

RESOLUTION NO. 2009 - 8

A RESOLUTION OF THE CITY OF BELGRADE, MONTANA, ESTABLISHING THE REQUIREMENTS FOR PERMITTING EXCAVATIONS IN PUBLIC RIGHTS-OF-WAY WITHIN THE CITY OF BELGRADE

WHEREAS, on March 7, 2005 the City Council of the City of Belgrade passed and adopted Ordinance No. 2005 - 1, which revises Section 12.12.030 of the Belgrade Municipal Code to allow for the assessment of fees for permitting excavations in public streets, and provided that such fees shall be established by Resolution; and

WHEREAS, Ordinance No. 2005 - 1 requires any person requesting permission to excavate in any public street to be properly bonded and insured, and provides that the amount of bonding and insurance required of any person permitted to excavate a public street shall be established and amended by Resolution.

WHEREAS, the City Council has determined that it would be in the best interests of the City to establish the amount of the bonding and insurance requirements as set forth on Exhibit "A" attached hereto and incorporated herein by this reference.

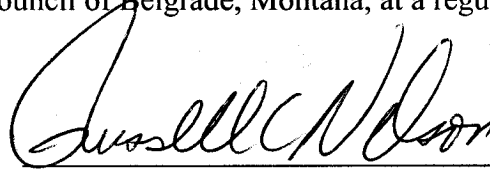
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Belgrade, Montana:

Section 1

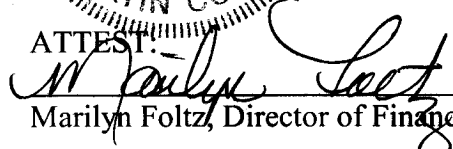
That the City Council of the City of Belgrade hereby establishes the minimum requirements of bonding and insurance coverages required of any person permitted to excavate in a public street, as set forth in Exhibit "A", attached hereto and by this reference made a part hereof.

PASSED AND ADOPTED by the City Council of Belgrade, Montana, at a regular session thereof held on the 7th day of April, 2009.





Russell C. Nelson, Mayor

ATTEST:


Marilyn Foltz, Director of Finance

EXHIBIT "A"

BONDING AND INSURANCE REQUIREMENTS

Any person requesting permission to excavate in any public right-of-way shall be required to provide documentation of the following minimum bonding and insurance coverages:

General Liability Insurance. This insurance shall include coverage for collapse and underground hazard, explosions coverage, and contractual liability.

<u>Coverage</u>	<u>Minimum Limits of Liability</u>	
Commercial General Liability	Each Occurrence:	\$1,000,000
	General Aggregate Limit:	\$2,000,000
	Products -- Completed Operations Aggregate Limit:	\$2,000,000
	Personal & Advertising Injury:	\$1,000,000
	Fire Damage (any one fire):	\$ 50,000

Automobile Liability Insurance. This insurance shall include coverage for owned, non-owned, and hired vehicles.

<u>Coverage</u>	<u>Minimum Limits of Liability</u>	
Business Automobile Liability	Combined Single Limit:	\$1,000,000

Worker's Compensation Insurance.

State:	Statutory
Federal:	Statutory
Employer's Liability:	\$ 500,000

The City of Belgrade shall be named as additional insured on all required insurance coverages.

Street Opening Bonds. For each street cut permit and other work performed in the public right-of-way street opening bonds submitted on approved bond forms shall be provided in the amount of \$4,000, as surety for satisfactory completion of the work contemplated and maintenance of the completed work. The bond shall be valid for a period of at least one year following acceptance of the restoration by the City. The director of public works shall have the discretion to release all or any portion of the bond at any time.