J. In cases where a building is ultimately being moved outside the City limits of Glyndon, or in the case of the moving of an accessory building or single story garage, the application and application fee shall be filed with the Building Official of the City, but no hearing or approval of the Planning Commission or City Council is required. Instead, the Building Official may approve the permit and attach any conditions permitted in Section 9-3-2G. Any applicant whose moving permit is denied by the Building Official under this Section may appeal such decision to the City Council within fourteen (14) days of the denial of the permit.

9-3-3: REMOVAL OF WIRES, CABLES AND PIPES:

- A. The person to whom a permit has been issued shall, before razing or moving any building or structure to which electric wires, cables or piping for any purpose are attached, notify the persons, associations or corporations owning or controlling such electric wiring, cables or piping of the proposed moving of said building or structure. The person, association or corporation so notified, shall, within the time established in the permit, or if no time is established in the permit, within a reasonable time thereafter, disconnect and make safe all such electric wires, cables or piping.

- B. In every case in which a permit shall be issued as herein provided for the removal of any house or structure, when such removal requires the displacement of any overhead electrical or other wire or cable, it shall be the duty of the person, association or corporation, owning, operating or controlling such wire or cable, to remove or displace the same as far as may be necessary, at the cost and expense of the person to whom a permit has been issued, to permit the removal of such house, building or structure.
- C. The person to whom a permit has been issued shall notify the Police Department, and the person, association or corporation owning, operating or controlling such wire or cable, to remove or displace the same to facilitate the removal of said house, building or structure of the exact time in which the move will take place. Such time shall conform with the conditions of the permit on time of move, if any, and the period of time in which the association or corporation has to move or displace overhead wires or cables shall be as set out in the permit, and if no time is set out in the permit, within a reasonable time thereafter to remove or displace such wires or cables sufficiently to allow the passage of said house, building or structure.

9-3-4: CONDITIONS OF PERMIT:

- A. **Moving Buildings Across Railway Tracks:** No house, building or structure shall be moved across any railway track except at such time as permitted by the persons, associations or corporations owning or controlling such tracks.
- B. **Buildings in Streets, Lights Required:** When any building or structure is being moved across or through any street or alley, a red light must be illuminated at each corner of such building or structure from sunset to sunrise. All ropes, blocks, winches, windlasses or other equipment used in the moving of said building or structure must, when obstructing the free use of a street or alley, be protected by suitable lights from sunset to sunrise.

9-3-5: EXCEPTIONS: Manufactured structures approved by State and local building authorities shall be exempt from the provisions of this Chapter.

9-3-6: PENALTY:

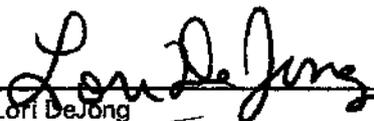
- A. Every person violating any of the provisions of this Chapter shall, upon conviction, be penalized in accordance with the provisions of applicable ordinances of the City of Glyndon.
- B. Nothing contained in this penalty provision shall prevent the City from obtaining a proper injunction or restraining order directed against any person violating any of the provisions of this Chapter from the District Court for Clay County, Minnesota, in addition to such other penalties as allowed by Glyndon City Ordinances.

This Ordinance shall take effect from and after its passage and publication.

PASSED by the City Council of the City of Glyndon this 28th day of January 1998.

APPROVED:

ATTEST:



 Mayor Lori DeJong

 Dennis Johnson, Clerk/Treasurer