

ORDINANCE NO. 14-_____

AN ORDINANCE AMENDING PART 5 (CONCRETE CONTRACTORS) OF ARTICLE 3 (STREETS AND PUBLIC WAYS) OF CHAPTER 3 (PUBLIC PROPERTY AND PUBLIC WORKS) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO CONCRETE CONTRACTOR LICENSES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 502 (Application for License; Fee, Term) of Part 5 (Concrete Contractors) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

3.3.502: APPLICATION FOR LICENSE; FEES, TERM:

Any person desiring a license shall ~~make~~ **submit an** application ~~therefor to the City Clerk on a forms~~ provided by the City Clerk's Office **in accord with the City's General Licensing Code. All applications for a concrete contractor license shall contain those matters required by section 2.1.403 of the City Code.** ~~The written application shall state the name and address and principal place of business of the applicant. The license shall be issued by the City Clerk upon payment of all application and license~~ **the required fees as established by City Council under article 1, part 5 of chapter 2.** All licenses issued under this part shall, unless sooner suspended or revoked, expire ~~on June 30 of each~~ **one year from the date of issuance**, and the license may be renewed no later than thirty (30) days after the expiration **upon payment of the required fees.** The City Clerk shall keep a record of all licenses issued.

Section 2. Section 503 (Bond; Insurance Requirement) of Part 5 (Concrete Contractors) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property

and Public Works) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

3.3.503: BOND; INSURANCE REQUIREMENT:

Before a license is issued, the applicant shall file with the City Clerk ~~one a~~ \$5,000.00 surety bond in a form approved by the City Attorney. The bond shall be conditioned for the faithful compliance with all the provisions of the Building Code and other ordinances of the City relating to the construction and repair of sidewalks, curb and gutter, or driveways, and that the licensee shall pay to the City any and all damages of every kind caused by the negligence of the licensee in the construction and repair of sidewalks, curb and gutter, or driveways within the City right of way, or damage from lack of proper protection in the construction and repair of the sidewalks, curb and gutter, or driveways, or from the noncompliance with any of the provisions of the Building Code or other ordinances of the City, and that the licensees shall pay all fees due to the City under the Building Code, under any ordinance or under any rules or regulations made in pursuance thereof.

No concrete contractor's license shall be issued **or renewed** until the applicant ~~shall~~ furnishes evidence of current ~~public~~ **commercial general** liability ~~and property damage~~ insurance policies. The following insurance coverage shall be required **limits not less than those specified** in the name of the licensee. ~~with the City also named as insured:~~

Bodily injury:

Each person	\$300,000.00
Each accident	300,000.00

Property damage:

Each accident	50,000.00
Aggregate	100,000.00

One million dollars (\$1,000,000.00) combined single limit for bodily injury and property damage for each occurrence.

Each **insurance** policy **required** ~~of insurance shall contain an endorsement to the effect that the insurance carrier shall notify the City at least thirty (30) days in advance of the effective date of any reduction or cancellation of the policy~~ **not**

be reduced, suspended, voided or canceled except after prior written notice has been given to the City. Such notice shall be sent directly to the Deputy Licensing Officer, City Clerk's Office, 30 S. Nevada Ave., Ste. 101, Colorado Springs, CO 80903. If any insurance company refuses to provide the required notice, the licensee or its insurance broker shall notify the City of any reduction, suspension, voiding, cancellation, or non-renewal of any insurance upon receipt of an insurer's notification to that effect. The suspension, voiding, non-renewal, cancellation or reduction of insurance shall be cause for automatic suspension of the license until coverage is reinstated. All policies shall be kept in force for the period term of the license.

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Section 3. Section 507 (Revocation of License) of Part 5 (Concrete Contractors) of Article 3 (Streets and Public Ways) of Chapter 3 (Public Property and Public Works) of the Code of the City of Colorado Springs 2001, as amended, is hereby amended to read as follows:

3.3.507: **SUSPENSION AND REVOCATION OF LICENSE:**

~~Any~~ **In addition to any other remedies or actions permitted by law, the Deputy Licensing Officer may issue cease and desist orders or initiate license issued pursuant to this part may be revoked suspension or revocation proceedings** under the provisions of chapter 2, article 1, part 8 of the City Code **against any concrete contractor for a violation of the provisions of this chapter or of the City's General Licensing Code.**

Section 4. This ordinance shall be in full force and effect as of January 1, 2015, and after its final adoption and publication as provided by Charter.

Section 5. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this ____ day of _____, 2014.

Finally passed: _____

Keith King, Council President

Delivered to Mayor on _____.

Mayor's Action:

- Approved on _____.
- Disapproved on _____, based on the following objections:

Steve Bach, Mayor

Council Action After Disapproval:

- Council action on _____ failed to override the Mayor's veto.
- Finally adopted on a vote of _____, on _____.

Keith King, Council President

ATTEST:

Sarah B. Johnson, City Clerk