

Chapter 135

MAILBOXES

§135-1. Definitions.

§135-4. Construction.

§135-2. Compliance required.

§135-5. Enforcement; violations and Penalties.

§135-3. Existing mailboxes.

§135-6. Damage to mailboxes.

[History: Adopted by the Town Board of the Town of Pleasant Springs 313/1998 (§ 3.05 of the 1989 Code). Amendments noted where applicable.]

§135-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

MAILBOX-A box, enclosure, tube, or other structure which is placed along the right-of-way of a road or driveway for the purpose of receiving delivery of United States mail.

§135-2. Compliance required.

In order to promote the safety of motorists and the efficient delivery of mail, all roadside mailboxes installed or replaced in the Town of Pleasant Springs shall meet the standards of this chapter.

§135-3. Existing mailboxes.

Existing mailboxes which pose an immediate danger to the safety of motorists may be removed at the direction of the Town Board after notice of the defect has been provided to the mailbox owner and the owner has been afforded an opportunity to be heard before the Town Board.

§135-4. Construction.

- A. Every mailbox shall be mounted on a post. The post must be constructed of wood which is no more than four inches on a side or in diameter or a steel pipe not more than 1.5 inches in diameter. The post may not be buried more than 24 inches below the surface of the ground and may not be set in concrete or on a base plate. [Amended 11-4-2003]
- B. Every mailbox shall be attached securely to its supporting post so that the mailbox will not separate from the post if the post or mailbox is struck.

Z:\Word files\ORDAMEND\ORDINANCE\Amend Ord Ch 135 4 2008.doc

- C. No more than two mailboxes may be mounted on a single support post. If multiple posts are to be installed in one location, the posts must be placed three feet apart. The support post shall be installed a minimum of 24 inches from the edge of the roadway pavement. [Amended 11-4-2003]
- D. The mailbox shall be mounted on the post at a height of 42 to 48 inches above the level of the road shoulder. The front of the mailbox shall not be suspended over the road shoulder but may not be set back more than eight inches from the edge of the road shoulder.

§135-5. Enforcement; violations and penalties.

- A. In the event that a mailbox violates the standards of this chapter, the Town shall serve a notice on the owner which identifies the problem with the mailbox and directs that the problem be corrected within 30 days. If the mailbox is not corrected within that time period, the Town may either commence action to enforce this chapter or remove any mailbox which intrudes upon the Town's right-of-way.
- B. Any person who violates the requirements of this chapter shall, upon conviction thereof, be subject to the penalties provided in Chapter 1, General Provisions, § 1-1. In the event that the Town shall remove a mailbox, the expense of removal by the Town shall be billed to the owner. If the charges are unpaid, the Town shall collect the charges by assessing the charges as a special charge against the owner's real estate pursuant to § 66.0627, Wis. Stats. (Amended 11-4-2003)

§135-6. Damage to mailboxes.

- A. The Town of Pleasant Springs performs road maintenance, including snowplowing and mowing, which may result in damage to, or destruction of, a mailbox and/or post. The Town shall compensate the owner of a mailbox or post that is damaged or destroyed by the direct impact of Town maintenance equipment, unless the damage to, or destruction of, the mailbox and/or post results from:
 - 1. The impact of snow that is pushed against a mailbox and/or post.
 - 2. The direct impact of a Town snowplow blade when the mailbox and/or post are completely concealed by fallen, drifted and/or mounded snow. Property owners are responsible to keep the mailbox and post clear of all snow.A property owner claiming that the Town road crew damaged or destroyed a mailbox and/or post shall notify the Town. The Town Public Works staff shall investigate the matter and determine whether replacement, repair or reimbursement is appropriate. [Amended 4-02-2008]
- B. The Town's liability for replacement of mailboxes shall be limited to the amount of money necessary to buy a reasonably comparable mailbox. The Town shall not be responsible for payment of installation costs or for the cost of replacing ornamental, exotic or unusual mailboxes. The Town shall have the right to repair a damaged mailbox at its expense in lieu of paying for replacement. In no event shall the Town be liable for more than \$25 per mailbox.

- C. The Town's agreement to reimburse for the cost of mailbox damage or destruction shall not be construed as an admission of liability, a waiver of any defense to liability on any claim, or an undertaking to insure any property against damage or loss. Further, the Town reserves the right to repeal or amend this chapter at any time, to reduce the amount payable under this chapter to reflect the limits of available funds, or to discontinue the policy embodied herein in its entirety.