

**CHAPTER 1.12
CLAIMS FOR PERSONAL INJURIES OR DAMAGES**

Sections:

- 1.12.010 Claims for Damages
- 1.12.020 Litigation Expenses

1.12.010 Claims For Damages:

- A. No action shall be commenced against the city in which monetary damages are being claimed until a written Claim for Damages has been presented to and filed with the Finance Director. Such a claim must name the claimant, include the claimant's address, specify the date and location of the claimed loss, describe any alleged act or omission on the part of the city and the basis upon which liability is being asserted against the city, identify any known witnesses, detail the nature and extent of the injury or damage sustained and state the amount being claimed. The claim form must be signed by the claimant or an authorized representative and notarized prior to its filing.
- B. All claims for damages shall be investigated and evaluated by the Legal Department. Formal reports concerning any claim will be requested from all interested departments, which reports shall constitute and be treated as privileged communications to the City Attorney.
- C. A lawsuit based upon the allegations of a Claim for Damages may not be instituted against the city within sixty (60) days of the filing of such claim, unless the applicable statute of limitations will expire within that period of time. The requirements of this section shall not affect in any manner the commencement and running of any applicable statute of limitations. (Ord. 1313, 1988)

1.12.020 Litigation Expenses: The City Attorney is authorized to make payment to private and/or public agencies, firms, and/or individuals who provide services to the city in support of any litigation and/or claim and/or threatened litigation or claim filed or contemplated against the city or where the city is a plaintiff or potential plaintiff in legal action. (Ord. 1313, 1988)