

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
162 WASHINGTON AVENUE, ALBANY, NY 12231

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

~~County~~

~~City~~

~~Town~~

~~Village~~

of Jackson

Local Law No. One of the year 1995

A local law providing for written notification of defects and obstructions
(Insert Title)
on town highways, bridges, streets, sidewalks, crosswalks
and culverts in the Town of Jackson.

Be it enacted by the Town Board of the
(Name of Legislative Body)

~~County~~

~~City~~

~~Town~~

~~Village~~

of Jackson as follows:

SECTION 1. Legislative Authority:

This chapter is enacted pursuant to the provisions of Section 64 of the Town Law of the State of New York.

SECTION 2. Prior Notice:

No civil actions shall be maintained against any Town or Town Superintendent of highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge, street, sidewalk, crosswalk or culvert was actually given to the Town Clerk or Town Superintendent of Highways, and there was a failure or neglect within a reasonable time to after the giving of such notice to repair or remove the defect, danger or obstruction complained of. 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, bridge, street, sidewalk, crosswalk or culvert, unless

(If additional space is needed, attach pages the same size as this sheet, and number each.)

written notice thereof, specifying the particular place, was actually given to the Town Clerk or Town Superintendent of Highways and there was 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 3. Duties of Town Superintendent of Highways:

The Town Superintendent of Highways shall transmit in writing to the Town Clerk within five days after the receipt thereof all written notices received 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 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 days of the receipt thereof or at the next succeeding Town Board meeting whichever shall be sooner.

SECTION 4. Effect of Local Law on State Law:

This Local Law shall supersede in its application of the Town of Jackson subdivisions 1 and 3 of Section 65-a of the Town Law.

SECTION 5. Repeal of Prior Local Law:

Local Law Number Two of 1986 of the Town of Jackson as filed with the Department of State on June 13, 1986 is hereby repealed in its entirety.

SECTION 6. Effective Date:

This Local Law shall take effect immediately upon filing with the Secretary of State of the State of New York and shall be known as Local Law No. 1 of the Year 1995 of the Town of Jackson.