



# CITY OF SACRAMENTO

## DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 "I" Street

Sacramento, Ca. 95814

Administration  
Room 300 449-5571  
Building Inspections  
Room 200 449-5716  
Planning  
Room 200 449-5604

January 17, 1986

Transportation and Community Development/  
Budget and Finance Committees  
Sacramento, California

Honorable Members in Session:

**SUBJECT: BUILDING MOVE ORDINANCE**

### SUMMARY

During the last three months local building movers, the joint committees and staff have been working to adopt a new building move ordinance that will insure that moved buildings will be rehabilitated without creating unreasonable economic hardship on building movers and contractors. Staff and the industry have reached agreement on all issues except the mandatory deposit requirement. Industry and staff arguments on this issue are outlined in this report.

### BACKGROUND

The Housing and Redevelopment Agency has received frequent complaints from the Oak Park and Del Paso Heights areas regarding structures that have been moved to lots in these areas and have not been rehabilitated. These structures have become eyesores and safety hazards to the communities. As a result, City staff reviewed ordinances used by other communities and the existing ordinance to develop a new ordinance that would solve these problems.

Local building movers objected to the proposed ordinance as overly restrictive on their industry. As a result of discussions with the industry, staff agrees with the movers that the primary problem has been with the property owner and not the mover. The ordinance has been rewritten to reflect better the property owners' and movers' responsibilities.

The proposed ordinance now reflects the following modifications from the existing ordinance:

1. Processing applications for building moves will be streamlined by eliminating Design Review/Preservation Board review of building moves and by providing for unified processing under the Planning and Development Department.
2. The City will have the authority to abate moved buildings which create a nuisance for the community while allowing sufficient flexibility to allow for longer reconstruction periods for Victorians and other special structures and problems.
3. The City will have the ability to control the movement of structures on City streets better, and collect for damages to City property.

DEPOSITS

3. The building movers also object to the \$200 deposit required for moves through the City. They feel movers do not have a track record of damaging City property during the moves, and indicate that the City has only infrequently filed claims for damages. However, the Public Works Department feels that damage has frequently occurred during moves, but cannot legally prove the mover is responsible. The provision allowing a City employee to accompany the move will give Public Works the ability to identify the specific damage to the building move and to determine the cost to repair.

#### FINANCIAL INFORMATION

The adoption of the proposed ordinance will have the following financial impacts:

1. The City will have the applicant's deposit to utilize for abatement, rather than utilizing the General Fund and placing a lien on the property. Collection of liens often occurs years after the cost is incurred.
2. The repair of City property damaged during building moves will be paid for from the applicant's deposit rather than the City General Fund.

#### RECOMMENDATION

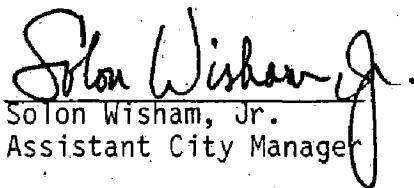
Staff recommends that the Transportation and Community Development and Budget and Finance Committees recommend that the City Council adopt this ordinance and fee resolution as currently proposed.

Respectfully submitted,



Mac Mailes, Director  
Planning and Development

RECOMENDATION APPROVED:



Solon Wisham, Jr.  
Assistant City Manager

# ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

## AN ORDINANCE AMENDING ARTICLE XI OF CHAPTER 9 OF THE SACRAMENTO CITY CODE, RELATING TO MOVING BUILDINGS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

### SECTION 1.

Article XI of Chapter 9 of the Sacramento City Code is hereby amended to read as follows:

#### ARTICLE XI. Moving Buildings

##### Sec. 9.420 Permit Required.

No person shall move or cause to be relocated any building or structure upon, over, or through any public property or right-of-way in the City of Sacramento, or from outside the City of Sacramento into the City of Sacramento, without first complying with all applicable City Code provisions and obtaining a written moving permit from the Director of Planning and Development according to the procedures set forth in this article.

##### Sec. 9.421 Application for Permit; Application Fee.

The application for moving permit shall be filed with the Director of Planning and Development and shall contain a statement of the following:

- (a) Name, address, and telephone number of applicant,
- (b) Valid State Contractor's License number and valid City Business Tax Certificate Number of the moving contractor,
- (c) Type of structure to be moved,
- (d) Proposed use of structure,
- (e) Approximate date structure was constructed,

- (f) Current location of structure to be moved,
- (g) Proposed new location, including a scaled plot plan of the new site which shows any buildings located on contiguous property,
- (h) Proposed route,
- (i) Proposed date of moving, and anticipated duration of move,
- (j) Accurate drawing or other detailed graphic representation of the structure showing length, height, and width, loaded and in transit,
- (k) Hold harmless agreement and insurance certificate from moving contractor,
- (l) A certification that all information provided is true, and that the applicant is familiar with, understands, and accepts all obligations and responsibilities relating to the moving of buildings as set forth in this article,
- (m) Such other and further information as the Director of Planning and Development deems necessary.

The application shall be accompanied by a nonrefundable application fee in an amount set by resolution of the city council. The Director of Planning and Development shall cause copies of the application to be sent to the Superintendent of Building Inspections, Director of Public Works, Fire Chief, and Planning Director.

**Sec. 9.422 Review of Application and Inspections by Building Division.**

The Superintendent of Building Inspections shall review the application for moving permit and shall conduct such inspections of the building to be moved, its existing location, and the proposed location as may be necessary to ascertain if the building when moved will comply with applicable city codes and to ascertain what conditions, if any, must be imposed on the permit to insure compliance with all applicable city codes. The Superintendent may impose conditions requiring the modification or removal, prior to the move, of any part of the structure or attachment thereto, which may constitute a safety hazard while the structure is in transit.

**Sec. 9.423 Review and Approval by Planning Director; Appeal**

The Planning Director shall review the application to determine if the building, when moved to its new location, will satisfy the standards set forth in Paragraph 11.15 of Article II of Section 16, or any successor provision thereto, of city's zoning ordinance and any other design guidelines applicable to the location to which the building will be moved including special requirements in Redevelopment Areas. If the Planning Director determines that the building when moved will not

satisfy these standards, he shall so inform the applicant in writing and the Director of Planning and Development, who shall not issue a moving permit. If the Planning Director determines that the building when moved will meet the applicable standards or can meet the applicable

repair any damages to city property caused by the move, and any other costs or expenses incurred by the city resulting from the move, including the cost of curing any failure of the applicant to comply with the conditions of the moving permit or any other applicable requirement of the City Code.

Posting of the required deposit shall not relieve the applicant/permittee from liability for any damages resulting from the move. Should the costs chargeable to the permittee exceed the deposit, the permittee shall be liable to the City for the excess and shall pay such amount upon demand. No other moving permit shall be granted until such amount is paid.

The deposit, less any authorized deductions, shall be returned to the permittee after a final inspection of the site from which the building was moved, if located within the City, and the final inspection of the relocated building pursuant to Section 9.432.

**Sec. 9.426 Insurance Required.**

No moving permit shall be issued until the applicant presents satisfactory evidence that the moving contractor has insurance coverage as specified in Section 9.370 of this code. City approval of any insurance policies shall in no way affect the terms and conditions of the indemnification and hold harmless set forth in Section 9.427.

**Sec. 9.427 Indemnification and Hold Harmless.**

No moving permit shall be issued until the moving contractor agrees to indemnify and hold harmless the City of Sacramento, its officers, employees, and agents from and against any and all actions, damages, claims, losses or expenses of every type and description to which they may be subjected or put, by reason of, or resulting from, directly or indirectly, the moving contractor's operations pursuant to the moving permit, which is caused in whole or in part by any negligent act or omission of the moving contractor, his subcontractors, anyone directly or indirectly employed by them, or anyone for whose acts any of them may be liable, whether or not it is caused in part by a party indemnified hereunder.

**Sec. 9.428 Issuance of Permit; Appeal.**

If the Superintendent of Building Inspections, the Fire Chief, the Director of Planning, and the Director of Public Works report that the proposed move will comply with all requirements of this article and the Sacramento City Code, then the Director of Planning and Development shall issue the moving permit, subject to such conditions as are necessary to ensure compliance with this article and the Sacramento City Code and to ensure the public safety and welfare. If the permit is denied, written notice thereof shall be served in person or by mail on the applicant.

Any applicant aggrieved by denial of a permit or by conditions (other than routing or time restrictions) placed thereon may appeal the decision of the Director of Planning and Development to the Housing Codes Advisory and Appeals Board by filing a written notice of appeal with the Secretary of the Board not later than ten (10) days after the date of the Director of Planning and Development's decision; provided, however, that any matter appealable under Section 9.423 shall not be appealable pursuant to this section. The decision of the Housing Codes Advisory and Appeals Board shall be final. However, any denial based on the recommendation of the Planning Director shall be appealable only as provided in Section 9.423.

**Sec. 9.429 Notice to be Given Before Move.**

No less than one (1) working day before the move, the permittee shall notify the Director of Planning and Development of the time and route of the move.

**Sec. 9.430 Limitation on Temporary Support.**

Except as otherwise provided in this section, no person shall permit a building or structure to remain on blocks or other temporary support for more than sixty (60) days at any location, either before a proposed move or after a move. The maintenance of a building on blocks or other temporary support for more than sixty (60) days is hereby declared to be a public nuisance, to be abated pursuant to any applicable provision of the Sacramento City Code.

Buildings listed on the official register and buildings moved from, to or within preservation areas may remain on temporary support for more than sixty (60) days if so authorized by the Director of Planning and Development in writing in the moving permit. The maintenance of a building on temporary support beyond the time authorized by the permit is hereby declared to be a public nuisance, to be abated pursuant to any applicable provision of the Sacramento City Code.

Buildings moved to an approved storage lot may remain on temporary supports in excess of sixty (60) days.

The Director of Planning and Development may require installation of protective fencing around any structure on temporary supports when he determines that public safety so requires.

**Sec. 9.431 Clean-Up of Site Vacated.**

The site from which the building or structure is moved shall be leveled, and any and all foundations or footings removed, and all depressions, holes, excavations or basements filled to eliminate any hazards to persons or property immediately upon removal of the building or structure. All other concrete, rubbish and other debris, deposited, generated or created by the moving of the structure shall be cleared from the site within fifteen (15) days after the move.



**Sec. 9.432 Requirements Prior to Use or Occupancy; Time of Completion.**

Any building or the frame of any building which has been moved under the provisions of this code shall meet all current requirements of this code prior to use or occupancy. All work necessary to bring the building or structure into compliance with this code and all other applicable regulations shall be completed within one hundred twenty (120) days after the date of the move. The Director of Planning and Development may extend the time for completion only if he finds that the permittee is making continuous and reasonable progress toward completion. If such work is not completed within the time specified, City shall have the right, but not the duty, to cause the work to be completed or cause the building to be demolished, and the cost thereof shall be a charge upon permittee's deposit. If the cost of demolition exceeds the amount available from the deposit, the excess shall be made a special assessment against the property involved, pursuant to the procedures set forth in Article IX of Chapter 50 of the City Code, or shall be the personal obligation of the property owner, or the permittee, or both, as the City Council may determine.

**Sec. 9.433 Restrictions on Building Size.**

No permit shall be granted for the moving of any building, or the frame of any building, on the streets of the city, unless the Director of Public Works certifies that the proposed move will not unreasonably delay traffic, damage public facilities or disrupt public services. The Director of Public Works shall recommend to the Director of Planning and Development such conditions as are reasonably necessary to avoid unreasonable traffic delay.

**Sec. 9.434 Overhead Wires.**

When the moving of a building requires the displacement of any overhead electrical, telephone or other wires, it shall be the duty of the person owning, operating or controlling such wires to remove or displace the same to enable the move to proceed.

The permittee shall notify the person owning, operating or controlling the wires of the proposed move and shall provide to such person a copy of the moving permit. Such person shall within twenty-four (24) hours thereafter remove or displace the wires sufficiently to allow the passage of the building along the street over which the wires are suspended. The permittee shall pay to the person owning, operating or controlling the wires the actual cost of such removal or displacement of the wires and of the replacement thereof.

**Sec. 9.435 Maintaining Barricades and Lights.**

Permittee shall furnish, install and maintain all traffic signs, barricades and lights as needed for traffic control or detours. If said signs, barricades and lights have not been provided or maintained, the

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Director of Public Works may do so and the costs thereof will be chargeable to the permittee.

**Sec. 9.436 Move to Approved Storage Lot.**

The moving of a building or structure to an approved storage lot within the City shall be exempt from the following requirements of this article: 9.421(d); 9.421(g); 9.422; 9.423; provided, however, that upon the moving of said building or structure to a permanent location in the City all of this article's requirements shall apply.

PASSED FOR PUBLICATION:  
ENACTED:  
EFFECTIVE:

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MAYOR

ATTEST:

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CITY CLERK

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# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

## A RESOLUTION AMENDING CITY OF SACRAMENTO FEE AND CHARGE REPORT REGARDING BUILDING MOVE FEES

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City of Sacramento Fee and Charge Report is amended as follows:

A. Page 62C - Moving Permit

	<u>Moving a Structure From a Site Outside the City Boundaries</u>	<u>Moving a Structure From a Site Inside the City Boundaries</u>
Moving Permit	\$28.00 an hour for staff to accompany the move.	\$47.00 + \$28.00 an hour for staff to accompany the move.

- \* The Director of Planning and Development may waive all or part of the moving permit fee for structures moved for governmental jurisdictions.

B. Page 80C - Building Move Application Review

	<u>Moving a Structure to a Lot Outside the City Boundaries</u>	<u>Moving a Structure to a Lot Inside the City Boundaries</u>	<u>Moving a Struc- ture Through the City</u>
Building Move Application Review Fee	\$113	\$283	\$25

- \* The Director of Planning and Development may waive all or part of the building move application review fee for structures moved for governmental jurisdictions.

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MAYOR

ATTEST:

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CITY CLERK