



# Notice of Claim Form

## About making a claim against the City

**There are strict time limitations under the *Local Government Act* for you to submit your claim.**

**Section 736 of the *Local Government Act* states:**

“A municipality is in no case liable for damages unless notice in writing, setting out the time, place and manner in which the damage has been sustained, is delivered to the municipality within 2 months from the date on which the damage was sustained.”

**The City has certain immunity granted under section 744 of the *Local Government Act* which states:**

“A municipality, council, regional district, board or improvement district, or a greater board, is not liable in any action based on nuisance or on the rule in the Rylands v. Fletcher case if the damages arise, directly or indirectly, out of the breakdown or malfunction of:

- (a) a sewer system,
- (b) a water or drainage facility or system, or
- (c) a dike or a road.”

In particular, the City is not liable for claims arising from:

- water damage resulting from the breaking or blockage of municipal water and sewer infrastructure;
- property damage due to the weight of snow/ice resulting from snow clearing operations; and
- property damage and/or injury resulting from potholes.

The City will not be held responsible for costs unless evidence can be provided that the City committed a negligent act or omission which resulted in injury or damage. City of Prince George only compensates when it is legally liable for damage sustained.

Circumstances of how a property became damaged will determine if there is any liability on the City's part and each scenario will be reviewed individually. If there is evidence the City is responsible, by either an act or omission on its behalf, then consideration may be given to a claim.

**NOTE:** Repairs and cleanup are the property owner's responsibility.

If the loss is covered by insurance, the claimant can deal directly with the insurance company. The company may then, in turn, pursue any party - including the City - believed to be responsible. This is the quickest way to recover costs, and to have repairs and cleanup completed.



CITY OF PRINCE GEORGE

# Notice of Claim Form

Complete the following 2 pages and submit to the Manager, Risk & Procurement with attachments

By Email – [claims@princegeorge.ca](mailto:claims@princegeorge.ca)

By Mail – 1100 Patricia Blvd. Prince George, BC V2L 3V9

By Hand to the City of Prince George Service Centre between 8:30 AM and 5:00 PM (Monday to Friday)

<b>Contact Information</b>	
Name:	
Address:	
Phone:	Email:
<b>Claim Information</b>	
Legal Name of Claimant:	
<b>Contact info of Claimant if different from above:</b>	
Address:	
Email:	Phone:
Date of Loss:	Time of Loss:
Exact Location of Loss:	
This Claim is for: <input type="checkbox"/> Bodily Injury <input type="checkbox"/> Property Damage	
<b>The reason that I believe I have a claim against the City of Prince George is as follows:</b>	



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<b>As a result of the circumstance described above, I suffered the following damage or injury:</b>
<b>Estimated cost to repair damage / injury</b>

## Agreement

Fraudulent claims cost all taxpayers. The City will prosecute all fraudulent claimants to the fullest extent of the law.

I fully understand that this official notice setting forth the time, place and manner in which I sustained damage must be delivered to the Corporate Officer or the Manager, Risk & Procurement in writing within two months from the date on which I sustained the damage. (Section 736 of the *Local Government Act*, R.S.B.C. 2015)

I acknowledge that the City's receipt of this notice does not constitute its acceptance of liability for any damage or loss I sustained, nor has the City provided any advice to me regarding the adequacy of this notice. I acknowledge that the City is not prevented by receipt of this notice from arguing the adequacy of the notice.

The personal information on this form is collected by the City of Prince George for the purposes of processing this application, under the authority of section 26(c) of the *Freedom of Information and Protection of Privacy Act*. If you have any questions about the collection of information, please contact the Manager, Risk and Procurement, at 1100 Patricia Boulevard, Prince George, BC, or by telephone 250-561-7600.

Acknowledgement	
Signature:	Date Signed:
Name Printed:	