

VILLAGE OF ALFRED, NEW YORK

LOCAL LAW NO. 3 – 1989

PRIOR NOTICE OF DEFECT

Be it enacted by the Board of Trustees of the Village of Alfred as follows:

No civil action shall be maintained by any person against the Village of Alfred for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being out of repair, unsafe, dangerous or obstructed, or in consequence of the existence of snow or ice thereon, unless it appears that written notice of the defective, unsafe, dangerous or obstructed condition, or of the existence of the snow, ice, was actually given to the Mayor, Village Clerk, or Superintendent of Public Works of the Village of Alfred and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger of obstruction complained of, or to cause the snow or ice to be removed, or the place otherwise made reasonably safe.

The Village Clerk of the Village of Alfred shall keep an indexed record, in a separate book, of all written notices which the Village shall receive of the existence of such defective, unsafe, dangerous 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. All such written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice.