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ORDINANCE NO. 4069

TITLE: An Ordinance concerning the moving of building within the City of Albany, providing for the issuance of permits, requiring the filing of a bond, establishing limitations on manner of movement and equipment to be used.

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

Section 1: PERMIT.

A building that exceeds eight (8) feet in width or, as loaded for moving, extends upward more than thirteen and one half (13 1/2) feet from the ground may be moved across or along a public thoroughfare of the City only in accordance with a permit applied for in issue with this Ordinance.

Section 2: APPLICATION FOR PERMIT.

An application for a permit to move a building will be submitted to the building inspector and so state the following information:

1. Location for which the building is proposed to be moved.
2. Proposed new site of the building.
3. The proposed route for moving the building.
4. The dimensions of the buildings.
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 the purpose of preventing property damage, and minimizing public danger and inconvenience that might result from 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.

Permits shall not be issued unless the applicant therefore submit statements from the owners of the electric wires and poles and other utility installations along the route in which the building is to be moved, that the moving will not interfere with or endanger installations, or that the applicant has made arrangements to the satisfaction of the owners for protecting the installations, paying for whatever damages the moving causes them, and reimburse the owners for whatever removal and reinstallation of the installation the moving necessitates.

2  
4069

B

Section 5: PERFORMANCE BOND.

The permits shall not be issued unless the applicant therefore furnishes the City a Performance Bond in the penal sum of FIVE THOUSAND DOLLARS (\$5,000) condition that the mover will pay the City for any damage to the streets or walks, or to any other person, or utility, for any damage done in the course of the moving, in condition that the holder of the permit will place the building or structure after the moving and the same in a good and sufficient condition necessary to meet the following requirements:

- A. The use for which the building was designed and intended should be in keeping with the zone and to which the building is moved.
- B. The building should meet all of the requirements of the City building, fire, electrical and sanitation codes
- C. The expected useable life of the building after moving not more than fifty (50) percent expended.
- D. The building or structure will be in keeping with and not detrimental to the character and welfare of the area in which it is moved.

Section 6: ISSUANCE OF A PERMIT.

The building inspector shall issue such permit applied for.

1. If the application therefore complies with the requirements of this Ordinance;
2. If the moving can be accomplished without damage to property, or in the case of damage, it is consented to by the owner of the property or is to be paid to his satisfaction;
3. If the building at its new site will conform to the land use requirements of the City.

Section 7: CONDITIONS OF PERMIT.

The permits shall specify;

1. The route for the building.
2. Twenty-four (24) hour notice of intent to move.
3. The time in which the moving is to be completed.
4. Whatever additional conditions the building inspector deems necessary to minimize the abstraction of traffic, protect property and to protect the public safety.

Section 8: LIABILITY.

Permits shall not constitute authorization for damaging property. Permits shall constitute no defense against whatever liability the permittee incurs for personal injury or property damage caused by the moving.

3

B

Section 9: EQUIPMENT.

Equipment used to move buildings along or across the public thoroughfares of this City, shall be equipped with laminated wood wheels or rubber tired wheels, which shall be the only part of the equipment to come in contact with the surfaces of the thoroughfare, except such planking as maybe required by the building inspector. The building inspector may require the permittee to preceed upon planking of whatever dimensions the building inspector specifies at whatever place he deems the planking necessary to prevent damage to a public thoroughfare or other property damage.

Section 10: CONTINUITY.

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

Section 11: LITTER.

The party moving a building pursuant to permit authorized by this Ordinance shall promptly remove from public thoroughfare and private property all litter produced by the moving and shall clean up and leave the site from which the building is moved in a sightly condition.

Section 12: PERMITEES.

The fee to be paid by an applicant for permit required by this article shall be the sum of FIFTY DOLLARS (\$50) per day for each day that the movement of the building shall be in a public thoroughfare.

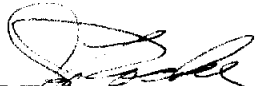
Section 13: REVOCATION.

A permit issued pursuant to this Ordinance may be summarily revoked in the event that the permittee violates any term of the permit or this Ordinance.

Section 14: PENALTIES.

Any person violating a provision of this Ordinance will be punished by a fine not exceeding ONE THOUSAND DOLLARS (\$1,000).

Approved by the Mayor: November 9, 1977  
Passed by the Council: November 9, 1977  
Effective Date: December 9, 1977



MAYOR

ATTEST:

  
CITY RECORDER

4