

Intro LL-1

Councilmember BATCHELOR presented the following and moved its adoption:

**LOCAL LAW PROVIDING FOR WRITTEN NOTIFICATION OF DEFECTS AND
OBSTRUCTIONS ON CITY HIGHWAYS, BRIDGES, STREETS, SIDEWALKS,
CROSSWALKS AND CULVERTS IN THE CITY OF GLOVERSVILLE**

Part 1: Legislative Intent – The City of Gloversville recently had a risk assessment review with their insurance carrier, NYMIR which resulted in multiple recommendations including updating Gloversville City Charter section 108 – Written Notice of Defect Required.

Part 2: Public Hearing – A public hearing has been held at the Common Council meeting on January 9, 2024 at 6:00PM.

Part 3: Modification – Gloversville City Charter section 108 is now modified to read as follows:

Notice of Highway Defects

No civil actions shall be maintained against any City or City official for damages or injuries to person or property sustained by reason of any highway, bridge, street, sidewalk, crosswalk or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous, or obstructed condition of such highway, bridge, street, sidewalk, crosswalk or culvert was actually given to the (city clerk, city engineer, city 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. 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, street, sidewalk, crosswalk or culvert, unless written notice thereof, specifying the particular place, was actually given to the (city clerk, city engineer, city commissioner of public works) and there was 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.

NOTE TO SECOND CLASS CITIES: If the local ordinance supersedes Section 244 Second Class City Law, a separate section so stating is required.

Part 4: Effectiveness – A public hearing having been held on January 9, 2024 and upon ratification by Common Council by at least three-fourths of the councilmen in office (6 yes votes), the instant Local Law shall become effective pursuant to C-28 of the Charter of the City of Gloversville.

Seconded by Councilmember: ZARRELLI

Aye: 7

Nay: 0

Dated: 01/09/2024

	Aye	Nay		Aye	Nay
ANADIO	X		STOVER	X	
BATCHELOR	X		WEISS	X	
MCNAMARA	X		ZARRELLI	X	
PETERS	X				