

## **CHAPTER 96: MAILBOXES**

### Section

- 96.01 Definitions
- 96.02 United States Postal Service regulations
- 96.03 Placement of mailboxes in right-of-way
- 96.04 Snowplowing; damage
- 96.05 Violations

### **§ 96.01 DEFINITIONS.**

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**PUBLIC WORKS DIRECTOR.** The Public Works Director of the City of Battle Lake or designee.

**MAILBOX.** A receptacle intended for the receipt or delivery of mail meeting United States Postal Service standards.

**RIGHT-OF-WAY.** As used in this chapter the term right-of-way means all dedicated streets, alleys and public rights-of-way, and easements and public streets or alleys.

### **§ 96.02 UNITED STATES POSTAL SERVICE REGULATIONS.**

All mailboxes shall comply with regulations promulgated from time to time by the United States Postal Service governing mailboxes, including amendments thereto. To the extent such regulations conflict with the provisions of this chapter, such regulations shall control.

### **§ 96.03 PLACEMENT OF MAILBOXES IN RIGHT-OF-WAY.**

#### (A) Permit Required.

(1) Prior to a mailbox being placed, a Right-of-Way permit must be obtained from the city.

#### (B) Location of support structure.

(1) No portion of a mailbox support shall be closer than 12 inches to the vertical plane of the face of the curb;

(2) In areas where there is a roll curb the mailbox support shall be at least 12 inches from the vertical plane of the outer edge of the curb;

(3) In areas where there is no curb the support shall be at least 12 inches from the graded portion of the right-of-way.

(B) Height. The bottom of the mailbox itself shall be not less than 38 inches and not more than 45 inches above the level of the street at the point at which the support setback is determined.

(C) Interference with traffic. Notwithstanding any provision set forth herein, no mailbox shall be placed in a location where it interferes with vehicular traffic, including access to private driveways. Mailboxes shall not interfere with intersection sight lines.

(D) Gopher State One Call. Any person installing a mailbox shall comply with the requirements of the Gopher State One Call System.

(E) Exceptions. Temporary mailbox installation not in compliance with the provisions of this chapter may be allowed during construction or reconstruction of a street.

(F) Newspaper boxes. No additional boxes shall be allowed attached to the mailbox or post. Any such boxes must be placed outside of the city right-of-way.

#### **§ 96.04 SNOWPLOWING; DAMAGE.**

(A) Claims. Any claim for damage to a mailbox by employees or agents of the city shall be submitted to the Public Works Director.

(B) Limited liability.

(1) The city will not be responsible for damages to mailboxes placed in the right-of-way in violation of this chapter, nor will the city be responsible for damages resulting only from flying snow.

(2) The city and public utility franchises may remove any mailboxes and mailbox supports if necessary to construct, maintain or repair facilities in the right-of-way. In the event of damage to a mailbox resulting from the mailbox or support structure being struck by snowplowing equipment operated by the city or its agents, the city shall be responsible for reasonable repairs up to and including replacement.

(3) The Public Works Director shall determine reasonable repairs. The decision of the Public Works Director may be appealed to the City Council by submitting such an appeal in writing within 30 days of the Public Works Director's decision.

(C) Snow clearance. The city plows the streets. It is the responsibility of the postal customer to keep the approach to the mailbox clear of obstructions to allow safe access for delivery.

## **§ 96.05 VIOLATIONS.**

(A) The owner of any mailbox placed in violation of this chapter may be ordered to remove the same by the Public Works Director. The Public Works Director's order may be appealed to the City Council by filing a written appeal specifying the grounds therefore within ten days of the date of the Public Works Director's order.

(B) The city may remove any mailbox or support structure which constitutes a hazard or otherwise interferes with the use of the public right-of-way. The costs of removal are the responsibility of the owner and may be assessed against the real estate for collection with the real estate taxes as provided by law.

~~—(C) Petty misdemeanor. Any violation of this chapter, including failure to comply with an order of the City Clerk/Administrator which has become final by failure to appeal, is a petty misdemeanor.~~

## **§ 96.99 PENALTY.**

Any person who violates any provision of this chapter shall be subject to criminal penalties as provided in § 10.99 of this code.