



## Who's responsible for weather-related injuries and damage?

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CHARLOTTE, NC (WBTV) - The Charlotte area continued to thaw out Monday from the snow and ice which accumulated over the weekend.

If you drive along the highway, you'll see lots of vehicles covered in layers of frozen ice and snow. But what happens if a big chunk of ice falls off and hits your vehicle? Who is responsible for the damage? The person whose car the ice was on, or the one whose car was hit?

The issue of personal liability isn't just limited to our roadways, its also a big concern for homeowners and businesses, too. What happens if someone who is walking down your street falls on the sidewalk in front of your home or business? Is the home or business owner responsible for clearing the snow/ice or a municipality?

Several business owners in Center City had their doorways blocked off with caution tape over the weekend since they were unable to have the sidewalks scraped clear of the ice and snow.

On the other hand, some business owners left their parking lots covered with ice as their employees trekked into work.

**Professor Beau Baez with the Charlotte School of Law** says the law is very clear. "You have to act as a reasonably prudent person under the circumstances," he said.

Baez says even if a property owner fails to clear the ice, he or she still may not be responsible because of a kink in North Carolina law.

It's called "contributory negligence" which declares if the victim is one-percent at fault, then civil action is barred.

"You made a decision, a conscious choice," he said about someone walking up icy steps or slipping on an icy sidewalk, if travel was not necessary.

Baez also pointed out drivers could be held at fault for not removing sheets of ice from their cars. The ice could fly off at high speeds and cause an accident. The difficult part of taking legal action in those cases is getting information from the driver, who likely kept going.