

Ruth Lake Community Services District Policy Handbook

Policy Number: 6040

Policy Name: Insurance requirements for recreational sub-lease holders

6040.1 Required coverage:

6040.11 Sublessee shall at **Sublessee's** own expense at all times during the term of sublease cause to be maintained in full force and effect a policy or policies of public liability and property damage insurance issued by an insurance company or companies approved by **RLCSD** providing limits of at least \$300,000.00 per occurrence or \$300,000.00 combined single limit. **Sublessee** further agrees to add **RLCSD** and **HBMWD** as additional insureds under such policy or policies and to furnish **RLCSD** with copies of said policy or policies or with certificates of insurance and endorsements as evidence thereof.

6040.12 The Sub-lease contract between the Ruth Lake Community Service District and the recreational sub-lease holders of road access sub-lease sites also requires that fire insurance, with extended coverage, must be maintained on all improvements on the sub-leased premises for their full replacement value.

6040.13 The sub-lease contract does require that the Sub-lease holder defend and indemnify Ruth Lake CSD, Humboldt Bay MWD, the County of Trinity, and the State of California, their agents or employees, free and harmless of and from all claims, demands, damages, costs, attorney's fees and liability of whatever kind or character asserted by any person or persons on account of damage to property or injuries to or death of any person occurring upon or about the subleased premises, or arising out of the use of the subleased premises by Sub-lessee.

6040.2 Required filing

6040.21 Each policy, or a certificate of the policy, together with evidence of payment of premiums, shall be deposited with RLCSD by the sub-lease holder or agent within **30 days** of assignment or transfer of sublease.

6040.22 A current policy or certificate must be on file with the District and must clearly state the amount of liability insurance, the amount and type of fire insurance coverage, the beginning and expiration dates, the lease site number or address that the policy covers.

6040.23 Policies or certificates which have expiration dates which state “valid until cancelled” or similar wording must be updated annually since the District will have no reliable way of confirming the policies continued coverage. The District’s experience has shown that some agents or their underwriters are not consistent in updating this information.

6040.3 Inability to find required insurance coverage

6040.31 If the sub-lease holder is unable to obtain fire insurance on existing structures for any reason, they may request that the fire insurance requirement of the contract be waived in exchange for increased liability insurance in the amount of \$500,000.

6040.32 This waiver is only offered to those leaseholders with improvements valued at less than \$50,000 by the Trinity County Assessors Office. The sub-lease holder must provide some form of proof that a good faith effort was made to obtain the required fire insurance.

6040.4 When several sub-leaseholders share a sublease site, the insurance requirements may be met by any one or several of the sublease holders. However, this in no way cancels the individual sublease holder’s responsibility to protect and indemnify the District or others as required in the sublease contract.

6040.5 Failure to provide proof of insurance: Any sub-lease holder who fails to provide proof of insurance as required by the sublease contract and this policy, will have their contract cancelled as allowed under the sub-lease contract.

Approved by the Board of Directors: **07/08/2004**

Updated by the Board of Directors: 12/10/2015