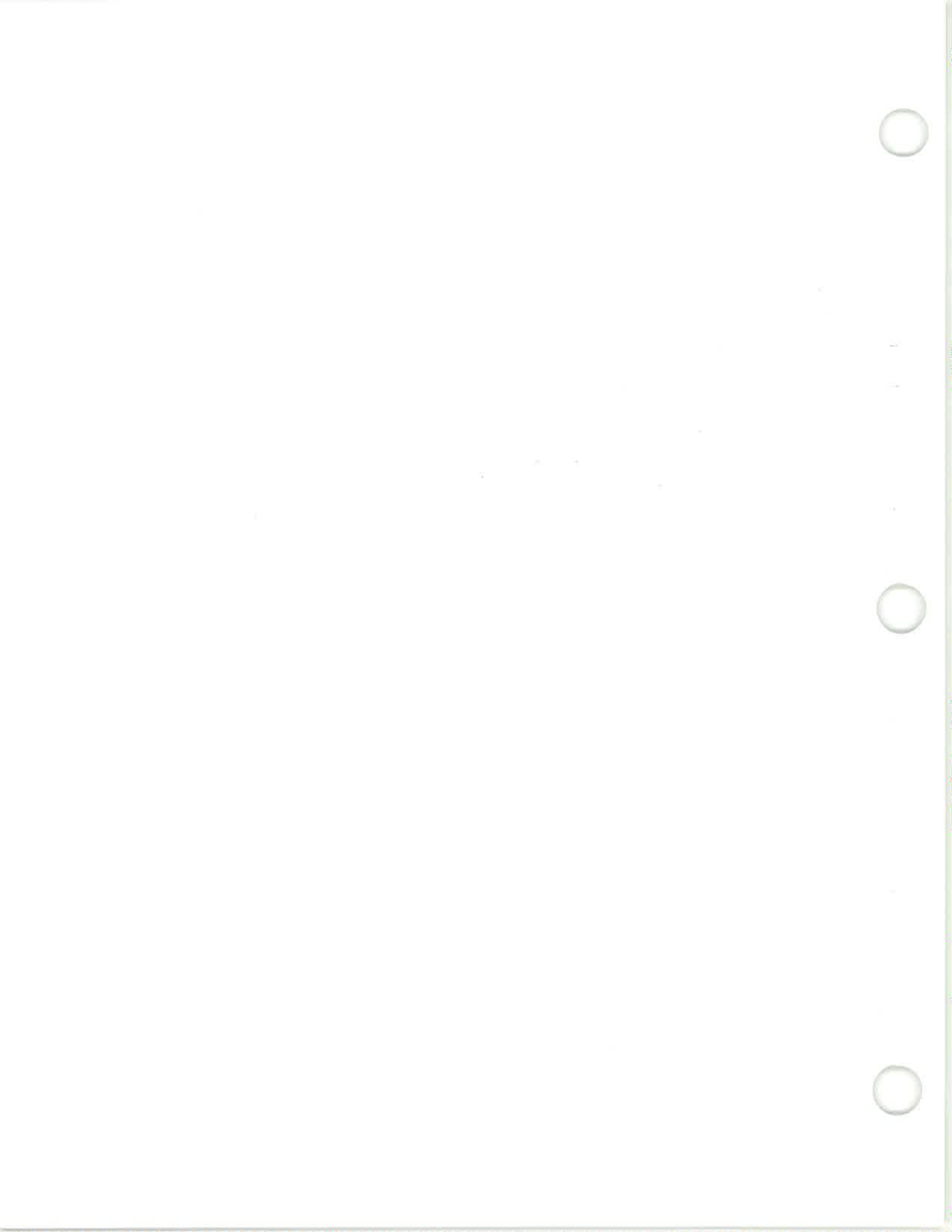


Chapter 2

ADMINISTRATION*

- Art. I. In General, §§ 2-1–2-30**
- Art. II. City Council, §§ 2-31–2-50**
- Art. III. Officers And Employees (Reserved)**

*Cross reference—Human relations, ch. 7.



ARTICLE I. IN GENERAL**Sec. 2-1. Procedure for initiating personal injury or property damage claims against the city.**

(a) The city shall not be liable for any claim for property damage or for personal injury, whether such personal injury results in death or not, unless the person damaged or injured, or someone in his behalf, or if the injury results in death, the person who may have a cause of action under the law by reason of such death or injury, shall, within 60 days or within six months of good cause shown from the date the damage or injury was received, give notice in writing to the mayor and city council of the following facts:

- (1) The date and time when the injury occurred and the place where the injured person or property was at the time the injury was received.
- (2) The nature of the damage or injury sustained.
- (3) The apparent extent of the damage or injury sustained.
- (4) A specific and detailed statement of how and under what circumstances the damage or injury occurred.
- (5) The amount for which each claimants will settle.
- (6) The actual place of residence of each claimant by street, number, city and state on the date the claim is presented.
- (7) In case of personal injury or death, the names and addresses of all persons who, according to the knowledge or information of the claimant witnessed the happening or the injury or any part thereof and the names of the doctors, if any, to whose care the injured person is committed.
- (8) In case of property damage, the location of the damaged property at the time the claim was submitted along with the names and addresses of all persons who witnessed the happening of the damage or any part thereof.

(b) No suit of any nature whatsoever shall be instituted or maintained against the city unless the plaintiff therein shall aver and prove that previous to the filing of the original petition the plaintiff applied to the city council for redress, satisfaction, compensation or relief, as the case may be, and that the same was by vote of the city council refused.

(c) All notices required by this section shall be effectuated by serving them upon the city secretary at the City Hall located at 101 N.W. 1st Street, Cooper, Texas, and all such notices shall be effective only when actually received in the office of the city secretary.

(d) Neither the mayor, a councilmember, or any other officer or employee of the city shall have the authority to waive any of the provisions of this section.

(e) The written notice required under this section shall be sworn to by the person claiming the damage or injuries or by someone authorized by him to do so on his behalf. Failure to swear

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to the notice as required herein shall not render the notice fatally defective, but failure to so verify the notice may be considered by the city council as a factor relating to the truth of the allegations and to the weight to be given to the allegations contained therein.

(Ord. No. 01-12-85, 12-9-85; Ord. No. 01-07-86, §§ 1-5, 7-14-86)

State law reference—Municipal authority to adopt rules governing its liability for damages caused to a person or property, V.T.C.A., Local Government Code § 51.077.

Secs. 2-2–2-30. Reserved.

ARTICLE II. CITY COUNCIL

Secs. 2-31–2-50. Reserved.

**ARTICLE III. OFFICERS AND EMPLOYEES
(RESERVED)**