



Council Agenda Item

Meeting Date:	March 4, 2025
Agenda Item:	Repeal of Resolution for No-Fault Sanitary Sewer Backup Damage Reimbursement Policy
Staff Contact (name, email, phone):	Rachelle Blitch, rblitch@whitewater-wi.gov , 262-473-1380

BACKGROUND

(Enter the who, what when, where, why)

In April 2016, the Common Council approved a resolution establishing the No-Fault Sanitary Sewer Backup Damage Reimbursement Policy. The intent of this policy was to assist homeowners in addressing the financial burden associated with sewer backups, thereby reducing health hazards by encouraging timely property cleanup. While the policy explicitly states that the City is voluntarily offering this program without legal liability for damages, it inadvertently creates the potential for litigation from insurance companies that may have covered portions of the damages.

An internal procedure document has been created to serve as a replacement to the current policy to ensure there is consistency applied when processing future claims.

PREVIOUS ACTIONS – COMMITTEE RECOMMENDATIONS

(Dates, committees, action taken)

4/7/2016 – Common Council approved the resolution

2/17/2025 – Finance Committee recommended the repeal of the resolution and the adoption of the Procedure for Processing a Liability Claim (Internal document)

FINANCIAL IMPACT

(If none, state N/A)

N/A

STAFF RECOMMENDATION

CVMIC and staff recommend that the City discontinue the program. Residents would still retain the option to file claims, which would be evaluated on a case-by-case basis, consistent with the City's standard process for handling liability claims.

ATTACHMENT(S) INCLUDED

(If none, state N/A)

1. Resolution establishing the No-Fault Sanitary Sewer Backup Damage Reimbursement Policy
2. CVMIC's recommendation email