

Chapter 100

NOTIFICATION OF DEFECTS

§ 100-1. Written notice required.

§ 100-2. Record of notices.

§ 100-3. Interpretation.

[HISTORY: Adopted by the Board of Trustees of the Village of Kensington 2-12-86 as L.L. No. 1-1986. Amendments noted where applicable.]

GENERAL REFERENCES

Streets and sidewalks — See Ch. 133.

§ 100-1. Written notice required.

No civil action shall be maintained against the village for damages or injuries to person or to property, including those arising from the operation of any mechanical or transportation device or equipment, sustained by reason of any highway, street, crosswalk, bridge, culvert, street marking, sign or device or any other property owned, operated or maintained by the village being defective, out of repair, unsafe, dangerous or obstructed, unless written notice of such defective, out-of-repair, unsafe, dangerous or obstructed condition of such highway, street, crosswalk, bridge, culvert, street marking, sign or device or any other property owned, operated or maintained by the village 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. 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, street, bridge, culvert or any other property owned by the village unless written notice thereof specifying the

particular place was actually given to the Village Clerk and there was 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.

§ 100-2. Record of notices.

The Village Clerk shall keep an index record, in a separate book, of all written notices that the Village Clerk shall receive of the existence of a defective, out-of-repair, unsafe, dangerous or obstructed condition in or upon any highway, street, crosswalk, bridge, culvert, street marking, sign or device or any other property owned, operated or maintained by the village or of any accumulation of snow or ice thereon, which record shall state the date of the 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 such notice shall be preserved for a period of five (5) years from the date it is received, and upon receipt of any notice, the Village Clerk shall notify the Mayor forthwith.

§ 100-3. Interpretation.

Nothing contained in this chapter shall be held to repeal or modify or waive any existing requirement or statute of limitations that is applicable to these causes of action, but, on the contrary, the provisions hereof shall be held to be additional requirements to the right to maintain any such action. Nothing herein contained shall be held to modify any existing rule of law relative to the question of contributory negligence or to impose upon the village its officers and employees any greater duty or obligation than is otherwise presently imposed on the village with respect to the maintenance of any highway, street, crosswalk, bridge, culvert, street marking, sign or device or any other property owned, operated or maintained by the village.

Chapter 105

PARKS AND RECREATION AREAS

§ 105-1. Adoption of rules and regulations by resolution.

§ 105-2. Additions, deletions and modification of rules.

§ 105-3. Posting of regulations.

§ 105-4. Penalties for offenses.

[HISTORY: Adopted by the Board of Trustees 5-14-75 as L.L. No. 3-1975. Amendments noted where applicable.]

§ 105-1. Adoption of rules and regulations by resolution.

The Board of Trustees of the Village of Kensington may adopt, by resolution, regulations governing the care, management, control and protection of the village park and pool and for the conduct of persons and vehicles within such park and pool and the exclusion therefrom of unauthorized persons or persons failing to comply with such regulations.

§ 105-2. Additions, deletions and modification of rules.

The Board of Trustees may from time to time add to, modify or delete such regulations.

§ 105-3. Posting of regulations.

The regulations adopted by the Board of Trustees, and any changes or additions thereto or deletions therefrom, shall be posted in a conspicuous place at the park and pool and shall constitute public notice of such regulations.

§ 105-4. Penalties for offenses. [Amended 5-17-89 by L.L. No. 1-1989]

Each person who violates any provision of this chapter shall, for each and every day that said violation continues, be subject to a fine of not more than one thousand dollars (\$1,000.) or imprisonment for a period not to exceed six (6) months, or both such fine and imprisonment.