

LOCAL LAW NO. 8 OF 2025

A LOCAL LAW amending §§158-2 and 158-3 of Chapter 158 (Streets and Sidewalks) of the Village Code to clarify that a notice of a defect cannot be delivered electronically.”

BE IT ENACTED by the Board of Trustees of the Village of Quogue as follows:

SECTION 1. Amendment. Sections 158-2 and 158-3 of Chapter 158 (Streets and Sidewalks) of the Village Code are amended to read as follows:

§ 158-2. Liability of Village; prior notice required; streets, highways, bridge or culvert.

No civil action shall be maintained against the Village of Quogue or its employees for damages or injuries to person or property sustained by reason of any street, highway, bridge or culvert being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such street, highway, bridge or culvert was actually given to the Village Clerk and 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; and 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 written notice thereof, specifying the particular place, was actually given to the Village Clerk and 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. Notice of defect submitted via electronic mail, the Village’s website, any service, website or application the Village uses to allow the public to communicate or submit reports or service requests to the Village, comments on a social media page maintained by the Village, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this section.

§ 158-3. Liability of Village; prior notice required; sidewalks.

No civil action shall be maintained against the Village of Quogue or its employees for damages or injuries to person or property sustained by reason of any sidewalk being defective, out of repair, unsafe, dangerous or obstructed unless written notice of such defective, unsafe, dangerous or obstructed condition of such sidewalk was actually given to the Village Clerk and 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, and 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 sidewalk unless written notice thereof, specifying the particular place, was actually given to the Village Clerk and 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. Notice of defect submitted via electronic mail, the Village’s website, any service, website or application the Village uses to allow the public to communicate or submit reports or service requests to the Village, comments on a social media page maintained by the Village, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this section.

SECTION 2. AUTHORITY. The proposed local law is enacted pursuant to Village Law §6-628, as well as Municipal Home Rule Law §§10(1)(i), 10(1)(ii)(a)(11), 10(1)(ii)(a)(12), and 10(2).

SECTION 3. SEVERABILITY. If any section or subsection, paragraph, clause, phrase, or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State pursuant to Municipal Home Rule Law.