



OFFICE OF THE CITY CLERK TREASURER
Waukesha, Wisconsin

INSTRUCTIONS FOR FILING A CLAIM AGAINST THE CITY OF WAUKESHA

To file a claim against the City a claimant must comply with Section 893.80(1), Wis. Stats., a copy of which is printed at the bottom of this instruction sheet. Generally the statute requires the claimant to submit to the City Clerk:

1. A document stating the circumstances of the claim which must be signed by the claimant, or his/her agent or attorney. This document must be filed within 120 days of the event in most circumstances.
2. A document stating the address of the claimant and a statement of the relief sought. If money damages are sought, a specific sum must be stated.

(Information may be combined in a single document.)

The following information should also be submitted to allow the City to promptly act on your claim:

1. Proof of the amount of the claim by means of either itemized receipts or two itemized estimates.
2. A phone number where the claimant can be reached during business hours as well as the claimant's e-mail address, if any.
3. As detailed a description of the incident as possible, including the date, time and place.

PERSONAL SERVICE:

Information must be submitted in person to:

Clerk Treasurer, City of Waukesha
ATTN: CLAIMS
201 Delafield St.
Waukesha, WI 53188

ADDITIONAL INFORMATION

Before you can file a lawsuit against the City of Waukesha for reimbursement, State law requires that you first follow the claim procedures established by the City Clerk.

Filing a claim against the City does not automatically guarantee reimbursement from the City. However, the City examines each claim on an individual basis in determining if the reimbursement is legally required.

In order to obtain reimbursement for a claim against the City, you must prove that the City or its employees acted unlawfully or negligently.

Only the City Attorney or the Common Council and the Mayor can authorize payment of a claim against the City. Any other representations made by City employees are not legally binding on the City.

If you should have any questions about these instructions, please contact:

City of Waukesha Clerk-Treasurer's Office

201 Delafield Street, Waukesha WI 53188

Phone: (262) 524-3550

Email: clerktreas@waukesha-wi.gov

Fax: (262) 524-3888

Regular Hours: 8am – 4:30pm, M-F

893.80 Claims against governmental bodies or officers, agents or employees; notice of injury; limitation of damages and suits. (1d) Except as provided subs. (1g), (1m), (1p) and (8), no action may be brought or maintained against any volunteer fire company organized under Ch. 213, political corporation, governmental subdivision or agency thereof nor against any officer, official, agent or employee of the corporation, subdivision or agency for acts done in their official capacity or in the course of their agency or employment upon a claim or cause of action unless:

(a) Within 120 days after the happening of the event giving rise to the claim, written notice of the circumstances of the claim signed by the party, agent or attorney is served on the volunteer fire company, political corporation, governmental subdivision or agency and on the officer, official, agent or employee under s. 801.11. Failure to give the requisite notice shall not bar action on the claim if the fire company, corporation, subdivision or agency had actual notice of the claim and the claimant shows to the satisfaction of the court that the delay or failure to give the requisite notice has been prejudicial to the defendant fire company, corporation, subdivision or agency or to the defendant officer, official, agent or employee; and

(b) A claim containing the address of the claimant and an itemized statement of the relief sought is presented to the appropriate clerk or person who performs the duties of a clerk or secretary for the defendant fire company, corporation, subdivision or agency and the claim is disallowed.