

ORDINANCE NO. 2001-02-008

AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE 4.16.020 TO ELIMINATE APPEAL TO CITY COUNCIL OF DENIED CLAIMS UNDER \$15,000.00.

WHEREAS, Bellingham Municipal Code Section 4.16.020 C currently provides for appeal to the City Council when the Risk Manager/Assistant City Attorney denies a claim; and,

WHEREAS, considerable administrative and Council time is spent handling appeals of claims which are generally very modest in amount; and,

WHEREAS, claimants have easy and inexpensive access to Small Claims Court procedures, and such procedures provide a suitable alternative for claimants who wish to challenge the denial of a claim by the City; and

WHEREAS, it would therefore be advisable to amend the ordinance to eliminate the appeal procedure;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

The procedure for paying or denying claims which have been presented to the City Council as provided in Section 12.02 of the Bellingham Municipal Charter shall be as follows:

- A. The Risk Manager/Assistant City Attorney shall have the authority to either approve or deny payment of claims of \$5,000.00 or less.
- B. For claims of greater than \$5,000.00, the Risk Manager/Assistant City Attorney has the authority to deny the claim. If the Risk Manager/Assistant City Attorney determines that a claim greater than \$5,000.00 but less than \$15,000.00 should be paid, then he shall recommend payment of the claim to the Mayor who shall be authorized to approve payment. If the Risk Manager/Assistant City Attorney determines that a claim greater than \$15,000.00 should be paid, then he shall recommend payment to the City Council.
- C. If the Risk Manager/Assistant City Attorney denies a claim greater than \$15,000.00, the claimant may appeal such denial to the City Council by filing a written request for review with the Finance Director within 14 days of the date of mailing of the notice of denial.
- D. Payments for claims shall be reported to and reviewed quarterly with the Finance Committee of the City Council. The report shall include the amounts of all expenditures for claims, negotiated settlements, insurance settlements, judgments and litigation.

PASSED by Council this 12TH day of FEBRUARY, 2001.

Leslie B. Langdon
Council President

APPROVED by me this 26th day of February, 2001.

Mark R. L.
Mayor

Attest:

Therese Holm
Finance Director

Approved as to form:

Jean Hoisington
Office of the City Attorney

Published:

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