

CHAPTER 520: MOVING OF BUILDINGS AND BUILDING SYSTEMS

Editor's note—Ord. No. 2013-016, § 1, adopted Feb. 25, 2013, repealed the former Chapter 520, §§ 520.010—520.220, and enacted a new Chapter 520 as set out herein. The former Chapter 520 pertained to similar subject matter and derived from Ord. No. 051187-A, §§ 1—22, adopted May 11, 1987.

SECTION 520.010: DEFINITIONS

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this Chapter, have the meanings shown in this Chapter. Where terms are not defined through the methods authorized by this Chapter, such terms shall have ordinarily accepted meanings such as the context implies.

APPLICANT: means any person making application for a permit.

BUILDING OR STRUCTURE: means an assembly of materials forming a construction for occupancy or use including houses, buildings or any other structures, but excluding mobile homes or trailers, and small accessory structures with a total floor area less than two hundred (200) square feet mounted on wheels or trucks for movement or transfer.

CITY: shall mean the City of Raymore.

PERMITTEE: means any person who has obtained a permit as provided in this Chapter. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.020: PERMIT REQUIRED

- A. No building or fixed structure having a total floor area of two hundred (200) or more square feet shall be moved on or across a street or alley within the City of Raymore without a permit issued by the Building Official in accordance with the provisions set forth in other portions of this Chapter. No building or major portion thereof shall be raised or shored without a permit from the Building Official.
- B. A permit shall be obtained for all heating, ventilating, comfort cooling and refrigeration systems, electrical service equipment, pipe fitting, incinerators and miscellaneous heat producing appliances, moved with or installed in any moved building. A separate permit shall be obtained for the equipment installed in each separate building or structure. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.030: APPLICATION FOR PERMIT; FEES

All applications for a permit to move buildings, building systems, or other structures described in Section 500.080 shall be made to the Building Official and such application shall state or include by attachment and be in compliance with the following:

1. The dimensions of the building or structure as to length, width, and for height at its highest point when loaded for moving;

2. A description of the building or structure proposed to be moved giving present street number, construction materials, total floor area in square feet, number of rooms and condition of exterior and interior;
3. The intended use and occupancy of the building or structure after moving;
4. The day and hour when the moving is to commence and length of time required for the move. All buildings or structures shall be moved during daylight hours in a single day other than Saturday or Sunday;
5. A plot plan to scale with legal description of the lot to which the building or structure is to be relocated;
6. The names or location of highways, streets, alleys or sidewalks over, along or across which the building or structure is proposed to be moved. The applicant shall obtain a permit from the state if a state highway is involved and a copy shall be submitted to the Building Official;
7. If the building is to be moved to a location within the City of Raymore a letter of approval by the Community Development Director that indicates the building or structure would conform to the Unified Development Code in the proposed location after moving;
8. The application shall be made not less than seven (7) calendar days prior to the intended commencement of the move and shall be accompanied by the fee approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's Office;
9. A written statement specifically identifying the moving contractor or person(s) performing the building or structure move, including a description of the equipment to be utilized and a copy of the contractor's occupational license from the City Clerk's office;
10. A certificate of public liability insurance as required in Section 520.070;
11. A plan identifying the following items shall be submitted:
 - a. any trees, shrubs or other plantings that would need to be trimmed or removed to allow for the moving of the building;
 - b. any mailbox, light pole, utility pole, fence, or other items that would need to be temporarily removed to allow for the moving of the building; and
 - c. any overhead utility lines, traffic signals, light poles, or other items that would need to be temporarily removed to allow for the moving of the building. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.040: INSPECTIONS; ISSUANCE OF PERMIT

- A. The Building Official shall inspect the building or structure to determine whether the standard for issuance of a permit is met and issue or deny such permit.

- B. The Building Official may refuse to issue a permit for any of the following circumstances:
1. That any application requirement or any fee, deposit, insurance or bond requirement has not been complied with.
 2. That the building or structure is of such size and of such construction or in such a state of deterioration, disrepair or is otherwise so structurally unsafe that it cannot be moved without endangering persons or property within the City.
 3. That the building or structure is structurally unsafe or unfit for use for the purpose stated when moved, if the removal location is in the City.
 4. That the equipment to be used is unsafe and that persons and property would be endangered by its use.
 5. That the Unified Development Code or any other ordinances would be violated by the location and use of the building or structure at the location intended.
 6. That for any reasonably ascertainable reason, persons or property in the City would be endangered by the moving of the building or structure.
 7. That any weight, length, width or other restriction imposed upon the use of the public or private roadways within the City limits by either City traffic ordinances or state statutes would be violated.
 8. If the moving of a building were to require the removal or trimming of trees or other plantings that would permanently damage said tree or other planting.
- C. The permit shall be valid only for the date specified on the permit application for when the move is to occur. If weather or other circumstances arise beyond the control of the applicant the Building Official may allow the permit to be transferred to a new date. If the Building Official does not authorize the change of date for the move, then the permit will expire and a new permit must be applied for and obtained.
- D. Claim on bond or letter of credit. If any damage shall occur to any City property due to the moving of the building or structure the Building Official shall furnish the applicant a written statement of all expenses and damages caused to or inflicted upon property as to such claim against the bond or letter of credit.
- E. Right to an appeal. All appeal procedures shall comply with Chapter 540 of the Raymore City Code. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.050: CONDITIONS OF PERMIT

- A. Every permittee under this Chapter shall:
1. Move a building or structure only over streets designated for such use in the written permit.
 2. Begin and complete the move within the daylight hours of a single day other than Saturday or Sunday.
 3. Notify all public and private utilities of the requested move. The applicant shall provide not less than fifteen (15) days written notice to the public or private owned utilities operating such services of the intent to move a structure, giving the time and location of the applicant's moving operations. Copies of notification and evidence of delivery shall be furnished to the Building Official.

4. Notify the Building Official in writing of any and all damages done to public or private property within twenty-four (24) hours after damage or injury has occurred.
 5. Ensure that no building or structure or any part of any building or structure being moved shall be left deposited or remain in any parkway, street or on the dedicated right-of-way between the curb and the front property line of any lot.
 6. Comply with the building code, fire code, Unified Development Code and all other applicable traffic ordinances and laws upon relocating the building or structure in the City or when moving the same through the City.
 7. Remove all rubbish and material and restore property to existing grade at the original building or structure site in a safe and sanitary condition within five (5) days from the date of the move. Restoring property to existing grade also includes establishing grasses by seed and straw or hydro-seed.
 8. Have personnel in place along the route to be used for the move to ensure the public health, safety and welfare is maintained; to direct vehicular traffic to an alternate route; to ensure public and private property along the route is not damaged; and to address any problem that may arise.
- B. All costs associated with moving the building, including temporary or permanent removal of utility lines, trees or other plantings, mailboxes, light or utility poles, or similar items shall be paid by the applicant. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.060: BOND OR LETTER OF CREDIT REQUIRED

Before such permit is issued, applicant shall file with the Finance Director's office a bond executed by the applicant as principal, with corporate surety authorized to do business in the State of Missouri, in the amount of five thousand dollars (\$5,000.00), wherein the City is named as obligee, or in lieu thereof, an irrevocable letter of credit issued to the City by a bank with place of business in the State of Missouri, in like amount, either of such to be in form approved by the City Attorney, and each of which shall be conditioned as follows:

1. That principal shall pay any and all damages, costs or expenses, resulting from the moving operation, and including full compensation for any injury to any property, public or private, related to the moving operation, whether caused by a principal, or agent thereof, or his servant, employee, workman, contractor or subcontractor.
2. That principal will indemnify and protect the City from any and all liability related to or resulting from the move and including any cost of defense of any claim therefor, or cost or expense of enforcement of or recovery under the terms of the bond or letter of credit.
3. That said move, once begun, shall proceed continuously without interruption until completed, including removal of rubbish and materials and fill or excavation and placing of premises from which the structure is moved in a safe and satisfactory condition within five (5) days from the time of move.
4. That in the event of any failure to fully comply with this Chapter, including any cessation or interruption of the moving operation before completion thereof, the City, at the election of the Building Official, but without requirement therefor, may proceed by use of City personnel, or by

contractor selected by it, to the completion of the move as provided by the permit, at the cost or expense of the permittee, including compensation for the time and services of City personnel, and recover all of the same, including enforcement and expenses of recovery hereunder, from any and all of the principal, surety on the bond, or bank issuing such letter of credit. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.070: LIABILITY INSURANCE

- A. Every person moving a building in the City shall file with the City Clerk a liability insurance policy issued by the solvent corporation holding a certificate of authority to do insurance business in the State, which policy shall conform in all respects to the requirements of this Section.
- B. In lieu of filing the insurance policy herein referred to, a certificate of insurance issued by an insurance corporation may be filed. The certificate must show that a policy meeting the requirements of this Section has been issued, and shall set forth the expiration date of said policy.
- C. The liability policy required under this Section shall insure the person moving a building against loss from the liability imposed by law for injury to, or death of any person, or damage to any property growing out of the moving of such building, to the amount or limit of one hundred thousand dollars (\$100,000.00) exclusive of interest and costs, on account of injury to, or death of, any one (1) person, and subject to the same limit as respects injury to or death of one (1) person, of three hundred thousand dollars (\$300,000.00) exclusive of interest and costs, on account of moving any one (1) building resulting in injury to or death of more than one (1) person, and of fifty thousand dollars (\$50,000.00) for damage to property of others, resulting from moving any one (1) building. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.080: DEFAULT IN PERFORMANCE OF CONDITIONS

- A. Whenever a default has occurred in the performance of any term or condition of any permit, written notice thereof shall be given to the permittee by the Building Official, said notice to state the work to be done, the estimated cost thereof, and the period of time deemed to be reasonably necessary to complete such work. After receipt of such notice, the permittee must, within the time therein specified, either cause the work to be done or pay over to the Finance Director of the City the estimated cost of doing the work, as set forth in the notice, plus ten percent (10%) of said estimated cost. Upon receipt of notice from the Finance Director that the permittee has deposited such money, the Building Official shall cause the required work to be performed and completed.
- B. If the permittee defaults, the City shall have the option, in lieu of completing the work required, to demolish the building or structure and to clear, clean and restore the site or sites. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.090: REFUNDING OF BONDS

When the moving of any building for which a permit has been granted is completed, and all damage to public streets or other public property has been repaired to the satisfaction of the Building Official and all costs of repairing damage or performing other work as provided herein, have been paid, and the deposited bond as required by Section 520.060 hereof, or such portion thereof then remaining unused under the provisions of this Chapter shall be refunded upon surrender of the deposit receipt representing the said

money so deposited. Should the cost, however, of repairing damages and/or performing other work as in this Chapter provided, exceed the total amount of money deposited, the person to whom said permit was granted shall be held liable for the amount of damage and/or other costs which are in excess of the amount deposited, and it shall be the duty of the Finance Director, upon receipt of the request from the Building Official, to collect such part of the claim which is in excess of the deposit from the person to whom the permit is granted. (Ord. No. 2013-016, § 1, 2-25-13)

SECTION 520.100: VIOLATION; PENALTY

The violation of this Chapter is a misdemeanor and any person convicted thereof shall be punished as prescribed in Section 500.070 of this code for each such offense. Each day any violation of this Chapter shall continue shall constitute a separate offense. (Ord. No. 2013-016, § 1, 2-25-13)