

LOCAL LAW 2 OF 1987

A local law Providing for Written Notification of Defects and Obstructions on Public Ways in the Village of Chestnut Ridge

Be it enacted by the Board of Trustees of the Village of Chestnut Ridge as follows:

SECTION 1: TITLE: This Local Law shall be known as the Local Law PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS AND OBSTRUCTIONS ON PUBLIC WAYS OF THE VILLAGE OF CHESTNUT RIDGE.

Section 2: NOTICE OF DEFECT

1. No civil action shall be maintained against the Village of Chestnut Ridge for damages or injuries to persons or property sustained in consequence of any street, highway, bridge, culvert, traffic signal, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed unless:
 - a. Written notice of such defective, unsafe, dangerous or obstructed condition was actually given to the Village Clerk; and
 - b. There was a failure or neglect within a reasonable time after receipt of such notice to repair or remove the defect, danger or obstruction complained of.
2. No civil action shall be maintained against the Village of Chestnut Ridge for damages or injuries to persons or property sustained in consequence of the existence of snow or ice upon any sidewalk, crosswalk, street, highway, bridge or culvert unless:
 - a. Written notice of the existence of such snow or ice specifying the particular place was actually given to the Village Clerk; and
 - b. There was a failure or neglect within a reasonable time to cause such snow and ice to be removed or to make the place otherwise reasonably safe after receipt of such notice.

SECTION 3: RECORDS OF DEFECTS

The Village Clerk shall keep an indexed record, in a separate book, of all written notices received of the existence of a defective, unsafe, dangerous or obstructed condition, or of the existence of such snow or ice, which record shall state the date of receipt of such notice, the nature and location of the condition stated to exist, and the name and address of the person from whom the notice is received. All such written notices shall be indexed according to the location of the alleged defective, dangerous, unsafe or obstructed condition, or the location of the existence of snow and ice. The records of each notice shall be preserved for a period of five (5) years after the date it is received.

SECTION 4: This law shall take effect immediatiely

Amended August 21, 1997 by Local Law No. 6 of 1997