

AN ORDINANCE REQUIRING PERMITS FOR THE MOVING OF
HOUSES OR OTHER BUILDINGS WITHIN THE TOWN OF
MAGNOLIA, MONTGOMERY COUNTY, TEXAS

BE IT ORDAINED BY THE TOWN COUNCIL OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS:

SECTION 1. It shall be unlawful for any person, firm, or corporation to move or transport, or to cause to be moved or transported, any house, or other building (as the term "house or other building" is hereinafter defined) on, along, across or through the streets, roads, or highways of the town of Magnolia, Montgomery County, Texas, unless and until such person, firm or corporation shall have first complied with the provisions of this Ordinance as hereinafter set forth.

SECTION 2. No house or other building shall be moved or transported on, along, across or through any public road, street or highway within the town of Magnolia, Texas, unless and until the person, firm or corporation engaged in moving or transporting such house or other building shall have secured from the Town Secretary of the town of Magnolia, Montgomery County, Texas, a permit to so move or transport such house or other building. No permit shall be granted to any applicant therefor to move or transport any house or other building on, along, through or across any public street, road or highway within the said town of Magnolia, unless and until a duly authorized police officer shall have specified the times and days during which such moving or transporting may be performed. In determining such time and day of moving or transporting, such police officer shall select such time and day as shall be less likely to cause additional traffic hazards on, and congestion of, public streets or highways, and shall so notify the Town Secretary in writing.

SECTION 3. Applicant for a permit to move or transport, any house or building on, along, across or through the public streets, roads or highways of the town of Magnolia, shall pay to the Town Secretary a fee of \$25.00 for the issuance of such permit, which fee the Town Secretary shall transmit to the Town Treasurer for deposit in the General Fund of the town of Magnolia, Montgomery County, Texas.

SECTION 4. No house or other building shall be moved on, along, across or through the public streets, roads or highways of the town of Magnolia, unless a duly authorized police officer shall be present at all times while such house or other building is being moved or transported, to direct traffic and prevent accidents in the vicinity of such house or other building being moved or transported. The person, firm or corporation moving or transporting such house or other building shall be required to bear and pay all expense of salary of police officers engaged in directing traffic in the vicinity of houses or other buildings being moved or transported.

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SECTION 5. In construing and enforcing this Ordinance, the term "house or other building" shall be construed to mean any house, building, or other structure containing more than one hundred forty-four (144) square feet of floor space or being more than ten (10) feet in width at the widest portion of such house, building or other structure. For the purpose of determining width, length shall be deemed that distance from front to back of the house, building or other structure as the same is transported or moved, and width shall be the distance from side to side of such house, building or other structure, measured at right angles to the direction of travel thereof while the same is being moved or transported. Any building, house or other structure divided into two or more parts for purpose of moving or transporting, shall be deemed a single structure in enforcing this Ordinance.

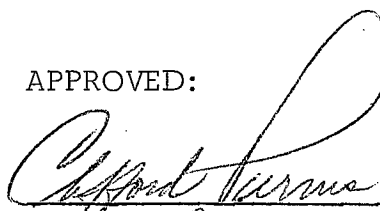
SECTION 6. Any person or persons violating any provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less than \$25.00 nor more than \$150.00. Any corporation violating the provisions of this Ordinance shall be liable to the town of Magnolia, Montgomery County, Texas, for a penalty in the amount of not less than \$25.00 nor more than \$150.00.

SECTION 7. If any section, paragraph, subdivision, clause, phrase, word or provision of this Ordinance shall be adjudged invalid or held unconstitutional the same shall not affect the validity of this Ordinance as a whole, or any part or provision of this Ordinance other than the part so decided to be invalid or unconstitutional.

SECTION 8. 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.

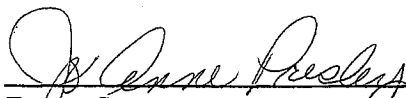
PASSED AND APPROVED this 14 day of August, 1973.

APPROVED:



Mayor - Pro-tem

ATTEST:



Town Secretary

AFFIDAVIT OF PUBLICATION

BEFORE ME, the undersigned authority, on this day personally appeared WILLIS WEBB, who on his oath stated:

I am the EDITOR of the DAILY COURIER, 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:

AUGUST 21	1973
AUGUST 22	1973
<u>AUGUST 23</u>	<u>1973</u>
AUGUST 24	1973
<u>AUGUST 26</u>	<u>1973</u>
AUGUST 27	1973
<u>AUGUST 28</u>	<u>1973</u>
AUGUST 29	1973
<u>AUGUST 30</u>	<u>1973</u>
AUGUST 31	1973

Willis Webb

Subscribed and sworn to this 7th day of September, 1973.

James A. Dargatzis
Notary Public, Montgomery County, Texas

(Seal)

176 Words; 10 Times

Publisher's Fee \$ 109.12*