

**NOTICE OF PUBLIC HEARING
COUNTY OF STEUBEN
LOCAL LAW TENTATIVELY NO. ONE FOR THE YEAR 2016**

NOTICE IS HEREBY GIVEN, that the Steuben County Legislature will hold a Public Hearing at the Steuben County Legislative Chambers, Steuben County Office Building, Bath, New York on the 28th day of March, 2016, at 10:00 a.m. upon County of Steuben Local Law Tentatively No. One for the Year 2016, Amending Local Law No. Two of the Year 1978, Relative to Written Notice of Defect.

Said Local Law is as follows:

SECTION 1. No civil action shall be maintained against the County of Steuben, the Steuben County ~~Superintendent~~ ~~Commissioner of Highways~~ ~~Public Works~~ or any employee of the County of Steuben for damages or injuries to person or property sustained by reason of any highway, bridge, ~~or~~ culvert, or any other property owned by the County of Steuben or any property owned by any improvement district therein, 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 or any other property owned by the County of Steuben, or any property owned by any improvement district, was actually given to the Clerk of the Steuben County ~~Clerk~~ Legislature or the Steuben County ~~Superintendent~~ ~~Commissioner of Highways~~ ~~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; but no 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 town, state, or county highway, bridge, ~~or~~ culvert, or any other property owned by the County of Steuben or any property owned by any improvement district of the County of Steuben unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County ~~Clerk~~ Legislature or the Steuben County ~~Superintendent~~ ~~Commissioner of Highways~~ ~~Public Works~~ and 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.

SECTION 2. No civil action shall be maintained against the County of Steuben and/or the Steuben County Commissioner of Public Works for damages or injuries to person or property sustained by reason of any defect in the sidewalks of the existence of snow or ice upon any of its sidewalks, unless such sidewalks have been constructed or are maintained by the County of Steuben and/or the Steuben County Commissioner of Public Works and/or the Steuben County Superintendent of Buildings and Grounds pursuant to law, nor shall any action be maintained for damages or injuries to person or property sustained by reason of such defect or in consequence of such existence of snow or ice unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Steuben County Legislature or to the Steuben County Commissioner of Public Works and there was a failure or neglect to cause such defect to be remedied, 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.

SECTION 3. The Steuben County ~~Superintendent~~ ~~Commissioner of Highways~~ ~~Public Works~~ shall transmit in writing to the Clerk of the Steuben County ~~Clerk~~ Legislature within five (5) days after the receipt thereof all written notices received by him pursuant to this local law and the Clerk of the Steuben County ~~Clerk~~ Legislature shall keep an indexed record, in a separate book, of all written notices which he shall receive of the existence of such defective, unsafe, dangerous or obstructed condition, or of such snow or ice, 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 Clerk of the Steuben County ~~Clerk~~ Legislature shall preserve the record of each notice for a period of at least ~~five (5)~~ six (6) years after the date it is received.

SECTION 4. The Clerk of the Steuben County ~~Clerk~~ Legislature shall transmit in writing to the Steuben County ~~Superintendent of Highways~~ ~~Commissioner of Public Works~~ and/or the Steuben County ~~Superintendent of Buildings and Grounds,~~ as applicable, within five (5) days after receipt thereof a copy of any written notice of defect, unsafe, dangerous or obstructed conditions filed in accordance herewith, which has not previously been filed with the Steuben County ~~Superintendent of Highways~~ ~~Commissioner of Public Works,~~ and the notices shall be properly recorded in the records of the Steuben County Highway Department and the Steuben County Commissioner of Public Works and/or the Steuben

County Superintendent of Buildings and Grounds, as applicable, shall take any and all corrective action with respect thereto, as soon as reasonably practicable.

SECTION 5. This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law of the State of New York.

NOTE: Old law is ~~strikeout~~ and deleted;
New matter is underlined.

ALL PERSONS ARE INVITED TO ATTEND AND BE HEARD.
"BY ORDER OF THE COUNTY LEGISLATURE OF STEUBEN COUNTY"

Dated: March 7, 2016
Village of Bath, New York

BRENDA K. MORI
Clerk of the Legislature
County of Steuben
3 East Pulteney Square
Bath, New York 14810