



CITY OF CLAREMONT
LIABILITY CLAIM REPORT FORM
 FOR ALL PERSONS OR PROPERTY

BOLDED/ITALICIZED FIELDS ARE REQUIRED OR THE CLAIM FORM WILL BE RETURNED TO YOU AS INSUFFICIENT.

Return to:

City Clerk's Office
City of Claremont
207 Harvard Avenue
PO Box 880, Claremont, CA 91711
cityclerk@claremontca.gov
(909) 399-5461 or (909) 399-5463

CLAIM NUMBER: _____

Pursuant to the Public Records Act, the submitted claim is subject to public disclosure and may be released to the media. Claims for death, injury to person or to personal property, must be filed not later than six months after the occurrence (Gov. Code, Sec. 911.2).

Claims for damages to real property must be filed not later than one year after the occurrence (Gov. Code, Sec. 911.2). Read entire claim form before filing. Attach separate sheets, if necessary, to give full details. Please PRINT OR TYPE your information.

TOTAL AMOUNT CLAIMED: \$ _____
(Estimate amount of any prospective injury or damage. If no dollar amount is included, the claim form will be returned to you as insufficient.)

DATE OF INCIDENT: _____

Time: _____ a.m. p.m.*(Insert actual date or date range for ongoing property damage)*

NAME OF CLAIMANT: _____ Age: _____

HOME ADDRESS OF CLAIMANT (street, city and state): _____

Home Phone: _____ Cell Phone: _____

E-Mail: _____

ADDRESS (IF DIFFERENT FROM HOME) TO WHICH NOTICES/COMMUNICATIONS ARE TO BE SENT REGARDING THIS CLAIM:

PLACE OF INCIDENT (Be specific): _____

HOW DID DAMAGE OR INJURY OCCUR? (Be specific as to circumstances of occurrence, describe damages and state how you believe city is responsible. Use additional pages if necessary.):

NAME OF PUBLIC EMPLOYEE OR ENTITY CAUSING DAMAGE: _____

How was amount of claim computed? (Be specific, list bills, wage rate, repair estimates, etc. Provide copies.):

Were police at the scene? Yes No

Expenditures made on account of incident or injury (Date and item):

Name and address of witnesses, doctors and hospitals:

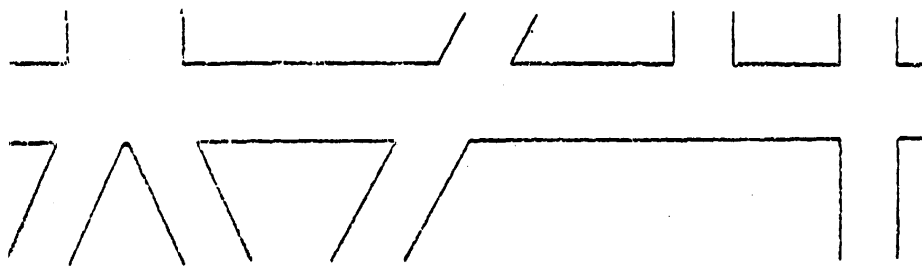
PLEASE READ THE FOLLOWING CAREFULLY:

For all accident claims, place on the following diagram names of streets, including north, south, east and west; indicate place of accident by "X" and by showing house numbers or distances to street corners.

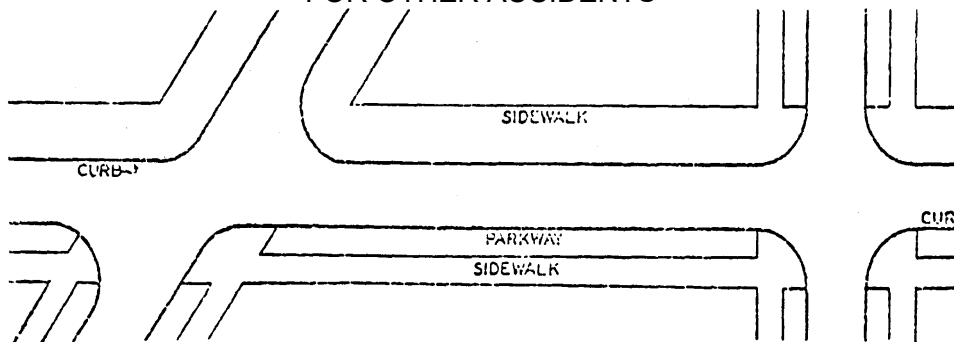
If a City vehicle was involved, designate by letter "A" location of City vehicle when you first saw it, and by "B" location of yourself or your vehicle when you first saw it; location of City vehicle at time of accident by "A-1" and location of yourself or your vehicle by the time of the accident by "B-1" and the point of impact by "X".

NOTE: IF THE DIAGRAMS BELOW DO NOT FIT THE SITUATION, ATTACH HERETO A PROPER DIAGRAM SIGNED BY THE CLAIMANT.

FOR AUTOMOBILE ACCIDENTS



FOR OTHER ACCIDENTS



CERTIFICATION OF CLAIMANT

I have read the foregoing claim and know the contents thereof: and certify that the same is true of my own knowledge except as to those matters which are hereby stated upon my information and belief: and as to those matters, I believe it to be true. I certify (or declare) under penalty of perjury that the foregoing is true and correct.

DATED: _____ **SIGNED:** _____

NOTE: Presentation of a false claim is a felony (California Penal Code 72)

LIABILITY CLAIMS PROCESS

- Upon receipt of a claim, City staff will forward the claim and all supporting documents to the City's third party claims administrator for disposition.
- The claims administrator will investigate the claim, and either make a finding of City liability or a recommendation for the City Council to reject the claim.

Important information regarding damage from City tree roots

- Liability for tree root damage to hardscape (i.e., driveways, walkways, fences, etc.) is not always easily determined. Therefore, the claimant may be requested to excavate and expose the site (at claimant's expense) for inspection and evaluation. Please contact the City prior to performing any work.
- The City arborist must be consulted prior to the removal of any City tree roots as the stability or health of a tree may be compromised without proper evaluation.

Note: Roots from City trees are just one possible cause for hardscape damage. Other causes include lack of expansion joints or roots from other vegetation on the property or from a neighboring property.

- Liability for tree root damage to sewer laterals is also not always easily determined. Therefore, the claimant may be requested to excavate and expose the site for inspection and evaluation or to provide a video recording of the sewer lateral (at claimant's expense). Claimants submitting a video recording are asked to retain a copy for themselves, as the submitted video becomes a part of the official file and will not be returned.

*Note: Generally in the case of the presence of roots in a lateral, the dispute is not whether City tree roots exist in the sewer lateral but how the roots made their way into the lateral. Claremont Municipal Code Section 13.02.080 states "All sewer laterals shall be maintained in a safe and sanitary condition and in good working order by the owner of the property served by such sewer lateral. All necessary maintenance, repair and replacement of the sewer lateral are the sole responsibility of the property owner. The sewer lateral is that length of sewer pipe located between the building being served by the property and the City's main sewer line." Sewer laterals, because of age, deterioration and/or earth movement, may leak. This, in turn, may attract roots that could cause a blockage in the sewer lateral. **In such cases, the City does not assume liability for damages. It is the property owner's responsibility to properly maintain the sewer lateral as proper maintenance would prevent roots from entering and blockages from occurring.***

Important information regarding damage from City tree limb drop

- Tree limb failure can occur for a number of reasons, but during summer months, especially on hot, dry, windless days, there are a number of reported incidences of tree limbs falling to the ground. Healthy tree limbs that drop without any apparent cause are not uncommon. City trees are inspected and trimmed on a regular basis, and a limb dropping from a well-maintained tree is generally considered an "act of nature". As an "act of nature" cannot be foreseen, the City does not have liability for damage caused by such occurrence. Damage to private property caused from a fallen limb should be reported to your insurer. While the City will accept the filing of your claim, you may receive a negative recommendation for settlement.