

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
THE CITY OF JEFFERSON, IOWA, 2008 BY ADDING
A CHAPTER PERTAINING TO MAILBOXES

Be it enacted by the City Council of the City of Jefferson, Iowa:

SECTION 1. New Chapter. The Code of Ordinances of the City of Jefferson, Iowa, 2008 is amended by adding a new Chapter 141, entitled MAILBOXES, which is hereby adopted to read as set forth on Exhibit A attached hereto.

SECTION 2. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.


SECTION 3. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. When effective. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on August 11, 2009, and approved on August 11, 2009.

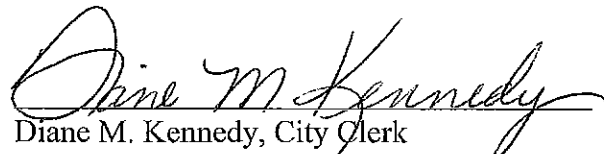


Craig J. Berry, Mayor

Attest:


Diane M. Kennedy, City Clerk

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on August 20, 2009.



Diane M. Kennedy, City Clerk

CHAPTER 141

MAILBOXES

141.01 PURPOSE. The City's right-of-way is held by the City primarily for the purpose of pedestrian and vehicular passage and for the City's provision of essential public safety services, including police, fire and emergency medical response services, and public health services, including sanitary sewer, water and storm drainage. The purposes of this chapter are to minimize parking problems on streets, to improve the ability of the City to remove snow from streets, and to provide standards for mailboxes in order to maintain the safety and the visual character of the City's right of way.

141.02 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Breakaway support" means a supporting post which shall be no larger than a 4" x 4" wood post or a metal post with a strength no greater than a 2" diameter schedule 40 steel pipe and which is buried no more than 24" deep. Such a support post shall not be set in concrete unless specifically designed as a breakaway support system as defined in "A Guide for Erecting Mailboxes on Highways" published by the American Association of State Highway and Transportation Officials, current edition ("AASHTO").
2. "Curbside mailbox" means a mailbox consisting of a lightweight sheet metal or plastic box meeting the specifications of the United States Postal Service ("USPS") with the inscription plainly legible "U.S. MAIL" and "APPROVED BY THE POSTMASTER GENERAL," which is erected at the edge of a roadway or curbside of a street and is mounted on a breakaway support post, and is intended or used for the collection of mail and is to be served by a mail carrier from a vehicle.
3. "Custom-built mailbox" means a mailbox erected at the edge of a roadway or curbside of a street constructed using materials that do not meet the definition of a "curbside mailbox" and "breakaway support."

141.03 VISIBILITY; OBSTRUCTION. All curbside mailboxes must be erected:

1. Away from the intersection of any street and in no case closer than 75 feet measured from the center line of the intersecting street in order to prevent obstruction of free and clear vision; and
2. Away from any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic control device.

141.04 CURBSIDE MAILBOX REQUIREMENTS. All newly constructed or replaced curbside mailboxes shall comply with the following installation requirements:

1. On streets with curbs the bottom of the mailbox shall be not less than 36" from the top of curb and the top of the mailbox shall be not more than 46" from the top of the curb. On streets without curbs the bottom of the mailbox shall be not less than 42" from the street surface and the top of the mailbox shall be not more than 52" from the street surface, as defined by USPS installation requirements.
2. Lateral placement of the mailbox shall be 6" to 8" from the face of the curb, as defined by USPS installation requirements.
3. The mailbox support post shall be of a "breakaway support" design, as defined in this chapter and by AASHTO.
4. The post-to-box attachment shall be of sufficient strength to prevent the box from separating from the post if a vehicle strikes the post.
5. The property owner shall be responsible for the maintenance of the curbside mailbox.

141.05 CUSTOM-BUILT MAILBOXES. Custom-built mailboxes may not be installed or replaced. If a custom-built mailbox is existing at the time of the enactment of this chapter it may be left in place if an application for approval is submitted to the Building and Zoning Official and the Street Superintendent and approved by them. The property owner shall be responsible for the maintenance of the custom-built mailbox. If the custom-built mailbox is damaged beyond use by the City, a standard curbside mailbox and breakaway post as defined in this chapter will be provided by the City or the property owner can be reimbursed up to the maximum replacement amount set by the city council. If the property owner performs the replacement, reimbursement will not exceed the established cost for a standard curbside mailbox and breakaway post.

141.06 DAMAGE TO MAILBOXES. Any type of mailbox located in the City right-of-way is subject to damage or destruction, at any time, as a result of the City or a person with a utility easement entering upon the City right-of-way to construct, repair or maintain the utilities located in the City right-of-way or as a result of the City engaging in activities to maintain the public street or right- of-way, such as snow removal, pavement repair or street cleaning. If a curbside-style mailbox located in the City right-of-way which meets the requirements of this chapter is damaged during such activities, the City or the utility that damaged the mailbox shall replace said mailbox with a mailbox of the same design, if it has been approved for installation by the USPS with the proper markings inscribed "U.S. MAIL" and "APPROVED BY THE POSTMASTER GENERAL" and if it is still available for purchase and complies with this chapter. The property owner may choose to be reimbursed

in full (up to the maximum amount established by the council) or have the City reinstall a new mailbox meeting the requirements of this chapter. If the property owner chooses to purchase an approved mailbox and be reimbursed, the City will install the mailbox at the property owner's request. Any reimbursement made to a property owner or cost of replacement incurred by the City under this section or section 141.05 shall not exceed the maximum set by the City Council. The City will have no obligation to replace or reimburse a property owner for a mailbox which does not meet the requirements of this chapter. Except as specifically provided in this section and section 141.05 the City does not assume any liability and will not be responsible for damaged mailboxes of any type located within the City right-of-way.

141.07 MAILBOX ACCESS. The property owner shall be responsible for keeping snow and other accumulations cleared from the area surrounding a mailbox so that the United States Postal Service can gain access to it. The City assumes no responsibility or obligation for assuring access to any mailbox located in the City right-of-way.