



Policy #27 – Damage to Private Property

Policy Statement

The purpose of the policy is to address situations when private property is damaged resulting in allegations that the Village of Delia is liable.

The Village of Delia only pays claims when all evidence indicates it will be found legally liable. This approach minimizes costs for taxpayers who bear the cost of claims.

The Municipal Government Act - Part 13 Division 1 – Liability of Municipalities Acting in accordance with statutory authority, section 527.2 Municipal Government Act reference section 527.2 -534.

“Subject to this and any other enactment, a municipality is not liable for damage caused by any thing done or not done by the municipality in accordance with the authority of this or any other enactment unless the cause of action is negligence or any other tort.”

How to Make a Claim

If you have incurred damage to your property, had an injury and/or you believe the Village of Delia (Village) may be responsible, please follow the process below to send your claim to the Village for consideration. In some situations, you are required to place the Village on notice *within twenty-one calendar days* of the incident. We recommend that you inform the Village as soon as possible.

The Municipal Government Act requires that the Village receives notification in writing. To ensure that your claim meets the notice requirement, please forward your claim to the following address as soon as possible:

Village of Delia
Attn: Chief Administrative Officer
Box 206, 218 Main Street
Delia AB T0J 0W0

Procedure for Claimant

1. Be sure to **note the exact location**, date and time of the accident and notify the Village so that any needed repair work can be completed.
2. **Assess the damage:** Make a written list of all property that is damaged. Note which property is permanently damaged, (i.e., will never be usable again.)



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3. **Document the damage:** Take photographs to document the extent of damage and the items affected.
4. **Report the Problem:** Please report the problem to prevent further claims and enable the Village to promptly schedule repairs.
5. **Call your insurance company.** Many insurance policies cover cleanup and the cost of repairing or replacing water-damaged property. Also, they may suggest methods to minimize the extent of your damage. Your insurance representative can provide full details.

Village Acknowledgement

The Village will acknowledge in writing to the claimant that the claim has been received.

Approved: September 13, 2024