

ORDINANCE 2801

**AN ORDINANCE REVISING OCCGF 12.12.040; 12.12.050; 15.01.041; 15.09.023;
15.10.022 AND 15.11.060 PERTAINING TO INSURANCE AND BOND LIMITS
REQUIRED BY CONTRACTORS**

WHEREAS, OCCGF 12.12.040; 12.12.050; 15.01.041; 15.09.023; 15.10.022 AND 15.11.060 establish insurance and bond limits for contractors applying for licenses to do work in the City of Great Falls; and

WHEREAS, many limits currently required are old and outdates leaving the City and the citizens of Great Falls exposed to unnecessary liability; and

WHEREAS, it is in the best interest to establish these limits by resolution, not only to be consistent with current City practices, but to assist in keeping the insurance requirements up-to-date.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS,
MONTANA:

Section 1. That, OCCGF 12.12.040; 12.12.050; 15.01.041; 15.09.023; 15.10.022 AND 15.11.060 pertaining to the insurance and bond limits required by contractors be revised as depicted in Exhibit A in its entirety, where any language indicated by a strike-out be removed, and any language be added which is in bold.

PASSED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS,
MONTANA, this 5th day of June, 2001.

Randall H. Gray, Mayor

ATTEST:

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

APPROVED AS TO FORM:

David V. Gliko, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Peggy J. Bourne, City Clerk of the City of Great Falls, Montana, do hereby certify that the foregoing Ordinance 2801 was placed on its final passage and passed by the Commission of the City of Great Falls, Montana, at a meeting thereof held on the 5th day of June, 2001.

IN WITNESS THEREOF, I have set my hand and affixed the Seal of said City this 5th day of June, 2001.

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

State of Montana)
County of Cascade : ss
City of Great Falls)

Peggy J. Bourne, being first duly sworn, deposes and says: That on the 5th day of June, 2001, and prior thereto, she was the City Clerk of Great Falls, Montana; that as said City Clerk she did publish and post by law and as prescribed and directed by the Commission of said city to wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Courthouse;
- On the Bulletin Board, Great Falls Public Library

Peggy J. Bourne, City Clerk

(SEAL OF CITY)

**ORDINANCE
EXHIBIT A**

12.12.040 Bond. Any applicant for permission to excavate in, cut through, or tear open any City street, avenue, alley, sidewalk, boulevard, or any other public way must file with the City Clerk a bond in the penal sum of ~~three thousand dollars~~ **that shall be established by Commission Resolution**, payable to the City and the state as their interests appear with respect to the expenditure of funds toward the construction of the street, avenue, alley, sidewalk, boulevard, or public way within the City, conditioned for the protection of the City or state from and against any liability of any kind or character whatsoever which may arise as a result of the applicant's excavating in, cutting through, or opening up any such street, avenue, alley, sidewalk, boulevard, or other public way or which may in anyway or manner be connected with or related thereto, and further conditioned that the permittee shall properly backfill and restore the surface of any and all excavations, openings, or cuttings made or dug in the public ways of the City, and shall do and complete all work in connection therewith in a good, competent, and workmanlike manner and in compliance with the specifications required therefor by the City or state; provided, that where any applicant has at the time of the application for permit under the terms of this chapter, on file with the City Clerk, and in force, a water service line layer's license bond under the provisions of Chapter 13.04 of this code, or a drain layer's license bond under the provisions of Chapter 13.20 of this code, and the conditions of either of such bonds is amended by endorsement to protect the state as set forth above and to include the condition as required in this section, then such drain layer's license bonds or water service line layer's license bond shall stand in lieu of the bond required in this section. (Prior code §9-10-4).

12.12.050 Insurance required. Before any application to open any public way is granted, such applicant shall furnish satisfactory evidence that there has been issued to the applicant, and is in full force and effect, ~~public liability insurance,~~ **auto insurance and workers' compensation insurance** in an amount ~~not less than twenty five thousand dollars for injuries, including accidental death to any one person, and subject to the same limit for each person, in an amount not less than fifty thousand dollars on account of one accident, and property damage insurance in an amount not less than ten thousand dollars, with indemnity endorsements for the protection of the City.~~ **that shall be established by Commission Resolution.** (Prior code §9-10-5).

15.01.041 Insurance and bond. Any person, firm or corporation desiring to obtain a house mover's license shall make application to the Community Development Department and shall supply a ~~general~~ **commercial general** liability insurance policy and license bond as specified by **Commission Resolution**. ~~The general liability shall be as a minimum one million dollars per occurrence, one million dollars per aggregate for all damages arising out of bodily injury or property damage and be issued by an insurance carrier authorized to do business in the State. The license bond will be in the amount of twenty five thousand dollars to guarantee compliance with the laws and regulations applicable relative to the license and permits issued.~~ Upon approval of the application and payment of the annual fee the license will be issued. (Ord. 2541 §2(Exh. B(part)), 1989).

15.09.023 Insurance and bond. All applicants for licensing shall file with the Community Development Department a **commercial** general liability insurance policy or certificate of same, issued by an insurance carrier authorized to do business in the State, with ~~bodily injury limits established by Commission Resolution in the amount of three hundred thousand dollars per person, five hundred thousand dollars per accident, and five hundred thousand dollars aggregate and property damage limits of one hundred thousand dollars per accident aggregate.~~ Such limits shall be minimums and shall be in force through the term of the license. Additionally, a license bond in the amount **established by Commission Resolution** of ~~two thousand dollars~~ shall be supplied to guarantee compliance with all laws and regulations applicable relative to the license and permits issued. (Ord. 2711 (Exh. A), 1996; Ord. 2540 §2(Exh. B(part)), 1989).

15.10.022 Insurance and bond. A. All applicants for licensing shall file with the Community Development Department a **commercial** general liability insurance policy or certificate of same, issued by an insurance carrier authorized to do business in the State, with **limits established by Commission Resolution** ~~bodily injury limits in the amount of three hundred thousand dollars per person, five hundred thousand dollars per accident, and five hundred thousand dollars aggregate and property damage limits of one hundred thousand dollars per accident aggregate.~~ Such limits shall be minimums and shall be in force through the term of the license.

B. All new electrical contractors will be required to post a license bond **in an amount established by Commission Resolution** ~~or equivalent security amount of two thousand dollars~~ to guarantee compliance with all laws and regulations relative to the license and permits issued for the first two years of business. If performance under the bond is satisfactory, the Board of Appeals may release the contractor from further posting of the bond. Additionally, if an electrical contractor is not performing satisfactory work and has no license bond, the Board of Appeals shall conduct a hearing to determine if a license bond shall be required to be posted and determine the period of the posting. (Ord. 2592 §2(part), 1991).

15.11.060 License--Insurance and bond. The applicant for a sign contractor Class A license shall, prior to the issuance of said license, file with the Community Development Department a current **commercial** general liability insurance policy or written certificate of the same with ~~bodily injury limits to be established by Commission Resolution in the amount of one hundred thousand dollars per person, two hundred thousand dollars per accident, two hundred thousand dollars aggregate and property damage limits of one hundred thousand dollars per accident aggregate~~ issued by an insurance carrier authorized to do business in the State. The applicant for a sign contractor's Class B license shall also file with the Community Development Department a **commercial** general liability insurance policy or written certificate of the same with ~~bodily injury limits to be established by Commission Resolution in the amount of fifty thousand dollars per person, one hundred thousand dollars per accident, one hundred thousand dollars aggregate, and property damage limits of fifty thousand dollars per accident aggregate~~ issued by an insurance carrier authorized to do business in the State. Such insurance shall be kept in full

force as a condition of the continuation of such license. In the event of the cancellation of the insurance required under this section, the sign contractor's license shall automatically terminate without any action taken by the City. Additionally, a license bond in the amount **to be established by Commission Resolution** ~~of two thousand dollars~~ shall be supplied to guarantee compliance with all laws and regulations applicable relative to the license and permits issued. (Ord 2636 § (part) 1992; Ord. 2377 §2(part), 1985).