**Moral Claims**

**Water/Sewer Residential Claims Policy**

The purpose of this policy is to establish standard procedures and to ensure consistency in the handling of all residential claims that arise from sanitary sewer or storm water backups, water main breaks, surface flooding, etc. Moral Claims must be filed in a timely manner. The city will not consider any claim that is not filed within 60 days of the incident. The resident is responsible for filing a claim with their insurance carrier before filing a claim with the City. The insurance carrier of the City of Ravenna will always be the next avenue of recourse for property owners in the event of a loss. Should the claim be denied by the insurance carrier of the City of Ravenna, the City will then consider providing some financial relief to the resident in an amount up to the maximum allowable by ordinance ($2,000.00). The attached Moral Claim Form will be completed by the resident in its entirety and all supporting documentation (i.e. City Moral Claim, Water/Sewer Backup Incident Report, photos, etc.) attached, before any consideration will be given to a moral claim request. Additionally, the following steps are established as the official procedure for handling all the aforementioned incidents and claims:

1. The city has been notified of a problem in our main line. (NOTE: First line of defense for residents in a sewer back-up situation is to call a plumber to inspect the residential line including their lateral and up to the wye.)
2. Notifications of backups from residents during working hours will be made or directed to City Hall and/or the Street Department.
3. Notifications of backups from residents that are made to Police Dispatch during non-working hours will be relayed to the Street Department for proper response and follow-up.
4. City Street Department personnel will report to the site and attempt to determine the cause of the problem. They will take immediate action to provide remedial aid to the residents to the extent that it is possible. The remedy of any problems caused on or within the private property of a residence will remain the responsibility of the resident. City personnel will not perform work on private property (except in extreme emergencies, in which case City personnel may help out a property owner). City personnel will restore all City owned infrastructure within the right-of-way to proper operating order as soon as it is reasonably possible.

1. City personnel, with the permission of the property owner, will inspect and confirm any known damage to private property. A water/sewer backup incident report will be completed by City Street Department personnel and submitted to the Mayor and Service Director within twenty-four hours or on the next scheduled workday. The Backup Incident Report will provide all residential information including owner(s) name, address, and a chronology of the events and documentation of identified damage to private property. If a moral claim is to be considered by the City, access to the property must be provided by the property owner for the purposes of an inspection. The denial of access to the property will result in the denial of a moral claim.
2. Where it is determined that damage to private property occurs, City of Ravenna Street Department or other personnel on the scene will inform the resident that they should contact their insurance carrier and hand the resident a Moral Claim form to be completed and turned into City Hall. City personnel on the scene must never advise a property owner regarding liability. If the private property owner requests contact information for the city, they should be advised to contact the office of the Mayor and Service Director at 330-296-6326.
3. When the Mayor or Service Director’s office is contacted by a resident that believes the city is responsible for damage to their private property, the resident will be advised that they must provide an incident Moral Claim form with the following information, which will be submitted to the city’s insurance carrier:
   1. Date/Time and description of incident.
   2. Name of homeowners insurance company.
   3. Disposition of homeowners insurance claim.
   4. Itemized listing of damaged property including pictures.
   5. All receipts for any expenses already paid that are related to claim.
4. The Mayor and Service Director’s office will document the information obtained from the property owner and once the incident Moral Claims Form is received from the resident and the city incident report is completed, we will include all documentation for our city insurance carrier.
5. All the pertinent information relative to disposition of the claim shall be documented on the Moral Claim Form. If the claim is paid by the insurance carrier, it will be noted on the form, which will then be filed and maintained for future reference. No further action is required.
6. If the claim is denied by the insurance carrier, a recommendation for the final disposition will be made by the Service Director with final approval by the Mayor. Any illegal connections found on the property, regardless of whether they contributed to the problem, “must” be corrected before payment of a moral claim will be made.

9.) Any unresolved claims will be directed to the City Council Utility Committee for further consideration.

NOTE: Claims for the loss of personal property such as clothes, pictures, etc. will not be considered.

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