

NOTICE OF ADOPTION

I, Teri Davis, do hereby certify:

1. That I am the Clerk of Council of the Council of the City of Centerville, Ohio;
and
2. That on the 3rd day of April, 2023,
Ordinance No. 06-23 was adopted by the Centerville City Council; and
3. That a certified copy of Ordinance No. 06-23 was published in the
posting locations prescribed by the City of Centerville Council.



Clerk of Council

ORDINANCE NO. 06-23
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON THE 3rd DAY
OF April, 2023.

**AN ORDINANCE TO AMEND SECTION 808.04, LIABILITY
INSURANCE, OF THE CENTERVILLE MUNICIPAL CODE
TO UPDATE THE INSURANCE REQUIREMENTS FOR
CIRCUS, CARNIVAL OR OTHER SHOW LICENSES.**

WHEREAS, the City had enacted regulations in the Centerville Municipal Code for allowing circuses, carnivals and other shows within the City; and

WHEREAS, the City requires that those intending to exhibit or participate in exhibiting any circus, carnival or other show, must have a license issued by the City; and

WHEREAS, the license requires the applicant to have and maintain liability insurance; and

WHEREAS, it has been determined that such insurance requirements need to be updated and expanded; and

WHEREAS, the City desires to continue to allow such events to occur within the City; and

WHEREAS, the City has determined it to be in the best interests of the City to update the insurance requirements.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the following amendment to Section 808.04 of the Centerville Municipal Code is hereby enacted as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

808.04 LIABILITY INSURANCE.

~~No circus, carnival or other show license shall be issued until proof of current liability insurance is presented to the Manager by the applicant for the license. The liability insurance policy shall be in amounts of not less than one million dollars (\$1,000,000) for any one person, one million dollars~~

~~(\$1,000,000) for any one accident and five hundred thousand dollars (\$500,000) for property damage.~~

Applicant for the license required by this Chapter shall maintain the following insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of its activities pursuant to the license granted herein.

(1) Commercial general liability insurance, including products-completed operations, bodily injury, property damage, and personal & advertising injury with limits not less than one million dollars (\$1,000,000) per occurrence. The policy shall cover the City of Centerville, its officials, employees and volunteers as additional insureds. Such coverage shall be primary and noncontributing as respects the City of Centerville, its officials, employees and volunteers.

(2) Automobile liability insurance with limits not less than one million dollars (\$1,000,000) per accident for bodily injury and property damage.

The policies shall further provide that they may not be cancelled except upon thirty (30) days written notice served upon the City Manager. If the Applicant receives a non-renewal or cancellation notice from an insurance carrier providing coverage required herein, or receives notice that coverage no longer complies with the requirements herein, Applicant shall notify the City Manager by fax or email within two (2) business days with a copy of the non-renewal or cancellation notice, or written explanation of how coverage is no longer in compliance. A license issued pursuant to the provisions of this section shall be invalid at any time the insurance required herein is not maintained and evidence of continuing coverage is not filed with City Manager. Such proof of insurance must be presented to the Manager before the license is issued.

The City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage or other special circumstances.

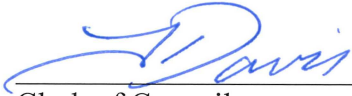
Section 2. This ordinance shall be effective from and after the earliest date allowed by law.

PASSED THIS 3rd day of April, 2023.



Mayor of the City of Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 06-23, passed by the Council of the City of Centerville, Ohio on the 3rd day of April, 2023.



Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney