

ORDINANCE NO. 91

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF RIDGECREST REGULATING THE MOVING
OF BUILDINGS

THE CITY COUNCIL OF THE CITY OF RIDGECREST, CALIFORNIA,
DOES ORDAIN AS FOLLOWS:

Section 1. Import of Buildings Prohibited - No person, firm or corporation shall move any building from any place outside of the City of Ridgecrest to any place within the City.

Section 2. Through Transit Excepted - The preceding provision shall not preclude any person, firm or corporation from transporting a building through the City to a place outside of the City upon compliance with the provisions of this ordinance.

Section 3. Temporary Structures Excepted - Nothing herein shall preclude the transporting into or use within the City of temporary facilities in accordance with or as required by other applicable ordinances or regulations, such as construction offices, storage sheds, portable sanitation facilities, tents, bleacher seats, construction barricades, and similar facilities, for use and if used only in connection with construction or other temporary activity lawfully conducted within the City.

Section 4. Disaster Shelter Excepted - Nothing herein shall preclude the installation of a prefabricated disaster shelter in accordance with applicable ordinances or regulations.

Section 5. Permit Required - No person, firm or corporation shall (a) move any building through the City without first obtaining a moving permit; or (b) relocate any building in the City upon the same lot or to any other lot or place within the City without first obtaining a relocation permit; or (c) remove a building from inside the City to any place outside the City without first obtaining a removal permit.

Section 6. Building Compliance - No relocation permit for any building shall be issued if, at and immediately prior to the time of making application for such permit such building does not comply, in the opinion of the Building Official, with every applicable provision of the ordinances of this City.

Section 7. Examination Fees - For each examination or re-examination, the applicant shall pay in advance a fee of \$30.00 for each structure, no part of which shall be refundable.

Section 8. Inspection - Upon the filing of the application for a relocation permit and payment of the fee as required herein, the Building Official shall examine the building therein described, and shall inspect the proposed new location of such building. The Building Official shall thereafter notify the applicant, personally or by mail, of the results of such examination and of the City's additional requirements, if any, for relocating such building, and whether the building qualifies for relocation under the provisions of all applicable ordinances.

Section 9. Application - Every person, firm or corporation intending to move any building through the City, or to remove any building from the City, or to relocate any building within the City, shall first file with the Building Official an application for a move examination. Each such application shall be accompanied by detailed plans and specifications in duplicate of the building proposed to be moved. The application shall include or be accompanied by the following, or so much thereof as may be applicable:

(a) The name, address and telephone number of the owner of the building proposed to be moved, removed or relocated.

(b) The name, address and telephone number of the person, firm or corporation who will be in charge of the job and responsible for the moving, removal or relocation of the building and for compliance with all of the requirements of this ordinance. This shall include the name, address and telephone number of the contractor who will move the building and his state contractor's license number.

(c) The street address and legal description of the property from which the building is to be moved, or upon which the building is to be relocated, and the street address that will become applicable to the building upon its relocation.

(d) As to buildings proposed to be relocated, a plot plan showing the proposed new location of the building.

(e) The route proposed to be used for the moving of such building, and the date and hour of the proposed moving, and such other information as may be required by the Building Official.

(f) The maximum height above street level that any portion of the building will be while being moved.

(g) As to buildings intended to be relocated within the City, a plan of the foundation to be provided at the proposed new site.

(h) Structural details of any additions or alterations to be made to the building, if it is to be relocated within the City.

(i) A photograph of the building proposed to be removed or relocated.

(j) Each application shall be signed by the applicant or his authorized agent. If signed by an agent, the agent may be required to submit evidence of his authority to so sign the application.

(k) A written promise and agreement that if the amount of the completion bond provided for herein proves inadequate to pay all costs of completing the moving or relocating of the building by the City if the applicant defaults, then the applicant shall pay to the City such additional sum as may be required to complete such relocation or moving, together with all costs and expenses of collecting same, including attorney's fees.

Section 10. Bond Requirement - Before any permit to move, relocate or remove any building is issued, the applicant shall deposit with the City either cash or a surety bond in an amount determined by the Building Official to be proper and adequate under the circumstances. In no event shall the deposit be less than \$1,000 for relocation permit. If all work incident to the moving, relocation or removal operation is completed fully and to the satisfaction of the Building Official, and in compliance with all applicable ordinances, the cash or bond deposited shall be returned to the applicant. If, however, the applicant fails to complete all work covered by the permit within thirty (30) days after written notice from the Building Official, the City may cause to be done all work necessary to the replacement of the building upon the original lot, or the placing of the building on the new lot in complete working order and ready for occupancy, or if such is not feasible, then such other disposition of the structure as may be deemed advisable, including the destruction thereof, and the cleaning and clearing of all building sites involved in said move, and shall make use of the cash or surety bond to pay the expenses of such work.

Section 11. Time Limit - If the applicant does not apply for and obtain the relocation permit and building permit within ninety (90) days after the giving of the notice provided in the preceding section, he shall be required to request a move re-examination and to pay the fee specified for such re-examination.

Section 12. Insurance - Before issuance of any permit under this ordinance, the applicant shall deposit with the City the following:

(a) A certificate of insurance coverage in the amounts hereinafter specified, issued by a corporation authorized to do insurance business within the State of California, which certificate shall provide that the insurance thereby represented will not be cancelled, reduced or allowed to expire unless written notice is sent to the City at least ten (10) days in advance of any such cancellation, reduction or expiration. All such insurance certificates shall be submitted to the City Attorney for his approval before acceptance by the City.

(b) Public liability insurance shall be taken out and maintained by any applicant to protect against loss from liability for damages to persons or property. Such insurance shall be in amounts not less than One Hundred Thousand Dollars (\$100,000.00) for one person injured in one accident, and not less than Three Hundred Thousand Dollars (\$300,000.00) for more than one person injured in one accident, and in an amount not less than Fifty Thousand Dollars (\$50,000.00) with respect to any property damage. This requirement shall not be construed to limit in any way the extent to which the permittee may be held responsible for the payment of damages.

(c) The provisions of this section shall not apply to the State of California, any political subdivision thereof, or to any governmental agency, when moving a building by its own personnel.

Section 13. Building Permit Fee - The amount of the completion bond provided for herein may serve as a basis for evaluation of the amount of the building permit fee.

Section 14. Zoning Compliance - Every building or structure relocated within the City shall comply with all applicable provisions of the zoning laws.

Section 15. Completion Time - The removal or relocation of any building or structure within the City shall be completed in all respects within thirty (30) days after issuance of the permit therefor. Unless extended by the Building Official for good cause, every such relocation permit shall expire and be of no effect after thirty (30) days from date of issuance. Relocation shall not be deemed completed until the building is lowered on to its foundation at the new site, all exterior damage to the building caused by relocation has been repaired, and the former building site is cleared of all debris, footings and foundations and the site is leveled to finished grade.

Section 16. Site Clearance - The site in the City from which a building is removed shall be cleared of all foundations, driveways and walkways and all portions thereof, shall have all

loose combustible materials and debris removed therefrom, and all excavations shall be filled in with soil free of debris, all of which shall be accomplished within thirty (30) days from the time said building is removed.

Section 17. Final Inspection - Upon completion of the relocation of a building within the City, the person, firm or corporation owning the same or the legally authorized representative thereof shall request an inspection from the Building Official. The Building Official shall inspect the building and if he finds that all applicable provisions of this ordinance have been complied with he shall issue a written statement to that effect.

Section 18. Use or Refund of Bond - Upon presentation of such statement referred to in the preceding section to the City Clerk, the cash or surety bond deposited shall be returned after first deducting all unpaid fees that may be due the City under any applicable provisions of this ordinance, the cost as determined by the Building Official or other City Department Head of repair or replacing any public property damaged by the relocation or moving of the building, and the sum of Ten Dollars (\$10.00) per day for each day or fraction thereof beyond the time limit prescribed for the completion of the relocation of the building as hereinabove set forth, during which the relocation of the building remains uncompleted. If the applicant deposited a surety bond instead of cash, the bond shall not be returned or cancelled until the applicant has paid all sums referred to herein.

Section 19. Posting Permit - The permit issued pursuant to this ordinance shall be posted on the front of the building being moved.

Section 20. Lighting - Every building, while being moved upon any street, alley or public property, shall at all times between sunset and sunrise be illuminated by adequate warning devices placed at each corner of the building and at the end of any projection.

Section 21. Parking - No person shall place or park any building upon any public street, alley or property without the prior written approval of the Chief of Police and of the Chief of the Fire Department.

Section 22. Height - If the highest point of the building when loaded and ready for moving is more than sixteen (16) feet above the ground surface, the cost of rearranging, protecting and restoring the equipment of any public utility affected shall be borne by the permittee.

Section 23. Emergency Change - If any emergency requiring the use of City streets for any purpose with which the moving of a building would interfere, the Building Official or Chief of Police shall have the authority to require a change of route to avoid such interference.

Section 24. Utility Clearance; Notice to City Departments - No permit shall be issued until all public utilities having wires or posts overhead or above ground structures along the proposed route of moving have been notified by the applicant, and proof of such notification submitted to the Building Official, and an opportunity afforded such public utilities to investigate such route and call attention of the Building Official to any special problems which may be involved. The Building Official, in his discretion, may refuse to issue a permit until a satisfactory solution to such problems has been provided. No permit to move any building upon the streets of the City shall be issued until the Police Department, the Fire Department, the Street Department, and any other Departments involved, have been notified and have approved in writing the date and hours during which the moving process is scheduled to take place, the proposed route along which the building is to be moved, and the proposed time table for the moving of such structure upon or along City streets, including all periods of time during which the structure will be upon City streets, whether in motion or stationary. No route shall be approved unless the applicant furnishes to the Building Official a certificate from each public utility company maintaining or operating facilities along such route that its facilities will not be required to be relocated or interrupted by the moving, or that satisfactory arrangements have been made by the applicant for the removal, relocation or restoration of such company's facilities.

Section 25. Disconnection of Utilities - No moving, removal or relocation permit shall be issued until all utility services have been shut off and disconnected from the building to be moved.

Section 26. License Required - No person, firm or corporation except a house mover licensed by the State of California shall move, remove or relocate any building within, from or through the City.

Section 27. Responsibility for Damage - Every person, firm or corporation moving, removing or relocating a building from, through or within the City shall be responsible for all damages or injuries caused by such activities.

Section 28. Moving Equipment - The wheels and rollers of all equipment used in moving buildings shall have sufficient tier or bearing width to prevent grooving, marring or otherwise damaging any street, alley or public property upon which they may be used.

Section 29. Constitutionality - If any section, sub-section, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the remaining portions of the ordinance, and the City Council declares that it would have adopted the ordinance and each part thereof irrespective of the fact that any portion hereof is declared invalid.

Section 30. Urgency - This ordinance shall take effect immediately as an urgency ordinance. The facts constituting the urgency are that buildings have been moved into the City of Ridgecrest and the provisions of this ordinance are required to take effect immediately in order to protect the health, safety and welfare of the community in connection with any such moving or relocation of buildings.

Section 31. Clerk Certification - The City Clerk shall certify to the passage of this ordinance and cause it to be published as required by law.

APPROVED AND ADOPTED this 5th day of December, 1968, at Ridgecrest, California, by the following vote:

AYES: Mayor Smith, Councilmen Edwards, Fox, Kessler, and Shacklett

NOES: None

ABSENT: None

Kenneth M. Smith
KENNETH M. SMITH, Mayor

ATTEST:

James R. Heck
JAMES R. HECK, City Clerk

I hereby certify that the foregoing ordinance was passed and adopted by the City Council of the City of Ridgecrest at a regular meeting thereof held on the 5th day of December, 1968.

James R. Heck
JAMES R. HECK, City Clerk