

FACILITY USE INSURANCE REQUIREMENTS

Insurance Requirements

- A. The user hereby agrees to effectuate the naming of the municipality as an unrestricted additional insured on the user's policy.
- B. The policy naming the municipality as an additional insured shall:
- be an insurance policy from an A.M. Best rated "secured" New York State licensed insurer;
 - contain a 30-day notice of cancellation;
 - state that the organization's coverage shall be primary coverage for the Municipality, its Board, employees and volunteers; and
 - Additional insured status shall be provided with ISO endorsement CG 2026 or its equivalent.
- C. The user agrees to indemnify the municipality for any applicable deductibles.
- D. Enclose a copy of the endorsement providing additional insured status.
- E. Required Insurance:
- **For Commercial Users: Commercial General Liability Insurance**
\$1,000,000 per occurrence/ \$2,000,000 aggregate.
 - **For Individual Users: Homeowners Insurance**
Section Two – Liability: \$100,000 limit of liability. Policy shall not exclude the off-premises activities of the insured
- F. User acknowledges that failure to obtain such insurance on behalf of the municipality constitutes a material breach of contract and subjects it to liability for damages, indemnification and all other legal remedies available to the municipality. The user is to provide the municipality with a certificate of insurance, evidencing the above requirements have been met. The failure of the municipality to object to the contents of the certificate or the absence of it shall not be deemed a waiver of any and all rights held by the municipality.

HOLD HARMLESS AGREEMENT

_____ does hereby covenant and agree to defend, indemnify, and hold harmless the City of Auburn from and against any and all liability, loss, damages, claims, or actions (including costs and attorney fees) for bodily injury and/or property damage, to the extent permissible by law, arising out of or in connection with the actual or proposed use of (check one):

- ☐ Casey Park Facility
- ☐ Hoopes Park Facility
- ☐ Market Street Park Facility
- ☐ Showmobile
- ☐ Other Facility: _____
- ☐ Special Event (Please specify): _____

Property, facilities, and/or services by the City of Auburn and/or the activities, functions, events, affairs, or proceedings of _____ on _____.
(Requestor) (Date of facility usage)

DATE: _____

CITY OF AUBURN

By: _____

By: _____