

ORDINANCE xx-2022

MAILBOX ORDINANCE

TOWN OF LUCK

An Ordinance for regulating the placement and repair of mailboxes in the Town of Luck and prescribing procedures thereof:

The Town Board of the Town of Luck, Polk County, Wisconsin, does hereby ordain as follows:

**Section 1.0 Applicability and Enforcement**

- a) The provisions of this Ordinance shall apply to all residents of the Town of Luck with mailboxes located within town road rights-of-way.
- b) This chapter shall be enforced by the officers of the Town of Luck.

**Section 2.0 Intent**

The intent of this ordinance is to require that safe but accessible mailboxes be placed upon the road rights-of-way.

**Section 3.0 Requirements**

- a. The local postal service, the town patrolman and the property owner will work together on the safe placement of the mailbox.
- b. A swinging arm is strongly recommended. The mailbox post must be at least three (3) feet from the shoulder of the road (if any) and the bottom of the mailbox must be between forty-two (42) to forty-eight (48) inches above the road surface and the front of the box must be 10-12" back from roadway. Any optional box must be attached to the same mailbox post.
- c. It is best to keep the entire mailbox post installation as light weight as possible. This permits a vehicle crashing into it to break off the mailbox post with less damage to the vehicle. The heavier the installation, the less likely it will move instantaneously, causing more damage to the vehicle and injury to its occupants.
- d. Use support posts which will easily break off or move out of the way. If a wooden post is used, it should not exceed 4" x 4".
- e. Mount no more than two mailboxes on one support post.
- f. Attach the mailbox firmly to the support post using adequately strong bolts and plates.
- g. Consider roadside conditions in selecting a site.

h. Supports: The postal service requires that the bottom of the box be 42 to 48 inches above ground level. The Wisconsin Department of Transportation has these standards for supports which will ensure that they will break away on impact:

i. Pipes should be two inches inside diameter or less.

ii. Square wood supports should not be larger than four inches by four inches. Round wood posts should not be larger than four and one-half inches in diameter.

iii. Metal channel posts should not weigh more than two pounds per foot.

#### **Section 4.0 Penalties**

Should any mailbox be deemed unsafe by Town Road Maintenance Personnel or an Official of the Town of Luck, the owner of said mailbox shall be notified in writing that said mailbox is not safe and does not comply with Town of Luck standards and must be replaced. The aforementioned owner shall then have 14 days in which to comply with the state requirements for placement of mailboxes as laid out and explained in this ordinance.

#### **Section 5.0 Town Responsibilities for Damage**

a. The Town of Luck will not be responsible for repair or replacement of mailboxes not meeting the aforementioned standards if or when damaged in the course of lawful and necessary town activities.

b. Rural mailboxes have been and are allowed on the highway right-of-way as a matter of convenience to the land owners or occupants and not as a matter of right. It is the intention of this policy that if a mailbox meeting the aforementioned standards is accidentally damaged in the process of removing snow, mowing the right of way, graveling the shoulder, or any other act of maintaining the right of way, the town reserves the right to repair or replace the post and/or mailbox. In no instance is the town responsible for replacing mailboxes or posts of like kind but only with standard 4x4 posts or metal pipe and standard mailboxes meeting the aforementioned standards or the equivalent thereof.

c. Keeping snow and ice away from the front of the box will help the plows safely remove snow.

d. As examples: if the snowplow blade strikes a mailbox meeting the standards of this ordinance the Town will repair or replace it; however, if snow exiting a snow plow blade knocks a post over due to a rotted or weakened post the Town will not be responsible for its replacement.

e. Claims for damaged mailboxes and/or posts must be made within five days of the event to the Town.

**Section 6.0 Effective Date**

This ordinance shall be effective after adoption by the Town Board and publication or posting as provided by law.

The foregoing ordinance is hereby adopted at the regular Board meeting of the Town of Luck on the 13th day of December, 2022.

ATTEST:

Patsy Gustafson, Clerk

Dean Johansen, Chairman

Larry Wright, Supervisor

Greg Marsten, Supervisor