

ORDINANCE 1039

AN ORDINANCE OF THE CITY OF GOTHENBURG AMENDING THE PROVISIONS OF THE GOTHENBURG CODE OF ORDINANCES FOR TITLE XV CHAPTER 150 RELATING TO PERMITS, REPEALING PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Title XV, Chapter 150, is hereby amended by amending Section 150.080 of the Gothenburg Code of Ordinances to read as follows:

§ 150.080 DEFINITION.

For the purpose of this subchapter, the following definition shall apply unless the context clearly indicates or requires a different meaning.

BUILDING. 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/storm sewer main or manholes, watermain or valves, pole or wire within the city.

Section 2. Title XV, Chapter 150, is hereby amended by amending Section 150.081 of the Gothenburg Code of Ordinances to read as follows:

“§ 150.081 MOVING PERMIT REQUIRED; SECURITY DEPOSIT.

(A) It shall be unlawful for any person, firm, or corporation, to move any building or structure within the city without a written moving permit. Application may be made to the Building Inspector/Zoning Administrator and shall include the present and future location of the building to be moved, the proposed route, the equipment to be used, and other information as City may require. The City Council shall have the power and authority to establish permit fees by resolution for this moving permit. The Building Inspector/Zoning Administrator shall refer the application to the appropriate departments for approval of the proposed route over which the building is to be moved. Upon approval from the departments, the Building Inspector/Zoning Administrator shall then issue the moving permit.

(B) Depending on the size and complexity of the moving project, the city may deem that a commercial umbrella policy, letter of credit, or cash/check be required to cover possible public or private losses or damages. Additionally, the city may require reimbursement of any extra costs incurred to facilitate the move. The City Council shall set the cost for such requirements by resolution. If the building mover is required to interfere with the Electrical, Communication Fiber Cable, Telephone or other poles and wires, or a gas line, the company or companies owning, using, or operating the poles, wires, or line shall, upon proper notice of at

least 24 hours, be present and assist by disconnecting the poles, wires, or line relative to the building moving operation. All expense of the disconnection, removal, or related work shall be paid in advance by the building mover unless the disconnection or work is furnished on different terms as provided in the company's franchise. Whenever the moving of any building necessitates interference with a water main, sewer main, pipes, or wire belonging to the City, notice in writing of the time and route of the building moving operation shall be given to the City, who shall proceed at the expense of the mover to make the disconnections and do the work as is necessary.

(C) At the time as the building moving has been completed, the City Departments shall inspect the premises and report to the Building Inspector/Zoning Administrator as to the extent of damages, if any, resulting from the relocation, and whether any city laws have been violated during the operation. Upon a satisfactory report from the city departments, Building Inspector/Zoning Administrator shall keep a copy of the Commercial Liability Umbrella Insurance Policy or Letter of Credit from the applicant for future reference, and if necessary, the City Clerk shall return the cash or check deposited by the applicant. In the event the basement, foundation, or portion thereof is not properly filled, covered, or in a clean and sanitary condition, the City Council may apply the money deposited for the purpose of defraying the expense of correcting the conditions. If the expense of correcting the hazardous condition is greater than the amount of the deposit set by resolution of the City Council, as required herein, the City Council may recover the excess expense by civil suit or otherwise as prescribed by law.

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

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall become effective upon its passage, approval and publication according to law.

Adopted November 5, 2024

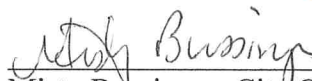


CITY OF GOTHENBURG, DAWSON
COUNTY, NEBRASKA



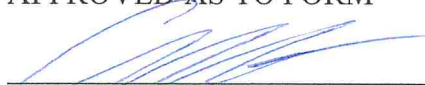
Verlin Janssen, Mayor

ATTEST:



Misty Bussinger, City Clerk

APPROVED AS TO FORM



Michael L. Bacon, City Attorney
Assistant