



City of South Haven

HR Department • 539 Phoenix St. • South Haven, Michigan 49090
Telephone (269) 637-0749 • Fax (269) 637-5319

DATE:

NAME:

ADDRESS 1
ADDRESS 2

Dear :

The City of South Haven regrets you have experienced a sewer system event. We urge you check with your homeowner's insurance policy to see if coverage is provided.

It is the property owner's responsibility to use reasonable precautions to preserve and protect the damaged property and take all necessary steps to reduce further damage.

Current Michigan Law Public Act 170 of 1964, as amended by Public Act 222 of 2001, requires that persons seeking compensation for personal injury or property damage must show that all of the following existed at the time of the event.

- The City of South Haven at the time of the event owned or operated, or directly or indirectly discharged into, the portion of the sewage disposal system that allegedly caused damage or injury.
- The sewage disposal system of the City of South Haven had a construction, design, maintenance, operation or repair defect.
- The City of South Haven knew, or in the exercise of reasonable diligence should have known, about the defect and failed to take reasonable steps in a reasonable amount of time to repair, correct or remedy the defect.
- The defect must be 50% or more of the cause of the event and the damage or injury.

You are also required to comply with the written notice requirements of the Act. Any claim you make must be submitted in writing within 45 days after the date the damage or physical injury was discovered. The written notice must contain your full name, address, telephone number, the address of the affected property, the date of discovery of any property damage or physical injury, and a brief description of the claim. Please use the forms enclosed to report your claim.

City of South Haven field employees are not permitted to authorize repairs, clean-up or replacement of damaged items. All authorizations must be made by the designated officials of the City of South Haven. The City's representative can be reached at (269) 637-0719 between the hours of 8:00 AM and 5:00 PM.

If the City's responsibility is established, all claims will be adjusted on an "actual cash value" basis. Actual Cash Value is defined as the cost to repair or replace the damaged items, less

depreciation. The age, condition and remaining useful life of the damaged property are considered in the valuation procedure.

Please contact me at (269) 637-0749 if you have any further questions.

Sincerely,
CITY OF SOUTH HAVEN

A handwritten signature in cursive script that reads "Deborah Lull". The signature is written in black ink and includes a long, sweeping horizontal stroke at the end.

Deborah Lull
Human Resources Director

Attachment

NOTICE OF CLAIM

This *Notice of Claim* form must be completed in full, and filed with the governmental agency against which you wish to make a claim for property damage or physical injury resulting from a sewage disposal or storm water system event. Michigan law requires that you file this written notification within 45 days after the damage or physical injury was discovered, or in the exercise of reasonable diligence should have been discovered. If you fail to file your *Notice of Claim* timely, your claim will be denied.

NAME: _____

ADDRESS: _____

TELEPHONE: _____

DATE OF LOSS: _____ DATE LOSS DISCOVERED: _____

ADDRESS OF DAMAGED PROPERTY: _____

(If different from above) _____

OWNER OF DAMAGED PROPERTY: _____

(If difference from above) _____

DESCRIPTION OF SEWER BACKUP: _____

DESCRIPTION OF DAMAGE TO BUILDING _____

AND/OR PERSONAL PROPERTY: _____

DESCRPTION OF ANY PERSONAL INJURIES: _____

RETURN THIS FORM TO:

City of South Haven
Human Resources Department
539 Phoenix Street
South Haven, MI 49090

City Office Use Only

Date Received: _____

Action Taken: _____
