

CLAIMS INVOLVING

CONTRACTED COMPANIES

The Town of Amherstburg frequently enters into contracts with independent companies (contractors) who perform work on the Town's behalf. The Town's agreements with the contractors contain a requirement that they respond directly to claims for any damage or injury to members of the public that they may be held responsible for.



Upon receipt of information that a contractor had control over the accident location at the time of your loss, your claim will be forwarded

to the contractor and you will be advised in writing when this has happened. The contractor should acknowledge receipt of your claim and identify a contact person who will be responsible for investigating your claim.

The contractor will conduct an investigation and make a decision regarding your claim. If the contractor determines that they were responsible for your loss, they will resolve your claim with you directly.

If the contractor determines their work met reasonable and appropriate standards they may deny your claim. In this case, their communication to you will provide the results of their investigation and clearly explain their decision. Should you disagree with the contractor's decision and you still wish to pursue your claim, you have the option of pursuing the contractor by proceeding with legal action.

SUGGESTIONS FOR YOUR CLAIM

The Town suggests that in all cases of damage you contact your insurance company or broker. Depending on the type of property damage and the insurance policy you purchased, you may be eligible for greater compensation that you can legally recover from the Town or other party.

ABOUT YOUR CLAIM

When the Risk Manager receives your claim, an investigation will be started. You will receive a written letter to let you know your claim has been received. A decision will be made when all of the information has been reviewed and you will be advised as quickly as possible. Payment of a claim is contingent upon legal liability on the part of the Town.

NOTE: Fraudulent claims costs all taxpayers. The Town will prosecute all fraudulent claims to the fullest extent of the law.



Legislative Services
Town Clerk/ Risk Manager
271 Sandwich St. S
Amherstburg, ON
N9V 2A5
519 736-0012 ext. 2272
clerk@amherstburg.ca

Property Damage Information Brochure



Town of Amherstburg

271 Sandwich St. South
Amherstburg, ON N9V 2A5
Tel. 519-736-0012
Fax. 519-736-5403

Insurance Claims

MAKING AN INSURANCE CLAIM

If you have incurred costs or suffered injury or damage for which you believe The Town of Amherstburg may be legally liable, you must follow the process outlined for the Town to consider your claim. You are required to place the Town on notice within 10 days of the incident or your right to claim may be lost. In all cases, it is important to act as quickly as possible.



The Municipal Act requires that the Town receive notification **in writing**. A claim form (found on the Town's website or at the office listed below) may be used. Please forward your claim to the following address:

Legislative Services

Clerk

271 Sandwich St. S

Amherstburg, ON

N9V 2A5

E-mail: clerk@amherstburg.ca

ATTN: Kevin Fox, Clerk

CLAIM DETAILS

When completing the initial claim form, please ensure it contains the following information:



- Name, mailing address, e-mail address (if applicable) and phone number of the person making the claim;
- The date, approximate time of the incident and exact location (address or closest intersection);
- A brief description of what happened;
- The type of damage or injury, including pictures if possible;
- List of damaged property including that which may have been discarded;
- The name of any contractor involved (if known).

RESPONSE TIME

The Town will acknowledge receipt of your claim within ten (10) days. An investigation by the Town's adjuster begins upon receipt of your claim. You will be notified in writing of the outcome of your claim once a decision has been reached.



If you have any further questions about the claims process, please contact Kevin Fox, Clerk 736-0012 ext. 2272

COMPENSATION FOR YOUR COSTS

The Town will not be held responsible for any losses unless the evidence establishes that the Town has committed a neglect act or omission which caused them. Like all Ontario municipalities, the Corporation of the Town of Amherstburg only compensates a claimant when it is legally responsible for the damage sustained. This approach insures fairness, transparency and helps reduce costs for taxpayers—who ultimately bear the costs of these claims.

DAMAGES TO TOWN PROPERTY

Whenever damage to Town property is caused by a third party, the Town of Amherstburg seeks recovery of the related costs from the responsible party (e.g. for damage to property such as streetlights, telephone poles, etc).

