

**CITY OF HOLLAND**

**CITY CLERK**

2<sup>nd</sup> Floor

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Holland, MI 49423

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**NOTICE OF SEWAGE DISPOSAL SYSTEM<sup>1</sup> CLAIM  
(MCL 691.1416)**

**CLAIMANT INFORMATION**

NAME \_\_\_\_\_ STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

**EXACT LOCATION OF INCIDENT- PLEASE BE SPECIFIC**

DATE \_\_\_\_\_ TIME \_\_\_\_\_

EXACT ADDRESS / LOCATION (reference address, streets, buildings, etc,

**ASSERTED LIABILITY OF CITY OF HOLLAND / HBPW**

State all facts to support liability of the City of Holland:

1. Was the City of Holland/HBPW the owner or operator of the sewage disposal system that allegedly caused damage or physical injury? \_\_\_\_\_

2. Was the alleged damage or physical injury the result of a sewage disposal system defect? A defect means a construction, design, maintenance, operation, or repair defect. \_\_\_\_\_

3. Did the City of Holland/HBPW know, or in the exercise of reasonable diligence should have known, about the alleged defect? \_\_\_\_\_

4. Did the City of Holland/HBPW fail to take reasonable steps in a reasonable amount of time to repair, correct, or remedy the alleged defect? \_\_\_\_\_

5. Is the alleged defect the cause of the property damage or physical injury? \_\_\_\_\_

6. Please provide or attach proof of ownership and the value of damage to personal property. Proof should include the purchase price or value of the property and photographic or similar evidence showing the value of the property.

**The receipt of this claim does not infer that the City of Holland/HBPW has liability for the asserted claim. If the responsibility of the City/HBPW is established, all claims will be adjusted on an "actual cash value" basis.**

**PLEASE COMPLETE BACK PAGE**

<sup>1</sup> The definition of a sewage disposal system means all interceptor sewers, storm sewers, sanitary sewers, combined sanitary and storm sewers, sewage treatment plants, and all other plants used in the connection with the collection, treatment, and disposal of sewage and industrial waste, and includes a storm water drain system under the jurisdiction and control of a government agency.

**NOTICE OF SEWAGE DISPOSAL SYSTEM<sup>2</sup> CLAIM**  
(MCL 691.1416)

**I INTEND TO HOLD THE CITY OF HOLLAND LIABLE FOR DAMAGES SUSTAINED.**

\_\_\_\_\_  
(Signature of Claimant)

**TO BE FILLED IN BY CLERK'S OFFICE.**

Date Claim Filed: \_\_\_\_\_ Person Accepting Claim: \_\_\_\_\_

**SEWAGE DISPOSAL SYSTEM CLAIMS**

The State of Michigan has adopted a statute establishing when governmental agencies in Michigan are responsible for sewage disposal system claims. This statute is Act 222 of 2001, effective January 2, 2002. If you wish to review this statute, it is available at <http://www.legislature.mi.gov>. Please insert Section 691.1416 on the web site. The above claim form has been prepared to list the elements of Act 222 of 2001 which are necessary for a determination of responsibility.

After your claim is submitted, it will be referred to an adjuster for the City of Holland for review. You may be contacted for additional information relating to your claim.

<sup>2</sup> The definition of a sewage disposal system means all interceptor sewers, storm sewers, sanitary sewers, combined sanitary and storm sewers, sewage treatment plants, and all other plants used in the connection with the collection, treatment, and disposal of sewage and industrial waste, and includes a storm water drain system under the jurisdiction and control of a government agency.