



**OFFICE OF THE MAYOR**

**Claim For Damages**

**PRESIDENT OF CITY COUNCIL**

City of Atlanta  
55 Trinity Avenue, SW  
Suite 2400  
Atlanta, Georgia 30303

City of Atlanta  
55 Trinity Avenue, SW  
Suite 2900  
Atlanta, Georgia 30303

**Dear Mayor or President of Atlanta City Council:**

This is to notify the City of Atlanta that I have suffered damages in the amount of \$\_\_\_\_\_ property damage and/or \$\_\_\_\_\_ bodily injury for which I contend the City is liable. **A specific amount of damages must be stated.**

1. Date of incident:\_\_\_\_\_ 2. Time of incident: \_\_\_\_\_ 3. Police called: YES/NO Report # \_\_\_\_\_
4. Location of incident (including street address): \_\_\_\_\_
5. Name of your insurance company: \_\_\_\_\_ Policy No. \_\_\_\_\_ / Claim# \_\_\_\_\_ Phone \_\_\_\_\_
6. State what and how incident occurred:  
\_\_\_\_\_  
\_\_\_\_\_

7. **ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!**
8. **The registered owner must make the claim for vehicle damages**, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle.

Your vehicle: \_\_\_\_\_

(Make) (Year) (Tag Number) (Driver's Name -Phone)

City vehicle: \_\_\_\_\_

(Make) (City Driver's Name) (Department/Bureau)

9. Witness: \_\_\_\_\_ Phone \_\_\_\_\_
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. **Claims must be received within 6 months from the date of the event. This completed form must be received by personal delivery or certified mail or overnight statutory delivery upon the Mayor or President of the City Council.**

I HEREBY SWEAR OR AFFIRM THAT THE  
ABOVE INFORMATION IS TRUE AND CORRECT.

\_\_\_\_\_  
**(Print Claimant's Name)**

\_\_\_\_\_  
**(Address)**

\_\_\_\_\_  
**(Signature of Claimant)**

\_\_\_\_\_  
**(City, State and Zip Code)**

\_\_\_\_\_  
**(Email address of Claimant)**

\_\_\_\_\_  
**(Work Number) (Home Number)**



# CITY OF ATLANTA

M. KASIM REED  
MAYOR

DEPARTMENT OF LAWs  
68 MITCHELL STREET, S.W.  
SUITE 4100  
CITY HALL TOWER  
ATLANTA, GEORGIA 30303-3520  
(404) 330-6400 TELEPHONE  
(404) 658-6894 FACSIMILE

CATHY HAMPTON  
CITY ATTORNEY

When someone is injured or their property is damaged and they believe the City of Atlanta to be responsible, Georgia Law mandates that a claim must be made in writing to the governing authority within six months of the event giving rise to the claim. This writing must include the specific amount of monetary damages sought, date, location, parties involved, and a brief explanation of the event. In the City of Atlanta, the Atlanta City Council is the governing authority and Georgia law mandates the Mayor and/or the President of Atlanta City Council shall be served by delivering the claim to such official personally or by certified mail or statutory overnight delivery. Once a claim is delivered it is forwarded to the Department of Law, Claims Divisions and assigned to a Claims Investigator who will decide based on the evidence, if the City is legally liable. If the investigation determines that the City or its employees were negligent, then the Investigator will begin settlement negotiations with the damaged party. If a settlement is reached, the claim then must be approved by the Atlanta City Council and Mayor prior to the release of the settlement check. If the claim is denied because the investigation determined that the City was not responsible for the damages, the damaged party may then file a lawsuit in the appropriate jurisdiction to be resolved by the court system.

Ga. Code Ann., § 36-33-5

§ 36-33-5. Demand prerequisite to suit for injury to person or property; suspension of limitations

Effective: July 1, 2014

[Currentness](#)

(a) No person, firm, or corporation having a claim for money damages against any municipal corporation on account of injuries to person or property shall bring any action against the municipal corporation for such injuries, without first giving notice as provided in this Code section.

(b) Within six months of the happening of the event upon which a claim against a municipal corporation is predicated, the person, firm, or corporation having the claim shall present the claim in writing to the governing authority of the municipal corporation for adjustment, stating the time, place, and extent of the injury, as nearly as practicable, and the negligence which caused the injury. No action shall be entertained by the courts against the municipal corporation until the cause of action therein has first been presented to the governing authority for adjustment.

(c) Upon the presentation of such claim, the governing authority shall consider and act upon the claim within 30 days from the presentation; and the action of the governing authority, unless it results in the settlement thereof, shall in no sense be a bar to an action therefor in the courts.

(d) The running of the statute of limitations shall be suspended during the time that the demand for payment is pending before such authorities without action on their part.

(e) The description of the extent of the injury required in subsection (b) of this Code section shall include the specific amount of monetary damages being sought from the municipal corporation. The amount of monetary damages set forth in such claim shall constitute an offer of compromise. In the event such claim is not settled by the municipal corporation and the claimant litigates such claim, the amount of monetary damage set forth in such claim shall not be binding on the claimant.

(f) A claim submitted under this Code section shall be served upon the mayor or the chairperson of the city council or city commission, as the case may be, by delivering the claim to such official personally or by certified mail or statutory overnight delivery.

**Credits**

Laws 1899, p. 74, § 1; Laws 1953, Ex. Sess., p. 338, § 1; Laws 1956, p. 183, § 1; [Laws 2014, Act 487, § 1, eff. July 1, 2014](#).

**Formerly** Civil Code 1910, § 910; Code 1933, § 69-308.

[Notes of Decisions \(297\)](#)

Ga. Code Ann., § 36-33-5, GA ST § 36-33-5

Current through Acts 343 to 346, 348 to 631, and 633 to 669 of the 2014 Regular Session.

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