

**SECTION 1:****AMENDMENT** “Section 18-41 Special Requirements For Moving Buildings” of the Marshall Municipal Code is hereby *amended* as follows:

AMENDMENT

Section 18-41 Special Requirements For Moving Buildings

- (a) It is unlawful for any person to move any building over any street or alley in the city without first obtaining a permit, unless the streets traveled are limited to highways and county roads under the State of Minnesota or Lyon County jurisdiction and a required State of Minnesota or Lyon County permit is obtained.
- (b) Upon application, a permit may be granted to move a building on a street or alley by the director of public works/city engineer, or his designee. Application shall be made on a form provided by the city engineer and include the following:
  - (1) The applicant's legal name, address, and phone number;
  - (2) The exact location of building to be moved;
  - (3) The exact location to which the building is to be moved;
  - (4) The height and weight of the building when on timbers and wheels, ready to be moved;
  - (5) The exact route to be taken and the timetable for moving the building.
- (c) ~~Permits may be granted to move a building on a city street or alley when such building and associated moving equipment will not exceed 16 feet in total height or 24 feet in total width.~~ Permit applications for buildings and moving apparatus that exceed 16 feet in total height or ~~16~~<sup>24</sup> feet in total width, or 20 feet in length must also include the following:
  - (1) MN building mover's license number;
  - (2) Written approval from Marshall municipal utilities (MMU), and all local telecommunications companies, prior to the move; and shall have an escort approved by the city director of public safety;
  - (3) Insurance information including the name of the insurance company, agent's name and policy number with at least \$500,000.00 comprehensive general liability insurance and \$500,000.00 motor vehicle liability insurance for bodily injury and property damage. Applicant must execute a hold harmless clause in favor of the city on a form approved by the city attorney;
  - (4) A cash bond or other approved security in the amount of \$1,000.00 must be submitted with the application and held at the office of the city engineer for the purpose of assuring payment to the city for utility work or work performed by MMU while the building is being moved and to guarantee reimbursement for any damage incurred as a result of the building being moved. The security will be returned upon inspection and verification that no damages were incurred. The applicant is responsible for all costs of damages incurred due to the moving of the building.
- (d) All persons receiving a permit are wholly responsible for the maintenance of all safety

devices, equipment and warnings which may be necessary to protect the general public.

(e) The city engineer, after receiving a complete application and being satisfied that all regulations will be complied with, may approve and issue a moving permit.

(f) Any person aggrieved by the denial of a moving permit shall have the right to appeal such decision to the City Council. Such appeal shall be filed within 10 days of the date of the decision of the city engineer.

(Ord. No. 572, § 1, 4-2-2007)