

ORDINANCE NO. 397

THIS IS AN ORDINANCE RELATING TO THE MOVING OF BUILDINGS AND STRUCTURES WITHIN THE CITY OF GOLDEN; REQUIRING PERMITS FOR SUCH MOVING TO BE GRANTED BY THE CITY COUNCIL OF THE CITY OF GOLDEN; PROVIDING FOR A FEE THEREFOR AND PROVIDING FOR A PERMIT AND FEE FOR THE MOVING OF STRUCTURES THROUGH OR OUTSIDE THE CITY LIMITS OF THE CITY OF GOLDEN.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLDEN, COLORADO:

Section 1. Policy and Purpose. The City Council of the City of Golden, Colorado, hereby finds, determines and declares that considering the nature of the problems inherent in the moving of structures from a permanent location to another permanent location within the municipal limits of the City of Golden, as well as moving of such structures from within the municipal limits of the City of Golden outside such municipal limits, and the relaxation thereof to the zoning and building code ordinances now or hereafter existing within the said City, and all other matters proper to be considered thereto; and for the preservation and promotion of the convenience, good order, tranquility, prosperity, health, safety and general welfare of the people of the said City of Golden; and to encourage and facilitate the orderly growth and expansion of said City, it is determined that regulation of such moving is reasonable, proper, and nondiscriminatory and necessary for the general welfare of the City of Golden.

Section 2. Definitions. For the purpose of this ordinance certain terms and words are herewith defined as follows:

Words used in the present tense include the future; words in the singular in number include the plural, and words in the plural include the singular; the word "shall" is mandatory and not directory. "Structure," any building or dwelling built for the housing of persons, animals, or any building used as an accessory building to a main building.

Section 3. Permit Required. No person, firm or corporation shall move a structure from one location to another location within the City Limits of the City of Golden until a permit for such moving shall be granted by the City Council of the City of Golden.

Section 4. Application for Permit. The permit prescribed aforesaid shall be issued upon the order of the City Council. Application for such permit shall be made upon a form provided by the City Clerk of the City of Golden, which application shall contain the following:

A. The street address and legal description of the real property from which the structure shall be moved.

B. A street address and legal description of the real property to which said structure will be moved.

C. The name, residence, and business address of the person, firm or corporation making such application.

D. A photograph of the structure taken within 30 days of date of ap-

plication.

E. A plot plan of the new intended location of the structure, drawn to accurate scale, showing the proposed location of the said structure on the said property in relation to the lot lines, and an accurate plan showing the foundation in relation to the finished grade level on all sides of such foundation.

F. The application shall be accompanied by a bond in the sum of \$2,000.00 executed by the applicant and a corporate surety, running to the City of Golden, and conditioned upon the completion of the contemplated move and the issuance of a certificate of occupancy as hereinafter provided.

Section 5. Public Hearing. Upon presentation of such application, petition and bond to the City Council of the City of Golden, said Council at a regular or special meeting thereof, shall order notice of a public hearing published in the official paper of the said city, one time at least fifteen days prior to the next regular Council meeting, and upon publication of such notice the said Council shall hear and consider such application at its next regular meeting.

Section 6. Fee. If the said Council upon and after such public hearing orders that such permit be granted, the applicant shall pay to the City Treasurer the sum of \$100.00 for such permit.

Section 7. Payment of Costs. All fees of publication and other costs and expenses shall be paid by the applicant to the City Treasurer prior to or at the time of the filing of such application.

Section 8. Zoning and Building Code Requirements. The requirements of this ordinance shall not relieve the applicant from the requirements of any other ordinance of the City of Golden as to zoning, building code, or any other ordinances, and the structure to be moved, when completed, shall in all respects comply with the then existing zoning and building ordinances.

Section 9. Structures moved outside the City. Before any structure shall be moved through or outside of the City Limits of the City of Golden, the person, firm or corporation desiring to move such structure shall obtain a permit for such moving and shall pay to the City Clerk the sum of \$100.00.

Section 10. Violation and Penalty. Any person, firm or corporation that violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the provisions of this ordinance shall be fined not less than \$10.00 nor more than \$300.00 for each offense. Any structure moved in violation of any provision of this ordinance or the requirements thereof, is hereby declared to be a common nuisance, and such common nuisance shall be abated in such manner as nuisances now or may hereafter be abated under existing law.

Section 11. Validity. Should any section, clause or provision of this ordinance be declared to be unconstitutional or invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the

part declared to be invalid.

Section 12. Repeal. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Introduced and read and ordered published this 8th day of November, A. D., 1956.

Adopted and approved and ordered published this 13th day of December, A. D., 1956.

CLARK B. CARPENTER

Mayor

Attest:

B. O. BEAUSANG

City Clerk-Treasurer

Approved as to form:

LEO C. BRADLEY

Deputy City Attorney

I, B. O. Beausang, City Clerk of the City of Golden, Colorado, do hereby certify that the foregoing ordinance was introduced and first read at a meeting of the City Council of said City held on the 8th day of November, more than ten days prior to its final ordinance as the law directs, and for Council was published as a proposed 1956, and by order of the said City passage in The Golden Outlook, legal newspaper; and that on the 13th day of December, 1956, the said proposed ordinance was read and passed by the City Council aforesaid, the said meeting being a regular meeting of said City Council.

Witness my hand and official seal of the City of Golden, Colorado, this 14th day of December, A. D., 1956.

(SEAL)

Attest: B. O. BEAUSANG
City Clerk of the City of Golden, Colorado.