

ARTICLE 4. MOVING BUILDINGS

15-401. **PERMIT REQUIRED.** No person shall move, haul or transport any house, building, derrick or other structure of the height of 12 feet or over, after having been placed in final position for moving, upon, across or over any street, alley or sidewalk in this city without first obtaining a permit therefor. (R.O. 1960, 14-401)

NOTE: State Law, K.S.A. 17-1914:1920.

Ref.: Building Permit, Sec. 4-106.

15-402. **APPLICATION FOR PERMIT.** All applications for permits required under the provisions of this article shall be made in writing to the city clerk stating the size and height of the building or other structure desired to be moved, specifying the day and hour the moving is to commence, the places from and to which it is to be moved, and the route through the city's streets over which the house, building, derrick or other structure shall be moved. If it shall be necessary to cut and move, raise, or in any way interfere with any wires, or poles the application shall state the name of the owners of the wires or poles and the time and place when and where the removal of the poles or the cutting, raising or otherwise interfering with the wires will be necessary. (R.O. 1960, 14-402)

15-403. **MOVERS TO GIVE BOND.** It shall be the duty of any person at the time of making application for a permit required under the provisions of this article to have executed in favor of the city a good and sufficient corporate surety bond to be approved by the governing body indemnifying the city against loss or damage resulting from the failure of such person to comply with the provisions of this article, or from negligence in doing the business and conditioned further that such applicant will pay all costs and damages caused to property of other person rightfully in, on over or across any such streets, avenues or alleys. Such bond shall be for the sum of \$1,000 and shall be made for one year and may be renewed annually, and shall be executed by a regular bonding company duly authorized and doing business in the State of Kansas. (R.O. 1960, 14-403)

15-404. **NOTICE TO OWNERS.** (a) Upon issuance of a moving permit the applicant shall give not less than 15 days written notice to any person owning or operating any wires, cables or other aerial equipment along the proposed route of the intent to move the structure, giving the time and location that the applicants moving operation shall necessitate the cutting, moving, raising or interfering of any wires, cables or other aerial equipment.

(b) The notice provision of subsection (a) shall not apply where the person owning or operating any wires, cables or other aerial equipment has waived their right to advance notice.

(c) Should the moving operation be delayed, the applicant shall give the owner or his or her agent not less than 24 hours advance notice of the actual operation. (K.S.A. 17-1916; Code 1988)

15-405. DUTY OF OWNER OF POLES OR WIRES. It shall be the duty of the person owning or operating the poles or wires after service of notice and reasonable compensation for the expense of removing and replacing the same, to furnish competent linemen or workmen to remove such poles, or raise or cut such wires as will be necessary to facilitate the moving of such house or structure. (R.O. 1960, Sec. 124-405)

15-406. UNLAWFUL TO MOLEST WIRES; EXCEPTIONS. No person engaged in moving any house or other structure shall raise, cut or in any way interfere with any such poles or wires unless the persons or authorities owning or having control of the same shall refuse to do so after having been notified as provided in this article; then, only competent and experienced workmen shall be employed in such work, and in such case the necessary and reasonable expense shall be paid by the owners of the poles and wires handled. The work shall be done in a careful and workmanlike manner, and the poles and wires shall be promptly replaced and the damages thereto properly repaired. (R.O. 1960, Sec. 14-406)

15-407. ALTERNATE ROUTE MAY BE REQUIRED. If the building official of the city shall find that some other route than the one designated in such application will cause less injury or damage to the property in the city, he or she shall require the building or other structure to be moved along a route designated by him or her. (R.O. 1960, Sec. 14-407; Code 1988)

15-408. LIMITATION OF SIZE AND MATERIAL. No accessory building, outbuilding or shed exceeding 100 sq.ft. in size shall be built, erected, altered, moved or located within the city which is constructed, or to be constructed, of corrugated sheet metal unless the building is faced and covered with material which is in conformity with other ordinances and the code of the city. (Ord. 402, Sec. 1)

15-409. FOUNDATION REQUIREMENT. All accessory buildings, outbuildings, and sheds within the city shall be securely anchored and fastened to a foundation of concrete or cement blocks. (Ord. 402, Sec. 2)

15-410. PENALTY. Any person who shall violate any of the provisions of this article shall, upon conviction thereof, be fined in any sum not exceeding \$100, or be imprisoned for not more than three months, or be both so fined and imprisoned. (R.O. 1960, Sec. 14-408)