



November 19, 2024

Moving Structures on the Public Roads

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee
County Technical Assistance Service
226 Anne Dallas Dudley Boulevard, Suite 400
Nashville, Tennessee 37219
615.532.3555 phone
615.532.3699 fax
www.ctas.tennessee.edu

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Moving Structures on the Public Roads

Private Acts of 1985 Chapter 79

SECTION 1. For moving any building or structure to be relocated within Williamson County the fee shall be two hundred fifty dollars (\$250.00) and the following procedure and regulations shall be adhered to:

(a) GENERAL - A building or part of any building shall not be moved through or across any street or highway within Williamson County without first obtaining a permit from the building commissioner.

(b) WRITTEN APPLICATION - Any person desiring to move a building or structure shall first file with the building commissioner a written application setting forth the following information:

- (1) Type and kind of building or structure to be moved.
- (2) The extreme dimensions of the length, height and width of the building or structure.
- (3) Its present location and proposed new location.
- (4) The approximate time such building or structure will be upon the streets, and contemplated route that will be taken from present to new location.

(c) BUILDING COMMISSIONER SHALL REJECT WHEN - If in the opinion of the building commissioner the moving of any building or structure will cause serious injury to persons or property or serious injury to the streets or other public improvements, or the building or structure to be moved has deteriorated more than fifty percent (50%) the moving of the building or structure will violate any of the requirements of the building or plumbing code or of the zoning regulations, the permit shall not be issued and the building or structure shall not be moved over the county highways.

(d) BOARD OF ADJUSTMENTS AND APPEALS HEARING -

- (1) A permit to move any building or structure to a location within Williamson County shall not be issued until the Board of Adjustments and Appeals finds, after public hearing, that the building or structure is structurally sound, that the condition of the building or structure does not constitute a hazard to life or limb, and that the building or structure shall be made to comply with the requirements and limitations of the regulations relating to the zoning and building codes of Williamson County.
- (2) Notice of the public hearing shall be mailed to the owner of the building or structure being moved, the owner of the site to which the building or structure is to be moved and all land owners adjacent to and across the road from the property where the building or structure is being moved not less than five (5) days prior to the hearing by the person applying for the permit.
- (3) Plans shall be submitted which disclose such alterations, modifications or repairs as are necessary to secure compliance with the regulations relating to zoning and building or structure codes of the county. Also, a timetable of such repairs and alterations shall be submitted.
- (4) In addition, if applicable, plans to restore the site from which the building or structure is moved must be submitted by the owner and approved by the Board of Adjustments and Appeals.
- (5) The time to bring the structure into conformance with county standards shall not exceed one hundred twenty (120) days. However, the Board of Adjustments and Appeals may extend the time limit, upon appeal by the owner of the structure for cause, to whatever time it feels is necessary.

(e) BOND REQUIRED - The building commissioner as a condition precedent to the issuance of such permit, shall require a bond to be executed by person desiring such moving permit, with corporate surety to his satisfaction. Such bond shall be made payable to Williamson County and for such amount as he prescribes. It shall indemnify Williamson County against any damage caused by the moving of such building or structure to streets, curbs, sidewalks, shade trees, highways and any other property which may be affected by the moving of a building or structure. Such surety bond shall also be conditioned upon liable for strict compliance with the terms of the permit, as to route to be taken and limit of time in which to effect such removal and to repair or compensate for the repair and to pay said applicable governing body as liquidated damages an amount not exceeding fifty dollars (\$50.00) to be prescribed by the building

commissioner and every day's delay in completing such removal or in repairing any damages to property or public improvement or in clearing all public streets, alleys or highways of all debris occasioned thereby.

The mover must have liability insurance of one million dollars (\$1,000,000) or more. Evidence of such insurance must be furnished to the building commissioner prior to moving structures.

(f) NOTICES TO BE GIVEN BY MOVER - Upon the issuance of the moving permit the mover shall cause notice to be given to the sheriff, all telephone or light companies, and all others whose property may be affected by such move. Receipt of such and any instructions, comments or notices shall be furnished by the mover to the building commissioner before the building or structure is moved.

(g) PUBLIC SAFETY REQUIREMENTS -

(1) The owner or person moving a building or structure shall employ at their expense, two (2) vehicles with safety equipment notices and flashing devices to be placed before and after the structure being moved to divert and caution traffic.

(2) No building or structure shall be moved before ten o'clock (10:00) p.m. or after six o'clock (6:00) a.m. and shall be moved to its final location in a time period not to exceed five (5) days after the building or structure has either been moved from its original location or has entered the county.

(3) Every building or structure shall have sufficient lights continuously burning between sunset and sunrise for the protection of the public.

(4) There shall be a minimum of five (5) red lights on each street side of the building or structure. These red lights shall be attached to building or structure in such a fashion as to indicate extreme width, height, and size.

(5) The owner or person moving a building or structure shall obtain all necessary permits and meet all requirements of the state of Tennessee as defined in Title 55 of the Tennessee Code Annotated.

SECTION 2. For moving any building or structure or part of any building or structure through the county or removal from the county to be relocated outside Williamson County, the fee shall be two hundred fifty dollars (\$250.00) and procedures (a), (b), (c), (e), (f) and (g) above shall be followed.

SECTION 3. Trailers with widths of fourteen feet (14') or less and any building or structure used for agricultural or storage purposes with widths of less than fourteen feet (14') are exempt from obtaining moving permits.

SECTION 4.

(a) CAUSING DAMAGE TO PRIVATE PROPERTY - No firm, partnership, corporation or any other individual moving any building or structure, or part of any building or structure, through, into or out of Williamson County, Tennessee, shall deface, injure, or destroy private property in Williamson County, Tennessee.

(b) PENALTIES - Any company, firm, partnership, corporation or any individual who violates this section shall be guilty of a misdemeanor with original jurisdiction in general sessions court for Williamson County, and upon conviction shall be punished by a fine of not less than twenty five dollars (\$25.00) nor more than fifty dollars (\$50.00) for each separate offense or incident.

SECTION 5. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Williamson County before October 1, 1985. Its approval or nonapproval shall be proclaimed by the presiding officer of the Williamson County legislative body and certified by him to the Secretary of State.

SECTION 6. For the purpose of approving or rejecting the provisions of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall take effect upon being approved, as provided in Section 5.

Passed: May 16, 1985

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