

City of De Pere

Sec. 54-8. Moving or razing buildings.

(a) *Permit required.*

(1) Except as provided below, a permit is required to move or raze any building in the city. Before such permit is granted by the building inspector, the party applying therefore shall submit a properly completed application for the permit to the building inspection department. Such application shall include:

- a. Name of applicant;
- b. Name and address of property owner(s);
- c. Address and legal description(s) of property involved;
- d. Description of work to be completed, including street route and travel time where building moving is involved; and
- e. Such other information as determined necessary by the building inspector.

(2) The permit shall require the applicant to indemnify and hold harmless the city from any and all liability arising from said moving or razing activities.

(3) A permit shall not be required for moving or razing private accessory sheds.

(b) *Bond required.* The applicant shall include with such application a surety bond in the sum of \$250,000.00, which bond shall indemnify the city from any costs and expenses which may accrue against the city as the result of granting such permit.

(c) *Insurance requirements.* No permit to move or raze any building shall be granted until the applicant files a certificate of insurance naming the city as an additional insured with the city clerk-treasurer, giving evidence of liability insurance in the following amounts:

(1) *Moving permit.*

a. Public liability:

- i. Bodily injury: \$1,000,000.00 each occurrence, \$2,000,000.00 aggregate.
- ii. Property damage: \$500,000.00 each occurrence, \$1,000,000.00 aggregate.

b. Auto liability:

- i. Bodily injury: \$100,000.00 each occurrence, \$300,000.00 aggregate.
- ii. Property damage: \$100,000.00 each occurrence.

(2) *Razing permit.*

a. Public liability:

- i. Bodily injury: \$1,000,000.00 each occurrence, \$2,000,000.00 aggregate.
- ii. Property damage: \$500,000.00 each occurrence, \$2,000,000.00 aggregate.

(d) *Compliance with state law.* The permit holder shall comply with all relevant state statutes and other applicable provisions of this Code.

(e) *Additional conditions for moving permit.*

(1) Applicant shall obtain a street closure permit from the department of public works. Such permit request shall include all necessary approvals from public utilities or communications carriers.

(2) The street closure permit may order the move to occur between the hours of 6:30 p.m. and 6:00 a.m. for public safety reasons.

(3) The progress in moving any building shall be as continuous as possible during the hours of the day, and day by day, and night if the building inspector or street closure order requires, until complete, with the least possible obstruction of traffic movement.

(4) No building shall be allowed to remain overnight on any street crossing or intersection so near thereto as to prevent easy access to any fire hydrant, driveway or within 50 feet of the property line of the intersection of the street extended. Any building left in the street overnight shall be barricaded to protect traffic in accordance with the latest state department of transportation Manual of Uniform Traffic Devices.

(5) Tree trimming.

a. No permit shall be granted to move a building in, along or upon the public streets of the city if the measurements shown on the application indicate that street trees along the proposed route will be injured. Trees and shrubs shall not be trimmed or otherwise disturbed without the approval of the director of parks, recreation and forestry and their owner.

b. If it is necessary to trim any city-owned trees or shrubs to move the building and such trimming is approved by the director of parks, recreation and forestry, such department will trim the trees or shrubs and bill the party receiving the permit. The sureties referred to in this section shall be held until full payment of the costs of such trimming is received from the permit holder.

(f) Additional conditions for razing permit.

(1) Except as provided below, a raze permit may be issued not less than 10 calendar days following the building inspector's receipt of a fully completed application.

a. The building inspector shall forward such completed application to the chair of the historic preservation commission for it to determine whether the structure subject to the raze permit is listed on the national, state or local register of historic places or if the structure is included in a federal, state or local historic district as a contributing structure. The historic preservation commission may document such structure within the ten calendar day period as permitted by property owner.

b. If such structure is listed as on the local register of historic places or if such structure is listed as a contributing property in a local historic district under § 38-6 of this Code, the regulations of that chapter shall govern the issuance of any permit to raze the structure.

c. This subsection shall not apply to structures for which an order has been issued for razing or rehabilitation in accordance with Wis. Stats. § 66.0413 or § 94-12 of this Code.

(Ord. No. 14-01, § 1, 1-7-2014)

Editor's note—

d. No. 14-01, § 1, adopted Jan. 7, 2014, repealed the former § 54-8, and enacted a new section as set out herein. The former § 54-8 pertained to moving buildings and derived from Ord. No. 08-31, § 1, 11-18-2008.