

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2003

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SENATE DRS35436-LB-340A (5/17)

Short Title: Monroe Claims Settlement. (Local)

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Sponsors: Senator Shubert.

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO AMEND THE CHARTER OF THE CITY OF MONROE TO ALLOW  
THE CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE POWER  
TO SETTLE CERTAIN CLAIMS AGAINST THE CITY.

The General Assembly of North Carolina enacts:

**SECTION 1.** Section 4.9 of the Charter of the City of Monroe, being S.L.  
2003-35, reads as rewritten:

"Section 4.9. ~~Settlement of Claims by City Manager. Claims.~~ The Council may  
authorize the City Manager to settle claims against the City for (i) personal injuries or  
damages to property when the amount involved does not exceed the sum of five  
thousand dollars (\$5,000) and does not exceed the actual loss sustained, including loss  
of time, medical expenses, and any other expenses actually incurred; and (ii) the taking  
of small portions of private property which are needed for the rounding of corners at  
intersections of streets, when the amount involved in any such settlement does not  
exceed five thousand dollars (\$5,000) and does not exceed the actual loss sustained.  
Settlement of a claim by the City Manager pursuant to this section shall constitute a  
complete release of the City from any and all damages sustained by the person involved  
in such settlement in any manner arising out of the incident, occasion, or taking  
complained of. All such settlements and all such releases shall be approved in advance  
by the City Attorney. adopt an ordinance that delegates to the City Manager the  
authority, upon consultation and recommendation of the City Attorney, to improve  
settlements on behalf of the City in all claims or lawsuits of any kind or nature  
involving the City, including, but not limited to, tort claims, land condemnation, and  
civil penalties issued by the City, and to execute any and all documents, including  
releases, necessary for the settlement of such claims or lawsuits, when the monetary  
amount involved does not exceed an amount set forth by the Council in the ordinance.  
Settlement of a claim by the City Manager pursuant to this section shall constitute a

1 complete release of the City from any and all damages sustained by the person involved  
2 in such settlement in any manner arising out of the incident, occasion, or taking  
3 complained of. All such settlements entered into pursuant to this section shall be  
4 reported to the City Council in a timely manner and shall be subject to the applicable  
5 provisions of the Public Records Law as set forth in Chapter 132 of the General  
6 Statutes."

7           **SECTION 2.** This act becomes effective July 1, 2004.