

THE TOWN OF DEERPARK, ORANGE COUNTY, NEW YORK

LOCAL LAW NO. 2 OF 2026

**A LOCAL LAW REQUIRING
PRIOR WRITTEN NOTICE OF DEFECT(S)
IN CIVIL ACTIONS FOR DAMAGES
COMMENCED AGAINST THE TOWN OF DEERPARK,
COUNTY OF ORANGE, STATE OF NEW YORK**

Legislation.

LOCAL LAW #2-2026

A Local Law Requiring Prior Written Notice of Defect(s) in Civil Actions for Damages Commenced Against the Town of Deerpark, County of Orange, State of New York.

BE IT ENACTED BY THE TOWN OF DEERPARK, COUNTY OF ORANGE, STATE OF NEW YORK as follows:

No civil action may be maintained against the Town of Deerpark, County of Orange, State of New York, for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk, or crosswalk being defective, out of repair, unsafe, dangerous, or obstructed UNLESS, before the occurrence resulting in such damages or injury:

- (a) Notice of the defective, unsafe, dangerous, or obstructed condition was delivered to the Town Clerk at 420 U.S. Route 209, Huguenot, New York 12746 in the form of a written physical hard copy; and
- (b) The Town failed or neglected to repair or remove the defect, danger or obstruction within a reasonable time after being given such notice.

No civil action may be maintained for damages or injuries to person or property sustained solely

in consequence of the existence of snow or ice upon any sidewalk, crosswalk, or street UNLESS:

- (a) Notice thereof relating to the particular place was delivered to the Town Clerk at 420 U.S. Route 209, Huguenot, New York 12746 in the form of a written physical hard copy; and
- (b) The Town failed or neglected to cause such snow or ice to be removed or to otherwise make reasonably safe the place within a reasonable time after being given such notice.

Notice of a defect submitted via email, the Town's website, any service, web site, or application the Town uses to allow the public to submit reports or service requests to the Town, comments on a Social Media page maintained by the Town, or any other electronic means does not satisfy the process and procedure for submitting Written Notices of Defect required by this Local Law.

This Local Law shall be effective immediately upon filing with the New York Secretary of State.

PLEASE TAKE NOTICE TO THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE TOWN LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE TOWN TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE TOWN HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.