

(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. 4 of 2013 of the ~~(County)~~(City)(Town)(Village) of PRATTSVILLE TOWN BOARD was duly passed by the TOWN BOARD on September 9, 2013, in accordance with the applicable provisions of law.
(Name of Legislative Body)

~~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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 __ and was (approved)(not approved)(repassed after disapproval) by the _____ and was deemed duly adopted on _____ 20 _____ in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 20 _____ of the ~~(County)~~(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____ and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20 _____. 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 _____ 20 _____ in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer)*

~~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 20 _____ of the (County)(City)(Town)(Village) of _____ was duly passed by the _____ on _____ 20 _____, and was (approved)(not approved)(repassed after disapproval) by the _____ on _____ 20 _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20 _____ in accordance with the applicable provisions of law.~~
(Name of Legislative Body)
(Elective Chief Executive Officer)*

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a countywide 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 20____ 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 _____ 20____, 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 20____ of the County of _____ State of New York, having been submitted to the electors at the General Election of November _____ 20____, 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.

Kathleen Sherman

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

(Seal)

Date: _____ 9/9/13 _____

(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 GREENE

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.

Carl H. Kasper

Signature

ATTORNEY FOR THE TOWN

Title

County

City of PRATTSVILLE

Town

Village

Date: _____ 9/9/13 _____

TOWN OF PRATTSVILLE
LOCAL LAW #5 OF 2013 #4
PRIOR WRITTEN NOTICE OF DEFECTS

§ 1. No civil action shall be maintained against the Town of Prattsville or any of its officers or employees for damages or injuries to person or property sustained by reason of any highway, bridge, culvert, or any other real or personal property of the Town and or any real or personal property of the Town's special districts, being defective, out of repair, unsafe, dangerous or obstructed, unless written notice of such defective, unsafe, dangerous or obstructed condition of such highway, bridge, culvert, or other Town or district real or personal property was actually given to the Clerk of the Town or the Town Superintendent of Highways, and there was a failure or neglect to repair or remove the defect, danger or obstruction complained of within a reasonable time after the receipt of such written notice. Town property is defined as the real estate and personal property owned by or under the control of the Town of Prattsville, or that owned by any special district of the Town of Prattsville to include but not limited to its water districts or any other district of the Town now in existence or hereafter established by the Town.

§2. No civil action shall be maintained against the Town of Prattsville or its special districts or any of its officers or employees for damages or injuries to person or property sustained solely by reason of the existence of snow or ice upon any highway, bridge, culvert, or sidewalk, or other Town property, unless written notice thereof, specifying the particular place, was actually given to the Clerk of the Town or the Town Superintendent of Highways 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 receipt of such written notice. Town property is defined as the real estate and personal property owned by the Town of Prattsville or that owned by any special district of the Town of Prattsville to include but not limited to its water districts or any other district of the Town now in existence or hereafter established by the Town.

§3. The Town Superintendent of Highways shall transmit in writing to the Clerk of the town within (10) days after the receipt thereof received by him pursuant to this law.

§4. The Clerk of the Town shall keep an indexed record, in a separate book, of all written notices received of the existence of a defective, unsafe, dangerous or obstructed condition in or upon any Town property, or of an accumulation of ice or snow upon any Town highway, bridge, culvert, or sidewalk or other Town property which record shall state the date of the 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 (5) years after the date it is received.

§5. If any clause, sentence, paragraph, section, part or provision of this law shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this law, but shall be confined in its operation and effect to the clause, sentence, paragraph, section, part or provision thereof directly involved in the controversy or action in which such judgment shall have been rendered.