



PLEASE PRINT

LEG-1001 Snow Clearing Damage

Legal Department

CLAIM NOTIFICATION FORM
Property Damage – Snow Clearing Operations

Important information – Please read this section prior to completing this form.

SECTION 1

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

The City of St. John’s does not pay for damage resulting from “weight of snow” and/or for damage from snow blown or pushed 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/blown 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/blown 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 4 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

SECTION 2

Claimant: _____

Mailing Address: _____

City/Town: _____ Postal Code: _____

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

Email Address: _____



NEWFOUNDLAND AND LABRADOR, CANADA

Claim Details | **SECTION 3**

Date of Loss: _____ (yyyy/mm/dd) Time: _____ AM PM

or

Date of Discovery: _____ (yyyy/mm/dd) Time: _____ AM PM

Location: _____

Description of Specific Property Damage (e.g. fence, lawn, tree, etc.):

Detailed Description of Incident(s) that resulted in Damages (Please use additional paper if required):

Particulars as to person(s) and/or equipment which caused the damage (e.g. vehicle license plate number, vehicle equipment number, and/or equipment description)

Required Documentation to be provided by the Claimant | **SECTION 4**

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 or 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, etc.). If unavailable, please advise of year in which same was constructed, and if applicable, the name of the contractor.

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Required Documentation (continued)	SECTION 4
<p>4. Statements of witnesses (including names, addresses, and telephone numbers).</p> <p>5. Expert Reports (e.g. certified horticulturalist – claims regarding lawn browning, plant & tree \ damage.</p> <p>6. Contractor’s estimate of damage (not applicable to lawns).</p> <p>Note: Item 1 is mandatory only for claims involving lawn/shrubs/tree damage resulting from snow clearing, however, other documentation may be requested for investigative purposes.</p> <p>Note: Items 1 through 3 are mandatory for all claims involving physical structures, including but not limited to, fences and retaining walls.</p>	
Privacy Notice	SECTION 5
<p>Collection of personal information via this form is authorized under the Access to Information and Protection of Privacy Act, 2015 and is needed for the purpose of adjudicating and processing claims. Questions about the collection and use of the information may be directed to the City Solicitor, Legal Department (legal@stjohns.ca – email) or (709-576-8641 – phone).</p>	
Signature of Claimant	SECTION 6
<p>_____</p> <p>Signature Date (yyyy/mm/dd)</p>	
Please send completed form to:	<p>Legal Department P.O. Box 908, 10 New Gower Street St. John’s, NL A1C 5M2</p> <p>For further information: Phone: (709) 576-8641 Email: legal@stjohns.ca</p>