

CHAPTER 66

WRITTEN NOTIFICATION OF DEFECTIVE, UNSAFE OR OBSTRUCTED CONDITION

§66.1 Prior written notice required

No civil action shall be maintained against the Village of Avon or the Village Superintendent of Public Works for damages or injuries to person or property sustained by reason of any highway, bridge, culvert, sidewalk, sign, building or other property being defective, out of repair, unsafe, dangerous or obstructed unless written notification of such defective, unsafe, dangerous or obstructed condition was actually given to the Village Clerk or Village Superintendent of Public Works, and there was a failure or neglect within a reasonable time after giving such notice to repair or remove the defect, danger or obstruction complained of; that no such action shall be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow, ice, mud or other substance upon any highway, bridge, culvert, sidewalk, sign or other Village property unless written notice thereof specifying the particular place was actually given to the Village Clerk or the Village Superintendent of Public works and there was a failure to neglect to cause snow, ice, mud or other substance to be removed or to make the place otherwise reasonably safe within a reasonable time after the receipt of such notice.

§66.2 Procedure

The Village Superintendent of Public Works shall transmit and arrange with the Village Clerk within five (5) days after the receipt thereof all written notices received by him pursuant to this local law. The Village Clerk shall cause all written notices received by her pursuant to this local law to be presented to the Village Board of Trustees within five (5) days of the receipt thereof or at the next succeeding Village Board meeting, whichever shall sooner occur.

Historical Note

Chapter 66 was added by Local Law #4 of 1983.