

AN ORDINANCE RELATING TO THE MOVING AND
DEMOLITION OF BUILDINGS AND STRUCTURES

BE IT ORDAINED by the City Commission of the City of Washburn,
North Dakota.

1. Purpose. The purpose is to establish and enforce minimum requirements for the demolition and moving of buildings and structures within the City's jurisdictional limits. This ordinance is supplemental to all ordinance and regulation for use and occupancy.

2. Permit Required. A permit is required for the demolition or moving of any building. The permit shall be furnished for that purpose, and determination that all requirements of this chapter have been or will be met, and payment of a fee of Fifty Dollars (\$50.00) for the permit, which shall expire thirty (30) days after issuance. Permit fee may be waived at city commission disgression.

3. Demolition Permits. Demolition permits may be issued only on the following conditions:

a. The sewer and water connections must be disconnected from the City water and sewer system to the satisfaction of the City Engineer and all other utility connections must be disconnected to the satisfaction of the utility company.

b. Adjacent streets, sidewalks, and alleys will be properly protected by fences and scaffolds, and pedestrian traffic rerouted with approval of the City Engineer.

c. All debris, rubbish, and combustible material must be removed from the premises upon completion of the demolition. Within thirty (30) days of completion of the demolition, the site must be filled and leveled with earth to conform with the grade of adjacent properties, compacted to the satisfaction of the City Engineer to guarantee against excessive settling and seeded and with appropriate cover grasses to prevent blowing and erosion. A 6' fence shall be required during the 30 day time period if left unattended.

d. Foundations and concrete floors shall be completely removed.

4. Moving Permits.

1. Prior to issuing a moving permit the owner, or his agent, of the building to be moved shall provide the following:

a. The route, in writing, over which the house or building is proposed to be moved. The route shall be approved by the

police department, utility companies and the City Auditor.

b. If applicable, a certificate of inspection from the building official showing that the house or building has been inspected and the requirements for construction, alteration and repairs necessary to place the building or house in conformity with the building code and other ordinances of the City will be met.

c. If applicable, a building permit be obtained by the owner of the structure and a foundation be in place before the issuance of the moving permit. the owner shall also agree to remove all rubbish and building materials including foundation walls and floors and fill all excavations to existing grade at the original building site and that sewer service line will be plugged and the water service shut off to the satisfaction of the City Engineer.

d. The conditions of Section 3 of this ordinance are complied with.

2. In addition to the above requirements, a moving permit may be issued only if:

a. The moving of the house or other building will not obstruct the orderly flow of traffic.

b. The axle loading of the moving equipment will not be over the legal limit prescribed by the City Engineer for the street over which the moving equipment will pass.

c. The house or building shall not be moved on to public right-of-way without providing barricades and signing approved by the police department or the traffic engineer's office.

d. A police escort shall be required for a house or building exceeding 12' in width and 13.5' in loaded height.

e. The moving of the house or building will not damage any trees within a public right-of-way. The owner or his agent shall pay for any necessary tree trimming. All tree trimming shall be performed by a licensed tree trimmer and shall be available at the time of moving.

f. All agencies needed for moving of overhead wires and cables and electricians needed for moving of traffic signals and street lights shall be available at he time of moving the structures.

g. A performance bond is posted by the owner with the City Auditor in the amount of \$1,000.00 cash to be deposited by the

City in a non-interest bearing account and returned to the owner upon satisfying all the conditions of this ordinance, otherwise applied by the City toward the cost of satisfying the owner's obligation under this ordinance.

h. The housemover filed with the City Auditor a bond in the sum of Five Thousand Dollars (5,000.00) in favor of the City and conditioned on the following:

1. The housemover will pay all damages which may result to the City or any person resident in the city or lawfully upon the streets or alleys of the City irrespective of whether the damage is to person or property, and whether the damage is caused by the housemover or his employees.

2. That the structure will be moved within one month after the permit issued.

3. The housemover shall keep the City harmless against all liability, judgments, costs and expenses which may accrue against the City as a result of acts by the housemover in the moving.

4. All the conditions of the permit, the laws of this State and the provisions of the ordinances of this City shall be complied with.

i. The housemover filed with the City Auditor proof of liability insurance in the following amounts:

1. For injury or death to one person, not less than Two Hundred Fifty Thousand Dollars.

2. Subject to the limit for one person, not less than Five Hundred Thousand Dollars for injury or death to more than one person.

3. For property damage, not less than One Hundred Dollars.

j. All taxes and water, sewer and garbage bills are current. All special assessments shall be paid in full even if not currently due.

k. The housemover shall immediately after removal of building erect barriers to protect the safety of the public.

5. Inspection. The building official shall inspect the building prior to demolition or moving. If any house or building to be moved is located outside the City, the owner shall deposit sufficient money with the City Auditor to cover the cost of the

City for conducting an inspection.

6. Penalties. The violation of any of the provision of this ordinance shall be punishable by a fine of not more than \$500.00 or by imprisonment for not to exceed 30 days or both such fine and imprisonment in the discretion of the Court.

This Ordinance shall be in full force and effect from and after its final passage and publication.

CITY OF WASHBURN

Approved: *Perry Ober*
President, City Commission

Attest:
City Auditor

Clayton E. Carr

First Reading: September 8, 1992

Second Reading: September 21, 1992

Final Passage: September 21, 1992



