

CITY OF HOMER
HOMER, ALASKA

ORDINANCE 88-12

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF HOMER REPEALING CHAPTER 13.08.110 IN ITS ENTIRETY AND REENACTING CHAPTER 13.08.110 BOND OR CASH DEPOSIT OF THE HOMER MUNICIPAL CODE.

WHEREAS, general contractors licensed under Alaska law may wish to perform work within City owned rights-of-way; and

WHEREAS, the bonding requirements under present Code Section 13.08.110 may in some cases be duplicative of State licensed contractor bond requirements; and

WHEREAS, an unnecessary financial hardship may result from the code provision as presently worded;

NOW THEREFORE, THE CITY OF HOMER ORDAINS:

Section 1. Section 13.08.110, Bond or Cash Deposit-Insurance is hereby repealed and reenacted in its entirety to read as follows:

13.08.110 Bond or Cash Deposit - Insurance. a. No person, firm or corporation shall perform any act within the dedicated public use rights-of-way which in any manner would alter the condition of these rights-of-way as they now exist or exist at the time of dedication within the City without first obtaining a written permit from the City Manager or his designee.

b. Any person, firm or corporation proposing to perform work under this section shall be a State of Alaska licensed contractor and shall provide a copy of their current state contractor's certificate when applying for a Work in the Right-of-Way Permit.

c. A bond or cash deposit may be required of any contractor in an amount and under such conditions deemed appropriate by the City Manager or his designee to cover damages of any kind resulting from the contractor's operations under the permit.

d. The contractor shall also be required to prequalify on the basis that he has or can demonstrate the ability, capacity and skill to perform the work as specified by reputation and experience and prior permit performance. As part of such prequalification the contractor shall present evidence that he carries liability insurance in the aggregate amount of not less than \$500,000.00.

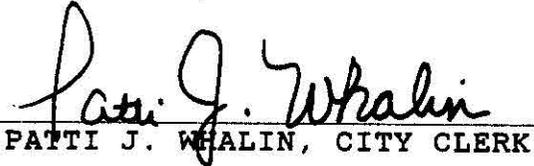
e. To obtain the information specified in subsection d. of this section, the City may require a contractor to complete a confidential qualifying questionnaire or provide a list of references.

DATED this 22nd day of August, 1988.

CITY OF HOMER


JOHN P. CALHOUN, MAYOR

ATTEST:


PATTI J. WHALIN, CITY CLERK

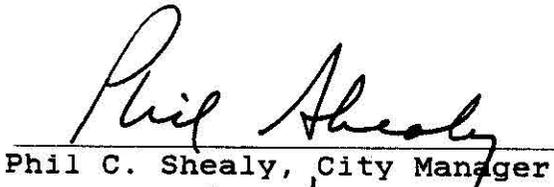
FIRST READING:

PUBLIC HEARING:

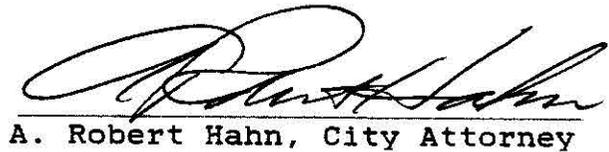
SECOND READING/
ADOPTION DATE:

EFFECTIVE DATE:

Reviewed and approved as to form and content:


Phil C. Shealy, City Manager

Date: 8/24/88


A. Robert Hahn, City Attorney

Date: 8/24/88