



ORDINANCE NO. 149

AN ORDINANCE PERMITTING AND REGULATING MOVING OF HOUSES AND OTHER BUILDINGS ON THE PUBLIC STREETS ALLEYS IN THE CITY OF REXBURG.

SECTION I: That before any person or corporation shall use any street or alley in this city for the removal of any building such person or corporation shall obtain permission from the street commissioners.

The application for said permission shall be signed by the person or corporation desiring to use said street or alley for such purpose and shall state the route of such building is to be moved and the final destination thereof.

Any person or corporation removing such building shall be liable to the city for any and all damage to the streets thereof, and also to any person, company or corporation whose property is injured by reason of such removal.

SECTION II: Any person or corporation who desires to move any building through or along the streets or alleys along a route which crosses or in any manner interferes with the line of any electric street railway, telegraph, telephone, electric lights, or other electric wire line shall before obtaining such permit from the street commissioner, give at least seventy two (72) hours written notice to the owner or manager of any such railway, telegraph, telephone, electric lights or other electric wire line of said application for such permission, and such notice shall contain all information set forth in said application for said permission, and said shall also pay in advance or tender to such owner or manager the amount of the cost and expense of cutting, repairing, moving, raising, and replacing such wires, cables or other apparatus as will be cut or interfered with by moving such building. Provided that all wires, cables, or other apparatus, herein referred to shall be not less than 18 feet above the surface of the streets or alleys over which they pass.

SECTION III: Before issuing a permit to the applicant therefor, whenever any electric street railway or other property described in section two hereof shall be affected by the removal of any such building the street commissioner shall obtain from the city electric inspection of the probable cost and expense

SECTION IV: It shall be the duty of the owner or manager of each street railway or other line herein referred to in section two that shall be by the removal of any such building upon receiving notice as herein provided and being tendered or paid the cost or expense as estimated by the city building inspector of cutting, repairing, moving, raising, and replacing such cable wires on

other apparatus as will be interfered with thereby to remove and clear away all such wires or other apparatus in time to permit the passage of such building upon the streets without unnecessary delay, provided however that no electric street railway, electric light or power line, telegraph, or telephone line shall be obstructed or the wires thereof required to be cut, moved or raised in any manner which would interrupt the service or current except between the hours of twelve o'clock at midnight and six o'clock a.m. without the consent of the owner or manger of the said or other electric telephone or telegraph lines.

SECTION V: Whenever the cost and expense of cutting, repairing, raising, moving and placing any electric wire line, cable or other apparatus on account of the removal of any building has excluded the estimate furnished by the city electrical inspector, the person or corporation applying for the permit for the removal shall be liable to the owner of the street railway or other said line for the difference, and in case the cost or expense is less than such estimate the applicant shall be entitled to a repayment of the over plus paid by him.

SECTION VI: The provisions of this ordinance shall apply to the City Fire Alarm Telegraph or other electric lines now or hereafter owned by or under the control of said city, in the same manner as to the electric street railways or other electric line; and when the moving of any building will interfere with any electric wires belonging to or under the control of the said city, the same notice of the application for permit to move said building shall be given to the Chief of the Fire Department, as is required to be given to the owner or manager of other electric lines by the person or corporation desiring to remove the same, and the cost and expenses as herein provided shall be paid to the city clerk of said city for the use of said city in like circumstances as the payment are herein required to be made to the owner or manager of an electric street railway or any other said hires.

SECTION VII: Any person or corporation violating any of the provisions of this ordinance or failing to comply herewith shall be subject to a fine of not less than five dollars or more than two hundred dollars, or by imprisonment in the city jail not exceeding sixty (60) days.

SECTION VIII: All ordinances or parts of ordinances in conflict herewith are repealed so far as the same are in conflict with this ordinance.

Passed by the common council this 15th day of August 1911

Approved by the Mayor this 15th day of August 1911

R.G. Archibald, Mayor

Attest:

J.C. Anderson, City Clerk

I hereby certify that the foregoing is a correct copy of the original ordinance.
J.C. Anderson, City Clerk