

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-15
HOUSE BILL 1588**

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. 2000-35, 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 approve 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 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 entered into pursuant to this section shall be reported to the City Council in a timely manner and shall be subject to the applicable provisions of the Public Records Law as set forth in Chapter 132 of the General Statutes."

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

In the General Assembly read three times and ratified this the 21st day of June, 2004.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives