

**CHAPTER 1325
Moving of Buildings**

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CROSS REFERENCES

Power to license house movers - see Ohio R.C. 715.27
Moving buildings fee - see BLDG. 1313.13

1325.01 DEFINITIONS.

For the purposes of this chapter the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future; words in the plural number include the singular number; and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

- (a) "Building" means a structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property, and used for residential business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes.
- (b) "City" means the City of Springfield, Ohio.
- (c) "Person" means an individual, firm, partnership, association, corporation, company, or organization of any kind.
- (d) "Chief Building Official" means the director of the Inspection Services Division and/or his authorized assistants.
(Ord. 80-18. Passed 1-15-80.)

1325.02 PERMIT REQUIRED.

No person shall move any building over, along or across any highway, street or alley in the City without first obtaining a permit from the Chief Building Official.
(Ord. 80-18. Passed 1-15-80.)

1325.03 APPLICATION.

A person seeking issuance of a permit hereunder shall file an application for such permit with the Chief Building Official.

- (a) Form. The application shall be made in writing, upon forms provided by the Chief Building Official, and shall be filed in the office of the Chief Building Official.
- (b) Contents. The application shall set forth:
 - (1) A description of the building proposed to be moved, giving street number, construction materials, dimensions, number of rooms and condition of exterior and interior;
 - (2) A legal description and address of the lot to which it is proposed such building be moved;
 - (3) The portion of the lot to be occupied by the building when moved;
 - (4) The highways, streets and alleys over, along or across which the building is proposed to be moved;
 - (5) Proposed moving date and hours;
 - (6) Any additional information which the Chief Building Official finds necessary to a determination of whether a permit should be issued.
- (c) Accompanying Papers.
 - (1) Certificate of ownership or entitlement. The applicant, if other than the owner, shall file with the application, an affidavit signed by the owner, or other sufficient evidence, that he is entitled to move the building.
(Ord. 80-18. Passed 1-15-80.)
 - (2) Fee. The application shall be accompanied by an inspection fee in the amount prescribed by Chapter 1313.
(Ord. 88-467. Passed 8-2-88.)

1325.04 DEPOSIT FOR EXPENSE TO CITY.

Upon receipt of an application it shall be the duty of the Chief Building Official to procure from the Service Department an estimate of the expense that will be incurred in removing and replacing any electric wires, street lamps or pole lines belonging to the City or any other property of the City, the removal and replacement of which will be required by reason of the moving of the building through the City. Prior to issuance of the permit, the Chief Building Official shall require of the applicant a deposit of a sum of money equal to the amount of the estimated expense.
(Ord. 00-456. Passed 12-19-00.)

1325.05 INSURANCE POLICY.

Any person filing an application hereunder shall file with the Chief Building Official a liability insurance policy, issued by an insurance company authorized to do business in the State of Ohio, and approved as to form by the Director of Law, in the amount of one hundred thousand dollars/three hundred thousand dollars (\$100,000/\$300,000) personal injury and twenty-five thousand dollars/fifty thousand dollars (\$25,000/\$50,000) property damage and providing for the indemnity for any damage which the City may sustain by reason of damage or injury to any highway, street or alley, sidewalk, fire hydrant or other property of the City, which may be caused by or be incidental to the removal of any building over, along or across any street or alley in the City and to indemnify the City against any claim of damages to persons or private property, and to satisfy any claims by private individuals arising out of, caused by or incidental to the moving of any building over, along or across any

street or alley in the City.
(Ord. 80-18. Passed 1-15-80.)

1325.06 DUTIES OF CHIEF BUILDING OFFICIAL.

(a) Inspection. The Chief Building Official shall inspect the building and the applicant's equipment to determine whether the standards for issuance of a permit are met.

(b) Standards for Issuance. The Chief Building Official shall refuse to issue a permit if he finds:

- (1) That any application requirement or any fee or deposit requirement has not been complied with.
- (2) That the building is too large to move without endangering persons or property in the City.
- (3) That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the City.
- (4) That the building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the City.
- (5) That the applicant's equipment is unsafe and that persons and property would be endangered by its use.
- (6) That zoning or other ordinances would be violated by the building in its new location.
- (7) That for any other reason persons or property in the City would be endangered by the moving of the building.

(c) Fees and Deposits.

- (1) The Chief Building Official shall deposit all fees and deposits and all bonds or insurance policies with the Director of Finance.
- (2) Upon his refusal to issue a permit, the Chief Building Official shall return to the applicant all deposits, bonds and insurance policies. Permit fees filed with the application shall not be returned.
- (3) After the building has been removed the Chief Building Official shall furnish the City Manager with a written statement of all expenses incurred in removing and replacing all property belonging to the City, and of all material used in the making of the removal and replacement together with a statement of all damage caused to or inflicted upon property belonging to the City. However, if any wires, poles, lamps or other property are not located in conformity with governing ordinances, the permittee shall not be liable for the cost of removing the same. The City Manager shall authorize the Chief Building Official to return to the applicant all deposits after the City Treasurer deducts the sum sufficient to pay for all of the costs and expenses and for all damage done to property of the City by reason of the removal of the building. Permit fees deposited with the application shall not be returned.

(d) Designate Streets for Removal. The Chief Building Official shall procure from the City Engineering Department a list of designated streets over which the

building may be moved. The Chief Building Official shall have the list approved by the Chief of Police and shall reproduce the list upon the permit in writing. In making their determinations, the Public Works Director and the Chief of Police shall act to assure maximum safety to persons and property in the City and to minimize congestion and traffic hazards on public streets.

(Ord. 00-456. Passed 12-19-00.)

1325.07 DUTIES OF PERMITTEE.

Every permittee under this chapter shall:

- (a) Move a building only over streets designated for such use in the written permit.
- (b) Notify the Chief Building Official in writing of a desired change in moving date and hours as proposed in the application.
- (c) Notify the Chief Building Official in writing of any and all damage done to property belonging to the City within twenty-four (24) hours after the damage or injury has occurred.
- (d) Cause red lights to be displayed during the night time on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building.
- (e) Remove the building from the City streets after one (1) day of such occupancy, unless an extension is granted by the City Manager.
- (f) Comply with this Code, the fire limits, the Zoning Code and all other applicable ordinances and laws upon relocating the building in the City.
- (g) Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition.
- (h) See that the sewer line is plugged with a concrete stopper, the water shut off and the meter returned to the City water office. The permittee shall notify the gas and electric service companies to remove their services.

(Ord. 80-18. Passed 1-15-80.)

1325.08 ENFORCEMENT.

(a) The Chief Building Official, the Police Division and the City Engineer shall enforce and carry out the requirements of this chapter.

(b) The permittee shall be liable for any expense, damages or costs above the deposit.

(c) The City shall proceed to do the work necessary to leaving the original premises in a safe and sanitary condition, where the permittee does not comply with the requirements of this chapter and the cost thereof shall be charged against the general deposit.

(Ord. 00-456. Passed 12-19-00.)