

ORDINANCE NO. 700

Amended by
Ordinance 98-1049

CITY OF SHERWOOD

An ordinance regulating movement of buildings over streets within the City of Sherwood, requiring permits for moving buildings and requiring building permits for moving of buildings to a location within the City of Sherwood.

The City of Sherwood does ordain as follows:

Section 1. MOVING PERMIT REQUIRED - APPLICATION

It shall be unlawful for any person to move any building over or upon any street, alley or thoroughfare within the City without having first obtained a moving permit from the City to do so. The fee for such moving permit shall be Fifty Dollars (\$50), payable at the time of filing application. The application shall be filed with the Building Division and shall contain or have attached thereto the following:

- (1) The names and addresses of the applicant and owner of the building.
- (2) The present location, size and age of the building to be moved and the proposed site for relocation.
- (3) A request for a pre-move building inspection by the Building Department will be accompanied by a non-refundable fee of \$25.00. If approved, this fee will be credited toward the moving permit fee.
- (4) Prior to issuance of moving permit, the applicant shall furnish written approval from the Police Department stating the date, time and route of the proposed move. Also a statement, that the applicant has made arrangements with the Police Department to provide, at the applicant's expense, for reasonable traffic controls during the course of the moving operation.
- (5) Prior to issuance of the permit, the applicant shall furnish written evidence that he has made all necessary arrangements with all public utility companies or agencies having above-ground installations along the route of the move to provide the necessary assistance required.
- (6) Written evidence that the mover has liability insurance in the sum of at least \$100,000 per person and \$300,000 per accident for personal injuries, and \$50,000 per occurrence for property damage, for any liability connected with or arising out of the moving operation.
- (7) A written agreement that prior to receiving a moving permit, the applicant will furnish the City a cash deposit sufficient to cover any costs estimated to be incurred by the City in rendering assistance in the move or in repairing or restoring City property. The amount of such deposit shall be fixed by the Building Official. The applicant shall also agree in writing to indemnify the City and to pay for any unforeseen costs or damages which might result from the move.

(8) Any other information which the Building Division shall deem necessary for a fair determination of the financial responsibility of the mover, the adequacy of the mover's equipment, the mover's experience and capability, and the safety and practicability of the move.

Section 2. MOVING PERMIT ISSUANCE AND REVOCATION

Upon compliance with all of the aforementioned requirements, and compliance with any other applicable ordinances, laws or governmental regulations, the Building Division shall issue the moving permit. The permit shall be conditional upon continued compliance with all of the provisions and the representations made in connection with the application for the permit. The permit may also be further conditioned upon such other provisions as will minimize the public inconvenience and assure the safety of the moving operation. Moving permits shall be valid for a period not to exceed 30 days subject to extension by the Building Division upon reasonable terms and conditions. A moving permit may be revoked, suspended, or further conditioned, without notice of hearing, upon any finding of misinformation in the application or any change of circumstances such that the permit would not have been issued initially. Denial, revocation or suspension of a moving permit may be appealed to the City Council upon written notice filed within five days of the Building Division's ruling. The Council's decision shall be final.

Section 3. - BUILDING PERMIT REQUIRED

Pursuant to the State Structural Specialty Code, as adopted in Sherwood City Ordinance No. 644, a building permit is required for all buildings moved to a location within the City. The building permit required is in addition to, not in lieu of the moving permit required by this ordinance. In addition to all requirements set forth in the building code, the following must also be met to the satisfaction of the Building Official before a building permit may be issued.

(1) The building to be moved shall be located and used in a manner consistent with all zoning and land use ordinances of the City, together with any other applicable ordinances, laws or governmental regulations.

(2) The building shall be sufficiently similar to other buildings in the immediate vicinity in size, age, architectural style and structural condition so as to be compatible with other buildings in the area and so as not to cause property in the area to decrease in value.

Denial of a building permit application for failure to comply with subparagraph (2) of this section may be appealed to the City Council upon written notice filed within five days following the denial. In any event the Building Official may refer the application to the City Council for a determination of compliance with subparagraph (2). The City Council's decision shall be final.

Section 4. - PENALTIES

Any person, firm, corporation or other entity violating any of the provisions of this ordinance shall upon conviction thereof be punished by a fine not exceeding Five Hundred Dollars (~~\$600.00~~), (\$500.00) or by imprisonment for a period not exceeding Thirty (30) days, or both such fine and imprisonment. In the event any provision of this ordinance is violated by a firm or corporation, the officer or officers or person or persons in charge and responsible for the violation shall be subject to the penalties herein provided.

PASSED: By the Council by vote of all Council members present, after being read by caption three times this 13th day of September, 1978.

APPROVED: By the Mayor, this 13th day of September, 1978.

Jack O. Harper
Mayor - City of Sherwood

Pally B. Lankenshaver
Recorder - City of Sherwood