



## TOWN OF CUMBERLAND

### Town Solicitor's Office

#### Petition for Claim of Property and/or Vehicle Damage

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Address: \_\_\_\_\_ Email: \_\_\_\_\_

Location of Incident: \_\_\_\_\_ State Road: \* \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time: \_\_\_\_\_ Amount of Claim: \*\* \_\_\_\_\_

Describe incident and damages (use extra pages as necessary):

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Petitioner's Signature: \_\_\_\_\_

#### Department Review

Department: \_\_\_\_\_ Name: \_\_\_\_\_

Comments to Finance Subcommittee (add photos and other documentation, additional pages as necessary):

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FINANCE SUBCOMMITTEE REVIEW:

Town Council Referral Date: \_\_\_\_\_

Finance Subcommittee Date: \_\_\_\_\_

Approval: \_\_\_\_\_

Denial: \_\_\_\_\_

Comments:

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\*/\*\* See Instructions



## TOWN OF CUMBERLAND

### INSTRUCTIONS FOR PETITION FOR CLAIM OF PROPERTY AND/OR VEHICLE DAMAGE

The Town of Cumberland accepts petitions for claims for damages resulting from Town negligence. The Town considers claims for damages to mailboxes caused by Town plows, to tires caused by potholes on Town-owned roads, and other similar damages.

The Finance Subcommittee reviews and approves claims on behalf of the Town. Relevant departments are asked to comment in order for the Finance Subcommittee to have as much information as is possible.

\*The Town cannot accept petitions for damages that occur on State roads. Visit [www.dot.ri.gov](http://www.dot.ri.gov) or call the Rhode Island Department of Transportation to inquire about damages caused by potholes or State plows on State roads. There is a very limited time period within which you may file a claim; we encourage you to act quickly.

\*\*Pothole claims: The Cumberland Code of Ordinances Sect. 34-150 requires that claims for pothole damages be filed within seven (7) days of the incident, and limits claims to \$300. Please see the full Ordinance for additional information at [www.cumberlandri.org](http://www.cumberlandri.org).

\*\*Mailbox claims: The Cumberland Code of Ordinances Sect. 34-151 requires that claims for mailbox damage be filed within seven (7) days of the incident, and limits claims to \$60. Alternatively, a claim may be made to the Highway Department, and if the claim has merit, it will replace mailbox and post. Please see the full Ordinance for additional information.

If the mailbox or pothole damage has been repaired, please provide a dated receipt/invoice showing the amount that was paid for the repairs.

#### Procedure

Petitioners shall use the form provided by the Town Clerk's Office to establish the claim and provide information so that the Town may adequately review the claim and issue a responsible and reasonable decision.

Claims may be submitted to the Town Clerk's Office in following manner:

By Hand: Town Clerk's Office, 45 Broad Street, Cumberland, RI 02864

By Mail: Town Clerk's Office, 45 Broad Street, Cumberland, RI 02864

By Email: Sandra Giovanelli, Town Clerk at [sgiovanelli@cumberlandri.org](mailto:sgiovanelli@cumberlandri.org)

Please provide police reports, color photographs, quotes/estimates for repair and any other information you believe will assist the Finance Subcommittee in evaluating your claim.

Upon receipt, the Town Clerk will forward your claim to the Solicitor's Office, who will then forward to any relevant department for investigation and input. Once the department returns



## TOWN OF CUMBERLAND

its comments to the Solicitor's Office, the petitioner will be forwarded to the Finance Subcommittee for review and consideration. You will be advised of the meeting date and time. You are welcome to attend the Finance Subcommittee meeting, but your presence is not required.

If your claim is approved, you will be notified by the Solicitor's Office, and will be issued a check upon the receipt of a signed and notarized General Release provided by the Solicitor's Office. If you are denied, the Solicitor's Office will forward a letter to you that includes the reason for denial.

RI General Law 24-5-13 Liability of cities and towns for injuries from defective roads.