

CHAPTER 7

MOVING OF BUILDINGS

7.01 Purpose. The purpose of this chapter is to provide standards and requirements for the movement of buildings and structures on the roads and highways of the Town of Wilson.

7.02 Uniform Building Code Adopted. The provisions of section 30.07 of Chapter 2 of the Wisconsin Uniform Dwelling Code regulating the movement of buildings or structures upon public rights-of-way are adopted and made part of this Code. Any future amendments, revisions, or modifications of the Uniform Building Code sections incorporated in this chapter are intended to be made part of this Code.

7.03 Penalty. Any person violating any provision of this chapter shall be subject to a forfeiture of not less than \$100.00 nor more than \$1000.00 for each violation.

Effective Date. The herein Ordinance shall take effect upon enactment and publication.

Enacted this 3rd of July, 2023.
Town of Wilson by Matt Fore, Chairman

This is to certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Wilson on the 3rd day of July, 2023.
Julie Wicker, Clerk

Published in the Sheboygan Press, July 10, 2023.

Enacted this 21st of May, 2001.
Town of Wilson by Kenneth F. Sonntag, Chairman

This is to certify that the foregoing Ordinance was duly enacted by the Town Board of the Town of Wilson on the 21st day of May, 2001.
Catherine Conrad, Clerk

Published in the Sheboygan Press, June 8, 2001.

SECTION 30.07 -- REGULATIONS FOR MOVING BUILDINGS

- (1.) GENERAL -- No person shall move any building or structure upon any of the public right-of-ways of the municipality without first obtaining a permit therefore from the Building Inspector and upon the payment of the required fee. Every such permit issued by the Building Inspector for the moving of a building shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said moving operations shall be continued.
- (2.) MOVING DAMAGED BUILDINGS -- No building shall be repaired, altered or moved within or into the municipality that has deteriorated or has been damaged by any cause (including such moving and separation from its foundation and service connections in case of moved buildings) fifty (50) percent or more of its equalized value and no permit shall be granted to repair, alter or move such building within or into the municipality.
- (3.) CONTINUOUS MOVEMENT -- The movement of buildings shall be a continuous operation during all the hours of the day, and day by day and at night, until such movement is fully completed. All of such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- (4.) STREET REPAIR -- Every person receiving a permit to move a building shall, within one day after said building reaches its destination, report the fact to the Building Inspector who shall thereupon, in the company of the municipal highway commissioner, inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the governing body, said body shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.
- (5.) CONFORMANCE WITH CODE -- No permit shall be issued to move a building within or into the municipality and to establish it upon a location within the said municipality until the Building Inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. A complete plan of all further repairs, improvements and remodeling, with reference to such building, shall be submitted to the Building Inspector, and he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code and that when same are completed, the building, as such, will so comply with said Building Code. In the event a building is to be moved from the municipality to some point outside of the boundaries thereof, the provisions, with respect to the furnishing of plans and specifications for proposed alterations to such building, may be disregarded.

(6.) BOND

- (a.) Before a permit is issued to move any building over any public way in this municipality, the party applying therefore shall give a bond to the municipality in a sum, to be fixed by the Building Inspector, and which shall not be less than Twenty Five Thousand Dollars (\$25,000). Said bond is to be executed by a corporate surety or two personal sureties to be approved by the governing body or designated agent conditioned upon, among other things, the indemnification to the municipality for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment, together with the costs or expenses incurred by the municipality in connection therewith, arising out of the removal of the building for which the permit is issued.
- (b.) Unless the Building Inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the falling into such excavation by children under 12 years of age unlikely, the bond required by (a) shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Building Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.

- (7.) INSURANCE — The Building Inspector shall require, in addition to said bond above indicated, public liability insurance covering injury to one person in the sum of not less than Five Hundred Thousand Dollars (\$500,000) and for one accident in a sum not less than One Million Dollars (\$1,000,000), together with property damage insurance in a sum not less Five Hundred Thousand Dollars (\$500,000), or such other coverage as deemed necessary.

(8) PLAN COMMISSION OR OTHER ASSIGNED BOARD OR COMMISSION

- (a.) No such permit shall be issued unless it has been found as a fact by the Plan Commission of the municipality by at least a majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same and in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plans of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood or in the character of the applicable district established by the zoning ordinances of the municipality or any ordinance amendatory thereof or supplementary thereto, as to cause a substantial depreciation in the property values of said neighborhood within said applicable district. In case the applicant proposes to alter the exterior of said building after moving the same, he shall submit, with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a bond to the municipality's Plan Commission, which shall not be less than \$1,000 to be executed in the manner provided in subsection (6) hereof to the effect that he will, within a time to be set by the Plan Commission, complete the proposed exterior alterations to said building in the manner set forth in his plans and specifications. This bond shall be in addition to any other bond or surety which may be required by other applicable ordinances of the municipality. No occupancy permit shall be issued for said building until the exterior alterations proposed to be made have been completed.
- (b.) Upon application being made to the Building Inspector, he shall request a meeting of the Plan Commission to consider applications for moving permits which he has found comply, in all respects, with all other ordinances of the municipality. The Plan Commission may, if it desires, hear the applicant for the moving permit in question and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time and within forty-eight (48) hours after the close of the hearing, the Plan Commission shall, in writing, make or refuse to make the finding required by subsection (8) hereof and file it in the office of the clerk, who shall send a copy of it to the Building Inspector.