

**CHELTENHAM TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

RESOLUTION NO. 40-18

**A RESOLUTION OF THE BOARD OF
COMMISSIONERS OF CHELTENHAM TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA FOR
THE ADOPTION OF REGULATIONS AFFIXING THE
AMOUNTS OF INSURANCE COVERAGE TO BE
PROVIDED BY EACH PERMITTEE UNDER THE
TOWNSHIP’S “RIGHT-OF-WAY MANAGEMENT
ORDINANCE” PURSUANT TO SECTION 255-26.1.E.
OF THE TOWNSHIP CODE**

WHEREAS, the Board of Commissioners of Cheltenham Township adopted Ordinance No. 2376-18 entitled “Right-of-Way Management Ordinance” (hereinafter Right-of-Way Management Ordinance”) on September 26, 2018, regulating the management of the street rights-of-way of the Township in order to preserve and regulate the Township’s control over its rights-of-way; and

WHEREAS, Section 255-26.1.E. entitled “*Insurance.*” set forth in such Ordinance provides that each permittee shall, during the entire term of a right-of-way use permit, maintain and require its contractors and subcontractors to maintain insurance as more fully provided for in such provision; and

WHEREAS, Section 255-26.1.E. further provides that the amounts of such insurance coverage shall be determined by the Township by regulation; and

WHEREAS, Section 255-26.1.E. further provides for insurance from and against any and all claims for injury or damage to persons or property, both real and personal, caused by the construction, installation, operation, maintenance or removal of a permittee’s system or facilities in the rights-of-way.

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners of Cheltenham Township, duly assembled, hereby enacts the following regulations:

1. Each permittee subject to the Ordinance shall obtain at its sole expense and maintain in force insurance coverage in compliance with Section 255-26.E. of the Right-of-Way Management Ordinance during the entire term of the right-of-way use permit as follows:

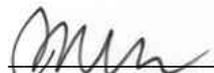
- a. Workmen’s Compensation – as statutorily required;

- b. Public Liability – for injuries, including accidental death, in the amount of \$1,000,000 per person and \$3,000,000 per occurrence;
- c. Public Property Liability – in an amount not less than \$1,000,000 per occurrence and \$3,000,000 in the aggregate. This insurance shall cover all property damages suffered by the Township, as well as the general public and any utility or similar property owner, and shall include coverage for damages due to (a) collapse or injury to structures and (b) damage to underground structures or conduit;
- d. Comprehensive Vehicle Liability – coverage for all owned and non-owned, hired, leased or rented vehicles or equipment for construction of a vehicular nature, \$1,000,000 bodily injury/person and \$3,000,000 per occurrence.

APPROVED and ADOPTED at the public meeting of the Cheltenham Township Board of Commissioners held this **26th** day of **September 2018**.

ATTEST:

**TOWNSHIP OF CHELTENHAM
BOARD OF COMMISSIONERS**



Bryan T. Havir
Township Manager and Secretary

By: 
Daniel B. Norris, President