

Local Law Filing

New York State Department of State

41 State Street, Albany, NY 13331

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Town of DeKalb

Local Law No. 1 of the year 2021

A Local Law providing for written notification of defects and obstructions on Town highways, bridges, streets, sidewalks, crosswalks and culverts in the Town of DeKalb.

Be it enacted by the Town Board of

Town of DeKalb as follows:

#### SECTION 1.

No civil actions shall be maintained against the Town or Town Superintendent of Highways for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk 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, street, sidewalk, crosswalk or culvert was actually given to the Town Clerk or Town 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. No such 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 highway, bridge, street, sidewalk, crosswalk or culvert, unless written notice thereof, specifying the particular place, was actually given to the Town Clerk or Town Superintendent of Highways and there was 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.

#### SECTION 2.

The Town Superintendent of Highways shall transmit in writing to the Town Clerk within ten (10) days after the receipt thereof all written notices received pursuant to this Local Law.

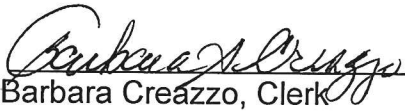
### SECTION 3.

It is the intent of the Town Board, pursuant to the Municipal Home Rule Law of the State of New York, to supersede such portions of §65-a of the Town Law of the State of New York. This Local Law shall supersede in its application NYS Town Law §65a, Sections 1, 2 and 3.

### SECTION 4.

This Local Law shall become effective upon filing with the Department of State.

I hereby certify that the Local Law annexed hereto, designated as Local Law No. 1 of 2021 of the Town of DeKalb was duly passed by the Town Board on February 17, 2021, in accordance with the applicable provisions of Law.

  
Barbara Creazzo, Clerk  
Town of DeKalb

(Seal)

Date: 2/17/21

STATE OF NEW YORK            )  
  ) ss.:  
COUNTY OF ST. LAWRENCE)

I, the undersigned, hereby certify that the foregoing Local Law contains the correct text and that all proper proceedings have been had or taken for the enactment of the Local Law annexed hereto.

  
Charles B. Nash, Esq.  
Town Attorney  
Town of DeKalb

Date: 2/17/21