

## VILLAGE OF AIRMONT

LOCAL LAW #\_\_ of 2015 Amending Section 177, titled Streets and Sidewalks, adding language to clarify sidewalk liability and amending section 177-2, titled Written notice of defects required, for consistency.

A LOCAL LAW TO AMEND section 177 of the Village Code of the Village of Airmont adding a section to clarify sidewalk liability and amending section 177-2 in order to make the code consistent with the addition.

BE IT ENACTED by the Village Board of the Village of Airmont as follows:

Add to section 177:

TITLE: Liability of real property owner for failure to maintain sidewalk in a reasonably safe condition.

BODY: a. It shall be the duty of the owner of real property abutting any sidewalk to maintain such sidewalk in a reasonably safe condition. b. Notwithstanding any other provision of law, the owner of real property abutting any sidewalk shall be liable for any injury to property or personal injury, including death, proximately caused by the failure of such owner to maintain such sidewalk in a reasonably safe condition. Failure to maintain such sidewalk in a reasonably safe condition shall include, but not be limited to, the negligent failure to install, construct, reconstruct, repave, repair or replace defective sidewalk flags and the negligent failure to remove snow, ice, dirt or other material from the sidewalk. c. Notwithstanding any other provision of law, the Village shall not be liable for any injury to property or personal injury, including death, proximately caused by the failure to maintain sidewalks in a reasonably safe condition. This subdivision shall not be construed to apply to the liability of the Village as a property owner.

Changes to section 177-2:

Section 177-2A - remove the word "sidewalk"

Section 177-2B - remove the word "sidewalk"

Effective Date:

This local law shall take effect immediately upon its filing with the Secretary of State or otherwise provided by Law.