

## Excavation within Right-of-Way

### Surety Performance Bond Form

Municipal Code Section 400.1500 (E) (3) (a); Prior to the issuance of a permit for excavation within the right of way limits of any street, alley or sidewalk, the applicant shall deposit with the City Clerk, not less than one thousand dollars (\$1000) cash, as surety for performance.

Name \_\_\_\_\_ Date \_\_\_\_\_

Location of work \_\_\_\_\_

Anticipated Completion Date \_\_\_\_\_

Type of cash bond: Cash \_\_\_\_\_ Liability Certificate \_\_\_\_\_ Check \_\_\_\_\_

Municipal Code section 400.1500 (E) (3) (b); Should the applicant for the permit fail to satisfactorily complete the work required under this Section, the City may be given ten (10) days written notice to applicant, and, may complete said work, at the expense of the applicant. City shall charge and collect against the cash bond such sums as are due from the applicant. If a balance remains, after the City has been reimbursed the costs of completion, than such deposit or portion thereof shall be returned to the applicant.

Municipal code section 400.1500 (E) (3) (c); Should the cash bond be insufficient to complete said work to the satisfaction of the City, applicant shall owe the difference in the costs and expenses incurred. Applicant shall promptly pay to the City the amount due upon notice of said charges.

Date work completed \_\_\_\_\_

Municipal code section 400.1500 (E) (3) (d); Such deposit shall be returned ninety (90) days after the excavation has been backfilled and after the City Director of Public Works and/ or Director of Development has reported the excavation to have been properly repaired and payment made therefore and to his/her knowledge no damage to any person has occurred by reason of such excavation prior to acceptance by the City.

Approval of release of bond: Yes \_\_\_\_\_ No \_\_\_\_\_

Staff Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature of applicant upon return of the cash bond:

\_\_\_\_\_ Date \_\_\_\_\_