



## SEWER BACKUP CLAIMS NOTICE

The State of Michigan enacted Public Act 222 of 2001 in January of 2002 which clarifies the conditions under which municipalities are liable for sewer backups. The Act sets standards to determine when and to what extent a municipality is liable for sewer backups and establishes a process that affected persons must follow to seek compensation when a backup occurs. Please be advised; the Township does not have the legal authority or obligation to repair a private sewer lead.

Anyone making a claim for property damage or physical injury must show that the public sewage disposal system had a defect. Further, the person must show that the appropriate governmental agency knew, or reasonably should have known about the defect. Also, the person must show that the governmental agency, having the legal authority, did not take reasonable steps in a reasonable amount of time to repair, correct or remedy the defect and that the property damage or personal injury resulted because of the defect. Finally, the defect must be 50% or more of the cause of the event and the property damage or physical injury. The Charter Township of Union will provide you with a claim form even though the Township may not be responsible for your sewer backup problem.

If you experience an overflow or backup of a sewage disposal system, and intend to make a claim, you must file a written claim with the Charter Township of Union Department of Public Works within 45 days after the overflow or backup is discovered. Claim forms are available from the Township upon request. Claims must be delivered or mailed to the Township Department Of Public Works, 2010 South Lincoln Road, Mt. Pleasant MI 48858.

Failure to provide the required written claim notice information within the allotted time will prevent recovery of damages.