

VILLAGE OF ISLAND PARK
LOCAL LAW NO. 3 OF 1989

A local law Liability of Village

Be it enacted by the Mayor and Board of Trustees of the Village of Island Park that Local Law 3 of 1989 reads as follows:

1. Damages due to defective highways; notice to Village required.

No civil action shall be maintained against the Village of Island Park or any officer or employee thereof 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 Village Clerk 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. Under no circumstances shall the Village of Island Park or any officer or employee thereof be liable for damages due to the defective conditions of Village streets and highways in the absence of prior written notice to the Village of the existence of such conditions.

2. Damages or injuries due to defective parking field, beach area, swimming or wading pool or pool equipment, playground or playground equipment) or park property; notice to Village required.

No civil action shall be maintained against the Village of Island Park or any officer or employee thereof for damages or injuries to person or property sustained by reason of any defective parking field, beach area, swimming or wading pool or pool equipment, playground or playground equipment or park property, no matter where situated, being defective, out of repair, unsafe, dangerous or obstructed condition of the defective parking field, beach area, swimming or wading pool or pool equipment, playground or playground equipment or park property was actually served upon the Village Clerk and there was a failure or neglect within a reasonable time after the giving of due notice to repair or

remove the defect, danger or obstruction complained of. Under no circumstances shall the Village of Island Park or any officer or employee thereof be liable for injuries or damages to person or property due to defective conditions of the aforesaid Village property in the absence of prior written notice to the Village of the existence of the defective condition causing the said injuries or damages.

3. Damages or injuries due to defective traffic signs and signals, sidewalks, walkways, footpaths or bicycle pathways; notice to Village required.

No civil action shall be maintained against the Village of Island Park or any officer or employee thereof for injuries or damages to person or property sustained by reason of any defect whatsoever in its traffic signs and signals, sidewalks, walkways, footpaths or bicycle pathways or for injuries or damages to person or property sustained by reason of any defect in its traffic signs or signals, sidewalks, walkways, footpaths or bicycle pathways, unless written notice of said defect was actually given to the Village Clerk nor shall any action be maintained for injuries or damages to person or property sustained by reason of any defect or in consequence of the existence of snow or ice unless written notice thereof, specifying in the particular place, location and condition was actually given to the Village Clerk and there was a failure or neglect to cause the particular defect to be remedied or the snow or ice to be removed or to make the place otherwise reasonably safe within time after the receipt of due notice.

4. Method of service of due notice Service of due notice of any defect described in this chapter shall be accomplished by personal service or service by registered or certified mail..

5. This Local Law shall take effect upon being filed with the Secretary of State.