

MAKING A PROPERTY DAMAGE CLAIM

Should you decide to make a claim against the municipality, provide written notice to the municipality as soon as possible. Your information should describe what was damaged, how it happened, where it happened and the date and time of the occurrence. Any photographs you take can be included with your letter or provided at a later date. You should try and identify all parties involved. Remember to include your name, home address and all telephone numbers where you can be reached.

The circumstances of how your property became damaged will determine if there is any liability on behalf of the municipality. Each scenario will be reviewed on its own set of facts and if there is evidence that the municipality is responsible by either an act or omission on their behalf, then consideration may be given to your claim.

To report a claim please contact Legislative Services, City of Nanaimo.

For more information please visit www.nanaimo.ca



City of Nanaimo
455 Wallace Street
Nanaimo, BC V9R 5J6
Telephone: 250-754-4251
www.nanaimo.ca
legislative.servicesoffice@nanaimo.ca



PROPERTY DAMAGE INFORMATION

Water Services Potholes and

Road Hazards Construction

Projects

Sewer Backups

IMPORTANT DEADLINE

There are strict time limitations under the *Local Government Act* for you to submit your claim. Subsection 286 (1) 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 municipal clerk **within 2 months** from the date on which the damage was sustained.”*

WATER SERVICES

What is a water service?

A water service is an underground pipe which brings water from the water service box water shut-off valve to your building.

The property owner is responsible for the section of pipe from the building to the shut off valve at property line. The municipality is responsible for the section of pipe between the shut-off valve and the water main.

What is a water main?

The water main normally runs underneath the roadway and provides water to the property.

IN ANY FLOODING SITUATIONS, BE AWARE OF ELECTRICAL HAZARDS!

POTHoles and ROAD HAZARDS

I have damaged my vehicle in a pothole, what should I do?

Do not continue to drive your vehicle if it is not operating properly. See a licensed motor vehicle mechanic. Notify the municipality of the exact location of the pothole or road hazard.

CONSTRUCTION PROJECTS

My property has been damaged as a result of Municipal construction activity. What should I do?

Write down the details of when and how the damage occurred, including the date, time, location, vehicle or equipment number/license plate and if possible, identify the company.

SEWER BACKUPS

Most sewer backups happen because the sewer service is plugged or requires maintenance.

Blockages can be caused by roots, grease, broken service pipes, fishing line, clippings from shrubs, rocks and other debris.

RAW SEWAGE CAN BE A HEALTH HAZARD!

What is a sewer service?

The sewer service from the house to the sewer main is the section of the underground pipe between your building and the municipality's sewer main.

You are responsible for cleaning your sewer service. The municipality is responsible only to maintain the sewer main line.

HELPFUL INFORMATION

Will the Municipality do any repairs or cleanup on private property?

No. Repairs and cleanup are the property owner's responsibility. Contact your insurance broker or insurance company.

Should I call my insurance broker or insurance company?

Yes. This will give your insurer the opportunity to investigate and determine whether or not the loss is covered under your insurance policy. If the loss is covered, they can deal directly with you on your claim. This may be the quickest way for you to recover your costs and have your repairs and cleanup completed. Your insurance company can pursue any party they believe to be responsible for the damages.