

Local Law Filing

NEW YORK STATE DEPARTMENT OF STATE
41 STATE STREET, ALBANY, NY 12231

(Use this form to file a 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 St. Johnsville.....
Town
Village

Local Law No. 2 Of 2006

An Enactment Pursuant To The Authority Of § 1-7 of Local Law No. 1 Of 2004 To Amend Chapter 169, Entitled 'Notification Of Defects', Of The "Code Of The Village Of St. Johnsville"

.....
.....

Be it enacted by the Village Board
of the

County
City of St. Johnsville
Town
Village

AS ATTACHED HERETO

(If additional space is needed, attach pages the same size as this sheet, and number each.

(1)

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 2 of 2006 of the (County) (City) (Town) (Village) of St. Johnsville by the Village Board on February 15, 2006 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer.)

I hereby certify that the local law annexed hereto, designated as local law No..... of 19..... of the (County) (City) (Town) (Village) of duly passed by the on 19..... and was (approved) (not approved) (repassed after disapproval) by the and was deemed duly adopted on 19..... in accordance with the applicable provisions of law.

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the (County) (City) (Town) (Village) of was duly passed by the on 19....., and was (approved) (not approved) (repassed after disapproval) by the..... on 19..... . Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on 19..... in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the (County) (City) (Town) (Village) of was duly passed by the on 19....., and was (approved) (not approved) (repassed after disapproval) by the on 19..... Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of 19..... in accordance with the applicable provisions of law.

Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairperson of the county legislative body, the mayor of a city or village, or, the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19 of the City of having been submitted to referendum pursuant to the provisions of section (36) (37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special) (general) election held on 19..... became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. of 19..... of the County of, State of New York, having been submitted to the electors at the General Election of November, 19....., pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

(Seal)

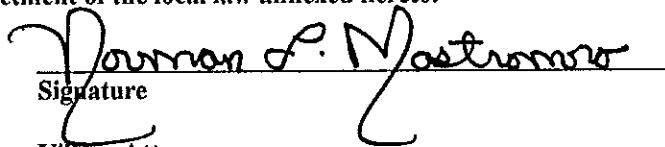
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: February 15, 2006

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized attorney of locality.)

STATE OF NEW YORK
COUNTY OF MONTGOMERY

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.



Signature

Village Attorney

County

City of St. Johnsville

Town

Village

Date: February 15, 2006

Chapter 169

NOTIFICATION OF DEFECTS

§ 169-1. Written notice of defective or unsafe conditions.

No civil action shall be maintained against the Village of St. Johnsville for damages or injuries to person or property sustained by reason of any sidewalk, highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless:

- A. Written notice of such defective, unsafe, dangerous or obstructed condition was received by the Village Clerk; and,
- B. There was a failure or neglect within the time prescribed by law, or within a reasonable time after the giving of such notice, to repair or remove the complained of defect, danger or obstruction.

§ 169-2. Written notice of snow or ice.

No civil action shall be maintained against the Village of St. Johnsville for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, highway, bridge or culvert, unless:

- A. Written notice thereof, specifying the particular place, was actually received by the Village Clerk; and,
- B. There was a failure or neglect within the time prescribed by law, or within a reasonable time after the giving of such notice, to cause such snow or ice to be removed or to make the place otherwise reasonably safe.

§ 169-3. Transmittal of written notices.

All written notices received by the Village Clerk regarding any condition described herein shall be presented to the Superintendent of Public Works within the time prescribed by law, or within a reasonable time after the receipt of such notice.

§ 169-4. Indexed record.

The Village Clerk in accordance with Village Law 4-402(g), shall keep an indexed record in a separate book of all written notices which said Clerk shall receive pursuant to this chapter of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon, any Village sidewalk, highway, bridge or culvert, 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 record of each notice shall be preserved for a period of five years after the date it is received.