	<b>Engineering/Projects Section: Administrative Rule No. 413</b>
	<b>Moving Permits Required for Public Roadways</b>

Adopted: June 2, 2008

Revised: \_\_\_\_\_

**PURPOSE:** Outline the policy for City Public Works staff to administer the requirements for obtaining approval of an authorized Moving Permit for the moving of structures and/or other large objects over and across public right-of-way.

**APPLICABILITY:** All Public Works staff responsible for the review, approval, signing and issuing of Moving Permits.

**AUTHORITY:** Missoula Municipal Code Chapter 15.44 titled House Moving (copy attached).

**DISCUSSION:** Moving structures and other large objects on public roadways especially collector and arterial streets often result in significant delays by the traveling public including emergency vehicles, public transportation vehicles on a set schedule, and commercial transportation.

More stringent requirements regarding traffic control, hours of operation, route selection, and public notice are tools that can reduce the impact to Missoula's roadways and the citizens that use them.

Many of the moves involve State Highways like Reserve Street and the City will work closely with the Montana Department of Transportation (MDT) to assure that the following requirements are included in the State permit.

Coordination of City Communications Officer, City Engineering Division, Building Inspection Division, City Police, Media and the Utility Companies are necessary for implementation of a Moving Permit. This coordination is the responsibility of the moving company.

**MOVING PERMIT REQUIREMENTS:** The following are required for City Engineer approval of a Moving Permit and prior to issuance:

**This information must be submitted to the City Engineer a minimum of 14 calendar days prior to making the move.**

1. A detailed moving route submitted along with an attached functional classification of city streets map.
2. Location of any major utility, traffic signal and other obstacle conflicts that may cause delays in the progress of the move.
3. The detailed moving route must be reviewed and the review documented by the Urban Forester prior to submitting to The City Engineer.
4. Traffic control plan for:
  - a. Collectors and Arterials (also includes streets that serve commercial areas)
    - i. This must be prepared and implemented by a Licensed Construction Traffic Control Company including certified flaggers.

- ii. The traffic control plan may be required to include message boards located at appropriate locations. The message would include: "House moving ahead suggest using alternate route".
- iii. These message boards shall be placed in advance of intersections which would notify the driver and allow them to seek another route and the message boards must be appropriately relocated as the move progresses.
- iv. Other traffic control devices may be required as determined by the City Engineer.
- v. Police may supplement traffic control but will not replace this requirement.
- vi. At least 48 hours prior to the move date notify the City of Missoula Communications Office about the move, The Communications Office will notify the media once it is determined the move will occur.
- vii. When it becomes necessary to reschedule a move after notification to the Communications Office, call the office immediately at 406-552-6001 and advise about the change. It is very important to avoid notifying the media if a move is not going to take place.

b. Residential Streets

- i. Road closure signing and advance warning signs may be required, at the City Engineer's discretion, if the moving operation is scheduled to be stopped for more the one (1) hour.

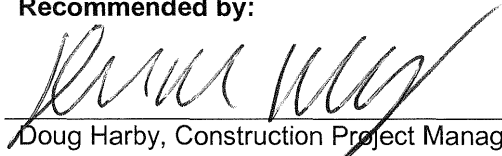
**Drafted by:**

  
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 Doug Harby, Construction Project Manager

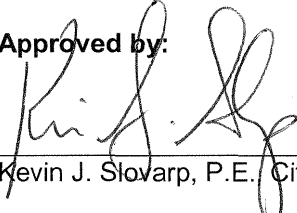
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## Chapter 15.44

### HOUSE MOVING\*

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\*Prior history: Prior Code §§5-9--5-15 and Ord. 2162.

**15.44.010 Purpose.** The purpose of this chapter is to provide safeguards to life, limb, health, property and public welfare by regulating and controlling the moving of any house, building or part thereof into, out of, within or through the city. (Ord. 2357 54, 1983)

**15.44.020 Scope.** The provisions of this chapter shall apply to any house, building, or part thereof which is:

- (1) outside the city intended to be relocated within the city;
- (2) within the city being relocated outside the city limits;
- (3) within the city and being relocated within the city; and
- (4) being moved through the city on city streets, except that moves through the city that solely make use of Reserve Street within the city and Highway 93 south from the Reserve Street intersection within the city if the move does not involve physical contact with or require the movement, adjustment or stoppage of a traffic-control signal are not within the scope of this chapter, but such moves must be in compliance with Montana State law and administrative regulations applicable to motor vehicle traffic and house movers. The provisions of this chapter shall include, when appropriate: the restoration of the original structure site, the intended site, the movement between sites, and any temporary storage sites. "House" or "building" includes all houses and buildings or any part thereof that comes within the scope of this chapter. (Ord. 2485 §1, 1986; Ord. 2357 §5, 1983).

#### **15.44.030 Permit.**

A. Permit Required. Except as provided in subsection B of this section, no person, partnership, corporation, firm or association shall move a house or building or part thereof into, out of, within, or through the city without first obtaining a housemover's license pursuant to Chapter 5.70 of this code and a moving permit as provided for in this chapter. A moving permit is required for each separate house or building or any part thereof that is moved separately and whose size comes within the provisions of this chapter. The building official shall have the house or building inspected prior to the move in order to ensure that it can be safely moved through the city streets pursuant to the provisions of this chapter.

B. Exceptions to Required Permit or Housemover's License.

1. Neither a moving permit nor a housemover's license is required pursuant to this chapter for the moving of a mobile home and similar sized factory-built buildings constructed totally at a factory where the loaded dimensions of the vehicle, trailer and load do not exceed maximum dimensions for

truck loads allowed by law with or without a special permit from the State Department of Highways pursuant to Chapter 10 of Title 61, MCA.

2. The operation or movement of a vehicle, combination of vehicles, load, object or other things of a size or weight not exceeding the maximum specified in Sections 61-10-101 through 61-10-110, MCA, and which move can be legally accomplished without an oversize permit from the state (pertaining to the size, weight and load regulations for motor vehicles upon any highway within the state) shall not require a housemover's license or permit when operated or moved upon a street or highway. Standard maximum dimensions pursuant to Montana state law are:

- a. Total outside width loaded or unloaded of one hundred two inches (eight and one-half feet);
- b. Overall length inclusive of front and rear bumpers, whether unladen or with load, forty feet;
- c. A vehicle unladen or with load may not exceed a height of thirteen feet six inches. See Sections 61-10-102 through 61-10-104, MCA.

3. No city housemover's license or permit shall be required where the movement of any house, building, or part thereof that is being moved through the city from a location outside the city to a different location the city only when the moving route used within the city is solely Reserve Street and Highway 93 south from the Reserve Street intersection if the move does not involve physical contact with or require the movement, adjustment or stoppage of a traffic control signal and as long as the move is made in compliance with Montana state law and administrative regulations applicable to motor vehicle traffic and house movers.

4. The movement of any of the excepted loads identified in this chapter must comply with all other city ordinances pertaining to motor vehicle traffic, including but not limited to, compliance with city truck route regulations to the extent feasible. Further, if the house or building being moved within the city is to be relocated within the city, the relocation of the house or building must be in compliance with all city ordinance provisions, including but not limited to, compliance with all city zoning, building and fire regulations.

C. Application. The application for a moving permit shall be filled out with the information required in this section:

1. Part 1--Original Site. Name of building owner; address of site; legal description; bond owner and bond number for restoration.

2. Part 2--Proposed Site. If the house or building is relocated within the city, the following information shall be provided: Name of owner; address of site; legal description; current zoning; bond owner and number for site completion.

3. Part 3--Information with Respect to Mover. Name; address; state housemover's license number and city business license number.

4. Part 4--Additional Information.

a. A photograph and description of the building proposed to be moved, giving street number, construction materials, dimensions, number of rooms and conditions of exterior and interior;

b. Site plan of proposed site, showing location of the building and all other buildings on the property; fully dimensioned;

c. Foundation plan for the proposed site;

- d. Proposed moving date;
- e. Moving time including date(s) and anticipated time length of move;
- f. List complete moving route.

Items a through c of this subdivision apply only to relocation of house or building or part thereof within the city.

D. Zoning Review. The city zoning officer must review the site plan and other materials submitted in this section and determine that the building, as relocated, will meet all requirements of Chapter 19 of this code pertaining to zoning. (Ord. 2485-§2, 1986; Ord. 2357 §6, 1983).

**15.44.040 Permit--Completion requirement.** Any house or building or part thereof moved into, out of, within or through the city shall be accomplished in accordance with the building codes and following procedures:

A. Completion of Relocation Site Preparation. The owner of the property or his representative shall submit a site plan of the proposed relocation site and appropriate plan review fee, and completed application. Upon city approval pursuant to the provisions of this chapter and upon the owner(s) filing a bond of two thousand dollars with the city that guarantees completion of the relocation site work within six months of the moving permit's issuance, a moving permit shall be issued, and extensions to this completion time shall be approved only by the plat, annexation and zoning committee of the city council. Any appeal shall be presented to the city in time for consideration by the city council at its next regular or special meeting after the plat, annexation and zoning committee has made its decision.

B. Restoration of Existing Site. If the existing site from which the house or building is being moved is within the city, the mover, structure owner, real property owner, or prime contractor shall present a bond for two thousand dollars to guarantee that the existing site shall be satisfactorily restored to protect public health and safety prior to the issuance of the moving permit.

C. House or Building Moving on any City Street. Upon compliance with the application and bond provisions of subsection A, if applicable, and subsection B, the mover shall then circulate the application accompanied by the traffic routing plan for approval by the following city departments:

- 1. Public works;
- 2. Park department;
- 3. Police department;
- 4. Fire department.

Further, the mover shall comply with all provisions of state laws and Administrative Rules of Montana pertaining to notifying and working with all utilities in order to accomplish the movement of any house or building or part thereof in a safe manner. The mover shall consult with all utilities as to the most appropriate traffic route for a movement of any house or building or part thereof. Upon the applicant's notification to and consultation with the utilities and upon approval of the application by all city departments whose approval is required by this chapter, the mover shall be issued a moving permit. The physical move shall be completed within five business days or as extended by the city engineer taking into consideration the Administrative Rules of Montana and all state law pertaining to authorized time(s) allowed for moving houses or buildings. (Ord. 2629 S1, 1988; Ord. 2357 S7, 1983).

**15.44.050 Permit--Fees.** Fees for the issuance of a permit to move any house or building shall be as set forth below. If any one measurement of the building exceeds the maximum given in any one fee schedule, the fee shall be determined by the next larger schedule.

A. A house or building or part thereof that when loaded onto its means of transportation is eight feet six inches wide but less than fifteen feet wide, and less than twenty-two feet in length and less than thirteen feet six inches in height, a permit fee of ten dollars each, or for an annual city business licensure

year from July 1st to June 30th an annual permit fee of seventy-five dollars for the movement of houses or buildings or parts thereof that are entirely within the size limitations set forth above in this subsection. Even though an annual permit may be purchased for moves made pursuant to this subsection, the annual permittee shall still be required to submit each move that comes within the provisions of this subsection to the city for review pursuant to this chapter.

B. If the existing site from which the house or building is being moved is within the city, the real property owner shall present a bond for two thousand dollars to guarantee that the existing site shall be satisfactorily restored to protect public health and safety within forty-five days of the date of the issuance of the moving permit.

C. A house or building or part thereof that when loaded onto its means of transportation is twenty-six feet or more wide, and thirty-six feet or more in length, and twenty feet or more in height, a fee of one hundred dollars each.

D. If the building official or city engineer requires the services of a city employee(s) as an inspector while the house or building or part thereof is in transit, a fee of twenty dollars per hour per person shall be paid for all time spent on the inspection. If parks and recreation personnel are required to be in attendance at the move, a fee of ten dollars per person per hour shall be paid.

E. Multiple Moves. Whenever it is proposed that a house or building be moved in more than one part, a moving permit shall be obtained for each part moved that comes within the provisions of this chapter. The primary permit fee shall be based upon the size of the largest part. Each additional permit for each part shall be at a rate of fifty percent of the primary fee for each part moved. The reduced fee rate for moving additional parts of the same house or building shall only be available to the applicant if the following criteria are met:

1. The same mover moves all parts of the house or building;
2. The same route will be used for moving all parts of the house or building;
3. The city's review pursuant to this chapter was performed on the largest part of the house or building as well as the total number of moves;
4. The same moving equipment as originally inspected is used throughout the moves of all the parts;
5. All additional inspection costs, including but not limited to the costs set forth in subsection D of this section for all moves, shall be paid at the time of obtaining the permit, unless the fees are incurred during transit, in which case the fees must be paid within five city business days of the date on which the costs were incurred. The mover's bond shall not be released by the city until these costs are paid by the mover. The city also may proceed against the mover's bond to collect these costs if it deems it necessary to do so. (Ord. 2485 §3, 1986; Ord. 2357 §8, 1983).

**15.44.060 Grounds for refusal of permit.** The building official shall refuse to issue a moving permit if he determines:

- A. That any application requirement of any fee or deposit requirement has not been complied with;
- B. That the building is too large to move without endangering persons or private or public property, including trees and other public improvements;
- C. That the building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the city;

**15.44.100 Supervision of house moving.** The actual house movement shall be under the supervision of the city engineer, who shall determine any precautions deemed advisable for the protection of the streets, abutting structures, trees, foliage or any other property of the city. No house or building or part thereof shall be moved without pilot vehicles or flag persons front and rear on any house or building or part thereof twelve feet or more in width; or over thirty-six feet in length or more; or over twelve feet six inches in height. Such pilot cars or flat persons are to be provided by the mover at the mover's expense. No house or building or part thereof shall be moved which shall cause an extensive deprivation of any public utility service to the citizens of the city. Whenever in the judgment of a city department the moving of a house or building or part thereof requires tree trimming, and/or removal and replacement of facilities by city forces, the costs of such work shall be borne by the permittee. Payments for those costs shall be made within five city business days of the date the costs are incurred and prior to the city's release of the mover's bond. (Ord. 2357 §13, 1983).

**15.44.110 Violation--Penalty.** Every person found guilty of violating any of the terms or provisions of this chapter shall be deemed guilty of a misdemeanor and shall be fined not less than one hundred dollars or no more than five hundred dollars, by imprisonment in the city jail for a period not exceeding thirty days or by both such fine and imprisonment. (Ord. 2357 §14, 1983).

D. That the building is structurally unsafe or unfit for the purpose of its intended future use if the relocation site is in the city;

E. That the applicant's equipment to be used for moving the house or building or part thereof is unsafe and that persons and property would be endangered by its use;

F. That city zoning, building, fire or other codes or ordinances would be violated by the building in its new location, if the relocation site is in the city;

G. That for any other reason persons or property in the city would be endangered by the moving of the house or building;

H. That the proposed route would cause excessive traffic congestion;

I. That the time period in which the move would be taking place would cause excessive traffic congestion. (Ord. 2357 §9, 1983).

**15.44.070 Permit duties of the mover.** The duties of the permittee shall be as follows:

A. To move the house or building or any part thereof that comes within the scope of this chapter only over streets designated for such use in the written permit. If an emergency arises during the move, the mover may make slight changes in the route as long as the changes can be achieved without unduly endangering persons or property.

B. To request in writing any change in the moving date or hours approved in the application. Such changes must be approved in writing by the city engineer.

C. To notify the city engineer in writing of any and all damage done to property within a public right-of-way within twenty-four hours after the damage or injury occurred, and further comply with all state law accident reporting procedures.

D. To cause flashing yellow lights to be displayed on every side of the house or building or part thereof if it is temporarily parked on a street or anywhere else within the public right-of-way. The flashing yellow lights shall be placed in such a manner as to warn the public of the obstruction.

E. At all times erect and maintain barricades across the street in such manner as to protect the public from damage or injury.

F. To remove the house or building or part thereof from the city streets after two days of such occupancy unless an extension is granted by the city engineer. (Ord. 2357 §10, 1983).

**15.44.080 Identification mark.** All houses or buildings or parts thereof to be moved shall during the process of being moved have prominently displayed on the house or building or part thereof both the name of the moving contractor and the moving permit number by which the house or building or part thereof can be readily identified. Such identifying mark shall be placed on the house or building or part thereof prior to moving. (Ord. 2357 §11, 1983).

**15.44.090 Storage of building.** If a permanent relocation site for a house or building or part thereof that is to be moved pursuant to this chapter is unavailable at the time an initial move via or across any street or roadway is necessitated for whatever reason, and the relocation is for a period in excess of seventy-two hours, the building may be stored at a temporary storage location. This will be handled as the receiving site on the permit application. The temporary storage shall be for a period of no more than forty-five days. Buildings may be stored indefinitely on an area zoned I-2, so long as they comply to the extent possible with the zoning provisions applicable to an I-2 zone. At any time during the storage period the building official may order the stored building moved to another location if he determines that the storage constitutes a danger to the public health, safety and welfare. (Ord. 2357 §12, 1983).