

INC. VILLAGE OF ISLAND PARK

LOCAL LAW 19 OF 2016

Local Law 19 of 2016, amending Ordinance No. 11 entitled Removal of Snow, Ice, Weeds, Etc. from Sidewalks and Assessment of Expense for Same to establish the liability of real property owners for failure to maintain sidewalk in a reasonable safe condition.

Be it enacted by the Board of Trustees of the Inc. Village of Island Park with the addition of the following section:

Section 6:

- a. It shall be the duty of the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, to maintain such sidewalk in a reasonably safe condition.
- b. Notwithstanding any other provision of law, the owner of real property abutting any sidewalk, including, but not limited to, the intersection quadrant for corner property, 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 pursuant to Subdivision b of this section.
- d. Nothing in this section shall in any way affect the provisions of this chapter or of any other law or rule governing this manner in which an action or proceeding against the Village is commenced, including any provisions requiring prior notice to the Village of defective conditions.