

**Chapter 100**  
**STREETS AND SIDEWALKS**

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**[HISTORY: Adopted by the Board of Trustees of the Village of Champlain as indicated in article histories. Amendments noted where applicable.]**

**GENERAL REFERENCES**

Parking for handicapped — See Ch. 85.  
Vehicles and traffic — See Ch. 111.

Zoning — See Ch. 119.

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**ARTICLE I**  
**Notification of Defects**

**[Adopted 12-22-1958 by L.L. No. 1-1958; amended in its entirety 1-13-2020 by L.L. No. 1-2020]**

**§ 100-1. Prior notice required.**

- A. No civil action shall be maintained against the Village of Champlain for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous or obstructed or for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk, street, highway, bridge or culvert unless written notice of the defective, unsafe, dangerous or obstructed condition or of the existence of the snow or ice, relating to the particular place, was actually given to the Village Clerk/Treasurer of the Village of Champlain, New York, and there was a failure or neglect on the part of the Village of Champlain to, within a reasonable time after the receipt of such notice, repair or remove the defect, danger or obstruction complained of, or to cause the snow or ice to be removed, or the place otherwise made reasonably safe.
- B. The Clerk of the Village of Champlain shall keep an indexed record of all written notices which he/she shall receive of the existence of a defective, unsafe, dangerous or obstructed condition in or upon, or of an accumulation of ice or snow upon, any Village street, highway, bridge, culvert, sidewalk or crosswalk, which record shall state the date of 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. All such

written notices shall be indexed according to the location of the alleged defective, unsafe, dangerous or obstructed condition, or the location of accumulated snow or ice. He/She shall, at the Board meeting next following receipt of such written notice by him/her, or within 10 days, whichever is sooner, cause said written notice to be brought to the attention of the Board of Trustees. The record of each notice shall be preserved for a period of five years after the date it is received.

## ARTICLE II

### Obstructions in Rights-of-Way

[Adopted 12-10-2001 by L.L. No. 4-2001]

#### § 100-2. Mailboxes; newspaper delivery boxes.

- A. No mailbox or newspaper delivery box, hereafter referred to as "mailbox," will be allowed to exist within a Village right-of-way if it interferes with the safety of the traveling public or the function, maintenance or operation of the roadway or pedestrian sidewalk. A mailbox installation that does not conform to the provisions of this regulation will be considered an unauthorized encroachment.
- B. The location and construction of mailboxes shall conform to the rules and regulations of the United States Postal Service, as well as to standards established by this article.
- C. No mailbox will be permitted where access is obtained from the lanes of a major road or where access is otherwise prohibited by law or regulation.
- D. In general, mailboxes shall be located on the right-hand side of the roadway in the direction of the delivery route except on one-way streets where they may be placed on the left-hand side. The bottom of the box shall be set at an elevation established by the United States Postal Service, usually between three feet six inches and four feet zero inches above the roadway surface. The roadside face of the box shall be offset from the edge of the traveled way a minimum distance of the greater of the following eight feet, where no paved shoulder exists; the width of the all-weather shoulder present, plus eight to 12 inches; or the width of an all-weather turnout, plus eight to 12 inches.
- E. On curbed streets, the roadside face of the mailbox shall be set back from the face of the curb a distance between six and 12 inches. On residential streets without curbs or all-weather shoulders and that carry low traffic volumes operating at low speeds, the roadside face of a mailbox shall be offset between eight and 12 inches behind the edge of pavement. Mailboxes shall not be placed so as to obstruct any sidewalk or established pedestrianway.
- F. It shall be the responsibility of the owner to coordinate these requirements with the requirements of the United States Postal Service.

#### § 100-3. Trash containers and other personal property.

No trash containers, or items of personal property will be allowed to remain within the Village right-of-way or upon the sidewalk or walking area owned by the Village.

**§ 100-4. Removal of obstructions; costs.**

Abutting property owners are required to remove, at their own expense, and/or that cost incurred by the Village in removing such obstruction, upon failure to do so by the abutting owner, will be charged back to the abutting owner.

