



City of Grand Island

Tuesday, July 27, 2010

Council Session

Item F1

#9265 - Consideration of Amending Chapters 8, 15, 17, 18, 26, and 31 of the Grand Island City Code Relative to Insurance and Sign Hanger's Licenses

Staff Contact: Craig Lewis

Council Agenda Memo

From: Craig Lewis, Building Department Director

Meeting: July 27, 2010

Subject: Amend City Code Sections to Modify Insurance Requirements and Provide Uniformity throughout the City Code

Item #'s: F-1

Presenter(s): Craig Lewis, Building Department Director

Background

The City code currently has several sections that require insurance to be provided as part of licensing or registration. The insurance industry has revised available products and services and part of the existing requirements listed in the city code are no longer available within the insurance industry. One such product is the provision for notification of the additional insured as to cancellation of the policy, standards were to provide notification of any cancellation within 30 days. That provision is no longer available from the insurance company and in the recent past I believe we received notice not from the company but from the agent as a courtesy.

The City code contains insurance requirement in chapters 8- Buildings, 15- Electrical, 17- Garbage, 18- Mechanical, 26- Plumbing, and 31- Signs, all of these sections have different language identifying requirements for insurance coverage.

Discussion

The proposed ordinance would amend City code sections to provide uniform language and modify the requirements of insurance coverage to meet current industry standards. The amounts of coverage does not change but the language provides uniformity in the code sections and deletes the notification no longer available within the industry.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the proposed ordinance.
2. Disapprove or /Deny the proposed ordinance.
3. Modify the Ordinance to meet the wishes of the Council.
4. Table the issue.

Recommendation

City Administration recommends that the Council approve the proposed ordinance to modify city code section regarding insurance provision.

Sample Motion

Move to approve the proposed ordinance as presented.

ORDINANCE NO. 9265

An ordinance to amend Chapter 8 of the Grand Island City Code, Section 8-76 pertaining to insurance on moving buildings and Section 8-100 pertaining to insurance on razing and demolishing buildings; to amend Chapter 15 of the Grand Island City Code, Section 15-35 pertaining to registration for electrical contractors and Section 15-36 pertaining to insurance for electrical; to amend Chapter 17 of the Grand Island City Code, Section 17-29 pertaining to insurance for collection, transportation and disposal of garbage; to amend Chapter 18 of the Grand Island City Code, Section 18-43 and Section 18-57 pertaining to insurance for mechanical contractors; to amend Chapter 26 of the Grand Island City Code, Section 26-41 pertaining to insurance for plumbing contractors and Section 26-53 pertaining to water conditioning contractor's licenses; and to amend Chapter 31 of the Grand Island City Code, Section 31-3 pertaining to sign hanger's licenses; to repeal Sections 8-76; 8-100; 15-35; 15-36; 17-29; 18-43; 18-57; 26-41; 26-53 and 31-3 as now existing, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. Section 8-76 and Section 8-100 of the Grand Island City Code are hereby amended to read as follows:

§8-76. Insurance

(1) Every registration shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, ~~and amounts,~~ and provisions:

(a) Comprehensive General Liability Insurance covering the operations of the registrant, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.

(b) A provision ~~making that~~ the City of Grand Island ~~is~~ an additional insured ~~as to~~ for any third party claims for bodily injury or property damage based upon occurrences in connection with the registrant's operations, including completed operations, within the City's zoning jurisdiction.

ORDINANCE NO. 9265 (Cont.)

~~(cB) The registrant shall furnish the City of Grand Island Building Department with a certificate or certificates of insurance for the above insurance coverage, which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

~~(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.~~

Amended by Ordinance No. 9143, effective 1-1-2008
Amended by Ordinance No. 9162, effective 05-01-2008
Amended by Ordinance No. _____, effective _____

§8-100. Insurance

(1) Every registrant shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, ~~and amounts, and provisions:~~

(a) Comprehensive General Liability Insurance covering the operations of the registrant, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.

~~(b) A provision making (The City of Grand Island an additional insured shall be listed as an additional party insured as to for any third party claims for bodily injury or property damage based upon occurrences in connection with the registrant's operations, including completed operations, within the City's zoning jurisdiction.~~

~~(c2) The registrant shall furnish the City of Grand Island Building Department with a certificate or certificates of insurance for the above insurance coverage, which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

~~(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.~~

Amended by Ordinance No. 9143, effective 1-1-2008
Amended by Ordinance No. 9162, effective 05-01-2008
Amended by Ordinance No. _____, effective _____

SECTION 2. Section 15-35 and Section 15-36 of the Grand Island City Code are

hereby amended to read as follows:

§15.35. Registration Required

No person shall engage in the business of installing, altering, or repairing any electrical wiring, fixtures, or apparatus for any purpose whatsoever in the City of Grand Island without first obtaining a Certificate of Registration as an electrical contractor, in the City until such person is registered in the Building Department as a contracting electrician.

~~-(A) *Registration; Individual.* No person shall be registered as a contracting electrician unless he or she is licensed as an electrical contractor or a master electrician and has the required insurance. All licenses shall be current and issued by the State of Nebraska.~~

~~-(B) *Registration; Firm, Corporation.* No firm, association, or corporation shall be registered as a contracting electrician unless the proper officers of the concern shall certify to the building department director that an identified licensed contracting electrician or master electrician is an officer, member, or a regular employee of such concern and that such electrical contractor or master electrician will be in direct supervision of all the electrical wiring work contracted and done by such concern, and unless such concern has the required insurance.~~

~~-(C) *Registration Certificate; Fee.* The fee to be collected by the building department for the registration of contracting electricians shall be in accordance with the City of Grand Island Fee Schedule.~~

~~-(D) *Registration Certificate.* The building director shall issue a certificate of registration to any contracting electrician applying for such and qualifying under the provisions of this article, for a period beginning on the date thereof and expiring on December 31 of the same year. The holder of the certificate shall display same at his or her regular place of business.~~

ORDINANCE NO. 9265 (Cont.)

~~-(E) Registration Certificate; Renewal. Renewal of a registration certificate may be obtained upon the showing of qualifications as provided for in this article and upon the payment of the proper fee.~~

~~Amended by Ordinance No. _____, effective _____~~

§15-36. Insurance Registration and Insurance Required

~~(1) Every registrant shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, amounts, and provisions:~~

~~(a) Comprehensive General Liability Insurance covering the operations of the registrant, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.~~

~~(b) A provision making the City of Grand Island an additional insured for any third party claims for bodily injury or property damage based upon occurrences in connection with the registrant's operations, including completed operations, within the City's zoning jurisdiction.~~

~~(c) The registrant shall furnish the City of Grand Island Building Department a certificate or certificates of insurance for the above insurance coverage.~~

~~(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.~~

~~—(A) No person shall engage in the business of installing, altering, or repairing any electrical wiring, fixtures, or apparatus for any purpose whatsoever in the City without first having obtained a Certificate of Registration as a contracting electrician.~~

~~—(B) Every licensee shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, amounts, and provisions:~~

~~—(1) Comprehensive general liability insurance covering the operations of the licensee, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.~~

~~—(2) A provision making the City of Grand Island an additional insured for any third party claims for bodily injury or property damage based upon occurrences in connection with the licensee's business operations, including completed operations, within the City's zoning jurisdiction.~~

~~—(3) The licensee shall furnish the City a certificate or certificates of insurance for the above insurance coverage which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

Amended by Ord. No. 9144, effective 01/01/2008

~~Amended by Ord. No. _____, effective _____~~

SECTION 3. Section 17-29 of the Grand Island City Code is hereby amended to

read as follows:

§17-29. Insurance

~~(1A) Every registrant licensee shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the in the following coverages, amounts, and provisions:~~

~~—(a1) Worker's Compensation insurance in compliance with the laws of Nebraska, and Employer's Liability insurance with limits of not less than \$100,000; except that a sole proprietor applying for a refuse hauler license who has no employees shall be exempt from providing proof of Worker's Compensation insurance.~~

~~—(b2) Comprehensive General Liability Insurance covering the operations of the licenseeregistrant with limits of not less than \$500,000 per occurrence for bodily injury and property damage.~~

~~(cB) The licenseeregistrant shall furnish the City of Grand Island eCity eClerk a certificate or certificates of insurance for the above insurance coverage which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

ORDINANCE NO. 9265 (Cont.)

Amended by Ord. No. _____ effective _____

SECTION 4. Section 18-43 and Section 18-57 of the Grand Island City Code are

hereby amended to read as follows:

§18-43. Insurance

(1) Every ~~registrant~~licensee shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, ~~and~~ amounts, and provisions:

(a) Comprehensive General Liability Insurance covering the operations of the ~~licensee~~registrant, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.

(b) A provision making the City of Grand Island an additional insured for any third party claims for bodily injury or property damage based upon occurrences in connection with the ~~licensee's business~~registrant's operations, including completed operations, within the City's zoning jurisdiction.

~~(c) The licensee shall furnish the City of Grand Island Building Department with a certificate or certificates of insurance for the above insurance coverage, which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.

Amended by Ord. No. _____ effective _____

§18-57. Insurance

~~(1A) Every registrant~~mechanical contractor shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, ~~and~~ amounts, and provisions:

~~(a) Comprehensive General Liability Insurance covering the operations of the licensee~~registrant, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and property damage.

~~(b) A provision making the City of Grand Island an additional insured for any third party claims for bodily injury or property damage based upon occurrences in connection with the licensee's business~~registrant's operations, including completed operations, within the City's zoning jurisdiction.

~~(c) The registrant shall furnish the City of Grand Island Building Department a certificate or certificates of insurance for the above insurance coverage, which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.

Amended by Ordinance No. _____, effective _____

SECTION 4. Section 26-41 and Section 26-53 of the Grand Island City Code are

hereby amended to read as follows:

§26-41. Insurance

(1) Every ~~licensee~~registrant shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska, with the following coverages, ~~and~~ amounts, and provisions:

(a) Comprehensive General Liability Insurance covering the operations of the ~~licensee~~registrant, including coverage for completed operations, with limits of not less than \$1,000,000 per occurrence for bodily injury and

ORDINANCE NO. 9265 (Cont.)

property damage.

(b) A provision making the City of Grand Island an additional insured for any third party claims for bodily injury or property damage based upon occurrences in connection with the ~~licensee's business~~registrant's operations, including completed operations, within the City's zoning jurisdiction.

~~(c2) The licensee~~registrant shall furnish the City of Grand Island ~~Building Department with~~a certificate or certificates of insurance for the above insurance coverage ~~which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

~~(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.~~

Amended by Ordinance No. 9118, effective 05-15-2007

~~Amended by Ordinance No. _____, effective _____~~

§26-53. Water Conditioning Contractor

~~_____ (1) No person shall engage in the water conditioning appliance business in the city of Grand Island as a water conditioning contractor without first obtaining a license to do so from the Board certificate of registration as a water conditioning contractor.~~

~~_____ (2) In case of any firm of more than one person or partnership engaged in the business of installing water conditioning appliances, only one of such persons shall be required to qualify for a contractor's license. In case of corporations, only one officer shall be required to qualify for such license.~~

~~_____ (3) No license as a water conditioning contractor shall be issued by the City of Grand Island Board unless the applicant therefore first shall have passed the examination for water conditioning installer as prescribed by this article, and shall have a regularly established place of business wherein he or she shall have posted in a conspicuous place the license issued pursuant to this article.~~

~~_____ (4) Every licensee~~registrant shall maintain in full force and effect insurance policies written by a company or companies authorized to do business in the State of Nebraska with the following coverages, ~~and~~ amounts, ~~and provisions:~~

(a) Comprehensive General Liability Insurance covering the operations of the ~~licensee~~registrant, including coverage for completed operations, with limits of not less than ~~\$300,000~~1,000,000 per occurrence for bodily injury and property damage.

(b) A provision making the City of Grand Island an additional insured for any third party claims for bodily injury or property damage based upon occurrences in connection with the ~~licensee's business~~registrant's operations, including completed operations, within the City's zoning jurisdiction.

~~_____ (c5) The licensee~~registrant shall furnish the City of Grand Island Building Department a certificate or certificates of insurance for the above insurance coverage ~~which shall contain a statement that said policies contain a provision that said policies may not be canceled without written notice of such cancellation having been served on the City at least thirty (30) days prior to the date of cancellation.~~

~~(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.~~

Amended by Ordinance No. _____, effective _____

SECTION 5. Section 31-3 of the Grand Island City Code is hereby amended to

read as follows:

§31-3. Sign Hanger's License Contractor

(1) ~~No person shall It shall be unlawful for any person to~~engage in the business of sign hanging in the City of Grand Island without first obtaining a Certificate of Registration as a sign hanger contractor. license for such business from the City, and without maintaining comprehensive liability insurance as provided herein.

(2) The fee for a sign hanger's license shall be in accordance with the City of Grand Island Fee Schedule.

(3) Every ~~licensee~~registrant shall maintain in full force and effect ~~an~~insurance policies written by a company or companies authorized to do business in the State of Nebraska with the following coverages, ~~and~~ amounts, ~~and provisions:~~

ORDINANCE NO. 9265 (Cont.)

(aA) Comprehensive ~~G~~eneral ~~L~~iability insurance covering the operations of the ~~licensee~~registrant, including ~~coverage for~~ completed operations ~~coverage~~, with limits of not less than ~~\$300,000~~1,000,000 per occurrence for bodily injury and property damage;

(bB) A provision making the City of Grand Island ~~an additional -named-~~insured for ~~any~~all third party ~~bodily injury and property damage~~—claims for bodily injury or property damage based upon arising out of occurrences in connection with the ~~licensee~~registrant's operations, including completed operations, within the City's zoning jurisdiction;

(cC) The registrant shall furnish the City of Grand Island Building Department a certificate or certificates of insurance for the above insurance coverage.

~~A provision that said policy or policies may not be canceled without written notice of such cancellation having been served on the City at least thirty days prior to the date of cancellation.~~

(d) Any registration certificate issued under the provisions of this chapter shall be revoked should the registrant permit the insurance policy herein required to expire or lapse.

Amended by Ordinance No. _____, effective _____

SECTION 6. Sections 8-76; 8-100; 15-35; 15-36; 17-29; 18-43; 18-57; 26-41; 26-53 and 31-3 as now existing, and any ordinances or parts of ordinances in conflict herewith be, and hereby are, repealed.

SECTION 7. The validity of any section, subsection, sentence, clause, or phrase of this ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 8. That this ordinance shall be in force and take effect from and after its passage and publication in pamphlet form, within fifteen (15) days in one issue of the Grand Island Independent as provided by law.

Enacted: July 27, 2010.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk