

TOWN OF SAN ANSELMO

ORDINANCE NO. 346

AN ORDINANCE REGULATING THE MOVING OF BUILDINGS AND STRUCTURES IN THE TOWN OF SAN ANSELMO

The City Council of the Town of San Anselmo, California, does hereby ordain as follows:

Section 1. Any person, corporation, firm, association or partnership desiring to move a building or other structure from one place to another within the Town of San Anselmo shall first make application to the San Anselmo Planning Commission and furnish said Planning Commission with such information as shall be required by said Commission pertaining to the building or structure to be moved and also the site to which the same is proposed to be moved.

Section 2. Upon receipt of the application mentioned in Section 1 hereof the Planning Commission shall set the matter for hearing and shall determine whether or not the proposed move shall be in conformity with existing zoning ordinances. If the Planning Commission shall approve the proposed move it shall provide the applicant with an official letter or other certification showing such approval. If the Planning Commission shall reject the application such rejection shall be referred in writing to the City Council at its next regular meeting with the reasons for the rejection set forth.

Section 3. An application approved by the City Planning Commission shall be referred immediately to the Building Inspector and the Chief of Police. The Building Inspector shall determine whether or not the proposed relocation is in conformity with all building and fire

ordinances, regulations and restrictions. Upon approval of the proposed relocation the Building Inspector shall so certify in writing to the Chief of Police who shall provide the proposed route of travel, the regulation of traffic, and provide for the safety of persons and property along the proposed route, and make such further rules, regulations, and demands as, in his opinion, are required to protect the health, safety and general welfare of persons and public and private property from the commencement of the relocation to the termination thereof.

Section 4. If the Building Inspector shall reject an application in whole or in part for reasons within his jurisdiction the said moving and relocation shall not begin until any and all such terms, conditions, and regulations of the Building Inspector shall be complied with. If the Building Inspector shall determine that the electrical wiring, and/or plumbing, and/or heating, and/or construction of the building or structure needs to be repaired or replaced in whole or in part then such building shall not be used for habitation until such repair or replacement has been satisfactorily completed and approved upon inspection made for that purpose. Any building left in an unrepaired or unsafe condition for ninety (90) days may, by the City Council, be abated as a nuisance pursuant to laws governing the abatement of nuisances.

Section 5. Any person, firm, association, corporation or partnership contracting to move a building within, through, into, or out of the Town of San Anselmo shall be duly licensed to carry on such business.

Section 6. (a) The contractor responsible for the

moving of a structure or building shall furnish an insurance policy of a company authorized to do business in the State of California, naming the Town of San Anselmo as assured and insuring to the benefit of the public for personal injury in an amount of not less than Fifty Thousand (\$50,000.00) Dollars for injury to one person, and One Hundred Thousand (\$100,000.00) Dollars for more than one person, and for property damage in the amount of not less than Ten Thousand (\$10,000.00) Dollars; such policy of insurance shall be delivered with the City Clerk as a condition precedent to any moving of a structure or building.

(b) The said contractor shall also furnish the Town of San Anselmo a faithful performance bond in the sum of Ten Thousand Dollars (\$10,000.00).

Section 7. The contractor and/or owner of such building shall pay to the Building Inspector any and all fees payable for inspections as required by law, and in addition, shall pay and defray all costs incurred by the Town of San Anselmo for police supervision or any other expenses incurred by the Town. Such costs if unpaid for a period of ten (10) days after notice to pay shall become a lien on the real property to which the building or structure shall be moved.

Section 8. Any person violating any of the provisions of this ordinance, or knowingly or intentionally misrepresenting to any City official any material fact in procuring the license or permit herein provided for, or in making any false statement to the City Clerk in the obtaining of any license, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than \$500.00 or by imprisonment in the County Jail for a period of not

more than six (6) months, or by both such fine and imprisonment.

Section 9. All ordinances, or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 10. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid and unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the Town of San Anselmo hereby declares that it would have passed this ordinance and each of its sections, subsections and sentences, clauses and phrases thereof, irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared invalid or unconstitutional.

Section 11. The foregoing ordinance shall be published according to law in the SAN ANSELMO TIMES, a weekly newspaper of general circulation published and printed in the Town of San Anselmo, which said newspaper is hereby designated for that purpose.

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The foregoing ordinance was duly and regularly introduced at a regular meeting of the City Council of the Town of San Anselmo held on the 13th day of February, 1952, and was thereafter at a Regular meeting of said City Council, held in said Town of San Anselmo on the 12th day of August, 1952, duly passed and adopted by the following vote:

AYES: COUNCILMEN *Smith, Skinner, Endicott, O'Mara*
NOES: COUNCILMEN *none*
ABSENT: COUNCILMEN *none*

J. O'Mara
MAYOR

ATTEST:
Anita Gannon
CITY CLERK