

**AN ORDINANCE REQUIRING PERMITS FOR THE MOVING OF BUILDINGS OR OTHER STRUCTURES WITHIN THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS; PROVIDING FOR A FEE FOR SUCH PERMIT; PROVIDING THAT ANY SUCH PERSON MOVING SUCH BUILDING AND/OR STRUCTURE FURNISH PERFORMANCE BONDS OR EVIDENCE OF INSURANCE; PROVIDING FOR PENALTIES FOR VIOLATIONS OF SAID ORDINANCE.**

Whereas, the transporting of buildings or other structures within the City of Magnolia, Texas is inherently dangerous; and

Whereas, the residents of the City of Magnolia, Texas desire that the transporting of buildings or other structures within the City of Magnolia, Texas be performed at reasonable hours that minimize the danger and traffic disruption to the City; and

The City Council of the City of Magnolia, Texas desires that minimum levels of safety and insurability be met to protect the citizenry of the City of Magnolia, Texas; now, therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS AS FOLLOWS:**

SECTION 1. It shall be unlawful for any person, firm, corporation, or other entity to move or transport, or to cause to be moved or transported, any building or other structure on, along, across or through the streets, roads, or highways of the City of Magnolia, Montgomery County, Texas, unless and until such person, firm, corporation, or other entity shall have first complied with the provisions of this Ordinance.

SECTION 2. No building or other structure shall be moved or transported on, along, across or through any public road, street or highway within the City of Magnolia, Texas, unless and until the person, firm, corporation or other entity engaged in moving or transporting such building or other structure shall have secured from the City Secretary of the City of Magnolia, Texas, a permit to so move or transport such building or other structure. No permit shall be granted to any applicant to move or transport any building or other structure on, along, through or across any public street, road or highway within the said City of Magnolia, Texas, unless and until the Magnolia Police Department shall have specified the times and days during which such moving or transporting may be performed, with care given to times and routes least disruptive to the safety and

welfare of the residents of the City; a duly authorized and certified peace officer of the State of Texas must accompany the building or other structure through the City of Magnolia, Texas.

SECTION 3. The fee for a permit issued pursuant to this Ordinance shall be twenty five dollars (\$25.00), and no permit shall issue until such time as the fee has been paid.

SECTION 4. No permit shall issue until the City of Magnolia, Texas receives evidence of insurance (or a performance bond given by a corporate surety) in the minimum amounts of \$1,000,000.00, insuring the movers and/or owners of the building or other structure being moved against all claims for property damage, personal injuries or death arising out of the acts of the mover, owner or both. Evidence of insurance or the performance bond shall provide for the indemnification to the City of Magnolia, Texas and its governing body against any property damage, personal injury or death caused by moving the building or other structure through the City of Magnolia, Texas.

SECTION 5. The owner of any building or other structure moved into the City of Magnolia, Texas, under this Ordinance shall insure that all buildings or other structures comply with all local Building, Electrical and Plumbing Ordinances within 90 days from the date the building or other structure is removed from its transport vehicle or the moving permit is issued, whichever is later.

SECTION 6. No building or other structure, on a transport vehicle or trailer, being transported shall be allowed to remain on the streets or alleys of the City of Magnolia, Texas for more than 48 hours.

SECTION 7. The term building or other structure shall be construed to mean any building or other structure containing more than one hundred forty-four (144) square feet of floor space, or, being more than ten (10) feet wide at the widest portion of such building.

SECTION 8. Whosoever shall violate any provision or part of this Ordinance shall be guilty of a Class "C" misdemeanor, and shall, upon conviction, be fined up to but not greater than \$500.00. Any person found guilty of this Ordinance for a second time shall be fined no less than \$100.00. Any person found guilty of this Ordinance for a third or more time shall be fine no less than \$250.00.

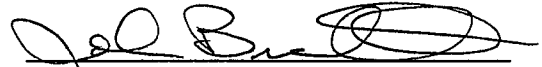
SECTION 9. If any section, subsection, sentence, clause, provision or part of this Ordinance is held invalid for any reason, the remainder of this Ordinance shall not be affected but shall remain in full force and effect.

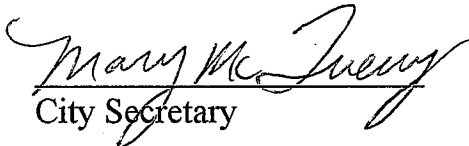
SECTION 10. Upon the passage and adoption of this Ordinance, Ordinance 36 is repealed. This Ordinance shall be effective when the same shall have been published in the manner and for the time provided by the Statutes of the State of Texas.

PASSED AND ADOPTED ON ITS FIRST READING ON THE 12TH DAY OF OCTOBER, 1993.

Councilwoman Ogden	<u>AYE</u>
Councilman Timmins	<u>AYE</u>
Councilman Smith	<u>AYE</u>
Councilwoman Cloyd	<u>AYE</u>
Councilman Chumley	<u>ABSENT</u>

ATTEST:

  
John Bramlett, Mayor

  
City Secretary

## AFFIDAVIT OF PUBLICATION

BEFORE ME, the undersigned authority, on this day personally  
appeared Jane Littlefield who on her oath stated:

**ORDINANCE NO.190**

An ordinance requiring permits for the moving of buildings or other structures within the  
City of Magnolia, Montgomery County, Texas;

I am the accountant of the POTPOURRI NEWS a newspaper published  
in Montgomery County, Texas and know the facts stated in this affidavit.

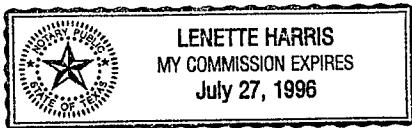
The attached matter is a true and correct copy of the publication of the  
citation of which it purports to be a copy, as the same appeared in such  
newspaper in the respective issues of:

\_\_\_\_\_, October 20, 1993

\_\_\_\_\_, 1993

Jane Littlefield

Subscribed and sworn to this 20th day of October, 1993



Lenette Harris


Notary Public, Montgomery County, Texas

## REAL ESTATE

**AAA PROPERTIES** 31931 SH 249

**LAND AND COMMERCIAL**

**COMMERCIAL BUILDING ON TWO ACRES!! \$100,000.**  
**WOODED FIVE ACRES TRACT** two miles west of Magnolia  
\$15,000 owner finance...but...cash talks.  
**DOGWOOD HILLS**, approximately 2-1/2 acre tract mobile ready  
\$1,000 down...owner terms!  
**MOBILE LOTS AND BUILDING SITES** in wooded country sub-  
divisions as little as \$200 down! Owner finance!  
**CALL LLOYD FOR ANY AND ALL LAND NEEDS!**  
**356-2555**

**"MORTGAGE COMMITMENT  
IN 1 HOUR."**

**WHY WAIT FOR A MORTGAGE DECISION?**

- "I WILL GIVE YOU A MORTGAGE DECISION  
IN WRITING IN ONLY 1 HOUR."
- "NO GAMES, NO WAITING, A DECISION, IN 1 HOUR."
- "LET ME SHOW YOU HOW MUCH HOME YOU CAN  
AFFORD. (PROBABLY MORE THAN YOU THINK!)"
- "CALL FOR A CONFIDENTIAL APPOINTMENT"

**RON PITZENBERGER**  
**CITY CAPITAL MORTGAGE COMPANY**

**537-6900**  
*Ask for Ron*

**SILVERADO RANCHES**  
**October Special**

- 14 Tracts remaining from 2 to 10 acres.
- Riding trails, equestrian facilities, rodeo arena & training pens
- Good restrictions • Owner finance

**SOUTHWEST PROPERTIES**  
**367-5236**

**S.O.S.**

Is OPEN on  
Saturday  
from 10:00 - 4:00  
For resale &  
to receive  
your donations.  
For more info  
please call Judy at  
259 - 0989  
Please  
do not leave items  
unless a volunteer  
is available to  
help you.

## RENT/LEASE

**For Rent:** mobile home, quiet, shady lot. No pets. "Free" satellite TV, garbage pick-up, water. 1(409)372-9414.

**For lease:** 1 & 2 bedroom mobile homes, off FM 1488 & Fieldstore Road, Waller. Free water, yard lights, garbage. No pets. 409-372-2002.

**600 square feet garage apartment** with separate kitchen and bath, private entrance and 400 square feet sundeck, quiet, wooded neighborhood. For individuals only. Jones Road @ 1960. \$350/month 735-8557.

**For Rent:** One large bedroom, private bath and entrance, also use of kitchen. Prefer older male. 7 miles Tomball. Lou Beaver 259-7473.

**For lease:** Nice 2 bedroom/1 bath mobile home (970 square foot) in a family oriented, restricted subdivision, fenced yard, trees, central heat and A/C, lots of extras \$500/month plus \$450 deposit. 356-7517.

**ADVERTISING  
DOESN'T COST  
IT PAYS!**

## LEGAL

### ORDINANCE NO. 190

An ordinance requiring permits for the moving of buildings or other structures within the City of Magnolia, Montgomery County, Texas; providing for a fee for such building and/or structure, furnish performance bonds or evidence of insurance, providing for penalties for violations of said ordinance. Whosoever shall violate any provision or part of this ordinance shall be guilty of a Class "C" misdemeanor and shall, upon conviction, be fined up to but not greater than \$500.00.

Passed and adopted on its first reading on the 12th day of October, 1993.