

A Local Law: To Require Notice of Defective or Dangerous Conditions as a Condition Precedent to Liability for Damages or Injuries

Be it enacted by the: Board of Trustees of the Village of: Cassadaga as Follows:

Section 1:

Village of Cassadaga shall not be liable for damage or injury sustained by any person in consequence of any public street or highway, or public place, land or building, including but not limited to any street, highway, parkway, park approach, bridge, culvert, sidewalk, crosswalk, grading, opening, drain, sewer, park or playground, or equipment located herein or thereon, being in a defective, out of repair, unsafe, dangerous condition or obstructed by snow, ice or otherwise in any way or manner, unless written notice of the defective, unsafe, dangerous or obstructed condition shall have been given to the Village Clerk of said Village, at least five (5) days previous to said damage or injury. This section applies to the claims of all persons, including infants.

Section 2:

Nothing contained in this chapter shall be held to repeal or modify or waive any existing requirements of notice which are applicable to any causes of action against the Village but, on the contrary, shall be held to be additional requirements to the rights to maintain such actions.

Section 3:

This local law shall take effect immediately.