

**RESOLUTION SUPPORTING S-2333 AND A3432 TO AMEND TITLE 59
TO PROVIDE IMMUNITIES FOR BEACHES, BOARDWALKS
AND SIMILAR PROPERTY**

Whereas, under the provisions of Title 59 public entities are immune from injury "caused by a condition of any unimproved public property, including, but not limited to, any natural condition of any beach; and

Whereas, despite this language, in many cases municipalities still have been forced to pay large amounts of money in damages for claims by swimmers injured in the ocean, and

Whereas, S-2333 would provide that public entities are immune for these accidents regardless of the circumstances under which they occur; and

Whereas, public entities have also incurred large costs in defending lawsuits by persons injured while walking on municipal boardwalks; and

Whereas, S-2333 provides that a public entity would be immune from such a suit if it can demonstrate that it was operating under an ongoing maintenance plan calling for periodically reviewing and repairing the boardwalk.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of South Harrison that the Legislature is urged to amend S-2333 and A-3432 to include piers, wharves, docks and similar public properties and adopt the amended bill.

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