



# The Corporation of the Municipality of Arran-Elderslie

## **Staff Report**

Council Meeting Date: January 10, 2022

Subject: SRW.22.01 Tree Damage Paisley

Report from: Scott McLeod, Public Works Manager

Appendices: Appendix A: Four Photos of Tree Damage to Vehicles Appendix B: IPG  
– Letter to Marc Crawford

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### **Recommendation**

Be It Resolved that Council hereby,

1. That the request to compensate the property owner at 242 Alma Street for \$4000.00 for damage incurred to his vehicles from a municipal tree, be denied.

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### **Report Summary**

On Saturday December 11, 2021 a wind storm took place in Arran-Elderslie. Staff was called in at approximately 1:30 pm for a tree blown down on Inkerman Street in Paisley. No damages reported at this location.

On Monday December 13, 2021 Marc Crawford called the Municipal Office to report a municipal tree along Victoria Street had blown over Saturday onto his two vehicles. Staff explained that it was necessary to confirm that the tree was in fact located on municipal property and that the respective insurance providers be contacted. Our Municipal insurance information was provided to Mr. Crawford's insurance company the following day Tuesday December 14, 2021.

It was discovered Mr. Crawford had no comprehensive insurance coverage on his vehicles.

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## **Background**

On Friday December 17, 2021 Mr. Crawford reached out to Council about tree incident.

Municipal staff took pictures and removed the tree from the vehicles and property. Vehicles damaged were a Dodge Durango; year 2000 and a Dodge Club Cab ½ Ton Pick-Up; year 2003. Marsh Canada appointed a claim representative IPG for the incident. Pictures of the vehicles/tree and damage were provided as per attached – Appendix A.

Upon review of the insurance investigation IPG indicated Municipality was not liable for damages and the claim was denied, see attached letter – Appendix B. It was determined that the tree was otherwise healthy (no prior history of tree condition complaints or prior issue/damage).

No appraisal of the two vehicles was undertaken by IPG, which would cost approximately \$500.00 to undertake. However, staff have consulted with external sources and for information purposes the Kelly Blue Book Canadian On-line vehicle 3<sup>rd</sup> party pricing estimates as follows: the 2000 Dodge Durango at \$3,086 to \$4,006 and the 2003 1500 Dodge Pickup \$4,950 to \$6,020.

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## **Analysis**

In discussions with Mr. Crawford, he feels the tree belonging to the Municipality caused damage to both his vehicles making the Municipality liable. Mr. Crawford would be willing to accept and sign off on a onetime payment of \$4,000.00.

It should be noted that Mr. Crawford did not have comprehensive insurance on these vehicles and that he was operating these vehicles under the risk of no coverage should they be damaged. In accordance with IPG's recommendations no further payment should be made with respect to this matter.

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## **Link to Strategic/Master Plan**

Not applicable to this report.

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## **Financial Impacts/Source of Funding/Link to Procurement Policy**

No financial costs.

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Approved by: Sylvia Kirkwood, Chief Administrative Officer