

Chapter 101

NOTIFICATION OF DEFECTS

§ 101-1. Prior notification required.

§ 101-3. Indexed record.

§ 101-2. Written transmittal of notices received.

[HISTORY: Adopted by the Board of Trustees of the Village of Camden at time of adoption of Code (see Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]

§ 101-1. Prior notification required.

- A. No civil action shall be maintained against the Village of Camden for damages or injuries to person or property sustained by reason of any highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed, unless:
 - (1) Written notice of such defective, unsafe, dangerous or obstructed condition was received by the Village Clerk or Village Highway Superintendent; and
 - (2) 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.
- B. 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 or culvert, unless:
 - (1) Written notice thereof, specifying the particular place, was actually received by the Village Clerk or the Village Highway Superintendent; and
 - (2) 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.

§ 101-2. Written transmittal of notices received.

The Village Highway Superintendent shall transmit, in writing, to the Village Clerk within 10 days after the receipt thereof all written notices received by said Clerk pursuant to § 101-1 of this chapter.

§ 101-3. Indexed record.

The Village Clerk shall keep an indexed record, in a separate book, of all written notices which said Clerk shall receive pursuant to this article of the existence of a defective, unsafe, dangerous or obstructed condition in or upon or of an accumulation of ice or snow upon any

highway, bridge or culvert, 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 record of each notice shall be preserved for a period of five years after the date it is received.