

CLAIM FORM
City of Huntington, West Virginia

If you believe you have a claim for damages against the City of Huntington, complete this form and deliver it to the Office of the City Attorney, Room 4, City Hall, Post Office Box 1659, Huntington, West Virginia 25717-1659. Submit evidence with this form to prove your damages (i.e. Hospital Bills, Photographs, etc.). In addition, please submit two (2) different estimates for repair damages. Thereafter, your claim will be investigated to determine liability.

ACCEPTANCE OF THIS FORM BY THE CITY OF HUNTINGTON IS FOR INVESTIGATION AND REPORTING PURPOSES ONLY. THE ACCEPTANCE OF THIS FORM DOES NOT CONSTITUTE AN ADMISSION OF LIABILITY ON THE PART OF THE CITY OF HUNTINGTON.

Name: _____ Date of Accident: _____

Street Address: _____ Phone: _____

City: _____ State: _____ Zip Code: _____

Location of Accident: _____

Name(s) of City Employee(s), if any, involved: _____

Describe the accident including the reason(s) you believe the City of Huntington is liable for your claim for damages: _____

(Use back of this page if necessary or additional sheet at the end of this document)

Total amount of Damages claimed \$ _____ (Attached copies of two different estimates)

Was the Police Department Notified: Yes _____ No _____

Was a Police Report Made: Yes _____ No _____

*If Yes, please attach a copy of the report.

List any Witnesses, their address and telephone number:

1. _____

2. _____

3. _____

Signature: _____ Date: _____

ROAD HAZARD DAMAGE SUPPLEMENT:

1. Do you have photographs of the road hazard? YES _____ NO _____
2. Do you have photographs of the damage? YES _____ NO _____
3. If the claim involves damage to a tire, you must provide a photograph of the tire.
4. If the incident involved tire damage, did you purchase the tire that was damaged?
YES _____ NO _____
5. How many miles were put on the vehicle from the time the tire was purchased until it was damaged? (If the claim involves tire damage) _____
6. The existence of a pothole is not in itself evidence of negligence on part of the City, and the City does not insure that City streets will be perfect and free of any defects. This is particularly true for potholes, which occur as a natural process of the freezing and thawing of the earth underneath a roadway. Repair of potholes is largely dependent upon the availability of hot asphalt, which generally is not available between the months of October and April. Further, those utilizing the roads of the City have a responsibility to keep a reasonable watch and to drive at the speed that is safe under the conditions. In the late winter and in springtime in particular, and on roadways commonly used by heavy trucks, the existence of potholes is a given. While the City is sympathetic with a situation that results in damage to your tire or rim, it also has a responsibility to prudently utilize taxpayer funds. Therefore, damage claims will only be paid for claims where it is proven that the City was negligent in some way that directly resulted in the damage; where the contributory negligence, (i.e. speed, inattentiveness) of the driver was not a causative factor, and where the City has no other variable defense to the claim. If an offer is made, the depreciation in value of the tire or rim damaged will be considered. The City of Huntington will treat your claim as being adverse to the City's interests, so it is incumbent on the claimant to provide proof of negligence if there is an exception of receiving compensation for the claim. Please provide a detailed description of all evidence that you have the City of Huntington was negligent and that the negligence contributed to the damages.

FOR OFFICE USE ONLY

Date Received: _____

By: _____

