

ORDINANCE 15037

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, CITY OF MARSHALLTOWN, IOWA, CHAPTER 151: MOVING BUILDINGS

WHEREAS, the City Council of the City of Marshalltown, Iowa, adopted ordinance 10838 on December 17, 1965 providing for the permit requires to move a building; and

WHEREAS, the City Council of the City of Marshalltown finds it is in the best interest of the City to amend Chapter 151 Moving Buildings of the City Code of Ordinances.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MARSHALLTOWN, IOWA:

Section 1. The Code of Ordinances, City of Marshalltown, Iowa is hereby amended by adopting the following sections:

151.016 PERMIT APPLICATION.

(A) (1) Application for a permit for the moving of any building or other structure, as provided in § 151.015 of this chapter, shall be made by the owner thereof to the Public Works Secretary with the payment of a fee set by resolution. Application must be made a minimum of 10 business days prior to the move date. Applications are valid for only the specified move and for no more than 60-days if the initial move date is postponed for any reason. Notification of change in move date shall be made as soon as possible.

(2) A routing plan should be submitted with the application. The route approved shall be the shortest route compatible with the greatest public convenience and safety. A plan for traffic control and flaggers, if needed, shall also be submitted.

(B) As soon as possible after receipt of an application, routing plan, and traffic control plan for a permit required by § 151.015 of this chapter, the Public Works Secretary shall report the receipt of such to the Director of Public Works, the Building Official, the Chief of Police, and the Fire Chief.

151.017 INSURANCE.

The moving of any building or structure under this subchapter shall be done and performed by a licensed building mover after presentation to the Public Works Secretary of a certificate of insurance meeting the requirements set forth in § 10.009 Minimum Insurance Requirements of the code of ordinances.

151.018 REPLACEMENT OF UTILITY LINES; APPROVAL.

The licensed building mover shall be responsible for the removal and replacement of any telephone, internet, cable, or electric light or power lines, and such licensed building mover or the applicant granted a permit shall pay all costs connected therewith. He or she shall also obtain the necessary or required permission from the state and/or county for moving such building or structure upon, across or along any primary road or highway.

151.019 SUPERVISION BY PUBLIC WORKS DIVISION.

The moving of any building or structure, as is provided in this subchapter, shall be under the Public Works Division, who is empowered to require the planking or other means of protecting any street paving, sidewalk or other public or private property from damage in connection with the moving of any such building or structure.

151.020 TIME LIMITS.

Any permit issued under this subchapter shall limit the time for the moving of any building or structure over the city streets and avenues, and the failure to accomplish such moving within the time limit provided in such permit shall be deemed a violation of this subchapter, and each additional day shall be considered a separate offense and shall be punishable accordingly. No building or similar structure shall be moved on a holiday or a Saturday or Sunday. Applicable building or similar structure moves shall take place between 30 minutes after sunrise and 30 minutes before sunset.

151.023 RIGHT OF CITY TO DENY APPLICATION

The Public Works Director may deny an applicant the right to move any building or structure when it appears that there is no feasible route available for such moving or that the possible damage to the public streets or abutting city or private property will be substantially damaged or irreparable. If the license is denied, the applicant may appeal to the City Council by the procedure provided in § 110.003 of this code of ordinances.

Section 2. That this ordinance shall be in full force and effect after its passage and publication as by law.

Passed this ____ day of _____ 2022, and signed this ____ day of _____, 2022.

CITY OF MARSHALLTOWN, IOWA

Joel Greer, Mayor

ATTEST:

Alicia Hunter, City Clerk

I, Alicia Hunter, City Clerk of the City of Marshalltown, Iowa, do hereby certify that the foregoing ORDINANCE was passed and approved by the City Council of the City of Marshalltown, Iowa, on the ____ day of _____, 2022, and was published in the Marshalltown Times-Republican, a newspaper of general circulation in the City of Marshalltown, Iowa, on the ____ day of _____, 2022.

Alicia Hunter, City Clerk