



**CITY MANAGER'S OFFICE  
CITY OF WHEELING**

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July 1, 2015

Dear Applicant:

Enclosed please find an Application for use of City of Wheeling Right of Way, a copy of Section 311.05 of the Municipal Code, as well as a sample certificate of insurance, all of which are being supplied to you in response to your recent request to utilize City right of way in connection with your planned event. Please complete and sign the application, providing a current e-mail address for the permit to be returned to you, and forward to my attention, along with your certificate of insurance **naming the City of Wheeling as an additional insured**, at your earliest convenience. Please note that the application must be received by the City of Wheeling at least **ten business days** prior to your proposed use to allow ample time for processing your request. If your planned event is a parade, run, walk or street fair, contact must be made with Deputy Chief Kimball (304-234-6456) in order to finalize all safety concerns prior to the issuance of a permit. If your event will include food vendors, it will be your responsibility to ensure that all are properly licensed through the City of Wheeling and you will be required to ensure that all participants obtain the necessary permits from the Wheeling-Ohio County Health Department (304-234-3682).

Should you have any questions regarding the above, please do not hesitate to contact me at 304-234-3617.

Sincerely,

Judy Beabout  
City Manager's Office

jb

Enclosures



**APPLICATION FOR USE OF CITY OF WHEELING RIGHT OF WAY**

Date of Application	
Name, Address and Phone Number of Applicant	
Person to contact (including phone number) in case of emergency <b>during</b> use	
Date(s) and Time(s) of Proposed Use	
Description of Proposed Use (i.e., Street Fair, Run, Parade, etc.)	
City Rights of Way to be Utilized (i.e., City Streets obstructed); Proposed Detours, if applicable.	

The undersigned, on behalf of \_\_\_\_\_ (name of individual/organization), agrees to indemnify and save the City of Wheeling harmless from any claims, liability or damages arising from the use of the public way in connection with the above-described use and as set forth in Section 311.05(b) of the Municipal Code. Additionally, your signature indicates that it is understood and agreed that any insurance carried by the City of Wheeling is excess and in no way contributory or quota share.

\_\_\_\_\_  
Name and Title Date

\_\_\_\_\_  
valid e-mail address (Permit will be provided via e-mail)

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For office use only:

\_\_\_\_\_ CODES \_\_\_\_\_ FD \_\_\_\_\_ PD \_\_\_\_\_ OP \_\_\_\_\_ CC \_\_\_\_\_ HEALTH

<b>PRODUCER</b>	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE APPROVED BY THE POLICIES BELOW.
	COMPANIES AFFORDING COVERAGE
	COMPANY
<b>INSURED</b>	COMPANY
	COMPANY
	COMPANY

**COVERAGE**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED, NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THE CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

OO LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A	<b>GENERAL LIABILITY</b>		MM/DD/YY	MM/DD/YY	<b>GENERAL AGGREGATE</b> \$ 2,000,000
	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b>				<b>PRODUCTS-COMP/OP AGG</b> \$ 1,000,000
	<input type="checkbox"/> CLAIMS <input checked="" type="checkbox"/> OCCUR				<b>PERSONAL &amp; ADV INJURY</b> \$ 1,000,000
	<b>OWNER'S &amp; CONTRACTOR'S PROT</b>				<b>EACH OCCURRENCE</b> \$ 1,000,000
					<b>FIRE DAMAGE (ANY ONE FIRE)</b> \$ 50,000
					<b>MED EXP (ANY ONE PERSON)</b>
					<b>COMBINED SINGLE LIMT</b> \$
	<b>AUTOMOBILE LIABILITY</b>				<b>BODILY INJURY (Per Person)</b> \$
	<input type="checkbox"/> ANY AUTO				<b>BODILY INJURY (Per Accident)</b> \$
	<input type="checkbox"/> ALL OWNED AUTOS				<b>PROPERTY DAMAGE</b> \$
	<input type="checkbox"/> SCHEDULED AUTOS				
	<input type="checkbox"/> HIRED AUTOS				
	<input type="checkbox"/> NON-OWNED AUTOS				
	<b>GARAGE LIABILITY</b>				<b>AUTO ONLY-EA ACCIDENT</b> \$
	<input type="checkbox"/> ANY AUTO				<b>OTHER THAN AUTO ONLY:</b>
					<b>EACH ACCIDENT</b> \$
					<b>AGGREGATE</b> \$
	<b>EXCESS LIABILITY</b>				<b>EACH OCCURRENCE</b> \$
	<input type="checkbox"/> UMBRELLA FORM				<b>AGGREGATE</b> \$
	<input type="checkbox"/> OTHER THAN UMBRELLA FORM				
	<b>WORKERS COMPENSATION AND EMPLOYER'S LIABILITY</b>				<b>WC STATUTORY LIMITS</b> <input type="checkbox"/> <b>OT-HER</b> <input type="checkbox"/>
	<b>THE PROPRIETOR/PARTNERS/EXECUTIVE OFFICERS ARE:</b>				<b>EL EACH ACCIDENT</b> \$
	<input type="checkbox"/> INCL <input type="checkbox"/> EXCL				<b>EL DISEASE-POLICY LIMIT</b> \$
					<b>EL DISEASE-EA EMPLOYEE</b> \$
	<b>OTHER</b>				

**DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/SPECIAL ITEMS**  
**ADDITIONAL INSURED: CITY OF WHEELING – IT IS UNDERSTOOD AND AGREED THAT ANY INSURANCE CARRIED BY THE CITY OF WHEELING IS EXCESS AND IN NO WAY CONTRIBUTORY OR QUOTA SHARE.**

<b>CERTIFICATE HOLDER</b>	<b>CANCELLATION</b>
CITY OF WHEELING 1500 CHAPLINE STREET WHEELING, WV 26003	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING COMPANY WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE COMPANY, ITS AGENTS OR REPRESENTATIVES.
	AUTHORIZED REPRESENTATIVE

### 311.05 PARADES; PUBLIC ASSEMBLAGE.

(a) All organizations, associations or persons desiring to use any of the streets or public ways for the purpose of conducting a procession or parade shall, prior to the proposed time for holding such procession or parade, make application therefore to the City Manager designating the time and proposed route for such procession or parade. Application must be made at least ten (10) days prior to the planned event. The City Manager may issue to all persons or organizations so applying a permit stipulating the time, route and other conditions governing same. This section shall not apply to funeral processions.

(b) Any person desiring to use any sidewalk, street or public way of the City for the purpose of public assemblage or other lawful purpose, in such a manner as to preclude or interfere with the ordinary use of such street, sidewalk or public way, shall, in advance of the time of any proposed use, notify the City Manager of the time and place of such proposed use and the purpose therefor. Application must be made at least ten (10) days prior to the planned event. Before such use occurs, the City Manager shall issue a permit, if the use is one that is not unreasonably detrimental to the peace, health, morals and good order of the inhabitants of the City, provided that the applicant obtains a certificate of insurance providing liability insurance in an amount determined by the City Manager, but not less than one million dollars (\$1,000,000), naming the City as an additional insured, and further provided that the applicant agrees to indemnify and save the City harmless from any and all claims, liability and damages arising from the use of the sidewalk, street or public way.

(c) The organization, association or person conducting a procession or parade upon the public way as noted in subsection (a) hereof, being the Applicant receiving the permit and acquiring the requisite insurance as noted in subsection (b) hereof, is to control the flow and route of such parade without interference by any other person, entity or association. Such control of the parade or procession is to be coordinated between the Permitted Applicant and the Wheeling Police Department regarding traffic control. Any interference subjects the violator to the General Penalty provisions of the Traffic Code, which includes a fine up to five hundred dollars (\$500.00) and the potential for imprisonment as well as monetary fines for such interference. (Ord. 14388. Passed 11-7-12.)

### 311.99 PENALTY.

(EDITOR'S NOTE: See Section 303.99 for general Traffic Code penalty.)