

# Highway - Street

## Chapter 485 - Moving - Buildings - Structures

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### Chapter Index

#### Article 1 - Interpretation

- 485.1.1 Corporation - defined
- 485.1.2 Person - defined
- 485.1.3 Street - defined
- 515.1.4 Structure - defined

#### Article 2 - General Provisions

- 485.2.1 Application - provisions
- 485.2.2 Permit - required - prior to moving

#### Article 3 - Permit - Application

- 485.3.1 Approvals - in writing - prior to permit issue
- 485.3.2 Special requirements - referral to Council
- 485.3.3 Application - form - provided - requirements
- 485.3.4 Proposed relocation - commercial - industrial area
- 485.3.5 Permit - refused - conditions
- 485.3.6 Deposit - permit fee - structure - other than building
- 485.3.7 Permit - issued by Engineer - or referred to Council

#### Article 4 - Buildings - For Re-Erection

- 485.4.1 Re-erection - within City - other permits - required
- 485.4.2 Plans - specifications - required - with application
- 485.4.3 Deposit - good faith - \$500.00
- 485.4.4 Deposit - returned - compliance
- 485.4.5 Deposit - forfeited - non-compliance - within 1 year
- 485.4.6 Permit fee - \$50.00 - each vehicle - or combination
- 485.4.7 Notice - 14 days - adjacent property owners
- 485.4.8 Objection - by adjacent property owners
- 485.4.9 Notification - costs - borne by applicant

#### Article 5 - Moving - Regulations

- 485.5.1 Time - route - determined - Engineer
- 485.5.2 Precautions - regulations - observed
- 485.5.3 Damage - accident - permit holder - liable
- 485.5.4 Claims - settlement of - agreed to - prior to move

- 485.5.5 Insurance - proof - required - by Engineer
- 485.5.6 Branches - debris - cleared from street - after move
- 485.5.7 Branches - debris - removed - applicant's expense
- 485.5.8 Branches - trimming - approval - required
- 485.5.9 Completion of move - written notice - to Engineer
- 485.5.10 Inspection - by Engineer - deposit refunded - 30 days
- 485.5.11 Damages - not satisfied - paid - from deposit
- 485.5.12 Structure - not moved - in time allotted - procedure
- 485.5.13 Notification - Police - other authorities - required

### **Article 6 - Enforcement**

- 485.6.1 Fine - for contravention

### **Article 7 - Repeal - Enactment**

- 485.7.1 By-laws - inconsistent
- 485.7.2 Effective date

### **Article 1 - Interpretation**

#### **485.1.1 Corporation - defined**

"Corporation" means The Corporation of the City of Woodstock.

#### **485.1.2 Person - defined**

"person" includes a corporation.

#### **485.1.3 Street - defined**

"street" includes any highway, road, street, lane, alley, square, place, bridge, thoroughfare or way within the City of Woodstock.

#### **515.1.4 Structure - defined**

"structure" means buildings, steel tanks, steel vessels, pipes, tubes, fabricated sections, metal or wood frames, bulldozers and cranes carried on floats or other objects exceeding eight (8) feet in width and/or thirteen feet six inches (13' 6") in height when loaded upon the vehicle used in the moving.

### **Article 2 - General Provisions**

#### **485.2.1 Application - provisions**

Any person moving a structure over any street in the City of Woodstock shall comply with the provisions of this Chapter.

#### **485.2.2 Permit - required - prior to moving**

No person shall move or cause to be moved over any street, any structure as defined by this Chapter without first obtaining a permit from the Engineer

of the City of Woodstock.

### **Article 3 Permit - Application**

#### **485.3.1 Approvals - in writing - prior to permit issue**

Before any permit shall be issued, the applicant shall present to the Engineer the consents (or approvals) in writing from the Woodstock Public Utility Commission, the Bell Telephone Company of Canada Limited, the Canadian Pacific Railways, the Canadian National Railways, the Canadian Pacific Telegraphs, the Canadian National Telegraphs, the Woodstock Police Commission, the Works Superintendent for the City of Woodstock, the Traffic Committee for the City of Woodstock, or consents (or approvals) of all of such who may be concerned in or affected by the contemplated moving of any structure.

#### **485.3.2 Special requirements - referral to Council**

If the report of the Works Superintendent of the City of Woodstock indicates that the moving of the structure would entail trimming, cutting, damaging or removal of trees, then the application shall be referred to the Council.

#### **485.3.3 Application - form - provided – requirements**

Applications shall be made in writing for a permit on the form furnished by the Engineer, which shall give a description of the structure, its dimensions, and the method and route to be followed in the moving thereof, and the organizations mentioned in Section 485.3.2, which might be affected thereby.

#### **485.3.4 Proposed relocation - commercial - industrial area**

Before the moving of any structure to a commercial or industrial area, an application shall be made to the Engineer at least four (4) full days in advance, so as to allow time for the examination of plans and inspection of the structure it is proposed to move.

#### **485.3.5 Permit - refused - conditions**

Notwithstanding any provision of this Chapter provided, a permit shall not be issued for the moving of a structure if:

- a) it cannot be safely moved upon the streets;
- b) the proposed mover is incapable of conducting the job safely.;
- c) the structure is too high, wide or long to be moved over the route proposed;
- d) it might cause undue interference with vehicular traffic or railroad operations;
- e) the structure is not sufficiently sound to endure the moving;
- f) the structure does not and will not conform to the Woodstock

Building Code;

- g) its architectural design is such that it would appreciably lower or otherwise detrimentally effect the value of adjacent properties in the area where it is proposed to relocate the structure; or
- h) if, in the opinion of the Council the movement of the structure would cause undue damage to trees.

#### **485.3.6 Deposit - permit fee - structure - other than building**

Accompanying the application for a permit there shall be deposited with the Engineer, money or a certified cheque in the amount of two hundred and fifty dollars (\$250.00) or more, as may be designated by him/her, to cover possible damages that may be incurred by the moving of the structure and, in addition, pay the prescribed fee for the permit, namely, the sum of twenty-five dollars (\$25.00) for each vehicle or combination of vehicles used in the moving of a structure or part of a structure, where the object to be moved is not a building.

#### **485.3.7 Permit - issued by Engineer - or referred to Council**

When an applicant for a permit to move a structure has completed the application and presented the same to the Engineer, the permit may be issued by the Engineer or may be referred by him/her to Council and issued by him/her upon order of the Council.

### **Article 4 - Buildings - For Re-Erection**

#### **485.4.1 Re-erection - within City - other permits - required**

If the structure it is proposed to move, is a building and such building is to be re-erected within the limits of the City of Woodstock, the owner thereof, in addition to all other requirements shall secure from the Engineer building and plumbing permits for such re-erection.

#### **485.4.2 Plans - specifications - required - with application**

Accompanying the application for the moving of a building shall be plans, specifications and details of the proposed reconstruction on the lot where it is planned to relocate the building.

#### **485.4.3 Deposit - good faith - \$500.00**

As evidence of good faith the applicant shall deposit with the Engineer, money or certified cheque to the amount of five hundred dollars (\$500.00).

#### **485.4.4 Deposit - returned - compliance**

Such deposit required under Section 485.4.3 shall be returned to the applicant when the Engineer has satisfied himself/herself that the applicant has complied with such plans, specifications, details and other

requirements of this Chapter with respect to the re-erection of said building and with the requirements of all City of Woodstock Building, Plumbing and Zoning By-laws.

**485.4.5 Deposit - forfeited - non-compliance - within 1 year**

Any such deposit required under Section 485.4.3 shall be forfeited to the City of Woodstock at the expiration of one (1) year from the date of issuance of the permit if the applicant has, at that date, failed to comply with such plans, specifications and details.

**485.4.6 Permit fee - \$50.00 - each vehicle - or combination**

If the structure being moved is a building (other than a private one-car garage) then the permit fee shall be fifty dollars (\$50.00) for each vehicle or combination of vehicles used in the moving of a structure or part of a structure.

**485.4.7 Notice - 14 days - adjacent property owners**

Before a building may be moved into any residential area, (one car private garage excepted) whether for human habitation or not, all property owners within at least two hundred feet (200') of the lot to which it is proposed to move this building shall be advised by the Engineer of the proposed move and be given fourteen (14) full days in which to express their objection, if any.

**485.4.8 Objection - by adjacent property owners**

If one-third or more of the property owners notified pursuant to Section 485.4.7 object to the moving, the application shall be referred by the Engineer to Council.

**485.4.9 Notification - costs - borne by applicant**

The cost of notification pursuant to Section 485.4.7 shall be borne by the applicant, who shall pay such costs, as set by the Corporation, at the time of submitting his/her application to the Engineer.

**Article 5 - Moving - Regulations**

**485.5.1 Time - route - determined - Engineer**

The Engineer shall, after consultation with the Woodstock Traffic Committee, the Woodstock Police Department, the Woodstock Public Utility Commission, the Bell Telephone Company of Canada, the Canadian National Railway Company and the Canadian Pacific Railway Company, if affected by such moving, determine the hour when a structure shall be moved and designate the streets upon which the structure shall be moved.

**485.5.2 Precautions - regulations - observed**

The person obtaining the permit shall use the utmost precaution in the

moving of such structure, and shall comply with the regulations and restrictions provided from time to time in respect to the moving of structures upon the streets.

**485.5.3      Damage - accident - permit holder - liable**

The person obtaining the permit shall assume all liability for any damages or accident on account of the moving.

**485.5.4      Claims - settlement of - agreed to - prior to move**

The person obtaining the permit shall settle all claims of the public utility or companies or parties injured or sustaining loss or damage to property by the moving of the structure and shall sign an agreement to that effect before commencing the moving of the structure.

**485.5.5      Insurance - proof - required - by Engineer**

The Engineer shall require proof that the person doing the moving has a public liability and property damage insurance policy in force for an amount not less than two hundred thousand dollars (\$200,000.00).

**485.5.6      Branches - debris - cleared from street - after move**

The applicant shall clear away and remove all branches and debris from the City streets immediately after the removal of a structure.

**485.5.7      Branches - debris - removed - applicant's expense**

In the event that the requirements of Section 485.5.6 are not met, the City may clear away and remove all branches and debris from the City streets and the cost of so doing shall be chargeable against the applicant and deducted from the deposit required under Section 485.3.6.

**485.5.8      Branches - trimming - approval - required**

Only those branches, as approved by the Council may be trimmed, and trimming may only be carried out under the supervision of the Works Superintendent.

**485.5.9      Completion of move - written notice - to Engineer**

When the moving is completed, written notice shall be left at the office of the Engineer.

**485.5.10     Inspection - by Engineer - deposit refunded - 30 days**

The Engineer shall cause an inspection to be made of the move and after all accounts and claims are settled satisfactorily, he/she shall issue an order to the Treasurer for the return of the balance of the deposit made under Section 485.3.6, but in no case shall this balance of the deposit be returned until thirty (30) clear days have elapsed after notice has been received pursuant to Section 485.5.9.

**485.5.11 Damages - not satisfied - paid - from deposit**

In the event that the holder of a permit issued by this Chapter, has not satisfied any damages suffered by reason of the moving, payment may be made out of the deposit to the person injured.

**485.5.12 Structure - not moved - in time allotted – procedure**

When the time allocated by the permit to move the structure has expired and the moving of the structure has not been completed, then the Engineer shall have the authority to take such action as he/she deems necessary to remove the structure from the City streets and the cost of the said moving shall be charged against the applicant and paid by the same.

**485.5.13 Notification - Police - other authorities - required**

The applicant shall notify the Police Department of the time of the moving of the structure prior to the entry into any City street and he/she shall also be responsible for notifying all of the bodies concerned, as required by Section 485.3.1, in sufficient time so that they may make the necessary arrangements for the care and preservation of their property. By-law 4004-65, June 24, 1965.

**Article 6 - Enforcement**

**485.6.1 Fine - for contravention**

Every person who contravenes any of the provisions of this Chapter is guilty of an offence and upon conviction is liable to a fine or penalty as provided in the *Provincial Offences Act*. By-law 7139-94, June 2, 1994.

**Article 7 - Repeal - Enactment**

**485.7.1 By-laws - inconsistent**

All by-laws and parts of by-laws inconsistent with this Chapter are hereby repealed.

**485.7.2 Effective date**

The by-law upon which this Chapter is founded came into force and took effect on the date of the final passing thereof. By-law 4004-65, June 24, 1965.