

Ordinance No. 69

AN ORDINANCE SETTING INSURANCE REQUIREMENTS FOR DEVELOPERS AND CONTRACTORS WORKING WITH THE TOWN OF OAKLAND

The Town Board of the Town of Oakland, Jefferson County, Wisconsin DO ORDAIN as follows:

Ordinance No. 69 shall be created to read as follows:

Section 1: Requirements of Insurance.

Developers, contractors and sub-contractors performing development work or under contract to the Town of Oakland are required to have and maintain, at their sole expense, insurance coverage as specified herein and in the amounts of at least the minimums noted herein. In no way do these minimum requirements limit the liability assumed elsewhere in the contract between such persons or entities and the Town of Oakland

All insurance must be provided by Companies licensed to do business in the State of Wisconsin and must carry an A.M. Best rating of A-, VII or better.

The insurance required in items 1 – 5, shall provide that such insurance is primary coverage and non-contributory. Dependent upon the scope, purpose, or valuation of the project the Town may agree to waive certain requirements, raise or reduce limits of coverage or add other coverage requirements. Any deviations, including the use of purchasing groups, risk retention groups, etc., or requests for waiver from the below requirements shall be submitted in writing to the Town of Oakland Clerk/Treasurer for review and approval or denial by the Town Board in its sole discretion.

Except where prohibited by law, all insurance policies shall contain provisions that the insurance companies waive the rights of recovery or subrogation, by endorsement to the insurance policies, against the Town of Oakland, its subsidiaries, its agents, servants, invitees, employees, co-lessees, co-ventures, affiliated companies, contractors, subcontractors and their insurers.

The town requires that the Town of Oakland, its elected officials, staff and contracted employees be named as additional insured with a certificate of insurance for coverage noted in items 1 – 5 below. All required certificates shall be provided to the town prior to the commencement of work. Contractors shall provide annually on or before the date of renewal, evidence indicating said certificates have been renewed. Certificates and renewals shall be provided to the Town of Oakland Clerk/Treasurer for required coverages in a timely fashion. All such policies shall contain a clause stating that the town will be notified immediately upon any decrease in or termination of insurance coverage.

**All Required Notices and Certificates Shall be sent to:
The Town of Oakland Clerk/Treasurer
N4450 County Hwy A
Cambridge, WI 53523**

Section 2: Required Coverages:

1. Commercial General Liability Insurances including contractual coverage.

The limits of this insurance for bodily injury and property damage combined shall be at least:

Each Occurrence Limit	\$1,000,000
General Aggregate Limit	\$2,000,000
Products-Completed Operations Limit	\$2,000,000
Personal and Advertising injury Limit	\$1,000,000

2. Business Automobile Liability Insurance

Should the performance of this Agreement involve the use of automobiles, Contractor shall provide comprehensive automobile insurance covering the ownership, operation and maintenance of all owned, non-owned and hired motor vehicles. Contractor shall maintain limits of at least \$1,000,000 per accident for bodily injury and property damage combined.

3. Worker's Compensation Insurance

Such insurance shall provide coverage in amounts not less than the statutory requirements in the State of Wisconsin even if such coverages are elective in Wisconsin for such person or entity or for such project unless waived by the Town Board.

4. Professional Liability Errors and Omission:

This insurance must insure the professional services of the Contractor for the scope of services to be provided under this contract. Such insurance shall provide limits of not less than \$1,000,000 per occurrence and \$1,000,000 aggregate.

5. Excess/Umbrella Liability Insurance

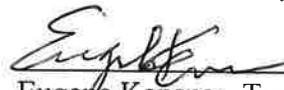
Such insurance shall provide additional limits of not less than \$1,000,000 per occurrence in excess of the limits stated in subparagraphs 1 and 2, above.

Section 3: Effective Date.

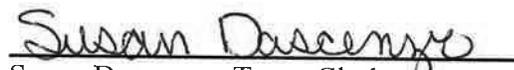
This Ordinance shall take effect upon its passage and publication or posted as required by law.

Dated this 26 day of April, 2022.

Town of Oakland, By:


Eugene Kapsner, Town Chairman

Attest:


Susan Dascenzo, Town Clerk

Passed: April 26, 2022

Vote:

Ayes: 4 . Noes: 0 .

Published: May 2, 2022

Posted: April 28, 2022