

To: Mayor and Members of Council

November 14, 2011

Re: Liability Claim – 9 Emerald Vista

### **Background**

This past summer, when one of the summer students was mowing an over grown yard, a rock was flung threw a window of a house across the street, at 9 Emerald Vista. The piece of rock that went through the window of the house was brought into the office, and it was confirmed that it was the mower that had caused the damage.

### **Discussion**

The Town does carry liability insurance for instances like this; however the deductible on our policy is \$2,500. The total cost of the damage is \$923.15; therefore we will not make a claim to our insurance for this damage.

The home owners are requesting reimbursement of their costs to repair the damages, which include replacing one window and repairing the light fixture that was damaged by the rock.

### **Budget Implications**

This is not a budgeted item, therefore it will affect the budget

### **Conclusion**

The damage that was done to 9 Emerald Vista was done by Town equipment, therefore it is the liability of the Town to pay for that damage.

### **Recommendation**

Administration recommends Council pass the following motion:

THAT the costs for damages to 9 Emerald Vista caused by the town mower, be reimbursed by the Town.

Respectfully submitted,



Shauna Bzdel,  
Town Manager