

CHAPTER 123

HOUSE MOVERS

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123.01 PURPOSE. The purpose of this chapter is to provide for safe transport of houses over the streets of the City.

123.02 PERMIT REQUIRED. It is unlawful to move any building into, along, upon, or over any street or alley without first obtaining a permit for that purpose from the Clerk.

123.03 APPLICATION FOR PERMIT. Before issuing such permit, the person who is to move the building or buildings shall file the following with the Clerk:

1. A written application which describes the building and states the location from which it is to be moved, the streets and alleys over which it will be moved, the location to which it is to be moved, and the date on which it will be moved.
2. A bond to be executed to the City with good and sufficient sureties in the sum of \$3,000.00, conditioned for the payment of any damage for which the City may be liable in consequence of the use of any street or alley for moving the building, and the payment of any penalty that may be incurred by such person for violation of any of the provisions of this chapter.
3. A liability insurance policy issued by an insurance company authorized to do business in the State, protecting the applicant and the City and its officials, providing for coverage of \$50,000.00 for any property damage, \$100,000.00 for injuries to any one person, and \$300,000.00 for injuries to all persons in any one accident, which policy may be a blanket insurance policy covering all house moving for which the applicant has obtained a permit. Such policy shall inure to the benefit of the City and the City shall be named insured therein for the use and benefit of any person intended to be protected thereby and shall be conditioned on the payment of any damage to public or private property and the payment of any damages or losses resulting from any malfeasance, misfeasance, nonfeasance, or negligence in connection with any of the activities or conditions upon which the permit applied for is granted.

123.04 APPROVAL OF CITY ENGINEER. Upon receipt of an application for permit, the City Clerk shall forward the application to the City Engineer, who shall issue an opinion approving or disapproving the application in writing, stating the reasons for the opinion.

123.05 APPROVAL OF CITY COUNCIL. After receipt of the Engineer's opinion, the Council shall vote whether the permit should be issued. The Council's decision shall be based on whether the house can be moved safely through the City's streets.

123.06 ISSUANCE OF PERMIT. If the Council approves the permit, the Clerk shall immediately issue the permit, which shall specify the time the building will be moved and the route the mover can take in transporting the building.

123.07 RESPONSIBILITY OF MOVER. The person to whom a permit for moving a building is granted shall see that all telephone, telegraph, and electric light wires and poles are removed when necessary and replaced in good order, and shall be liable for the costs of the same. Where such electric, telephone, or telegraph wires do not belong to the town, the holder of the permit for moving a building shall give 24 hours' notice to the owner thereof to remove such wires and the owner of such wires may either remove or direct the removal and replacing of such wires, the holder of the permit paying the reasonable costs thereof. The permit holder shall also be liable for any damage to any pavement or sidewalk caused by moving such building. Any damage to any municipal property not repaired shall be repaired by the City and the cost thereof recovered from the house mover on the house mover's bond.

123.08 AUTHORIZATION TO REMOVE STANDING BUILDING. Whenever any person moving a building along any street or alley shall willfully or negligently permit said building, while in transit, to remain upon any street, alley, or sidewalk, the Street Commissioner is hereby authorized to remove the same to any point or place where the same shall not obstruct travel or inconvenience the public. The Street Commissioner shall keep an account of the expense of such removal and the house mover shall be liable to the City on the bond for such expense.

123.09 STANDING PROHIBITED. It is unlawful to allow any building for the removal of which a permit shall have been obtained to remain upon or occupy any street, alley, or sidewalk after the expiration of the time as limited in the permit, except as permitted by the Council, which permission shall only be granted if reasonable cause exists for the permit holder's failure to remove the building from the street, alley, or sidewalk within the time limit.

123.10 COMPLIANCE WITH STATE LAW. Anyone to whom a permit for moving a building is issued shall comply with all requirements of State laws for moving oversized loads.