

ORDINANCE 38

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON ESTABLISHING A PERMIT SYSTEM FOR MOVING OF BUILDINGS INTO, WITHIN OR OUT OF THE CITY.

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. Purpose and scope of ordinance. It is the purpose of this ordinance to establish standard, including minimum requirements for the moving of all buildings and other structures within the corporate limits of the city, and to provide for the issuance of a permit, collection of various fees, and inspectional service for all such movements.

Section 2. Definitions. Definitions as used in this ordinance, unless the context otherwise indicates, shall be as follows:

- A. "Building" means and includes any building, house, structure, or other like object:
- B. Classification of movements:
 - 1. "Class I" move is the movement of any building from an origin outside of the City to a destination within the City,
 - 2. "Class II" move is the movement of any building from one point within the City to another point within the City,
 - 3. "Class III" is the movement of a building from a point within the City to a destination outside the City, and
 - 4. "Class IV" is the movement of any building through the City with both the origin and the destination outside the City.
- C. "Housemover" means any person, firm, or corporation engaged in the business of moving houses, buildings, structures or other like object; and
- D. "Person" means and includes any person, firm, partnership, association, corporation, company or an organization of any kind.

Section 3. Permit required. No person shall move any building over, upon, along, or across any public street without a written permit from the City for all such moves as classified and defined in Section 2 of this ordinance.

Section 4. Permit - Application information. Application for a permit shall be furnished by the City. The application for a permit shall contain, or have attached thereto, the following information:

- A. Name and address of the applicant;
- B. Location of the building to be moved (present address is assigned)
- C. Location of the proposed site to which the building is to be moved (include legal description);
- D. Date and time requested for the movement;
- E. Map or description of requested route to be taken;
- F. Height, width, and length of the building to be moved including the truck or equipment to be used for moving the building; and
- G. Classification of the movement (as defined in Section 2 of the ordinance).

Section 5. Permit - Application - Deposits and Fees.

- A. Every applicant before being granted a permit shall pay an application filing fee as shall be established from time to time by the City.
- B. For any application for a Class I or II move herein provided for, there shall be charged and collected an inspection fee in an amount established from time to time by the City.
- C. An application hereunder shall be accompanied by:
 1. A cash deposit or corporate surety bond in the sum of one thousand dollars or such greater amount as the Building Official determines necessary as indemnity for any damage which the City may sustain by reason or damage or injury to any highway, street or alley, sidewalk, 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 street in the City and to indemnify the City against any claim of damages to persons or private property;
 2. A public liability insurance policy, naming the City as an additional assured and providing one hundred thousand dollars or such greater amount the Building Official determines necessary to satisfy any claim by private individuals, firm, or corporations arising out of, caused by, or incidental to the moving of any building over, along, or across any street in the City; and
 3. A cash deposit or a corporate surety bond in the sum of five hundred dollars or such greater amount as the Building Official determines

necessary conditioned upon the permittee, within six months from the date of the issuance of such permit (1) completing the construction, painting and finishing of the exterior of the building and (2) faithfully complying with all requirements of this ordinance, the building code, the zoning ordinance, the other ordinances then in effect within the City including but not limited to permittee completing such work within six months of the date of the issuance of such permit. In the event the provisions of this subsection are not complied with within the time specified, the sum of five hundred dollars shall be forfeited to the City as a penalty for the default, and this shall be in addition to any other penalties provides for failure to comply within the terms of this ordinance.

Section 6. Permit - Condition for granting. As a condition of securing the permit for a Class I or II move:

- A. The permittee shall furnish the City with a set of plans and specifications for the completed building to include a plot plan prepared by a registered engineer or landsurveyor from the State of Washington showing in detail the placement of the proposed structure upon the lot within the City;
- B. The permittee shall, prior to making application for such a permit or within ten days after making such application cause all of the exterior wall, ceiling or flooring to be removed to such extent, as may be necessary to permit the Building Official to examine the materials and the type of construction of such building to ascertain whether it will comply with the existing building code and other applicable ordinances in the City; and
- C. The permittee shall obtain certified statements of inspection and present to the Building Official from the State of Washington Department of Labor and Industries, Electrical Inspection Division, and any other certifying agencies used by the City to certify that such electrical and /or plumbing facilities of the building meet the minimum applicable code requirements. Such statements of inspection shall be presented to the building Official within the ten day period referenced in subsection (B) above. All building involved in a Class I or II move shall meet all minimum standards for plumbing and electrical facilities or shall be improved to such code standards prior to a building permit being issued by the City.

Section 7. Special Requirements.

- A. Escort. For Class I, II, III, and IV moves, the housemover shall provide at least two off-duty police officers or other appropriate agency employees which provide an escort service for the purpose of regulating traffic along the route such building is being moved, provided that such police or special agency escort shall be at the expense of the housemover in addition to any other fees or deposits heretofore required. No variances of the provisions of the permit shall be permitted by the escort.
- B. Time. Time of the movement shall be designated by the City. Every such permit shall become void unless the building being moved is removed from the public right-of-way within the time specified in the permit issued; provided however, that the City may extend such time when the moving of any building is rendered impractical by reason of inclemency of the weather, strikes, or other causes not within the control of the housemover.
- C. Lights. No person moving any building over, upon, along, or across any public street shall fail, neglect, or refuse to keep a red light (or any other devices that the City may require) at all times at each corner of such building and at the end of any projection thereupon while the same is located in or upon any public street.
- D. Notice to Utilities. Before any building shall be moved the housemover shall give written notice to the public utilities or agencies designated in the application not less than three days in advance of the proposed
- E. Condition of Lot. After the completion of any Class II or III move the area or lot upon which the structure was formally located shall be cleaned up and satisfactorily graded; and the sanitary sewer connection, if one exists, shall be plugged and marked; the water meter shall be removed and the line satisfactorily capped and marked; the electrical and telephone lines removed; any well on the property marked and reported ; and, all trash removed therefrom to the satisfaction of the Building Official.

Section 8. Penalty. Any person violating any provision of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished pursuant to City Ordinance Number _

Section 9. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent

jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 10. Effective date. This Ordinance shall be effective on the official date of incorporation.

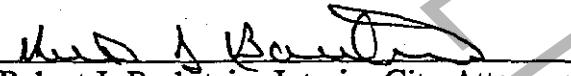
PASSED BY THE CITY COUNCIL ON JULY 24, 1995.


Stanley L. K. Flemming, Mayor

ATTEST:


Susan Matthew, Interim City Clerk

APPROVED AS TO FORM:


Robert J. Backstein, Interim City Attorney

Date of Publication: July 26, 1995
Effective Date: August 31, 1995