



**City of Waukesha**  
201 Delafield St. Waukesha, WI 53188  
Tel: 262.524.3700  
waukesha-wi.gov

<b>Committee:</b> None	<b>Date:</b> 1/3/2025
<b>Common Council Agenda Item Number:</b> 24-11534	<b>Date:</b> 1/7/2025
<b>Submitted By:</b> Brian Running	<b>City Administrator Approval:</b> Anthony W. Brown, City Administrator
<b>Finance Department Review:</b> Joseph P. Ciurro, Finance Director	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> Claim for property damage, Jeff Wehr.	

**Details:**

Claimant's vehicle suffered damage from a large limb that fell from a City tree. The City is not strictly liable for damage caused by its trees, unless the City has notice or awareness of a dangerous condition in the tree and a failure to take reasonable steps to prevent the type of harm the condition could cause. The Department of Parks, Recreation and Forestry had no notice or knowledge of a danger posed by this tree, and therefore disallowance is recommended.

**Options & Alternatives:**

There is no alternative recommended.

**Financial Remarks:**

There is no financial impact from a disallowance.

**Executive Recommendation:**

Motion to disallow the claim of Jeff Wehr and to direct the Clerk to issue a formal disallowance.