

City of Waukesha, Wisconsin

Ordinance No. ____-18

**An Ordinance Creating Section 6.125 of the Waukesha Municipal Code,
Regarding Damage to Mailboxes by City Snow Plows**

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Section 6.125 of the Waukesha Municipal Code is created to read as follows:

6.125 Damage to Mailboxes by City Snow Plows. Damage to mailboxes caused by city snowplows shall be reported to the Department of Public Works by the owner of the mailbox within 10 days of the occurrence of the damage. The owner must keep the damaged mailbox and make it available for inspection by a City representative. If the owner does not report damage within the 10-day time period or keep the mailbox and make it available for inspection by a City representative, then the claim for damages may be denied by the City without further investigation. If the report is made within that time period and the mailbox is made available for inspection, then the City shall proceed as follows:

- (a) A City Garage Supervisor shall investigate the damage and determine whether the damage was caused by a City snow plow or not.
- (b) If it is determined that the damage was caused by a City snow plow, then the City Garage Supervisor will assess the condition of the mailbox immediately prior to the occurrence of the damage, to the extent reasonably possible.
- (c) The City will use reasonable efforts to restore the mailbox to the condition it was in prior to the occurrence of the damage. If repair of the damaged mailbox is not possible and replacement is required, then the City will install a steel mailbox, meeting US Postal Service requirements, in the owner's choice of black, white, or green, on a 4" by 4" treated wood post set in the ground, at the City's expense.
- (d) The City will select replacement mailboxes at the City's discretion. The City will not install specialty mailboxes or mailboxes that are a significant betterment over the mailbox damaged by a City snow plow.
- (e) If the assessment of the mailbox's condition prior to the occurrence of the damage shows that the mailbox or post was in poor, deteriorated, or rotted condition, or shows other indications that it should have been replaced even if it had not been damaged by a City snow plow, then the City may not repair or replace it, in the City's discretion.

- (f) Only USPS-approved mailboxes will be repaired or replaced. Newspaper boxes or other items mounted on the post with the mailbox will not be repaired or replaced by the City.
- (g) If the owner chooses not to accept repair or replacement of the mailbox by the City, and wishes to install a mailbox of the owner's choice instead, then the City will reimburse the owner for the cost of materials for mailbox repair or replacement, up to a maximum of \$250, provided the owner provides the City with proof of purchase of the materials. Labor will not be reimbursed.
- (h) If weather or ground conditions do not allow a posthole to be dug, then a temporary mailbox will be mounted and a permanent repair or replacement will be done when weather and ground conditions allow.

Section 2. All ordinances, or portions of ordinances, inconsistent with this ordinance are hereby repealed.

Section 3. This Ordinance shall be effective immediately upon its publication.

Passed the _____ day of _____, 2018.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk