

Received 01/26/2017.
Clerk-Treasurer email
Auburn, Indiana

ORDINANCE NO. 2017- 04

**AN ORDINANCE TO AMEND CHAPTER 95
OF THE AUBURN CITY CODE
CONCERNING STREETS AND SIDEWALKS / EXCAVATIONS**

SUMMARY

This ordinance amends and restates Chapter 95.35 the Auburn City Code concerning Excavations. This section shall eliminate the following language in Paragraph (G) (2):

Any party installing, repairing or replacing new or existing sidewalks and driveways, which does not include modification or replacement of curbs and gutters, shall be exempt from the requirement to provide insurance coverage.

This ordinance shall pass after appropriate public hearing, passage, and notice in the newspaper of daily circulation of the modified part of the Ordinance which is contained within the summary herein. A true copy shall be kept on record with the City of Auburn Clerk-Treasurer’s Office and the changes and modifications herein shall be incorporated into the Auburn City Code under www.ci.auburn.in.us.

_____ Recorder’s Office

_____ Publish Public Hearing

_____ Auditor’s Office

_____ Clerk’s Office

_____ Publish O/R after adoption

_____ Other

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**AN ORDINANCE TO AMEND
CHAPTER 95 OF THE
AUBURN CITY CODE CONCERNING
STREETS AND SIDEWALKS / EXCAVATIONS**

WHEREAS, the City of Auburn has certain requirements under Chapter 95.35 of the Auburn Municipal Code entitled Excavations; and

WHEREAS, currently there is an exemption for permit fees for those who are obtaining a permit to do certain excavation within the City of Auburn that allows a waiver of the requirement to carry liability insurance; and

WHEREAS, it is in the best interests of the City of Auburn to require anyone who is installing, repairing or replacing new or existing sidewalks or driveways to have appropriate liability insurance coverage; and

WHEREAS, the City of Auburn will eliminate the language in Chapter 95.35 (G) (2) in an effort to insure that all parties have appropriate insurance when doing any installing, repairing or replacing of new or existing sidewalks and driveways; and

NOW THEREFORE, BE IT RESOLVED THAT the following language shall be stricken from Chapter 95.35 Excavations (G) (2):

Any party installing, repairing or replacing new or existing sidewalks and driveways, which does not include modification or replacement of curbs and gutters, shall be exempt from the requirement to provide insurance coverage.

The original copy of this Ordinance upon passage shall be held by the Office of the Clerk-Treasurer. The codified version of the Ordinance shall be placed onto the City of Auburn's web-

based Municipal Code, which is located at www.ci.auburn.in.us. A codified version shall be incorporated into Chapter 95 of the Auburn Municipal Code of Ordinances.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this ____ day of _____, 2017.

JAMES FINCHUM, Councilmember

ATTEST:

Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this ____ day of _____, 2017.

PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this ____ day of _____, 2017.

NORMAN E. YODER, Mayor

AYE

NAY

James Finchum

Mike Watson

Matthew “Dennis” Kruse

Denny Ketzenberger

Wayne Madden

Kevin Webb

Michael Walter