

(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 STEUBEN
~~Town~~
Village
Local Law No. TWO of the year 19 78

A local law providing for written notification of defects and obstructions on county highways and new york state highways maintained by the county of steuben in the county of steuben.

Be it enacted by the BOARD OF SUPERVISORS of the

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

SECTION 1. No civil action shall be maintained against the County of Steuben, the Steuben County Superintendent of Highways or any employee of the County of Steuben for damages or injuries to person or property sustained by reason of any highway, bridge, or culvert being defective, out of repair, unsafe, dangerous, or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway bridge or culvert was actually given to the Steuben County Clerk or the Steuben County Superintendent of Highways, and there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the defect, danger or obstruction complained of; but 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 town, state, or county highway, bridge or culvert, unless written notice thereof, specifying the particular place, was actually given to the Steuben County Clerk or the Steuben County 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.

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

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SECTION 2. The Steuben County Superintendent of Highways shall transmit in writing to the Steuben County Clerk within five (5) days after the receipt thereof all written notices received by him pursuant to this local law and the Steuben County Clerk shall keep an indexed record, in a separate book, of all written notices which he 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. The Steuben County Clerk shall preserve the record of each notice for a period of at least five (5) years after the date it is received.

SECTION 3. The Steuben County Clerk shall transmit in writing to the Steuben County Superintendent of Highways within five (5) days after receipt thereof a copy of any written notice of defect, unsafe, dangerous or obstructed conditions filed in accordance herewith, which has not previously been filed with the Steuben County Superintendent of Highways, and the notices shall be properly recorded in the records of the Steuben County Highway Department.

SECTION 4. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

BE IT FURTHER RESOLVED, that within five (5) days after the final adoption by this Board of Supervisors of said County of Steuben Local Law No. Two of the Year 1978, the Clerk of this Board shall cause one certified copy thereof to be filed in the Office of the Steuben County Clerk, one certified copy in the Office of the New York State Comptroller and four certified copies in the Office of the Secretary of State of the State of New York, and said Secretary of State is to be requested to publish the Local Law in the supplement to the Session Laws and the Steuben County Clerk is to be requested to file the Local Law in a separate book kept by him for such records, and be it further

RESOLVED, that the Clerk of this Board, in accordance with Section 214, shall cause a true copy of said Local Law to be published in the two county official newspapers at least once a week for two successive weeks, the first publication of which shall be had within ten days after such Local Law has become effective, and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Chairman of the County Highway Committee, the Clerk of the County Board of Supervisors; the New York State Department of Transportation (Hornell Office); the Riedman Agency, Inc., Canisteo, New York.