

Accident/Incident Reporting Form



Form Instructions:

- If you have incurred costs for which you believe the Town may be responsible, the following form must be completed in full and submitted to the Town of Midland, Legal/Risk Services.
- As per the *Municipal Act*, the Town must be notified in writing of all claims. In some situations, you are required to place the Town on notice **within 10 days** of the incident. To ensure that your claim meets the notice requirement, please submit all claims within 10 days of its occurrence.
- Payment with respect to property damage or bodily injury is contingent upon the Town being found legally liable.
- In addition to completing and submitting this form to the Town of Midland, it is also recommended that you contact your insurance company or broker as, depending on the type of property damage and your specific insurance policy, you may be eligible for greater compensation than you can legally recover from the Town or other party.
- Upon receipt of your claim, Legal and Risk Management will acknowledge your claim within 10 business days, at which time an investigation will begin. The Town of Midland may use an outside insurance adjuster to assist in the claims process.
- Please refer to the additional information located on page 3.

Important Note: All information requested below must be provided in full in order for the Town of Midland to consider your claim.

Type of Claim:

- Personal Injury
 Property Damage
 Other: _____

Claimant Information:

Name: _____ Contact number: _____
Street: _____ Town/City: _____
Postal Code: _____ Email: _____

Accident/Incident Information:

Date of incident (mm/dd/yy): _____ Time of incident: _____ AM PM

Location of incident: _____

Name(s) and contact information of other person(s)/contractor(s) involved (if known):

Witness #1 - name and contact number (if applicable): _____

Witness #2 - name and contact number (if applicable): _____

Information provided by the claimant and contained within the reporting form and any applicable attachments, is collected under the authority of the Municipal Act, 2001, Section 11, and will be used by the Town of Midland, as well as any necessary third parties, in evaluating and processing your claim. If you have questions about this collection, please contact Sherri Edgar, Clerk at 705-526-4275 ext. 2210 or via email at sedgar@midland.ca

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Detailed description of accident/incident:

Please fully and clearly describe how the incident happened as well as the extent of the injuries/damages sustained.

Please Attach: pictures and invoices, if applicable.

Important Note: Fraudulent claims cost all taxpayers. The Town will prosecute all fraudulent claims to the full extent of the law.

Claimant signature: _____ Date submitted (mm/dd/yy): _____

Submission Information:

Please submit this form as follows:

- **Email:** legal@midland.ca
- **In person:** Town Hall at 575 Dominion Avenue, Midland
 - **Hours of operation:** Monday – Friday, 8:30 a.m. - 4:30 p.m.
- **Mail:** Attention: Legal and Risk Management, Town of Midland, 575 Dominion Avenue, Midland, Ontario, L4R 1R2

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Town Compensation for Your Costs:

The Town will not be held responsible for your costs unless you can provide evidence that the Town committed a negligent act or omission which directly resulted in injury or damage. Like most Canadian municipalities, the Town of Midland only compensates when it is legally liable for the damage sustained. This approach helps to reduce costs for the taxpaying public who ultimately bear the cost of these claims.

We suggest that you contact your own insurer regarding damages. If the insurer believes that the Town is responsible for your damage, they will seek compensation on your behalf as stipulated in your insurance policy. Whenever damage to Town property is caused by a third party, the Town of Midland seeks recovery of the related costs from the responsible party (example – for damage to property such as street lights, signs, etc...).

Frequently Asked Questions Regarding Property Damage and Road Conditions:

1. What should I do if my property has been damaged?

Report the incident to your insurance company. The insurance company will assess the damages and make any necessary arrangements to commence clean-up and repair of damaged property. Make a list of all of the items/areas affected and, if possible, take photographs. Your insurance company should pay for damages and, if applicable, will contact the Town for recovery. If your insurance company does not cover your damages, you can submit a claim to the Town of Midland using the above form.

2. Who can I tell about potholes or other road hazards I see?

During business hours (8:30 a.m. – 4:30 p.m.), call the Town of Midland, Operations Services at extension 2217. The exact location of the hazard will be recorded and an inspection will be arranged to ensure that appropriate action is taken.

3. My vehicle was damaged in a pothole. What should I do?

See a licensed motor vehicle mechanic. Do not continue to drive your vehicle if it is not operating properly. Notify the Town of the exact location so any needed repair work can be done. Contact your insurance agent for assistance.

4. What if I think the vehicle damage is the Town's fault?

If your insurance company pays for your vehicle repairs, it will attempt to recover money from anyone whom they feel was responsible for the damages. Typically, insurers try to recover the amount of the claim that they paid as well as your deductible. If you want to claim directly against the Town, you must complete and submit the above claim form. Based on the findings of its investigation, compensation will only be provided if the Town is found to be legally liable for the property damage.

5. I have damaged my car on a road that was under construction/has not yet been assumed by the Town. What do I do?

See a licensed motor vehicle mechanic and contact your insurance company as you may have coverage for this type of loss. Using the above claim form, you may submit your claim to the Town of Midland.

If you incurred damages as a result of a construction project, the contractor will have a contract with the Town that contains an indemnity clause that would extend to all claims, loss, costs and damages in connection with this contract by the successful bidder. This means that the contractor must look after the claims against the Town for damage they allegedly caused. To assist in processing your claim, the Town will identify the contractor as well as forward your claim to the contractor on your behalf.

If the loss has occurred in a subdivision not yet assumed by the Town where the developer is responsible for the maintenance and upkeep of the area, the Town will identify the developer and forward your claim to the developer on your behalf.

It is your responsibility to communicate directly with the contractor or developer with respect to your claim.