

(Please Use this Form for Filing your 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~~ of Lewis
~~Town~~
~~Village~~
Local Law No. 3 of the year 19 84

A local law AMENDING LOCAL LAW NO. 4-1978, COUNTY OF LEWIS, BEING A
(Insert title)

LOCAL LAW REQUIRING WRITTEN NOTICE OF DEFECTIVE, UNSAFE, DANGEROUS OR OBSTRUCTED CONDITION PRIOR TO MAINTENANCE OF ACTION AGAINST THE COUNTY OF LEWIS FOR DAMAGES FOR INJURIES TO PERSONS OR DAMAGES TO PROPERTY.

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

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

(SEE ATTACHED SHEET)

NO. 3 - 1984
LOCAL LAW ~~XXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~
COUNTY OF LEWIS

A LOCAL LAW AMENDING LOCAL LAW NO. 4-1978, COUNTY OF LEWIS, BEING A LOCAL LAW REQUIRING WRITTEN NOTICE OF DEFECTIVE, UNSAFE, DANGEROUS OR OBSTRUCTED CONDITION PRIOR TO MAINTENANCE OF ACTION AGAINST THE COUNTY OF LEWIS FOR DAMAGES FOR INJURIES TO PERSONS OR DAMAGES TO PROPERTY.

Introduced by Legislator John Colvin, Chairman of the Transportation Committee.

BE IT ENACTED by the Board of Legislators of the County of Lewis as follows:

Section 1. No action or special proceeding shall be prosecuted or maintained against the County of Lewis for personal injury or damage to real or personal property alleged to have been sustained by reason of any street, highway, bridge, culvert, sidewalk or crosswalk being out of repair, unsafe, dangerous, unsigned obstructed, or in consequence of the existence of snow or ice thereon unless it appears that written notice of the defective, unsafe, dangerous, unsigned or obstructed condition, or the existence of snow or ice, was actually given to the Superintendent of the Lewis County Highway Department, and there was a failure or neglect within a reasonable time after the giving of such notice to report or remove the defect, danger or obstruction complained of, or to emplace a proper sign, or to cause the snow or ice to be removed or the place otherwise made reasonably safe.

The Superintendent of Lewis County Highway Department shall keep an indexed record, in a separate book, of all notices which he shall receive of the existence of such defective, unsafe, dangerous, unsigned or obstructed condition, or of such snow or ice, which record shall state the date of receipt of the 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.

Section 2. Nothing herein contained shall be construed to relieve a claimant of the obligation to send a notice of claim as provided in Section 50-e of the General Municipal Law.

Section 3. That the within local law shall take effect upon all legal requirements being met.

(Complete the certification in the paragraph which applies to the filing of this local law and strike out the matter therein which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 3 of 19 84.
County
of the ~~City~~ Board of Legislators of Lewis was duly passed by the Board of Legislators
~~Town~~ (Name of Legislative Body)
~~Village~~
on April 3rd 1984 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer, * or repassage after disapproval.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____
Town (Name of Legislative Body)
Village
on _____ 19_____ and was approved _____ by the _____
repassed after disapproval _____ Elective Chief Executive Officer *
and was deemed duly adopted on _____ 19_____, in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____
Town (Name of Legislative Body)
Village
on _____ 19_____ and was approved _____ by the _____
repassed after disapproval _____ Elective Chief Executive Officer *
on _____ 19_____. Such local law was submitted to the people by reason of a
mandatory referendum, and received the affirmative vote of a majority of the qualified electors voting
permissive general
thereon at the special election held on _____ 19_____, in accordance with the appli-
annual
cable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19_____
County
of the City of _____ was duly passed by the _____ on
Town (Name of Legislative Body)
Village
_____ 19_____ and was approved _____ by the _____ on
repassed after disapproval _____ Elective Chief Executive Officer *
_____ 19_____. Such local law being subject to a permissive referendum and no
valid petition requesting such referendum having been filed, said local law was deemed duly adopted on
_____ 19_____, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village or the supervisor of a town, where such officer is vested with power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the City of..... having been submitted to referendum pursuant to the provisions of § 36 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the special election held on 19 became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as Local Law No. of 19..... of the County of, State of New York, having been submitted to the Electors at the General Election of November, 19, pursuant to subdivisions 5 and 7 of Section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph above.

Narathy E. Kotel

Clerk of the County legislative body, ~~City~~ ~~Town~~ ~~Village~~ ~~Clerk~~ ~~xxx~~
~~Office located in the County legislative body~~

Date: April 4th, 1984

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Lewis

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Handwritten Signature]

Signature

County Attorney

Title

Date: April 4th, 1984

County
~~City~~ of Lewis
~~Town~~
~~Village~~