



PLEASE PRINT

LEG-1001

LEGAL DEPARTMENT – CLAIMS DIVISION

CLAIM NOTIFICATION FORM
Property Damage – Snow Clearing Operation

IMPORTANT - Prior to completing this form, please read the following:

SECTION 1

The City of St. John's only pays claims for damage resulting from the improper or negligent handling of equipment or inadequate or improper equipment or procedures.

The City of St. John's does not pay for damage resulting from "weight of snow" and/or for damage from snow blown onto properties, as per Section 179.1 of the City of St. John's Act, which reads:

"179.1 The City is not liable for nuisance."

This section recognizes that snow must be plowed from City streets in order for the City to operate. It is unreasonably expensive to remove the snow by truck or otherwise. Therefore, depending on the amount of snow that is required to be plowed from streets, snow will be plowed from City streets onto private property. From time to time, this snow may cause or contribute to damage to property. The City is not liable for such damage.

IT IS THE RESPONSIBILITY OF ALL PERSONS MAKING A CLAIM TO PROVIDE SUFFICIENT EVIDENCE TO PROVE THEIR CLAIM. EVIDENCE OF DAMAGE ALONE IS NOT ENOUGH. THE MORE EVIDENCE THAT CAN BE PROVIDED, THE GREATER THE LIKELIHOOD OF YOUR CLAIM BEING PAID.

IF THE ATTACHMENTS REQUESTED IN SECTION 6 OF THIS FORM ARE NOT PROVIDED, THIS CLAIM WILL NOT BE CONSIDERED. ANY AND ALL DOCUMENTATION PROVIDED IN SUPPORT OF YOUR CLAIM (INCLUDING PHOTOS, SURVEYS, AND PERMITS) WILL NOT BE RETURNED. IT IS RECOMMENDED THAT COPIES OF YOUR SUBMISSION BE RETAINED FOR YOUR RECORDS.

CONTACT INFORMATION (to be completed by the Claimant);

SECTION 2

Claimant: _____

Mailing Address: _____

City/Town: _____ Postal Code: _____

Telephone: (home) _____ (work) _____ (cell) _____

E-mail Address _____

CLAIM DETAILS:

SECTION 3

Date of Loss and/or Discovery: _____ Time: _____

Location: _____

DESCRIPTION OF SPECIFIC PROPERTY DAMAGE (e.g. fence, lawn, tree, etc.):

Three horizontal lines for describing property damage.

DETAILED DESCRIPTION OF INCIDENT(S) THAT RESULTED IN DAMAGES: (Please use additional paper if necessary)

Two horizontal lines for detailed incident description.

CLAIM INFORMATION (continued):

SECTION 5

Particulars as to persons (physical description, if known) and/or equipment which caused the damage (e.g. vehicle license numbers, vehicle equipment number and/or description)

DOCUMENTATION TO BE PROVIDED BY CLAIMANT

SECTION 6

Numbers 1 through 3 are **MANDATORY for all claims involving physical structures, including but not limited to, fences and retaining walls.

Number 1 is **MANDATORY only for claims involving lawn/shrubs/tree damage resulting from snow clearing, however, other documentation may be requested for investigative purposes.

Claims submitted without the required documentation will not be considered.

1. Photographs (taken as soon as possible to the time of the incident or discovery of damage);
2. A copy of surveyor's description and plot plan of property (for City to confirm location of fence, wall, etc.);
3. A copy of the permit allowing construction of the damaged property (i.e. fences, rock walls, pressure treated walls, etc.). If unavailable, please advise of the year in which the same was constructed and if applicable, the name of the contractor.

OPTIONAL:

4. Statements of witnesses (including their names, addresses, and telephone numbers);
5. Expert Reports (for example: certified horticulturalist – claims respecting lawn browning, plant and tree damage, etc.);
6. Contractor's estimate of damage (n/a to lawns).

SIGNATURE OF CLAIMANT

SECTION 7

Signature

Date

Please send completed form to:

Legal Department – Claims Division
P. O. Box 908, 10 New Gower Street
St. John's, NL A1C 5M2

For further information:

Call 3-1-1
Where 3-1-1 is unavailable call 709-754-CITY (2489)