

ORDINANCE NO. 2013-26

AN ORDINANCE AMENDING WAYNE MUNICIPAL CODE CHAPTER 18, ARTICLE VII MOVING BUILDINGS, SECTION 18-301 PERMIT REQUIRED; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 18, Article VII, Section 18-301 of the Wayne Municipal Code is hereby amended to read as follows:

Sec. 18-301. Permit required

- (a) It shall be unlawful for any person to move, or cause to have moved, any permanent, previously used or otherwise occupied structure greater than 150 square feet including but not limited to garages and storage type structures, along or across any road, street, or alley, into or within the jurisdiction of the city, except as provided in this article. Any person desiring to move any permanent structure, previously used structure, or otherwise occupied structure, including garages and storage type structures, upon, along or across any road, street, or alley of the jurisdiction of the city shall make written application to the building inspector for a permit to do so.
- (b) This section shall not pertain to new designed modular or mobile type structures moved into and/or through the jurisdiction of the city. Buildings and/or structures of 150 square feet or less, determined by exterior measurements of the structure, shall be exempted from this section.
- (c) Prior to issuance of a moving permit, the applicant shall provide and state the following to the city building inspector:
 - 1. A vermin-free certification from a reputable exterminating firm.
 - 2. Description of the lot on which the structure is located within the jurisdiction of the city.
 - 3. Proof of ownership of the structure.
 - 4. A statement of verification that all taxes have been paid at the structure's current location.
 - 5. Proposed route of travel of the structure.
 - 6. A certified engineer's statement that the movement of the structure will in no way have adverse effects upon any road surface or bridge on or along the proposed route within the city jurisdiction.

7. Date of the proposed move.
8. Proof that the structure will be moved by a licensed and bonded contract mover.
9. Proof of liability insurance, provided by the moving contractor, in the amount of \$1,000,000.
10. Estimate of the time required to complete the move.
11. Written and signed statement indicating the intended use of the structure at the new site.
12. If within the jurisdiction, a signed statement, attesting that all utilities will be properly disconnected and abandoned as per this Code to include, but not be limited to, electrical connections, shutting off the water, and properly plugging and sealing all sewer lines back of curb or at right-of-way.
13. Legal description of the lot the structure will be placed upon.
14. To-scale drawing depicting the exact location of the structure on the new site or lot, if within the jurisdiction of the city.
15. A cost of repair, remodel, or construction estimate provided by a reputable and practicing construction firm, recognized by the city as an active firm engaged in repair, remodel, or new construction.
16. A certified copy of any and all recorded covenants in place at the new lot location.
17. An approved building permit, from the city, meeting all the requirements of the adopted electrical and building codes in force at the time of application.
18. A complete set of blueprint drawings, provided as per current building code requirements, that show compliance with all building codes and covenants (if applicable) that are in force at the time of application.
19. Copies of approved moving applications from all counties of jurisdiction affected by the move and/or the state, is required.
20. A statement from all utility entities that the movement of the structure is acceptable or that a representative of that entity will be present during the move and that the applicant agrees to pay the cost of monitoring and all subsequent related costs pursuant thereto, including but not limited to electrical, telephone, gas, water, and the city street department.

(d) Prior to issuance of a moving permit, the building inspector shall inspect the structure at the present site or location to determine structural soundness of the building to be moved. If evidence of vermin infestation is noted, the applicant shall remove or cause to have removed adjacent interior wall coverings of all vermin-infested areas of the structure, to allow the building inspector to determine the extent of damage. A re-inspection fee shall be charged as per the schedule outlined in the current building code.

Exception: Used, previously erected or occupied modular or mobile homes seeking approval to move into or within the City of Wayne shall meet all of the

above conditions, except (c-1, c-2, c-6, c-8, c-9, c-12, c-14, c-15, c-16, c-17, c-18, and c-20). Upon inspection, the building official may require the owner to comply to any or all of the expected sub-paragraphs listed above, where justified by inspection results. Appeal of the building official's decision shall be presented in writing to the building official's office, requesting an appeal to the specific sub-sections not accepted by the building official, a minimum of ten days prior to the next regularly scheduled City Council meeting.

In addition to the above, once located onsite on a lot in Wayne, the modular or mobile home owner shall:

1. Close/skirt or underpin the area directly under the unit to the ground, including the tongue or towing apparatus if non-detachable;
2. Construct or otherwise provide a landing at all exterior doors a minimum of 3 feet in any direction;
3. Construct or otherwise provide a set of steps that meet current building code regulations;
4. Where indicated by current building code, construct a guard and handrails for the above landing and steps;
5. Install at least on egress window in all bedrooms, per current building code requirements;
6. Install GFCI receptacles at all appropriate locations per current NEC requirements;
7. Install minimally battery operated smoke detectors per current building code; and
8. Meet all requirements as set forth in Section 90-711 of this code, including tongue or towing mechanism removal.

Upon completion of all of the required and stipulated conditions above, the building official shall issue an occupancy certificate prior to the owner or tenants occupying the structure. Owner shall not occupy structure until authorized by building official.

Section 2. All Ordinances or parts of Ordinances in conflict herewith are repealed.

Section 3. This Ordinance shall be in full force and effect after its passage, approval, and publication as provided by law.

PASSED AND APPROVED this 16th day of April, 2013.

THE CITY OF WAYNE, NEBRASKA

By _____
Mayor

ATTEST:

City Clerk