

ARTICLE 7.10 MOVING OF BUILDING

Section 7.10.1 Permit Required: No person, firm, or corporation of any kind shall move any building over, along, or across any highway, street, or alley in the City, without first obtaining a permit from the Building Official.

Section 7.10.2 Application For Permit:

(A) **Filing**: A person seeking issuance of a permit hereunder shall file an application for a permit with the Building Official of the City.

(B) **Form**: The application shall be made in writing, upon forms provided by the Building Official and shall be filed in the office of the Building Official.

(C) **Contents**: The application shall set forth:

(1) A description of the building proposed to be moved, giving street number, construction materials, dimensions, number of rooms, and condition of exterior and interior;

(2) A full legal description of the lot from which the building is to be moved;

(3) A full legal description of the lot to which it is proposed the building be removed, if located within the City;

(4) The portion of the lot to be occupied by the building when moved; Documented by a plat plan;

(5) The highways, streets, and alleys over, along or across which the building is proposed to be moved;

(6) Proposed moving date and hours;

(7) Any additional information which the Building Official shall find necessary to a fair determination of whether a permit should issue.

(D) **Accompanying Papers**: The applicant shall submit written evidence of his ownership of the building; or if the applicant is other than the owner, written evidence of his right and authority that he is entitled to move the building.

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Section 7.10.3 Approval Of Application: The application must have the written approval of the proposed moving endorsed thereon of the Florida Power and Light Company, the Southern Bell Telephone and Telegraph Company, the Police Department of the City, any railroad where applicable, and of any other public utility holding a franchise in the City which may be damaged by the moving. This approval must be secured prior to the actual moving of the structure over, along, or across any highway, street, alley, or other rights-of-way within the City.

Section 7.10.4 Inspection Prerequisite To Permit: The Building Official shall inspect the building and the applicant's equipment (or that of his mover) to determine whether the standards for issuance of a permit are met.

Section 7.10.5 Cash Deposit, Bond, Or Insurance Required:

(A) Cash deposit. An application hereunder shall be accompanied by a cash deposit in the sum of \$5,000, as an indemnity for any damage which the City may sustain by reason of damage or injury to any highway, street, or alley, sidewalk, fire hydrant, or other property of the City, which may be caused by or be incidental to the removal of any building over, along, or across any highway, street, alley, or other rights-of-way within the City and to indemnify the City against any claims of damages to persons or private property, and to satisfy any claims by private individuals arising out of, caused by, or incidental to the moving of any building over, along, or across any street in the City.

(B) Bond in lieu of deposit. Any person filing an application hereunder may, in lieu of the general cash deposit required above, file with the Building Official a bond, approved as to form by the City Manager, executed by a bonding or surety company authorized to do business in the state in the amount of \$5,000, conditioned upon the assurance that this subchapter and other applicable ordinances and laws will be complied with. This bond shall run to the City for the use and benefit of any person intended to be protected thereby and shall be conditioned on the payment for any damages or losses resulting from any malfeasance, misfeasance, or nonfeasance or negligence in connection with any of the activities or conditions upon which the permit applied for is granted.

(C) Insurance policy in lieu of deposit. Any person filing an application hereunder may, in lieu of the general cash deposit required above, file with the Building Official a liability insurance company authorized to do business in the state, and approved as to form by the City Manager, in the same amount and providing the same protection as would be required for a bond hereunder.

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Section 7.10.6 Grounds For Denying Permit: The Building Official shall refuse to issue a permit if he finds:

(A) That any application requirement or any fee or deposit requirement has not been complied with;

(B) That the building is too large to move without endangering persons or property in the City;

(C) That the building is in a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the City;

(D) That the building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the City;

(E) That the applicant's equipment is unsafe, and that persons and property would be endangered by its use;

(F) That the zoning, building, electrical, plumbing, minimum housing standards, and other applicable ordinances would be violated by the building in its new location;

(G) That for any other proper reason persons or property in the City would be endangered by the moving of the building.

Section 7.10.7 Who May Move Buildings: No building shall be moved within the City except by a duly licensed house mover.

Section 7.10.8 Duties OF Permittee Moving Building: Every permittee under this subchapter shall:

(A) Move a building only over streets designated for the use by the Police Department of the City.

(B) Notify the Building Official in writing of a desired change in moving date and hours as proposed in the application.

(C) Notify the Building Official in writing of any and all damage done to property belonging to the City within 24 hours after the damage or injury has occurred.

(D) Comply with the Building Code, the fire zones, or district regulations, the zoning ordinance, minimum housing standards, and all other applicable ordinances and laws.

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(E) Pay the expenses incurred by the City, including the expense of a traffic officer ordered to accompany the movement of the building to protect the public from injury, if deemed necessary.

(F) Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition.

(G) See that all utilities servicing the vacated premises are terminated.

Section 7.10.9 Deposit And Return Of Fees, Deposits, Bonds, Insurance Policies:

(A) The Building Official shall deposit all fees and deposits, and all bonds or insurance policies with the City Clerk or City Treasurer.

(B) Upon his refusal to issue a permit, the Building Official shall return to the applicant all deposits, bonds, and insurance policies. Permit fees filed with the application shall not be returned.

(C) After the building has been removed, the Building Official shall furnish the City Manager with a written statement of all expenses incurred in connection therewith, together with a statement of all damage caused to or inflicted upon City property. The City Manager shall authorize the Building Official to return to the applicant all deposits after the City Treasurer deducts the sum sufficient to pay for all of the costs and expenses and for all damage done to property of the City by reason of the removal of the building. Permit fees deposited with the application shall not be returned.

Section 7.10.10 Enforcement Authority: The Building Official and the Police Department shall enforce and carry out the requirements of this subchapter.