



**City of Waukesha**  
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<b>Committee:</b> None	<b>Date:</b> 2/6/2023
<b>Common Council Item Number:</b> 23-6098	<b>Date:</b> 2/7/2023
<b>Submitted By:</b> Brian Running	<b>City Administrator Approval:</b> <a href="#">Click here to enter text.</a>
<b>Finance Department Review:</b> <a href="#">Click here to enter text.</a>	<b>City Attorney's Office Review:</b> <a href="#">Click here to enter text.</a>
<b>Subject:</b> Claim for property damage, Thomas and Tatjana Ward, 2700 Chatsworth Circle.	

**Details:**

The claimants suffered property damage when their basement flooded due to a sewer back-up. The back-up was caused by an independent contractor working on a sewer pipe on nearby University Drive. The contractor crushed the city's sewer pipe. Because the fault for this incident lies with an independent contractor and not with the city, the claim for damages against the city should be disallowed. The claimants should pursue the contractor and any other responsible parties.

**Options & Alternatives:**

No alternative is recommended.

**Financial Remarks:**

There is no financial impact to the city from disallowance.

**Executive Recommendation:**

Disallow the claim and direct the City Clerk-Treasurer to notify the claimants.