

TOWN OF FINE

LOCAL LAW NO. 2 FOR THE YEAR 1984

A LOCAL LAW TO PROVIDE FOR PRIOR WRITTEN NOTICE OF DEFECTIVE, OUT OF REPAIR, UNSAFE, OR DANGEROUS CONDITION ON TOWN PROPERTY

Be it enacted by the Town Board of the Town of Fine of the County of St. Lawrence as follows:

Section 1. Property: Prior Notice Required: Contents of Notice: Filing of Notice: Reasonable Time to Repair.

No civil action shall be maintained against the Town of Fine for damages or injuries to person or property sustained by reason of any property of the Town of Fine other than as provided for in Local Law No. 1 of the year 1977, being out of repair, unsafe, or dangerous, unless written notice of such defective, unsafe, or dangerous condition, specifying the particular place, was actually given to the Town Clerk, and that there was failure or neglect within a reasonable time after the giving of such notice to repair the defect, danger, or unsafe condition complained of. No 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 property, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk and there was a failure or neglect to cause such snow or ice to be removed.

Section 2. Property: Town Clerk: Index Record: Contents of Record: Duties.

The Town Clerk shall keep an index record in a separate book, of all written notices, which he shall receive pursuant to this local law of the existence of a defective, unsafe, or dangerous condition in or upon, or of an accumulation of ice or snow upon any property of the Town other than as provided under Local Law No. 1 for the year 1977 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. The record of each notice shall be preserved for a period of five years after the date it is received. The Town Clerk shall transmit in writing to the Superintendent of Highways within ten (10) days after receipt, all written notices received by him pursuant to this local law.

Section 3. Property: Definition.

For the purposes of this title of this local law, property of the Town of Fine shall include but not be limited to the interior and exterior of any building owned, operated or controlled by the Town of Fine, park lands, historic sites, recreation area, scenic sites, overlooks, garages, storage areas, other than a highway, bridge, or culvert, provided for in Local Law No. 1 for the year 1977, sidewalks, ramps, accessways, and other methods of egress to or from, within or without, such property.

Section 4. Effective Date.

This local law shall take effect immediately.