

MODIFYING Chapter 304, “Surety Bonds,” of the Cincinnati Municipal Code by **AMENDING** Section 304-1, “Contractor’s Bond,” to remove language requiring approval as to form of personal and surety bonds, policies of insurance, and securities by the City Solicitor.

WHEREAS, Cincinnati Municipal Code (“CMC”) Chapter 304-1, “Contractor’s Bond,” currently requires that the City Solicitor approve as to form all personal and surety bonds, policies of insurance, and securities required of City contractors, before such bonds, policies, or securities may be accepted; and

WHEREAS, the review of personal and surety bonds, policies of insurance, and securities as to form does not involve substantive legal review, but is instead limited to verification of signatures and dollar amounts; and

WHEREAS, CMC 304-1 currently requires personal and surety bonds, policies of insurance, and securities be reviewed and approved as to sufficiency by a designated officer or the Director of Finance, which adequately protects the City’s financial interests, and those designative officers may ask the City Solicitor for advice regarding any legal issues concerning bonds or insurance policies that may arise; and

WHEREAS, to reduce redundancy and use City resources more efficiently, Council wishes to modify CMC 304-1 to eliminate mandatory, duplicative review of personal and surety bonds, policies of insurance, and securities by the City Solicitor; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Section 304-1, “Contractor’s Bond,” of Chapter 304, “Surety Bonds,” of the Cincinnati Municipal Code is amended to read as follows:

Sec. 304-1. Contractor’s Bond.

- (a) Except as provided in this section, every personal and surety bond, policy of insurance, and security, which law or ordinance may require any person, firm, or corporation to furnish to the city of Cincinnati as a condition of:
 - (1) the issuance, renewal, or reinstatement of a license or permit; or
 - (2) the exercise of a privilege; or
 - (3) as security for (i) the performance of a contract with the city or (ii) the compliance with any law, ordinance, or administrative requirement for the deposit of public moneys of the city,

shall be approved as to sufficiency by the officer designated for that purpose or by the director of finance, ~~and as to form by the city solicitor~~, before such bond, policy, or security is accepted.

- (b) The city solicitor is not required to approve as to form and legality ~~the liability insurance policies provided to the city by public vehicle license applicants as required by Section 407-27 of the Cincinnati Municipal Code~~ any personal or surety bond, policy of insurance, or security prior to its acceptance by the city, notwithstanding any such requirement within the municipal code or any provision of the Ohio Revised Code.

Section 2. That the proper City officials are authorized to take all necessary and proper actions to carry out the provisions of Section 1, including updating applicable rules and regulations and policies and procedures in accordance with the modifications to the Cincinnati Municipal Code provided for herein.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2024

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are indicated by strikethrough; additions are indicated by underline.