

TOWN OF SCHROON
Local Law No. 2 of the year 1991
THE TOWN OF SCHROON PRIOR NOTICE LAW

A local law requiring written notification as a prerequisite to maintaining a civil action against the Town of Schroon.

Be it enacted by the Town Board of the Town of Schroon as follows:

SECTION 1: REQUIREMENT OF WRITTEN NOTIFICATION

No civil action shall be maintained against the Town of Schroon or the Town Superintendent of Highways for damages or injuries to person or property sustained by reason of any highway, sidewalk, bridge, culvert, highway marking, sign or device, or any other property owned, operated or maintained by the Town, being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, sidewalk, bridge, culvert, highway markings, sign or device, or any other property owned, operated or maintained by the Town, was actually given to the Town Clerk or Town Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; but no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any highway, sidewalk, bridge or culvert, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk or Town Superintendent of Highways and there was a failure or neglect to cause such snow or ice to be removed, or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

SECTION 2: DUTIES OF TOWN CLERK AND HIGHWAY SUPERINTENDENT

The Town Superintendent of Highways shall transmit in writing to the Town Clerk within ten (10) days after the receipt of thereof all written notices received by him pursuant to this Local Law and subdivision 2 of section 65-a of the Town Law. The Town Clerk shall cause all written notices received by him or her pursuant to this Local Law and subdivision 2 of section 65-a of the Town Law, to be presented to the Town Board within five (5) days of the receipt thereof or at the next succeeding Town Board meeting whichever shall be sooner.

SECTION 3: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

Filed: September 4, 1991