

Bond Case Briefs

Municipal Finance Law Since 1971

LIABILITY - NEW YORK

Hume v. Town of Jerusalem

Supreme Court, Appellate Division, Fourth Department, New York - February 7, 2014 - N.Y.S.2d - 2014 N.Y. Slip Op. 00756

Pedestrian brought personal injury action against town, after the gravel along the edge of the road where she was walking allegedly gave way and caused her to slide down the road into a hole. The Supreme Court, Yates County, denied the town's motion for summary judgment. The town appealed.

The Supreme Court, Appellate Division, held that the town's failure to receive prior written notice of the allegedly dangerous condition precluded the pedestrian's personal injury action, even if the town had actual notice of the dangerous condition, where written notice was required by the town's local law.