



TOWN OF SEDGEWICK

PROPERTY DAMAGE OR INJURY COMPENSATION POLICY POLICY # 22-22

APPROVAL DATE: AUGUST 18TH, 2022
RESOLUTION NUMBER: 2022-191

1. Policy Statement

The Town of Sedgewick will only compensate damages when it is legally liable for the damage sustained, as stipulated in the Municipal Government Act of Alberta and other provincial legislation. This approach helps to reduce costs for the taxpaying public who ultimately bear the cost of these claims.

2. Policy Purpose

The purpose of this policy is to establish that any payment in respect of property damage or bodily injury made by the Town of Sedgewick is contingent upon the Town being determined to be legally liable.

3. Definitions

- 3.1. "Complainant" means the party who makes the complaint regarding alleged property damage or injury.
- 3.2. "Town" means the Town of Sedgewick.

4. Guidelines

- 4.1. In cases of property damage, the Town shall recommend to the Complainant that they contact their insurance company or broker. Should the provider believe the Town is responsible for the damage, they will pursue recovery on the complainant's behalf.
- 4.2. If the Complainant has suffered property damage or injuries to their person and believes they can demonstrate that the Town is responsible, a claim for review shall be submitted to the Town.
- 4.3. A claim shall include the following information:
 - 4.3.1. Name of persons involved and contact information
 - 4.3.2. Location of incident
 - 4.3.3. Date and time of incident
 - 4.3.4. Description of damaged property/injury
 - 4.3.5. Cause of damage or injury
 - 4.3.6. To whom and when the incident was first reported

- 4.3.7. Explanation of why the Town is responsible for the damage or injury
- 4.3.8. Description of what the Complainant is seeking from the Town
- 4.4. Investigations shall be conducted for any claims received and shall include the following considerations:
 - 4.4.1. Facts regarding the alleged loss
 - 4.4.2. The applicable law
 - 4.4.3. Determining legal responsibility and negligence
 - 4.4.4. The Complainant's role in the event
 - 4.4.5. The nature and extent of damages
- 4.5. Resolutions to a claim may include any of the following:
 - 4.5.1. Transferred to the responsible party (i.e. contractor)
 - 4.5.2. Denial where there is no evidence of Town negligence
 - 4.5.3. A negotiated settlement or reimbursement of damages
- 4.6. The Town shall advise the Complainant of the outcome of the investigation in writing within 30 days.

5. Responsibilities

- 5.1. Council is responsible for approving this policy and any amendments.
- 5.2. The Chief Administrative Officer is responsible for ensuring the implementation of this policy.

6. Revision/Review History

TOWN OF SEDGEWICK

August 19, 2022
DATE


MAYOR

August 19, 2022
DATE


CHIEF ADMINISTRATIVE OFFICER