

Will the municipality be responsible for my damages?

Not necessarily. Municipalities have a number of unique defences including the policy defence and statutory immunity to nuisance claims for flooding caused by the breakdown or malfunction of a water, sewer, or drainage system (*The Cities Act* s. 303 and *The Municipalities Act* s. 340).

Should you decide to make a claim against the municipality, provide written notice to the municipality as soon as possible. Subsection 344 (1)(2)(3) of *The Municipalities Act* and 307 (1)(2)(3) of *The Cities Act* state:

- (1) *Notwithstanding The Limitations Act, no action is to be brought against a city for the recovery of damages after the expiration of one year from the time when the damages were sustained, and no action is to be continued unless service of the statement of claim is made within that one-year period.*
- (2) *If a defendant in a legal action institutes a third party claim against a city for contribution or indemnity arising out of that legal action, the day on which the defendant was served with the claim for the legal action is deemed to be the day on which the act or omission on which that defendant's third party claim is based took place.*
- (3) *Subsection (2) applies whether the right to contribution and indemnity arises with respect to a tort or otherwise.*

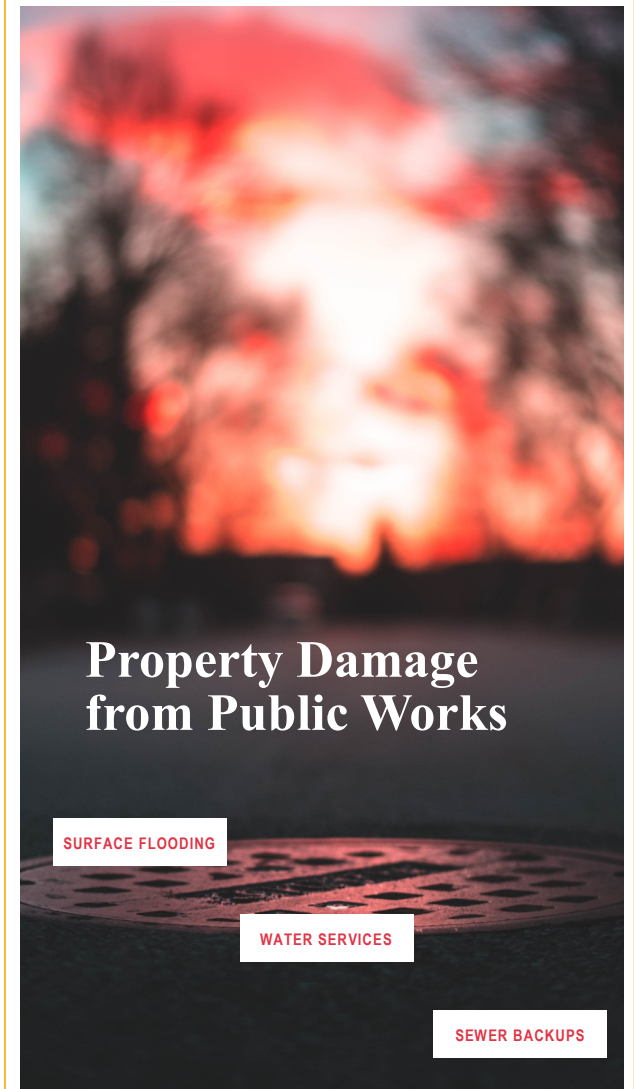
Your information should describe what was damaged, how it happened, who was involved, where it happened, and the date and time of the occurrence. Any photographs you take can be included with your letter or provided at a later date. Remember to include your name, home address, and all telephone numbers where you can be reached.

The circumstances surrounding how your property was damaged will determine whether the municipality is liable for the damages. Each scenario will be reviewed on its own set of facts. If there is evidence that the municipality is responsible, your claim will be given serious consideration.



Contact information

Public works	TEL	
After hours emergencies (except police and fire)	TEL	



WHEN SOMETHING GOES WRONG...

Most sewer backups occur when a sewer service is plugged or deteriorating. Pipes can deteriorate and clog over time. Blockages can be caused by roots, grease, a broken pipe, fishing line, vegetation, rocks, and other debris. The main sanitary sewer may also become blocked. Sanitary sewer blockages that cannot be resolved by a drainage contractor should be referred to the municipality immediately.

If there is any chance of electrical circuits causing a hazard, contact SaskPower's toll-free emergency line at 310-2220.

REPAIRING DAMAGE

What about my belongings?

If you have suffered a flood, be sure to make a written list of all property that is damaged and take photographs if possible. Advise your insurance broker promptly. Many insurance policies cover sewage backup and the cost of repairing or replacing damaged property.

Will the municipality repair or clean up my property?

No. Repairs and cleanup are the property owner's responsibility. Contact your insurance broker or insurance company to investigate and determine whether or not the loss is covered under your insurance policy. If the loss is covered, they can deal directly with you on your claim. This may be the quickest way for you to recover your costs and have your repairs and cleanup completed. Your insurance company can pursue any party they believe to be responsible for the damages.

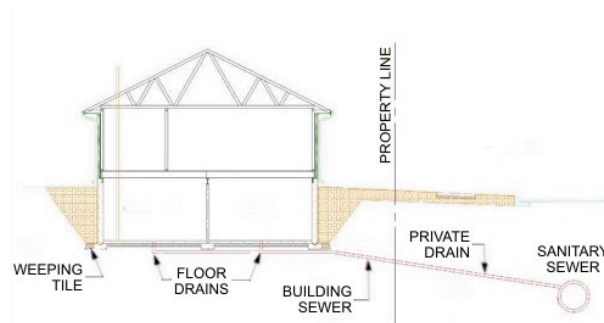
WATER SERVICES

What is water service?

A water service is an underground pipe which brings water from the water service box shut-off valve to your building. Generally speaking, the property owner is responsible for maintaining the section of pipe from the building to the shut-off valve at the property line. The municipality is responsible for maintaining the section of pipe between the shut-off valve and water main.

What is a water main?

The water main normally runs underneath the roadway and provides water to the property. Breaks may occur due to age, wear, or natural causes such as freezing in unusually cold weather.



SEWER BACKUPS

Private drains connect each property from the building to the municipal sewer line. Property owners are fully responsible for maintaining both the building sewer and private drain all the way to the main sanitary sewer under the street. You are responsible for cleaning your sewer service. The municipality is responsible only to maintain the sewer main line.

SURFACE FLOODING

The municipality often responds to incidents of flooding from storm drains and water mains. If flooding is the result of a blocked sanitary (or storm) sewer main, the municipality will investigate and, if necessary, clear the blockage. The municipality works hard to implement a system of inspection and maintenance to prevent its systems from failing. There are also procedures to enable crews to respond promptly to system failures, which are often the result of unexpected or extreme weather events.

