

Town of Genoa
Highway Department
Public Information

In Accordance with: Section 189 of the New York State Highway Law
and the New York State Department of Transportation Highway Design Manual

1. Damage to Private Property

It should be noted that the municipality is **not** held responsible for damage to private property that is located within the public right-of-way. The right-of-way (ROW) is often 50 feet wide and is often confused by property owners as their own property. In most cases, the ROW extends ten to twenty feet on either side of the paved or gravel road. Homeowners cultivate extensions of their lawns, place mailboxes, erect fences or stone walls in these areas, which improves the appearance of the street greatly, but is obstructive to a good maintenance from being conducted on the roadway. Homeowners should not put bark mulch, crushed rock, stone walls, fences (visible or invisible), irrigation systems, trees or lawns in the town right-of-way. **The town is not liable for damage that may occur to property in its right-of-way.** Many items interfere with heavy equipment and become a hazard for vehicles and pedestrians. They often cause drainage failures, and thereby road deterioration.

2. Location of Mailboxes

Mail and newspaper boxes are allowed, at the owner's risk within the right-of-way for the purposes of convenience. United States Postal bulletin 22102 states; "The Postal Service suggests using a semi-arch or extended arm support which allows snowplows to sweep near or under mailboxes without damaging supports and provides easy access to the mailboxes by carriers and customers." Please refer to the town's recommended policy on mailbox placement.

3. The following suggestions are for reducing the possibility of damage and liability:

Mailboxes should whenever possible, be installed at least three feet from the edge of pavement. Installation should be sufficiently sturdy to withstand the weight of heavy snow resulting from plowing operations.

4. Liability

Property owners may be held liable for injuries or damages caused by items placed in the ROW.