

AN ORDINANCE CONCERNING THE)
MOVING OF BUILDINGS, and)
DECLARING AN EMERGENCY)

ORDINANCE BILL NO. 15
for 1968

ORDINANCE NO. 1307

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. PERMIT, LICENSE. A building that exceeds eight feet in width or, as loaded for moving, extends upward more than $13\frac{1}{2}$ feet from the ground may be moved across or along a public thoroughfare of the city only

(1) in accordance with a permit applied for and issued in accordance with this ordinance and

(2) by a building mover licensed in accordance with the ordinance.

Section 2. APPLICATION FOR PERMIT. An application for a permit so to move a building may be submitted to the city recorder and shall state the following information:

(1) The location from which the building is proposed to be moved.

(2) The proposed new site of the building.

(3) The proposed route for moving the building.

(4) The dimensions of the building.

(5) The type of construction of the building.

(6) The approximate age of the building.

(7) Such additional information as the building inspector deems necessary for purposes of preventing property damage and minimizing public danger and inconvenience that might result from the moving.

Section 3. INSPECTION. After receiving the application the building inspector shall inspect the building, the new site proposed for it, and the route proposed for moving it.

Section 4. UTILITY INSTALLATIONS. The permit shall not be issued unless the applicant therefor submits statements from the owners of the electric wires and poles and other utility installations along the route on which the building is to be moved,

(1) that the moving will not interfere with or endanger the installations or

(2) that the applicant has made arrangements to the satisfaction of the owners for protecting the installations, paying for whatever damage the moving causes them, and reimbursing the owners for whatever removal and reinstallation of the installations the moving necessitates.

Section 5. PERFORMANCE BOND. The permit shall not be issued unless the applicant therefor furnishes the city a performance bond in the sum of \$1,000.00 that within 6 months after the permit is granted the relocated building will be ready for occupancy and use in accordance with the building and zoning regulations of the city in effect at the time the permit is issued.

Section 6. ISSUANCE OF PERMIT. The city recorder shall issue such permit applied for

(1) if the application therefor complies with the requirements of this ordinance;

(2) if the moving can be accomplished without damage to property or, in case of such damage, it is consented to by the owner of the property or is to be paid for to his satisfaction;

(3) if the building at its new site will conform to the land use requirements of the city; and

(4) if the building at its new site is not detrimental to the attractiveness and welfare of the neighborhood in which the site is situated.

Section 7. CONDITIONS OF PERMIT. The permit shall specify

(1) the route for moving the building,

(2) the time within which the moving is to be completed, and

(3) whatever additional conditions the building inspector deems necessary to minimize the obstruction of traffic, protect property, and protect the public safety.

Section 8. LIABILITY. The permit shall not constitute an

authorization for damaging property. The permit shall constitute no defense against whatever liability the permittee incurs for personal injury or property damage caused by the moving.

Section 9. EQUIPMENT. Equipment used to move buildings along or across the public thoroughfares of the city shall be equipped with pneumatic tires, which shall be the only part of the equipment to come in contact with the surfaces of the thoroughfares, except planking as required by the city engineer. The city engineer may require the permittee to proceed on planking of whatever dimensions the engineer specifies at whatever places he deems the planking necessary to prevent damage to a thoroughfare or other property damage.

Section 10. CONTINUITY. Once a building has been moved into a public thoroughfare pursuant to a permit authorized by this ordinance, the party moving the building shall continue with the moving project without interruption until it is completed, except as the permit for the moving or the building inspector specifically allows to the contrary.

Section 11. LITTER. A party moving a building pursuant to a permit authorized by this ordinance shall promptly remove from public thoroughfare and private property all litter produced by the moving.

Section 12. LICENSE. An applicant for a house mover's license may submit his application therefor to the city recorder. He shall submit with the application a policy of public liability insurance covering personal injury, wrongful death, and property damage, in whatever amounts the city recorder requires. The fee for the license shall be \$10.00, and the license shall expire at the end of the fiscal year during which it is issued.

Section 13. REVOCATION. A permit or license issued pursuant to this ordinance may be summarily revoked by the building inspector in the event that the permittee or licensee violates any term of the permit or of the ordinance.

Section 14. PENALTIES. Violation of this ordinance shall constitute a misdemeanor. Each day's violation of the provisions of this ordinance shall constitute a separate offense.

Section 15. REPEAL. Ordinances No. 98, No. 123, and No. 613 are repealed.

Section 16. EMERGENCY. Inasmuch as the provisions of the ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect immediately upon its passage by the Council and approval of the mayor.

Passed by the Council and approved by the Mayor this 21st day of May, 1968.

Alvin B. Hawes
Mayor

ATTEST:

Van R. Jones
City Recorder