

ORDINANCE NO. 9596-6

AN ORDINANCE AMENDING ORDINANCE NO. 9394-84 entitled
"AN ORDINANCE ADOPTING BUILDING AND FIRE SAFETY CODES WITH
ADDITIONS, DELETIONS AND MODIFICATIONS AND
REPEALING CERTAIN SECTIONS OF THE CODE OF ORDINANCES
CITY OF URBANA, ILLINOIS"

WHEREAS, Ordinance No. 9394-84 became effective June 4, 1994;
and

WHEREAS, certain amendments to the sections thereof relating
to moving permits are deemed to be in the best interests of the
City and its citizens.

THEREFORE, BE IT ORDAINED BY THE URBANA CITY COUNCIL as
follows:

Section 1. Section 106.2.1 entitled "Liability Insurance
Requirements" is hereby enacted to read as follows:

Section 106.2.1 ICC Certificate and Liability Insurance Required:
To protect the public and the City, and to comply with the laws of
the State of Illinois, the mover/contractor retained to move the
structure must possess and provide the City a copy of a valid and
current Public Carrier Certificate issued by the Illinois Commerce
Commission (ICC). In addition, the mover/contractor must also
provide a Certificate of Insurance demonstrating that the ICC Form
E Damage Liability Endorsement is current and valid at the amounts
currently in effect and required by the Illinois Commerce
Commission.

Section 2. Section 106.4 entitled "Application for Moving
Permit" is amended to read as follows:

A. Application shall be made to the Building Official for
buildings or structures to be moved from one property to another
without crossing any street, alley, or public right-of-way. The
moving permit may be issued as a part of the building permit for
the project. The Building Official may issue a permit based upon
the completed application and a determination that the proposed
timing and duration of the move shall not unduly interfere with
public safety and convenience. The application for the moving
permit shall be made in conjunction with the application for the
building permit and shall include the following:

1. An estimate of the number of days which will be required
for the move. Such estimate shall not exceed the time
reasonably and necessary to move said building.
2. Written permission from the property owners of any
property to be crossed which are not owned by the
applicant.
3. A statement from the Building Official indicating that
the building or structure has been inspected and is
capable of complying with Urbana Property Maintenance
Codes.
4. A copy of an application for a demolition permit.
5. The permit fees as required in Section 114.0.
6. Before the moving permit can be forwarded to the Urbana
City Council for its action, the owner of the site to

THIS ORDINANCE CONSISTS OF 4 PAGES.

Initials OR

which the structure is proposed to be moved shall provide to the Director of Public Works, a verification of a financial commitment from a financial institution or adequate private resources to cover the estimated costs of moving the structure, and the estimated costs associated with restoring the structure to a weather-resistant condition at the new site. The estimated costs must be provided by qualified contractors and shall include a detailed cost breakdown for the various activities involved, including, but not limited to the following: moving the structure, associated utility relocations, roof replacement, siding replacement, foundation replacement, backfilling, and any other structure reassembly required to secure the structure against deterioration in accordance with Section 302.1 of the 1990 BOCA National Property Maintenance Code as amended and adopted by the City of Urbana. The cost breakdown shall be either made on forms provided by the Director of Public Works or contain the same information.

The verification of financial commitment will be reviewed by the Building Safety Division manager for adequacy of amount related to restoring the structure itself and then forwarded to the Director of Public Works. If the Director of Public Works determines that the verification of financial commitment is not sufficient in amount to cover all of the estimated costs outlined above, or that the financial commitment lacks the necessary guarantee of availability of funds, the moving permit shall not be processed until such time as such deficiencies are corrected.

B. Application shall be made to the Director of Public Works for any building or structure to be moved on or across any street, alley, or public right-of-way. The Director of Public Works may issue a permit based upon the application and a determination that the proposed timing, duration, and route of the building move shall not unduly interfere with the public safety and convenience, and will not unreasonably expose public or private property to damage from the building movement activity. Such application shall be made on a form approved by the Director of Public Works and shall include:

1. A detailed description of the proposed work, including dimensions of the building and the street widths including bridge and tunnel dimensions.
2. The number of days during which the building shall occupy any portion of the street, sidewalk, park, or other public place.
3. An estimate of the weight of the building.
4. A statement from public utilities that arrangements have been made for the temporary relocation and/or repair of such utility where interference is necessary for relocation of the building.
5. Every person applying for a permit under this division shall submit with the application a bond approved by the City Attorney in the amount of \$10,000.00 secured by an irrevocable letter of credit; or a commercial license and permit bond in common use in the community. The purpose of the bond is to guarantee the fulfillment by the

Applicant of the following obligations which are hereby imposed as a condition of the privilege of moving a structure over the public right-of-way:

(a) the payment for repair of all damages to public property or public improvements which damages may arise out of the moving of such building;

(b) removal of any debris which falls on the public right-of-way as a result of the structure being moved;

(c) payment of all fees and charges due to the City for the temporary relocation of the City's facilities and any other costs of the City associated with moving the structure, including, but not limited to, police escort, arborist services, traffic control and temporary streetlight, sign, or traffic signal relocation, etc..

6. A copy of the demolition permit and/or the building permit as required in Section 106.3 of the 1990 BOCA National Building Code (Article III).
7. A copy of any Illinois Department of Transportation permit required for moving a building or structure on or across a State of Illinois right-of-way.
8. A statement from the Building Official indicating that the building or structure has been inspected and is capable of complying with Urbana codes.
9. The required moving permit fees as prescribed in Chapter 14 (licenses and permits) in the Urbana Code of Ordinances.
10. An inventory of route conflicts with trees and municipal facilities by street address.
11. When the route crosses a bridge or tunnel, a registered Structural Engineer must provide a structural analysis of these structures at the applicant's expense.

In addition, if the site to which the structure is to be moved is located within the City of Urbana, then the following additional conditions must be satisfied:

12. The applicant may be required to enlist the services of a professional tree trimmer that is approved by the City of Urbana.
13. The applicant for the moving permit shall provide a list of the last known tax payers of record as reflected in the Champaign County records of all property adjacent to or within 250 feet in each direction of the property to which the structure or building is to be relocated. The measurement of all public roads, streets, alleys, and other public right-of-ways shall be excluded in determining the 250 foot requirement. Notice of said moving permit application shall be mailed first class to property owners adjacent or within 250 feet, by the Public Works Director, at least seven working days prior to the stated move date. Said notice shall provide the date the move is to occur and a date, time, and place at which the Urbana City Council shall hear the moving permit request if a meeting is scheduled or special meeting arranged.
14. All information required in Section A(6) above.

C. The Urbana City Council at a regular City Council meeting, Committee meeting of the whole, or Special Council meeting shall review, within ten working days of completed application submission, the moving permit request and approve or disapprove said permit by motion and simple majority vote of those present. In the event a regular City Council meeting or Committee meeting of the whole is not scheduled within ten days of the date of completed application submission, the Mayor and Council will be notified pursuant Section 2-25(b) of Urbana City Code of a special meeting. In the event a regularly scheduled Committee meeting or Council meeting does not occur within the ten day period and a quorum of the Council cannot agree to a special meeting date within three working days of the application, the permit shall be automatically issued on the 10th day.

D. Violation/Penalty

1. Both the owner of the structure being moved and the person who moves the structure are jointly and severally liable for any violation of moving a structure without first having obtained a moving permit issued by the City of Urbana, and each such person may be fined in an amount not to exceed One Thousand Dollars (\$1,000.00) for each such violation.
2. Any person, partnership or corporation that is convicted of two (2) or more violations of moving a structure without first obtaining a permit within a three-year period, shall be ineligible to receive a housing moving permit from the City of Urbana for a period of two (2) years from the date of the last conviction.

Section 3. All ordinances, resolutions, motions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.

Section 4. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a regular meeting of said Council.

PASSED by the City Council this 17th day of July, 1995.


AYES: Hayes, Patt, Pollock, Ryan, Singer, Taylor, Whelan

NAYS: None

PRESENT:


Phyllis D. Clark, City Clerk

APPROVED by the Mayor this 21st day of July, 1995.


Tod Satterthwaite, Mayor



CERTIFICATE OF PUBLICATION
IN PAMPHLET FORM



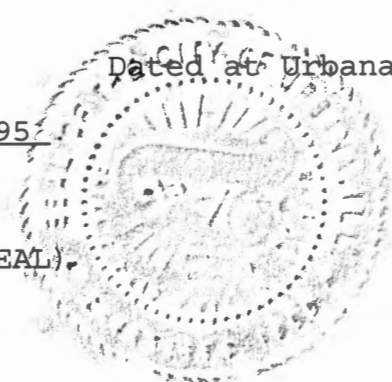
I, PHYLLIS D. CLARK, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois.

I certify that on the 17th day of July, 1995, the corporate authorities of the City of Urbana passed and approved Ordinance No. 9596-6, entitled "AN ORDINANCE AMENDING ORDINANCE NO. 9394-84 ENTITLED 'AN ORDINANCE ADOPTING BUILDING AND FIRE SAFETY CODES WITH ADDITIONS, DELETIONS AND MODIFICATIONS AND REPEALING CERTAIN SECTIONS OF THE CODE OF ORDINANCES CITY OF URBANA, ILLINOIS'" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 9596-6 was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the 21st day of July, 1995, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

Dated at Urbana, Illinois, this 21st, day of July, 1995.

(SEAL)



Phyllis D. Clark
Phyllis D. Clark, City Clerk
By Deborah D. Roberts, Deputy Clerk