

Sponsored by: Cinque

**CITY OF MARATHON, FLORIDA  
RESOLUTION 2008-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, ESTABLISHING A CITY COUNCIL POLICY WITH RESPECT TO THE REQUIREMENT OF A BOND OR OTHER SURETY FOR CONSTRUCTION IN THE CITY PUBLIC RIGHTS-OF-WAY; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City of Marathon Florida (the "City") permits the use of City public rights-of-way pursuant to Chapter 26, Article II of the City Code; and

**WHEREAS**, Section 26-32 of the City Code gives the City Manager the right to require that the applicant for a right-of-way permit post an executed right-of-way bond or other form of surety as a condition to the issuance of the permit; and

**WHEREAS**, the City Council is concerned that work is currently taking place on City public rights-of-way in connection with commercial and residential developments, and no bond has been required of those developers; and

**WHEREAS**, the City Council wishes to make it the clear policy of the City that the City Manager must require a right-of-way bond or other form of surety before issuing any permit to perform work in a City right-of-way.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, AS FOLLOWS:**

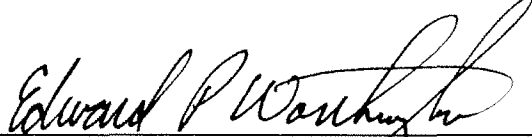
**Section 1.** The above recitals are true and correct and incorporated herein.

**Section 2.** The City Council hereby establishes a policy requiring the posting of a right-of-way bond or other form of surety as set forth and otherwise in compliance with Section 26-32(b) of the City Code prior to the issuance of any permit for construction or other work on the City right-of-way. In connection with any projects where the value of the work is in excess of \$5,000.00; provided, however, that this requirement shall not apply to single family residences or duplexes. The City Manager is directed to implement this policy immediately with respect to all right-of-way permits issued after the date hereof.

**Section 3.** This resolution shall take effect immediately upon its adoption.

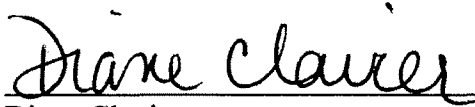
**PASSED AND APPROVED** by the City Council of the City of Marathon, Florida, this 12<sup>th</sup> day of February, 2008.

**THE CITY OF MARATHON, FLORIDA**

  
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Edward P. Worthington, Mayor

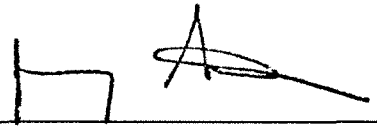
AYES: Bull, Cinque, Tempest, Vasil, Worthington  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ATTEST:**

  
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Diane Clavier  
City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**

  
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City Attorney