

CITY OF MILWAUKEE

Form CA-43

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December 12, 2001

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Charles Tripi
3434 North 93rd Street
Milwaukee, WI 53222

RE: C.I. File No. 01-S-384


Dear Mr. Tripi:

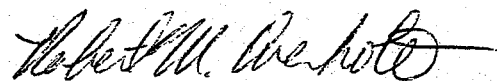
This office is in receipt of your claim in the amount of \$3,072.43, relating to damage you sustained on October 23, 2001 roots from a City tree clogging your sewer lateral at 3434 North 93rd Street.

Our investigation reveals that since tree roots can only invade sewers that are broken, cracked or have failing tile grout, it seem evident that your sewer lateral has some structural deficiencies. The City of Milwaukee Charter Ordinance 12.15 states, it is the property owner's responsibility to maintain or repair the sewer lateral. Tree roots do not cause such external damage to the sewer and therefore the City is not liable for your loss. Accordingly, we are denying your claim.

If you wish to appeal this decision, you may do so by sending a letter within 21 days of the receipt of this letter to the Milwaukee City Clerk, 200 East Wells Street, Room 205, Milwaukee, Wisconsin 53202, requesting a hearing.

Very truly yours,


GRANT F. LANGLEY
City Attorney


ROBERT M. OVERHOLT
Investigator Adjuster

RMO:beg