

ORDINANCE 2004-0301
MOVING A HOUSE

The town board of the Town of Hull, Portage County, does ordain as follows:

Purpose of Ordinance: To address issues of public safety, the structural integrity of our roads and the maintenance of neighborhood property values when houses are moved into or within the Town of Hull.

Definition – this ordinance pertains to houses and manufactured homes used for personal residences located outside of mobile home parks.

(1) Regulations for Moving Houses

- (a) General. No person shall move any house upon any of the public ways of the Town of Hull without first obtaining a permit from the Building Inspector and payment of the required fee. Such fee shall be set by Town Board resolution. Every moving permit issued by the Building Inspector shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said operations shall be continued. Such permit shall also set forth the date by which all repairs, improvements and remodeling to the exterior of the building or structure shall be completed. The applicant shall obtain prior approval by the Portage County Sheriff's Department of the route and the time of the operations. If the house is to be moved to a property within the boundaries of the Town of Hull, the applicant shall also apply for a building permit at or before the time the applicant applies for a moving permit.
- (b) Continuous Movement. The movement of houses shall be a continuous operation during all the hours of the day until such movement is fully completed. All of such operations shall be performed with the least possible obstruction to thoroughfares. No house shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the house during the night.
- (c) Street Repair.
 - 1) Every person receiving a permit to move a house, shall, within 72 hours prior to the moving, report that fact to the Town Clerk who shall thereupon, notify the Road Foreman to inspect the proposed route 24 hours prior to moving of the house. The Foreman shall ascertain the condition of streets and highways along the route.
 - 2) Every person receiving a permit to move a house shall, within 24 hours after completion, report that fact to the Town Clerk who shall thereupon, notify the Road Foreman to inspect the streets and highways and ascertain their condition. If the removal of said house has caused any damage to any street or highway, the person to whom the moving permit was issued shall be responsible for the cost to place roads in as good repair as they were before the permit was granted.

- d) Condition of House. No permit shall be issued for the moving of any house which has deteriorated or been damaged to an extent greater than fifty percent (50%) of the fair market value of the house. This determination shall be made by the Building Inspector and shall apply only when the house is being moved to a point within the Town of Hull.
- e) Bond.
1. Before a permit is issued to move any house in the Town of Hull, the party applying therefore shall give a bond or cash deposit in the Town's name or a letter of credit to the municipality in a sum to be fixed by the Town Board and which shall not be less than Five Thousand and no/100 Dollars (\$5,000.00). The bond to be executed by a corporate surety or two person sureties to be approved by the Town Board or designated agent conditioned upon, among other things, the indemnification to the municipality for any costs or expenses incurred by it in connection with any claims for damages to any person or property, the payment of any judgment together with the costs and expenses incurred by the Town of Hull in connection therewith, arising out of the removal of the building for which the permit is issued and the completion, at the expense of the owner, of improvements to the property which was a condition of the moving of the house.
 2. For house moved within the Town of Hull from one site to another, the Building Inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such house from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation is such as to make intrusion upon the premises and the falling into such excavation of children under 12 years of age unlikely. The bond required above shall be further conditioned upon the permit holder erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Building Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein. In any event, the excavation shall be filled with solid fill to match lot grade within five (5) days of removal of the structure. Any excavation shall be protected with appropriate fences, barriers, and/or lights.
- f) Insurance. The Building Inspector shall require of the mover public liability insurance covering injury to one person in the sum of not less than Two Hundred Thousand and no/100 Dollars (\$200,000.00) and for one accident in the sum of not less than Five Hundred Thousand and no/100 Dollars (\$500,000.00), together with property damage insurance in a sum not less than One Hundred Thousand and no/100 Dollars (\$100,000.00), or such other coverage as deemed necessary.
- g) Review.
1. No permit shall be issued for the moving of any house unless the Building Inspector and/or Town Board has found the house will not cause substantial depreciation in the value of those buildings already constructed or under construction in the immediate neighborhood. The house must also be found to be in harmony with the character of the applicable district established by

the municipalities zoning ordinances. The Building Inspector and/or Town Board shall base their findings on an examination of the application for the permit. The application shall include exterior elevations and accurate photographs of all sides and views of the house to be moved. If exterior alterations are proposed complete plans and specifications of such changes must also be included. The Building inspector and/or Town Board shall evaluate the architectural appeal, functional plan, proposed alterations, and new site of the house as to how they relate to and not at variance with the new neighborhood in making their findings.

2. Before a permit shall be issued for a house to be moved and altered, the applicant shall give a bond, cash deposit or letter of credit to the Town of Hull, which shall not be less than \$1,000 to be executed in the manner provided above. This bond shall be to assure that the applicant will within a time to be set by the Building Inspector and approved by the Town Board, complete the proposed exterior alterations to the building in the manner set forth in the plans and specifications. This bond shall be in addition to any other bond or surety, which may be required by other applicable ordinances of the Town of Hull.
 3. Upon application being made the Town Board shall hear the applicant for the moving permit in questions and/or the owner of the lot on which it is proposed to locate the house in questions, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time, and within forty-eight (48) hours after the close of the hearing the Town Board shall, in writing, make or refuse to make, the finding required in subparagraph 1 hereof.
- h) Utility Notification and Backfill. Before a house can be moved, the owner or agent shall notify all utilities having service connections within the building, such as water, electric, gas, sewer, and other connections. A permit to move a house shall not be issued until it is ascertained that service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner.
- i) Violation. Any person, firm or corporation who shall violate any of the provisions of this ordinance, shall upon conviction thereof, be subject to a fine of not less than \$10.00 nor more than \$100.00 and in default of the payment of the fine and costs shall be subject to imprisonment in the county jail of Portage County until such payment of such fine and such costs are paid, but not to exceed sixty (60) days for each and every violation thereof. Each and every day of said violation shall constitute a separate offense.

Adopted: March 1, 2004
Published: March 18, 2004

John W Holdridge, Chairperson

Attest:

Janet R Wolle, Clerk