

## ARTICLE 10. BUILDING MOVING AND DEMOLITION\*

---

**\*Charter references:** Authority to regulate the construction, erection, alteration, equipment, repair, moving, removal and demolition of buildings, appurtenances, etc., § 2.2(2)(vi).

---

### DIVISION 1. GENERALLY

#### **Sec. 42-1131. Compliance with ordinances and terms of permit.**

All work under this article shall be performed pursuant to this article and applicable ordinances of the city and as described in the application for the permit required under this article.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-18; Code 1983, § 1464.01)

#### **Sec. 42-1132. Variances.**

The construction board of appeals may grant variances from the provisions of this article in cases where there are unusual practical difficulties or unnecessary hardships, provided that such variances will not affect the general health, safety or welfare.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-32; Code 1983, § 1464.13)

#### **Sec. 42-1133. Enforcement of article by legal process.**

This article may be enforced by suit for injunction, action for damages or any legal process appropriate to the enforcement thereof.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-33; Code 1983, § 1464.14)

#### **Sec. 42-1134. Use of organic matter for fill.**

No mover or wrecker shall use lath, wood or other organic matter for fill. This section does not prohibit the use of clean soil in fills.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-30; Code 1983, § 1464.11)

Secs. 42-1135--42-1150. Reserved.

### DIVISION 2. LICENSES AND PERMITS

#### **Subdivision 1. In General**

**Sec. 42-1151. Effect of cancellation of bond or insurance.**

Cancellation of any insurance or bond required under this article shall automatically cancel any applicable license or permit required thereunder.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-24; Code 1983, § 1464.06)

**Sec. 42-1152. Transfer of license or permit.**

Licenses or permits for wrecking or moving buildings or structures shall not be assigned.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-28; Code 1983, § 1464.09)

**Sec. 42-1153. Permits not to be issued to contractors with uncompleted work.**

No permit shall be issued for the moving or wrecking of buildings or structures if the mover or wrecker has work remaining which has exceeded the authorized completion date therefor.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-27; Code 1983, § 1464.08)

**Sec. 42-1154. Amount of permit fee.**

(a) A fee for the moving or wrecking of buildings or structures shall accompany each application for a permit therefor, and such fee shall be as determined by resolution of the council.

(b) Whenever a permit is required under this article and such permit is not obtained by the person required to obtain the permit prior to the commencement of any work or installation or other activity for which the permit is required under this article, the department of community development shall charge double the fee set forth by resolution of the council at the time such permit is applied for.

(Code 1983, § 1464.07)

**Sec. 42-1155. Exemption from permit fee.**

No fee shall be charged for moving a building or structure which is not moved on public property.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-49; Code 1983, § 1464.19)

**Sec. 42-1156. Completion of work by city.**

Every permit issued under this article shall provide, and every permittee shall agree, that on failure of performance pursuant to the provisions of the application and the permit the city may forthwith and without notice complete the moving or wrecking, and the costs thereof may be charged, paid and collected as provided in the building code of the city (article 8, division 2 of this chapter) then in effect as in the case of a failure to perform a notice of the office of the director of community development. This provision shall not preclude suit for the amount of the costs by the city against the owner or person responsible for the wrecking or moving in such court as may have jurisdiction over actions of this

nature.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-31; Code 1983, § 1464.12)

Secs. 42-1157--42-1170. Reserved.

## **Subdivision 2. License**

### **Sec. 42-1171. Required; exceptions.**

A person engaged in the business of wrecking or moving buildings or other structures in the city shall obtain a license therefor from the office of the director of community development. Private garages and minor structures, however, may be moved on private property without securing such a license.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-19; Code 1983, § 1464.02)

### **Sec. 42-1172. Application; expiration.**

(a) An applicant for a license required in section 42-1171 shall:

- (1) File with the city insurance policies and bonds as required in section 42-1173;
- (2) Furnish the office of the director of community development with satisfactory evidence that he has the necessary knowledge and experience to properly conduct wrecking or moving operations;
- (3) Furnish the office of the director with the location of the registered or main office of the licensee, the location of local offices and, if the applicant is a corporation, the names of the officers or persons owning the business, as well as the general manager and resident agent thereof; and
- (4) Pay the license fee as prescribed by ordinance.

(b) All licenses issued under this article expire on December 31 of each year.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, §§ 3-20, 3-21; Code 1983, § 1464.03)

### **Sec. 42-1173. Insurance; deposit.**

(a) *Insurance.* A person engaged in the business of moving or wrecking buildings or structures shall file with the city clerk a public liability policy as provided in section 66-3 insuring the city against liability imposed by law arising out of the moving or wrecking of a building or structure.

(b) *Work by homeowners.* Each homeowner applying for a permit to wreck a building or structure shall be required to deposit a certified check or a performance bond with the city clerk in the amount established by resolution conditioned that all wrecking operations shall be completed within the time allotted and in the manner specified by this article and the permit. Such certified check or performance bond shall not be required when the permit is for a one-story accessory structure without a basement. Failure to complete the wrecking within the allotted time and in the manner specified by this article and the permit shall cause forfeiture of the deposited certified check or performance bond.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-22; Min. Bk. 1982, p. 103, Vol. 9, 3-30-1982; Code 1983, § 1464.04)

**Sec. 42-1174. Revocation.**

The council may revoke a license granted under this article for repeated violations of any of the provisions of this article. However, no license shall be revoked by the council without a hearing at which the licensee may appear in person or by counsel. The licensee shall be given at least ten days' notice of the time and place of the hearing on the revocation.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-23; Code 1983, § 1464.05)

Secs. 42-1175--42-1180. Reserved.

**Subdivision 3. Moving Permit****Sec. 42-1181. Required; persons eligible for permit.**

(a) Before a person commences moving a building or structure, he shall obtain a permit therefor from the office of the director of community development.

(b) Only licensed movers shall be issued permits to move buildings or structures on public property.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, §§ 3-44, 3-45; Code 1983, § 1464.15)

**Sec. 42-1182. Application.**

An application for a moving permit shall be filed with the office of the director of community development at least one week before the moving and shall contain the following:

- (1) The street number of the building or structure to be moved;
- (2) The property description of the unit to be moved;
- (3) The names of all owners of the premises;
- (4) Written consent to the moving by all owners;
- (5) A detailed description of the route to be used;
- (6) The width, length and height of the building or structure when loaded. Height measurements shall be from the ground to the highest portion of the building or structure after being loaded;
- (7) The property description and street number to which the building or structure is to be moved, when located in the city;
- (8) The names of all owners of the property to which the building or structure is to be moved, when the property is located in the city;
- (9) A plot plan showing the location of the building or structure on its new site, when located in the city; and
- (10) Such other information as the office of the director of community development may deem necessary.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-48; Code 1983, § 1464.18)

**Sec. 42-1183. Issuance; conditions.**

The application for a permit for the moving of a building or structure shall be approved by the engineering, fire, finance, police and community development departments. If the moving will in all phases conform with the ordinances of the city and is approved by all interested officials, the permit shall be granted. Such departments may stipulate conditions for the moving and may also require deposits to be made with the city treasurer to cover the cost of services rendered by the city during the moving operation. Such deposit shall not be construed as the maximum charge for such services.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-46; Code 1983, § 1464.16)

**Sec. 42-1184. Building permit required.**

No moving permit shall be issued until a building permit has been issued for the new location, if such location is in the city. The building permit shall include a plot plan and all alterations and improvements contemplated.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-47; Code 1983, § 1464.17)

Secs. 42-1185--42-1190. Reserved.

**Subdivision 4. Wrecking Permit****Sec. 42-1191. Required; exceptions; persons eligible for permit.**

(a) Before a person commences wrecking a building or structure in the city, he shall obtain a permit therefor from the office of the director of community development.

(b) Wrecking permits may be issued as follows:

(1) To any licensed wrecker, except as prohibited by section 42-1153; and

(2) To a property owner intending to wreck a building or structure on his own premises, provided that the building or structure is not more than one-story masonry not exceeding 2,000 square feet in size, or two-story frame with or without masonry veneer not exceeding 1,000 square feet of first floor area, and provided further that the property owner is responsible for compliance with this article.

(c) Wrecking permits are not required for minor work incidental to and/or in connection with the repair or alteration of a building or structure for which a building permit has been issued.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, §§ 3-60--3-62; Code 1983, § 1464.24)

**Sec. 42-1192. Application.**

An application for a wrecking permit shall contain the following:

(1) The street number, property description and number and classification of each structure to be wrecked;

(2) The names of all owners of the premises;

- (3) Written consent to the wrecking by all owners;
- (4) A complete description of all work to be done and precautions to be taken, including filling, leveling and barricading;
- (5) Specific starting and completion dates of the operation; and
- (6) Such other information as the office of the director of community development shall deem necessary.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-63; Code 1983, § 1464.25)

### **Sec. 42-1193. Time limit for completion of work; extension.**

All work covered by the wrecking permit shall be fully completed within 45 calendar days from the date of permit issuance, unless extended in the following manner:

- (1) Upon receipt of a written request no later than five days prior to the expiration date noted on the approved application, the office of the director of community development may grant a maximum of 15 days' extension of time to complete wrecking and cleanup of the site if in his opinion the size and type of structure or extremely severe weather conditions warrant additional time.
- (2) Requests for further extensions of time shall be acted upon by the construction board of appeals upon submission of a written request seven days prior to the expiration of the time extension granted by the office of the director.
- (3) A fee equal to the original fee shall be assessed against the person securing the original permit when wrecking exceeds 60 days.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-64; Code 1983, § 1464.26)

Secs. 42-1194--42-1220. Reserved.

## **DIVISION 3. REQUIREMENTS AND RESTRICTIONS FOR MOVING BUILDINGS**

### **Sec. 42-1221. Time limit for completion of moving.**

All moving of a building or structure shall be fully completed within 30 days from the date of issuance of the permit therefor.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-50; Code 1983, § 1464.20)

### **Sec. 42-1222. Clearing and leveling of site after moving.**

The premises from which a building or structure is moved shall be cleared of all debris, filled and leveled within seven days, except where the excavation is needed or desired for new construction on the premises and a building permit therefor has been issued.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-51; Code 1983, § 1464.21)

### **Sec. 42-1223. Barricade required around open basements.**

An adequate fence or barricade shall be erected completely around an open basement or cellar the same day the building or structure is moved off the foundation walls, and shall be maintained until the filling and leveling has been completed or new construction started.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-52; Code 1983, § 1464.22)

#### **Sec. 42-1224. Leaving building on street overnight.**

If, in the moving of a building or structure, it is necessary to leave the building or structure on the streets or other public thoroughfares after sundown, the contractor shall be responsible for adequate lighting of the building or structure, and all equipment used in connection with the moving process, from sundown to sunrise.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-53; Code 1983, § 1464.23)

Secs. 42-1225--42-1240. Reserved.

### **DIVISION 4. REQUIREMENTS AND RESTRICTIONS FOR WRECKING BUILDINGS**

#### **Sec. 42-1241. Sale of materials from wrecking.**

Materials from wrecking may be sold from the premises only during the wrecking period. No materials shall be brought in for sale. Material shall not be sold or stored on the curb, lawn or other public property or property generally used by the public.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-65; Code 1983, § 1464.27)

#### **Sec. 42-1242. Filling and leveling of site.**

The premises from which a building or structure is wrecked shall be cleared of all debris, filled and leveled within ten days of final wrecking, except where an excavation is needed or desired for new construction on the premises and a building permit therefor has been applied for or issued.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-66; Code 1983, § 1464.28)

#### **Sec. 42-1243. Barricade required around open basements.**

An adequate fence or barricade shall be erected completely around an open basement or cellar prior to removal of first floor construction and shall be maintained until the filling and leveling has been completed or new construction started.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-67; Code 1983, § 1464.29)

#### **Sec. 42-1244. Safety standards.**

(a) All wrecking of buildings or structures shall be done in a safe, workmanlike manner. The willful or continued performance of work in an unsafe, shoddy, dangerous or unworkmanlike manner is cause for the revocation of the wrecker's license and/or cancellation of the wrecker's permit.

(b) Barricades subject to the approval of and meeting the requirements of the department of transportation and utilities shall be erected as required to protect the public. Where encroachments are made upon public property or ways, permission therefor shall be obtained in advance. Trucks and machinery shall be operated in such a manner as not to create a traffic hazard and in accordance with any instruction or direction of the police and traffic departments. Materials shall be disposed of and removed systematically as the building or structure is wrecked to prevent the creation of a fire hazard, danger to the public or interference with the use of public property. Proper protection shall be provided all public utilities in the operation to prevent damage or interruption of service.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-68; Code 1983, § 1464.30)

**Sec. 42-1245. Disposal of debris.**

The building wrecker shall provide or obtain suitable locations for the disposing of debris resulting from the building wrecking.

(Min. Bk. 1964, p. 128, 11-24-1964; Code 1967, § 3-69; Code 1983, § 1464.31)

Secs. 42-1246--42-1270. Reserved.