

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

~~County~~
~~City~~ of Candor
Town
~~Village~~
Local Law No. 4 of the year 19 88

A local law Providing for Written Notification of Defects and Obstructions
on Town Highways and Sidewalks in the Town of Candor.

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

~~County~~
~~City~~ of Candor as follows:
Town
~~Village~~

LIABILITY OF TOWN OF CANDOR, TOWN SUPERINTENDENT
OF HIGHWAYS, OTHER OFFICER, AGENT, EMPLOYEE OR
APPOINTEE OF THE TOWN OF CANDOR

1. No action or special proceeding shall be prosecuted or maintained against the Town of Candor, the Town of Candor Superintendent of Highways, other officer, agent, employee or appointee of the Town of Candor for personal injury, wrongful death or damage to real or personal property alleged to have been sustained by reason of the negligence or wrongful act of such Town of Candor or the Town of Candor Superintendent of Highways, other officer, agent, employee or appointee of the Town of Candor for the defective, unsafe, out-of-repair, dangerous or obstructed condition, including the existence of snow, ice, loose gravel or other foreign substance thereon, of any Town owned, leased or otherwise controlled property of any kind, including but not limited to streets, roads, highways, sidewalks, bridges, lands, culverts, sluices, street or traffic control signs, poles, standards, gravel pits, driveways, building and other structures, equipment, disposal sites, streams or bodies of water, drains,

(If additional space is needed, please attach sheets of the same size as this and number each)

parks, playgrounds, recreation areas, tennis courts, swimming pools, wading pools, pavilions, water lines, sewer lines and utilities either above ground or underground, unless written notice thereof was actually given to the Town of Candor Clerk or Town of Candor Superintendent of Highways previously thereto and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove such condition complained of.

2. Such written notice shall contain the name and address of the person giving such notice, date of existence and condition complained of.

3. The Town of Candor Superintendent of Highway, other officer, agent, employee or appointee of the Town of Candor shall transmit in writing to the Town of Candor Clerk within ten days after the receipt thereof of all written notices received by said Town Clerk pursuant thereto.

4. Record keeping requirements pertaining to such notices, including preservation of the notices, shall be as set forth in Section 65-a of the Town Law of the State of New York, as amended from time to time or other statutes amendatory thereto.

5. Nothing herein shall be construed as enlarging in any way the liability of the Town of Candor, Town of Candor Superintendent of Highways, other officer, agent, employee or appointee of the Town of Candor.

6. Nothing herein shall be deemed in any way to alter or amend the time limitations nor service requirements of Sections 50-E through 50-1 of the General Municipal Law of the State of New York as same now exists or may be hereafter amended.

7. If any clause, phrase, paragraph, subdivision, section, rule or part of this ordinance shall be adjudged by any court or agency of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, phrase, paragraph, subdivision, section rule or part thereof directly involved in the controversy in which such judgment shall have been rendered.