

**CHAPTER 520: MOVING OF BUILDINGS AND BUILDING SYSTEMS****SECTION 520.010: DEFINITIONS**

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this Chapter, have the meanings shown in this Chapter. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies.

*APPLICANT*: Any person making application for a permit.

*BUILDING OR STRUCTURE*: An assembly of materials forming a construction for occupancy or use including houses, buildings or any other structures, but excluding mobile homes or trailers, and small accessory structures with a total floor area less than two hundred (200) square feet mounted on wheels or trucks for movement or transfer.

*CITY*: The City of Raymore.

*PERMITTEE*: Any person who has obtained a permit as provided in this Chapter.

**SECTION 520.020: PERMIT REQUIRED**

- A. No building or fixed structure having a total floor area of two hundred (200) or more square feet shall be moved on or across a street or alley within the City without a permit issued by the Building Official in accordance with the provisions set forth in other portions of this Chapter. No building or major portion shall be raised or shored without a permit from the Building Official.
- B. A permit shall be obtained for all heating, ventilating, comfort cooling and refrigeration systems, electrical service equipment, pipe fitting, incinerators and miscellaneous heat producing appliances, moved with or installed in any moved building. A separate permit shall be obtained for the equipment installed in each separate building or structure.

**SECTION 520.030: APPLICATION FOR PERMIT; FEES**

All applications for a permit to move buildings, building systems, or other structures described in Section 500.080 of the City Code shall be made to the Building Official and such application shall state or include by attachment and be in compliance with the following:

1. The dimensions of the building or structure as to length, width, and height at its highest point when loaded for moving;
2. A description of the building or structure proposed to be moved giving present street number, construction materials, total floor area in square feet, number of rooms and condition of exterior and interior;

3. The intended use and occupancy of the building or structure after moving;
4. The day and hour when the moving is to commence and length of time required for the move. All buildings or structures shall be moved during daylight hours in a single day. Except as may be allowed by the Building Official, no building or structure shall be moved on a Saturday or Sunday;
5. A plot plan to scale with legal description of the lot to which the building or structure is to be relocated;
6. The names or location of highways, streets, alleys or sidewalks over, along or across which the building or structure is proposed to be moved. The applicant shall obtain a permit from the state if a state highway is involved and a copy shall be submitted to the Building Official;
7. If the building is to be moved to a location within the City, a letter of approval by the Director of Development Services that indicates the building or structure would conform to the Unified Development Code in the proposed location after moving;
8. The application shall be made not less than fourteen (14) calendar days prior to the intended commencement of the move and shall be accompanied by the fee approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the Finance Department;
9. A written statement specifically identifying the moving contractor or person(s) performing the building or structure move, including a description of the equipment to be utilized and a copy of the contractor's occupational license from the City Clerk's office;
10. A certificate of public liability insurance as required in Section 520.070 of this Chapter;
11. A plan identifying the following items shall be submitted and approved by the City Engineer:
  - a. any mailbox, light pole, utility pole, fence, or other items that would need to be temporarily removed to allow for the moving of the building; and
  - b. any overhead utility lines, traffic signals, light poles, or other items that would need to be temporarily removed to allow for the moving of the building.
12. A plan identifying any trees, shrubs or other plantings that would need to be trimmed or removed to allow for the moving of the building shall be submitted to and approved by the City Arborist.

#### **SECTION 520.040: INSPECTIONS; ISSUANCE OF PERMIT**

- A. The Building Official shall inspect the building or structure to determine whether the standard for issuance of a permit is met and issue or deny such permit.

B. The Building Official may refuse to issue a permit for any of the following circumstances:

1. Any application requirement or any fee, deposit, insurance or bond requirement has not been complied with.
2. The building or structure has been declared to be a dangerous building.
3. The equipment to be used is unsafe and that persons and property would be endangered by its use.
4. The Unified Development Code or any other ordinances would be violated by the location and use of the building or structure at the location intended.
5. For any reasonably ascertainable reason, persons or property in the City would be endangered by the moving of the building or structure.
6. Any weight, length, width or other restriction imposed upon the use of the public or private roadways within the City limits by either City traffic ordinances or RSMo. would be violated.
7. The moving of a building would require the removal or trimming of trees or other plantings that would permanently damage said tree or other planting.

C. The permit shall be valid only for the date specified on the permit application for when the move is to occur. If weather or other circumstances arise beyond the control of the applicant the Building Official may allow the permit to be transferred to a new date. If the Building Official does not authorize the change of date for the move, then the permit will expire and a new permit must be applied for and obtained.

D. Claim on bond or letter of credit. If any damage shall occur to any City property due to the moving of the building of structure the Building Official shall furnish the applicant a written statement of all expenses and damages caused to or inflicted upon property as to such claim against the bond or letter of credit.

E. *Right to an appeal.* All appeal procedures shall comply with Chapter 540 of the City Code.

#### **SECTION 520.050: CONDITIONS OF PERMIT**

A. Every permittee under this Chapter shall:

1. Move a building or structure only over streets designated for such use in the written permit.
2. Begin and complete the move within the daylight hours of a single day.
3. Notify all public and private utilities of the requested move. Copies of notification and evidence of delivery shall be furnished to the Building Official.

4. Notify the Building Official in writing of any and all damages done to public or private property within twenty-four (24) hours after damage or injury has occurred.
  5. Ensure that no building or structure or any part of any building or structure being moved shall be left deposited or remain in any parkway, street or on the dedicated right-of-way between the curb and the front property line of any lot.
  6. Comply with the Building Code, Fire Code, Unified Development Code and all other applicable traffic ordinances and laws upon relocating the building or structure in the City or when moving the same through the City.
  7. Remove all rubbish and material and restore property to existing grade at the original building or structure site in a safe and sanitary condition within the time frame established by the Building Official. Restoration of the property shall be in accordance with Section 500.155(B) of the City Code.
  8. Have qualified personnel in place along the route to be used for the move to ensure the public health, safety and welfare is maintained; to direct vehicular traffic to an alternate route; to ensure public and private property along the route is not damaged; and to address any problems that may arise.
- B. All costs associated with moving the building, including temporary or permanent removal of utility lines, trees or other plantings, mailboxes, light or utility poles, or similar items shall be paid by the applicant.

#### **SECTION 520.060: BOND OR LETTER OF CREDIT REQUIRED**

Before such permit is issued, the applicant shall file with the City's Finance Department, a bond executed by the applicant as principal, with corporate surety authorized to do business in the State of Missouri, in an amount up to the current City's sovereign immunity level as established by RSMo., wherein the City is named as obligee, or in lieu of, an irrevocable letter of credit issued to the City by a bank with place of business in the State of Missouri, in like amount, either of such to be in form approved by the City Attorney, and each of which shall be conditioned as follows:

1. That principal shall pay any and all damages, costs or expenses, resulting from the moving operation, and including full compensation for any injury to any property, public or private, related to the moving operation, whether caused by a principal, or agent, employee, workman, contractor or subcontractor.
2. That principal will indemnify and protect the City from any and all liability related to or resulting from the move and including any cost of defense of any claim, or cost or expense of enforcement of or recovery under the terms of the bond or letter of credit.
3. That said move, once begun, shall proceed continuously without interruption until completed, including removal of rubbish and materials and fill or excavation and placing of premises from which the structure is moved in a safe and satisfactory condition within five (5) days from the time of move.

4. That in the event of any failure to fully comply with this Chapter, including any cessation or interruption of the moving operation before completion, the City, at the election of the Building Official, but without requirement, may proceed by use of City personnel, or by contractor selected by it, to the completion of the move as provided by the permit, at the cost or expense of the permittee, including compensation for the time and services of City personnel, and recover all of the same, including enforcement and expenses of recovery, from any and all of the principal, surety on the bond, or bank issuing such letter of credit.

#### **SECTION 520.070: LIABILITY INSURANCE**

Every person moving a building in the City shall file with the Finance Department a liability insurance policy not less than an amount up to the current City's sovereign immunity level as established by RSMo., The policy shall be issued by the solvent corporation holding a certificate of authority to conduct insurance business in the State, which policy shall conform in all respects to the requirements of this Section. The City of Raymore shall be named as an additional insured.

#### **SECTION 520.080: DEFAULT IN PERFORMANCE OF CONDITIONS**

- A. Whenever a default has occurred in the performance of any term or condition of any permit, written notice shall be given to the permittee by the Building Official, said notice to state the work to be done and the period of time to complete such work. After receipt of such notice, the permittee must, within the time specified, either cause the work to be done or pay over to the Finance Department of the City the cost of doing the work.
- B. If the permittee defaults, the City shall have the option, in lieu of completing the work required, to demolish the building or structure and to clear, clean and restore the site or sites and take whatever steps necessary to recover costs and administrative expenses.

#### **SECTION 520.090: REFUNDING OF BONDS**

If a Bond has been provided when the moving of any building for which a permit has been granted is completed, and all damages to public streets or other public property has been repaired to the satisfaction of the City and all costs of repairing damages or performing other work as provided have been paid, then the deposited bond as required by Section 520.060 of this Chapter, or such portion then remaining unused under the provisions of this Chapter shall be refunded. Should the cost, however, of repairing damages and/or performing other work as in this Chapter provided, exceed the total amount of the bond, the person to whom said permit was granted shall be held liable for the amount of damage and/or other costs which are in excess of the bond, and it shall be the duty of the Finance Department, upon determination of the amount, to collect such part of the claim which is in excess of the bond from the permittee.

#### **SECTION 520.100: VIOLATION; PENALTY**

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code. Each day any violation of this Chapter shall continue shall constitute a separate offense.

[This page intentionally left blank.]