CERRO GORDO COUNTY ORDINANCE NO. 20

CONTRACTORS LICENSE

SECTION 1. LICENSE REQUIRED: It shall be unlawful for any person to dig, blast, obstruct, fill, excavate in or break up any road, street, alley or public ground without first having obtained an excavator's license as provided in this Ordinance; provided, however, that no license shall be required of officers of the County in the exercise of their respective duties nor to persons acting under direct contract with the County. It shall be unlawful for any person other than employees of the licensee to operate under their license.

SECTION 2. APPLICATION FOR LICENSE: Application for an excavator's license shall be made in writing to the County Engineer on a form provided by the Engineer.

SECTION 3. LICENSE FEE, BOND, INSURANCE:

A. Fee: The application for an excavator's license shall be accompanied by the license fee of twenty five dollars ($25.00). The fee shall be paid in full regardless of the time of year the application is made and shall not be apportioned. The fee will be waived for a property owner who will only be constructing a drive into their property. The owner must personally perform all the work. The fee will also be waived for public utilities franchised within Cerro Gordo County.

B. Bond: Each application for an excavator's license shall be accompanied by a bond. The bond shall be in effect for the period of the license. It shall be in the penal sum of five thousand dollars ($5000.00) conditioned that the contractor will replace any road surfaces or installations of public utilities in streets in as good condition as they were before the work. The bond shall also provide that the County be held harmless of any claims by any person as a result of such work or blasting activities and that the contractor will pay any and all damages for which the contractor is legally liable as a result of such work or blasting activities. The bond requirement will be waived for a property owner who will only be constructing a drive into their property. The owner must personally perform all the work. The bond requirement will be waived for public utilities franchised within Cerro Gordo County.

C. Insurance: The applicant shall file with the Engineer evidence of public liability insurance acceptable to the County to be in full force and effect for the period of said license. Liability insurance shall be written by an insurance company qualified to do business in Iowa. The minimum coverage by such insurance shall be as follows:

<table>
<thead>
<tr>
<th>Coverage</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Public Liability Insurance, Each Occurrence</td>
<td>$500,000</td>
</tr>
<tr>
<td>Property Damage Insurance, Each Occurrence</td>
<td>$100,000</td>
</tr>
<tr>
<td>Automobile Liability Insurance Bodily Injury:</td>
<td></td>
</tr>
<tr>
<td>Each Person</td>
<td>$250,000</td>
</tr>
<tr>
<td>Each Occurrence</td>
<td>$500,000</td>
</tr>
<tr>
<td>Property Damage:</td>
<td>$100,000</td>
</tr>
<tr>
<td>Worker's Comp. and Employer's Liability:</td>
<td>$100,000</td>
</tr>
</tbody>
</table>

In addition to the above limits, a $1 Million Umbrella is also required. The insurance requirement will be waived for public utilities franchised within Cerro Gordo County.

D. Term of License: Excavator's licenses shall expire December 31 of each year.

SECTION 4. PERMIT REQUIRED:

A. No work within the limits of any street, alley or other County right-of-way by any excavator, contractor or any other person shall be initiated without first securing a permit for the performance of such work from the County Engineer's office. No charge shall be made for such permit except in the case of cutting into a paved surface as noted in subsection C of this Section.

B. Any person cutting or opening any road shall replace the surfacing, whether concrete, asphalt or otherwise, under the supervision of and in accordance with the plans and specifications of the County Engineer and in accordance with the provisions of this ordinance.

C. Fees. When the road surface has been paved with permanent pavement, such as concrete or asphalt, within twenty (20) years of the date of application for permit to cut such road, no permit shall be issued until the applicant has paid a permit fee of one hundred dollars ($100.00).
SECTION 5. REPEALER: All ordinances, resolutions or parts of ordinances and resolutions in conflict with the provisions of this ordinance are hereby repealed.

SECTION 6. SEVERABILITY: If any section, provision, or part of this ordinance shall be adjudged to be unconstitutional or otherwise invalid, such adjudication shall not effect the validity of the ordinance as a whole or any section thereof.

SECTION 7. EFFECTIVE: This ordinance shall be effective upon its final passage, approval and publication as required by law.

Passed and approved by the Board of Supervisors on the 3rd day of June, 1992.

AYES: Ermer and Urdahl
NAYS: Nannenga
ABSENT-NOT VOTING: None

ATTEST: SIGNED:

Linda Kay Collins Chairman, Robert K. Ermer
County Auditor Board of Supervisors
AUDITOR'S CERTIFICATE

STATE OF IOWA

CERRO GORDO COUNTY

I, Linda Kay Collins, Auditor of Cerro Gordo County, Iowa, hereby certify that the attached and foregoing is a true and correct copy of the same as it appears of record in the Auditor's Office.

IN TESTIMONY WHEREOF, I have this day affixed the Seal of Cerro Gordo County Auditor and hereunto set my hand.

Dates at Mason City, Iowa, this 3rd day of June, 1992.

____________________________________

Linda Kay Collins
County Auditor

SEAL