

***ORDINANCE NO. F - 2004-05***

TO THE HONORABLE, THE OUTAGAMIE COUNTY BOARD OF SUPERVISORS

LADIES AND GENTLEMEN:

MAJORITY

The Highway Department is desirous of an ordinance regarding the proper installation and placement of mailboxes that encroach upon highways in Outagamie County.

NOW THEREFORE, the undersigned members of the Highway and Solid Waste Committee and Legislative/Audit and Human Resources Committee recommend adoption of the following ordinance.

BE IT ORDAINED, that the Outagamie County Board of Supervisors does create section 8.11 of the Outagamie County Code of Ordinances to read:

8.11 Mailbox Installation. (1) Purpose. This ordinance is intended to establish standards for the safe installation of mailboxes within the right-of-way adjacent to highways in Outagamie County. The term "mailbox" means any device used to receive mail, newspapers, packages, or similar items and the term includes any structure used to support the mailbox.

(2) Authorization. A person may install and maintain a mailbox within the right-of-way adjacent to or near the person's residence provided that the mailbox complies with all requirements established by the United States Postal Service and all requirements established by this ordinance.

(3) Requirements. (a) Location. A mailbox must be placed on the right side of the highway, except in the case of one-way traffic; at the far side of the driveway; and a minimum of 60 feet from any intersecting road in the direction of the delivery route.

(b) Setback. The mailbox must be set back a sufficient distance so that no portion of the mailbox extends over the traveled portion of the highway or the outside edge of the shoulder.

(c) Height. The bottom of the mailbox receptacle must be a minimum of 42 inches to a maximum of 48 inches from the roadway surface.

(d) Material. A mailbox must be constructed of light sheet metal, plastic, or a similar material. The mailbox must be firmly attached to any support in order to minimize the possibility of its separating from the structure if struck by a vehicle.

(e) Number and Separation. No more than two mailboxes may be mounted on a single support post. A light-weight newspaper box mounted below a mailbox will not be counted toward this limit. Support posts must be separated by a distance that is equal to three-quarters of the height of the support posts.

(f) Support Structure. A mailbox support structure must be designed to break off or move out of the way if struck by a vehicle. No support may extend more than 24 inches into the ground; be placed in concrete; or fitted with an anchor plate. A metal support may have an anti-twist device if the device does not extend more than 10 inches below the ground surface. The maximum material specifications for a support post are:

1. A square wood post must not be larger than 4 inches by 4 inches nominal.
2. A round wood post must not be larger than 4 inches in diameter.
3. A metal pipe must have an inside diameter of 11/2 inches or less.
4. A metal channel must weigh less than 2 pounds per foot.

5. Variance. The Highway Commissioner is authorized to grant a variance on a case-by-case basis to any requirement specified in sub (3) provided that the variance is authorized in writing and does not compromise public safety.

6. Enforcement. This ordinance may be enforced under the provisions of Wis. Stats. Section 86.04 pertaining to highway encroachments.

7. Repairs/ Replacement. In the event a mailbox is damaged during snow removal activities, the Outagamie County Department will repair or replace ~~the~~**a properly placed** mailbox if and only if it was actually hit by Outagamie County equipment. If the snow coming off the plow or wing does the damage, there will be no repair or replacement by Outagamie County. The Patrol Superintendent that reviews the damaged mailbox will make the sole determination as to whether the damage was caused by Outagamie

County Highway Department equipment or by the snow. His decision is final. Any replacement done by the Outagamie County Highway Department will be with a standard metal mailbox. No other allowance will be made for the more decorative, costly mailboxes. No other reimbursement will be made, and

**BE IT FURTHER ORDAINED**, that this ordinance shall be in full effect upon publication in accordance with State Statutes, and

BE IT FINALLY ORDAINED, that the Outagamie County Clerk be directed to forward a copy of this resolution to the Outagamie County Highway Commissioner, the Outagamie County Corporation Counsel and the Legislative Services office for inclusion in the Outagamie County Code of Ordinances.

Dated this 8th day of March, 2005.

Respectfully Submitted,

## HIGHWAY & SOLID WASTE COMMITTEE and

## HIGHWAY & SOIL/ WASTE COMMITTEE and LEGISLATIVE/AUDIT & HUMAN RESOURCES COMMITTEE

Signed: William Errington, Judy Schuette, Daniel Kennedy, Ken VandenHeuvel, Lawrence Brockman, Robert Spahn, Peter Beckley

Duly and officially adopted by the County Board On: 3/8/05

Signed: CLIFFORD SANDERFOOT NANCY J. CHRISTENSEN

## Board Chairperson

## County Clerk

Approved:3/10/05 Vetoed: \_\_\_\_\_

Signed: ROBERT "TOBY" PALTZER

## County Executive