

Instructions

1. Complete this Applicant Information Sheet and assemble required documents.
2. Submit all required documents to appropriate MnDOT District for processing. Please refer to MnDOT District Map or MnDOT District Permit Staff Directory to determine the proper MnDOT District Office to process this application. **Packet of required documents must be submitted as one .pdf document.**
3. **All documents associated with the Temporary Outdoor Dining Permit process are subject to change.** Submit using the most current documents available for download at:

4. Each municipality should submit one (1) required documents packet and, upon approval, will receive one (1) Temporary Outdoor Dining Permit for the municipality.

Applicant Information

Municipality Name: City of Marshall, MN

Contact Person Name: Jason R. Anderson, P.E. Director of Public Works / City Engineer

Address: 344 W. Main Street Marshall, MN 56258

Telephone Number: 507-537-6773

Email Address: Jason.Anderson@ci.marshall.mn.us

Required Documents Checklist

Applicant must submit all of the following items to MnDOT District as one .pdf document:

1. Applicant Information Sheet (this form)
2. Signed Permit-Temporary Outdoor Dining
3. Map identifying geographic boundaries of municipality and area of trunk highway right of way the municipality intends to allow food and beverage service establishments to permit
4. Certificate of Insurance or Self-Insurance which must state: "The State of Minnesota is included as an additional insured." The certificate should list The State of Minnesota, Department of Transportation, as the Certificate Holder.

**STATE OF MINNESOTA
DEPARTMENT OF TRANSPORTATION**

PERMIT- TEMPORARY OUTDOOR DINING

City/Township _____
Permit # _____
Expiration November 2, 2020 or Expiration of Executive Order #20-01, whichever occurs first

The State of Minnesota, through its Commissioner of Transportation (“MnDOT”) hereby grants a Permit for Temporary Outdoor Dining (“TOD”) purposes to City of Marshall (“Municipality”), to allow the Municipality to permit the use of the trunk highway right of way (“Right of Way”) shown on Exhibit "A" (the “Trunk Highway Area”), attached hereto and incorporated herein by reference, for use as provided in this TOD. This TOD is executed by the Municipality pursuant to resolution, a certified copy of which is attached hereto as Exhibit B.

Temporary Outdoor Dining- Food and Beverage Service

The Municipality may issue a permit to a licensed person, firm, or corporation engaged in the business of conducting a food and beverage service establishment, as defined in Minn. Stat. Chap. 157 (“Business”) for the temporary use of all or a portion of the Trunk Highway Area for the placement of the components necessary to create an outdoor dining area in which to conduct outdoor food and beverage service, including tables, chairs, and refuse containers (“Outdoor Dining Components”) and the associated food and beverage service thereto and maintenance thereof. The permit issued by the Municipality to a Business as provided in this paragraph shall be herein referred to as an “Outdoor Dining Permit”. A business issued an Outdoor Dining Permit by the Municipality shall be herein referred to as a “Permitted Business”.

In addition, the following special provisions shall apply:

SPECIAL PROVISIONS

1. TERM. This TOD commences on 6/01/2020 or the date upon which MnDOT secures all necessary signatures on this TOD, whichever occurs later, and terminates at 11:59 PM on 11/02/2020 or upon the expiration of Executive Order #20-01, whichever occurs first (“Expiration Date”), subject to the right of cancellation by MnDOT, with or without cause, by giving the Municipality ten (10) days written notice of such cancellation.

Municipality hereby voluntarily releases and waives any and all claims and causes of action for damages, costs, expenses, losses, fees and compensation arising from or related to any cancellation or termination

of this TOD by MnDOT. Municipality agrees that it will not make or assert any claims for damages, costs, expenses, losses, fees and compensation based upon the existence, cancellation or termination of the TOD. Municipality agrees not to sue or institute any legal action against MnDOT based upon any of the claims released in this paragraph.

2. OUTDOOR DINING PERMIT BETWEEN MUNICIPALITY AND BUSINESS. The following items must be attached to and incorporated into each Outdoor Dining Permit issued by the Municipality to a Permitted Business and made available to MnDOT upon request:

a. MAP. Specifically identifying the following:

- i. Boundaries of the portion of the Trunk Highway Area covered by the Outdoor Dining Permit;
- ii. Proposed closures of: bike lanes, parking lanes, shoulder, traffic lanes, or roads;
- iii. Detour routes for closed bike lanes and/or roads;
- iv. Traffic Control as determined by Municipality (description of proposed traffic control);
- v. If appropriate, alternate route for large commercial vehicles or agricultural vehicles.

b. SPECIAL CONDITIONS. *SPECIAL CONDITIONS REQUIRED FOR OUTDOOR DINING PERMIT BETWEEN MUNICIPALITY AND BUSINESS FOR USE OF TRUNK HIGHWAY RIGHT OF WAY* (“Special Conditions”) attached hereto and incorporated into this TOD as Exhibit C.

3. LOCATION AVAILABLE FOR OUTDOOR DINING PERMIT. Municipality may only issue an Outdoor Dining Permit to a Business for all or a portion of the Trunk Highway Area contiguous to the primary physical location of the Business.

4. SPECIAL CONDITIONS. Failure by a Municipality to attach and incorporate the Special Conditions to any Outdoor Dining Permit and/or failure to require and enforce compliance with the terms contained in the Special Conditions may result in termination of this TOD.

5. TERMINATION OF OUTDOOR DINING PERMITS. Prior to the Expiration Date or earlier termination, Municipality will terminate or otherwise cancel all Outdoor Dining Permits.

6. REMOVAL. Upon the Expiration Date or earlier termination, at the Municipality’s sole cost and expense, Municipality will:

- a. Remove, or cause to be removed, all Outdoor Dining Components from the Trunk Highway Area and restore the Trunk Highway Area to a condition satisfactory to the MnDOT District Engineer; and

- b. Surrender control of the Trunk Highway Area to MnDOT.

If, without MnDOT's written consent, Municipality or a Permitted Business continues to occupy all or a portion of the Trunk Highway Area after the Expiration Date or earlier termination of this TOD, MnDOT may remove all of the Outdoor Dining Components and restore the Trunk Highway Area to a condition satisfactory to the MnDOT District Engineer. Municipality will pay all costs and expenses incurred in the removal of the Outdoor Dining components and restoration of the Trunk Highway Area.

Notwithstanding anything herein to the contrary, in the event of an emergency as determined in MnDOT's sole discretion, MnDOT may order the Municipality to remove the Outdoor Dining Components, or MnDOT may remove the Outdoor Dining Components at Municipality's expense.

7. **OUTDOOR DINING COMPONENT INSTALLATION.** The installation and maintenance of all Outdoor Dining Components shall be at no cost or expense to MnDOT. The installation and maintenance of the Outdoor Dining Components shall occur in a manner compatible with the safe and efficient operation of the highway.
8. **MAINTENANCE.** Any and all maintenance of the Trunk Highway Area shall be provided by the Municipality at the Municipality's cost and expense. Except as otherwise permitted herein, no signs shall be placed on any MnDOT or other governmental agency sign post or on the Trunk Highway Area. MnDOT will not mark obstacles for users on trunk highway right of way. If an Outdoor Dining Component becomes damaged, Municipality will immediately remove, or cause to be removed, the Outdoor Dining Component from the Trunk Highway Area.
9. **TRAFFIC CONTROL.** The Municipality will provide all necessary traffic control in accordance with the Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways ("MN MUTCD").
10. **USE.** Municipality shall use, and shall only allow Permitted Businesses to use, the Trunk Highway Area for public purposes. Unless specifically authorized herein, no permanent structures or advertising devices in any manner, form or size shall be allowed on the Trunk Highway Area. No commercial activities shall be allowed to operate upon the Trunk Highway Area except as expressly authorized by the terms of this TOD and Executive Order _____.

This TOD is non-exclusive and is granted subject to the rights of others, including, but not limited to public utilities, which may occupy the Trunk Highway Area. Any use permitted by this TOD or permitted by an Outdoor Dining Permit issued under this TOD shall remain subordinate to the right of MnDOT to use the property for highway and transportation purposes and subordinate to rights granted to any third party by law or by and through an agreement between MnDOT and that party. This TOD does not grant any interest whatsoever in land or establish any, rights to relocation benefits.

This TOD does not create any future right to use the Trunk Highway Area or any other Right of Way, for the same or different purposes.

11. **APPLICABLE LAWS.** This TOD does not release the Municipality from any liability or obligation imposed by federal law, Minnesota Statutes, local ordinances, or other agency regulations relating thereto.

The Municipality shall, at its sole cost and expense, comply with and require all use of the Trunk Highway Area to be pursuant to an Outdoor Dining Permit to be in accordance with Minnesota law (including but not limited to applicable Executive Orders, requirements related to liquor licensing, the Minnesota Occupational Safety and Health Act of 1973, Minnesota Statutes 2019, Chapter 182 (“Minnesota OSHA Standards”), and Minnesota Rules Chapter 4626 (“Minnesota Food Code”)), federal law (including the Americans with Disabilities Act), municipal laws, rules, regulations, and ordinances (including zoning ordinances and requirements related to food and liquor licenses), all restaurant and bar industry guidance provided by the Commissioners of Health, Employment and Economic Development, and Labor and Industry pursuant to Executive Order 20-56 Section 7(b), and all guidelines related to COVID-19 set forth by the Minnesota Department of Health and the United States Centers for Disease Control and Prevention. If all or a portion of the Trunk Highway Area subject to an Outdoor Dining Permit is not in compliance with applicable law, MnDOT may order the Municipality to terminate the Outdoor Dining Permit and order the Municipality to remove the Outdoor Dining Components or MnDOT may remove the Outdoor Dining Components and Municipality shall reimburse MnDOT for the cost thereof.

12. **SAFETY.** MnDOT shall retain the right to limit and/or restrict any activity, including the assemblage of Trunk Highway Area users on all Trunk Highway Area over which this TOD is granted, so as to maintain public safety.
13. **ENVIRONMENTAL.** The Municipality shall not, and shall not allow a Permitted Business to, dispose of any materials regulated by any governmental or regulatory agency onto the ground, or into any body of water, or into any container on the Trunk Highway Area. In the event of spillage of regulated materials, the Municipality shall notify in writing MnDOT’s District Engineer and shall provide for cleanup of the spilled material and of materials contaminated by the spillage in accordance with all applicable federal, state and local laws and regulations, at the sole expense of the Municipality.
14. **MECHANIC’S LIENS.** The Municipality (for itself, its permittees, its contractors, subcontractors, its materialmen, and all other persons acting for, through or under it or any of them), covenants that no laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever shall be filed or maintained by it or by any permittee, subcontractor, materialmen or other person or persons acting for, through or under it or any of them against the work and/or against said lands, for or on account of any work done or materials furnished by it or any of them under any agreement or any amendment or supplement thereto.

15. NOTICES. All notices which may be given, by either party to the other, will be deemed to have been fully given when served personally on MnDOT or Municipality or when made in writing addressed as follows:

Municipality at:

344 W. Main Street
Marshall, MN 56258

MnDOT at:

State of Minnesota
Department of Transportation

The address to which notices are mailed may be changed by written notice given by either party to the other.

16. INDEMNITY. Municipality shall indemnify, defend to the extent authorized by the Minnesota Attorney General's Office, hold harmless and release the State of Minnesota, its Commissioner of Transportation, employees, agents and any successors and assigns of the foregoing, from and against:

- a. All claims, demands, and causes of action for injury to or death of persons or loss of or damages to property (including Municipality's or Permitted Business's property) occurring on the Trunk Highway Area or connected with Municipality's or Permitted Business's use and occupancy of the Trunk Highway Area, except when such injury, death, loss or damage is caused solely by the negligence of the State of Minnesota, but including those instances where the State of Minnesota is deemed to be negligent because of its failure to supervise, inspect or control the operations of Municipality or Permitted Business or otherwise discover or prevent actions or operations of Municipality or a Permitted Business giving rise to liability to any person;
- b. Claims arising or resulting from the temporary or permanent termination of Municipality's or a Permitted Business's rights on any portion of Trunk Highway Area over which this TOD is granted;
- c. Claims resulting from temporary or permanent changes in drainage patterns resulting in flood damages;
- d. Any laborers', mechanics', or materialmens' liens or other liens or claims of any kind whatsoever filed or maintained for or on account of any work done or materials furnished; and
- e. Any damages, testing costs and clean-up costs arising from spillage of regulated materials attributable to the installation, maintenance, removal, or other use of Municipality or a Permitted Business.

The liability of MnDOT is governed by Minn. Stat. §3.736 and other applicable law.

17. GENERAL INSURANCE REQUIREMENTS – MINIMUM COVERAGE REQUIREMENTS. Prior to the execution of any Outdoor Dining Permit, the Municipality shall provide MnDOT with a properly executed certificate(s) of insurance which shall clearly evidence the insurance required below and name the State of Minnesota and MnDOT as an Additional Insured.

17.1 Workers' Compensation Insurance

Municipality must provide Workers' Compensation coverage for all its employees and, in case any work is subcontracted, Municipality will require the subcontractor to provide Workers' Compensation coverage in accordance with the statutory requirements of the State of Minnesota and Employers liability with limits not less than:

\$100,000 Bodily Injury by Disease per Employee
\$500,000 Bodily Injury by Disease Aggregate
\$100,000 Bodily Injury by Accident

17.2 General Liability Insurance

- a. Minimum Limits of Liability:

The Municipality is subject to the terms and conditions of Minn. Stat. Chapter 466 and will maintain Commercial General Liability insurance (or comparable coverage under a program of self-insurance) with Tort Claims limits currently not less than \$500,000 per person and \$1,500,000 per occurrence for bodily injury and property damage.

- b. Coverages:

Premises and Operations Bodily Injury and Property Damage
 Personal & Advertising Injury
 Blanket Contractual
 Products and Completed Operations
 State of Minnesota named as Additional Insured

17.3 Additional Insurance Conditions:

- a. Municipality's policy(ies) shall be primary insurance to any other valid and collectible insurance available to the State of Minnesota with respect to any claim arising out of the Municipality's or a Permitted Business's performance under this TOD.

- b. If Municipality receives a cancellation notice from an insurance carrier affording coverage herein, Municipality agrees to notify the State of Minnesota within five (5) business days with a copy of the cancellation notice, unless Municipality's policy(ies) contain a provision that coverage afforded under the policy(ies) will not be cancelled without at least thirty (30) days advance written notice to the State of Minnesota.
 - c. Municipality is responsible for payment of TOD related insurance premiums and deductibles.
 - d. If Municipality is self-insured, a Certification of Self-Insurance must be attached to this TOD.
 - e. Municipality's policy(ies) shall include legal defense fees in addition to the liability policy limits.
 - f. Municipality shall obtain insurance policy(ies) from insurance company(ies) having an "AM Best" rating of A- (minus), Financial Size Category of VII or better, and authorized to do business in the State of Minnesota (or comparable coverage under a program of self-insurance).
18. **PROPERTY DAMAGE.** It is the duty of the Municipality to maintain insurance on their own property. Notwithstanding anything apparently to the contrary in this TOD, Municipality hereby releases MnDOT from any and all liability or responsibility to the Municipality or anyone claiming through or under them by way of subrogation or otherwise for loss or damage, even if such loss or damage shall have been caused by the fault or negligence of MnDOT or anyone for whom MnDOT may be responsible.
19. **CONSTRUCTION AND INTERPRETATION.** Whenever required by the context of this TOD, the singular shall include the plural, and vice versa.
20. **ASSIGNMENT.** No assignment of this TOD is allowed.
21. **IN WRITING.** Except for those which are set forth in this TOD, no representations, warranties, or agreements have been made by MnDOT or Municipality to one another with respect to this TOD.
22. **EXHIBITS:** The following exhibits are attached to and incorporated into this TOD:
- a. Exhibit A: Map identifying geographic boundaries of the Municipality and identifying areas of Right of Way the Municipality intends to open for use by permit holders;
 - b. Exhibit B: Municipal Resolution Authorizing the Municipality to Enter into this TOD; and
 - c. Exhibit C: Special Conditions Required for Outdoor Dining Permit between Municipality and Business for Use of Trunk Highway Right of Way.

MINNESOTA DEPARTMENT OF TRANSPORTATION

CITY OR TOWNSHIP OF

APPROVAL

Marshall, MN

BY _____

BY 

ITS District Engineer

ITS Mayor

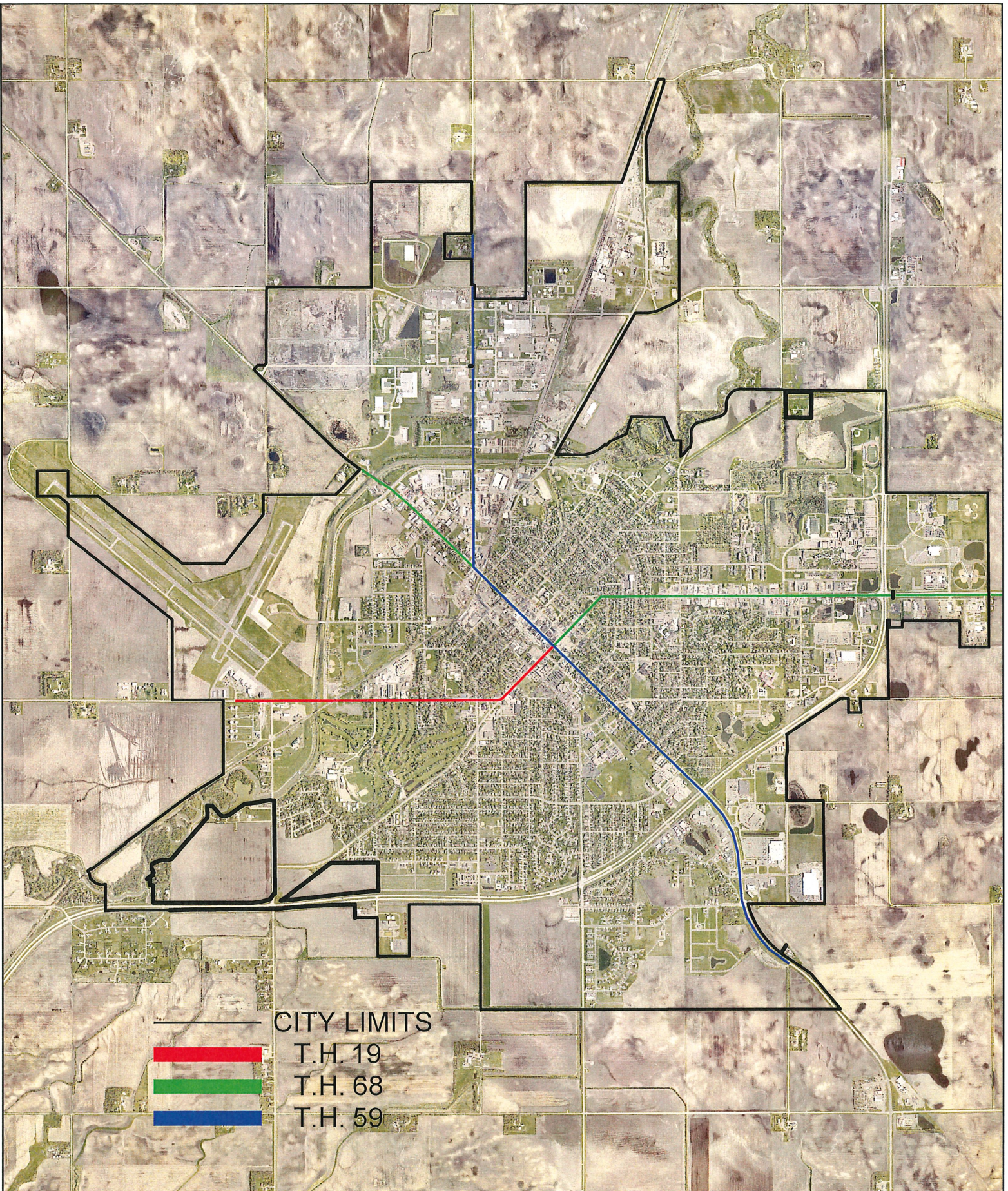
DATE _____

DATE 6-1-2020

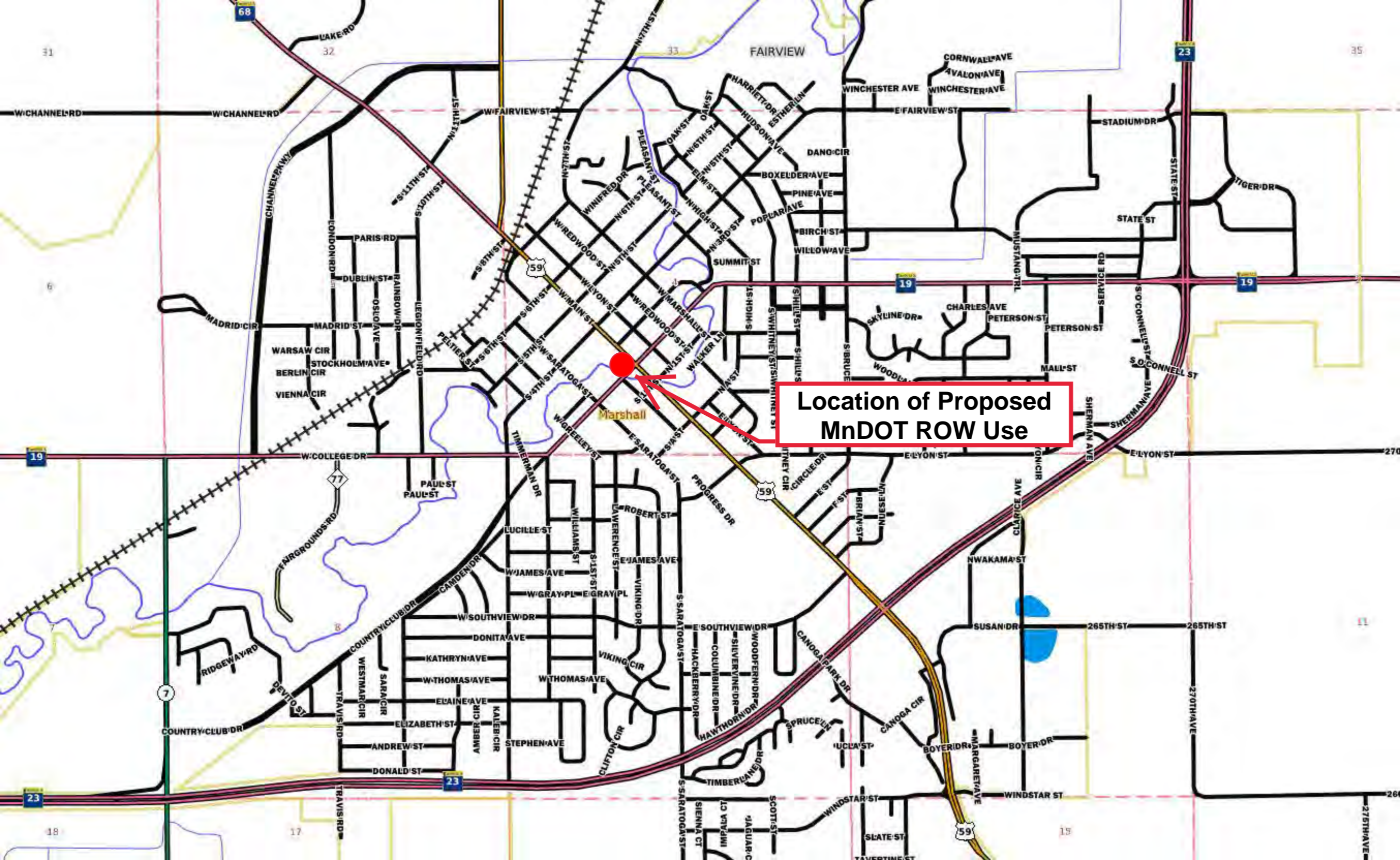
BY 

ITS Director of Public Works / City Engineer

DATE 6-2-2020



 CITY LIMITS
 T.H. 19
 T.H. 68
 T.H. 59



**Location of Proposed
MnDOT ROW Use**

Marshall

US Bank

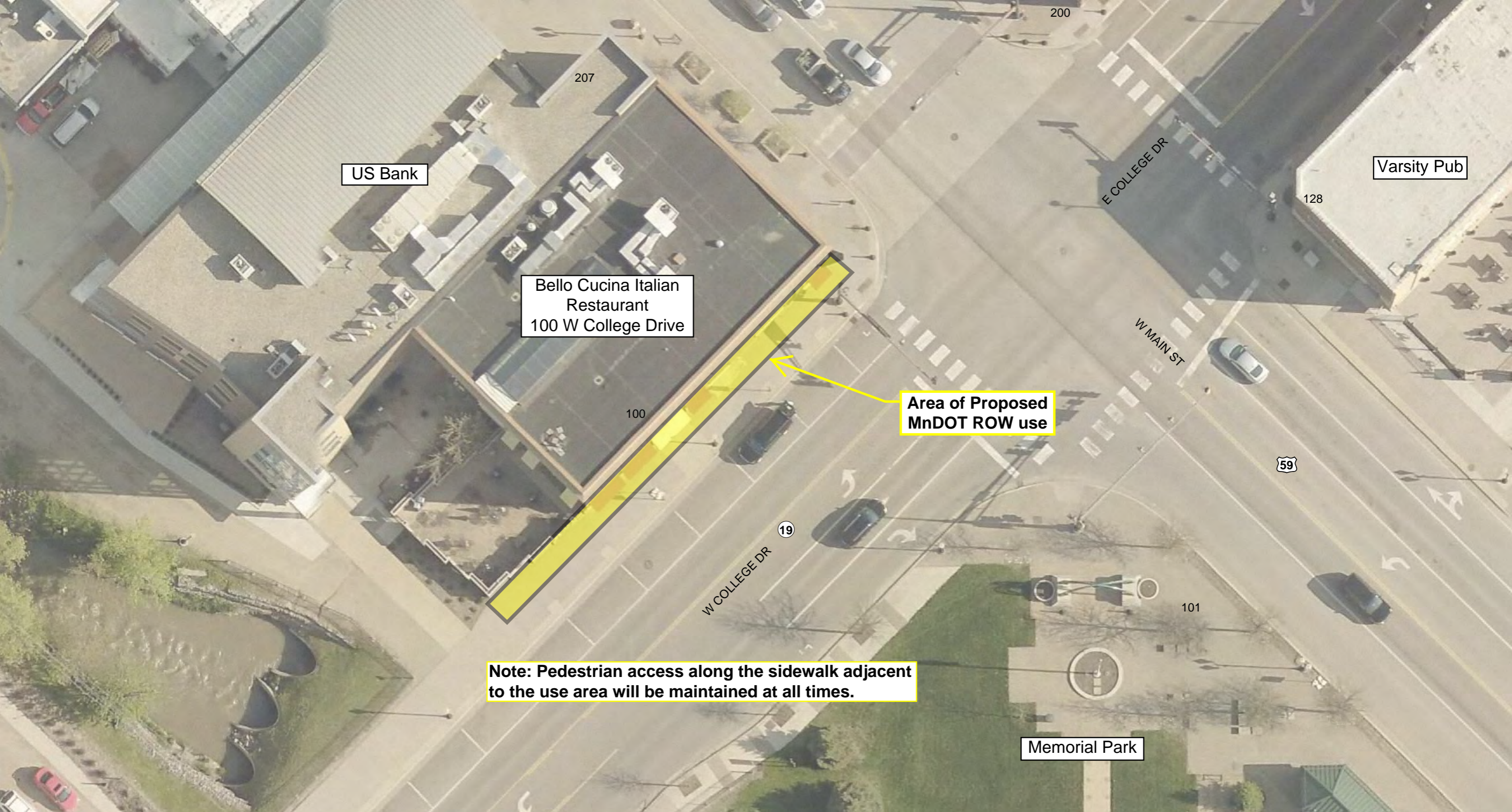
Bello Cucina Italian
Restaurant
100 W College Drive

Varsity Pub

Area of Proposed
MnDOT ROW use

Note: Pedestrian access along the sidewalk adjacent
to the use area will be maintained at all times.

Memorial Park



SPECIAL CONDITIONS REQUIRED FOR OUTDOOR DINING PERMIT BETWEEN MUNICIPALITY AND BUSINESS FOR USE OF TRUNK HIGHWAY RIGHT OF WAY

1. DEFINITIONS:

- a. MUNICIPALITY: City or township authorized to issue a permit for use of trunk highway right of way for the placement of Outdoor Dining Components necessary to conduct outdoor food and beverage service.
- b. OUTDOOR DINING COMPONENT: Items placed on the trunk highway right of way by the Permitted Business, authorized through an Outdoor Dining Permit, to create an outdoor dining area in which to conduct outdoor food and beverage service, including tables, chairs, and refuse containers.
- c. OUTDOOR DINING PERMIT: Permit issued by a Municipality to a Permitted Business for use of trunk highway right of way for the placement of Outdoor Dining Components and the service thereto and maintenance thereof.
- d. OUTDOOR DINING AREA: Portion of trunk highway right of way a Permitted Business is authorized to use through an Outdoor Dining Permit.
- e. PERMITTED BUSINESS: Licensed food and beverage service establishment that is issued an Outdoor Dining Permit.

2. Permitted Business agrees to comply with the following below specifications, requirements, guidelines, and standards:

- a. Collaborate with Municipality to develop a map, for attachment to and incorporation into, the Outdoor Dining Permit, identifying the following:
 - i. Boundaries of the Outdoor Dining Area covered by the Outdoor Dining Permit;
 - ii. Proposed closures of: bike lanes, parking lanes, shoulder, traffic lanes, or roads;
 - iii. Detour routes for closed bike lanes and/or roads;
 - iv. Traffic Control as determined by Municipality (description of proposed traffic control); and
 - v. If appropriate, alternate route for large commercial vehicles or agricultural vehicles.
- b. Comply with all federal, state, and local laws and regulations, including the Minnesota Food Code and all public health and safety guidelines provided by the Minnesota Department of Health and Center for Disease Control in regard to all elements of the Outdoor Dining Area.
- c. Maintain a copy of all food and liquor licenses and the Outdoor Dining Permit onsite.
- d. Permitted Business must place a barrier on the outer edge of the Outdoor Dining Area if serving alcohol in the Outdoor Dining Area.
- e. Maintains sightlines for motor vehicle movements, traffic control devices, and pedestrian crossings. All elements of outdoor dining will remain at least 20 feet from all intersections.
- f. Refrain from obstructing driveways, alleyways, pedestrian ramps, building entrance or exit, emergency entrance or exit, fire hydrant or standpipe, or utility access areas.
- g. Coordinate impacts to bus stops with appropriate transit agency.
- h. Permitted Business will coordinate with Municipality to Install and maintain all traffic control per Minnesota Manual on Uniform Traffic Control Devices for Streets and Highways ("MN MUTCD") and will comply with all traffic control.

- i. When using parking lanes or when closing down through lanes for outdoor dining purposes, use appropriate nighttime traffic control devices (i.e. reflectorized drums, cones, barriers) to direct traffic and to separate vehicle traffic from Outdoor Dining Areas.
- j. When using parking lanes, closing down through lane(s), or otherwise operating a business on trunk highway right of way adjacent to travel lanes with a speed limit of 35 mph or less, stay at least 6 feet from the edge of the nearest travel lane unless a continuous barrier is used. Use of parking lanes or travel lanes for Outdoor Dining Areas will not be permitted adjacent to travel lanes with a speed limit of 36 mph or more. MnDOT is willing to consider closing down through lanes on multiple lane roadways to increase the distance to the nearest travel lane.
- k. When using parking lanes, closing down through lane(s), or otherwise operating a business on trunk highway right of way adjacent to travel lanes with a speed limit of 40 mph, Outdoor Dining Areas must be at least 20 feet from the edge of the nearest travel lane.
- l. When using parking lanes, closing down through lane(s), or otherwise operating a business on trunk highway right of way adjacent to travel lanes with a speed limit of 45 or higher, Outdoor Dining Areas must be at least 40 feet from the edge of the nearest travel lane.
- m. Refrain from blocking drainage structures or impeding drainage.
- n. Refrain from digging or drilling into any hard surfaces (pavements, curbs, sidewalks) without written MnDOT approval.
- o. Remove all Outdoor Dining Components by November 2, 2020 and collaborate with Municipality to restore trunk highway right of way to its previous condition to the satisfaction of the MnDOT District Engineer.
- p. Maintain Outdoor Dining Area in a clean and sanitary condition and maintain all Outdoor Dining Components in good working condition.
- q. Comply with all Title II ADA requirements, including but not limited to clear zones and reach, width and height requirements for accessibility.
 - i. An ADA pedestrian access route (PAR) of four (4) feet for no more than 200 feet is allowed. If the PAR is reduced to four (4) feet for 200 feet or more a turnaround/passing space of five (5) foot x five (5) foot shall be provided.
 - ii. Vertical surface discontinuity shall be a maximum of ¼ inch (or ½ inch if beveled at 1:2).
 - iii. The cross-slope of the PAR shall be two percent (2%) whenever possible and cannot exceed three percent (3%) at any point. Where the sidewalk is greater than 4% this provision will not be applied.
- r. Refrain from placing advertising signs in or on the Outdoor Dining Area. Signs advertising the Permitted Business are allowed in or on the Outdoor Dining Area.



MARSHAL-01

KLBANTA

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

6/2/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Bremer Insurance Agencies, Inc. 208 East College Drive Marshall, MN 56258	CONTACT NAME: PHONE (A/C, No, Ext): (507) 537-0222 FAX (A/C, No): (507) 537-0223 E-MAIL ADDRESS: <table style="width: 100%;"> <tr> <td style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center;">NAIC #</td> </tr> <tr> <td>INSURER A : League of MN Cities Ins Trust</td> <td></td> </tr> <tr> <td>INSURER B :</td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : League of MN Cities Ins Trust		INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER E :															
INSURER F :															
INSURED City of Marshall Marshall Municipal Utilities 344 W Main St Marshall, MN 56258															

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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 THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS												
A	COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Municipal GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:		X	CMC1004461-3	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ Included MED EXP (Any one person) \$ 2,500 PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ 3,000,000 SEE REMARKS FOR \$												
A	AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			CMC1004461-3	10/1/2019	10/1/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$												
A	UMBRELLA LIAB <input type="checkbox"/> OCCUR <input checked="" type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0			MEL1004463	10/1/2019	10/1/2020	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000 \$												
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N <input type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	WC10011442	1/1/2020	1/1/2021	<table style="width: 100%;"> <tr> <td style="text-align: center;">PER STATUTE</td> <td style="text-align: center;">OTH-ER</td> <td></td> </tr> <tr> <td>E.L. EACH ACCIDENT</td> <td></td> <td>\$ 1,500,000</td> </tr> <tr> <td>E.L. DISEASE - EA EMPLOYEE</td> <td></td> <td>\$</td> </tr> <tr> <td>E.L. DISEASE - POLICY LIMIT</td> <td></td> <td>\$ 1,500,000</td> </tr> </table>	PER STATUTE	OTH-ER		E.L. EACH ACCIDENT		\$ 1,500,000	E.L. DISEASE - EA EMPLOYEE		\$	E.L. DISEASE - POLICY LIMIT		\$ 1,500,000
PER STATUTE	OTH-ER																		
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E.L. DISEASE - EA EMPLOYEE		\$																	
E.L. DISEASE - POLICY LIMIT		\$ 1,500,000																	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

State of Minnesota 2020 Minnesota Department of Transportation 395 John Ireland Blvd Saint Paul, MN 55155-1800	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
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Resolution Number 4738, Second Series
A Resolution in Agreement with Temporary Outdoor Dining

Whereas, the City of Marshall resides within the State of Minnesota “Trunk Highway right of Way”

Whereas, the City of Marshall is in support of Temporary Outdoor Dining for its local business to create an outdoor dining area, including tables, chairs and refuse containers

Whereas, the Governor of the State of Minnesota has signed Emergency Executive Order 20-70, Authorizing use of State Right of Way for Outdoor Dining During the COVID-19 Peacetime Emergency.

BE IT RESOLVED, the Mayor and the City Clerk are hereby authorized and directed for and on behalf of the City of *Marshall, Minnesota* to execute and enter into an agreement with the Commissioner of Transportation as set forth and contained in the document entitled “PERMIT-TEMPORARY OUTDOOR DINING”, a copy of which was before the City Council/Township Board and which is made a part hereof by reference.

Signed by the Mayor of Marshall, Minnesota this 5th day of June, 2020.


City Clerk


Mayor