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ORDINANCE NO. 25777

AN ORDINANCE AMENDING TITLE 35, TULSA REVISED ORDINANCES (TRO), "INFRASTRUCTURE DEVELOPMENT," CHAPTER 2, "INFRASTRUCTURE DEVELOPMENT PERMITS," SECTION 202, "CONTRACTS, BONDS AND INSURANCE," SUBSECTION B(3)(b), "CONTRACTOR'S ANNUAL CONSTRUCTION CONTRACT, BONDS AND INSURANCE," TO ELIMINATE THE REQUIREMENT OF A WAIVER OF SUBROGATION ENDORSEMENT ON AN OWNER'S PROTECTIVE LIABILITY POLICY; TO CLARIFY THE REQUIREMENT OF WRITTEN NOTICE OF CANCELLATION FOR NON-PAYMENT OF PREMIUM; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 35, Chapter 2, Section 202, Subsection B(3)(b), Tulsa Revised Ordinances, be and the same is hereby amended to read as follows:

- "b. Insurance: All required insurance coverage shall be submitted by the contractor prior to execution of an annual contract. Coverage shall be written by a solvent company acceptable to the City and authorized to do business in the state of Oklahoma. The following coverages shall be required:
- (1) Workers' compensation insurance. As prescribed by the laws of the state of Oklahoma, the contractor shall provide and require the subcontractor to similarly provide workers' compensation insurance for all employees, unless such employees are covered by the protection afforded by the permittee's insurance coverage.
 - (2) Public liability insurance. The contractor shall procure and maintain during the duration of any permit or any extension thereof contractor's public liability insurance in an amount not less than One Hundred Seventy-Five Thousand Dollars (\$175,000.00) for injuries (including accidental death) sustained by any one (1) person in a single accident or occurrence, and in an amount not less than One Million Dollars (\$1,000,000.00) for injuries sustained by two (2) or more persons in a single accident or occurrence and contractor's property

damage insurance in an amount not less than One Hundred Thousand Dollars (\$100,000.00).

- (3) Owner's protection liability insurance. The contractor shall also furnish an owner's protective liability policy in the amounts specified in paragraph 202.B.3.b(2), above, with the City of Tulsa as the named insured, issued by the same insurance company as the contractor's liability carrier, protecting the City of Tulsa against any and all actions, claims, judgments or demands arising out of or on account of injuries of whatever kind and character sustained by any person or persons on account of the construction of such work as may be performed by the contractor pursuant to the permit issued by the director. An exception to the "same insurance company" may be made only if the contractor's public liability policy is endorsed with "Waiver of Transfer of Rights of Recovery Against Others to Us," or equivalent, endorsements. Waiver under the contractor's public liability policy shall be in favor of the City.
- (4) Insurance certificates. The contractor shall furnish the City an original and a duplicate certificate of insurance which shall indicate the types of insurance carried and the amounts of coverage. The contractor shall also provide the City with two (2) copies of the policy of insurance issued by the contractor's insurance carrier.
- (5) Notice of cancellation. All insurance policies and certificates shall contain clauses stating that the policies cannot be canceled by the insurer without the insurer's giving the City thirty (30) days' prior written notice of cancellation, except that ten (10) days' notice of cancellation will be provided for non-payment of premium. Cancellation of a required insurance policy shall automatically revoke any permit and all work by the permittee shall thereupon immediately terminate."

Section 2. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 3. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

ADOPTED by the Tulsa City Council, this 15th Day of April 2026

Karen Gilbert, Chair of the City Council

APPROVED by the Mayor of the City of Tulsa, Oklahoma, this 22nd Day of April 2026

Monroe Nichols IV, Mayor

ATTEST: Christina Chappell, City Clerk

APPROVED: Jack Blair, City Attorney



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