

ORDINANCE NO. 553

AN ORDINANCE OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, RELATED TO THE CLAIMS PROCEDURE, AMENDING ORDINANCE NO. 346 AND UNIVERSITY PLACE MUNICIPAL CODE 1.25; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, on July 8, 2002, the City adopted Ordinance No. 346 setting forth the content of claims for damages and establishing a claims procedure; and

WHEREAS, the Legislature recently amended RCW 4.96.020 relating to claims for damages against the state and local governmental entities; and

WHEREAS, the amendments to the statute require amendments to the City's claims procedure and the content of the Claim for Damages form; and

WHEREAS, the City Council wishes to amend Title 1.25 of the University Place Municipal Code to reflect the changes in RCW 4.96.020; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 1.25.020 - Contents of Claim - Amended. Chapter 1.25.020, "Contents of Claim," to the University Place Municipal Code is hereby amended to read as follows:

1.25.020 Contents of claim.

All claims for damages must be submitted on the city's approved claim form and (1) identify the name, date of birth, and contact information and address of the claimant, (2) state the time and place the injury or damage occurred, (3) describe the conduct and circumstances ~~which~~that brought about the injury or damage, (4) describe the injury or damage, (5) state the names and contact information of all persons involved, if known, and (6) state the amount of damages claimed, ~~and~~ (7) a statement of the actual residence of the claimant at the time of presenting the claim and at the time the claim arose.

Section 2. Section 1.25.030 - Claims Procedure - Amended. Chapter 1.25.030, "Claims Procedure," to the University Place Municipal Code is hereby amended to read as follows:

1.25.030 Claims procedure.

The tort claim form must be signed either: (i) by the claimant, verifying the claim; or (ii) pursuant to a written power of attorney by the attorney in fact for the claimant; or (iii) by an attorney admitted to practice in Washington state on the claimant's behalf; or (iv) by a court-approved guardian or guardian ad litem on behalf of the claimant.


All claims for damages against the city of University Place must filed with the risk manager. A claim is deemed presented when the claim form is delivered in person or is received by the agent by regular mail, registered mail, or certified mail, with return receipt requested, to the agent or other person designated to accept delivery at the agent's office. Upon receipt of a claim, the risk manager shall immediately distribute copies to the city clerk, the appropriate department director, and the city attorney. The risk manager shall coordinate the investigation and review of the claim in conjunction with the Washington Cities Insurance Authority.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or

unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

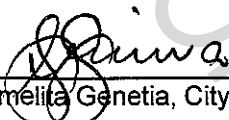
Section 4. Effective Date and Publication. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JULY 20, 2009.



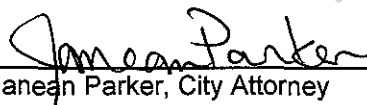
Linda Bird, Mayor

ATTEST:



Emelita Genetia, City Clerk

APPROVED AS TO FORM:



Janean Parker, City Attorney

Published: 7/22/09
Effective Date: 7/27/09