

§ 27-1

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Chapter 27

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[HISTORY: Adopted by the Mayor and Council of the Borough of Helmetta 4-13-60. Amendments noted where applicable.]

GENERAL REFERENCES

Uniform Construction Codes — See Ch. 29A.
Land Use Procedures — See Ch. 40.
Vehicle and traffic — See Ch. 55.

Be it ordained by the Mayor and Council of the Borough of Helmetta, in the County of Middlesex and State of New Jersey:

§ 27-1. Moving restricted.

No person, firm, partnership, association or corporation shall move any building or structure over, along, on or across the highways and streets of the borough if the top of said building or structure, while in process of moving, is in excess of twenty (20) feet from the surface of the highway or street along which the same is to be moved nor where the width of said building, if the same is being moved, is in excess of twenty (20) feet.

§ 27-2. Permits; applications. [Amended 12-14-83]

No person, firm, partnership, association or corporation shall move any building or structure, including a premanufactured structure, over, along, on or across any highway or street in the borough without first obtaining a permit therefor from the Building Inspector. Application for any such permit shall be set forth or accompanied by:

- A. A description of the building to be moved giving street number, construction, materials, dimensions, number of rooms and condition of exterior and interior.
- B. A legal description of the lot to which the same is to be moved giving the lot and block number as shown on the Borough Tax Map, if the same be located within the borough.
- C. The space or portion of the lot to be occupied by the building after the removal.
- D. Enumeration of the highways and streets over, along, on and across which the building is proposed to be moved.
- E. The proposed moving date and hours; the hours of which shall be within the hours specified elsewhere in this chapter.
- F. The height, before moving, of the building or structure from the ground on which it stands.
- G. The name and address of the person or contractor who is to perform the moving.
- H. Sufficient proof of the applicant's right to move the same, which may be in the form of a permit from or contract with the owner, or the applicant's deed and sufficient proof of the applicant's right to place the same upon the property to which the same is to be moved.
- I. Written consent of any public utilities whose property, poles, wires, appurtenances and structures will have to be temporarily disturbed or disconnected by reason of such moving.
- J. Proof that any and all taxes and municipal liens on and against the building or structure to be moved have been fully paid.

K. Any additional information which the Building Inspector shall find reasonably necessary or advisable to a fair determination by him as to whether the permit applied for should issue.

L. A permit fee shall be established on an annual basis by resolution of the governing body. [Amended 3-13-74¹; 12-14-83]

§ 27-3. Estimating expense of moving; deposit.

On receipt of the application, the Building Inspector shall procure an estimate of the expense to be incurred in removing and replacing any electric wires, streetlamps, poles, pole lines and any other property of the borough, the removal and replacement of which will be required by reason of any such moving, together with the cost of any materials necessary in making such removals and replacements. Prior to the issuance of any permit, the Building Inspector shall require the applicant to deposit a sum of money equal to twice the amount of the estimated expense which will be incurred by the borough under this section.

§ 27-4. Bond required.

The applicant, in the event any permit for such shall be granted, shall obtain and file with the Building Inspector a bond to be approved as to form by the Borough Attorney, executed by the applicant as principal and by a bonding or surety company, authorized to do business in the State of New Jersey, as surety, in such reasonable amount as the Building Inspector shall determine will protect the borough and other persons from any and all injuries to persons and from damages to property caused by such moving. Such bond shall run to the borough for its own use and benefit and for the use and benefit of any person or persons intended to be protected.

§ 27-5. Application review by Building Inspector.

On receipt of any application the Building Inspector shall examine the same to determine whether the requirements of this chapter have

¹ Editor's Note: Amended upon adoption of Code.

been complied with as to the form of said application, and the Building Inspector shall refuse to issue a permit if he finds:

- A. That any application or any fee or deposit or bond requirement therein required has not been complied with;
- B. That the building is in excess of the height and width, when being moved, as elsewhere herein required;
- C. That the building is in such a state or condition as to make unsafe its moving without endangering persons and property;
- D. That the building is structurally unsafe or unfit for the purpose it is intended to be used for;

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E. That zoning² or other applicable ordinances of the borough would be violated by placing the building in its new location.

§ 27-6. Moving requirements.

Every applicant to whom any such permit may be granted shall:

- A. Move the building over such streets¹ designated in such permit;
- B. Notify the Building Inspector in writing of any and all damage to property of the borough within twenty-four (24) hours after the damage has occurred;
- C. Cause warning signals or devices to be displayed on every side of the building so as to be visible during hours of darkness from all distances up to five hundred (500) feet while in the process of being moved or while standing;
- D. Move said building or structure and complete said moving between the hours of 8:00 a.m. and 4:00 p.m.
- E. Pay the expense of any police officer who may be ordered by the Building Inspector to accompany the moving of the building to protect the public;
- F. Remove all rubbish and materials and fill all excavations to the existing grade at the original building site within the borough so as to leave same safe, sanitary and ground-clean.

² Editor's Note: See Ch. 58, Zoning.

§ 27-7. Violations and penalties.³

Any person, firm, partnership, association or corporation who shall violate any of the provisions of this chapter shall, for each and every violation, be subject to imprisonment in the Middlesex County Jail for a period not exceeding ninety (90) days or subject to a fine of not more than five hundred dollars (\$500.), or both, at the discretion of the Borough Judge. Each and every day that a violation continues shall constitute and be considered a separate and specific violation of this chapter.

³ Editor's Note: Amended upon adoption of Code.