

Rescinded 2-10

(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 Yates
~~Town~~
~~Village~~

Local Law No. 3 of the year 19 78

A local law Providing no action shall be maintained against the County for certain damages unless County has received prior written notice .
(Insert title)

Be it enacted by the Legislature of the
(Name of Legislative Body)

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

SECTION 1. Short Title.

This Local Law shall hereafter be known as "the Yates County Prior Written Notice Local Law".

SECTION 2. Uses for Damages or Injuries.

No civil action shall be maintained against the County of Yates nor the Yates County Superintendent of Highways for damages or injuries to persons or property sustained by reason of any County road or highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defect, unsafe, dangerous or obstructed condition of such highway, bridge or culvert was actually given to the Yates County Superintendent of Highways, and that there was a failure or neglect within a reasonable time after the receipt 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 person or property sustained

SECTION 3. Written Notice; How Served.

The written notice of such defect, unsafe, dangerous or obstructed conditions or of the existence of snow or ice shall be given to the Yates County Superintendent of Highways by delivering a copy thereof personally to the Superintendent or by leaving the same at the office of the Superintendent located at the Hamlet of Benton Center, R.D.#4, Penn Yan, New York 14527 or by registered or certified mail directed to the Superintendent at such address.

SECTION 4. Written Notice Recording System.

The Yates County Superintendent of Highways shall establish and maintain at his office/^abook or binder entitled "Notice of Highway Defects, etc." in which shall be placed and maintained the originals of each such written notice including a statement attached to each notice as to the time and date it was received. The "Notice of Highway Defects, etc." shall be available at the Superintendent's office for public inspections at all times during regular business hours.

SECTION 5. Effective Date.

This Local Law shall take effect on the 1st day of September, 1978.

(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 1978.....
County
of the ~~City~~ of Yates was duly passed by the Legislature
~~Town~~ (Name of Legislative Body)
~~Village~~
on August 14, 1978 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 not disapproved 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 not disapproved by the
repassed after disapproval Elective Chief Executive Officer *
on 19..... Such local law was submitted to the people by reason of a
mandatory permissive referendum, and received the affirmative vote of a majority of the qualified electors voting
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~~
on 19..... and was approved not disapproved by the on
repassed after disapproval Elective Chief Executive Officer *