(Please lise this Form for Filing your Local Law with the Secretary of State)

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A local law requiring actual notice of dangerous coditions.

	Board of	Supervisors		of 1	the
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County City XXXX of

Montgome y

as follows:

SECTION 1. (a) No action or special proceeding shall be commenced, maintained or prosecuted against the County of Montgomery for personal injury or damage to real or personal property alleged to have been caused by or sustained as a result of any street, highway, bridge, culvert, sidewalk or crosswalk being out of repair, unsafe, poorly designed, dangerous, or in a dangerous condition due to accumulated snow and ice thereon unless actual notice of such dangerous condition or defect was given to the Commissioner of Public Works of the county or in the event there is no Commissioner of Public Works, to the person exercising the powers and performing the duties of a Commissioner of Public Works 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 and to make the condition complained of reasonably safe.

(b) The Commissioner of Public Works of the County of Montgomery or in the event that there is no Commissioner of Public Works, the person exercising the powers and performing the duties of a Commissioner of Public Works shall keep a separate indexed record of all notices which he shall receive of the existence of any defective, out of repair, unsafe, poorly designed, dangerous or obstructed condition or of any dangerous accumulations of snow or ice on any street, highway, bridge, culvert, sidewalk or crosswalk, 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 was received.

SECTION 2. Nothing herein contained shall be construed to relieve any person claiming personal injuries or damage to real or personal property arising out of any condition or defect herein described from the obligation of complying with the provisions of Section 50-e of the General Municipal Law or any other or similar statute requiring the filing of a notice of a claim for such injuries or damages.

cherron 3. This local law shall take effect upon the compliance with all statutes or requirements of other regulation.

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*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 chairman of the board of supervisors, the mayor of a city or village or the supervisor of a town, where such officer is vested will power to approve or veto local laws or ordinances.

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or other authorized Attorney of locality.) STATE OF NEW YORK COUNTY OFMontgomery	foregoing local law contains the correct text and that all e enactment of the local law annexed hereto.



STATE OF NEW YORK

DEPARTMENT OF STATE

162 WASHINGTON AVENUE ALBANY, NEW YORK 12231

February 5, 1979

William E. Moore, Esq. 42 Division Street Amsterdam, NY 12010

Dear Sir / Madam:

of 197% of the County of Montgomery

****Exemple when filing local laws with this office.

Very truly yours,

BASIL A. PATERSON Secretary of State

Bv:

James C. Aube

Director

State Records

& Law Bureau

cc: State Comptroller

Division of Municipal Affairs

State of New York ss.: DEPARTMENT OF STATE

It is Hereby Certified, That the attached is a true copy of the document designated as Local Law No. 2 of the year 1978 of the County of Montgomery, entitled "A local law requiring actual notice of dangerous conditions", which was received and filed in the Office of the Secretary of State on January 22, 1979

Thitmes my hand and the official seal of the Department of State at the City of Albany, this twenty-fifth day of November one thousand nine hundred and eighty-six.

The Harm

Secretary of State

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not use brackets for matter to be eliminated and do not use italics for new matter.

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A local law requiring actual notice of dangerous coditions.

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SECTION 1. (a) No action or special proceeding shall be commenced, maintained or prosecuted against the County of Montgomery for personal injury or damage to real or personal property alleged to have been caused by or sustained as a result of any street, highway, bridge, culvert, sidewalk or crosswalk being out of repair, unsafe, noorly designed, dangerous, or in a dangerous condition due to accumulated snow and ice thereon unless actual notice of such dangerous condition or defect was given to the Commissioner of Public Works of the county or in the event there is no Commissioner of Public Works, to the person exercising the powers and performing the luties of a Commissioner of Public Works 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 and to make the condition complained of reasonably safe.

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SECTION 2. Nothing herein contained shall be construed to relieve any person claiming personal injuries or damage to real or personal property arising out of any condition or defect herein described from the obligation of complying with the provisions of Section 50-e of the General Municipal Law or any other or similar statute requiring the filing of a notice of a claim for such injuries or damages.

SECTION 3. This local law shall take effect upon the compliance with all statutes or requirements of other regulation.

Complete the certification in the paragraph which applies to the filing of this local bay and strike out the matter therein which is not applicable.) (Final adoption by local legislative body only.) of the XXX of Montgomery was duly passed by the Board of Supervisors XXXX XXXXX November 28, 1978 in accordance with the applicable provisions of law. (Passage by local legislative body with approval or no disapproval by Elective Chief Executive Officer or repassage after disapproval.) * was duly passed by (Name of Legislative Body) of the Town Village not disapproved ____19 and was approved by the Elective Chief Executive Officer repassed after disapproval provisions of law. (Final adoption by referendum.) County City of the Town of was duly passed by the (Name of Legislative Body) Village not dicapproved by the Elective Chief Executive Officer 19 and was approved repassed after disapproval 19 ... Such local law was submitted to the people by reason of a manuatory referendum and received the affirmative vote of a majority of the qualified electors voting 19 ... rin accordance with the applithereon at the special election held on ... annual cable provisions of law. (Subject to permissive referendum and final adoption because no valid petition filed requesting County was duly passed by the of the Town of. (Name of Legislative Body) Village not disapproved 19 and was approved by the ... Elective Chief Executive Officer repassed after disapproval 19 . Such local law being subject to a permissive referendum and no valid petition requesting such referendum having been filed, said local law was deemed duly adopted on 19 , in accordance with the applicable provisions of law.

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	Alexand Carley
	(Title of Officer) County Attorney County KXX Montgomery YXXX of

Dated: December 29, 1978	경우리 공동일 없는 한 학생들은 경기를 받는 것이 없는 살아 있다. 없는

Dated: Fonda, N.Y., December 12, 1978

HAROLD L. PHILBROOK, Clerk, Board of Supervisors

WILLIAM E. MOORE, County Attorney

LOCAL LAW NO. 1

BE IT ENACTED by the Board of Supervisors of the County of Montgomery as follows:

SECTION 1. (a) No action or special proceeding shall be commenced, maintained or prosecuted against the County of Montgomery for personal injury or damage to real or personal property alleged to have been caused by or sustained as a result of any street, highway, bridge, culvert, sidewalk or crosswalk being out of repair, unsafe, poorly designed, dangerous, or in a dangerous condition due to accumulated snow and ice theron unless actual notice of such dangerous condition or defect was given to the Commissioner of Public Works of the county or in the event there is no Commissioner of Public Works, to the person exercising the powers and performing the duties of a Commissioner of Public Works 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 and to make the condition complained of reasonably safe.

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SECTION 2. Nothing herein contained shall be construed to relieve any person claiming personal injuries or damage to real or personal property arising out of any condition or defect herein described from the obligation of complying with the provisions of Section 50 e of the General Municipal Law or any other or similar statute requiring the filing of a notice of a claim for such injuries or damages.

SECTION 3. This local law shall take effect upon the compliance with all statutes or requirements of other regulations applicable to its adoption.

RESOLUTION NO. 271

Resolution Adopting Local Law No. 1, 1978 Requiring Actual Notice of Dangerous Conditions Prior to Maintenance of Legal proceedings Against County of Montgomery

Resolution by Supervisor Knoeck:

WHEREAS, a public hearing was held on the 11th day of April, 1978, on Local Law No. 1, 1978, for the County of Montgomery and

WHEREAS, copies of the said Local Law No. 1 were mailed to the members of the Board of Supervisors on Thursday, March 16, 1978, and have therefore been on the desks of the said Supervisors for more than eleven days prior to the adoption of said local law, now, therefore, be it and is hereby is

RESOLVED, that Local Law No. 1, 1978, is hereby adopted and the Clerk of the Board of Supervisors and the County Attorney be and they hereby are authorized, empowered and directed to take any and all other steps necessary or proper to complete the adoption and enactment of the said law, a copy of which is appended to this resolution and made a part herof.

Seconded by Supervisor Bunker and duly adopted upon roll call, all members Present (18) voting aye.

Ayes - 1008

		FEE	RECEIPT	ENTRY No	150985
_ Received from	m Janet Tiemann		Date received	11/25/86	
	Montgomery County		Amount received	\$	5.50
	County Annex Bldg.		Amount of fee	\$	5.50
	Address Fonda, NY 12068		Refund due	\$	
and a	Check Cash Money Order Other urat(certified copy) of		of 1978 for the Co (Law Bureau)		
Refund to:					
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