



Town of Tiburon – Public Works Department
(Revised 7-26-2016)
Informational Handout on Dog Walking Permit Program
For Four or More Dogs

Thank you for your interest in the Dog Walking Permit Program. The Town's Municipal Code prohibits walking more than three dogs in most public places in the Town. However, with a permit, you can walk up to six (6) dogs at any one time on specified Fire Roads located on Town Open Space. This packet describes how to apply for, obtain and use a Dog Walking Permit.

CONTENTS

This Information Packet is supplemented with the following materials and maps:

- Attachment A: Tiburon Municipal Code Sections and Definitions Regarding Dogs
- Attachment B: Dog Walking Permit Application Form
- Attachment C: Permit Conditions for Dog Walking and Fire Road Location Maps
- Attachment D: Example of Town Insurance Endorsement Requirements

PURPOSE OF THE PROGRAM

To ensure that all users have a safe and pleasant experience on Town Open Space, the Town requires a permit for any person who walks more than three (3) dogs at any one time on Town Open Space. A Dog Walking Permit holder may walk up to six (6) dogs at a time on specified Fire Roads in Town Open Space.

See Attachment A for Town laws governing dog walking in the Town.

PERMIT PROCEDURE

Applicants for Dog Walking Permit shall follow the procedures below:

1. Obtain a Dog Walking Permit application package from the Public Works Department located at Town Hall or on-line at www.townoftiburon.org.
2. Complete and return the Dog Walking Permit application form along with all required attachments and the \$150 permit processing fee to the Town of Tiburon Public Works Department at Tiburon Town Hall, 1505 Tiburon Blvd. Tiburon, CA 94920. An incomplete packet will be returned unprocessed.
3. Within thirty (30) days following the receipt of a completed application packet and payment of processing fees, staff will complete a review of the application and required

applicant to set an appointment to meet in person to review permit conditions and receive a copy of their approved permit and required identification (ID) vest(s). Staff will collect the deposit fees for the vests at that time.

By accepting a Dog Walking Permit, the Dog Walker agrees to abide by the Permit Conditions and the Town's Municipal Code regulations regarding dogs. Applicant also agrees to inform, educate and guarantee that all his/her employees or agents who will be walking dogs on Town Open Space are aware of and abide by the regulations and permit conditions.

PERMIT ENFORCEMENT AND ADMINISTRATION

The Director of Public Works has discretion to select the appropriate means of enforcing permit requirements.

Fines and Enforcement: Fines for violation of municipal code regulations and violations of dog walking permit conditions will be administered through the Town's Administrative Citation process or other available method as set forth in the Tiburon Municipal Code.

Modification of Permit Conditions: The Director of Public Works may immediately and without notice modify permit conditions for reasons of safety (human or animal) or for critical resource protection. For other modifications, permit holders will be notified at least thirty (30) days in advance of the proposed modification(s) taking effect.

Revocation or Suspension of Dog Walking Permits: The Town reserves the right to revoke or suspend permits based on complaints, violations, expired insurance or licenses, or for other good cause.

Surrender of Permit Upon Revocation or Suspension: Upon revocation or suspension of a permit, the permit holder will immediately surrender their permit and will return all identification vests issued under the permit to Public Works staff within three (3) days. Vests may be returned in person or mailed to:

Tiburon Public Works Department
1505 Tiburon Blvd.
Tiburon, CA 94920

Appeals: Permit holders who have their permit revoked, suspended or modified by the Public Works Department may appeal that action within ten (10) days to the Planning Commission, whose decision shall be final. Appeals shall be submitted on a form prescribed by the Tiburon Town Clerk. The appeal filing fee is \$500.

Voluntary Cancellation: In the event that a permit holder voluntarily cancels or surrenders their permit, all vests issued must be returned within three (3) days of the cancellation or surrender to the Public Works Department.

ATTACHMENT A
TIBURON MUNICIPAL CODE REGULATIONS CONCERNING DOGS

20-2.160 Dogs running at large in certain public places.

It is unlawful for the owner/guardian or person having control of any dog to permit the dog to run at large in any public place, including without limitation, parks, school grounds, commercial districts, wildlife preserves or game refuges, or in any public watershed areas; except where the Town Council by ordinance or resolution has specifically permitted dogs to run at large; and where signs acknowledging such permission have been erected by the Town. Every dog found running at large in violation of the provisions of this section shall be immediately seized and impounded. Any duly authorized peace officer or person exercising peace officer powers shall be entitled to take such other action as may be reasonably necessary for the protection of public health and safety.

20-2.165 Dogs---Owner/guardian responsible for removing feces.

It is unlawful for the owner/guardian or person having custody or control of any dog to allow such dog to defecate upon any public property or upon any private property not owned or possessed by said person unless the person immediately removes and disposes of the feces in a sanitary manner.

20-2.170 Dogs running on certain private lands.

It is unlawful for the owner/guardian or person having control of any dog to suffer or permit the same to run upon the lands of another whereon livestock or domestic fowl are kept, without the consent of the owner/guardian or person entitled to the use or possession of such lands.

20-2.171 Walking of More than a Certain Number of Dogs Prohibited.

- a) It is unlawful for any person to walk more than three (3) dogs at any one time in any Public Place in the Town of Tiburon, except as allowed in section 20-2.173.
- b) Subsection (a) above shall not apply to any person on land owned by the Marin County Open Space District ("District"), provided that said person is in full compliance with any applicable rules and regulations promulgated by the District.

20-2.172 Dogs Prohibited in Biologically Sensitive Areas

It is unlawful for any person having control of any dog to allow said dog to enter a Biologically Sensitive Area or any area identified by appropriate signage or other demarcation as an area not to be entered.

20-2.173 Dogs on Town Open Space.

- a) It is unlawful for any person to walk more than three (3) dogs at any one time in any Public Place other than on a Fire Road in Town Open Space specifically

signed to allow Dog Walkers. In no instance shall a person walk more than six (6) dogs at any one time, and in no instance shall a person walk more than three (3) dogs on any Trail in any Town Open Space.

- b) Any person walking more than three (3) dogs at any one time on any Town Open Space pursuant to subsection (a) above must be in possession of a Dog Walking Permit issued by the Tiburon Public Works Department, and must be wearing a numbered Identification Vest issued by the Tiburon Public Works Department.
- c) Any Dog Walker failing to possess a Dog Walking Permit or failing to wear the Town-issued Identification Vest shall be in violation of this section and shall be punishable as set forth in section 20-1.005.
- d) Any Dog Walker failing to comply with any of the conditions of their Dog Walking Permit shall be in violation of this section and shall be punishable as set forth in section 20-1.005.
- e) Notwithstanding the foregoing, this section shall not apply to any person on land owned by the Marin County Open Space District (“District”), provided that said person is in full compliance with any applicable rules and regulations promulgated by the District.

20-2.175 Control of dogs--Leash requirement in certain places.

It is unlawful for the owner/guardian or person having custody or control of any dog to allow such dog in the places listed below unless such dog is restrained by a leash of sufficiently short length to enable such person to maintain constant control over such dog:

- a) The entire length of the Old Rail Trail (former railroad right-of-way), defined as the paved pathway commencing on the west at Blackie’s Pasture Road and terminating on the east at the intersection of Cove Road and Tiburon Boulevard;
- b) McKegney Green, defined as the large grassy field located in the Richardson Bay Lineal Park across Tiburon Boulevard from Del Mar Middle School and immediately northwest of the prominent knoll (South Knoll) located near the public street known as Pine Terrace;
- c) South Knoll Park and Playground, defined as that portion of Richardson Bay Lineal Park bounded on the north by South Knoll, on the east by the Multi-use Path, and on the south and west by Richardson Bay, including the irrigated and non-irrigated field areas and the playgrounds;
- d) Zelinsky Park and Railroad Marsh, defined as those grassy park and freshwater marsh and fringe areas located directly behind (north of) the Belvedere Public Library and Tiburon Town Hall at 1501-1505 Tiburon Boulevard, and bounded on the west by Mar West Street, on the east by the Point Tiburon Marsh residential condominiums, and on the north by the Judge Field portion of the Tiburon Peninsula Club property;
- e) Shoreline Park, defined as the park located in the downtown area between Paradise Drive on the north, San Francisco Bay on the south, Mar West Street on the east, and the Main Street/Tiburon Boulevard intersection on the west;
- f) Any street, sidewalk or parking lot in the downtown area, as that term is defined in Section 20-1.002;
- g) Any commercial district, as that term is defined in Section 20-1.002.

20-2.177 Control of dogs by responsible person----General

(a) Every owner/guardian or possessor of a dog shall at all times prevent such dog from biting or physically harassing any person engaged in a lawful act and from interfering with the lawful use of public or private property.

(b) Every owner/guardian or possessor of a dog shall at all times prevent such dog from causing injury to another domestic animal that results in veterinarian treatment or death while such domestic animal is lawfully upon public or private property.

(c) Every owner/guardian or possessor of a dog shall desist from commanding or provoking such dog to attack, sic or threaten a person when such person is peaceably and lawfully upon public or private property.

Relevant Definitions

Biologically Sensitive Area: An area where biologically sensitive flora or fauna are known or believed to exist and which is identified by appropriate signage or other demarcation as an area not to be entered.

Dog Running at Large: A dog that is not under the immediate control and direction of a competent, responsible person who is capable of controlling the dog.

Dog Walker: A person who brings more than three (3) dogs into a Public Place at any one time.

Dog Walking Permit: A permit issued by the Tiburon Public Works Department authorizing a Dog Walker to walk a maximum of six (6) dogs at any one time on Town Open Space. Permits will be valid for one year from the date of issuance.

Fire Road: A readily identifiable and generally twin-track or graded passage way in Town Open Space capable of providing vehicular use, specifically for emergency and maintenance vehicles. Fire roads are generally at least eight (8) feet wide.

Identification Vest: A numbered vest issued by the Tiburon Public Works Department to Dog Walking Permit holders.

Public Place: Any and all areas that are open for public use whether or not such area is in public or private ownership. The term "public place" as used in this Chapter shall include, without limitation and without regard to whether such property is publicly or privately owned, streets, sidewalks, pathways, parks, pedestrian ways, schoolyards, beaches, and parking lots.

Town Open Space: Any Town-owned Public Place that is protected from development by state or local law, easement, grant deed or other legally binding instrument. Town-owned Public Places include land that the Town owns outright or in which the Town holds an easement, leasehold or other real property interest. Town Open Space lands are generally zoned "OS--Open Space" on the Tiburon Zoning Map.

Trail: A readily-identifiable and often incised unpaved passage way in Town Open Space that is generally single-track and generally allows users to walk not more than two abreast. Trails are not permitted to have vehicles on them and are generally not more than two (2) to three (3) feet wide.

ATTACHMENT B

PERMIT APPLICATION FOR DOG WALKING ON TOWN OPEN SPACE

Complete this form to apply for permission to walk more than three (3) dogs at any one time on specified Fire Roads in Town Open Space. Before signing this application form, read the attachments carefully to become familiar with the standard conditions of approval and with Town ordinances regarding dogs.

Return completed application form with all required attachments and the filing fee of \$150 to the Town of Tiburon Public Works Department at Tiburon Town Hall, 1505 Tiburon Boulevard, Tiburon, CA 94920. Incomplete packets will not be processed and will be returned to the applicant. For questions, call (415) 435-7354.

APPLICANT INFORMATION (please print clearly; use blue or black ink)

1. Name: _____
2. Driver's License No. _____
3. Company Name (if applicable): _____
4. Address: _____ City: _____ State: _____ Zip: _____
5. Phone (Home): _____ Phone (Cell): _____
6. Email: _____
7. Business License No. _____ Insurance Carrier & Policy No. _____
(please attach a copy of each)
8. Dog Walking is permitted between the hours of 7AM and 7PM
9. Applicants are issued one vest per approved permit. After permit approval, the permit holder may obtain additional permits by payment of \$20.00 per vest (non-refundable) and a deposit of \$50.00 per additional vest (refundable upon surrender of the vest to the Town in good condition). **Number of vests requested:** _____
10. Applicants will provide written proof (Certificate of Completion/Graduation) to the Town demonstrating they have completed a class in dog obedience from the Marin Humane Society or an equivalent organization when applying for a permit.

Any applicant who walks or intends to walk dogs for a fee or other compensation must provide proof to the Town they have a valid Town of Tiburon business license before the Town issues the permit.

Any Applicant who walks or intends to walk dogs for a fee or other compensation must provide proof to the Town that they have obtained general liability insurance in an amount not less than \$1,000,000 that names the Town of Tiburon and the Public Works Department as additional insureds by separate endorsement. Coverage must be primary / non-contributory. Insurance and business license must meet all Town requirements and be maintained for the full term of the permit.

ACCEPTANCE BY REQUEST

The above stated applicant hereby agrees to protect, save, hold harmless, defend and indemnify the Town of Tiburon and the Tiburon Public Works Department from any and all claims, liabilities or causes of action, including claims for injuries and death to persons or damage to persons or property arising out of or in connection with the activity within Town Open Space. By their signature the applicant understands that issuance of a Dog Walking Permit shall not create any entitlement to applicant after the expiration of the permit period, or after any earlier revocation of the permit. Permit holder agrees to abide by all rules, land use regulations, permit conditions and any directions related to their use of Town Open Space, and agrees to inform and educate all their employees/vest holders during this permit as to its requirements.

Name (print): _____

Signature: _____ Date: _____

APPROVAL BY TOWN

This application has been approved subject to Town rules, regulations and attached conditions.

Signature: _____ Date: _____

Dog Walking Permit No. _____

Vest No(s). _____

Permit Expiration Date: _____

ATTACHMENT C

CONDITIONS OF DOG WALKING PERMIT

Permit holders and permit users must obey all applicable dog-related regulations (attached) within the Tiburon Municipal Code as well as the following conditions:

1. Dog Walkers may exercise the permit only between the hours of 7AM and 7 PM.
2. Dog Walkers and dogs must remain on specified Fire Roads at all times (see attached location maps).
3. Dog Walkers are limited to a maximum of six (6) dogs at any time on Town Open Space per the Municipal Code. Dog Walkers shall not have more than three (3) dogs off leash at a time.
4. Dogs must be kept under the immediate supervision and control of the Dog Walker at all times. This means, without limitation, the following:
 - a. All dogs must be in view of the Dog Walker and no more than 20 feet from the Dog Walker while on Open Space.
 - b. All dogs must return to Dog Walker immediately when called (two calls with a return limit of 10 seconds).
5. Dog Walkers must carry on leash per dog under their supervision while on Town Open Space.
6. Dogs must not disturb other users of Town Open Space and must be under physical control of the Dog Walker. Disturbance is defined as unwelcome touching, jumping, or displaying threatening behavior and/or physically harming person(s), other animals or wildlife.
7. Dog Walkers shall pick up their dogs' waste during their use of Town Open Space, and shall dispose of it in an appropriate solid waste disposal receptacle. Bagged dog waste must not be left at fire road heads, along trails or anywhere else on Open Space except in appropriate solid waste disposal receptacles. Unless disposed of in this manner, dog waste must be carried at all times.
8. All dogs four (4) months or older that are brought onto Town Open Space are required to have a current and valid dog license.
9. Vicious dogs and Potentially Dangerous dogs, as those terms are defined in Tiburon Municipal Code Section 20-2-181 are not allowed on Town Open Space.

10. When using Town Open Space for dog walking, all Dog Walkers (and their employees) must carry a copy of their permit and dog obedience class certificate and make it available to Town Staff or any law enforcement agent when requested. Dog Walkers must also wear the Town sanctioned ID vest that identifies them as a Dog Walker who holds a valid permit issued by the Town of Tiburon. No alterations may be made to the vest. No substitutions may be made for the Town issued ID vests.

11. Complaints about a Dog Walker's use of Town Open Space or non-compliance with permit conditions may warrant revoking or suspending the permit at the Town's discretion.

12. Dog Walking Permits are valid for one year from the date of issuance.

13. Any Dog Walker that walks dogs for a fee or other compensation must have proof of the required insurance and business license required by the Municipal Code. Failure to have the required insurance and/or business license is grounds for immediate revocation of the permit.

Applicant Signature: _____

Return this Permit Condition form (signed) with the application.

DO NOT WRITE BELOW THIS LINE – OFFICE USE ONLY

Insurance Complete (circle one): Yes No Insurance Expires: _____

Tiburon Business License Expires: _____

Total fee owed: _____ (\$150 permit processing) (\$50 refundable vest deposit)

Fee paid: _____ (cash or check payable to Town of Tiburon)

Permit valid from _____ to _____

Vest No(s). Issued: _____ Vest Deposit: \$ _____

Attach Fire Road Location Maps and Municipal Code Regulations to Each Permit.

MIDDLE RIDGE FIRE ROADS

Middle Ridge encompasses five (5) different open space areas, therefore no black boundary lines were incorporated into the map.

Total fire road mileage is approximately 0.45 miles.

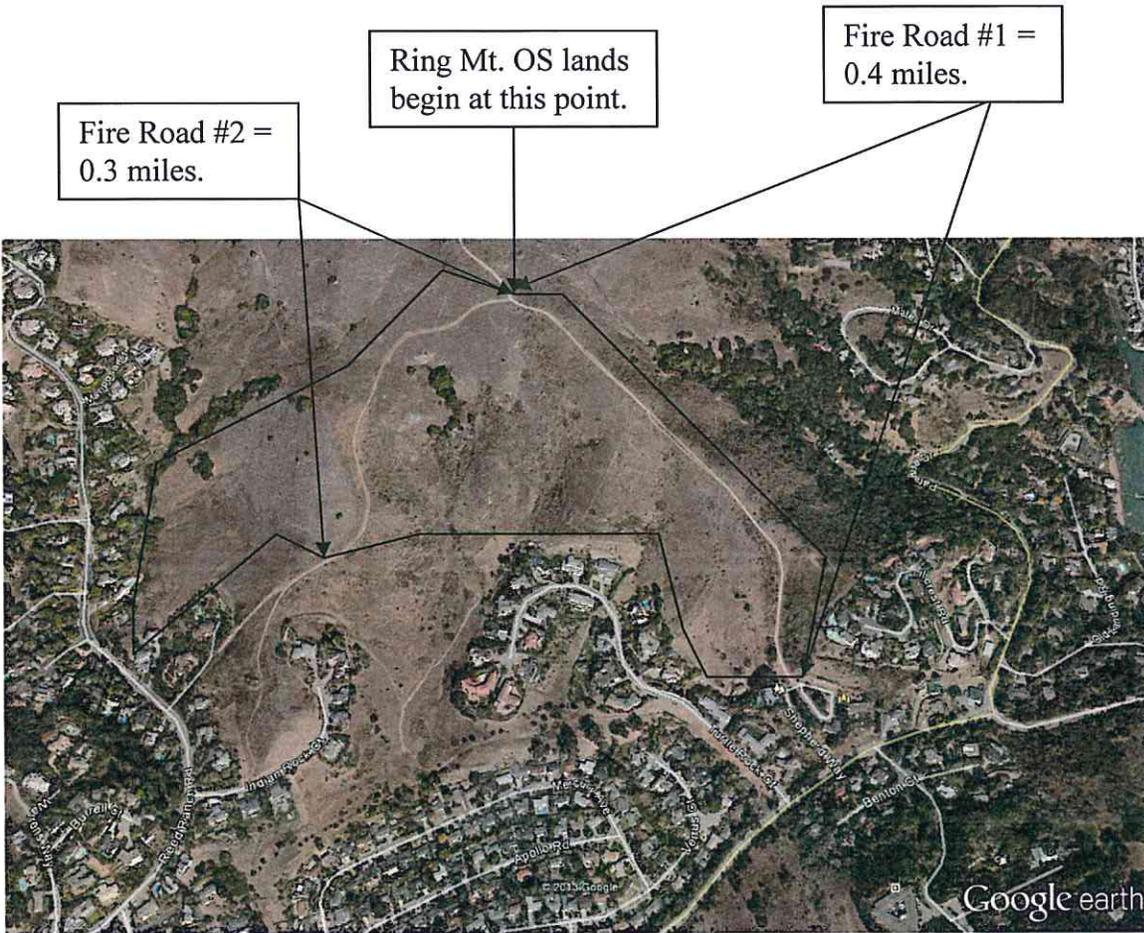
Fire Road # 1
Upper Middle
Ridge to Hacienda
= 0.2 miles.



Fire Road # 2 Hacienda to
Hippie Tree = 0.15 miles.

Fire Road # 3 Hippie Tree
to Lower Fire Rd on Middle
Ridge = 0.1 miles.

ATKINSON OPEN SPACE FIRE ROADS



Atkinson Open Space – Black outline indicates approximate border. Total fire road mileage is approximately 0.7 miles.

ATTACHMENT D

SAMPLES OF TOWN-REQUIRED INSURANCE CERTIFICATES



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
12/7/2015

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 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 Sadler and Company PO Box 125 Kentfield CA 94904 Phone: 415-457-2400 Fax: 415-457-2520	CONTACT NAME: LINDA A. HOLST
	PHONE (A/C, No, Ext): 415-457-2400 FAX (A/C, No): 415-457-2520 E-MAIL ADDRESS: LINDA@SADLERINC.COM
	INSURER(S) AFFORDING COVERAGE
	INSURER A : SCOTTSDALE INS. CO.(SCOT-AM G.A.)
	INSURER B :
	INSURER C :
	INSURER D :
	INSURER E :
	INSURER F :

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.

ISR TR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	X	X	CPS2165800	09/24/2015	09/24/2016	EACH OCCURRENCE \$ 1,000,000.00 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000.00 MED EXP (Any one person) \$ 5,000.00 PERSONAL & ADV INJURY \$ 1,000,000.00 GENERAL AGGREGATE \$ 2,000,000.00 PRODUCTS - COMP/OP AGG \$ 2,000,000.00
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input checked="" type="checkbox"/> OTHER: OCCURENCE						
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

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

ADDITIONAL INSURED LISTED BELOW AS CERTIFICATE HOLDER WITH RESPECTS TO THE ABOVE NAMED INSURED DURING USUAL BUSINESS OPERATIONS PER FORM CG 20 12 04 13 ATTACHED.

CERTIFICATE HOLDER Town of Tiburon Public Works Department 1505 Tiburon Blvd. Tiburon, Ca. 94920	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. SADLER & COMPANY, INC. AUTHORIZED REPRESENTATIVE BY <i>[Signature]</i>
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THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - STATE OR GOVERNMENTAL
AGENCY OR SUBDIVISION OR POLITICAL
SUBDIVISION - PERMITS OR AUTHORIZATIONS**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

State Or Governmental Agency Or Subdivision Or Political Subdivision:

TOWN OF TIBURON
PUBLIC WORKS DEPARTMENT
1505 TIBURON BLVD
TIBURON CA 94920

COVERAGE IS PRIMARY AND IS NOT EXCESS OR CONTRIBUTING WITH ANY OTHER INSURANCE OR SELF-INSURANCE MAINTAINED BY THE ADDITIONAL INSURED

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who Is An Insured is amended to include as an additional insured any state or governmental agency or subdivision or political subdivision shown in the Schedule, subject to the following provisions:

- 1. This insurance applies only with respect to operations performed by you or on your behalf for which the state or governmental agency or subdivision or political subdivision has issued a permit or authorization.

However:

- a. The insurance afforded to such additional insured only applies to the extent permitted by law; and
- b. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

2. This insurance does not apply to:

- a. "Bodily injury", "property damage" or "personal and advertising injury" arising out of operations performed for the federal government, state or municipality; or
- b. "Bodily injury" or "property damage" included within the "products-completed operations hazard".

B. With respect to the insurance afforded to these additional insureds, the following is added to Section III - Limits Of Insurance:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

- 1. Required by the contract or agreement; or
- 2. Available under the applicable Limits of Insurance shown in the Declarations;

whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations.