

(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 BELLMONT
Town
~~Village~~
Local Law No. 2 of the year 19 86

A local law to require prior written notice of Town property defects
(Insert title)

Be it enacted by the TOWN BOARD of the
(Name of Legislative Body)

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

No civil action shall be maintained against the Town of Belmont or any Town officer, including the Town Superintendent of Highways, or against any Town improvement district located in the Town of Belmont, for damages or injuries to person or property sustained by reason of any property owned, operated, maintained or repaired by the Town, including any highway marking, sign or device, or any property owned, operated, maintained or repaired by any improvement district located in the Town, being defective, out of repair, unsafe, dangerous or obstructed, unless written notice of such defective, unsafe, dangerous or obstructed condition of such property was actually received by the Town Clerk or Town Superintendent of Highways, and that there was a failure or neglect within a reasonable time after the receiving 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 persons or property sustained solely by consequence of the existence of snow or ice upon any highway, bridge or culvert, unless written notice thereof, specifying the particular place, was actually received by the Town Clerk or the 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. No civil action shall be maintained against the Town of Belmont or the Town superintendent of Highways for damages or injuries to person or property sustained by reason of any defect in its sidewalks or in consequence of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or maintained by the Town or the Superintendent of Highways of the Town pursuant to statute, nor shall any action be maintained for damages or injuries to such person or property sustained by reason of such defect or in the consequence of such existence of snow or ice unless written notice thereof, specifying the particular place, was actually

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

(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. 2 of 19 86 ..
County
City
of the Town of Belmont was duly passed by the Town Board
Village (Name of Legislative Body)
on October 20, 1986 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
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19 not disapproved 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
City
of the Town of was duly passed by the
Village (Name of Legislative Body)
on 19 not disapproved 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
City
of the Town of was duly passed by the on
Village (Name of Legislative Body)
..... 19 not disapproved 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.

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

~~5~~ 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~~ ^{§ 37} 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~~ ^{general} election held on the _____ 19 _____ 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.

[Handwritten Signature]

Clerk of the Board of Supervisors, City, Town or Village Clerk or Officer designated by Local Legislative Body

Date: October 20, 1986

(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 Franklin

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.

Brian S Stewart
Attorney for Town of Bellmont
(Title of Officer)

~~County~~
City of Bellmont
Town
~~Village~~

Dated: October 20, 1986