

**RESOLUTION SUPPORTING A-3430 TO AMEND TITLE 59
BY STRENGTHENING WEATHER IMMUNITY**

Whereas, under the provisions of Title 59 public entities are immune from injury "caused solely by weather" on streets and sidewalks; and

Whereas, despite this language, in many cases Municipalities and other public entities still have been forced to pay large amounts of money in damages when Judges ruled that because other factors contributed to the accident, the immunity didn't apply because the accident was not "solely" caused by weather; and

Whereas, Municipalities and other public entities have also been forced to pay large amounts of money in damages for accidents occurring on other public property that were substantially caused by weather.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Harrison that the Legislature is urged to adopt A-3430 amending Title 59 as follows:

1. Changing the word "solely" to "primarily"; and
2. Extending this provision to all public property including storm water and waste systems, dams, rivers and streams.

BE IT FURTHER RESOLVED THAT a copy of this resolution shall be sent to the Legislative Delegation of the Third District, the Governor, the Senate President, Majority Leader and Minority Leader, as well as the Assembly Speaker, Majority Leader and Minority Leader.

TOWNSHIP OF SOUTH HARRISON

BY: _____
JAMES MC CALL, MAYOR

ATTEST:

NANCY E. KEARNS, RMC, TOWNSHIP CLERK

CERTIFICATION

I hereby certify the above to be a true copy of the Resolution adopted by the Township Committee of the Township of South Harrison at a Special Meeting held on the 29th day of December, 2010.

**NANCY E. KEARNS, RMC
TOWNSHIP CLERK**