

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 348

An ordinance relating to the moving of buildings within the City; providing for protection to the City from damages arising out of such operation; providing for enforcement; and prescribing penalties for the violation of its provisions.

THE CITY COUNCIL OF THE CITY OF BELLEVUE DO ORDAIN AS FOLLOWS:

Section 1. Permit Required. No person, firm or organization shall move any building over, along or across any highway, street or alley in the City without first obtaining a permit from the City Engineer.

Section 2. Application. Application for such a permit shall be made as required by the Uniform Building Code, as amended.

Section 3. Deposit for Expense of City. Upon receipt of an application, it shall be the duty of the City Engineer, or other appropriate officer, to estimate the expense that will be incurred in removing and replacing any property of the City, the removal and replacement of which will be required by reason of the moving of the building through the City, together with the cost of materials necessary to be used in making such removals and replacements. Prior to issuance of the permit the City Engineer shall require of the applicant a deposit of a sum of money equal to twice the amount of the estimated expense.

Section 4. General Deposit. An application hereunder shall be accompanied by a cash deposit in the sum of \$500.00 as an indemnity for any damage which the City may sustain by reason of damage or injury to any highway, street or alley, sidewalk, or other property of the City, which may be caused by or be incidental to the removal of any building over, along or across any street in the City and to indemnify the City against any claim of damages to persons or private property, and be accompanied by a public liability insurance policy providing \$100,000.00 to satisfy any claim by private individuals arising out of, caused by or incidental to the moving of any building over, along or across any street in the City.

Section 5. Duties of City Engineer.

(1) Inspection. The City Engineer shall inspect the building and the applicant's equipment to determine whether the standards for issuance of a permit are met.

(2) Standards for Issuance. The City Engineer shall refuse to issue a permit, subject to review by the Board of Adjustment, if he finds:

(a) That any application requirement or any fee or deposit requirement has not been complied with;

(b) That the building is too large to move without endangering persons or property in the City;

(c) That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the City;

(d) That the building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the City;

(e) That the applicant's equipment is unsafe and that persons and property would be endangered by its use;

(f) That zoning or other ordinances would be violated by the building in its new location;

(g) After consultation with the City Planning Officer, that the building when relocated and completed will not be compatible with the district in which located. Compatible shall mean similar to, equal, or commensurate with existing development in the immediate affected vicinity in such matters as:

1. Building height; i.e. in an area of all one-story buildings, the relocated building should be a one-story building; if the affected vicinity is all two-story buildings the relocated building should be two stories.

2. Finish materials; i.e. in an area with all buildings finished in brick, the relocated building should be finished in brick; if buildings in the affected vicinity are all white painted siding, then the relocated building should be white painted siding.

3. Architecture; i.e. in an area of all contemporary modern buildings, a relocated building

should be contemporary; if the affected vicinity is all New England Colonial or all English Tudor or all Western Log Cabin, the relocated building should be of the same architectural style.

4. Site development; i.e. in an area of sites all developed in open and contiguous lawns the relocated building site should be in open lawn; if the affected vicinity is developed in intense shrub and tree plantings, or in yard fences and paving, the relocated building site should be so developed.

5. Age; i.e. a building of such age or character that the brand of its era cannot be erased by remodeling should not be permitted to move into an area that will suffer property devaluation as a result of the relocated building.

6. Value; i.e. a relocated building should be reasonably commensurate in dollar value with the buildings in the affected vicinity.

7. In an area or vicinity that has only some established standards or characteristics, such as are listed above, and is mixed to a degree itself, only those characteristics which are clearly established as standards in the existing buildings of the vicinity shall be used to judge the merit or demerit of a proposed relocated building.

8. The area or immediate affected vicinity to be considered in judging the impact of a proposed relocated building shall be that area which is visually connected and related to the relocated building site;

(h) That for any other reason persons or property in the City would be endangered by the moving of the building.

(3) Fees and Deposits.

(a) Deposit. The City Engineer shall deposit all fees, deposits and bonds with the City Treasurer, or other appropriate officer.

(b) Return upon non-issuance. Upon his refusal to issue a permit the City Engineer shall return to the applicant all fees, deposits and bonds. Permit fees → filed with the application shall not be returned.

(c) Return upon allowance for expense. After the building has been removed the City Engineer shall prepare a written statement of all expenses incurred in removing and replacing all property belonging to the

City, and of all material used in the making of the removal and replacement together with a statement of all damage caused to or inflicted upon property belonging to the City. Provided however, that if any wires, poles, lamps or other property are not located in conformity with governing ordinances, the permittee shall not be liable for the cost of removing the same. The City Engineer shall return to the applicant all deposits after the City Treasurer deducts the sum sufficient to pay for all of the costs and expenses and for all damage done to property of the City by reason of the removal of the building. Permit fees deposited with the application shall not be returned.

(4) Designate Streets for Removal. The City Engineer shall designate the streets over which the building may be moved. The City Engineer shall have the list approved by the Chief of Police. In making their determinations the City Engineer and the Chief of Police shall act to assure maximum safety to persons and property in the City and to minimize congestion and traffic hazards on public streets.

Section 6. Duties of Permittee. Every permittee under this Ordinance shall:

(1) Use Designated Streets. Move a building only over streets designated for such use in the written permit.

(2) Notify of Revised Moving Time. Notify the City Engineer in writing of a desired change in moving date and hours as proposed in the application.

(3) Notify of Damage. Notify the City Engineer in writing of any and all damage done to property belonging to the City within 24 hours after the damage or injury has occurred.

(4) Display Lights. Cause red lights to be displayed during the night time on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building.

(5) Street Occupancy Period. Remove the building from the City streets after four days of such occupancy, unless an extension is granted by the City Engineer.

(6) Comply with Governing Law. Within six (6) months from the date of issuance of the permit, comply with the Uniform Building Code, the Fire Prevention Code, Zoning Ordinances, and all other applicable ordinances and laws upon relocating the building in the City.

(7) Pay Expense of Officer. Pay the expense of a traffic officer ordered by the City Engineer to accompany the movement of the building to protect the public from injury.

(8) Clear Old Premises. Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition.

Section 7. Enforcement.

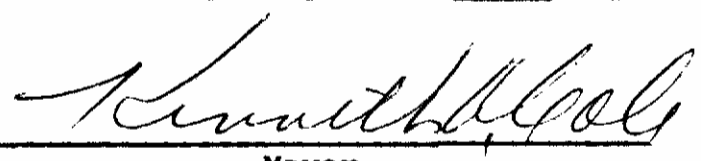
(1) Enforcing Officers. The City Engineer and the Police Department shall enforce and carry out the requirements of this Ordinance.

(2) Permittee Liable for Expense above Deposit. The Permittee shall be liable for any expense, damages or costs in excess of deposited amounts or securities, and the City Attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such excessive amounts.

(3) Original Premises Left Unsafe. The City shall proceed to do the work necessary to leaving the original premises in a safe and sanitary condition, where permittee does not comply with the requirements of this Ordinance, and the cost thereof shall be charged against the General Deposit.

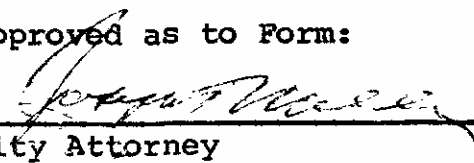
Section 8. This Ordinance shall take effect and be in force five (5) days after its passage, approval and legal publication.

PASSED by the City Council on this 3rd day of May, 1960, and signed in authentication of its passage this 3rd day of May, 1960.



Mayor

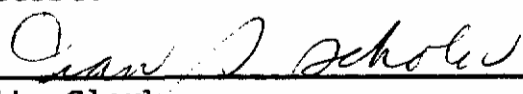
Approved as to Form:



City Attorney

(SEAL)

Attest:



City Clerk

Published May 12, 1960

FILED

CITY OF BELLEVUE

DATE May 4, 1960

CITY CLERK 