



Encroachment Permit Insurance (rev. 2024)

Within five (5) days of obtaining an encroachment permit and in any case before commencing any installation of the encroachment, as a condition of that permit, the Permittee shall acquire the following insurance and follow these requirements:

1. The Permittee shall at all times during the term of the permit carry, maintain, and keep in full force and effect, with an insurance company admitted to do business in the State of California and approved by the Town, the following insurances policies:
 - **Commercial General Liability Insurance**, written on an “occurrence” basis, which shall provide coverage for bodily injury, death and property damage resulting from operations, liability for slander, false arrest and invasion of privacy, blanket contractual liability, broad form endorsement, and completed operations, personal and advertising liability, with limits of not less than \$4,000,000 general aggregate and \$2,000,000 each occurrence, subject to a deductible of not more than \$1,000 payable by Contractor.
 - **Business Automobile Liability Insurance** with limits not less than \$2,000,000 each occurrence including coverage for owned, non owned and hired vehicles, subject to a deductible of not more than \$1,000 payable by Contractor.
 - **Workers’ Compensation Employers’ Liability** limits not less than \$1,000,000, per statute.. Contractor’s Workers’ Compensation Insurance policy shall contain a Waiver of Subrogation against Town of Ross, its council members, officers, directors, officials, agents, employees and volunteers. In the event Contractor is self-insured, it shall furnish Certificate of Permission to Self-Insure signed by Department of Industrial Relations Administration of Self-Insurance, State of California.
2. The Town and its officers, employees and agents shall be named as additional insureds on that policy.
3. Should Permittee utilize the services of any worker to install, operate or maintain the encroachment, and as a condition of the permit, the Permittee shall obtain and at all times during the term of the permit carry, maintain, and keep workers’ compensation insurance with a minimum limit as required by law.
4. All insurance policies shall provide that the insurance coverage shall not be cancelled or modified by the insurance carrier without the insurance carrier giving the Town thirty (30) days prior written notice thereof, or ten (10) days notice if cancellation is due to nonpayment of premium. Additionally, Permittee shall provide immediate notice to the Town if it receives a cancellation or policy revision notice from the insurer.
5. Permittee shall not cancel, reduce or otherwise modify said insurance coverage without prior notification to the Town and replacement of the insurance, meeting these listed requirements, and covering the entire duration of the permit.
6. This insurance shall be primary over any other insurance the Town may have.
7. Permittee shall submit to the Town (1) copies of the entire insurance policy for all required insurance if requested by the Town, (2) insurance certificates indicating compliance with all insurance requirements, and (3) insurance policy endorsements above, not less than ten (10) days after issuance of the permit, as dated on Director’s notice of the permit being granted or conditionally granted.