

CHAPTER 10A PERMITS FOR MOVING BUILDINGS OR STRUCTURES

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3-10A-1 PERMIT REQUIRED. It shall be unlawful for any person to engage in any activity regulated by this Chapter without obtaining a valid permit in advance in accordance with the procedures of this Chapter.

3-10A-2 APPLICATION FOR PERMIT. An application for a permit pursuant to this Chapter shall be made in writing on forms furnished by the City Clerk. The application shall include:

1. The applicant's full name, address and telephone number; the name, address and telephone number of the applicant's business, and the nature of the applicant's business.
2. A proposed date and time for the proposed move.
3. The address the building or structure will be moved from.
4. The address and legal description of the parcel the building or structure will be moved to.
5. A map showing the proposed route of the move, including all affected public or private utilities and businesses.
6. A diagram or drawing showing the dimensions of the parcel to which the building or structure will be moved and the location of the building or structure on that parcel.
7. The dimensions and height of the building or structure to be moved.
8. The name and address of all utilities, businesses or other entities that will be affected by the proposed move.
9. The name and address of the applicant's insurance agent.
10. The name and address of the applicant's insurance company or companies that will provide insurance coverage as required by this Chapter.

11. The application shall be accompanied by a photograph of the building or structure to be moved, sufficient to demonstrate its length, width and height.

12. The application shall be accompanied by proof of insurance as required by Section 3-10A-6 of this Chapter.

3-10A-3 FEE PAYMENT. The applicant shall pay a fee in the sum of \$25.00 to the City Clerk at the time the application is submitted. No application shall be processed until this fee shall be paid in full by the applicant. The fee shall be non refundable.

3-10A-4 PRE-MOVING CONFERENCE. Before issuance of a permit, and unless waived by the City Manager, a pre-moving conference shall be held. The pre-moving conference may include, but not be limited to, the Maquoketa Public Safety Committee, the City Manager, the Public Works Director, a representative from Maquoketa Police Department, and any of these invited parties: a representative from each affected utility, a representative from each affected business, and any interested State or County representatives. All such representatives shall submit in writing, at or prior to the pre-moving conference, the conditions and requirements of their agencies. A general strategy for the move shall be planned and a date for the move shall be finalized at or following the pre-moving conference.

(Ord. 1127, February 2, 2016)

3-10A-5 DENIAL OF A PERMIT. No permit shall be issued to move a building to a lot or parcel located within the city if any of the following apply:

1. The land to which the building or structure is proposed to be moved is not a legal lot of record.
2. The building or structure proposed to be moved to a lot will not comply with the City of Maquoketa Zoning Ordinance when placed on the lot at its proposed location.
3. The proposed use of the building or structure is prohibited by the City of Maquoketa Zoning Ordinance.
4. The building or structure constitutes a nuisance pursuant to local or state law at the time of the proposed move.
5. The building or structure does not comply with the city's property maintenance ordinance or is a dangerous building as defined by local or state law at the time of the proposed move.
6. The building or structure will not be connected to city services, including, but not limited to, water and sewer, within a reasonable period of time following the move.
7. The building or structure is too large to move without endangering persons or property, whether public or private, including damage deemed unacceptable by the city to trees, or requiring the undue relocation of utility lines, street signs or other public improvements.

8. The building or structure is in such a state of deterioration or disrepair, is otherwise so structurally unsafe, or is otherwise of such size, that it cannot be moved without endangering persons or property, whether public or private.

9. The applicant's equipment, or the applicant's plan for the proposed move, is unsafe so that persons or property, whether public or private, are endangered.

3-10A-6 INSURANCE REQUIREMENTS. The applicant shall provide proof of workers compensation insurance covering his or her employees in compliance with Iowa law, and also public liability insurance issued in an amount and by a company or companies satisfactory to city covering personal injury, death or property damage suffered by anyone other than his or her employees during the course of the activities covered by the permit. The applicant shall furnish the city with a certificate or certificates of insurance of the insurance company or companies issuing the above-specified policy or policies of insurance at the time of the pre-moving conference and again on the date of the scheduled move, certifying that the applicant has such insurance in force.

3-10A-7 ISSUANCE OF PERMIT. The City Clerk shall grant a permit following the pre-moving conference if all of the following conditions are met:

1. A proper application has been filed containing all information required by this Chapter.
2. The applicant has filed proof of insurance as required by Section 3-10A-6.
3. The City Clerk has made a finding that the permit is not prohibited by any the provisions of Section 3-10A-5.

3-10A-8 EXCEPTIONS TO REQUIREMENT OF PERMIT. No permit shall be required for:

1. The moving of a building or structure not more than ten (10) feet wide, not more than sixteen (16) feet long, and which is not more than fifteen (15) feet in height when situated on a truck or moving carriage.

2. The moving of a building or structure by the city.

3-10A-9 EQUIPMENT. The applicant shall use only dollies with rubber-tired wheels in moving a building or structure. The weight of the building shall be supported on the dollies so that the wheel load will not exceed the pavement design as established by the city engineer, or properly designed planking, approved by the city engineer, shall be used so as not to overload or damage pavement or underground utilities within the public streets. Properly designed planking, approved by the city engineer, shall also be required over all sidewalks and curbs over which a building is moved.

3-10A-10 REIMBURSEMENT OF CITY COSTS. An applicant to whom a permit is granted shall reimburse the city for all costs and expenses for materials and labor related to moving the

building or structure that are incurred by the city. This obligation to reimburse shall include, but not be limited to, the cost of city staff and labor billed at an hourly rate, the cost of the city engineer incurred in connection with the project, any relocation costs incurred by the city, and the costs of labor and material to repair or replace any damaged public property or public improvements. The city may require the applicant to post a bond or letter of credit in a sum sufficient to cover these anticipated expenses.

3-10A-11 EXPIRATION OF PERMIT. A permit under this Chapter shall expire six (6) months following the date of issuance.

(Ord. No. 1046, 06-04-07)