

CODE ORDINANCE

Sponsored by:
Introduced:
Public Hearing:
Action:

**MATANUSKA-SUSITNA BOROUGH
ORDINANCE SERIAL NO. 25-126**

AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING
MSB 8.55 SPECIAL EVENTS TO REPEAL THE SURETY BOND REQUIREMENT
STANDARDS.

BE IT ENACTED:

Section 1. Classification. This ordinance is of a general and
permanent nature and shall become a part of the Borough Code.

Section 2. Amendment of subsection. MSB 8.55.040 (I) is hereby
amended as follows:

(I) Insurance [AND SURETY BOND]. The operator shall
provide insurance [AND SURETY BONDS] as follows:

(1) Before receiving final approval of a permit the
operator shall furnish a certificate of general
liability insurance specifically referencing the event
with limits not less than \$1,000,000 per
occurrence/\$1,000,000 aggregate, which insurance shall
insure liability for bodily injury and property damage.
The sponsor shall also include on the certificate of
insurance evidence of liquor liability coverage with
limits not less than \$1,000,000 per
occurrence/\$1,000,000 aggregate (if liquor is present at
the event). The certificate of insurance shall include

30 days notice of cancellation to the borough. The borough shall be named on the operator's general liability policy as an additional insured and the operator shall waive their rights of subrogation against the borough. This shall also be included on the certificate. The operator agrees to hold harmless from all claims and defend and indemnify the borough, its agents, officers and employees from all claims, which arise out of, or in any way are connected with the operator's event. Such insurance shall remain in full force and effect in the specified amounts for the duration of the event.

[(2) DUE TO THE POSSIBILITY OF DAMAGE OR EXPENSE TO THE BOROUGH ARISING FROM THE EVENT OR THE OPERATOR'S FAILURE TO COMPLY WITH THE REQUIREMENTS OF THE PERMIT, THE OPERATOR SHALL FURNISH A BOND, CASH, CERTIFIED CHECK, OR EQUIVALENT, PAYABLE TO THE BOROUGH, CONDITIONED UPON THE OPERATOR'S FAITHFUL COMPLIANCE WITH ALL OF THE TERMS AND PROVISIONS OF THIS CHAPTER AND ALL APPLICABLE PROVISIONS OF THE STATE OR LOCAL LAW, AND WHICH SHALL INDEMNIFY THE BOROUGH, ITS AGENTS, OFFICERS, AND EMPLOYEES AGAINST ANY AND ALL LOSS, INJURY, OR DAMAGE WHATSOEVER ARISING OUT OF, OR IN ANY WAY CONNECTED WITH, THE MASS GATHERING; AND WHICH SHALL INDEMNIFY THE OWNERS

OF SURROUNDING PROPERTY FOR COSTS ATTRIBUTABLE TO CLEANING UP OR REMOVING DEBRIS, TRASH, OR OTHER WASTE RESULTANT FROM THE MASS GATHERING. THE AMOUNT OF THIS BOND SHALL BE BASED UPON THE NUMBER OF ATTENDANTS AND IN ACCORDANCE WITH THE FOLLOWING TABLE:

ATTENDEES	BOND AMOUNT
501-1000	\$ 25,000
1001-2000	50,000
2001-3000	75,000
3001-4000	100,000
4001-5000+	125,000

(3) BONDING EXEMPTION. AN EVENT OPERATOR MAY REQUEST A REDUCTION OF BONDING REQUIREMENTS, UNDER SUBSECTION (I) (2) OF THIS SECTION, UP TO 75 PERCENT; PROVIDED, THAT:

(A) THE EVENT HAS BEEN IN OPERATION AT THE SAME SITE FOR AT LEAST THREE CONSECUTIVE YEARS;

(B) THE SAME OPERATORS HAVE OPERATED THE EVENT FOR AT LEAST THREE CONSECUTIVE YEARS;

(C) THERE HAVE BEEN NO CLAIMS AGAINST ANY SURETY BONDS OVER THE LAST THREE YEARS; AND

(D) THE OPERATOR HAS SHOWN EVIDENCE OF THE ABILITY TO COMPLY WITH ALL OTHER PROVISIONS OF THE ORDINANCE INCLUDING SECURITY AND TRASH REMOVAL REQUIREMENTS.

(E) THE PLANNING DIRECTOR WILL MAKE THE DETERMINATION WHETHER AN OPERATOR WILL BE EXEMPTED WHEN A COMPLETE APPLICATION IS SUBMITTED BY THE OPERATOR. A DECISION OF THE DIRECTOR CAN BE APPEALED BY THE APPLICANT TO THE MANAGER. THE DECISION OF THE MANAGER SHALL BE FINAL.]

Section 3. Amendment of subdivision. MSB

8.55.060(A)(6)(j)(iv) is hereby amended as follows:

(iv) proof of insurance [AND SURETY OR INDEMNITY BOND] as required;

Section 4. Effective date. This ordinance shall take effect upon adoption.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2025.

EDNA DeVRIES, Borough Mayor

ATTEST:

LONNIE R. McKECHNIE, CMC, Borough Clerk

(SEAL)