

**CITY OF NEWCASTLE AMENDED ORDINANCE # 54-12**

REGULATING THE BUILDING, MOVING OR REMOVAL OF HOMES,  
BUILDINGS OR STRUCTURES WITHIN THE CITY OF NEWCASTLE, TEXAS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEWCASTLE, TEXAS:

Section 1. (a) It shall hereafter be unlawful for any person, firm or corporation to move or cause to be moved any house, building or structure from one location to another within the City of Newcastle or to move any house, building or structure from outside the City of Newcastle to a location within the City of Newcastle, if the measurements of said structure are equal to or greater than 8' 6" W x 12' L x 10' H, without first securing a permit from the City of Newcastle thereafter provided.

(b) It shall hereafter be unlawful for any person, firm or corporation to wreck, dismantle or demolish any house, building or structure within the City of Newcastle without first securing a Demolition permit from the City of Newcastle therefor as hereafter provided.

(c) It shall hereafter be unlawful for any person, firm or corporation to begin any new construction of any house, building or structure new addition thereof without first securing a Building permit from the City of Newcastle.

Section 2. Any person, firm or corporation desiring to move a house, building or structure as provided in Section 1 (a) of this ordinance shall file an application for a Moving Permit, pay the Application Fee of \$25.00, provide the current insurance for the person(s) moving said structure, provide all pictures and documentation requested by City Secretary and person moving must provide the deposit with the City Secretary in the sum of two-hundred dollars upon condition and with the express agreement that the City of Newcastle is to retain said deposit for a period of ten days after the house or building reaches its new location. If within said time it shall appear to the governing body of the City of Newcastle that any damage has been done to the streets, any wires, any trees, or any other private or public property, in the opinion of said governing body, then the governing body shall, by resolution, assess the amount of such damage, after viewing the alleged property injured, either in favor of the City of Newcastle or the owner of the property in front of which the trees or other injured property may be situated or the owner of any private property alleged to have been injured; and the finding of said governing body shall be final. The deposit of the money above referred to with the City Secretary shall be held to be an expressed agreement to the terms and provisions of

this ordinance. Should the City Secretary upon compliance with this ordinance by any person, firm or corporation decline to issue such permit, an appeal may be had to the governing body of the City of Newcastle, which may, if deemed proper, by resolution, authorize such use of the street, avenue or alley.

In lieu of the deposit herein required those regularly engaged in house moving may file a surety bond or other bond as may be approved by the governing body of the City of Newcastle in the amount of four-thousand dollars and such bond shall insure to the benefit of any person or persons damaged, as well as to the City of Newcastle. This said bond is in addition to proof of valid insurance which must be provided to the City of Newcastle by the person, firm or corporation moving the structure. It shall be conditioned that the principal will pay to the City of Newcastle or any other person or persons damaged thereby, all such damages as may accrue to it or them by reason of moving such house or houses or buildings along the streets permitted.

Any person who applies for a moving Permit with the City of Newcastle is required to provide pictures of the house, building or structure which will be moved. If upon inspection of structure, the pictures presented were false, the Permit will be null and void and the structure brought in will be red flagged and removed at the expense of the owner.

All mobile homes moved into the City of Newcastle must have the wheels removed, the tongues must be removed if they are not already welded to the frame, mobile homes must be anchored according to the anchoring standards adopted by the Texas Department of Labor and Standards, mobile homes must be skirted and all homes, buildings, RVs, and structures which are being utilized for either temporary or permanent residence must be connected to all available City utility services.

Section 3. Any person, firm or corporation desiring to wreck, dismantle or demolish any house, building or structure as provided in Section 1(b) of this ordinance shall file an application with the City of Newcastle requesting for a Demolition Permit. The cost of said permit is \$50.00 for any house, building or structure up to 100,000 cu. ft. and \$0.50 per 1,000 cu. ft. for anything over 100,000 cu. ft. All applicants will be made aware of their responsibility to notify the proper utility companies prior to any digging or excavation work being done. The City of Newcastle shall require 5-7 days to mark our utility lines prior to any work beginning. Upon a Demolition Permit being approved, applicants are given 120 days from the date of approval to complete the demolition project. Continued progress must continue to be shown on property until area is completely cleaned. Any approved Demolition Permit shall become null and void should work or construction, which have been previously authorized by the City of Newcastle, not begin within the 120 days with continued progress or should progress stop for more than

120 days. If any Demolition Permit should become null and void, the entire application process including all fees must be resubmitted to the City of Newcastle.

Section 4. Any person, firm or corporation desiring to begin any new construction of any house, building or structure as provided in Section 1 (c) of this ordinance shall be required to file an application with the City of Newcastle requesting a Building Permit. Building Permits shall be required for all new construction and shall not be required for the replacement of any damaged, prior existing structures or the remodeling of interior to house. All approved Building Permits must show progress within 6 months from the issuance date of said permit, if no progress made within said time frame, then the entire application and permitting process must start from beginning including all fees and deposits, and original permit is null and void. Cost of Building Permits are as follow, based on dry in values:

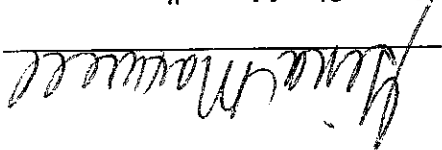
\$0 - \$5,000 = \$25.00 fee

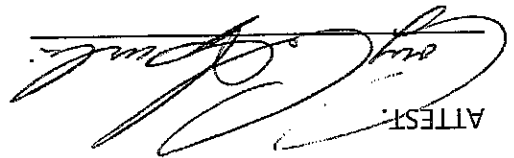
\$5,001-\$10,000=\$50.00 fee

\$10,001 – and above = \$100.00 fee

Section 5. Any person, firm or corporation providing false or misleading information on any of the above mentioned permit applications shall be in violation of this ordinance. The City of Newcastle, its representatives and designees has the right to deny a permit for any reason. Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a Class C Misdemeanor and upon conviction thereof shall be fined in any sum not to exceed five-hundred dollars (\$500.00).

PASSED AND APPROVED THIS THE 13<sup>th</sup> DAY OF NOVEMBER, 2017.

  
Mayor Gina Maxwell

ATTEST:  
  
City Secretary