**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING**

**TOWN OF PERSIA**

**PLEASE TAKE NOTICE that a public hearing will be held by the Town Board on November 10th at 7:00pm at the Persia Town Hall, 8 West Main Street, Gowanda, NY. regarding the adoption of Local Law 2022-5 which is providing for written notification of defects and obstructions on town highways, bridges, streets, sidewalks, crosswalks, and culverts in the Town of Persia**

**Section 1. No civil actions shall be maintained against the Town or Town Superintendent of Highways 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 Town Clerk or Town Superintendent of Highways, and there was failure or neglect within a reasonable time after the giving of such notice to repair or remove the defective 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 Town Clerk or Town Superintendent of Highways 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.**

**Section 2. The Town Superintendent of Highways shall transmit in writing to the Town Clerk with ten days after the receipt thereof all written notices received pursuant to this local law.**

**Section 3. It is the intent of the Town Board pursuant to the Municipal Rule Law of the State of New York, to supersede such portions of 65-a of the Town Law of the State of New York. This Local Law shall supersede in its application NYS Town Law 65-1, Sections 1, 2 & 3.**

**Section 4. The Local Law shall take effect immediately upon its filing in the office of the Secretary of State. All members of the public will be allowed to comment regarding this proposed Local Law.**

**TOWN OF PERSIA**

**Denise M. Trumpore**

**Town Clerk**