

ORDINANCE NO.: 4871

AN ORDINANCE to create Subsections 40-3(e) and (f), Section 2-2(25) and 2-3(16) of the Code of Ordinances of the City of La Crosse regarding bond and insurance needed for sidewalk installation.

THE COMMON COUNCIL of the City of La Crosse do ordain as follows:

SECTION I: Section 40-3(e) and (f) are hereby created to read as follows:

(e) *Bond.* Prior to issuance of a permit, the applicant must furnish a bond as required in Section 2-3.

(f) *Insurance.* Prior to issuance of a permit, the applicant must furnish insurance as required in Section 2-2.

SECTION II: Section 2-2(25) is hereby created to read as follows:

(25) *Insurance.* Permittees shall carry comprehensive General Liability Insurance and completed Operations Insurance, which insurance shall include all work provided for by the permit whether such work be by the permittee or by any subcontractor or by anyone directly or indirectly employed by any of them or by anyone for whose acts any of them may be liable, with a minimum combined single limit of \$500,000.00 for bodily injury and property damage per occurrence. The insurance required shall be written by insurance companies who are rated "B" or better in Best's Key Rating Guide and shall be licensed to do business in the State of Wisconsin. Certificates of insurance naming the City of La Crosse as additional insured shall be filed with the Engineering Department before any permit shall be issued and shall also provide for thirty (30) days' notice prior to expiration, cancellation or material change to be sent to the Engineering Department.

SECTION III: 2-3(16) is hereby created to read as follows:

(16) *Bond.* Before a permit for sidewalk installation may be issued, the applicant must execute and deposit with the Engineering Department an Indemnity Bond approved by the Director of Finance and Purchase in the sum of \$5,000.00 conditioned that the applicant will replace in good condition all sidewalk identified in the permit, and keep and maintain the same in such condition, normal wear and tear excepted, to the satisfaction of the Director of Public Works for a period of one year. Such bond shall also guarantee that if the City shall elect to make the street repair, the person opening the street will pay all costs of making such repair and of maintaining the same for one year. Such bond shall be further conditioned that he or she will observe the provisions of all State laws, ordinances, rules and regulations governing the issuance of permits under this section. Such bonds may be filed individually for each excavation, or an annual bond may be given covering all excavation work done by the principal for one year beginning January 1st.

SECTION IV: Should any portion of this ordinance be declared

unconstitutional or invalid by a court of competent jurisdiction, the remainder of this division shall not be affected.

SECTION V: This ordinance shall take effect and be in force from and after its passage and publication.

____/s/_____
Timothy Kabat, Mayor

____/s/_____
Teri Lehrke, City Clerk

Passed: 5/14/15

Approved: 5/18/15

Published: ~~5/23/15~~ 5/24/15