

ORDINANCE 2004-0614
MOVING A BUILDING
(UTILITY OR OUT BUILDINGS)

The town board of the Town of Hull, Portage County, does ordain as follows:

Purpose of Ordinance: To address issues of public safety, the structural integrity of our roads and the maintenance of neighborhood property values when buildings are moved into or within the Town of Hull.

Definition – this ordinance pertains to buildings other than houses, manufactured homes and pre-built storage sheds less than 288 square feet.

(1) Regulations for Moving Buildings

- a) General. No person shall move any building upon any of the public ways of the Town of Hull without first obtaining a permit from the Building Inspector and payment of the required fee. Such fee shall be set by Town Board resolution. Every moving permit issued by the Building Inspector shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said operations shall be continued. Such permit shall also set forth the date by which all repairs, improvements and remodeling to the exterior of the building or structure shall be completed. The applicant shall obtain prior approval by the Portage County Sheriff's Department of the route and the time of the operations.
- b) Continuous Movement. The movement of buildings shall be a continuous operation during all the hours of the day until such movement is fully completed. All of such operations 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 any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- c) Street Repair.
 - 1) Every person receiving a permit to move a building, shall, within 72 hours prior to the moving, report that fact to the Town Clerk who shall thereupon, notify the Road Foreman to inspect the proposed route 24 hours prior to moving of the building. The Foreman shall ascertain the condition of streets and highways along the route.
 - 2) Every person receiving a permit to move a building shall, within 24 hours after completion, report that fact to the Town Clerk who shall thereupon, notify the Road Foreman to inspect the streets and highways and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the moving permit was issued shall be responsible for the cost to repair damage.
- d) Bond.

1. Before a permit is issued to move any building in the Town of Hull, the party applying therefore shall give a bond or cash deposit in the Town's name or a letter of credit to the municipality in a sum to be fixed by the Town Board and which shall not be less than Five Thousand and no/100 Dollars (\$5,000.00). The bond to be executed by a corporate surety or two person sureties to be approved by the Town Board or designated agent conditioned upon, among other things, the indemnification to the municipality for any costs or expenses incurred by it in connection with any claims for damages to any person or property, the payment of any judgment together with the costs and expenses incurred by the Town of Hull in connection therewith, arising out of the removal of the building for which the permit is issued and the completion, at the expense of the owner, of improvements to the property which was a condition of the moving of the building.
 2. For a building moved within the Town of Hull from one site to another, the Building Inspector, upon investigation, shall find it to be a fact that an excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation is such as to make intrusion upon the premises and the falling into such excavation of children under 12 years of age unlikely. The bond required above shall be further conditioned upon the permit holder erecting adequate barriers and within forty-eight (48) hours, 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 the occurrences set forth herein. In any event, the excavation shall be filled with solid fill to match lot grade within five (5) days of removal of the structure. Any excavation shall be protected with appropriate fences, barriers, and/or lights.
- e) Insurance. The Building Inspector shall require of the mover public liability insurance covering injury to one person in the sum of not less than Two Hundred Thousand and no/100 Dollars (\$200,000.00) and for one accident in the sum of not less than Five Hundred Thousand and no/100 Dollars (\$500,000.00), together with property damage insurance in a sum not less than One Hundred Thousand and no/100 Dollars (\$100,000.00), or such other coverage as deemed necessary.
- f) Review.
1. No permit shall be issued for the moving of any building unless the Building Inspector and/or Town Board have found the building will not cause substantial depreciation in the value of those buildings already constructed or under construction in the immediate neighborhood. The building must also be found to be in harmony with the character of the applicable district established by the municipalities zoning ordinances. The Building Inspector and/or Town Board shall base their findings on an examination of the application for the permit. The application may include exterior elevations and accurate photographs of all sides and views of the building to be moved. If exterior alterations are proposed complete plans and specifications of such changes must also be included. The Building inspector and/or Town Board shall evaluate the architectural appeal, functional plan, proposed alterations,

and new site of the building as to how they relate to and not at variance with the new neighborhood in making their findings.

2. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a bond, cash deposit or letter of credit to the Town of Hull, which shall not be less than \$1,000 to be executed in the manner provided above. This bond shall be to assure that the applicant will within a time to be set by the Building Inspector and approved by the Town Board, complete the proposed exterior alterations to the building in the manner set forth in the plans and specifications. This bond shall be in addition to any other bond or surety, which may be required by other applicable ordinances of the Town of Hull.
 3. Upon application being made the Town Board shall hear the applicant for the moving permit and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time, and within forty-eight (48) hours after the close of the hearing the Town Board shall, in writing, make or refuse to make, the finding required in subparagraph 1 hereof.
- g) Violation. Any person, firm or corporation who shall violate any of the provisions of this ordinance, shall upon conviction thereof, be subject to a fine of not less than \$10.00 nor more than \$100.00 and in default of the payment of the fine and costs shall be subject to imprisonment in the county jail of Portage County until such payment of such fine and such costs are paid, but not to exceed sixty (60) days for each and every violation thereof. Each and every day of said violation shall constitute a separate offense.

Adopted: June 14, 2004
Published: June 21, 2004

John W Holdridge, Chairperson

Attest:

Janet R Wolle, Clerk