

**AN ORDINANCE ADOPTING STANDARDS
AND REQUIREMENTS FOR MOVING A
BUILDING IN THE TOWN OF CLAYTON**

WHEREAS, the Town of Clayton Board of Supervisors deems it necessary for the public health, safety and welfare of the Town of Clayton to ensure that any building moved in the Town of Clayton will be structurally sound and will be fit for habitation, occupancy or use in a reasonable amount of time after it has been moved; and

WHEREAS, the Town of Clayton Board of Supervisors deems it necessary to adopt standards and requirements for moving a building structure in the Town,

NOW THEREFORE, the Town Board of Supervisors of the Town of Clayton does ordain as follows:

1. **Applicability.** This ordinance and the standards and requirements contained herein apply to any building structure moved in the Town of Clayton. This ordinance does not apply to the moving of a building structure on the same lot or parcel. This ordinance does not apply to any manufactured or mobile home as defined in Sections 101.71 and 101.91, Wis. Stats.
2. **Approval and Permit Required.** No building shall be moved without Town Board approval and issuance of a Town Moving Permit. No building shall be moved without also obtaining a Town Building permit from the Town Building Inspector.
3. **Permit Requirements for Habitable Buildings.** No building intended for human occupancy shall be moved and no Moving Permit shall be issued unless the following requirements have been met:
 - a. A sanitary permit has been obtained from Winnebago County for an on-site sewage disposal system to serve the building at its proposed location unless public sewer serves the proposed location.
 - b. An on-site sanitary sewage system has been constructed pursuant to and in conformance with a sanitary permit to serve the building at its proposed location unless the proposed location is served by public sewer. In lieu of the construction of an on-site sewage system prior to moving, the applicant shall provide an irrevocable letter of credit in favor of the Town of Clayton in the estimated amount to construct the on-site sewage system. The letter of credit shall be with a financial institution approved by the Town. The Town of Clayton shall establish the time within which the on-site sewage system shall be constructed.
 - c. A foundation shall be constructed to serve the building at its proposed location. In lieu of the construction of a foundation prior to moving, the applicant shall provide an irrevocable letter of credit in favor of the Town of Clayton in the estimated amount to construct the foundation.

The letter of credit shall be with a financial institution approved by the Town of Clayton. The Town of Clayton shall establish the time within which the foundation shall be constructed.

- d. The Town Building Inspector has inspected the building proposed to be moved and has determined that the building is structurally sound and conforms to applicable provisions of the Wisconsin Administrative Code.
 - e. The Town Building Inspector has inspected the proposed location and has determined that the proposed location conforms to applicable zoned requirements.
 - f. A proposed moving route is submitted to the Town of Clayton along with a timetable to effect the move. The Town of Clayton shall estimate the time within which the building shall be moved. The applicant shall provide an irrevocable letter of credit in favor of the Town of Clayton in an amount not less than \$2,000.00 to ensure that the building will be moved within the approved timetable and that any Town right-of-way improvements affected by the move will be restored to their prior condition.
4. **Permit Requirements for Accessory Buildings.** No accessory building shall be moved and no moving permit shall be issued unless the requirements of Sections 3c, 3d, 3e, and 3f have been met, provided, however, that the irrevocable letter of credit required by 3f shall be in an amount of not less than \$1,000.00
 5. **Permit Fees.** Permit fees for moving a building intended for human occupancy shall be \$300.00 and permit fees for moving an accessory building shall be \$150.00.
 6. **Severability.** It is hereby declared to be legislative intent that should any provisions of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance in its entirety or any part thereof, other than that so declared to be invalid.
 7. **Supersedes Previous Ordinance.** This ordinance supersedes the Town of Clayton House Moving Ordinance No. 20 approved by the Town Board of the Town of Clayton on November 18, 1991 and published on November 26, 1991.