

PUBLIC WAYS AND PROPERTY

§8-401

Article 4. Curb and Gutter

§8-401

**§8-401 PAVING, CURB CUTS; STREET, ALLEY EXCAVATIONS.** It shall be unlawful for any person or persons to cut into any paving, curb, street, alley, sidewalk, or any City property for the purpose of removing same, or for the constructing of a driveway, sidewalk, or for any other purpose, or to make any excavations on City Property whatsoever without first having obtained a written permit issued by the City Building Inspector office. Any person or persons to whom a permit is granted under this Section shall maintain good and sufficient barricades, guards, lights, and signals so as to fully protect the public from injury or damage by reason of any cutting or excavation made, and shall, before commencing any such work file with the City Building Inspection Office a performance bond with sureties to be approved by the City Council of Crete, Nebraska, in the sum of five thousand (\$5,000.00) dollars which bond shall be conditioned as follows:

1. To cover and provide the cost of any unfinished, unskilled and inadequate work;
2. That said applicant if requested by the City, properly replace and repair each and every place cut into any pavement, curb or sidewalk under the rules as prescribed by the Public Works Director in as good a condition as before the same was cut;
3. That said applicant will promptly compensate the City for all work done by the City in replacing or repairing any places cut in pavement, curb or sidewalk or for any excavation made into any City property, in order to place the same in as good a condition as it was before the same was cut;
4. That applicant will obey the ordinances and regulations of the City;
5. That applicant will defend, save harmless and indemnify the City of Crete, Nebraska from any and all liability, claims, damages, judgments, costs and expenses of every nature and description caused by or growing out of the cutting or removal of any paving, curb or sidewalks or any excavation made on City property not covered by or provided for by liability or property damage insurance.

The applicant shall also provide a certificate of liability insurance coverage with bodily injury coverage in a sum of at least three hundred thousand (\$300,000.00) dollars for the injury or death of any number of persons in any one (1) accident, and with a coverage in the sum of at least one hundred thousand (\$100,000.00) dollars for property damage in any one

(1) accident. Permits for curb cuts, street cuts, driveway access and excavation shall be issued by the City Building Inspection Office in accordance with the ordinances and the rules and regulations and specifications which are adopted by the Governing Body. A copy of such rules, regulations and specifications and any amendments thereto shall be filed with the City Clerk, Public Works Director and the City Building Inspection Office.