

ORDINANCE 13-47

An Ordinance regulating the moving of any buildings upon, along or across any street or alley within the City of Gothenburg, Nebraska; to provide that an application for a permit to move such buildings be submitted to the City Clerk of the City; establishing a procedure for issuing said permit and requiring bond; providing for notice to the Gothenburg Board of Public Works or public service companies which are affected by said permit and indemnification to said Gothenburg Board of Public Works and companies which expend time, labor, and materials as a result of said movement of building; definition of buildings affected; and to repeal any ordinances in conflict herewith.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GOTHENBURG, NEBRASKA:

13-47-1 Application and Bond Required.

It shall be unlawful for any person to move any building upon, along or across any street, or alley, within the limits of the City of Gothenburg, Nebraska, except as hereinafter provided. Any person, firm or corporation desiring to move any buildings upon, along or across any street or alley of the City, shall make written application to the City Clerk of the City for a permit to do so. In such application there shall be stated the location of the building to be moved, the proposed route of the moving and the period in which said moving is to be made. The application shall be accompanied by a permit fee of Five Dollars, which shall be paid over by the City Clerk to the City Treasurer, who shall credit it to the general fund. Whereupon, the City Clerk shall refer said application to the Chief of Police for his approval and designation of the route over which the building may be moved; and, upon receipt of approval from the Chief of Police, the City Clerk shall issue said permit; Provided, that he shall require a good and sufficient corporate surety bond or cash not more than the sum of one thousand dollars, the amount to be fixed by the City Clerk, in each instance approved by the City Attorney, as to form and substance and conditioned that applicant pay any and all damages that may be sustained to the street crossings, sidewalks, curbs, gutters, paving, or otherwise to the City or to the property of other individuals or corporations.

13-47-2 Interference with Public Utilities.

Whenever it shall be necessary for any housemover in moving a building to interfere with any water mains, sewer mains, gas mains, electric service, telephone or telegraph poles or wires, the Gothenburg Board of Public Works or companies owning, using or operating such mains, poles, or wires shall, upon such notice as is provided in their respective franchises, or if no provision for notice is made therein, then, upon twenty-four hours notice, be present and assist, or if necessary move such poles and wires; and the expense of said removal, as estimated shall be paid in advance by applicant, unless it is otherwise provided in said companies' franchises. Whenever the moving of any building necessitates interference with any water main, sewer main, or electric service, belonging to the city, notice in writing of the time and route of such building moving operations shall be given to the Manager of the Gothenburg Board of Public Works, who shall proceed in behalf of the City as the managing officers are required to proceed in the premises in behalf of their companies. The notice herein provided for shall be given the Manager of the Gothenburg Board of Public Works or public service companies or company, as case is, by the Chief of Police.

13-47-3 No General License to Be Issued.

There shall be no license issued or general permit given to anyone to move buildings at will or generally within the City.

13-47-4 Definition of Buildings Affected.

The word "building" for purposes of this Article shall include any structure or object sought to be moved over public ways of the City which may interfere with traffic, or interfere or cause damage to any walk, street, curb, gas main, sewer main, pole or wire within the City.

13-47-5 Repeal of Prior Ordinances in Conflict.

All ordinances or parts of ordinances passed and approved prior to the passage and approval of this ordinance, and in conflict therewith are hereby repealed.

13-47-6 When Operative.

This ordinance shall be in full force and take effect from and after its passage, approval and publication according to law.

Introduced by Richard Zucht, Councilman.
Passed and approved this 3rd day of September, 1963.

ATTEST:

Melvin Bullman
City Clerk

Tom Hayden
Mayor