

6-3-92

### PRIOR NOTICE LAW

1. No civil action shall be maintained against the Town of Richford 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:

- (a) (1) Written notice of such defective, unsafe, dangerous or obstructed condition was received by the clerk of the Town of Richford or the Town of Richford highway superintendent of highways; and
- (2) there was a failure or neglect within a reasonable time after the giving of such notice to repair or remove the direct, 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 or culvert, unless:

- (a) (1) Written notice thereof, specifying the particular place, was actually received by the clerk of the Town of Richford or highway superintendent of the Town of Richford; and
- (2) there was a 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.

2. The highway superintendent of the Town of Richford shall transmit in writing to the clerk of the Town of Richford within ten days after the receipt thereof all written notices received by said clerk pursuant to Section 1. of this local law.

3. The clerk of the Town of Richford shall keep an indexed record, in a pursuant to such local law of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon any town 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.

4. This law shall take effect :