

ORDINANCE NO. 1998-03

AN ORDINANCE TO ADOPT VARIOUS STANDARD CODES RELATING TO MOVING OF PRE-EXISTING BUILDINGS THROUGH OR ACROSS ANY SIDEWALK, STREET, ALLEY OR WITHIN THE CORPORATE LIMITS OF THE CITY OF INGLESIDE ON THE BAY, TEXAS, REQUIRING A PERMIT FROM THE BUILDING OFFICIAL; PROVIDING FOR SEVERANCE; PROVIDING A PENALTY; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF INGLESIDE ON THE BAY:

SECTION 1. WRITTEN APPLICATION

1. Any person desiring to move a building, structure, manufactured home or building, garage, dwelling, storage building exceeding 150 square feet, into, out of, or within the city limits of the City of Ingleside on the Bay shall file with the Building Official and Planning and Zoning Commission a written application setting forth the following information:

1. Type and age of building to be moved.
2. The original value of such building and the current estimated value of such building.
3. Current ad valorem tax account number, county of tax account and original and current tax appraisal.
4. The overall dimensions of the length, height and width of the building including those of the moving equipment when it extends beyond the building in any dimension.
5. It's present location and proposed new location by lot, block and street numbers, including a copy of the plat of the new location.
6. The date and time such building will be upon the streets and the designated route that will be taken.
7. The written application must be accompanied by an application for a building permit

and two sets of plans which clearly shows or depicts the pre moving condition of the building or structure and the post move improvements required to bring residence into compliance with all Ingleside on the Bay Codes including but not limited to the Southern Standard Building Codes.

Specific items to be provided include:

A. Adequate photographs of existing structure, of all exterior side and interior walls of each room.

B. Existing square footage of structure.

C. Elevations and engineered foundation plan.

D. Sewage system to be approved prior to the moving of existing structure onto new lot location by San Patricio County Health Department in accordance with State of Texas Requirements.

II. Each application shall be accompanied by a permit fee of \$50.00.

III. Upon receipt of such Application in accordance with this Section and compliance with this Ordinance and all other applicable City Ordinances and State Laws, such permit shall be granted. If the permit is not granted, appeal shall be to the City Council by giving written notice within ten (10) days of denial of the permit to the City Secretary.

SECTION 2. PERMIT REFUSAL

If in the judgement of the Building Official, the moving of any building will cause any injury to persons or serious property damage to the streets or other public improvements, the building to be moved has deteriorated to the point where and when the repairs and improvements to bring the building into compliance with the City of Ingleside on the Bay Building Codes are infeasible or the building will violate the requirements of this code or the zoning regulations, the

permit shall not be issued and the building shall not be moved over the streets. Serious property damage is defined as damage costing \$500 or more to repair. In any event, any person or mover who causes personal injury or property damage ^{of} to any kind whatsoever shall be responsible for such injury or damage.

SECTION 3. BOND REQUIREMENT

The Building Official, as a condition precedent to the issuance of such permit, shall require a bond to be execute by persons desiring such moving permit, with corporate surety to his/her satisfaction. Such bond shall be made payable to Ingleside on the Bay and for such amount as he/she prescribes in the amount of 10% of the current value of the building or structure or \$1000 minimum. It shall indemnify the applicable governing body against any damage caused by the moving of such building to streets, curbs, sidewalks, shade trees, highways and any other property which may be affected by the moving of a building. Such surety bond shall also be conditioned upon and liable for strict compliance with the terms of said permit, as to route to be taken and limit of time in which to effect such move and to repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount to be prescribed by the Building Official for each day's delay in completing the move or in repairing any damages to property or public improvement or clearing of all public streets or alleys of all debris caused thereby.

SECTION 4. NOTICE OF PERMIT

Prior to issuing permit, the Building Official shall cause notice to be given to the Planning and Zoning Commission, Utility Companies, or others whose property may be affected by such move including all land owners within 200 feet to be notified two weeks in advance. The Building Official shall set forth in all notices, the route that will be taken, time started and

approximate time of completion.

SECTION 5. PUBLIC SAFETY REQUIREMENTS

1. There shall be a minimum of five lights placed on each street side of the building. Such lights shall be attached to the building in a fashion as to indicate width, height, and size. Said lights will be compliance with the Texas Highway Department requirements.

2. In addition to the lights on the building, flares shall be placed at intervals for a distance of 200 feet (61M) up the street on each side of the building.

3. When more than 50% of the street, measured between the edge of the paving, is occupied by the building, or in the judgement of the Building Official, flagmen are necessary to divert or caution traffic, the owner or person moving such building shall employ at their expense, two flagmen, one at each street intersection beyond the building. Such flagmen shall remain at these intersections diverting or cautioning traffic from beginning to finish. Lights shall be employed in flagging traffic at night.

4. Any building being moved shall not be allowed to remain in or on the streets for more than 8 hours. No building shall occupy any portion of public property after sundown without written approval of the City and shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public if permitted.

SECTION 6. IMPROVEMENTS BY OWNER

The owner of any house, building, or structure proposed to be moved onto an Ingleside on the Bay building site shall make all necessary improvements required in order for said house, building or structure to comply with the requirements of the City of Ingleside on the Bay Building Code and Southern Building Codes within 90 days from the date of the issuance of the moving

permit. Extensions of such time as deemed reasonable may be granted by the building official upon a showing of delay caused by matters beyond the control of the owner or house mover.

SECTION 7. SEVERANCE.

If any part of this Ordinance is found to be invalid or unenforceable for any reason whatsoever the remainder shall remain in full force and effect, it being the intent of the City Council to pass all of this Ordinance or those parts of the Ordinance as are valid and enforceable.

SECTION 8. A violation of any part of this Ordinance, and each day of violation constitutes a separate offense, and shall be a crime punishable by a fine not to exceed \$200.00 per violation.

SECTION 9. This Ordinance shall be published by publishing the caption hereof in the official newspaper and it shall be effective upon the date of publication.

PASSED AND APPROVED on this 20th day of January, 1998.

INGLESIDE ON THE BAY

By: Alfred Robbins
Alfred Robbins, Mayor

ATTEST:

Diane Hosea
Diane Hosea, City Secretary



**ORDINANCE
NO. 1998-03**

An ordinance to adopt various standard codes relating to moving of pre-existing buildings through or across any sidewalk, street, alley or within the corporate limits of the City of Ingleside on the Bay, Texas requiring a permit from the Building Official providing for severance; providing a penalty; providing for publication and an effective date.

A true copy of which is on file in the office of the City Secretary.

Passed and Approved this 20th day of January, 1998.
Published in The Ingleside Index on January 29, 1998.

THE STATE OF TEXAS
COUNTY OF SAN PATRICIO:

Before me, the undersigned authority, personally appeared

R.P. Richards

of The Ingleside Index, who after being

by me duly sworn, on his oath deposes and said:

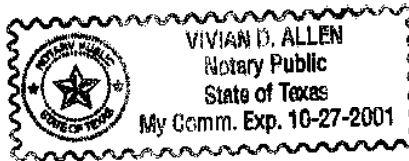
1. That (he) (~~she~~) is Publisher of The Ingleside Index a weekly newspaper published in San Patricio County, Texas.

2. That the C. Ty of Ingleside on the Bay:
Ordinance # 1998-03

hereto annexed, was published in the regular issues of said Ingleside Index once each week for One (1) successive weeks said publications having been made on the January 29, 1998

3. That a printed copy of said Notice as the same appeared in said issues is attached hereto.

R.P. Richards



Sworn to and subscribed before me this 2nd day of February 1998.

Vivian D. Allen

Notary Public, San Patricio County, Texas

PUBLICATION FEE: \$ 20.28