

Section 425 - Moving Buildings

425.01. Definitions. Subdivision 1. For purposes of this section the terms defined in this subsection have the meaning given them.

Subd. 2. "Building" means a structure designed, built or occupied as a shelter and roofed enclosure for persons, animals or property, and used or intended to be used for residential, business, mercantile, storage, commercial, industrial, residential assembly, educational or recreational, or any other purposes.

425.03. License. Subdivision 1. General rule. No person shall move, remove, raise, or hold up any building within the city without a building movers license issued by the Commissioner of the Minnesota Department of Transportation when required by state law.

425.13. Permits. No person shall move a building on or across city streets or alleys until they have obtained a permit to do so from the Director of Public Works. Only those streets designated for such use by the Director of Public Works may be used to move any building or structure. Designation of these streets shall be done by the Director of Public Works on a case by case basis for each permit application.

Exception: Permits are not required for moving residential accessory structures where the floor area does not exceed 120 square feet.

425.15. Application. Subdivision 1. Procedure. A person requesting issuance of a permit to move a building on or across city streets or alleys shall file an application with the Director of Public Works.

Subd. 2. Contents. The application shall set forth:

- a) a description of the building proposed to be moved, including loaded width, loaded height, and approximate loaded weight and, for buildings moved out of the city, a written statement from a structural engineer attesting to the structural stability of the building;
- b) the street address and a legal description of the premises from which the building is to be moved;
- c) the street address and a legal description of the premises to which it is proposed such building be moved, if located in the city;
- d) a site plan indicating the times and locations where the building may be parked on city streets, if proposed;
- e) the highways, streets and alleys over, along or across which the building is proposed to be moved; and
- f) proposed moving date and hours.

Subd. 3. Required Notification. The permittee shall notify the Director of Public Works in writing of any desired changes in routes to be used, moving dates and hours proposed in the application or of any and all damages done to property belonging to the city within 24 hours after the damage has occurred.

Subd. 4. Fee. The application shall be accompanied a fee set by city council resolution which shall be based on the anticipated cost to the city of police or other escorts, supervisory and administrative costs, and repairs to any city property that may be damaged as a result of the building or structure being moved. Any costs to the city associated with moving a building through the city shall be paid to the city in advance of the move.

425.21. Building official: duties. Subdivision 1. Permits and Inspections. When a building is proposed to be moved into the city, the building official shall inspect the building at its location prior to moving, to determine if the building meets applicable building code requirements or, if it does not, which corrections are necessary to bring the building into compliance with the State Building Code and any other applicable rules. The applicant is responsible for any costs associated with inspection of a building to be moved into the city that is located outside of the city. Costs for inspections must be paid to the city prior to the inspection and will be based on rates established by City Council resolution. Once the building official has determined that the building complies, or can be made to comply, with the State Building Code and any other applicable rules, and the applicant has provided plans, specifications, and any other information necessary to show compliance with the state building code and any other applicable rules, and a cost estimate for the repairs and any other improvements to be made to the property as a part of the building being moved along with evidence of any bond and insurance requirements as provided in this section are provided, the building official shall issue a building permit as provided in the State Building Code.

Subd. 2. Performance Bond. The application for a building permit to move a building into or out of the city shall be accompanied by a performance surety bond in the amount to be fixed by the building official, but not less than \$5000, which bond shall be signed and executed by the owner of the premises to which such building is proposed to be moved, or moved from in the case of buildings moved out of the city, which bond shall guarantee the performance of all of the conditions of the permits and this section.

Subdivision 3. Fees and Deposits. The building official shall receive from the owner or the owner's agent all building permit fees and the performance bond.

Subd. 4. Return upon non-issuance. If a permit is denied, the building official shall return the bond to the applicant.

425.27. Duties of permittee. Subdivision 1. Compliance with law. The permittee shall all applicable city, state, and federal regulations and laws when moving or relocating a building in the city.

Subd. 2. Original premises. The permittee shall remove all rubbish and materials and fill all excavations to existing grade at the original building site, when located in the city, so that the premises are left in a safe and sanitary condition. All wells must be sealed in accordance with state law. All foundations, footings, piers, or other building supports shall be removed unless approved by the City and permitted by State law. If the permittee fails to comply with this section, the city may proceed to do the work necessary to restore the premises to a safe and sanitary condition and the cost shall be assessed against the property.

Subd. 3. (a) Disconnection of water and sewer services. Whenever any building or other structure in the city which is connected to the public sewer or water mains of the city is permitted or allowed to be moved or removed, there shall be paid to the city, prior to the application for the permit for such removal, disconnection fees for each water connection and each sewer connection as shall be required by City Council resolution. Disconnection fees shall be collected by the Director of Public Works and shall represent the expense of the disconnection of the water services and sewer services leading into said building from the city mains and shall be in addition to any other fees or charges required. In all cases the disconnections are to be performed by the city unless requested and/or approved by the Director of Public Works. Disconnection of services by persons other than the city shall be conducted under the supervision of and with the approval of the Director of Public Works. When disconnections are not

conducted by the city, disconnection fees may be refunded upon satisfactory completion of the work. The city may withhold all or a part of disconnection fees paid where work is unsatisfactory and must be completed by the city.

- (b) Reuse of services. When approved by the Director of Public Works and the Building Official, services need not be disconnected when redevelopment of the property is imminent, the services are proposed to be reused, the services are in compliance with city ordinances and the State Building Code, and are found to be in good condition. Imminent redevelopment means that plans for redevelopment and an application for a building permit have been received by the city. Disconnection fees for services that are reused may be refunded upon completion of the new building or structure or earlier at the discretion of the city.
- (c) Method of disconnection. The method of disconnection is subject to approval by the Director of Public Works. Water services must be disconnected by removing the service from the building to the city main unless otherwise approved by the Director of Public Works. Sewer services must be disconnected by removing the service to the property line, curb line, or the city main and by sealing the sewer at the point of disconnection by a means acceptable to the Director of Public Works.

Subd. 4. Painting. The permittee shall re-side or paint or cause to be painted all exterior walls, doors and door frames, window frames as well as screen and storm windows of the building moved, unless waived by the building official.

Subd. 5. Roofing. The permittee shall install or cause to be installed, new roofing on such building unless such new roofing is waived by the building official.

Subd. 6. Drainage, Erosion Control, and Grading. The permittee shall construct and provide all necessary and proper drainage and erosion control for the premises on to which such building is moved or moved from, such drainage to be installed and constructed according to plans to be submitted by the owner and approved by the the Director of Public Works. Erosion control measures shall be in accordance with all city and watershed standards for all properties affected by the moving of the building.

425.31. Enforcement. Expense above deposit. The permittee is liable for any expense, damage or costs in excess of the deposited amounts or securities. The city attorney may prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such amounts.

Section 425 was Amended by Ordinance 2001-856, July 2001.