



# CITY OF MANITOWOC

WISCONSIN, USA

[www.manitowoc.org](http://www.manitowoc.org)

August 11, 2021

TO: Mayor and Common Council

FROM: Board of Public Works

SUBJECT: Request for Updated Insurance Requirements for Sidewalk Privilege Agreements

Dear Mayor and Common Council:

At the July 28, 2021 Board of Public Works meeting, the Board met to approve the request for updated insurance requirements for Sidewalk Privilege Agreements.

"Moved by City Attorney Kathleen McDaniel, seconded by Alderperson Todd Reckelburg, and unanimously carried to approve the updated insurance requirements. Ayes, 7. Nays, none."

Very Truly Yours,

MACKENZIE REED-KADOW  
Secretary Board of Public Works



# CITY OF MANITOWOC

WISCONSIN, USA

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**TO:** Board of Public Works

**FROM:** City Attorney's Office

**DATE:** July 27, 2021

**RE:** Insurance Requirements for Sidewalk Privilege Agreements

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The City currently requires a sidewalk privilege agreement (SPA) for any encroachment into City right-of-way, including sandwich boards, fences, retaining walls, decks, and other fixtures. The City also requires that any holder of a SPA provide annual proof of a liability policy with minimum limits of \$100,000 per person and \$500,000 per occurrence. These limits have been in place for many years and have not been updated to reflect our standard insurance requirements for City projects or special events. In order to keep our requirements consistent and encourage growth in our downtown district, our office recommends the following changes:

1. Remove the requirement for a SPA for a sandwich board sign so long as 3' of the sidewalk is available for use, consistent with ADA sidewalk design standards.
2. Adjust the insurance requirements to require a minimum general liability limit of \$1,000,000 per occurrence, \$2,000,000 general aggregate.
3. Require SPA holders hold the City harmless for all claims arising from the activities subject to the sidewalk privilege agreement
4. Require SPA holders name the City as Additional Insured if the sidewalk privilege agreement relates to an encroachment which is four feet tall or higher.

SPA requirements are not the Municipal Code and have been previously set by multiple departments. If the Board approves these changes, this will standardize requirements and be less burdensome on the downtown businesses who have sandwich boards.