

TOWN OF RICHMOND

An Ordinance Addressing the Movement of Buildings within or into the Town of Richmond

The Town Board of the Town of Richmond does ordain as follows:

SECTION I. SECTION CREATED

The Code of Ordinances for the Town of Richmond is hereby amended by creating the following Article:

Article VII. Moving Buildings

Sec. 18-351 Permit Required

- (a) No person shall move any building or structure within or into the Town without a permit from the Building Inspector, upon at least thirty (30) days' prior application. Such application shall contain the following information:
- (1) the names of the streets and alleys along which the building or structure is proposed to be moved
 - (2) the date and time upon which the work is to commence in moving the building
 - (3) the estimated time that such move will be completed
 - (4) a description of the building and its current location
 - (5) the name and address of the owner of the building
 - (6) the parcel to which such building is proposed to be moved and the name and address of the owner of that parcel
 - (7) a detailed site plan showing the placement of the building on the parcel including all setbacks, street access, driveway location, site elevations, and connection(s) to necessary utilities
 - (8) the name of the person or entity who is performing the work
 - (9) movement of any utility lines or services that will be required because of the move and all necessary permits from the applicable utility companies
- (b) Upon receipt of any such application, the Building Inspector shall inspect the structure to be moved and verify that it complies with all applicable building codes and regulations and that the building is in sound and stable condition such that moving it will not present a danger to the public safety or likely result in the collapse of the building. The Building Inspector shall further inspect the parcel upon which the building is to be moved (if such parcel is located within the Town) and the foundation upon which it is to be placed and shall further verify that the proposed location of the building on that lot and its proposed future use will comply with all Town ordinances. The applicant shall be responsible for the cost of such inspections by the Building Inspector.

- (c) Upon notification by the Building Inspector, the Town Chairman or his designee shall inspect the proposed route for any obstructions that will need to be addressed because of such move, including removal or trimming of public trees and shall estimate the cost of any such removal or trimming work, including the cost of replacing any public tree(s) required by such move.
- (d) Upon review of the complete application and completion of the required inspections, the Building Inspector shall forward the application to the Plan Commission for its consideration pursuant to Section 18-352 of this article. The Building Inspector shall recommend approval or denial of the application. If the Building Inspector recommends denial of the application, he shall state the reasons for such recommendation. Reasons for denial may include that rezonement of the parcel upon which the structure is to be placed is required, or that area or use variances will be necessary for placement of the building on the proposed lot. Any necessary rezonements or variances must be obtained from St. Croix County.

Sec. 18-352. Consideration of Application

Upon receipt of an application for a moving permit and the Building Inspector's recommendation, the Plan Commission may hear the applicant and/or the owner of the lot on which the building is proposed to be located, together with any other residents or property owners. If the Plan Commission decided to hold such a hearing, it shall give such notice thereof as it deems sufficient. The Plan Commission shall issue its decision on such application in writing and file it with the Town Clerk and the Building Inspector.

Sec. 18-353. Restrictions on issuance of permits

- (a) No such permit shall be issued unless it is found by a majority vote of the Plan Commission that the exterior architectural and functional plan of the building to be moved will not be at variance with either the exterior architectural appeal and functional plan of the buildings already constructed in the immediate neighborhood.
- (b) No permit shall be issued to move any building that has deteriorated or been damaged by any cause (including the removal and separation of such building from its foundation and service connections) to the extent of fifty percent (50%) of its equalized value. The Plan Commission may request a determination of such value by the Building Inspector in consultation with the Town Assessor.
- (c) No permit shall be issued if the equalized value of the building proposed to be moved is not within twenty percent (20%) of the average equalized value of the buildings surrounding the lot upon which the building is proposed to be located, unless the building is improved to the extent that such value is within the 20% value amount.
- (d) Detailed plans of any proposed alteration or improvement of the building after relocation (including proposed improvements to bring the building to within the 20% value range identified in Subparagraph (b)(3)) shall be submitted to the Building Inspector for approval prior to issuance of a moving permit. The Plan Commission shall designate a time period within which the alterations or improvements must be completed. Failure to timely complete such alterations or improvements shall

constitute a violation of this article. Each day the alteration or improvement remains incomplete shall constitute a separate violation.

- (e) If a rezonement of the parcel upon which the building is to be relocated is necessary, or if area or use variances will be required, no permit shall be issued until such applicant has obtained any such rezonement or variance from St. Croix County and has presented evidence thereof to the Plan Commission.
- (f) No permit shall be issued until all inspection and estimated obstruction removal costs specified in Sec. 18-351 have been paid by the applicant.
- (g) No permit shall be issued pursuant to this Article until the applicant submits a bond to the Town in an amount to be determined by the Plan Commission and which shall not be less than Twenty Thousand Dollars (\$20,000.00). Such bond shall be executed by a corporate surety to be approved by the Town Board conditioned upon the indemnification to the Town for any costs or expenses incurred by it in connection with any claims for damages to any person or property and the payment of any judgment together with the costs and expenses incurred the by the Town in connection therewith arising out of the moving of the building.
- (h) No permit shall be issued pursuant to this Article until the applicant has provided the Town with proof of public liability insurance covering injury to one person in the sum of not less that Five Hundred Thousand Dollars (\$500,000.00) and for one accident, aggregate not less than One Million Dollars (\$1,000,000.00), together with property damage insurance in an amount not less than Five Hundred Thousand Dollars (\$500,000.00), or such other limits or coverage deemed necessary by the Town. The Town shall be named as an additional insured on such policy in a separate endorsement approved by the Town Attorney.

Sec. 18-354. Other Requirements.

- (a) *Continuous movement.* The movement of any building shall be a continuous operation during all hours of the day or night until such move is completed. Any movement of a building shall be done so as to minimize obstruction of Town streets and alleys and disruption of utility services. No building shall be allowed to remain on any Town road.
- (b) *Restoration of Site.* Any hole or exposed foundation created by the removal of any building from a parcel within the Town shall be immediately barricaded to prevent injury to any person or property. Any such foundation shall be removed any such hole filled and the site restored to an erosion-free condition within two days of the removal of the building from such parcel. Failure to timely complete such restoration shall constitute a violation of this article. Each day the site restoration remains incomplete shall constitute a separate violation.
- (c) *Street Repair.* Any holder of a permit to move a building shall report the completion of the move within 24 hours to the Building Inspector. The Building Inspector shall the conduct an inspection of any streets, alleys, or curbs and gutters over which such building was moved to determine their condition. If any damage attributable to such move is apparent, the Building Inspector shall order the permit holder in writing to immediately repair any such damage to the satisfaction of the Town. Such order shall contain a date by which such repairs shall be completed. If the repairs are not

satisfactorily completed within the designated time frame, the Town may conduct or complete such repairs and draw against the surety provided by the permit holder for any such costs.

- (d) *Placement of Building.* Any building moved onto a parcel within the Town pursuant to this Article shall be permanently placed or anchored on a foundation or slab within ten days of the completion of the movement of such building. The Building Inspector shall inspect and approve the placement of the building. Failure to timely complete such placement shall constitute a violation of this article. Each day the permanent placement remains incomplete shall constitute a separate violation.
- (e) *Expiration of permit.* Any permit issued pursuant to this Article shall be valid for a period of not longer than sixty (60) days. If the permit expires prior to movement of the building, a new permit application must be submitted by the applicant.
- (f) *Permit Fee.* The fee for the moving permit shall be as provided in _____ to this Code of Ordinances.

Sec. 18-355. Exemptions

- (a) This ordinance shall not apply to the transporting of mobile homes or sections of double-wide manufactured houses through the Town of Richmond.
- (b) The Town Board may, on a case-by-case basis, exempt the transporting of small, accessory structures in the Town from the terms of this ordinance upon written application for such exemption submitted to the board.

SECTION II. SEVERABILITY

If any provision of this Ordinance or any application of this Ordinance to any person or circumstance is found to be invalid or unconstitutional, such a finding shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION III. EFFECTIVE DATE

This Ordinance shall take effect upon passage as provided by law.

Adopted this ____ day of _____, 2016.

TOWN OF RICHMOND

Gary Knutson, Town Chairman

Donna Preece, Town Clerk

Voted for: _____

Voted against: _____

Abstained: _____

Effective date: _____