

**Code  
of the  
Village of Champlain**

COUNTY OF CLINTON

NEW YORK

SERIAL NO. ....

**GENERAL CODE**  
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2020

## PREFACE

In 1749, Peter Kalm wrote, "We saw some houses on the western side of the lake, in which the French had lived before the last War (King George War), and which they abandoned; as it was by no means safe, they now returned to them again." These were apparently the first settlers of Champlain. Samuel De Champlain also cast his eyes on our shores, but it is thought he never landed here.

Champlain Town was founded on March 7, 1788, the same day as Clinton County was incorporated. The Village of Champlain was incorporated September 27, 1873, and the Village of Rouses Point on February 27, 1877. There are also two hamlets within the town: Perry's Mill, which was granted a federal post office in 1831, and Coopersville, getting its post office in 1841.

As early as 1801, Asa Douglas was acting as a public mail carrier. His route started in Champlain on Monday morning at 6:00 a.m. He went on to Plattsburgh to Peru to Willsboro, by ferry to Basin Harbor, Vermont, to Charlotte, Vermont, to Vergennes, Vermont, and back to Champlain by 6:00 a.m. on Thursday.

A lay chapel was erected in 1818 at Coopersville, and St. Joseph's Church was built there in 1844-45 at a cost of \$3,000.

The first known American settler in the town was Pliny Moore, in 1785. Jacques Rouse settled on the shore of Lake Champlain 1783. He kept an inn and also ran a ferry to the Vermont shore. He died around 1823.

In 1795, the town was granted \$22.14 from the State of New York to run its schools.

The first three roads in the town were laid out in 1793: one from the corner of Dewey's Tavern easterly to the lake, one from Champlain Village to the rapids, and one from the Village of Champlain to the Canadian line. The south road, Kings Bay, to the river at Coopersville was opened in 1796.

The first settlers of the town were mostly Scotch and some French. Many of these people lived in Canada but during the war came over to our side to fight with us. After the war, they were no longer welcome in Canada, so New York State granted each such man land in this area. This land became known as the "Canada and Nova Scotia Refugee Tract."

As early as 1815, the cemetery on the bank of the river in Coopersville was being used.

In 1824, a stone building was erected in the Village of Rouses Point to be used as a school, a meeting place and a house of worship.

In the early days of Champlain Village, there were many boat builders and saw mills and much small industry. In Rouses Point also, there was a lot of activity, lake traffic was big business, and five railroads passed through the village with twenty-passenger trains a day. The first railroad bridge built across Champlain at Rouses Point was often called the eighth wonder of the world.

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The Town of Champlain has a unique distinction of having five federal post offices within its borders, when there are only two villages and two hamlets. In 1851, there were two post offices in Rouses Point: One was called the “Upper Village” and the other “Hoylton,” downtown.

Champlain was in the path of the soldiers during the wars along the border of Canada. And many times, soldiers took over many of the people’s belongings as they passed through.

The town is located in the northeast corner of New York State, with Lake Champlain as its eastern border and Canada at the north.

Another distinction was the building of a fort on Canadian soil thinking it was in the United States. The dilemma was solved with the signing of the Webster-Ashburton Treaty, placing this land in the United States.

The population of the town has not changed very much over the decades, but railroads and boat traffic are gone and industry has taken their place.

Peg Barcomb

Town of Champlain and

Village of Rouses Point Historian

The Village of Champlain has, over the years, passed through a process of legislative change common to many American communities. While only a few simple laws were necessary at the time of the establishment of the village, subsequent growth of the community, together with the complexity of modern life, has created the need for new and more detailed legislation for the proper function and government of the village. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. Legislation must be more than mere chronological enactments reposing in the pages of old records. It must be available and logically arranged for convenient use and must be kept up-to-date. It was with thoughts such as these in mind that the Board of Trustees ordered the following codification of the village’s legislation.

### Contents of Code

The various chapters of the Code contain all currently effective legislation (local laws, ordinances and certain resolutions) of a general and permanent nature enacted by the Board of Trustees of the Village of Champlain, including revisions or amendments to existing legislation deemed necessary by the Board of Trustees in the course of the codification.

### Division of Code

The Code is divided into parts. Part I, Administrative Legislation, contains all village legislation of an administrative nature, namely, that dealing with the administration of government, that es-

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establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part II, General Legislation, contains all other village legislation of a regulatory nature. Items of legislation in this part generally impose penalties for violation of their provisions, whereas those in Part I do not.

### **Grouping of Legislation and Arrangement of Chapters**

The various items of legislation are organized into chapters, their order being an alphabetical progression from one subject to another. Wherever there are two or more items of legislation dealing with the same subject, they are combined into a single chapter. Thus, for example, all legislation pertaining to the regulation of streets and sidewalks may be found in Part II, in the chapter entitled "Streets and Sidewalks." In such chapters, use of Article or Part designations has preserved the identity of the individual items of legislation.

### **Table of Contents**

The Table of Contents details the alphabetical arrangement of material by chapter as a means of identifying specific areas of legislation. Wherever two or more items of legislation have been combined by the editor into a single chapter, titles of the several Articles or Parts are listed beneath the chapter title in order to facilitate location of the individual item of legislation.

### **Reserved Chapters**

Space has been provided in the Code for the convenient insertion, alphabetically, of later enactments. In the Table of Contents such space appears as chapters entitled "(Reserved)." In the body of the Code, reserved space is provided by breaks in the page-numbering sequence between chapters.

### **Pagination**

A unique page-numbering system has been used, in which each chapter forms an autonomous unit. One hundred pages have been allotted to each chapter, and the first page of each is the number of that chapter followed by the numerals "01." Thus, Chapter 6 begins on page 601, Chapter 53 on page 5301, etc. By use of this system, it is possible to add or to change pages in any chapter without affecting the sequence of subsequent pages in other chapters, and to insert new chapters without affecting the existing organization.

### **Numbering of Sections**

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A chapter-related section-numbering system is employed, in which each section of every item of legislation is assigned a number which indicates both the number of the chapter in which the legislation is located and the location of the section within that chapter. Thus, the first section of Chapter 6 is § 6-1, while the fourth section of Chapter 53 is § 53-4. New sections can then be added between existing sections using a decimal system. Thus, for example, if two sections were to be added between §§ 53-4 and 53-5, they would be numbered as §§ 53-4.1 and 53-4.2.

### **Scheme**

The Scheme is the list of section titles which precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the Scheme titles are repeated as section headings in the text.

### **Histories**

At the end of the Scheme in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the enactment number (e.g., ordinance number, local law number, bylaw number, resolution number, etc.), if pertinent, and the date of adoption. In the case of chapters containing Parts or Articles derived from more than one item of legislation, the source of each Part or Article is indicated in the History. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

### **Codification**

#### **Amendments and Revisions**

New chapters adopted or sections amended or revised during the process of codification are specifically enumerated in chapter Histories with reference to “Ch. 1, General Provisions,” where the legislation adopting this Code and making such revisions will appear after final enactment. Sections so amended or revised are also indicated in the text by means of Editor’s Notes referring to the chapter cited above.

### **General References; Editor’s Notes**

In each chapter containing material related to other chapters in the Code, a table of General References is included to direct the reader’s attention to such related chapters. Editor’s Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

### **Appendix**

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Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this Code is reserved for such legislation and for any other material that the community may wish to include.

### Index

The Index is a guide to information. Since it is likely that this Code will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added to the Code.

### Instructions for Amending the Code

All changes to the Code, whether they are amendments, deletions or complete new additions, should be adopted as amending the Code. In doing so, existing material that is not being substantively altered should not be renumbered. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 45-5 and 45-6 should be designated § 45-5.1). New chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative Legislation, or Part II, General Legislation), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing (e.g., new legislation on abandoned vehicles should be titled "Vehicles, Abandoned" under "V" in the table of contents, and a new enactment on coin-operated amusement devices should be "Amusement Devices" or "Amusement Devices, Coin-Operated" under "A" in the table of contents). Where a reserved number is not available, an "A" chapter should be used (e.g., a new chapter to be included between Chapters 45 and 46 should be designated Chapter 45A). New Articles may be inserted between existing Articles in a chapter (e.g., adding a new district to the Zoning Regulations) by the use of "A" Articles (e.g., a new Article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 45-30 and Article XVII begins with § 45-31, Article XVIA should contain §§ 45-30.1 through 45-30.6).

### Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation or amendments to existing legislation will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

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### **Acknowledgment**

The preparation of this Code has required much time and effort on the part of village officials, particularly in the review of legislation. The assistance of James E. Keable, Esq., Village Attorney; Lawrence Paquette, Village Clerk; Joanne M. Letourneau, Office Secretary; and the entire Board of Trustees is gratefully acknowledged by the editor. The dedication to the tasks involved in the preparation of this Code by all concerned make it an outstanding achievement of the Village of Champlain.

The codification of the legislation of the Village of Champlain reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code Publishers Corp. that this Code will contribute significantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."

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